



Development Agreements

The Town's Context

State Enabling Legislation

- State sets limits to local authority
- Changes in legislation can impact local capabilities

Local Vision

- Sets the "big picture"; can be used as guidance
- Comprehensive Plan, Small Area Plans, etc.

Local Regulations

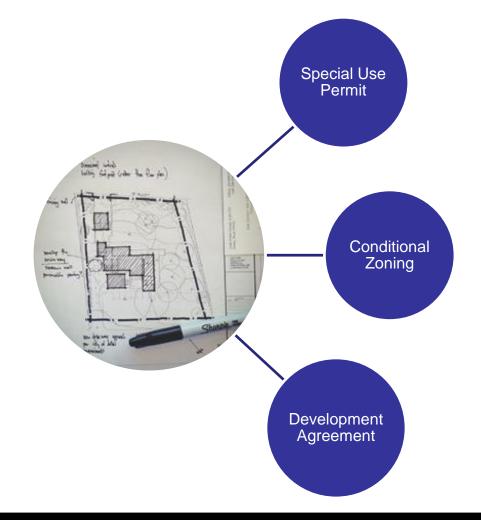
- Sets the legal rules for development
- Land Use Management Ordinance (LUMO), Town Code

How are large projects reviewed in Chapel Hill?





What are the Types of Council **Decisions** for large projects?



Legislative Decision (not quasi-judicial)

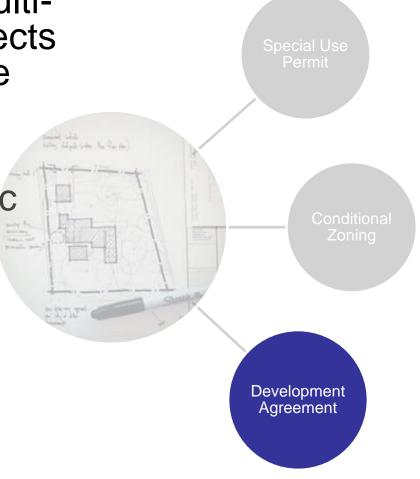
 Council and applicant negotiate Development Agreement with conditions of approval

 Land Use Management Ordinance is typically base for standards



 Often used for larger multiphased projects or projects with public infrastructure component

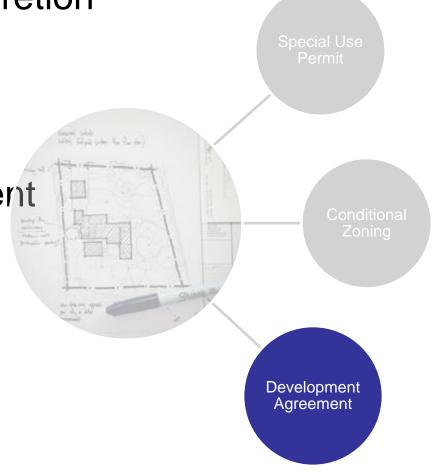
Allows for broader public involvement



 Council has broad discretion to make decision in community's interest

 Zoning must allow Development Agreement

Other state/federal regulations apply



 Considers large projects as a whole, with wider range of mitigations

Special Use Permit

 Provides greater flexibility to address community concerns

Conditional Zoning

 Creates long term predictability and certainty

Development Agreement Both parties are locked into agreement

 Substantial upfront costs for planning, analysis

Must be reviewed annually

 Major modifications require same process as approval Development Agreement

DAs in Chapel Hill

- Hamilton Road Fire Station #2 Development Agreement (2016)
- Obey Creek Development Agreement (2015)
- Glen Lennox Development Agreement (2014)
- Carolina North Development Agreement (2009)
- Municipal Services Center
- Amity Station

Overview: The Development Agreement Process

Step 1 Step 4 Step 2 Identify Key Issues and **Evaluate Existing Information Negotiate Development Tool Finalize Development Agreement Opportunities** Staff recommends Public sessions on key **Town Staff Evaluation** regulatory process to topics Share draft agreement for public, May include: Council advisory board, and Council review **Draft Development** Town Council guidance Agreement language Community Input Information from parties to the **Advisory Boards Development Agreement** Council Reviews Review Site evaluation and/or concept Based on input and technical guidance **Agreement Topics** sketches Refine project form and features Review of pertinent adopted plans Transportation and other background Infrastructure Identify submission requirements for Review of regulatory/entitlement Other design standards DA (if recommended) options Provide Council guidance on key Planning Commission interests (Policy Topics) Provide detailed Development Review Optional: Agreement schedule Council Identify related studies (traffic, **Public Information** Review of stormwater, etc.) Meeting(s) **Draft DA** Advertise Public Hearing(s)

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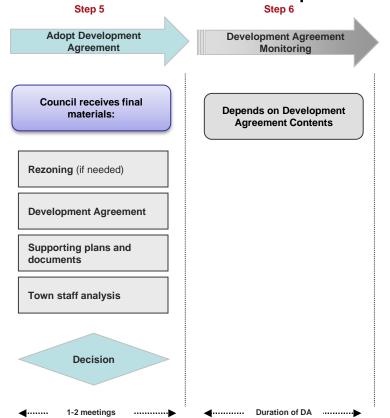
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Overview: The Development Agreement Process



*If agreement is not approved, underlying zoning and processes remain in place



Questions?

