

ORDINANCE A

(Enacting the Land Use Management Ordinance Text Amendment Proposal)

AN ORDINANCE AMENDING ARTICLES 3, 4, AND 5 AMENDING HISTORIC ROGERS ROAD NEIGHBORHOOD DISTRICT OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE (2025-##-##/O-#)

WHEREAS, in 2019, the Council adopted zoning amendments creating the Historic Rogers Road Neighborhood District; and

WHEREAS, the Housing and Employment Mixed-Use (HR-X) Subdistrict has not been applied to a property; and

WHEREAS, staff has identified revisions to the Housing and Employment Mixed-Use (HR-X) Subdistrict and is recommending changes to the district to better reflect the interests of the Historic Rogers Road Community; and

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Article 3, 4, and 5 Amendments to the Historic Rogers Road Neighborhood District on May 6, 2025, and recommended that the Council [enact/deny] the text amendments; and

WHEREAS, on April 23, 2025, the Council called a Legislative Hearing to amend Articles 3, 4, and 5 Amendments to the Historic Rogers Road Neighborhood District for the Council's May 21, 2025 meeting; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to Land Use Management Ordinance, Articles 3, 4, and 5 Amendments to the Historic Rogers Road Neighborhood District; 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 range of housing options for current and future residents (Goal A Place for Everyone.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal A Place for Everyone.4)
- Foster success of local businesses (Goal Community Prosperity and Engagement.2)
- Promote a safe, vibrant, and connected (physical and person) community (Goal Community Prosperity and Engagement.3)
- A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (Goal Getting Around.2)
- 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 (Goal Good Places New Spaces.5)

- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal Good Places New Spaces.8)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal 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, Articles 3, 4, and 5 be amended as follows:

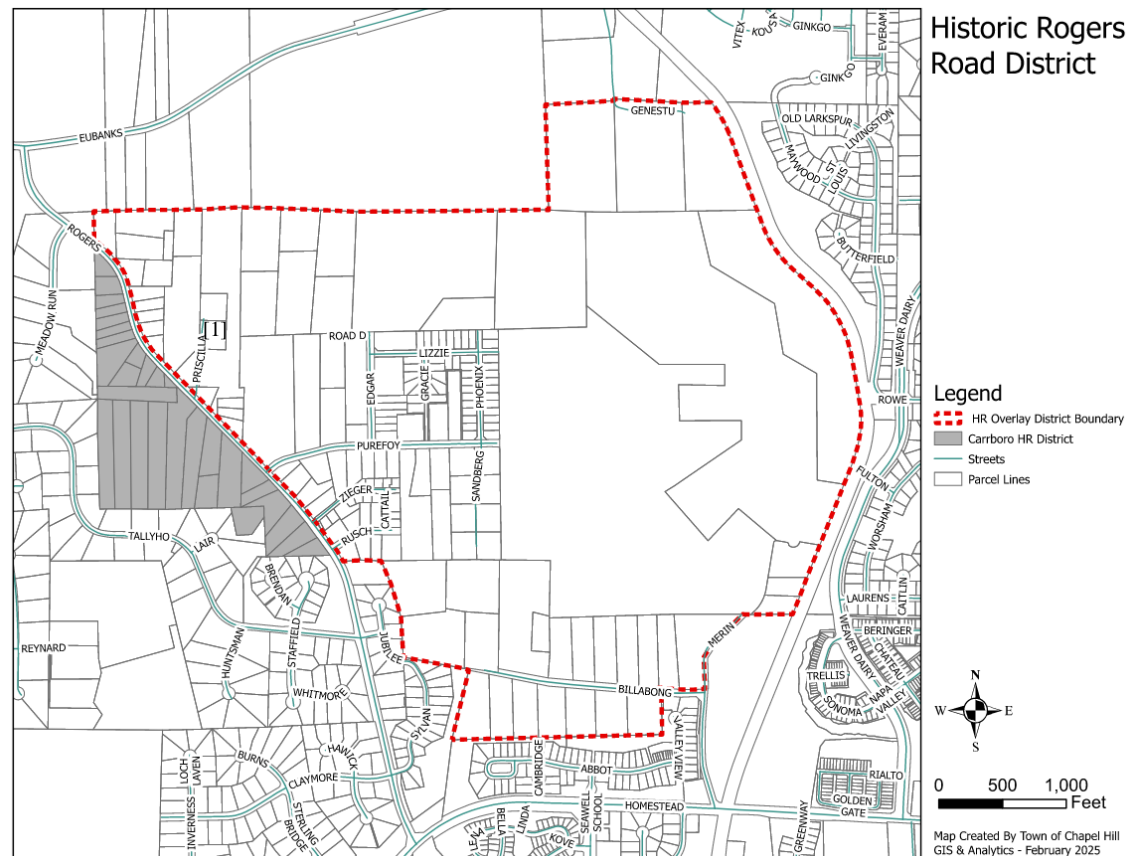
SECTION 1. *Article 3. Zoning Districts, Uses, and Dimensional Standards, Section 3.5.7. Historic Rogers Road Neighborhood District is revised to read as follows:*

[Portions of Section 3.5.7 not appearing in the excerpt below to remain unchanged.]

“3.5.7. Historic Rogers Road Neighborhood District

- a) *Purpose and Intent.* The purpose of the Historic Rogers Road Neighborhood (HR) District is to implement the relevant goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR District is to:
 - 1) Create opportunities for long-term residents to continue living in the community and to age in place;
 - 2) Preserve the socioeconomic and cultural diversity of the neighborhood;
 - 3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
 - 4) Respect and protect the natural character of the neighborhood;
 - 5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
 - 6) Provide greater residential housing choice, affordability, and diversity;
 - 7) Increase economic opportunities within the neighborhood;
 - 8) Increase recreational resources within the neighborhood; and
 - 9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.
- b) *Applicability.* Except where exempted in Section 3.5.7(c), Exemptions, the standards in this section apply to all land and development located within the HR district and subdistrict boundaries as identified and located on the Chapel Hill Zoning Atlas.
- c) *Exemptions.* Minor additions to lawfully-established buildings that existed on May 22, 2019 are exempt from the standards in this section. For the purposes of this section, "minor additions" are defined as increases in the amount of floor area on a lot of up to 25 percent beyond what existed on May 22, 2019, or up to a maximum total size of 2,000 square feet of heated floor area, whichever is greater.
- ~~d) **Effective Date.** The effective date of these standards is May 22, 2019.~~
- d) *District Boundary.* The boundary for the HR District is depicted in Figure 3.5.7(e), below:

Figure 3.5.7(e): HR District Boundary



NOTES:

[1] Because the Historic Rogers Road Neighborhood, as defined in *Mapping Our Community's Future*, is located across two jurisdictions (the Town of Chapel Hill and the Town of Carrboro), a parallel district was prepared for the Town of Carrboro, to be applicable in the grey-shaded area on the map.

f) Subdistricts Established

The HR District is comprised of subdistricts, or character areas. The purpose and intent of each subdistrict is as follows:

- 1) **Residential-Low Density (HR-L) Subdistrict.** The Residential-Low Density (HR-L) Subdistrict is established with the intent to protect and preserve the character of existing lower-density areas (minimum lot size 14,500 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.
- 2) **Residential-Medium Density (HR-M) Subdistrict.** The Residential-Medium Density (HR-M) Subdistrict is established with the intent of designating areas within the neighborhood for medium-density (minimum lot size 9,000 square feet, or no more than five lots per acre) residential development that offers a

broader range of housing options and increased home occupation opportunities for residents.

- 3) *Housing and Employment Mixed-Use (HR-X) Subdistrict.* The Housing and Employment Mixed-Use (HR-X) Subdistrict is established with the intent of providing areas within the neighborhood with a broader range of housing and employment options. These areas are intended to concentrate new development into nodes ~~which will to~~ balance ~~providing areas for~~ desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-X Subdistrict include live-work units, flex offices, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities.

~~**NOTE: As of May 22, 2019, no lands bear the HR-X designation. This subdistrict is established as a placeholder for future use within the district, subject to a rezoning.**~~

- 4) *Conservation (HR-C) Subdistrict.* The Conservation (HR-C) Subdistrict is established with the intent of preserving and protecting environmentally sensitive areas as well as lands under joint management by the Towns of Chapel Hill and Carrboro, and Orange County.
NOTE: As of May 22, 2019, no lands bear the HR-C designation. This subdistrict is established as a placeholder for future use within the district, subject to a rezoning.

h) *Development Standards.*

This section sets out the special standards for new development or redevelopment in the HR District. Development standards **for properties within the Residential-Low Density (HR-L) and Residential-Medium Density (HR-M) Subdistricts** not listed in this section (including Recreational Area for Residential Subdivisions, Required Buffers for Adjacent Vacant Land Zoning, and Permitted Sign Types, Dimensional Standards, and Lighting) shall comply with the standards for development in the R-1 District listed in Article 5.

For new development or redevelopment within the Housing and Employment Mixed-Use (HR-X) Subdistrict, any standards not within this section shall comply with the standards for development in the Mixed Use-Village (MU-V) District in Article 5.

Where a general standard or provision within this appendix expressly conflicts with a standard established in this division (h), the standards of this division (h) control, otherwise the general standards and provision of the appendix are applicable to development within the HR District.

1) Buffering

- A. Purpose and Intent. The standards in this section are intended to protect the residential character of existing neighborhoods surrounding new mixed-use development in the HR District.
- B. Applicability. The standards in this section shall apply to lands in the Housing and Employment Mixed-Use (HR-X) Subdistrict.
- C. Buffering Standards
- ±. Development in the Subdistrict shall maintain **an undisturbed Type "D" buffer of no less than 30 feet in which no development shall occur when adjacent to Residential-**

Low Density (HR-L) or Residential-Medium Density (HR-M) Subdistricts and Residential-1 (R-1) and Residential-1A (R-1A) Districts and shall comply with Section 5.6. The use of alternate bufferyards are not permitted within the Housing and Employment Mixed-Use (HR-X) Subdistrict.

- ~~2.~~ **Development in the HR-X Subdistrict shall be screened with The required perimeter buffer shall use** existing vegetation, **if sufficient to provide the required buffer,** and/or new plantings to meet the requirements of a **an interior** Type D buffer as described in the Town of Chapel Hill Public Works Engineering Design Manual.
- ~~3.~~ Buffering **is not required between different uses or use categories within the Housing and Employment Mixed-Use (HR-X) Subdistrict. requirements between other land uses and/or zoning designations shall comply with Section 5.6.**

2) Exterior Lighting

- A. Purpose and Intent. The standards in this section are intended to protect the primarily residential nature of the neighborhood, limit impacts on surrounding properties, and limit environmental impacts of nighttime lighting with a dark skies approach.
- B. Applicability. The standards in this section shall apply to:
 - ~~1.~~ **Development in the Housing and Employment Mixed-Use (HR-X) Subdistrict; and**
 2. Non-residential development in the HR-L and HR-M Subdistricts.
- C. Lighting Standards
 1. Shielding. Exterior lighting fixtures shall be shielded in such a way that directs light downward.
 2. Not Visible from Lot Line or Streets. Exterior lighting fixtures shall be configured such that the bulb or source of illumination is not visible from grade level of adjacent lots or street rights-of-way.

4) Maximum Residential Building Size

- a. Purpose and Intent. The intent of the limitations on residential building size in this section is to protect the character of the Historic Rogers Road Neighborhood through compatible residential design.
- b. Applicability. The standards in this section shall apply to new single-family, duplex, ~~and triplex~~ **three-family** residential uses in **Residential-Low Density (HR-L) and Residential-Medium Density (HR-M) any** subdistricts of the HR District established after May 22, 2019.
- c. Measurement.
 1. The standards listed below apply to heated square feet of a residential structure only.
 2. Portions of a residential structure used for a home occupation shall count toward the maximum square footage.

3. For duplex~~, and, and~~ **three-family** dwellings, the maximum size is applied to each unit. For example, a duplex can be up to 2,400 square feet in size (up to 1,200 square feet per dwelling unit).
- d. Standards. Table 3.5.7(h)(4) shows the standards for maximum residential building size in the HR District.

| Table 3.5.7(h)(4): Maximum Residential Building Size | |
|--|--|
| Residential Use Type | Maximum Size (heated square feet per dwelling unit) |
| Single-family | |
| HR-L Subdistrict | 2,000 |
| HR-M Subdistrict | 1,500 |
| HR-X Subdistrict | 1,500 |
| Duplex | 1,200 |
| Triplex Three-family | 1,200 |

- 7) **Minimum Lot Size**
 - A. **Purpose and Intent.** The standards of this section are intended to meet the insights and guiding principles of the community.
 - B. **Applicability.** The standards in this section shall apply to lands in the Housing and Employment Mixed-Use (HR-X) Subdistrict.
 - C. **Lot Size Standard.** Development in the Subdistrict shall have a minimum lot size of twenty (20) contiguous acres (may include parcels on both sides of street).
- 8) **Traffic Impact Analysis**
 - A. **Purpose and Intent.** The intent of the standards in this section is to ensure that future development in the Historic Rogers Road Neighborhood mitigates impacts of new traffic generated by development in the Housing and Employment Mixed-Use (HR-X) Subdistrict.
 - B. **Applicability.** The standards in this section shall apply to:
 1. **Development in the Housing and Employment Mixed-Use (HR-X) Subdistrict.**
 - C. **Standards.**
 1. **Development in the Housing and Employment Mixed-Use (HR-X) Subdistrict shall submit a Traffic Impact Analysis (TIA) that is consistent with the Town and North Carolina Department of Transportation (NCDOT) standards for the development. The TIA shall be conducted by a qualified party chosen by the Town and the cost of preparing a TIA shall be borne by the developer/property owner.**
 2. **The developer/property owner shall be responsible for the improvements recommended by the TIA prior to the Zoning Final Inspection.**
 3. **The developer/property owner shall be responsible for all off-site roadway improvements, if the existing street right-of-way has sufficient width, recommended by the TIA to mitigate the impacts of the development.**
- 9) **Transition Areas**
 - A. **Purpose and Intent.** The standards in this section are intended to protect the residential character of existing neighborhoods

surrounding new mixed-use development in the Housing and Employment Mixed-Use (HR-X) Subdistrict.

- B. Applicability. The standards in this section shall apply to lands in the Housing and Employment Mixed-Use (HR-X) Subdistrict that are adjacent to lands zoned Residential-Low Density (HR-L), Residential-Medium Density (HR-M), Residential-1 (R-1), or Residential-1A (R-1A). Where a HR-X zone adjoins land that is zoned HR-L, HR-M, R-1, or R-1A, an appropriate transition between the HR-X and the adjoining properties shall be provided. The following standards are applicable to development in the Housing and Employment Mixed-Use (HR-X) Subdistrict within one hundred (100) feet from adjoining Residential-Low Density (HR-L), Residential-Medium Density (HR-M), Residential-1 (R-1), or Residential-1A (R-1A).
- C. Standards.
1. Height
 - a. Standards shall be those listed in Section 3.8 as Residential-Medium Density (HR-M) Subdistrict.
 2. Setbacks
 - a. Standards shall be those listed in Section 3.8 as Residential-Medium Density (HR-M) Subdistrict.
 3. Uses
 - b. Permitted uses shall be those listed in Section 3.7 as Residential-Medium Density (HR-M) Subdistrict."

SECTION 2. **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 to delete and insert rows, and revise footnotes as follows:**

[Portions of Table 3.7-1 not appearing in the excerpt below to remain unchanged.]

| "Table 3.7-1: Use Matrix | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-----------|-----------------|----|-------|------|-----|-----|------|-----|-----|-----|-----|----------|-----------------------|------------------|------|------|------|------|------|------|--|--------|----|--------|---------------------------|--------|------|---|-------|------|------|------|---|------|
| | | Zoning District | | | | | | | | | | | | | | | | | | | | Historic Rogers Road Neighborhood District | | | | Planned Development (PD-) | | | | | | | | | |
| Uses | 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 | MH | HR-L | HR-M | HR-X | HR-C | H | SC(N) | SCI | OI | MU | I | DA-1 |
| Bank | C | — | — | — | — | — | — | — | — | — | — | — | — | C Z * * * | P, A | P, A | P, A | P, A | P, A | P, A | P, A | — | A | — | — | — | P = | — | — | P, A | P, A | P, A | P, A | — | P, A |
| Barber shop/beauty salon | C | — | — | — | — | — | — | — | — | — | — | — | — | C Z * * * | P | P | P | P | P | P | P | — | A | — | — | — | P = | — | — | P | P | P | P | — | P |
| Business—Convenience | C | — | — | — | — | — | — | — | — | — | — | — | — | C Z * * * | P, A | P, A | P, A | — | — | A | A | A | A | — | — | — | P = | — | — | P, A | P, A | — | P, A | — | P, A |
| Business—General | C | — | — | — | — | — | — | — | — | — | — | — | — | C Z * * * | P, A | P, A | P, A | — | — | A | A | — | Z | — | — | — | P = | — | — | P, A | P, A | — | P, A | — | P, A |
| Club | B | — | — | — | — | — | — | — | — | — | — | — | — | — | 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 |
| Single-family with accessory apartment | A | P | P | P | P | P | P | P | P | P | P | P | CZ | CZ | P | P | P | P | P | P | P | — | — | — | P A | P A | P A | — | P | — | — | — | P | — | P |

Table 3.7-1: Use Matrix

| | | Zoning District | | | | | | | | | | | | | | | | | | | | Historic Rogers Road Neighborhood District | | | | Planned Development (PD-) | | | | | | | | | | |
|--|-----------|-----------------|------|-------|------|------|------|------|------|------|------|------|----------|----------|------------------|------|------|------|------|------|------|--|--------|------|------|---------------------------|------|------|------|-------|------|------|------|------|------|---|
| Uses | 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 | MH | HR-L | HR-M | HR-X | HR-C | H | SC(N) | SCI | OI | MU | I | DA-1 | |
| Multi-family, over 10 units, attached or detached | A | — | — | — | — | — | — | — | — | — | — | CZ | CZ | CZ | P | P | P | P | P | P | P | — | — | — | — | — | P= | — | P | — | — | — | P | — | P | |
| Dwelling units, triplex (See also Article 6) | A | — | — | — | — | — | — | — | — | — | — | — | — | CZ | — | — | — | — | — | — | — | — | — | — | P | P | P | — | — | — | — | — | — | — | — | |
| Essential services | A | 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= | — | P, A | P, A | P, A | P, A | P, A | P, A | P, A | |
| Fine arts educational institution (See also Article 6) | B | — | — | — | — | — | — | — | — | — | S+ | S+ | — | CZ*** | P | P | P | P | P | P | P | — | A | — | — | — | P= | — | — | — | — | — | — | — | — | P |
| Flex space | C | — | — | — | — | — | — | — | — | — | — | — | — | CZ*** | A | P, A | — | — | — | — | — | — | P | P, A | — | — | — | P= | — | — | — | A | — | A | P | A |
| Food Truck | C | — | — | — | — | — | — | — | — | — | — | — | — | A | A | A | A | — | — | — | — | — | A | — | — | — | A= | — | — | — | — | — | A | — | A | |
| Group care facility (See also Article 6) | B | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | S+ | — | — | P | P | P | P | P | P | P | — | — | — | S+ | S+ | P S+ | — | A | — | — | P | P | — | P | |
| Personal services | C | — | — | — | — | — | — | — | — | — | — | — | — | CZ*** | P, A | P, A | P, A | — | — | A | A | — | 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 | YZ | — | S+ | S+ | P S+ | S+ | A | P, A | P, A | P, A | P, A | P, A | P, A | |

| "Table 3.7-1: Use Matrix | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|-----------|-----------------|----|-------|------|-----|-----|------|-----|-----|-----|-----|----------|-----------------------|------------------|---------|---------|------|------|---------|---------|--|--------|----|------|---------------------------|--------|------|---|---------|---------|---------|---------|---|---------|
| | | Zoning District | | | | | | | | | | | | | | | | | | | | Historic Rogers Road Neighborhood District | | | | Planned Development (PD-) | | | | | | | | | |
| Uses | 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 | MH | HR-L | HR-M | HR-X | HR-C | H | SC(N) | SCI | OI | MU | I | DA-1 |
| Recreation facility: Outdoor Commercial | C | — | — | — | — | — | — | — | — | — | — | — | — | C Z * * * | P, A | P, A | P, A | — | — | P, A | P, A | A | Z | — | — | — | P = | — | A | P, A | P, A | P, A | P, A | A | P, A |
| Vocational school | C | — | — | — | — | — | — | — | — | — | — | — | — | C Z * * * | P, A | P, A | — | — | — | P, A | P, A | — | A | — | — | — | P = | — | — | — | P, A | P, A | P, A | — | P, A |

•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, ~~and~~ HR-X: 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, **~~HR-X~~**, 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 3. Article 3, Section 3.8 Dimensional standards, Table 3.8-1: Dimensional Matrix is hereby amended and revised to read as follows:

[Portions of Table 3.8-1 not appearing in the excerpt below to remain unchanged.]

| "(A) | (B) | (C) | (D) | (E) | (F) | (G) | (H) | (I) | (J) | (K) | (L) |
|-----------------|-------------------------------|-----------------------------|-------------------------|--|--|------------------------------|--------------------------------|-----------------------------|--|-------------------------------|------------------------------|
| Zoning District | Lot Size (square feet min) | Frontage (min feet) | Lot Width (min feet) | Building Height, Set back (max feet) | Building Height, Core (max feet) | Street Setback (min feet) | Interior Setback (min feet) | Solar Setback (min feet) | Impervious Surface Ratio (max) * | Floor Area Ratio (max) | Street Setback (max feet) |
| HR-L | 14,500 | 64 | 80 | 29 | 40 | 10 ³ | 14 | 17 | .5/.7 | .076 | 28 ⁴ |
| HR-M | 9,000 | 52 | 65 | 29 | 40 | 10 | 14 | 17 | .5/.7 | .093 | 20 |
| HR-X | N/A | 40 N/A | N/A | 29 N/A | 40 90 | 20 N/A | 40 N/A | 17 N/A | .5/.7 | .264 N/A | N/A |
| HR-C | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

Footnotes:

(1) The notation "N/A" indicates that the requirements does not apply within the particular zoning district.

(2) Existing lots of record as of December 7, 1992, which are subsequently rezoned to R-LD5 can be subdivided to create up to three (3) lots of not less than two (2) acres gross land area in size each; provided, however the remaining land shall be developed with a minimum lot size of at least five (5) acres gross land area for each lot, and provided that no lot created under this exemption shall have a new direct access onto an arterial street.

(3) Lots that front on (take their address and ingress/egress from) Rogers Road shall have a minimum street setback of 50 feet. The intent of this standard is to preserve the rural character of the historic Rogers Road corridor. Lots that existed on May 22, 2019 and are smaller than 17,424 square feet (.4 acres) are exempt from this standard.

(4) Lots that front on Rogers Road shall have no maximum street setback. The intent of this standard is to preserve the rural character of the historic Rogers Road corridor."

SECTION 4. Article 4. Procedures, Section 4.5 Special use permits, Subsection 4.5.(b) Subsection b) Major special use permits is revised to read as follows:

b) "Major special use permit

(1) Those uses that request a modification exception to regulations in this appendix.

(2) Any permitted use that exceeds twenty thousand (20,000) square feet of floor area and/or forty thousand (40,000) square feet of land disturbance, except as follows:

Exceptions:

(A) Existing public elementary and secondary schools.

- (B) Uses in the OI-3, OI-4, **HR-X**, and MH zoning districts not otherwise listed as special uses.
- (C) Uses in conditional zoning districts as detailed in 4.4.7.
- (D) Any proposal to increase the floor area in existing buildings in the Town Center (TC) - 1, 2, and 3 zoning districts so long as the redevelopment does not increase the building footprint or height (excluding solar panels, HVAC equipment, and screening thereof) and does not significantly alter the building's appearance."

SECTION 5. Article 4. Procedures, Section 4.6 Subdivision, Subsection 4.6.3 Classification of Subdivision, Subsection (a) is revised to read as follows:

"4.6.3 Classification of Subdivision.

Minor and major subdivisions are subject to different approval procedures.

(a) Minor Subdivision-Administrative review.

- (1) The minor subdivision-administrative review approval process is a one-step procedure involving town manager approval of a final plat. A "minor subdivision-administrative review" includes any subdivision pursuant to an approved zoning compliance permit for a two-family or multifamily townhouse development, an approved special use permit for a planned development, an approved conditional zoning, ~~or~~ an approved commercial subdivision, **or subdivision with Housing and Employment (HR-X) Subdistrict zoning.**"

SECTION 6. Article 4. Procedures, Section 4.7. Site plan review, Subsection 4.7.1 Applicability, Subsection (a) is revised to read as follows:

"4.7.1 Applicability.

Site plan review and approval by the planning commission shall be required prior to issuance of a zoning compliance permit for any development or change in use subject to a zoning compliance permit (as described in section 4.9), with the following exceptions:

- (g) Any development within the Housing and Employment (HR-X) Subdistrict zoning;"**

Section 7. Article 5. Design and Development Standards, Section 5.9 Parking and loading, Subsection 5.9.7 Minimum and Maximum Off-Street Parking Space Requirement is revised to read as follows:

"5.9.7 Minimum and Maximum Off-Street Parking Space Requirements.

The following minimum and maximum vehicular parking requirement shall apply for the appropriate use and zoning district. Vehicle parking requirements shall not apply for uses located within the Office/Institutional-3, ~~or~~ Office/Institutional-4, **or Historic Rogers Road Neighborhood Housing and Employment Mixed-Use."**

Section 8. This ordinance is effective upon enactment.

This the __ day of ____, 2025.