

## DuPage County Stormwater and Flood Plain Ordinance Revisions

---

---

---

---

---

---

---

---

### Intent

- To amend the Stormwater Ordinance to provide the structure to better meet local, state, and federal stormwater regulations, while optimizing the requirements for new development, re-developments, and existing developments so DuPage County may remain competitive in maintaining / attracting business while preserving the high standard of flood control and environmental protection for all County residents.

---

---

---

---

---

---

---

---

### New DCSFPO vs Village Stormwater Ordinances

- Villages must adopt the full DuPage County Ordinance. All communities must be as restrictive as the County Ordinance at a minimum.
- Feedback from Municipal Engineers Meetings indicates that most communities will be more restrictive than the new DCSFPO
- Village of Westmont is a Partial Waiver Community, therefore, DuPage County reviews projects with:
  - Floodplains
  - Wetlands
- Village of Westmont reviews:
  - Stormwater Management requirements, including detention requirements
  - BMPs
- The Village has more restrictive detention requirements than the County. The Village may consider giving detention credit for VCBMPs.
- Post Construction BMPs will be required for lot splits per the new DCSFPO. The Village may consider requiring VCBMPs, instead of detention for lot splits.

---

---

---

---

---

---

---

---

## Highlights

- Provides alternate methods to review and approve applications for permits by reducing submittal requirements under special circumstances through General Certifications and Letters of Permission.
- Thresholds for providing stormwater runoff facilities is changed from a zoning based system to a system that recognizes the change in impervious areas on a site over time.
- Volume Control BMPs are now required on development sites to promote runoff reduction, groundwater recharge, water quality.
- Limitations on floodplain modeling regulations to reduce submittal requirements.

---

---

---

---

---

---

---

---

## Highlights (cont.)

- Flood plain regulations adjusted to allow for additional types of development within the flood plain (sheds, detached garages, etc.).
- Consolidating requirements for riparian mitigation into the requirements for wetland buffers.
- Amending the thresholds for post construction best management practices (PCBMP) to correlate directly with changes in impervious area on the development site.

---

---

---

---

---

---

---

---

## Cost Comparison of Examples - Old vs. New DCSFPO

	Residential			Utility	Re-development
	Ex. 1 Large Lot Teardown	Ex. 2 Addition	Ex. 3 Accessory Structure	Ex. 4 Wetland Maintenance	Ex. 5 Commercial Teardown
Time Savings	Possible	Yes	Significant	Significant	Possible
Cost Savings	Yes	Yes	Significant	Yes	Significant

---

---

---

---

---

---

---

---

### **Additional Information**

- Anticipated revisions in 3 months
- Revised Ordinance and General Certifications available on the DuPage County website at:  
[www.dupageco.org/EDP/Stormwater/Management/Regulatory Services/1420/](http://www.dupageco.org/EDP/Stormwater/Management/Regulatory%20Services/1420/)

---

---

---

---

---

---

---



**DU PAGE COUNTY**  
**ECONOMIC DEVELOPMENT & PLANNING**  
Daniel J. Cronin, County Board Chairman

BUILDING & ZONING • ECONOMIC DEVELOPMENT • ENVIRONMENTAL CONCERNS • LAND USE • STORMWATER MANAGEMENT  
STORMWATER PERMITTING • TRAILS • TRANSIT PLANNING • TRANSPORTATION PLANNING • WETLANDS PROTECTION • WORKFORCE DEVELOPMENT

421 N. County Farm Road  
Wheaton, IL 60187

(630) 407-6700 Phone  
(630) 407-6702 Fax  
[www.dupageco.org/edp](http://www.dupageco.org/edp)

## MEMORANDUM

DATE: May 1, 2012  
TO: Mayors, Managers, and Stormwater Administrators  
FROM: Clayton Heffter, Stormwater Permitting Manager *CCH*  
RE: 2012 DuPage County Countywide Stormwater and Flood Plain Ordinance  
Amendments and associated General Conditions

Recently, an update to the DuPage County Countywide Stormwater and Flood Plain Ordinance (Stormwater Ordinance) was completed and approved by the Stormwater Management Committee and the County Board, with an effective date of April 25, 2012. At the same time, associated General Certifications (GCs) were approved, with the same effective date. The Stormwater Ordinance was amended to provide the structure to better meet local, state, and federal stormwater regulations, while optimizing the requirements for new development, re-developments, and existing developments so DuPage County could remain competitive in maintaining/attracting business while preserving the high standard of flood control and environmental protection for all County residents. The GCs, when found to be applicable to the particular circumstances of certain developments, serve in lieu of the Stormwater Management Certification. GCs are intended to promote development and improve regulatory efficiency by reducing the applicant's submittal requirements in qualifying situations, lowering design costs and simplifying the existing certification review process.

For Complete and Partial Waiver communities, your community has adopted the Stormwater Ordinance and is required to duly adopt a resolution or ordinance of the corporate authorities of your community that include an adoption of the provisions of this newly revised Ordinance or an ordinance consistent with, and at least as stringent as, this Ordinance. Similarly, if your community wishes to utilize any or all of the approved GCs, you need to follow this same process for adoption of the GCs.

In order to assist you with the adoption of the Stormwater Ordinance revisions and GCs, please find attached certified copies of the County Board resolutions outlining the revisions and providing a background for the revisions. Additionally, when updated by DuPage Stormwater Permitting staff, an electronic version of the Stormwater Ordinance and GCs will be made available.

# Stormwater Ordinance Exhibit

## O R D I N A N C E

OSM-001-12

### AMENDMENTS TO CHAPTER 15 OF THE DU PAGE COUNTY CODE - DU PAGE COUNTY COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE

WHEREAS, the County of DuPage ("COUNTY") pursuant to authority granted it under 55 ILCS 5/5-1062 and 5/5-15001 et seq. and other applicable authority, adopted the *DuPage County Countywide Stormwater and Flood Plain Ordinance* (hereinafter referred to as the "Stormwater Ordinance"); and

WHEREAS, the Stormwater Ordinance is further identified as Appendix F to the DuPage County Stormwater Management Plan ("PLAN"), and was originally adopted by the County by Ordinance SMO-0001-91 on September 24, 1991; and

WHEREAS, the principle purpose of the Stormwater Ordinance has been to promote effective, equitable, acceptable, and legal stormwater management measures; and

WHEREAS, since the adoption of the Stormwater Ordinance in 1991, there have been changes in the development trends in DuPage County, improvements in stormwater management methodologies and technologies and changes to Federal and State laws affecting stormwater management; including, namely, the requirements of the National Pollutant Discharge and Elimination System (NPDES) Phase II permit; and

WHEREAS, the Stormwater Ordinance has not been comprehensively amended since its adoption in 1991; and

WHEREAS, DuPage County Stormwater Management Division has worked closely with the municipal engineers of numerous DuPage County communities and other DuPage County stormwater stakeholders (engineering firms, conservation organizations, Federal and state agencies) in order to develop a comprehensive text amendment to the Stormwater Ordinance; and

WHEREAS, the DuPage County Stormwater Management Division, DuPage County municipal engineers and DuPage County stormwater stakeholders have developed a set of comprehensive text amendments to the Stormwater Ordinance; and

WHEREAS, the proposed Stormwater Ordinance revisions have undergone all required agency, public and community reviews, and public hearing, in accordance with the requirements of state

law, Section 15-259 of the Stormwater Ordinance and the DuPage County Countywide Stormwater and Flood Plain Plan; and

WHEREAS, the proposed Stormwater Ordinance is amended to provide the structure to meet local, state, and federal stormwater regulations while still remaining competitive in maintaining/attracting business while preserving the high standard of flood control and environmental protection for all COUNTY residents; and

WHEREAS, enacting the proposed Stormwater Ordinance amendments is in the best interest of the COUNTY and its residents; and

WHEREAS, the Stormwater Management Committee recommended approval of the attached revisions to various sections of the Stormwater Ordinance for the reasons stated above; and

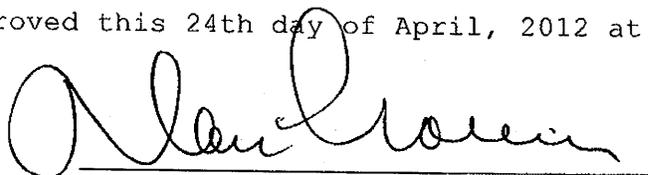
WHEREAS, the Stormwater Management Committee further recommended that the proposed Stormwater Ordinance amendments take effect the day following their adoption by the County Board.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board, that the Stormwater Ordinance is hereby amended as attached; and

BE IT FURTHER ORDAINED by the DuPage County Board pursuant to authority granted to the County of DuPage by the Illinois General Assembly the revised DuPage County Countywide Stormwater and Flood Plain Ordinance, Chapter 15 of the DuPage County Code shall become effective April 25, 2012; and

BE IT FURTHER ORDAINED that the County Clerk shall transmit these Stormwater Ordinance amendments to the codifier of the DuPage County Code and otherwise make said amendments available for public inspection.

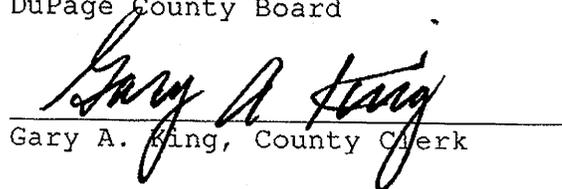
Enacted and approved this 24th day of April, 2012 at Wheaton, Illinois.



Daniel J. Cronin, Chairman  
DuPage County Board

Ayes: 14  
Nays: 1  
Absent: 3

ATTEST:



Gary A. King, County Clerk

# general Certifications Exhibit

## ORDINANCE

OSM-002-12

### GENERAL CERTIFICATIONS FOR CHAPTER 15 OF THE DU PAGE COUNTY CODE DU PAGE COUNTY COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE

WHEREAS, the County of DuPage ("COUNTY") pursuant to authority granted it under 55 ILCS 5/5-1062 and 5/5-15001 et seq. and other applicable authority, adopted the *DuPage County Countywide Stormwater and Flood Plain Ordinance* (hereinafter referred to as the "Stormwater Ordinance"); and

WHEREAS, the Stormwater Ordinance is further identified as Appendix F to the DuPage County Stormwater Management Plan ("PLAN"), and was originally adopted by the County by Ordinance SMO-0001-91 on September 24, 1991; and

WHEREAS, the principle purpose of the Stormwater Ordinance has been to promote effective, equitable, acceptable, and legal stormwater management measures; and

WHEREAS, since the adoption of the Stormwater Ordinance in 1991, there have been changes in the development trends in DuPage County, improvements in stormwater management methodologies and technologies and changes to Federal and State laws affecting stormwater management; including, namely, the requirements of the National Pollutant Discharge and Elimination System (NPDES) Phase II permit; and

WHEREAS, DuPage County Stormwater Management Division has worked closely with the municipal engineers of numerous DuPage County communities and other DuPage County stormwater stakeholders (engineering firms, conservation organizations, Federal and state agencies) in order to develop a comprehensive text amendment to the Stormwater Ordinance which is set to be adopted by the County by Ordinance OSM-0001-12 on April 24, 2012; and

WHEREAS, Section 15-32 of the to be amended Stormwater Ordinance provides that General Certifications, when found to be applicable to the particular circumstances of certain developments, shall serve in lieu of the Stormwater Management Certification currently required for all development activity; and

WHEREAS, General Certifications provide clarification and, or, interpretation of technical requirements and are intended to address common and typically low impact development; and

WHEREAS, General Certifications are intended to promote development and improve regulatory efficiency by reducing the developer's submittal requirements in qualifying situations, lowering design costs and simplifying the existing certification review process; and

WHEREAS, DuPage County Stormwater Management, DuPage County municipal engineers and DuPage County stormwater stakeholders have developed a set of General Certifications to be implemented in conjunction with the County's adoption of the proposed Stormwater Ordinance text amendments; and

WHEREAS, the proposed General Certifications have undergone all required agency, public and community reviews, in accordance with the requirements of state law, and the Stormwater Ordinance (both as currently enacted and as amended); and

WHEREAS, enacting the proposed General Certifications are in the best interest of the COUNTY and its residents; and

WHEREAS, the Stormwater Management Committee recommended approval of the attached General Certifications for the reasons stated above, immediately following, and contingent upon, the County Board's adoption of OSM-0001-12; and

WHEREAS, the Stormwater Management Committee further recommended that the proposed General Certifications take effect the day following their adoption by the County Board, and also immediately following the effective date of OSM-0001-12.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board, that the General Certifications are adopted as attached; and

BE IT FURTHER ORDAINED by the DuPage County Board pursuant to authority granted to the County of DuPage by the Illinois General Assembly the attached General Certifications for the DuPage County Countywide Stormwater and Flood Plain Ordinance, Chapter 15 of the DuPage County Code shall become effective April 25, 2012, or following the effective date of OSM-0001-12, whichever is later; and

BE IT FURTHER ORDAINED that the County Clerk and Stormwater Division shall make said General Certifications available for public inspection.

Enacted and approved this 24th day of April, 2012 at Wheaton, Illinois.



Daniel J. Cronin, Chairman  
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 14  
Nays: 1  
Absent: 3