

RESOLUTION A

RESOLUTION OF CONSISTENCY AND REASONABLENESS

A RESOLUTION REGARDING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE ARTICLES 1, 3, 4, 5, 6, 7, AND APPENDIX A REGARDING HOUSING REGULATIONS AND TO EXPAND HOUSING CHOICES AND CONSISTENCY WITH THE COMPREHENSIVE PLAN (2023-##-##/R-)

WHEREAS, the Chapel Hill Town Council wishes to amend the Land Use Management Ordinance (LUMO) in order to allow for more and varied housing opportunities that meet different price points, life stages, and preferences; and

WHEREAS, the Town of Chapel Hill acknowledges that zoning has historically contributed to perpetuating segregation and economic exclusion of multiple generations of residents; and

WHEREAS, the Town of Chapel Hill, like many communities, recognizes that zoning, land use regulations, and the development approval process have contributed to a disparity of outcomes for residents including housing shortages and housing development that does not meet the income levels and life stages of all residents; and

WHEREAS, as housing becomes less attainable due to limited supplies, high pricing, and limited housing options, there are fewer housing options for current and new residents at different income levels, life cycles, and stages to live in the community; and

WHEREAS, as the shortage of housing units have led to increased housing costs, Chapel Hill's workforce must look at housing opportunities outside of the community, leading to increased traffic and parking demands; and

WHEREAS, the Town of Chapel Hill understands the need to encourage compatible infill development that balances the character and history of neighborhoods while increasing opportunities to develop attainable and affordable housing; and

WHEREAS, the neighborhood conservation districts (NCDs) have establish special regulations especially designed for and intended to help preserve the character of individual residential neighborhoods and the majority of these NCDs have prohibited duplexes or reserved duplexes for affordable housing only; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan promotes a range of housing choices for residents, including workforce, senior, and affordable housing; and

WHEREAS, the Chapel Hill 2020 Comprehensive Plan encourages future land use, form, and density that strengthen the community, social equity, economic prosperity, and the natural environment; and

WHEREAS, the Future Land Use Map (FLUM) encourages compact, well-designed, mixed-use communities where all community members have access to jobs, transit, and places to reside; and

WHEREAS, the FLUM recommends the development of duplexes, triplexes, fourplexes, and accessory dwelling units with an approval process and requirements similar to that of single-family detached dwellings and it finds that these small scale, multifamily uses can fit within the existing fabric of some existing single-family neighborhoods; and

WHEREAS, the Chapel Hill Housing Needs Analysis: 2020-2040 found that new housing for individual non-student households is expected to increase to 440 units per year. Few owner-occupied townhouses or condominiums are built to meet this need and provide missing middle housing for the community's workforce; and

WHEREAS, on September 22, 2021, the Town Council petitioned staff to create a new application pathway to foster the creation of missing middle housing, including duplexes, triplexes, townhomes, and other forms of compact development, to increase the availability and affordability of housing; and

WHEREAS, in 2022, the Chapel Hill Town Council initiated a Complete Community Strategy to identify shared interests around a new approach to housing that clarifies where and how to add to build housing in order to be an inclusive, sustainable, and an economically competitive community; and

WHEREAS, the Town of Chapel Hill supports a strategy of incremental, gentle density that will increase opportunities for smaller, more affordable single family residences and small-scale housing developments in existing residential zoning districts; and

WHEREAS, increasing density in existing residential neighborhoods will utilize existing infrastructure; promote walkability, transit, and alternative forms of transportation; and encourage sustainable land use practices that reduce environmental impacts; and

WHEREAS, the Town of Chapel Hill finds that additional housing units can be integrated into existing residential zoning districts and neighborhoods through gentle density, constructing small-scale houses and multifamily missing middle housing forms; and

WHEREAS, the Town of Chapel Hill recognizes the inefficiencies of single family zoning and seek to expand opportunities to incrementally densify existing residential zoning districts by allowing more attainable, smaller, single family and missing middle housing forms such as duplexes, triplexes, fourplexes, and cottage courts; and

WHEREAS, smaller houses and unit sizes reduce land acquisition and construction costs, driving down overall home prices. Small-scale development provides an opportunity for homeownership and an alternative to accessory apartments; and

WHEREAS, Land Use Management Ordinance Article 3 – Zoning Districts, Uses, and Dimensional Standards limits the diversity of housing types and needs to be expanded to provide greater opportunity for a range of housing types; and

WHEREAS, Land Use Management Ordinance Article 4 – Procedures provides certain exemptions only for single family development, requiring longer and more intensive review schedules for small-scale residential developments; and

WHEREAS, Land Use Management Ordinance Article 5 – Design and Development Standards apply to all multi-family development of three or more units, creating obstacles that discourage missing middle housing development; and

WHEREAS, Land Use Management Ordinance Article 6 – Special Regulations for Particular Uses offers opportunity to provide standards for accessory apartments, triplexes, fourplexes, and townhouse developments, whereby these types of housing units could strategically increase the density of neighborhoods while being sensitively designed and integrated; and

WHEREAS, Article 1, Article 7, and Appendix A—Definitions require revisions to match the standards proposed above; and

WHEREAS, the Housing Advisory Board reviewed the text amendments to the Land Use Management Ordinance Articles 1, 3, 4, 5, 6, and 7 and Appendix A on October 11, 2022, and January 10, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Articles 1, 3, 4, 5, 6, and 7 and Appendix A on October 4, 2022, and January 17, 2023, and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Legislative Hearing to amend Articles 1, 3, 4, 5, 6, and 7, and Appendix A of the Land Use Management Ordinance as it relates to Housing Types and Design and Development Standards for the Council's January 25, 2023 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance Articles 1, 3, 4, 5, 6, and 7, and Appendix A; and

WHEREAS, upon consideration the Council finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A range of housing options for current and future residents (*Place For Everyone*.3)
- Low density, green Rural Buffers that exclude urban development and minimize sprawl (*Good Places, New Spaces*.1)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (*Good Places, New Spaces*.2)
- 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 (*Good Places, New Spaces*.5)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (*Good Places, New Spaces*.8)
- Reduce the carbon footprint of all Town-owned or managed services and properties; require that all new development meets standards; and support residents in minimizing their personal footprints (*Nurturing Our Community*.7)
- Housing for students that is safe, sound, affordable, and accessible and meets a demonstrated need conducive to educational and maturational needs of students, and housing for Town, University, and the Health Care System employees that encourages them to reside in the community (*Town Gown Collaboration*.4)
- Promote access for all residents to health-care centers, public services, and active lifestyle opportunities (*Town Gown Collaboration*.6)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed text amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the ____th day of _____, 2023.