



TOWN OF CHAPEL HILL

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

Legislation Details (With Text)

File #: [19-0734] **Version:** 1 **Name:**
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Title: Call a Public Hearing on October 30, 2019 for Amendments to Land Use Management Ordinance Sections 3.6.2 and 8.4 Pertaining to the Historic District.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO SECTIONS 3.6.2 AND 8.4 PERTAINING TO THE HISTORIC DISTRICT (2019-09-11/R-5)

Date	Ver.	Action By	Action	Result
9/11/2019	1	Town Council	adopted	Pass

Call a Public Hearing on October 30, 2019 for Amendments to Land Use Management Ordinance Sections 3.6.2 and 8.4 Pertaining to the Historic District.

Staff:

Judy Johnson, Operations Manager
Anya Grahn, Senior Planner
Jake Lowman, Senior Planner
Becky McDonnell, Planner II

Department:

Planning

Overview: Staff requests the following items to be called for a public hearing in response to issues raised by the Historic District Commission and the Council Committee on Boards and Commissions:

1. Amend Section 3.6.2 of the Land Use Management Ordinance to:
 - a. Require the findings of fact to reference the evidence supporting the findings in order to assist an applicant and any potential reviewing body;
 - b. Clarify the congruity standard as an approval or denial standard;
 - c. Reduce the amount of time for action to be taken on an application for a Certificate of Appropriateness;
 - d. Clarify the language on submittal of a new application as opposed to reconsideration of an application that has been denied;
 - e. Provide for a time for performance (or expiration) for Certificate of Appropriateness;
 - f. Clarify the legal basis for application of Design Guidelines, as being critical and binding upon the Commission's review of Certificate of Appropriateness applications.
2. Amend Section 8.4.9 of the Land Use Management Ordinance to ensure current voting procedures are consistent with State law.
3. Amend Section 8.4.10 of the Land Use Management Ordinance to require the creation, maintenance, and regular updating of information describing the inventory of historic properties in

the Districts.



Recommendation(s):

That the Council adopt the resolution calling a public hearing on October 30, 2019 for amendments to the Land Use Management Ordinance Sections 3.6.2 and 8.4 pertaining to the Historic District.



Attachments:

- Resolution

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO SECTIONS 3.6.2 AND 8.4 PERTAINING TO THE HISTORIC DISTRICT (2019-09-11/R-5)

WHEREAS, in June 2018, the Council adopted amendments to the voting procedures for the Historic District Commission, Planning Commission, and Community Design Commission; and

WHEREAS, the Historic District Commission and Town staff determined that current voting procedures set forth in Section 8.4.9 of the Land Use Management Ordinance are in conflict with North Carolina General Statutes for voting requirements related to quasi-judicial hearings; and

WHEREAS, along with the changes to voting requirement changes, additional changes to Section 3.6.2 and Section 8.4.10 of the Land Use Management Ordinance are proposed in response to input from the Council Committee on Boards and Commissions and the Historic District Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls a Public Hearing for October 30, 2019 at 7:00 p.m. to consider possible Land Use Management Ordinance text amendments regarding changes to Sections 3.6.2 and 8.4 regarding the Historic District Commission.

This the 11th day of September, 2019.

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 on October 30, 2019 to consider amendments to the Land Use Management Ordinance Sections 3.6.2 and 8.4 pertaining to the Historic District.