



16-633

TITLE: Presentation and Update on Proposed Changes to Erosion Control Policy

COUNCIL GOAL: Operational Excellence

MEETING DATE: June 6, 2016

DEPARTMENT: Development Services/Engineering

CONTACT: Michael Hebert, PE, Asst. Director of Engineering

RECOMMENDED CITY COUNCIL ACTION:

- Receive presentation and provide feedback.

ITEM SUMMARY:

- Staff has received requests from contractors and the development community regarding erosion control requirements at final acceptance of subdivisions and commercial properties.
- The current requirement per the Storm Water Ordinance is for most areas to be vegetated prior to Engineering final acceptance (approval of the construction efforts). The only exceptions have been during drought conditions or for subdivision lots where home construction is expected to quickly commence.
- Based on concerns expressed by contractors, Staff has initiated a trial period and allowed the final acceptance of construction projects without full vegetation under the following circumstances:
 - 4 feet of vegetation is established in the public right of way of the adjacent arterial and collector streets.
 - All erosion control measures remain in full effect until vegetation is established.
 - Site is prepared for seeding and seeded prior to final acceptance.
 - Notice of Intent (to disturb land) remains in effect until vegetation is established.
- This proposed policy is consistent with TCEQ requirements for land disturbing activities.

- The TCEQ requirements state:
 - Temporary stabilization may include temporary seeding, geotextiles, mulches and other techniques to reduce or eliminate erosion until either permanent stabilization can be achieved or until further construction activities take place.
 - Final stabilization is considered complete if a uniform perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures have been employed.
- Thus, as long as the Notice of Intent to disturb land is still in effect, there is not a restriction imposed by TCEQ with respect to the city's acceptance of a development.
- Staff has investigated the sites and determined that the program has been successful, with all sites developing vegetation over a two-month period. Attached are representative "before and after" exhibits showing the establishment of vegetation for a commercial project and a residential subdivision.
- Staff proposes to make this a permanent policy.

BACKGROUND INFORMATION:

- The current policy of requiring vegetation prior to final acceptance has been successful in mitigating erosive conditions, thus having a complete project prior to final acceptance.
- As part of continual process improvement, Staff is trying alternative methods of service delivery such as this.

FINANCIAL SUMMARY:

- No negative financial impact on the City of McKinney is expected based on the proposed revisions

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Vegetation Before and After Photos](#)