

TECHNICAL REPORT

Council Public Hearing – 05/23/2018



TEXT AND MAP AMENDMENTS TO FORM DISTRICT REGULATIONS

The following Technical Report describes proposed additions to the Form District Regulations of the Blue Hill District including two new zoning Subdistricts, proposed map amendments to apply the new districts to specific parcels of land, and possible new standards related to building size. These would constitute a proposed Text Amendment and Map Amendment to Section 3.11 of the LUMO.

BACKGROUND

- March 14, 2018 Council received a petition regarding potential changes to the Form District Regulations.
- April 18, 2018 Council received an email update regarding the status of the petition and potential options for consideration.
- May 9, 2018 Council received an update regarding the status of the petition and potential options for consideration at Public Hearing, and provided feedback.

NEXT STEPS

- May 15, 2018 Planning Commission will receive information and provide comments on the proposed amendments.
- May 23, 2018 Council will open the Public Hearing to hear the proposed amendments and receive public comments.
- June 5, 2018 Planning Commission will hear the proposed amendments and provide a recommendation.
- June 27, 2018 Council will meet with the intent to take action on the proposed amendments.

CONNECTIONS TO OTHER DOCUMENTS

Town staff has reviewed the text amendment for compliance with the themes from the [2020 Comprehensive Plan](#)¹ and the standards of the [Land Use Management Ordinance](#)², and offers the following evaluation:

Comprehensive Plan Themes: The following are themes from the 2020 Comprehensive Plan, adopted June 25, 2012:

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input type="checkbox"/>		Nurture Our Community
<input type="checkbox"/>		Facilitate Getting Around	<input type="checkbox"/>		Grow Town and Gown Collaboration

¹ <http://www.townofchapelhill.org/home/showdocument?id=15001>

² https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=CO_APXALAU5MA

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Staff believes the amendments to Form District Regulations comply with the above themes of the 2020 Comprehensive Plan.

SUMMARY AND TABLE OF PROPOSED CHANGES

Based upon the review and feedback received to date, the potential updates to the Form District Regulations can be broken down into the following general categories:

A. Text Amendment

- a. Walkable Commercial – 5 (WC-5) and Walkable Commercial – 7 (WC-7) zoning districts will be added to the Form District Regulations.
- b. Maximum Lot Coverage and Building Footprint requirements may be added to WR-, WX- and WC- standards in sections 3.11.2.3 and 3.11.2.4., subject to further analysis.

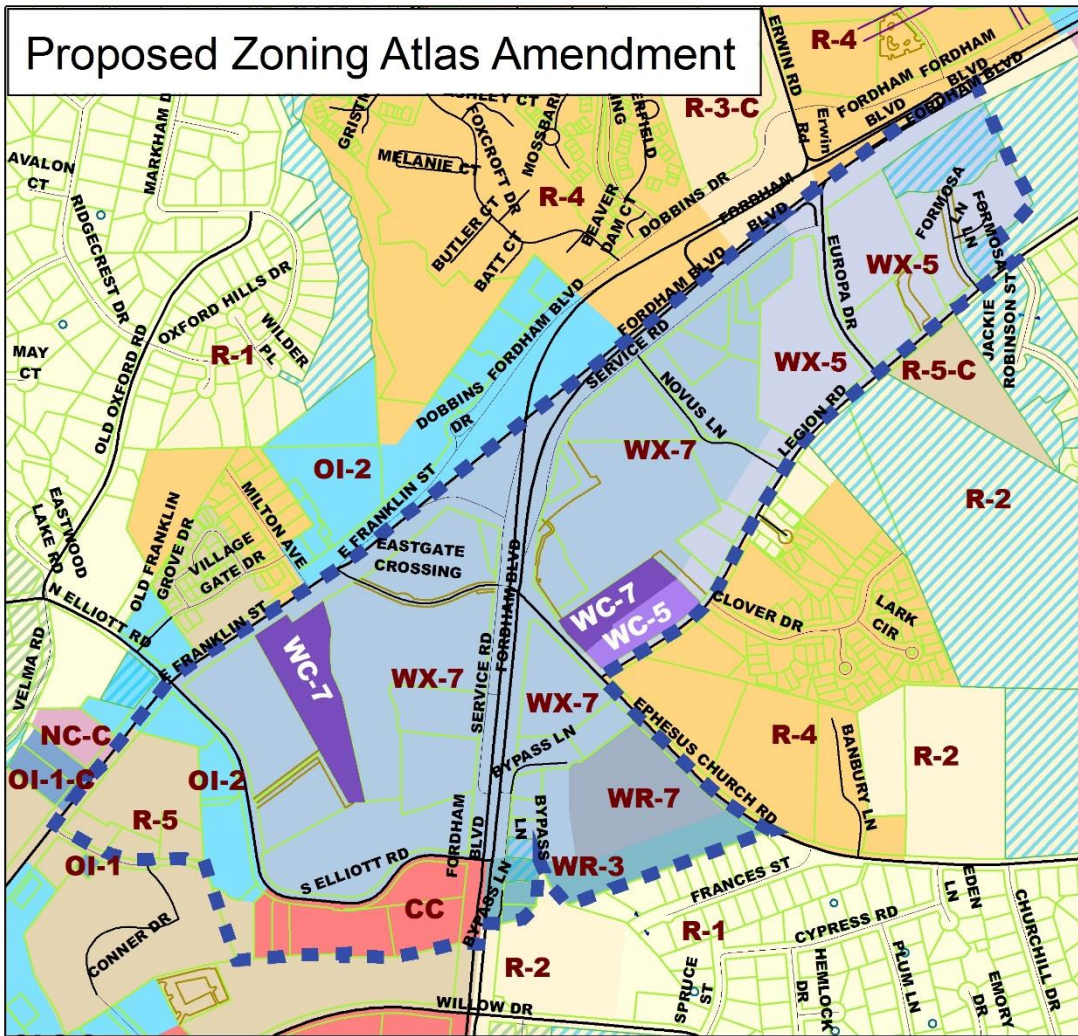
B. Map Amendment

- a. The Regulating Plan as described in 3.11.2.2 will be amended with the following:
 - i. Orange County PIN # 9799-25-0069: Change from WX-7 to WC-7.
 - ii. Orange County PIN # 9799-25-0408: Change from WX-7 to WC-7.
 - iii. Orange County PIN # 9799-35-5664: Change from WX-7 to WC-7.
 - iv. Orange County PIN # 9799-35-4382: Change from WX-5 to WC-5.
 - v. Orange County PIN # 9799-35-5461: Change from WX-5 to WC-5.
 - vi. Orange County PIN # 9799-35-8624: Change from WX-5 to WC-5.

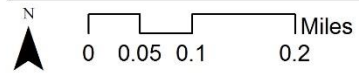
A map showing the locations of the subject parcels and a table providing further description of proposed text amendments are provided on the following pages.

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Legend		EXISTING ZONING IN DISTRICT	
	Blue Hill District Boundary		WR-3 - Walkable Residential (3 Stories)
	Town Owned Property		WR-7 - Walkable Residential (7 Stories)
	Orange County Parcels		WX-5 - Walkable Mixed Use (5 Stories)
PROPOSED ZONING			WX-7 - Walkable Mixed Use (7 Stories)
	WC-5 - Walkable Commercial (5 stories)		R-5 - High Density Residential, 15 units/acre
	WC-7 - Walkable Commercial (7 stories)		OI-2 - Office and Institutional 2
			CC - Community Commercial



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TODAY'S REGULATIONS	PROPOSED	IMPROVEMENT AREA
<p>A. <u>Walkable Mixed-Use - 5</u></p> <ul style="list-style-type: none"> Intended to accommodate a mix of compatible uses in close proximity to one another (residential, civic, retail, office, service, and entertainment uses). Maximum height limit of 5 stories (60 feet). 	<p>A. <u>Walkable Commercial - 5</u></p> <ul style="list-style-type: none"> Intended to accommodate a mix of compatible non-residential uses in close proximity to one another (civic, retail, office, service, and entertainment uses). Maximum height limit of 5 stories (60 feet). 	<p>Limits development of residential units;</p> <p>Encourages development of all non-residential uses</p>
<p>B. <u>Walkable Mixed-Use - 7</u></p> <ul style="list-style-type: none"> Intended to accommodate a mix of compatible uses in close proximity to one another (residential, civic, retail, office, service, and entertainment uses). Maximum height limit of 7 stories (90 feet). 	<p>B. <u>Walkable Commercial - 7</u></p> <ul style="list-style-type: none"> Intended to accommodate a mix of compatible non-residential uses in close proximity to one another (civic, retail, office, service, and entertainment uses). Maximum height limit of 7 stories (90 feet). 	<p>Limits development of residential units;</p> <p>Encourages development of all non-residential uses</p>
<p>C. <u>Lot Coverage</u></p> <ul style="list-style-type: none"> Lot coverage is indirectly limited by requirements for outdoor amenity space and recreation space 	<p>C. <u>Lot Coverage (subject to further analysis)</u></p> <ul style="list-style-type: none"> Lot coverage is a ratio of the area of all buildings, structured parking, and accessory structures to gross land area. Requirements to be determined. 	<p>Limits the amount of land area a development can occupy on a lot</p>
<p>D. <u>Building Footprint</u></p> <ul style="list-style-type: none"> Building footprint area is indirectly limited by maximum block length 	<p>D. <u>Building Footprint (subject to further analysis)</u></p> <ul style="list-style-type: none"> Maximum cumulative land area encompassed by all portions of a single building or structure. Requirements to be determined 	<p>Limits the amount of land area a single building can occupy</p>

ZONING AMENDMENT FINDINGS OF FACT

All information submitted at the public hearing will be included in the record of the hearing. Based on the comments and documentation submitted, the Council will consider whether it can make one or more of three required findings (listed below A-C) for enactment of the Land Use Management Ordinance Text Amendment and Zoning Atlas Amendment.

In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance and Zoning Atlas shall not be amended except:

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- A. To correct a manifest error in the chapter; or
- B. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
- C. To achieve the purposes of the Comprehensive Plan.

Following is a staff response to the three required considerations:

- A. To correct a manifest error in the chapter

Staff Comment: We believe the information in the record to date can be summarized as follows:

Argument in Support: To date no arguments in support have been submitted.

Argument in Opposition: To date no arguments in opposition have been submitted.

- B. Because of changed or changing conditions in a particular area or in the jurisdiction generally

Staff Comment: We believe the information in the record to date can be summarized as follows:

Argument in Support: The Blue Hill District was created to foster a balanced mix of uses, both residential and commercial. With the proposed addition of up to 2,000 new residential units in the District, and very little commercial development proposed, Town Council feels that it has become unbalanced. Identification of specific properties as non-residential-only developments will help provide the needed commercial growth.

Argument in Opposition: Limiting new residential development could slow redevelopment of the district. Slower tax base growth could yield fewer financial resources for the Town to fund infrastructure improvements.

- C. To achieve the purposes of the Comprehensive Plan

Staff Comment: We believe the information in the record to date can be summarized as follows:

Argument in Support: Relevant goals and objectives in the Chapel Hill 2020 Comprehensive Plan include, but are not limited to:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (*Goal A Place for Everyone 1*)
- A welcoming and friendly community that provides all people with access to opportunities (*Goal A Place for Everyone 4*)
- Foster success of local businesses (*Goal Community Prosperity and Engagement 2*)
- Promote a safe, vibrant, and connected (physical and person) community (*Goal Community Prosperity and Engagement 3*)
- 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*)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (*Goal Good Places, New Spaces 5*)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Goal Good Places, New Spaces 8*)

Argument in Opposition: To date no arguments in opposition have been submitted.

Staff will provide an evaluation of the findings of fact when this item returns to the Council on June 27, 2018.