



North Carolina Planning Law 160D:
What You Need to Know

JUNE 4, 2020

10:00 AM – 11:00 AM

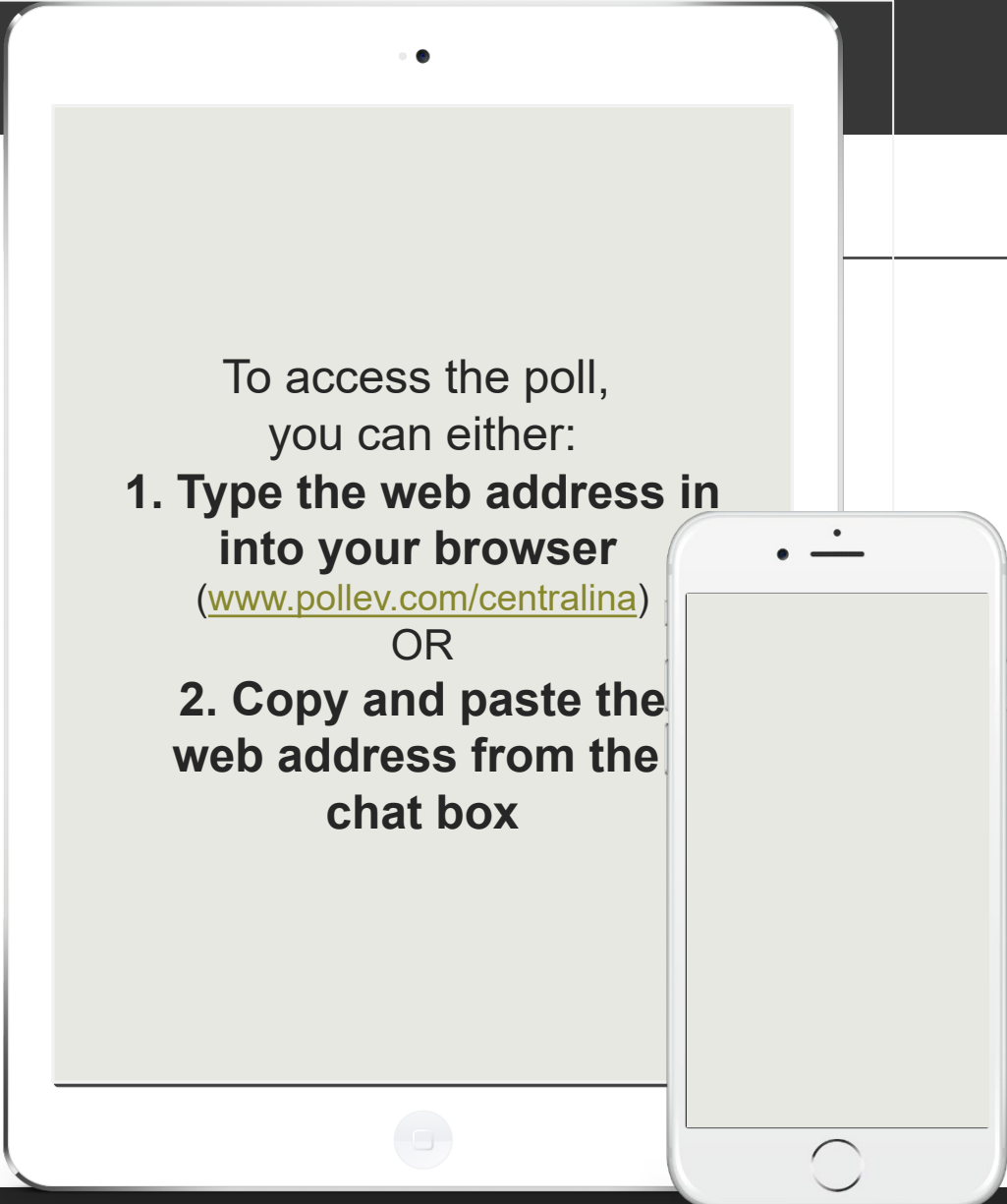
Today's Speakers



Michelle Nance, AICP
Planning Director,
Centralina Council of Governments



Dick Hails, AICP
Principal,
Walkable Urban Development LLC

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- To access the poll,
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Where are you calling from?



Who is in the audience?

Planner/planning director

City-county manager

City-county clerk

Attorney

Planning board member

City-county elected official

Consultant

Other



In one word, how does the prospect of addressing the 160D requirements make you feel?

Sad

Scared

Happy

Challenged

Helpless

Angry

Anxious

Other



What is your community's status on making the 160D ordinance changes?

Work completed

Work underway

Funded plan in place

No plan and no work

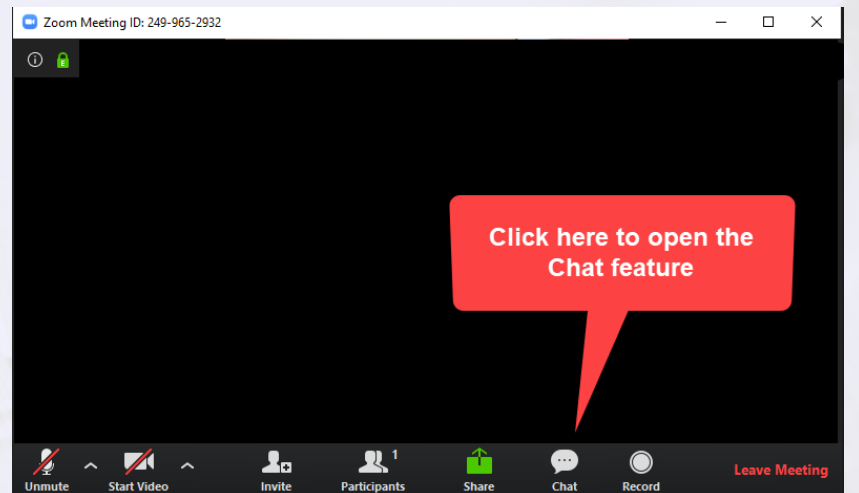
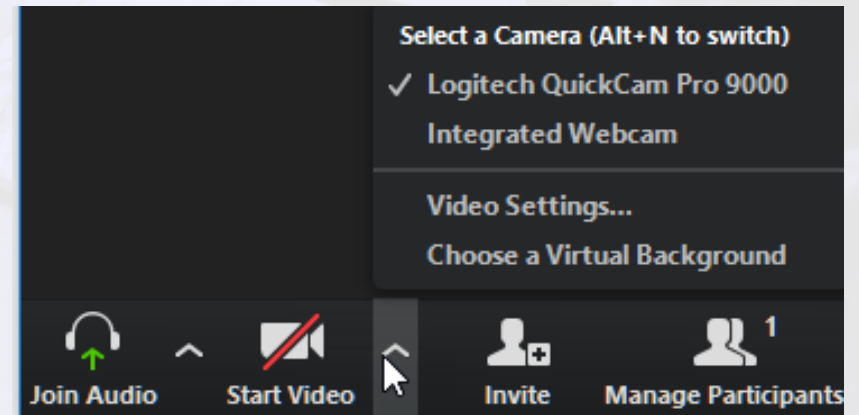
Uncertain

Technical Overview

ZOOM HOW-TO:

If you would like to turn your camera off, click the camera icon at the bottom of the page (a red slash should appear). You will be muted by the presenter.

If you would like to ask a question, type it in the chat box! They will be addressed at the end of the presentation, not as they arise.



Agenda



Welcome and Technical Overview – 10 min



NCGS Chapter 160D – 30 min



Questions & Answers – 15 min



Resources and Wrap Up – 5 min



160D Background

- **NCGS Chapter 160D** - overhaul of state planning regulations; 4+ years, NC Bar & SOG in lead
- **Same Framework:** framework for statewide consistency; keep local flexibility
- **Themes:** consolidating, reorganizing, promoting more uniformity
- **Key:** few substantive changes – ***almost all are technical, clarifying changes***
- **Two parts:** **I.** changes to ordinances, **II.** changes to comprehensive plans
- **Two Deadlines:** **I.** ordinances – Aug, 2021, and **II.** comp plans – July, 2022



Most NC Ordinances - Similar but Look Different

- **Most** of the 650 NC Municipalities and Co.'s have planning/development ordinances
- **Many** City & County Ordinances *look different*, but have *similar content*
- **Common Elements:**
 - I. **Approvals** – types, procedures, decision bodies
 - II. **Districts** – base, overlay, special, conditional, mixed use; form-based
 - III. **District Standards** – permitted uses, density, and design *
 - IV. **Environmental** – floods, open space, landscape, stormwater
 - V. **Other** – signs, parking, lighting, streets, sidewalks, subdivisions, etc



Resources for Making 160D Changes

- **SOG** (UNC-CH School of Government) has many resources to assist citizens and communities on 160D changes
- **Links to:** a video series; a book: *Chapter 160D, A New Land Use for North Carolina*; a number of online workshops
- **Visit:** <https://www.sog.unc.edu/resources/microsites/planning-and-development-regulation/ch-160d-2019> .
- **SOG Summary Checklist:** help in making changes, to go through a long list of required ordinance changes by **8/21**.

Making 160D Changes

- **A Long List:** required ordinance changes in 13 pages, 12 sections and **140 specific changes.**
- Specific changes in three types: **Must** - required, **May** - optional, **Be Aware Of** – advisory.
- **Substantive ordinance changes** include: end conditional use district zoning (CUD), detailed conflict of interest standards, no third party rezonings, owner signoff on conditions, ETJ expansion.
- **Comprehensive Plan** requirements: formally adopt and/or reasonably maintain by **7/22**; list of possible elements.



Carrying Out 160D Ordinance Changes

- **Step 1:** Identify **lead party** for community – staff, COG, other professional, consultant (planning/legal; \$15-20K+ est)
- **Step 2:** Identify **goals** for changes – i. minimum required only; ii. min+errors/illegal; iii. min+desired changes
- **Step 3:** Establish initial **timeline** - include community, public review of draft changes; execute contract if needed
- **Step 4:** Lead person/party prepares draft of **ordinance changes**; 40-50 hrs est.
- **Step 5:** Draft **review with client**, including feedback /edits on optional changes
- **Step 6:** **Community review**, as defined by community/client (state req'd+ techn ch's)
- **Step 7:** **Public hearings** process, presentations, requested changes, adoption



NC Planning Consultant List

ONGOING UPDATES IN PROGRESS: CONTACT DICKHAILS@GMAIL.COM

AECOM	Raleigh	Cindy Camacho	cindy.camacho@aecom.com	919-256-6306
CodeWright	Raleigh	Chad Meadows	chad@codewright.info	919-593-2868
Green Heron Consulting	Durham	Ben Hitchings	bhitchings@greenheron.com	919-625-1250
Holland Planning Consult	Wilmington	Dale Holland	dholland@hcpplanning.com	910-392-0060
Kimley-Horn	Charlotte	Jonathan Whitehurst	jonathan.whitehurst@kimley-horn.com	704-954-7465
N-Focus Planning	Kannapolis	Patti Rader	prader@nfocusplanning.org	704-933-0772
State Code Enforcement	Greensboro	Dennis Pinnix	dennis@statecodeenforcement.com	336-553-9696
Stewart	Raleigh	Cindy Szwarczkop	cszwarczkop@stewartinc.com	919-244-5899
Walkable Urb Developmt	Durham	Dick Hails	dickhails@gmail.com	919-998-9012

Questions?

We will have roughly 15 minutes to field questions from the chat log.



Resources

Additional Training

- UNC School of Government Chapter 160D Intermediate Training
June 16 from 1:00 pm – 4:00 pm & June 18 from 9:00 am – 12:00 pm
Registration is \$105.
<https://www.sog.unc.edu/courses/chapter-160d-regional-workshops>

Technical Resources

- UNC School of Government Website and Technical Sheets

Bring in Help

- Councils of Government
- Private Consultants

Contact Information



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