

Work Session Meeting of the Sandy Springs City Council was held on Tuesday, April 19, 2016, at 7:54 p.m., Mayor Rusty Paul presiding.

Councilmembers present: Council Member John Paulson, Council Member Ken Dishman, Council Member Gabriel Sterling, Council Member Tibby DeJulio, and Council Member Andy Bauman.

STAFF DISCUSSION ITEMS

Community Development

1. **16-145** Stormwater Regulations Update
(Presented by Michelle Alexander, Community Development Director)

Director of Community Development Michelle Alexander gave a Stormwater Regulations Update PowerPoint presentation.

Council Member Andy Bauman asked if the stormwater regulations apply only to commercial property.

Director of Community Development Alexander stated the biggest gap in what staff wants to recommend is addressing single family residential. The regulations do not discuss one individual lot in some of the requirements.

Council Member Gabriel Sterling asked if the City can take the direction in green technology for some of those infill housing projects.

Director of Community Development Alexander stated there are references to green design practices when it seems to be appropriate. She asked how Council feels about bringing the City's existing code in alignment with the Blue Book.

Council Member Sterling asked if an example is a house built in the 1960's or 1970's, when there was no remediation at all regarding installation of a pool house.

Director of Community Development Alexander responded yes.

Plan Review Engineer/Chief Engineer Gilbert Quinones stated the City does not have requirements for any addition to a single family home. Someone can take a 500 square foot house and expand it to 3,000 square feet and the City's Code does not require the property owner to do anything in regards to stormwater management.

Council Member Sterling stated he believes that had to be done one time in the River Corridor in Huntcliff. The building was required to be moved a couple of times on the plan. He asked if that is because it was in the River Corridor.

Plan Review Engineer/Chief Engineer Quinones stated the River Corridor has different requirements. As a City engineer he has the authority to declare a property as a sensitive area. When that occurs, the City can require the property owner to do additional things on the property.

Mayor Rusty Paul stated if someone makes a major addition to a home, staff does not have the authority to take into consideration that the home size may have grown four sizes larger and has four or five times the impact on stormwater.

Council Member Bauman asked what authority does staff have for the commercial and residential areas to correct past ills. He asked if there is a trigger point where activity on a property will give the City an opportunity to require some retroactive improvement. There were heavy rains that occurred when this

Council was elected into office in 2014. If someone is creating a worse situation for the downstream neighbor, the rules should protect the residents. He wants to be sure whatever is being done still meets the goal of protecting the residents. Redevelopment should be the land fitting the property versus the property fitting the land. If there is mass grading, it significantly impacts properties downstream. These concerns are connected to the tree ordinance. He would like to be assured that with new residential construction, where we have an opportunity when someone retrofits a property, that the downstream neighbors are no worse off than they were before. He does not want to lose sight of what we are trying to do. He wants the adjoining property rights protected.

Council Member Paulson stated he does not want a situation where someone has a house that has been there for fifty years, they place a small addition on the back, and then the City requires them to control all of the impervious surface that they have had for fifty years. He does not want to punish a resident that wants to add to their home.

Plan Review Engineer/Chief Engineer Quinones stated some of the trigger points in the Blue Book are if you get over one acre of development. If you are less than fifty percent of the site, you are only required to remedy the stormwater on the addition.

Council Member Bauman stated he does not want any new activity to make it worse for the neighbors.

Council Member Paulson stated that is the purpose of low impact development in that you do not make it worse for the neighbors. He does not want onerous regulations on the fifty year old homes that could be retrofitted stopping development.

Director of Community Development Alexander stated that is the area in which staff needs feedback from Council. For example, the City of Atlanta has reduced their water quality trigger to 1,000 square feet. The City's code could reduce the trigger to 500 square feet.

Council Member Sterling stated the City has interesting topography. One of the main things with stormwater is the deeper the slope, the faster the water moves. Even a small addition in those areas can have a large impact downstream. We need to figure out how to balance those variables.

Council Member Paulson stated for low impact development, the City needs to make sure the property owner does not adversely impact their neighbors. Because of a small addition, he does not want a property owner to be required to fix the stormwater on their entire property. He is a fan of porous pavements with the right guidelines, maintenance, setup, and design. Some of the failure rates can be decreased. Porous pavements are a great way of minimizing water runoff. He would like to see the City do that as smartly as that can be done. There are design guidelines for porous pavement.

Director of Community Development Alexander stated the big issue is not all soils and sites will allow for porous pavement.

Council Member Bauman stated the issues that have been dealt with from the beginning of Council's term are the erosion control, where Council took action, and the tree conservation ordinance. All of these issues interact and things can be improved in all areas. He asked if there will be recommendations in the tree ordinance. There have also been discussions in the Next10 Plan about gross area coverage on lots and mass clear cutting. He asked how those discussion play into the Plan.

Assistant City Manager Jim Tolbert stated he is not sure that staff will bring anything interim to Council, but staff is working with Code Studio. They have recommendations on how to deal with improvements to the amount of clearing when new homes are built or substantial additions are made.

Director of Community Development Alexander stated there will also be the discussion on how to manage the existing situation. We have many neighborhoods that do not have stormwater controls. The

City's current stance on stormwater is the City is responsible for what the City generates in terms of water runoff from projects and right-of-way. If Council wants to have a dedicated discussion, staff can come back with potential options and tradeoffs.

Council Member Sterling stated he and Council Member Paulson had the discussion about two years ago on how to place stormwater facilities on existing big field parking lots. The larger parking lot property owners are the biggest violators and he would like to add that to the upcoming discussion.

Council Member Paulson stated some of the parking areas in the City are huge compared to normal standard lots. He asked if there is a way to reduce some of the impervious surfaces and add mitigation techniques without hurting the development in the process.

Director of Community Development Alexander stated regarding managing an individual home, there likely will not be a low impact development solution for the person who now is adding a swimming pool onto a site that is already forty percent impervious. The concern is would the City be saying any further development has to "pay the price" for our lack of understanding of water forty years ago. She asked what solutions would Council like staff to consider.

Assistant City Manager Tolbert stated he believes that Council Members Paulson and Bauman said they want the opportunity, when there is an addition or alteration to not make it any worse for the property owner. The question is what size addition or amount of alteration will trigger a requirement.

Plan Review Engineer/Chief Engineer Quinones stated the Blue Book states for commercial properties there are certain guidelines for taking care of the addition. The Blue Book does not mention residential properties.

Mayor Paul stated we want to protect the citizens in a common sense way. That is what we are trying to figure out and that is where staff guidance is needed.

Plan Review Engineer/Chief Engineer Quinones stated those numbers could be up to sixty percent.

Mayor Paul asked that staff bring back numbers to Council at a future date.

Assistant City Manager Tolbert stated for the current MS4 permit process, when stormwater measures are installed on private property, the City needs to set a standard for when they are required, inspected and certified. That is a major problem in communities where they install them on private properties and forget about them.

Mayor Paul stated some of the items cannot be controlled. If there is a maintenance requirement for some property, the property owner who purchases that property needs to be informed of the obligation.

Plan Review Engineer/Chief Engineer Quinones stated he just reviewed a set of plans today where someone built the house nine months ago, just moved in, and now he has a pool contractor installing the pool over the water quality measures. The contractor has no idea that it is there. That has to do with requiring as-builts, which the City does not do.

Director of Community Development Alexander stated the MS4 permits require an education component. She asked how far Council would like staff to go regarding the education. Some of the technologies need to be observed and inspected while they are being placed in the ground and that requires additional time for inspection. For the Public Works maintenance agreements, the GIS Department has a layer in the maps in order to follow up on the inspections. She wants confirmation from Council on that first, because this requires a more dedicated resource and a bigger scope than what staff has been performing.

Council Member Bauman asked if those items can be tied to the permit fees.

Director of Community Development Alexander responded yes.

Council Member Bauman stated whatever Council chooses, that cost should be paid for by the person performing the construction.

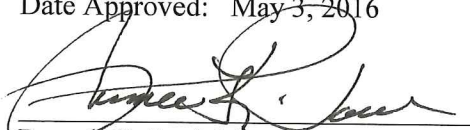
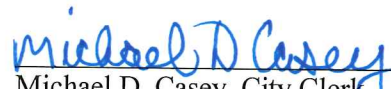
Director of Community Development Alexander stated the developer does bear the cost of the inspection. She asked how to work with the residents to ensure they are aware of "hot spots" where they would be more likely to have issues. Those are the issues that she would like to move forward, regarding the level of service and bringing back directives on potential remedies for single family residential.

Council Member Paulson stated regarding the system inspection records and action, if this process had been implemented ten years ago, some of the problems with structures being inadequate and collapsing could have been avoided. He is in favor of the suggested changes or something similar. He does not want a property owner to have a \$150,000 repair when he is responsible for that he had no idea that it was there.

There was a consensus of Council for staff to bring this item back to a future Work Session meeting.

There being no further discussion, the meeting adjourned at 8:21 p.m.

Date Approved: May 3, 2016


Russell K. Paul, Mayor
Michael D. Casey, City Clerk