

Olivette

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**CITY COUNCIL AGENDA SUBMISSION
JULY 27, 2021**

Agenda Item:

Bill #2955 – An ordinance to amend on-site detention requirements for single family homes under Section 422.080 Single-Family Residential Development, being part of Chapter 422 Stormwater Management of Title IV Land Use of the Olivette Municipal Code. Second Reading and Public Hearing.

Description:

This item is before the City Council (Council) for a second reading, by title only, a Public Hearing, and consideration for action.

The intent of this ordinance is to recognize that certain new residential subdivisions will be required by Metropolitan Sewer District (“MSD”) to provide on-site detention. The MSD requirement varies, as it is based on the area of the subdivided land.

When MSD does require the new subdivision provide on-site detention, the size of the detention basin can include all proposed surface improvements, including the street surface, sidewalk, the average footprint of each home, along with other flat work improvements (such as the driveway, driveway turnaround, and sidewalks and patios).

Current Chapter 422.080.

This section of the Code requires that when someone proposes to develop an existing property which includes tearing down the existing home and building a new one, they are required to provide onsite detention for the new home. The extent (size) of onsite detention is calculated by the amount of stormwater that would be generated by the overall area of the new home footprint.

Proposed change applicable to new subdivisions.

Given that Section 422.080 takes into consideration the new home footprint in sizing the onsite detention, applying Section 422.080 to a new home in a subdivision in which MSD required a detention basin that included the proposed home footprints as part of the calculation for the sizing of the basin, the current Code requirements doubles the detention requirements.

Bill #2955 would authorize the PCDC to consider exempting the onsite detention for the initial construction of single-family home in a subdivision in which MSD has calculated the home footprints into the sizing of the subdivision detention basin. Said authorization would be reviewed and acted on via Site Plan Review and subject to certain conditions.

The PCDC considered this ordinance on July 1, 2021, and by unanimous vote, approved a motion to forward to the City Council a recommendation to approve.

Recommended Action:

Following the conclusion of the Public Hearing, should the Council consider action on the Bill, staff recommends the following motion:

Motion to approve Bill #2955 – An ordinance to amend on-site detention requirements for single family homes under Section 422.080 Single-Family Residential Development, being part of Chapter 422 Stormwater Management of Title IV Land Use of the Olivette Municipal Code.

Attachments:

1. Bill #2955.
2. Notice of Public Hearing.
3. PCDC Staff Memo dated July 1, 2021.

Funding Request: None.

Submitted by:

Carlos Trejo, AICP
DEPARTMENT HEAD

**CITY OF OLIVETTE, MISSOURI
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN

That the City Council of the City of Olivette will hold a Public Hearing on Tuesday, July 27, 2021, at 7:00 PM in the Olivette City Center and via live stream concerning an ordinance to amend on-site detention requirements for single family homes under Section 422.080 Single-Family Development, being part of Chapter 422 Stormwater Management of Title IV Land Use of the Olivette Municipal Code. The Olivette City Center is located at 1140 Dielman Road, Olivette, Missouri, 63132. The link for the live stream can be accessed on the City's website at www.olivettemo.com.

Copies of the ordinance are available for inspection at the City Center and on the City's website at www.olivettemo.com. Persons desiring to be heard are advised to attend the hearing and to express their views orally or in writing. Written comments may be submitted and will be considered if received on or before the date and time of the hearing as specified above. Assistance will be provided to any handicapped individual upon receipt of notice, two days prior to the hearing. Persons needing additional information may call the City Manager at (314) 993-0444.

CITY OF OLIVETTE
Barbara Sondag
City Manager

Posted: July 12, 2021

AN ORDINANCE TO AMEND ON-SITE DETENTION REQUIREMENTS FOR SINGLE FAMILY HOMES UNDER SECTION 422.080 SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, BEING PART OF CHAPTER 422 STORMWATER MANAGEMENT OF TITLE IV LAND USE OF THE OLIVETTE MUNICIPAL CODE

WHEREAS, the City of Olivette Planning and Community Design Commission (“Commission”) recently reviewed and discussed amending the detention requirements for the initial construction of a new single family homes in a subdivision in which the Metropolitan Sewer District required a subdivision detention system sized to include the average building footprint of each lot within the subdivision; and

WHEREAS, on July 1, 2021, the Commission by unanimous vote, recommended to the Olivette City Council (“Council”) an amendment to the Section 422.080 Single-Family Residential Development of Chapter 422 Stormwater Management of Title IV of the Olivette Municipal Code allowing said exemption upon conditions that the authorization would be approved by Site Plan Review and the recorded final plat include easements for all swales and piping associated to the subdivision detention, the average building foot print be noted on the final subdivision plat, that the subdivision indentures include language regarding the preservation and maintenance of the stormwater easements, and that any proposed home that exceeds the average building footprint identified in the final plat provide on-site detention on the lot for the excess square footage above the average; and

WHEREAS, due and lawful notice of a public hearing on the proposed amendments to Section 422.080 Single-Family Residential Development of Chapter 422 Stormwater Management, being part of Title IV Land Use of the Olivette Municipal Code, regarding exempting individual lot detention requirements for a new single-family home constructed in a subdivision in which MSD has sized the subdivision detention to include the average building footprint of each new home, to be held by the Council on July 27, 2021, at 7:00 PM in the City Council Chambers at the Olivette City Center, 1140 Dielman Road, Olivette, Missouri, was published in the St. Louis Countian, a newspaper of general circulation in the City of Olivette, on July 12, 2021; and

WHEREAS, a public hearing was duly and properly held by the Council at the time and place provided for in the notice and all comments, statements, objections, and suggestions concerning the adoption of the proposed amendments regarding Chapter 422 were duly heard and considered by the Council; and

WHEREAS, the Council, after careful and due deliberation, has determined that the proposed text amendment, as approved herein, is consistent with the zoning of the City and is in the best interest of the public health, safety, welfare, and morals.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLIVETTE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS

SECTION 1. Section 422.080 Single-Family Residential Development, being part of Chapter 422 Stormwater Management of Title IV Land Use of the Olivette Municipal Code is hereby repealed and a new section is adopted in lieu as follows:

Section 422.080 Single-Family Residential Development

A. Applications for detached single-family residential shall provide for the following on-site detention:

1. Construction Of New Detached Single-Family Home. Volume designed to accommodate the entire roof area based on a 15-year, 20-minute rain event.
2. Lot Coverage. Residential addition, reconstruction, or improvement in which the combined lot coverage is increased as follows:
 - a. One thousand two hundred (1,200) square feet or more. Volume designed to accommodate the proposed impervious area based on a 15-year, 20-minute rain event.
 - b. Four hundred (400) square feet or more, but less than one thousand two hundred (1,200) square feet. Incorporate BMPs as noted under Section

422.060 to minimize the stormwater impact generated by the proposed improvement.

3. Residential addition, reconstruction, or improvement in which the residential combined floor area is increased as follows:

a. Four Hundred (400) Square Feet Or More. Incorporate BMPs as noted under Section 422.060 to minimize the stormwater impact generated by the proposed improvement.

B. Exceptions. The following exceptions may be authorized through Site Plan Review:

1. The volume design requirement may be exempted for the initial construction of a new single-family home when on-site detention is provided for the subdivision as a whole, subject to the following conditions:

a. The Final Subdivision Plat shall include:

- A minimum 10-foot wide easement for all ground surface swales and underground pipes that direct stormwater from lot to lot and onto the subdivision detention system.
- The square foot area of the average house footprint utilized in calculating the size of the stormwater detention system.

b. Subdivision indentures shall include language regarding the preservation and maintenance of the stormwater easement.

c. In the event a new home exceeds the average size house footprint identified in subparagraph (a) above, stormwater detention for the excess square footage on said lot shall be provided.

SECTION 2. If any article, section, subsection, paragraph, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect or invalidate the remaining portions of this ordinance.

SECTION 3. BE IT FURTHER ORDAINED THAT this ordinance shall become effective from and after its adoption according to law.

Passed and approved this _____ day of _____, 2021.

SYDNEY CLARK
MAYOR

ATTEST:

DENISE M. MANDLE
ACTING CITY CLERK