



TOWN OF CHAPEL HILL

Town Council

Meeting Minutes - Final

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Mayor Pam Hemminger
Mayor pro tem Karen Stegman
Council Member Jessica Anderson
Council Member Camille Berry
Council Member Tai Huynh

Council Member Paris Miller-Foushee
Council Member Michael Parker
Council Member Amy Ryan
Council Member Adam Searing

Monday, November 13, 2023

6:30 PM

Library Meeting Room B

Language Access Statement

For interpretation or translation services, call 919-969-5105.

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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In-Person Meeting Notification

Changes in Meeting Material content

- We are trying something new this fall to make our Agenda packets clearer and easier to navigate. You'll notice streamlined reports and more hyperlinks to supporting documents.
- Staff presentations will be posted after the meeting, not as drafts in the packet, to allow more time to prepare high-quality presentations.
- We will also produce an "information items" packet periodically, to share items that don't require Council action, but are important to the Council and community. Those packets will be published on our website.

View the Meeting

- Public attendance is welcome, and limited to room capacity
- We will not live stream the event, but will provide the Post-Meeting Video <https://www.townofchapelhill.org/councilvideo/>
- The Town of Chapel Hill wants to know more about who participates in its programs and processes, including Town Council meetings.
- Participate in a voluntary demographic survey before viewing online or in person - <https://www.townofchapelhill.org/demosurvey>

Parking and Entry

- Parking is available at the Library lots. The Library is served by CL Route, D Route, and GoTriangle Routes of Chapel Hill Transit
- Meeting Room B is to the right from the main entrance.
- Please do not bring signs.

ROLL CALL

Mayor Hemminger called the meeting to order at 6:30 p.m. and reviewed the agenda. Council Member Searing was absent, and Council Members Huynh and Stegman arrived late.

- Present:** 8 - Mayor Pam Hemminger, Council Member Karen Stegman, Council Member Jessica Anderson, Council Member Camille Berry, Council Member Paris Miller-Foushee, Council Member Tai Huynh, Council Member Michael Parker, and Council Member Amy Ryan
- Absent:** 1 - Council Member Adam Searing

OTHER ATTENDEES

Town Manager Chris Blue, Deputy Town Manager Mary Jane Nirdlinger, Deputy Town Manager Loryn Clark, Town Attorney Ann Anderson, Assistant Planning Director Judy Johnson, Senior Planner Tas Lagoo, Strategic Communication Executive Director of Strategic Communications Susan Brown, Planning Director Britany Waddell, Urban Designer Brian Peterson, Deputy Town Clerk Amy Harvey, and Assistant Town Clerk Brenton Hodge.

OPENING

0.01 Mayor Hemminger Regarding Recent Council Elections.

[\[23-0800\]](#)

Mayor Hemminger congratulated Mayor-elect Jessica Anderson and returning Council Member Amy Ryan for their recent election victories. She said that the Council would soon welcome new Council Members Melissa McCullough and Theodore Nollert and was waiting to learn who the third new Council member would be.

0.02 Mayor Hemminger Regarding New Council Orientation.

[\[23-0801\]](#)

Mayor Hemminger said that orientation for new Council Members would take place on December 1, 2023, and also at other times that were still to be determined.

ANNOUNCEMENTS BY COUNCIL MEMBERS

0.03 Mayor Hemminger Regarding Arbor Day.

[\[23-0802\]](#)

Mayor Hemminger pointed out that November 17th would be Arbor Day.

She and a group of second graders would be planting a tree at the Community Center on that day, she said.

0.04 Mayor Hemminger Regarding Veteran's Day.

[\[23-0803\]](#)

Mayor Hemminger noted that Veterans Day had been on November 10th. She reminded everyone to show gratitude to veterans, including those who were members of Town staff.

0.05 Mayor Hemminger Regarding Meeting with Aberdeen Mayor and Council and Habitat Board Members.

[\[23-0804\]](#)

Mayor Hemminger said that she had recently met with representatives from the Town of Aberdeen and Habitat for Humanity to discuss working collaboratively on affordable housing. She had shared Chapel Hill's best practices with the Aberdeen representatives, and they had gone to see Habitat's Weavers Grove affordable housing development, she said.

Mayor Hemminger said that the Mayors and Chairs Group had recently met for a final discussion before the newly elected representatives replace them.

Mayor Hemminger pointed out that the Orange County Commissioners had put the Green Tract consultant agreement and community engagement plan on its agenda for the following evening.

AGENDA ITEMS

1. Rewriting Our Rules: A LUMO Update

[\[23-0783\]](#)

Senior Planner Tas Lagoo gave a PowerPoint presentation on three foundational elements of the Land Use Management Ordinance (LUMO) rewriting process: zoning districts, building and site design, and affordable housing. He was presenting on behalf of a consultant who was not able to attend due to technical difficulties, he said.

Mr. Lagoo reported that staff members had been getting a better understanding of community assets, needs, and opportunities. For example, they had been looking at where new LUMO standards might improve access to Town parks and make negotiating for recreation space in some areas a higher priority, he said.

Mr. Lagoo stressed the importance of having a modernized and user-friendly LUMO, which would be rooted in best practices and in what the community wanted and needed. He said that the Town's Complete Communities Framework (CCF) would always be staff's "north star", buttressed by the various Town plans. Several key buckets of regulations could address the CCF's core tenets, he said.

Mr. Lagoo said that the LUMO consultant had looked at how the overlap

and redundancy among zoning districts had led to a more convoluted LUMO document. The goal was to consolidate those and create a more streamlined district menu that would allow a greater diversity of zoning types and lead to a more walkable and bikeable community, he said.

Mr. Lagoo reviewed plans to explore regulations that address uses, building types/standards, lot standards, and street types. Such regulations could make design standards more contextual by enabling the LUMO to regulate adjacent, but different, building types in a way that made sense for each, he said. He pointed out that the new LUMO would include illustrations to show what regulations meant.

Council Member Ryan asked how redrawing the Town's zoning map would work, and Mr. Lagoo discussed potentially reshaping zoning districts within focus areas and consolidating them outside of focus areas. Council Member Ryan said that much of the technical work would be difficult for the community to understand and she stressed the importance of being clear about zoning changes. It would be a communications challenge, she said, and Mr. Lagoo described how staff members would lead an effort to bring the community along.

Council Member Ryan said that she wanted to see design standards (rather than guidelines) and that she hoped the Community Design Commission would be involved in the work. She asked to see pictures along the way as well as further information on how to ensure that the Town gets what it wants in specific areas.

Council Member Anderson asked about the approach to planning when there are gray areas -- such as wanting several developers to contribute to a park even though they would not all be developing at the same time. Mr. Lagoo discussed node-based neighborhood planning. He pointed out, though, that such efforts would not necessarily be part of the LUMO rewriting process, and Planning Director Brittany Waddell said that such analyses belonged in the Town's Comprehensive Plan, which would be addressed after the LUMO rewrite. Staff was trying to get the LUMO to where it reflected current visions, but some departments had already begun collaborating on long-term planning, said Ms. Waddell.

Council Member Anderson said that she wanted to understand which things could and could not be handled administratively and what the Council would be giving up if everything was completely zoned and administrative. Mr. Lagoo replied that he would bring back the draft negotiate/incentivize matrix that staff had previously presented to Council and would provide as much clarity on that question as possible. A developer would have to decide when applying whether to take an administrative route or one that would end up before the Council, he pointed out.

Mr. Lagoo said that staff had been working on streamlining the process so

that 99 percent of conditional zoning applications would be figured out by the time they reach the Council. Council Member Parker confirmed with him that planners were considering a tiered structure that would include what could be approved administratively and what would need to go to the Council.

Council Member Miller-Foushee recommended that the Council think about what it still wanted to negotiate, and communicate that clearly to staff. She and other Council Members mentioned several categories that could be negotiated, such as affordable housing, environmental protections, greenway/mobility, and public spaces such as parks and plazas. They pointed out that community benefits might be different in different areas of Town.

Mr. Lagoo said that staff would share its work in the future regarding codes to regulate elements such as design, financial assessments, experiential graphics, and various development types. He said that the LUMO would operate like a living document with regulations being more contextual than monolithic, and he gave examples of that. Density bonuses alone would not incentivize AH and staff intended to look at the financial implications of trade-offs, such as offering relief on set-back rules and buffers, including Research Conservation District (RCD) land, he said.

Council Member Ryan said that she hoped the Town would continue with its successful approach of negotiating for affordable housing. She pointed out that the RCD provided a wildlife corridor, tree canopy and greenways, and said that any changes to that should be an environmental, not a developmental, decision. She would have a hard time with an incentive system that made the environment a lesser consideration, she said, and she asked that all RCD benefits be folded into Town discussions.

Council Member Huyhn said that having more contextual environmental regulations made sense to him, and Mayor pro tem Stegman expressed support for taking a closer look at staff's ideas on that. Council Member Miller-Foushee asked staff to provide information on planting an urban tree canopy.

Council Member Anderson said she agreed with staff's proposal to examine whether prioritizing one community benefit over another in some places would make sense. For example, there might be places where current environmental regulations are more than needed for a parcel, she said. She stressed the importance of doing a careful environmental assessment to ensure that the Council had done its due diligence and was not giving up any natural areas in favor of housing.

Mayor pro tem Stegman pointed out that the Town's Future Land Use Map (FLUM) was not aligned with its Complete Community Framework, and Mr. Lagoo replied that the FLUM was meant to be a living document that

would rarely be changed. However, staff would be mindful of any strong contradictions and amend those where they could, he said.

Council Member Miller Foushee said that prioritizing the experiences of residents should be the lens through which the Council looks at everything, and Council Member Berry stressed the importance of setting a clear narrative that could not be misinterpreted. Town policies bear reviewing since Chapel Hill was currently very different from when the LUMO was originally created and would be vastly different from now in the future, Council Member Berry said.

This item was received as presented.

2. Boards & Commissions Assessment/Staff Response to Council Petition. (no attachment)

[\[23-0784\]](#)

Executive Director of Strategic Communications Susan Brown gave a PowerPoint presentation on updates to her September 2023 recommendations to the Council regarding Town boards and commissions. She reviewed the ways in which Town boards had been formed and how the need for some had changed over time. She discussed a problem of "scope creep" and said that advisory boards were most effective when they focused on policies rather than operations or program oversight.

Ms. Brown reported that supporting current Town advisory boards took an estimated 270 hours of staff time and cost about \$120,000 per month. She pointed out that the Town currently had many ways of engaging people and that its boards and commissions were only a piece of that.

Ms. Brown said that the Town did need some boards to fulfill certain land use functions that were outlined by state statute. Such boards included the Historic District Commission, the Board of Adjustment, the Planning Commission, and the Community Design Commission, she said. She pointed out that the Council could consider reassigning some of those boards' functions as part of the LUMO rewrite, however.

Ms. Brown recommended applying standards that she had previously outlined to Council to other Town boards. She proposed sunseting some others -- such as the Justice In Action Committee, the Transportation and Connectivity Advisory Board, and the Grievance Board. She outlined alternative ways of addressing those boards' responsibilities and tasks.

Ms. Brown then recommended that the Town apply standard processes and procedures to the following boards: Community Policing, Cultural Arts, Environmental Sustainability, Housing, Human Services, Library, Parks and Recreation, and Stormwater. She said that the Library and Cultural Arts boards had already begun working in the spirit of those standards and that the approach was in line with Council plans for the Housing Advisory Board.

Ms. Brown presented standard practices for Council consideration. These included rewriting charges, keeping boards to seven members, having consistent terms of office, meeting four times a year, adopting a calendar, and participating in training that would include Diversity, Equity, and Inclusion education.

Ms. Brown recommended taking a phased approach and said that she could bring a resolution on November 29th to sunset the Justice In Action Committee. Most of what she was proposing would include approvals by the Town Manager but some of it would likely still need to come to the Council for approval, she said. She emphasized the importance of having thoughtful conversations and creating new boards carefully.

In response to questions from Council Members, Ms. Brown and Ms. Waddell explained that the recommendation to sunset the Transportation and Connectivity Advisory Board had been based on staff members feeling that they did not need that particular board in order to function. Staff members also believed that focusing on policy issues would be the highest and best use for the Town's environmental and housing boards, Ms. Waddell said.

The Council confirmed with Ms. Brown that she was proposing a slow roll-out that would allow thoughtful conversations with remaining boards. She proposed that Council Members reach consensus and articulate what the plan for Town boards and commissions should be.

Mayor Hemminger commented that the Council had been clear that it wanted boards to provide policy recommendations. Council Member Huynh spoke in favor of eliminating all Town boards. Council Member Miller-Foushee suggested looking at why boards that did not provide desired outcomes still existed. She wanted Town boards to be meaningful and the Council should consider sunsetting more of them, she said.

Mayor pro tem Stegman commented that the proposed changes addressed mission creep and lack of clarity but did not address lack of equity in representation. Town boards tended to be self-perpetuating, the entire system was inequitable, and she wanted to see a plan that included modern ways of obtaining community input, she said.

Mayor Hemminger agreed that the system was not equitable much of the time. However, it was one way for residents to know what was going on since board meetings were open to all and using boards as a sounding board for policy discussions had been beneficial, she said.

Council Member Parker said that the Council needed to have a conversation about why it wanted boards. He and Council Member Ryan proposed asking staff members whether their aligned boards had been useful to them.

Council Member Ryan suggested surveying Council Members to obtain more detailed feedback and to kickstart a discussion. She appreciated the boards' deep dive discussions and thought that the Planning Commission had done some valuable work, she said. She said that some boards, such as the Community Design Commission (CDC), were at a loss because the Council had not told them what to do during the LUMO rewriting process. She emphasized that board chairs needed more support from the Town.

Ms. Brown said that the key to success would be thoughtful, early design of community engagement. The Town's Community Connections and Diversity Equity and Inclusion departments would be involved, and the role of Town boards would be smaller and only one part of the process, she said.

Mayor Hemminger praised Ms. Brown's thoughtful and pragmatic approach. The Council should be willing to take the proposed steps and then discuss how it aligns with what they want, she said.

Ms. Brown confirmed that the Council consented to receiving a resolution of appreciation for Justice In Action, and Mayor Hemminger said that sunsetting the Grievance Hearing Board made sense as well. Mayor Hemminger expressed appreciation to Ms. Brown for her work and Council Member Parker emphasized that nothing the Council had said had been meant as criticism of that work.

This item was received as presented.

ADJOURNMENT

The meeting was adjourned at 8:58 p.m.