

INSTR. NO. 08-07280

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May 7, 2008

ORDINANCE NO. 121

2008 DEC 23 AM 9 50

JAN BORTSCHELLER
RECORDER
DICKINSON COUNTY, IOWA
27⁰⁰ \$10.00 NCF

AN ORDINANCE AMENDING SECTION 165 OF THE WAHPETON ZONING ORDINANCES, THE WAHPETON ZONING CODE, TO INCORPORATE LOW-IMPACT DEVELOPMENT STORM WATER MANAGEMENT REQUIREMENTS.

WHEREAS, the preservation of natural resources and high-water quality for West Lake Okoboji are important goals of the City of Wahpeton, Iowa; and

WHEREAS, the management, filtration and control of storm water is important and necessary to the protection of natural resources and the water quality of West Lake Okoboji; and

WHEREAS, Iowa State University has developed an Iowa Storm Water Management Manual which provides guidelines, criteria, standards and methodologies for the control, filtration and management of storm water, which are generally accepted; and

WHEREAS, the Wahpeton City Council has determined that storm water management requirements should be adopted and included in the Wahpeton zoning and land use ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Wahpeton City Council as follows:

Section 1. Section 165.21(9)(C) is hereby repealed and there is hereby adopted the following new replacement provision:

C. No construction shall be undertaken which would result in covering more than Sixty-five percent (65%) of any parcel of land with an impervious surface.

When there is any increase in the impervious surface of a lot, or when a previously undeveloped lot is improved to any extent, storm water management features shall be incorporated in all construction or remodeling activities, sufficient to manage and filter a water quantity volume of 1.25 inches of rainfall in a Twenty-four (24) hour period. Storm water management features shall utilize infiltration elements to provide for the maximum filtration of suspended solids, to maximize detention time and to reduce the amount and period of runoff, all pursuant to the Iowa Storm Water Management Manual and certified by an Iowa registered engineer, an Iowa registered landscape architect, or by the Dickinson County Soil and Water Conservation District.

Section 2. Section 165.22(9)(C) is hereby repealed and there is hereby adopted the following new replacement provision:

C. No construction shall be undertaken which would result in covering more than Sixty-five percent (65%) of any parcel of land with an impervious surface.

When there is any increase in the impervious surface of a lot, or when a previously undeveloped lot is improved to any extent, storm water management features shall be incorporated in all construction or remodeling activities, sufficient to manage and filter a water quantity volume of 1.25 inches of rainfall in a Twenty-four (24) hour period. Storm water management features shall utilize infiltration elements to provide for the maximum filtration of suspended solids, to maximize detention time and to reduce the amount and period of runoff, all pursuant to the Iowa Storm Water Management Manual and certified by an Iowa registered engineer, an Iowa registered landscape architect, or by the Dickinson County Soil and Water Conservation District.

Section 3. Section 165.23(7)(F) is hereby repealed, and there is hereby adopted the following new replacement section:

C. No construction shall be undertaken which would result in covering more than Sixty-five percent (65%) of any parcel of land with an impervious surface.

When there is any increase in the impervious surface of a lot, or when a previously undeveloped lot is improved to any extent, storm water management features shall be incorporated in all construction or remodeling activities, sufficient to manage and filter a water quantity volume of 1.25 inches of rainfall in a Twenty-four (24) hour period. Storm water management features shall utilize infiltration elements to provide for the maximum filtration of suspended solids, to maximize detention time and to reduce the amount and period of runoff, all pursuant to the Iowa Storm Water Management Manual and certified by an Iowa registered engineer, an Iowa registered landscape architect, or by the Dickinson County Soil and Water Conservation District.

Section 4. Section 165.27 of the Wahpeton Zoning Code: "Open Space Requirements" is hereby amended by striking "twenty-five percent (25%)" and inserting in lieu thereof "thirty-five percent (35%)."

Section 5. Section 166.10 of the Wahpeton Subdivision Ordinance is hereby amended by adopting the following new additional subparagraph 6 as follows:

6. The subdivider shall incorporate in each subdivision storm water management features sufficient to manage and filter a water quantity volume of 1.25 inches of rainfall in a Twenty-four (24) hour period. Storm water management features shall utilize infiltration elements to provide for the maximum filtration of suspended solids, to maximize detention time and to reduce the amount and

period of runoff, all pursuant to the Iowa Storm Water Management Manual and certified by an Iowa registered engineer, an Iowa registered landscape architect, or by the Dickinson County Soil and Water Conservation District.

Section 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 7. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 8. This ordinance shall be in effect following its final passage, approval and publication as provided by law.

Passed by the Council the 9th day of June, 2008, and approved this 28th day of July, 2008.


Frank Joenks, Mayor

Attest:


Bonnie Roberts, City Clerk

I hereby certify that the foregoing was published as Ordinance No. 121 in the Dickinson County News on the 13th day of August, 2008.


Bonnie Roberts, City Clerk

