



Legislation Text

File #: 24-115, **Version:** 1

Legislative Public Hearing on Carrboro Land Use Ordinance Text Amendment to Update and Clarify Water Quality Buffers, Road Buffers, Setback Exceptions, and Fences.

PURPOSE: This agenda item is to consider a text amendment to the Land Use Ordinance updating and clarifying water quality buffers, road buffers, fences, and setback variances. A draft ordinance has been prepared. The Town Council must receive public comment before making a decision.

DEPARTMENT: Planning

CONTACT INFORMATION: Duncan Dodson, Planner, 919-918-7340, ddodson@carrboronc.gov; Christina Moon, Planning & Transportation Administrator, 919-918-7325, cmoon@carrboronc.gov; Patricia McGuire, Planning Director, 919-918-7327, <<mailto:pmcguire@carrboronc.gov>>

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

Legislative public hearings are a necessary step for text amendments in accordance with North Carolina state statutes and Town regulations. The Council is required to adopt a statement of consistency as part of its decision. Pocket questions are provided as *Attachment F*.

INFORMATION: Town staff have identified several text amendments that are needed to clarify and update Land Use Ordinance provisions, as described below:

1. Water Quality buffer provisions - include standards for review of minor and major variances, reorganizes and ensures clear alignment of table of allowable uses with Jordan Rules (15NCAC 02B .0267).
2. Road buffer provisions - amend open space standards to specify sidewalks/sidepaths and sight triangles as permissible within road buffers, consistent with current practices.
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.