



## Legislation Details (With Text)

<b>File #:</b>	17-608	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Agendas	<b>Status:</b>		Passed	
<b>File created:</b>	6/20/2018	<b>In control:</b>		Board of Aldermen	
<b>On agenda:</b>	6/26/2018	<b>Final action:</b>		6/26/2018	
<b>Title:</b>	Public Hearing on a Land Use Ordinance Amendment Relating to Reasonable Accommodations PURPOSE: The purpose of this agenda item is for the Board of Aldermen to provide an opportunity for public comment on an amendment to the Land Use Ordinance regarding reasonable accommodations for persons with disabilities under the Americans with Disabilities Act and Fair Housing Act.				

### Indexes:

### Code sections:

**Attachments:** 1. Attachment A - Resolution of Consistency, 2. Attachment B - Draft Reasonable Accommodations Ordinance, 3. Attachment C - Combined Comments

Date	Ver.	Action By	Action	Result
6/26/2018	1	Board of Aldermen	approved	Pass

### TITLE:

Public Hearing on a Land Use Ordinance Amendment Relating to Reasonable Accommodations

**PURPOSE:** The purpose of this agenda item is for the Board of Aldermen to provide an opportunity for public comment on an amendment to the Land Use Ordinance regarding reasonable accommodations for persons with disabilities under the Americans with Disabilities Act and Fair Housing Act.

**DEPARTMENT:** Planning

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

**INFORMATION:** The proposal to consider changing the definition of family has brought attention to a need for the Town to establish provisions for reasonable accommodations per the Americans with Disabilities Act and Fair Housing Act. A draft ordinance has been prepared, which if adopted would establish a new Section 15-97, Reasonable Accommodations, located in Article V, of the Land Use Ordinance, Appeals, Variances, Special Exceptions, and Interpretations. The draft ordinance outlines a process for seeking reasonable accommodation for any provision of the Land Use Ordinance so long as the accommodation is reasonable and necessary. Requests for reasonable accommodations would be considered by the Board of Aldermen subject to a quasi-judicial public hearing.

The draft ordinance was referred to Orange County, and presented to the Planning Board on June 7, 2018. Comments are provided (*Attachment C*).

**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 the attached resolution finding consistency (*Attachment A*) and the draft ordinance (*Attachment B*).