



Legislation Text

File #: 24-076, Version: 1

Request to Set a Legislative Public Hearing

PURPOSE: To request the Town Council consider setting a public hearing on text amendments to the Land Use Ordinance relating to water quality buffers, road buffers, fences, and setback variances. A resolution setting a public hearing for June 4, 2024, is provided.

DEPARTMENT: Planning

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COUNCIL DIRECTION:

Race/Equity Climate Comprehensive Plan Other

Setting a public hearing for a text amendment to the Land Use Ordinance is a required step in accordance with North Carolina state statutes and Town regulations. Responses to the racial equity pocket questions related to the legislative public hearing process necessary for the consideration of the text amendment have been prepared and are attached.

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 updates table of allowable uses to match Jordan Rules (15NCAC 02B .0267).
2. Road buffer provisions - amend open space standards to specify sidewalks/sidepaths as permissible within road buffers.
3. Fences - include definition of “substantially opaque;” adds a zoning permit requirement for fences
4. Special Exceptions - rename ‘setback variance.’

Staff has 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. Existing LUO provisions are 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. Orange County and Planning Board review is also needed, and the Town Council may wish to refer the item to advisory boards based on their expertise; staff has identified the Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, Economic Sustainability Commission and Affordable Housing Advisory Commission.

FISCAL IMPACT: There is no fiscal impact relating to setting a public hearing. Costs and staff time are

associated with public hearing and advisory board review.

RECOMMENDATION: Staff recommends that the Town Council consider the resolution (*Attachment A*) setting a public hearing for June 4, 2024, and referring the item to Orange County, the Planning Board, and other advisory boards based on their area of expertise.