

Land Use Management Ordinance Sec. 3.11 Blue Hill Form District



Town of Chapel Hill, North Carolina

ADOPTED May 12, 2014

REVISED Oct. 27, 2021

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Sec. 3.11.1. Introductory Provisions

3.11.1.1. Purpose

The Blue Hill Form District, previously known as the Ephesus/Fordham Form District, established in Section 3.11 is intended for the specific area of the Town designated as a focus area in the Comprehensive Plan 2020. This Form District fosters a residential, mixed use and pedestrian-friendly area. The Form District is also intended to support the Town's Goals for Creating a Place for Everyone and Nurturing Our Community, by promoting diverse and affordable housing options serving a range of income levels as well as improved stormwater treatment for water quality. Unlike conventional zoning, this Form District fosters more predictable results and a high-quality public realm. This is achieved by prescribing the physical form of buildings and other elements, by addressing the relationship between building façades and the public realm, and by specifying the form and mass of buildings and the scale and types of streets and blocks. This Form District is considered a Special Appearance District, in accordance with Town Charter Chapter 5, Article 5, Appearance of Structures.

3.11.1.2. Overall Site Design

- A. **Purpose.** The purpose of this Section is to provide general and specific design and development standards by addressing details of site planning and project design. These standards are intended to ensure that proposed development is compatible with existing and future development on neighboring properties, and produces an environment of stable and desirable character, consistent with the Blue Hill Form District. These standards are implemented to ensure that development within this Form District will be designed, arranged, phased and constructed in a safe, orderly, energy-efficient, and visually harmonious manner and will incorporate environmental stewardship. Energy-efficient design of buildings is encouraged so that they may be constructed, operated and maintained in a manner that minimizes the use of energy without constraining the building function or the comfort or productivity of the occupants.
- B. **Applicability.** Except as otherwise specifically provided in this Code, no land or structure in the Blue Hill Form District may be used or occupied, and no excavation, removal of soil, clearing of a site, or placing of fill may take place on land contemplated for development, and

no structure, or part of a structure, may be constructed, erected, altered, renovated, or moved except in compliance with the general and specific design and development standards specified here and the standards contained in the Design Manual.

- C. **Application of Land Use Management Ordinance Requirements.** Applications for development in the Form District shall meet the standards of subsection 1 or elect to meet the standards of subsection 2 for enhanced development opportunities:
1. **Conventional Standards**
 - a. **Conditions.** The development shall conform to the standards of Land Use Management Ordinance Section 5.4.
 - b. **Standards for Lot, Placement, Mass, and Form.** The development shall conform to the standards of Section 3.11.2.8.
 - c. **Exemptions.** Except as otherwise provided in this Code, the following sections of the Land Use Management Ordinance do not apply:
 - i. Section 3.11.4.3, Stormwater Management
 2. **Enhanced Development Option**
 - a. **Conditions.** The development shall conform to the standards of Land Use Management Ordinance Section 3.11.4.3.
 - a. **Standards for Lot, Placement, Mass, and Form.** The development shall conform to the standards of Section 3.11.2.3 or 3.11.2.4 as applicable based on the Subdistrict.
 - a. **Exemptions.** Except as otherwise provided in this Code, the following sections of the Land Use Management Ordinance do not apply:
 - i. Section 3.6.3, Resource Conservation District
 - ii. Section 4.7, Site plan review
 - iii. Section 5.3.2, Steep Slopes
 - iv. Section 5.4, Stormwater management
 - v. Section 5.19, Jordan watershed stormwater management for new development
 3. In addition to exemptions outlined above, and except as otherwise provided in this Code, the following sections of the Land Use Management Ordinance do not apply in the Blue Hill Form District:

- a. Section. 3.7.2, Use Matrix
- b. Section. 3.7.3, Use Groups
- c. Section. 3.8, Dimensional standards
- d. Section. 3.10, Inclusionary zoning
- e. Section. 4.8, Master land use plan
- f. Section 5.1, Overall site design
- g. Section 5.5, Recreation
- h. Section 5.6, Landscaping, screening and buffering
- i. Section 5.11, Lighting Standards
- j. Section 5.17, Prevention of demolition by neglect
- k. Article 6. Special Regulations for Particular Uses

Where sections of the Land Use Management Ordinance, other than those listed above, expressly conflict with a standard set out in Section 3.11, the standards of this Section control.

D. Application of Town Code. For development standards not covered by Section 3.11, the other applicable sections in the Town's Code of Ordinances shall be used as the requirement. Similarly, all development must comply with all applicable Federal, State or local regulations and ordinances. Where the Town's Code of Ordinances expressly conflicts with a standard set out in this Sec. 3.11, the standards of this Section control.

E. Application of Town Design Manual. The Town maintains a Design Manual which contains specific design and construction standards. Such standards must be in accord with the general performance standards contained here, and must reflect, where applicable, generally accepted design and construction practices and techniques. The Design Manual must contain sufficient flexibility in the application of specific standards so as to permit modifications of the standards where such modifications have been determined by the Town Manager to be equally or more appropriate to safe, orderly, energy-efficient, and visually harmonious development due to particular conditions of a development site, and that such modifications continue to be in conformance with the Blue Hill Form District general performance standards contained in this Section 3.11. Where the Design Manual expressly conflicts with a standard set out in this Sec. 3.11, the standards of this Section control.

F. Application of Town Comprehensive Plan. Unless otherwise provided in this Section 3.11, the Blue Hill Form District regulations shall serve as a mechanism for accommodating and implementing the guidance of the Town's adopted Comprehensive Plan, which includes but is not limited to other plans related to greenways, bicycle facilities, parks and stormwater.

G. Application of Blue Hill Design Guidelines.

1. For the purposes of maintaining a consistent and cohesive design aesthetic in the Blue Hill Form District, the Blue Hill Design Guidelines shall be used to interpret the standards of Section 3.11.
2. **Certificate of Appropriateness Review**
 - a. The Design Guidelines shall serve as a reference for the Community Design Commission's review for a Certificate of Appropriateness as established in 3.11.4.7.D.1.
 - b. Applicants for development shall use the Design Guidelines in preparing projects for the Community Design Commission's review. For guidelines applicable to Certificate of Appropriateness Review as indicated in the Appendix of the Design Guidelines, the Community Design Commission shall deem the application to have met a given standard of Section 3.11 if the application complies with at least one lettered statement under the applicable guideline(s).
3. The Design Guidelines shall provide guidance to the Community Design Commission in determining whether a Design Alternative is warranted.
4. Where qualitative terms such as 'compatible' and 'appropriate' are used in Section 3.11 to describe the form of the built environment, the Community Design Commission shall refer to the Design Guidelines when making a determination of whether development exhibits such qualities.
5. The Town Council shall consider revisions to the Blue Hill Design Guidelines to reflect changes in best practices for urban design, changes in technology, and/or changes to development regulations. The Town Manager shall revise the Design Guidelines as needed to make technical corrections or improve formatting.

H. **Application of Design Alternatives.** Where a proposed variation to the requirements of Section 3.11 meets the intent of the Design Guidelines and satisfies the provisions of Section 3.11.1 in terms of building form, aesthetic quality, orderly development, and high-quality public realm, and where the Community Design Commission makes a finding that a proposed design alternative could provide an equivalent or better result that meets the purpose and intent of Section 3.11, the Community Design Commission may approve such an alternative design as part of a Certificate of Appropriateness.