

ORDINANCE A

(Enacting the Land Use Management Ordinance Text Amendment)

AN ORDINANCE AMENDING SECTION 8.5 OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO REVISE RULES FOR THE COMMUNITY DESIGN COMMISSION (2021-10-13/O-4)

WHEREAS, on March 24, 2021, the Town Council initiated a text amendment process to consider revisions to membership, quorum, and voting rules of the Community Design Commission, in response to a petition made by Commission members; and

WHEREAS, the Planning Commission reviewed the proposed text amendments to the Land Use Management Ordinance Section 8.5 on September 7, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council of the Town of Chapel Hill has considered the proposal to amend the Land Use Management Ordinance (LUMO) to revise membership rules of the Community Design Commission in response to the Commission's petition; and

WHEREAS, an accompanying resolution would amend the Advisory Board Membership Policy of the Town of Chapel Hill, to provide consistency with the revisions detailed in this Ordinance; and

WHEREAS, upon consideration the Council finds that the amendments are reasonable and in the public's interest and are warranted to achieve the purposes of the Comprehensive Plan, as explained by, but not limited to, the following goals of the Comprehensive Plan:

- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 Comprehensive Plan (Develop Good Places New Spaces.3)

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Chapel Hill that Section 8.5 – Community Design Commission of Appendix A – Land Use Management of the Code of Ordinances, Town of Chapel Hill, North Carolina is hereby amended as follows:

SECTION 1

Section 8.5.1. Establishment of the Commission; Charge is hereby revised to read as follows:

"A Community Design Commission, consisting of ~~nine (9)~~ members appointed in accordance with the council's advisory board membership policy, is hereby established. The charge of the commission is to assist the council in guiding the town's vision on aesthetics, character and function to focus community growth through advice, advocacy, and implementation of the council's policies and review of proposed development in key areas of the community."

SECTION 2

Section 8.5.8. Quorum and Voting is hereby revised to read as follows:

"A quorum of the commission **shall be defined in accordance with the council's advisory board membership policy**, ~~necessary to take any official action, shall consist of five (5) members.~~ **A concurring vote necessary to take**

action or conduct business shall be defined in accordance with the council's advisory board membership policy. ~~The concurring vote of five (5) members shall be necessary to take any official action to approve or deny an application or permit.~~

~~The concurring majority vote of the quorum shall be necessary to conduct other business, including making a recommendation on an application to be considered by the council."~~

SECTION 3

This ordinance shall be effective upon enactment.

This the 13th day of October, 2021.