

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION

For Inclusion on Board Agenda

 X Resolution or Ordinance (Blue) X Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: March 16, 2005 (BOT) Date: April 7, 2005

TITLE: **BOT 05-03: Proposed Ordinance Regarding Retention/Detention Basins**

SUBMITTED BY: Department of Community Development *Dell*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration a proposed ordinance to amend the Village's Flood Control Ordinance (Title 15, Chapter 151, Section 151.55 in the Village Code) regarding retention/detention basins. This ordinance would amend the Village's Flood Control Ordinance (Chapter 151 in the Village Code) regarding retention/detention basins.

The DuPage Countywide Stormwater and Floodplain Ordinance has recently been amended to reduce the volume of stormwater detention required for construction on properties that are presently at least 80% impervious. Per the Countywide Ordinance, such highly impervious properties now only require the 2-yr detention volume, which is approximately 40% of the 100-yr detention volume. The Countywide Ordinance only requires detention for construction impacting at least 25,000 square feet on properties that are at least one acre in size.

The Village of Lombard has been more restrictive than the Countywide Ordinance by requiring detention for all non-single family developments, regardless of the area impacted by the construction or the size of the property. The proposed amendment would bring the Village Code in line with the amended the Countywide Ordinance for properties over an acre in size and the Village Code would continue to be more restrictive by requiring detention for smaller properties.

Staff recommends approval of this ordinance. A waiver of first reading is requested in order to accommodate permitting for pending development.

FISCAL IMPACT/FUNDING SOURCE:

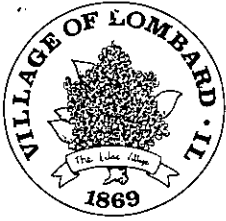
There will be no cost to the Village.

REVIEW (AS NECESSARY):

Village Attorney X _____ Date _____

Finance Director X _____ Date _____

Village Manager X *W. T. Lichter* _____ Date *3/21/05*



MEMORANDUM

To: William T. Lichter, Village Manager

From: David A. Hulseberg, AICP, Director of Community Development *DAH*

Subject: BOT 05-03; Stormwater Retention/Detention Amendment

Date: March 14, 2005

The Department of Community Development requests that the attached ordinance be forwarded to the Village Board of Trustees for inclusion on their April 7, 2005 agenda. This ordinance would amend the Village's Flood Control Ordinance (Chapter 151 in the Village Code) regarding retention/detention basins. Staff requests a waiver of the first reading in order to accommodate permitting for pending developments.

The DuPage Countywide Stormwater and Floodplain Ordinance has recently been amended to reduce the volume of stormwater detention required for construction on properties that are presently at least 80% impervious. Per the Countywide Ordinance, such highly impervious properties now only require the 2-yr detention volume, which is approximately 40% of the 100-yr detention volume. The Countywide Ordinance only requires detention for construction impacting at least 25,000 square feet on properties that are at least one acre in size.

The Village of Lombard has been more restrictive than the Countywide Ordinance by requiring detention for all non-single family developments, regardless of the area impacted by the construction or the size of the property. The proposed amendment would bring the Village Code in line with the amended Countywide Ordinance for properties over an acre in size and the Village Code would continue to be more restrictive by requiring detention for smaller properties.

DAH/DG:dg
Stormwater Detention Memo-VM

cc: David Gorman, PE, Development Engineer
William Heniff, AICP, Senior Planner
Wesley B. Anderson, PE, Director of Public Works
John Burg, Assistant Director of Public Works
David Dratnol, PE, Village Engineer

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 15, CHAPTER 151, SECTION 151.55 OF THE LOMBARD VILLAGE CODE IN REGARD TO RETENTION/DETENTION BASINS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That Title 15, Chapter 151, Section 151.55 of the Lombard Village Code is hereby amended to read in its entirety as follows:

§ 151.55

RETENTION/DETENTION BASINS.

All commercial, business, office, industrial, and multi-family construction shall require surface water runoff of said construction to be limited by detention or retention or its equivalent upon the property which is being built on, or substantially improved as defined in § 151.04 to the maximum of 0.10 cfs per acre of land or fraction thereof for the 1% annual recurrence (100-yr) rainfall event, unless the property was at least 80% impervious as of May 1, 2005 wherein the release rate shall be the maximum of 0.04 cfs for the 50% annual recurrence (2-yr) rainfall event. Construction after May 1, 2005 that increases the imperviousness to exceed 80% shall not qualify to reduce the detention requirement from the 1% to the 50% annual recurrence rainfall event. In the case of single-family and residential development, any land tract under subdivision, as defined in Chapter 154 as being a major subdivision, or any property which is being developed for other than single-family residence purposes shall be required to limit by detention or retention or equivalent upon the land which is being built, or substantially improved to the maximum of 0.10 cfs per acre of land or fraction thereof for the 1% annual recurrence (100-yr) rainfall event.

(A) All surface water detention/retention or equivalent shall be in excess of the allocation provided for an equivalency of flood plain, which may involve a subject tract or portion thereof.

(B) Any improvements which are necessary to comply with this portion of this section shall be proposed by the owner or developer in preliminary form to the Director of Community Development. The Director of Community Development shall have the authority to review and approve or disapprove said improvements based on whether or not they meet the terms of this section. The owner or developer shall take into account with the submittal of the plans, the effect of the improvement of any land or land tract to downstream and surrounding areas as a result of rainfall and surface water runoff.

(C) The Director of Community Development shall notify adjacent communities and the Illinois Department of Natural Resources, Office of Water Resources, and the Federal Insurance Administration prior to any alteration or relocation of a watercourse. The flood carrying capacity within the altered or relocated portion of any watercourse shall be maintained.

(D) (1) No building permit shall be issued for any property which is being built or substantially improved in accordance with this chapter, Chapter 154 or until storm water detention or retention improvements have been completed or installed so that they are operational. Installation and operational does not necessarily mean all final grading is in, but that the system substantially functions in the way it was designed.

(2) In the event storm water detention or retention is not immediately necessary because the earth work or construction on the site will not have an adverse effect on storm water control, sedimentation, or erosion on any adjacent or nearby properties, building permits may be issued at the direction of the Director of Community Development or his designee. The Director of Community Development may direct and require as a condition of the issuance of the building permit construction of storm water improvements within a designated time or on any schedule he deems reasonably necessary to protect adjacent or surrounding properties.

(3) If storm water detention or retention improvements are to be constructed using hard surface or any item involving a building permit, a building permit may be issued at the direction of the Director of Community Development or his designee with any terms, conditions, or timing requirements deemed necessary by the Director of Community Development or his designee to adequately protect adjacent or surrounding properties.

(4) During all construction phases until final occupancy, the storm water detention shall be substantially functional in the way it was designed and approved by the village. In the event storm water detention is not substantially functional, any building permits issued may be revoked or stayed pending the bringing into compliance of the storm water grading and detention.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on this first reading this ____ day of _____, 2005.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this ____ day of _____, 2005.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____, day of _____, 2005.

William J. Mueller, Village President

ATTEST:

Barbara Johnson, Acting Village Clerk

Published by me in pamphlet form this ____ day
of _____, 2005