



TOWN OF CHAPEL HILL

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

Legislation Details (With Text)

File #: [21-0447] **Version:** 1 **Name:**

Type: Discussion Item **Status:** Passed

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

On agenda: 5/19/2021 **Final action:** 5/19/2021

Title: Consider 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 Consider 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 and Text Amendment Overview, 2. Draft Staff Presentation, 3. Planning Commission Recommendation, 4. Resolution of Consistency, 5. Ordinance A, 6. Resolution B (Denial Resolution), 7. Ordinance B - Proposed Town Code Amendments, 8. 160D Petition, 9. Staff Presentation, 10. A RESOLUTION FINDING THAT THE PROPOSED AMENDMENTS TO ARTICLES 1, 3, 4, 5, 8 AND APPENDIX A OF THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO INCORPORATE REVISIONS REQUIRED BY THE ENACTMENT OF NCGS 160D ARE CONSISTENT WITH THE COMPREHENSIVE PLAN (2021-05, 11. AN ORDINANCE AMENDING ARTICLES 1, 3, 4, 5, 8 and Appendix A OF THE LAND USE MANAGEMENT ORDINANCE TO COMPLY WITH NORTH CAROLINA STATE STATUTE 160D (2021-05-19/O-1), 12. AN ORDINANCE AMENDING THE TOWN CODE OF ORDINANCES PERTAINING TO CHANGING 160A STATE STATUE REFERENCES TO 160D (2021-05-19/O-2)

Date	Ver.	Action By	Action	Result
5/19/2021	1	Town Council	adopted	Pass
5/19/2021	1	Town Council	enacted	Pass
5/19/2021	1	Town Council	enacted	Pass

Consider 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 Consider 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 adopt the Resolution of Consistency and enact Ordinance A.

For the Town Code amendments, enact Ordinance B.

Decision Points:

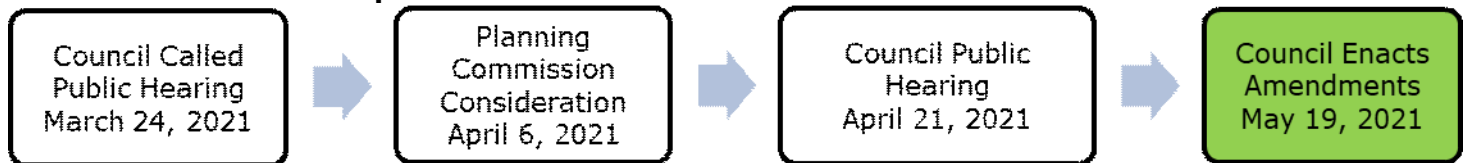
- Staff recommends delaying action on the petition submitted during the 160D public hearing to allow for a more complete evaluation of the request and for review by the Planning Commission.

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)
- 160D Petition

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 adopt the Resolution of Consistency and enact Ordinance A.

For the Town Code amendments, enact Ordinance B.