

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: J.B. Culpepper, Planning Director
Loryn Clark, Housing and Neighborhood Services Manager
Rae Buckley, Housing and Neighborhood Services Senior Planner

SUBJECT: Receipt of Highland Woods Neighborhood Petition to Initiate Phase One of the Neighborhood Conservation District Process

DATE: June 8, 2009

PURPOSE

The purpose of this memorandum is to forward to the Town Council a petition that was submitted from the Highland Woods neighborhood to initiate Phase One of the Neighborhood Conservation District process. Adoption of the attached resolution would accept the petition and initiate Phase One of the Neighborhood Conservation District process.

BACKGROUND

Section 3.6.5 of the Land Use Management Ordinance states that Phase One of the Neighborhood Conservation District process may be initiated “by the Town Council; by property owners representing 51% of the land area within the proposed district, upon submittal and acceptance of a petition by the Town Council; or by 51% of property owners in a proposed district upon submittal and acceptance of a petition by the Town Council.”

On March 17, 2009, staff attended a Highland Woods Neighborhood Association meeting to present information about the Neighborhood Conservation District designation and development process.

On May 7, 2009, we received a petition to initiate Phase One of the Neighborhood Conservation District process for the Highland Woods neighborhood. Please see Attachment 1 for a map of the neighborhood boundary described by the petition and Attachment 2 for a copy of the neighborhood’s petition. We have evaluated the petition and determined that it is sufficient with 56% of the owners of property represented by signature.

DISCUSSION

According to Section 3.6.5(c) of the Land Use Management Ordinance, Phase One of the Neighborhood Conservation District process is informational in nature. The Ordinance states that the Neighborhood Conservation District process “shall consist of a Town sponsored Public Information Meeting to provide general information about Neighborhood Conservation Districts

including a review of existing Neighborhood Conservation Districts and an explanation of the rezoning process.”

If the Council accepts the petition to initiate Phase One of the Neighborhood Conservation District process for the Highland Woods neighborhood, the petition would be forwarded to the Planning Board.

Following the process in the Land Use Management Ordinance, the Planning Board would review the petition, designate a preliminary notification boundary and set a date to hold a Public Information Meeting regarding the proposed Neighborhood Conservation District. Notification of the Public Information Meeting would be sent to all property owners located within the preliminary boundary and within 500 feet of the boundary.

Once a Neighborhood Conservation District Public Information Meeting is held, Phase One of the Neighborhood Conservation District process would be considered to be complete. A second petition by the Highland Woods neighborhood would be required to proceed to Phase Two of the Neighborhood Conservation District process to consider the development of regulations for a Neighborhood Conservation District.

SCHEDULE

If the Council accepts the petition to initiate Phase One of the Neighborhood Conservation District process for the Highland Woods neighborhood, we would propose to transmit the petition to the Planning Board in the fall. This timing is proposed because of a staff leave of absence over the summer. In addition, it has been our experience that the summertime is a difficult time to schedule neighborhood meetings.

RECOMMENDATION

We recommend that the Town Council adopt the attached resolution accepting the petition to initiate the informational phase, Phase One of the Neighborhood Conservation District process for the Highland Woods neighborhood.

We believe the initiation of Phase One of the Neighborhood Conservation District process will be helpful in providing information to the property owners about the advantages and disadvantages of a Neighborhood Conservation District, as well as what can be accomplished through the designation.

ATTACHMENTS

1. Map of the Highland Woods Neighborhood Conservation District Petition Boundary
2. Town of Chapel Hill Neighborhood Conservation District Process Phase One Petition from the Highland Woods Neighborhood

A RESOLUTION TO ACCEPT A PETITION TO INITIATE PHASE ONE OF THE NEIGHBORHOOD CONSERVATION DISTRICT PROCESS FOR THE HIGHLAND WOODS NEIGHBORHOOD (2009-06-08/R-)

WHEREAS, the Land Use Management Ordinance states that Phase One of the Neighborhood Conservation District process may be initiated “by the Town Council; by property owners representing 51% of the land area within the proposed district, upon submittal and acceptance of a petition by the Town Council; or by 51% of property owners in a proposed district upon submittal and acceptance of a petition by the Town Council.” and

WHEREAS, residents of the Highland Woods Neighborhood have submitted a petition including signatures from over 51% of the owners of property in the proposed boundary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council accepts the petition to initiate Phase One of the Neighborhood Conservation District process for the Highland Woods Neighborhood.

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Council hereby forwards the petition to initiate Phase One of the Neighborhood Conservation District process for the Highland Woods neighborhood to the Planning Board for review.

This the 8th day of June, 2009.