

**AN ORDINANCE AMENDING CHAPTER 9.5 OF THE CODE OF THE CITY OF PEORIA REGARDING STORM
WATER VOLUME CONTROL**

WHEREAS, the City of Peoria is a home rule unit of government pursuant to Article VII, Section 6 of the Constituion of the State of Illinois 1970; and

WHEREAS, the City Council of the City of Peoria finds that the editor's note did not represent the intent of the City to require volume control for projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS, as follows:

Section 1: Chapter 9.5 of the Code of the City of Peoria is hereby amended by deleting the following stricken words:

. Sec. 9.5-29 - Standards for design and maintenance of control measures for soil erosion, sediment and stormwater.

- (a) *Erosion and sediment control measures.* All control measures required under this chapter shall conform to the design criteria, standards, and specifications provided in the applicable standards referenced in Attachment "B," now in effect or as hereafter amended or measures deemed acceptable by the erosion control administrator or designee. All control measures installed shall be sufficient to prevent sediment from leaving the permit site during a five-year frequency storm event. Measures shall be taken to prevent sediment from leaving the site. When sediment does leave the site, the owner, developer or contractor shall remove the sediment within four hours, or by no later than the end of the work day. For example, installing a rock construction drive, or cleaning tires could be used to minimize tracking of sediment onto public roads.
- (b) *Permanent stormwater control measures.*
- (1) *Volume control.* Volume control practices shall be designed to control the first inch of runoff from the impervious area of development on the site. Retention-based practices with quantifiable storage capacity shall be sized to retain and infiltrate the required volume. Practices include, but are not limited to: infiltration trenches, infiltration basins, porous pavement, bio retention systems, dry wells, open channel practices fitted with check dams, retention storage below the outlet of a detention facility and constructed wetlands that have quantifiable storage. When site limitations prohibit use of retention-based practices, flow-through practices may be considered. See Attachment "C" Technical Guidance for Volume Control found in Division 8, Attachments, Section 9.5-301 of this Chapter.
- (2) *Detention.* All stormwater controls shall be designed so that the peak discharge rate from the permitted area resulting from the two-year and 25-year frequency storm events for the post-project condition do not exceed the corresponding storm event peak discharges for the pre-project condition or a cropland equivalent, for straight row crops with crop residue greater than 20 percent and good hydrologic condition, whichever is less. Evaluation of submitted plans shall be based on the stormwater design analyses standards in Attachment "A."
- (c) *Regional stormwater control systems.* To allow for the beneficial development and maintenance of regional stormwater management systems, where they are available and they are appropriate, an applicant may submit a design dependent on such a system. The applicant shall submit documentation of the approval for the use of the regional storm water management facility from the governmental

agency having jurisdiction over it. The applicant shall submit evidence showing that there will be no adverse flooding impact to any receiving stream between the point of discharge and the regional stormwater facility. If the applicant is approved to use the regional stormwater management system, the applicant may request exemption from the requirements in this section for permanent on site stormwater controls from the erosion control administrator. Such exemption shall not apply to any temporary stormwater control measures required by this chapter.

- (d) *Runoff control measures.* All development shall safely convey the 100-year storm event through the site without increasing flood elevations or decreasing flood conveyance capacity upstream or downstream of the area under the ownership or control of the applicant, and causing localized flooding to existing or future buildings within the area under the applicant's control.
- (1) Design runoff rates for major stormwater systems shall be calculated by using event hydrograph methods. Event hydrograph methods must be HEC-1 (SCS runoff method), HEC-HMS, or TR-20. Event hydrograph methods shall incorporate the assumptions presented in Attachment "A" Standards for Stormwater Design Analyses.
 - (2) Minor stormwater systems shall be sized to convey runoff from the tributary area under fully developed conditions consistent with a ten-year storm event or the existing storm sewer system.
 - (3) Major stormwater systems and minor stormwater systems shall be located within easements or public right-of-way.
 - (4) Upstream tributary flows must be considered for all developments and safely routed through or around the site.
 - (5) Maximum flow depths on roads for all development shall not exceed 12 inches during the 100-year storm event.
 - (6) Maximum ponding depths on new parking lots shall not exceed 12 inches during the 100-year storm event.

~~**Editor's note** — Section 2 of Ord. No. 15962 adopted June 20, 2006, states that subsections (a), (b) of section 9.5-29 shall be in full force and effect Sept. 1, 2006 and apply to any project that does not have an approved site plan or approved preliminary or final plat on that date.~~

.Sec. 9.5-77. - Application.

The applicant shall file the application with the department on forms provided by the department. The applicant shall supply the number of copies of application documents as provided in the application. Each application shall be accompanied by the following information:

- (1) *Existing site conditions map.* A map of existing site conditions on a scale, of at least one inch equals 100 feet, showing the site and immediately adjacent areas and the locations of the following site information:
 - a. Site boundaries and adjacent lands which accurately identify site location; and
 - b. Lakes, streams, wetlands, channels, ditches, and other water courses on and immediately adjacent to the site; and
 - c. Floodways and/or Zone "A" of the floodplain as determined on the flood insurance rate map (FIRM), and indicating the map panel number; and
 - d. All off-site drainage onto or through the site; and
 - e. Location and dimensions of stormwater management systems on or adjacent to the site; and
 - f. Locations and dimensions of structures, roads, highways, easements and paved areas; and
 - g. Site topography: show contours at vertical intervals as follows:

1. Slope of six percent or less, two-foot intervals.
 2. Slope of over six percent but less than 15 percent, five-foot intervals.
 3. Slope of over 15 percent, ten- or 20-foot intervals.
- (2) *Plan of final site conditions.* A plan of final site conditions drawn to the same scale as the existing site map submitted pursuant to section 9.5-77(a), and which includes information to accurately depict post-construction appearance of the site, e.g., paved areas, buildings, landscaping, and other changes to the site, along with other predominate site features, e.g., open areas, bodies of water.
- (3) *Sediment and erosion control practices.* A site construction plan including:
- a. Locations and dimensions of all proposed land disturbing activities; and
 - b. Anti-erosion measures for all temporary soil and aggregate stockpiles; and
 - c. Location, dimension and construction details of all construction site management control measures necessary to meet the requirements of this article and including proposed revegetation of disturbed areas; and
 - d. Statement regarding provisions for maintenance and maintenance requirements of the construction site management control measures during construction.
- (4) *Stormwater management plans and controls.*
- a. *Volume control.* For volume control practices, the following information shall be provided by the applicant:
 1. A map delineating all proposed impervious areas and sizes for entire project area. Show drainage divides and subwatersheds, if applicable.
 2. Required storage calculations.
 3. Locations, dimensions and construction details for all proposed volume control practices.
 4. Proposed volume calculations.
 5. Volume control practice outlet or overflow calculations, if applicable.
 - b. *Detention.* Design calculations and information related to the permanent stormwater management system for any project with a net increase of impervious area greater than one-half of an acre. For the purposes of this section the net increase is the cumulative change since the implementation of this chapter, April 1, 1997. For example, in year one, a commercial site increases the parking lot by 20,000 square feet. In year two, the same commercial site adds a building with an area of 20,000 square feet. In year 1, no permanent stormwater control measures (or calculations) are required by this chapter. In year 2, stormwater calculations shall be submitted and shall be based on the total increase of 40,000 square feet of impervious area. The following information shall also be provided by the applicant:
 1. A map showing the drainage area divides, including off-site drainage areas that drain into the site; and
 2. Location and identification of soil types for entire watershed; and
 3. Location and identification of vegetative cover for entire watershed; and
 4. Run-off-curve number calculations for both pre- and post-project conditions for all subwatersheds; and
 5. Time of concentration calculations for both pre- and post-project conditions for all subwatersheds, and include a map showing hydraulic flow lengths used; and

6. Peak flow-rate calculations for two-year and 25-year storms for both pre- and post-project conditions; and
 7. Design calculations for detention basin outlets for both two-year and 25-year storms, include stage-storage table and discharge rating curve data or outflow calculations (refer to optional form in Attachment "A"); and
 8. Location, dimensions, and construction details of proposed detention basins and outlets; and
 9. Detention volume calculations; and
 10. Summary of peak flow-rates for pre-, post-, and proposed conditions with detention showing that the requirements of this chapter are met (refer to Attachment "A").
 11. If the disturbed area is two acres or more, provide a design certification by a registered Illinois professional engineer stating that federal, state and city requirements for stormwater and erosion control are met.
- c. *Runoff control.* Provide design calculations for the major conveyance system through the site, including all drainage ways and ditches, and each location of potential restriction or localized ponding, including, but not limited to the upstream end of culverts or storm sewers, area inlet drains, and roadway sags:
1. The 100-year peak rate of runoff for all sub-areas;
 2. The maximum depth of conveyance flow and/or ponding; and corresponding elevations for each sub-area.
 3. Locations, dimensions and construction details for all proposed storm water conveyance practices.
- (5) Schedule or sequence of development or installation of the elements of the site management control measures proposed above.
 - (6) A detailed estimate of quantities and estimated costs, prepared by a registered professional engineer, of all control measures required under this section.
 - (7) A plan of the continued management and maintenance of such permanent control measures.
 - (8) *Application fee.* An application fee shall be submitted at the time of application. The fee shall be in the amount of \$50.00 per acre with a minimum fee of \$250.00 and a maximum fee of \$2,000.00. However, no fee shall be required for any project the purpose of which is agricultural.

A fractional acre shall be rounded to the nearest whole acre. There shall be no refund of any fees paid and no application shall be accepted for filing unless the fee has been paid in full.

~~Editor's note — Section 2 of Ord. No. 15962 adopted June 20, 2006, states that sections 9.5-77(4)k. shall be in full force and effect Sept. 1, 2006 and apply to any project that does not have an approved site plan or approved preliminary or final plat on that date.~~

.Sec. 9.5-83. - Final inspection—Notice of permanent stormwater and erosion control measures.

- (a) *For projects with a disturbed area less than two acres.* Upon completion of the permanent stormwater and erosion control measures are ready for final inspection. If the inspection shows that the control measures and maintenance plan comply with the standard in Attachment "A" of this article, the erosion control administrator shall issue a notice of permanent stormwater and erosion control measures to the building official. Said certificate of occupancy shall not be issued until this notice is issued. In the case of subdivisions, said notice of permanent stormwater and erosion control measures shall be issued to the applicant.
- (b) *For projects with a disturbed area of two acres or more.* Upon completion of the permanent stormwater and erosion control measures, the applicant shall provide a certification letter from a registered Illinois

land surveyor or a registered Illinois professional engineer, attesting that the measures have been built substantially in accordance with the approved plan. This letter shall be accompanied by two stamped copies of the approved construction plans for the permanent stormwater and erosion control measures, with as-built information so noted. Upon receipt of said certification letter and stamped, as-built drawings, the erosion control administrator shall issue a notice of permanent stormwater and erosion control measures to the building official. Certificate of occupancy shall not be issued until this notice is issued. In the case of subdivisions, said notice of permanent stormwater and erosion control measures shall be issued to the applicant.

~~**Editor's note**— Section 2 of Ord. No. 15,962 adopted June 20, 2006, states that sections 9.5-83 shall be in full force and effect Sept. 1, 2006 and apply to any project that does not have an approved site plan or approved preliminary or final plat on that date.~~

Section 2. This Ordinance shall be in full force and effect immediately after its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this _____ day of _____, 2020.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel