



## Rules and Membership of Advisory Boards & Commissions –

LUMO Text Amendment

**Staff:** Britany Waddell, Judy Johnson, Corey Liles

**Council Meeting Date:** May 21, 2025

### Project Overview

- Four Boards and Commissions are established in Article 8 of the Land Use Management Ordinance (LUMO). These include:
  - Planning Commission
  - Board of Adjustment (BOA)
  - Historic District Commission (HDC)
  - Community Design Commission (CDC)
- Staff propose rule revisions that would continue the implementation of the recommendations found in the [Boards & Commissions Assessment<sup>1</sup>](#). Council received the assessment in 2024 in response to a petition of Council members.
- The rule revisions include reduced numbers of members seats, associated reductions in quorum and voting thresholds, and alternatives for review if a Board does not have enough members to meet.

### Staff Recommendation & Analysis

	Staff recommend that Council <b>approve the text amendment</b> , detailed in Ordinance A.
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The proposal includes the following revisions to LUMO Article 8 – Administrative Mechanisms:

- Set the size of all four Boards at seven (7) regular members. BOA will continue to have three alternate members.
- Set quorum for all four Boards at four (4) members, equal to a simple majority of members including any vacant seats.
- For voting purposes, exclude vacant seats and members who have a conflict of interest when calculating a majority. This applies to voting thresholds for most official actions (eg. approval or denial of an application).
- Allow the staff to review and approve an administrative application normally delegated to a Board, if the current number of active members on the Board is less than the four members needed to make quorum.

The revisions support a central recommendation of the June 2024 Boards & Commissions Assessment, for consistent, standard Board practices, policies, and procedures. Specifically, this text amendment would achieve a consistent number of regular member seats and quorum across all four bodies.

The proposal of seven regular seats on each Board reflects staff experience with membership applications. The CDC and BOA have been particularly challenging to find qualified candidates for appointment. The CDC was already reduced to seven members in

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<sup>1</sup> <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6865604&GUID=EBB0A683-8C12-4356-A939-1C9AB50AA16C>, see Attachment 4

response to this challenge in 2021. The BOA has seen four to seven vacancies over the past three years, including alternate members seats.

The Planning Commission and HDC have filled all seats for periods of time over the past three years. However, one or two vacancies is still a common occurrence. Staff believes that fewer overall Board seats will better match the level of availability for community members and their overall interest in participation, leading to more successful recruitment.

Some of the tradeoffs involved in considering this proposal include:

- Representation of the Town's Extra-Territorial Jurisdiction (ETJ) and Joint Planning Area would not change. Three of the Boards would still have seats designated for residents of one or both areas in order to meet State law and terms of the Joint Planning Agreement. Reducing Board size to seven members would give these areas proportionally larger representation.
- The Boards are decision-makers on some types of development applications. Reducing Board size would place the responsibility for decisions in fewer hands. However, all the application types decided by Boards are administrative or quasi-judicial, meaning decisions must be supported by clear findings.
- Larger Board size may offer more opportunity for members of under-represented communities to serve. The Boards and Commissions Assessment recommends improving the Town's recruitment and application processes to better reach under-represented populations, as well as continuing to center equity in the Town's broader community engagement work.

### ***Summary of Comprehensive Plan Consistency***

Viewed through the holistic lens of the [Complete Community Strategy](#), this project **meets** the Town's strategy for growth. No single issue raised below should be considered in isolation.



Consistent





Somewhat Consistent



Not Consistent

**N/A** Not Applicable

<b>N/A</b>	<b>Chapel Hill will direct growth to <u>greenways</u>, <u>transit corridors</u>, <u>large infill sites with existing infrastructure</u>, and <u>smaller infill sites</u>.</b>	
	<b>Goal 1: Plan for the Future Strategically</b>	Associated Comp. Plan Elements: <ul style="list-style-type: none"> <li>• <a href="#">Future Land Use Map</a></li> <li>• <a href="#">Shaping Our Future</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Standard Board practices, policies, and procedures can support more streamlined and effective work for the four Advisory Boards and Commissions.</li> <li>• These measures can support the role Boards play in development review processes directed by an overarching strategic vision, assessing new development through the lens of broader shared objectives.</li> </ul>	
<b>N/A</b>	<b>Goal 2: Expand and Deliver New Greenways for Everyday Life</b>	Associated Comp. Plan Elements: <ul style="list-style-type: none"> <li>• <a href="#">Mobility &amp; Connectivity Plan</a></li> <li>• <a href="#">Connected Roads Plan</a></li> </ul>
<b>N/A</b>	<b>Goal 3: Be Green and Provide Housing</b>	Associated Comp. Plan Elements: <ul style="list-style-type: none"> <li>• <a href="#">Climate Action &amp; Response Plan</a></li> </ul>

	<b>Goal 4: Plan for Excellence in the Public Realm and Placemaking</b>
	<ul style="list-style-type: none"><li>• Revised Board practices, policies, and procedures can provide more clarity and consistency in the development review process.</li><li>• These measures can support the role Boards play in the Town’s holistic approach to planning for excellence in the public realm.</li></ul>

### ***Public Engagement***

The Town Council passed a resolution as part of their April 9, 2025 agenda to call a public hearing for this text amendment. Staff published a legal notice for the hearing. Staff shared information with Advisory Board members including at a virtual info session held on April 29.

Some of the feedback staff heard at the April 29 info session includes:

- Serving on a Board contributes to equitable engagement, and the Town should not diminish opportunities for better community representation.
- The effectiveness of Boards could also be improved through more enforcement of the Advisory Board attendance policy.
- Interest in knowing how many membership applications are coming in during this round of recruitment, given the Town has sunset some of its Boards and Commissions, leaving fewer to apply for.
- If CDC review needs to be delegated to the Town Manager because of low current membership, there should be practices in place for monitoring and evaluation, along with continued effort to recruit more CDC members.
- Smaller Board size can mean shorter meetings, which could make membership more appealing to a broader range of community members.