



CITY OF
ST. CHARLES
ILLINOIS • 1834

AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 4a

Title:

Recommendation to Approve Amendments to
Title 18 – Stormwater Management Ordinance (Extension of
Project Exemptions to December 2022)

Presenter:

Monica Hawk, Development Engineer II

Meeting: Planning & Development Committee

Date: December 13, 2021

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

Background

The City of St. Charles has adopted, and administers, the Kane County Stormwater Management Ordinance (SMO) for property within the City corporate limits. The Development Engineering Division in Community Development reviews all development projects and permit applications for compliance with the SMO.

The purpose of the Stormwater Management Ordinance (SMO) is to mitigate the effect of land development. In its natural state, the land absorbs water and infiltrates it in the ground. When a property gets developed, hard surfaces and compaction of the ground results in stormwater running off of the land. Stormwater Permits are required for projects resulting in 5,000 square feet of land disturbance. Projects ranging from new single-family residences to large commercial buildings require stormwater permits, and depending on size or new impervious area, may require installation of facilities to control and manage drainage, such as stormwater detention basins.

Extension of Project Exemptions

In June of 2019, City Council approved revisions to the City Code to adopt the 2019 updates to the Kane County Stormwater Management Ordinance. The revisions included a list of developments to be exempt from the changes to the ordinance. The exemption allowed those projects, which were under review by the City at the time of the update, to continue following the requirements of the “old” ordinance without having to redesign their plans to meet the revised ordinance. Developers of these “exempt” projects would then have the option to follow either the old or new ordinance. The list of exempt developments, along with their Stormwater permit status, is attached as Table 1.

The exemption, last extended in December 2020, will expire on December 31, 2021. An extension is needed for developments to continue being exempt from the changes to the ordinance. Staff recommends a 1-year extension, set to expire on December 31, 2022, for certain projects as outlined below:

- Approved Project Plans: Staff recommends extensions for developments with approved Subdivision or Planned Unit Developments (PUD’s) that have not yet obtained stormwater permits, as is the case for Hillcroft PUD and Pride Gas Station PUD.
- Inactive Project/Permit expired: Staff does not recommend extension for developments with expired PUD or Subdivision approvals, or expired building permit applications. Staff does not believe there is a basis for an extension, as is the case for Crystal Lofts PUD, Parkside Reserves Subdivision, and 60 S. 14th St., a building permit project. Staff recommends these developments be removed from the exempt development list.

Note – Upcoming Agenda items for Special Service Areas (SSAs)

Subdivisions and Planned Unit Developments (PUD's) often require the construction of stormwater detention basins. Long term maintenance of the facility is the responsibility of the Home Owners Association or management company. The SMO requires the establishment of a Special Service Area (SSA) as a backup vehicle in the event the entity responsible for maintenance fails to adequately carry out its duties. In the following year, staff will bring forward projects for the establishment of SSA's for recently approved projects. Establishment of SSA follows a specific process under State Statute.

Attachments (please list):

Exhibit A - Recommended Amendments to City Code Title 18 – Stormwater Management Ordinance
Table 1 - Exempt Development List and project status

Recommendation/Suggested Action (briefly explain):



Recommendation to Approve Amendments to Title 18 – Stormwater Management Ordinance

Exhibit A - STORMWATER MANAGEMENT ORDINANCE

- O. Article XV, 9-403.E is deleted in its entirety and the following inserted therefore:
The exemption for projects listed in Article XV, 9-403.F shall expire on December 31, 2022, unless an extension is granted by the oversight committee.
- P. Article XV, 9-403.F shall be appended to Article XV, 9-403 and shall read as follows:
“The following list of projects defined by Tax Assessment P.I.N. numbers or address shall be considered exempt from the changes to the Kane County Stormwater Management Ordinance at the Revision Date:
 - 1. Hillcroft – 1147 Geneva Rd. – 2 lot residential – PIN 0934404024, 0934404025
 - 2. Pride Gas Station – 33W573 Rt. 64 – PIN 0925100036

Table 1 - Exempt Development List and project status

Exempt Developments		Approved Project Plans	Inactive Project/Permit Application Expired
1	Crystal Lofts – 214 S. 13th Ave		x
2	Parkside Reserves - 1337 Geneva Rd		x
3	Hillcroft – 1147 Geneva Rd.	x	
4	Pride Gas Station	x	
5	60 S. 14th St.		x

 *Recommend for Removal*
 *Recommend for Extension*