

MEMORANDUM

Date: June 14, 2023
To: Chapel Hill Town Council
Tas Lagoo, Town of Chapel Hill
From: Allison Mouch, AICP, Orion Planning + Design
Subject: LUMO Restructured Table of Contents and Plan Alignment

Overview

This memorandum provides a summary of:

- (1) key findings from the Land Use Management Ordinance (LUMO) Audit and their alignment with community values established through recent planning efforts,
- (2) how these values will be supported and reinforced through updates to the LUMO, and
- (3) the need for a comprehensive restructuring of the regulations to ensure the greatest amount of impact.

A brief summary of the restructured table of contents for the LUMO is also provided to highlight how this framework will shape the drafting process in the coming weeks and months.

The Importance of the Plan/Code Relationship

The role of the LUMO is to implement the intent of Chapel Hill's adopted plans and policies. Chapel Hill has conducted numerous planning efforts through the years, all of which have made clear that change is needed for the LUMO to further the community's vision. The LUMO Audit highlights where alignment between the ordinance and current plans is lacking. This lack of alignment means that community desires for the natural and built environment are not fully reflected in the ordinance. Meanwhile, procedural complexities and ineffectiveness contribute to frustration and less-desirable outcomes.

Historically, plans have not driven ordinance updates in Chapel Hill and have had little, if any, effect on the regulatory scheme. Chapel Hill 2020 was adopted in June of 2012 and amended to include the *Charting Our Future – A Land Use Initiative* in December of 2020. Some aspects of the LUMO reflect this current planning guidepost, but the conclusion reached in the audit is that this is largely accidental. Many stakeholders have come to view the planning process as futile, undermining the outcomes of these plans and furthering the assumption that that plans are created only to “sit on a shelf.” . Updating the LUMO demonstrates a relationship between the community's vision and the code and is critical to successfully implementing plan objectives.

Recent planning efforts including the *NSBRT Transit Oriented Development Framework* adopted in 2019, the *Shaping Our Future – A Transportation and Land Use Initiative* adopted earlier this spring, and the Complete Community Strategy contribute further to the community-wide vision for Chapel Hill. With so many plans and policy-driven guidance, identifying how LUMO updates accomplish individual plan objectives is challenging. . The Complete Community Strategy offers a concise framework to organize core recommendations for the LUMO update, while reinforcing the town's current interpretation of overarching priorities linked to the vision and values established by *Chapel Hill 2020*, *Charting Our Future*, *Shaping Our Future*, and the *NSBRT TOD Framework* efforts. Creating synthesis between these efforts will help further the plan/code relationship and how all the inputs into planning efforts through the years will be reflected in updates to content, process, and administration in the LUMO.

The following table organizes core LUMO updates around key themes derived from an evaluation of recent planning efforts, to better explain why and how updates to the LUMO will accomplish community-wide goals. These themes are:

- Overarching improvements to better serve the Chapel Hill community
- Improvements that reinforce social equity in housing
- Improvements that reinforce social equity in transportation
- Improvements that reinforce social equity in public health
- Improvements that protect community assets
- Improvements that increase access to programs and amenities in Chapel Hill

The relationship between key theme, core audit recommendation, relationship to plan(s), and plan objective accomplished seeks to directly link next steps through the update to plan implementation.

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED	
OVERARCHING IMPROVEMENTS TO THE LUMO THAT WILL BETTER SERVE THE COMMUNITY	Better alignment is necessary between the LUMO and key plans and policies, including the Chapel Hill 2020 Comprehensive Plan, Charting Our Future , and the recent Complete Community Strategy and TOD plan. Align zoning districts with FLUM and TOD land use designations.	Align zoning districts with established FLUM and TOD land use designations.	<i>Charting Our Future 2020</i>	Foster land use decisions that recognize, integrate, and sustain the Town’s unique natural environment	
		Collapse districts that are unnecessarily duplicative to reduce confusion, complexity, and redundancy in the ordinance (for example: R-3 and R-4; R-5 and R-6, CC, and NC).		Sustain and create a sense of place that is distinctive to Chapel Hill	
			Add or expand zoning districts to reflect the distinct character, and qualities of neighborhoods and areas within Chapel Hill.	<i>2019 NSBRT Transit Oriented Development Framework</i>	Balance development/redevelopment while protecting and preserving the Town’s natural environment and resources
				<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Guide growth and development: taking FLUM sub area directions of uses, heights and building typologies and defining the development potential of a range of sites
		<i>Complete Community Framework</i>	Housing diversity and affordability		
	The LUMO requires a comprehensive reorganization of content to reduce redundancy and conflict, improve readability, and support greater functionality by streamlining process, simplifying information delivery, and making concepts more accessible to the reader through graphics, illustrations, hyperlinks, and an approachable format.	Create a consistent and graphically appealing format for all base districts, conditional districts, special districts, and overlays.	<i>Charting Our Future 2020</i>	Dynamic, mixed land uses	
		Pull recurring standards and processes out of Article 3 and Appendix B and consolidate in one article organized around procedures and administration.		Distinctive and attractive development	
		Move all definitions to a definitions article that is embedded in the LUMO itself (not an appendix); update definitions to reflect current context and best practice.		Housing: diverse housing types, mixed-income housing, inclusive housing	
		Illustrate instead of narrate wherever possible, especially when describing site design and development standards (currently in Article 5).		Mixed-use: retail, community facilities, employment	
				While structural improvements are not directly supported or identified by the Chapel Hill planning framework, it is widely recognized that these types of improvements create efficiencies, in some cases reduce timeframes, and lead to the overall efficacy of code that can contribute to more positive interaction with regulations and a better product as a result at the end of a process. Goal 3, Theme 4 of <i>Chapel Hill 2020</i> calls for "a development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan", which is supported through this change.	

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
OVERARCHING IMPROVEMENTS TO THE LUMO THAT WILL BETTER SERVE THE COMMUNITY (cont'd)	The LUMO requires a comprehensive reorganization of content to reduce redundancy and conflict, improve readability, and support greater functionality by streamlining process, simplifying information delivery, and making concepts more accessible to the reader through graphics, illustrations, hyperlinks, and an approachable for mat. (cont'd)	Update uses and use groups to include more mixed-use options and expand by-right mixed-use options across districts to support meaningful, context-sensitive development in places where it makes sense.	<i>Charting Our Future 2020</i>	Sustain and create a sense of place that is distinctive to Chapel Hill
				Ensure the Town's fiscal well-being by diversifying and increasing its tax base
			<i>2019 NSBRT Transit Oriented Development Framework</i>	Guide growth and development: taking FLUM sub area directions of uses, heights and building typologies and defining the development potential of a range of sites
			<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Housing diversity and affordability
				Dynamic, mixed land uses
			Housing: diverse housing types, mixed-income housing, inclusive housing	
			Mixed-use: retail, community facilities, employment	
		Revise the sign code chapter to remove content-specific regulation, focusing on time, place, and manner to regulate signage moving forward.	Revisions to the LUMO related to content neutrality are necessary to align with federal caselaw, not specific plan outcomes for Chapel Hill. Additional updates may be necessary to align with recent legislative changes or legal determinations and caselaw.	
			<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Vibrant, high quality public realm
			<i>Complete Community Framework</i>	Public realm: inclusive public realm, new public spaces, exceptional quality

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OVERARCHING IMPROVEMENTS TO THE LUMO THAT WILL BETTER SERVE THE COMMUNITY (cont'd)	<p>Processes are hindering the type of development the Town wants to encourage.</p>	<p>Increase the 20,000 square foot of floor area or 40,000 square foot land disturbance trigger for Town Council approval of development applications, creating more avenues for administrative review and approval.</p> <p>Enable as much development as deemed appropriate to be reviewed administratively by adopting clearer standards and establishing expectations of both the applicant and the public.</p> <p>Reduce documentation and advisory board review requirements during the concept plan process.</p> <p>Work with advisory boards to identify priority standards and criteria that should be integrated in the LUMO as a requirement of development, to ensure these are assessed consistently and reduce the burden of negotiations by and between boards during development review.</p> <p>Adopt concurrent review processes and consider an expedited review for development that does not request a variance or conditional approval.</p>	<p>While procedural improvements are not directly supported or identified by the Chapel Hill planning framework, it is widely recognized that these types of improvements will create efficiencies, support consistency, streamline processes, reduce timeframes and cost, improving the overall efficacy of the LUMO that may in turn contribute to more positive interaction with regulations and a better product. Goal 3, Theme 4 of <i>Chapel Hill 2020</i> calls for "a development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan", which is generally supported through this change.</p>	
CODE IMPROVEMENTS NEEDED TO REINFORCE SOCIAL EQUITY IN HOUSING	<p>Zoning districts are too rigid and lack appropriate density in areas slated for future development (particularly along TOD corridors and within focus areas).</p>	<p>As appropriate, expand missing middle housing types in residential zones to reinforce gentle density while integrating context-appropriate housing options in established neighborhoods as well</p>	<p><i>Charting Our Future 2020</i></p>	<p>Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for Chapel Hill</p> <p>Create, in strategic locations, compact, well-designed mixed use communities focused on transit and multimodal transportation systems that effectively respond to the need to reduce vehicular traffic and the Town's carbon footprint given the desirability of such locations for both households and employers that prefer sites that are walkable and</p>

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
CODE IMPROVEMENTS NEEDED TO REINFORCE SOCIAL EQUITY IN HOUSING (cont'd)	Zoning districts are too rigid and lack appropriate density in areas slated for future development (particularly along TOD corridors and within focus areas). (cont'd)	as areas slated for future development.	<i>Charting Our Future 2020</i>	located within vibrant, connected communities and the desire for an equitable community where all community members have access to jobs, transit, and places to reside
		As appropriate, increase by-right development densities in residential and mixed-use zones, with the potential to tie additional density to bonuses and development incentives.	<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Enhanced equity and opportunities Housing diversity and affordability Dynamic, mixed land uses
		Incentivize and expand clustering and cluster development types in residential zones.	<i>Complete Community Framework</i>	Housing: diverse housing types, mixed-income housing, inclusive housing Mixed-use: retail, community facilities, employment
		Decrease residential parking requirements for certain development types.		
		Adopt building types to regulate form and character in residential and mixed-use areas, to work with permitted and conditionally permitted uses.		
		Incorporate live-work-make building types in select zoning districts, create a live-work district, or consider expanding the definition and use standards for a home occupation in select residential zones to allow more flexible workspaces that reflect the post-pandemic employment landscape.		
CODE IMPROVEMENTS TO REINFORCE SOCIAL EQUITY IN TRANSPORTATION	The LUMO fails to meaningfully integrate transportation improvements that will support greater connectivity in both the public and private realm.	Integrate context-sensitive streetscape, access, circulation, multi-modal, and transit standards into design requirements by district. This may be done by establishing street types permitted (or required) by district, similar to building types described above.	<i>Charting Our Future 2020</i> <i>2019 NSBRT Transit Oriented Development Framework</i>	Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for Chapel Hill Guide growth and development: taking FLUM sub area directions of uses, heights and building typologies and defining the development potential of a range of sites Activate streets and public spaces: providing exceptional public places for people to move, gather and celebrate, including generous sidewalks, plazas, public greens, gathering and play-spaces

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CODE IMPROVEMENTS TO REINFORCE SOCIAL EQUITY IN TRANSPORTATION (cont'd)	The LUMO fails to meaningfully integrate transportation improvements that will support greater connectivity in both the public and private realm. (cont'd)	Establish minimum densities for zoning districts along TOD corridors and in identified focus areas to accommodate projected growth scenarios identified through the TOD planning process.	<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Vibrant, high quality public realm Multimodal transportation options, connectivity, and complete streets Smart” growth and development
		Adopt specific design standards for bicycle parking, transit stops, EV charging stations, and similar facilities to incentivize transit use through shared parking credits and offset or reductions. Offer density bonuses in select districts within a set distance from transit stops, along with other incentives based on development type.	<i>Complete Community Framework</i>	Public realm: inclusive public realm, new public spaces, exceptional quality Active transportation: walkable streets, shared streets, biking, everywhere to everywhere, transportation greenways
CODE IMPROVEMENTS TO REINFORCE SOCIAL EQUITY IN PUBLIC HEALTH	There is a disconnect between how a meaningful and context-sensitive mix of uses can support community wellness through access to resources and amenities that are often unattainable given use restrictions and historic development patterns in Chapel Hill.	Increase access to existing health resources by allowing mixed uses at a neighborhood scale including groceries, medical offices, social service providers, and more.	<i>Charting Our Future 2020</i>	Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for Chapel Hill
		Create development incentives tied to community resources and access to wellness amenities that provide a community benefit.		Create, in strategic locations, compact, well-designed mixed use communities focused on transit and multimodal transportation systems that effectively respond to the need to reduce vehicular traffic and the Town’s carbon footprint given the desirability of such locations for both households and employers that prefer sites that are walkable and located within vibrant, connected communities and the desire for an equitable community where all community members have access to jobs, transit, and places to reside
		Permit community gardens, as well as indoor and rooftop garden facilities, in all zones to improve food access with minimal restrictions.	<i>2019 NSBRT Transit Oriented Development Framework</i>	Activate streets and public spaces: providing exceptional public places for people to move, gather and celebrate, including generous sidewalks, plazas, public greens, gathering and play-spaces.
		Permit opportunities for micro-livestock (e.g., chickens, rabbits) with clear performance standards in select zoning districts.		Green infrastructure: incorporate landscape, vegetation, habitat and progressive storm-water management into the public realm.
		Require a major subdivision to incorporate or provide non-		

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REINFORCE SOCIAL EQUITY IN PUBLIC HEALTH (cont'd)	There is a disconnect between how a meaningful and context-sensitive mix of uses can support community wellness through access to resources and amenities that are often unattainable given use restrictions and historic development patterns in Chapel Hill. (cont'd)	motorized access to new food system assets (e.g., community garden space, farmers market space, greenway connections to similar amenities offsite).	<i>Shaping Our Future – A Transportation and Land Use Initiative Enhanced equity and opportunities</i>	Multimodal transportation options, connectivity, and complete streets Dynamic, mixed land uses
		Revise and incentivize priority parkland dedication requirements for large-scale development or require access to established amenities within a set distance of development to ensure all residents have access.	<i>Complete Community Framework</i>	Mixed-use: retail, community facilities, employment Public realm: inclusive public realm, new public spaces, exceptional quality Active transportation: walkable streets, shared streets, biking, everywhere to everywhere, transportation greenways.
CODE IMPROVEMENTS TO PROTECT COMMUNITY ASSETS	Overlapping and complex site design standards that lack prioritization in application create confusion and challenges when siting development and can fail to protect the resource or amenity as intended.	Incorporate low impact development design standards in conjunction with stormwater requirements in Article 5.4, incentivizing impervious surfaces through density credit or bonuses.	<i>Charting Our Future 2020</i>	Effectively address, adapt, and mitigate the challenges of climate change
				Foster land use decisions that recognize, integrate, and sustain the Town's unique natural environment
		Allow overlap between stormwater and landscape buffer requirements in the resource conservation district (and beyond) so there is cross-benefit and greater environmental impact.	<i>2019 NSBRT Transit Oriented Development Framework</i>	Balance development/redevelopment while protecting and preserving the Town's natural environment and resources
				Balance development/ redevelopment while protecting and preserving the Town's natural environment and resources
				Green infrastructure: incorporate landscape, vegetation, habitat and progressive storm-water management into the public realm
	Implement strong tree protection standards and codify native species landscaping either by requirement or incentive.	<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Sustainability, resilience, and environmental stewardship	
	Revise parkland dedication requirements to require useable	<i>Complete Community Framework</i>	Public realm: inclusive public realm, new public spaces, exceptional quality Green: green spaces, green landscape, rich landscape, trees, protecting natural areas	

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
CODE IMPROVEMENTS TO PROTECT COMMUNITY ASSETS (cont'd)	Design character is not articulated sufficiently in the LUMO to accomplish the Town's stated goals of preserving and enhancing community character.	space or cash-in-lieu for amenity development or enhancement.		
		Expand the opportunity for mixed-use development at appropriate scales across most districts.	<i>Charting Our Future 2020</i>	Sustain and create a sense of place that is distinctive to Chapel Hill Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for Chapel Hill
		Adopt building typologies applicable to all zoning districts to further design character, appropriate massing, orientation, and scale.	<i>2019 NSBRT Transit Oriented Development Framework</i>	Guide growth and development: taking FLUM sub area directions of uses, heights and building typologies and defining the development potential of a range of sites Activate streets and public spaces: providing exceptional public places for people to move, gather and celebrate, including generous sidewalks, plazas, public greens, gathering and play-spaces Green infrastructure: incorporate landscape, vegetation, habitat and progressive storm-water management into the public realm
		Incorporate and illustrate site design requirements including access, circulation, and parking requirements.	<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Dynamic, mixed land uses Distinctive and attractive development
		Require parking be located behind primary structures in most residential, mixed-use, and neighborhood commercial districts, and incentivize parking reductions through a variety of alternative methods.	<i>Complete Community Framework</i>	Mixed-use: retail, community facilities, employment Public realm: inclusive public realm, new public spaces, exceptional quality Green: green spaces, green landscape, rich landscape, trees, protecting natural
CODE IMPROVEMENTS TO INCREASE ACCESS TO PROGRAMS AND AMENITIES	The configuration of districts and uses in the LUMO does not support or encourage a meaningful mixed-use environment that effectively connects people to the activities and amenities vitally important to residents of Chapel Hill.	Reduce setbacks and incorporate build-to envelopes/lines to create appropriate relationships between the public and private realm.		
		Incorporate neighborhood-scale mixed use in residential districts, where appropriate, to serve surrounding neighborhoods. Areas appropriate may include key intersections or identified/established nodes with infrastructure to support such uses.	<i>Charting Our Future 2020</i>	Sustain and create a sense of place that is distinctive to Chapel Hill Create, in strategic locations, compact, well-designed mixed use communities focused on transit and multimodal transportation systems that effectively respond to the need to reduce vehicular traffic and the Town's carbon footprint given the desirability of such locations for both households and employers that prefer sites that are walkable and located within vibrant, connected communities and the desire for an equitable community where all community members have access to jobs, transit, and places to reside
		Consider integrating, where appropriate, accessory, or secondary residential uses in select commercial districts to facilitate	<i>2019 NSBRT Transit Oriented Development Framework</i>	Support the Town's economic development strategies, including job creation Activate streets and public spaces: providing exceptional public places for people to move, gather and celebrate, including generous sidewalks, plazas, public greens, gathering and play-spaces

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
CODE IMPROVEMENTS TO INCREASE ACCESS TO PROGRAMS AND AMENITIES (cont'd)		better proximity to goods and services.	<i>2019 NSBRT Transit Oriented Development Framework</i>	Green infrastructure: incorporate landscape, vegetation, habitat, and progressive storm-water management into the public realm
		Expand uses and use groups to address incubator and co-working spaces.	<i>Shaping Our Future – A Transportation and Land Use Initiative</i>	Homegrown economic development Multimodal transportation options, connectivity, and complete streets Dynamic, mixed land uses
		Allow parks, open space, and recreation amenities by-right in every district.	<i>Complete Community Framework</i>	Housing: diverse housing types, mixed-income housing, inclusive housing Mixed-use: retail, community facilities, employment Green: green spaces, green landscape, rich landscape, trees, protecting natural areas

Establishing a Clear Framework for the LUMO Drafting Process: Revised Table of Contents

The table of contents accompanying this memorandum reflects the preliminary framework for component drafting as the LUMO update process gets underway. ***It is important to recognize that this updated, annotated table of contents is a work in progress.*** While this represents where reorganization and restructuring of content is headed, the drafting process itself is iterative and anticipates multiple shifts and adjustments to the table of contents along the way. The annotated outline will serve as the drafting framework for the team, allowing us to break out by chapter and set timeframes for drafting and review by chapter while also identifying where existing content will be incorporated in the updated LUMO. The outline provides the reader with information about each chapter's purpose and it identifies where current content will be relocated by section while reinforcing by chapter (and in some cases by section) where content updates will tie back to plan alignment priorities illustrated above.

Annotated Table of Contents and Proposed Restructuring of the Chapel Hill Land Use Management Ordinance

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
<p>1. General Provisions</p> <p><i>This article establishes the legal foundation of the LUMO. Many of the components in this article, as proposed, already exist in the LUMO across Articles 1, 3, and 9. The biggest change has been to separate content related to the zoning atlas between Articles 1 and 3 of this table of contents. Article 3.2 is a long section that includes more than general information about the adoption of the map and its title for reference (which has been located under this section). Content and procedure regarding boundaries is proposed to remain in Article 3 as it is now, which is common to how other codes are structured in North Carolina.</i></p>		
A. Title	1.1. Short title	<p>Much of this article has limited <i>direct</i> alignment with plans and policies adopted in Chapel Hill. However, Article 1 is critical in reinforcing the LUMO’s role implementing plans and policies as well as the legal foundation established for doing so under North Carolina statute. Expanding upon the LUMO’s relationship to, consistency with, and role in implementing the comprehensive plan and associated policy will be critical under proposed Section E.</p>
B. Authority	1.2. Authority	
C. Purpose and Relationship to the Comprehensive Plan	1.3. Purpose 1.5. Consistency with comprehensive plan	
D. Interpretation and Rules of Construction	1.6. Interpretation	
E. Official Zoning Map	3.2 Zoning Atlas	
F. Errors and Omissions	<i>New content</i>	
G. Severability	9.1. Severability	
H. Conflict With Other Laws	9.2. Conflict with other laws	
I. Repeal Of Existing Zoning Regulations	9.3. Repeal of existing zoning regulations	
J. Fees	1.8. Fees	
K. Effective Date	1.4. Applicability (part)	
<p>2. Applicability and Conformity</p> <p><i>This article broadly addresses where and how the LUMO applies. Additional content and direction on uniformity and conformity rules, what happens to projects that are in process during the adoption of new regulations, when vesting of development rights occurs, and permits or approvals that have yet to be acted on, has been provided in Sections D through L of this article. Legacy districts are also introduced under this article in Section M. Any districts that remain unchanged under the new district configuration due to Town preference, statute, or legal restriction will be identified and explained here.</i></p>		
A. Jurisdiction	1.4. Applicability (part)	<p>Section 1 of the Town Charter speaks broadly to power the organization and powers of the town: https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodemd=SUA_CH_CHIORPO</p>
B. Compliance Required	1.4. Applicability (part)	
C. Permits and Certificates	1.7. Permits and certificates	
D. Prior Actions and Penalties	<i>New content</i>	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
		Section 5.8 of the Town Charter appears to cover planning jurisdiction within town limits and the ETJ: https://library.municode.com/nc/chapel_hill/codes/code_of_ordinances?nodeId=SUA_CH_CHVREPLFU_ART2P_LZOREMA_S5.8EXPO
E. Uniformity within Districts	<i>New content</i>	A general discussion of conformity within and between zoning districts, the comprehensive plan, and other policy or regulation may occur here; it may also be more appropriate under Article 1.C.
F. Conformity with Other Laws	<i>New content</i>	
G. Application of Deed Restrictions	<i>New content</i>	
H. Vested Development Rights	<i>New content</i>	Creating clear and consistent rules of application for vesting, transitional development rights, applications that are in process, and those that have been approved/permitted but have not taken action, will support a transparent process and reinforce equity in where and how the regulations apply to varied states of development approval.
I. Transitional Rules	<i>New content</i>	
J. Applications in Process	<i>New content</i>	
K. Approved Site-Specific Plans Not Vested	<i>New content</i>	
L. Unexpired Permits	<i>New content</i>	
M. Legacy Districts	3.5.1 Mixed Use Districts Mixed Use-OI-1 (MU-OI-1), Mixed Use-OI-4 (MU-OI-4), Mixed Use-R-1 (MU-R-1)	
3. Non-Conformities. <i>Non-conformities have been kept as their own chapter and expanded upon to provide additional guidance to the code user about when and how interpretation should occur. The LUMO currently fails to touch on all possible non-conforming situations – the most important being non-conforming structures.</i>		
A. Purpose and Applicability	7.1. Intent	
B. General Provisions	<i>New content</i>	
C. Nonconforming Lots	7.2. Nonconforming lots	
D. Nonconforming Uses	7.3. Nonconforming uses	
E. Nonconforming Structures Except Signs	<i>New content</i>	
F. Nonconforming Signs	7.5. Nonconforming signs	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
G. Nonconforming Accessory Uses and Structures	<i>New content</i>	
H. Nonconforming Manufactured Homes and Manufactured Home Parks	<i>New content</i>	
I. Nonconforming Features	7.4. Nonconforming features	
J. Nonconforming Parking Areas in Front Yards	7.6. Nonconforming parking areas in front yards	
K. Applicability of Watershed Protection Standards	7.7. Development in watershed protection district	
L. Temporary Nonconformities	<i>New content</i>	
<p>4. Zoning Districts</p> <p><i>This article establishes district types and the specific districts that belong to each type. It also includes foundational purpose statements that clarify the intent of each district, a use matrix, and dimensional standards for each district. Where current districts contain information better aligned to other sections and articles, that information will be moved as needed. This may include use lists, dimensional standards, and procedural/ administrative elements.</i></p> <p><i>The current use matrix has a column noted as “use group” and defines this in the footnotes as needed to “determine whether a site plan is needed.” We suggest retitling that section, if kept, as “site plan group” and establishing a new use group concept that allows us to separate uses into major use categories. These categories are reflected in the new Use-Specific Conditions article.</i></p>		
A. Types of Zoning Districts	Article 3 preamble	We introduce legacy districts in 2.M above, but we may want to consider relocating content under this section of Article 4 district drafting continues.
B. Base Districts	Article 3 preamble	
C. Conditional Districts	Article 3 preamble	
D. Special Districts	Article 3 preamble	
E. Form-Based Districts	<i>New content</i>	
F. Overlay Districts	Article 3 preamble	
G. Zoning Districts Described	The district composition below reflects the current district structure and naming convention. As the new district palette is created between June and October to better align with the existing FLUM and recent TOD plan, districts will be merged, removed, evolved, reidentified as “legacy districts”, or added, and the configuration of the sections below will change as well.	
1) Base Districts	3.3. Conventional districts	
a. Town Center 1 (TC-1)	3.3.1 Town Center (TC-1, TC-2, TC-3)	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
b. Town Center 2 (TC-2)		These districts are a good example of where consolidation of districts (or subdistricts) could simplify the code structure while accomplishing the same goal.
c. Town Center 3 (TC-3)		
d. Community Commercial District (CC)	3.3.2 Community Commercial District (CC)	
e. Neighborhood Commercial District (N.C.)	3.3.3 Neighborhood Commercial District (N.C.)	
f. Office/Institutional—1 District (OI-1)	3.3.7 Office/Institutional—1 District (OI-1)	
g. Office/Institutional—2 (District (OI-2)	3.3.6 Office/Institutional—2 (District (OI-2)	
h. Office/Institutional—3 District (OI-3)	3.3.5 Office/Institutional—3 District (OI-3)	
i. Office/Institutional—4 District (OI-4)	3.3.4 Office/Institutional—4 District (OI-4)	
j. Industrial District (IND)	3.3.8 Industrial District (I)	The naming of these districts, in particular, will be explored through drafting to better reflect the intent. For example, how the numbers correlate with intensity of development is unclear based on the current naming convention; the average code user does not understand what “Residential 1A” means compared to “Residential 2” or “Residential 6”. More descriptive labels are needed that reflect, clearly and simply, what a district is and how it functions.
k. Residential Low Density (R-LD1)	3.3.9 Residential Districts (R-6, R-5, R-4, R-3, R-2, R-2A, R-1, R-1A, R-LD1, R-LD5)	
l. Residential Low Density (R-LD5)		
m. Residential 1A (R-1A)		
n. Residential 1 (R-1)		
o. Residential 2A (R-2A)		
p. Residential 2 (R-2)		
q. Residential 3 (R-3)		
r. Residential 4 (R-4)		
s. Residential 5 (R-5)		
t. Residential 6 (R-6)		
u. Rural Transition District (RT)	3.3.10 Rural Transition District (RT)	
v. Franklin-Rosemary Historic District (HD-1)	3.6.2 Historic Districts	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
w. Cameron-McCauley Historic District (HD-2)		
x. Gimghoul Historic District (HD-3)		
y. Materials Handling District (MH)	3.3.11 Materials Handling District (MH)	This district (and others, including the “U-University” district and “HRR – Historic Rogers Road” district) does not currently show up on the zoning map. Analysis of the existing ArcGIS zoning layer compared to the LUMO text is underway to further inform where districts exist – or don’t exist – in the ordinance and where clean-up needs to occur as a result of this update.
1) Conditional Districts	3.4. Conditional districts	
a. Residential-Special Standards-Conditional Zoning District (CZD)	3.4.2. Residential-Special Standards-Conditional Use Districts	
b. Parallel Conditional Districts	3.4.3 (a) Parallel conditional zoning districts	
c. Innovative, Light Industrial Conditional Zoning District (LI-CZD)	3.4.3 (b)1 Light Industrial Conditional Zoning District (LI-CZD) 3.4.4 Innovative, Light Industrial Conditional Zoning District	
d. Residential Special Standards Conditional Zoning District (R-SS-CZD)	3.4.3 (b)2 Residential Special Standards Conditional Zoning District (R-SS-CZD) 3.4.5 Residential-Special Standards-Conditional Zoning District (R-SS-CZD)	
e. Mixed Use Village Conditional Zoning District (MU-V-CZD)	3.4.3 (b)3 Mixed Use Village Conditional Zoning District (MU-V-CZD) 3.4.6 The Mixed-Use Village Conditional Zoning District (MU-V-CZD)	
f. Residential-Community Priority-Conditional Zoning District (R-CP-CZD)	3.1.3 Residential-Community Priority-Conditional Zoning District (R-CP-CZD) 3.4.7 Residential-Community Priority-Conditional Zoning District (R-CP-CZD)	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
2) Special Districts	3.5. Special Districts	
a. Mixed-Use-OI-1 (MU-OI-1)	3.5.1 Mixed Use Districts	Proposed to be moved under the Legacy District section of the rewrite.
b. Mixed-Use-R-1 (MU-R-1)	3.5.1 Mixed Use Districts	Proposed to be moved under the Legacy District section of the rewrite.
c. Mixed-Use Village (MU-V)	3.5.1 Mixed Use Districts	May be moved (in part or whole) under the Legacy District section. The pre-160D MU-V district required an associated SUP. With 160D implementation, new MU-V rezonings must be CZD. Will need to explore how best to reflect this consideration through district reconfiguration.
d. Office/Institutional—4 District (OI-4)	3.5.2 Office/Institutional—4 District (OI-4)	Proposed to be moved under the Legacy District section of the rewrite.
e. University-1 District (U-1)	3.5.5. University-1 District (U-1)	These districts are both used in conjunction with a Development Agreement and will require special consideration in the district configuration.
f. Development Agreement—1 District (DA-1)	3.5.6 Development Agreement—1 District (DA-1)	
3) Form-Based Districts		
a. Blue Hill form district	3.11. Blue Hill form district	
b. Traditional Neighborhood Development District (TND)	3.5.3 Traditional Neighborhood Development District (TND)	These districts have been placeholders and never identified officially on the zoning map. Alignment with the recommendations in the Shaping our Future Plan and mobility recommendations in the Complete Communities framework will be re-enforced specifically through this district, and/or comprehensively interwoven throughout other districts and design standards within the revised LUMO.
c. Transit Oriented Development District (TOD)	3.5.4 Transit Oriented Development District (TOD)	
d. Historic Rogers Road (HR)	3.5.7. Historic Rogers Road (HR-M, HR-L, HR-C and HR-X)	
e. Walkable Residential 3 (WR-3)	3.11.2.1. Walkable Residential 3 (WR-3)	These district classifications are part of the Blue Hill District and appear on the zoning map.
f. Walkable Residential 5 (WR-5)	3.11.2.1. Walkable Residential 5 (WR-5)	
g. Walkable Mixed-Use 5 (WR-5)	3.11.2.2. Walkable Mixed Use 5 (WR-5)	Alignment with elements of the Complete Community Framework include: active transportation options and
h. Walkable Mixed-Use 7 (WR-7)	3.11.2.2. Walkable Mixed Use 7 (WR-7)	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
		access to parks and greenspace under Social Equity Drivers; and walkable, human-scale, and oriented to active transportation and transit under Design Attributes.
4) Overlay Districts	3.6. Overlay Districts	
a. Resource Conservation District (RCD)	3.6.3 Resource Conservation District (RCD)	Currently exists as an unmapped overlay applied through Stream Determinations.
b. Watershed Protection District (WPD)	3.6.4 Watershed Protection District (WPD)	
c. Neighborhood Conservation Districts	3.6.5 Neighborhood Conservation District Appendix B	
(1). Northside Neighborhood Conservation District (CD-1)	Appendix B, Division 1 Northside Neighborhood Conservation District	
(2). Greenwood Neighborhood Conservation District (CD-2)	Appendix B, Division 2 Greenwood Neighborhood Conservation District	
(3). Kings Mill/Morgan Creek Neighborhood Conservation District (CD-3)	Appendix B, Division 3 Kings Mill/Morgan Creek Neighborhood Conservation District	
(4). Pine Knolls Neighborhood Conservation District (CD-4)	Appendix B, Division 4 Pine Knolls Neighborhood Conservation District	The map inserted in this section is labeled "Coker Hills Neighborhood Proposed NCD." However, this district is shown accurately on the zoning map. A thorough evaluation of the accuracy of how all updated districts are represented on the LUMO map will be necessary, prior to adoption.
(5). Mason Farm/Whitehead Circle Neighborhood Conservation District (CD-5)	Appendix B, Division 5 Mason Farm/Whitehead Circle	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
(6). Coker Hills Neighborhood Conservation District (CD-6)	Appendix B, Division 6 Coker Hills	
(7). Highland Woods Neighborhood Conservation District (CD-7)	Appendix B, Division 7 Highland Woods	
(8). Glen Lennox Neighborhood Conservation District 8A (CD-8A)	Appendix B, Division 8A Glen Lennox	
(9). Glen Lennox Neighborhood Conservation District 8B (CD-8B)	Appendix B, Division 8B Glen Lennox	
(10). Glen Lennox Neighborhood Conservation District 8C (CD-8C)	Appendix B, Division 8C Glen Lennox	This district is tied directly to a Development Agreement that governs new construction in this area. The entire section is incorporated by reference into the Development Agreement.
(11). Little Ridgefield Neighborhood Conservation District 8C (CD-9)	Appendix B, Division 9 Little Ridgefield	
(12). Elkin Hills Neighborhood Conservation District 10A (CD-10A)	Appendix B, Division 10A Elkin Hills	
(13). Elkin Hills Neighborhood Conservation District 10B (CD-10B)	Appendix B, Division 10B Elkin Hills	
H. Use Regulations	3.7. Use regulations	
1) Determination of a Use Category	3.7.1 Permitted, Special and Accessory Uses	These two sections will clarify and differentiate between type of use (is it considered a principal use or

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
	3.7.3 Use Groups	an accessory use onsite, and how many of each type of use may be permitted per lot, per district) and whether those types of uses are permitted by right or require a special use permit. Clarification of existing terminology – incidental, accessory, and ancillary – will be key.
2) Determination of Principal Uses	<i>New content</i>	
3) Interpreting the Table of Uses	Footnotes to the Use Matrix in 3.7.2, expanded.	
4) Table of Uses	3.7.2 Use Matrix Sections X.3 of all Appendix B districts (except 8C, which is 8C.4) need to be integrated.	
I. Dimensional Standards	3.8. Dimensional standards Sections Section X.3 of all Appendix B districts need to be integrated (except 8C, which needs far more thought and translation to code). 5.2.5. Lot Dimensions	Exceptions to dimensional standards may also be covered in this section.
5. Use-Specific Conditions		
<i>This article provides objective standards for certain uses. Standards may vary based on criteria such as by location (e.g., abutting a specific district or use/ use group), by intensity, and by permission type (e.g., by right or special use). Uses are arranged into categories, as shown, consistent with the way they are depicted in the Table of Uses for consistency and clarity.</i>		
A. Purpose and Applicability	ARTICLE 6. - SPECIAL REGULATIONS FOR PARTICULAR USES <i>Exception: 6.18. Planned developments</i>	
B. Agricultural Uses		
C. Residential Uses		
D. Civic, Institutional, and Cultural Uses		
E. Commercial and Business Uses		
F. Industrial Uses		
G. Park, Recreation, and Open Space Uses		
H. Accessory Uses		

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
I. Temporary Uses		
6. Building Types <i>This is a new article intended to provide standards for buildings in districts not otherwise specified (such as form-based districts). Building types will address the type, form, and attributes of a building; each district will identify what types of buildings are permitted based on scale and appropriateness. Potential building types to consider may include but not be limited to a detached home, cottage, duplex (duplex, single frontage), tri-plex, quad-plex, townhouse, multi-plex (small/large), apartment, neighborhood shopfront, mixed-use center, high-rise, drive-through, civic, institutional, distribution and storage, all-purpose.</i>		
A. Building Types Defined B. Building Types Allowed by District C. Building Elements	<i>New content</i>	Character-specific guidance provided in Chapel Hill 2020 and the FLUM, along with the Complete Community Framework elements related to Design Attributes, will be reflected through this article to reinforce where and how character and community intersect.
7. General Regulations <i>Regulations in this article are typically universal in nature meaning they would apply without regard to a particular zoning district based on a specific application, condition, or environment.</i>		
A. Incentive Zoning	3.9. Incentive zoning 3.8.7 Incentive for Residential Construction in Town Center (TC) Districts	Incentives are rarely, if ever used under the existing LUMO. These sections will be evaluated and updated according to today’s development environment to reinforce their role and usefulness.
B. Inclusionary Zoning	3.10 Inclusionary zoning	
C. Rules of Measurement	5.2.7. Location of Lot Lines	
D. Overall Site Design	5.1 Overall Site Design	Some regulations in the existing LUMO chapter 5.1 are design-based and could just as easily or perhaps more logically appear in Chapter 9 - Additional Design Standards.
1) Intent	5.1.1. Intent	
2) Applicability	5.1.2. Applicability	
3) Public Works Design Manual	5.1.3. Public Works Design Manual	
4) Site Preparation and Modifications Limited	<i>New content</i>	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
5) Reduction of Development Site Limited	<i>New content</i>	
E. Lot and Block Design	5.2. - Lot Layout standards	
1) Erection of Structures Only on Lots of Record	<i>New content</i>	
2) Principal Buildings Limited	<i>New content</i>	
3) General Site Arrangement	5.2.1. General Site Arrangement	
4) Applicability of Lot Design Standards	5.2.2. Applicability of Lot Design Standards	
5) Reduction of Lot Limited	<i>New content</i>	
6) Lot Coverage	<i>New content</i>	
7) Lot Arrangement	5.2.3. Lot Arrangement	
8) Lot Dimensions	5.2.5. Lot Dimensions	
9) Flag Lots	5.2.6. Flag Lots	
10) Location of Lot Lines	5.2.7. Location of Lot Lines	
11) Zero Lot Line Setback Modifications	5.2.8. Zero Lot Line Setback Modifications	
12) Permitted Encroachments	<i>New content</i>	
13) Yard and Open Space Calculations	<i>New content</i>	
F. Transportation and Mobility	<i>New content</i>	Will use guidance from the Town’s Engineering Design Manual to cross-reference standards in this section: https://www.townofchapelhill.org/government/departments-services/public-works/engineering/design-manual-and-standard-details/street-and-sidewalk
1) Street Classifications	<i>New content</i>	Street typologies will be incorporated by district, similar to building types, to reflect appropriate access, circulation, and streetscape requirements.
2) Lot Access and Limitations	5.2.4. Access to Streets 5.8. - Access and circulation	
3) Clear Sight Distance	5.8.3. Sight line triangle easements	
4) Improvements Required	<i>New content</i>	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
5) External Circulation	5.8.1. External Circulation	
6) Internal Circulation	5.8.2. Internal Circulation	
G. Recreational Facilities Required	5.5. Recreation	
H. Adequate Public School Facilities	5.16. Adequate public school facilities	
I. Prevention of Demolition by Neglect	5.17. - Prevention of demolition by neglect	
J. Performance Standards During Construction	5.15. Performance standards during construction	
K. Regulation of Certain Public Nuisances	<i>New content</i>	
1) Utilities and Equipment	<i>New content</i>	
2) Odor, Noise, Vibration, and Dust	<i>New content</i>	
Noise is addressed in the Town Code, Chapter 11, Article 3; this section may simply cross-reference the existing code chapter or expand upon use-specific performance-based standards that may be more appropriate within zoning.		
8. Parking and Loading		
<i>Parking and loading is broken out from other design-related articles since it typically is referred to frequently by all users. Components of recommended Chapter 6.F, Transportation and Mobility, may be incorporated in this chapter based on feedback from staff.</i>		
A. General Standards	5.9.4. Use of Required Parking and Loading Space 5.10 Disability Access	
B. Off Street Vehicle Parking Required	5.9.1. Off-Street Parking and Loading Required	
C. Exceptions to Off-Street Parking Requirements	5.9.2. Methods of Providing Required Parking and Loading	
D. Shared Parking	5.9.3. Shared Parking	
E. Off-street Vehicle Parking Standards	5.9.5. Parking Design Standards 5.9.7. Minimum and Maximum Off-Street Parking Space Requirements	
1) Parking Reductions	<i>New content</i>	
2) Overflow, Event, and Temporary Parking	<i>New content</i>	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment	
3) Parking for Changes in or Expansions to an Existing Use	<i>New content</i>		
4) Parking and Storage of Other Vehicles Requiring Licenses	<i>New content</i>		
5) Parking and Storage of Non-Residential Vehicles in Residential Districts	<i>New content</i>		
6) Parking for Vehicles for Sale	<i>New content</i>		
7) Parking in Front Yards	5.9.9. Parking in Front Yards		
F. Drive-Through Access Management and Circulation	<i>New content</i>		
1) Stacking Spaces	<i>New content</i>		
2) Design Requirements	<i>New content</i>		
G. Bicycle and Other Non-vehicular Parking	5.9.7. Minimum and Maximum Off-Street Parking Space Requirements—footnote and paragraphs following the table		
H. Loading Area Requirements	5.9.8. Loading Space Design Standards 5.9.10. Minimum Off-Street Loading Space Requirements		
I. Multi-Modal Facilities	5.9.7. Minimum and Maximum Off-Street Parking Space Requirements—footnote and paragraphs following the table		
9. Landscaping, Buffers, and Open Space			
<i>Like parking, landscaping is a specific topic often searched for separately within a code. All elements related to the landscape such as planting, buffers, tree protection, fences, walls, screening, and open space are covered here.</i>			
A. Purpose and Applicability	<i>New content</i>	There may be a need or desire to move landscaping standards for parking lots under Article 7; this is wholly based on preference.	
B. Landscaping and Maintenance Plan Required	5.6.10. Maintenance of Landscaping		
C. Existing Vegetation	5.6.9. Existing Vegetation		
D. Onsite Landscaping Requirements	5.9.6. Parking Landscaping Standards		
E. Offsite Landscaping Requirements	<i>New content</i>		

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
F. Buffers	5.6. Landscaping, screening, and buffering (most parts)	
G. Tree Preservation	5.7. Tree protection	
H. Fences, Walls, and Screening	5.6.7. Other Required Screening	
I. Open Space Amenity Requirements	<i>New content</i>	Blue Hill standards distinguish between Outdoor Amenity Space (public) and Recreation Space (for residents and may offer a useful approach to build from
10. Additional Design Standards		
<i>This article includes any design element not reflected in previous articles.</i>		
A. Purpose and Applicability	<i>New content</i>	
B. Lighting	5.11. Lighting Standards	
C. Utilities	5.12. Utilities	
D. Solid Waste Collection and Recycling	5.13. Solid waste collection and recycling	This topic is also covered in Chapter 8 of the Town Code
11. Sign Standards		
<i>Frequent questions and permit requests are related to signage. For this reason, signs are in a separate article for quick reference. While this article primarily reorganizes content that exists in Article 5 in the LUMO today, all content will be reviewed and adjusted to ensure content-neutrality. Explaining and clearly illustrating signs by type and applicability by district will also be a change in how content is organized and presented from the existing LUMO.</i>		
A. Purpose and Applicability	5.14.1. Intent 5.14.2. Applicability	
B. Signs Exempt from Regulation	5.14.4. Signs Exempt from Regulation	
C. Permit Required	<i>New content</i>	
D. General Provisions	5.14.6 General Standards 5.14.3. Signs in the Right-of-Way	
E. Prohibited Signs	5.14.5. Prohibited Signs	
F. Temporary Signs	<i>New content</i>	
G. Sign Types Permitted by District	5.14.7. Permitted Signs 5.14.8. Specialty Sign Types	
H. Additional Requirements by Sign Type	5.14.10. Changeable Copy	
I. Sign Design Standards and Measurements	5.14.9. Sign Measurements	
J. Sign Illumination	5.14.11. Sign Illumination	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
K. Sign Maintenance	5.14.9.(e) Sign Maintenance	
12. Environmental Protection and Hazard Mitigation <i>Environmental standards, like parking and landscaping, are specific site design requirements related to but apart from other design issues. For this reason, they are located in a separate article.</i>		
A. Natural and Cultural Resource Protection	<i>New content</i>	The term “cultural resource” will need to be well-defined, to differentiate from historic preservation objectives. This section may revert simply to “natural resource protection” upon further analysis.
B. Grading, Drainage, and Erosion Control	5.3.1. Erosion and Sedimentation Control	
C. Jordan Watershed Riparian Buffer Protection	5.18 Jordan watershed riparian buffer protection	
D. Jordan Watershed Stormwater Management for New Development	5.19. Jordan watershed stormwater management for new development	
E. Steep Slopes	5.3.2. Steep Slopes	
F. Stormwater Management	5.4. Stormwater management	
G. Brownfield Development	<i>New content</i>	A search on this in the Town’s Code did not turn up any information. The North Carolina map shows more than a few: https://www.deq.nc.gov/about/divisions/waste-management/science-data-and-reports/gis-maps/brownfields-projects-map-inventory-and-document-download
13. Development Types <i>Development types are often inaccurately included in use tables. This article separates them from uses since they typically reflect how land is developed and not necessarily how it is used (e.g., residential, commercial, etc.). There may be other development types the town wants to include such as tiny home developments, cottage courts, and green building. These can easily be added.</i>		
A. Planned Development	6.18. Planned developments	Currently, Planned Development standards have to be linked to an SUP. They are not available through Conditional Zoning. Based on guidance provided by staff, Planned Development regulations that offer greater flexibility on standards in larger or mixed-use projects would be helpful in furthering the objectives of

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
		this tool. These requirements may look very different than they do today.
1) Establishment of Planned Developments	6.18.1. Establishment of Planned Developments	
2) Permitted Modifications of Regulations	6.18.2. Permitted Modifications of Regulations	
3) Relation to Subdivision Review	6.18.3. Relation to Subdivision Review	
4) Planned Development-Housing (PD-H)	6.18.4. Planned Development-Housing (PD-H)	
5) Planned Development-Shopping Center (PD-SC)	6.18.5. Planned Development-Shopping Center (PD-SC)	
6) Planned Development-Office and Institutional (PD-OI)	6.18.6. Planned Development-Office and Institutional (PD-OI)	
7) Planned Development-Mixed Use (PD-MU)	6.18.7. Planned Development-Mixed Use (PD-MU)	
8) Planned Development-Industrial (PD-I)	6.18.8. Planned Development-Industrial (PD-I)	
B. Cluster Development	3.8.8 Cluster Development 3.6.4 Watershed Protection District (WPD)	Current Cluster Development standards offer opportunities to reduce lot size and setbacks, similar to the Planned Development and Townhouse Development requirements. There may be good reason to continue to keep these separate or offer clear incentives and parameters for how each development type is different. If the end result is a lack of differentiation, consolidation will be explored.
C. Conservation Development		
D. Manufactured Home Parks		

14. Administrative Procedures and Processes
The current LUMO has administrative procedures located fairly early in the code, but our experience with codes is that users want to know the “what” before the “how.” This article includes most administrative procedures, however, where a procedure is integrally related to a specific standard or use, it has been left there. An example would be watershed protection procedures related to state requirements. In addition to “how,” this article identifies who has responsibility under the code as well as lays out procedural functions by type.

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
A. Administrative Roles and Responsibilities	ARTICLE 8. ADMINISTRATIVE MECHANISMS	
1) Planning Director	<i>New content</i>	The Town Manager is vested now, but this has resulted in some confusion. Look to clarify through clear definition of roles.
2) Town Manager	8.6. Town manager	
3) Town Council	8.1. Town council	
4) Planning Commission	8.2. Planning commission	
5) Board Of Adjustment	8.3. Board of adjustment	
6) Historic District Commission	8.4. Historic District Commission	
7) Community Design Commission	8.5. Community Design Commission	
B. General Application Requirements	4.1. General procedural requirements	
1) Application Process	4.1.1 Application Process	
2) Completeness Review	4.1.2 Completeness Review	
3) Development Approvals and Legislative Decisions; Changes, Modifications and Revocations	4.1.3 Development Approvals and Legislative Decisions; Changes, Modifications and Revocations	
4) Application Process	4.1.1 Application Process	
5) Split Jurisdiction Planning and Development Regulations	4.1.5 Split Jurisdiction Planning and Development Regulations	
C. Types of Decisions	<i>New content</i>	
1) Administrative Decisions	<i>New content</i>	
a. Determinations and Interpretations	4.11. Determinations	
b. Site Plan Approval	4.7. Site plan review	LUMO currently requires Planning Commission review and approval now. Recommend this level of review only occur when there is a special use permit or conditional zoning request, and to clarify this in the rewrite.
c. Zoning Compliance Permit	4.9. Zoning compliance permit	
d. Determination of a Vested Right	4.1.4 Vested Rights	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
e. Minor Waiver	5.14.13 Guidelines for Administrative Adjustment of Signage Regulations	Expand this to cover all minor variances, not just with signs.
f. Subdivision Approval	4.6. Subdivision	
g. Form District Permits	3.11. Blue Hill form district	
h. Site Development Permits	3.3.4 Office/Institutional—4 District (OI-4), UNC district specifically	
2) Legislative Decisions	<i>New content</i>	
a. Zoning Amendments	4.4. Zoning amendments	This section needs to clearly distinguish between text amendments and map amendments; it currently is not intuitive within the LUMO.
b. Comprehensive Planning	4.2. Comprehensive plan	
c. Concept Plan Review	4.3. Concept plan review	Clarify advisory role of reviewing authority; consider moving out from under this section and creation an advisory subsection under “C – Types of Decisions” above.
d. Master Land Use Plan	4.8. Master land use plan	
3) Quasi-Judicial Decisions	<i>New content</i>	
a. Major Waiver	<i>New content</i>	
b. Special Use Permits	4.5. Special use permits	
c. Appeal of Administrative Decision	4.9. Zoning compliance permit 4.12. Variances and appeals	
d. Appeal of Administrative Determinations	4.11. Determinations	
e. Certificate of Appropriateness (COA)	<i>New content</i>	
f. Variances	4.12. Variances and appeals 4.12.2 Variances 3.6.3(j) Variances in the Resource Conservation District	
15. Enforcement and Penalties		
<i>This article is rarely referred to by community users but is essential for successful code administration by staff. Sections to clarify the enforcement process have been added to provide clarity and consistency in approach to enforcement action.</i>		
A. Determination of a Violation	4.13.1. Violations	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
B. Liability	4.13.2. Liability 3.6.4(i)Correction of violations	
C. Types of Violations	<i>New content</i>	
D. Notice of Violation	<i>New content</i>	
E. Initiation of Enforcement Action	<i>New content</i>	
F. Inspection and Investigation	4.13.3. Inspections and Procedures Upon Discovery of Violations	
G. Voluntary Compliance	<i>New content</i>	
H. Failure to Act	<i>New content</i>	
I. Criminal Prosecution	4.13.4. Penalties and Remedies	
J. Types of Remedies	4.13.4. Penalties and Remedies	
K. Remedies are Cumulative	4.13.4. Penalties and Remedies	
L. Collection of Unpaid Penalties	<i>New content</i>	For consideration: penalties in North Carolina (including traffic fines) have to be remitted by the collector to the local school system. For this reason, many communities don't put a lot of emphasis on them, but when they do they have authority to collect in the manner of unpaid taxes (i.e., a lien). This may be an area the Town wishes to expand upon as the rewrite advances.
M. Notice to Other Departments	<i>New content</i>	
16. Language Rules and Definitions		
<i>The last article is a reference for all users regarding how specific words, terms, abbreviations, and phrases are to be interpreted. This tends to be a long article that we feel is best saved for last.</i>		
A. Rules for Interpretation	Appendix A plus definitions scattered throughout the code (e.g., Blue Hill District 3.11.4.8 and Signs 5.14.12)	
B. Rules for Words and Phrases		
C. Definitions		