

June 26, 2001

## **Recommendations for Revising the Town of Chapel Hill's Development Ordinance**

### **I. Suggestions for Improving the Ordinance and Review Process**

#### **A. Simplify the process for reviewing, approving, or rejecting projects.**

1. Simplify the language of the ordinance. Doing so would save time and cost for both Town staff and project applicants.
2. Raise the thresholds that trigger the quasi-judicial SUP process.
3. Consider implementing a site-plan approval process rather than quasi-judicial SUP process. This will allow applicants and Council to work together as collaborators rather than adversaries.

#### **B. Speed up the process for reviewing and approving projects.**

1. The complexity of approval leads to an unreasonably long process and expensive project.
2. Set deadlines and consequences for Town and applicant with respect to each step of the process. This is standard practice in most other municipalities and is a benefit to staff, applicant, and community. Applicants incur significant added expenses and fines if deadlines are not met. However, when the Town misses a deadline, it faces no consequences. Each interested party would benefit from a reliable schedule with a clear end-date.
3. The length and complexity of the process leads to a very expensive undertaking. It eliminates participation by smaller developers and undermines Town goals such as encouraging affordable housing.

#### **C. De-politicize the process for reviewing and approving projects.**

1. Consider lowering the number of approvals that are governed by the Town Council. According to the Council, it spends half of its time on development issues. The community is better served by freeing the Council's time for more pressing matters. Consider creating the following two-tier approval process:
  - a. Give approval authority to Town staff up to a reasonable level. Three suggestions are to have staff approve subdivisions consisting of 9 lots or fewer; up to 20,000 SF of building and 40,000 SF disturbed area; and all minor modifications.
  - b. Give approval authority to the Planning Board up to a higher level. Two suggestions are to offer Planning Board approval for subdivisions with 24 or fewer lots 40,000 SF of building and 80,000 SF disturbed area in commercial buildings.

### **II. Suggestions for Improving Specific Issues**

#### **A. Provide meaningful incentives for projects that achieve Town goals.**

1. A 5% density bonus has been in the Ordinance for 20 years, without any measurable results. Increase the density bonus to 20%.

2. Permit attached housing lots as part of the affordable, small house component of subdivisions. This is a practical way to support the Small House Ordinance.
- B. Address Signage, Parking, and Lighting Issues
1. Allow signage that permits shoppers/clients/patients to easily find their destination, especially in mixed-use, multi-site projects such as Chapel Hill North.
  2. Recognize that the majority of shoppers/clients/patients will arrive at their destination in their car and will need adequate parking. The current transportation system serves students well, but does not meet the more varied needs of Chapel Hill's residents or business patrons adequately enough to decrease parking. We suggest keeping the current parking formula until public transportation becomes more available and practical. Write rules recognizing that, in the absence of adequate parking, patrons will drive farther to businesses with adequate parking.
  3. Consider new design standards and materials that make parking lots more environmentally friendly, and reduce impervious surface.
  4. To increase public safety, please reassess and increase the allowable lighting levels for banks, public telephones, and ATM machines. This can be accomplished without spillover onto roads and residential areas.
- C. Write rules that allow real density in transit corridors.
1. Allow mixed-use zoning on sites smaller than 5 acres.
  2. Increase density in transit corridors for all property types, both residential and commercial. Extend this zone for the 1/4 mile on either side of the corridor.
- D. Write rules that encourage property owners to maintain and enhance their property.
1. The more difficult it is to maintain and enhance a property, the less likely property owners are to do so. Expand the definition of a minor modification and adjust fees accordingly.
  2. Allow staff to approve the changes necessary for maintenance and minor enhancements. Do not tie up the Council's time with approving minor property changes (e.g. addition of fire stairs, construction of a brick wall)
- E. Encourage infill and redevelopment projects.
1. Allow mixed-use zoning on sites smaller than 5 acres.
  2. Do not tie up minor property improvements (e.g. addition of fire stairs, construction of a brick wall) in the Council process.
- F. RCD
1. The current ordinance requires that buildings be elevated two feet above the flood plain. This additional footage is required because flood maps are out of date and inaccurate. Currently, North Carolina is updating its flood plain maps. Consider adjusting the ordinance to reflect the new flood information, and do away with the additional two-foot elevation.