

Staff Report

This report, previously issued for the June 9 Legislative Hearing, was updated by staff from the Manager's Office on June 15, 2021.

This report provides details about the process and what it would mean for the Council to officially include the Climate Action and Response Plan (a policy document) as a component within the Town's Comprehensive Plan (*Chapel Hill 2020*).

1. Purpose
2. Process
3. Public Comments
4. Examples of Development Conditions

1. Purpose

The main reasons for the Council to officially incorporate the Climate Action and Response Plan into the Town's Comprehensive Plan are to:

- Recognize the Climate Action and Response Plan as part of the Town's local land use goals, policies, and programs as it relates to new Chapter 160D of the North Carolina General Statutes, which combines existing city- and county-enabling statutes for development regulations into a single chapter; and
- Use the Climate Action and Response Plan as the basis for site-specific conditions in a conditional zoning district.*

* Under 160D, conditions and site-specific standards imposed in a conditional zoning district are limited to those that address conformance of the proposed development to Town ordinances and the officially adopted comprehensive plan as well as impacts reasonably expected to be generated by the proposed development. Therefore, adoption of the Climate Action and Response Plan as part of *Chapel Hill 2020* is necessary to use the plan as the basis for voluntary conditions in proposed conditional zoning districts.

2. Process

Pursuant to 160D -703 (b), in order for the Council to officially incorporate the Climate Action and Response Plan into the Town's Comprehensive Plan, the following steps must be taken:

1. The Planning Commission must provide a recommendation to Council
2. The Town must publish a notice of the public hearing in a newspaper of general circulation for two consecutive weeks prior to the hearing
3. The Council must open and hold a public hearing
4. The Council must allow up to 24 hours after the virtual public hearing for any additional public comments.

The schedule for the process described above is as follows:

May 16	June 9 Hearing Notice runs in the Herald Sun ✓
May 18	Planning Commission generates a recommendation ✓
May 23	June 9 Hearing Notice runs in the Herald Sun ✓
June 9	Council Legislative Hearing ✓
June 23	Council Business Meeting (possible action)

On May 18th, the Planning Commission voted unanimously to recommend that the Council incorporate the Climate Action and Response Plan into the Town’s Comprehensive Plan. At their regular business meeting on May 20th, the Environmental Stewardship Advisory Board (ESAB) also unanimously provided the same recommendation to Council.

3. Public Comments

On June 9th, the Council opened a legislative hearing to take public comment on the proposal to incorporate the Climate Action and Response Plan into the Town’s Comprehensive Plan. No comments were received.

4. Examples of Development Conditions

As noted above, adding the Climate Action and Response as a component of the Town’s Comprehensive Plan would allow the Town to cite climate-related goals, targets, and strategies as the basis for possible voluntary conditions, agreed to by developers, as part of the Town Council’s approval of Conditional Zoning Districts under the development review process.

Examples* of possible development conditions include:

- EV charging

The project will include EV charging stations for 3% of all parking spaces and will size and install electrical capacity and conduit for at least 20% of all parking spaces.
- Bus Rapid Transit (BRT)

The project will provide 20% of the cost to construct a solar-powered bus station and related site features in accordance with all Transit and Community Arts and Culture design specifications as part of the Town’s North-South Bus Rapid Transit project
- Green building

The project will design all buildings to achieve net-zero carbon emissions. The applicant will provide pre- and post-construction energy models, sealed by an

energy engineer, that demonstrate the expected performance for each building, including any on- or off-site renewable energy systems or renewable energy purchases that will be used to achieve net-zero carbon emissions.

*Each example above is also somewhat dependent on project size, site conditions, and service impacts.