

MEMORANDUM

TO: Roger L. Stancil, Town Manager

FROM: J.B. Culpepper, Planning Director
Loryn Clark, Housing and Neighborhood Services Manager
Rae Buckley, Housing and Neighborhood Services Senior Planner
Ralph Karpinos, Town Attorney

SUBJECT: Update on Activities of the Student Rental Work Group and Information Regarding a Petition on a Moratorium for Development in the Northside and Pine Knolls Neighborhoods

DATE: April 5, 2011

PURPOSE

The purpose of this memorandum is to provide you with an update on the Work Group that has met to discuss complaints about student rental properties in the Northside neighborhood.

This memorandum is also intended to provide you with information regarding a request for a moratorium on development in the Northside and Pine Knolls neighborhoods.

DISCUSSION

Student Rental Housing Work Group

Recurrent complaints to the Town associated with a student rental property in a residential neighborhood include: late-night noise, increased traffic, litter, illegal parking, increased on-street and front lawn parking, housing code violations, and a general decline in the appearance and maintenance of a property. Related to these issues are concerns for Town staff about the safety of the tenants of these houses and the staff resources needed to address complaints and enforce ordinances on a case by case basis. While the Town has historically received complaints about these issues in neighborhoods surrounding the University, such as the Northside, Pine Knolls, and Cameron-McCauley neighborhoods, we have also begun to receive complaints from OTHER neighborhoods throughout the Town.

A group of employees representing the Planning, Police, Fire, Public Works (Inspections, Transportation), Business Management (Parking Services, Revenue Collection), Communications and Public Affairs Departments and the Town's advisors and representatives from UNC, gathered to discuss how to develop a multi-disciplinary response to the impact of student rental properties on the neighborhoods in which they are located. During these initial meetings, the group agreed to focus on developing responses to the problems that generate complaints such as front yard parking, noise violations, and garbage management; and to avoid pursuing responses that would require more

enforcement of occupancy restrictions because it has been difficult to verify who actually lives in a dwelling unit without requiring Town staff to conduct lengthy and invasive investigations.

The group divided into sub-groups to allow for focused discussion on particular topics relating to the impact of student rental properties on residential neighborhoods. Below, we list and describe the sub-group topic areas.

Topic Area: Regulatory Responses

Description: This sub-group looked more closely at the issues of overgrown lots, parking, repeat offenders of the Town's zoning regulations, graduated fines, code violations, zoning enforcement, trash associated with 'move-out' dates, and developing a standards-based approach using the example of the Town's noise ordinance.

Topic Area: Neighborhood Outreach

Description: This sub-group explored ideas relating to how the Town communicates with neighborhoods. Issues included using the community safety partnerships or neighborhood watch systems, creating precincts around which to organize communication about trash, safety, and other neighborhood concerns, providing education and outreach, creating proactive response systems, and considering the examples of Fayetteville 'walk-downs' and the Pine Knolls Neighborhood Planning effort.

Topic Area: UNC Off-Campus Housing Communication

Description: This sub-group looked at proactive communication with the University about off-campus housing. Communication ideas that were considered included providing information in the tuition bill, the Daily Tar Heel, and the University's housing fair. The group also considered how to coordinate information sharing with the University to gather data about students living off-campus and how to explore the idea of creating a list of 'good' property owners from whom to rent that could be shared with students and their parents and guardians.

Topic Area: Student Rental Data

Description: This sub-group considered how to obtain accurate data about rental properties and owners of multiple rental properties. The group is learning more about how data could be managed by the Town's new Development Permitting software and how it could coordinate with the data collected by the Town's Parking Services division. The group also considered the pros and cons of reinstituting a rental licensing program.

Topic Area: Policy Issues

Description: This sub-group was tasked to consider how this important issue interconnects with larger Town policy issues such as affordable housing and the use of Town resources. Information for this group was taken from the Affordable Housing Technical Advisory Group discussions, the budget presentation by Town staff, the recently completed Residential Market Study, and the Inclusionary Zoning Rational Nexus Study.

Petition for a Freeze on Building Permits in the Northside and Pine Knolls Neighborhoods

At the Council's March 28, 2011 meeting, representatives of Sustaining OurSelves Coalition and the community requested that the Council consider enacting an emergency freeze on building permits in the Northside and Pine Knolls neighborhoods, including areas that are not within the boundaries of the Neighborhood Conservation Districts.

In 2005 the North Carolina General Assembly enacted amendments to the zoning-enabling statutes to authorize temporary development moratoria. 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 addressed.

The Town has imposed a temporary moratorium once since this authority was granted, in 2007, to stop issuance of development permits in the Northern Study area of Chapel Hill while planning efforts proceeded to complete the work and consideration of the Northern Area Task Force. The staff memorandum at that time explained the law and procedures required. See:

http://townhall.townofchapelhill.org/agendas/2007/05/07/2a/2a_northern_area_moratorium_memo.htm

The Council could choose to initiate the steps required by this law to consider enactment of a moratorium as requested by the petitioners for a short period of time while a specific regulatory change is being reviewed and enacted.

NEXT STEPS

We plan to forward a follow-up report from the Student Rental Work Group to the Council in May, 2011. This report will provide more analysis about the challenges identified by the Staff Work Group and suggest next steps for moving forward.

We also plan to prepare a response to the petition regarding a moratorium on development in the Northside and Pine Knolls neighborhoods in May.

Please let us know if we can provide any additional information.