



3. Fences - include definition of “substantially opaque;” adds a zoning permit requirement for fences within right-of-way setbacks.
4. Special Exceptions - Replace the term “special exception” with ‘setback exception.’

Staff have identified these changes as needed to revise provisions, so they are clearer to all users, provide definitions and better match provisions in the North Carolina Administrative Code.

A draft ordinance (*Attachment B*) has been prepared. A mark-up copy of existing LUO provisions is included as *Attachment C*. If adopted the Land Use Ordinance would be amended to include these new and modified provisions.

The Town Council must receive public comment before taking action on the draft ordinance. The draft ordinance was referred to Orange County and presented to advisory boards on May 2, 2024. Recommendations from the Planning Board and Transportation Advisory Board are provided (*Attachment E*).

**FISCAL IMPACT:** Public notice costs and staff time are associated with the review of text amendments for public hearings and advisory board review.

**RECOMMENDATION:** The Town Manager recommends that the Town Council receive public input and consider whether the proposed text amendment is consistent with Town plans and policies. A resolution for consistency (*Attachment A*) and a draft ordinance for the text amendment (*Attachment B*) are provided.