



Development Review

Operational Updates

June 2, 2023

Background

February

- Town Consultant completed work on the Planning Systems Evaluation
- Specific Advisory Boards were removed from the Concept Plan and Conditional Rezoning Process
- New Planning Director on-boarded

May

- Complete Community Framework incorporated into the Comprehensive Plan

Laying the foundations: drivers for change

1. Development review is **not** delivering desired outcomes – for any stakeholders. There are no advocates for the status quo.
2. Current processes are the primary **disincentive** to investment in Chapel Hill. Current processes add significant costs.
3. **Efficiencies are required** to streamline processes and mitigate confusing iterations. Applications do not currently advance in a consistent or linear manner.
4. **Role clarification is required.** The root of considerable confusion is that lack of clarity about who is responsible for key decisions, what role the public should play and how Boards and Commissions fit.
5. The unclear process is creating **an emotional toll** for everyone involved, and is resulting in unnecessary conflict. Many desirable partners have indicated they will no longer develop in Chapel Hill unless significant change takes place.
6. The **time is right for change:** a key success factor for change is having a clear vision. The Complete Community Framework provides critical guidance.

The opportunity – what we heard

1. Eliminate Duplication

- i. Decisions are revisited by multiple parties
- ii. Expectations are not clear
- iii. Review is 'siloed' – conflicting feedback on the same topic is received from multiple parties
- iv. Adjacent municipalities have better processes that are precedents (Asheville, Raleigh)
- v. Lack of clarity about the legal framework within which Chapel Hill functions causes confusion

2. Better use staff expertise

- i. Staff are underutilized: treated as facilitators vs experts
- ii. Opportunity to generate responsibility for recommendations by defining their role more in keeping with professional expectations
- iii. There is a need to add clarity to **where** decisions are being made, and by **who**

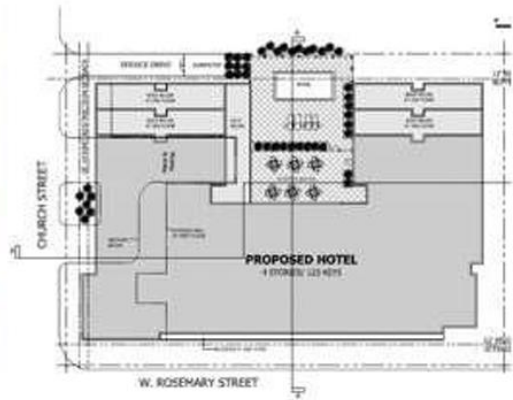
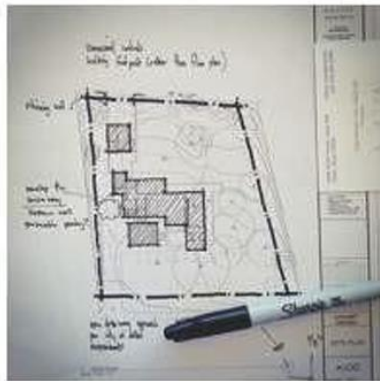
3. Acknowledgement that there is no 'silver bullet'

- i. Stakeholders want change, but the process is so convoluted it is hard to see a way out
- ii. The aspiration to do better exists; there is a willingness to change
- iii. A desire to find the low-hanging fruit: interest in beginning with process changes
- iv. Concern that even if 'processes' are fixed, people will still behave the same!

Development Review

Let's talk process...

Development Review



Development Review



Affordable Housing Review

Streamlined Review

- Eliminating the concept plan review process for qualifying projects
- Shifting some of the technical details required in the rezoning stage to later stages of plan review and permitting
- Exempting eligible applicants from review by all advisory boards except for Planning Commission
- Delegating authority to staff for minor project modifications after rezoning approval

Eligibility:

- Development projects must include at least 25% of its units as affordable
- Rental projects must offer affordable units to households earning 60% or less of the Area Median Income (AMI)
- Home ownership projects must offer affordable units to households earning 80% or less of AMI

Technical Review Team (TRT)

Who's at the table...

TRT Members

9 member departments

- Planning (Long-Range, Current Development, Transportation, Forester/Landscape Arch)
- Fire
- Housing
- Parks & Recreation
- Public Works (Engineering, Traffic Engineering, Stormwater)

- Police
- Sustainability
- Transit
- Tech Solutions

Outside Agencies

- NCDOT
- OC Solid Waste
- OWASA

TRT Members (as needed)

3 member departments

- Urban Designer
- Inspections
- Public Parking

Outside Agencies

- CH-Carrboro Schools
- Duke Energy
- OC Erosion Control

Other Jurisdictions

- Durham/Orange/Chatham
- Carrboro
- State of NC
- Federal Agencies

23 Principal Review Categories

- Project management
- Modifications to Regulations
- Complete Community/Community Benefits
- **Comprehensive Plan**
- Joint Planning Area
- Proximity to Adjacent Jurisdictions
- **Zoning Districts**
- **Development Standards**
- **Transportation**
- **Environment**
- Recreation Facilities
- Landscaping and Buffers
- **Safety**
- Accessibility Req – Outside the ROW
- Affordable Housing
- Place Making and Public Realm
- Building Elevations
- Water, Sewer & Utilities
- Solid Waste & Recycling
- Internet Infrastructure
- State & Federal Approvals
- Adequate Public Schools
- **Construction**

26 Sub-Categories

- **Comprehensive Plan**
 - FLUM
 - Other Plan Components
 - Annexation
- **Zoning Districts**
 - Permitted Uses
 - Height, Setbacks, Dimensions
- **Development Standards**
 - Lot Design
 - Site Lighting
 - Use-Specific Standards
- **Transportation**
 - Site Access & Circulation
 - Right-Of-Way
 - Roads, Streetscape, Sidewalks, HC Facilities, Traffic Signals & X-Walks, Bike/Ped Facilities, Transit Amenities
 - Parking
 - Public, Private, Lot Design, Bicycle, EV
- **Environment**
 - Energy Management Plan
 - RCD Boundary
 - RCD Impacts
 - Jordan Buffers
 - Watershed Protection
 - Floodplain Impacts
 - Steep Slopes
 - Stormwater Management
 - Tree Protection
- **Safety**
 - Fire & Emergency Access
 - Crime Prevention through Design
- **Construction**
 - Traffic & Pedestrian Control
 - Erosion Control
 - Construction Mgmt Plan
 - Temporary Construction Access

Administrative Updates

What are we working on...

Upcoming Initiatives

Streamlining Council Packets and communications

- Staff report restructuring
- Reducing duplicative information
- Providing the most helpful and constructive
- Highlighting key review issues and community benefits

Upcoming Initiatives

Complete Community Worksheet for Project Review

- Staff-led review using Complete Community Framework
- Worksheet included in PC or Council Packet

Advisory Boards

Where are they now...

Changes as of Feb 2023

Concept Plan Review Process

Current Practice		Revised Process as of Feb 2023	
Concept Plan	CDC	Concept Plan	CDC
	HAB		
	SMUAB		
	Council		Council

Changes as of Feb 2023

Conditional Zoning Review Process

Current Practice		Revised Process as of Feb 2023	
Staff Technical Review		Staff Technical Review	
Public Information Meeting (PIM)		Public Information Meeting (PIM)	
Advisory Board Review	CDC	Advisory Board Review	Planning Comm.
	HAB		
	ESAB		
	TCAB		
	Planning Comm.		
Public Hearing	Legal Notice	Public Hearing	Legal Notice
Council Action Meeting	Town Manager Recommendation	Council Action Meeting	Town Manager Recommendation

Future Options for Process Changes

What's next...

Concept Plans

Concept Plans



Planning Commission (PC) ONLY

- not Town Council
 - Streamlines process
 - Minimizes duplicative review
 - Provides policy-based feedback

Special Use Permits (SUP)

Special Use Permits → Town Council ONLY

- not PC

- Streamlines the application process
- PC does not operate as a quasi-judicial board
- PC recommendations not a requirement to vote on SUPs

SUP Modifications

SUP Modifications → BOA

- not Town Council

- Review can be delegated by the Council
- Aids case management for Council

Special Use Permits (SUP)

SUPs and modifications → Board of Adjustment (BOA) ONLY

- not Town Council or PC
- Delegates quasi-judicial reviews
 - Aids case management
- Provides clear separation for quasi-judicial cases

Process Changes

	Currently	Text Amendment	LUMO Rewrite
	Council	Planning Commission	Board of Adjustment
Concept Plans	X	X	
SUPs*	X		X
SUP Mods	X		X

* Text Amendment would be required to remove PC review/recommendation of SUPs

Council Reactions

Questions...