

M E M O R A N D U M

DATE: April 13, 1993

TO: Jonesboro City Council

FROM: Metropolitan Area Planning Commission

RE: Storm water management regulations

As requested, the Metropolitan Area Planning Commission has reviewed the above referenced ordinance and wishes to make the following report.

This ordinance was placed on the regular meeting agenda on February 9, 1993 and April 13, 1993 for discussion. Additionally, Guy Lowes, Public Works Director and City Engineer, held a public meeting specifically to discuss the proposed ordinance on January 28, 1993 which a number of local engineers, surveyors, architects, and developers attended. Portions of the ordinance were explained and various questions were answered. The MAPC held another public meeting devoted only to discussion of the ordinance on March 23, 1993 at the request of some who felt they were left out of the first meeting.

Through the various meetings, there were two specific questions that the MAPC evaluated. The first was, "Does a drainage problem exist?". There is a consensus among MAPC members that there is a problem. The second question was "Does this ordinance address the drainage problem?". The answer again is yes, although there may be other, and possibly better, ordinances that address the problem. The MAPC has not been asked to evaluate alternative ordinances; only this one. It is beyond this body's responsibility and expertise to completely examine the drainage problems that exist in the entire City.

Listed below are what seem to have been the principal comments made at the public meetings:

1. The ordinance "over-regulates" development. The requirements are well in excess of the problem and the costs of complying with the ordinance will exceed its benefits.

2. Alternatives should be considered before this ordinance is adopted. (No specific alternatives have been offered at this time.)

3. The detention and/or retention basins which may be built could pose problems with regard to safety, appearance, and on-going maintenance.

4. There is a need for a master drainage plan for the entire City.

5. This ordinance only attempts to avoid the creation of new problems or the aggravation of existing problems. It does not address the problems that currently exist.

6. The burden of the ordinance is on new development. No costs are being borne by the existing developments that caused the current problems.

7. There should be some exemption for small commercial developments.

The costs associated with this proposed ordinance have been a recurring concern. All commercial and industrial projects as well as some residential subdivisions will require, at a minimum, additional money to be spent on engineering. For projects with little or no impact on the existing drainage conditions there may be no other additional costs. However, other projects would have additional costs for drainage structures and the possible loss of use of some of the land for those structures. The costs could vary greatly depending on the existing use of the land, the proposed use, and the physical conditions and location of the property. There also is the issue of the cost of on-going maintenance for drainage structures in residential subdivisions.

The MAPC sees three main benefits of the proposed ordinance:

1. Each project will be evaluated on its own merits. As a part of the preliminary project planning, each must have a drainage plan prepared which evaluates water flow and provides the means to control it and minimize possible off-site drainage problems.

2. In theory, the ordinance will reduce the number of new drainage problems and should keep current problems from becoming worse.

3. Each property owner or developer is responsible for evaluation of his own site. The cost of the ordinance is paid by all future development projects and there are a variety of means to address the ordinance requirements.

It is the consensus of the MAPC that this report be forwarded to the City Council without a specific recommendation. There are many issues in regard to drainage that are outside the area of responsibility and expertise of this Commission. As stated previously, the MAPC feels that the proposed ordinance does address the current drainage issues which are seen by the Commission; however, there may be many alternatives which this group does not have the means to address.

It is noted that the MAPC members have received copies of a petition signed by approximately 55 individuals who oppose the ordinance.