



## Item Overview

Public Hearing– 03/14/2016  
Agenda # 4

**Subject:** Public Hearing: Proposed Zoning Atlas Amendment to Consider Roadway Frontage Reclassifications within the Ephesus/Fordham Form District

**Staff:**

Mary Jane Nirdlinger, Executive Director  
John Richardson, Planning Manager  
Eric Feld, Community Sustainability Planner II

**Department:**

Planning & Sustainability

**Overview:** A feature unique to the Ephesus/Fordham Form District, all street frontages are assigned frontage types (i.e. Type A, Type B, and Type C) to apply a consistent street edge intended to foster character. Each frontage type describes how close a building must be to the street. Type A streets are intended for areas with the highest walkability and are meant to provide a “main street” feel. Type B streets are intended for areas adjacent to major streets and are designed to create a quiet pedestrian setting in front of the building. Here the design allows for more distance between the building and the major street. Type C streets have high vehicular traffic volumes and are not conducive to pedestrian activity. The attached zoning atlas amendment reclassifies “Type C” street frontages to “Type B” along both sides of Fordham Boulevard, running south from Rams Plaza Shopping Center to the southern end of the Ephesus/Fordham Form District as shown in the official zoning atlas. This proposal is related to a separate Land Use Management Ordinance text amendment for changes to the Ephesus/Fordham Form District Regulations.



**Staff Recommendation**

That the Council open the public hearing and receive public comment on the Zoning Atlas Amendment. Council will act on this item at a future business meeting.

**Decision Points<sup>1</sup>**

- Does the rezoning comply with the 2020 Comprehensive Plan and Land Use Plan?

**Key Issues**

- On [March 1, 2016](#)<sup>2</sup>, the Planning Commission discussed the proposed zoning amendment and postponed considering a recommendation to the Council until the Commission’s March 15, 2016 meeting. We will share the Planning Commission’s recommendation with the Council when it becomes available.
- In response to recent [petitions and feedback from advisory boards](#)<sup>3</sup> regarding the Ephesus/Fordham Form District, the staff is developing a list of short-term zoning code modifications for Council consideration. The majority of the modifications are proposed

<sup>1</sup> The Council will act on this decision point at a future business meeting.

<sup>2</sup> (see business item #3, B-D)

<http://www.townofchapelhill.org/Home/Components/Calendar/Event/8456/15?curm=3&cury=2016>







<sup>3</sup> (see business item #3, A)

<http://www.townofchapelhill.org/Home/Components/Calendar/Event/8456/15?curm=3&cury=2016>

in a companion item Text Amendment to Section 3.11 (Ephesus/Fordham Form District). One of these modifications is proposed as a Zoning Atlas Amendment (the subject of this public hearing) to change the location of street frontage requirements in the Ephesus/Fordham Form District.

**Fiscal Impact/Resources:** Impacts to future investment are unknown. Priority attention to this item shifts staff resources away from a rewrite of the Land Use Management Ordinance.

**Council Goals:**

<input checked="" type="checkbox"/>		Create a Place for Everyone	<input checked="" type="checkbox"/>		Develop Good Places, New Spaces
<input checked="" type="checkbox"/>		Support Community Prosperity	<input checked="" type="checkbox"/>		Nurture Our Community
<input checked="" type="checkbox"/>		Facilitate Getting Around	<input type="checkbox"/>		Grow Town and Gown Collaboration



**Attachments:**

- Manager's Report
- Staff Memorandum
- Resolution of Consistency with the Comprehensive Plan
- Ordinance A (Approving the Zoning Atlas Amendment)
- Map
- Resolution B (Denying the Zoning Atlas Amendment)

# Manager's Report

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**Overview:** In a feature unique to the Ephesus/Fordham Form District in Chapel Hill, all street frontages are assigned frontage types (i.e. Type A, Type B, and Type C) to apply a consistent street edge intended to foster character. Each frontage type describes how close a building must be to the street:

- Type A streets provide a “main street” feel with highest walkability.
- Type B streets are designed to create a quiet pedestrian setting in front of the building and intended for areas adjacent to major streets. The design allows for more distance between the building and the major street.
- Type C streets have high vehicular traffic volumes and are not conducive to pedestrian activity.

The attached zoning atlas amendment reclassifies “Type C” street frontages to “Type B” along both sides of Fordham Boulevard, running south from Rams Plaza Shopping Center to the southern end of the Ephesus/Fordham Form District as shown in the official zoning atlas. This proposal is related to a separate Land Use Management Ordinance text amendment for changes to the Ephesus/Fordham Form District Regulations.

The Land Use Management Ordinance requires a Manager’s recommendation for Zoning Atlas Amendments.

## Manager’s Recommendation

- That the Council open tonight’s Public Hearing and receive public comment on the proposed Land Use Management Ordinance Text Amendment.
- After completion of the initial public hearing, the Town Attorney and I will review the record of the public hearing, and I will offer the Council my analysis and recommendation for action when this item returns to the Council for action.

# Staff Memorandum


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**Overview:** A feature unique to the Ephesus/Fordham Form District, all street frontages are assigned frontage types (i.e. Type A, Type B, and Type C) to apply a consistent street edge intended to foster character. Each frontage type describes how close a building must be to the street. Type A streets are intended for areas with the highest walkability and are meant to provide a “main street” feel. Type B streets are intended for areas adjacent to major streets and are designed to create a quiet pedestrian setting in front of the building. Here the design allows for more distance between the building and the major street. Type C streets have high vehicular traffic volumes and are not conducive to pedestrian activity. The attached zoning atlas amendment reclassifies “Type C” street frontages to “Type B” along both sides of Fordham Boulevard, running south from Rams Plaza Shopping Center to the southern end of the Ephesus/Fordham Form District as shown in the official zoning atlas. This proposal is related to a separate Land Use Management Ordinance text amendment for changes to the Ephesus/Fordham Form District Regulations.

## Recommendations

- *Staff:* That the Council open tonight’s public hearing and receive public comment on the Zoning Atlas Amendment proposal.
- *Advisory Boards/Commissions:*

Key: ✓ : Approval recommended    X: Denial recommended  : Comments		
Advisory Board/Commission	Support Staff Recommendation?	Notes/Edits
Planning Commission	To be determined	The Planning Commission will consider a recommendation at their March 15, 2016 meeting.
Community Design Commission	The Land Use Management Ordinance does not require these Boards and Commissions to review or forward a recommendation on a zoning atlas amendment to the Council.	
Transportation and Connectivity Advisory Board		
Environmental Sustainability Advisory Board		
Housing Advisory Board		

## Key Issues:

- *Planning Commission Recommendation:* On March 1, 2016, the Planning Commission discussed the proposed zoning amendment and postponed considering a recommendation to the Council until the Commission’s March 15, 2016 meeting. We will share the Planning Commission’s recommendation with the Council when it becomes available.
- *Vehicle Parking:* The Ephesus/Fordham Form District regulations require that applicants place structured parking at least 30 feet behind the front building façade for all floors along Type A and Type B frontages. Type C street frontages, however, include no restrictions for siting structured parking. Consequently, structured parking would not be

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allowed along Fordham Boulevard from Rams Plaza Shopping Center southward in the District if Type C streets were reclassified as Type B streets.

- *Compliance with the Comprehensive Plan:* Applicable themes and goals from the Chapel Hill 2020 Comprehensive Plan that could support the proposal to reclassify streets in the Ephesus/Fordham Form District include:
  - Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (Theme: A Place for Everyone.1)
  - A range of housing options for current and future residents (Theme: A Place for Everyone.3)
  - A welcoming and friendly community that provides all people with access to opportunities (Theme: A Place for Everyone.4)
  - Balance and sustain finances by increasing revenues and decreasing expenses (Theme: Community Prosperity and Engagement.1)
  - Foster support of local businesses (Theme: Community Prosperity and Engagement.2)
  - Promote a safe, vibrant, and connected (physical and person) community (Theme: Community Prosperity and Engagement.3)
  - A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of the means of transportation such as bicycle, pedestrian, and other public transportation options (Theme: Getting Around.1)
  - A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Theme: Getting Around.2)
  - Connect to a comprehensive regional transportation system (Theme: Getting Around.3)
  - Make an adaptable transportation system to support both dense and suburban development (Theme: Getting Around.4)
  - Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers (Goal GA.5)
  - Incorporate street planning into zoning code (Theme: Getting Around.7)
  - A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Theme: Getting Around.8)
  - A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Theme: Good Places New Spaces.3)
  - A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Theme: Good Places New Spaces.5)
  - A community that welcomes and supports change and creativity (Theme: Good Places New Spaces.6)

# Staff Memorandum

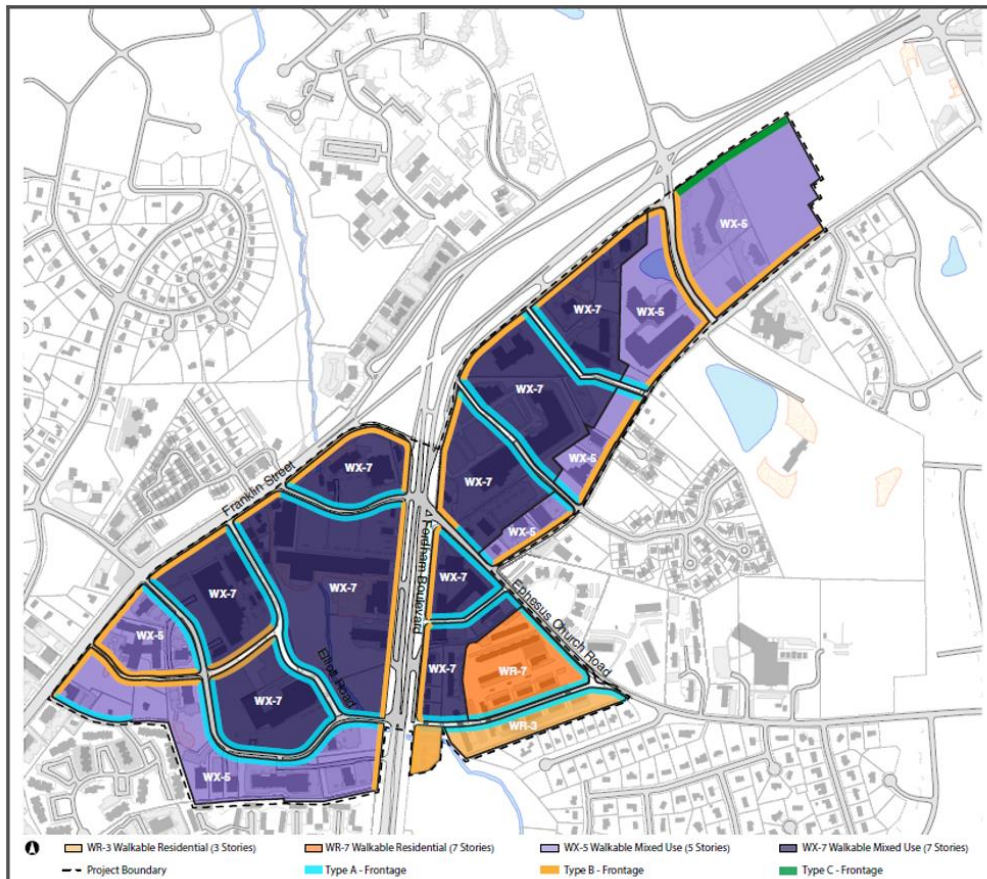
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- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Theme: Good Places New Spaces.8)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Theme: Nurturing Our Community.8)
- *Land Use Management Ordinance Text Amendment:* This proposal is accompanied by a Land Use Management Ordinance Text Amendment, which would, in part, revise the Ephesus/Fordham Form District regulations to require development along arterial roads in the District (i.e., Fordham Boulevard) to meet Type B street frontage requirements. This text amendment would be reflected in the Regulating Plan, a map that shows the zoning districts, desired streets and frontage types.

**Fiscal Impact/Resources:** Impacts to future investment are unknown. Priority attention to this item shifts staff resources away from a rewrite of the Land Use Management Ordinance.

## Area Map:



**RESOLUTION OF CONSISTENCY**  
(Reclassifying Type C Street Frontages to Type B)

**A RESOLUTION FINDING AN AMENDMENT TO THE CHAPEL HILL ZONING ATLAS TO RECLASSIFY STREET FRONTAGE TYPES FOR ARTERIAL ROADWAYS IN THE EPHEBUS/FORDHAM FORM DISTRICT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN (2016-MM-DD/R-#)**

WHEREAS, the Council of the Town of Chapel Hill has considered the proposal to amend the Zoning Atlas to reclassify street frontage types for arterial roadways in the Ephesus/Fordham Form District from Type C to Type B; and

WHEREAS, the Council finds that the amendment is warranted because of changed or changing conditions in the area or in the jurisdiction generally and in order to achieve the following purposes of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
- Balance and sustain finances by increasing revenues and decreasing expenses (CPE.1)
- Foster support of local businesses (Goal CPE.2)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)
- A well-conceived and planned, carefully thought-out, integrated, and balanced transportation system that recognizes the importance of automobiles, but encourages and facilitates the growth and use of other means of transportation such as bicycle, pedestrian, and other public transportation options (Goal GA.1)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal GA.2)
- Connect to a comprehensive regional transportation system (Goal GA.3)
- Make an adaptable transportation system to support both dense and suburban development (Goal GA.4)
- Create a comprehensive transportation system that provides everybody safe and reasonable access to all the community offers (Goal GA.5)
- Incorporate street planning into zoning code (Goal GA.7)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Goal GA.8)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal GPNS.3)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Goal GPNS.5)
- A community that welcomes and supports change and creativity (Goal GPNS.6)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)

- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal NOC.8); and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed ordinance to be reasonable and consistent with the Town Comprehensive Plan

This the \_\_\_\_\_ day of \_\_\_\_\_, 2016.



**ORDINANCE A**  
**APPROVING MAP AMENDMENT**  
 (Reclassifying Type C Street Frontages to Type B)

**AN ORDINANCE AMENDING THE CHAPEL HILL ZONING ATLAS TO RECLASSIFY STREET FRONTAGE TYPES FOR ARTERIAL ROADWAYS IN THE EPHEBUS/FORDHAM FORM DISTRICT (2016-MM-DD/O-)**

WHEREAS, the Council of the Town of Chapel Hill has considered the proposal to amend the Zoning Atlas to reclassify street frontage types from Type C to Type B for both sides of Fordham Boulevard, running from the property known as Rams Plaza Shopping Center to the southern end of the Ephesus/Fordham Form District; and

WHEREAS, the Council finds that the amendment is warranted because of changed or changing conditions in the area or in the jurisdiction generally and in order to achieve the following purposes of the Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
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- A community that welcomes and supports change and creativity (Goal GPNS.6)

- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal NOC.8); and

WHEREAS, with enactment of the Ephesus/Fordham Form District Regulations (i.e., form district code) on May 12, 2014, the Council adopted a complementary series of directives to the Town Manager to guide further renewal of the District known as the “Resolution on Continued Action for Renewal of the Ephesus Church Road/Fordham Boulevard Form District”; and

WHEREAS, to adequately address the Resolution on Continued Action for Renewal of the Ephesus Church Road/Fordham Boulevard Form District, the staff shall provide regular reports to the Council on the progress of the associated work, with said reports provided to the Council over the course of ten years, beginning with biannual reports delivered during the first two years, and annual reports during the subsequent eight years; and

WHEREAS, on January 11, 2016, the Chair of the Community Design Commission petitioned the Council to consider recommendations for enhancing the Ephesus/Fordham Form District Regulations in response to the first Certificate of Appropriateness applications; and

WHEREAS, on January 11, 2016, the Chair of the Transportation and Connectivity Advisory Board petitioned the Council to consider congestion, safety, and connectivity improvements along East Franklin Street and through the Ephesus/Fordham Form District in response to higher density development activities; and,

WHEREAS, on February 2, 2016, the Mayor of the Town of Chapel Hill hosted a meeting with the chairs of the Community Design Commission, the Transportation and Connectivity Advisory Board, and the Planning Commission to explore their interests in the Ephesus/Fordham Form District and to develop a deeper understanding of the petitions received; and

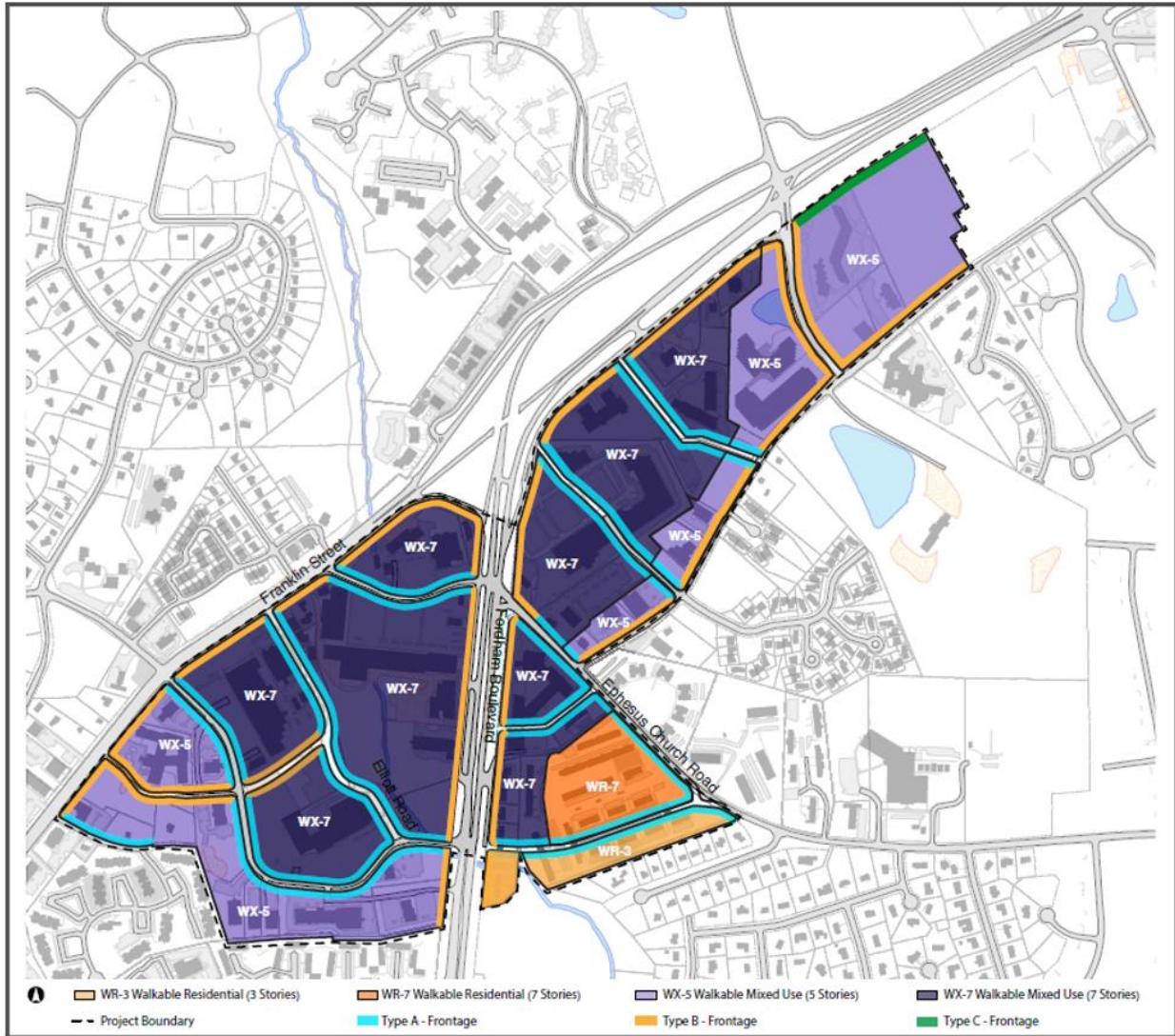
WHEREAS, the Council finds that the redevelopment of the Ephesus Church Road/Fordham Boulevard area is appropriate and especially significant to the preservation of the visual character of the Town and is one where a Special Appearance District is appropriate.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Chapel Hill Zoning Atlas be amended as follows:

## **SECTION I**

All Type C street frontage designations in the Ephesus/Fordham Form District running parallel from the northwestern corner of the property known as the Rams Plaza Shopping Center described by Orange County Parcel Identifier Number 9799-36-6131 going southward to the southern boundary of the Ephesus/Fordham Form District as reflected in the map in Section II of this ordinance are hereby reclassified as Type B street frontage designations.

## SECTION II



## SECTION III

That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the \_\_\_\_ day of \_\_\_\_, 2016.

## Area Map of the Ephesus/Fordham Form District: Existing Conditions





## Area Map of the Ephesus/Fordham Form District: Proposed Conditions



Changes: The image of the map above is revised to show a Type B frontage in orange along both sides of Fordham Boulevard, running south from Rams Plaza to the southern end of the District. The Type C frontage is now shown in green.

**RESOLUTION B**

(Denying Reclassification of Type C Street Frontages to Type B)

**A RESOLUTION DENYING A PROPOSAL TO AMEND THE CHAPEL HILL ZONING ATLAS TO RECLASSIFY STREET FRONTAGE TYPES FOR ARTERIAL ROADWAYS IN THE EPHEBUS/FORDHAM FORM DISTRICT (2016-MM-DD/R-#)**

WHEREAS, the Council of the Town of Chapel Hill has considered the proposal to amend the Zoning Atlas to reclassify street frontage types from Type C to Type B for both sides of Fordham Boulevard, running from the property known as Rams Plaza Shopping Center to the southern end of the Ephesus/Fordham Form District, and fails to find that the amendment:

- a) corrects a manifest error in the chapter, or
- b) is justified because of changed or changing conditions in the area or the community in general, or
- c) achieves the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the proposal to reclassify street frontage types from Type C to Type B for both sides of Fordham Boulevard, running from the property known as Rams Plaza Shopping Center to the southern end of the Ephesus/Fordham Form District.

This the \_\_\_\_ day of \_\_\_\_, 2016.