

ORDINANCE NO. 17-477

AN ORDINANCE AMENDING SECTION 4-82, STORMWATER DRAINAGE MANAGEMENT PROGRAM AND THE LANDS TO WHICH ORDINANCE APPLIES, OF DIVISION 1, IN GENERAL, OF ARTICLE V. DRAINAGE AND FLOOD DAMAGE PREVENTION, OF CHAPTER 4, DEVELOPMENT, BUILDING, AND CONSTRUCTION, OF THE CODE OF ORDINANCES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS TO CHANGE REQUIRED STORMWATER RUNOFF DETAINING REQUIREMENTS FOR LOTS 25,000 SQUARE FEET AND LESS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF THIS ORDINANCE, WITH EACH DAY CONSTITUTING A SEPARATE VIOLATION; AND PROVIDING FOR SEVERABILITY.

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WHEREAS, the Chapter 4 of the City of Bunker Hill Village Code of Ordinances contains certain requirements for the mandatory stormwater runoff detaining requirements applicable to all construction; and

WHEREAS, The City's Drainage Committee has evaluated concerns regarding the current stormwater runoff detaining requirements for lots 25,000 square feet and less; and

WHEREAS, the City Council of the City of Bunker Hill Village finds it to be in the best interest of the health, safety and welfare of the citizens to amend these requirements based on recent drainage studies for the area as provided for herein; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS:

Section 1. The facts and matters contained in the preamble are hereby found to be true and correct.

Section 2. Section 4-82, Stormwater Drainage Management Program and the Lands to Which Ordinance Applies, of Division 1, In General, of Article V, Drainage and Flood

Damage Prevention, of Chapter 4, Development, Building, and Construction, is hereby amended to add the language underscored below:

“Section 4-82. - Stormwater drainage management program and the lands to which ordinance applies.

This chapter shall apply to all areas within the jurisdiction of Bunker Hill Village, Texas.

- (1) *Purpose and applicability.* It is the purpose of this article to preserve and enhance the desirability of our city by requiring careful planning of our city's redevelopment. This includes the management of our drainage facilities and stormwater while ensuring the owners' rights to utilize and develop their property.

The city currently consists of two (2) residential zoning districts: District A and District B. In addition, the city includes two (2) elementary schools, several churches, and a private recreation center all of which are permitted within the residential districts by way of a specific use permit. This chapter will apply to all development both residential and non-residential as defined below.

The city's stormwater drainage system consists of enclosed storm sewers, roadside ditches, swales, inlets, detention facilities, open channels and management of overland (sheet) flow as singular components and/or as part of a combined system. During extreme rainfall events, individual lots/yards provide for overflow and ponding. This chapter, the city's drainage criteria manual and the city's development code strives to take a pro-active approach to prevent structural flooding as a result of rainfall events.

- (2) *Drainage requirements.* All stormwater drainage calculations shall be in accordance with the city's drainage criteria manual [below].

Residential—Individual Lot

Stormwater runoff conveyed to the City's drainage system shall be restricted to existing conditions; For new construction, reconstruction and expansion for lots greater than 25,000 square feet, Property Owner(s) is responsible for detaining the difference of stormwater runoff calculated between the existing and proposed improvements. For new construction, reconstruction and expansion for lots 25,000 square feet or less, stormwater runoff to be detained by Property Owner(s) will be calculated as the difference between the runoff with the existing improvements and 45% of the total lot area as impervious coverage. The City will designate the receiving point for the development.

Lots fronting a Private Street

Stormwater runoff conveyed from individual lots on private streets shall be restricted to existing conditions for the existing stormwater conveyed to the City's drainage system at the receiving point in addition to the stormwater draining from the lot. Property owners along the private street may work together to develop a coordinated/collective drainage system maintaining the existing conditions at the City's designated receiving point.

Non-Residential

Property Owner(s) is responsible for detaining 100% of stormwater runoff calculated from the proposed reconstruction and/or new development:

- (1) If the proposed improvements are less than 50% of the value or area of the entire property/site, the stormwater calculated shall be based on the impacted area only.
- (2) If the proposed improvements are greater than 50% of the value or area of the entire site the stormwater calculated shall be based on the entire site including associated ancillary facilities such as parking.

The impact, as a result of redevelopment, shall be evaluated and required as part of the Specific Use Permit Process. Although, 100% of detention will be required, the onsite/private system will continue to be tied to the City's system at existing or designated connect points.

Residential and Non-Residential Maintenance Improvements

Maintenance Improvements do not trigger the need for drainage requirements if there is no change in the surface footprint of the site/lot and therefore, no negative impact to the City's drainage system.

Replat or New Subdivision—Residential and Non-Residential

The Property Owner(s) is responsible for detaining one hundred (100) percent of stormwater runoff from existing and new development including any proposed public streets.

Although, one hundred (100) percent of detention will be required, the onsite/private system will continue to be tied to the City's system at existing or designated connect points.

When feasible, a Regional Detention System should be developed to accommodate the new development. With approval, through the City's subdivision process, detention may be included in the public right-of-way.

Lots that are created as a part of a Regional Detention System and meet the drainage calculations and assumptions for the System are exempt from individual lot requirements.

- (3) *Pre-development meeting.* A pre-development meeting is required for all new construction, reconstruction, expansion/additions. New construction, reconstruction, expansion/additions add to the building footprint of the site and will be required to meet this stormwater drainage ordinance. The pre-development meeting provides an opportunity to understand the ordinance prior to submittal of any plans for review and permitting. See section 4-4.
- (4) *Requirements for submittal of information for proposed improvements and calculation of stormwater runoff.* Submittal information will be in conformance with the city's drainage criteria manual and include but not be limited to the following:
 - a. A site plan identifying existing conditions: the building footprint and other footprints for all impervious and pervious cover; trees identified by location and size; and drainage systems and conditions including existing contours;
 - b. A site plan identifying structures and site conditions to be removed (depending on magnitude of project, this may be shown on the site plan for existing conditions or proposed conditions);
 - c. A site plan identifying all impervious and pervious improvements proposed;
 - d. A proposed tree plan (can be an overlay) showing the number, size and location of trees with the proposed improvements; and
 - e. A drainage plan which includes the city's drainage calculation sheet and site plan showing the proposed drainage system by size and slab elevation to accommodate the drainage calculated in accordance with this ordinance and the criteria manual. The slab elevation of all habitable structures shall be established by the property owner's engineer or architect. The elevation shall be based on the latest FEMA datum and datum adjustments.”

Section 3. **Penalty.** Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed

\$2000. Each day of violation shall constitute a separate offense.

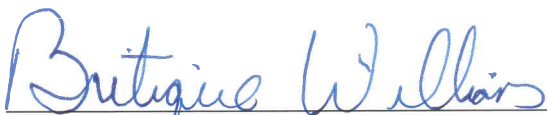
Section 4. **Severability.** In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bunker Hill Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED this the 15th day of August, 2017.



Jay Williams
Mayor

ATTEST:



Britique Williams
City Secretary