

## BOARD OF ALDERMEN

ITEM NO. C(4)

### AGENDA ITEM ABSTRACT MEETING DATE: December 2, 2008

**TITLE: Request to Set a Public Hearing on a Draft Ordinance Amending the Land Use Ordinance Relating to the Service of the Chairs of Various Advisory Boards and the Board of Adjustment**

<b>DEPARTMENT: PLANNING</b>	<b>PUBLIC HEARING YES _ NO <u>X</u></b>
<b>ATTACHMENTS:</b> <b>A.</b> Resolution <b>B.</b> Excerpt from 11-11-08 minutes of Board of Aldermen <b>C.</b> Draft ordinance <b>D.</b> Planning Board request for LUO Amendment	<b>FOR INFORMATION CONTACT:</b> Patricia McGuire – <b>918-7327</b>

#### **PURPOSE**

The Board of Aldermen has requested that staff prepare an amendment to the Land Use Ordinance to limit the terms for advisory board chairs to two consecutive terms. A draft ordinance pertaining to the five advisory boards and commissions that are established by the Land Use Ordinance has been prepared. The Board of Aldermen must receive public comment before deciding on this draft ordinance. A resolution that will set a public hearing and refer the draft ordinance to the Planning Board and Orange County is provided for the Board's use.

#### **INFORMATION**

On November 11, 2008, the Board of Aldermen held a worksession to discuss information related to advisory board minutes and procedures, training, appointments, and attendance (*Attachment B*). The Board of Aldermen identified five follow-up actions, as noted below:

1. Proceed with creation of a training video and training material for chairs
2. List vacancies once a month on Board/Manager Memo
3. Revise appointment guidelines for Board approval on 12/2
4. Prepare common bylaws for all advisory boards
5. Prepare Town Code Amendment for Board approval on 12/2 relating to term limits for advisory board chairs.

This agenda item is one of two responses to the fifth action, as some advisory boards and commissions are established in the Land Use Ordinance (Chapter 15 of the Town Code) and others

elsewhere in the Town Code. The draft ordinance (*Attachment C*) establishes a maximum of two, consecutive terms for citizens serving as chair of the Planning Board, Board of Adjustment, Appearance Commission, Environmental Advisory Board, and Northern Transition Area Advisory Committee. The draft also responds to a recent discussion of the Planning Board on the need to make its bylaws and LUO-defined structure consistent with one another. The Planning Board's request on this matter is attached (*Attachment D*).

The companion response, adoption of an amendment to the provisions for the Transportation Advisory Board and the Recreation and Parks Commission, all of which are established in the Town Code, is also offered in this evening's agenda.

Section 15-322 of the Land Use Ordinance requires that any proposed amendments to the Town's Land Use Ordinance shall be referred to the planning board. Per the Joint Planning Agreement, Land Use Ordinance amendments must also be referred to Orange County for review.

### **FISCAL AND STAFF IMPACT**

This amendment was initiated by the Board of Aldermen. The public hearing notice costs are estimated to be approximately \$200

Staff time will be needed for preparing items associated with advisory board and outside agency review, and preparation for the public hearing.

### **STAFF RECOMMENDATION**

The staff recommends that the Board of Aldermen consider adoption of the attached resolution (*Attachment A*) setting a public hearing date and referring the request to the Planning Board and Orange County.