

BOARD OF ALDERMEN

ITEM NO.: B(2)

AGENDA ITEM ABSTRACT

MEETING DATE: JUNE 24, 2008

TITLE: Public Hearing on Land Use Ordinance Amendment to Require Best Management Practices that Result in Nutrient Load Reductions

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input checked="" type="checkbox"/> X <input type="checkbox"/> NO <input type="checkbox"/>
ATTACHMENTS: A. Resolutions finding consistency and Draft Ordinance B. Comments and recommendations	FOR INFORMATION CONTACT: PATRICIA MCGUIRE – 918-7327 RANDY DODD – 918-7326

PURPOSE:

A draft ordinance which would, if adopted, amend the text of the Land Use Ordinance to specify that nutrient-load reducing, best management practices are used in meeting storm water management requirements has been prepared. The Board of Aldermen must receive public comment before deciding on the amendment.

INFORMATION:

A staff report on the Town's stormwater management permit and comprehensive stormwater management program was presented on May 20, 2008. The report (Item D.7) is available at http://www.townofcarrboro.org/BoA/Agendas/2008/05_20_2008.htm

As noted there, Carrboro has fulfilled requirements for Years 1 and 2 of its National Pollutant Discharge Elimination Systems (NPDES) permit, and is nearing the end of Year 3. One land use ordinance text amendment was identified as necessary during the current year. Due to the long-term classification of Jordan Lake as Nutrient Sensitive Waters, the Town must adopt and implement an ordinance (or similar regulatory mechanism) to ensure that the best management practice for reducing nutrient loading is selected. Town code amendments that regulate fertilizer applications, also in relation to this requirement of the Town's NPDES program, were adopted in May.

A draft ordinance that meets the requirements for II.F.2.d to address nutrient loading through BMP prioritization in storm water management has been prepared (*Attachment A-3*). It should be noted that the draft ordinance only addresses the NPDES permit requirement related to Nutrient Sensitive Waters provisions for Jordan Lake as adopted in 1983; the amendments do not address nutrient limits included within the draft Jordan Lake rules.

The draft ordinance was referred to the Planning Board and Orange County for review. Comments and/or recommendations are attached (*Attachment B*).

FISCAL AND STAFF IMPACT:

None have been noted.

RECOMMENDATION:

Staff recommends that the Board of Aldermen adopt the attached resolution finding consistency of the ordinance and the ordinance itself (Attachments A-1, and A-3).