

Petition

To: Mayor and Council
From: Julie McClintock and CHALT signers
Date: March 20, 2019
Subject: Text Amendment for Changes to Blue Hill Form Based Code

Background: Last year the NC Legislature revised a State stormwater statute to say that stormwater controls for a redevelopment project in any NC community shall only be required to treat the net increase in impervious area. Currently the standards for the Blue Hill district require 50% treatment of total post-construction impervious area. Because these standards conflict with the state statute, it would cause the Town to roll back our formed based code water quality rules.

If the Council were to take no action, the Town would be in the position of approving new projects that would bring additional density, but no stormwater controls. This would only apply in Blue Hill under the form-based code. The consequence is that the Blue Hill district will receive less water quality treatment than will the rest of Chapel Hill, while the RCD and other standards will apply in much less dense areas of town.

Our understanding of the approach staff recommended to you last Wednesday night is that by offering an applicant multiple review paths, the original stormwater treatment standard could apply to the project if the applicant opts for the review path that includes the more demanding stormwater treatment standard.

We appreciate the Town staff's effort to identify a workable replacement and urge the Town Council to move forward expeditiously to maintain water quality standards. The staff asked the Council whether it wants to move forward with a text amendment to implement the proposed multiple review paths. Staff also asked whether Council considers the proposed modifications a good approach.

Because the Council response to these questions was not clear, we urge the Council to refer this petition to the Environmental Sustainability Board and the Stormwater Utility Advisory Board to seek their advice and counsel on the approach staff recommended.

The Stormwater Board has a mix of people, including developers and business folks, capable of giving feedback at this early stage. The Council designed the makeup the Board to provide balanced feedback. We strongly urge you to take this step before eliciting feedback from a wider group, as was suggested by several Board members. After hearing from these advisory boards, the staff can prepare a more fleshed out recommendation. Once you endorse the approach, then it would be ready to share with wider groups such as developers, Chamber of Commerce, neighborhoods and citizens.

We note that while the planning staff is correct that the Stormwater Advisory Board does not have formal review authority, from time to time the Council has sought this Board's recommendations and has appreciated and implemented that advice.

It is the job of the Stormwater Utility Board to review and recommend stormwater rules and policy for the Town. Since the Town is contemplating a rule and policy change, the Stormwater Board should review this proposal. We thank Council member Buansi for recommending this Board's review.

In conclusion, we urge you to refer these recommendations to these two advisory boards and to decide on your approach before taking comment from interested parties.

We are grateful to live in a town that considers stormwater management a top priority.

Thank you.

Julie McClintock and these CHALT signers: Silvia Clements, Debbie and Arthur Finn, Glen Elder, Jr., Lindsay Garrison, Joan Guilkey, Charles Humble, Jeff Prather, David Schwartz, Alan Snavely, Sandy Turbeville, and Terry Vance

STORMWATER MANAGEMENT UTILITY ADVISORY BOARD CHARGE

The Stormwater Management Utility Advisory Board is charged with the following responsibilities:

- Provide recommendations regarding the identification and implementation of new [stormwater management program](#) activities.
- Review and provide recommendations on the Stormwater Management Program Master Plan.
- Provide recommendations concerning gaps or inconsistencies in Town stormwater management services, facilities, programs, policies, and regulations and recommend improvement alternatives.
- Provide recommendations for priorities and scheduling of watershed master planning and development of drainage basin plans.
- Assist Town staff in working with stakeholder groups to implement program objectives and activities.
- Assist Town staff with public education and outreach activities that promote the Town's Stormwater Management Program.
- Assist Town staff in meeting the mission and achieving the identified goals and objectives of the Town's Stormwater Management Program.
- Provide recommendations for internal program evaluation and reporting mechanisms, and assist Town staff in periodically reporting (Quarterly Report) to the Town Council on program effectiveness.