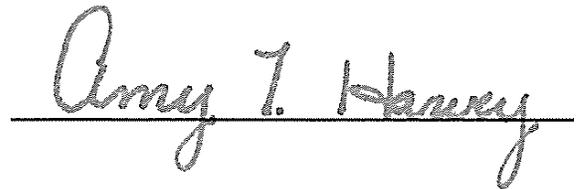


I, Amy T. Harvey, Acting Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2012-12-03/O-4) enacted by the Chapel Hill Town Council on December 3, 2012.

This the 17th day of January, 2013.

A handwritten signature in cursive script that reads "Amy T. Harvey". The signature is written in black ink and is positioned above a solid horizontal line.

**Amy T. Harvey
Acting Town Clerk**



AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO REVISE THE THRESHOLDS AT WHICH ENGINEERED STORMWATER MANAGEMENT STRUCTURES ARE REQUIRED FOR CERTAIN DEVELOPMENTS (2012-12-03/O-4)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance regarding the land disturbance thresholds for which engineered stormwater management structures are required and finds that the amendment is in the public's interest and is consistent with the environmental objectives identified in the Comprehensive Plan's Nurturing Our Community Theme Area, including adopting an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals;

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Chapel Hill as follows:

Section 1. That Paragraph (b) of Section 5.4.2, Applicability, of the Land Use Management Ordinance be modified and a new Paragraph (c) be added as follows:

“(b) To prevent the adverse impacts of stormwater runoff, the town has developed a set of performance standards that must be met at all new development and redevelopment sites. The following activities are exempt from these stormwater performance criteria:

- (1) Any logging and agricultural activity that is consistent with all federal, state and local regulations;
- (2) Individual ~~Single-family~~ and two-family developments and redevelopments that do not disturb more than ~~five thousand (5,000)~~ twenty thousand (20,000) square feet of land area, including cumulative disturbance since the adoption of the Land Use Management Ordinance on January 27, 2003, provided they are not part of a larger common plan of development;
- (3) Repairs to any stormwater treatment facility deemed necessary by the Town.

(4) For purposes of this Section, “Larger common plan of development” shall be as defined in Section 5.19.3(h) of this Appendix and includes subdivisions that create four or more residential lots.

(c) Individual single-family and two-family residential construction that are exempt from stormwater performance criteria under Section 5.4.2(b)(2) above shall discharge runoff in a non-erosive and diffuse manner using techniques approved by the Town Manager. Discharge system/techniques shall be in accordance with the standards established in the Town's Design Manual.”

Section 2. That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

Section 3. That the Town Manager shall revise design standards as necessary to ensure that drainage from individual single and two-family residential construction is slowed down and

dispersed in order to minimize the potential for erosion and flooding impacts to neighboring properties.

Section 4. That this ordinance shall become effective upon enactment and that these amendments shall also apply to all qualifying projects for which the Town has issued an initial permit or authorization to construct but has yet to issue a permanent Certificate of Occupancy.

Section 5. That this ordinance amendment shall not apply to any one or two-family development for which a stormwater management facility existed as of December 3, 2012 and for which said facility was a condition of receipt of a Certificate of Occupancy from the Town. Any such facilities are required to be maintained under the ordinance requirements in effect at the time they were installed.

This the 3rd day of December, 2012.