



## CONSIDER LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENTS - 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

PROPERTY ADDRESS	BUSINESS MEETING DATE	REQUESTED BY
Blue Hill Form District	June 26, 2019	Town of Chapel Hill
<b>ITEM OVERVIEW</b> <p>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 opened the Public Hearing at the <a href="#">May 22, 2019 meeting</a><sup>1</sup>.</p>		
<b>UPDATES SINCE PUBLIC HEARING</b> <ul style="list-style-type: none"><li>Conventional Path applications would now be subject to the Tree Canopy Coverage standards of LUMO 5.7.2, as a way of increasing green space for those projects.</li><li>Two versions of the text amendment ordinance have been prepared, with alternative means of regulating building placement in relation to the street. Ordinance A would exempt Conventional Path applications from the build-to percentage of lot width on all frontages. Ordinance B would apply a build-to percentage requirement to the Primary Frontage only.</li></ul>		
<b>TOWN MANAGER'S RECOMMENDATION</b> <p>I have reviewed and discussed key issues with Town staff. Based on the information in the record to date, I believe the Council could make the findings required to approve the proposal, and therefore should:</p> <ol style="list-style-type: none"><li>close the public hearing; 2) adopt the Resolution of Consistency with the Comprehensive Plan; and</li><li>enact Ordinance A or Ordinance B to amend Section 3.11 of the Land Use Management Ordinance</li></ol>		
<b>TOPIC: AFFORDABLE HOUSING</b> <p>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 proposed text amendment would add affordable housing as a purpose of the District in the Form-Based Code, which would be a useful preliminary step while exploring other strategies.</p>	<b>PROCESS</b> <ol style="list-style-type: none"><li>Research Potential Standards</li><li>Community Review</li><li>Advisory Board Review</li><li>Planning Commission Review</li><li>Council Public Hearing</li><li><b>Consider Action on Text Amendment</b></li></ol> <p>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:</p> <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>TOPIC: STORMWATER</b> <p>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.</p> <p>The proposed text amendment would modify the Blue Hill District Form-Based Code to incentivize stormwater treatment that could no longer be required based on SL 2018-145. Two paths would be established for application review:</p> <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</li></ul>	<b>FISCAL IMPACTS &amp; RESOURCES</b> <p>There are no fiscal impacts associated with this item.</p>	

<sup>1</sup> <https://chapelhill.legistar.com/MeetingDetail.aspx?ID=621453&GUID=3C0E0757-1A6C-458F-B4F1-A3FECFD52452> (see item 12)

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

**ATTACHMENTS**

1. Draft Staff Presentation
2. Technical Report
3. Memorandum from Town Attorney
4. Resolution of Consistency with the Comprehensive Plan
5. Ordinance A, (Approving the Text Amendment Proposal, without build-to percentages for Conventional Path applications)
6. Ordinance B (Approving the Text Amendment Proposal, with build-to percentages for the Primary Frontage of Conventional Path applications)
7. Resolution B (Denying the Text Amendment Proposal)
8. Planning Commission Recommendation