Planning Systems Evaluation (PSE)

Advancing Complete Communities through Development Review in Chapel Hill

**Planning Systems Evaluation
Council Working Group Session**
THE KEESMAAT GROUP

January 18th, 2023

The Keesmaat Group.

COMPLETE COMMUNITY STRATEGY

Critical Questions to be explored

#	Question	Focus
1	How can we reduce the time it takes to approve new developments?	Consolidating processes
2	How can we deliver better outcomes?	Understanding what is working today, what is not
3	How can we ensure Boards and Commissions are appropriately used?	Ensuring clear roles
4	How should Council best participate in the review process?	Ensuring appropriate roles
5	What Planning Systems will best deliver a complete community?	Aligning Planning Systems with desired outcomes

Laying the foundations: what we know

1. Development review is **not** delivering desired outcomes.

2. Current processes are the primary **disincentive** to investment in Chapel Hill.

3. **Efficiencies are required** to streamline processes and mitigate confusing iterations.

4. **Role clarification is required**.

5. An unclear process creates **an emotional toll** for everyone involved.

6. The **time is right for change**: a key success factor for change is having a clear vision. The Complete Community Framework provides critical guidance.

The opportunity - what we heard

1. Eliminate Duplication
    i. Decisions are revisited by multiple parties
    ii. Expectations are not clear
    iii. Review is 'siloed'
    iv. Adjacent municipalities have better processes that are precedents (Asheville, Raleigh)

2. Better use staff expertise
    i. Staff are underutilized: facilitators vs experts
    ii. Generate responsibility for recommendations by defining their role more in keeping with professional expectations
    iii. Add clarity to where decisions are being made

3. Acknowledgement that there is no 'silver bullet'
    i. And yet the aspiration to do better exists
    ii. Find the low-hanging fruit: begin with process changes
    iii. Concern that even if 'processes' are fixed, people will still behave the same

Project Principles

PROJECT PRINCIPLES	Implications
Build on existing work-to-date	Review and consider the new expedited review process for affordable housing
Collect diverse perspectives and inputs	Council, staff, developers, boards, consultants, public
Maintain momentum	Manage the PSE to key dates with clear outcomes
Build trust in Council's commitment to change	Implement a trial alternative review mechanism
Deliver tangible outcomes	Propose a revised development review process
Ensure deliverability	Work closely with Planning Staff to ensure alignment

Key Inputs
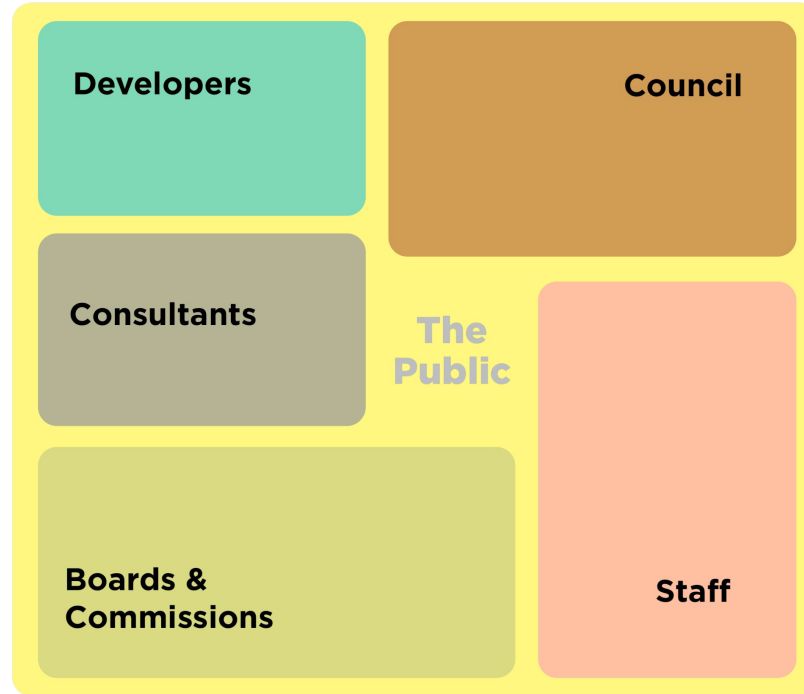
Key Inputs of the Planning Systems Evaluation

Objectives

Planning Systems Evaluation Objectives

1. Re-establish planning culture expectations

2. Ensure future outcomes align with the vision of Chapel Hill

3. Focus on successful implementation

4. Align work underway with Complete Communities Strategy objectives

5. Position development for to deliver on city building outcomes versus a culture of regulation

6. Assess the Role of Boards and Commissions to find efficiencies

7. Create developer participation in the review to build confidence/trust

8. Assess/use information that Orion has collected to date

How will change take place?

1. **Alignment with a vision is new**: Complete Community Framework sets the stage for process change.

2. **Culture change requires clear roles:** But people need to work within the bounds of their role.

3. **New Processes are a tool:** They will not deliver the outcome. People will.

In and Out of Scope

In Scope	Out of Scope (follows approval)
Evaluate Development Review	Implement changes in the process
Assess Roles in the Review Process	Monitor implementation
Review Role of Boards and Commissions	Build consensus on these roles
Recommend a revised process to Council based on due diligence	Revise internal processes
Understanding the level of detail in the LUMO	Rewriting the LUMO
A summary deck of recommendations that is usable to staff	A traditional report
Re-establish planning culture expectations	Changing the culture

The Checklist

Checklist Goals

Goal One

To incentivize Applicants to evaluate their own proposals based on Complete Community Objectives.

Goal Two

To reward Applicants who achieve high levels of conformity with the Complete Community Framework, as determined through the Checklist process. Resembles as-of-right.
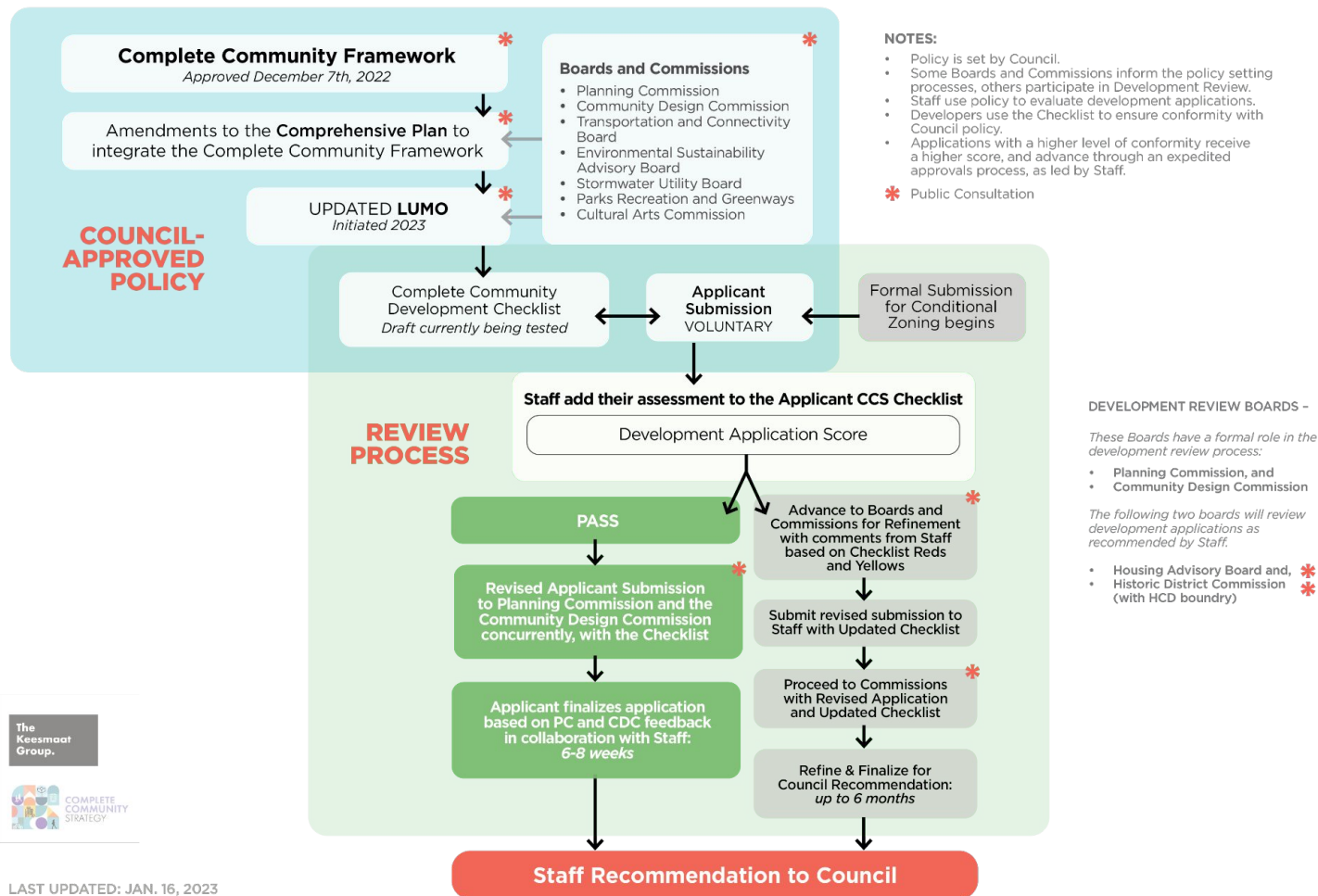
Goal Three

To equip Staff with a clear mechanism for evaluating, discussing and refining Applications in a collaborative manner, with Applicants.

The Checklist is a tool.

1. **It builds on the Complete Community Framework**, and is a mechanism for executing that framework.

2. It sits with a revised overall development review process as captured in the **PSE Expedited Process graphic.**

3. It is intended to assist in delivery of outcomes consistent with regulatory frameworks: both the Comprehensive Plan and the LUMO (both to be updated).

4. It will lead to a **shorten review process** - applicants now have clarity as to the measures being used to evaluate their application.

5. It puts **greater emphasis on the role of Staff** in administering the policies of Council. This move closer to an as-of-right approach.

6. Like any tool it does not deliver an outcome - **the people using it do**.

Planning Systems Consolidated and Expedited Approach Town of Chapel Hill

Last updated:
Jan. ++, 2023

Complete Community Framework
Approved December 7th, 2022

Amendments to the **Comprehensive Plan** to integrate the Complete Community Framework

UPDATED **LUMO**
Initiated 2023

COUNCIL-APPROVED POLICY

Boards and Commissions
- Planning Commission
- Community Design Commission
- Transportation and Connectivity Board
- Environmental Sustainability Advisory Board
- Stormwater Utility Board
- Parks Recreation and Greenways
- Cultural Arts Commission

Complete Community Development Checklist
Draft currently being tested

Applicant Submission
VOLUNTARY

Formal Submission for Conditional Zoning begins

REVIEW PROCESS

Staff add their assessment to the Applicant CCS Checklist

Development Application Score

PASS

Advance to Boards and Commissions for Refinement with comments from Staff based on Checklist Reds and Yellows

Revised Applicant Submission to Planning Commission and the Community Design Commission concurrently, with the Checklist

Submit revised submission to Staff with Updated Checklist

Applicant finalizes application based on PC and CDC feedback in collaboration with Staff:
6-8 weeks

Proceed to Commissions with Revised Application and Updated Checklist

Refine & Finalize for Council Recommendation:
up to 6 months

Staff Recommendation to Council

NOTES:
- Policy is set by Council.
- Some Boards and Commissions inform the policy setting processes, others participate in Development Review.
- Staff use policy to evaluate development applications.
- Developers use the Checklist to ensure conformity with Council policy.
- Applications with a higher level of conformity receive a higher score, and advance through an expedited approvals process, as led by Staff.

* Public Consultation

DEVELOPMENT REVIEW BOARDS –

These Boards have a formal role in the development review process:
- Planning Commission, and
- Community Design Commission

The following two boards will review development applications as recommended by Staff.
- Housing Advisory Board and,
- Historic District Commission (with HCD boundry)

The Keesmaat Group.

COMPLETE COMMUNITY STRATEGY

Subject Area	Expectation		N/A	Red	Yellow	Green
1. Development Program	a. Compliant with Future Land Use Map					
	b. Compliant with Comprehensive Plan					
	c. Developer experience					
	d. Neighborhood Amenities					
	e. Appeal to or accommodation of all ages					
	f. Relationship to neighborhood context	i. Opportunities for synergies				
		ii. Adjacencies (at edges, what uses abut?)				
	Advance to B/G or to Staff?					
2. Location	a. Within Focus Area					
	b. Proximity to neighborhood community facilities (schools, day care, community center, and recreation facilities/parks) (Red = >2 mi.; Yellow = 1-2 mi.; Green <1 mi)					
	c. Proximity to other neighborhood centers (commercial, employment)					
	d. Proximity to greenways					
	e. Walk Score metric					
	Advance to B/G or to Staff?					
3. Revenue	a. Tax efficiency					
	b. Job Creation					
	c. Sales Tax Generator					
	Overall score					
4. Design	a. Site placement, design, and building disposition	i. Buildings front or create engaging street edges with no parking located between building and street				
		ii. Provision of open spaces in a purposeful and composed manner, no "left over" spaces				
		iii. Create scale, break down large masses into smaller related sub-components				

How does the Checklist promote culture change?

Establishes Roles and responsibilities	Makes these roles clear and public	Provides incentives to follow roles
Council -Sets Policy -Decision-maker **Developers** -Collaborates with staff -Refines based on feedback **Staff** -Delegated to lead review & assess -Makes recommendation to council **Boards and Commissions** -Comments based on conformity to Council Policy -Mostly Advisory	All parties will require guidance and accountability to ensure conformance to roles. Council meetings, and Boards and Commissions, should be governed by Robert's Rules. Chairs, upon appointment, should be trained to implement the rules to ensure the body does not stray from its role.	**Council** -Stated objective of 'getting out of the weeds' -Provide a more respectful work environment for existing staff -Attract and retain qualified staff **Developers** -Shorter process, better outcomes **Staff** -Use & development of expertise -Meaningful work; shape outcomes **Boards & Commissions** -Meaningfully contribute expertise

How does the Checklist promote culture change?

Council: incentivized to focus on policy, and to empower staff to implement policy on their behalf

Developers: incentivized to work collaboratively with staff

Staff: incentivized to work collaboratively with developers

Boards and Commissions: incentivized to comment on their area of expertise

Public: incentivized to engage in appropriate public meetings

Complete Community Checklist

- Establish a threshold so that if an application generates a high enough score, staff have the jurisdiction to approve the project. I.e. 20% affordable housing = 100% score
- There can be a score for conformity to the LUMO
- Goal is to incentive developers to use the Complete Community Checklist to evaluate their own proposals

Contingencies:

LUMO rewrite needs to have clear standards, and needs to proceed as soon as possible, since not advancing is a risk. Must use CCS as a direction, and begin the technical work.

- LUMO should establish your as of right
- Checklist is necessary to evaluate when things are less clear

Needed: new threshold for delegated authority to staff

- What are some of the regional thresholds for delegated authority to staff (Orion can go back to the

Boards and Commissions

Objective:
- **To enable staff recommendations**
- **Maintain a high level of community involvement in a manner that is ordered, understandable, and efficient**
- **To ensure clarity of roles**
- **To ensure clarity of where decisions are made**

Planning review Committees
Planning Commission
Environmental Stewardship
Transportation Board

Not Development Review Boards
Parks, Recs and Greenway
Arts Commission
Stormwater

1. **Clarify the development review process so that there is a clear path as to where decisions are being made.**

Appendices and Meeting Notes

Options

#	
1	Revise the role of the Planning Board. ● Role together the expertise on ● Participants must have explicit expertise (architecture, development, law, ● Institute an application process. ● Appointed by the Town Council. ● Makes recommendation to the Town Council. ● Make this a Committee of the Whole of Council - only Council members ● Recommendations come to the Planning Commission with a Report and Recommendation from Planning Staff.
	Silo happens in all directions. Council does not convey back to Boards and Commissions.
2	Option: have other Boards and Commissions roll up to the Planning Commission; for example, have the Parks Commission sit
3	Use the checklist as a threshold that must be passed in order to forward a proposal to a Board and Commission

What is working and what needs to change

#	The Challenge	Change Needed/The Gap
1	It is not easy to go through the process! There are multiple Boards, and they frequently stray beyond their scope.	Processes should be streamlined in priority areas and for priority projects.
2	Even when developments are consistent with the FLUM (adopted 2020), they may not reflect the LUMO (b/c they are not up to date). *Orion is updating the LUMO through the lens of TOD and identifying required changes.*	Concurrency between documents is essential to get consistent outcomes. *Process to address this is underway.*
	Process involves multiple reviews and committees. They are not working together; there is no synergy between	More certainty is required. The objectives of the review process need to be embedded in standards. For example, identifying Natural Areas and having a clear policy framework in the LUMO

Staff Role - Quantitative items should be in the LUMO and can be evaluated by staff. When there are qualitative issues, Staff should recommend that a Board or Commission |