

10-18-2023 Town Council Meeting

Responses to Council Questions

ITEM #1: Rewriting Our Rules - A LUMO Update and Policy Discussion

Council Question:

Could Planning staff please provide some examples for comparison of what other small cities in NC use as their trigger for requiring Council approval of development applications?

Staff Response:

Staff reviewed development ordinances from several NC municipalities with populations between 50,000 and 100,000 and found a variety of implicit and explicit triggers for council approval of development applications:

Defined Thresholds (Asheville):

*Like Chapel Hill, Asheville requires a conditional zoning (CZ) for projects that exceed a certain amount of floor area. Commercial, office, and some industrial projects exceeding **100,000 SF** of floor area require a CZ. Mixed Use projects exceeding **150,000 SF** of floor area require a CZ if more than 30% of their floor area is residential.*

*Asheville also requires CZ's for all large residential projects. In most zoning districts, projects with more than **50 dwelling units** require a CZ. In the Urban Place Form District, projects with more than **80 dwelling units** require a CZ.*

*Within the Central Business District any project exceeding **100,000 SF** of floor area or **100 ft** in height requires a CZ.*

In general, projects falling below the thresholds listed above can be approved administratively.

De Facto Thresholds (Gastonia, Kannapolis):

*In Gastonia and Kannapolis, council approval of development applications is only required where applicants are seeking approval for development that exceeds the municipalities' zoning ordinance. In Gastonia, a relatively low maximum density of **8 dwelling units/acre** would likely push projects towards a CZ. In Kannapolis, a maximum density of **18 dwelling units /acre** and maximum height of **35 feet** could also push projects towards a CZ.*

No Council Involvement (Greenville):

*In Greenville, the City Council is not involved in any development approvals. The city does not have a conditional zoning process and all Special Use Permits are heard by the Board of Adjustment. Multifamily developments of up to **17 units/acre** as allowed with administrative approval in the city's R-6 zoning district.*

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Thresholds Based on Proximity to Other Uses (Burlington):

*In Burlington, large portions of the city allow by-right development exceeding **24 dwelling units/acre** (densities that are typical in Chapel Hill). However, projects within 100 feet of a single-family home are limited to a height of **two stories**. Because of the high number of existing single-family homes in the portions of the city zoned for these high densities, this limitation could force many projects towards a conditional zoning.*

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I still think we need to talk some big-picture issues on Complete Community implementation first, before we start digging into the details. Can we bring that part of the discussion up first?

Staff Response:

Staff will be prepared to provide an update on Complete Community implementation work as part of the presentation at tonight's meeting.

Council Question:

A big part of setting the Complete Community vision on an area-by-area basis is getting the plans in place that let us do gaps and opportunities analyses. Can we get an update on when the Natural Areas Plan, Greenways Plan, and Parks Master Plan (and maybe an affordable housing opportunity plan – where we have land that will qualify for LIHTC projects) will be completed?

Staff Response:

Staff will be prepared to provide an update on Complete Community implementation work as part of the presentation at tonight's meeting.

Council Question:

On the parking minimums item – can someone (Michael) speak to the particulars of Chapel Hill's situation? Abolishing parking minimums can work in cities that have the right infrastructure (transit, other parking options) – do we have that? We want to make sure that we're not just pushing parking out into neighborhoods that can't absorb the capacity.

Staff Response:

At tonight's meeting, staff is seeking guidance on whether this is still a policy area the Council is interested in visiting as part of the LUMO work. If Council indicates interest, staff will conduct this type of research and analysis to inform a future policy recommendation. Staff will be prepared to speak to this in more detail at tonight's meeting.