

BOARD OF ALDERMEN

ITEM NO. **B(4)**

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, August 28, 2001

TITLE: REQUEST-TO-SET: Land Use Ordinance Text Amendment to Transfer Impervious Surface Capacity from One Lot to Another in Certain Districts

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Request to amend land use ordinance C. Section 15-266 D. Map showing University Lake watershed zoning districts E. Draft Ordinance	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714 Mike Brough -- 929-3905

PURPOSE

Christopher Conover is requesting a text amendment to allow impervious surface transfers within the Town's planning jurisdiction. A resolution that sets a public hearing on amendments to the impervious surface provisions of the Land Use Ordinance is recommended for the Board's adoption.

INFORMATION

Christopher Conover submitted a Land Use Ordinance Amendment Request to the Planning Department on August 22, 2001 (*Attachment B*). Mr. Conover had submitted a memorandum to the Board of Aldermen in December 2000 and been in contact with staff and the Town Attorney early this year. The Board of Aldermen discussed the memorandum on March 6, 2001 and directed staff to prepare a report on options for transfers of impervious surfaces. The amendment request proposes the following changes to the Land Use Ordinance:

That the ordinance allows transfers of impervious capacity from one lot to another within the town's planning jurisdiction.

The current limitations on impervious surfaces in the University Lake watershed were incorporated into the Land Use Ordinance on May 15, 1990. Since that time, only one sizeable development, Winsome Lane, has utilized the impervious surface allotment procedures specified in Section 15-

266 (*Attachment C*). A map depicting the location of the University Lake watershed zoning districts (B-5, C, WM-3 and WR) is attached (*Attachment D*).

Staff has reviewed the request and determined that the requested change is rather broad. A draft ordinance that would allow the transfer of impervious surface capacity between any lots in the WR zoning district where the impervious surface allotment has been reduced below the minimums specified in Section 15-266 has been prepared should the Board wish to consider any change (*Attachment E*).

Should the Board wish to proceed, it will be necessary to schedule a public hearing and to refer the draft ordinance to the Planning Board and Orange County for review and recommendations.

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt the resolution (*Attachment A*) that sets a public hearing date of October 9, 2001 and refers the draft ordinance to the Planning Board and Orange County for review.

A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT TO ALLOW THE TRANSFER OF IMPERVIOUS SURFACE CAPACITY FROM ONE LOT TO ANOTHER

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen call a public hearing on October 9, 2001 to consider adopting “An Ordinance Amending the Land Use Ordinance to Allow the Transfer of Impervious Surface Capacity from One Lot to Another Within the Town’s Planning Jurisdiction.”

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board or comment and recommendations to the Board.

This is the 28th day of August in the year 2001.