



## Legislation Text

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**File #:** 22-73, **Version:** 1

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**TITLE:**

Request-to-set a Public Hearing on Land Use Amendment Relating to Setbacks

**PURPOSE:** The purpose of this agenda item is for the Town Council to consider setting a public hearing on a potential text amendment modifying the setback provisions as they relate to exterior steps. A resolution setting a public hearing date for April 19, 2022, has been prepared, and advisory board review has also been requested prior to the public hearing.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Christina Moon, Planning Administrator, 919-918-7325, [cmoon@carrboronc.gov](mailto:cmoon@carrboronc.gov) <<mailto:cmoon@carrboronc.gov>>; Marty Roupe, 919-918-7333, [mroupe@carrboronc.gov](mailto:mroupe@carrboronc.gov) <<mailto:mroupe@carrboronc.gov>>; Nick Herman, 919-929-3905, [herman@broughlawfirm.com](mailto:herman@broughlawfirm.com) <<mailto:herman@broughlawfirm.com>>

**INFORMATION:** Section 15-184 of the Land Use Ordinance (LUO) includes standards relating to building setbacks-the minimum distance between a building to the lot line or right-of-way line. The standards apply to “any portion of a building,” which includes porches, decks and steps, and other features. Residential projects involving smaller lot sizes and projects involving Architecturally Integrated Subdivisions where, in accordance with Section 15-187, a developer has elected to reduce the building setback for a specific project, can make it difficult to provide for a side door without the associated exterior steps for the door encroaching into the setbacks.

Staff has prepared a draft ordinance that would allow exterior steps to extend up to 50-percent into the building setback so long as the steps and associated landings meet certain conditions (*Attachment B*). This provision would accommodate a limited encroachment into the setback and ensure a location for more than one exterior egress door.

The Town Council must receive public comment before adopting amendments to the LUO. Orange County and Planning Board review is also needed, and the Council may wish to refer to the Appearance Commission based on its expertise.

**FISCAL & STAFF IMPACT:** Public hearings involve staff and public notice costs associated with advisory board and Town Council review.

**RECOMMENDATION:** Staff recommends that the Town Council consider the attached resolution (*Attachment A*), setting a public hearing for April 19, 2022, and referring the proposed amendment to Orange County, the Planning Board and Appearance Commission.