

BOARD OF ALDERMEN

ITEM NO. B(4)

AGENDA ITEM ABSTRACT MEETING DATE: October 24, 2006

TITLE: Public Hearing on an Ordinance Amending the Carrboro Town Code and Land Use Ordinance to Comply With Recent Changes to the North Carolina General Statutes

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO
ATTACHMENTS: A. Approval template for plan/policy consistency findings B. Denial template for plan/policy consistency findings C. Draft Ordinance D. Summary table of 2005 changes to General Statutes E. Comments and recommendations	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 T.C. Morphis – 929-3905 Michael Brough – 929-3905 Kendal Brown – 918-7334

PURPOSE

Three bills were enacted during the 2005 session of the North Carolina General Assembly necessitate changes to the Town's planning and development regulations. A draft ordinance that includes amendments to the Town Code and Land Use Ordinance has been prepared. A resolution that sets the public hearing on the draft ordinance and refers the ordinance for Orange County and advisory board review is recommended for the Board's adoption.

INFORMATION

Two bills affecting planning and development regulation—S.L. 2005-418 (S. 518), An Act to Clarify and Make Technical Changes to City and County Planning Statutes, and S.L. 2005-426 (S. 814), An Act to Modernize and Simplify City and County Planning and Land-Use Management Statutes were approved during the 2005 session of the General Assembly. The bills were signed into law by Governor Easley on September 22, 2005. A third bill relating to local government regulation of forestry activities – S. L. 2005-447 (S. 681), An Act to Clarify the Role of Counties and Cities in Regulating Certain Forestry Activities, was also adopted. Per the new requirements of GS 160A-383 included within these revised statutes, resolutions that provide an opportunity for the Board to document the consistency, or lack thereof, with any proposed text amendments are provided (*Attachments A and B*). The draft ordinance that specifies needed amendments to the Town Code and Land Use Ordinance has been prepared (*Attachment C*). A summary table presents the following information for each change: topic, explanation, proposed changes to Carrboro Town Code/Land Use Ordinance (*Attachment D*).

The draft ordinance has been referred to the Planning Board, Transportation Advisory Board, Appearance Commission, Environmental Advisory Board, Northern Transition Area Advisory Committee, Recreation and Parks Commission, Economic Sustainability Commission, and the Orange County staff for review. Comments and recommendations are attached (*Attachment E*).

FISCAL IMPACT

None noted.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the draft ordinance (*Attachment A*) amending the Town Code and Land Use Ordinance to comply with recent changes to the North Carolina General Statutes.