



Sedgwick County...  
working for you

# Sedgwick County

525 North Main Street 3rd  
Floor  
Wichita, KS 67203

## Legislation Details (With Text)

**File #:** 16-713      **Version:** 1      **Name:** Amendment to Stormwater Code  
**Type:** Resolution      **Status:** Passed  
**File created:** 10/25/2016      **In control:** Board of Sedgwick County Commissioners  
**On agenda:** 11/14/2016      **Final action:** 11/14/2016  
**Title:** A RESOLUTION AMENDING SECTION 23-300 OF THE SEDGWICK COUNTY CODE ENTITLED STORMWATER QUALITY MANAGEMENT STANDARDS.  
Presented by: James Weber, Deputy Director of Public Works.

RECOMMENDED ACTION: Approve and sign the resolution.

PUBLIC COMMENT.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution for Stormwater Quality

Date	Ver.	Action By	Action	Result
11/14/2016	1	Board of Sedgwick County Commissioners	Approved	Pass

### A RESOLUTION AMENDING SECTION 23-300 OF THE SEDGWICK COUNTY CODE ENTITLED STORMWATER QUALITY MANAGEMENT STANDARDS.

Presented by: James Weber, Deputy Director of Public Works.

**RECOMMENDED ACTION:** Approve and sign the resolution.

PUBLIC COMMENT.

In order to comply with state and federal regulations, the county was required to establish stormwater management codes meeting certain minimum requirements. The code lists the discharges into the county's rivers and streams that are acceptable. All other liquids or solids that are intentionally dumped and that are classified as hazardous materials or are pollutants regulated by the State of Kansas are considered illegal discharges. The Code requires certain construction sites to have a stormwater pollution prevention plan in place to satisfy State and Federal requirements. The code establishes stormwater quantity and quality requirements for new development and redevelopment and the code provides the general requirements for what should be included in a stormwater plan.

At the time that the code was adopted, there was discussion about whether the portions of the code related to stormwater quality permits should be applied to the entire unincorporated area of the county or limited to the federally mandated urbanized area (designated by the US Census Bureau based on population density) or applied to some other boundary in between these two extremes. The Stormwater Management Advisory Board (SMAB) recommended countywide coverage in order to provide consistent regulations across the unincorporated area of the county and the City of Wichita and to better prepare properties in the county for future annexations. The Wichita Area Builders

Association (WABA) also supported this position on behalf of their membership.

The code was originally adopted in 2010 with provisions that extended stormwater quality permit requirements across the entire unincorporated area. There are about 10 stormwater quality permit applications per year in the unincorporated area of the county.

Commissioner Ranzau has suggested amending the regulations to reduce the regulated area to the federally mandated urbanized area. In general, that would be an irregular band around Wichita and other major cities in the county.

At the September 7<sup>th</sup> meeting of the SMAB, staff presented the option to reduce the area for which the stormwater quality permits would be required down to the urbanized area. The members of the SMAB understood that the deregulation would be limited to the applicability of the stormwater quality regulations and would not include water quantity or flood control related regulations. The SMAB voted 11-1 to retain the countywide coverage for stormwater quality regulations in the current code.

If the changes are approved, the county stormwater code will still meet the minimum federal and state requirements. If this resolution is approved, it would become effective upon publication.

Alternatives: Do not approve the resolution or modify the resolution.

Financial Considerations: None

Legal Considerations: The County has the authority to make these changes pursuant to K.S.A. 19-101 et seq. Approval is by simple majority vote.

Policy Considerations: N/A

Outside Attendees: None

Multimedia Presentation: N/A