

**Memorandum**

To: Mayor and Chapel Hill Town Council  
From: Citizens for Livable Communities  
Re: Draft Development Ordinance  
Date: May 31, 2001

We offer the following recommendations to the Council on the draft Development Ordinance. A detailed explanation for why these recommendations need to be enacted is attached. This is a group product of Steering Committee Members of the Citizens for Livable Communities (CLC). CLC promotes good growth through citizen involvement, regional dialogue and advocacy. Significant contributors to this review were Julie McClintock, Joyce Brown, and Sally Greene. We also consulted with experts in the storm water and land use areas. Thank you in advance for your careful review of these recommendations.

**1. We urge the Council to request the next draft of this document to be written in plain English and to hold a public hearing to obtain further input on the new version.**

**2. Connect Comprehensive Plan goals to the Development Ordinance.** The Comprehensive Plan is the articulation of Chapel Hill's vision for itself. The Development Ordinance is the tool for translating that vision into reality. We want to see where each goal set forth in the Comprehensive Plan is translated into the Development Ordinance. We also want to see within the Development Ordinance references, where appropriate, to the Data Book as a key component of the process.

**3. New Residential Development.** We support the inclusionary housing requirements in the Draft. We think it is vital that these requirements be built into the ordinance to increase the stock of affordable housing for the Town and to set a consistent standard for developers.

**4. Maintain and enhance character of established residential neighborhoods.** Throughout the Comprehensive Plan is recognition of the need to "[c]onserve and protect existing neighborhoods." The Plan notes that "[s]ome residential neighborhoods," especially but not exclusively those surrounding downtown and the UNC campus, "will face pressures for infill and redevelopment," and thus that "the character of these neighborhoods needs to be preserved." (sec. 2-2). This "major theme" of the Comprehensive Plan is not adequately reflected in the draft.

**4a. Historic Districts.** We recommend that the ordinance procedures governing the

reconfiguration of lots make the Historic District Commission the primary advisory board authority. This would apply to zoning changes and all minor and major subdivisions within any historic district.

**4b. Residential Conservation Areas.** These include the Historic Districts as well as several other neighborhoods surrounding UNC. This concept needs to be recognized in the Development Ordinance through implementation of particular steps to achieve the goal discussed above regarding strengthening the process for development in such area, as well as through any other tool recommended in the Comprehensive Plan that is not as yet reflected in the draft.

**4c. Neighborhood Conservation Districts.** We support this concept. We believe, however, that the draft should better reflect the Comprehensive Plan's guidelines for establishing such a district.

*We support this wording change: A zoning change application for designation as a Neighborhood Conservation District shall be initiated (1) at the direction of Town Council, (2) at the request of owners representing 51% of the land area within the proposed district, or (3) at the request of 51% of property owners within the proposed district.*

**4d. Lot widths, sizes, and setbacks.** Additionally, we recommend the deletion of maximum lot widths and setbacks in all zoning districts in existing neighborhoods, with the possible exception of commercial districts.

**4e. 5 acre minimum for special use permit (SUP).** Given the amount of infill development we expect over the years in Chapel Hill, we are uncomfortable with changing the minimum acreage needed for a SUP request from 5 acres to 1 acre. We endorse keeping the 5 acre minimum for special use permits in established neighborhoods.

**4f. FAR for R 1 and R 2.** As neighborhoods age, we want the Development Ordinance to resist the tendency for speculators to tear down older homes and replace them with "McMansions". These houses don't fit with the character of the older homes, and we ought to be encouraging the conservation and renovation of older homes to retain the distinct character of each neighborhood. For multifamily units the draft ordinance specifies maximum floor area ratios, but for single family houses and duplexes it does not. We believe it should.

**4g. Minor Subdivisions (4.6.4)** Minor subdivisions have been reviewed by Town staff with standard set by the Town Manager. Although this arrangement made sense in the past, it makes less and less sense as Chapel Hill approaches buildout, and infill development becomes more usual. The Council should consider whether it wants to review minor subdivisions the same way it reviews major subdivisions (in which case the distinction would disappear), or whether it would be willing to have minor subdivisions subject to Planning Board approval followed by cursory Council approval on a consent agenda which

could be pulled for greater scrutiny.

**4h. Notice for subdivision applications.** As a matter of Council policy or Town procedures, we request that the staff ensure that the list of property owners to be contacted is accurate. Further in the case of master plan developments, new major and minor subdivisions and for developments adjacent to Residential Conservation Areas, the town policy should require a broader notification, e.g. 2500 or 5000 feet.

**4i. Inspections.** We recommend that the Town invest more resources in its Inspections Department. A recent presentation made to the Council underscored the zoning irregularities present in Chapel Hill's neighborhoods. The Town needs to enforce existing zoning laws and regulations in neighborhoods.

**5. Storm water.** Overall we think this section of the draft ordinance is weak. We suggest changing the requirement controlling for the first one inch of rain or 50 year storm. Normally, a two year storm is used for several reasons - first, it is by definition the worst storm (statistically) in two years instead of one, i.e. more intense. Second, as stormwater engineering defines design storms, a one year storm is undefined due to the mathematical derivation of storm event and is less restrictive.

Standards for riparian buffers, wetland restoration, and bioremediation areas need to be put in the Development Ordinance, not buried in the Design Manual. We think that storm water controls should apply to 20,000 square feet of disturbed area, not 40,000 square feet. There is no reference to policy here for what level storm should be allowed to overtop a road and if the town would consider the backing up a stormwater detention method. A policy is needed here. The Council needs to ensure that stormwater standards apply to lots in residential subdivisions even if the lots are phased.

It is very difficult to assess opportunities for improving this draft without the associated Stormwater Manual which, to the best of our knowledge, hasn't been written yet. They must complement each other in addressing all these issues. Without it, the completeness of development submittals cannot be adequately assessed.

**6. Maintain and enhance Resource Conservation District standards.** The Ordinance should simplify stream buffer requirements. We think the 3 tier system in the revisions make a needlessly complicated system which offers less stream protection than the current ordinance. Detention ponds should not be allowed in the RCD. They disturb the land and remove impermeable surface needed to clean water before it travels to the stream. The definition of perennial stream must be simplified so only water need to present. Intermittent streams need protection. The Town needs to communicate with the OWASA Board a desire to require sewer lines be set back at least 30 feet from streams. The Ordinance should require span bridges, not culverts in the RCD. Standards for stream crossings should be in Design Manual and Ordinance, and those should be limited, requiring a waiver from Board of Adjustment for more than one crossing. The Town Manager cannot be allowed to grant exemptions.

**7. Impervious surfaces and watershed protection.** We strongly endorse the no greater than 24% impervious surface (and the 50 % limitation with controls) as written in the draft ordinance. However, several issues need to be addressed.. One issue is how properties under redevelopment are treated under the ordinance for impervious surface requirements.

The Council needs to address a loophole in the 24% rule. It says, "24 % or 2 dwelling units/acre." You can put two houses on an acre of land and take up more than 24 percent of the surface (sometimes way more). We need to change the language so it means no greater than 24%. Information we have received from DWQ indicates that if we intend to limit the impervious surface to 24%, we need to say so. Alternatively, we need to amend the language to take out the phrase "two (2) dwelling units per acre (gross land area)."

**8. Steep slopes and tree protection.** Council should direct that the Ordinance require that steep slopes (over 25%) not be disturbed, thus preserving native vegetation and trees. The ordinance should be structured to provide for the maximum amount of undisturbed area per building lot. We think an exception to the steep slopes policy could be made for single family homes if the remainder of the site is left undisturbed.

EPA has documented that trees reduce temperatures in summer thus reducing the formation of ground level ozone. We need to require the planting of street trees in new subdivisions. The shade required in parking lots needs to be increased, and the specimen tree definition needs to be changed from 24" to 18" circumference. The tree ordinance should prevent clear-cutting and need to apply to single-family or duplex construction.

**9. Transportation.** Chapel Hill's Comprehensive Plan says the Town should revise its engineering standards in the Design Manual to address issues including "Consideration of 'community character' issues, such as the effects of roadway widenings on visual quality and adjacent land uses." We advocate adopting the NC DOT standards for urban street standards into the Ordinance. We think narrower streets encourage community, are safer, and do far less damage to the environment by reducing the storm water problems caused by large areas of pavement.

**10. Zoning for Horace Williams Tract.** O -I 4 should not be extended to this tract pending negotiations with UNC.

## Recommendations to Chapel Hill Town Council on Draft Development Ordinance

**1. Rewrite ordinance in plain English.** One of the comments heard most often from citizens involved in the review of this document is a complaint that the technical language makes it too difficult to understand its meaning. Indeed those who have served in government or who have long studied town issues have had considerable difficulty understanding it.

One of the goals of the Comprehensive Plan is to “improve [the] development regulations and the process by which they are implemented to better serve the needs of citizens, businesses, developers, and staff.” The first recommendation given for achieving this goal is to publish “more user-friendly regulations.” (Comprehensive Plan 2000, sec. 8D.)

Several years ago the federal government began requiring all rules to be written in plain English. We think that the Town can find a specialist for this task.

*We urge the Council to request the next draft of this document to be written in plain English and to hold a public hearing to obtain further input on the new e version.*

**2. Connect Comprehensive Plan goals to the Development Ordinance.** The Comprehensive Plan is the articulation of Chapel Hill’s vision for itself. The Development Ordinance is the tool for translating that vision into reality. The Data Book, which is cited in the Comprehensive Plan, provides essential information for keeping the process of Chapel Hill’s development consistent with its vision.

We note that not all of the Comprehensive Plan goals have made it into this draft ordinance. For example, there is no mention of the residential conservation areas that are indicated on the land use map. That means among other things that the following goal articulated in the Comprehensive Plan at sec. 8D-1 is not in the draft: “in residential conservation areas where the primary emphasis is on protection of existing character, the notification process can be increased and the overall review process be made more elaborate.” That goal is followed by a corresponding one of simplifying and expediting the review process “in areas where certain types of development are desired.” The goal of simplifying and expediting certain development is reflected in the draft, for example in the procedures in Art. 2 for a “traditional neighborhood development.” But the goal of making the development process more involved in established neighborhoods is not carried out.

We want to see where each goal set forth in the Comprehensive Plan is translated into the Development Ordinance. That proof could be in the form of a matrix that cites each statement in the Comprehensive Plan that is intended to result in a Development Ordinance provision and shows where in the Development Ordinance the provision can be found. The matrix should be organized according to the “major themes” of the Comprehensive Plan (sec. 2.2), which include

conserving and protecting existing neighborhoods and conserving and protecting Chapel Hill’s natural setting—as well as identifying creative development opportunities and encouraging desirable nonresidential development.. We also want to see within the Development Ordinance references, where appropriate, to the Data Book as a key component of the process.

**3. New Residential Development.** We support the inclusionary housing requirements in the Draft. We think it is vital that these requirements be built into the ordinance to increase the stock of affordable housing for the Town and to set a consistent standard for developers.

Presently a subdivision developer receives no guidance from the Town staff, unless it is located in the RCD. We think some oversight is needed to determine the best environmental approach to developing the land. Randall Arndt’s approach to landuse recommends identifying the most fragile and sensitive areas to be avoided. We recommend staff or board review of a building envelope which would establish setbacks. (This suggestion from Dan Jewell, Landscape Engineer at Saturday Forum)

**4. Maintain and enhance character of established residential neighborhoods.** Throughout the Comprehensive Plan is recognition of the need to “[c]onserve and protect existing neighborhoods.” The Plan notes that “[s]ome residential neighborhoods,” especially but not exclusively those surrounding downtown and the UNC campus, “will face pressures for infill and redevelopment,” and thus that “the character of these neighborhoods needs to be preserved.” (sec. 2-2). This “major theme” of the Comprehensive Plan is not adequately reflected in the draft.

**4a. Historic Districts** . According to the Comprehensive Plan, “Of particular concern are the neighborhoods that touch and circle the downtown and central campus,” which include Chapel Hill’s historic districts. “These neighborhoods are rich in history and tradition, are highly valued by residents, and are among the areas of Town that are most susceptible to change.” (sec. 3A). The Historic District Commission is the Town board most knowledgeable about and most concerned with preservation and protection of these districts. We therefore ask that you use the Development Ordinance to make the Historic District Commission the primary decision maker regarding development within these dostricts, with other Boards acting in helping roles. This request furthers the goal of section 3B of the Comprehensive plan, “Integrate historic preservation concepts more fully into Chapel Hill’s planning process.” If Code changes are required to make this a part of the Development Ordinance, we ask that you enact such changes.

*We recommend that the ordinance procedures governing the reconfiguration of lots make the Historic District Commission the primary advisory board authority. This would apply to zoning changes and all minor and major subdivisions within any historic district.*

**4b. Residential Conservation Areas.** These include the Historic Districts as well as several other neighborhoods surrounding UNC. (See Comprehensive Plan, Fig. 2, as

recently amended.) This concept needs to be recognized in the Development Ordinance through implementation of particular steps to achieve the goal discussed in paragraph 2 above regarding strengthening the process for development in such area, as well as through any other tool recommended in the Comprehensive Plan that is not as yet reflected in the draft.

**4c. Neighborhood Conservation Districts.** We support this concept. We believe, however, that the draft should better reflect the Comprehensive Plan's guidelines for establishing such a district. The draft should incorporate the process identified in sec. 3A-2 of the Plan: an eligible neighborhood first completes a small area plan; then it writes its neighborhood design guidelines; then these guidelines are incorporated into the Development Ordinance as regulations through the creation of a zoning overlay district.

We also believe that the draft's minimum size for establishing such a district is too small. See sec. 3.6.5(a)(1): "The area must contain a minimum of one blockface (all the lots on one side of a block)." One side of one block hardly constitutes a "neighborhood" in Chapel Hill. We recommend following the example of Raleigh's similar ordinance (see attachment) and making the minimum 15 acres.

We further believe the Council needs to clarify which neighborhoods are eligible to engage in this process. The Comprehensive Plan suggests that only the Residential Conservation Areas are eligible. (See secs. 3A-1 & 3A-2.) Those neighborhoods surely should be eligible, but we see no reason not to make it a possibility for other neighborhoods, provided that they meet the criteria set out in the draft development ordinance regarding age (25 years), percentage of buildout (75%), cohesiveness of scale, type of buildings, natural characteristics, etc.

Additionally, regarding the initiation of this process, we believe that a requirement of "the request of the property owners of 75% of the property within the proposed district" is too high. We recommend a return to 51% as was stated in the first draft. We note that neither Mr. White nor anyone has given an example of this type of district in any city in the country in which such a high percentage is required to begin the process; 51% is the highest we have seen, and we note that numerous examples are lower.

Another issue with the 75% provision is whether it means the owners of 75% of the land mass, or 75% of the number of owners (number of lots) in the neighborhood. Drawing from Mr. White's own models, we suggest that it be either one. We propose the following language for draft sec. 3.6.5(c):

A zoning change application for designation as a Neighborhood Conservation District shall be initiated (1) at the direction of Town Council, (2) at the request of owners representing 51% of the land area within the proposed district, or (3) at the request of 51% of property owners within the proposed district.

**4d. Lot widths, sizes, and setbacks.** In zoning districts R-1 and denser, the draft includes a maximum lot width and maximum setback. This idea is inconsistent with much existing residential development and has the potential of allowing infill greatly out of scale with its surroundings. The current ordinance has no maximum lot widths or setbacks, and we question the need for them now. It's good to see the interpretive note (Table 3.8-1), Columns (I) & (J), re the maximum setbacks, saying, "The Manager or Council may exempt lots from this requirement" on a finding that "[a] building line has already been established by existing structures along the block . . . ." We would prefer, however, a stronger mechanism than Manager/Council discretion.

In Houston, neighbors can petition to have the prevailing setback enforced in order to preserve the character of a residential blockface. This process requires evidence of the support of the neighboring property owners and a finding that at least 50% of the lots in the proposed area are existing single-family residential dwellings.

Houston has a similar mechanism by which neighbors can petition to keep prevailing lot sizes.

We recommend that you ask Mr. White to find these two regulations and craft similar ones to bring forward for your consideration. Information can be found at [http://www.ci.houston.tx.us/departme/planning/Devp\\_rel.htm](http://www.ci.houston.tx.us/departme/planning/Devp_rel.htm)  
The contact person in Houston is Chris Fisher, (713) 837-7963.

Additionally, we recommend the deletion of maximum lot widths and setbacks in all zoning districts in existing neighborhoods, with the possible exception of commercial districts. We are not bothered with applying the maximum setbacks to new housing. (In the recent Saturday workshop, Hillsong Church could not have built on the hill and would have been just 35 ft. off the road with maximum setbacks.)

**4e. 5 acre minimum for special use permit (SUP).** Given the amount of infill development we expect over the years in Chapel Hill, we are uncomfortable with changing the minimum acreage needed for a SUP request from 5 acres to 1 acre. For example, two half acre lots could destroy several houses and replace it with a completely different housing type. We request that the minimum remain 5 acres unless Council devises a way for a higher approval hurdle.

**4f. FAR for R 1 and R 2** As neighborhoods age, we want the Development Ordinance to resist the tendency for speculators to tear down older homes and replace them with "McMansions". These houses don't fit with the character of the older homes, and we ought to be encouraging the conservation and renovation of older homes to retain the distinct character of each neighborhood. (The Comprehensive Plan says, "the conservation and rehabilitation of existing housing stock is just as important [as new construction] in maintaining housing diversity and can be an effective alternative to new housing construction" (sec. 7B-1).) The Comprehensive Plan advocates the reduction of development footprints as a way of protecting natural resources (sec. 9A-1).



*For multifamily units, the draft ordinance specifies maximum floor area ratios. But for single family houses and duplexes, it does not. We believe it should.*

**4g. Minor Subdivisions** (4.6.4) Minor subdivisions have been reviewed by Town staff with standard set by the Town Manager. Although this arrangement made sense in the past, it makes less and less sense as Chapel Hill approaches buildout, and infill development becomes more usual. As the Comprehensive Plan notes, “the focus of land use planning will shift from new development to managing infill and redevelopment of underutilized or previously developed properties.” In other words, minor subdivisions will be a major activity. We think their approval is too important for staff review only.

The Council should consider whether it wants to review minor subdivisions the same way it reviews major subdivisions (in which case the distinction would disappear), or whether it would be willing to have minor subdivisions subject to Planning Board approval followed by cursory Council approval (consent agenda) or greater scrutiny (pulling from consent agenda).

**4h. Notice for subdivision applications.** As a matter of Council policy or Town procedures, we request that the staff review the list of property owners to be contacted within 1000 feet of the property for all development applications to ensure accuracy. In the case of master plan developments and for developments adjacent to Residential Conservation Areas, the town policy should require a broader notification, e.g.. 5000 feet. This would apply to new major and minor subdivisions.

**4i. Inspections.** We recommend that the Town invest more resources in its Inspections Department. A recent presentation made to the Council underscored the zoning irregularities present in Chapel Hill’s neighborhoods.

**5. Storm water.** Change the requirement controlling for the first one inch of rain or 50 year storm. Normally, a two year storm is used for several reasons - first, it is by definition the worst storm (statistically) in two years instead of one, i.e. more intense. Second, as stormwater engineering defines design storms, a one year storm is undefined due to the mathematical derivation of storm event and is less restrictive.

Rain gardens, grass swales and landscape islands may not be effective in our soils, so exact standards must be specified in the Development Ordinance. Standards for riparian buffers, wetland restoration, and bioremediation areas need to be put in the Development Ordinance, not buried in the Design Manual. A registered landscape architect is now required on landscaping plans. Previously it stated other qualified professional. The ordinance does not appear to take into account the evolving bioremediation work and wetlands restoration work, both where plant selection is made by biologist and/or other professionals. Normally an engineer must design the bioremediation area with input from biologist. This important stormwater retention method, currently in use in Chapel Hill at University Mall, would appear to not be considered in the requirement for landscape architect. This draft requires plans to show design specifications for all

stormwater management facilities but not for conveyances, i.e. there are no controls for open channels, buried culverts, etc. Undersized culverts are responsible for many existing stormwater problems in Chapel Hill.

We think that storm water controls should apply to 20,000 square feet of disturbed area, not 40,000 square feet. We need to observe the principle that the least amount of disturbed area is best and the ordinance should allow some site specific analysis to figure out the most efficient controls for that piece of land. For example in the case of Hill Song Church, a more rational design of the property would not have removed a large number of hardwoods to make a large retention pond. Instead water quality controls could have been built under and next to the parking lot, and a prime uncut forest would have provided additional water quality benefits.

Some municipalities allow more severe storms, i.e. 25 year, 50 year, and 100 year (Hurricane Fran) to exceed the drainage capacity of a culvert and back up against a road, eventually overtopping it. There is no reference to policy here for what level storm should be allowed to overtop a road and if the town would consider the backing up a stormwater detention method. A policy is needed here. We then also need to determine what level road overtopping is allowed on. Usually NCDOT thoroughfares cannot be overtopped but small residential streets can.

It is very difficult to assess opportunities for improving this draft without the associated Stormwater Manual which, to the best of our knowledge, hasn't been written yet. They must complement each other in addressing all these issues. Without Appendix C, the completeness of development submittals cannot be adequately assessed.

The Council needs to ensure that standards apply to lots in residential subdivisions even if the lots are phased.

*It is important that key storm water provisions appear in the Development Ordinance , rather than the Design Manual. The Stormwater Manual needs to be a priority for the Council.*

**6. Maintain and enhance Resource Conservation District standards.** The Ordinance should simplify stream buffer requirements. We think the 3 tier system in the revisions make a needlessly complicated system which offers less stream protection than the current ordinance. Detention ponds should not be allowed in the RCD. They disturb the land and remove impermeable surface needed to clean water before it travels to the stream. The definition of perennial stream must be simplified so only water need to present. Intermittent streams need protection. The Town needs to communicate with the OWASA Board a desire to require sewer lines be set back at least 30 feet from streams. The Ordinance should require span bridges, not culverts in the RCD. Standards for stream crossings should be in Design Manual and Ordinance, and those should be limited, requiring a waiver from Board of Adjustment for more than one crossing. The Town Manager should not be allowed to grant exemptions.

*Buffers and setbacks in the RCD should be a minimum or 100-150 feet from all streams, including intermittent streams.*

- 7. Impervious surfaces and watershed protection.** We strongly endorse the no greater than 24% impervious surface (and the 50 % limitation with controls) as written in the draft ordinance. However, several issues need to be addressed.. One issue is how properties under redevelopment are treated under the ordinance for impervious surface requirements. We note in the case of Lowes, the impervious surface was reduced from 78% to 62% when the property was redeveloped under the Staple special use permit. This permit would not meet the recommended 50% requirement under the new ordinance. When sites are redeveloped, we recommend changes which would provide some flexibility for redeveloped sites if not located in the RCD or a certain watershed areas. For sites in the RCD or for certain watersheds the higher level of storm and water quality control should be required. We also recommend the ordinance provide incentives for alternate surfaces to pavement such as porous concrete filled with gravel and gravel surfaces.

There's one loophole in the 24% rule that the Council needs to address. It says, "24 % or 2 dwelling units/acre." You can put two houses on an acre of land and take up more than 24 percent of the surface (sometimes way more). We need to change the language so it means no greater than 24%. Information we have received from DEQ indicates that if we intend to limit the impervious surface to 24%, we need to say so. Alternatively, we need to amend the language to take out the phrase "two (2) dwelling units per acre (gross land area)."

*We endorse the no greater than 24 % impervious surface and the 50 % limitation with controls.*

- 8. Steep slopes and tree protection.** Council should direct that the Ordinance require that steep slopes (over 25%) not be built on thus preserving native vegetation and trees. The ordinance should be structured to provide for the maximum amount of undisturbed area per building lot. We think an exception to the steep slopes policy could be made for single family homes if the remainder of the site is left undisturbed.

Trees. EPA has documented that trees reduce temperatures in summer thus reducing the formation of ground level ozone. We need to require the planting of street trees in new subdivisions. Note Comprehensive Plan at 9C-2: Goal: "Incorporate requirements for street tree into the Subdivision Regulations. Unlike many other codes, the Development Ordinance does not explicitly require street tree along new residential streets." The shade required in parking lots needs to be increased, and the specimen tree definition needs to be changed from 24" to 18" circumference.

The tree ordinance in the draft applies to everything but single-family or duplex construction. Subdivisions are exempted. This has led to sterile looking new neighborhoods with a dramatic loss of trees. We recommend applying a percent undisturbed area be required of each site. When a site is developed in a subdivision or commercial area with specimen trees, the burden should shift so that the applicant for a subdivision (or SUP) would have to show why the tree need not be saved.. The test would

be for the applicant to demonstrate that saving the tree impairs the reasonable use of the property. New subdivisions and shopping centers and office parks should be required to plant street trees. DOT is now willing to approve specified street trees.

None of the provisions protecting trees should be administered by the discretion of the Town Manager.

**9. Transportation.** We advocate adopting the NC DOT standards for urban street standards. We think narrower streets encourage community, are safer, and do far less damage to the environment by reducing the storm water problems caused by large areas of pavement.

Cite Comprehensive Plan at sec. 10.1: “This Comprehensive Plan suggests that, in the balancing of competing objectives, it is reasonable to accept higher levels of automobile traffic congestion in exchange for narrower, more pedestrian-friendly streets, and for higher levels of transit, bicycle, and sidewalk usage.”

At sec. 10.2: “Minimize roadway improvements that increase automobile capacity.”

At. Sec. 10B-3: says Chapel Hill should revise its engineering standards in the Design Manual to address issues including “Consideration of ‘community character’ issues, such as the effects of roadway widenings on visual quality and adjacent land uses.”

The following is from Andres Duany et al., *Suburban Nation: The Rise of Sprawl and the Decline of the American Dream* (New York: North Point Press, 2000), pp. 65-68. You may wish to take excerpts from it—or, I have a photocopy of these pages for you.

The desire for increased traffic volume—“unimpeded flow”—has resulted in wider streets. While travel lanes on old streets are often only nine feet wide or less, new streets are usually required to have twelve-foot lanes, which take longer for pedestrians to cross. “Unimpeded flow” also has another name—speeding—adding all the more to pedestrian risk.

There are two other important factors behind the widening of America’s streets. The first was the Cold War, and the second was (and still is) the requirements of fire trucks. The influence of the Cold War was profound. In the 1950s, the Civil Defense Committee of AASHTO, the American Association of State Highway Transportation Officials, was a dominant force in the determination of street design criteria. Its prescription was straightforward: street design must facilitate evacuation before, and cleanup after, a major “nuclear event.” At the time, this objective may have seemed crucial, so its effect on pedestrian safety was never considered.

The biggest threat to life safety is not fires but automobile accidents, by a tremendous margin. Since the vast majority of fire department emergencies involve car accidents, it is surprising that fire chiefs have not begun to reconsider response time in this light; if they did, narrow streets would logically become the norm in residential areas. In the meantime,

the wider streets that fire departments require are indeed quite effective at providing them with quick access to the accidents they help cause.

Citizens who find themselves pitted against fire departments in road-width battles should focus their arguments on the issue of fire safety versus life safety and arm themselves with the statistical evidence. A recent study in Longmont, Colorado, compared fire and traffic injuries in residential neighborhoods served by both narrow and wide streets, primarily because there were no fire injuries. One serious fire and several smaller fires resulted in property damage only. Meanwhile, in the same eight years, there were 227 automotive accidents resulting in injuries, 10 of them fatal. These accidents correlated most closely to street width, with new thirty-six-foot-wide streets being about four times as dangerous as traditional twenty-four-foot-wide streets.

One community that has seen beyond the false safety promised by wide streets is Portland, Oregon, whose fire chief helped to initiate a new public program called "Skinny Streets." This program recommends that new local streets in residential areas, with parking on one side, should be only twenty feet wide. These humane streets have their critics, the usual cabal of fearmongers, who would like to enforce standards ten feet wider. They insist that the numbers don't add up—how can two cars pass each other and a parked car in a mere twenty feet of pavement? Of course, the founders of the Skinny Streets program have reason for confidence, since they derived their measurements from Portland's existing streets, which continue to work perfectly well in the city's most valuable neighborhoods. The Portland firemen have accepted the new standards, admittedly without much enthusiasm.

**10. Zoning for Horace Williams Tract.** O and I 4 should not be extended to this tract, pending negotiations with UNC.