

9/20/01
Memorandum

From: Dale Coker

To: Roger Waldon

RE: 2nd Draft Proposed Ordinance

I am concerned that the following proposed article may put the Town in a responsible position for potential non-conforming bio-retention vegetation, if non-conforming vegetation should be proposed by applicant's landscape architect alternate to Best Management Practices Manual.

Please consider the following revision:

Article 5.4.10 Landscaping Plans Required

Revise:

All stormwater management practices shall include a landscaping plan detailing both the vegetation to be used, the entity assigned responsibility for management and maintenance, and the method of management and maintenance. This plan must be prepared by a registered landscape architect.

To:

The stormwater management plan shall include a landscaping plan detailing:

- Vegetation to be used
- Method of management and maintenance
- The entity assigned responsibility for management and maintenance

The plan and plantings shall conform to State of North Carolina's Stormwater Best Management Practices Manual. A North Carolina registered landscape architect or other qualified design professional shall prepare the Stormwater Management Landscaping Plan.

Also, Section 5.4.5.b Waivers to Stormwater Management Requirements may require some additional thought. A waiver based upon the applicant's ability to provide off-site facility should be linked to flows conveyed from the proposed project and will generally only be available downstream of proposed project. The waiver sounds a little too arbitrary as worded.

Suggested revision:

5.4.5.b Provisions are made to manage stormwater by an off-site facility. The off-site facility is required to be in place, to be designed and adequately sized to provide stormwater control for the project, as well as additional contributing flows between the project and the off-site facility.

END