



## **PLANNING COMMISSION: APPLICATION FOR AMENDMENTS TO LAND USE MANAGEMENT ORDINANCE SECTION 3.6.2 AND 8.4**

### **STAFF REPORT**

TOWN OF CHAPEL HILL PLANNING DEPARTMENT  
Judy Johnson, Operations Manager  
Becky McDonnell, Planner II

<b>AMENDMENT REQUEST</b>	<b>DATE</b>	<b>APPLICANT</b>
Amend the Historic District Commission (HDC) sections of the Land Use Management Ordinance (LUMO) to improve HDC procedures and provide clarity to decisions of the HDC.	October 15, 2019	Town of Chapel Hill Planning Department
<b>STAFF RECOMMENDATION</b>		
Staff recommends that the Planning Commission review the proposed text amendments and forward a recommendation to the Town Council in time for the Council’s review at the October 30, 2019 Public Hearing.		
<b>PROCESS</b>	<b>DECISION POINTS &amp; BACKGROUND</b>	
The LUMO requires the HDC and Planning Commission to make recommendations to the Town Council on the proposed text amendment. The Council will then hold a public hearing to consider the proposed amendments.	<ul style="list-style-type: none"><li>• On October 5, 2017 the Council Committee on Boards and Commissions considered a number of changes to the LUMO related to the HDC.</li><li>• In 2019, the HDC and Town Staff proposed additional amendments</li><li>• Staff presented an analysis of all recommendations at the September 23, 2019 Council Committee on Boards and Commission meeting, and the Committee recommended moving forward with seven text amendments.</li></ul>	
<b>TEXT AMENDMENT OVERVIEW</b>		
<p>These text amendments are in response to a recommendation from the Council Committee on Boards and Commissions to improve HDC procedures and provide clarity to decisions of the HDC. The Council Committee took into consideration the recommendations from the Council Committee in 2017, a memo to the Town Council from the HDC, staff analysis, public comment, and previous research conducted by the HDC and staff into their recommendation to move forward with the seven items below. These proposed text amendments would modify the HDC sections of the Land Use Management Ordinance, as follows:</p> <ol style="list-style-type: none"><li>1. Reduce time for action on Certificates of Appropriateness (COAs) (3.6.2(d)(4))</li><li>2. Clarify language for resubmittals of previously denied applications (3.6.2(d)(7))</li><li>3. Provide an expiration for COAs (3.6.2(d)(8))</li><li>4. Require findings of fact to reference evidence and clarify the congruity standard (3.6.2(e)(3))</li><li>5. Clarify HDC voting procedures (8.4.9)</li><li>6. Require updated inventories (8.4.10)</li></ol> <p>Specific language for each of the above amendments can be found in the attached summary.</p>		
<b>ATTACHMENTS</b>	<ol style="list-style-type: none"><li>1. Text Amendment Summary</li><li>2. September 23, 2019 Staff Memo to Council Committee on Boards &amp; Commissions - Recommendations and Analysis Regarding HDC Procedures</li><li>3. Resolution of Consistency</li><li>4. Ordinance A (Enactment of Land Use Management Text Amendment Proposal)</li><li>5. Resolution B (Deny Land Use Management Text Amendment Proposal)</li></ol>	