

TOWN OF CHAPEL HILL

Town Hall 405 Martin Luther King Jr. Boulevard Chapel Hill, NC 27514

Town Council Meeting Agenda

Mayor Pam Hemminger Mayor pro tem Karen Stegman Council Member Jessica Anderson Council Member Camille Berry Council Member Tai Huynh Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Wednesday, October 18, 2023 7:00 PM

Library Meeting Room B

Language Access Statement

For interpretation or translation services, call 919-969-5105.

ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁ဝ၅ ကိုဖုန်းခေါ်ပါ။

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In-Person Meeting Notification

Changes in Meeting Material content

- We are trying something new this fall to make our Agenda packets clearer and easier to navigate. You'll notice streamlined reports and more hyperlinks to supporting documents.
- Staff presentations will be posted after the meeting, not as drafts in the packet, to allow more time to prepare high-quality presentations.
- We will also produce an "information items" packet periodically, to share items that don't require Council action, but are important to the Council and community. Those packets will be published on our website.

View the Meeting

- Public attendance is welcome, and limited to room capacity
- We will not live stream the event, but will provide the Post-Meeting Video https://www.townofchapelhill.org/councilvideo/
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in

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person - https://www.townofchapelhill.org/demosurvey

Parking and Entry

- Parking is available at the Library lots. The Library is served by CL Route, D Route, and GoTriangle Routes of Chapel Hill Transit
- Meeting Room B is to the right from the main entrance.
- Please do not bring signs.

ROLL CALL

OPENING

ANNOUNCEMENTS BY COUNCIL MEMBERS

AGENDA ITEM

1. Rewriting Our Rules - A LUMO Update and Policy
Discussion

[23-0744]

PRESENTER: Tas Lagoo, Principal Planner

This item will give staff an opportunity to update Council on the status of the LUMO rewrite project and to receive Council feedback on key policy questions related to the effort.

2. Planning Department Administrative and Initiative
Updates

[23-0745]

The purpose of this item is to highlight procedural improvements, staffing updates, and other tasks currently underway with the Planning Department.

REQUEST FOR CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT, PROPERTY ACQUISITION, PERSONNEL, AND/OR LITIGATION MATTERS



TOWN OF CHAPEL HILL

Town Hall 405 Martin Luther King Jr. Boulevard Chapel Hill, NC 27514

Item Overview

Item #: 1., File #: [23-0744], Version: 1

Meeting Date: 10/18/2023

Rewriting Our Rules - A LUMO Update and Policy Discussion

Staff:

Department:

Britany Waddell, Director Judy Johnson Assistant Director Tas Lagoo, Principal Planner Planning

Please see staff memo of the following page

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Tas Lagoo, Principal Planner

This item will give staff an opportunity to update Council on the status of the LUMO rewrite project and to receive Council feedback on key policy questions related to the effort.



Council Work Session: Rewriting Our Rules – A LUMO Update and Policy Discussion

Planning Dept. Staff: Britany Waddell, Judy Johnson, Tas Lagoo

Town Council Meeting Date: October 18, 2023

Overview

Staff will update Council on "Rewriting Our Rules" – the project to comprehensively update our Land Use Management Ordinance (LUMO) – and listen to Council discussion on five key policy questions (discussed below). The key policy questions are based on several of the "Priority Improvements" identified in the attached Plan Alignment Memo prepared by Orion Planning + Design and other analysis conducted by the project team.

A brief "Planning Glossary" is included at the end of this document to make it more accessible to all readers.

Project Goals

We need a thorough update of LUMO to better implement the Town's Comprehensive Plan.

LUMO was adopted in 2003 and since that time, the Town has adopted multiple Comprehensive Plan elements that are not reflected in the ordinance. By thoroughly updating LUMO, the Town can better implement:

- Complete Community Strategy¹
- Future Land Use Map²
- Shaping Our Future: A Transportation and Land Use Initiative³
- Climate Action and Response Plan⁴
- Mobility and Connectivity Plan⁵
- Chapel Hill 2020⁶

Key Policy Questions

For each of the policy questions included in this section, please consider the following prompts:

- Is this the general direction you believe Chapel Hill should move in?
- What tradeoffs are you most concerned about?
- Are there specific actions that the town should take in relation to this topic?
- What additional information do you need on this topic?

¹ https://www.townofchapelhill.org/home/showpublisheddocument/53972/638222644055270000

² https://online.flippingbook.com/view/26191/

³ https://www.townofchapelhill.org/government/departments-services/planning/plans-and-ordinances/current-initiatives/shaping-our-future

⁴ https://online.flippingbook.com/view/857144275/

⁵ https://www.townofchapelhill.org/residents/transportation/bicycle-and-pedestrian/chapel-hill-mobility-and-connectivity-plan

⁶ https://www.townofchapelhill.org/home/showpublisheddocument?id=15001

- 1. **By-Right Development:** Should the LUMO expand opportunities for administrative development approvals (i.e., by-right development)?
 - The Town's "20/40 Rule" requires new developments that exceed either 20,000 square feet of floor area or 40,000 square feet of land disturbance to obtain a Special Use Permit (SUP) or a Conditional Zoning (CZ).
 - Expanding opportunities for by-right development can bring more predictability to the development review process. Lower barriers to entry can also result in more equitable outcomes⁷ for current and future residents.
 - Conditional zoning allows the Town to negotiate with developers and secure commitments for community benefits that the Town cannot require through LUMO. However, the length, complexity, and uncertainty of the process are often cited as reasons that developers choose not to work in Chapel Hill.
- 2. **Development Intensity:** Should LUMO and the zoning map be aligned with the development intensities called for in the Focus Areas of the Future Land Use Map (FLUM)?
 - LUMO controls development intensity using a variety of tools including (1) height limits, (2) floor area ratios (FAR), (3) building setbacks, and (4) landscape buffers.
 - Often, these standards are not aligned with the development patterns identified in the FLUM. For example, the development intensity for the focus areas in the FLUM frequently exceeds LUMO's current FAR and height limits.
 - This mismatch between the FLUM and LUMO acts as a further source of pressure that pushes applicants towards the conditional zoning process, which is then used to modify many LUMO regulations on a project-by-project basis.
- 3. **Mixed-Use Districts:** Should LUMO allow more by-right mixed-use options to support small-scale commercial uses such as corner stores, pharmacies, and restaurants?
 - Existing residential zoning districts do not support small-scale commercial development. Our current residential zoning districts are exclusively residential except for certain uses such as places of worship, schools, essential services, and daycares.
 - Existing mixed-use districts include requirements for a minimum amount of commercial floor area. These minimum requirements are often modified through the conditional zoning process.
 - Small-scale commercial development can improve walkability by placing amenities closer to or within residential neighborhoods.

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⁷ https://www.planning.org/publications/document/9264386/

- 4. **Parking Minimums:** Should LUMO lower or remove parking minimums? If so, for all uses or specific uses?
 - The Planning Commission <u>petitioned Council</u> on June 21, 2023, to abolish parking minimums, significantly reduce parking maximums, and require the unbundling of parking costs from housing costs.
 - Developers often point to investor/lender requirements that they include parking as the driving force for providing parking, not LUMO standards.
 - Raleigh abolished parking minimums in 2022.
- 5. **Single-Family Homes:** Should LUMO include regulations for single-family homes that are more consistent with regulations for other uses?
 - LUMO currently exempts single-family homes from several standards (e.g., FAR, tree canopy coverage, and most stormwater regulations) that apply to other development.
 - State law imposes significant restraints on how local governments can regulate single-family homes. Any new regulations would need to be carefully crafted to stay within the Town's authority.
 - Additional single-family dwelling unit regulations may add substantial cost to the property owner.

Next Steps

- 1. **November 13 Council Work Session:** Staff and project consultants are scheduled to return at the November 13, 2023, Council Work Session to discuss follow-up questions from October 18th and to present additional information regarding:
 - affordable housing incentives,
 - building design standards,
 - reorganized zoning districts.
- 2. **New Member Orientation:** Staff will present to Council in early 2024 to orient new Council members to the LUMO rewrite project and learn about the priorities of new members.
- 3. **Preparing the Draft LUMO:** Based on Council feedback, the project team will refine the proposed zoning district palette and continue to compile the draft LUMO. Additional focus group meetings may be held to test certain ordinance elements before the draft LUMO is published.
- 4. **Draft LUMO:** A preliminary draft of the revised LUMO will be presented to Council in Spring 2024. The project team will also host a series of public events to share the draft and receive public comment.

Attachments

- 1. Planning Glossary
- 2. Plan Alignment Memo prepared by Orion Planning + Design (June 21, 2023)

Planning Glossary

Plans and Regulations

Comprehensive Plan:

Chapel Hill's 2020 Comprehensive Plan was adopted in 2012 and defines the long-range vision for the town. It is meant to reflect the community's values, aspirations, and ideas. Since 2012, the Town Council has adopted several additional components to the 2020 Comprehensive Plan. You can learn more about each element of our comprehensive plan here.8

Comprehensive plans are not laws, but they set the stage for other more detailed plans and regulations. In North Carolina, local governments must have a comprehensive plan or land use plan to adopt and enforce land use regulations (e.g., a zoning map and Land Use Management Ordinance).

Future Land Use Map (FLUM):

The FLUM is an element of Chapel Hill's comprehensive plan that defines a more detailed vision for how we want specific parts of town to look in the future. This plan directs the most substantial change in development and infrastructure to parts of town known as "Focus Areas." There are six Focus Areas located around major corridors including Franklin Street, US 15-501, and Martin Luther King Jr. Blvd

The FLUM acts as a bridge between the comp plan and the Land Use Management Ordinance (LUMO).

Land Use Management Ordinance (LUMO):

Most communities have regulations that govern development, including where a building can be located on a property, how tall it can be, or what it can be used for. This same set of rules can also determine the design of streets and parking lots, lighting and signs, stormwater infrastructure, and landscaping. In Chapel Hill, the current set of development regulations is called a Land Use Management Ordinance, or "LUMO." You can find the Town's Land Use Management Ordinance (LUMO) online here.9

Land Use Tools

Zoning Districts:

Zoning districts are the fundamental building blocks of a zoning code and usually have abbreviated names that include a mix of letters and numbers to differentiate them (e.g., R-1, R-2, C, etc).

Zoning districts limit what sort of uses are allowed in a particular area and often have detailed requirements that control a building's size and its relation to its surroundings.

⁸ https://www.townofchapelhill.org/government/departments-services/chapel-hill-2020

⁹ https://library.municode.com/nc/chapel hill/codes/code of ordinances?nodeId=PTIICO APXALAUSMA

Zoning Map:

The zoning map impacts how Chapel Hill looks and feels as a place. The zoning map is the geographic application of zoning districts. It takes the districts described in the code and applies them to different areas of town. This means each property has a zoning district applied to it.

By-Right Zoning:

If a proposed development fits within the rules of LUMO, a property owner can build it "by-right". Town staff would ensure the plans meet the standards of LUMO and approve the project without needing approval from the Town Council.

Conditional Zoning Districts and Special Use Permits:

In Chapel Hill, any development that includes more than 20,000 square feet of floor area or disturbs more than 40,000 square feet of land must receive a Conditional Zoning District or Special Use Permit. Either option involves extensive review from Town staff, the Planning Commission, and Town Council.

Floor area ratio (FAR):

Floor area ratio (FAR) is the ratio between the floor area of a building and the size of the lot. For example, a FAR of 2.0 means that the total floor area of a building can be twice as much as the are of the lot. A FAR of 2.0 is typical for a mid-rise office building or a mid-rise multi-family building. A FAR of 0.5 would likely be a retail strip mall with surface parking. Taller buildings will have a much higher FAR.

Setback:

Setbacks are the minimum distance a structure must be from the edges of the property line. This mostly addresses setbacks at the ground level. Some codes also require additional setbacks from the property line for upper floors on taller buildings.

Mixed use:

"Mixed Use" refers to properties or areas that include multiple land uses, instead of just a single use. Mixed use developments can include combinations of residential, commercial, office and other uses. Mixed use can be in a single building or in multiple buildings.

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	Align zoning districts with established FLUM and TOD land use designations. Collapse districts that are	Charting Our Future 2020	Foster land use decisions that recognize, integrate, and sustain the Town's unique natural environment Sustain and create a sense of place that is distinctive to Chapel Hill Balance development/redevelopment while protecting and preserving
	Community Strategy and TOD plan. Align zoning districts with FLUM and TOD land use designations.	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).	2019 NSBRT Transit Oriented Development Framework	the Town's natural environment and resources 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
		Add or expand zoning districts to reflect the distinct character, and qualities of neighborhoods and areas within Chapel Hill.	Shaping Our Future – A Transportation and Land Use Initiative	Dynamic, mixed land uses Distinctive and attractive development
		•	Complete Community Framework	Housing: diverse housing types, mixed-income housing, inclusive housing Mixed-use: retail, community facilities, employment
	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. Pull recurring standards and processes out of Article 3 and Appendix B and consolidate in one article organized around procedures and administration. 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. Illustrate instead of narrate wherever possible, especially when describing site design and development standards (currently in Article 5).	Charting Our Future 2020	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 Chapel Hill 2020 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	The LUMO requires a comprehensive reorganization of content to reduce	Update uses and use groups to include more mixed-use options	Charting Our Future 2020	Sustain and create a sense of place that is distinctive to Chapel Hill			
SERVE THE COMMUNITY (cont'd)	redundancy and conflict, improve readability, and support greater functionality by streamlining process,	and expand by-right mixed-use options across districts to support meaningful, context-sensitive development in places where it makes sense. 2019 NSBRT Transit Oriented Development Framework Shaping Our Future – A Transportation and Land Use Initiative	options across districts to support		Ensure the Town's fiscal well-being by diversifying and increasing its tax base		
	simplifying information delivery, and making concepts more accessible to the reader through graphics,		development in places where it		mplifying information delivery, and development in places where it aking concepts more accessible to makes sense.	Oriented Development	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
	illustrations, hyperlinks, and an approachable for					Housing diversity and affordability	
	mat. (cont'd)			Dynamic, mixed land uses			
			Complete Community	Housing: diverse housing types, mixed-income housing, inclusive			
			Framework	housing			
				Mixed-use: retail, community facilities, employment			
		Revise the sign code chapter to		ted to content neutrality are necessary to align with federal caselaw, not			
		remove content-specific regulation,		Chapel Hill. Additional updates may be necessary to align with recent			
		focusing on time, place, and		determinations and caselaw.			
		manner to regulate signage moving forward.	Shaping Our Future – A Transportation and Land	Vibrant, high quality public realm			
		ioi wara.	Use Initiative				
			Complete Community Framework	Public realm: inclusive public realm, new public spaces, exceptional quality			

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
OVERARCHING IMPROVEMENTS TO THE LUMO THAT WILL BETTER SERVE THE COMMUNITY (cont'd)	Processes are hindering the type of development the Town wants to encourage.	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.	framework, it is widely reconsistency, streamline pro LUMO that may in turn cor product. Goal 3, Theme 4 co	ments are not directly supported or identified by the Chapel Hill planning ognized that these types of improvements will create efficiencies, support occesses, reduce timeframes and cost, improving the overall efficacy of the attribute to more positive interaction with regulations and a better of <i>Chapel Hill 2020</i> calls for "a development decision-making process that tency with the goals of the Chapel Hill 2020 comprehensive plan", which bugh this change.
		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.		
		Reduce documentation and advisory board review requirements during the concept plan process.		
		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.		
		Adopt concurrent review processes and consider an expedited review for development that does not request a variance or conditional approval.		
CODE IMPROVEMENTS NEEDED TO REINFORCE SOCIAL EQUITY IN HOUSING	Zoning districts are too rigid and lack appropriate density in areas slated for future development (particularly along TOD corridors and within focus areas).	As appropriate, expand missing middle housing types in residential zones to reinforce gentle density while integrating contextappropriate housing options in established neighborhoods as well	Charting Our Future 2020	Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for 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

TO REINFORCE SOCIAL EQUITY IN HOUSING (cont'd) app fut	ning districts are too rigid and lack propriate density in areas slated for ture development (particularly along DD corridors and within focus areas).	as areas slated for future development. As appropriate, increase by-right development densities in residential and mixed-use zones,	Charting Our Future 2020	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
	•	development densities in residential and mixed-use zones,		
		residential and mixed-use zones, with the potential to tie additional	Shaping Our Future – A Transportation and Land Use Initiative	Enhanced equity and opportunities Housing diversity and affordability Dynamic, mixed land uses
			Complete Community Framework	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.		
	e LUMO fails to meaningfully tegrate transportation improvements	Integrate context-sensitive streetscape, access, circulation,	Charting Our Future 2020	Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for Chapel Hill
TRANSPORTATION tha	at will support greater connectivity in oth the public and private realm.	•	2019 NSBRT Transit Oriented Development Framework	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

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
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. 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.	Shaping Our Future – A Transportation and Land Use Initiative Complete Community Framework	Vibrant, high quality public realm Multimodal transportation options, connectivity, and complete streets Smart" growth and development 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. Create development incentives tied to community resources and access to wellness amenities that provide a community benefit. Permit community gardens, as well as indoor and rooftop garden facilities, in all zones to improve food access with minimal restrictions. Permit opportunities for microlivestock (e.g., chickens, rabbits) with clear performance standards in select zoning districts. Require a major subdivision to incorporate or provide non-	Charting Our Future 2020 2019 NSBRT Transit Oriented Development Framework	Invest in the infrastructure necessary to create a vibrant, equitable, economically sustainable, resilient future for 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 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.

KEY THEME	FINDING	PRIORITY IMPROVEMENT	INFORMED BY PLAN	OBJECTIVE ACCOMPLISHED
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	motorized access to new food system assets (e.g., community garden space, farmers market space, greenway connections to similar amenities offsite).	Shaping Our Future – A Transportation and Land Use Initiative Enhanced equity and opportunities	Multimodal transportation options, connectivity, and complete streets Dynamic, mixed land uses
	given use restrictions and historic development patterns in Chapel Hill. (cont'd)	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.	Complete Community Framework	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. Allow overlap between stormwater and landscape buffer requirements in the resource conservation district (and beyond) so there is cross- benefit and greater environmental impact. Implement strong tree protection standards and codify native species landscaping either by requirement or incentive. Revise parkland dedication requirements to require useable	Charting Our Future 2020 2019 NSBRT Transit Oriented Development Framework Shaping Our Future – A Transportation and Land Use Initiative Complete Community Framework	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 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 Sustainability, resilience, and environmental stewardship 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		space or cash-in-lieu for amenity		
PROTECT COMMUNITY ASSETS	B : 1 : 1 : 1 : 1 : 1	development or enhancement.	Cl 1' 0 5 1 2020	
(cont'd)	Design character is not articulated sufficiently in the LUMO to accomplish	Expand the opportunity for mixed- use development at appropriate	Charting Our Future 2020	Sustain and create a sense of place that is distinctive to Chapel Hill Invest in the infrastructure necessary to create a vibrant, equitable,
	the Town's stated goals of preserving and enhancing community character.	scales across most districts.		economically sustainable, resilient future for Chapel Hill
		Adopt building typologies applicable to all zoning districts to further design character,	2019 NSBRT Transit Oriented Development Framework	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
		appropriate massing, orientation, and scale.		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
		Incorporate and illustrate site		Green infrastructure: incorporate landscape, vegetation, habitat and
		design requirements including		progressive storm-water management into the public realm
		access, circulation, and parking	Shaping Our Future – A	Dynamic, mixed land uses
		requirements.	Transportation and Land Use Initiative	Distinctive and attractive development
		Require parking be located behind	Complete Community	Mixed-use: retail, community facilities, employment
		primary structures in most residential, mixed-use, and	Framework	Public realm: inclusive public realm, new public spaces, exceptional
		neighborhood commercial districts,		quality
		and incentivize parking reductions through a variety of alternative methods.		Green: green spaces, green landscape, rich landscape, trees, protecting natural
		Reduce setbacks and incorporate build-to envelopes/lines to create appropriate relationships between the public and private realm.		
CODE IMPROVEMENTS TO	The configuration of districts and uses	Incorporate neighborhood-scale	Charting Our Future 2020	Sustain and create a sense of place that is distinctive to Chapel Hill
INCREASE ACCESS TO PROGRAMS AND AMENITIES	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.	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. Consider integrating, where appropriate, accessory, or		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 Support the Town's economic development strategies, including job creation
		secondary residential uses in select commercial districts to facilitate	2019 NSBRT Transit Oriented Development Framework	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		better proximity to goods and	2019 NSBRT Transit	Green infrastructure: incorporate landscape, vegetation, habitat, and
INCREASE ACCESS TO PROGRAMS		services.	Oriented Development	progressive storm-water management into the public realm
AND AMENITIES (cont'd)			Framework	
AND AMENTIES (cont a)		Expand uses and use groups to	Shaping Our Future – A	Homegrown economic development
		address incubator and co-working	Transportation and Land	Multimodal transportation options, connectivity, and complete streets
		spaces.	Use Initiative	Dynamic, mixed land uses
			Complete Community	Housing: diverse housing types, mixed-income housing, inclusive
		Allow parks, open space, and	Framework	housing
		recreation amenities by-right in		Mixed-use: retail, community facilities, employment
		every district.		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					
1. General Provisions							
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	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 bou	ndaries is proposed to remain in Article 3 as it i	is now, which is common to how other codes are					
structured in North Carolina.							
A. Title	1.1. Short title	Much of this article has limited direct alignment with					
B. Authority	1.2. Authority	plans and policies adopted in Chapel Hill. However,					
C. Purpose and Relationship to the	1.3. Purpose	Article 1 is critical in reinforcing the LUMO's role					
Comprehensive Plan	1.5. Consistency with comprehensive plan	implementing plans and policies as well as the legal					
D. Interpretation and Rules of	1.6. Interpretation	foundation established for doing so under North					
Construction		Carolina statute. Expanding upon the LUMO's					
E. Official Zoning Map	3.2 Zoning Atlas	relationship to, consistency with, and role in					
F. Errors and Omissions	New content	implementing the comprehensive plan and associated					
G. Severability	9.1. Severability	policy will be critical under proposed Section E.					
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)						
2. Applicability and Conformity							
*	· ·	tion on uniformity and conformity rules, what happens to					
		nent 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.							
A. Jurisdiction	1.4. Applicability (part)	Section 1 of the Town Charter speaks broadly to power					
B. Compliance Required	1.4. Applicability (part)	the organization and powers of the town:					
C. Permits and Certificates	1.7. Permits and certificates	https://library.municode.com/nc/chapel_hill/codes/cod					
D. Prior Actions and Penalties	New content	e_of_ordinances?nodeId=SUA_CH_CHIORPO					

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
E. Uniformity within Districts F. Conformity with Other Laws	New content New content	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 A general discussion of conformity within and between zoning districts, the comprehensive plan, and other
1. Comornity with other Laws	New content	policy or regulation may occur here; it may also be more appropriate under Article 1.C.
G. Application of Deed Restrictions	New content	
H. Vested Development Rights	New content	Creating clear and consistent rules of application for
I. Transitional Rules	New content	vesting, transitional development rights, applications
J. Applications in Process	New content	that are in process, and those that have been
K. Approved Site-Specific Plans Not Vested	New content	approved/permitted but have not taken action, will support a transparent process and reinforce equity in
L. Unexpired Permits	New content	where and how the regulations apply to varied states of development approval.
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)	Based on FLUM and TOD guidance, as well as discussion with Advisory Committee members through phase 2.1 of the update, additional legacy districts may be identified as the district palette evolves.
3. Non-Comformities.		
		nal guidance to the code user about when and how
interpretation should occur. The LUMO current structures.	ly fails to touch on all possible non-conforming	situations – the most important being non-conforming
A. Purpose and Applicability	7.1. Intent	
B. General Provisions	New content	
C. Nonconforming Lots	7.2. Nonconforming lots	
D. Nonconforming Uses	7.3. Nonconforming uses	
E. Nonconforming Structures Except Signs	New content	
F. Nonconforming Signs	7.5. Nonconforming signs	

	Proposed Table of Contents	Existing LUMO Content	Plan Alignment
G.	Nonconforming Accessory Uses and	New content	
	Structures		
Н.	Nonconforming Manufactured	New content	
	Homes and Manufactured Home		
	Parks		
l.	Nonconforming Features	7.4. Nonconforming features	
J.	Nonconforming Parking Areas in	7.6. Nonconforming parking areas in front	
	Front Yards	yards	
K.	Applicability of Watershed Protection	7.7. Development in watershed protection	
	Standards	district	
L.	Temporary Nonconformities	New content	

4. Zoning Districts

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.

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.

A. Types of Zoning Districts	Article 3 preamble	We introduce legacy districts in 2.M above, but we may			
B. Base Districts	Article 3 preamble	want to consider relocating content under this section			
C. Conditional Districts	Article 3 preamble	of Article 4 district drafting continues.			
D. Special Districts	Article 3 preamble				
E. Form-Based Districts	New content				
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)				

Propo	osed Table of Contents	Existing LUMO Content	Plan Alignment
b.	Town Center 2 (TC-2)		These districts are a good example of where
C.	Town Center 3 (TC-3)		consolidation of districts (or subdistricts) could simplify the code structure while accomplishing the same goal.
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 (0I-1)	3.3.7 Office/Institutional—1 District (0I-1)	
g.	Office/Institutional—2 (District (0I-2)	3.3.6 Office/Institutional—2 (District (0I-2)	
h.	Office/Institutional—3 District (0I-3)	3.3.5 Office/Institutional—3 District (0I-3)	
i.	Office/Institutional—4 District (0I-4)	3.3.4 Office/Institutional—4 District (0I-4)	This district is specific to the University of North Carolina and will likely be preserved as a Legacy District moving forward.
j.	Industrial District (IND)	3.3.8 Industrial District (I)	
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)	The naming of these districts, in particular, will be explored through drafting to better reflect the intent.
I.	Residential Low Density (R- LD5)		For example, how the numbers correlate with intensity of development is unclear based on the current naming
m.	Residential 1A (R-1A)		convention; the average code user does not understand
n.	Residential 1 (R-1)		what "Residential 1A" means compared to "Residential
0.	Residential 2A (R-2A)		2" or "Residential 6". More descriptive labels are
p.	Residential 2 (R-2)		needed that reflect, clearly and simply, what a district is
q.	Residential 3 (R-3)		and how it functions.
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	

Prop	osed Table of Contents	Existing LUMO Content	Plan Alignment
w.	Cameron-McCauley Historic		
	District (HD-2)		
x.			
	3)		
у.	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) C	onditional Districts	3.4. Conditional districts	
a.	Residential-Special Standards-	3.4.2. Residential-Special Standards-	
	Conditional Zoning District	Conditional Use Districts	
	(CZD)		
b.	Parallel Conditional Districts	3.4.3 (a) Parallel conditional zoning districts	
c.	Innovative, Light Industrial	3.4.3 (b)1 Light Industrial Conditional	
	Conditional Zoning District (LI-	Zoning District (LI-CZD)	
	CZD)	3.4.4 Innovative, Light Industrial	
		Conditional Zoning District	
d.	' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	3.4.3 (b)2 Residential Special Standards	
	Conditional Zoning District (R-	Conditional Zoning District (R-SS-CZD)	
	SS-CZD)		
		3.4.5 Residential-Special Standards-	
		Conditional Zoning District (R-SS-CZD)	
e.	<u> </u>	3.4.3 (b)3 Mixed Use Village Conditional	
	Zoning District (MU-V-CZD)	Zoning District (MU-V-CZD)	
		3.4.6 The Mixed-Use Village Conditional	
	Desired Control	Zoning District (MU-V-CZD)	
f.	Residential-Community	3.1.3 Residential-Community Priority-	
	Priority-Conditional Zoning	Conditional Zoning District (R-CP-CZD)	
	District (R-CP-CZD)	3.4.7 Residential-Community Priority-	
		Conditional Zoning District (R-CP-CZD)	

Propo	osed Table of Contents	Existing LUMO Content	Plan Alignment
2) Sp	pecial 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
f.	Development Agreement—1	3.5.6 Development Agreement—1 District	Development Agreement and will require special
	District (DA-1)	(DA-1)	consideration in the district configuration.
3) Fc	orm-Based Districts		
a.	Blue Hill form district	3.11. Blue Hill form district	
b.	Traditional Neighborhood	3.5.3 Traditional Neighborhood	These districts have been placeholders and never
	Development District (TND)	Development District (TND)	identified officially on the zoning map. Alignment with
C.	Transit Oriented Development District (TOD)	3.5.4 Transit Oriented Development District (TOD)	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.
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
f.	Walkable Residential 5 (WR-5)	3.11.2.1. Walkable Residential 5 (WR-5)	District and appear on the zoning map.
g.	Walkable Mixed-Use 5 (WR-5)	3.11.2.2. Walkable Mixed Use 5 (WR-5)	
h.	Walkable Mixed-Use 7 (WR-7)	3.11.2.2. Walkable Mixed Use 7 (WR-7)	Alignment with elements of the Complete Community Framework include: active transportation options and

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	
(5). Mason Farm/Whitehead Circle Neighborhood Conservation District (CD-5)	Appendix B, Division 5 Mason Farm/Whitehead Circle	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.

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
(6). Coker Hills	Appendix B, Division 6 Coker Hills	
Neighborhood		
Conservation District		
(CD-6)		
(7). Highland Woods	Appendix B, Division 7 Highland Woods	
Neighborhood		
Conservation District		
(CD-7)		
(8). Glen Lennox	Appendix B, Division 8A Glen Lennox	
Neighborhood		
Conservation District 8A		
(CD-8A) (9). Glen Lennox	Annandiy P. Divisian SP Clan Lannay	
(9). Gien Lennox Neighborhood	Appendix B, Division 8B Glen Lennox	
Conservation District 8B		
(CD-8B)		
(10). Glen Lennox	Appendix B, Division 8C Glen Lennox	This district is tied directly to a Development
Neighborhood	Tippenam 2, 2minen 22 enn 2minen	Agreement that governs new construction in this area.
Conservation District 8C		The entire section is incorporated by reference into the
(CD-8C)		Development Agreement.
(11). Little Ridgefield	Appendix B, Division 9 Little Ridgefield	
Neighborhood		
Conservation District 8C		
(CD-9)		
(12). Elkin Hills Neighborhood	Appendix B, Division 10A Elkin Hills	
Conservation District		
10A (CD-10A)		
(13). Elkin Hills Neighborhood	Appendix B, Division 10B Elkin Hills	
Conservation District		
10B (CD-10B)		
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
2) Determination of Principal Uses	New content	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.
Interpreting the Table of Uses	Footnotes to the Use Matrix in 3.7.2,	– incluental, accessory, and ancillary – will be key.
3) litter pretting the Table of Oses	expanded.	
4) Table of Uses	3.7.2 Use Matrix	
4) Table of Oses	3.7.2 USE IVIALITA	
	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	Exceptions to dimensional standards may also be
	Sections	covered in this section.
	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	
5. Use-Specific Conditions		
		a such as by location (e.g., abutting a specific district or
	· · · · · · · · · · · · · · · · · · ·	ranged into categories, as shown, consistent with the way
they are depicted in the Table of Uses for consis	1	
A. Purpose and Applicability	ARTICLE 6 SPECIAL REGULATIONS FOR	
B. Agricultural Uses	PARTICULAR USES	
C. Residential Uses	Everation: 6.19 Planned developments	
D. Civic, Institutional, and Cultural Uses	Exception: 6.18. Planned developments	
E. Commercial and Business Uses		
F. Industrial Uses		
G. Park, Recreation, and Open Space		
Uses H. Assessoru Uses		
H. Accessory Uses		

	Proposed Table of Contents	Existing LUMO Content	Plan Alignment
I.	Temporary Uses		
6. Buil	ding Types		
This is	a new article intended to provide sta	ndards for buildings in districts not otherw	ise specified (such as form-based districts). Building
types	will address the type, form, and attrib	utes of a building; each district will identify	y what types of buildings are permitted based on
scale c	and appropriateness. Potential buildi	ng types to consider may include but not b	e limited to a detached home, cottage, duplex
(duple	x, single frontage), tri-plex, quad-plex	r, townhouse, multi-plex (small/large), apa	rtment, neighborhood shopfront, mixed-use center,
high-ri	ise, drive-through, civic, institutional,	distribution and storage, all-purpose.	
Α.	Building Types Defined	New content	Character-specific guidance provided in Chapel Hill
B.	Building Types Allowed by District		2020 and the FLUM, along with the Complete
C.	Building Elements		Community Framework elements related to Design
			Attributes, will be reflected through this article to
			reinforce where and how character and community
			intersect.
	eral Regulations		
_		l in nature meaning they would apply without i	regard to a particular zoning district based on a specific
- ' '	ition, condition, or environment.		The state of the s
A.	Incentive Zoning	3.9. Incentive zoning	Incentives are rarely, if ever used under the existing
		3.8.7 Incentive for Residential Construction	LUMO. These sections will be evaluated and updated
		in Town Center (TC) Districts	according to today's development environment to reinforce their role and usefulness.
В.	Inclusionary Zoning	3.10 Inclusionary zoning	Telliforce their role and disciulless.
<u>Б.</u>	Rules of Measurement	5.2.7. Location of Lot Lines	
	Overall Site Design	5.1 Overall Site Design	Some regulations in the existing LUMO chapter 5.1 are
D.	Overall Site Design	3.1 Overall Site Design	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	
	3) Public Works Design Manual4) Site Preparation and	New content	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
5) Reduction of Development Site	New content	
Limited		
E. Lot and Block Design	5.2 Lot Layout standards	
 Erection of Structures Only on 	New content	
Lots of Record		
Principal Buildings Limited	New content	
3) General Site Arrangement	5.2.1. General Site Arrangement	
4) Applicability of Lot Design	5.2.2. Applicability of Lot Design Standards	
Standards		
5) Reduction of Lot Limited	New content	
6) Lot Coverage	New content	
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	5.2.8. Zero Lot Line Setback Modifications	
Modifications		
12) Permitted Encroachments	New content	
13) Yard and Open Space Calculations	New content	
F. Transportation and Mobility	New content	Will use guidance from the Town's Engineering Design
		Manual to cross-reference standards in this section:
		https://www.townofchapelhill.org/government/depart
		ments-services/public-works/engineering/design-
		manual-and-standard-details/street-and-sidewalk
Street Classifications	New content	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	New content	

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	New content	
1) Utilities and Equipment	New content	
2) Odor, Noise, Vibration, and Dust	New content	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		
Parking and loading is broken out from other d	esign-related articles since it typically is referred	d to frequently by all users. Components of recommended
Chapter 6.F, Transportation and Mobility, may I	pe incorporated in this chapter based on feedbo	ack from staff.
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	
Parking Reductions	New content	
 Overflow, Event, and Temporary Parking 	New content	

Proposed Table of Contents	Existing LUMO Content	Plan Alignment
3) Parking for Changes in or	New content	
Expansions to an Existing Use		
Parking and Storage of Other	New content	
Vehicles Requiring Licenses		
Parking and Storage of Non-	New content	
Residential Vehicles in Residential		
Districts		
Parking for Vehicles for Sale	New content	
7) Parking in Front Yards	5.9.9. Parking in Front Yards	
F. Drive-Through Access Management	New content	
and Circulation		
 Stacking Spaces 	New content	
Design Requirements	New content	
G. Bicycle and Other Non-vehicular	5.9.7. Minimum and Maximum Off-Street	
Parking	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	
 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		
		ments related to the landscape such as planting, buffers,
tree protection, fences, walls, screening, and	ppen space are covered here.	
A. Purpose and Applicability	New content	
B. Landscaping and Maintenance Plan Required	5.6.10. Maintenance of Landscaping	
C. Existing Vegetation	5.6.9. Existing Vegetation	

A. Purpose and Applicability	New content	
B. Landscaping and Maintenance Plan	5.6.10. Maintenance of Landscaping	
Required		
C. Existing Vegetation	5.6.9. Existing Vegetation	
D. Onsite Landscaping Requirements	5.9.6. Parking Landscaping Standards	There may be a need or desire to move landscaping
		standards for parking lots under Article 7; this is wholly
		based on preference.
E. Offsite Landscaping Requirements	New content	

	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	
1.	Open Space Amenity Requirements	New content	Blue Hill standards distinguish between Outdoor
			Amenity Space (public) and Recreation Space (for
			residents and may offer a useful approach to build from
	litional Design Standards		
	ticle includes any design element not refl	ected in previous articles.	
A.	Purpose and Applicability	New content	
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. Sigi	n Standards		
	·		separate article for quick reference. While this article
-	· ·		ewed and adjusted to ensure content-neutrality.
	, , , , , , , , , , , , , , , , , , , ,	and applicability by district will also be a chang	ge in how content is organized and presented from the
	J LUMO.		
A.	Purpose and Applicability	5.14.1. Intent	
		5.14.2. Applicability	
	Signs Exempt from Regulation	5.14.4. Signs Exempt from Regulation	
C.	Permit Required	New content	
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	New content	
G.	Sign Types Permitted by District	5.14.7. Permitted Signs	
		5.14.8. Specialty Sign Types	
Н.	Additional Requirements by Sign Type	5.14.10. Changeable Copy	
I.	Sign Design Standards and	5.14.9. Sign Measurements	
	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 Mit	igation			
Environmental standards, like parking and lan	dscaping, are specific site design requirements	related to but apart from other design issues. For this		
reason, they are located in a separate article.				
A. Natural and Cultural Resource	New content	The term "cultural resource" will need to be well-		
Protection		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	5.18 Jordan watershed riparian buffer			
Protection	protection			
D. Jordan Watershed Stormwater	5.19. Jordan watershed stormwater			
Management for New Development	management for new development			
E. Steep Slopes	5.3.2. Steep Slopes			
F. Stormwater Management	5.4. Stormwater management			
G. Brownfield Development	New content	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-		
		<u>document-download</u>		
13. Development Types				
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.				
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		
		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.
 Establishment of Planned Developments 	6.18.1. Establishment of Planned Developments	
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	ARTICLE 8. ADMINISTRATIVE MECHANISMS	
Responsibilities		
1) Planning Director	New content	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	
Development Approvals and	4.1.3 Development Approvals and	
Legislative Decisions; Changes,	Legislative Decisions; Changes,	
Modifications and Revocations	Modifications and Revocations	
4) Application Process	4.1.1 Application Process	
Split Jurisdiction Planning and	4.1.5 Split Jurisdiction Planning and	
Development Regulations	Development Regulations	
C. Types of Decisions	New content	
1) Administrative Decisions	New content	
a. Determinations and	4.11. Determinations	
Interpretations		
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
o Zoning Camplianas Daggit	4.0. Zaning compliance result	zoning request, and to clarify this in the rewrite.
c. Zoning Compliance Permit	4.9. Zoning compliance permit	
d. Determination of a Vested	4.1.4 Vested Rights	
Right		

Proposed Table of Contents	Existing LUMO Content	Plan Alignment		
e. Minor Waiver	5.14.13 Guidelines for Administrative	Expand this to cover all minor variances, not just with		
	Adjustment of Signage Regulations	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 (0I-4),			
	UNC district specifically			
2) Legislative Decisions	New content			
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	New content			
a. Major Waiver	New content			
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)	New content			
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 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.				
A. Determination of a Violation	4.13.1. Violations			
Dott				

	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	New content		
D.	Notice of Violation	New content		
E.	Initiation of Enforcement Action	New content		
F.	Inspection and Investigation	4.13.3. Inspections and Procedures Upon Discovery of Violations		
G.	Voluntary Compliance	New content		
H.	Failure to Act	New content		
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	New content	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	New content		
	16. Language Rules and Definitions			
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				
	that we feel is best saved for last.			
A.	Rules for Interpretation	Appendix A plus definitions scattered		
В.	Rules for Words and Phrases	throughout the code (e.g., Blue Hill District		
	Definitions	3 11 4 8 and Signs 5 14 12)		

3.11.4.8 and Signs 5.14.12)

C. Definitions



TOWN OF CHAPEL HILL

Town Hall 405 Martin Luther King Jr. Boulevard Chapel Hill, NC 27514

Item Overview

Item #: 2., File #: [23-0745], Version: 1 Meeting Date: 10/18/2023

Planning Department Administrative and Initiative Updates

Staff: Department:

Britany Waddell, Director Planning

Overview: The staff memo on the following page highlights work completed by the Planning Department over the last several months.

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

The purpose of this item is to highlight procedural improvements, staffing updates, and other tasks currently underway with the Planning Department.



Planning Department Administrative and Initiative Updates

From: Britany Waddell, Director of Planning

To: Chris Blue, Town Manager

This memo serves to provide an update on the major projects and administrative updates our department has worked on over the last few months. We have been focusing on our major initiatives, such as Complete Community Implementation and the Land Use Management Ordinance (LUMO) rewrite. We have also worked to refine our internal and external communication with an emphasis on how we deliver information to this council.

1. Complete Community Implementation

We look forward to what we can achieve in Chapel Hill as we continue to manage development wisely and strive for a healthy and vibrant future. We began implementing Complete Community by incorporating the Complete Community strategy into our review process. Using clear messaging and development goals, we support applicants in submitting projects that will provide connected, environmentally sensitive development. This also enables staff to have discussions related to the needs of the community and expectations of our council.

Development Review - We have begun to incorporate Complete Community involvement into our review process by assessing our current development applications and checklists provided to applicants.

Placemaking - We have also discussed with Community Arts and Culture the possibility of utilizing public art for placemaking and how to include that into a full evaluation of the project.

Community Engagement Analysis - We are preparing an equity evaluation for community engagement and focusing on how to analyze demographic information related to our stakeholder engagement. It is essential that our department, which has frequent communication with the public, provides up-to-date and transparent information that is accessible to all residents.

Office of Mobility and Greenways (OMG) - We're currently recruiting staff for our Office of Mobility and Greenways that will focus on developing plans for greenways and the realization of Everywhere2Everywhere Greenways. We look forward to a town announcement on a formal office launch in the coming months.

2. Land Use Management Ordinance (LUMO) Engagement

We anticipate receiving policy guidance when we join council for the October and November work sessions. Staff will start conversations with Council on key decision points as we prepare to begin the drafting of the LUMO this winter. Staff will provide options for updated zoning and use matrices. Council will also receive updates on potential design guidelines for new construction and strategies for promoting affordable housing.

Practitioner Focus Groups. In October, staff held focus groups on two themes: Affordable Housing and Design Standards. The focus group input will inform draft design guidelines for conversation with the Council. The focus group is made up of individuals from community partners, non-profits, town staff, and advisory board representatives. Participants have expertise in the topics being discussed and can provide insight into the associated needs and concerns. This focus group will help us identify key issues, refine our strategies, and identify possible solutions for the community.

We anticipate that these continued discussions will give us a deeper understanding of how the LUMO can be adapted to fit the needs of the community and generate a more concentrated document. We look forward to engaging the community and Council in the coming months to make sure that the LUMO reflects the interests of the community.

Planning Ambassadors. We've recruited Planning Ambassadors that will receive training related to the LUMO and its adoption process. Staff focused recruitment efforts on communities that have been historically under-engaged in our Town processes. The Ambassadors represent multiple populations such as seniors living on fixed incomes, students, renters, and low-income residents. We're encouraging these residents to be engaged in their communities and participate throughout this multi-year process.

We are providing the Ambassadors with a variety of resources to help them understand the project. They'll have direct access to Town staff to learn about the LUMO and can provide feedback that will help shape the document. We'll also host a series of public engagement sessions to engage the community, including members of the Planning Ambassadors program, and provide an opportunity to share their thoughts and opinions. These events will help raise awareness of the LUMO process, create a better understanding of the document, and provide an opportunity to ask questions.

3. Summer Successes

Our department has prioritized improved communication and completed a few team projects to assess our current procedures.

- Evaluating the technical review team process
- Standardization of comments for project review
- Streamlining Packets
- Restarting archival records management

We've refined our internal and external communication by creating a layout redesign of our staff reports. We've tried to improve our council packets by producing documents which:

- Inform council deliberations with helpful guidance
- Reduce redundancies
- Highlight key points and areas of public concern

The redesign also focuses on highlighting the elements of Complete Community in project analysis and elevating community benefits.

Finally, staff presentations have been simplified and will now follow the applicant's overview of their project. We're working on slide templates for applicants and communicating any major issues that staff have on projects based on their analysis or council guidance.

We welcome any feedback you have so far on the staff report, revised packet, or presentations.

Thank you for your time and attention.