

**ORDINANCE A**

(Enacting the Land Use Management Ordinance Text Amendment)

**AN ORDINANCE AMENDING SECTION 3.4 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO CREATE A RESIDENTIAL-2 (R-2) PARALLEL CONDITIONAL ZONING DISTRICT (2020-\_\_-\_\_/O-#)**

WHEREAS, on May 20, 2020, Christ Community Church petitioned the Town Council to consider a text amendment that would allow Conditional Zoning for a place of worship in the Residential-2 (R-2) zoning district; and

WHEREAS, the petitioner applied for a Special Use Permit on September 26, 2019; and

WHEREAS, effective March 30, Governor Roy Cooper ordered people in the state of North Carolina to stay at home for thirty days, until April 29, 2020. In April, the Governor issued further orders to tighten the social distancing requirements to address the spread of COVID-19; and

WHEREAS, the Governor extended the stay at home orders through May 8, then began a phased recovery process; and

WHEREAS, to adhere with State orders and to reduce the spread of the novel coronavirus, the Town Council has elected to hold virtual meetings and to not hold any in-person meetings until September of 2020 at the earliest; and

WHEREAS, the applicant faces procedural challenges to obtaining Council approval of a Special Use Permit through a virtual meeting format; and

WHEREAS, legislative hearings to consider Conditional Zoning may occur at virtual meetings; and

WHEREAS, through consent via email, the Council called a Public Hearing to consider a text amendment in response to the petition; and

WHEREAS, on June 2, 2020, the Planning Commission reviewed the text amendment to the Land Use Management Ordinance to create a Residential-2 (R-2) parallel Conditional Zoning district and recommended that the Council enact the text amendment; and

WHEREAS, upon consideration the Council finds that the ordinance is warranted because of changed or changing conditions in the area or in the jurisdiction generally; and

WHEREAS, the Council further finds that the ordinance 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 development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal 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)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Council amends Section 3.4 – Conditional Districts of the Land Use Management Ordinance, Appendix A of the Town Code, as follows:

## **SECTION 1**

**Section 3.4.3. Conditional Zoning Districts** is hereby revised to read as follows:

“Conditional Zoning Districts, except the Innovative, Light Industrial Conditional Zoning District established in 3.4.4, parallel each of the following general use zoning districts:

**R-2, for conditional zoning districts established prior to July 1, 2020 where conditions limit permitted uses to a place of worship only.**

R-5

R-6

HR-X

TC-1

TC-2

TC-3

CC

N.C.

OI-3

OI-2

OI-1

MU-V

Except as otherwise provided in the innovative, light industrial conditional zoning district (LI-CZD), development in a conditional zoning district is subject to the same standards applicable to the parallel general use zoning district including overlay district regulations, as modified by the approved district-specific plans and conditions:

- a) That are proposed or agreed to by the owner(s) of the subject land;
- b) That incorporate any proposed modifications to use, intensity, or development standards applicable in the parallel general use district; and,
- c) That are limited to conditions that address conformance of the allowable development and use of the rezoning site with town regulations and adopted plans, and impacts reasonably expected to be generated by the allowable development or use of the site.

One goal of the town's comprehensive plan is to promote energy conservation through building design. Therefore, applicants are encouraged to meet the Architecture 2030 Challenge guidelines as amended.”

## **SECTION 2**

This ordinance shall be effective upon enactment.

This the \_\_\_ day of \_\_\_, 2020.