



TOWN OF CHAPEL HILL

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

Legislation Details (With Text)

File #: [21-0221] **Version:** 1 **Name:**
Type: Consent **Status:** Passed
File created: 1/29/2021 **In control:** Town Council
On agenda: 3/24/2021 **Final action:** 3/24/2021
Title: Call a Public Hearing to Consider Amendments to the Town Code that Establish Compliance with Chapter 160D of the North Carolina General Statutes for April 21, 2021.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Council Questions with Staff Response, 2. A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL TO ESTABLISH COMPLIANCE WITH CHAPTER 160D OF THE GENERAL STATUTES AND RELATED STATE LAW (2021-03-24/R-2)

Date	Ver.	Action By	Action	Result
3/24/2021	1	Town Council	adopted	Pass

Call a Public Hearing to Consider Amendments to the Town Code that Establish Compliance with Chapter 160D of the North Carolina General Statutes for April 21, 2021.

Staff:

Colleen Willger, Director

Alisa Duffey Rogers, LUMO Project Manager

Corey Liles, Principal Planner

Gene Poveromo, Zoning/Code Enforcement Coordinator

Department:

Planning

Manager's Office

Planning

Building & Development Services

Overview: The Town must amend the Land Use Management Ordinance (LUMO) and other sections of the Town Code to conform with the changes to State law commonly referred to as '160D' before July 1, 2021. Council has held a series of discussions on the major changes required and will have an opportunity to review the full set of proposed amendments at the public hearing.



Recommendation(s):

That the Council adopt the resolution calling a public hearing on April 21, 2021 at the request of the Town Manager to amend the Chapel Hill Town Code and Land Use Management Ordinance to establish compliance with North Carolina State law.

Key Issues:

- Chapter 160D and various related provisions were established under [Session Law 2019-111 <https://www.ncleg.gov/BillLookup/2019/S355>](https://www.ncleg.gov/BillLookup/2019/S355), enacted by the State in July 2019.
- [Session Law 2020-25 <https://www.ncleg.gov/BillLookup/2019/S720/True>](https://www.ncleg.gov/BillLookup/2019/S720/True), enacted in 2020, incorporated technical corrections into Chapter 160D and set July 1, 2021 as the deadline to come into compliance with new State law.
- Council previously discussed the major changes required by 160D at meetings on [June 17, 2020 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4569906&GUID=0CE76AA5-06B3-4421-8884-D0D1FBD81E30>](https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4569906&GUID=0CE76AA5-06B3-4421-8884-D0D1FBD81E30); [September 16, 2020](#)

<<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4640115&GUID=B6921C68-D711-4649-; October 21, 2020 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4671429&GUID=0ACB18C0-C5F2-493B-9314-9174C436C4EF>; and February 17, 2021 <https://chapelhill.legistar.com/LegislationDetail.aspx?ID=4797928&GUID=0AA7F7DC-98F3-4488->

Where is this item in its process?



Attachments:

- Resolution

A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL TO ESTABLISH COMPLIANCE WITH CHAPTER 160D OF THE GENERAL STATUTES AND RELATED STATE LAW (2021-03-24/R-2)

WHEREAS, in July 2019 the North Carolina General Assembly enacted Session Law 2019-111, an act to clarify, consolidate, and reorganize the land-use regulatory laws of the State; and

WHEREAS, in June 2020 the North Carolina General Assembly enacted Session Law 2020-25, an act to complete the consolidation of land-use provisions into one chapter of the General Statutes as directed by S.L. 2019-111; and

WHEREAS, Session Laws 2019-111 and 2020-25 together establish a new section of the North Carolina General Statutes titled Chapter 160D: Local Planning and Development Regulation, intended to supersede Article 18 of Chapter 153A and Article 19 of Chapter 160A; and

WHEREAS, Session Law 2020-25 states that Chapter 160D shall serve as the enabling legislation applicable to local government development regulation decisions made on or after the earlier of: (1) the effective date of the amendments to local development regulations made to conform to the provisions of Chapter 160D or (2) July 1, 2021; and

WHEREAS, the implications of Chapter 160D going into effect have been discussed by the Town Council at meetings held on June 17, 2020; September 16, 2020; October 21, 2020; and February 17, 2021; and

WHEREAS, the Town Manager hereby requests that the Council amend the Code of Ordinances of the Town Of Chapel Hill, including the Land Use Management Ordinance, to conform to the provisions of Chapter 160D.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council calls a Public Hearing for April 21, 2021 at 7:00 p.m. in the location described on the Town's web calendar to consider possible amendments to the Code of Ordinances of the Town of Chapel Hill to establish compliance with Chapter 160D of the General Statutes and related State law, and refers the proposed amendments to the Town Manager and Planning Commission for their consideration.

This the 24th day of March, 2021.

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 amendments to the Chapel Hill Town Code and Land Use Management Ordinance to establish compliance with North Carolina General Statute 160D on April 21, 2021.