

BILL NO. 22-017

ORDINANCE NO. 4902

FIRST READING 06-21-2022

SECOND READING 07-05-2022

AN ORDINANCE REVISING CHAPTER 9, ARTICLE IV, STORM WATER RUNOFF MANAGEMENT, SECTION 9-187 STORMWATER MANAGEMENT REQUIRED FOR ALL DEVELOPMENT, IN ORDER TO CLARIFY THAT THE POWER OF WAIVER IS VESTED SOLELY IN THE CITY ENGINEER

WHEREAS, the City Council has determined that section 9-187 sets our provisions for waiver of the requirement of a stormwater plan in certain circumstances and further places a requirement upon the City Engineer to examine such requests and to determine whether a waiver is appropriate, and

WHEREAS, the ordinance however, includes a statement that all such waivers may only be granted by the Planning and Zoning Commission, and

WHEREAS, the Council has reviewed the matter and has determined that such additional review by the Planning and Zoning Commission is cumulative and unnecessary and places an undue burden upon the citizens of Hannibal.

NOW THEREFORE, BE IT ORDAINED the City Council hereby revises Chapter 9 as follows:

SECTION ONE: Section 9-187 is revoked and a new section 9-187 is hereby enacted as follows:

Sec. 9-187. - Stormwater management required for all development.

Every development or alteration of land for a subdivision, commercial or industrial development, shall provide on-site stormwater management unless the city engineer waives such requirement for the following reasons stated:

- (1) Off-site facility, two or more developments. If two or more developments, including that of the applicant, have provided for a common system.
- (2) Contribution or participation by applicant. If an off-site stormwater management system has been either constructed or identified for construction by the city, and the applicant has agreed to contribute to or participate in the construction thereof.
- (3) Other management techniques. Management techniques other than detention facilities may be utilized by the developer, provided that the techniques proposed meet the intent of this article and provide a benefit to the watershed that equals or exceeds the benefit that a detention facility would provide. These may include wetlands, rain gardens, bio-swales, and other environmentally friendly or natural means of stormwater management.

- (4) Drainage provisions for the project were previously approved and remain valid as a part of a final plat.
- (5) Isolated lots of record for single-family and two-family dwelling purposes unless the development involves changing in any way existing drainage facilities, degrades the quality of water, adversely affects any wetland or adversely affects any sinkhole, watercourse or water body.
- (6) Building construction which will not increase the amount of impervious area on the site and will not adversely impact an existing drainage area or drainage on adjoining properties.

Any request for waiver of the stormwater management requirements must be made in writing to the city engineer with justification of why the waiver is requested and how stormwater drainage will not be adversely affected.

SECTION TWO: All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

SECTION THREE: That this Ordinance shall be in full force and effect from and after its adoption and approval.

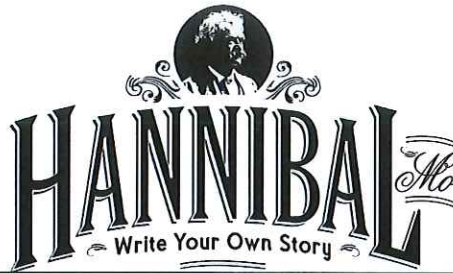
Adopted this 5th day of July, 2022

Approved this 5th day of July, 2022


James R. Hark, Mayor

ATTEST:


Angelica, N. Zerbonia, MRCC, CMO – City Clerk



To: City Council
From: Lisa Peck – City Manager
Re: Code Amendment
Date: June 14, 2022

Planning and Zoning Commission held their public hearing on Thursday, April 21, 2022, to amend Chapter 9, Article IV- Stormwater Runoff Management, Section 9-187, Stormwater Management Required for all Development. They are requesting to remove the following:

"Only the planning and zoning commission may waive the stormwater management requirement."

This would allow for the acting City Engineer to waive the requirement.

P&Z unanimously agreed upon removing this section and is now requesting Council's approval.

