



## LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT - ARTICLES 8.3 BOARD OF ADJUSTMENT AND 8.4 HISTORIC DISTRICT COMMISSION

### STAFF REPORT

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

<b>AMENDMENT REQUEST</b>  Amend the Land Use Management Ordinance Article 8 to adjust the Board of Adjustment and Historic District Commission membership.	<b>DATE</b>  November 6, 2018	<b>APPLICANT</b>  Town of Chapel Hill
<b>STAFF RECOMMENDATION</b>  We recommend that the Planning Commission review the proposed text amendments and forward a recommendation to the Town Council.		
<b>PROCESS</b>  The Land Use Management Ordinance requires the Planning Commission to make a recommendation to the Town Council on the proposed text amendment. The Council must consider the <i><b>three findings</b></i> for enactment of the Land Use Management Ordinance Text Amendment:  1. To correct a manifest error in the chapter; or 2. Because of changed or changing conditions in a particular area or in the jurisdiction generally; or 3. To achieve the purposes of the Comprehensive Plan.	<b>DECISION POINTS</b>  <ul style="list-style-type: none"><li>• The text amendment is in response to a Council directive to clarify the advisory board membership policy.</li><li>• The Council Committee on Boards and Commissions asked staff to submit suggested revisions to Council for adoption and enactment outside of the Land Use Management Ordinance rewrite process.</li><li>• Town Council approved the Council Committee on Boards and Commissions recommendations and called a public hearing to amend the Land Use Management Ordinance.</li></ul>	
<b>ITEM OVERVIEW</b>  Proposed for your consideration is an ordinance amendment that modifies the Land Use Management Ordinance. There are several proposed changes including: 1. Amend the length of term clause, by removing a clause that allows members whose terms have expired to serve until a successor has been appointed for the Board of Adjustment and the Historic District Commission. 2. Clarify the attendance policy so that any member of these boards who misses more than three (3) consecutive regular meetings or more than half the regular meetings in a calendar year shall lose his or her status as a member, and shall be replaced. 3. Reduce the Historic District Commission from ten (10) members to nine (9) members. 4. Additional revisions would update the relevant language in Advisory Board Membership Policy. These revisions are discussed in more detail in the attached Technical Report and are attached for your information. No recommendation is necessary.  In addition, the Council will also be considering modifying the Advisory Board Membership Policy and the Code of Ordinance for additional changes. These additional changes are included in the attached Technical Report.		
<b>ATTACHMENTS</b>	1. Technical Report 2. Resolution of Consistency 3. Ordinance A (Enactment of Land Use Management Text Amendment) 4. Resolution B (Deny Land Use Management Text Amendment)	