



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

<b>File #:</b>	19-0685	<b>Name:</b>	Ordinance Revisions for Sediment Removal
<b>Type:</b>	Ordinance	<b>Status:</b>	Agenda Ready
		<b>In control:</b>	City Council Work Session
<b>On agenda:</b>	8/20/2019	<b>Final action:</b>	
<b>Title:</b>	Discuss and Provide Direction on Requiring Property Owners to Remove Sediment from On-Site Ponds and Lakes		
<b>Indexes:</b>			
<b>Attachments:</b>	1. Revisions (Proposed), 2. Presentation		

Date	Ver.	Action By	Action	Result
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Discuss and Provide Direction on Requiring Property Owners to Remove Sediment from On-Site Ponds and Lakes

**COUNCIL GOAL:** Enhance the quality of Life in McKinney  
(5E. Develop sustainable quality of life improvements within the City of McKinney)

**MEETING DATE:** August 20, 2019

**DEPARTMENT:** Development Services / Engineering

**CONTACT:** Michael Hebert, PE, Assistant Director of Engineering

### RECOMMENDED CITY COUNCIL ACTION:

- Discuss and provide recommendations for possible revisions to the Code of Ordinances to address excessive sediment in ponds and lakes

### ITEM SUMMARY:

- Staff is seeking council input regarding adding provisions to require property owners to remove lake/pond sediment that is considered excessive
  - Excessive sediment can create significant aquatic vegetation that can be considered a negative for health and aesthetic reasons
- Some residents have expressed concerns regarding excessive sediment buildup in area ponds and lakes, potentially limiting view corridors, decreasing property values, and creating potential health and safety risks
  - Health and safety risks can include
    - Undesirable animal habitat
    - Modifications to upstream floodplains
    - Upsetting the physical/chemical/biological components of the lake

- Most pond/lake property owners have plans in place to remove sediment or otherwise mitigate the aquatic vegetation concerns
- However, some property owners have been reluctant to address sediment concerns, primarily due to cost or the lack of importance to them.
- Staff interviewed several stakeholders to receive input on proposed ordinance changes that would address the concerns
- Possible amendments to the code of ordinances could include:
  - Removal of sediment when 1/3 the depth of any one acre section of the water body contains sediment
    - Requirement to study the removal of sediment will be apparent due to the presence of a significant stand of cattails
    - The study would then be required to determine what exists in the water body and what will be necessary to remove the sediment (allow 1 year for study completion)
    - Upon completion of the study, sediment must be removed (allow 5 years to accumulate funds and complete the project)
  - Install aeration in water bodies where it is determined to be beneficial by an industry professional
    - Water bodies less than 6 feet of depth may not receive a benefit
- These ordinances would apply to any portion of a non-NRCS lake where the normal water surface is within 200 feet of a residential property
- Feedback from contacted stakeholders was general agreement with the distance from the lake/pond and time frames for sediment removal with the exception of those who are currently adjacent to water bodies with a significant amount of sediment. Those owners desired to see a faster completion time.

#### **BACKGROUND INFORMATION:**

- Staff has had discussions with:
  - Property owners
  - HOA representatives
  - Developers
  - Industry professionals
    - Sediment removal
    - Pond maintenance
    - Appraisers
    - Of note is industry professionals contacted were not aware of other cities that require sediment removal from amenity lakes
- Some HOA's have had debates where some members wanted sediment removed, but others appreciated the look of the vegetated wetlands and/or did not want to pay for the removal.

#### **FINANCIAL SUMMARY:**

- Costs for sediment removal can vary greatly from approximately \$20 per cubic yard to over \$100 per cubic yard.

#### **BOARD OR COMMISSION RECOMMENDATION:**

- N/A

