



COMMITTEES OF COUNCIL
AGENDA
Regular Meeting

Mayor Mary Robichaux
Councilmember Sarah Beeson
Councilmember Eren Brumley
Councilmember Christine Hall
Councilmember Jennifer Phillippi
Councilmember Allen Sells
Councilmember Chris Zack
City Administrator Randy Knighton

Tuesday, June 9, 2026

5:00 PM

City Hall - Room 220

CALL TO ORDER / ROLL CALL

Approval of the Minutes

1. Approval of the Committee Meeting Minutes - May 26, 2026.

Regular Agenda

2. Consideration of the Mayor and/or City Administrator signing a contract with Midwest Employers Casualty for two years Workers Compensation Reinsurance coverage with a premium of \$424,826.000 (annual premium of \$212,413)
Presented by Hydee Weis, Senior Human Resources Generalist
3. Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 12 - Environmental Protection, Section 12.5 - Stormwater Management (Initiation)
Presented by Brian Watson, Director of Environmental/Public Works
4. Consideration of an ordinance to amend the Code of Ordinances of the City of Roswell, Georgia by amending Chapter 7 - Land Development and Environmental Protection, Article 7.2 - Post-Development Stormwater Management
Presented by Brian Watson, Director of Environmental/Public Works

Adjournment



City of Roswell
Committees of Council
AGENDA ITEM REPORT

ID # - 10487

MEETING DATE: June 9, 2026
DEPARTMENT: Administration
ITEM TYPE: Agenda Vote

Approval of the Committee Meeting Minutes - May 26, 2026.

Regular Agenda

2. Approval of a Resolution to accept Woodstock Road right-of-way for a Streetscape/Sidewalk improvement along "88 Woodstock Road" parcel

RESULT: APPROVED TO MOVE TO MAYOR AND COUNCIL [UNANIMOUS]

Next: 6/8/2026 7:00 PM

MOVER: Sarah Beeson, Councilmember

SECONDER: Mary Robichaux, Mayor

IN FAVOR: Robichaux, Beeson, Hall, Zack, Phillippi, Brumley, Sells

3. Approval of a Resolution to accept Norcross Street right-of-way for a Streetscape/Sidewalk improvement along "100 Norcross Street" parcel

RESULT: APPROVED TO MOVE TO MAYOR AND COUNCIL [UNANIMOUS]

Next: 6/8/2026 7:00 PM

MOVER: Chris Zack, Councilmember

SECONDER: Eren Brumley, Councilmember

IN FAVOR: Robichaux, Beeson, Hall, Zack, Phillippi, Brumley, Sells

4. Consideration to approve the acceptance of the Georgia Recreation and Parks Association (GRPA) Building Opportunities in Out-of-School Time (BOOST) Grant award in the amount of up to \$15,000.

RESULT: APPROVED TO MOVE TO MAYOR AND COUNCIL [UNANIMOUS]

Next: 6/8/2026 7:00 PM

MOVER: Jennifer Phillippi, Councilmember

SECONDER: Eren Brumley, Councilmember

IN FAVOR: Robichaux, Beeson, Hall, Zack, Phillippi, Brumley, Sells

Adjournment

There being no further comments or discussion the meeting was adjourned at 5:12 PM



City of Roswell
Committees of Council
AGENDA ITEM REPORT

ID # - 10404

MEETING DATE: June 9, 2026
DEPARTMENT: Administration
ITEM TYPE: Agenda Vote

Consideration of the Mayor and/or City Administrator signing a contract with Midwest Employers Casualty for two years Workers Compensation Reinsurance coverage with a premium of \$424,826.000 (annual premium of \$212,413)

Action Required:
Agenda Vote

Description:
Arthur J. Gallagher (AJG), the City's risk management insurance broker, solicited quotes for Workers' Compensation excess/reinsurance coverage. Midwest Employers Casualty (the incumbent carrier) responded with a proposed premium of \$424,826.00 for a two (2) year coverage term. The proposed two (2) year contract represents an approximate premium increase of 1.23% for the new term.

Financial Impact:
Funding in the amount of \$212,413.00 is available within the annual operating budget in Workers Compensation Fund.

Comments:
See attached



**Excess Workers Compensation
Quotation Sheet**

Insurer: Midwest Employers Casualty Company

Policy Effective Date: 07/01/2026

Insured: City of Roswell, Georgia
Policy #: EWC009608

Quote Date: 05/26/2026
Quote Expiration Date: 60 Days

POLICY TERMS	QUOTE OPTIONS					
	0261369 GA	0261499 GA	0261764 GA	0261501 GA	0261502 GA	0261765 GA
Named States	GA	GA	GA	GA	GA	GA
SPECIFIC:						
Specific Limit	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Specific Retention	\$600,000	\$600,000	\$750,000	\$600,000	\$600,000	\$750,000
Specific Retention - 7710 GA	\$700,000	\$750,000	NA	\$700,000	\$750,000	NA
Specific Retention - 7720 GA	\$700,000	\$750,000	NA	\$700,000	\$750,000	NA
EMPLOYERS LIABILITY:						
Employers Liability Limit	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Employers Liability Retention	See Specific	See Specific	See Specific	See Specific	See Specific	See Specific
AGGREGATE:						
Aggregate Limit	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Rate as a % of Normal Premium	196.13%	196.13%	196.13%	176.52%	176.52%	176.52%
Estimated Aggregate Retention	\$2,908,708	\$2,908,708	\$2,908,708	\$5,235,763	\$5,235,763	\$5,235,763
Minimum Aggregate Retention	\$2,850,534	\$2,850,534	\$2,850,534	\$5,131,048	\$5,131,048	\$5,131,048
Aggregate Loss Limitation	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
RATING BASE:						
Est. Annual Payroll	\$66,378,941	\$66,378,941	\$66,378,941	\$66,378,941	\$66,378,941	\$66,378,941
Est. Annual Manual Premium	\$1,483,051	\$1,483,051	\$1,483,051	\$1,483,051	\$1,483,051	\$1,483,051
Length of Policy (Years)	1.000000	1.000000	1.000000	2.000000	2.000000	2.000000
Est. Policy Normal Premium	\$1,483,051	\$1,483,051	\$1,483,051	\$2,966,102	\$2,966,102	\$2,966,102
Rate per \$100 of Payroll	0.32	0.3113	0.286	0.32	0.3113	0.286
PREMIUM:						
Total Est Policy Prd Premium (including Flat Charges)	\$212,413	\$206,638	\$189,844	\$424,826	\$413,276	\$379,688
Policy Minimum Premium	\$191,171	\$185,974	\$170,859	\$382,343	\$371,948	\$341,719
Deposit Premium	\$212,413	\$206,638	\$189,844	\$212,413	\$206,638	\$189,844
Deposit Flat Charge(s)	NA	NA	NA	NA	NA	NA
Total Deposit Due*	\$212,413	\$206,638	\$189,844	\$212,413	\$206,638	\$189,844
Terrorism Risk Ins Act of 2002 (incl in Total Deposit Due above)	\$6,372	\$6,199	\$5,695	\$6,372	\$6,199	\$5,695
Commission	15%	15%	15%	15%	15%	15%

Attachment: Updated Midwest Quote with highlight (Worker Comp excess/reinsurance - biannual renewal)

* The following states are subject to a premium surcharge: GA. The amount of the surcharge is not included in any premium amount shown above; it is in addition to the premium amount(s) above. The amount of the surcharge is subject to change as directed by the Department of Insurance and other agencies.

CONDITIONS / COMMENTS:

* MECC must be notified of any aircraft changes occurring during the policy period.



TO: Mayor and Council

FROM: Tricia Redfern, Director of Human Resources

RE: Excess Workers' Compensation Renewal

Human Resources requests approval to authorize the Mayor and/or the City Administrator to sign a renewal contract for two years in the amount not to exceed \$424,826.00 with Midwest Employers Casualty, payable through Arthur J. Gallagher (AJG), for the City of Roswell for the coverage period of July 1, 2026, through July 1, 2028. Premium is paid annually in the amount of \$212,413.00.

The expiring 2024–2026 policy was originally approved at a two-year premium of \$349,930 based on an estimated payroll exposure of approximately \$53 million. During the July 2025 audit, the payroll exposure was adjusted to approximately \$64 million, resulting in an additional premium due of \$34,875. A similar adjustment is anticipated following the July 2026 audit, although the final audited amount is not yet known. Based on current projections, the total expiring program cost is anticipated to be approximately \$419,680.

Midwest Employers' renewal quote therefore represents an overall premium increase of approximately 1.23%, but an estimated rate decrease of approximately 1.72%, versus the anticipated expiring program cost of \$419,680. The premium increase is primarily due to the estimated payroll exposure increase of 3%.

Based on pre-renewal strategy conversations with the City, Arthur J. Gallagher (AJG) undertook a complete and thorough marketing of the City's Excess Workers' Compensation insurance program. AJG approached qualified carriers that have an appetite for municipal operations to compete for the City's business.

Current market conditions continue to be challenging for public sector insureds. First responders continue to be a primary driver of the challenging market conditions, and self-insured retentions for this exposure continue to increase. The majority of non-incumbent markets indicated a minimum self-insured retention of \$750,000.00 per claim for First Responders. The expiring self-insured retention is \$600,000.00 for all employees and \$700,000.00 for First Responders. For this renewal, the self-insured retention for First Responders will remain at \$700,000.00, with all other employees remaining at \$600,000.00. As mentioned above, Midwest also offered an option for a \$750,000.00 per claim self-insured retention for First Responders.

This contract will provide Excess Workers' Compensation insurance coverage for all employees of the City. The recommended term is for two (2) years, representing a total cost not to exceed \$424,826.00. Midwest Employers Casualty is providing statutory workers' compensation insurance excess of the City's self-insured retention of \$600,000.00 per employee, except \$700,000.00 for First Responders.

Funding for insurance coverage will be located in the Workers' Compensation, Org. 60115401 Acct. #521201.

City of Roswell Human Resources, 38 Hill Street, Suite G-60 Roswell, GA 30075
Office: 770-594-6440



City of Roswell
Committees of Council
AGENDA ITEM REPORT

ID # - 10475

MEETING DATE: June 9, 2026
DEPARTMENT: Environmental/Public Works
ITEM TYPE: UDC Text Amendment

Consideration of an ordinance to amend the Unified Development Code of the City of Roswell, Georgia by amending Article 12 - Environmental Protection, Section 12.5 - Stormwater Management (Initiation)

Action Required:

Agenda Vote

Description:

This is the initiation of a text amendment to the Unified Development Code (UDC) regarding Section 12.5. - Stormwater Management.

The purpose of the text amendment is as follows:

1. Revise text to include reference to the City Of Roswell Stormwater Handbook.
2. Revise text to be consistent with Code of Ordinances - Article 7.2 - Post-Development Stormwater Management.
3. Minor revisions to clarify requirements.

Financial Impact:

N/A

Comments:

See attachments.

12.5.1. General Provisions

- A. **Purpose and Intent.** The purpose of this article is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-construction stormwater runoff and nonpoint source pollution associated with new development and redevelopment. Proper management of post- construction stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the City of Roswell is required to comply with several State and Federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post- construction stormwater runoff.

These stormwater management requirements seek to meet that purpose through the following objectives:

1. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
2. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and maintain the integrity of stream channels and aquatic habitats;
3. Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
4. Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of green space and other conservation areas, to the maximum extent practicable;
5. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and
6. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

- B. **Stormwater Design Manual.** Adoption and Implementation of the Georgia Stormwater Management Manual; Conflicts and Inconsistencies.

1. In implementing this Article, the City of Roswell shall use and require compliance with all relevant design standards, calculations, formulas, methods, and other guidance from the latest edition of Georgia Stormwater Management Manual (GSMM) as well as all related appendices and the Roswell Stormwater Handbook. The Roswell Stormwater Handbook provides specific design requirements of the City and clarifies guidance language provided in the GSMM. This handbook may be updated and expanded periodically, based on improvements in science, engineering, monitoring, and local maintenance experience.
2. This Article is not intended to modify or repeal any other Article, ordinance, rule, regulation or other provision of law, including but not limited to any applicable stream buffers under state and local laws, and the Georgia Safe Dams Act and Rules for Dam Safety. In the event of any conflict or inconsistency between any provision in the City of Roswell's municipal separate storm sewer systems (MS4) permit and this Article, the provision from the MS4 permit shall control. In the event of any conflict or inconsistency between any provision of this Article and the GSMM, the provision from this Article shall control. In the event of any other conflict or inconsistency between any provision of this Article and

- any other ordinance, rule, regulation or other provision of law, the provision that is more restrictive or imposes higher protective standards for human health or the environment shall control.
3. If any provision of this Article is invalidated by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Article.
- C. **Designation of Administrator.** The Director of Environmental/Public Works ~~Director~~, or their designee administers Sec. 12.5.
- D. **Applicability Criteria for Stormwater Management Standards.** This Article applies to the following activities:
1. New development that creates or adds 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 1 acre of land or greater;
 2. Redevelopment (excluding routine maintenance and exterior remodeling) that creates, adds, or replaces 5,000 square feet or greater of new impervious surface area or that involves land disturbing activity of 1 acre or more;
 3. New development and redevelopment if
 - a. such new development or redevelopment is part of a subdivision or other common plan of development, and
 - b. the sum of all associated impervious surface area or land disturbing activities that are being developed as part of such subdivision or other common plan of development meets or exceeds the threshold in (1) and (2) above;
 4. Any commercial or industrial new development or redevelopment, regardless of size, that is a hotspot land use as defined in this Article;
 5. Development or redevelopment that involves creation or replacement of between 1,000 square feet and 5,000 square feet of impervious cover must provide runoff reduction for new or replaced impervious area; and
 6. Linear transportation projects that exceed the threshold in (1) or (2) above.
- E. **Exemptions from Stormwater Management Standards.** This Article does not apply to the following activities:
1. Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;
 2. Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;
 3. Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
 4. Repairs to any stormwater management system deemed necessary by the administrator;
 5. Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in Sec. 12.5.1.D.;
 6. Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in Sec. 12.5.1.D.;
 7. Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits;

8. Existing driveway removal and replacement in kind; and
9. Linear transportation projects being constructed by City of Roswell to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the City of Roswell linear feasibility program shall first be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.

(Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2024-02-04, 2-26-2024)

12.5.2. Permit Procedures

- A. **Stormwater Management Standards.** Subject to the applicability criteria in Sec. 12.5.1.D. and exemptions in Sec. 12.5.1.E., the following stormwater management standards apply. Additional details for each standard can be found in the GSMM Section 2.2.2.2:
1. **Design of Stormwater Management System:** The design of the stormwater management system shall be in accordance with the applicable sections of the GSMM and Roswell Stormwater Handbook as directed by the administrator. Any design which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.
 2. **Natural Resources Inventory:** Site reconnaissance and surveying techniques shall be used to complete a thorough assessment of existing natural resources, both terrestrial and aquatic, found on the site. Resources to be identified, mapped, and shown on the Stormwater Management Plan, shall include, at a minimum (as applicable):
 - a. Topography (minimum of 2-foot contours) and Steep Slopes (i.e., Areas with Slopes Greater Than 15%),
 - b. Natural Drainage Divides and Patterns,
 - c. Natural Drainage Features (e.g., swales, basins, depressional areas),
 - d. Natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers, drinking water wellhead protection areas and river corridors,
 - e. Predominant soils (including erodible soils and karst areas), and
 - f. Existing predominant vegetation including trees, high quality habitat and other existing vegetation.
 3. **Better Site Design Practices for Stormwater Management:** Stormwater management plans shall preserve the natural drainage and natural treatment systems and reduce the generation of additional stormwater runoff and pollutants to the maximum extent practicable. Additional details can be found in the GSMM Section 2.3.
 4. **Stormwater Runoff-Water Quality/Runoff Reduction:** Stormwater Runoff-Water Quality/Runoff Reduction shall be provided by using the following:
 - a. The applicant shall provide (A) Runoff Reduction and additional water quality shall not be required. To the extent (A) Runoff Reduction has been determined to be infeasible for all or a portion of the site using the Practicability Policy, then (B) Water Quality shall apply for the remaining runoff from a 1.2 inch rainfall event and must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM.

Created: 2024-07-17 12:58:07 [EST]

(Supp. No. 5)

- i. Runoff Reduction - The stormwater management system shall be designed to retain the first 1.0 inch of rainfall on the site using runoff reduction methods, to the maximum extent practicable.
 - ii. Water Quality - The stormwater management system shall be designed to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) load or equivalent as defined in the GSMM for runoff from a 1.2 inch rainfall event.
 - b. If a site is determined to be a hotspot as detailed in Sec. 12.5.1.D., the City of Roswell may require the use of specific or additional components for the stormwater management system to address pollutants of concern generated by that site.
5. Stream Channel Protection: Stream channel protection shall be provided by using all of the following three approaches:
 - a. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event;
 - b. Erosion prevention measures, such as energy dissipation and velocity control; and
 - c. Preservation of any applicable stream buffer.
 6. Overbank Flood Protection: Downstream overbank flood protection shall be provided by controlling the post-development peak discharge rate to the pre-development rate for the 1- year, 2-year, 5-year, 10-year, ~~and~~ 25-year, and 100-year, 24-hour storm event.
 7. Extreme Flood Protection: Extreme flood protection shall be provided by controlling the 100-year, 24-hour storm event such that flooding is not exacerbated.
 8. Downstream Analysis: Due to peak flow timing and runoff volume effects, some structural components of the stormwater management system fail to reduce discharge peaks to pre-development levels downstream from the site. A downstream peak flow analysis shall be provided to the point in the watershed downstream of the site or the stormwater management system where the area of the site comprises 10% of the total drainage area in accordance with Section 3.1.9 of the GSMM. This is to help ensure that there are minimal downstream impacts from development on the site. The downstream analysis may result in the need to resize structural components of the stormwater management system. Analysis should include evaluation at each possible "choke point" between the site and the 10% point. This should include, but is not limited to culverts, pipes, and stream confluences.
 9. The stormwater management plan for each land development project must provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site, regional, or shared stormwater facility. The off-site, regional, or shared facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site, regional, or shared stormwater facility. In addition, on-site measures must be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility. Approval of an offsite or shared stormwater facility shall be subject to the approval of the Director of Environmental/Public Works ~~Department Director~~ or their designee. Proposed Shared Stormwater Facilities must meet the requirements as outlined in the City's Shared Stormwater Facility - Policy and Procedure (November, 23, 2015). Credits may be available for purchase by developers to partially or fully meet site stormwater requirements exclusively from City approved Shared Stormwater Projects.
 10. Stormwater Management System Inspection and Maintenance: The components of the stormwater management system that will not be dedicated to and accepted by the City of Roswell, including all drainage facilities, best management practices, credited conservation spaces, and conveyance systems,

shall have an inspection and maintenance agreement to ensure that they continue to function as designed. All new development and redevelopment sites are to prepare a comprehensive inspection and maintenance agreement for the on-site stormwater management system. This plan shall be written in accordance with the requirements in Sec. 12.5.4.B.

B. Pre-Submittal Consultation, Stormwater Concept Plan, and Stormwater Management Plan Requirements.

1. Before a land development permit application is submitted, an applicant may request a pre-submittal consultation with the City of Roswell. The pre-submittal consultation should take place based on an early step in the development process such as before site analysis and inventory (GSMM Section 2.4.2.4) or the stormwater concept plan (GSMM Section 2.4.2.5). The purpose of the pre-submittal consultation is to discuss opportunities, constraints, and ideas for the stormwater management system before formal site design engineering. To the extent applicable, local and regional watershed plans, greenspace plans, trails and greenway plans, and other resource protection plans should be consulted in the pre-submittal consultation. Applicants must request a pre-submittal consultation with the City of Roswell when applying for a Determination of Infeasibility through the Practicability Policy.
2. The stormwater concept plan shall be prepared using the minimum following steps:
 - a. Develop the site layout using better site design techniques, as applicable (GSMM Section 2.3).
 - b. Calculate preliminary estimates of the unified stormwater sizing criteria requirements for stormwater runoff quality/reduction, channel protection, overbank flooding protection and extreme flood protection (GSMM Section 2.2).
 - c. Perform screening and preliminary selection of appropriate best management practices and identification of potential siting locations (GSMM Section 4.1).
3. The stormwater concept plan shall contain:
 - a. Common address and legal description of the site,
 - b. Vicinity map, and
 - c. Existing conditions and proposed site layout mapping and plans (recommended scale of 1" = 50'). which illustrate at a minimum:
 - i. Existing and proposed topography (minimum of 2-foot contours),
 - ii. Perennial and intermittent streams,
 - iii. Mapping of predominant soils from USDA soil surveys,
 - iv. Boundaries of existing predominant vegetation and proposed limits of clearing and grading,
 - v. Location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.),
 - vi. Location of existing and proposed roads, buildings, parking areas and other impervious surfaces,
 - vii. Existing and proposed utilities (e.g., water, sewer, gas, electric) and easements,
 - viii. Preliminary estimates of unified stormwater sizing criteria requirements,
 - ix. Preliminary selection and location, size, and limits of disturbance of proposed BMPs.
 - x. Location of existing and proposed conveyance systems such as grass channels, swales, and storm drains,

-
- xi. Flow paths,
 - xii. Location of the boundaries of the base flood floodplain, future-conditions floodplain, and the floodway (as applicable) and relationship of site to upstream and downstream properties and drainage, and
 - xiii. Preliminary location and dimensions of proposed channel modifications, such as bridge or culvert crossings.
4. The stormwater management plan shall contain the items listed in this part and be prepared under the direct supervisory control of either a registered Professional Engineer or a registered Landscape Architect licensed in the state of Georgia. Items (c), (d), (e), and (f) shall be sealed and signed by a registered Professional Engineer licensed in the state of Georgia. The overall site plan must be stamped by a design professional licensed in the State of Georgia for such purpose. (GSMM Section 2.4.2.7)
- a. Natural Resources Inventory
 - b. Stormwater Concept Plan
 - c. Existing Conditions Hydrologic Analysis
 - d. Post-Development Hydrologic Analysis
 - e. Stormwater Management System
 - f. Downstream Analysis
 - g. Erosion and Sedimentation Control Plan
 - h. BMP Landscaping Plan
 - i. Inspection and Maintenance Agreement
 - j. Evidence of Acquisition of Applicable Local and Non-Local Permits
 - k. Determination of Infeasibility (if applicable)
5. For redevelopment and to the extent existing stormwater management structures are being used to meet stormwater management standards the following must also be included in the stormwater management plan for existing stormwater management structures
- a. As-built Drawings
 - b. Hydrology Reports
 - c. Current inspection of existing stormwater management structures with deficiencies noted
 - d. BMP Landscaping Plans
- C. **Application Fee.** The fee for review of any land development application shall be based on the fee structure established by the City of Roswell, and payment shall be made before the issuance of any land disturbance permit or building permit for the development.
- D. **Application Procedures.** Land development applications are handled as part of the process to obtain the land disturbance permit pursuant to Sec. 13.8 or building permit [Sec 13.4], as applicable. Before any person begins development on a site, the owner of the site shall first obtain approval in accordance with the following procedure:
- 1. File a land development application with the City of Roswell on the City of Roswell's form of application along the following supporting materials:
 - a. the stormwater management plan prepared in accordance with Sec. 12.5.2.B.,

- b. a certification that the development will be performed in accordance with the stormwater management plan once approved,
 - c. ~~appropriate stormwater checklist;~~
 - c. ~~a Preliminary Determination of Infeasibility~~documentation of preliminary determination of infeasibility of runoff reduction, as applicable, and
 - d. ~~an acknowledgement that applicant has reviewed the City of Roswell's form of inspection and maintenance agreement and that applicant agrees to a signed and recorded (if required) such inspection and maintenance agreement before the final inspection.~~
2. The administrator shall inform the applicant whether the application and supporting materials are approved or disapproved.
 3. If the application or supporting materials are disapproved, the administrator shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same for the administrator to again consider and either approve or disapprove.
 4. If the application and supporting materials are approved, the City of Roswell may issue the associated land disturbance permit or building permit, provided all other legal requirements for the issuance of such permits have been met. The stormwater management plan included in such applications becomes the approved stormwater management plan.
- E. **Compliance with the Approved Stormwater Management Plan.** All development shall be:
1. consistent with the approved stormwater management plan and all applicable land disturbance and building permits, and
 2. conducted only within the area specified in the approved stormwater management plan.

No changes may be made to an approved stormwater management plan without review and advanced written approval by the administrator.

(Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2024-02-04, 2-26-2024)

12.5.3. Construction Inspections

- A. **Inspections to Ensure Plan Compliance During Construction.** Periodic inspections of the stormwater management system during construction shall be conducted by the staff of the City of Roswell or conducted and certified by a professional engineer who has been approved by the City of Roswell. Inspections shall use the approved stormwater management plan for establishing compliance. All inspections shall be documented with written reports that contain the following information:
1. The date and location of the inspection;
 2. Whether the stormwater management system is in compliance with the approved stormwater management plan;
 3. Variations from the approved stormwater management plan; and
 4. Any other variations or violations of the conditions of the approved stormwater management plan.
- B. **Final Inspection; As-Built Drawings; Delivery of Inspection and Maintenance Agreement.** Upon completion of the development, the applicant is responsible for:
1. Certifying that the stormwater management system is functioning properly and was constructed in conformance with the approved stormwater management plan and associated hydrologic analysis,

2. Submitting as-built drawings showing the final design specifications for all components of the stormwater management system as certified by a professional engineer,
3. Certifying that the landscaping is established and installed in conformance with the BMP landscaping plan, and
4. Delivering to City of Roswell a signed inspection and maintenance agreement that has been recorded by the owner in the property record for all parcel(s) that make up the site.

The required certification under part (1) shall include a certification of volume, or other performance test applicable to the type of stormwater management system component, to ensure each component is functioning as designed and built according to the design specifications in the approved stormwater management plan. This certification and the required performance tests shall be performed by a qualified person and submitted to the City of Roswell with the request for a final inspection. The City of Roswell Environmental/Public Works staff shall perform a final inspection with applicant to confirm applicant has fulfilled these responsibilities.

- C. **Violations and Enforcement.** Any violation of the approved stormwater management plan during construction, failure to submit as-built drawings, failure to submit a final BMP landscaping plan, or failure of the final inspection shall constitute and be addressed as violations of, or failures to comply with, the underlying land disturbance permit pursuant to Sec. 13.14. To address a violation of this Article, the City of Roswell shall have all the powers and remedies that are available to it for other violations of building and land disturbance permits, including without limitation the right to issue notices and orders to ensure compliance, stop work orders, and penalties as set forth in the applicable ordinances for such permits.

(Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2024-02-04, 2-26-2024)

12.5.4. Ongoing Inspection and Maintenance

- A. **Maintenance by Owner of Stormwater Management Systems Predating Current GSMM.** For any stormwater management systems approved and built based on requirements predating the current GSMM and that is not otherwise subject to an inspection and maintenance agreement, such stormwater management systems shall be maintained by the owner so that the stormwater management systems perform as they were originally designed.
- B. **Inspection and Maintenance Agreements.**
1. The owner shall execute an inspection and maintenance agreement with the City of Roswell obligating the owner to inspect, clean, maintain, and repair the stormwater management system; including vegetation in the final BMP landscaping plan. The form of the inspection and maintenance agreement shall be the form provided by the City of Roswell. After the inspection and maintenance agreement has been signed by the owner and the City of Roswell, the owner shall promptly record such agreement at the owner's cost in the property record for all parcel(s) that make up the site.
 2. The inspection and maintenance agreement shall identify by name or official title the person(s) serving as the point of contact for carrying out the owner's obligations under the inspection and maintenance agreement. The owner shall update the point of contact from time to time as needed and upon request by the City of Roswell. Upon any sale or transfer of the site, the new owner shall notify the City of Roswell in writing within 30 days of the name or official title of new person(s) serving as the point of contact for the new owner. Any failure of an owner to keep the point of contact up to date shall, following 30 days' notice, constitute a failure to maintain the stormwater management system.
 3. The inspection and maintenance agreement shall run with the land and bind all future successors-in-title of the site. If there is a future sale or transfer of only a portion of the site, then:

- a. The parties to such sale or transfer may enter into and record an assignment agreement designating the owner responsible for each portion of the site and associated obligations under the inspection and maintenance agreement. The parties shall record and provide written notice and a copy of such assignment agreement to the City of Roswell.
 - b. In the absence of a recorded assignment agreement, all owners of the site shall be jointly and severally liable for all obligations under the inspection and maintenance agreement regardless of what portion of the site they own.
4. Post-construction inspection and maintenance requirements of stormwater management systems shall be administered and enforced by the Director of Environmental/Public Works ~~Department Director~~ or designee.
- C. **Right of Entry for Maintenance Inspections.** The terms of the inspection and maintenance agreement shall provide for the City of Roswell's right of entry for maintenance inspections and other specified purposes. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then the City of Roswell shall have the right to enter and make inspections pursuant to the City of Roswell's general provisions for property maintenance inspections pursuant to Sec. 12.6.4.
- D. **Owner's Failure to Maintain the Stormwater Management System.** The terms of the inspection and maintenance agreement shall provide for what constitutes a failure to maintain a stormwater management system and the enforcement options available to City of Roswell. If a site was developed before the requirement to have an inspection and maintenance agreement or an inspection and maintenance agreement was for any reason not entered into, recorded, or has otherwise been invalidated or deemed insufficient, then:
1. If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the City, after 30 days' written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The City may assess the owner of the facility for the cost of repair work which will be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes. An owner's failure to maintain the stormwater management system so that it performs as it was originally designed shall constitute and be addressed as a violation of, or failure to comply with, owner's property maintenance obligations pursuant to Sec. 13.14, and
 2. To address such a failure to maintain the stormwater management system, the City of Roswell shall have all the powers and remedies that are available to it for other violations of an owner's property maintenance obligations, including without limitation prosecution, penalties, abatement, and emergency measures.

(Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2024-02-04, 2-26-2024)

12.5.5. Variances and Appeals

- A. Applicants with a hardship imposed by the standards for stormwater management criteria may seek a variance to the standards (see Sec. 13.11.).
- B. Applicants dissatisfied with a staff decision regarding stormwater management criteria may appeal the decision to the Board of Zoning Appeals (see Sec. 13.12.).

(Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2024-02-04, 2-26-2024)

12.5.6. Definitions

For this Article, the terms below shall have the following meanings:

Administrator means the person appointed to administer and implement this Article on Post-Construction Stormwater Management for New Development and Redevelopment in accordance with Section 12.5.

BMP or best management practice means both structural devices to store or treat stormwater runoff and non-structural programs or practices which are designed to prevent or reduce the pollution of the waters of the State of Georgia.

BMP landscaping plan means a design for vegetation and landscaping that is critical to the performance and function of the BMP including how the BMP will be stabilized and established with vegetation. It shall include a layout of plants and plant names (local and scientific).

Channel means a natural or artificial watercourse with a definite bed and banks that conveys continuously or periodically flowing water.

Detention means the temporary storage of stormwater runoff in a stormwater detention facility for the purpose of controlling the peak discharge.

Detention facility means a structure designed for the storage and gradual release of stormwater runoff at controlled rates.

Development means any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

Drainage easement means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Extended detention means the detention of stormwater runoff for an extended period, typically 24 hours or greater.

Extreme flood protection means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flooding means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

Georgia Stormwater Management Manual (GSMM) means the latest edition of the Georgia Stormwater Management Manual. Volume 2: Technical Handbook, and its Appendices.

Hotspot means a land use or activity on a site that has the potential to produce higher than normally found levels of pollutants in stormwater runoff. As defined by the administrator, hotspot land use may include gasoline stations, vehicle service and maintenance areas, industrial facilities (both permitted under the Industrial Stormwater General Permit and others), material storage sites, garbage transfer facilities, and commercial parking lots with high-intensity use.

Impervious surface means a man-made structure or surface which prevents the infiltration of stormwater into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks, swimming pools or patios.

Industrial Stormwater General Permit means the National Pollutant Discharge Elimination System (NPDES) permit issued by Georgia Environmental Protection Division to an industry for stormwater discharges associated with

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industrial activity. The permit regulates pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies based on Standard Industrial Classification (SIC) Code.

Infiltration means the process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement means a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

Land development means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.

Land-disturbing activity means scraping, plowing, clearing, dredging, grading, excavating, transporting or filling of land or placement of any structure or impervious surface, dam, obstruction or deposit, except that grubbing, home gardening or ordinary landscape maintenance shall not be considered as a land-disturbing activity.

Land disturbance permit means an official authorization issued by the Engineering Director in accordance with Section 13.8.

Linear feasibility program means a feasibility program developed by City of Roswell and submitted to the Georgia Environmental Protection Division, which sets reasonable criteria for determining when implementation of stormwater management standards for linear transportation projects being constructed by City of Roswell is infeasible.

Linear transportation projects means construction projects on traveled ways including but not limited to roads, sidewalks, multi-use paths and trails, and airport runways and taxiways.

Low impact development (LID) means a stormwater management approach to manage rainfall in a way which more closely mimic the natural hydrologic system at the site prior to any development. Techniques include those which infiltrate, store, filter, evaporate and detain stormwater close to the location where the rain fell.

MS4 Permit means the NPDES permit issued by Georgia Environmental Protection Division for discharges from the City of Roswell's municipal separate storm sewer system.

New development means a land development activity on a previously undeveloped site.

Nonpoint source pollution means a form of water pollution that does not originate from a discrete point such as a wastewater treatment facility or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water or groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstructural stormwater management practice or nonstructural practice means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provided for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and green space areas, overland flow filtration areas, natural depressions, and vegetated channels.

Off-site facility means a stormwater management facility located outside the boundaries of the site.

On-site facility means a stormwater management facility located within the boundaries of the site.

Overbank flood protection means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain).

Post-construction stormwater management means stormwater best management practices that are used on a permanent basis to control and treat runoff once construction has been completed in accordance with a stormwater management plan.

Post-development means the conditions anticipated to exist on site immediately after completion of the proposed development.

Practicability policy means the latest edition of the Metropolitan North Georgia Water Planning District's Policy on Practicability Analysis for Runoff Reduction.

Pre-development means the conditions that exist on a site immediately before the implementation of the proposed development. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time before the first item being approved or permitted shall establish pre-development conditions.

Pre-development hydrology means (a) for new development, the runoff curve number determined using natural conditions hydrologic analysis based on the natural, undisturbed condition of the site immediately before implementation of the proposed development; and (b) for redevelopment, the existing conditions hydrograph may, subject to the approval of the [Director of Environmental/Public Works](#) ~~Department Director~~ or designee, be taken into account the existing development when defining the runoff curve number and calculating existing runoff, unless the existing development causes a negative impact on downstream property.

Previously developed site means a site that has been altered by paving, construction, and/or land disturbing activity.

Redevelopment means a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional non-point source pollution.

Regional stormwater management facility or regional facility means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Roswell Stormwater Handbook means the latest edition of the Roswell Stormwater Handbook and all its appendices.

Routine maintenance means activities to keep an impervious surface as near as possible to its constructed condition. This includes ordinary maintenance activities, resurfacing paved areas, and exterior building changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Runoff means stormwater runoff.

Site means an area of land where development is planned, which may include all or portions of one or more parcels of land. For subdivisions and other common plans of development, the site includes all areas of land covered under an applicable land development permit.

Stormwater better site design means nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural area and green space, reducing impervious cover and using natural features for stormwater management.

Stormwater concept plan means an initial plan for post-construction stormwater management at the site that provides the groundwork for the stormwater management plan including the natural resources inventory, site layout concept, initial runoff characterization, and first round stormwater management system design.

Stormwater management means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater management facility means any infrastructure that controls or conveys stormwater runoff.

Stormwater management plan means a plan for post-construction stormwater management at the site that meets the requirements of Sec. 12.5.2 and is included as part of the land development application.

Stormwater management standards means those standards set forth in Sec. 12.5.2.A.

Stormwater management system means the entire set of non-structural site design features and structural BMPs for collection, conveyance, storage, infiltration, treatment, and disposal of stormwater runoff in a manner designed to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater runoff means flow on the surface of the ground, resulting from precipitation.

Other terms used but not defined in this Article shall be interpreted based on how such terms are defined and used in the City of Roswell's UDC, GSMM, [the Roswell Stormwater Handbook](#), and the City of Roswell's MS4 permit.

(Ord. No. 2020-06-07, § 1, 6-8-2020; Ord. No. 2024-02-04, 2-26-2024)



City of Roswell
Committees of Council
AGENDA ITEM REPORT

ID # - 10477

MEETING DATE: June 9, 2026
DEPARTMENT: Environmental/Public Works
ITEM TYPE: Ordinance - Code of Ordinances

Consideration of an ordinance to amend the Code of Ordinances of the City of Roswell, Georgia by amending Chapter 7 - Land Development and Environmental Protection, Article 7.2 - Post-Development Stormwater Management

Action Required:

Agenda Vote

Description:

This is consideration of a text amendment to the Code of Ordinances regarding Section 7.2. - Post-Development Stormwater Management.

The purpose of the text amendment is as follows:

1. Revise text to include reference to the City Of Roswell Stormwater Handbook.
2. Revise text to be consistent with the Unified Development Code (UDC) Article 12 - Environmental Protection, Section 12.5 - Stormwater Management.
3. Minor revisions to clarify requirements.

Financial Impact:

N/A

Comments:

See attachments.

- CODE OF ORDINANCES CITY OF ROSWELL GEORGIA
Chapter 7 - LAND DEVELOPMENT AND ENVIRONMENTAL PROTECTION
Article 7.2 Post-Development Stormwater Management

Article 7.2 Post-Development Stormwater Management

Section 7.2.1 General Provisions.

7.2.1.1 *Purpose and Intent.* The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. It has been determined that proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. Additionally, the City of Roswell is required to comply with several State and Federal laws, regulations and permits and the requirements of the Metropolitan North Georgia Water Planning District's regional water plan related to managing the water quantity, velocity, and quality of post-construction stormwater runoff. This ordinance seeks to meet that purpose through the following objectives:

- (1) Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
- (2) Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and maintain the integrity of stream channels and aquatic habitats;
- ~~(3) Allow in appropriate situations the use of existing conditions curve numbers for redevelopment sites if it can be shown through rigorous and detailed downstream engineering analysis that no existing downstream drainage problems exist or are anticipated as a result of the redevelopment;~~
- (34) Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
- ~~(45) Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable. Coordinate site design plans, which include greenspace, with the county's greenspace protection plan;~~
- ~~(56) Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and,~~
- ~~(67) Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.~~

7.2.1.2 *Applicability.*

- (1) This ordinance shall be applicable to all land development, including but not limited to site plan applications, subdivision applications and grading applications, unless exempt pursuant to subsection (2) below. These standards apply to any new development or redevelopment site that meets one (1) or more of the following criteria unless requirements are waived by the Director of public works/ environmental/Environmental / Public Works director or designee:

- a. New development that involves the creation of five thousand (5,000) square feet or more of impervious cover, or that involves other land development activities of one (1) acre or more;
- b. Redevelopment that includes the creation, addition or replacement of five thousand (5,000) square feet or more of impervious cover, or that involves other land development activity of one (1) acre or more;
- c. Any commercial or industrial new development or redevelopment, regardless of size, that is defined by ~~the engineering division manager or the Director of Environmental / Public Works~~ to be a hotspot land use;
- d. Land development activities that are smaller than the minimum applicability criteria set forth in items a. and b. above, if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules;
- e. New development that involves the creation or replacement of between one thousand (1,000) square feet and five thousand (5,000) square feet of impervious cover ~~for non-residential property shall provide water quality protection runoff reduction only using approved low impact development methods;~~ or
- f. Redevelopment that involves the creation or replacement of between one thousand (1,000) square feet and five thousand (5,000) square feet of impervious cover ~~for non-residential property shall provide water quality protection runoff reduction only using approved low impact development methods.~~
- g. Linear transportation projects that exceed the threshold in (a) or (b) above.
- (2) The following activities are exempt from this ordinance:
- ~~a. Individual single family or duplex residential lots that are not part of a subdivision or phased development project;~~
- ~~b. Additions or modifications to existing single family or duplex residential structures;~~
- a. Land disturbing activity conducted by local, state, authority, or federal agencies, solely to respond to an emergency need to protect life, limb, or property or conduct emergency repairs;
- b. Land disturbing activity that consists solely of cutting a trench for utility work and related pavement replacement;
- c. Land disturbing activity conducted by local, state, authority, or federal agencies, whose sole purpose is to implement stormwater management or environmental restoration;
- d. Repairs to any stormwater management system deemed necessary by the administrator;
- e. Agricultural practices as described O.C.G.A. 12-7-17(5) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in section 7.2.1.2.;
- f. Silvicultural land management activities as described O.C.G.A. 12-7-17(6) within areas zoned for these activities with the exception of buildings or permanent structures that exceed the threshold in section 7.2.1.2.;
- g. Installations or modifications to existing structures solely to implement Americans with Disabilities Act (ADA) requirements, including but not limited to elevator shafts, handicapped access ramps and parking, and enlarged entrances or exits;
- h. Existing driveway removal and replacement in kind; and

- i. ~~Linear transportation projects being constructed by City of Roswell to the extent the administrator determines that the stormwater management standards may be infeasible to apply, all or in part, for any portion of the linear transportation project. For this exemption to apply, an infeasibility report that is compliant with the City of Roswell linear feasibility program shall first be submitted to the administrator that contains adequate documentation to support the evaluation for the applicable portion(s) and any resulting infeasibility determination, if any, by the administrator.~~
- e. ~~Agricultural or silvicultural land management activities within areas zoned for these activities; and,~~
- d. ~~Repairs to any stormwater management facility or practice deemed necessary by the director~~
~~Director of Environmental / public Public worksWorks.~~

7.2.1.3 *Designation of Ordinance Administrator.* The ~~public works/environmental director~~ **Director of Environmental/Public Works** or his designee is hereby appointed to administer and implement the provisions of this article of this ordinance.

7.2.1.4 *Stormwater Design Manual.* The City of Roswell will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual, ~~Roswell Stormwater Handbook~~, and any relevant local regulations or procedures adopted by the ~~public works/environmental~~ **Environmental / Public Works De**partment for the proper implementation of the requirements of this ordinance. The ~~manual~~ **Georgia Stormwater Management Manual and the Roswell Stormwater Handbook** may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

(2012-10-15, §§ 1, 2, Amended, 10/08/2012; 2003-12-30, Renumbered, 12/08/2003; 2002-12-04, Amended, 02/06/2003)

State law reference(s)—Stormwater systems and codes are authorized under local home rule powers in Georgia Constitution art. IX § II, par. III(a)(6) and (12).

Section 7.2.2 Definitions.

Applicant means a person submitting a post-development stormwater management application and plan for approval.

Channel means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Conservation easement means an agreement between a land owner and the (local jurisdiction) or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Detailed downstream engineering analysis means that a rigorous and detailed downstream analysis can be conducted by an engineer in order to show that additional detention is unnecessary for a redevelopment site.

Detention means the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention facility means a detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Developer means a person who undertakes land development activities.

Development means a land development or land development project.

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Drainage easement means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Erosion and sedimentation control plan means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Extended detention means the detention of stormwater runoff for an extended period, typically twenty-four (24) hours or greater.

Extreme flood protection means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of one hundred (100) years or more.

Flooding means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

Georgia Stormwater Management Manual shall mean the latest version of the manual promulgated by the Atlanta Regional Commission, as amended and approved by the City of Roswell.

Greenspace or open space means permanently protected areas of the site that are preserved in a natural state.

Hotspot means an area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

Hydrologic Soil Group (HSG) means a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

Impervious cover means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

Industrial stormwater permit means a National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration means the process of percolating stormwater runoff into the subsoil.

Inspection and maintenance agreement means a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

Jurisdictional wetland means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Land development means any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land development activities means those actions or activities which comprise, facilitate or result in land development.

Land development project means a discrete land development undertaking.

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Low impact development methods means a stormwater management approach to manage rainfall in a way which more closely mimics the natural hydrologic system at the site prior to any development. Techniques include those which infiltrate, store, filter, evaporate and detain stormwater close to the location where the rain fell.

New development means a land development activity on a previously undeveloped site.

Nonpoint source pollution means a form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Nonstructural stormwater management practice or nonstructural practice means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Off-site facility means a stormwater management facility located outside the boundaries of the site.

On-site facility means a stormwater management facility located within the boundaries of the site.

Overbank flood protection means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the ~~two~~one-year (1) through ~~100~~25-year frequency storm events.

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Permit means the permit issued by the City of Roswell to the applicant which is required for undertaking any land development activity.

Person means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Post-development refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

Pre-development refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Project means a land development project.

Redevelopment means a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Regional stormwater management facility or regional facility means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual

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properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Roswell Stormwater Handbook means the latest edition of the Roswell Stormwater Handbook and all its appendices.

Runoff means stormwater runoff.

Site means the parcel of land being developed, or the portion thereof on which the land development project is located.

Stormwater better site design means nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater management means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater management facility means any infrastructure that controls or conveys stormwater runoff.

Stormwater management measure means any stormwater management facility or nonstructural stormwater practice.

Stormwater management plan means a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.

Stormwater management system means the entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

Stormwater retrofit means a stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater runoff means the flow of surface water resulting from precipitation.

Structural stormwater control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

Subdivision means the division of a tract or parcel of land resulting in one (1) or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

(2012-10-15, § 3, Amended, 10/08/2012; 2002-12-04, Amended, 12/16/2002)

Section 7.2.3 Permit Procedures and Requirements.

7.2.3.1 *Permit Application Requirements.* No owner or developer shall perform any land development activities without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically exempted by this ordinance, any owner or developer proposing a land development activity shall submit to the City of Roswell a permit application on a form provided by the City of Roswell for that purpose.

Commented [EK1]: These requirements are all for projects greater than 5,000 sq ft. These generally do not apply to less than 5,000 sq ft. Do we want to differentiate?

Commented [BW2R1]: Yes, we should differentiate. Would this mean to include a new section for 1,000 to 5,000?

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Unless otherwise exempted by this ordinance, a permit application for land development activity which exceeds 5,000 square feet of new or replaced impervious area shall be accompanied by the following items in order to be considered:

- (1) Stormwater concept plan and consultation meeting certification in accordance with section 7.2.3.2;
- (2) Stormwater management plan in accordance with section 7.2.3.3;
- (3) Inspection and maintenance agreement in accordance with section 7.2.3.4, if applicable;
- (4) Performance bond in accordance with section 7.2.3.5, if applicable; and,
- (5) Permit application and plan review fees in accordance with section 7.2.3.6.

7.2.3.2 *Stormwater Concept Plan and Consultation Meeting.* Before any development permit application is submitted, the land owner or developer shall meet with the City of Roswell ~~public works/environmental~~Director of Environmental / Public Works director or designee for a consultation meeting on a concept plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting shall take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced. To accomplish this goal the following information should be included in the concept plan which shall be submitted in advance of the meeting:

- (a) *Existing Conditions/Proposed Site Plans.* Existing conditions and proposed site layout sketch plans, which illustrate at a minimum: existing and proposed topography; perennial and intermittent streams; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation and proposed limits of clearing and grading; ~~and~~ location of existing and proposed roads, buildings, parking areas and other impervious surfaces, and existing and proposed utilities and easements.
- (b) *Natural Resources Inventory.* A written or graphic inventory of the natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description should include a discussion of soil conditions, forest cover, topography, wetlands, and other native vegetative areas on the site, as well as the location and boundaries of other natural feature protection and conservation areas such as wetlands, lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.
- (c) *Stormwater Management System Concept Plan.* A written or graphic concept plan of the proposed post-development stormwater management system including: preliminary estimates of unified stormwater sizing criteria, preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings.

Local watershed plans, ~~the greenspace projection plan,~~ and any relevant resource protection plans will be consulted in the discussion of the concept plan.

7.2.3.3 *Stormwater Management Plan Requirements.* The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in section 7.2.4 below.

This plan shall be in accordance with the criteria established in this section and must be submitted with the stamp and signature of a professional engineer (PE) licensed in the State of Georgia, and qualified in the field of

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water resources who must verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the submittal checklist(s) found in the ~~stormwater design manual~~Roswell Stormwater Handbook.

The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the stormwater management ~~site plan~~ checklist found in the ~~stormwater design manual~~Roswell Stormwater Handbook. This includes:

- (a) Common address and legal description of site.
- (b) Vicinity map.
- (c) Existing Conditions Hydrologic Analysis. The existing condition hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities.
- (d) Post-Development Hydrologic Analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in section 7.2.4; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than fifty (50) percent of the site area for the entire site, then the performance criteria in section 7.2.4 must be met for the stormwater runoff from the entire site.
- (e) Stormwater Management System. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in section 7.2.4; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins,

channels, swales and areas of overland flow; and where applicable, a narrative describing how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.

- (f) **Post-Development Downstream Analysis.** A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is ten (10) percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the stormwater design manual.
- (g) **Construction-Phase Erosion and Sedimentation Control Plan.** An erosion and sedimentation control plan in accordance with the Roswell, Georgia Erosion and Sedimentation Control Ordinance or NPDES Permit for Construction Activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.
- (h) **Landscaping and Open Space Plan.** A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. Additional landscaping may be required outside these facilities, and the stormwater landscaping plan must be consistent with the plan for the entire development. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.
- (i) **Operations and Maintenance Plan.** Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.
- (j) **Maintenance Access Easements.** The applicant must ensure access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property.
- (k) **Inspection and Maintenance Agreements.** Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Roswell as provided in section 7.2.3.4 below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance with section 7.2.3.4.

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- (l) Evidence of Acquisition of Applicable Local and Non-local Permits. The applicant shall certify and provide documentation to the City of Roswell that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

7.2.3.4 Stormwater Management Inspection and Maintenance Agreements. Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which the City of Roswell requires ongoing maintenance, the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Roswell, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

The inspection and maintenance agreement, if applicable, must be approved by the City of Roswell prior to plan approval, and recorded in the deed records upon final plat approval.

The inspection and maintenance agreement shall identify, by name or official title, the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.

As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.

In addition to enforcing the terms of the inspection and maintenance agreement, the City of Roswell may also enforce all of the provisions for ongoing inspection and maintenance in section 7.2.6 of this ordinance.

The mayor and council of the City of Roswell, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this ordinance and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance.

The city shall not be legally responsible for the inspection or maintenance of any stormwater management facilities including detention facilities or channels unless the same have been expressly dedicated to and accepted by the city for such purposes.

7.2.3.5 Performance and Maintenance Bonds (Reserved).

7.2.3.6 Application Procedure.

- (1) Applications for land development permits shall be filed with the City of Roswell.
- (2) Permit applications shall include the items set forth in section 7.2.3.1.
- (3) The City of Roswell shall inform the applicant whether the application, stormwater management plan and inspection and maintenance agreement are approved or disapproved within ~~forty-fiveten~~ (1045) working days.
- (4) If either the permit application, stormwater management plan or inspection and maintenance agreement are disapproved, the City of Roswell shall notify the applicant of such fact in writing. The applicant may then revise any item not meeting the requirements hereof and resubmit the same.
- (5) Upon a finding by the City of Roswell that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this ordinance, the

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City of Roswell may issue a permit for the land development project, provided all other legal requirements for the issuance of such permit have been met.

- (6) Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:
- a. The applicant shall comply with all applicable requirements of the approved plan and this ordinance and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;
 - b. The land development project shall be conducted only within the area specified in the approved plan;
 - c. The City of Roswell shall be allowed to conduct periodic inspections of the project;
 - d. No changes may be made to an approved plan without review and written approval by the City of Roswell; and,
 - e. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by section 7.2.5.2.

7.2.3.7 *Application Review Fees.* The fee for review of any stormwater management application shall be based on the fee structure established by the City of Roswell.

7.2.3.8 *Modifications for Off-Site Facilities.* The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

A stormwater management plan must be submitted to the City of Roswell which shows the adequacy of the off-site or regional facility.

To be eligible for a modification, the applicant must demonstrate to the satisfaction of the City of Roswell that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:

- (1) Increased threat of flood damage to public health, life, and property;
- (2) Deterioration of existing culverts, bridges, dams, and other structures;
- (3) Accelerated streambank or streambed erosion or siltation;
- (4) Degradation of in-stream biological functions or habitat; or
- (5) Water quality impairment in violation of state water quality standards, and/or violation of any state or federal regulations.

(2012-10-15, § 4, Amended, 10/08/2012; 2004-01-01, Added, 01/05/2004, 7.2.3.4 - last paragraph added; 2002-12-04, Amended, 12/16/2002)

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Section 7.2.4 Post-Development Stormwater Management Performance Criteria.

The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this ordinance:

- 7.2.4.1 ~~Water Quality~~Runoff Reduction. All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:
- (1) It is sized to treat the prescribed ~~water quality treatment~~runoff reduction volume from the site, as defined in the Georgia Stormwater Management Manual and the Roswell Stormwater Handbook;
 - (2) Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual and Roswell Stormwater Handbook; and,
 - (3) Runoff from hotspot land uses and activities identified by the ~~director of public works~~Director of Environmental / Public Works are adequately treated through water quality treatment and not runoff reduction and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.
- 7.2.4.2 *Stream Channel Protection*. Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three (3) approaches:
- (1) Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
 - (2) Twenty-four-hour extended detention storage of the one-year, 24-hour return frequency storm event;
 - (3) Erosion prevention measures such as energy dissipation and velocity control.
- 7.2.4.3 *Overbank Flooding Protection*. Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 1-year, 2-year, 5-year, 10-year, 25-year, and 100-year 24-hour return frequency storm event. If control of the one-year, 24-hour storm under ~~section-section~~ 7.2.4.2 is exempted, then peak discharge rate attenuation of the two-year through the ~~25~~100-year return frequency storm event must be provided.
- 7.2.4.4 *Extreme Flooding Protection*. Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.
- 7.2.4.5 *Structural Stormwater Controls*. All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual and the Roswell Stormwater Handbook. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual or Roswell Stormwater Handbook, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from the City of Roswell before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the City of Roswell may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.

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Applicants shall consult the Georgia Stormwater Management Manual [and Roswell Stormwater Handbook](#) for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.

7.2.4.6 *Stormwater Credits for Nonstructural Measures.* The use of one (1) or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under ~~section~~-[Article 7.2.4.1](#). The applicant may, if approved by the City of Roswell, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual [and Roswell Stormwater Handbook](#).

7.2.4.7 *Drainage System Guidelines.* Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public right-of-ways. Stormwater conveyance facilities that are designed to carry runoff from more than one (1) parcel, existing or proposed, shall meet the following requirements:

- (1) Methods to calculate stormwater flows shall be in accordance with the ~~stormwater design manual~~[Georgia Stormwater Management Manual and Roswell Stormwater Handbook](#);
- (2) All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the ~~stormwater design manual~~[Georgia Stormwater Management Manual and Roswell Stormwater Handbook](#); and,
- (3) Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the ~~stormwater design manual~~[Georgia Stormwater Management Manual and Roswell Stormwater Handbook](#).

7.2.4.8 *Dam Design Guidelines.* Any land-disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

7.2.4.9 *Detailed Downstream Analysis Guidelines.* For a redevelopment site subject to the Post Development Stormwater Ordinance, flexibility in determining curve numbers to quantify hydraulic values can be considered. In some basins and for some sites it may be possible to show through a rigorous and detailed engineering analysis that detention or additional detention should not be required for a particular site. The criteria that must be evaluated and submitted to the ~~public works/environmental~~[Environmental / Public Works Department](#) includes:

- (a) Analysis and review of habitable and non-habitable built structures downstream of the subject property for riverine flooding;
- (b) Analysis of the infrastructure for conveyance and current condition; and
- (c) Completion of a field investigation of the downstream receiving waters to evaluate scouring and stream bank and stream bed stability.

The ~~public works/environmental~~[Environmental / Public Works Department](#) will evaluate the engineering submittal to decide if additional detention and/or channel protection will be required. ~~Water quality treatment~~[Runoff Reduction](#) utilizing low impact development methods will be required regardless of outcome of decision regarding additional detention and/or channel protection.

The detailed downstream analysis shall be conducted from the downstream point on the subject property to the ten-percent analysis point or to a point where the drainage basin downstream equals ten (10) times the

subject site drainage basin or to a point where receiving waters are met which have a minimum six hundred forty (640) acres of drainage area.

(2012-10-15, § 5, Amended, 10/08/2012; 2003-12-30, Renumbered, 12/08/2003; 2002-12-04, Amended, 12/16/2002)

Section 7.2.5 Construction Inspections of Post-Development Stormwater Management System.

7.2.5.1 *Inspections to Ensure Plan Compliance During Construction.* Periodic inspections of the stormwater management system construction shall be conducted if required by the staff of the City of Roswell Engineering Division or conducted and certified by a professional engineer who has been approved by the engineering division manager. Inspections shall follow procedures established in the City of Roswell subdivision regulations and construction inspections shall utilize the approved stormwater management plan for establishing compliance. In no instance shall such inspection impose any duty or liability upon the City of Roswell, its agents, officers, or employees.

7.2.5.2 *Final Inspection and As Built Plans.* Upon completion of a project and before a certificate of occupancy shall be granted the applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a professional engineer. As built plans must be approved by the ~~public works/environmental director~~ **Director of Environmental / Public Works** or designee. A final inspection by the City of Roswell is required before the release of any performance securities can occur.

(2012-10-15, § 6, Amended, 10/08/2012; 2003-12-30, Renumbered, 12/08/2003; 2002-12-04, Amended, 12/16/2002)

Section 7.2.6 Ongoing Inspection and Maintenance of Stormwater Facilities and Practices.

7.2.6.1 *Long-Term Maintenance Inspection of Stormwater Facilities and Practices.* Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this ordinance.

A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the City of Roswell shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the deficiencies which must be corrected to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the City of Roswell, may correct the violation as provided in subsection 7.2.6.4 hereof.

Inspection programs by the City of Roswell may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water,

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groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

7.2.6.2 *Right-of-Entry for Inspection.* The terms of the inspection and maintenance agreement shall provide for the City of Roswell to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.

7.2.6.3 *Records of Maintenance Activities.* Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the City of Roswell.

7.2.6.4 *Failure to Maintain.* If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the City of Roswell, after thirty (30) days' written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four (24) hours' notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The City of Roswell may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.

(2003-12-30, Renumbered, 12/08/2003; 2002-12-04, Amended, 12/16/2002)

Section 7.2.7 Violations, Enforcement and Penalties.

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

7.2.7.1 *Notice of Violation.* If the City of Roswell determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action;
- (5) A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
- (6) A statement that the determination of violation may be appealed to the City of Roswell by filing a written notice of appeal within thirty (30) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four (24) hours' notice shall be sufficient).

7.2.7.2 *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one (1) or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the City of Roswell shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than ten (10) days (except, that in the event the violation constitutes an immediate danger to public health or public safety, twenty-four (24) hours' notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City of Roswell may take any one (1) or more of the following actions or impose any one (1) or more of the following penalties:

- (1) *Stop Work Order.* The City of Roswell may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
- (2) *Withhold Certificate of Occupancy.* The City of Roswell may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
- (3) *Suspension, Revocation or Modification of Permit.* The City of Roswell may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated [upon such conditions as the City of Roswell may deem necessary to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations].
- (4) *Civil Penalties.* Any person failing to comply with this ordinance shall be in violation of this ordinance and shall be subject to the penalties specified in section 1.1.3 of the Roswell Code of Ordinances in addition to any provided in this article.

(2003-12-30, Renumbered, 12/08/2003; 2002-12-04, Amended, 12/16/2002)