



OPEN THE PUBLIC HEARING: 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
Ben Hitchings, Director
Judy Johnson, Operations Manager
Becky McDonnell, Planner I

AMENDMENT REQUEST

Amend the relevant Land Use Management Ordinance sections in the Code of Ordinances regarding the board membership attendance and length of term policies. Additional amendments to individual board and commission policies are proposed as detailed in the attached Technical Report.

DATE

November 14, 2018

STAFF RECOMMENDATION

That the Council open the public hearing on the Land Use Management Ordinance text amendment, receive public comment, and continue the public hearing to December 5, 2018.

PROCESS

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 **three findings** for enactment of the Land Use Management Ordinance Text Amendment applies:

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.

OVERVIEW

- The text amendment is in response to a Council request to clarify the advisory board membership policy.
- On [October 17, 2018¹](#), the Council authorized the Town Manager to act on the recommendations of the Council Committee on Boards and Commissions to submit suggested revisions to Council for adoption and enactment.
- This action is not part of the Charting Our Future Land Use Management Ordinance rewrite process.

DECISION POINTS

Tonight's public hearing is for amendments to Board of Adjustment (Article 8.3) and Historic District Commission (Article 8.4) of the Land Use Management Ordinance including the following changes:

Board of Adjustment

- Article 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;
- Article 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;

Historic District Commission

- Article 8.4.1 Establishment of the Commission - change from ten (10) members to nine (9) members;
- Article 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
- Article 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;

Additional changes are proposed to the Advisory Board Membership Policy and the Town Code of Ordinances. These changes are included as information but no action tonight is anticipated. Staff has tentatively scheduled Council's review of these items on December 5, 2018 along with this text amendment. These revisions are discussed in more detail in the attached Technical Report.

ATTACHMENTS

1. Draft Staff Presentation
2. Technical Report
3. Resolution of Consistency (For proposed LUMO amendment)
4. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)
5. Resolution B (Deny Land Use Management Text Amendment Proposal)
6. Draft Resolution to Amend the Advisory Board Membership Policy
7. Draft Ordinance to Amend the Code of Ordinances
8. Planning Commission Recommendation
9. Advisory Board Membership Policy Amendments Feedback

¹ <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=3701641&GUID=F8EE3319-9F18-460A-9158-774ADB93B872>