



Legislation Details (With Text)

File #: [21-0339] **Version:** 1 **Name:**

Type: Discussion Item **Status:** Filed

File created: 1/29/2021 **In control:** Town Council

On agenda: 4/21/2021 **Final action:** 4/21/2021

Title: Open a Public Hearing for Land Use Management Ordinance (LUMO) Text Amendments - Proposed Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Initial Review of Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report & Text Amendment Overview, 2. Draft Staff Presentation, 3. Planning Commission Recommendation, 4. Resolution of Consistency, 5. Ordinance A, 6. Resolution B (Deny LUMO Amendment Proposal), 7. Ordinance B (Proposed Amendments to Town Code), 8. Staff Presentation, 9. Council Questions with Staff Response, 10. Phil Post Petition

Date	Ver.	Action By	Action	Result
4/21/2021	1	Town Council	received and filed	Pass
4/21/2021	1	Town Council	closed the public hearing	Pass

Open a Public Hearing for Land Use Management Ordinance (LUMO) Text Amendments - Proposed Changes to Articles 1, 3, 4, 5, 8 and Appendix A to Bring the LUMO into Compliance with North Carolina General Statute 160D; and Initial Review of Amendments to the Town Code - Proposed Changes to Chapters 5, 7, and 9 to Update References in these Chapters to Align with North Carolina General Statute 160D.

Staff:

Alisa Duffey Rogers, LUMO Project Manager
 Corey Liles, Principal Planner
 Gene Poveromo, Zoning/Code Enforcement Coordinator

Department:

Town Manager’s Office
 Planning
 Building & Development Services

Overview: Chapter 160D of NC General Statutes was established under Session Law 2019-111, which was signed into law on July 11, 2019. Before July 1, 2021, it is necessary for the Town to update the Land Use Management Ordinance (LUMO) to continue planning and zoning functions in compliance with State law.

★ **Recommendation(s):**

For the LUMO text amendments, that the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours.

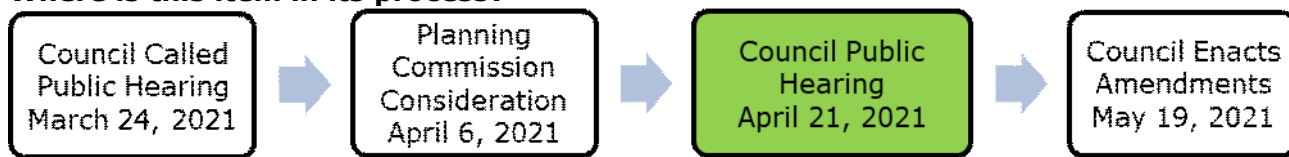
For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.

Key Issues:

- Part I of Session Law 2019-111 is already in effect and impacts how the Town conducts development review procedures.
- As a vehicle for modernizing North Carolina’s land use laws, Part II requires the Town to update the LUMO to comply with this newly enacted State Statute.
- At previous Work Sessions, Council provided input on eliminating Conditional Use District Zoning, determining which approvals had Vested Rights, and how to utilize advisory board/commissions when considering Special Use Permits. Staff incorporated all input received from these Work Sessions into the proposed LUMO text amendments.

Fiscal Impact/Resources: Codifying these text amendments will require funding from Communication and Public Affairs budget.

Where is this item in its process?



Attachments:

- Staff Report and Text Amendment Overview
- Draft Staff Presentation
- Planning Commission Recommendation
- Resolution of Consistency
- Ordinance A (Enactment of Land Use Management Text Amendment Proposal)
- Resolution B (Deny Land Use Management Text Amendment Proposal)
- Ordinance B (Proposed Amendments to the Town Code)

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

PRESENTER: Alisa Duffey Rogers, LUMO Project Manager

RECOMMENDATION: For the LUMO text amendments, that the Council open the legislative hearing, receive public comment, close the legislative hearing, and allow written public comment for twenty-four (24) hours.

For the Town Code amendments, that the Council initially review, receive public comment, and enact the Town Code amendments with the LUMO amendments at the next meeting.