

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: February 12, 2002

TITLE: Review of Notice Requirements and Request-to-set a Public Hearing: Land Use Ordinance Amendment to Provide Notice to Non-Owner Occupants

DEPARTMENT: Planning	PUBLIC HEARING: NO
ATTACHMENTS: A. Resolution B. Sections 15-102 an 15-323, Carrboro LUO C. Draft Ordinance – Providing Notice to Renters	FOR INFORMATION CONTACT: Patricia McGuire, Planning Administrator --, 918-7327

PURPOSE

The Board of Aldermen has requested that residents of adjacent property receive notification of public meetings and hearings for special and conditional use permits. Should the Board of Aldermen wish to proceed with changes to the notice requirements, a resolution that sets a public hearing for March 26th is recommended for the Board's adoption.

INFORMATION

During a public hearing on the Chapel Hill Park and Ride facility in October 2001, Josh Steinhurst, a resident of Poplar Place apartments asked that in the future residents be notified of public hearings, not just property owners. The Board of Aldermen requested that the Agenda Planning Committee schedule a Board discussion of notifying property owners and renters. Notice requirements for hearings associated with special and conditional use permits and zoning amendments are specified in Sections 15-102 and 15-323 of the Land Use Ordinance (*Attachment B*). The notice requirements pertaining to neighboring properties are summarized below:

Action	Required Notice
Appeals, Variances, Special Exceptions Permit	Mailed notice to property owners within 150 feet of property that is the subject of the appeal or application.
Special Use Permit	Mailed notice to property owners within 500 feet of subject property
Conditional Use Permit	Mailed notice to property owners of record within 1,000 feet of subject property
Land Use Ordinance Text Amendment	None required; may be specified by Board of Aldermen if specified impact area
Land Use Ordinance Map Amendment	Mailed notice to property owners of record within 1,000 feet of subject property

In light of the Board's expressed interest in ensuring that neighboring residents, not only property owners, receive notification of public hearings, a draft ordinance that would amend the land use ordinance to require such notification has been prepared (*Attachment C*).

Changes to the notice requirements have associated costs and, based on current data availability, limitations. The county's database of property owner information is maintained in order to ensure timely payment of real property tax. A similar database of non-owner occupants of property does not exist. For several years, the Town has been developing a database of property address and this database has recently served as a model for a countywide address database. It is, therefore, possible in a fairly straightforward manner, to obtain a mailing list of property

owners, using the Orange County database, and to create a mailing list of property addresses in Carrboro, using the Town's address database. The task of identifying and removing duplicate entries is less straightforward, requiring considerable staff time, yet it is important in order to prevent mailing duplicate notices to an owner/resident. Additional mailing costs, such as handling, labeling, inserting, and postage, will also be incurred.

RECOMMENDATION

The Administration recommends that the Board adopt the resolution setting a public hearing for March 26, 2001.