

MEMORANDUM

TO: Chapel Hill Planning Commission

FROM: John Richardson, Planning Manager for Sustainability
Eric Feld, Planner II

SUBJECT: Review of Four Proposed Text Amendments for Phase 1 of the Land Use Management Ordinance Update –Accessory Apartments, Bed & Breakfasts, Signs, and Neighborhood Character Standards

DATE: August 13, 2015

PURPOSE

Following on the introductory information provided at the [July 21st Planning Commission meeting¹](#), tonight's agenda item focuses on four of the six text amendments (listed below) that have been proposed for Phase 1 of the [Land Use Management and Ordinance \(LUMO\) Update²](#) project.

- [Accessory Apartments³](#)
- [Bed & Breakfasts⁴](#)
- [Neighborhood Character Standards⁵](#)
- [Signs⁶](#)

As part of tonight's review, the staff seeks additional feedback from the Commission as we prepare a recommendation for the September 1st Planning Commission meeting. To support your discussion this evening, drafts of the four text amendments are attached (Attachment 1), along with a summary of the proposed changes (Attachment 2). A copy of the updated project schedule is presented in the third attachment.

¹ <http://www.townofchapelhill.org/home/showdocument?id=28723>

² <http://www.townofchapelhill.org/town-hall/departments-services/design-chapel-hill/lumo-update>

³ <http://www.townofchapelhill.org/town-hall/departments-services/planning-and-sustainability/development-projects/lumo-update/lumo-update-accessory-apartments>

⁴ <http://www.townofchapelhill.org/town-hall/departments-services/design-chapel-hill/lumo-update/lumo-update-bed-and-breakfast>

⁵ <http://www.townofchapelhill.org/town-hall/departments-services/planning-and-sustainability/development-projects/lumo-update/lumo-update-infill-compatibility-standards>

⁶ <http://www.townofchapelhill.org/town-hall/departments-services/design-chapel-hill/lumo-update/lumo-update-signage>

In addition to the attachments, a current listing of online public comments for each of the six drafts can be viewed on the [OpenComment website](#)⁷. See Attachment 4 for more details. All comments will be provided in summary form as part of the September 1st agenda item.

NEXT STEPS

The deadline for submitting comments online through the OpenComment web portal regarding the proposed drafts has been moved from July 31st to August 15th to allow more time for Town advisory boards and commissions to finalize their comments and recommendations. In keeping with the project schedule, we will return to the Planning Commission on the dates shown below to first receive feedback on the other two topic areas (August 18th) and then to present a staff recommendation (September 1st).

- August 18th – Planning Commission reviews Water Quality and Parking Lot Landscaping topics
- September 1st – Planning Commission reviews all topics and considers making a final recommendation to Council

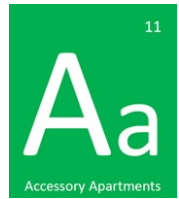
RECOMMENDATION

That the Planning Commission receive the information associated with tonight’s agenda item and consider providing additional feedback to help inform the staff’s recommendation that will be presented at the September 1st, 2015 Planning Commission meeting.

ATTACHMENTS

1. Proposed Text Amendments for Four Topic Areas (35 pages)
2. Summary of Proposed Changes (3 pages)
3. Updated Project Meeting Schedule (2 pages)
4. Basics of the OpenComment Website (1 page)

⁷ <https://codestudio.opencomment.us/lumo-topics>



Chapel Hill LUMO Topic Revisions

[NOTE: In order to allow additional opportunities for Accessory Apartments throughout the Town, a series of sections of the code must be amended, including the calculation of minimum lot size in the footnotes to Table 3.8-1 and the parking standards (to require one off-street space for a new accessory apartment). The definition of a single-family dwelling with accessory apartment is also included since it affects the size of the accessory unit.

Rules for Interpretation of Table 3.8-1:

...

Column (B): The minimum lot size figures are expressed in square feet. Where a zoning lot is located in more than one zoning district, the minimum gross land area required of such zoning lot shall be the sum of the areas derived by multiplying the minimum gross land area required for each represented district by the proportion of the zoning lot located within that district. For all dwellings, except single-family dwellings and single-family dwellings with accessory apartment, the minimum lot size is two (2) times the figures shown in Column (B).

Column (C): Applies to all residential uses except single-family dwellings and single-family dwellings with accessory apartment. The maximum density requirements (Column (C)) are expressed in dwelling units per gross acre.

...

Column (L): Maximum floor area allowed shall be the number of square feet derived by multiplying gross land area by the applicable floor area ratio (FAR), as shown in Table 3.8-1. A maximum floor area ratio shall not apply to public cultural facilities or single-family dwelling units (with or without an accessory apartment). Where a lot is partially within the resource conservation district, the maximum allowable floor area of the portion of the lot outside of the resource conservation district shall be calculated as the sum of: (a) the product of (1) the floor area ratio of the portion of the zoning lot outside the resource conservation district, and (2) the area, in square feet, of the portion of the zoning lot outside the resource conservation district; and (b) the product of (1) the floor area ratio applicable to a permitted use in the resource conservation district, and (2) the area, in square feet, of the portion of the zoning lot within the resource conservation district.

[NOTE: existing standard, highlight added]

5.9.5. Parking Design Standards

All parking areas shall meet the following minimum design requirement:

...

(c) Except for single-family dwellings, single-family dwellings with accessory apartments or two-family dwellings, all parking spaces and maneuvering space shall be surfaced with an all-weather material or gravel, which shall be maintained in a safe and sanitary condition.

...

(g) Except for single-family dwellings, single-family dwellings with accessory apartments or two-family dwellings, parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter adjacent streets in a forward manner.

...

Except for single-family dwellings, single-family dwellings with accessory apartments ~~one~~ or two-family dwellings, all parking facilities, unless located entirely underground, shall meet the following minimum landscaping requirements:

5.9.7. Minimum and Maximum Off-Street Parking Space Requirements

Use	Vehicular Parking				Bicycle Parking
	Town Center Zoning Districts		Non-Town Center Zoning Districts*		
	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces	Minimum Bicycle Parking Requirements***
Dwelling, single-family and single-family with accessory unit	N/A	N/A	N/A	N/A	N/A
Dwelling, single-family with accessory apartment	1 per Accessory Apartment constructed after [effective date]	N/A	1 per Accessory Apartment constructed after [effective date]	N/A	N/A

Appendix A - Definitions

...

Dwelling units, single-family—with accessory

apartment. A dwelling or combination of dwellings on a single zoning lot consisting of two dwelling units, provided the floor area of one of the dwelling units does not exceed 50% of the floor area of the other dwelling unit, nor is greater than 750 square feet and further provided the dwelling’s exterior design and entry locations give the dwelling the appearance of a single-family dwelling. Any dwelling unit that is part of a two-family dwelling shall be classified as a rooming house if occupied by more than 4 persons who are not related by blood, adoption, marriage, or domestic partnership.

[NOTE: existing definition, highlight added]

FOR REFERENCE ONLY
Table 3.8-1 from today's Land Use Management Ordinance

APPENDIX A—LAND USE MANAGEMENT

3.8

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	Imperious 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	1.10"
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

(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
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	20.0	80	62	70	114	0	0	20	.24/ .5/.7	1.2
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

Rules for Interpretation of Table 3.8-1:

Generally. The requirements for the parameters set forth in Columns (B) through (L), above, relate to the zoning district specified in the row under Column (A), above. Refer to Appendix A for definitions of "Building Envelope" and "Height." The notation "N/A" indicates that the requirement does not apply within the particular zoning district. The dimensions specified in Columns (D) through (J) are expressed in linear feet. The dimensions specified in Column (B) are expressed in square feet. Columns (K) and (L) are ratios applied to the gross land area of a site. Rules of interpretation and additional standards for setback and height requirements are set forth in the Lot Layout Standards (Section 5.2 of this Chapter).

Existing lots of record as of December 7, 1992, which are subsequently rezoned to R-LD5 can be subdivided to create up to three (3) lots of not less than two (2) acres gross land area in size each; provided, however the remaining land shall be developed with a minimum lot size of at least five (5) acres gross land area for each lot, and provided that no lot created under this exemption shall have a new direct access onto an arterial street.

Column (A): Column (A) refers to the applicable Zoning District.

Column (B): The minimum lot size figures are expressed in square feet. Where a zoning lot is located in more than one zoning district, the minimum gross land area required of such zoning lot shall be the sum of the areas derived by multiplying the minimum gross land area required for each represented district by the proportion of the zoning lot located within that district. For all dwellings, except single-family, the minimum lot size is two (2) times the figures shown in Column (B).

Column (C): Applies to all residential uses except single-family dwellings. The maximum density requirements (Column (C)) are expressed in dwelling units per gross acre.

Column (D): Where a zoning lot fronts on two (2) or more streets, minimum street frontage width requirements shall be considered met if the frontage along any one of such streets meets the minimum street frontage width requirements. Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum street frontage width requirement shall be thirty (35) feet.

Column (E): The width of a zoning lot shall equal or exceed the required minimum lot width for a depth of at least twenty-five (25) feet from the minimum street setback. Except for an authorized flag lot, no portion of a lot, created as part of a subdivision, between a street setback and the opposite interior (rear) setback, shall be less than twenty (20) feet in width. Where a zoning lot fronts on two (2) or more streets, minimum lot width requirements shall be considered met if the lot width at the street

setback from any one of such streets meets the minimum lot width requirement. Where a zoning lot fronts on a turning circle of a cul-de-sac or at a point of a street where the radius of the curvature of the right-of-way is less than ninety (90) feet, the minimum lot width shall be reached at a distance derived by the following formula: $D = 50 (W) (35) - 50$, where W = minimum required lot width, and D = maximum distance from street right-of-way to where the lot width equals the minimum required width for that district. Flag lots shall reach the minimum lot width at a point not to exceed 200 feet from the street right-of-way.

Columns (F) and (G): (Note definition of "Building Envelope" in Appendix A). Building height is expressed in feet. Column (F) refers to height at the setback lines, while Column (G) imposes an absolute maximum in the event that upper floors contain additional setbacks as described below. Except where provided for additional setbacks in subsections (1) and (2), below, or where otherwise specifically provided by this chapter, no structure, or part thereof, shall project beyond the building envelope defined by the minimum street, interior, and solar setbacks and the maximum heights established in the dimensional matrix for the zoning district in which such structure is located. For purposes of applying the following setback and height regulations to development within an OI-3 or OI-4 zoning district or within a townhouse development or a planned development, all contiguous land within the district, townhouse development, or planned development shall be considered as a single zoning lot. Height may exceed the primary height limit (Column (F)), up to the amount established in the secondary height limit (Column (G)), in accordance with the following:

Except for the town center, mixed use zoning districts, office/institutional-3, and office/institutional-4 zoning districts, the height of a structure may exceed the primary height limitation established in the dimensional matrix, provided that for each foot the height of such structure exceeds the primary height limitation, the minimum street, solar, and interior setbacks applicable to that portion of the structure exceeding the primary height limitation shall be increased by two (2) feet.

In the town center, mixed use zoning districts, office/institutional-3, and office/institutional-4 zoning districts, the height of a structure may exceed the primary height limitation established in the dimensional matrix provided that for each foot the height of such structure exceeds the primary height limitation, the minimum street and interior setbacks applicable to that portion of the structure exceeding the primary height limitation shall be increased by one foot, and the minimum solar setback applicable to that portion of the structure exceeding the primary height limitation shall be increased by one and seven-tenths (1.7) feet.

If a structure is located in the vicinity of an airport, the height limitations set forth in Federal Aviation Regulations, Part 77, or successor regulations, shall apply where such limitations are stricter than those established in this appendix.

Columns (H): Column (H) establishes a minimum setback from the street right-of-way line. Where a zoning lot fronts on a street with a right-of-way width not meeting the standards of this appendix, street setback shall be measured from a line running parallel to the centerline of the street at a distance from such centerline equal to one-half (1/2) the standard right-of-way width for the street. The town manager or town council may exempt lots from this requirement upon making one of the following findings:

- Where a building line has already been established by existing structures along the block which are situated on lots comprising at least twenty-five (25) per cent of the street frontage, the building may be constructed at the established building line; or
- The existing right-of-way is adequate to encompass any anticipated need for widening of the street or other improvements, and widening of the right-of-way to town standards would create nonconforming street setbacks for other structures on the street.

Column (I): The interior setback requirements may be reduced to zero (0) under certain conditions (see section 5.2.8.). Additional setbacks are required for height increases as set forth in the reference notes to Column (H), above. Side setbacks are set at zero (0) in many non-residential districts in order to encourage the formation of a street wall, as is found in traditional commercial centers such as the TC district along Franklin Street.

Column (J): The solar setback may be reduced to zero (0) under certain conditions (see section 5.2.8). Minimum solar setback requirements shall not apply to any structure, or part thereof, where it is demonstrated to the town manager that the extent of the shadows projected for such structure at noon on the winter solstice does not exceed the maximum horizontal shadow pattern permitted by application of the minimum solar setback and maximum height limitations. Where a solar setback and either a street or interior setback both apply to the same portion of a lot line, the required minimum setback shall be the greater of the two (2).

Column (K): For areas located within the watershed protection district, impervious surface is regulated under the provisions of section 3.6.4 of this appendix. For areas not located in the watershed protection district, the following impervious surface restrictions apply to all new development except single-family and two-family dwellings constructed or to be constructed on existing lots created prior to January 27, 2003 (or for which a preliminary plat has been approved by the town council prior to that date):

- (1) The maximum amount of new impervious surface on a lot, including building footprints and paved parking areas, is derived by multiplying the gross land area of the lot by the ratio established in Column (K). The impervious surface ratio

is .24 under a low-density option, as defined in Table 3.6.4-1. For residential development under a high-density option, as defined in Table 3.6.4-1, the impervious surface ratio is .50. For development with a non-residential component, under a high-density option as defined in Table 3.6.4-1, the impervious surface ratio is .70.

- (2) Impervious surface restrictions shall not apply to town center zoning districts.
- (3) Lakes/ponds shall not be considered to be impervious surfaces.
- (4) Existing impervious surface on a lot as of January 27, 2003, shall not be included in impervious surface calculations, and shall not be considered to be a nonconforming feature.

For lots outside of the Watershed Protection District smaller than ten thousand (10,000) square feet, the maximum amount of impervious surface under the low-density option shall be forty (40) per cent.

Column (L): Maximum floor area allowed shall be the number of square feet derived by multiplying gross land area by the applicable floor area ratio (FAR), as shown in Table 3.8-1. A maximum floor area ratio shall not apply to public cultural facilities or single-family dwelling units (with or without an accessory apartment). Where a lot is partially within the resource conservation district, the maximum allowable floor area of the portion of the lot outside of the resource conservation district shall be calculated as the sum of: (a) the product of (1) the floor area ratio of the portion of the zoning lot outside the resource conservation district, and (2) the area, in square feet, of the portion of the zoning lot outside the resource conservation district; and (b) the product of (1) the floor area ratio applicable to a permitted use in the resource conservation district, and (2) the area, in square feet, of the portion of the zoning lot within the resource conservation district.

For two-family duplex dwellings on a single zoning lot, the floor area ratio shall be .40 in all zones and overlay zones.

For public elementary and secondary schools, the maximum floor area ratio shall be .174 unless a higher floor area ratio is established in Column (L).

(Ord. No. 2004-02-23/O-2; Ord. No. 2005-10-10/O-6, § 2; Ord. No. 2007-02-26/O-3a, §§ 4, 5; Ord. No. 2007-02-26/O-5, §§ 4, 5; Ord. No. 2008-04-28/O-4, § 1; Ord. No. 2008-11-24/O-4, § 3; Ord. No. 2009-04-15/O-4; Ord. No. 2010-06-21/O-1, § 1; Ord. No. 2010-06-21/O-11, § 4)

3.9. Incentive zoning.

Purpose statement: It is the intent of this section to provide for increased levels of allowable development intensities as incentive for the provision of certain public benefits beyond those normally required by this appendix or provided by private developers.

3.9.1 Bonus Criteria.

(a) An applicant may be granted a density bonus by the town council by establishing any of the incentive items as described in Column (A) in Table 3.9-1 herein consistent with the standards described in Columns (B) and (C) of Table 3.9-1.

Table 3.9-1: Bonus Density Chart

(A) Incentive item	(B) Criteria	(C) Bonus calculation
Redevelopment	Redevelopment of existing shopping centers.	For each 100 spaces of surface parking converted to structured parking on an area not exceeding 20% of the site area, an additional 20,000 feet of floor area may be constructed.

3.9.2 Transfer of Development Rights

Purpose: This section establishes procedures for transferring densities from sending to receiving parcels. At the voluntary request of the landowners in the sending areas and the receiving areas, the town may increase densities in the receiving areas and reduce densities in the sending areas.

(a) *Sending areas created.*

- (1) The resource conservation district is hereby designated as a "sending area" for purposes of this section. Severable development rights are hereby created in the resource conservation district (RCD).
- (2) For purposes of this subsection, "development potential" means the number of dwelling units or floor area permitted by the provision of section 3.6.3.
- (3) Documentation of compliance with the requirements for eligibility as a sending area shall be submitted with the application for development approval requesting an increase in density in the receiving area provided.



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Sec. 3.7. Use Regulations

Table 3.7-1: Use Matrix

Uses	Use Group	RT	R-LD5	R-LD1	R-1A	R-1	R-2A	R-2	R-3	R-4	R-5	R-6	Stds.
Bed & Breakfast	B	P	P	P	P	P	P	P	P	P	P	P	Sec. 7.5.2

Uses	Use Group	NC	OI-1	OI-2	OI-3	CC	TC-1, TC-2, TC-3	I	MH	Stds.
Bed & Breakfast	B	P	P	P	P	P	P	=	=	Sec. 7.5.2

Sec. 6.21. Bed & Breakfast

6.21.1. Standards

- A. The use must be located in a structure originally constructed as a detached single-family dwelling or a structure purpose-built for bed & breakfast lodging.
- B. The structure must be the permanent residence of the owner or manager of the structure.
- C. The structure must have interior stairs that serve all habitable living spaces within the structure.
- D. No other such lodging may be located facing the same street within 600 feet of the proposed use.
- E. No guest room or suite may contain less than 100 square feet of floor area.
- F. The number of guests may not exceed 23 persons per night.
- G. Breakfast and an evening “happy hour” are allowed, provided they are served to guests only. The price of any meal must be included with the room. No other meals are allowed, except in conjunction with permitted special events. Separate or additional kitchens for guests are not allowed.
- H. The bed & breakfast must provide a minimum of .75 on-site vehicular parking spaces per available guest room plus 1 space for the resident manager/owner and 1 for each employee. The bed & breakfast may provide a maximum of .5 on-site vehicular parking spaces per available guest room plus 2 spaces for the resident manager/owner and 1 for each employee.

- I. No exterior advertising is allowed except one non-illuminated sign not to exceed 2 square feet in display area.

6.21.2. Special Events

- A. Special events (such as weddings, receptions and other similar functions) may be held in conjunction with a bed & breakfast subject to the following conditions:
 - 1. Special events may be held no more frequently than one day each calendar month.
 - 2. Special events may occur between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends.
 - 3. Special events may not have total attendance greater than 25 persons, plus service personnel.
 - 4. Special events may not include amplified sound.
- B. Special events (such as weddings, receptions and other similar functions) that do not meet the standards in paragraph 1 above may be allowed by special events permit.

6.21.3. Site Plan Review

No more than 7 guest rooms are permitted by right. Up to 12 guest rooms may be allowed by site plan review.

6.21.4. License Required

- A. A Town license is required prior to establishment of a bed & breakfast, whether permitted by right or by site plan review. The Town license must be renewed every 2 years.

- B. To stay in good standing with the Town, the property owner shall pay all occupancy tax obligations in a timely manner.
- C. At the time of license renewal, the Town Manager must review records of the Town's Business Management Department, Police Department, and the Town's Inspections Division to determine whether there have been substantial management issues associated with the bed & breakfast over the license period. Where such issues exist, a special use permit will be required prior to issuance of a bed & breakfast license renewal.

Appendix A. Definitions

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Bed & Breakfast. A group of not more than 12 guest rooms in a private home intended for offering accommodations for a period of less than one week.

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[NOTE: It is presumed these new standards will be applied as an overlay district. The initial overlay will cover neighborhoods developed before 1965. Additional neighborhoods may apply the overlay as well, if desired.]

3.12. Neighborhood Character Overlay

3.12.1. Intent

The Neighborhood Character Overlay is intended to encourage reinvestment and reinforce the established character of designated residential neighborhoods in the Town. The standards are intended to accommodate the majority of infill development in existing residential neighborhoods, and have been crafted to allow an applicant (and Town staff) to look to the surrounding residential context for guidance regarding compatibility.

3.12.2. Establishment of Neighborhood Character Overlay

The Contextual Infill Overlay District is established here. The boundaries of the district are as shown on the Official Zoning Atlas.

2.3.5. Neighborhood Character Standards

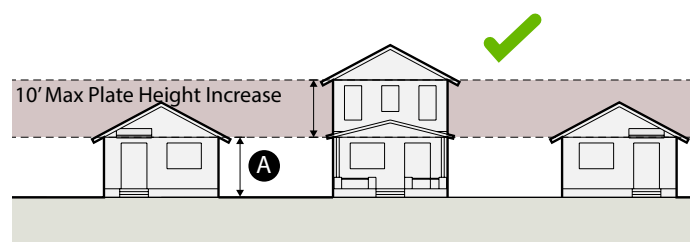
A. Applicability

1. These standards apply within the Neighborhood Character Overlay shown on the Official Zoning Atlas.
2. These standards apply to any residential project under 2 acres in size located adjacent to an existing single-family or duplex residential lot.
3. These standards do not apply to nonresidential development (which must follow the standards of the underlying zoning district).

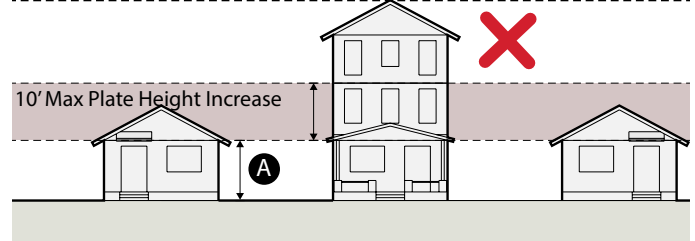
B. Height

Height may not exceed 10 feet above the plate height of the tallest house on the immediately adjacent lots on the same block face, and in no case may height exceed the applicable underlying zoning district standard.

Height Allowed by District Zoning

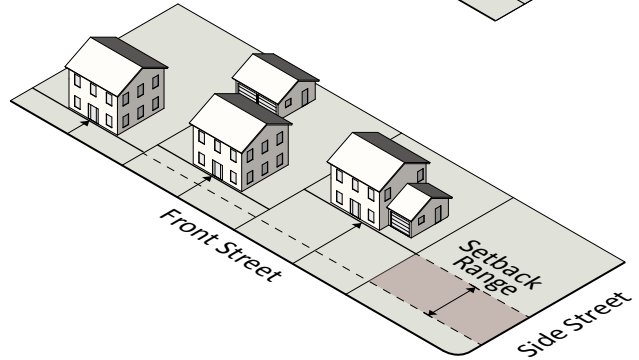


Height Allowed by District Zoning



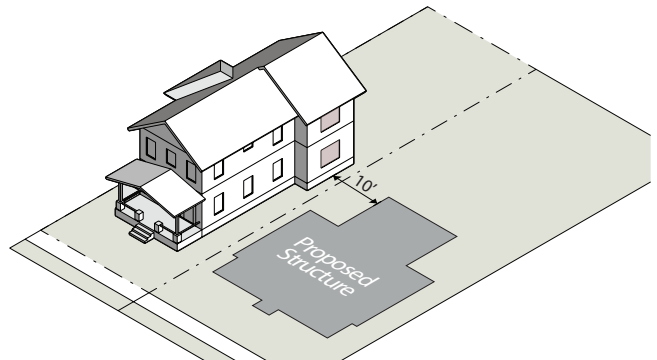
C. Front Setback

1. Proposed structures must be located within the range of front setbacks on the same block face. This range of setbacks is measured on the basis of the 2 closest lots in both directions along the street.
2. Where a setback in these four lots is significantly out of the range of setbacks along the same block face, it may be eliminated from the range by the Town Manager. Where the two closest lots are interrupted by a street, they are not included in the calculation.
3. The proposed structure must be located within this range of setbacks (no closer than the narrowest setback, and no further than the deepest setback).



D. Side Setback

1. The minimum side setback for the respective district applies.
2. Where the side wall of an existing structure is located within 3 feet of the adjoining property line, windows or other openings in the proposed structure that would allow for visibility into the side yard of the adjacent lot are not allowed unless a minimum 10-foot building separation is provided.
3. Windows that do not allow visibility into the side yard of the adjacent lot (clerestory windows or translucent windows) are allowed regardless of the building separation.

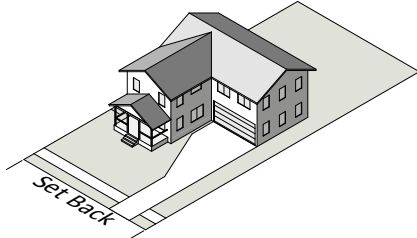
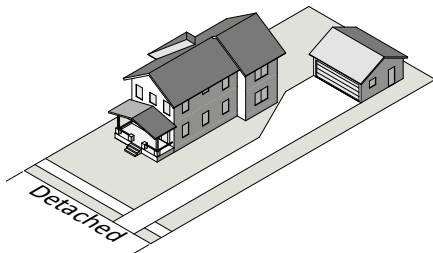
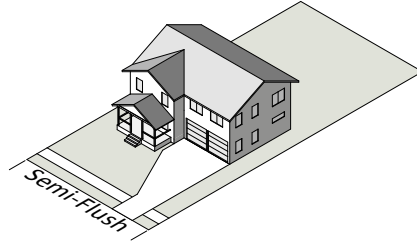
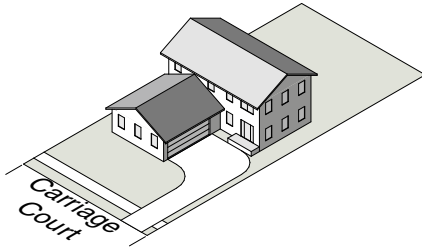
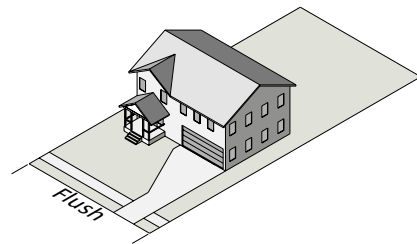
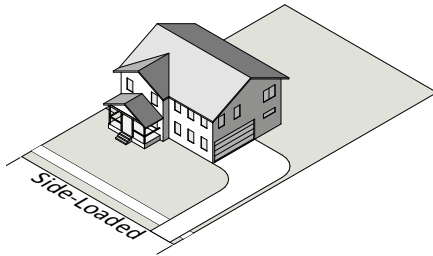


E. Garages and Carports

1. A street-facing garage or carport is not allowed, except as follows:
 - a. When it is located as a detached structure behind the principal structure.
 - b. When street-facing garages or carports exist on more than half of the lots fronting the same block face.

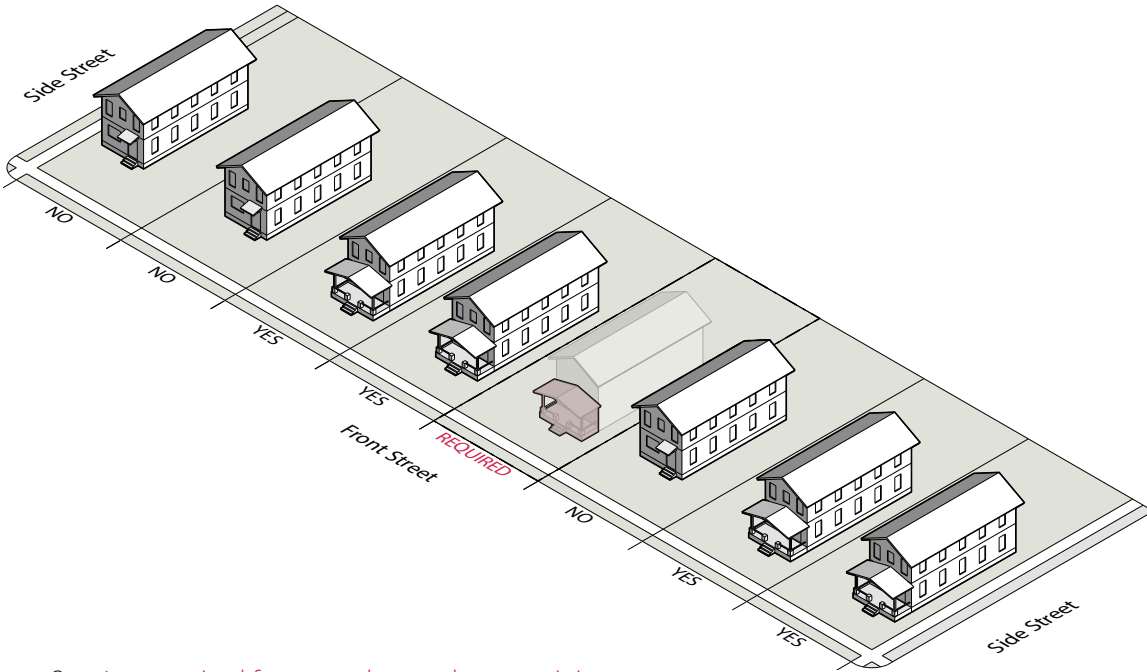
Garages That Are NOT Considered Street-Facing

Garages That Are Street-Facing

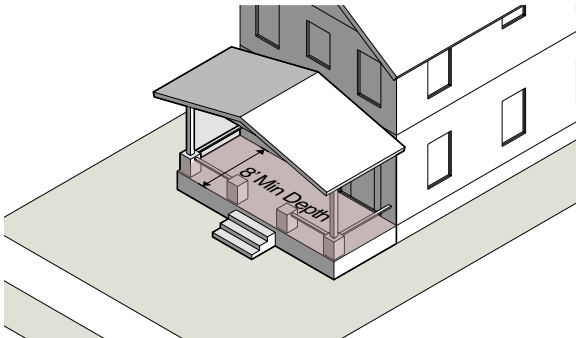


F. **Front Porches**

1. A front porch is required where front porches are provided on more than half of the lots fronting on the same block face.

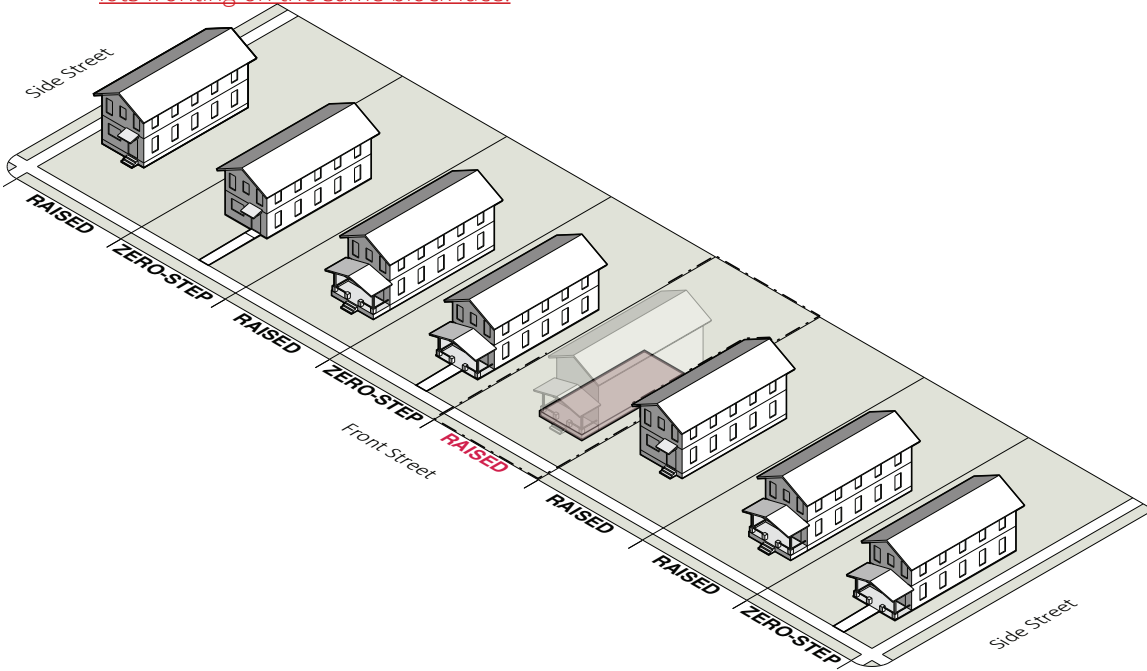


2. Any required front porch must have a minimum depth of 8 feet, except where a house on the same block face has a front porch less than 6 feet in depth, in which case a required front porch minimum depth of 6 feet is allowed.

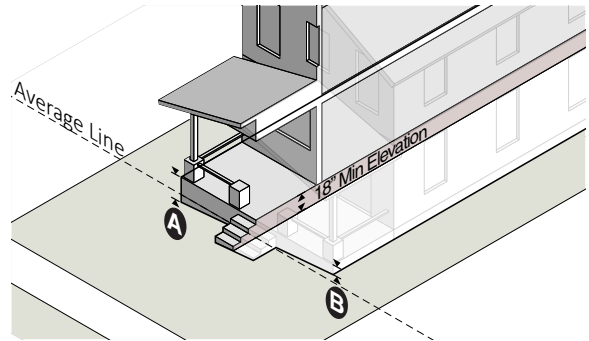
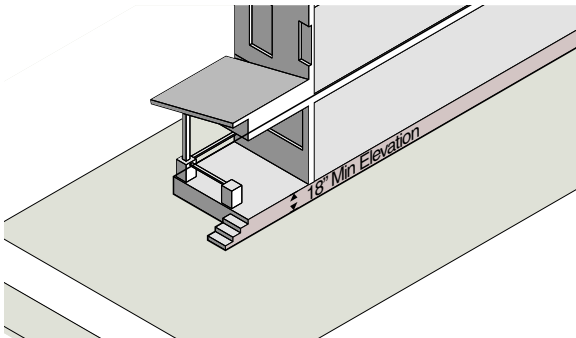


G. Ground Floor Elevation

1. Raised ground floors are required where raised ground floors occur on more than half of the lots fronting on the same block face.



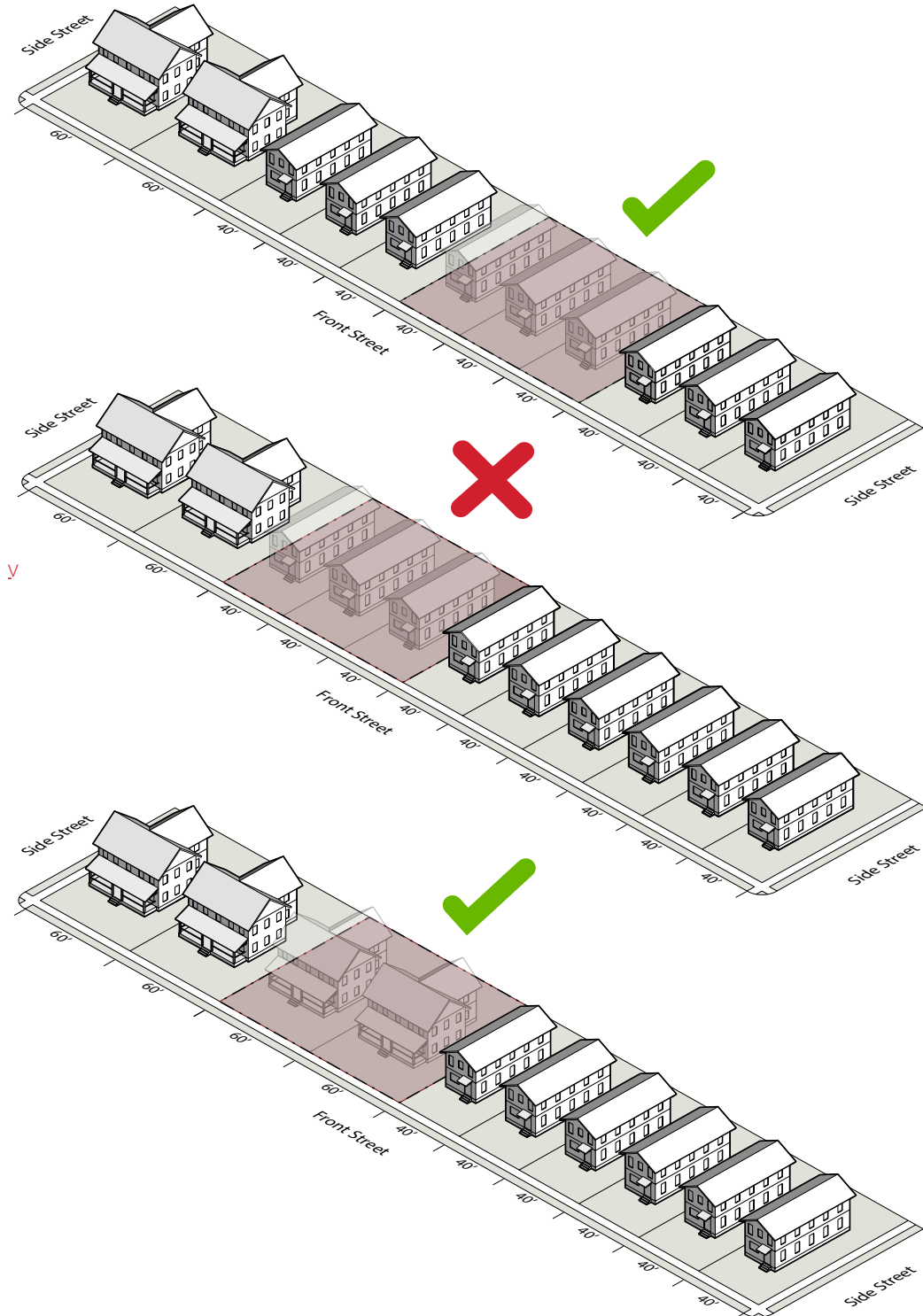
2. Any structure that requires a raised ground floor must have a ground floor elevation of at least 18 inches measured from average grade along the foundation to the top of the finished floor. In the event of a demonstrated disability hardship, the Town Manager may approve an alternative zero-step entry design.



H. **Lot Width for New Subdivision**

The minimum lot width requirement for subdivision after [INSERT effective date] is the smaller of:

1. The sum of the widths of the 2 closest lots in both directions along the street (4 lots total) divided by 4; or
2. The sum of the width for all lots fronting on the same block face divided by the total number of lots on the block face.





Chapel Hill LUMO Topic Revisions

Sec. 5.14. Signs

- [8.14.1. Intent 3](#)
- [8.14.2. Applicability 3](#)
- [8.14.3. Signs in the Right-of-Way 3](#)
- [8.14.4. Signs Exempt from Regulation 3](#)
- [8.14.5. Prohibited Signs 4](#)
- [8.14.6. General Standards 5](#)
- [8.14.7. Permitted Signs 7](#)
- [8.14.8. Specialty Sign Types 18](#)
- [8.14.9. Sign Measurements 19](#)
- [8.14.10. Changeable Copy 20](#)
- [8.14.11. Sign Illumination 21](#)

NOTE: KEY CHANGES

Although some of the existing LUMO sign text has been used in this Section, the entire draft is shown as NEW (underlined in red) to ensure reviewers will read the existing as well as new portions of the Section.

- Applied basic approach to regulating from Ephesus Church/Fordham Form District
- Expanded prohibited signs
- Eliminated requirement for text only, trademarks, service marks
- Eliminated limit on anchor tenants on sign except for Development ID Sign
- Eliminated size difference between illuminated and non-illuminated signs
- Increased cantilevered ground sign to 9 SF from 3 SF
- Eliminated 2:1 ratio for shape of commercial center and ground sign
- Allowed variable display area on projecting sign based on height placement of sign
- Deleted commercial center and ground sign display area doubling when wall sign area is reduced
- Eliminated building width requirement for projecting sign
- Eliminated wall sign relationship to window height
- Modified limits on gas station pump toppers to allow 1 per pump
- Modified Parking Lot Identification Banners to eliminate seasonal requirement

Sec. 5.14. Signs

5.14.1. Intent

It is the intent of this section to authorize the use of signs with regard to size, layout, style, typography, legibility, and arrangements compatible with their surroundings; appropriate to the identity of individual properties, occupants, or of the community; and as appropriate to traffic safety.

5.14.2. Applicability

- A. No sign visible from the public right-of-way, whether exterior to or interior to a structure, shall be erected, displayed, or substantially altered (unless specifically exempted) except in accord with the provisions of this Land Use Management Ordinance and until a zoning compliance permit has been issued for the sign.
- B. Except where expressly exempted in this Section, all signs must be located on the same lot as the permitted use and be clearly incidental, customary and commonly associated with the operation of the permitted use.

5.14.3. Signs in the Right-of-Way

- A. Signs must not encroach into the public right-of-way unless expressly exempted in this Section.
- B. Wall signs, awning signs, canopy signs, projecting signs, crown signs and shingle signs may encroach over the public sidewalk but must not encroach on or over any streets or alleys. All signs must be a minimum of 24 inches inside the curb line or edge of pavement, whichever is greater.

5.14.4. Signs Exempt from Regulation

- A. The following signs are exempt from regulation and permit requirements under this Section, provided that signs comply with the provision of this section and are not illuminated.
 1. Signs bearing only property identification numbers and names, post office box numbers, names of occupants of the premises on which the signs are located, or other identification of premises not of a commercial nature, provided the signs are not illuminated and do not exceed 2 signs per zoning lot and 2 square feet in area per display surface.

2. Flags and insignia of a government, when not displayed in connection with a commercial promotion.
3. Legal notices, identification and informational signs, and traffic directional or regulatory signs erected by or on behalf of a governmental body.
4. Memorial signs, plaques or tablets, and names and construction dates of buildings when cut into any masonry surface.
5. Signs directing and guiding traffic and parking on private property on which the signs are located, provided such signs are not illuminated, bear no advertising, and do not exceed 4 square feet in area per display surface. [NOTE: Directory signs with tenant names and locations that are not visible from the public right-of-way have no restriction on area.]
6. Real estate signs advertising the sale, rental, or lease of the premises, provided the signs:
 - a. Do not exceed 1 sign per street frontage and 4 square feet in area per display surface for property zoned residential; and
 - b. Do not exceed 1 sign per street frontage and 16 square feet per display surface for property zoned non-residential or located within an approved planned development.
7. Construction site identification signs whose message is limited to project name, identification of architects, engineers, contractors and other individuals or firms involved with the construction, the name of the building, the intended purpose of the building and the expected completion date. Construction site identification signs may not exceed 4 square feet in area per display surface and 6 feet in height for single-family or duplex construction; and 32 square feet in area per display surface and 8 feet in height for multifamily or non-residential construction. The signs must be non-illuminated. Construction site identification signs must not exceed 1 sign per construction site, must not be erected prior to the issuance of a building permit, and must be removed within 7 days of issuance of a certificate of occupancy.
8. As part of a Construction Management Plan, the Town may exempt construction fencing signs from regulation provided that such signs are

removed once construction fencing is no longer required.

9. Temporary political signs advertising candidates or election issues, provided such signs do not exceed 4 square feet in area per display surface, and provided that any such signs, on private property, are removed within 10 days after the primary or election day; and provided further that any such signs in the public right-of-way are not erected prior to 30 days before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day. The NC Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in this paragraph. Signs in the right-of-way must be placed in compliance with the following:
 - a. The sign permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected.
 - b. No sign is permitted in the right-of-way of a fully controlled access highway.
 - c. No sign is allowed closer than 3 feet from the edge of pavement of the road.
 - d. No sign may obscure motorist visibility at an intersection.
 - e. No sign may be higher than 42 inches above the edge of the pavement of the road.
 - f. No sign may be larger than 864 square inches.
 - g. No sign may obscure or replace another sign.
10. Yard or garage sale signs announcing yard or garage sales, provided the signs do not exceed one sign per site of the sale and 4 square feet in area per display surface, and are removed within 7 days of posting.
11. Public event announcements by public or non-profit organizations of special events or activities of interest to the general public, provided such signs do not exceed 1 sign per site of such events or activities and 12 square feet in area per display surface, and are removed within

14 days of posting. [NOTE: expand to allow for temporary commercial event activity?]

12. Temporary signs announcing grand openings of new businesses only, provided such signs are attached to the building in which the business is located, do not exceed 32 square feet of display area per business site, and are displayed for a period not to exceed 45 days.
13. Information kiosks or bulletin boards erected by or on behalf of a governmental body on public property or rights-of-way in the Town Center Districts for the display of handbills or posters of community interest, provided such kiosks or bulletin boards contain no more than 6 square feet in area per sign display surface, and a maximum of 72 square feet per kiosk or bulletin board.
14. Signs stating that a business (other than a home occupation) is open, provided that there is no more than one such sign per business establishment, any illumination is steady (does not blink or flash), and the sign does not exceed 2 square feet in display area.
15. Non-commercial signs not covered by other exemptions listed in this section, provided such signs are located on private property and are non-illuminated. [NOTE: Still necessary?]

5.14.5. Prohibited Signs

The following signs are prohibited.

A. Moving Signs

Animated, rotating, or other moving or apparently moving signs, including vehicular billboards.

B. Wind Signs

Devices consisting of banners, streamers, pennants, wind-blown propellers, balloons, inflatable devices, strung light bulbs and similar installations, unless approved by the Town Manager for non-commercial, non-profit enterprises.

C. Digital Changeable Copy

Digital changeable copy that scrolls, blinks, or flashes, including but not limited to LCD, LED and any similar technology, except as used to display time and temperature or gas price.

D. Roof Signs

Any sign visible from a public right-of-way that is constructed and maintained wholly upon or over the roof of a building.

E. Human Signs

A sign held by or attached to a human for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service or product. This may also include a person dressed in costume for the purpose of advertising or drawing attention to an individual, business, commodity, service or product.

F. Signs That Are Not Permanent

Any sign that is not permanently affixed to the ground or a structure (except sidewalk signs), including but not limited to trailer signs, signs on vehicles that are parked in a manner that serves the purpose of an advertising device, and temporary signs advertising property for sale, lease or rent.

G. Traffic Safety Precautions

Notwithstanding any other provision in this Land Use Management Ordinance, the following restrictions shall apply to signs in order to preserve the safety of pedestrian, bicycle, and vehicular movement:

1. No sign may make use of the words "STOP", "SLOW", "CAUTION", "DANGER", or any other word, phrase, symbol or character in such manner as is reasonably likely to be confused with traffic directional and regulatory signs.
2. Except as used to display time and temperature, no sign may contain flashing lights.
3. No sign, or part of a sign, may be located within a sight distance area established below.

4. No sign may be erected so that by its location, color, nature or message is likely to be confused with or obstruct the view of traffic signals or signs, or is likely to be confused with the warning lights of an emergency or public safety vehicle.

5.14.6. General Standards

A. Subject Matter Related to Premises

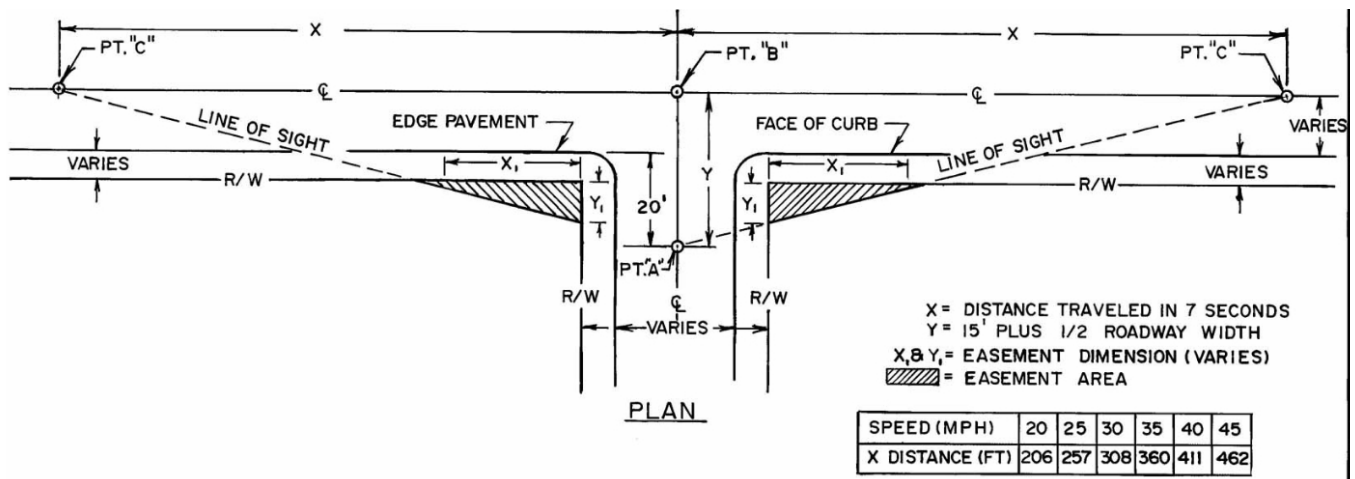
The subject matter of any sign must be related to the premises on which the sign is located, except where specifically exempted by this Land Use Management Ordinance.

B. Cessation or Vacation of Use

When the use or establishment to which a sign is related ceases or is vacated, any sign, including all of its supports, frames and hardware, must be removed within 4 months of the cessation or vacating of the use or establishment unless the sign is used by a new use or establishment on the premises in conformance with all current regulations of this Land Use Management Ordinance.

C. No Signs in Public Right-of-Way

All signs, including the supports, frames, and embellishments, shall not be located within any public right-of-way (except where specifically exempted by this Land Use Management Ordinance). No sign may be attached, affixed, or painted on any utility pole, light standard, telephone or telegraph pole, any tree, rock or other natural object.



D. Unified Sign Plan

1. Where a zoning lot contains more than one principal use or establishment, the provisions of this Section apply to the zoning lot as a whole, and the owners of the zoning lot are responsible for allocating permitted signs and display surface area among the individual uses or establishments.
2. A unified sign plan is an overall plan for placement and design of multiple signs for a building or group of buildings on a zoning lot.
3. The unified sign plan submitted for a zoning lot must show all signs located or proposed on the zoning lot.
4. The unified sign plan must display harmony and consistency with regard to theme, number and size of signs, placement of signs, materials and colors, size and style of lettering, and type of sign illumination.

E. Noncommercial Messages

1. Whenever this Section permits a commercial sign, a noncommercial message may be substituted for the commercial message.
2. The right to substitute the noncommercial message does not waive any other requirement imposed by this Land Use Management Ordinance as to number, size, construction, location, lighting, safety or any other regulated attribute.

F. Address on Ground Signs

The street address number must be included on all ground signs. Numerals must be at least 9" in height. The area of the address is included in any calculation of total sign area.

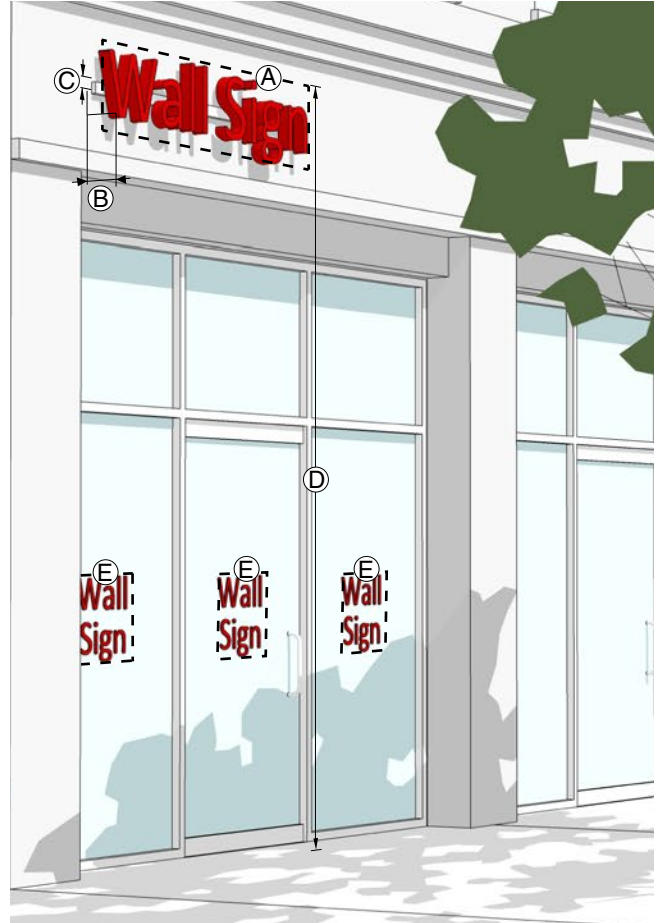
G. Site Plan Review by Planning Commission

The Planning Commission may approve signs in the Neighborhood Commercial districts that comply with the standards of this Section as part of a site plan review.

5.14.7. Permitted Signs	RT, R-, MH, PD-H	TC-, CC, NC, OI-, MU-V, I	PD-SC PD-OI, PD-MU, PD-I	Mixed Use OI-1, Mixed Use R-1	Sign Area Allocation (max)
Building Signs					
	P*	P	P	P	
	P*	P	P	P	
	P*	P	P	P	Maximum 5% of the building facade for all of these sign types combined
	P*	P	P	P	
	P*	P	P	P	
	--	P	P	P	Maximum 2.5% of the building facade (in addition to other building signs)
Ground Signs					
	P*	P	--	--	
	P*	P	--	--	
	P*	P	P	P	Based on sign area
	P	--	P	P	

KEY: P = Sign type permitted P* = For allowed nonresidential uses only -- = Not Permitted

A. Wall Sign



Description

A wall sign is a sign attached to or painted on a wall or building, with the exposed display surface of the sign in a plane parallel to the plane of the wall to which it is attached or painted, and including signs affixed to or otherwise displayed on or through a facade window.

Standards

1. No portion may extend above the roof line or above a parapet wall of a building with a flat roof. No portion may extend above the lower eave line of a building with a pitched roof.
2. Must not cover windows or architectural details.
3. Wall sign area includes signs visible from the outside that are located inside the building within 5 feet of the window.
4. For a cinema or theater, may be constructed as a marquee that extends less than 10 feet from the building and is at least 10 feet above the sidewalk (or finished grade where there is no sidewalk).
5. May be externally or internally illuminated in accordance with Sec. 8.14.11.

Dimensions

	RT, R- MH, PD-H	NC, CC, TC-, OI-, MU-V, Ind	PD-SC, PD-OI PD-MU, PD-I	MU OI-1, MU R-1
(A) Display surface, building identification (max)	16 SF	limited by allocation	40 SF	limited by allocation
(A) Display surface, each establishment (max)	--	--	15 SF	limited by allocation
(B) Projection from bldg facade (max)	12"	12"	12"	12"
(C) Raceway (max % of letter height)	35%	35%	35%	35%
(D) Height above sidewalk (max)	18'	18'	18'	18'
(E) % of each window area (max)	15%	15%	15%	15%

Number of Signs

1. In the RT, R-, MH and PD-H Districts, maximum 1 wall sign per street frontage.
2. In all other districts, maximum of 1 wall sign per individual establishment per street frontage.

B. Awning Sign



Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself.

Standards

1. Sign must not extend outside the awning.
2. Signs are not permitted on the sloping face of the awning. [NOTE: Allow signs on sloping face?]
3. Not allowed above the ground story.
4. May only be externally illuminated in accordance with Sec. 8.14.11.

Dimensions

(A) Display surface (max)	9 SF
(B) Width (max % of awning width/depth)	75%
(C) Height of message (max)	12"
(D) Clear height above sidewalk (min)	8'

Number of Signs

1. A maximum of 1 awning sign is permitted per awning.
2. Awning sign may be on either the front or side valance.

C. **Canopy Sign**



Description

A sign placed at the front edge of a canopy so that the display surface is parallel to the plane of the front building facade.

Standards

1. Must not extend outside the overall length or width of the canopy, however, may extend above or below the canopy, provided the clear height is met.
2. Raceways are permitted for signs extending below or above the canopy. Otherwise, raceways are not permitted and the sign must be flush with the canopy face.
3. May be externally or internally illuminated in accordance with Sec. 8.14.11.

Dimensions

Ⓐ	Width (max % of canopy width)	75%
Ⓑ	Height of text and graphics (max)	2'
Ⓒ	Depth (max)	1'
Ⓓ	Raceway (max % of letter height)	35%
Ⓔ	Clear height above sidewalk, canopy and sign (min)	10'

Number of Signs

1. A maximum of 1 sign is permitted per canopy.

D. **Projecting Sign**



Description

A sign applied to or mounted to the wall or surface of a building or structure, with a display surface that projects 12 inches or more from the outside wall of the building or structure.

Standards

1. May be erected on a building corner when the building corner adjoins the intersection of two streets. Allocation of sign area from both frontages may be used for a corner projecting sign, provided it does not exceed the allowed height and width.
2. No portion may extend above the roof line or above a parapet wall of a building with a flat roof. No portion may extend above the lower eave line of a building with a pitched roof.
3. On buildings 4+ stories, the projecting sign must be located below the window sills of the 4th story.
4. May be externally or internally illuminated in accordance with Sec. 8.14.11.

Dimensions

Height (max)	
Ⓐ	Mounted below 2nd floor 4'
	Mounted between 2nd and 3rd floor 8'
	Mounted between 3rd and 4th floor 12'
Ⓑ	Distance from building facade (min/max) 1' / 2'
Ⓒ	Projection width (max) 4'
Ⓓ	Depth (max) 12"
Ⓔ	Clear height above sidewalk (min) 10'

Number of Signs

1. Maximum 1 projecting sign per individual establishment per street frontage.
2. Must be located at least 25 feet from any other projecting sign or shingle sign.
3. Not allowed on a zoning lot with a commercial center or ground sign.

E. **Shingle Sign**



Description

A small projecting sign that hangs from a bracket or support and is located over or near a building entrance.

Standards

1. Must be located within 5 feet of an accessible building entrance.
2. Hanging bracket must be an integral part of design.
3. Must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a 1-story building.
4. May only be externally illuminated in accordance with Sec. 8.14.11.

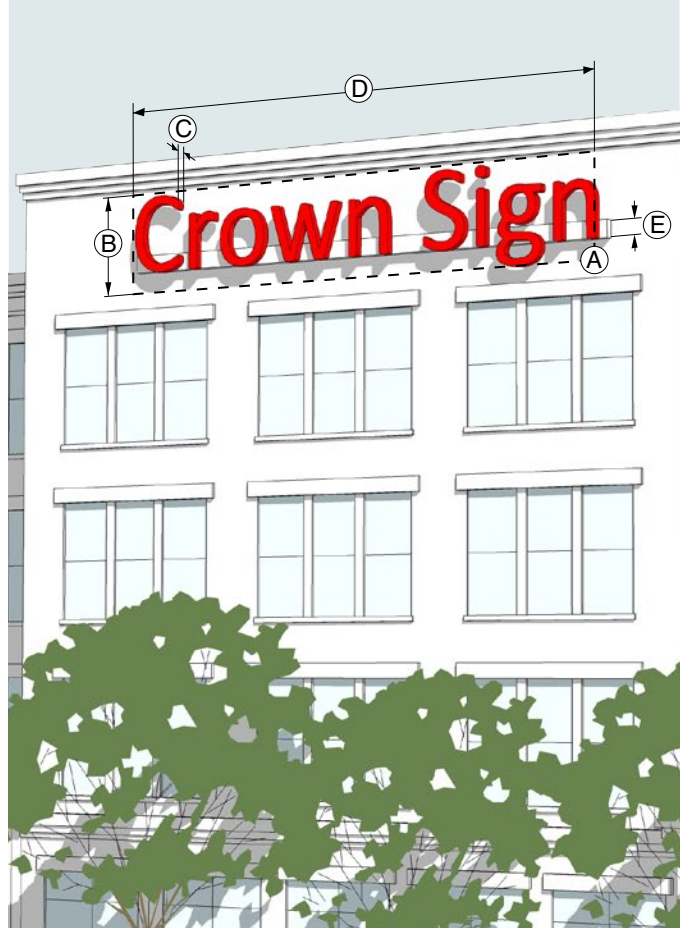
Dimensions

(A) <u>Display surface (max)</u>	<u>9 SF</u>
(B) <u>Height (max)</u>	<u>3'</u>
(C) <u>Spacing from building facade (min/ max)</u>	<u>6"/12"</u>
(D) <u>Projection width (max)</u>	<u>3'</u>
(E) <u>Depth (max)</u>	<u>6"</u>
(F) <u>Clear height above sidewalk (min)</u>	<u>10'</u>

Number of Signs

1. Maximum of 1 shingle sign or projecting sign per individual establishment per street frontage.
2. A shingle sign must be located at least 25 feet from any other shingle sign or projecting sign.

F. **Crown Sign**



Description

A wall sign extending not more than 3 feet from the building facade located on the upper horizontal band of a building at least 55 feet and 4 stories in height.

Standards

1. Only permitted on buildings at least 55 feet and 4 stories in height.
2. Must not be placed below the start of highest floor or extend above the roof line.
3. Must not cover windows or architectural details.
4. May only be internally illuminated in accordance with Sec. 8.14.11.

Dimensions

(A) Display surface (max)	250 SF
(B) Height (max)	8'
(C) Projection - measured from building facade (max)	3'
(D) Width (max % of facade width)	75%
(E) Raceway (max % of letter height)	25%

Number of Signs

1. No more than 1 sign per building facade and no more than 2 signs per building.
2. No more than 1 tenant or building may be identified on the sign.

G. Commercial Center Sign



Description

A commercial center sign is a free-standing sign attached to a contiguous structural base or planter box permanently affixed to the ground. Commercial center signs do not include free-standing signs supported by poles.

Standards

1. Allowed for commercial centers, defined as a center with a minimum of 4 retail business tenants and 8,000 SF of retail business floor area.
2. Zoning lot must have 100 feet of street frontage minimum.
3. Sign must be set back at least 10 feet from the front property line and 15 feet from a side property line.
4. Sign must be located at least 250 feet from any other ground sign.
5. Minimum 9" letter height for all text.
6. May be externally or internally illuminated in accordance with Sec. 8.14.11.

Dimensions

	NC, CC, OI-1, OI-2, MU-V, MU OI-1, MU R-1, PD-MU	
	Street up to 35 MPH	Street 35 MPH +
(A) Sign structure plus display surface (max)	100 SF	144 SF
(A) Display surface only (max)	50 SF	72 SF
(B) Height (max)	12'	14'
(C) Width (max)	10'	10'
(D) Thickness (max)	12"	12"

Number of Signs

1. Maximum 1 commercial center sign per street frontage.

H. Ground Sign



Description

A ground sign is a free-standing sign attached to a contiguous structural base or planter box the same width or greater width than the message portion of the sign, permanently affixed to the ground. Ground signs do not include free-standing signs supported by poles.

Standards

1. Zoning lot must have a minimum 100 feet of street frontage to qualify for a ground sign (for smaller lots, see Cantilevered Ground Sign). Lot must be accessible by automobile and contain off-street parking for the principal use.
2. Buildings housing principal uses must be located at least 20 feet back from abutting right-of-way.
3. Sign must be set back at least 10 feet from the front property line and 15 feet from a side property line.
4. Sign must be located at least 150 feet from any other ground sign.
5. Minimum 9" letter height for all text.
6. May be externally or internally illuminated in accordance with Sec. 8.14.11.

Dimensions

	RT, R-, MH, PD-H	TC-	All Other Districts
(A) Display surface (max)	16 SF	8 SF	30 SF
(B) Height (max)	6'	8'	8'
(C) Width (max)	10'	10'	10'
(D) Thickness (max)	12"	12"	12"

Number of Signs

1. In the RT, R-, MH and PD-H Districts, maximum 1 ground sign per lot.
2. In all other districts, maximum 1 ground sign per street frontage.
3. No ground sign permitted on the same zoning lot as a projecting sign.

I. Cantilevered Ground Sign



Description

A permanently affixed sign which is wholly independent of a building for support where the primary support is supplied by a post and the sign hangs from a bracket or support.

Standards

1. No minimum street frontage required.
2. Buildings housing principal uses must be located at least 20 feet back from abutting right-of-way.
3. Must be set back at least 5 feet from the front lot line and 5 feet from a side lot line.
4. Hanging bracket must be an integral part of design.
5. Sign must be located at least 25 feet from any other ground sign.
6. May only be externally illuminated in accordance with Sec. 8.14.11.

Dimensions

(A) <u>Display surface (max)</u>	<u>9 SF</u>
(B) <u>Support height (max)</u>	<u>10'</u>
(C) <u>Sign height (max)</u>	<u>6'</u>
(D) <u>Display surface height, width (max)</u>	<u>3'</u>

Number of Signs

1. 1 cantilevered ground sign per street frontage.
2. No cantilevered ground sign permitted on same zoning lot as a projecting sign.

J. Development Identification Sign



Description

A permanently affixed sign which is wholly independent of a building for support attached along its entire width to a continuous pedestal that is used to identify entry to a development.

General Provisions

1. Must be set back at least 10 feet from the front property line and 15 feet from a side property line.
2. Must not conflict with any clear sight triangle.
3. Must be constructed of brick, stone, wood, metal or glass.
4. May contain the name and logo of the development and one anchor tenant.
5. May be externally or internally illuminated in accordance with Sec. 8.14.11.

Dimensions

	RT, R-, MH, PD-H	PD-SC, PD-OI, PD-MU, PD-I	MU OI-1, MU R-1
Ⓐ Sign area (max, single side only)	16 SF	20 SF	40 SF
Ⓐ Sign area (max each, if two sides)	8 SF	=	20 SF
Ⓐ Sign area (max, for development with a cinema, single side only)	=	=	80 SF
Ⓑ Height (max)	6'	6'	8'

Number of Signs

1. One development identification sign is allowed per primary entrance in the PD-SC, PD-OI, PD-MU and PD-I Districts.
2. In all other districts, 2 development identification signs are allowed per primary entrance, one on each side.

5.14.8. Specialty Sign Types

A. Sidewalk Sign

A sidewalk sign is a movable sign not secured or attached to the ground or surface upon which it is located. This sign type is typically an A-frame or spring-mounted sign.

1. A sidewalk sign is not permitted in any residential district.
2. A sidewalk sign is permitted only along roadways with a posted speed limit of 35 MPH or less.
3. A sidewalk sign must be no more than 42" tall and 36" wide. The sign face must be no more than 9 square feet in area.
4. There may be no more than 1 sidewalk sign per tenant, generally located adjacent to the primary facade in front of the business.
5. Each sidewalk sign must be located at least 25 feet from any other sidewalk sign.
6. A sidewalk sign must be located outside the public right-of-way, except in the Town Center, where sidewalk signs may be placed within the right-of-way in accordance with Chapter 16 of the Town Code. The sign must not obstruct vehicular, bicycle or pedestrian traffic, and must comply with ADA clearance and accessibility.
7. The sign must be removed and placed indoors at the close of each business day.
8. No illumination is permitted.



B. Parking Lot Identification Banners

1. Non-illuminated parking lot identification banners may be hung from private street lights in all non-residential districts for no more than 90 days with the approval of the Town Manager and the Community Design Commission.
2. Each parking lot identification banner must not exceed 4 square feet in display area, and must be limited to the name of the building or development.
3. One or two banners may be approved for display from each street light.
4. The colors, shape, materials, appearance and duration of display for such banners must be approved by the Town Manager and the Community Design Commission.

C. Gas Stations

1. Pumps

Signs located on the top of gas pumps (pump toppers) must comply with the following standards:

- a. Gas stations may install one pump topper per pump.
- b. Pump toppers are limited to a maximum of 6 square feet per side and no more than 2 sides per pump.
- c. The base of the pump must be a neutral color, and must not contain any signage.
- d. No internal illumination of the pump or pump topper is allowed.

2. Canopies

Gas station canopy signs must comply with the following standards:

- a. The sign must be an integral component of the pump canopy (composed of lettering mounted, painted or otherwise affixed to the pump canopy, and not located on the top or bottom of the canopy).
- b. The features, materials, colors and designs used in the pump canopy must be similar to the principal structure. Such features are considered similar where the materials and colors of the canopy are the same as the predominant materials and colors of the principal structure.

- c. Each canopy sign may not exceed 4 square feet of display area. The maximum letter height or trademark height must not exceed 18 inches.
- d. Additional canopy sign area may be permitted by transferring building sign display area. If building sign display area is transferred, one canopy sign is permitted on each side of a canopy, up to a maximum of three sides.
- e. The canopy must not encroach upon any publicly dedicated rights-of-way.
- f. The message must be limited to the name or registered trademark of the establishment located on the zoning lot.
- g. No internal canopy illumination is permitted.

3. Digital Gas Price Display

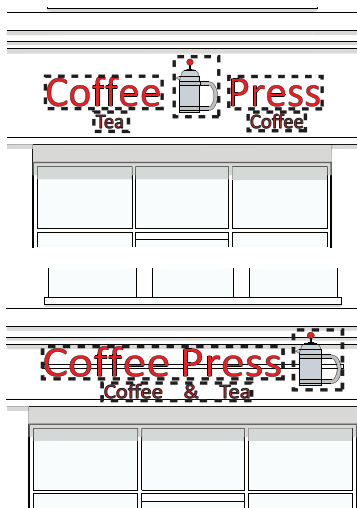
Gas prices may be displayed as digital (electronic) changeable copy).

5.14.9. Sign Measurements

A. Computation of Sign Area

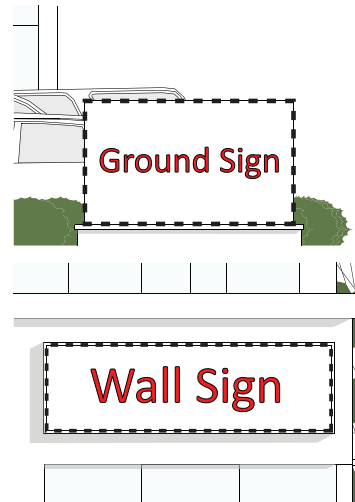
The area of all signs is determined as follows:

- 1. For wall signs, awning signs, canopy signs and crown signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses all the letters or logo.

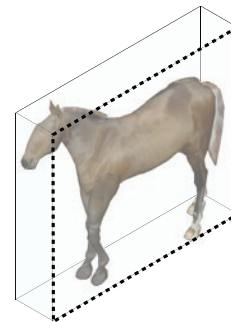


- 2. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate

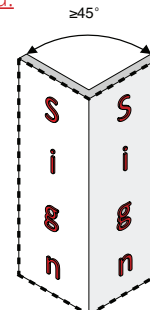
the sign from the structure on which it is mounted. Display surface includes the face of the structure that the message is affixed to. Display surface does not include any structural members not bearing advertisement.



- 3. The sign area of a three-dimensional sign is calculated as total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.



- 4. The area for a sign with more than one face is calculated by adding the area of all sign faces that are 45 degrees or greater; where the sign face angle is less than 45 degrees only the area of the largest sign face is computed as part of the sign area.



B. Measurement of Sign Height

The total height of a sign is measured from the highest point of the sign or supporting structure to the top of the abutting sidewalk (or the crown of the adjacent roadway where no sidewalk exists).



C. Sign Setback

Signs required to be set back are typically measured from the property line. However, in instances where the property line is adjacent to a drainage area or other right-of-way that may reasonably be anticipated to exist in the future, the Town Manager may allow the sign to be placed at the property line without any setback.

D. Sign Maintenance

All signs must be maintained in good condition and present a neat and orderly appearance. Failure by the owner or tenant to remove poorly maintained signs may result in enforcement action by the Town. The Town Manager may cause to be removed (after due notice) any sign which shows gross neglect, becomes dilapidated, or if the ground area around it is not well maintained.

5.14.10. Changeable Copy

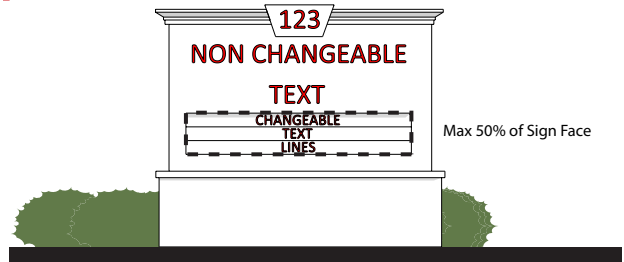
Changeable copy on signs must meet the following requirements.

A. Defined

A sign or portion of a sign that has a readerboard for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects (not consisting of an illumination device) that may be changed or re-arranged manually or mechanically without altering the face or the surface of the sign.

B. Where Allowed

1. Manual changeable copy signs are limited to the following uses:
 - a. Place of worship or school;
 - b. Theater with marquee; and
 - c. Gas station.
2. Manual changeable copy is allowed in conjunction with a permitted commercial center sign, ground sign or marquee wall sign only.
3. The manual changeable copy portion of the sign may be no greater than 50% of the total sign area on each display face.



4. No electronic or digital changeable copy is allowed, except for digital time and temperature signs and gas price signs at gas stations,

5.14.11. Sign Illumination

Illumination of signs must be in accordance with the following requirements.

A. Prohibited Light Sources

The following light sources are not permitted:

1. Blinking, flashing, chasing or scolling.
2. Bare bulb illumination.
3. Colored lights used in any manner so as to be confused with or construed as traffic control devices.
4. Direct reflected light that creates a hazard to operators of motor vehicles.

B. Brightness

The light from any illuminated sign must not be of an intensity or brightness that will interfere with the comfort, convenience and general welfare of residents or occupants of adjacent properties. Brightness must not exceed Town maximum footcandle standards.

C. Internal Illumination

1. Internal illumination is not allowed in the RT, R-, MH and PD-H Districts.
2. Channel letters may be internally lit, halo lit or back-lit.
3. For internally illuminated signs, the background must be opaque or a substantially darker color than the sign message.
4. Light emitting diodes (LED)'s are permitted as a light source only where the LED is behind an acrylic, metal or similar sign face and returns in such a manner that the LED modules are not visible from the exterior of the sign.

D. External Illumination

Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto public right-of-way or adjacent properties. External lighting of signs in the RT, R-, MH and PD-H Districts is permitted if illumination levels are low and all fixtures are concealed.

E. Raceways and Transformers

1. If a raceway is necessary, it must not extend in width or height beyond the area of the sign.
2. Raceways must be finished to match the background wall or canopy, or integrated into the overall design of the sign.

3. Visible transformers are not permitted.



External light sources



Internally lit channel letters



Back lit channel letters



Internally lit cabinet signs with darker background

SUMMARY OF PROPOSED CHANGES

Accessory Apartments	
<i>The proposed changes are designed to permit more accessory apartments in Chapel Hill.</i>	
Proposed Changes:	Goals:
<ul style="list-style-type: none"> • Remove requirement for double lot area • Clarify that accessory apartments are not subject to density or floor area ratio limits (like all other single-family) • Require 1 on-site parking space per unit • Maintain limits of 750 square feet and no more than 50% of principal dwelling’s floor area (today’s regulations) 	<ul style="list-style-type: none"> • Increase housing options and affordability by allowing more accessory apartments in Town • Allow more small-scale construction to reduce environmental impacts from development (e.g., lower energy demands of new housing) • Take advantage of existing infrastructure/services (e.g., roads, utility connections) • Ensure adequate parking for accessory units
Bed and Breakfasts	
<i>The proposed changes are designed to create new regulations that would permit bed and breakfast establishments in Chapel Hill.</i>	
Proposed Changes:	Goals:
<ul style="list-style-type: none"> • Allow up to 7 guest rooms permitted by right • Allow up to 12 guest rooms through site plan review • Require on-site parking: minimum of 0.75 spaces/guest room + 1.0 for owner and 1.0 per employee • Require 600-foot spacing between bed and breakfasts (about 1 block) • Limit special events to 25 guests, with specific hours • Require a Town license, renewed every 2 years 	<ul style="list-style-type: none"> • Allow bed and breakfast establishments by defining and regulating them as a permitted use • Determine appropriate zoning districts • Control scale of operation, manage special events • Ensure adequate parking • Require a renewable license

Signage

The proposed changes are designed to improve the existing sign ordinance by providing: (1) overall clarity and predictability through a clearer format with new graphics and illustrations; (2) greater flexibility with regard to shape and content; (3) additional options for illuminated signs; (4) and clarity around prohibited signs.

Proposed Changes:	Goals:
<ul style="list-style-type: none"> • Expand prohibited signs • Eliminate requirement for text only, trademarks or service marks • Eliminate limits on anchor tenants except for Development Identification signs • Eliminate size difference between illuminated and non-illuminated signs • Increase cantilevered ground sign from 3 square feet to 9 square feet • Eliminate 2:1 ratio for shape of commercial center and ground signs • Allow variable display area on projecting sign based on height placement of sign • Delete commercial center and ground sign display area doubling when wall sign area is reduced • Eliminate building width requirement for projecting sign • Eliminate wall sign relationship to building height • Modify limits on gas station pump toppers to allow 1 per pump • Modify parking lot identification banners to eliminate seasonal requirement 	<ul style="list-style-type: none"> • Clarify prohibited signs (including digital and inflatable signs) • Delete limits on shape, content (trademarks, etc.) • Eliminate difference in sign area for illuminated signs • Remove transfer of wall sign area to ground sign • Improve clarity, enforcement and predictability • Use graphics and tables

Neighborhood Character Standards

The proposed changes are designed to provide additional regulatory tools for determining the compatibility of new construction and additions within local Historic Districts. After evaluating the pilot program for local Historic Districts, neighborhood character standards may be proposed as a zoning overlay for other neighborhoods interested in these regulations.

Proposed Changes:

- Add the following tools as context-based standards (measurements based on nearby structures, lots) to supplement existing Historic District regulations found in LUMO Section 3.6.2:
 - Height, Setbacks
 - Garages, Carports, Porches
 - Ground Floor Elevation
 - Lot Width for Subdivision

Goals:

- As a pilot program, provide additional tools that help the Historic District Commission determine the contextual compatibility of new construction or additions
- After an evaluation of the pilot program, consider offering (as part of a future phase) neighborhood character standards as an optional zoning overlay for neighborhoods interested in these additional regulations



Meeting Schedule



Summer 2015

June*

15th – Zoning Fair for Public Drafts of



- Midday session 1:00-2:30pm
- Evening session 5:00-6:30pm

16th – Zoning Fair for Public Drafts of



- Midday session 12:00-1:30pm
- Evening session 6:00-7:30pm

23rd – Community Design Commission reviews



July*

14th – Historic District Commission reviews



14th – Environmental Stewardship Advisory Board reviews




21st – Planning Commission is introduced to **ALL** topics


28th – Stormwater Management Advisory Board reviews







**Boards meet as necessary to develop recommendations for Planning Commission and Council*


August*

3rd – Public Information Meeting 

11th – Housing Advisory Board reviews 

13th – Planning Commission reviews    

18th – Planning Commission reviews  

31st – Public Information Meeting 

**Boards meet as necessary to develop recommendations for Planning Commission and Council*

Fall 2015

September

1st – Planning Commission makes a recommendation on **ALL** topics

28th – Council Public Hearing for **ALL** topics

October

26th – Council Business Meeting for possible action on **ALL** topics

November

23rd – (*Tentative*) Council Business Meeting for possible action on **ALL** topics

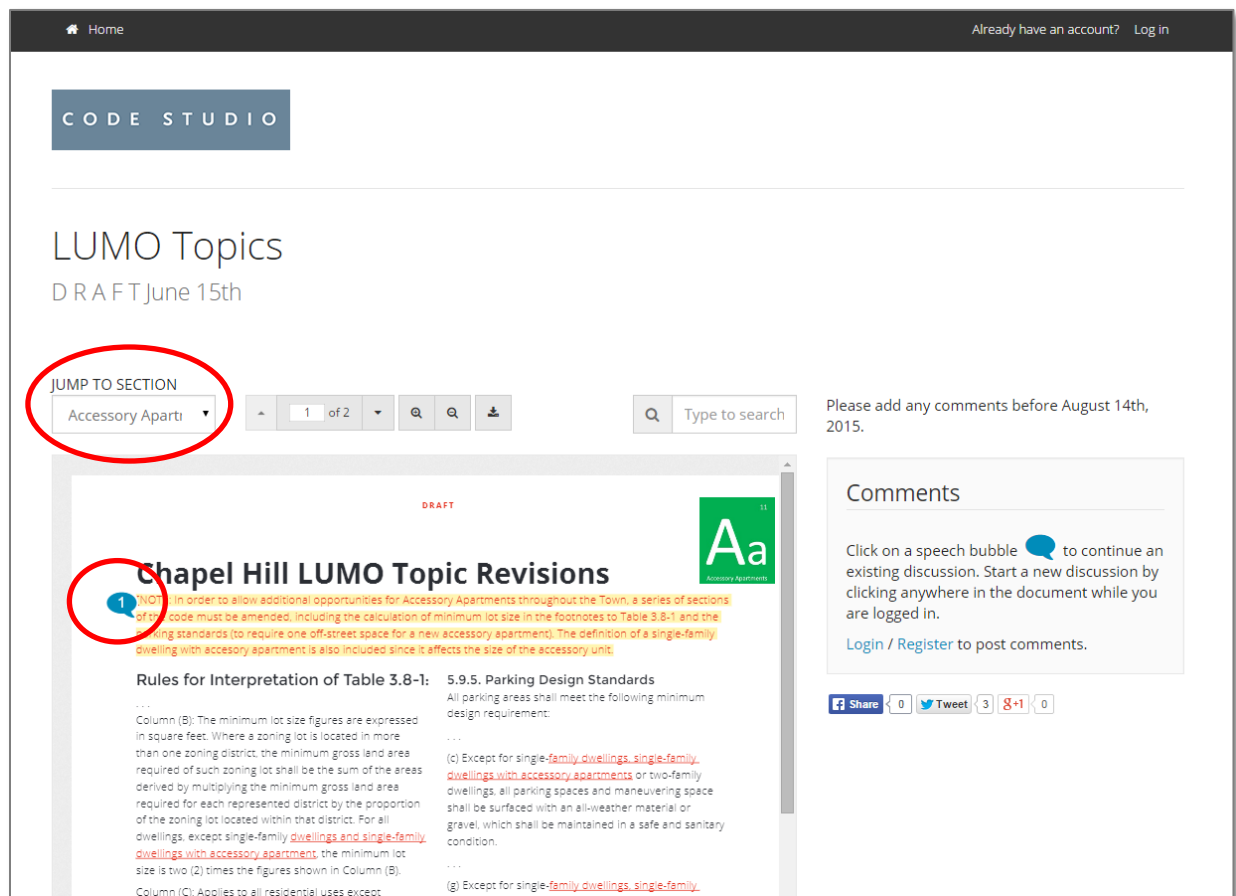
ATTACHMENT 4

(p. 1)

OPEN COMMENT WEBSITE

A current listing of online public comments for each of the six drafts can be viewed on the [OpenComment website](#)¹. A screenshot of the portal appears below. Topic area drafts can be selected by using the “JUMP TO SECTION” dropdown menu located just above the draft. Click on the comment bubbles to read what information has been posted. The number in the comment bubble indicates the number of comments that have been made for that particular item.

For more details and step-by-step guidance on how to register and use the OpenComment tool, [please click here](#)². Note: some web browsers may need to be updated in order to achieve the full functionality of the website.



¹ <https://codestudio.opencomment.us/lumo-topics>

² <http://www.townofchapelhill.org/Home/ShowDocument?id=28673>