Legislation Details (With Text)

File #:	16-313	**Name:**	
Type:	Agendas	**Status:**	Agenda Ready
File created:	10/19/2016	**In control:**	Board of Aldermen
On agenda:	10/25/2016	**Final action:**	
Title:	Public Hearing on Land Use Ordinance Text Amendments Relating to Conditional Zoning Districts PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to clarify the language in Article IX relating to conditional zoning districts.		
Indexes:			
Code sections:			
Attachments:	1. Attachment A-1 - Consistency Resolution for Ordinance Adoption_3mb, 2. Attachment A-2 - Consistency Resolution for Ordinance Denial, 3. Attachment B - Draft Ordinance_9-13-2016, 4. Attachment C - Orange County and Planning Board Review Responses, 5. Attachment D - Section 15-141.4_03-2016		

Date	Ver.	Action By	Action	Result

TITLE:
Public Hearing on Land Use Ordinance Text Amendments Relating to Conditional Zoning Districts
PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to clarify the language in Article IX relating to conditional zoning districts.
DEPARTMENT: Planning Department

CONTACT INFORMATION: Christina Moon - 919-918-7325; Patricia McGuire - 919-918-7327; Bob Hornik - 919-929-3905

INFORMATION: On June 23, 2015, the Board adopted text amendments to the Land Use Ordinance to authorize the creation of conditional zoning districts for almost all of the existing general districts. Subsequently, on March 23, 2016, the Board adopted text amendments to allow social service providers with dining facilities in certain conditional districts, subject to a zoning permit (Attachment D). The latter amendments included language that allows the Board the discretion to create conditional districts for social service providers with dining that supersede LUO regulations in some respects. These additional provisions were designed to apply only to districts created for social service providers with dining facilities, not to conditional districts in general. The organization of the new paragraphs adopted as part of the text amendment in March, however, was not clear in this regard. The purpose of this amendment is to revise and reorganize the language in Section 15-141.4 to clarify the original intent. The changes are administrative in nature; no new provisions are being proposed.

The draft ordinance was referred to Orange County and presented to the Planning Board at its October 6, 2016 meeting. Responses are provided (Attachment C).

FISCAL & STAFF IMPACT: Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION: Staff recommends that the Board of Aldermen consider adoption of the resolution finding consistency (Attachment A-1), and the draft ordinance (Attachment B).