

AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO EXEMPT CERTAIN DOWNTOWN BUILDING REDEVELOPMENT PROJECTS FROM THE SPECIAL USE PERMIT FLOOR AREA THRESHOLD (2009-06-08/O-)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance regarding exempting certain downtown building redevelopment from the Special Use Permit floor area threshold and finds that the amendment is warranted in order to achieve the purposes of the Comprehensive Plan as it relates to the following major themes:

- Downtown Small Area Plan;
- Economy and Employment; and
- Improving the Development Review Process.

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

Section 1. Following Table 3.7-1 of the Chapel Hill Land Use Management Ordinance, the first footnote is hereby revised to read as follows:

“In all zones except OI-3, OI-4 and MH: For all use except existing public elementary and secondary schools. Permitted as a PRINCIPAL USE if floor area of proposed development is less than 20,000 square feet, and area of disturbed land is less than 40,000 square feet; otherwise permitted as a special use. The floor area threshold of 20,000 square feet for Special Use does not apply to increasing the floor area in existing buildings in the Town Center-1, -2, and -3 zoning districts, so long as the redevelopment does not increase the building footprint or height (excluding HVAC equipment and screening thereof) and does not significantly alter the building’s exterior. For existing PUBLIC elementary and secondary schools, “P” indicates permitted as a principal use.”

Section 2. That this amendment shall become effective upon enactment.

This the 8th day of June, 2009.