

AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO MODIFY PROVISIONS
RELATING TO SOLAR SETBACKS

****DRAFT 1-27-2014****

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Subsection 15-48.1(c)(2)(a), Concept Plan Review Procedures Prior to Submitting Applications, is amended as follows:

- a. A sketch site plan showing the location and size (including floor area) of proposed buildings, (including the extent to which buildings taller than 40 feet may cast a shadow), parking areas, and driveway entrances;

Section 2. Appendix A – Information Required with Applications, is amended with a new subsection A-6(b)(26) to read as follows:

- (a) Plans showing the maximum extent to which all buildings taller than 40 feet will cast a shadow on June 21st and on December 21st.

Section 3. Subsection 15-185 shall be amended with a new subdivision (i) to read as follows:

- (i) The height regulations established in this section shall not be used to prevent adequate solar access to and around buildings, rights-of-way, off-street parking areas, loading space and service areas, space for landscaping, and spacing between buildings and portions of buildings.
 - (1) Notwithstanding the foregoing, developments including buildings taller than 40 feet shall be designed so as not to have an unnecessary substantial shadow impact on neighboring properties and public spaces. Development plans shall contain a shadow impact analysis as described in Appendix A – Information Required with Applications.
 - (2) Development plans which show new construction casting a substantial shadow area on buildings and open space within the proposed development or on adjacent buildings, lots and rights-of-way for more than four consecutive hours per day shall be modified until such shading is removed.

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. This ordinance shall become effective upon adoption, and its provisions shall be applicable to projects for which permits are issued after the effective date.