

LUMO AUDIT

Snapshot of the Initial Audit Process

LUMO Audit – Engagement Activities

Internal Scoping Meetings

Planning
Building and Development
Enforcement
Town Attorney
Town Managers

COMPLETE

Outcome

Better understand the internal issues facing LUMO administration and application

February 2022

Surveys

Internal Survey

Staff, Advisory Boards, Council

External Survey

Developers, Representatives, Design
Community

Benchmark Survey

Comparison of NC jurisdictions

COMPLETE

Outcome

Identify content and procedure deficiencies in the current LUMO experienced by multiple user groups

May/June 2022

Key Stakeholder Roundtables

Development Community
Applicant Representatives
Architects and Engineers
Environmental Groups
Large Landowners
Realtors

Outcome

Deeper understanding of LUMO challenges and opportunities based on survey inputs and overlaps

August 2022

LUMO Audit – Major Milestones/Schedule

- Code evaluation Ongoing
- Best practice review July/August 2022
- Preliminary TOD Code Rec's September 2022
- Draft Code Diagnosis Report January 2023
- Final Code Diagnosis Report February 2023
- UDO Rewrite Roadmap June 2023

LUMO AUDIT: Initial Review

LUMO Audit Purpose

- Identify current plan/code alignment gaps
- Identify where content and process can be improved
- Generate consensus on priority improvements among diverse users
- Explore contemporary best practices to improve Chapel Hill's process and outcomes

- Identify strategic approach to the LUMO rewrite scheduled for 2023-2025

Initial Observations: Code Content

- Does not address: contemporary uses, development types, emerging trends
- Overly broad use groupings and definitions
- Barriers to ADU's, missing-middle housing, intensifying single family areas
- Neighborhood Conservation Districts and equity to be resolved
- Limited design standards / community character requirements
- Blue Hill Form Based Code focus on expression, less on mass and scale
- Landscaping, stormwater buffer standards

Initial Observations: Decision Making Process

- Low development thresholds for Council review
- Advisory Board roles and review – formal authority vs. cultural role
- Previous streamlining seen as burdensome – Concept Plan process
- Perception Chapel Hill decision making is long and cumbersome
- Many variance requests and appeals (landscaping, stormwater)
- Consistency: enforcement, regulation interpretation between departments

Initial Observations: Other Considerations

- Parent document out of date; comprehensive rewrite needed
- Address clarity, readability issues
- Embed equity throughout, address missing middle – duplexes, triplexes, etc. in R2
- Conditional vs. special use permits
- Reduce burden to change or transition uses
- Clearly identify uses Town would like to prohibit
- Clarify administrative authority
- Revise decision-making process
- Consistency with North Carolina Law

Potential Approaches and Examples

Complete Overhaul + Re-write

- Missoula County, MT
 - Adopted 1977; updated over last 45 years but never comprehensively
 - Adoption of place-based future land use element in 2020 triggered realignment of code to plan
 - Move from traditional use-based zoning to design-focused code *with* regulation of use (hybrid)
 - Highly illustrative content
 - Pros: cohesive finished product that effectively implements plan vision
 - Cons: lengthy process to get to implemented change

Strategic Update

- Maui County, HI
 - Code not comprehensively updated since 1960's but significant (and ongoing) piecemeal updates
 - Leadership appetite for complete overhaul waned following 2018 audit
 - Prioritized content updates and complete reorganization of information for accessibility, readability
 - Pros: easier to tackle administratively
 - Cons: loses some functionality and impact when only certain elements are updated

Zoning Update Case Studies

- **Raleigh, NC Unified Development Ordinance**
 - Good regional example of complete zoning code overhaul
 - Balances use and form – representative of good hybrid coding
 - Demonstrates benefit of consolidating related regulations
 - Uses *FlippingBook* software for improved online functionality, cross-reference, ease of use by the layperson
 - Good example of using illustrations to explain concepts
 - Link: [Raleigh Unified Development Ordinance](#)

Zoning Update Case Studies

- **City of Minneapolis, MN Code of Ordinances**
 - Focused on core community issues – housing, equity, community character
 - Housing and affordability at the forefront
 - Eliminated traditional “single-family only” districts, did not prohibit SF per se
 - Targeted design standards for small-scale residential infill
 - Allowed ADU’s by-right, reforming lengthy permitting for single-family units
 - Created social equity framework and built this into strategic and budgetary planning
 - Link: [Minneapolis Code of Ordinances, Title 20](#)

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LUMO AUDIT
Survey Update

LUMO Audit Stakeholder Survey

- External survey open from May 22nd through June 6th
 - 24 responses out of approximately 45 recipients (+50% response rate)
- Internal survey open from May 16th through June 31st
 - 25 responses out of an unknown recipient pool
- Benchmark survey remains open for extended distribution through early August 2022
- Preliminary analysis of survey responses collected **as of June 7th, 2022** can be found in the following pages; a comprehensive analysis of all responses collected is currently underway.

LUMO Audit Stakeholder Survey – Internal Snapshot

- Most responses coming from Town staff; high familiarity with LUMO
- Conditional rezonings most comment/recent interaction
- Split opinion on whether approval takes too long or an appropriate amount of time
- Factors most often cited in delays: staff capacity, the timing of public participation, and the process requirements of the LUMO
- 45% of respondents feel LUMO is an appropriate amount of regulation; 36% feel LUMO is too much regulation
- Feel the primary role of the LUMO is to protect the land, water, and air from damage or pollution, and to provide the community a way in which to influence development and change
- Desire more predictability and consistency

LUMO Audit Stakeholder Survey – External Snapshot

- Most respondents either builders/developers or members of a community interest group
- Demonstrate general to in-depth familiarity with LUMO
- Most recent interaction was with a conditional zoning or special use permit
- Felt decisions take too long; process requirements cited as primary reason
- LUMO is unclear, represents too much regulation
- See the primary role of the LUMO to enable people to build housing and businesses that serve the needs of the community
- Prioritize predictability as most important aspect of regulating land development