

ORDINANCE NO. 2040

AN ORDINANCE OF THE CITY OF GERING TO RECLASSIFY AND AMEND THE ZONING AND SUBDIVISION REGULATIONS ESTABLISHING STORMWATER MITIGATION REGULATIONS, POLICY, AND PROCEDURES AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

Purpose/Intent

The purpose of the proposed ordinance would address flood control, regulate and reduce the contribution of pollutants to the City sewer system, establish requirements for sizing storm piping systems and storm drains, protect water quality and maintain non-erosive hydrologic conditions downstream of construction activity and development, and to enable legal authority to carry out inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with the Ordinance.

Applicability

This ordinance shall be applicable to all site plans involving construction of new structures or renovation of existing structures within an existing approved subdivision including paving of parking lots, excepting single residential lots. Any construction taking place in all zoning districts including but not limited to; industrial, manufacturing, business, commercial, and new residential subdivisions shall be subject to these rules and regulations regarding stormwater mitigation.

Design and Performance Standards for Stormwater Management Measures

Design and Performance Standards for Stormwater Management Measures:

1. Stormwater management measures for major development shall be designed and developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards as set forth by the City Engineer. To the maximum extent practicable, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
2. The standards in this ordinance apply to new development and renovations to property and structures in order to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge, and to assure that existing City sewers shall not be burdened by additional or enhanced stormwater created by newly-created buildings, developments, structures, and/or construction.

Amend the City Zoning and Subdivision Regulations, Section 21.203, Subsection 10(D) Methodology of Handling Storm Water Run Off, Section 23.6 Utility and Drainage Facilities specifically Sections 23.604 DRAINAGE IMPROVEMENTS with the addition of Section 23.604(A) STORM DRAINAGE REGULATIONS as follows:

- **Section 21.203 Preliminary Plat Contents: Subsection (10) (D) Methodology of Handling Storm Water Run-Off – add a sentence to the end of the paragraph as follows: Refer to Section 23.6 Utility and Drainage Facilities specifically Section 23.604(A) Storm Drainage Requirements.**
- **Section 23.604(A) Storm Drainage Requirements**
Storm drainage design and construction shall include a storm drainage pond, storm infiltration system, or other system approved by the City Engineer. A storm drainage pond would require design and construction in accordance with the following criteria:
 1. **When required, storm water piping systems including pipe, manholes, and storm drains shall be calculated by the Developers Engineer using the Rational Method and shall require approval of the City Engineer.**
 2. **The volume of pond shall equal one (1.0) inches of water multiplied by the entire contributing area that flows to the pond.**
 3. **The pond outlet shall be designed to drain the entire pond in not more than seventy-two (72) hours.**
 4. **The sides of the pond shall have a maximum slope of three (3) feet horizontal to one (1) foot vertical (3:1), although a 4:1 slope is preferred.**
 5. **Owner shall be responsible for regular maintenance of the storm pond including but not limited to; removing unsightly debris and soil build up to ensure volume capacity remains as designed, weeds, mowing of grass, etc... meeting City Ordinances.**
 6. **Pond inlets shall have a properly designed energy dissipater that eliminates erosion. If riprap is utilized as the energy dissipater a concrete alley curb shall be poured around the riprap to facilitate a mowing edge. Pond inlets shall be constructed so that they are accessible for maintenance purposes.**
 7. **Pond outlets shall be located the greatest distance possible from the inlet.**
 8. **Topsoil shall be minimally compacted over the top surface area, to a minimum depth of six (6) inches.**
 9. **The bottom of the pond shall be sloped to a City Standard French Drain Manhole(s) (if required). The French Drain Manhole shall be located adjacent to the outlet of the pond or if there is no outlet the French Drain Manhole shall be the greatest distance from the inlet to the pond that is possible.**
 10. **In the event a lift station is required, ponds shall have a minimum fifteen (15) foot wide asphalt access road and a minimum asphalt/concrete area of twenty (20) feet by twenty (20) feet at any lift station for maintenance and ability to pull pumps. The lift station and appurtenances shall be placed to allow clear access to the pond with trucks, mowers, etc.**

11. **As-Built drawings shall be required by the owners Contractor or Engineer prior to final inspection and acceptance.**

Compatibility with Other Permit and Ordinance Requirements

Development approvals issued for construction projects pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

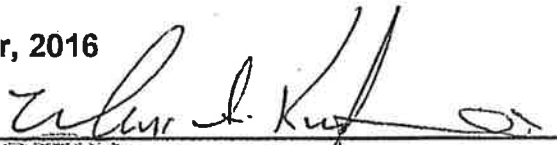
Be it ordained by the Mayor and Council of the City of Gering, Nebraska that:

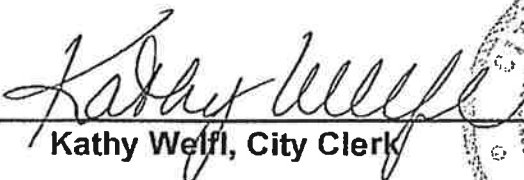
Section 1. The reclassification to amend the Zoning and Subdivision Regulations for establishing stormwater mitigation regulations, policy, and procedures as referenced above is reclassified and changed as described herein.

Section 2. The Mayor and Council of the City of Gering, Nebraska, find and determine that the notice of the time and place of the hearing on said reclassification and rezoning, as set forth above, has been accomplished according to the provisions of the Ordinances of the City of Gering and the Statutes of the State of Nebraska, and that the zoning classification and the reclassification as set forth is a reasonable zoning of the area and, therefore, has been ordered by this Ordinance.

Section 3. Any ordinance or part of any ordinance in conflict with this ordinance is hereby repealed to the extent of such conflict and should any part or section of this ordinance be declared void and unenforceable, such declaration shall not render any other part void and unenforceable. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed and approved this 24th day of October, 2016


Mark A. Kaufman, Mayor

ATTEST: 
Kathy Welfl, City Clerk



