



Post Construction Standards

Post construction standards (i.e. water quality standards) will be required for the City of Lincoln. Typical standards from other cities require that a specified volume of stormwater (either rainfall or runoff amounts) or pollutant(s) which runs off of new development and redevelopment projects be treated prior to leaving the development site. A list of Midwest cities comparable to the size of Lincoln are shown on the back along with some basic information on their post construction standards.

Typical Post Construction Ordinance

Any proposed ordinance for Lincoln would be placed in a new section of Title 28 – Stormwater Quality and Erosion and Sediment Control. The ordinances would be backed up by information and standards in the Design Standards as well as the Drainage Criteria Manual that provide engineering details for processes and best management practices. A post construction ordinance would probably include the following elements as a minimum:

- Procedures
- Design Criteria
- Inspection and Maintenance
- Enforcement

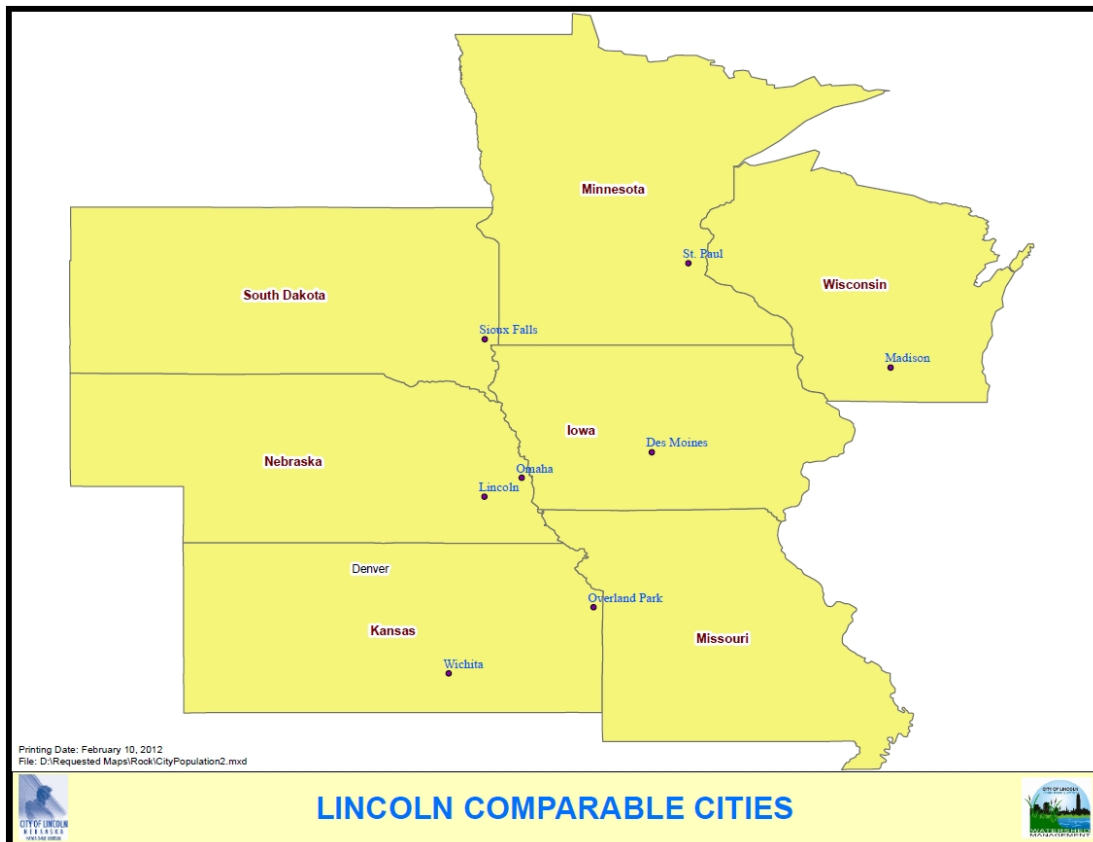
Critical Issues for Consideration

The following issues are elements in a post construction standard that need to be considered:

- Water Quality standards applicable to what type and size of development, e.g.
 - New developments
 - Redevelopments
- Applicable at what date/Exceptions
- Water quality criteria, e.g.
 - Amount of runoff captured
 - % of rainfall events captured
 - % of pollutants captured
- Maintenance agreements/Sureties
- Enforcement

Other Cities

Other Midwest cities similar to Lincoln include; Omaha NE, Wichita KS, Des Moines IA, Overland Park KS, Madison WI, St. Paul MN and Sioux Falls SD. These are cities in the Midwest that are Lincoln comparables for salary and position descriptions. Generally they vary between a population of between half and double of Lincoln.



Ordinance Comparison, February 2012

Ordinance Element	Omaha	Wichita, KS	Des Moines, IA	Overland Park, KS	Madison, WI	St. Paul, MN
Ordinance reference:	Article V, Post Construction Stormwater Management Plan	Section 16.32.091 - Stormwater quality management standards	Section 106-136 - Stormwater runoff control	Chapter 16.210 Stormwater Treatment	Chapter 37.09 Stormwater Management Requirements	Title VI Chapter 52.04(f)
Type/size of Developments:	- new developments and added areas for significant redevelopment projects	- new developments and redevelopments greater than one acre	- new developments greater than one acre	- new developments and significant redevelopments greater than one acre	- redevelopments greater than 20,000 square feet	- applies to sites larger than a quarter acre going through a city site plan review process
Common Plan of Development:	- single lot residential developments that are a common plan of development	- projects less than one acre that are a common plan of development	- projects less than one acre that are a common plan of development	- single lot residential developments that are a common plan of development	- single lot residential developments that are a common plan of development	
Date of Ordinance:	June 13, 2006	November 16, 2010	October 17, 2007	March 1, 2008	March 22, 2007	April 7, 2004
Criteria:	- first half inch of runoff	- reduction of 85% total suspended solids from a 1.2" rainfall event (85% event)	- 1.25" rain event or less being released at a rate that provides a 24 hour detention time	- BMP selection based on level of service, which is based on the increase in impervious area	- reduction of 80% total suspended solids based on annual rainfall (requires use of continuous model), 40% for redevelopments	- first half inch of runoff from new impervious areas
Other Criteria:	- maintain 2 year peak discharge event				- maintain 1 and 2 year peak discharge events	
Exceptions:	- preliminary plans approved prior to July 1, 2008	- construction plans approved prior to January 1, 2011	- includes a waiver section	- previously approved plans that had final approval prior to June 1, 2009	- previously approved plans prior to the date of the ordinance	- includes a waiver section
Other Exceptions:		- redevelopment projects consisting of minor revisions		- utility and street construction	- agricultural activities, state buildings, state highways	
Inspections:	- annual inspection required by owner	- inspections required, with inspection report due every 2 years		- post construction certification required and inspection report due every 2 years	- inspection report required annually	- inspection report required annually
Maintenance Agreement:	- maintenance agreement to be recorded		- maintenance agreement to be recorded	- maintenance agreement to be recorded	- maintenance agreement to be recorded	- maintenance agreement to be recorded
Enforcement:	- city has ability to do work and assess the cost of the work	- city has ability to do work and assess the cost of the work	- performance bonds required (surety)	- performance surety required in the amount of 1.25 times the total construction cost	- city has ability to do work and assess the cost of the work	- city has ability to do work and assess the cost of the work
Performance Bonds:		- maximum penalty of \$500		- maximum penalty of \$2,500	- performance surety required in the amount of 1.25 times the total construction cost	- performance surety required in the amount of 1.25 times the total construction cost
Penalties:		- maximum penalty of \$500		- maximum penalty of \$2,500	- maximum penalty of \$1,000	
Misc:		- in-lieu of fees OK if approved by Director		- criteria for oil and grease control for first half inch of runoff for commercial and industrial sites		

Web reference: [ci.omaha.ne.us](#), muni codes, Chapter 32, Article V [wichita.gov/cityofces/law - muni code](#), Title 16.32 [library.municode.com/HTML/1 opkansas.org/overland-park-municipal-code](#), Title 16.210 [library.municode.com/index.a spx?clientID=50000](#) [sioux-city.org/attachments /article/552/Storm%20Water %20Management%20Ordinance%2012.16.pdf](#) [library.municode.com/index a spx?clientID=10061&stateID= %20Management%20Ordina nce%2012.16.pdf](#)