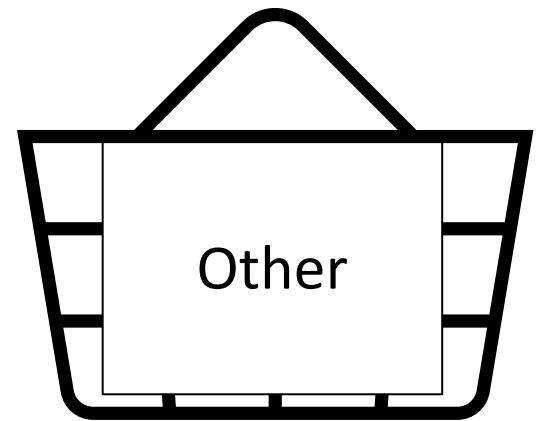
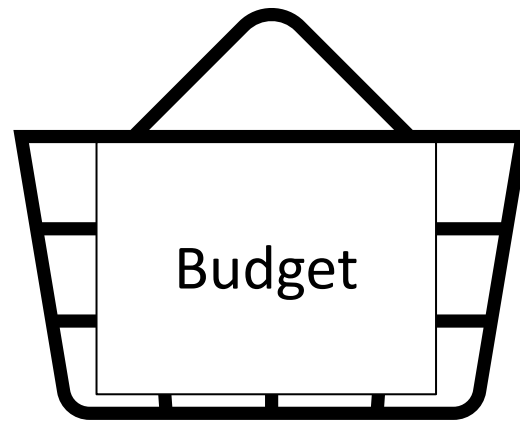


COUNCIL LAND USE AUTHORITY
LEGISLATIVE

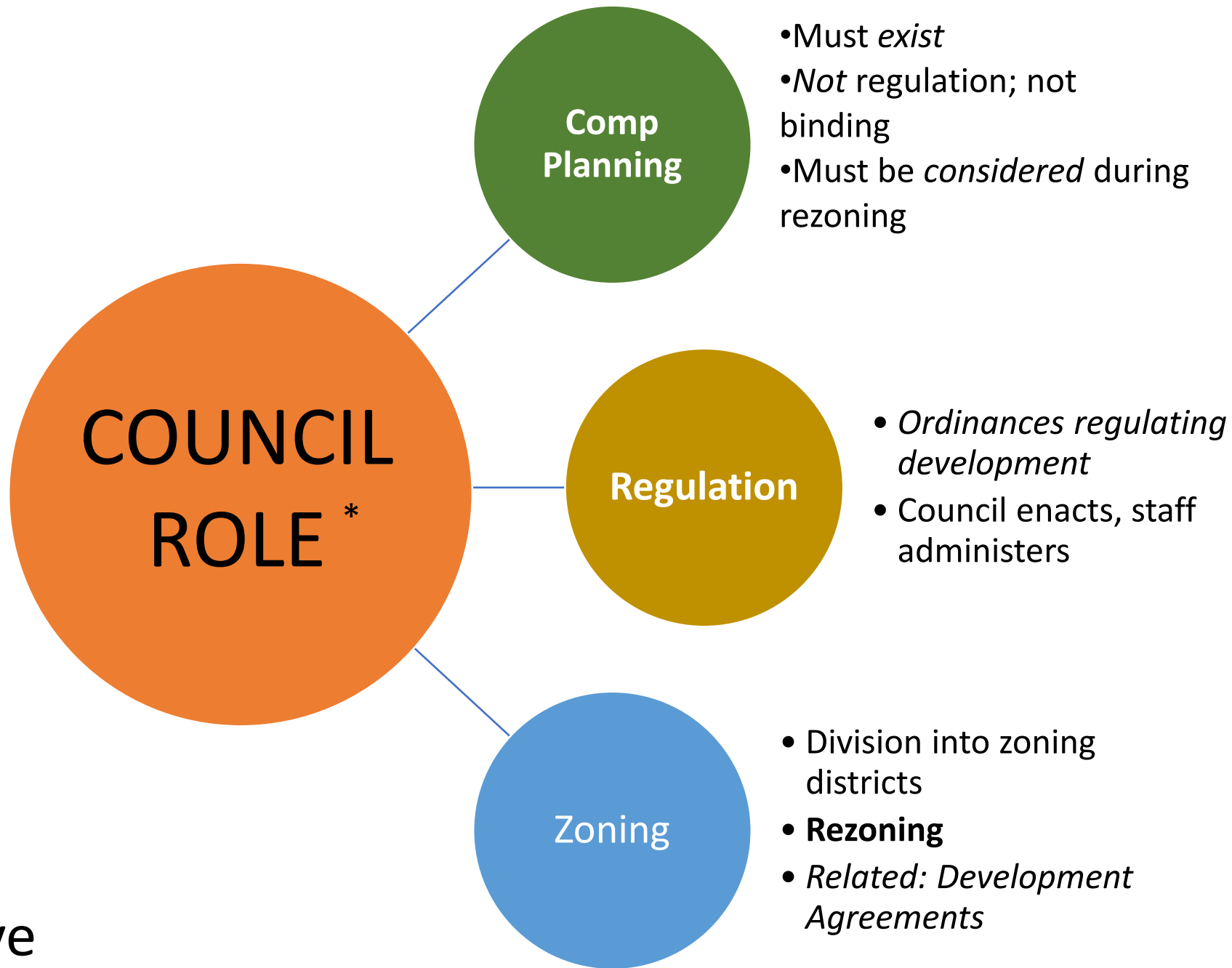
Local governments in North Carolina have no inherent power.

Created by the state and may exercise only those powers delegated by the General Assembly.

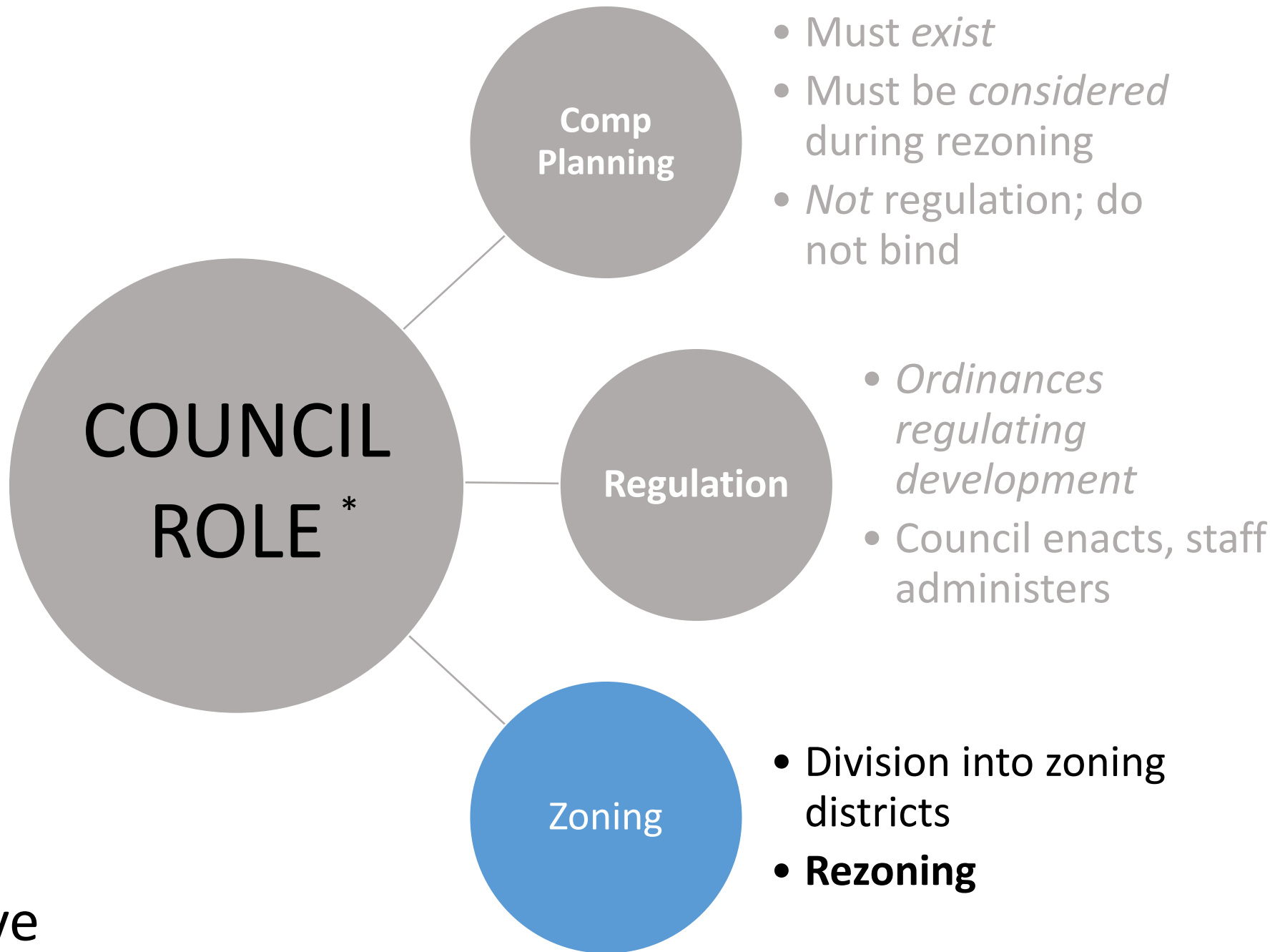




“...to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and to promote the health, safety, morals, or general welfare of the community.” G.S. 160D-701.



*legislative



*legislative



- **General**
 - Conventional
 - Form-based
 - Overlay
- **Conditional**
 - Site plan incorporated
 - Specific conditions apply

*legislative

Conditional Zoning

CONDITIONS

“Conditions and site-specific standards...shall be limited to those that address conformance of the development and use of the site to...ordinances, [comprehensive plans], or the impacts reasonably expected to be generated by the development or use of the site.”

- May not require/include conditions not otherwise authorized by law, such as “***taxes, impact fees***...or other unauthorized limitations on the development or use of land” without express consent.

Petitioner/owner must CONSENT to the conditions in writing.

Conditional Zoning

CONDITIONS

- ALSO:

Do NOT Consider

- Non-land use reasons
 - Character of applicant, owner, or tenants
 - Ownership structure
 - Ownership ≠ Land Use



-From Joyce and Lovelady,
SOG

Rezoning (Legislative) process under NCGS



Sec. 10.1.8. Summary of Review Authority

The following table summarizes the review and approval authority of the various review bodies with regard to this UDO.

APPROVAL PROCESS	ADMINISTRATION		REVIEW BODIES					PUBLIC NOTICE				
	X-ref	City Official	Historic Development Commission	Appearance Commission	Board of Adjustment	Planning Commission	City Council	Neighborhood Meeting	Web	Site Posted	Mailed	Published
Comprehensive Plan Amendment	Sec. 10.2.2.	RR				RR	D-PH		Y		Y ⁽²⁾	Y ⁽²⁾
Text Amendment to UDO	Sec. 10.2.3.	RR				RR	D-PH		Y			Y ⁽²⁾
Rezoning Map Amendment and TCZ	Sec. 10.2.4.	R	RR			RR	D-PH	Y	Y	Y ⁽⁵⁾	Y	Y ⁽²⁾
Subdivision Review	Sec. 10.2.5.											
Preliminary Subdivision Plan		D	RR					Y		Y		
Final Subdivision Plat		D										
Subdivisions in a -HOD-G or -HOD-S or properties with Historic Landmarks		R	D-QH					Y	Y	Y	Y	Y
Other Map Approvals		D						Y				
Non-Subdivision Final Plat and Recorded Instruments	Sec. 10.2.6.	D	R ⁽¹⁾		A-QH			Y				
Site Plan Review	Sec. 10.2.8.C.1.d	D			A-QH			Y	Y	Y		
Special Use Permit	Sec. 10.2.9.	R			D-QH			Y	Y	Y		
Variance	Sec. 10.2.10.	R			D-QH			Y	Y	Y		
Common Signage Plan	Sec. 10.2.12.	D			A-QH							
Temporary Use Permit	Sec. 10.2.13.	D			A-QH			Y				
Written Interpretation of UDO	Sec. 10.2.14.	D			A-QH			Y	Y ⁽⁵⁾	Y ⁽⁵⁾		
Certificate of Appropriateness	Sec. 10.2.15.											
Minor		D	A-QH					Y				
Major		R	D-QH					Y	Y	Y	Y	Y
Historic Landmark Designation	Sec. 10.2.16.	R	RR				D-JH	Y	Y			Y
Design Alternate	Sec. 10.2.17.	R		D-QH ⁽⁴⁾		D-QH ⁽⁴⁾		Y	Y	Y		
Vested Rights	Sec. 10.2.18.	R					D-QH	Y	Y	Y	Y	Y
Development Agreements	Sec. 10.2.20.	R					D-PH	Y	Y	Y		
Major Modification Development Plans approved using previously applicable quasi-judicial subjective standards, or by some other procedure with standards no longer available in this UDO		R				D-QH						
Miscellaneous Zoning Permit		D			A-QH							

KEY: R = Review RR = Review & Recommendation D = Final Decision A = Appeal PH = Public Hearing QH = Quasi-Judicial Public Hearing JH = Joint Public Hearing with Historic Development Commission Y = Required

LUMO: library.municode.com → NC → Chapel Hill

Scroll down to “Appendix A: Land Use Management”

USE TABLE: [HERE](#)