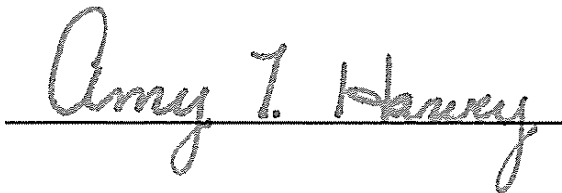


I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2020-06-24/O-3) enacted by the Chapel Hill Town Council on June 24, 2020.

This the 25th day of June, 2020.

A handwritten signature in cursive script that reads "Amy T. Harvey". The signature is written in black ink and is positioned above a solid horizontal line.

**Amy T. Harvey
Deputy Town Clerk**



ORDINANCE A
(Enacting the Land Use Management Ordinance Text Amendment I)

AN ORDINANCE AMENDING SECTION 3.7 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE RELATED TO PERMITTING FLEX OFFICE IN TOWN CENTER ZONING DISTRICTS AND EXPANDING DEFINITIONS RELATED TO TYPES OF RETAIL (2020-06-24/O-3)

WHEREAS, on February 19, 2020, Mayor Hemminger submitted a petition to the Town Council to expand the existing land use types to include Experiential Retail, and the Town Council received the petition and referred it to the Town Manager; and

WHEREAS, the nature of retail is changing and the current Land Use Management Ordinance definitions do not reflect new forms of retail, such as experiential retail; and

WHEREAS, the Planning Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.7 and Appendix A on April 7, 2020 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing to amend Article 3, Section 3.7 and Appendix A of the Land Use Management Ordinance as it relates to permitting flex office in Town Center zoning districts and expanding definitions related to types of retail for the Council's April 22, 2020 meeting; and

WHEREAS, the Council continued and held that public hearing on June 10, 2020, receiving comments through 11:59 pm on June 11, 2020, and closed the public hearing at that point; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) Article 3, Section 3.7 and Appendix A related to permitting flex office in Town Center zoning districts and expanding definitions related to types of retail, and 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:

- Foster success of local businesses (Community Prosperity and Engagement.2)
- A vibrant, diverse, pedestrian-friendly, and accessible downtown with opportunities for growing office, retail, residential, and cultural development and activity (Good Places, New Spaces.2)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill's character for residents, visitors, and students (Good Places, New Spaces.5)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Good Places, New Spaces.8)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that the Town Code of Ordinances, Appendix A. Land Use Management Ordinance, Article 3, Zoning Districts, Uses, and Dimensional Standards, Section 3.7 Use regulations and Appendix A Definitions be amended as follows:

and beauty salons. **Establishments primarily engaged in providing individual services generally related to personal needs. Typical uses include, but are not limited to spas, massage facilities, dry cleaners, tailors, and tattoo parlors.**

*Recreation facility, commercial **indoor***: A private profit-making facility providing recreational activities enclosed within buildings, including commercially operated indoor swimming pools and tennis courts, health clubs, gymnasiums, amusement arcades, bowling alleys, **and** indoor skating rinks, ~~and pool halls.~~

Retail services: Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use including personal services and instruction. This term does not include places of assembly.

Retail sales: Establishments engaged in selling of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Section 3. This ordinance shall be effective upon enactment.

This the 24th day of June, 2020.