

## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Rich Edinger

**Date:** 5/9/2011

**Subject:** **Amendment to Residential Stormwater Quality Requirements, Chapter 16, Sections 246-252**

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### **ITEM DESCRIPTION**

An amendment to the Land Development code to designate the criteria contained in the Georgia Storm Water Management Manual the standard for implementation of water quality measures.

### **BACKGROUND**

Currently, Dunwoody's land development code requires all land development to implement water quality best management practices (BMPs). This means that all residential projects that have any land disturbance must add BMPs to their project. For small residential projects like an addition to a kitchen or construction of a garden shed, this requirement adds quite a bit of complexity and cost. Additionally, builders and homeowners typically do not have expertise with these systems, necessitating the hiring of professionals to plan and design these systems that ordinarily would not be involved in their project.

Staff's focus has been to provide as much technical help as possible, steering homeowners and builders to cost effective BMPs that are appropriate for their scope of work. However, the Georgia Storm Water Management Manual (GASWMM), which is a policy guide for implementation of water quality systems and regulation of land development as it pertains to storm water management, exempts single family residential projects from water quality requirements. Although Dunwoody uses the GASWMM as it's design manual, it's development code is more restrictive regarding water quality BMPs than the GASWMM's policy guidance.

To be consistent with other communities and to simplify the city's permitting process for homeowners, we recommend directly referencing the standards and applicability criteria in the Georgia Storm Water Management Manual.

### **RECOMMENDED ACTION**

Staff recommends the text amendment be approved per the changes below.

**Sec. 16-246. - Intent.**

The provisions of this division are included in the land development regulations in order to control the water quality of storm runoff from applicable development and construction activities. No development permit shall be issued unless a permit applicant's site plans comply with these regulations.

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*(Comp. Ords. 2008, ch. 14, art. 2, § 14(intro. ¶))*

**Sec. 16-247. - Standards.**

**(a) The stormwater management standards and applicability criteria contained in Volume 2, Section 1.2 of the Georgia Storm Water Management Manual shall apply to all new development or redevelopment sites. Wherever a choice between the word "should" and "shall" occurs in Volume 2, Section 1.2 of the Georgia Stormwater Management Manual, the word "shall" shall be used.**

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*(Comp. Ords. 2008, ch. 14, art. 2, § 14(a))*

*(Comp. Ords. 2008, ch. 14, art. 2, § 14(b))*

*(Comp. Ords. 2008, ch. 14, art. 2, § 14(c))*

*(Comp. Ords. 2008, ch. 14, art. 2, § 14(d))*

*(Comp. Ords. 2008, ch. 14, art. 2, § 14(e))*

*(Comp. Ords. 2008, ch. 14, art. 2, § 14(f))*

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**AN ORDINANCE AMENDING CHAPTER 16, LAND DEVELOPMENT, ARTICLE 2 (ENVIRONMENTAL CONTROL), DIVISION 7 (WATER QUALITY CONTROL) TO INCORPORATE STANDARDS FOR IMPLEMENTATION OF WATER QUALITY MEASURES**

**WHEREAS**, the City Land Development Code currently requires all development to implement water quality best management practices (BMPs), a requirement that applies to all residential and commercial developments; and

**WHEREAS**, to certain minor residential projects, the City Council considers these BMP requirements to be unnecessarily burdensome and prohibitively expensive for more property owners; and

**WHEREAS**, the Georgia Stormwater management Manual ("Manual") exempts single family residential projects from said requirements and thus, to be consistent with surrounding communities, the City Council wishes to amend the City's regulations to be as dictated in the Manual.

**THEREFORE**, Mayor and City Council of the City of Dunwoody hereby ordain as follows:

**Section 1:** Chapter 16, Article 2 (Environmental Control), Division 7 (Water Quality Control) of the City Code is hereby amended by revising Section 16-246 and 16-247 to read as follows:

ADDITIONS = UNDERLINED  
DELETIONS =

**Sec. 16-246. Intent.**

The provisions of this division are included in the land development regulations in order to control the water quality of storm runoff from applicable development and construction activities. No development permits shall be issued unless a permit applicants site plans comply with these regulations.

**Sec. 16-247. Standards.**

The stormwater management standards and applicability criteria contained in Volume 2, Section 1.2 of the Georgia Storm Water Management Manual, incorporated by reference herein, shall apply to all new development or redevelopment sites. Wherever a choice between the word "should" and "shall" occurs in Volume 2, Section 1.2

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**ORDINANCE 2011-XX-XX**

of the Georgia Stormwater Management Manual, the word "shall" shall be used.

**Section 2:** Chapter 16, Article 2, Division 7 of the City Code is hereby further amended by deleting Sections 16-248, 16-249, 16-250, 16-251 and 16-252 in their entirety and leaving said sections "Reserved."

**Section 3:** This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Dunwoody, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

**SO ORDAINED**, this \_\_\_\_ day of \_\_\_\_\_, 2010.

Approved:

\_\_\_\_\_  
Ken Wright, Mayor

ATTEST:

Approved as to Form and Content:

\_\_\_\_\_  
Sharon Lowery, City Clerk  
(Seal)

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Brian Anderson, City Attorney