

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
ESTABLISH A CLIMATE ACTION AND ENVIRONMENTAL SUSTAINABILITY
COMMISSION

DRAFT 5-22-2020

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Article II, Administration is rewritten to read as follows:

**PART VI. CLIMATE ACTION AND ENVIRONMENTAL SUSTAINABILITY
COMMISSION**

Section 15-45 Appointment and Terms of Climate Action and Environmental Sustainability Commission

(a) There shall be a Climate Action and Environmental Sustainability Commission (CAESC), which shall consist of nine members appointed by the Town Council. All members of the CAESC shall either reside, own property, or operate a business within the town's planning jurisdiction. At least two members will have special expertise related to climate action implementation such as renewable energy use or energy efficiency in building design and/or construction, reducing motor vehicle use, or community engagement/grass-roots organizing related to climate action or similar environmental initiatives.

(b) CAESC members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. The initial terms of all members shall expire on January 31, 2021. Effective February 1, 2021, four members shall be appointed for three year terms, three members for two year terms, and two members for one year terms. Vacancies shall be filled for the unexpired terms only.

(c) Members may be removed as follows:

- (1) The chair shall file or caused to be filed with the town clerk an attendance report after each meeting identifying those members who are present or absent.
- (2) Unless the chair waives the requirement, members shall be removed if they are absent for three consecutive meetings or if they miss more than 30% of the meetings during a twelve-month period. The town clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have ten days after receipt of such notice to waive the removal. If the chair fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirements

should be waived, the town clerk will send the removal notice to the member. This removal shall be effective on the date of such notice.

- (3) Members may also be removed by the Town Council, after a hearing, for any good cause related to performance of duty.

Section 15-45.1 Organization and Meetings of CAESC

(a) The CAESC shall establish a regular meeting schedule. All meetings shall be open to the public and notification of such meetings shall conform to the requirements of the Open Meetings Law.

(b) A quorum shall be present for the CAESC to take official action, and all actions shall be taken by majority vote. A quorum shall consist of five members if all seats on the CAESC are filled and four members if there are one or more vacancies on the board.

(c) The CAESC shall select one of its members to serve as chair and one member to serve as vice-chair. These officers will be chosen annually at the CAESC's first meeting in March and shall serve for terms of one year unless their terms of appointment to the CAESC sooner expire. Vacancies shall be filled for the unexpired term only. A member may be selected to serve as chair for not more than two consecutive full one-year terms. The chair and vice-chair may take part in all deliberations and vote on all issues. **(AMENDED 01/27/09)**

Section 15-45.2 Powers and Duties of the CAESC **(REPEALED 5/11/99)** **(AMENDED 02/25/14)** **(AMENDED 10/24/17)**

The Climate Action and Environmental Sustainability Commission may:

- (a) Advise the Town Council on the implementation of the Community Climate Action Plan, Energy and Climate Protection Plan, and related and subsequent plans.
- (b) Advise the Town Council on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources. The areas of review for the CAESC include new development, solid waste, air quality, climate protection and resilience, energy conservation, solar energy, groundwater, natural resources, and other areas.
- (c) 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.
- (d) Take any other action authorized by this chapter or any other ordinance or resolution of the Town Council.

Section 2. Section 15-48.1(c), of the Carrboro Land Use Ordinance, Concept Plan Review Procedures Prior to Submitting Applications, shall be amended to reflect the replacement of the Environmental Advisory Board with the Climate Action and Environmental Sustainability

Commission to the list of advisory boards that may participate in the Joint Advisory Board meeting for the review of concept plans.

Section 3. Section 15-50(c) of the Carrboro Land Use Ordinance is amended to include the Climate Action and Environmental Sustainability Commission on the list of Boards and Commissions which are identified as having designated members participate in an on-site walkabout.

Section 4. Section 15-57, Recommendations on Conditional Use Permits of the Carrboro Land Use Ordinance is modified to reflect the replacement of the Environmental Advisory Board with the Climate Action and Environmental Sustainability Commission.

Section 5. Subsection 15-56 (c), Recommendations on Special use permits is amended by replacing the Environmental Advisory Board with the Climate Action and Environmental Sustainability Commission.

Section 6. Subsection 15-322(a), Planning Board and other Advisory Consideration of Proposed Amendments, is modified by replacing the Environmental Advisory Board with the Climate Action Environmental Sustainability Commission.

Section 7. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed, and this ordinance is effective upon adoption.