



## Legislation Text

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File #: [21-0133], Version: 1

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### **Call a Public Hearing for Land Use Management Ordinance Text Amendments-Proposed Changes to Section 3.6.2 Historic Districts Related to Review Criteria and Section 8.4 Historic District Commission on March 24, 2021.**

**Staff:**

Colleen Willger, Director  
Judy Johnson, Assistant Director  
Anya Grahn, Senior Planner

**Department:**

Planning Department

**Overview:** The Planning Department committed to updating the Land Use Management Ordinance (LUMO) following the adoption of the Design Principles and Standards. Amendments to the LUMO are intended to provide greater clarity on the legal basis for the Historic District Commission's (HDC) application of the Design Principles and Standards in their review of Certificate of Appropriateness (COA) applications.

**Recommendation(s):**

That the Council adopt the resolution calling a public hearing on March 24, 2021 to amend the Land Use Management Ordinance related to the Historic Districts Review Criteria and the reference to Design Principles and Standards.

**Key Issues:**

- Changes in State Law now require "Design Guidelines" to be referred to as "Design Standards"
- The current A through J criteria outlined in LUMO 3.6.2(e)(4) predates the adoption of the 2001 Design Guidelines.
- The HDC and applicants have consistently expressed concern that the A through J criteria do not align with the Design Guidelines and should be revised or removed.
- In 2019, the Planning Department committed to amending the A-J criteria following completion of the Design Standards project.

**Attachments:**

- Resolution

**A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT PERTAINING TO SECTION 3.6.2 HISTORIC DISTRICTS RELATED TO REVIEW CRITERIA AND SECTION 8.4 HISTORIC DISTRICT COMMISSION (2021-02-24/R-5)**

WHEREAS, Legislative updates in Chapter 160D of the North Carolina General Statutes provide that the Historic District Commission shall “adopt principles and standards to guide the commission in determining congruity with the special character of the landmark or district for new construction, alterations, additions, moving, and demolition;” and

WHEREAS, the A through J review criteria outlined in Land Use Management Ordinance (LUMO) 3.6.2(e) (4) predate the adoption of the 2001 *Design Guidelines for the Chapel Hill Historic Districts*; and

WHEREAS, on September 23, 2019, Planning Department staff provided a recommendation to the Council Committee on Boards & Commissions to amend the LUMO following the adoption of the Design Principles and Standards to provide greater clarity on the legal basis for application of the Design Principles and Standards in the Commission’s review of Certificate of Appropriateness (COA) applications; and

WHEREAS, the Historic District Commission and Town staff determined that the A through J criteria do not reflect the guidance provided in the Design Principles & Standards.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls a Public Hearing to consider a possible Land Use Management Ordinance text amendment regarding Historic District Commission Review Criteria and the Historic District Commission on March 24, 2021 at 7:00 p.m. in the location noticed on the Town’s web calendar.

This the 24<sup>th</sup> day of February, 2021.

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

By adopting the resolution, the Council calls a public hearing to consider matters related to the Historic District Review Criteria and the Historic District Commission on March 24, 2021.