

BOARD OF ALDERMEN

ITEM NO. (3)

AGENDA ITEM ABSTRACT

MEETING DATE: October 23, 2007

TITLE: Public Hearing: Land Use Ordinance Text Amendment to Modify Protective Buffer Requirements Along Major Roads

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. Section 312 of the Land use ordinance E. Recommendations and comments	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327

PURPOSE

A draft ordinance that removes the roadway buffer requirement along arterial roads whenever properties are developed for use as public fire stations has been prepared. It is necessary for the Board of Aldermen to receive public comment before taking action on an amendment to the Land Use Ordinance.

INFORMATION

Section 15-312 specifies roadway buffer requirements for arterial roads throughout the Town and planning jurisdiction (*Attachment D*). In reviewing the site plan elements that were embraced by participants in a community charrette on the design of the fire substation on property leased by the Town from UNC that is located on Homestead Road, it became apparent that the roadway buffer provisions could not be met.

A draft ordinance that would remove this requirement for fire stations has been prepared (*Attachment C*). Adoption of the amendment would provide greater flexibility in the site plan and design of an important public facility, but will not preclude the provision of a buffer and/or vegetative screening to the maximum extent practicable.

Resolutions that include required findings associated with amendments to the Town's land use regulations have been prepared should the Board decide to adopt or reject the proposed change (*Attachment A*).

The draft ordinance was referred to the Planning Board, Transportation Advisory Board, Northern Transition Area Advisory Board and Orange County for review. Recommendations and comments are attached (*Attachment E*).

FISCAL IMPACT

None have been noted.

STAFF IMPACT

None has been noted.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the resolution (*Attachment A*) finding the amendment consistent with adopted policies and the draft ordinance that exempts public fire stations from the requirement for protective buffers along major roads (*Attachment C*).