

SUMMARY REPORT

LAND USE MANAGEMENT ORDINANCE TEXT AND ZONING ATLAS AMENDMENTS TO IMPROVE WALKABILITY AND OPEN SPACE STANDARDS IN THE EPHESUS/FORDHAM FORM DISTRICT

Town of Chapel Hill
Consultant: Civitech, Inc.

March 20, 2017

EXECUTIVE SUMMARY

In June of 2016 the Town of Chapel Hill adopted block length standards and pass-through requirements for the Ephesus Fordham Form Based Code. These new standards were in part intended to increase block permeability and pedestrian connectivity in the District, as minimum block standards were not a part of the original Ephesus Fordham Form Based Code adopted in May of 2014. Shortly after adopting the new block length standards, the town engaged Civitech, Inc. to consider the standards through an urban design lens, and with greater attention to the numerous and varied constraints across the district including environmental and topographical challenges, previous development patterns, and intersection spacing and engineering considerations along the perimeter of the district. Also considered was information gained through early projects approved under the code. Additionally, the Town desired to increase publicly accessible open space, a goal compatible with further improving walkability by increasing the comfort, number and desirability of destinations throughout the district.

Input for the revisions included information gathered in three ways: community input, research on award-winning form based codes in comparable contexts, and general conceptual studies of the site. The community input included two public information sessions, meetings with focus groups, numerous meetings with Town advisory boards, and a public hearing and meetings before the Town Council.

On March 6, 2017, the Council adopted staff's recommendations for changes to the code with only one modification, an increase in the required publicly accessible open space from 5% to 6% of net land area. Approved changes also include modifications to the Zoning Atlas for changes to frontages in the district. In addition to a number of clarifications to the ordinance, major changes approved include:

- increasing the maximum block length allowed outright from 400' to 450'
- modifying the maximum block pass-through requirement to 330'
- decreasing the minimum block pass-through width to 12'
- adding a maximum block perimeter requirement
- adding a minimum publicly accessible open space requirement.

Illustrative block studies were also added by reference, to convey the intent of the new block parameters and new open space criteria as mechanisms for achieving greater pedestrian connectivity as the district redevelops over time.

DISCUSSION

Since August of 2016, the staff have worked the consultant, Civitech, Inc. to review and identify possible refinements to the Ephesus/Fordham Form District regulations aimed at improving walkability and open space standards. The focus of these refinements have been on the block network, block parameters (e.g., length) and open/civic space standards within the code. The work included two public information sessions at the Town library, three focus group sessions, and presentations to the Planning Commission, the Community Design Commission, the Transportation and Connectivity Board, and the Parks, Greenways, and Recreation Commission. A Council work session was also held to discuss the recommendations in detail.

Each of the adopted changes is summarized below. The order in which they are listed corresponds to the order as addressed in the code. Listed first is the change in the Zoning Atlas.

1. The **Zoning Atlas** is modified to reflect changes from Type B frontages to Type A-2 Frontages along Franklin Street, Europa Drive, Legion Road, and the street crossing South Elliott Road south of Franklin Street. The Atlas is also updated to reflect the new name for Type A-1 frontages, replacing the former designation of Type A frontages.

Discussion: This change is intended to improve walkability in the district by enhancing the definition of the public realm by reducing the extent to which Type B frontages, which allow for parking lots between buildings and public rights-of-way, are allowed in the district. Type A frontages effectively require that buildings be placed closer to street frontages, for easier access and better spatial definition of the streetscape. The distinction between Type A-1 and Type A-2 frontages provide slightly relaxed setbacks and build-to percentages, standards that address the placement of buildings in proximity to thoroughfares as important elements shaping walkable streets. These differentiations better address existing utilities, topography, and other site characteristics along existing thoroughfares around the perimeter of the district.

2. **Section 3.11.2 District Character, Subsection 3.11.2.1 Districts and Frontages, Subsection D**, is revised to add the Type A-2 frontage, to clarify the assignment of new frontages in the district along thoroughfares not shown in the Regulating Plan, and to address the assignment of frontages for parcels such as corner lots having fronting on two or more thoroughfares.

Discussion: The new block length standards will result in additional thoroughfares in the district beyond those shown on the Regulating Plan. This change provides direction as to how those new frontages shall be assigned, and provides a mechanism and guidance for determining frontages for corner lots.

3. **Section 3.11.2.2** is changed to more clearly state the purpose of the Regulating Plan. The change also makes reference to the illustrative block studies and to the Town's Mobility and Connectivity Plan.

Discussion: In the description of the purpose of the Regulating Plan, these changes provide additional guidance in referencing illustrative block studies and thoroughfare standards that exist separate from the district code. The illustrative block studies indicate

potential configurations of new streets, green spaces, and pathways in the district consistent with the intent of the dimensional standards. These block studies also may serve to guide discussions and exploratory considerations for build out of the district over time. The Town's Mobility and Connectivity Plan is intended to address thoroughfare standards, which are key elements in defining the public components of connectivity within the district including typical streets, green streets, greenways, paths, and other thoroughfares not yet defined.

4. **Section 3.11.2 District Character, Subsection 3.11.2.3. Walkable Residential, Subsection 1. Lot** is changed to reflect new pass-through standards, new publicly accessible open space criteria, and the placement of maximum block length criteria in a different section addressing block parameters.

Discussion: Maximum block length is removed from this subsection and shifted to a subsequent section associated with new block perimeter requirements.

Pass-through spacing requirements have been changed to 330' maximum spacing, to better accommodate common urban building footprints containing structured parking wrapped by liner buildings.

The minimum pass-through width has been changed from 20' to 12' to more closely align with urban design and architectural exemplars for these types of passages, the character of which can be better articulated in the architectural design guidelines for the district.

This section is also modified to change the basis of calculation of outdoor amenity space from non-residential uses to all uses, and from a ratio of 0.20 of gross land area to 0.05 of net land area. These changes simplify the calculation and correspond with the goals of adding publicly accessible open space in the district. Additional information on the publicly accessible open space is included with other changes noted below.

5. **Section 3.11.2 District Character, Subsection 3.11.2.3. Walkable Residential, Subsection 2. Placement** is changed to reflect the addition of Type A-2 frontages, associated clarifications to the newly named Type A-1 frontages, and a clarifying note for Type B frontages.

Discussion: These changes include definitions for the new Type A-2 frontages, a slightly more flexible version of the former Type A frontages applied more widely across the district. The previously defined Type A frontage is now defined as Type A-1. Type A-2 allows a building setback of up to 20' for the qualifying build-to-zone, compared to 10' for Type A-1. Type A-2 also requires that only 60% of the build-to-zone be occupied by building frontage, versus 80% as required in Type A-1.

For Type B frontages, the build-to-zone definition is modified to reduce the allowable setback if parking is not located as indicated graphically in the frontage illustrations, to preclude large suburban setbacks.

Block parameters are added to this section. Maximum block length allowed outright is adjusted to 450', to provide better accommodation of the range of site constraints in the district and better clarity in the review and approvals process. Administrative adjustments and options for design alternatives approved by the Community Design Commission remain. Clarifications have also been added for the

enumerated conditions warranting such adjustments.

A new standard of maximum block perimeter is added, as is commonly found in other form based codes. This parameter will be useful in addressing irregularly shaped blocks resulting from existing ownership and development patterns in the district. Options for adjustments to the maximum block perimeter are also enumerated.

6. **Section 3.11.2 District Character, Subsection 3.11.2.3. Walkable Residential, Subsection 4. Form** is modified to clarify the blank wall limitation for transparency.

Discussion: This change is essentially clerical, correlating the measurement of a 50' maximum distance, rather than area as indicated in the previous iteration.

7. **Section 3.11.2 District Character, Subsection 3.11.2.4. Walkable Mixed Use, Subsection 1. Lot** is changed to reflect new pass-through standards, new publicly accessible open space criteria, and the placement of maximum block length criteria in a different section addressing block parameters.

Discussion: These changes align with those described in Item 4 above, applied in this case to the Walkable Mixed Use portion of the district.

8. **Section 3.11.2 District Character, Subsection 3.11.2.4. Walkable Mixed Use, Subsection 2. Placement** is changed to reflect the addition of Type A-2 frontages, associated clarifications to the newly named Type A-1 frontages, and a clarifying note for Type B frontages.

Discussion: These changes align with those described in Item 5 above, applied in this case to the Walkable Mixed Use portion of the district.

9. **Section 3.11.2 District Character, Subsection 3.11.2.4. Walkable Mixed Use, Subsection 4. Form** is modified to clarify the blank wall limitation for transparency.

Discussion: This change is essentially clerical, correlating the measurement of a 50' maximum distance, rather than area as indicated in the previous iteration.

10. **Section 3.11.2 District Character, Subsection 3.11.2.5. Frontages, Subsection TYPE A Frontage** is revised to distinguish between two similar types, Type A-1 and Type A-2.

Discussion: These changes add the new frontage type, Type A-2. Additional clarifications address surface treatments between tree plantings to add flexibility in responding to the locations of transit stops and retail uses. The width of on-street parking is changed to refer to thoroughfare standards rather than identifying a specific dimensional requirement. Lastly, surface parking is precluded in the Build-to-zone, to prevent parking lots immediately adjacent to the public rights-of-way.

11. **Section 3.11.2 District Character, Subsection 3.11.2.5. Frontages, Subsection TYPE B Frontage** is revised to clarify the intent of this standard regarding placement of parking on the lot.

Discussion: As addressed in Item 5 above, the Type B frontage is intended to allow two bays of parking between a building and the public right-of-way. This change clarifies that if parking is not located in this front portion of the lot, then the maximum setback of the Build-to-Zone is reduced to 20' to preclude large suburban setbacks in the district.

Also, similar to Item 10, additional clarifications address surface treatments between tree plantings to add flexibility in responding to the locations of transit stops and retail uses.

12. **Section 3.11.2 District Character, Subsection 3.11.2.6. Building Elements** is amended to add a mechanism for approval by the Community Design Commission of architectural elements or design treatments at the ground level not otherwise specified in the code.

Discussion: This change allows the Community Design Commission to approve architectural elements or design treatments at the ground level of buildings that are not otherwise specified or defined in the code. The array of possible design solutions is not exhaustively covered in the code, and this change provides a mechanism for additional design solutions to be considered for the critical interface between the ground level of buildings and the public streetscape.

13. **Section 3.11.2 District Character, Subsection 3.11.2.7. Measurements and Exceptions** is amended to include new subsections for **Block Length** and **Block Perimeter**.

Discussion: These changes clarify the definition, measurement, and potential adjustments to the block length and block perimeter criteria as previously discussed. Specifically these changes clarify the enumerated conditions whereby administrative adjustments may be granted.

Also included is a mechanism for an increase in the maximum allowable block perimeter to 2400' if approved by the Community Design Commission as a design alternative.

14. **Section 3.11.2 District Character, Subsection 3.11.2.7. Measurements and Exceptions, F. Outdoor Amenity Space** is changed to require that such space be publicly accessible, to clarify other requirements for the space, and to address aggregation of such spaces and meeting the requirements via provisions on nearby parcels.

Discussion: These changes require that 6% of the net land area be developed as publicly accessible outdoor amenity space. To insure that such spaces contribute to walkability in the district, such spaces must be adjacent to or adjoining a public right-of-way, greenway, or publicly accessible thoroughfare. Minimum widths and other characteristics are also specified. Subject to approval via the Community Design Commission, such spaces may be provided on nearby parcels, a measure intended to facilitate the aggregation of open space into larger areas. Notwithstanding this provision, the value of small publicly accessible open spaces dispersed throughout the district is affirmed.

15. **Section 3.11.2 District Character, Subsection 3.11.2.7. Measurements and Exceptions, I. Build-to-Zone (BTZ)** is modified to provide greater clarity to the requirements for

building pass-throughs.

Discussion: These changes provide better clarity to the requirements for building pass-throughs, including the considerations which may warrant either an administrative exception or design alternative from the Community Design Commission for the maximum spacing requirements.

16. **Section 3.11.4.1 Parking Standards** is changed to **Parking and Access Standards**, to better reflect the associated criteria. Provisions and requirements for shared parking are added. Requirements limiting service, loading, and vehicular access are added.

Discussion: The changes in this section define a mechanism for pursuing shared parking, in addition to and without nullifying approaches for shared parking as defined in Section 5.9.3.

Separately, requirements are added to this section to limit the extent to which vehicular access points, loading docks, and service drives can occupy a parcel's frontage. These provisions are intended to provide a better pedestrian environment along the public right-of-way by limiting the vehicular crossings of the corresponding sidewalk areas.

17. **Section 3.11.4.8 Defined Terms, Sidewalk clear zone** is amended to preclude door swings from intruding into the clear zone.

Discussion: This change adds door swings to the list of features that shall remain outside of the sidewalk clear zone, to better protect the sidewalk clear zone as an unimpeded and continuous portion of the streetscape.