



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Legislation Details (With Text)

File #: [21-0761] **Version:** 1 **Name:**

Type: Consent **Status:** Passed

File created: 9/14/2021 **In control:** Town Council

On agenda: 10/13/2021 **Final action:** 10/13/2021

Title: Update Council and Advisory Board Policies and Procedures to Comply with Chapter 160D.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution A - Council Procedures Manual, 2. Resolution B - Council Code of Ethics, 3. Resolution C - Advisory Board Policy, 4. Council Questions with Staff Response, 5. Emails From the Public, 6. A RESOLUTION AMENDING THE COUNCIL PROCEDURES MANUAL TO COMPLY WITH NORTH CAROLINA GENERAL STATUTE 160D (2021-10-13/R-3), 7. A RESOLUTION AMENDING THE CODE OF ETHICS FOR THE CHAPEL HILL TOWN COUNCIL TO COMPLY WITH NORTH CAROLINA GENERAL STATUTE 160D (2021-10-13/R-4), 8. A RESOLUTION AMENDING THE ADVISORY BOARD MEMBERSHIP POLICY TO COMPLY WITH NORTH CAROLINA GENERAL STATUTE 160D (2021-10-13/R-5)

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------|---------|--------|
| 10/13/2021 | 1 | Town Council | adopted | Pass |

Update Council and Advisory Board Policies and Procedures to Comply with Chapter 160D.

Staff:

Colleen Willger, Director
Corey Liles, Principal Planner
Ann Anderson, Town Attorney
Gene Poveromo, Code Enforcement Coordinator

Department:

Planning

Town Attorney’s Office
Building and Development Services

Overview: Chapter 160D of the NC General Statutes was enacted in July 2019, serving as the new enabling legislation for local planning and zoning. The Town Council recently approved amendments to the Town Code of Ordinances, including the Land Use Management Ordinance (LUMO), for compliance with Chapter 160D. Tonight’s item consists of policies and procedures outside of the Town Code that also need updates based on the provisions of Chapter 160D.

☆ **Recommendation(s):**

That the Council adopt Resolutions A, B, and C to update Council and Advisory Board policies and procedures to comply with Chapter 160D.

Summary of Updates

Each update listed below is consistent with the provisions of Chapter 160D. Staff finds that the updates are necessary to maintain compliance with State law.

A. Council Procedures Manual

- Allow legislative decisions on development regulations (LUMO text amendments and zoning map

amendments) to be approved on first reading by a simple majority, rather than requiring two-thirds majority on first reading

G.S. [160D-601](#)

https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-and_160A-75

https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160a/GS_160a-

- Update references to State statute (160D rather than 160A)

B. Code of Ethics for the Town Council (first adopted on November 22, 2010)

- Establish conflict of interest policy consistent with State law

G.S. [160D-109](#)

https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-

- Update references to State statute (160D rather than 160A)

C. Advisory Board Membership Policy

- Establish conflict of interest policy consistent with State law

G.S. [160D-109](#)

https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-

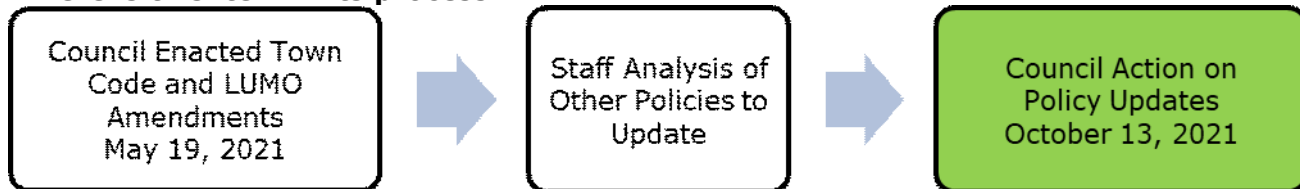
- Provide representation for the Chapel Hill Extra-Territorial Jurisdiction (ETJ) on the Community Design Commission by converting one Town Resident seat to an ETJ Resident seat

G.S. [160D-307\(a\)](#)

https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-

- Update references to State statute (160D rather than 160A)

Where is this item in its process?



Attachments:

- Resolution A, Amending the Council Procedures Manual
- Resolution B, Amending the Code of Ethics for the Town Council
- Resolution C, Amending the Advisory Board Membership Policy

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

By adopting Resolutions A, B, and C, the Council updates various Council and Advisory Board policies and procedures to comply with Chapter 160D.