

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinance – Erosion Control Amendment
DATE: November 14, 2018

Summary: Attached is a text amendment to Chapter 53.002 of the City Code that addresses the applicability of the Storm Water Runoff Control section. This would apply for two components: 1) All residential and non-residential subdivisions regardless of size; and 2) Any multi-family residential, commercial, institutional or industrial development regardless of size. Staff recommends approval of this amendment.

Background: An Ernest Street resident attended a recent Public Works Committee meeting concerned that a neighbor had filled in the ditch and caused water damage in his basement. Staff has reviewed the City Code to help determine if any amendments could be done to eliminate this possibility in the future or to establish an enforcement/permitting mechanism.

Per Chapter 53.002 of the City Code, the City's stormwater regulations are applicable for any subdivision involving one acre or larger and any multi-family residential, commercial, institutional, or industrial development where the total area of the lot or parcel of land on which the planned development is to occur is one acre or larger. Consideration could be given to waiving the one-acre subdivision minimum and including single-family and duplexes among those uses that would also fall under the stormwater runoff regulations. That would grant the City the ability to enforce violations where a resident has filled in a flood route indicated in Chapter 53.005. Chapter 53 is attached with this memo.

Additionally, consideration could be given to requiring the submittal and approval of drainage plans for all non-single-family and duplex residential developments regardless of size. East Peoria and Morton are two such municipalities that require this. Pekin has jurisdiction on any developments of over 2,500 square feet while Peoria reviews the plans for any developments if more than 5,000 square feet is to be disturbed.

The Public Works Committee discussed this at its meeting on November 5 and recommended that all single-family and duplex developments fall under the stormwater runoff regulations, waiving the one-acre subdivision minimum, as well as requiring review of the drainage plans for all non-single-family and duplex developments. A first reading ordinance is scheduled for the November 19 City Council meeting followed by a second reading at the December 3 meeting.

Attachment

ORDINANCE NO. _____

(Synopsis: Approval of this ordinance would make the City of Washington's Storm Water Runoff Control regulations applicable to any subdivision regardless of size and for any multi-family residential, commercial, institutional or industrial development regardless of size.)

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF WASHINGTON, ILLINOIS BY AMENDING CHAPTER 53.002
ENTITLED "APPLICABILITY"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
WASHINGTON, TAZEWELL COUNTY, ILLINOIS, as follows:**

Section 1. That § 53.002 of Chapter 53 of the Washington Municipal Code of Ordinances entitled "Applicability" is hereby amended by deleting § 53.002 in its entirety and substituting the following hereafter:

"§ 53.002 APPLICABILITY

The provisions of this chapter shall apply to:

- (A) Any subdivision within the Washington city limits ~~involving one (1) acre or more of property.~~
- (B) Any multi-family residential, commercial, institutional or industrial development ~~where the total area of the lot or parcel of land on which the planned development is to occur, is one (1) acre or more.~~

Section 2. That this ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Section 3. That all ordinances or parts thereof in conflict herewith are hereby expressly repealed.

PASSED AND APPROVED this _____ day of _____, 2018.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk