

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: March 1, 2010

SUBJECT: Set Public Hearing Date for the Draft Stormwater Regulations (TX-2009-01)

ATTACHMENTS: 1. Quick Facts Summary Sheet

SUMMARY OF REQUEST:

At its meeting on October 5, 2009 the Board of Commissioners directed County staff to draft stormwater management regulations which would allow for development of a countywide delegated stormwater management program. Staff incorporated the required language from the DWQ's Model Stormwater Management Ordinance into the County's Land Development Code for consideration as a text amendment. Staff also modified existing water supply watershed protection regulations, consistent with the State Model Water Supply Watershed Ordinance, to remove duplication in standards, reviews, and approvals between water supply watershed protection and stormwater regulations.

The Board reviewed the draft regulations on February 1, 2010 and directed staff to provide possible dates to hold a public hearing. Before taking action on the text amendment, the Board of Commissioners must hold a public hearing.

BOARD ACTION REQUESTED:

Staff recommends the Board of Commissioners schedule a special called meeting for the public hearing for:

- Tuesday, March 16, 2010; or
- Monday, March 29, 2010; or
- Tuesday, March 30, 2010.

Suggested Motion:

I move that the Board schedule a public hearing on text amendment #TX-2009-01 for _____, at _____ P.M.



Draft Stormwater & Water Supply Watershed Protection Regulations

Quick Facts

1. Incorporates the minimum standards required by the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Water Quality (DWQ) Model Stormwater and Model Water Supply Watershed High-Density Option Ordinances
2. Water Supply Watershed High-Density Option:
 - a. Engineered stormwater controls are required;
 - b. Built-upon area limits increased providing greater flexibility for development;
 - c. Existing protections of water quality are maintained or improved;
 - d. Average lot size replaces minimum lot size (density remains the same);
 - e. Special Intensity Allocations/cluster development provisions removed;
 - f. Issued a Watershed High-Density Development Permit.
3. Stormwater Management Permits:
 - a. Not required within a water supply watershed;
 - b. Not required for farming, silviculture, and ranching or any other activity exempt from the Clean Water Act;
 - c. Required for any development activity outside the water supply watershed that disturbs more than 1 acre and is not exempt from the Clean Water Act.
4. Stormwater Controls:
 - a. Not required for water supply watershed Low-Density Option projects;
 - b. Required for water supply watershed High-Density Option projects; and
 - c. May be required for any project elsewhere in the County required to obtain a stormwater management permit.
5. Where required and used, stormwater control measures must control and treat stormwater runoff from the first 1-inch of rain over a 24-hour period.
6. Structural stormwater control measures must remove 85% of average annual total suspended solids (TSS)
7. Stormwater BMP Manual provides general engineering design criteria for all projects.
8. Program would be administered by the Engineering Department using existing Soil Erosion Control staff and resources.
9. Municipalities could allow administration in their jurisdictions as currently setup with the Soil Erosion and Sedimentation Control Program.
10. Fees for Stormwater Permits and Plan would remain the same as currently required by the State.