

CITY OF FORT CALHOUN
WASHINGTON COUNTY, NEBRASKA

STORMWATER MANAGEMENT REGULATIONS
ORDINANCE 2018.737

ARTICLE 1: TITLE, PURPOSE, AND DEFINITIONS

Section 1.01 Name and Citation of Titles

These regulations shall be known, referred to and cited as "The Stormwater Management Regulations of Fort Calhoun, Nebraska."

Section 1.02 Purpose

The purpose of these regulations is to provide requirements for new development and redevelopment for the purposes of reducing impacts to lives and property due to stormwater runoff quantity. This purpose is further explained in the Omaha Regional Stormwater Design Manual Chapter 1 adopted by reference in Section 2.01. These Stormwater Management Regulations will coordinate new development and redevelopment with the City's transportation, land use and capital facilities plans, and will provide conditions favorable for the health, safety and convenience of the community, in accordance with applicable local ordinances and State Statutes.

Section 1.03 Applicability

This ordinance shall apply to authority given under State statute to the City of Fort Calhoun within their corporate limits and extra territorial jurisdiction including zoning permitting, building permits, and subdivision regulations.

Section 1.04 Rules

For the purpose of this ordinance the following rules shall apply:

Words and numbers used singularly shall include the plural. Words and numbers used in the plural shall include the singular. Words used in the present tense shall include the future.

The word "persons" includes a corporation, members of a partnership or other business organization, a committee, Board, commission, trustee, receiver, agent or other representative.

The word "shall" is mandatory, the word "may" is permissive.

The words "use," "used," "occupy," or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed" to be used or occupied.

The word "Commission" shall refer to the Planning Commission of the City of Fort Calhoun, Nebraska.

Undefined words or terms not herein defined shall have their ordinary meaning in relation to the context.

Each gender shall include the other.

Section 1.05 Definitions

For the purposes of these regulations, in addition to definitions provided below, definitions contained in the Omaha Regional Stormwater Design Manual Appendix 1-B shall apply. In the event of an inconsistency between the definitions within Appendix 1-B and applicable provisions of Fort Calhoun's ordinances, Fort Calhoun's ordinances shall govern.

APPLICANT shall mean any person, corporation, partnership or entity that is responsible for any undertaking that requires a building or zoning permit, conditional use permit or sign permit.

DEVELOPMENT AREA shall mean the land area subject to new development or redevelopment. For new development, the development area shall be defined as the entire parcel(s), lot(s), or land being developed. For redevelopment, the development area shall include the area containing any new buildings, paving, site features, and all anticipated disturbed area.

EXISTING CONDITIONS shall mean the drainage and runoff conditions of a given site, property, or combination of properties encompassing the development area prior to new development or redevelopment as defined in this ordinance.

IMPERVIOUS shall mean land uses or surfaces that have low infiltration of water into the soil and high runoff such as roofs, walkways, patios, driveways, parking lots, and materials such as concrete, asphalt, gravel, or other materials with a Rational Method runoff coefficient of 0.80 or larger.

NEW DEVELOPMENT shall mean the development of land through a platting or re-platting process that results in a change of the storm drainage or runoff characteristics of the previously undeveloped land.

PROPOSED CONDITIONS shall mean the drainage and runoff conditions of a given site, property, or combination of properties encompassing the development area after new development or redevelopment as defined in this ordinance.

REDEVELOPMENT shall mean the development of previously developed land (platted or parceled) that results in a change of the storm drainage or runoff characteristics of the previously developed land and applies to all building permit applicants, except as provided for in section 2.01 part 5 – Exceptions for Redevelopment.

ARTICLE 2: DESIGN STANDARDS

Section 2.01 General Stormwater Management Standards

1. **Drainage Standards.** A drainage management system shall be designed and constructed for any new development or redevelopment to provide for the proper drainage of surface water within the new development or redevelopment. The proposed drainage management system and associated supporting documentation shall be in general conformance with the stormwater quantity provisions and design standards of the Omaha Regional Stormwater Design Manual Chapters 1 – 7, as amended. Stormwater quality provisions of these chapters are excluded from these requirements except for sediment and erosion control standards as provided for in Section 2.01 part 7 of this ordinance. Provisions geographically specific to the City of Omaha's infrastructure as well as references to the Papillion Creek Watershed Partnership Watershed Master Plan are also considered not applicable. In the event of an inconsistency between the provisions of the Omaha Regional Stormwater Design manual and applicable provisions of Fort Calhoun's ordinances, Fort Calhoun's ordinances shall govern.
2. **Minimum Drainage System Requirements.** The drainage management system designed for the new development or redevelopment shall include culverts and storm drains whenever necessary according to the adopted design standards or required by the City Engineer. New development or redevelopment proposed conditions runoff shall not exceed existing conditions runoff for the 2-, 10-, and 100-year design storms.
3. **Drainage Report.** A drainage report shall be provided in association with any new development or redevelopment proposal. Minimum requirements of the drainage report include:
 - a. A topographic map showing the drainage area and resulting runoff from all land lying outside the limits of the development area which discharges storm water runoff into or through the development area.
 - b. A topographic map showing proposed contour lines and all sub-drainage areas and resulting runoff within the limits of the development area.
 - c. The size and location of the pipes, ditch liners, and other drainage facilities required to adequately drain the development area.
 - d. A copy of the drainage computations.
 - e. The elevation and limits of a flood from a 100-year storm along and adjacent to all open drainage channels.
 - f. The elevation and limits of flow routes necessary to provide overland runoff capacity through and along the storm drain system for the 100-year storm without flooding building areas.
 - g. The elevations of any building or structure along flow routes indicating that no opening in the building or structure is subject to flooding at the post development flow route elevations.
 - h. The location of proposed stormwater detention/retention facilities.

- i. A copy of the supporting calculations for the provision to limit the peak rate of storm water discharged.
- 4. **Storm Drain Responsibility.** The City of Fort Calhoun will review all storm drain design criteria. In addition, the City of Fort Calhoun may participate in the costs associated with providing adequate storm drainage.
- 5. **Exceptions for Redevelopment.** Development activities shall be exempt from the standards of this ordinance under the following circumstances:
 - a. Public works projects conducted by the City of Fort Calhoun. The City is encouraged to incorporate best management practices where feasible.
 - b. The proposed activities result in a development area of less than two acres of land or do not result in more than 10% increase in impervious area for proposed conditions compared to existing conditions.
 - i. For non-residential developments meeting this criterion, an evaluation of existing conditions drainage patterns and proposed conditions drainage patterns shall be illustrated on a map. The City Engineer may require information necessary to assure storm drainage systems for the development are adequate to convey the 10-year storm and adjacent property impacts are avoided by any proposal submitted under this exception.
 - ii. For non-residential developments meeting this criterion with a development area greater than or equal to 0.5 acres of land, in addition to the evaluation above, the applicant shall provide a general assessment of potential impacts to adjacent properties for the 2-, 10, and 100-year design storms.
 - c. Proposed development of individual lots with an approved preliminary plat effective after the effective date of this ordinance.
 - d. Proposed development of residential building lots greater than one acre where the proposed conditions impervious surface area does not exceed 15% of the total lot size.
- 6. **Sediment and Erosion Control.** Sediment and erosion control shall be completed in accordance with the interlocal agreement between the City of Fort Calhoun and Washington County dated August 18th, 2015 as amended and any applicable provisions in State law as administered by the Nebraska Department of Environmental Quality. The interlocal agreement implements requirements for erosion control in accordance with Washington County Resolution No. 2008-25.
- 7. **Optional Alternative Approaches.** The proposed development may utilize Low Impact Development or Green Infrastructure approaches to meeting the standards of this ordinance. Some options of this type are provided in the Omaha Stormwater Design Manual Chapter 8. Any optional approach selected under this provision is subject to review and approval by the City Engineer.

ARTICLE 3: WAIVERS

Section 3.01 Granting of Waivers (Exceptions) and Conditions

In addition to the exceptions contained in this Ordinance, the City Engineer may recommend and the City Council may grant waivers from the provisions of these regulations, but only after determining that:

1. There are unique circumstances or conditions affecting the property that are not the result of actions by the applicant.
2. The waivers are necessary for the reasonable and acceptable development of the property in question.
3. The granting of the waivers will not be detrimental to the public or injurious to adjacent and nearby properties.