

## BOARD OF ALDERMEN

ITEM NO. B(5)

### AGENDA ITEM ABSTRACT

**MEETING DATE: June 27, 2006**

**TITLE: Public Hearing to consider a LUO Text Amendment Clarifying that the Appearance Commission is Authorized to Comment on the Design of Projects**

<b>DEPARTMENT: PLANNING</b>	<b>PUBLIC HEARING: YES _ NO <u>X</u></b>
<b>ATTACHMENTS:</b> <b>A. Draft Ordinance</b> <b>B. Minutes, March 7 and April 18, 2006</b> <b>C. LUO Provisions for Appearance Commission</b> <b>D. Planning Board recommendation and Orange County comment</b> <b>E. Approval template for plan/policy consistency findings</b> <b>F. Denial template for plan/policy consistency findings</b>	<b>FOR INFORMATION CONTACT:</b> Patricia McGuire – <b>918-7327</b> Mike Brough – <b>929-3905</b>

#### 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. It is necessary for the Board of Aldermen to hold a public hearing on the draft ordinance before taking any action.

#### 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. A copy of the draft ordinance is attached (*Attachment A*).

#### 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 Commisison, are attached. (*Attachments B – C*).

The draft ordinance has been referred to the Planning Board and Orange County staff for review. The Planning Board recommendation and Orange County staff comment are attached (*Attachment D*).

#### **FISCAL IMPACT**

This change is not expected to have any cost implications for the Town.

#### **RECOMMENDATION**

The staff recommends that the Board of Aldermen consider adoption of the draft ordinance that clarifies the authority of the Appearance Commission to review the design of proposed developments. It will be also be necessary for the Board of Aldermen to adopt the appropriate finding of consistency (i.e. either approving or rejecting the draft ordinance), as presented in *Attachments E and F*.