

BOARD OF ALDERMEN

ITEM NO. C(3)

AGENDA ITEM ABSTRACT

MEETING DATE: April 4, 2006

TITLE: Request to Set a Public Hearing to Consider a Land Use Ordinance Text Amendment to Modify the Membership Requirements for the Planning Board

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO <u>X</u>
ATTACHMENTS: A. Resolution B. Memo from Town Attorney C. LUO Article III, Part I, Planning Board D. Draft Ordinance	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

During the review and appointment of new advisory board members on February 21, 2006, the Board of Aldermen expressed an interest in modifying the membership requirements for the Planning Board. The Town Attorney has researched this matter. A memorandum and a draft ordinance that would, if adopted, modify the membership requirements of the Planning Board have been prepared. It is necessary for the Board of Aldermen to hold a public hearing and to refer the draft ordinance to the Planning Board and Orange County staff prior to taking other action. A resolution setting a public hearing for April 25, 2006 has been prepared for the Board's use.

INFORMATION

The existing ordinance provides for a planning Board that includes eleven members. Residency requirements are as follows: in-town and appointed by the Board of Aldermen (seven); extra-territorial jurisdiction and appointed by the Board of County Commissioners (two); joint planning transition area and appointed by the Board of County Commissioners (two). Due to the recent annexation of neighborhoods in the northeast portion of Carrboro's planning jurisdiction, the Board of Aldermen has discussed modifying the membership requirements to increase the opportunities for in-town residents to serve on the Planning Board. Town Attorney, Mike Brough, has researched the applicable state laws and has prepared a memorandum presenting his findings. The applicable Land Use Ordinance provisions pertaining to the Planning Board are attached. A draft ordinance that would modify the structure of the Planning Board membership is also provided (*Attachments B - D*).

It is necessary to refer the ordinance to the Planning Board and Orange County staff for review before taking any action. Because this matter has an affect on opportunities for participation by residents of the Joint Planning Transition Areas, the Board may wish also wish to refer the draft ordinance to the Norhern Transition Area Advisory Committee for review.

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.

RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the attached resolution setting a public hearing on the text amendment to modify the Planning Board membership and referring the draft ordinance to the Planning Board and Orange County staff. (*Attachment A*).