

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ADD FREESTANDING AUTOMATIC TELLER MACHINES, AND CERTAIN TYPES OF RESTAURANTS TO THE LIST OF USES THAT ARE PERMISSIBLE IN THE M-1 DISTRICT WITH A CONDITIONAL USE PERMIT, SUBJECT TO CERTAIN CRITERIA

\*DRAFT 2-12-2014\*

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS”

Section 1. Section 15-146 of the Carrboro Land Use Ordinance (the Table of Permissible Uses) is amended by placing the letter “C” in the M-1 district column opposing the following uses classifications to indicate that the Board may consider these uses permissible in the M-1 zoning district with a conditional use permit subject to the criteria in subsection 15-176.6.

~~3.230 Banks with Drive-in window~~

3.250 Freestanding Automatic Teller Machine

8.000 Restaurants (including food delivery services), Bars, Night Clubs

8.200 Outside service or consumption

8.500 Carry out service (picked up inside for off-premises consumption)

8.600 Food delivery

Section 2. Article XI, Part II, Miscellaneous Supplementary Use Provisions, is amended with the addition of a new Section 15-176.6, Banks and Restaurant Uses Within M-1 Districts. Notwithstanding the foregoing provisions in Section 15-146, uses ~~3.230~~, 3.250, 8.000, 8.200, 8.500 and 8.600 the Board shall consider these uses allowed in the M-1 zoning district with a conditional use permit subject to the following conditions relating to the provision of site and building elements that will create a more vibrant and successful community and provide essential public infrastructure.

Site and building elements are intended to be selected from the following five areas: stormwater management and water conservation; substantial transportation improvement and alternative transportation enhancement; on-site energy production and energy conservation , creation of new and innovative light manufacturing operations; and the provision of public art and/or provision of outdoor amenities for public use.

The Board shall consider a combined area of uses 3.250, 8.000, 8.200, 8.500 and 8.600 that shall not exceed 15 percent of the developable portion of the property for those developments providing site and building elements from at least one of the five areas. The Board shall consider a combined area of uses 3.250, 8.000, 8.200, 8.500 and 8.600 that shall not exceed 30 percent of the developable portion of the property for those developments providing site and building

elements from at least two of the five areas; and a combined area not to exceed 45 percent of the developable portion of the property for those developments providing site and building elements from at least four of the five areas.

Examples of conditions of site and building elements are intended to create a more vibrant and successful community and provide essential public infrastructure for the purposes of this provision includes but are not limited to the following:

| <b>Site and Building Element Categories</b>                                       | <b>Examples of Performance Measures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stormwater management and Water conservation                                      | <ul style="list-style-type: none"> <li>○ Substantial stormwater retrofits</li> <li>○ Reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the Jordan Lake Accounting Tool</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                               |
| Substantial transportation improvement and Alternative transportation enhancement | <ul style="list-style-type: none"> <li>○ Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips, or substantial improvement to public infrastructure related to transportation or access to transit.</li> <li>○ Construction of substantially improved site entrance, intersection</li> </ul>                                                                                                                                                                                  |
| On-site energy production and energy conservation,                                | <ul style="list-style-type: none"> <li>○ LEED Silver or Gold certification</li> <li>○ Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type.</li> <li>○ US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030.</li> <li>○ Installation of active and passive solar features solar arrays</li> <li>○ Use of harvested rainwater for toilet flushing.</li> <li>○ Use of devices that shade at least 30% of south-facing and west-facing building facades</li> </ul> |
| Creation of new and innovative light manufacturing operations,                    | <ul style="list-style-type: none"> <li>○ The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| The provision of public art and/or provision of outdoor amenities for public use. | <ul style="list-style-type: none"> <li>○ Outdoor amenities such as major public art, amphitheatre, congregating area, outdoor theatre, outdoor tables with game surfaces, etc.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                              |

Section 3. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 4. This ordinance shall become effective upon adoption.