

BOARD OF ALDERMEN

ITEM NO. D(4)

AGENDA ITEM ABSTRACT

MEETING DATE: June 1, 2004

TITLE: Staff report on silvicultural activities in the University Lake watershed

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u> _
ATTACHMENTS: A. Resolution B. Staff report	FOR INFORMATION CONTACT: Noah Ranells, 918-7326

PURPOSE

The purpose of this item is to provide the Board of Aldermen with a report in response to a citizen request. The Board of Aldermen referred to staff a citizen request regarding the limitation on silviculture in the University Lake watershed.

SUMMARY

On October 28, 2003, Mayor Nelson reported that Monty Ray, a property owner in the University Lake watershed, contacted him regarding potential activities on his property. The Ray property has been an active tree farm for many years. In early 2003, Mr. Ray was advised that a pine beetle infestation warranted removal of many trees on his property. Mr. Ray had the property timbered. In discussions with the Zoning Division, Mr. Ray learned that replanting the trees for eventual harvest – an aspect of silviculture -- was not a permissible activity in the University Lake Watershed (ULW). Prior to submitting a request to amend the Land Use Ordinance to allow this use in the watershed, Mr. Ray decided to contact the Mayor and request some feedback on the matter.

As a result of discussions among town staff, one of three options may be pursued:

	Description	Clarity for Zoning Administrator	Town Oversight	Recognizes Benefits of Silviculture	Text Amendment
Option 1	No changes to land use ordinance	NO	NO	NO	NO
Option 2	Establish criteria for legally nonconforming use subject to 15-124 c	NO	YES	PARTIAL	YES
Option 3	Modify Permitted Use Table	YES	YES	YES	YES

Additional information on these options is provided in the attached staff report (Attachment B).

FISCAL IMPACT

The two action options involve public hearing costs for modifying the text of the Land Use Ordinance.

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board accept the staff report and request that staff develop ordinance amendments that would make silvicultural operations a permitted use in the WR zone.