

**ORDINANCE A**

**(Enacting the Land Use Management Ordinance Text Amendment Proposal)**

**AN ORDINANCE AMENDING ARTICLE 3, TABLE 3.7-1 USE MATRIX OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE REGARDING TECHNICAL CORRECTIONS (2024-##-##/O-#)**

WHEREAS, Land Use Management Ordinance (LUMO) Article 3, Table 3.7-1 Use Matrix is designed in accordance with the comprehensive plan to organize land uses in a way that minimizes conflicts among different types of activities within zoning districts. It details the uses that are allowed as principal permitted uses, accessory permitted uses, conditional zoning district permitted uses, or special permitted uses. It also specifies which uses are prohibited and cannot be established within a particular zoning district or planned development; and

WHEREAS, the Council adopted text amendments in the past which unintentionally resulted in the removal of a column from the use matrix, causing a misalignment of some uses with their corresponding zoning districts; and

WHEREAS, staff has identified that previous text amendments to the use matrix have led to inconsistencies among uses; and

WHEREAS, staff is recommending a "clean up" of the use matrix to address technical corrections, reserving major changes for the LUMO Rewriting Our Rules project; and

WHEREAS, technical corrections are warranted to achieve the purposes of the Complete Community Strategy and the Future Land Use Map; and

WHEREAS, the Planning Commission reviewed the text amendments to the LUMO Article 3, Table 3.7-1 Use Matrix on October 1, 2024, and recommended that the Council enact/deny the text amendments; and

WHEREAS, on October 9, 2024, the Council opened a Legislative Hearing to amend Article 3, Table 3.7-1 Use Matrix of the LUMO; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the LUMO (LUMO) Article 3, Table 3.7-1 Use Matrix; and

WHEREAS, upon consideration the Council finds that the amendment, if enacted, is reasonable and in the public's interest and is warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- A community of high civic engagement and participation (Place For Everyone.5)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (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 (Good Places, New Spaces.5)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Good Places, New Spaces.8)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Nurturing Our Community.8)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Appendix A, LUMO, Article 3, Table 3.7-1 Use Matrix be amended as follows:

**Section 1. Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.7: Use regulations, Subsection 3.7.2 Use Matrix, Table 3.7-1: Use Matrix is hereby amended and revised footnotes as follows**

**"Table 3.7-1:Use Matrix**

Uses	Zoning District																	Historic Rogers Road Neighborhood District				Planned Development (PD-)															
	Use Group	R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-CZD	R-CP-CZD	TC-1, TC-2, TC-3	CC	N.C.	OI-1	OI-2	OI-3	OI-4	I	LI-CZD	I MH	HR-L	HR-M	HR-X	HR-C	H	SC(N)	<del>SC</del> (C)	OI	MU	I	DA-1		
Accessory use customarily incidental to a permitted principal or special use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	I	A	A	A	A	A	A	A	A	A	A	A	A	A
Adult day care facility (See also Article 6)	B	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	-	CZ**	P, A	P, A	P, A	P, A	P, A	P, A	P, A	P, A	-	-	-	P, A	P, A	P, A	-	P, A	P, A	P, A	P, A	P, A	P, A	-	P, A	
Agriculture, Female Chickens	A	A	A	A	A	A	A	A	A	A	A	A	A	A	-	-	-	-	-	-	-	-	-	A	-	-	-	-	-	-	-	-	-	-	-	-	-
Agriculture, livestock	A	A	P, A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P, A	-	-	-	-	-	-	-	-	-	-	-	-	-
Agriculture, non-livestock	A	A	P, A	A	A	A	A	A	A	A	A	-	A	A	A	A	A	A	A	A	A	A	-	P, A	-	-	-	-	A	A	A	A	A	A	A	A	A
Automated teller machines (ATM) (Walkup)	C	-	-	-	-	-	-	-	-	-	-	-	CZ**	P	P	P	P	P	P	P	P	P	A	=	-	-	-	-	P	P	P	P	P	P	P	P	
Automated teller machines (ATM) (Drive-up)	C	-	-	-	-	-	-	-	-	-	-	-	-	-	S-	S-	S-	S-	S-	S-	S-	S-	-	=	-	-	-	-	P	P	P	P	P	P	P	P	
Automotive Repair	C	-	-	-	-	-	-	-	-	-	-	-	-	P, A	P, A	-	-	-	-	-	-	P, A	A	-	-	-	-	-	-	-	-	-	P, A	-	P, A	P, A	P, A
Automotive repair (less collision, service and painting)	C	-	-	-	-	-	-	-	-	-	-	-	-	P, A	P, A	P, A	-	-	-	-	-	P, A	A	-	-	-	-	-	-	P, A	P, A	-	P, A	P, A	P, A	P, A	



Dwelling Units, Single-Family	A	P	P	P	P	P	P	P	P	P	P	P	C	C	P	P	P	P	P	P	P	—	—	—	P	P	P	—	P	—	—	—	P	=	P		
<b>Dwelling units, two-family (See also Article 6)</b>																																					
Single-family with accessory apartment	A	P	P	P	P	P	P	P	P	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	A	A	A	=	P	P	—	—	—	P	=	P
Single-family with cottage	A	—	—	—	—	P	P	P	P	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	P	P	P	—	P	P	—	—	—	P	=	P
Two-family, attached	A	P	P	P	P	P	P	P	P	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	P	P	P	—	P	P	—	—	—	P	=	P
Two-family, detached	A	P	P	P	P	P	P	P	P	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	P	P	P	—	P	P	—	—	—	P	=	P
<b>Dwelling Units, multi-family</b>																																					
Three-family, attached or detached	A	—	—	—	—	—	—	—	—	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	P	P	P	—	P	P	—	—	—	P	=	P
Four-family, attached or detached	A	—	—	—	—	—	—	—	—	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	—	—	P	—	P	P	—	—	—	P	=	P
Multi-family, 5–10 units, attached or detached	A	—	—	—	—	—	—	—	—	P	P	P	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	—	—	P	—	P	P	—	—	—	P	=	P
Multi-family, over 10 units, attached or detached	A	—	—	—	—	—	—	—	—	—	—	C	C	C	<del>ENP</del>	P	P	P	P	P	P	P	=	—	—	—	—	—	—	P	P	—	—	—	P	=	P
Dwelling units, Live-Work (See also Article 6)	B	—	—	—	—	—	—	—	—	—	—	—	C	Z	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—	—	
Dwelling units, triplex (See also Article 6)	A	—	—	—	—	—	—	—	—	—	—	—	C	Z	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—	—	
Dwelling Unit, Upper Story	A	—	—	—	—	—	—	—	—	—	—	—	C	Z	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—	—	
Essential services	A	P	P	P	P	P	P	P	P	P	P	—	C	Z	P	P	P	P	P	P	P	P	P	—	—	—	—	—	P	P	P	P	P	P	P	P	
		Á	Á	Á	Á	Á	Á	Á	Á	Á	Á		Z	*	Á	Á	Á	Á	Á	Á	Á	Á	Á					Á	Á	Á	Á	Á	Á	Á	Á	Á	



Manufactured home park	A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	-		
Manufactured home, Class A	A	P	P	P	P	P	P	P	P	P	P	P	CZ	-	P	P	P	P	P	P	-	-	-	P	P	-	-	P	-	-	-	P	-	P		
Manufactured home, Class B	A	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-			
Manufacturing, light	C	-	-	-	-	-	-	-	-	-	-	-	-	A	P/A	-	-	-	-	-	P	P/A	-	-	-	-	-	-	-	A	-	A	P	A		
Outdoor skateboard ramp (See Article 6)	A	A	A	A	A	A	A	A	A	A	A	A	-	CZ**	A	A	A	A	A	A	A	A	-	-	-	-	-	-	A	A	A	A	A	A		
Park/ride (See also Article 6)	C	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	-	-	-	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A		
Parking, off-street	C	A	A	A	A	A	A	A	A	A	A	A	-	A	P/A	A	A	A	A	A	P/A	P/A	A	AY	-	-	-	-	-	A	A	A	A	A	A	
Personal services	C	-	-	-	-	-	-	-	-	-	-	-	-	CZ**	P/A	P/A	P/A	-	-	A	A	-	A	-	-	-	-	-	A	P/A	P/A	-	P/A	-	P/A	
Place of assembly, over 2,000 seating capacity (See also Article 6)	C	-	-	-	-	-	-	-	-	-	-	-	-	-	S+	S+	-	-	-	S+	P	-	-	-	-	-	-	-	-	-	-	-	-	P		
Place of assembly, up to 2,000 seating capacity	C	A	A	A	A	A	A	A	A	A	A	A	-	-	P/A	P/A	A	A	A	A	P/A	P/A	A	Z	-	-	-	P	-	A	A	P/A	P/A	P/A	P/A	
Place of worship (See Article 6)	B	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Public cultural facility	B	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	-	-	CZ**	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	
Public service facility (See also Article 6)	C	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	S+	-	-	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	
Public use facility	B	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	-	-	CZ**	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A





Supply yard	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P, A	—	—	—	—	—	—	—	—	—	—	P, A	Y Z	—	—	—	—	—	—	—	P, A	—	P, A	P, A	—	
Temporary portable building: Construction-related (See also Article 6)	C	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	A	A	A	A	A	A	—	—	—	—	—	—	A	A	A	A	A	A	A	A	A	A	A	A	
Temporary portable building: Not construction-related	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	S-	S-	S-	S-	S-	S-	S-	S-	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	
Tourist home	B	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	—	P
Veterinary hospital or clinic	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	CZ**	—	P, A	—	—	—	—	A	A	—	—	—	—	—	—	—	—	—	—	—	—	P, A	—	P, A	—	P, A
Vocational school	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	CZ**	P, A	P, A	—	—	—	P, A	P, A	—	—	—	—	—	—	—	—	—	—	—	—	—	P, A	P, A	P, A	—	P, A
Water and wastewater treatment plan	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P, A	—	

**Wireless Communication Facilities**

Collocation on existing tower or base station	C	P	P	P	P	P	P	P	P	P	P	P	P	P	—	P	P	P	P	P	P	P	Y Z	P	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P		
Small wireless facility <sup>^</sup> , concealed: new base station or new dual purpose tower	C	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	P	P	P	P	P	P	P	P	P	Y Z	P	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	P	
Small wireless facility <sup>^</sup> , non-concealed: new base station or new tower	C	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	Y Z	P	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	S	
Macrocell facility: new concealed base station	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Y Z	P	—	—	—	—	P	P	P	P	P	P	P	P	P	P	P	P	
Macrocell facility: new concealed dual-purpose tower	C	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	Y Z	S-	—	—	—	—	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-	S-
Macrocell facility: new non-concealed base station	C	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	Y Z	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	S-

Macrocell facility: new non-concealed tower	C	—	—	—	—	—	—	—	—	—	—	—	—	—	S	S	S	S	S	S	S	Y	S	—	—	—	—	S	S	S	S	S	S	S
															-	-	-	-	-	-	-	Z	-					-	-	-	-	-	-	-

•Definitions of uses are listed in Appendix A

•Definitions of Wireless Communication Facility uses are listed in Appendix A, and in Section 5.20.3.

χ Uses in Table 3.7-1, Use Matrix, are applicable only to private property outside improved public rights-of-way. See Section 5.20.9(d) for small wireless facilities inside improved rights-of-way.

\* Uses in this table are pursuant to a development agreement. If there is no development agreement governing the site, see Section 3.5.6(f)(1) and (2).

\*\* Two-family, three-family, and four-family developments shall not be permitted in any neighborhood conservation districts that do not otherwise allow for single-family with accessory apartment, duplexes, triplexes, or multi-family.

**KEY:**

"—" Not Permitted;

"S-" Permitted as a special use - minor or as a CZ in the parallel conditional zoning districts enumerated in 3.4.3(a);

"S+" Permitted as a special use - major or as a CZ in the parallel conditional zoning districts enumerated in 3.4.3(a);

"A" Permitted as an accessory use; In LI-CZD refer to article 6 of this appendix for standards applicable to accessory uses labeled as "AY".

"P" In OI-3, OI-4, LI-CZD and MH: Permitted as a principal use;

"CZ" Permitted as a principal use in the parallel conditional zoning district and in the defined conditional zoning districts;

"Y" In LI-CZD, permitted under additional prescribed standards in section 6.22

"Z" in LI-CZD, permitted when the town council approves this use as part of a conditional zoning district rezoning application. Additional prescribed standards in section 6.22 apply to a use labeled as "Z".

Except in OI-3, OI-4, MH, and Conditional Zoning Districts detailed in section 3.4.3 any permitted use that exceeds twenty thousand (20,000) square feet in floor area and/or forty thousand (40,000) square feet in land disturbance shall require a special use permit. See standards prescribed in Section 4.5. For existing public elementary and secondary schools, "P" indicates permitted as a principal use.

Note: The use groups established in the 2nd column of Table 3.7-1 are used to determine whether a site plan is needed for a change in use (see section 4.7.1(f), and the applicability of buffers (see Section 5.6.6, Schedule of Required Buffers). "

**Section 2.** This ordinance is effective upon enactment.

This the XXth day of XX, 2024.