

May 5, 2020

Members of the Chapel Hill Town Council:

I would like to bring to the attention of the Town Council the issue of deer fencing.

I believe a review of this issue is justified due to two factors that have increased substantially over time:

- Deer population density in Chapel Hill
- Understanding of the importance of native plants to our local environment, especially to birds and pollinators that are in decline

The vast majority of Piedmont area native plants need protection from deer to survive under the high deer pressure in many Chapel Hill neighborhoods. The current rules regarding deer fencing in Chapel Hill limit its ability to be used effectively and in a visually appealing way.

I petition for a change to the Land Use Management Ordinance regarding deer fencing.

After discussion with the Chapel Hill Planning Department, I understand that under the current ordinance, a deer fence can be subject to one of two sets of rules:

- 1) An administrative guideline that exempts it from dimensional requirements that apply to structures **if** it:
 - a) Primarily uses netting
 - b) Is attached to natural objects (trees, landscaping)
 - c) Is not located in a right-of-way
 - d) Has an exemption certification from the Planning Department
 - e) Is not in a Historic District or Neighborhood Conservation District
- 2) If these requirements are not met, the dimensional requirements that apply to structures are in effect, meaning that it must be under 6 feet tall within setbacks (for example, in my yard a deer fence 6' feet or over would have to be more than 48' from the street)

Building deer fences under 6 feet tall presents two problems:

- 1) Deer are known to jump well over 6 feet when motivated - experts recommend 8' heights
- 2) In the common Chapel Hill case of sloped yards, keeping all portions of a deer fence under 6' means either having some portions well under 6' or sloping the fencing, which is difficult to do successfully or in a visually appealing way with common deer fencing materials

To expand the ability of Chapel Hill residents to maintain native plants and gardens despite the high deer population, I suggest a change to the Land Use Management Ordinance such that:

For a structure that qualifies as a “deer fence” per the following, setbacks applicable to other structures under the dimensional requirements do not apply. To qualify as a deer fence, a structure must be:

- Primarily designed to protect vegetation from deer or other wildlife
- Constructed to provide a clear view through the fence so that at least ninety percent (90%) of the surface is visually unobstructed
- Not in excess of eight (8) feet in height
- Constructed of woven wire fencing, field fence, “hog panels”, wire strand or polypropylene mesh net (chain link does not qualify as deer fence under this ordinance)
- Constructed to prevent sagging

I hope you will consider this change and refer this petition to support the increased use of native plants in our Chapel Hill residential landscaping.

Sincerely,

A handwritten signature in black ink that reads "Elaine McVey". The signature is written in a cursive, flowing style.

Elaine Allen McVey
316 Burris Place
Chapel Hill, NC 27516