



**Town of INDIAN TRAIL**  
north carolina

Indian Trail, North Carolina 28079

Telephone 704-821-5401

Fax 704-821-9045

**PLANNING BOARD TRANSMITTAL**

**Planning Board Transmittal for the November 29, 2011 Town Council Meeting**

<b>Reference Name</b>	Case: ZT 2011-009 Stormwater Ordinances		
<b>PB Meeting Date</b>	November 1, 2011		
<b>Members Present</b>	Chair Whitehurst <input checked="" type="checkbox"/>	Gary Vaughn <input checked="" type="checkbox"/>	Larry Miller <input type="checkbox"/>
	Vice-Chair Cowan <input checked="" type="checkbox"/>	Kathy Broom <input checked="" type="checkbox"/>	Robert Rollins <input checked="" type="checkbox"/>
	Sidney Sandy <input checked="" type="checkbox"/>	Cathi Higgins <input checked="" type="checkbox"/> Alternate	Jan Brown <input type="checkbox"/> Alternate
	Vacant Seat <input type="checkbox"/>		
<b>Case Found Complete</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<b>Motion</b>	Recommend approval w/modifications as transmitted		
<b>Member making the motion</b>	Boardmember Higgins		
<b>Second the motion</b>	Boardmember Sandy		
<b>Vote</b>	7-0 Recommendation to Approve as Presented		

**Purpose of the Amendment:**

This is a request to amend Chapters 1360 Flood Damage Reduction Ordinance and 1370 Storm Water Management Ordinance of the Unified Development Ordinance (UDO). The purpose of the text amendment is to re-write the section to change the stormwater detention requirements from the 2-, 10-, 25-, 50-, and 100-year storm events to the 2-, 10-, and 25- year storm events. The implementation of this amendment will result in a more sustainable holistic approach to stormwater management by considering both the individual development site and the watershed.

**Town Council Action:** *Receive transmittal report and public testimony and:*

1. *Concur with the findings and transmittal of the Planning Board to approve; or*
2. *Concur with the findings and approve as modified by Council; or*
3. *Do not make the findings and disapprove the amendment.*

## **Executive Summary**

This text amendment of the Unified Development Ordinance proposes to modify regulations related to stormwater detention and clarify requirements and standards within Chapters 1360 and 1370.

## **Planning Board**

The Planning Board heard this item at their November 1, 2011 Special Meeting and after hearing this item and deliberation made the following findings and transmits a recommendation of approval.

1. The proposed UDO amendment is consistent with the following goals:
  - 1.3.2 of the Comprehensive Plan – Land Use; the proposed UDO ordinance amendments will establish a sustainable and holistic approach to storm water management reducing the potential for land use conflicts.
2. This UDO ordinance amendment request is reasonable and in the best interest of the public because it strengthens and expands the Town’s approach in regulating storm water management leading us to a more sustainable environment.

**Attachment 1- Planning Board Report**  
**Attachment 2- Draft Ordinance**

## **Staff Contact**

Scott Kaufhold, P.E  
[sjk@engineering.indiantrail.org](mailto:sjk@engineering.indiantrail.org)

**TC ATTACHMENT – PLANNING BOARD REPORT**



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**PLANNING AND NEIGHBORHOOD SERVICES**

<b>Case: ZT 2011-009 Flood Damage Reduction Ordinance &amp; Storm Water Management</b>		
<b>Reference Name</b>	Amendment of Chapter 1360 and 1370 of the UDO	
<b>Applicant</b>	Town of Indian Trail	
<b>Submittal Date</b>	10/1/2011	
<b>Location</b>	Town-wide	
<b>Tax Map Number</b>	n/a	
<b>Plan Consistency</b>	Comprehensive Plan	
<b>Recommendations &amp; Comments</b>	Engineering Staff Planning Staff	Recommend approval to TC

This is a request to amend Chapters 1360 Flood Damage Reduction Ordinance and 1370 Storm Water Management Ordinance of the Unified Development Ordinance (UDO). Chapter 1370 will be presented first since the changes in Chapter 1360 is a result of modifications in 1370 for consistency.

### **UDO Section 1370 Storm Water Management**

#### **Background**

The purpose of the text amendment is to re-write the section to change the stormwater detention requirements from the 2-, 10-, 25-, 50-, and 100-year storm events to the 2-, 10-, and 25- year storm events. The implementation of this amendment will result in a more sustainable holistic approach to stormwater management by considering both the individual development site and the watershed.

Revisions include a requirement to assess downstream impacts in terms of increased flows due to the difference between the pre and post development 50- and 100-year storm events. This is known as the ten-percent rule which considers the impact that a detention facility has on the watershed. Current detention requirements do not assess downstream impacts. New development typically generates increased stormwater runoff volume which in turn impacts the timing of downstream flows. Even if the peak discharge is effectively attenuated, the longer duration of higher flows may combine with downstream tributaries to exacerbate downstream flooding. The proposed requirement for this analysis addresses the need for assessing and mitigating potential downstream impacts due to new development.

## **UDO Section 1360 Flood Damage Reduction Ordinance**

### **Background**

The purpose of the text amendment is insuring consistency between Chapters of the UDO and to provide clarification in those sections. Sections modified are 1360.120 and 1360.140, and expanding on section 1360.130A.18. (“No-Impact”) and adding this to sections 1360.150, 1360.160, and 1360.180G

Engineering staff will be attending the Planning Board meeting to further explain the amendments and answer questions.

### **Required Consistency Findings**

The Planning Board is required to make two findings with their recommendation. One for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals:
  - 1.3.2 of the Comprehensive Plan – Land Use; the proposed UDO ordinance amendments will establish a sustainable and holistic approach to storm water management reducing the potential for land use conflicts.
2. This UDO ordinance amendment request is reasonable and in the best interest of the public because it strengthens and expands the Town’s approach in regulating storm water management leading us to a more sustainable environment.

### **Staff Recommendation**

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of the UDO ordinance amendment to the Town Council.

Attachment 1- Draft Ordinance Chapter 1360  
Attachement 2 – Draft Ordinance Chapter 1370

### **Staff Contact**

Scott Kaufhold, P.E  
[sjk@engineering.indiantrail.org](mailto:sjk@engineering.indiantrail.org)

Adam McLamb  
[ajm@engineering.indiantrail.org](mailto:ajm@engineering.indiantrail.org)

**TC ATTACHMENT 2 – DRAFT ORDINANCE**

STATE OF NORTH CAROLINA )

TOWN OF INDIAN TRAIL )

ORDINANCE #

**AN ORDINANCE AMENDING CHAPTERS 1360 AND 1370 RELATING TO STORMWATER OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO), INDIAN TRAIL, NORTH CAROLINA**

**WHEREAS**, the Town is the applicant for ZT 2011-009 requesting to amend Chapters 1360 Flood Damage Reduction Ordinance and 1370 Stormwater Management of the Unified Development Ordinance (UDO); and

**WHEREAS**, this Zoning Amendment (ZT 2011-009) was duly noticed in compliance with North Carolina General Statutes; and

**WHEREAS**, the amendment was heard by Planning Board on November 01, 2011 in a public meeting; and

**WHEREAS**, the Planning Board after hearing the amendment and deliberations made the following findings and recommended approval to the Town Council:

The proposed UDO amendment is consistent with the following goals:

- 1.3.2 of the Comprehensive Plan – Land Use because it will establish a sustainable and holistic approach to storm water management reducing the potential for land use conflicts.

This UDO ordinance amendment request is reasonable and in the best interest of the public because it strengthens and expands the Town’s approach in regulating storm water management leading us to a more sustainable environment.

**WHEREAS**, the Town Council received the Planning Board transmittal for a recommendation of approval in the required public hearing held on November 29, 2011 and after receiving the transmittal, public comment, and deliberation, concur with the required findings and amendment recommendation as transmitted by the Planning Board.

NOW THEREFORE, BE IT ORDAINED ON NOVEMBER 29, 2011 BY THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA HEREBY TAKE THE FOLLOWING ACTION:

**Section 1 – Amend Chapter 1360-Flood Damage Reduction Ordinance as attached hereto as Exhibit A.**

**Section 2 Amend Chapter 1370- Storm Water Management as attached hereto as Exhibit B.**

**Section 3 - This ordinance shall be effective immediately upon adoption.**

SO ORDAINED THIS 29TH DAY OF NOVEMBER, 2011.

THE TOWN COUNCIL OF INDIAN TRAIL

By \_\_\_\_\_  
Honorable John J. Quinn, Mayor

Attest:

\_\_\_\_\_  
Peggy Piontek, Town Clerk