

**I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2023-06-14/R-4) adopted by the Chapel Hill Town Council on June 14th, 2023.**

**This the 15th day of June, 2023.**

Amy T. Harvey

**Amy T. Harvey  
Deputy Town Clerk**



**A RESOLUTION TO MODERNIZE AND ALIGN GOALS FOR ENERGY PERFORMANCE IN  
CONDITIONAL REZONING APPLICATIONS WITH THE TOWN'S CLIMATE ACTION AND  
RESPONSE PLAN (2023-06-14/R-4)**

WHEREAS, there are opportunities to modernize the Town's energy policy for conditional rezoning applications and better align it with the Town's current climate policy; and

WHEREAS, in April of 2007, the Town of Chapel Hill adopted a resolution ([2007-04-23/R-9](#)) stating the Council's expectations for energy efficiency and energy management planning as part of rezoning applications with special use permits; and

WHEREAS, a study by the U.S. Department of Energy, based on research from the Pacific Northwest National Laboratory, estimates that the ASHRAE 90.1 energy standard referenced in the Town's current policy has improved 37.5% between 2007 and 2019; and

WHEREAS, in April of 2018, conditional zoning districts became the most common method for rezoning properties located within the corporate limits of Chapel Hill; and

WHEREAS, in May of 2018, the Transportation and Connectivity Advisory Board created electric vehicle (EV) charging station installation and readiness [guidance](#) for developers, which was also endorsed by the Environmental Stewardship Advisory Board and has been used as part of the development review process; and

WHEREAS, in April of 2021, the Town of Chapel Hill adopted a [Climate Action and Response Plan](#), aiming to reduce the emissions that cause climate change and adapting to our changing climate, including a goal of achieving net-zero emissions by 2050; and

WHEREAS, the Climate Action and Response Plan reports that the energy used in the buildings and transportation sectors generates approximately 96% of all greenhouse gas emissions in Chapel Hill that contribute to global climate change, at 69.7% and 26.4% respectively; and

WHEREAS, the Climate Action and Response Plan has goals of updating the Council's policy for new private construction and for ramping up to net-zero emissions buildings and Town-owned facilities by 2050; and

WHEREAS, the Climate Action and Response Plan has goals for creating a Town-wide electric vehicle (EV) charging station network of both public and privately owned EV charging infrastructure; and

WHEREAS, the Climate Action and Response Plan also has goals for increasing the use of clean renewable energy to 80% by 2030 and 100% by 2050, supporting the transition to clean, electric vehicles, reducing vehicle miles traveled and shifting transportation to more walking, biking and transit, diverting 100% of waste from the landfill, protecting and conserving our natural resources, and increasing our resiliency to the stressors of climate change; and

WHEREAS, Duke Energy now plans to reduce carbon dioxide emissions 70% by 2030 and reach carbon neutrality by 2050, and Dominion Energy has a goal of reaching net-zero emissions by 2050; and

WHEREAS, clean electricity provided by the utilities coupled with modern energy efficient building design will directly support the Town's long-term goals for reducing carbon emissions from the building sector; and

WHEREAS, on April 25<sup>th</sup> 2023, the Transportation and Connectivity Advisory Board unanimously

endorsed the draft EV Readiness components of the policy with recommendations that have since been incorporated, including ADA access, increased percentages for non-residential installations (5%) and readiness (25%), and rounding up to the nearest whole number when applying percentages; and

WHEREAS, on May 18 2023, the Environmental Stewardship Advisory Board unanimously endorsed the full draft policy that includes recommendations for dark skies lighting, habitat protection, native plants, rainwater harvesting and/or gray water for non-potable reuse, tree canopy coverage and shading, microgrids, green building materials, and environmental equity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that it is the expectation of the Council that Town staff will seek agreement by applicants to the inclusion of conditions within conditional zoning approvals requiring the following high energy efficiency measures::

For commercial construction (including multifamily): New Buildings Institute 40% Stretch Energy Standard or the equivalent percentage better than the latest adopted version of ASHRAE 90.1 in the NC Building Code.

For residential construction: Energy Star Certified Homes, Version 3.1 certification requirements.

BE IT FURTHER RESOLVED that such conditions should require applicants to provide documentation (e.g., prescriptive requirement checklists, performance energy models, certifications as applicable, etc.) demonstrating compliance with the high energy efficiency design standards listed above.

BE IT FURTHER RESOLVED that such conditions should require applicants to follow the high energy efficiency design standards listed above to the greatest extent possible, as allowed by law.

BE IT FURTHER RESOLVED that such conditions should require compliance with the most recently published versions of the high energy efficiency design standards listed above, or whichever version leads to the greatest energy efficiency, as determined by Town staff.

BE IT FURTHER RESOLVED that for instances where Town staff determines that the high energy efficiency standards listed above do not fit with the proposed construction type for a building(s), other comparable standards generally recognized as applicable to building energy efficiency, as amended and in effect at the time the conditional zoning application is approved, may be used by applicants to comply with the high efficiency standard.

BE IT FURTHER RESOLVED that it is the expectation of Council that staff will seek agreement to conditions using the following terminology and provisions for electric vehicle (EV) charging station installations and readiness:

Terminology:

*Electric Vehicle Supply Equipment (EVSE) Capable Parking Space:* A designated parking space that is provided with continuous conduit/raceway from a panel. This conduit/raceway should be designed to support future charging stations that provide at least 6.6 kW of power. These spaces do not require wiring or receptacles.

- For exterior, surface lots the conduit should be run underground to the parking location.

*EVSE Ready Parking Space:* A designated parking space that is provided with one 40-amp, 208/240V branch circuit from the panel and is terminated at a receptacle or junction box. The panel should be appropriately labeled as "EVSE-Ready" or "Future EVSE". This consideration

should support any future charging stations that provide at least 6.6 kW of power.

- If the applicants' future considerations call for direct-current fast charging (DCFC) infrastructure, then appropriate proportional electrical and conduits should be included.
- Recommended receptacle is a NEMA 14-50, U.L. listed.
- When possible, EVSE-Ready spaces should be identified and shared with the Town of Chapel Hill during the Zoning Compliance Permit review process.
- Design must adhere to U.S. Access Board's most recently updated version of the *Design Recommendations for Accessible Electric Vehicle Charging Stations*

*EVSE Installed Parking Space:* A designated parking space which includes a "level 2" charging station, capable of providing at least 6.6 kW. These sites must:

- Provide a Level 2 charging capacity (208/240V) or greater.
- Comply with the relevant regional or local standard for electrical connectors, such as SAE Surface Vehicle Recommended Practice J1772, SAE Electric Vehicle.
- Conductive Charge Coupler so that they are compatible with all types of chargers.
- EV charging station spaces must be separate from and in addition to preferred parking spaces for green vehicles.
- When possible, EVSE-installed spaces should be identified and shared with the Town of Chapel Hill during the Zoning Compliance Permit review process.
- Design must adhere to U.S. Access Board's most recently updated version of the *Design Recommendations for Accessible Electric Vehicle Charging Stations*

Terminology Summary Table

	Raceway/ Conduit to Parking Space	Dedicated Panel Capacity	Circuit wiring (and breaker)	Junction Box/ Receptacle	Station Installed
EVSE Capable	X				
EVSE Ready	X	X	X	X	
EVSE Installed	X	X	X	X	X

Provisions for Conditional Zoning Applications:

Development Type	Parking Thresholds	Provision
Single Family Detached, with private garages  And  Single Family Attached (e.g., town-homes, duplexes with private garages)	No minimum threshold	Each unit with on-site parking shall be provided with a minimum of 1 EVSE-Ready Space
Multi-Family Dwellings (including mixed use)	5 spaces or more	Each unit with on-site parking shall be provided with a minimum of 1 EVSE-Capable space
Non-residential	10 spaces or more	5% EVSE Installed (rounded up) 25% EVSE Ready (rounded up)

BE IT FURTHER RESOLVED that it is the expectation of the Council that staff will seek agreement by applicants to the inclusion of project-specific Climate Action Plans with their conditional zoning applications to address commitments towards the high energy efficiency and electric vehicle charging design standards referenced above, and to address other elements that support the Town's adopted Climate Action and response Plan, such as but not limited to:

Buildings & Energy

- all-electric building(s) and/or all-electric building(s) ready
- solar and/or solar-ready building(s) (with feasibility analysis)
- sustainable building materials (source, reuse, durability)
- interior and exterior LED lighting only (3000 Kelvin or lower for exterior)
- International Dark-Sky Association approved exterior lighting or equivalent
- WaterSense rated fixtures and equipment only
- ENERGY STAR rated appliances and equipment only
- green building materials
- *[see above for high efficiency energy performance standards]*

Transportation & Land Use

- sustainable transportation choices (transit, biking, walking, etc.)
- sustainable transportation infrastructure (bus stop, bike rack, etc.)
- environmental equity through access to greenways and parks
- *[see above for electric vehicle infrastructure standards]*

Water, Wastewater, & Natural Resources

- tree canopy coverage (percentage, shading, etc.)
- natural resource conservation (water features, native plants, habitat, etc.)
- native and drought-tolerant landscape plantings only

- no irrigation or non-potable irrigation only (after plants are established)
- on-site recycling, composting and/or collection services

Resiliency

- storm event design for stormwater management system
- green infrastructure (trees, bioswales, constructed wetlands, etc.)
- vegetative or light-colored (high albedo) roof materials
- light-colored (high albedo) impervious surfaces
- invasive species removal
- microgrids

BE IT FURTHER RESOLVED that Town staff will review all the elements above at least every 3-5 years to determine whether any updates to this policy are needed.

BE IT FURTHER RESOLVED that this resolution updates and supersedes resolution (2007-04-23/R-9) entitled, A RESOLUTION STATING THE COUNCIL'S EXPECTATIONS FOR ENERGY EFFICIENCY AND AN ENERGY MANAGEMENT PLAN AS ELEMENTS OF REZONING APPLICATIONS WITH ACCOMPANYING SPECIAL USE PERMITS.

This the 14<sup>th</sup> day of June, 2023.