

## Senate Bill 25 Text Amendments

### Land Use Management Ordinance: Appendix B Neighborhood Conservation Districts Required by changes to GS 160A-381 per Session Law 2015-86

Prepared by: Town Attorney's Office, Town of Chapel Hill

Last revised: August 21, 2015

#### CD-1: Northside Neighborhood Conservation District

Reference	Proposed Change	Explanation
1.1 Summary	<p><del>Bedroom to Bathroom Ratio</del></p> <p><del>A dwelling with more than 2 bedrooms, and a bathroom to bedroom ratio of 1.0 or greater, shall be classified as a Rooming House unless the dwelling is occupied by persons related by blood, adoption (including foster parenting status), marriage, or domestic partnership, with not more than two unrelated persons.</del></p> <p><del>This standard applies only to single family development (and single family dwellings with accessory apartments).</del></p> <p><b>[Delete row]</b></p>	Authority to regulate “the numbers and types of rooms” and “the interior layout of rooms” revoked.
1.2 “Vision Statement”	<p><del>Protect the family atmosphere and ensure that all future development is comparable with the majority of the neighborhood in scale, <u>and</u> function, <u>and</u> appearance.</del></p>	Authority to regulate appearance such as “exterior building color, type or style of exterior cladding material, style or materials of roof structures or porches, exterior nonstructural ornamentation, location or architectural styling of windows and doors, including garage doors” revoked.
<b>[Relocate regulation table in Section 1.1 and footnotes to Section 1.4, remove redundant list in section 1.4]</b>	<p><del>1. Maximum building height: Other than Town Center-2 District and Office/Institutional-1 Districts (primary): 20 feet.</del></p> <p><del>2. Maximum office/institutional-1 building height (primary): 29 feet.</del></p> <p><del>3. Maximum Town Center-2 building height (primary): 40 feet (except for areas that abut land zoned R-2, R-3, or R-4; in such areas, the maximum primary height limit shall be 30 feet).</del></p> <p><del>4. Maximum building height, Other than Town Center-2 District secondary): 35 feet.</del></p> <p><del>5. Maximum Town Center-2 building height (secondary): 50 feet.</del></p> <p><del>6. Duplexes: Two family duplex type dwellings</del></p>	<p>The regulation table in section 1.1 was added when this ordinance was amended in 2012 and supersedes regulations in section 1.4.</p> <p>This change eliminates redundant language that was not removed at the time the ordinance was amended in 2012. It also brings the format of this NCD into conformity with the formats of the other 8.</p>

Reference	Proposed Change	Explanation
	<p>(defined in the Land Use Management Ordinance as "Dwelling, Two-family—Duplex" are not permitted in the Northside Neighborhood Conservation District.</p> <p><del>7. Maximum house size (single-family or single-family with accessory apartment): 2,000 square feet; 2,500 square feet if variance is obtained from the Chapel Hill Board of Adjustment, based on the required findings outlined in section 4.12.2 of the Land Use Management Ordinance.</del></p> <p><del>8. Maximum floor area ratio (single family, single family with accessory apartment): .25</del></p> <p><del>9. Bathroom to bedroom ratio: A dwelling with more than two bedrooms, and a bathroom to bedroom ratio of 1.0 or greater, shall be classified as a rooming house unless the dwelling is occupied by persons related by blood, adoption, marriage, or domestic partnership, with not more than two unrelated persons.</del></p> <p><del>10. Zoning compliance permit notification: Owners within 1,000 feet of a property for which a zoning compliance permit application is submitted must be notified of the application if an increase in floor area is proposed or if the addition of a garage is proposed.</del></p> <p>(Ord. of 2-23-2004)</p>	

**CD-2: Greenwood Neighborhood Conservation District**

Reference	Proposed Change	Explanation
2.3 Special design standards...	<p>Except for the portion of lots that front on Christopher Road/Fordham Boulevard, the following standards shall apply: Fences located in the front yard <del>** and taller than 2.5 feet shall have openings of at least 50 per cent or more in the construction of the fence.</del> All fences located in the front yard, with street frontage, shall have a maximum fence height of four feet except where required by law for facilities such as swimming pools.</p>	<p>Authority to regulate the appearance of fences revoked. The appearance of fences is considered a "building design element" as it is an "exterior nonstructural architectural ornamentation."</p>

### CD-3: Kings Mill / Morgan Creek Neighborhood Conservation District

Reference	Proposed Change	Explanation
3.3 Special design standards...	<del>Fences located in the front yard** and taller than 2.5 feet shall have openings of at least 50 percent or more in the construction of the fence. All fences located in the front yard**, with street frontage, shall have a maximum fence height of four feet except where required by law for facilities such as swimming pools.</del>	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”

### CD-4: Pine Knolls Neighborhood Conservation District

Reference	Proposed Change	Explanation
4.1 Summary	The special regulations included here for height limits, floor area ratios, <del>bedroom to bathroom ratios</del> , limitations on front yard parking, and specific notification requirements apply only to single-family development and single-family dwellings with accessory apartments.	Authority to regulate “the numbers and types of rooms” and “the interior layout of rooms” revoked.
4.3 Special Design standards...	The special regulations included here for height limits, floor area ratios, <del>bedroom to bathroom ratios</del> , limitations on front yard parking, and specific notification requirements apply only to single-family development and single-family dwellings with accessory apartments.	Authority to regulate “the numbers and types of rooms” and “the interior layout of rooms” revoked.
4.3 Special Design standards...	<del>Bedroom to Bathroom Ratio  A dwelling with more than 2 bedrooms, and a bathroom to bedroom ratio of 1.0 or greater, shall be classified as a Rooming House unless the dwelling is occupied by persons related by blood, adoption (including foster parenting status), marriage, or domestic partnership, with not more than two unrelated persons.  This standard applies only to single family development (and single family dwellings with accessory apartments).</del>  [Delete row]	Authority to regulate “the numbers and types of rooms” and “the interior layout of rooms” revoked.

### CD-5: Mason Farm / Whitehead Circle Neighborhood Conservation District

Reference	Proposed Change	Explanation
5.3 Special design standards...	<del>Common area to bedroom ratio  An application for a zoning compliance permit must be accompanied by a floor plan certified by a licensed architect, licensed appraiser, licensed engineer, licensed general contractor or licensed surveyor that certifies that the total amount of space used as bedrooms is not in excess of the</del>	Authority to regulate “the numbers and types of rooms” and “the interior layout of rooms” revoked.

Reference	Proposed Change	Explanation
	<p>total square footage of common areas in the dwelling (no more than 50% of the total square footage). A second certified drawing would verify that the floor plans submitted for the zoning compliance permit application match the construction prior to town issuance of a certificate of occupancy. Definition for common space: Any portion of a dwelling that is not a bedroom or bathroom. A zoning compliance permit would be required in the case of interior renovations of homes in the neighborhood (not just site alterations and land disturbance).</p> <p>[Delete row]</p>	

**CD-8A: Glen Lennox Area (Oakwood Dr / Flemington Rd) Neighborhood Conservation District**

Reference	Proposed Change	Explanation
8A.3 Special design standards...	<p>Fences</p> <p>No metal chain link<sup>++</sup> fences permitted in the front yard<sup>**</sup></p> <p>[Delete row]</p>	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”
8A.3 “++”	<p>A chain link fence (also referred to as wire netting, chain wire, cyclone, or hurricane fencing) is defined as a woven fence usually made from galvanized or LLDPE-coated wire steel. The wires run vertically and are bent into a zig-zag pattern so that each “zig” hooks with the wire immediately on one (1) side and each “zag” with the wire immediately on the other. This forms the characteristic diamond pattern; please see Attachment 1 [section <a href="#">8A.4</a>] for an illustration of a chain link fence. Note: This regulation does not apply to the use of temporary chain link fences during construction work for Resource Conservation District control; temporary chain link fences for this purpose would be allowed under these proposed regulations.</p>	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”
8A.4 - Attachment	<p>[Delete Illustrations in 8A.4, Delete section 8A.4]</p>	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”

### CD-8B: Glen Lennox Area (Rogerson Dr) Neighborhood Conservation District

Reference	Proposed Change	Explanation
8B.3 Special design standards...	Fences  No metal chain link <del>++</del> fences permitted in the front yard <del>**</del>  [Delete row]	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”
8B.3 “++”	A chain link fence (also referred to as wire netting, chain wire, cyclone, or hurricane fencing) is defined as a woven fence usually made from galvanized or LLDPE coated wire steel. The wires run vertically and are bent into a zig-zag pattern so that each "zig" hooks with the wire immediately on one (1) side and each "zag" with the wire immediately on the other. This forms the characteristic diamond pattern; please see Attachment 1 [section 8B.4] for an illustration of a chain link fence. Note: This regulation does not apply to the use of temporary chain link fences during construction work for Resource Conservation District control; temporary chain link fences for this purpose would be allowed under these proposed regulations.	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”
8B.4 - Attachment	[Delete Illustrations in 8B.4, Delete section 8B.4]	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.”

### CD-9: Little Ridgefield Neighborhood Conservation District

Reference	Proposed Change	Explanation
9.3 Special design standards...	Fences located in the front yard and taller than 2.5 feet shall be constructed with a minimum transparency of 50%. All <del>f</del> Fences located in the front yard, with street frontage, shall have a maximum height of <b>four</b> feet. An <del>opaque</del> fence of any height enclosing the area behind the front plane of the house (i.e., the back and side yards) is permitted.	Authority to regulate the appearance of fences revoked. The appearance of fences is considered a “building design element” as it is an “exterior nonstructural architectural ornamentation.” ← (correction of typo)