

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 2698

**AN ORDINANCE CREATING SECTION 5-6-1
OF THE ZONING AND DEVELOPMENT CODE REGARDING
COLLECTION OF FEES IN LIEU OF PROVIDING DRAINAGE
DETENTION/RETENTION FACILITIES**

Recitals

The City of Grand Junction has established ordinances and policies which regulate new development, including preventing increased stormwater runoff due to development. These policies and ordinances have been established to protect the public from changed runoff conditions.

The current method of administering such policies and ordinances requires the preparation of a Drainage Report, which identifies estimated peak runoff for both the existing and proposed runoff and conditions, plus design detail of facilities which, when constructed, will provide mitigation of adverse impacts in accordance with drainage policies and ordinances.

Many small developments may have direct drainage to existing public drainage facilities and frequently do not individually contribute a significant amount of increased stormwater runoff due to development. Detention/retention facilities are required on these small developments in order to prevent a collective increase in runoff. Construction of on-site drainage detention/retention facilities tends to have an undesirable effect on the layout, grade, and configuration of proposed site improvements, may be aesthetically unpleasing, and such facilities may not function without consistent maintenance being provided by property owners. Costs currently expended for determining detention/retention volume requirements, and for the design and construction of these facilities may, in some instances, be better spent and better serve the public if paid into a drainage fund for use in constructing drainage outfall and regional detention facilities. Some of these facilities could be constructed in a park atmosphere that would provide an additional benefit to the public.

For proposed developments which may be located at the low end of a watershed basin and/or are located close to adequate drainage facilities, it may be less desirable to detain runoff than to allow discharge of runoff prior to the arrival of the watershed peak runoff. For such developments, payment of a fee which could be used to up-grade outfall and other drainage facilities in lieu of providing detention/retention facilities and the expense of additional engineering calculations and designs may be in the public interest and beneficial to the drainage system.

Rev. 7/23/93

The City Council has determined that it is acceptable and desirable on certain development projects to allow the developer the option of paying a drainage fee in lieu of providing detention/retention facilities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT:

The Zoning and Development Code of the City of Grand Junction is amended by the following addition:

5-6-1 Drainage Fee in Lieu of Providing Drainage Detention/Retention Facilities.

- 1) All proposed development must provide for on-site runoff collection and conveyance in accordance with City adopted policies. However, an option to providing detention/retention and metered outlet facilities may be allowed by the Director of Public Works and Utilities (Director), or his designee, if:
 - a) the site runoff to private property will not increase, due to development; and
 - b) the Director, or his designee, determines that off-site public streets or other public drainage conveyance facilities are adequate to receive and convey additional runoff from the proposed development site without adversely impacting the public's facilities, interest, health, or safety.

Generally, options will be restricted to proposed developments which are 5 acres or less for all phases and/or filings. There may be circumstances, however, where the Director or his designee, may allow an option for larger sites if they are located low in a watershed basin or adjacent to major outfall facilities.

- 2) The Director, or his designee, shall require submittal of certain information on the part of the developer in order to determine if the drainage fee option is allowed or if construction of drainage detention/retention facilities is required. Such information may include but is not necessarily limited to the type and percent of impervious surfaces, measurements of property including elevations, distance to conveyance structure(s), type of conveyance structure(s), availability of regional detention facilities, flood control structures and location of the development within the watershed.
- 3) Upon written approval from the Director, or his designee, the developer shall be given the option of paying a drainage fee in lieu of providing drainage detention/retention and metering facilities.

- 4) Developer selection of the drainage fee option, when allowed, does not waive the requirements for:
 - a) providing an on-site grading and drainage plan; and
 - b) Construction of on-site collection and conveyance facilities and providing drainage calculations as required therefor. However, payment of the drainage fee, when approved by the Director or his designee, shall constitute compliance with City policy regarding development related increased runoff.

- 5) The drainage fee shall be determined by application of the following formula:

$$\text{Drainage Fee (\$)} = 10,000(C_{100d} - C_{100h})A^{.7}$$

where C_{100} = 100 year Rational Method composite runoff coefficient per the City Stormwater Management Manual, with subscripts "d" and "h" pertaining to the proposed developed and current existing or historic conditions, respectively; and

A = Area to be developed in acres.

- 6) Drainage fees shall be paid to the City and will be allocated for the construction of drainage facilities at locations, determined by the City, in its sole and absolute discretion, to be of greatest priority. Fees shall be paid prior to the recording of residential plats, or prior to issuance of planning clearance for all other development.

- 7) The City may, from time to time, by resolution of the City Council, change the method or formula of calculating the drainage fee, based upon projections, estimates or opinions of the Director of Public Works or his designee, of the need for additional specific facilities, and/or upon the need of the drainage system.

Introduced on first reading this 21st day of July, 1993.

PASSED and ADOPTED on second reading this 4th day of August, 1993.

Mayor

Attest:

City Clerk

file: drainfee