



**CONSIDER A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT – PROPOSED CHANGES TO SECTIONS 8.3 (BOARD OF ADJUSTMENT) AND 8.4 (HISTORIC DISTRICT COMMISSION)**

**STAFF REPORT**

TOWN OF CHAPEL HILL PLANNING AND DEVELOPMENT SERVICES  
Ben Hitchings, Director  
Judy Johnson, Operations Manager  
Becky McDonnell, Planner I

<b>BUSINESS MEETING DATE</b> December 5, 2018	<b>PUBLIC HEARING DATE</b> November 14, 2018
<b>TOWN MANAGER’S RECOMMENDATION</b> <p>I have reviewed and discussed key issues with Town staff. Based on the information in the record to date, I believe the Council could make the findings required to approve the proposal, and therefore should close the Public Hearing, adopt the Resolution of Consistency, and enact Ordinance A.</p>	
<b>UPDATES SINCE PUBLIC HEARING</b> <p>There have been no updates since the Public Hearing on November 14, 2018.</p>	
<b>PROCESS</b> <p>The item before the Council is for approval of a Land Use Management Ordinance Text Amendment. The Council must consider whether one or more of the <b>three findings</b> for enactment of the Land Use Management Ordinance Text Amendment applies:</p> <ol style="list-style-type: none"> <li>1. To correct a manifest error in the chapter; or</li> <li>2. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or</li> <li>3. To achieve the purposes of the Comprehensive Plan.</li> </ol>	
<b>DECISION POINTS</b> <p>Tonight’s proposal is for amendments to Board of Adjustment (Section 8.3) and Historic District Commission (Section 8.4) of the Land Use Management Ordinance including the following changes:</p> <p>Board of Adjustment</p> <ul style="list-style-type: none"> <li>• Section 8.3.2 Tenure - update the section so that any reference to board membership length of term policies would refer back to the Advisory Board Membership Policy;</li> <li>• Section 8.3.6 Attendance at Meetings - update the section so that any reference to board membership attendance policies would refer back to the Advisory Board Membership Policy;</li> </ul> <p>Historic District Commission</p> <ul style="list-style-type: none"> <li>• Section 8.4.1 Establishment of the Commission - change from ten (10) members to nine (9) members;</li> <li>• Section 8.4.3 Tenure - update the section so that any reference to board membership length of term policies would refer back to the Advisory Board Membership Policy; and</li> <li>• Section 8.4.8 Attendance at Meetings - update the section so that any reference to board membership attendance policies would refer back to the Advisory Board Membership Policy;</li> </ul> <p>Additional changes are proposed to the Advisory Board Membership Policy and the Town Code of Ordinances in the accompanying item, Consider Amendments to the Advisory Board Membership Policy and the Code of Ordinances.</p>	
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"> <li>1. Resolution of Consistency (For proposed LUMO amendment)</li> <li>2. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)</li> <li>3. Resolution B (Deny Land Use Management Text Amendment Proposal)</li> <li>4. Planning Commission Recommendation</li> <li>5. Board of Adjustment Recommendation</li> </ol>