

# ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 1115

AN ORDINANCE TO AMEND SECTIONS 3.03.15, 3.03.20, 4.18, 4.22, AND 5.07 OF ORDINANCE 906 (SUBDIVISION REGULATIONS); TO REPEAL SECTIONS 3.03.15, 3.03.20, 4.18, 4.22, AND 5.07 OF ORDINANCE 906 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

Section 1. That Sections 3.03.15, 3.03.20, 4.18, AND 5.07 of the Subdivision Regulations of the City of La Vista are amended to read as follows:

### **3.03 Preliminary Plat Specifications.**

3.03.15 Six (6) draft copies of a subdivision agreement with itemized cost estimates for infrastructure improvements with proposed allocation of costs between sources of funding, letter size exhibits setting forth size and location of infrastructure improvements, and two (2) copies of full-size exhibits setting forth size and location of infrastructure improvements. The draft subdivision agreement shall include a statement of the estimated Storm Water Management Fees in accordance with Chapter 154 of the La Vista Municipal Code to be generated through ultimate development of the subdivision. Draft subdivision agreements shall be required when the proposed subdivision will include public and/or private, shared (common area) infrastructure improvements. Draft subdivision agreements may be required in other cases as determined by the City.

3.03.20 Four copies of the following documents are to be submitted to the City for review at the time of the preliminary plat submittal:

1. A sanitary sewer plan.
2. A surface storm drainage plan including provisions to provide water quality improvements to the first one-half inches (0.5") of runoff from the site and to reduce stormwater discharge rates after development of the site to pre-development conditions for the 2-year return frequency storm event measured at every drainage outlet (stormwater discharge).
3. A street profile plan with a statement of proposed street improvements.
4. A Post-Construction Storm Water Management Plan, as provided in Chapter 154 of the La Vista Municipal Code, with a proposed implementation schedule or sequence of phased construction, and proposed maintenance, inspection and operation procedures for the proposed BMP's. A draft Maintenance Agreement and Easement shall be included with this submittal.

### **4.18 Design Standards: Storm Sewer System.**

The storm sewer system shall be designed in accordance with the Omaha Regional Storm Water Design Manual, Papillion Creek Watershed Plan, and Chapter 154 of the City of La Vista Municipal Code all as amended from time to time. In addition, provisions shall be made to limit the 10-year peak rate of storm water discharge from the subdivision. Post-development peak runoff rate shall not exceed 1.25 times the pre-development runoff rate at any time following post-development based upon a 10-year storm event. Pre-development shall be the condition prior to improvements being completed, including agricultural uses. For single family subdivisions, storm water management facilities should be community-based in outlots rather than on individual private lots.

### **4.22 Design Standards: Creek Setback.**

No person shall be granted a permit for the construction of any structure, exclusive of bank stabilization structures, adjacent to any creek or stream unless such structure is located so that no portion thereof is any closer to the stream than will allow a maximum three-to-one slope plus 20 feet between the water's edge of the stream and the closest point on the structure at grade. For those creeks or streams designated in the Papillion Creek Watershed Plan, the setback shall be increased to allow a maximum three-to-one slope plus 50 feet between the water's edge of the

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stream and the closest point on the structure at grade. As used herein, the edge of the water of the stream shall be the point constituting the edge of the water during normal flow conditions.

## **5.07 Required Improvements; Drainage.**

A drainage system shall be designed and constructed by the subdivider to provide for the proper drainage of surface water of the subdivision and the drainage area of which it is a part. The storm sewer system shall be designed in accordance with the Omaha Regional Storm Water Design Manual, the Papillion Creek Watershed Plan, and Chapter 154 of the City of La Vista Municipal Code, all as amended from time to time. In addition, provisions shall be made to limit the peak rate of storm water discharge from the subdivision. Post development runoff (cubic feet per second) shall not exceed 1.25 times the predevelopment runoff rate at any time following post-development, based upon a 10-year storm event. Pre-development shall be the condition prior to improvements being completed, including agricultural uses. For single family subdivisions, storm water management facilities should be community-based in outlots rather than on individual private lots. Storm sewers shall be constructed and installed to provide adequate drainage in accordance with any supplemental recommendations of the city engineer. In addition, the developer shall submit a drainage report prepared by a registered professional engineer as to the existing and proposed drainage conditions. A preliminary report shall be included with the preliminary plat. The final report shall be attached to the final plat and shall include an evaluation of the ability of the proposed water courses, drainage tiles, storm sewers, culverts and other improvements pertaining to drainage or flood control within the subdivision to handle the run-off which would be generated by the development of the land within and above the subdivision and the impacts of such drainage on downstream drainage systems.

5.07.01 The preliminary plat report shall include:

1. Preliminary estimates of the quantity of storm water entering the subdivision naturally and upon full development of lots within the subdivision for 10-year and 100-year frequency storm events.
2. Existing conditions of the watershed that may affect the proposed subdivision, such as soil type, drainage channels, obstructions and the like.
3. A preliminary grading plan illustrating proposed drainage management.

5.07.02 The final plat drainage report shall contain:

1. Calculations of the quantity of storm water entering the subdivision naturally and estimates of such storm water upon full development within the subdivision based on the proposed zoning.
2. Quantities of flow at each pick-up point.
3. Estimates and type of temporary erosion control measures necessary to control erosion during construction.
4. A description of an adequate drainage system within the subdivision and its for 100-year frequency storm events.

5.07.03.1 Drainage Requirements. The subdivider shall provide adequate drainage facilities within the subdivision including storm sewers upon recommendation of the city engineer. If storm sewers are not necessary all open ditches shall be graded and all pipes, culverts, intersection drains, drop inlets, bridges, headwalls, gutters and similar or related installations necessary to provide adequate surface water drainage shall be constructed and installed in accordance with plans approved by the City Council upon recommendation by the city engineer.

SECTION 3. Repeal of Sections 3.03.15, 3.03.20, 4.18, and 5.07 as Previously Enacted. Sections 3.03.15, 3.03.20, 4.18, and 5.07 of Ordinance No. 906 as previously enacted is hereby repealed.

SECTION 4. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

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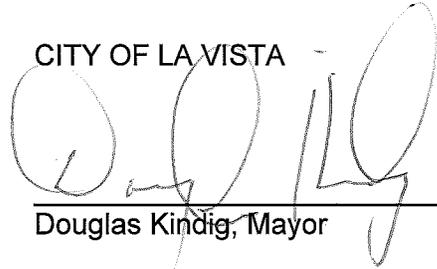
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SECTION 6. This ordinance shall be published in pamphlet form and take effect as provided by law.

PASSED AND APPROVED THIS 16TH DAY OF FEBRUARY 2010.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk

K:\APPS\City Hall\ORDINANCES\1115 Amend Subdivision Reg 3.03.20