



Legislation Details (With Text)

<b>File #:</b>	17-731	<b>Name:</b>	
<b>Type:</b>	Agendas	<b>Status:</b>	Agenda Ready
<b>File created:</b>	11/28/2018	<b>In control:</b>	Board of Aldermen
<b>On agenda:</b>	12/4/2018	<b>Final action:</b>	
<b>Title:</b>	Continuation of Public Hearing on a Land Use Ordinance Amendment, and associated Town Code Amendment Establishing Advisory Board Term Limits PURPOSE: The purpose of this agenda item is for the Board of Aldermen to continue the public hearing to consider a text amendment to the Land Use Ordinance that would establish membership limitations for boards, committees and commissions. A draft ordinance has been prepared. An amendment to the Town Code has also been prepared for the Board’s consideration.		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Attachment A - Consistency Resolution-advisory board term limits, 2. Attachment B - Draft LUOTextAmend-term limits (11-30-2018), 3. Attachment C - Town Code AME (rev 11-30-2018), 4. Attachment D - Comments Combined, 5. Attachment E - Adopted Rules and Procedure, 6. Attachment F - Advisory Board Recruitment and Appointment Policy Approved 11-21-17_201811272034388186		

Date	Ver.	Action By	Action	Result
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**TITLE:**

Continuation of Public Hearing on a Land Use Ordinance Amendment, and associated Town Code Amendment Establishing Advisory Board Term Limits

**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to continue the public hearing to consider a text amendment to the Land Use Ordinance that would establish membership limitations for boards, committees and commissions. A draft ordinance has been prepared. An amendment to the Town Code has also been prepared for the Board’s consideration.

**DEPARTMENT:** Town Clerk & Planning

**CONTACT INFORMATION:** Cathy Dorando - 919-918-7309; Christina Moon - 919-918-7325; Nick Herman - 919-929-3905

**INFORMATION:** The mission statements, assigned duties and membership requirements for the Town advisory boards are found in Article III, Administration Mechanism, in the Land Use Ordinance and in Article V, Planning and Regulation of Development, in the Town Code. In November 2017, the Board of Aldermen adopted two documents designed to clarify procedures relating to advisory boards: the “Rules and Procedures for Boards and Commissions” and “The Recruitment and Appointment Policy.” Both documents can be found on the Town’s website under advisory boards and commissions:

<http://www.townofcarrboro.org/228/Advisory-Boards-Commissions>.

At the September 25, 2018 regular meeting the Board set a public hearing on amendments to the Land Use Ordinance and Town Code that would establish consistent term limitations for all advisory boards, committees, and commissions. The Board opened the public hearing on November 27, 2018 and directed staff to modify the

draft ordinances to allow the Board to make exceptions to the two term limit. Those changes have been made. If adopted, advisory board members who have served two full successive terms would be eligible for re-appointment only after an absence from their respective board for a period of at least one year or by exception made by the Board of Aldermen for one, or more, of the following reasons:

1. To retain diversity on an advisory board;
2. To provide continuity in oversight of a major, on-going project;
3. To keep a member who provides expertise otherwise unavailable on an advisory board (e.g., an engineer on the Planning Board or Board of Adjustment); or
4. To appoint a member in the absence of qualified applicants.

Existing provisions allowing an existing member to serve until their replacement is appointed would still apply.

The draft ordinance for the Land Use Ordinance amendment was referred to Orange County and presented to the Planning Board on November 1<sup>st</sup> and Greenways Commission on November 19<sup>th</sup>. Comments are provided (*Attachment D*).

Public input is not required for an amendment to the Town Code.

**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 adopting the following three items: the resolution finding consistency for the proposed Land Use Ordinance amendment and the proposed amendment to the Land Use Ordinance (*Attachments A & B*), and the proposed amendment to the Town Code (*Attachment C*).