



Chatham County, NC

Legislation Text

File #: 16-1790, **Version:** 1

Vote on a request to adopt the Revised Stormwater Ordinance to comply with Session Law 2015-246

Action Requested:

Request to Adopt revised Stormwater Ordinance to comply with Session Law 2015-246.

Introduction & Background:

Session Law 2015-246 modifies city and county statutory authority to prohibit them from requiring compliance with a state rule that the GA has delayed the effective date for.

Eleven local governments adopted ordinances and began implementing the Jordan New Development rules voluntarily in 2012 and 2013. (Chatham County was one of these)

Delay of Jordan Rule

- Session Law 2012-200 and 2012-201 contained the same provision to extend local program implementation of Jordan New Development rules for two years to August 10, 2014
- Session Law 2013-395 delays the implantation of most parts of the Jordan Lake Rules for three years. New Development rule delayed from August 10, 2014 until August 10, 2017

Session Law 2015-241 (Section 14.5(c)) indicates that rules directed to nutrient management and that have been temporarily delayed by the GA are delayed an additional 3 years (so Aug 10, 2020 for Jordan New Development rule).

Discussion & Analysis:

Because Chatham County implemented the Jordan Lake Rules nutrient management requirements voluntarily in August of 2012, the Ordinance will need to be revised to remove reference to the Jordan Lake Rules and the nutrient management requirements.

This revision also adds the 25-year event for peak flow control to align the stormwater requirements with the erosion control requirements (S&EC Ordinance 164.16) as well as provide additional overbank flood protection. Doing so will prevent increased peak flows downstream and provide additional protection to stream buffers. Chapel Hill, Greenville and Garner also require peak flow control for the 25-year event.

Budgetary Impact: None

Recommendation:

Adoption of revised Stormwater Ordinance to comply with Session Law 2015-246.