

# BOARD OF ALDERMEN

ITEM NO. D(5)

## AGENDA ITEM ABSTRACT

**MEETING DATE: Tuesday, April 6, 2004**

**TITLE: Request-to-Set a Public Hearing to consider LUO Text Amendments related to group homes**

<b>DEPARTMENT: PLANNING</b>	<b>PUBLIC HEARING: YES _ NO <u>X</u></b>
<b>ATTACHMENTS:</b> <b>A. Resolution</b> <b>B. Relevant Land Use Ordinance definitions</b> <b>C. Draft Ordinance</b> <b>D. Draft- Revised Table of Permissible Uses, 1.000 – 1.600 Uses</b>	<b>FOR INFORMATION CONTACT:</b> Patricia McGuire – <b>918-7327</b> Mike Brough – <b>929-3905</b>

### PURPOSE

Town staff has determined that the Land Use Ordinance's group home provisions are in need of revision. A draft ordinance has been prepared. A resolution setting a public hearing for May 25, 2004 has been prepared for the Board's use.

### INFORMATION

The Town processed an application for a group home in 2003. Based on the existing ordinance provisions, such a use was required to obtain a special use permit. Copies of the relevant Land Use Ordinance provisions are attached (*Attachment B*). The Board of Adjustment approved the special use permit on September 17, 2003. In reviewing the application, staff noted that the town's requirements did not correspond as closely as possible to state and federal provisions related to group homes. A draft ordinance has been prepared that will modify the town's requirements associated with group homes in a manner that is consistent and appropriate with those of other government entities (*Attachment C*). A portion of the Table of Permissible Uses showing the proposed revisions is provided (*Attachment D*).

### FISCAL IMPACT

Amending the Land Use Ordinance involves staff analysis and administration of the proposed amendment, advisory board review, and advertising costs associated with ordinance preparation and public notice.

### ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt the attached resolution setting a public hearing on text amendments relating to group homes and refer the draft ordinance to the Planning Board and Orange County staff. (*Attachment A*).