

BOARD OF ALDERMEN

ITEM NO. C4

AGENDA ITEM ABSTRACT

MEETING DATE: January 29, 2013

TITLE: Public Hearing for Land Use Ordinance Amendments Relating to Stormwater Management Requirements

DEPARTMENT: Planning	PUBLIC HEARING: YES ___ NO_X_
ATTACHMENTS: A. Consistency Resolutions B. Draft Ordinance C. Excerpt from LUO Section 15-263 D. Recommendations from advisory boards and Orange County	FOR INFORMATION CONTACT: Christina Moon – 918-7325 Mike Brough –929-3905 Marty Roupe – 918-7333

PURPOSE

The purpose of this item is for the Board to consider amending the Land Use Ordinance (LUO) relating to stormwater management. A draft ordinance has been prepared (*Attachment B*). The Board must receive public comments before taking action on the draft ordinance.

INFORMATION

Rigorous review of appropriate best management practices (BMPs) for stormwater control has long been a part of the development review process for the Town of Carrboro. The more robust requirements linked to the Jordan Lake Rules, NPDES permit, as well as increasing areas of developed lands, warrant a closer look at the long-term maintenance for such installations.

Zoning staff has identified concerns with section 15-263(f)(i) of the Land Use Ordinance (LUO) which speaks to the warranty period for new BMPs. The warranties for BMPs installed early in the development process may expire prior to the completion of the project, leaving uncertainties as to the parties responsible for repairs and maintenance.

To address this issue, staff recommends amending Section 15-263(f)(i) to tie the warranty period for the BMP to the actual approval date of the BMP, so as to ensure that the Town will have the full two years of protection intended to be afforded by the ordinance.

A draft ordinance was presented at the January 3rd Joint Review, and submitted to Orange County. Comments are included (*Attachment D*).

FISCAL AND STAFF IMPACT

Public hearings involve staff and public notice costs associated with advisory board and Board of Aldermen review.

RECOMMENDATION

Staff recommends that the Board of Aldermen consider the resolution finding consistency, and the draft ordinance (*Attachments A-1 and B*).