



Legislation Details (With Text)

**File #:** 17-048      **Version:** 1      **Name:**

**Type:** Agendas      **Status:** Agenda Ready

**File created:** 2/20/2017      **In control:** Board of Aldermen

**On agenda:** 2/28/2017      **Final action:**

**Title:** Public Hearing on Land Use Ordinance Amendments Relating to Setback Requirements for Certain Livestock Facilities  
PURPOSE: The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance to reduce the existing building setback provisions for certain livestock facilities.

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment A-1 - Consistency Resolution for Ordinance Adoption\_3mb, 2. Attachment A-2 - Consistency Resolution for Ordinance Denial, 3. Attachment B - Draft LUO Text Amendment-Domesticated Livestock\_01-13-2017, 4. Attachment C - Excerpt from 15 ART-XII, 5. Attachment D - OC and PB Comments

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**TITLE:**

Public Hearing on Land Use Ordinance Amendments Relating to Setback Requirements for Certain Livestock Facilities

**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to consider amending the Land Use Ordinance to reduce the existing building setback provisions for certain livestock facilities.

**DEPARTMENT:** Planning Department

**CONTACT INFORMATION:** Christina Moon - 919-918-7325; Marty Roupe - 919-918-7333; Bob Hornik - 919-929-3905

**INFORMATION:** The Board of Aldermen discussed the existing provisions in Chapter 10 of the Town Code relating to domesticated livestock on September 9, 2014 and directed staff to draft an amendment that would regulate the number of allowable chickens based on setbacks rather than by lot size. Carrboro and Orange County staff met and discussed the topic with members of the Animal Control Board of Appeals. (Agenda materials from the September 9<sup>th</sup> meeting may be found at <https://carrboro.legistar.com/LegislationDetail.aspx?ID=1901078&GUID=B12A114E-2EC6-428A-A72A-3BD0CC6B0DAE&Options=ID|Text|&Search=september> )

In April 2015, the Board considered adopting a Unified Animal Control Ordinance (UAO) with Orange County, Chapel Hill and Hillsborough to provide more integrated services throughout the county, while retaining some Carrboro-specific standards within the corporate limits. In January 2016, subsequent to the Board’s adoption of the UAO on November 10th, the Board of County Commissioners requested some minor changes to the document and adopted the updated version of the UAO effective March 2016. The Board of Aldermen reviewed these changes on January 26, 2016 and adopted the revised document. A year later on January 10, 2017, the Board identified those sections in Chapter 10 of the Town Code, Animal Control, that were to remain

in effect within the Town of Carrboro corporate limits.

Planning staff has continued to work with the Police Department, Orange County Animal Services, and others, to draft specific amendments to Chapter 10 to separate the requirements for chickens and rabbits from larger livestock and to identify reasonable standards that would allow such uses to occur on smaller lots in a way that is respectful to neighbors. The results of those efforts--draft amendments to the Town Code--are being presented for Board consideration as part of a separate agenda item.

A draft ordinance to the Land use Ordinance has also been prepared (Attachment B). If adopted, the building setback provisions under Section 15-184(a)(3) would be amended by adding a new subparagraph referencing the new dimensional requirements for small livestock shelters and enclosures described in the amendments to Chapter 10 of the Town Code.

The Board of Aldermen must receive public comment before adopting amendments to the LUO; Orange County and Planning Board review of the LUO changes are also needed. The Planning Board reviewed the draft LUO amendment relating to setbacks for certain livestock facilities at its February 16<sup>th</sup> meeting. Comments from the Planning Board and Orange County 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 adopting the attached resolution finding consistency (Attachment A-1) and the draft ordinance (Attachment B).