

BOARD OF ALDERMEN

ITEM NO. D(4)

AGENDA ITEM ABSTRACT

MEETING DATE: May 3, 2006

TITLE: Request to Set a Public Hearing to Consider a Land Use Ordinance Text Amendment Clarifying that the Appearance Commission is Authorized to Comment on the Design of Projects

DEPARTMENT: PLANNING	PUBLIC HEARING: YES _ NO _X_
ATTACHMENTS: A. Resolution B. Minutes, March 7 and April 18, 2006 C. LUO Provisions for Appearance Commission D. Draft Ordinance E.	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

On April 18, the Board of Aldermen requested that staff prepare a draft ordinance to clarify the responsibilities and authority of the Appearance Commission with regard to the review of design in proposed developments. A draft ordinance has been prepared and a resolution setting a public hearing for June 27, 2006 is provided.

INFORMATION.

The Board of Aldermen reviewed the powers and duties of the Appearance Commission on April 18, 2006 and requested that staff prepare a land use ordinance text amendment to clarify that the Appearance Commission is authorized to consider the design of proposed developments. It is necessary to hold a public hearing to review changes to the Land Use Ordinance. A resolution setting a public hearing for review of a draft ordinance making this clarification has been prepared (*Attachment A*). A copy of the draft ordinance is attached (*Attachment D*). This change is not expected to have any cost implications for the Town.

Background

Jay Bryan, Chair of the Northern Transition Area Advisory Committee, spoke to the Board of Aldermen on March 7, 2006. Mr. Bryan noted that the duties and responsibilities of the Appearance Commission do not include the word 'design.' Mr. Bryan suggested that those duties and responsibilities should be expanded to include design issues, so that the commission could have a more clearly defined role in reviewing and making recommendations on a new civic building, such as the fire station that is to be constructed in the northern area of Town, as well as other developments. The Board of Aldermen considered a staff report on this matter on this request on April 18, 2006. Copies of the relevant portions of the minutes of the March 7 and April 18 meetings, as well as of the existing Land Use Ordinance provisions describing the powers and duties of the Appearance Commission, are attached. (*Attachments B – C*).

It is necessary to refer the ordinance to the Planning Board and Orange County staff for review before taking any action. The resolution (*Attachment A*) setting a public hearing also refers the draft ordinance to these agencies for review. A resolution that provides an opportunity for the Board of Aldermen to refer the draft ordinance to other additional boards or commissions has been prepared, should the Board of Aldermen wish to do so (*Attachment E*).

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 consider the attached resolution setting a public hearing on the text amendment clarify the authority of the Appearance Commission to review the design of proposed developments and referring the draft ordinance to the Planning Board and Orange County staff (resolution - *Attachment A*).