

PALMER LAKE, COLORADO

ORDINANCE NO. 3-2021

AN ORDINANCE AMENDING CHAPTER 16.20 AND 17.50 OF THE PALMER LAKE MUNICIPAL CODE RELATING TO STORMWATER AND THE EL PASO COUNTY ENGINEERING CRITERIA MANUAL AS MAY BE AMENDED FROM TIME TO TIME

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado;

WHEREAS, previously the Board of Trustees adopted regulations regarding stormwater and including references to the El Paso County Engineering Criterial Manual (ECM), version 7, dated July 2, 2019; and,

WHEREAS, the Board desires to make it clear that the Town will adopt the ECM as amended by El Paso County from time to time and such amended and current version will be automatically adopted as referenced in Chapter 16.20 and 17.50 by the Town of Palmer Lake.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE AS FOLLOWS:

1. Chapter 16.20 of the Palmer Lake Municipal Code is amended by amending Subsection 16.20.030E, by adding the underlined text as indicated below, with such subsection to read in its entirety as follows:

E. Long term operation, maintenance and access agreement is required for all permanent stormwater quality control measures and facilities. An applicable development site with multiple permanent control measures may have one or more maintenance and access agreements depending upon ownership and maintenance responsibility. The maintenance agreements shall cover all permanent stormwater quality control measures that are included in a submitted site plan, site development plan, final plat or Drainage Plan. All structures such as Extended Detention Basins and Porous Landscape Detention, plus any additional permanent nonstructural control measures such as Grass Swales & Buffers that are used as part of "Minimizing Directly Connected Impervious Areas" (MDCIA), shall be included in the maintenance agreement.

When submitting a permanent stormwater control measure maintenance agreement for review and recordation by the Town, the agreement shall include an Operation and Maintenance (O&M) Manual developed by the engineer of record for each structure type included in a maintenance agreement. Multiple structure types may be included in one maintenance agreement and O&M Manual. The responsible entity shall routinely inspect and provide appropriate long-term maintenance for all structures associated with the permanent stormwater quality control measures as described in the O&M Manual.

Permanent stormwater quality control measure maintenance and access agreement templates are provided in the El Paso County Engineering 8 Criteria Manual (ECM) Revision 7, dated July 2, 2019, Appendix G, as may be amended from time to time with the most current version hereby being adopted, and are hereby incorporated by reference for use in the Town. All references to "County," and "Board of Commissioners," shall correspond to "Town of Palmer Lake," and "Town Board of Trustees," respectively.

2. Chapter 17.50 of the Palmer Lake Municipal Code is amended by amending Subsection 17.50.060C, by adding the underlined language as indicated below, Subsection 17.50.060C to read in its entirety as follows:

(C) LANDSCAPING:

(1) During construction and at all times thereafter, particularly prior to the establishment of vegetation, all disturbed areas not covered by structures, driveway or other hard surfaces shall be protected from erosion.

(2) All disturbed areas shall be vegetated with erosion control grasses, shrubs and/or trees.

(3) All required landscaping including revegetation and retaining walls shall be constructed and/or installed prior to occupancy of the premises except as provided in Section 17.50.100(c) below.

All plans and supporting documentation shall be prepared by a Colorado Registered Professional Engineer, except as provided otherwise herein. Control measures shall be implemented prior to the start of construction activity, must control potential pollutants during each phase of construction and must be maintained through final stabilization. Appropriate structural control measures must be maintained in operational condition. For the purposes of selection, designing, installation, implementation and maintenance of control measures the following criteria are hereby incorporated by reference:

(1) The El Paso County Engineering Criteria Manual (ECM), revision 7, July 2, 2019 as may be amended from time to time with the most current version hereby being adopted:

(2) Chapter 3 – Drainage: in its entirety;

(3) Appendix E – Checklist and Permits: Grading and Erosion Control Plan Checklist and Standard Notes; Stormwater Management Plan Checklist.

(4) The following sections of Appendix I:

a. I.2 Overview

b. I.3 Adoption of Drainage Criteria Manuals by El Paso County

c. I.4.1.b Permit Holder Responsibilities

d. I.4.1.c Transfer of Property and Permit Holder Responsibilities

e. I.5 El Paso County Construction Site Inspections

f. I.7 Post Construction Stormwater Management

g. I.9. Supplemental Information: Urban Drainage Flood Control District's (renamed: Mile High Flood District) Hydrology and Hydraulics Design Tools

All references to “El Paso County,” “County,” and “un-incorporated areas of El Paso County,” etc., shall correspond to “Town of Palmer Lake.” All references to “ESQCP” shall correspond to “Land Use Permit.”

3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

4. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 11TH DAY OF MARCH, 2021.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A. Collins
Dawn A. Collins
Town Administrator / Clerk

BY: *Bill Bass*
Bill Bass
Mayor