



Development Agreements

The Town's Context

State Enabling Legislation

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

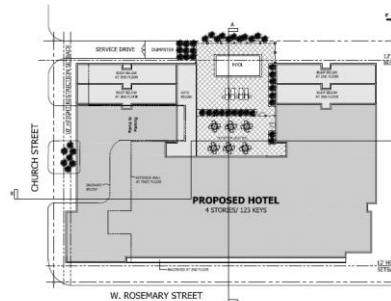
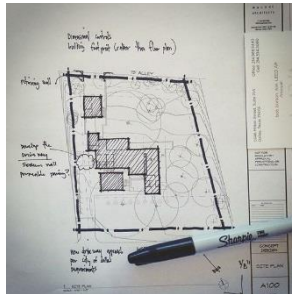
Local Vision

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

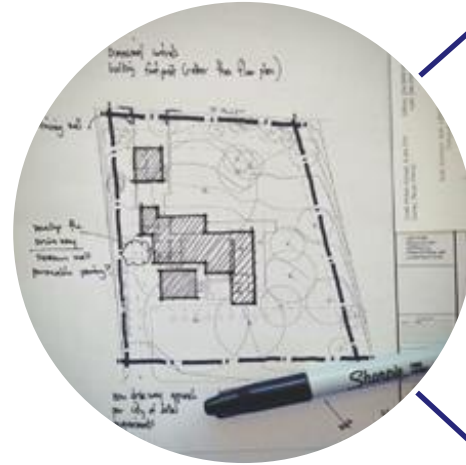
Local Regulations

- 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?

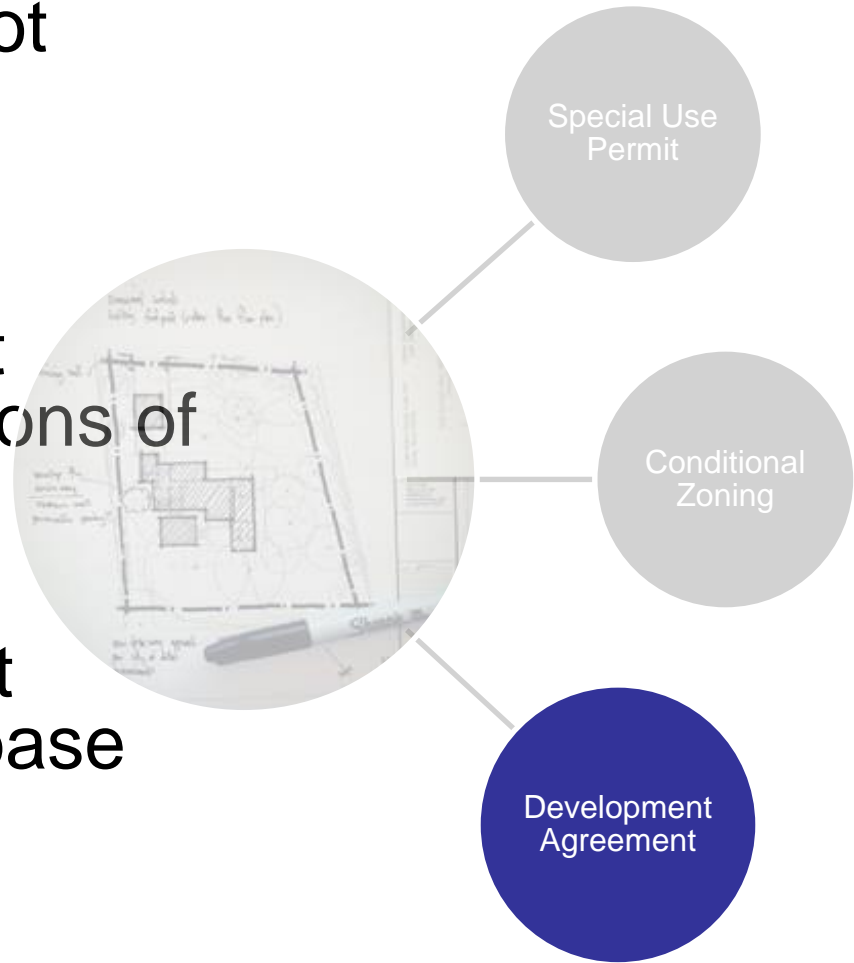


Special Use Permit

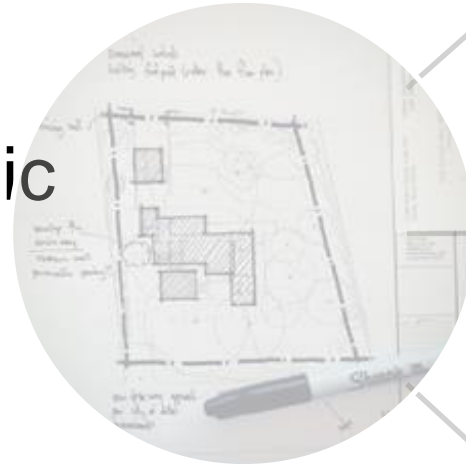
Conditional Zoning

Development Agreement

- 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 multi-phased projects or projects with public infrastructure component
- Allows for broader public involvement



Special Use
Permit

Conditional
Zoning

Development
Agreement

- Council has broad discretion to make decision in community's interest
- Zoning must allow Development Agreement
- Other state/federal regulations apply



Special Use
Permit

Conditional
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- Considers large projects as a whole, with wider range of mitigations
- Provides greater flexibility to address community concerns
- Creates long term predictability and certainty

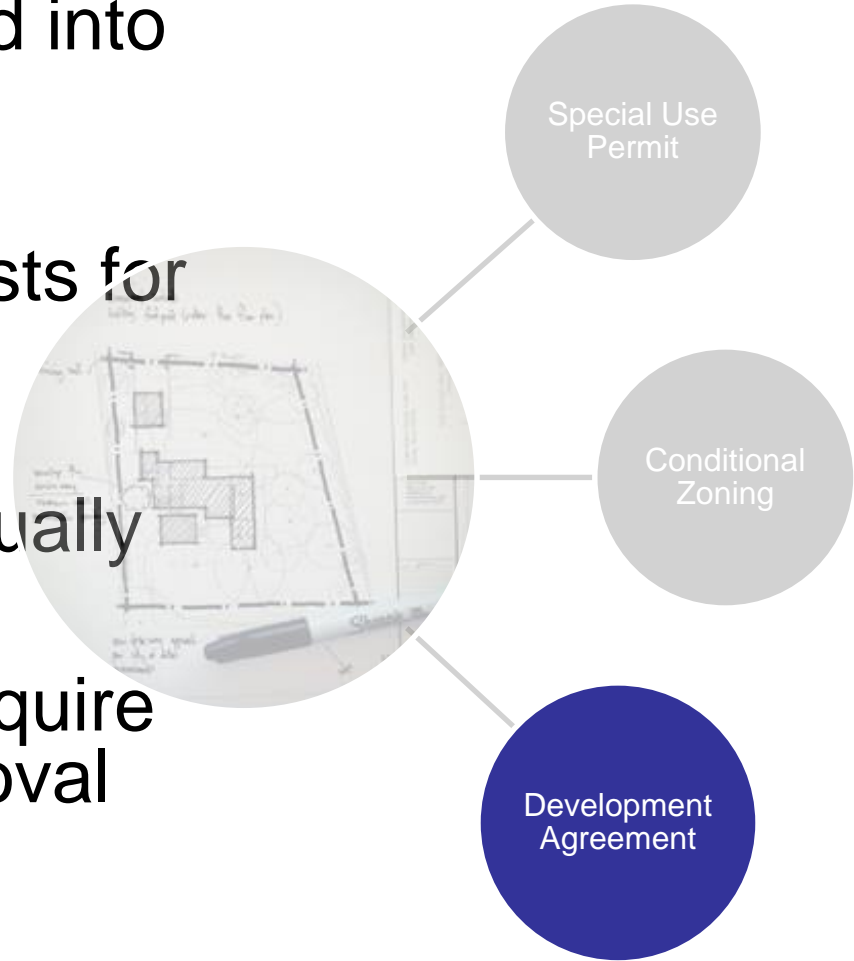


Special Use
Permit

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Agreement

- Both parties are locked into agreement
- Substantial upfront costs for planning, analysis
- Must be reviewed annually
- Major modifications require same process as approval

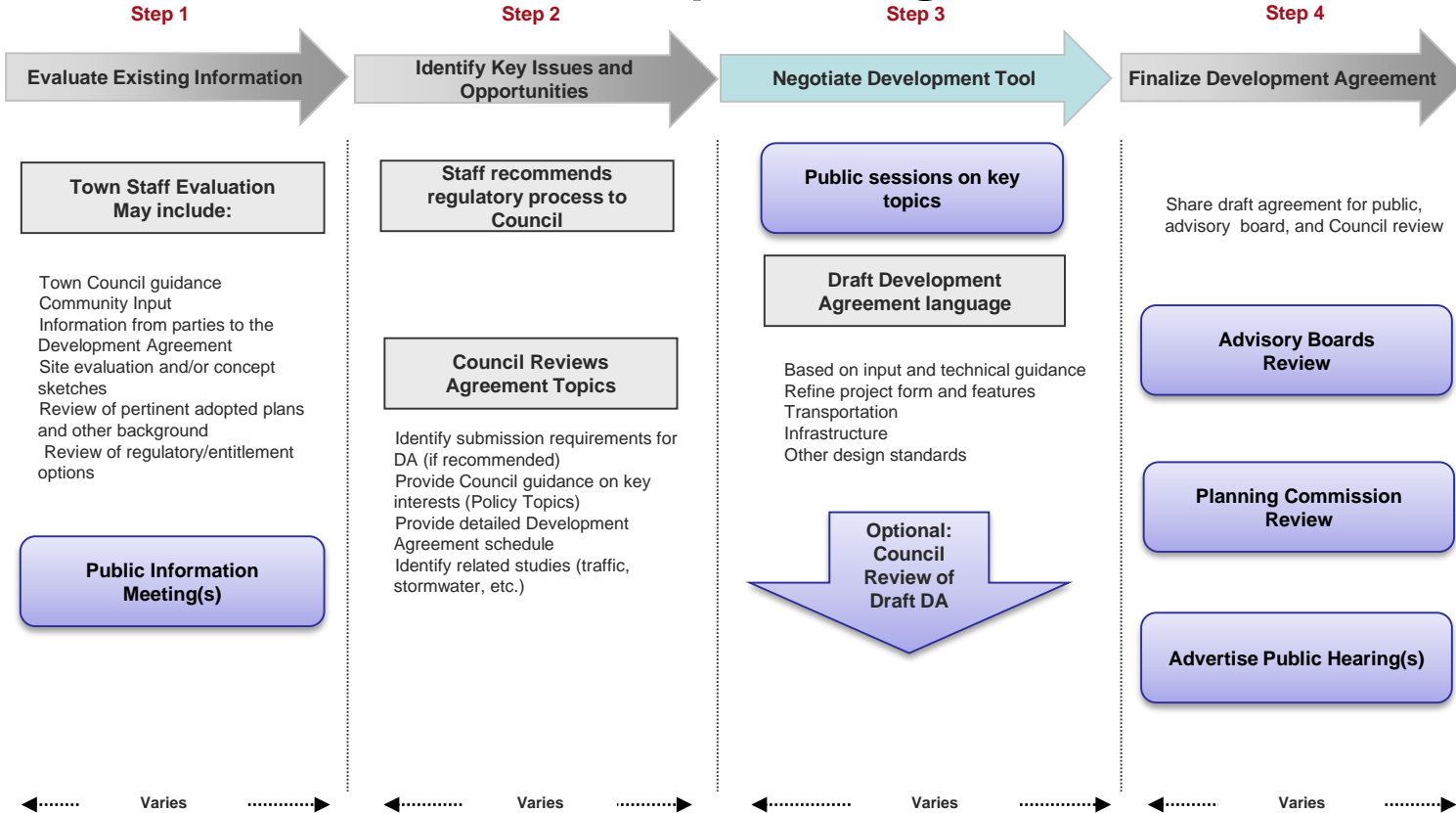


DAs in Chapel Hill

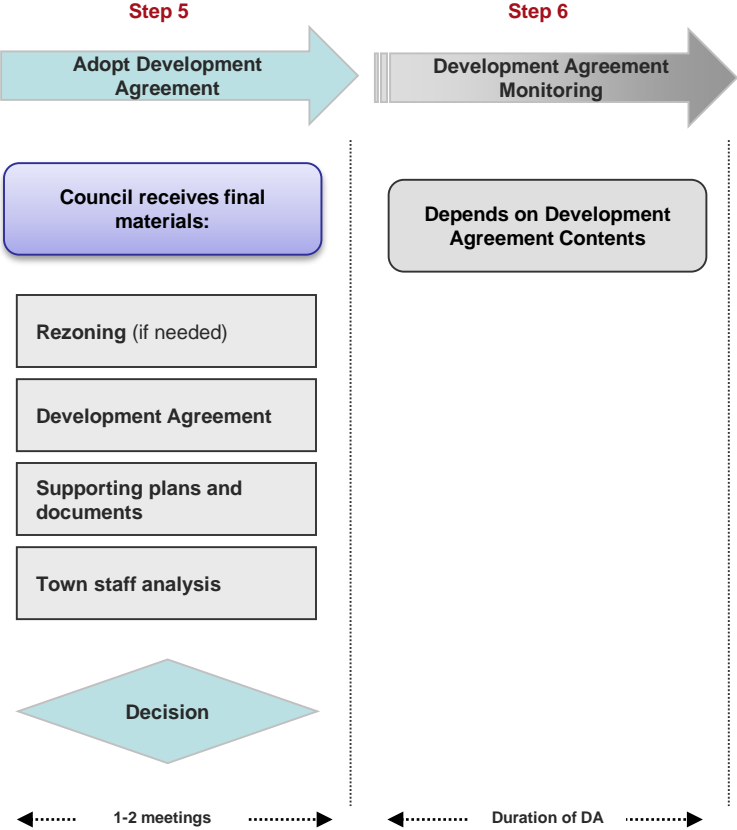
- [Hamilton Road Fire Station #2 Development Agreement](#) (2016)
- [Obey Creek Development Agreement](#) (2015)
- [Glen Lennox Development Agreement](#) (2014)
- [Carolina North Development Agreement](#) (2009)

- Municipal Services Center
- Amity Station

Overview: The Development Agreement Process



Overview: The Development Agreement Process



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



Questions?

