



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, MARCH 20, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO SOLAR SETBACKS

Motion was made by **D. Clinton** and seconded by **S. Poulton** that the Planning Board recommends that the Board of Aldermen **oppose** the draft ordinance and offers the following comments and concerns:

The Planning Board appreciates the spirit of the proposed amendment but recommends that the modifications are not necessary on the following grounds:

- The planning and scientific information regarding shading is inconclusive or contradictory; some sources recommend shading and some do not; often for the same building orientations. USGBC LEED, for example, favors reduction of “heat island effect” while promoting daylight and views.
- Existing LUO building setbacks and height restrictions were developed to take solar issues into consideration and these new requirements tend to conflict with existing requirements.
- The specific foot height limitation is at variance with other parts of the LUO that refer to story height.
- The tendency of this proposed revision is to promote suburban sprawl, as it will encourage buildings to be both shorter and farther apart.
- The benefit of making allowance for potential ground-mounted solar arrays is nullified by the potential of creating extensive unshaded paved areas.

The first solar setback dates to the construction of the Equitable Building in New York City, in 1915; a building that is 38 stories, encompasses 1.85 million square feet of floor area and, at the time, enclosed the largest building area in the world. The scale of the Town of Carrboro does not warrant this type of requirement as no building can be conceived of within the Town that would meet the intent of this type of condition.

VOTE:

AYES: Adamson, Baptista, Barton, Chaney, Clinton, Cohen, Foushee, Hunt, Poulton

ABSENT/EXCUSED: Davis

NOES:

ABSTENTIONS:

Associated Findings

By a unanimous show of hands, the Planning Board membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, a motion was made by **C. Adamson** and seconded by **M. Barton** that the Planning Board find the proposed text amendment is **inconsistent** with Carrboro Vision 2020 regarding development taking place in a manner that is consistent with adopted town values, specifically the following provisions:

2.0 Carrboro's development should take place in a manner consistent with a set of adopted values.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

VOTE:

AYES: Adamson, Baptista, Barton, Chaney, Clinton, Cohen, Foushee, Hunt, Poulton

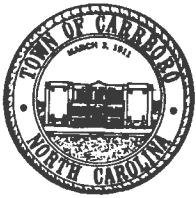
ABSENT/EXCUSED: Davis

NOES:

ABSTENTIONS:



Bethany E. Chaney, Chair March 20, 2014



TOWN OF CARRBORO

Environmental Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

R E C O M M E N D A T I O N

THURSDAY, MARCH 6, 2014

LAND USE ORDINANCE TEXT AMENDMENT RELATING TO SOLAR SETBACKS

Motion was made by Sheila Reddy and seconded by Michelle Holder that the EAB recommends that the Board of Aldermen do not adopt the draft ordinance. There doesn't seem to be coherence between this policy and the 2006 policy. The EAB would like more information on the differences between the two ordinances. The EAB does not fully understand the potential unintended consequences of the new ordinance and would like more clarification. The EAB is concerned with what effect this new ordinance has on the town's 2020 goals of encouraging density in the downtown area. With our current understanding of the draft amendment and its potential effects, we cannot support the draft ordinance in its current form. We agree with the positive aspect of informing the public by completing the shading study.

VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin, Holder, Furman

ABSENT/EXCUSED: None

NOES: Crook

ABSTENTIONS: None

Associated Findings

By a unanimous show of hands, the EAB membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Furthermore, the EAB of the Town of Carrboro does not find the proposed text amendment consistent with Carrboro Vision 2020 regarding development taking place in a manner that is consistent with adopted town values, minimizes negative impacts and promotes energy conservation such as protecting solar access, specifically the following provisions:

- 2.0 Carrboro's development should take place in a manner consistent with a set of adopted values.

2.11 Infill development should take place in a manner that fulfills the town's goals and enhances neighboring areas. The town should develop policies that mitigate the adverse impact of infill development, with particular consideration given to roads, sidewalks, and aesthetic compatibility. The town should develop a process to mediate disagreements between developers and residents of existing neighborhoods.

3.1 In the interest of environmental preservation, new commercial development must minimize negative environmental impact, it must emphasize appropriate buffers, and it must not compromise the integrity of established neighborhoods.

5.51 The Town should publicly promote every available means of energy conservation. The town's own alternative and renewable energy targets should include passive and active solar, and composted waster co-generation to fuel public vehicles and the heating of town facilities.

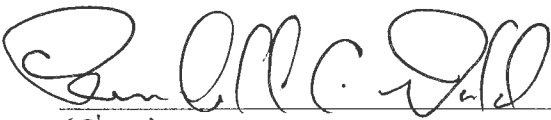
VOTE:

AYES: Arnsberger, Sinclair, Reddy, Rivin, Holder, Furman

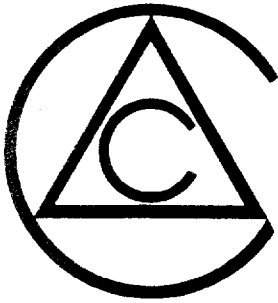
ABSENT/EXCUSED: None

NOES: Crook

ABSTENTIONS: None


for (Chair) 3/2/14
(Date)

Town of Carrboro / Carrboro Appearance Commission / Carrboro, North Carolina 27510



THURSDAY, March 6th, 2014

Text Amendment- Land Use Text Amendment Relating to Solar Setbacks

Motion was made by Tom Wiltberger and seconded by Sheryl Forbis that the Appearance Commission was in favor of the proposed text amendment related to solar setbacks, but would like to see more details due to the present reading of the text amendment leaving a lot of unanswered questions.

VOTING:

AYES: (Tom Wiltberger, Kim Calandra, Sheryl Forbis, Wendy Dale, Emily Kreutzer)

NOES: 0

ABSENT: 0

James Thomas (for chair)
Appearance Commission Chair

3-13-14
Date

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

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Hillsborough,
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TRANSMITTAL DELIVERED VIA EMAIL

March 12, 2014

Christina Moon, AICP
Planning Administrator
Town of Carrboro
301 W. Main St.
Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on February 24, 2014 and proposed for town public hearing on March 25, 2014:

- *Clarifying the Design Standards for Bike and Pedestrian Paths intended for Recreation Facilities.*
- *Modifying the Provisions Relating to Solar Setbacks.*
- *Adding Permissible Uses to M-1 Zoning District subject to a Conditional Use Permit and Certain Criteria.*

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan*.

If you have any questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator