

BOARD OF ALDERMEN

ITEM NO. C(3)

AGENDA ITEM ABSTRACT

MEETING DATE: June 26, 2007

**TITLE: Public Hearing: Land Use Ordinance Text Amendment to Revise
Provisions Related to Day Care Homes and Facilities**

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
ATTACHMENTS: A. Resolution finding consistency B. Resolution finding inconsistency C. Draft Ordinance D. Staff Memo E. List of Arterial and Collector Streets F. Map of Arterial and Collector Streets G. Comments and Recommendations	FOR INFORMATION CONTACT: Kendal Brown – 918-7334 Mike Brough – 929-3905

PURPOSE

The purpose of this item is to receive citizens' comments regarding a request to amend the text of the Land Use Ordinance to revise several current restrictions on day care homes and facilities, and to consider the adoption of an ordinance which responds to the subcommittee requests and to the suggestions made at the January 23, 2007 public hearing and March 13, 2007 work session.

INFORMATION

- May 4, 2004, the Board of Aldermen appointed the Carrboro Childcare Study Committee
- March, 2006, Childcare Study Committee submitted its report to the Board of Aldermen, asking for regulatory changes in the town's Land Use Ordinance
- January 3, 2007, text amendment by staff reviewed by advisory boards
- January 23, 2007, public hearing held on the text amendment
- March 13, 2007, work session held
- Late May, 2007, residents along arterial and collector streets notified by mail
- June 7, 2007, revised text amendment reviewed by advisory boards
- June 11, 2007, referral received by the Northern Study Area Plan Implementation Review Committee
- June 26, 2007, public hearing

At the March 13, 2007 work session, the Board of Aldermen requested several changes to the proposed ordinance, including the expansion of some of the provisions to apply to

senior citizens day care facilities. Staff has prepared a memorandum responding to questions raised at the March 13, 2007 work session (*Attachment D*) and a draft ordinance responding to the Board's requests (*Attachment C*).

The draft ordinance was referred to the to the Orange County staff, as well as to the Carrboro Planning Board, Transportation Board, Economic Sustainability Commission, the Appearance Commission, and the Northern Study Area Plan Implementation Committee. Comments and recommendations are attached (*Attachment G*).

At its June 11, 2007 meeting, the Northern Study Area Plan Implementation Committee agreed to, over the next several months, consider the inclusion of day cares as one of several desirable uses in residential and mixed use development in the Northern Study Area but made no specific recommendations that evening.

In addition, notices of the June 26, 2007 public hearing were mailed to residents living within 200 feet of arterial and collector roads.

FISCAL IMPACT

Amending the Land Use Ordinance involves public hearing advertising costs and notice requirements, where applicable, and administration of the proposed amendments.

In addition, mailing the public hearing notices per the Board of Aldermen's request cost approximately \$790.

No fiscal impacts are expected in relation to the proposed changes to the Land Use Ordinance regulations.

STAFF RECOMMENDATION

The staff recommends the Board of Aldermen adopt the attached Resolution (*Attachment A*) finding the draft ordinance consistent with adopted policy, and *Attachment C*, the ordinance that would revise several current restrictions on, and the definitions of, day care homes and facilities as modified by deleting from the first sentence of Section 15-147, subsection (k), as modified in Section 6 of the draft ordinance, the phrase "on collector or" and deleting from the second sentence the phrase "collector streets are...streets."