



# TOWN OF CHAPEL HILL

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

## Legislation Text

File #: [21-0761], Version: 1

### Update Council and Advisory Board Policies and Procedures to Comply with Chapter 160D.

**Staff:**

Colleen Willger, Director  
Corey Liles, Principal Planner  
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**Department:**

Planning  
  
Town Attorney's Office  
Building and Development Services

**Overview:** Chapter 160D of the NC General Statutes was enacted in July 2019, serving as the new enabling legislation for local planning and zoning. The Town Council recently approved amendments to the Town Code of Ordinances, including the Land Use Management Ordinance (LUMO), for compliance with Chapter 160D. Tonight's item consists of policies and procedures outside of the Town Code that also need updates based on the provisions of Chapter 160D.

**Recommendation(s):**

That the Council adopt Resolutions A, B, and C to update Council and Advisory Board policies and procedures to comply with Chapter 160D.

**Summary of Updates**

Each update listed below is consistent with the provisions of Chapter 160D. Staff finds that the updates are necessary to maintain compliance with State law.

**A. Council Procedures Manual**

- Allow legislative decisions on development regulations (LUMO text amendments and zoning map amendments) to be approved on first reading by a simple majority, rather than requiring two-thirds majority on first reading

G.S. [160D-601](#)

[https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160d/GS\\_160d-and\\_160A-75](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-and_160A-75)

[https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160a/GS\\_160a-](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160a/GS_160a-)

- Update references to State statute (160D rather than 160A)

**B. Code of Ethics for the Town Council** (first adopted on November 22, 2010)

- Establish conflict of interest policy consistent with State law

G.S. [160D-109](#)

[https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160d/GS\\_160d-](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-)

- Update references to State statute (160D rather than 160A)

**C. Advisory Board Membership Policy**

- Establish conflict of interest policy consistent with State law

G.S. [160D-109](#)

[https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160d/GS\\_160d-](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-)

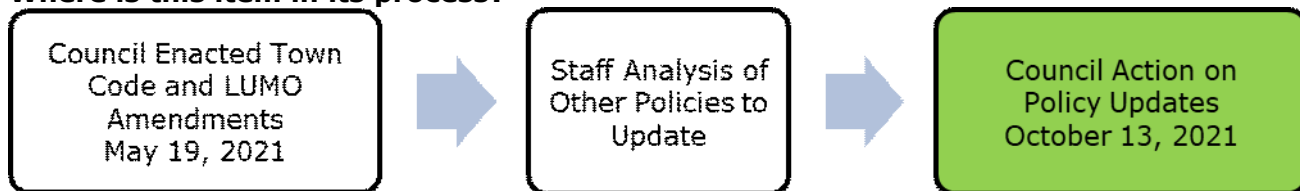
- Provide representation for the Chapel Hill Extra-Territorial Jurisdiction (ETJ) on the Community Design Commission by converting one Town Resident seat to an ETJ Resident seat

G.S. [160D-307\(a\)](#)

[https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter\\_160d/GS\\_160d-](https://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160d/GS_160d-)

- Update references to State statute (160D rather than 160A)

**Where is this item in its process?**



**Attachments:**

- Resolution A, Amending the Council Procedures Manual
- Resolution B, Amending the Code of Ethics for the Town Council
- Resolution C, Amending the Advisory Board Membership Policy

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

By adopting Resolutions A, B, and C, the Council updates various Council and Advisory Board policies and procedures to comply with Chapter 160D.