

BOARD OF ALDERMEN

ITEM NO. C(5)

AGENDA ITEM ABSTRACT

MEETING DATE: June 26, 2007

TITLE: Public hearing on an Ordinance Amending the Carrboro Land Use Ordinance Provisions Dealing with Stormwater Management

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO
ATTACHMENTS: <ul style="list-style-type: none">A. Resolution finding consistencyB. Resolution finding inconsistencyC. Draft ordinanceD. Article XVI, Part IIE. Staff memoF. Article XG. Comments and recommendations	FOR INFORMATION CONTACT: Patricia McGuire – 918-7327 Michael Brough – 929-3905

PURPOSE

A draft ordinance amending the Land Use Ordinance to revise stormwater management provisions in relation to the NPDES Phase II permit and the Jordan Lake TMDL has been prepared. It is necessary for the Board of Aldermen to receive public comment before taking action.

INFORMATION

Town staff has been reviewing land use regulations to ensure compatibility with the Town's NPDES, Phase II permit, issued in June of 2005 and the pending rules related to water quality for Jordan Lake. Please note that this draft ordinance addresses the post-construction stormwater management requirements of the draft Jordan Rules and NPDES, Phase II permit only. Staff is working on ordinance provisions pertaining to stream buffer requirements, a portion of which will also respond to the Jordan Rule, and hopes to bring that before the Board of Aldermen before the end of 2007. A draft ordinance dealing with stormwater management has been prepared to accomplish two goals:

- Meet the July 2007 deadline regarding compliance with the NPDES Phase II permit, and
- Put in place expected Jordan Lake nutrient management requirements in advance of the adoption of the Jordan Reservoir Nutrient Rules so as to limit the further increase in post-2001 nutrient loading for which retrofits will be required (35 percent reduction in nitrogen and 5 percent reduction in phosphorous as specified in the March 2007 draft Rule).

Existing ordinance provisions pertaining to stormwater management are attached (*Attachment D*). A staff memo evaluating the draft ordinance is provided at *Attachment E*.

The draft ordinance was referred to Orange County, the Planning Board and the EAB. Comments and recommendations are attached (*Attachment G*).

FISCAL IMPACT

The draft revisions to land use regulations do not appear to add significantly to administrative costs associated with development review. Associated retrofit and other requirements associated with NPDES, Phase II and Jordan Rules are expected to yield negative fiscal impacts to the Town.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen adopt the resolution finding the draft ordinance consistent with adopted plans and the draft ordinance itself (*Attachments A and C*), subject to any modifications provided on June 26th.