



## Legislation Details (With Text)

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<b>Type:</b>	Agendas	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	11/4/2016	<b>In control:</b>		Board of Aldermen	
<b>On agenda:</b>	11/15/2016	<b>Final action:</b>			
<b>Title:</b>	Public Hearing on Land Use Ordinance Amendments Relating to Protests to Zoning Map Amendments PURPOSE: The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy for citizen comment.				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Attachment A-1 - Consistency Resolution for Ordinance Adoption, 2. Attachment A-2 - Consistency Resolution for Ordinance Denial, 3. Attachment B - Draft Ordinance - Revised 11-14-16, 4. Attachment C - Excerpts-23 ART-XX, 5. Attachment D-comments				

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

Public Hearing on Land Use Ordinance Amendments Relating to Protests to Zoning Map Amendments

**PURPOSE:** The purpose of this item is for the Board of Aldermen to consider amending the Land Use Ordinance to replace the existing provisions for protest petitions with a new policy for citizen comment.

**DEPARTMENT:** Planning Department

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

**INFORMATION:** At the May 24, 2016 regular meeting, staff presented the Board of Aldermen with information relating to newly adopted state legislation and the potential need to amend certain Land Use Ordinance provisions. One of these bills, HB 201, removed the use of protest petitions to require a three-fourths vote on petitions for change of zoning. The agenda materials related to the report may be found at: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=456727&GUID=757A302A-9F28-40A7-81A7-9603FD4F8940&Options=&Search=>. The bill making removing the use of protest petitions in relation to voting on zoning map amendments may be found at: <http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H201v6.pdf>.

Local governments are permitted to replace the zoning protest petition tool with a provision for written citizen comment, and a draft ordinance has been prepared for that purpose. If adopted, language in the proposed amendment would replace the existing paragraphs under Section 15-326, Protests to Zoning Map Amendments (Attachment C).

The draft ordinance was referred to Orange County and presented to the Planning Board at its November 3,

2016 meeting. Responses are provided (Attachment D).

**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).