

ORDINANCE A

Rezoning from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2)

AN ORDINANCE AMENDING THE TOWN OF CHAPEL HILL ZONING ATLAS FOR 7516 SUNRISE ROAD (2020-01-22/O-5)

WHEREAS, the Council of the Town of Chapel Hill enacted an ordinance on November 20, 2019 to extend the corporate limits of the Town, pursuant to a petition for voluntary annexation submitted by Habitat for Humanity, Orange County, NC, Inc. and Barbara and Donald Levine; and

WHEREAS, the annexed properties were previously subject to the Orange County zoning ordinance, with the County classifying the properties under the Residential-2 zoning district through adoption by reference of the Chapel Hill Land Use Management Ordinance; and

WHEREAS, North Carolina General Statute 160A-360(f) specifies that, upon annexation of an area that is currently being regulated by the county, a municipality should hold hearings and take other measures necessary to adopt development regulations for the annexed area; and

WHEREAS, the Town Manager therefore initiated a zoning atlas amendment to apply Town of Chapel Hill zoning regulations to the annexed area; and

WHEREAS, on January 7, 2020, the Planning Commission considered the zoning atlas amendment and forwarded a recommendation to the Public Hearing before the Council; and

WHEREAS, the Council has considered the Town-initiated proposal to amend the Town of Chapel Hill Zoning Atlas to rezone 33.7 acres located at 7516 Sunrise Road from Orange County Residential-2 (R-2) to Town of Chapel Hill Residential-2 (R-2); and

WHEREAS, upon consideration the Council finds that the ordinance is warranted because of changed or changing conditions in the area or in the jurisdiction generally; and

WHEREAS, the Council further finds that the amendment is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan, including but not limited to:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 Comprehensive Plan (Goal Good Places New Spaces.3)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas is amended as follows:

SECTION 1

The following described territory is hereby rezoned from Residential-2 (R-2) under Orange County zoning regulations to Residential-2 (R-2) under Town of Chapel Hill zoning regulations:

Property identified by Parcel Identification Numbers (PINs): 9890-06-0413, 9890-06-3350, 9890-06-6312, 9890-06-5926, 9890-16-0437, along with the entire right-of-way of Ginger Road abutting the property to the south and one half of the right-of-way of Sunrise Road abutting the property to the west.

SECTION 2

Legal Description of properties to be rezoned:

BEGINNING at an existing iron pipe having NC Grid Coordinate (NAD 83) of N:806,364.38' E:1,989,779.15' being along the eastern R/W of Sunrise Road (a 60' wide public R/W) and also being the southwest corner of lands owned by Chapel Hill Residential Retirement Center Inc (DB 1396, PG 6); thence South 88°15'57" East a distance of 240.18 feet to a point; thence North 01°45'41" West a distance of 357.01 feet to a point; thence South 88°27'56" East a distance of 146.60 feet to a point; thence North 01°33'51" East a distance of 76.58 feet to a point; thence North 01°22'12" East a distance of 131.02 feet to a point; thence North 88°59'21" West a distance of 395.27 feet to a point; thence North 04°38'25" East a distance of 152.44 feet to a point; thence North 13°37'56" East a distance of 162.21 feet to a point; thence North 89°39'18" East a distance of 1,468.40 feet to a point; thence South 66°56'00" East a distance of 281.96 feet to a point; thence South 00°20'40" East a distance of 140.77 feet to a point; thence South 00°20'52" East a distance of 221.54 feet to a point; thence South 00°22'55" West a distance of 464.66 feet to a point; thence North 89°10'31" West a distance of 274.91 feet to a point; thence North 00°49'30" East a distance of 11.48 feet to a point; thence North 55°50'07" West a distance of 129.38 feet to a point; thence North 89°09'06" West a distance of 160.99 feet to a point; thence South 00°49'17" West a distance of 49.94 feet to a point; thence South 00°48'03" West a distance of 65.24 feet to a point; thence North 89°29'07" West a distance of 155.26 feet to a point; thence North 89°29'03" West a distance of 50.00 feet to a point; thence North 89°21'49" West a distance of 163.72 feet to a point; thence North 89°28'23" West a distance of 110.19 feet to a point; thence North 89°38'22" West a distance of 134.58 feet to a point; thence North 88°42'15" West a distance of 36.54 feet to a point; thence North 88°16'25" West a distance of 260.49 feet to a point; thence North 88°11'12" West a distance of 69.71 feet to a point; thence North 88°18'05" West a distance of 146.68 feet to a point; thence North 88°18'05" West a distance of 84.99 feet to a point; thence North 06°30'07" West a distance of 60.65 feet to a point; to the point of BEGINNING, containing an area of 1,469,146 square feet, or 33.72 acres, more or less.

SECTION 3

This ordinance shall be effective upon enactment.

This the 22nd day of January, 2020.