

BOARD OF ALDERMEN

ITEM NO.:C(5)

AGENDA ITEM ABSTRACT

MEETING DATE: MAY 15, 2012

TITLE: Request to Set a Public Hearing on a Land Use Ordinance Text Amendment Adding a Stormwater Volume Control Requirement

DEPARTMENT: PLANNING	PUBLIC HEARING: No
ATTACHMENTS: A. Resolution B. Draft Ordinance	FOR INFORMATION CONTACT: PATRICIA MCGUIRE, 918-7327 CHRISTINA MOON, 918-7325 RANDY DODD, 918-7326 MICHAEL BROUGH, 929-3905

PURPOSE:

The purpose of this item is to initiate public consideration of a new stormwater volume requirement in the Land Use Ordinance. A resolution that sets a public hearing on the draft ordinance and refers it for review has been prepared.

INFORMATION:

The Town's Land Use Ordinance (LUO) includes provisions for stormwater management to address peak runoff volume, water quality (as measured by total suspended solids), drawdown rates, and other stormwater management aspects. The LUO does not include provisions to regulate the total volume of stormwater runoff from a site. Increases in the total volume of runoff associated with new development results in currently unregulated environmental impacts such as decreased groundwater recharge and increased stream channel instability/erosion. The Town has been considering this matter for some time; most recently during discussion of the Claremont South development, but also previously in relation to day care uses in village mixed use development. Recently, community members and staff received information about strategies that are being used effectively to improve post-development impacts of development by limiting total stormwater volume. Staff has evaluated options for addressing the concern, including one that has been in use in the Town of Chapel Hill, and has identified an approach that is believed to be workable within the constraints of current research and practice. The draft ordinance presented for the Board's consideration establishes the following requirement: Section 1. Subsection 15-263(d)(3) the post development calculated total annual runoff volume shall not exceed the pre-development calculated total annual runoff volume by more than 50-200% .

FISCAL AND STAFF IMPACT:

A public hearing on the draft ordinance amending the Land Use Ordinance will be required. Public hearings incur costs associated with advertising, advisory board, and staff review. In addition, since the adoption of stormwater volume control requirements may have cost implications for some projects, staff recommends that the public notice for this proposed amendment include communication with the building/development community to ensure that there is sufficient opportunity for these parties to learn about and comment on the proposed amendment. The staff time and fiscal impact associated with this item are related to the advisory board review and public hearing and the proposed additional outreach to the development community.

RECOMMENDATION:

Staff recommends that the Board of Aldermen adopt the resolution (Attachment A) setting a public hearing on the draft ordinance and referring the draft ordinance to Orange County, the Planning Board, Economic Sustainability Commission, Environmental Advisory Board, and builders and developers who have participated in land use permit review process within the past two years.