

ATTACHMENT A

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE
TEXT AMENDMENT THAT WOULD CLARIFY THAT LAND DEDICAITONS TO
THE TOWN MAY RESULT IN INCONSISTENT SETBACKS**

Resolution No. 96/2001-02

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 April 2, 2002 to consider adopting “An Ordinance Amending the Land Use Ordinance to Clarify that Land May be Dedicated to the Town Though Such Dedication Results in a Situation That is Not Consistent with Setback Requirements.”

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 for comment and recommendations to the Board.

This is the 19th day of February in the year 2002.

ATTACHMENT B

**AN ORDINANCE AMENDING THE LAND USE ORDINANCE TO CLARIFY THAT
LAND MAY BE DEDICATED TO THE TOWN THOUGH SUCH DEDICATION
RESULTS IN A SITUATION THAT IS NOT CONSISTENT WITH SETBACK
REQUIREMENTS**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. The title of Section 15-182.2 (which now reads “Density on Lots Where Portion Dedicated to Town”) is amended to read “Effect of Public Acquisition of Property On Density and Setback Requirements,” and a new subsection (e) is added to read as follows:

(e) Notwithstanding any other provisions of this chapter, a property owner may dedicate to the town or the town may otherwise acquire a right-of-way over or a fee simple interest in a portion of a lot, even though such acquisition creates a situation where a building or sign is so located on the remainder of the lot that it is inconsistent with the setback requirements set forth in Section 15-184. The setback situation so created shall be regarded as in conformity with the setback requirements of this chapter (rather than as a nonconforming situation).

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this ____ day of _____, 2002.

Ayes:

Noes:

Absent or Excused: