

**ORDINANCE
(STAFF AND PLANNING BOARD RECOMMENDATION)**

AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE REQUIREMENTS TO ESTABLISH THE TOWN CENTER-3 ZONING DISTRICT (2007-02-26/O-5)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance regarding modification to the requirements for uses and the intensity of uses in the Town Center-3 zoning district and finds that the amendments are warranted in order to achieve the purposes of the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill as follows:

Section 1: Subsection 3.3.1 of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“Town Center (TC-1, TC-2, TC-3)

The Town Center (TC) districts are intended to provide for the development of the commercial, service, and social center of Chapel Hill while maintaining its character, its pedestrian-oriented scale, and its nature as a concentration of business, administrative, financial, governmental, and support functions serving the community; and to encourage further residential development in the central area of Chapel Hill. The zoning regulations for the TC districts are designed to achieve the following objectives:

- Buildings are designed and located so that they provide visual interest and create enjoyable, human-scale spaces.
- Building design blends with the natural terrain by means such as terracing or other techniques that minimize grading.
- Designs are compatible, in form and proportion, with the neighboring area.
- Designers strive for creativity in form and space wherever contrast and variety are appropriate to the larger environment.
- Buildings and projects include visual variety and also maintain a strong sense of unity.
- Buildings and projects include a high level of architectural detailing to help maintain a sense of scale.

Applicants are encouraged to consult the *Design Guidelines for Downtown Chapel Hill* (prepared by Downtown Small Area Plan Work Group, August 1998) before submitting an application for approval in a Town Center district.”

Section 2: Subsection 3.4 of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“For the TC-1, TC-2, TC-3, CC, NC, 0I-1, I, R-6, R-5, R-4, R-3, R-2, R-2A, R-1, R-1A, R-LD1, and R-LD5 districts hereinabove described, there are hereby established parallel conditional use

districts designated TC-1-C, TC-2-C, TC-3-C, CC-C, NC-C, OI-2-C. OI-1-C, I-C, R-6-C, R-5-C, R-4-C, R-3-C, R-2-C, R-2A-C, R-1-C, R-1A-C, R-LD1-C, and R-LD5-C pursuant to North Carolina General Statutes § 160A-382. Under each conditional use district, all uses allowed as a permitted use or special use by Section 3.7, Table 3.7-1 (Use Matrix), for the parallel general use district are permitted only upon issuance of a Special Use Permit by the Town Council pursuant to Section 4.5 of this Chapter.

A Residential-Special Standards-Conditional (R-SS-C) District is hereby established, pursuant to North Carolina General Statutes Section 160A-382. Uses allowed in this district shall be those described in Section 3.7 and Table 3.7-1 (Use Matrix) of this Chapter, and are permitted only upon issuance of a Special Use Permit by the Town Council pursuant to Section 4.5 of this Chapter.”

Section 3: Table 3.8-1 “Use Matrix” of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“Table 3.7-1: Use Matrix

USES	Use Group	General Use Zoning District											Planned Development (PD-)																
		R-LD5	RT	R-LD1	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-C	TC-1, TC-2, TC-3	CC	NC	OI-1	OI-2	OI-3	OI-4	I	MH	H	SC(N)	SCI	OI	MU	I	
Accessory Use Customarily Incidental to a Permitted Principal or Special Use	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	--	A	A	A	A	A	A
Adult Day Care Facility (See also Article 6)	B	P A	P A	P A	P A	P A	P A	P A	P A	P A	P A	P A	--	P A	P A	P A	P A	P A	P A	--	--	P A	P A	P A	P A	P A	P A	--	
Agriculture, Livestock	A	A	P A	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P A	--	--	--	--	--	--	
Agriculture, Non-Livestock	A	A	P A	A	A	A	A	A	A	A	A	A	--	A	A	A	A	A	A	A	A	P A	A	A	A	A	A	A	
Automated Teller Machines (ATM) (Walkup)	C	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P		P	P	P	P	P	P	
Automated Teller Machines (ATM) (Drive-up)	C	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	C	C	C	C		P	P	P	P	P	P	
Automotive Repair	C	--	--	--	--	--	--	--	--	--	--	--	--	P A	P A	--	--	--	--	--	P A	--	--	--	P A	--	P A	P A	
Automotive Repair (Less Collision, Service and Painting)	C	--	--	--	--	--	--	--	--	--	--	--	--	P A	P A	P A	--	--	--	--	P A	--	--	P A	P A	--	P A	P A	
Automotive, Trailer, and Farm Implement Sales or Rental	C	--	--	--	--	--	--	--	--	--	--	--	--	P A	P A	--	--	--	--	--	--	--	--	--	P A	--	P A	--	

USES	Use Group	General Use Zoning District											Planned Development (PD-)																
		R-LD5	RT	R-LDI	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-C	TC-1, TC-2, TC-3	CC	NC	OI-1	OI-2	OI-3	OI-4	I	MH	H	SC(N)	SCI	OI	MU	I	
Place of Assembly, Up to 2,000 seating capacity	C	A	A	A	A	A	A	A	A	A	A	A	--	P	P	A	A	A	P	P	P	A	--	A	A	P	P	P	A
Place of Worship (See Article 6)	B	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P	--	P	P	P	P	P	--	
Public Cultural Facility	B	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	PA	P	P	P	P	--	P	P	P	P	P	P	
Public Service Facility (See also Article 6)	C	S	S	S	S	S	S	S	S	S	S	S	--	P	P	P	PA	P	P	P	P	--	A	P	P	P	P	P	
Public Use Facility	B	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	PA	P	P	P	P	--	P	P	P	P	P	P	
Publishing and/or Printing	C	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	P	P	P	--	--	--	P	P	P	P	
Radio, Television or Wireless Transmitting and/or Receiving Antenna (See also Article 6)	C	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	S	S	S	S	S	--	--	--	P	P	P	P	
Radio, Television or Wireless Transmitting and/or Receiving Antenna, Accessory	C	A	A	A	A	A	A	A	A	A	A	A	--	A	A	A	A	A	A	A	A	--	A	A	A	A	A	A	
Recreation Facility: Commercial	C	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	A	--	A	P	P	P	P	A	
Recreation Facility: Non-Profit	C	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P	--	A	P	P	P	P	P	
Recreation Facility: Outdoor Commercial	C	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	--	--	--	--	--	P	P	--	P	--	
Research Activities	B	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	P	P	P	--	--	--	P	P	P	P	
Residence Hall	B	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	P	P	--	--	P	--	--	--	P	--	
Residential Support Facility	B	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	--	--	--	--	
Rooming House	B	--	--	--	--	--	--	P	P	P	P	--	P	P	P	P	P	P	P	--	--	P	--	--	--	P	--		
School, Elementary or Secondary	B	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	--	--	P	P	P	P	P	--	
Service Station/ Convenience Store (See also Article 6)	C	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	A	A	A	--	--	P	P	--	P	A	
Shelter	B	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	P	P	--	--	--	--	--	--	--	--	

USES	Use Group	General Use Zoning District											Planned Development (PD-)															
		R-LD5	RT	R-LDI	R-1A	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	R-SS-C	TC-1, TC-2, TC-3	CC	NC	OI-1	OI-2	OI-3	OI-4	I	MH	H	SC(N)	SCI	OI	MU	I
Solid Waste Management Facility	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	PA	--	--	--	--	--	--
Supply Yard	C	--	--	--	--	--	--	--	--	--	--	--	--	--	PA	--	--	--	--	--	PA	--	--	--	PA	--	PA	PA
Temporary Portable Building: Construction-Related (See also Article 6)	C	A	A	A	A	A	A	A	A	A	A	--	A	A	A	A	A	A	A	A	A	--	A	A	A	A	A	A
Temporary Portable Building: Not Construction-Related	C	--	--	--	--	--	--	--	--	--	--	--	S	S	S	S	S	S	S	S	S	--	--	--	--	--	--	P
Tourist Home	B	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	P	P	--	--	--	--	P	P	P	--	
Veterinary Hospital or Clinic	C	--	--	--	--	--	--	--	--	--	--	--	--	PA	--	--	--	A	A	--	--	--	--	PA	--	PA	--	
Vocational School	C	--	--	--	--	--	--	--	--	--	--	--	PA	PA	--	--	--	PA	PA	--	--	--	--	PA	PA	PA	--	
Water and Wastewater Treatment Plan	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	PA	--	--	--	--	--	PA	

Section 4: Table 3.8-1 “Dimensional Matrix” of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“Table 3.8-1: Dimensional Matrix

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)
Zoning District	Minimum Lot Size	Maximum Density	Minimum Frontage	Minimum Lot Width	Maximum Building Height (Primary)	Maximum Building Height (Secondary)	Minimum Street Setback	Minimum Interior Setback	Minimum Solar Setback	Impervious Surface Ratio	Maximum Floor Area Ratio
R-LD5	217,800	0.2	200	250	29	35	30	16	20	.24/.5/.7	.025
RT	100,000	0.4	160	200	29	35	30	16	20	.24/.5/.7	.031
R-LD1	43,560	1.0	100	125	29	35	30	16	19	.24/.5/.7	.047
R-1A	25,000	2.0	80	100	29	38	29	15	18	.24/.5/.7	.062
R-1	17,000	3.0	64	80	29	40	28	14	17	.24/.5/.7	.076
R-2A	14,500	3.5	56	70	29	50	27	10	12	.24/.5/.7	.087
R-2	10,000	4.0	52	65	29	50	26	11	13	.24/.5/.7	.093
R-3	5,500	7.0	40	50	29	60	24	8	11	.24/.5/.7	.162
R-4	5,500	10.0	40	50	34	60	22	8	9	.24/.5/.7	.230
R-5	5,500	15.0	40	50	39	60	20	6	8	.24/.5/.7	.303
R-6	5,500	15.0	40	50	39	60	20	6	8	.24/.5/.7	.303
R-SS-C	N/A	N/A	N/A	N/A	39	60	10	0	N/A	.24/.5/.7	.400
TC-1	N/A	N/A	12	15	44	60	0	0	0	N/A	1.97
TC-2	N/A	N/A	12	15	44	90	0	0	0	N/A	1.97
TC-3	N/A	N/A	12	15	44	120	0	0	0	N/A	4.00
CC	5,500	15.0	40	50	34	60	22	8	9	.24/.5/.7	.429
NC	5,500	10.0	40	40	34	60	24	8	11	.24/.5/.7	.264
OI-1	5,500	10.0	40	50	29	60	24	8	11	.24/.5/.7	.264
OI-2	5,500	15.0	40	40	34	60	22	8	9	.24/.5/.7	.264
OI-3	2,000	N/A	15	15	N/A	N/A	0	0	0	.24/.5/.7	.566
OI-4	2,000	N/A	12	15	N/A	N/A	0	0	0	N/A	N/A
I	17,000	N/A	64	80	26	50	26	11	13	.24/.5/.7	.071
MH	100,000	N/A	160	200	29	35	30	16	20	.24/.5/.7	.019
MU-OI-1	N/A	N/A	N/A	N/A	44	90	0	0	0	.24/.5/.7	.264
MU-R-1	N/A	N/A	N/A	N/A	29	90	0	0	0	.24/.5/.7	.076
MU-V arterial	5,500	15.0	80	62	60	114	10	5	20	.24/.5/.7	.500
MU-V collector	5,500	15.0	40	50	44	90	0	0	20	.24/.5/.7	.500
MU-V local	5,500	15.0	70	40	32	40	0	0	17	.24/.5/.7	.500”

Section 5: Subsection 3.8.4(b) of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

- “(b) In all nonresidential zoning districts and planned developments (TC-1, TC-2, TC-3, CC, NC, OI-3, OI 2, OI-1, I PD-SC, PD-OI and PD-I), the following setback and height regulation modifications shall apply:
- (1) Minimum street setback across a street from residentially zoned land shall be equal to the street setback applicable in the Residential district across the street.
 - (2) Minimum interior setback adjacent to residentially zoned land shall be equal to the interior setback applicable in the adjacent Residential district.
 - (3) Minimum solar setback adjacent to residentially zoned land shall be equal to the solar setback applicable in the adjacent Residential district.
 - (4) The primary height limitation applicable at any of the modified setbacks identified in (1) – (3) above shall not exceed thirty-five (35) feet.”

Section 6: Subsection 3.9.2(b) of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“(b) ***Receiving Districts Designated***

Severable development rights may be exercised only in conjunction with the development or subdivision of any parcel of land that is located in a receiving district. A parcel of land which receives developments rights pursuant to this Section shall be referred to as a “receiving district.” The following districts are hereby designed as receiving districts for purposes of transferring severable development rights:

TC-1, TC-2, <u>TC-3</u>	Town Center Districts
TOD	Transit-Oriented Development Districts
CC	Community Commercial
NC	Neighborhood Commercial
OI-1	Office/Institutional-1
OI-2	Office/Institutional-2
OI-3	Office/Institutional-3
I	Industrial
MH	Materials Handling
MU-OI-1	Mixed Use-OI-1
MU-R-1	Mixed Use-R-1
MU-V	Mixed Use-Village”

Section 7: Subsection 4.3.1(b) of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“(b) Proposals Subject to Additional Review by Town Council

- (1) An application that meets any of the minimum thresholds established in subsections (1) or (2), below, shall require Town Council review as provided in Section 4.3.2, below, in addition to Community Design Commission review:

Thresholds (minimum)	TC-1, TC-2, TC-3 Zoning Districts	All Other Zoning Districts
Land Area	15,000 square feet	5 acres
Floor Area	20,000 square feet	100,000 square feet
Dwelling Units	35 dwelling units	50 dwelling units

- (2) If an application does not meet the thresholds established in subsection (1), above, the applicant may request review by the Town Council. The Town Council may determine to review the application, or it may decline to review the application. Such request shall be filed at least fifteen (15) days in advance of a regular meeting of the Town Council. The Town Council’s determination shall be rendered at its next regular meeting after receiving a complete request for Town Council review.”

Section 8: Subsection 5.5.2(g) of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“(g) Multi-family Dwelling Units

Active, improved space (either indoors or outside) shall be provided for the common active recreational use of residents of multi-family developments. For sites that abut or include areas designated as future greenways in the Town’s Comprehensive Plan, land dedicated for a public pedestrian and non-motorized vehicle easement or deeded to the Town along the greenway may be substituted for required improved recreation space. The minimum size of such active recreation space shall be the number of square feet derived by multiplying gross land area of the development by the applicable ratio shown below.

Zoning Districts	Recreation Space Ratio
TC-1, TC-2, TC-3	.120
CC	.046
NC	.039
OI-2	.046
OI-1	.046
I	.032
R-SS-C, R-6, R-5	.050
R-4	.039
R-3	.032
R-2, R-2A, R-1	.025
R-1A	.022
R-LD1	.020
All Others	.015”

Section 9: The schedule of buffers in Table 5.6.6-1 of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“Table 5.6.6-1 Schedule of Required Buffers

Adjacent* Existing Principal Use#	Proposed Principal Use				
	Major Subdivision creating lots for single or two-family dwellings or Class A mobile home	Any other principal use in Use Group A, except essential services	Any principal use in Use Group B	Automotive repair, maintenance and/or storage facility, light manufacturing, supply yard	Any principal use in Use Group C other than the above
Dwellings, single-family or two-family, Class A Mobile Home	--	B	C	D	C
Any other principal use in Use Group A, except Essential Services	B	B	C	D	C
Interstate Highway	E	E	E	E	E
Railroad, non-Interstate, Arterial Street	D	D	D	D	D
Collector Street	C	C	C	C	C
Any use in Use Group B	C	C	B	C	B
Automotive Repair, Maintenance and/or Storage Facility, Light Manufacturing, Supply Yard	D	D	C	B	B
Any other use in Use Group C	C	C	B	B	B
Adjacent* Vacant Land Zoning:					
R-LD5, RT, R-LD1	--	B	C	D	C
R-1, R-2, R-3					
R-4, R-5, R-6	B	B	C	D	C

Adjacent* Existing Principal Use#	Proposed Principal Use				
	Major Subdivision creating lots for single or two-family dwellings or Class A mobile home	Any other principal use in Use Group A, except essential services	Any principal use in Use Group B	Automotive repair, maintenance and/or storage facility, light manufacturing, supply yard	Any principal use in Use Group C other than the above
OI-1, OI-2	C	C	B	C	B
I	D	D	C	B	B
NC, CC, OI-3, TC-1, TC-2, <u>TC-3</u>	C	C	B	B	B”

Section 10: Subsection 5.9.7 of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“The following minimum bicycle parking requirements shall apply for the appropriate use and zoning district. Bicycle parking requirements shall not apply for uses located within the Office/Institutional-3 or Office/Institutional-4 Districts.

Use	Minimum number of bicycle spaces
Industrial and Office	10% of auto parking spaces
Commercial/Retail	10% of auto parking spaces
Multi-family Residential	1 space per dwelling unit, plus 10% of auto parking spaces
Recreation	25% of auto parking spaces
School	1 space per 3 students, plus 1 space per 10 faculty/staff
Park/Ride, Transit Center	10% of auto parking spaces

The following minimum vehicular parking space requirements shall apply for the appropriate use and zoning district. Parking space requirements shall not apply for uses located within the Office/Institutional-3 or Office/Institutional-4 Districts.

A reduction of up to twenty percent (20%) of the minimum number of required parking spaces may be permitted through the granting of a minor variance by the Board of Adjustment if, based on substantial evidence in the record of its proceedings, the Board finds that compliance with the full minimum off-street parking space requirements of this section would necessitate the removal of or would seriously endanger significant specimen trees on or adjacent to the zoning lot on which such parking is required.

Minimum Number of Vehicular Parking Spaces

Use	TC-1, TC-2 <u>and</u> TC-3 Districts	Districts other than TC and OI-3
Automotive, trailer, and farm implement sales or rental	1 per 500 sq. ft. of enclosed exhibit area	1 per 500 sq. ft. of enclosed exhibit area
Bank	1 per 400 sq. ft. of floor area	1 per 350 sq. ft. of floor area
Business, convenience Restaurant	1 per 400 sq. ft. of floor area	1 per 4 seats
Other convenience business	1 per 400 sq. ft. of floor area	1 per 250 sq. ft. of floor area
Business, general	1 per 400 sq. ft. of floor area	1 per 250 sq. ft. of floor area
Business, office-type	1 per 400 sq. ft. of floor area	1 per 350 sq. ft. of floor area
Clinic	1 per 400 sq. ft. of floor area	1 per 250 sq. ft. of floor area
Dwelling, single-family	1 per dwelling unit	2 per dwelling unit
Dwelling, two-family or multi-family:		
Efficiency	1 per dwelling unit	1 per dwelling unit
1 or 2 bedrooms	1 per dwelling unit	1.5 per dwelling unit
3 or more bedrooms	1 per dwelling unit	2 per dwelling unit

Note: The minimum number of parking spaces required for elderly or handicapped dwellings may be reduced to 1 per 2 dwelling units upon findings made by the Town Council that (1) reasonable assurances exist that the dwelling units served by the parking spaces will be maintained for occupancy by the elderly or handicapped and/or (2) that sufficient livability space exists on the property to ensure that should the units be converted to another form of occupancy or use, that sufficient parking can be provided on the site to satisfy the parking requirements of the new use, without violating the land use intensities of Table 3.8-1.

Minimum Number of Vehicular Parking Spaces

Use	TC-1, TC-2 <u>and</u> TC-3 Districts	Districts other than TC and OI-3
Fraternity or sorority house	1 per resident	1 per resident
Group care facility	1 per 2 beds	1 per 2 beds
Hospital	1.5 per bed	1.5 per bed
Hotel or motel	1 per lodging unit	1 per lodging unit
Maintenance and/or storage facility	N/A	1 per 2 employees if 2 largest shifts combined
Manufacturing, light	N/A	
Mobile home	N/A	
Mobile home park	N/A	1 per unit
Personal services	1 per 400 sq. ft. of floor area	1 per 250 sq. ft. of floor area
Place of assembly	1 per 4 persons the use is designed to accommodate	1 per 4 persons the use is designed to accommodate
Place of worship	N/A	1 per 4 seats in the sanctuary, except for places of worship within 1,500 feet of a Town Center District, which are exempted from parking requirements
Public cultural facility	1 per 500 sq. ft. of floor area	1 per 500 sq. ft. of floor area
Public use facility	1 per 400 sq. ft. of floor area	1 per 350 sq. ft. of floor area
Research activities	1 per 400 sq. ft. of floor area	1 per 350 sq. ft. of floor area

Minimum Number of Vehicular Parking Spaces

Use	TC-1, TC-2 <u>and</u> TC-3 Districts	Districts other than TC and OI-3
Residence hall	1 per 2 residents	1 per 2 residents
Residential support facility	1 per 500 sq. ft. of floor area	1 per 500 sq. ft. of floor area
Rooming house	1 per lodging unit	1 per lodging unit
School, elementary	1 per staff member	1 per staff member
School, secondary	1 per 4 students	1 per 4 students
Shelter	1 per 1,000 sq. ft. of floor area	1 per 1,000 sq. ft. of floor area
Tourist home	1 per lodging unit	1 per lodging unit

In the case of a use not listed above, the minimum parking space requirement shall be determined by the Town Manager. In making such determinations, the Town Manager shall be guided by the requirements for similar uses, the number and kind of vehicles likely to be attracted to the use, and studies of minimum parking space requirements for such use in other jurisdictions.

Minimum parking requirements for an individual site may be reduced by the Town Council in the context of a Special Use Permit approval, or the Planning Board in the context of a Site Plan Review approval, if evidence is submitted to demonstrate and the Town Council finds that:

- (a) Sidewalks, bicycle facilities, transit service and transit amenities are in place such that, together with the number of parking spaces that are proposed, transportation needs are adequately served; or
- (b) The particular use that would be specified in the Special Use Permit is of a nature that generates lower-than-average trips, and that the Special Use Permit would limit use of the property to what is specified; or
- (c) Arrangement for shared parking with nearby facilities is ensured.”

Section 11: The title to Section 5.14.8 of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“5.14.8 Signs in TC-3, TC-2, TC-1, CC, NC, OI-4, OI-3, OI-2, OI-1 and I Districts”

Section 12: Subsection 5.14.8(c)(3) of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

“(3) Projecting Signs

A projecting sign is a sign attached to and supported by a building and extending beyond the building to which it is attached at an angle. Projecting signs may be erected and displayed on a zoning lot or over a public right-of-way in TC-1, TC-2 and TC-3 Districts in compliance with the maximum area per display surface limitations contained in Subsection 5.14.9, provided:

- A. The building to which a projecting sign is attached shall be twenty (20) feet or more in width, except in TC-1, TC-2, and TC-3 Districts where no minimum width shall apply.
- B. Projecting signs shall be limited to one sign per business establishment.
- C. No projecting sign shall be permitted on the same zoning lot street frontage along which there is a ground sign or cantilevered ground sign.
- D. Projecting signs shall clear sidewalks and pedestrian and bicycle paths by a height of at least eight (8) feet above finished grade and shall project no more than four (4) feet from the building to which they are attached.
- E. No projecting sign shall extend above the soffit, parapet, or eave line of the building to which it is attached.
- F. Projecting signs shall not be located at the intersection of building corners except at right angles to a building facade.
- G. Projecting signs shall be centered over or located near the principal doorway to the building.
- H. The message of projecting signs shall be limited to the name(s), trademark(s) and servicemark(s) of the establishment(s) located on the zoning lot and/or the name, trademark and servicemark of a multi-use development located thereon.”

Section 13: Subsection 5.14.9 of the Chapel Hill Land Use Management Ordinance is hereby revised to read as follows:

Type of Sign	“Zoning District	
	TC-1, TC-2, <u>TC-3</u>	CC, NC, OI-1, OI-2, OI-3, OI-4, Ind
Ground Sign - <i>Maximum Area per Display Surface</i>	8.0 sq. feet	15.0 sq. feet
Projecting Sign - <i>Maximum Area per Display Surface</i>	8.0	8.0
Wall Sign - <i>Maximum Percent of Façade Coverage</i>	5.0%	5.0%

* The maximum area per display surface of any internally illuminated sign shall be one-half (1/2) the maximum area per display surface listed above.”

Section 14. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Section 15. That the amendments shall become effective upon enactment.

This the 26th day of February, 2007.