

RESOLUTION B

(Denying the Land Use Management Ordinance Text Amendment Proposal)

A RESOLUTION DENYING AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE SECTION 3.6.2 HISTORIC DISTRICTS RELATED TO CERTIFICATE OF APPROPRIATENESS REQUIRED AND REVIEW CRITERIA AND SECTION 8.4 HISTORIC DISTRICT COMMISSION (2021-04-21/R-10)

WHEREAS, Legislative updates in Chapter 160D of the North Carolina General Statutes provide that the Historic District Commission shall “adopt principles and standards to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition;” and

WHEREAS, the A through J review criteria outlined in Land Use Management Ordinance (LUMO) 3.6.2(e)(4) predate the adoption of the 2001 *Design Guidelines for the Chapel Hill Historic Districts* (“*Design Guidelines*”); and

WHEREAS, on September 23, 2019, Planning Department staff provided a recommendation to the Council Committee on Boards & Commission to amend the LUMO following the adoption of the Design Guidelines to provide greater clarity on the legal basis for application of the Design Guidelines in the Commission’s review of Certificate of Appropriateness (COA) applications; and

WHEREAS, the Historic District Commission reviewed the text amendments to the Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on February 9, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Planning Commission reviewed the text amendments to Land Use Management Ordinance Article 3, Section 3.6.2 and Article 8, Section 8.4 on March 3, 2021 and recommended that the Council enact the text amendments; and

WHEREAS, the Council called a Public Hearing on February 24, 2021 to amend Article 3, Sections 3.6.2 of the Land Use Management Ordinance as it relates to the Historic District Commission’s Review Criteria applied to Certificates of Appropriateness application and Article 8, Section 8.4 Historic District Commission; and

WHEREAS, the Council held that public hearing on March 24, 2021, receiving comments through 11:59 PM on March 25, 2021, and closed the public hearing at that point; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed Land Use Management Text Amendments to be unreasonable, not in the public interest, and inconsistent with the Town’s Comprehensive Plan.

This the 21st day of April, 2021.