

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, November 19, 2002

TITLE: PUBLIC HEARING: Land Use Ordinance Text Amendment Regarding Northern Transition Area Stream Buffers

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Draft ordinance B. Section 15-269 – Stream Buffers in Northern Transition Area C. Summary of October 8 Staff Report D. Map showing NTA stream buffers E. Advisory Board Comments	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

The Board of Aldermen must hold a hearing to receive public comment on a proposed amendment to the Land Use Ordinance that clarifies and expands the applicability of the Northern Transition Area Stream Buffers. The Administration recommends that the Board of Aldermen adopt the attached draft ordinance.

INFORMATION

Following comments from members of the public regarding the affect of annexation on the Northern Transition Area stream buffers specified in Section 15-269 of the Land Use Ordinance (*Attachment B*), the Board of Aldermen directed staff to prepare a staff report and draft land use ordinance amendment. A summary of the staff report that was presented on October 8th is attached (*Attachment C*).

Draft Land Use Ordinance

Currently, the NTA buffers are established and defined in Section 15-269 and illustrated on the Northern Transition Area Stream Buffer Map (*Attachment D*). The draft ordinance will make the NTA buffers applicable to all properties that were within the Transition Areas and were neither annexed nor had received development approval as of September 1, 2002. The ordinance was distributed for Orange County and advisory board review. Comments and/or recommendations are attached (*Attachment E*).

Additional Study Underway

The draft ordinance described above has been prepared to address a particular concern regarding the applicability of the NTA buffers. The Board of Aldermen has also requested an evaluation of all stream buffer requirements and this evaluation is needed. Carrboro's regulations are extensive and exemplary. The Town has been actively involved in policy-making and data collection to prevent flooding and other storm-related damage, and to protect water quality. Yet, the administration of

three sets of buffers, in addition to floodplain provisions, is cumbersome and in need of clarification. Staff has begun this effort and a report is expected to be ready for presentation to the Board of Aldermen in February 2003.

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen adopt “An Ordinance Amending the Carrboro Land Use Ordinance to Apply the Northern Transition Area Buffer Standards to Properties Within That Area That Are Annexed After September 1, 2002.”

