

BOARD OF ALDERMEN

ITEM NO.: E(5)

AGENDA ITEM ABSTRACT MEETING DATE: FEBRUARY 17, 2009

TITLE: Continued Discussion of a Town Code Amendment to Regulate the Application of Fertilizer to Two Acres or More of Land Area

DEPARTMENT: PLANNING	PUBLIC HEARING: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
ATTACHMENTS: A: Draft Town Code Amendment B: Excerpt of minutes, Board of Aldermen Public Hearing, 1/27/2009	FOR INFORMATION CONTACT: RANDY DODD, 918-7326 MICHAEL BROUGH, 929-3905

PURPOSE: The purpose of this agenda item is to review changes to a draft Town Code amendment requiring that application of nutrients to turf area of 2 acres or greater within the municipal limits be completed by a State-certified person, or follow a nutrient management plan.

INFORMATION: The Town's NPDES requirements include management of fertilizer application. To fulfill this requirement, at the June 10, 2008 meeting the Board of Aldermen (BOA) received a staff report on the requirements for Year 3 of the Town's NPDES stormwater permit recommending a Town Code provision requiring that all turf areas five acres or greater follow fertilizer application guidelines. At this meeting, the BOA requested that staff report back regarding who the existing fertilizer permit requirements apply to as well as how it might be applied to smaller parcels. At the October 2008 meeting, staff presented a report, and the BOA recommended a 2 acre threshold. A public hearing was held on January 27, 2009 to receive input on the draft amendment. At this public hearing, the BOA requested that Staff respond to public input requesting additional detail regarding requirements for a nutrient management plan (Attachment B). Staff has revised the Town Code amendment in response to the input received and Board's request.

FISCAL AND STAFF IMPACT: There is no immediate fiscal or staff impact associated with the proposed amendment. There is a potential future staff impact associated with further outreach, monitoring, and enforcement.

RECOMMENDATION: Staff recommends that the BOA adopt the draft Town Code amendment (Attachment A).