

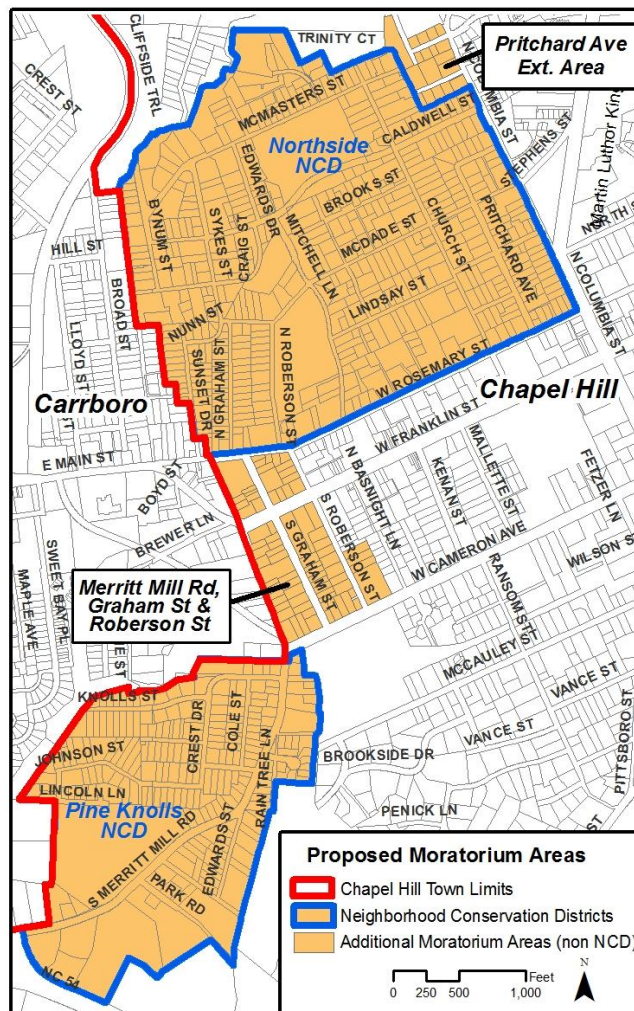
Development Moratorium for the Areas in and Around the Northside and Pine Knolls Neighborhoods

On March 28, 2011, the Town Council received a petition from Sustaining Ourselves Coalition requesting a freeze on development in the Northside and Pine Knolls neighborhoods; enforcement of existing codes and occupation standards; and revision to the Northside and Pine Knolls Neighborhood Conservation Districts to tighten regulations.

In response to the petition, on June 21, 2011, the Town Council passed an ordinance establishing a development moratorium on specific development applications for an area in and around the Northside and Pine Knolls neighborhoods, including properties that are within the borders of the Neighborhood Conservation Districts and properties located on the north side of Rosemary Street, South Graham Street, South Roberson Street, South Merritt Mill Road, and Pritchard Avenue Extension.

The moratorium was in effect until January 31, 2012.

The following is a map of the area covered by the development moratorium.



The following information was developed to answer questions about the moratorium. This list was last updated on July 11, 2011.

Questions and Answers about the Northside and Pine Knolls Temporary Development Moratorium

Town of Chapel Hill



**Planning Department
ncd@townofchapelhill.org
(919) 968-2728**

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1. What is a moratorium?

Answer: A moratorium is, in effect, a Zoning Atlas Amendment for a temporary period. Given the time required to complete the procedures for enactment or amendment of development regulations or to rezone property, local governments sometimes enact moratoria on development to preserve the status quo while plans are made; management strategies are devised and reviewed; ordinances are revised; or other development management concerns are addressed.

2. Why did the Council enact an ordinance to establish a temporary moratorium on development in this area?

Answer: The Council enacted an ordinance to establish a temporary moratorium in these neighborhoods because the Town recognized a need to develop methods for addressing incompatible development that is not consistent with the intent of the Neighborhood Conservation Districts. Specifically, the conversion of modest single-family homes into large rental properties that are targeted for student occupancy has been a common practice by investors. The Town anticipates that it will continue to receive these types of applications. A moratorium could temporarily slow down and discourage this type of conversion and allow the Town and the neighborhoods to jointly design an action plan and strategies to address these concerns.

3. What areas are covered by the moratorium?

Answer: A temporary development moratorium was established for areas in and around the Northside and Pine Knolls neighborhoods, including properties that are within the borders of the Neighborhood Conservation Districts and properties located on the north side of Rosemary Street, South Graham Street, South Roberson Street, South Merritt Mill Road, and near Pritchard Avenue Extension. A map of the area is attached to this document.

4. How long will the moratorium be in place?

Answer: On June 21, 2011, the Council enacted a temporary moratorium on development with an effective date of May 23, 2011, that will end on January 31, 2012.

5. What will happen during the moratorium period, and how can I participate?

Answer: As instructed by the Council, during the moratorium period, the Town staff, in partnership with neighborhood stakeholders, will undertake the following activities:

- Meet with neighborhood stakeholders to develop a vision statement, identify issues and develop strategies and an action plan (June – October, 2011);
- Implement new initiatives developed by the staff work group (beginning in June, 2011);
- Review the current regulations of the Neighborhood Conservation Districts with Town staff and neighborhood stakeholders (June-September, 2011);
- Provide a status report to the Council (September, 2011);
- Consider possible amendments to the Land Use Management Ordinance (June – September); and
- Recommend a strategy and an action plan for Council consideration (November Public Hearing).

Members of the public that are interested in participating in the neighborhood effort should contact the Town Planning staff at ncd@townofchapelhill.org or 919.968.2728.

6. What types of activities are prohibited during the moratorium?

Answer: The moratorium applies to applications for building permits (interior and exterior), applications for site plan approval, special use permits, zoning compliance permits, minor subdivisions and major subdivisions (preliminary plat) for residential development on residential zoned property submitted after May 23, 2011. The Town's Planning and Inspections Departments will not issue permits for these types of applications during the moratorium period.

7. Are there any exemptions?

Answer: Yes, the Council has exempted the following types of applications from the development moratorium:

- Repairs required by the Building Code or other laws to fix damage due to catastrophic loss following storms, fires or similar incidents or deterioration from termite infestation or similar causes;
- Foundation repairs;
- Repairs necessary to bring structures into compliance with current standards for occupancy as set out in the Building Code; Repairs required by the Town to correct building code or zoning violations;
- Renovations not involving expansion of the existing building footprint that are needed to provide accessibility for a current resident of the structure under ADA standards or are otherwise needed due to the health or physical condition of a current resident of the structure; and
- Renovations for which buildings permits are issued based on estimated costs which do not *cumulatively* exceed \$10,000 that do not involve the addition of new bathrooms or the moving of loadbearing walls, expansion of the existing building footprint or the existing building envelope or the addition of floor area.

8. What if a house is damaged from a fire?

Answer: The Town would consider damage by fire a catastrophic loss and would issue permits as required by the Building Code or other laws to repair this damage.

9. How will the moratorium be enforced?

Answer: The moratorium will be enforced by the Town staff.

10. What will happen to applications that were under review by the Planning Department prior to the effective date of the moratorium (May 23, 2011)?

Answer: Applications that were determined to be complete and were under review by the Planning Department before May 23, 2011, would be unaffected by the moratorium.

11. What will happen to applications that were submitted after May 23, 2011?

Answer: Applications that were submitted after May 23, 2011, were being held by the Planning and/or Inspections Departments until the Council made its decision about the development moratorium. Based on the ordinance enacted by the Council on June 21, 2011, the Town will return applications and any fees that were being held to the applicants.

12. What should I do if I suspect a violation of the temporary moratorium on development?

Answer: If you suspect a violation, please contact the Town's Planning Department (919.968.2728) or Inspections Department (919.968.2718).

Last updated on July 11, 2011

For more information contact:

The Town of Chapel Hill Planning Department

Website: <http://www.townofchapelhill.org/index.aspx?page=1742>

Email: ncd@townofchapelhill.org

Phone: 919.968.2728