

Worksession

Agenda Item #	8
Meeting Date	March 3, 2008
Prepared By	Daryl Braithwaite Public Works Director
Approved By	Barbara B. Matthews City Manager

Discussion Item	Discussion of Proposed Amendments to Takoma Park Code Chapter 16. Stormwater Management
Background	<p>The current Stormwater Code allows commercial, industrial, and institutional development activities to be exempt from the requirements of the Code if the development activity disturbs less than 5,000 square feet of land area. These types of developments have the potential to significantly impact stormwater generation and create adverse effects to neighboring property. The proposed ordinance would require that commercial, industrial and institutional development activity, regardless of size of disturbance, be required to comply with the provisions of the Stormwater Code.</p> <p>Additionally, the existing Code language omits a fee amount for multi-family, commercial, industrial, and institutional stormwater permits. The proposed ordinance corrects that error.</p>
Policy	The Council amends the City Code by adoption of a Two-Reading Ordinance.
Fiscal Impact	This proposed amendment has the potential to increase the number of required stormwater permits and associated fees by a modest amount. Expenditures are not anticipated to be affected.
Attachments	Draft Two-Reading Ordinance
Recommendation	Discuss the proposed revision and correction to the Stormwater Code.
Special Consideration	

Introduced by:

First Reading:
Second Reading:
Effective Date

CITY OF TAKOMA PARK, MARYLAND

**ORDINANCE 2008-
AMENDING CHAPTER 16.04 OF THE *TAKOMA PARK CODE*
TO REQUIRE ALL COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL
DEVELOPMENT ACTIVITY TO COMPLY WITH THE CODE AND
CORRECT THE OMISSION OF PERMIT FEES FOR MULTI-FAMILY,
COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL DEVELOPMENT**

WHEREAS, the purpose of the Stormwater Code is to protect, maintain and enhance the public health, safety, and general welfare by establishing minimum requirements and procedures to control the adverse impacts associated with increased stormwater runoff within the City; AND

WHEREAS, proper management of stormwater runoff will minimize damage to public and private property, reduce the effects of development on land, control stream channel erosion, reduce local flooding, and maintain after development, as nearly as possible, the pre-development runoff characteristics of the area; AND

WHEREAS, currently all development activities that disturb less than 5,000 square feet of land area are exempt from stormwater management requirements; AND

WHEREAS, the exemption of commercial, industrial and institutional development activities of less than 5,000 square feet of disturbed area does not provide adequate control to prevent the adverse impacts of stormwater run-off; AND

WHEREAS, the existing Stormwater Code does not include a permit fee amount for multi-family, commercial, industrial and institutional developments.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT:

Title 16, Chapter 16.04 of the Takoma Park Code be amended as follows:

Section 16.04.060 Exemptions from requirements.

~~The following d~~ Development activities *that meet the following criteria may be* ~~are~~ exempt from the provisions of this chapter and the requirements of providing stormwater management:

- A. Agricultural land management activities;
- B. Additions or modifications to existing detached ~~one~~ *single*-family dwellings ~~if they comply with subsection (C) of this section~~ that do not disturb more than 5,000 square feet of land area.
- ~~C. Developments that do not disturb more than 5,000 square feet of land area; and~~
- D. C. Land development activities which the Administration determines will be regulated under

specific State and/or County laws, which provide for managing stormwater runoff and this determination is approved by the City Public Works Manager.

Section 16.04.170 Fees.

* * *

E. Permit Fee.

1. Single-family dwelling: \$500.00.
2. Multifamily dwellings: 2 to 6 units *\$150 per unit, with a minimum fee of \$500; 7 to 20 units, \$100 per unit; and 21 units or more \$75 per unit.*
3. *Commercial, industrial and institutional development: \$0.25 per square foot of impervious area.*

Adopted this ____ day of _____, 2008 by roll-call vote as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

EXPLANATORY NOTE

Additions to the existing language of the Takoma Park Code are indicated by *italics and underlining.*

Deletions to the existing language of the Takoma Park Code are indicated by ~~strikeout.~~