



# Stormwater Ordinance & Administrative Manual: Progress Briefing

*Council Stormwater Committee Meeting  
11/19/2020*

*City of*  
**Fayetteville**  
*North Carolina*





# Project Background

## Project Goals

1. Review the Stormwater Ordinance and Administrative Manual and edit for consistency
  - Stormwater Ordinance: Informs legal obligations of engineers and developers
  - Administrative Manual: Contains all technical information about processes, procedures, timelines, and submittal requirements
2. Limit narrative in manual and add references to ordinance
3. Provide guidance on strategies for SCM maintenance

# Approach

- Identified inconsistencies between ordinance and manual
- Process mapping
- Ordinance updates
  - Remove technical details and reference Administrative Manual
  - Restructure to combine like sections and follow permitting/construction process
- Manual revisions
  - Limit narrative in manual, add references to ordinance
  - Remove internal City review and approval processes
- Residential Stormwater Control Measure (SCM) Maintenance

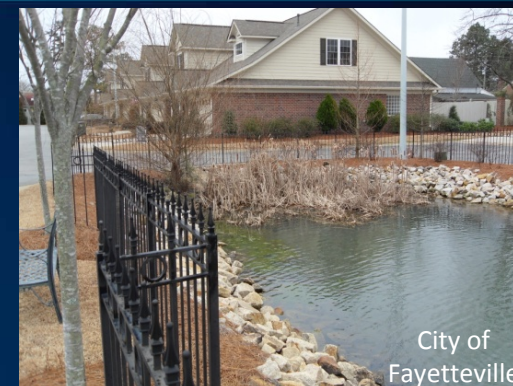
# Key Issue: SCM Maintenance

## Ordinance Sec. 23-38

- Stormwater management facilities shall be privately owned and maintained **unless the City accepts the facility**
- City shall accept **functional** maintenance responsibility of structural stormwater management facilities in residential subdivisions under certain conditions

## Current maintenance obligations of the City

- 1 SCM - deeded to City (2012) based on agreement pre-ordinance
- 5 SCMs - City has accepted functional maintenance
- 35 SCMs - currently permitted in residential subdivisions
  - 26 of these may be converted at any time



# Considerations

- Rationale and public purpose of City SCM maintenance
- Significant resources required for SCM maintenance
- Regulatory compliance and environmental quality
- Annual maintenance costs
- Risks – financial and other
- Peer communities



# Maintenance Costs

- SCM maintenance costs vary
  - Size of SCM
  - Design of SCM
  - Pollutant loading
  - Routine maintenance vs. functional maintenance
  - \$10,000-\$15,000 per year
- Functional maintenance activities
  - Structural repairs
  - Unclogging outlet structure
  - Dredging
  - Limited vegetation management





# Costs and Risks

- SCM maintenance - \$400,000 per year
- SCM replacement - \$4,000,000 to rebuild

SCM	Year Built	PV Construction	Conversion Estimate	Bond Amt.	Pond Lot (acre)	Est. Ann. Maintenance
Arran's Cove	2015	57,790	40,532	24,294	1.45	10,075
Bluffs at Treyburn	2015	101,531	65,863	113,804	2.04	14,174
Colinwood Park	2012	64,519	64,772	60,720	1.95	13,549
Heathcliff at Westpoint - Basin 1	2011	241,867	59,828	159,800	1.66	11,534
Heathcliff at Westpoint - Basin 2	2011	0	68,156		1.83	12,715
Highcroft - Phase I	2012	182,575	92,618	49,945	2.26	15,702
Highcroft Phase II	2017	106,107	141,252	10,598	1.14	7,921
Highland Pointe - Basin 1	2011	80,617	39,967	71,576	1.03	7,156
Highland Pointe - Basin 2	2011	73,034	41,882	64,843	0.68	4,725
Knolls Pond - Basin 1	2011	148,397	27,070	22,184	0.67	4,655
Knolls Pond - Basin 2	2011	141,025	39,847	21,464	2.47	17,162
Knolls Pond - Basin 3	2011	136,333	39,311	21,410		0
Liberty Hills	2016	158,643	123,674	94,695	2.72	18,899
Northridge Park	2017	51,095	120,058	48,695	3.70	25,708
Old Bunce Road	2011	58,093	121,133	51,578	0.96	6,670
Palms at Summer Grove	2014	192,957	45,670	32,507	0.96	6,670
Patriot Park Village - Basin 1	2016	39,312	68,178	46,708	1.94	13,479
Patriot Park Village - Basin 2	2016	38,240	154,845	45,435	1.36	9,449
Summer Grove	2012	32,012	50,166	45,192	0.83	5,767
Summer Grove Phase II - Basin 1	2010	159,887	39,116	133,920	1.85	12,854
Summer Grove Phase II - Basin 2	2010	125,978	31,190	21,987		0
Westhaven - Basin A	2014	178,733	20,865	22,300	1.90	13,201
<b>Totals</b>		<b>\$2,368,745</b>	<b>\$1,495,991</b>	<b>\$1,163,653</b>		<b>\$232,063</b>
<b>Averages</b>		<b>\$112,797</b>	<b>\$71,238</b>			<b>\$11,603</b>





# Comparative Peer Analysis

		Maintain residential SCMs?	Type of Maintenance	Funding Source
North Carolina	City of Charlotte	By Petition	Functional	Stormwater fee
	Town of Cary	No	No	No
	City of Durham	No	No	No
	City of Greenville	No	No	No
	City of Greensboro	No	No	No
	City of Raleigh	No	No	No
	New Hanover County	No	No	No
	City of Wilmington	No	No	No
City of Winston-Salem		No	No	No
Others	City of Austin (TX)	●	Functional, aesthetic	Stormwater fee
	El Paso Water (TX)	●	Functional	Stormwater fee
	LFUCG (KY)	●	Functional	Stormwater fee
	SD1 (KY)	●	Functional	Stormwater fee



# Recommendation

- Amend current Ordinance Sec. 23-38 to remove option for City ownership/maintenance of newly permitted residential SCMs
- Establish a sunset clause for previously permitted SCMs that are eligible for conversion from sediment basin but have not yet been converted – 2 years
- Continue maintenance of those SCMs the City has accepted, and for those converted by the sunset date

# Funding Options

## Funding alternatives

- Increase Ad Valorem Taxes
- Special Assessment Districts
- Existing Stormwater Utility Fees
  - Keep existing rates and allocate a larger portion of annual funding to O&M
  - Rate increase for all stormwater customers to generate necessary funding for O&M
  - Expand the current credit policy to provide credits for HOAs and residential property owners
    - New Hanover County example
    - Under this alternative, City would not maintain residential SCMs
- Existing Stormwater Utility Fees + Surcharges



# Project Timeline

- Nov. 10: SWAB Meeting Presentation
- Nov. 19: Council Stormwater Committee
- Dec. 7: Potential Council Work Session
- Jan. 2021: Potential Council Regular Meeting



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