

McAdams Responses to SWAC Letter — May 22, 2026

1. We intend to consult with the Town Attorney to determine which portions of the current buffer ordinance are grandfathered or otherwise allowed under State law. The current ordinance requires wider buffers than the Jordan Lake Rules and also protects ephemeral channels. Given the stated goal of increasing resilience, we believe these buffer protections help maintain green corridors that provide flood mitigation, habitat, and water quality benefits, while reducing the Town's exposure to climate-related risks.
 - a. For land development in Carrboro, most of the Jordan Lake Rules remain suspended or repealed, except for the buffer protection regulations. An existing NCDEQ memo dated 10/31/2019 summarizes the status of the rules and notes that local enforcement of delayed or suspended rules is often prohibited.
 - b. Our current recommendation is to retain the buffer protections in Land Development Ordinance Article XVI, Section 15-269.5. We will complete a more thorough review and may propose minor revisions focused on:
 - i. Removing barriers to projects that create a net gain in ecosystem services
 - ii. Revising language that may conflict with other sections of the Land Use Ordinance
 - iii. Ensuring buffers are applied equitably and preserve the rights of existing landowners
 - iv. Renaming and repurposing areas outside the 50-foot riparian buffer established by the Jordan Lake Rules to avoid conflict with State law on exceeding State requirements (with no anticipated change to the buffer's effect)
2. We can discuss the specifics in future meetings, but our goal is to ensure the Town's UDO includes environmental protection standards that meet all NCDWQ and EPA requirements.
3. Although all three cited regulations are reasonable ways to address stormwater impacts from new development, we want to ensure that every dollar spent on stormwater infrastructure produces measurable benefits. With that in mind, we are approaching the UDO rewrite to ensure that:
 - a. the required performance standards are clear
 - b. applicants (developers, engineers, and landscape architects) have the guidance, tools, and forms needed to submit complete applications

- c. and that the Town's permit review and enforcement practices incentive the use of efficient and effective stormwater protection strategies.
 - i. The codes are consistent – for example there are currently very different standards for curb inlets (gutter spread) the pipe system connected to those, and the pond design which it empties into. If the gutter system fails and can't collect the water, what was the point of making the pond larger? We aim to minimize these inconsistencies, and also stress test the performance standard so the stormwater infrastructure has an overall higher factor of safety than current system possess.
- 4. We recommend looking at systems performance as a whole, trying to retain flexibility without being prescriptive. Requiring LID/GSI is difficult because LID/GSI is hard to define. Instead, we believe that strong performance standards (examples: control the peak flow during XX storm events, control and treat the volume from a X" storm, control the change in runoff volume resulting from a X-year storm, etc.) coupled with a rating system that incentivizes the use of LID/GSI principles offers more developer flexibility and results in better performance. The rating system may be part of the stormwater ordinance or coupled with open space ordinances.
- 5. There are two components to this comment:
 - a. Erosion control and construction site runoff is currently overseen by Orange County. This UDO re-write does not include reviewing Orange County ordinances.
 - b. Post construction ordinances and performance standard can and should be tailored to the local ecosystems and promoting the practices that have the best chance to preserve and protect the local ecosystems.
- 6. We need to consult with the Town attorney to ensure that we abide by NC General Statutes pertaining to redevelopment. Projects that do not increase their impervious area are most likely exempt from stormwater performance standards. That being said, projects that disturb less than 1 acre of area can still be subject to stormwater performance standards. We can discuss as a group whether the requirements for these projects should be less than larger development projects, particularly for flood control requirements. Also see the response to #4, as the rating system targets can change based on project size.
- 7. In general, sticking with the NCDENR Stormwater Design manual and MDC should be the first option. The Town's manual can include additional details and standards but should aim to avoid confusing standards. If the Town wants to allow alternative stormwater control strategies (especially for the small infill projects mentioned in comment 6) this would be the right avenue to include those.

- a. The UDO should contain the performance standards, and should only change when necessary
 - b. The manual should include guidance on how to achieve those standards, but should be more dynamic and modifiable to adapt to trends, issues, and opportunities for innovation
- 8. I am open to meetings to discuss goals and framework. This is your ordinance, not mine, but I want to help build a more sustainable program – both environmentally and programmatically.