



# OPEN THE PUBLIC HEARING FOR LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENTS TO SECTION 3.11 REGARDING AFFORDABLE HOUSING AND STORMWATER MANAGEMENT IN THE BLUE HILL DISTRICT

## STAFF REPORT

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
Ben Hitchings, Director  
Corey Liles, Principal Planner

<b>PROPERTY ADDRESS</b> Blue Hill Form District	<b>PUBLIC HEARING DATE</b> May 22, 2019	<b>REQUESTED BY</b> Town of Chapel Hill
<b>STAFF'S RECOMMENDATION</b> That the Council open the Public Hearing, receive public comment, and continue the Public Hearing to June 26, 2019.		
<b>ITEM OVERVIEW</b> The proposed text amendments to the Form-Based Code of the Blue Hill District (LUMO 3.11) would serve two purposes: (1) expanding the purpose statement of the District to recognize affordable housing, and (2) updating stormwater management standards in response to recent changes in NC General Statutes. Town Council received a presentation on both topics at the <a href="#">March 13, 2019 meeting</a> <sup>1</sup> .		
<b>TOPIC: AFFORDABLE HOUSING</b>  Staff has been designing affordable housing strategies for the Blue Hill District, in response to a Council Petition submitted by Council members on <a href="#">March 14, 2018</a> <sup>2</sup> . The petition asked the Mayor and Manager to identify solutions for several community interests in the Blue Hill District, including ways to meet the goal for new affordable housing (see attached).  Staff determined that adding affordable housing as a purpose of the District in the Form-Based Code would be a useful preliminary step while continuing to explore other options.		<b>PROCESS</b> <ol style="list-style-type: none"><li>1. Research Potential Standards</li><li>2. Community Review</li><li>3. Advisory Board Review</li><li>4. Planning Commission Review</li><li>5. <b>Council Public Hearing</b></li><li>6. Consider Action on Text Amendment</li></ol>
<b>TOPIC: STORMWATER</b>  In December of 2018, the North Carolina General Assembly enacted Session Law 2018-145, which included a revision to G.S. 143-214.7(b3). The statute revision states that for redevelopment projects, stormwater controls shall only be required to treat the net increase in impervious area.  Under the provisions of the Blue Hill District Form-Based Code, developers provide stormwater treatment for 50% post-construction impervious area for water quality standards. SL 2018-145 removes the ability to enforce this requirement.  The proposed text amendment would modify the Form-Based Code to incentivize stormwater benefits. Two paths would be established for application review: <ul style="list-style-type: none"><li>• <u>Conventional</u> – stormwater treatment for the net increase in impervious area, with entitlement for lower development potential</li><li>• <u>Enhanced Development</u> – stormwater treatment of 50% post-construction impervious area, maintaining the current entitlement for development potential in Blue Hill District</li></ul>		The Land Use Management Ordinance establishes the intent of Text Amendments by stating that, "In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town it is intended that this chapter shall not be amended except: <ul style="list-style-type: none"><li>• to correct a manifest error in this chapter; or</li><li>• because of changed or changing conditions in a particular area or in the jurisdiction generally; or</li><li>• to achieve the purposes of the Comprehensive Plan."</li></ul>
<b>ATTACHMENTS</b> <ul style="list-style-type: none"><li>• Draft Staff Presentation</li><li>• Technical Report</li><li>• Draft Resolution of Consistency with the Comprehensive Plan</li><li>• Draft Ordinance (Approving the Text Amendment Proposal)</li><li>• Excerpt from Session Law 2018-145</li><li>• March 14, 2018 Petition to Council</li></ul>		<b>FISCAL IMPACTS &amp; RESOURCES</b>  There are no fiscal impacts associated with this public hearing.

<sup>1</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=621445&GUID=DC1B731A-800E-4CF5-8C36-502EFC226A8C>  
(see items 8 and 9)

<sup>2</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=582679&GUID=4D52E0D3-32B1-4230-A697-C41E6616678E>