

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS
RELATED TO THE CHARGE AND RESPONSIBILITIES OF THE ENVIRONMENTAL
ADVISORY BOARD AND OTHER ADVISORY BOARDS

****DRAFT 1-15-2014****

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-45.2 of the Carrboro Land Use Ordinance is rewritten to read as follows:

Section 15-45.2 Powers and Duties of the EAB

- (a) The Environmental Advisory Board shall fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizen's oversight of stormwater management activities.
- (b) The Environmental Advisory Board may:
 - (1) Advise the Board of Alderman on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources. The areas of review for the EAB include new development, solid waste, air quality, stormwater management, climate protection and resilience, energy conservation, solar energy, groundwater, natural resources, and other areas.
 - (2) Provide recommendations for green building and low impact development as part of new development and redevelopment, including site planning and design, energy efficiency and renewable energy, water efficiency, materials efficiency and waste reduction, indoor environmental quality, and the minimization of pollution and stormwater runoff.
 - (3) Adopt a set of guiding principles or goals for the EAB and review these goals periodically to determine if they are being obtained.
 - (4) Take any other action authorized by this chapter or any other ordinance or resolution of the Board of Alderman

Section 2. Section 15-50(c) of the Carrboro Land Use Ordinance is rewritten with the addition of the Environmental Advisory Board to the list of Boards and Commissions in the second sentence below which are identified as having designated members participate in an on-site walkabout. The rewritten section shall read as follows:

- (c) After the site analysis plan has been submitted, the planning staff shall schedule a mutually convenient date to walk the property with the applicant and the applicant's site designer. Designated members of the Planning Board, Northern Transition Advisory Committee, Transportation Advisory Board, Environmental Advisory Board, and Appearance Commission, shall be notified of the date and time of this "on-site walkabout." The purpose of this visit is to familiarize town officials with the property's special features and to provide an informal opportunity for an interchange of information as to the developer's plans and the town's requirements.

Section 3. Section 15-57, Recommendations on Conditional Use Permits of the Carrboro Land Use Ordinance is rewritten by adding the Environmental Advisory Board to the list of

those Boards and Commissions to which development applications are referred in Subsections (a), (b), (c), (d), and (e), so that the Section now reads as follows:

(a) Before being presented to the Board of Aldermen, an application for a conditional use permit shall be referred to the planning board, appearance commission, environmental advisory board, and the transportation advisory board for joint review and action in accordance with this section. The Board of Aldermen may not hold a public hearing on a conditional use permit application until the planning board, appearance commission, environmental advisory board, and the transportation advisory board have had an opportunity to consider the application (pursuant to standard agenda procedures) at one regular meeting. In addition, at the request of the planning board, appearance commission, environmental advisory board or the transportation advisory board, the Board of Aldermen may continue the public hearing to allow the respective boards more time to consider the application.

(b) When presented to the planning board, appearance commission, environmental advisory board and the transportation advisory board, the application shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 and other requirements of this chapter, as well as any staff recommendations for additional requirements to be imposed by the Board of Aldermen. If the planning staff report proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirement of this chapter, it shall identify the requirement in questions and specifically state supporting reasons for the proposed findings and conclusions. (AMENDED 09/19/95)

(c) The planning board, appearance commission, environmental advisory board, and the transportation advisory board shall consider the application and the attached staff report in a timely fashion, and may, in its discretion, hear from the applicant or members of the public. (AMENDED 09/19/95)

(d) After reviewing the application, the planning board, appearance commission, environmental advisory board, and the transportation advisory board shall report to the Board of Aldermen whether it concurs in whole part with the staff's proposed findings and conditions, and to the extent there are differences the respective boards shall propose their own recommendations and the reasons therefore. (AMENDED 09/19/95)

(e) In response to the planning board's, the appearance commission's, environmental advisory board's or the transportation advisory board's recommendations, the applicant may modify his application prior to submission to the Board of Aldermen, and the planning staff may likewise revise its recommendations. (AMENDED 09/19/95)

Section 4. Subsection 15-56 (c), Recommendations on Special use permits is amended by adding the term 'Transportation Advisory Board' and 'Environmental Advisory Board' to the list of those boards to which applications may be referred so that this subsection reads as follows:

(c) The board of adjustment may, by general rule applicable to all cases or any class of cases, or on a case by case basis, refer applications to the planning board, the transportation advisory board, the environmental advisory board, or the appearance commission to obtain the recommendations of some or all of these boards.

Section 5. Subsection 15-322(a), Planning Board and other Advisory Consideration of Proposed Amendments, is rewritten by adding the environmental advisory board to the list of boards and commissions to which amendments may be referred so that the subsection reads as follows:

(a) If the Board sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues, and may refer the amendment to the environmental advisory board if the amendment involves community environment issues.

Section 6. This ordinance shall become effective upon adoption.