

**(16)****MEMORANDUM**

**TO:** Mayor and Town Council  
**FROM:** W. Calvin Horton, Town Manager  
**SUBJECT:** Draft Growth Management Protocol  
**DATE:** October 11, 2000

This memorandum describes and offers a draft "Growth Management Protocol" for the Council's consideration. Adoption of the attached resolution would approve the Protocol for use as a procedural guide in reviewing development applications and preparing Capital Improvements Programs.

**BACKGROUND**

The Town Council adopted a new Comprehensive Plan on May 8, 2000. One of the recommendations of the Plan was that the Council prepare and adopt a Growth Management Protocol. This Plan defines the Protocol as "A framework developed to address the provision of public facilities and services to support development." Following are excerpts from the Comprehensive Plan:

In order to manage growth in a manner that is consistent, transparent, and legally defensible, a clear framework or protocol is needed. The underlying premise is that the Town needs to "stay ahead of the curve" by monitoring the capacity of public facilities and services so that capital improvements or other measures can be implemented before projected shortfalls reach serious levels.

The purpose of this mechanism is to allow the Town Council to annually check the capacities of key components of community infrastructure, and to be able to use this information in reviewing and acting on development proposals.

Copies of key pages from the Comprehensive Plan are included here as Attachment 1.

**DISCUSSION**

Attachment 2 contains a draft Growth Management Protocol, as called for in the Comprehensive Plan. We believe that this Protocol:

- Articulates the Town Council's current approach to growth Management, as expressed in the Comprehensive Plan and in practice and policy decisions of the Town Council.
- Does not change the context of law within which the Town Council must operate.

- Is consistent with currently applicable local and State laws.
- Does not modify the Town Council's discretion and obligation to make decisions based on facts and evidence presented on a case-by-case basis.
- Is consistent with the Council's desire to have information about the adequacy of public facilities made part of discussions about proposed new development.

We note that a key component of the proposed Protocol is the annual preparation of a Growth Management Report (prepared in the spring of each year), evaluating the capacities of key elements of public infrastructure.

Three statements follow, excerpted from the Protocol, that summarize the key procedural points:

1. "It is the intent and practice of the Town Council to regularly assess the adequacy of public facilities, to seek ways to address gaps or capacity shortfalls, and anticipate and plan for facilities that will be needed in the future."
2. "It is the intent and expectation of the Town Council that development projects will include construction (or payment-in-lieu of construction) of infrastructure components that are needed for the proposed development, such that negative impacts of the new development on public infrastructure will be mitigated, to the extent allowed by applicable legal standards.
3. "The conclusions of the annual Growth Management Report will be available to be used in preparation of annual Capital Improvements Programs, and in the review of development applications."

### **RECOMMENDATION**

We recommend that the Council adopt the attached resolution, approving a Growth Management Protocol. If the resolution is adopted, the next step would be preparation of a Growth Management Report, to be submitted to the Council in spring, 2001.

### **ATTACHMENTS**

1. Attachment 1: Excerpt from the May 8, 2000 Comprehensive Plan (p. 4).
2. Attachment 2: Draft Growth Management Protocol (p. 10).

**A RESOLUTION APPROVING A GROWTH MANAGEMENT PROTOCOL (2000-10-11/R-6)**

WHEREAS the Chapel Hill Town Council adopted a new Comprehensive Plan on May 8, 2000; and

WHEREAS a key recommendation of that plan was that the Council prepare a Growth Management Protocol, to outline the components of the Town's growth management system, designed to help the community keep track of demands for services and capacities of services;

NOW THEREFORE BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council approves the Growth Management Protocol as presented to the Council on October 11, 2000, as a statement of expectations and intent regarding review of development proposals and preparation of Capital Improvements Programs.

BE IT FURTHER RESOLVED that the Town Manager is directed to prepare a Growth Management Report, as called for in the Protocol, for the Council's consideration during the spring of 2001.

This the 11<sup>th</sup> day of October, 2000.