



Legislation Details (With Text)

**File #:** ORD-11:064    **Version:** 1    **Name:** Amend Stormwater Regulations to add definitions and for other purposes

**Type:** Ordinance    **Status:** Passed

**File created:** 8/19/2011    **In control:** Public Works Council Committee

**On agenda:**    **Final action:** 10/4/2011

**Title:** AN ORDINANCE AMENDING THE STORMWATER MANANGEMENT REGULATIONS TO INCLUDE ADDITIONAL DEFINITIONS AND FOR CLARITY PURPOSES

**Sponsors:** Engineering

**Indexes:** Code of Ordinances amendment

**Code sections:** Chapter 112 - Stormwater Management

**Attachments:**

Date	Ver.	Action By	Action	Result
10/4/2011	1	City Council	Passed	Pass
9/20/2011	1	City Council	Amended	
9/6/2011	1	Public Works Council Committee	Recommended to Council	Pass

AN ORDINANCE AMENDING THE STORMWATER MANANGEMENT REGULATIONS TO INCLUDE ADDITIONAL DEFINITIONS AND FOR CLARITY PURPOSES

WHEREAS, the City Council for the City of Jonesboro, Arkansas adopted specific Stormwater Regulations on December 18, 2008 (ORD-08:099) which are now codified in Chapter 112 of the Jonesboro Municipal Code;

WHEREAS, specific Code Amendments and Definitions are needed to clarify the Stormwater Code requirements for properties being redeveloped.

WHEREAS, the Stormwater Management Board recommends the amendment to the Jonesboro Municipal Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1: That the following definitions be added to Section 112-1 of the Jonesboro Municipal Code.

*Redevelopment* - the demolition or removal of old buildings, structures, or other improvements to a developed site, and replacement or construction of new buildings, structures, or improvements on the same site.

*Undeveloped Property* - real property which has not been altered from its natural state by the addition of any improvements such as buildings, structures, or other impervious area.

*Subdivision* - a division of land into two (2) or more lots or parcels, including the combination or recombination of two (2) or more previously plotted lots. The term subdivision shall apply also to any division of land involving the dedication of a street to the public, provided, however, that any division of land for agricultural purposes into lots or parcels of five (5) acres or more shall not be deemed a subdivision unless street dedication or the installation of utilities are involved.

SECTION 2. That Section 112-7 of the Jonesboro Municipal Code shall be amended to read as follows:

Any person, firm, corporation, business, or legal entity proposing to develop, redevelop, or subdivide land within the city planning jurisdiction shall prepare and submit a SWMP to the City Engineer for review and be issued a Compliance Letter prior to commencement of construction of the improvements, except for the following:

- (1) One new or existing single-family structure;
- (2) One new or existing duplex family structure;
- (3) One existing commercial or industrial structure where proposed structural or site improvements are less than 2,000 square feet cumulatively and no other structural or site improvements have been made in the preceding three (3) years that when combined with the current improvements would exceed 2,000 square feet in aggregate.

SECTION 3. That Section 112-103 of the Jonesboro Municipal Code shall be amended to read as follows:

This article establishes plan preparation and submittal requirements for development and redevelopment projects within the Jonesboro Planning jurisdiction.

SECTION 4. That Section 112-103 (2) of the Jonesboro Municipal Code shall be amended to read as follows:

(2) Differential Runoff

- a. For undeveloped property, peak flow rate, and velocity of stormwater runoff from the site, post-development, should to the extent practicable approximate that of the site prior to the development.
- b. For redeveloped property, peak flow rates, and velocity of Stormwater runoff from this site, post-development, should be reduced by an amount equivalent to a twenty percent (20%) reduction in impervious area from the previously developed site.

SECTION 5. That the provisions of this Ordinance are declared to be severable. In the event any portion or portions may be declared unconstitutional does not render the remaining provisions invalid. Further, all Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 6. That the Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to adopt the above referenced addition to the Jonesboro Municipal Code.

PASSED AND APPROVED this 4<sup>th</sup> day of October, 2011.