

SUMMARY OF PLANNING BOARD ACTION

- SUBJECT:** Establishment of a Stormwater Utility: Review and Recommendation to the Council
- MEETING DATE:** March 16, 2004
- RECOMMENDATION:** The Planning Board recommends the *concept* of establishing a Stormwater Utility to the Council, with the following comments:
- Provide extensive public education, especially in the first year of planning, including a kick-off education project.
 - Create a clear plan of action focusing on capital projects, such as completion of restoration projects. It is important for the entity created to be working on *stormwater improvement, quality and quantity*. The utility should not be just an internal accounting system.
 - Work towards participation by the University of North Carolina, the Town of Carrboro and Orange County.
 - Work to establish an acceptable credit system to reward entities for appropriate, even if proprietary, improvements.
 - Create provisions for annual review of Stormwater Utility progress and the next year's plan by the Planning Board.
 - Enable the Planning Board to flag problem areas for close review and monitoring in its review of proposed new development.
 - Provide expertise and capabilities in the inspection process.
 - Set up a precise procedure for enforcement.

VOTE:

9-0

Ayes: Timothy Dempsey, Coleman Day, Donna Bell,
Rebecca Boyles, Thatcher Freund, Nancy Gabriel,
Susanne Haff, Nancy Milio, Ruby Sinreich

COMMENTS:

The Planning Board notes that while it recognizes the need for a stormwater utility, its comments are meant to endorse the concept. A specific plan was not yet available for review. We would like to review the actual plan before the Council makes its decision.

The Planning Board suggests that public presentations on the proposed utility include pictures of stormwater situations needing attention.

Drafted by: Tim Dempsey, Chair
Chris S. Berndt, Long Range Planning Coordinator

SUMMARY OF COMMUNITY DESIGN COMMISSION ACTION

Subject: Establishment of a Town Stormwater Utility

Meeting Date: March 17, 2004

The Commission recommended that the Council continue with the process to establish a stormwater utility.

Vote: 7-3

Aye: George Cianciolo, , Thatcher Freund, Laura King Moore, Glenn Parks, Scott Radway, Amy Ryan, Polly Van de Velde

Nay: Charlotte Newby, Dale Coker, Chris Culbreth

Issues: The Commission agreed that a stormwater utility was a good idea and supported the concept. However several Commissioners expressed the following concerns.

Fee Structure

1. The 6,000 square foot cap on impervious surface area should be eliminated. The cap is a disproportional utility fee burden on smaller property owners. Properties with impervious surface areas above 6,000 square feet should pay a proportional fee based on the total impervious surface.
2. Affordable housing should be exempt from the first 2,000 square fee of impervious surface area.
3. The final fee structure should encourage properties owners to practice innovative stormwater management techniques (rain gardens, BMP's , cisterns, pervious pavement).
4. Fee structure unfairly penalizes larger property owners with long driveways.
5. Use of aerial photos to determine impervious surface area is an unreliable measurement tool and should not be used to determine fees.

Process, Public Education and Awareness

1. Public awareness of the propose utility has not be very extensive.
2. Greater public education and input, prior to and following the establishment of the utility, needs to be added to the process.
3. The Council should anticipate citizen objection to the established utility after notification of utility fees are mailed out to individual property owners.
4. The nature of the process appears to be creating a heavy handed bureaucratic agency.

- Prepared by: Charlotte Newby, Chair
Gene Poveromo, Staff

SUMMARY OF TRANSPORTATION BOARD ACTION

Subject: Stormwater Utility

Meeting Date: April 6, 2004

Recommendation: The Transportation Board voted 7-0 to support the concept of a stormwater utility and recommended that:

- The minimum cap be raised to 1,500 square feet from 500 square feet.
- The upper cap be eliminated
- The University be included in the assessment

Members Present: Cianciolo, Hintz, Schroeder, Howe, Koontz, Dasputre, Dobbins

Prepared By: George Cianciolo, Chair
David Bonk, Principal Transportation Planner

SUMMARY OF HISTORIC DISTRICT COMMISSION RECOMMENDATIONS

Subject: Recommendations for Potential Establishment of a Stormwater Utility

Meeting Date: April 8, 2004

Recommendations: The Historic District Commission voted 7 -1 to not recommend the establishment of a Stormwater Utility. Comments include the following:

Against:

1. That it is unlikely that the Stormwater Utility program will cause builders to reduce the amount of impervious surface of a new home.
2. The system of pervious to impervious surface is not logical. Preference is for a percentage ratio of total land area and total impervious surface that both need to be taken into consideration when basing fees.
3. Is this something that Chapel Hill needs to be doing? Four hundred nationally participating towns/cities is minimal. The Town already does a good job of controlling environmental concerns.
4. That the overhead cost of obtaining revenue in a fee-based manner could be costly.
5. The data is not convincing to substantiate the cost.

For:

1. One member thought that the potential benefits of the stormwater utility could be worthwhile.

Chair Notes: The Commission believed that if it is possible for a reasonable amount of effort to have major results then we would encourage that. But major effort for minimal results, would not be desired.

Prepared by: Chris Belcher, Chair, Historic District Commission
Kay Pearlstein, Senior Planner

CB