

RESOLUTION NO. 233-2025
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**A RESOLUTION AMENDING SECTIONS 23-202, 23-230, and 23-300 OF
THE SEDGWICK COUNTY CODE ON STORMWATER MANAGEMENT.**

WHEREAS, on November 23, 2010, the Board of County Commissioners adopted Resolution No. 196-2010, which established the Sedgwick County Storm Water Management Code (the “Code”).

WHEREAS, on November 14, 2016, the Board of County Commissioners adopted Resolution No. 164-2016, which modified Section 23-300 of said Code to match federal and state law by removing the requirement for additional Sedgwick County property owners to undertake water quality treatment and downstream channel protection.

WHEREAS, the Board of County Commissioners deems it appropriate to amend Sections 23-202, 23-230 and 23-300 of the Code to acknowledge the incorporation of the Department of Environmental Resources into the Division of Public Works and to require additional Sedgwick County property owners to undertake water quality treatment and downstream channel protection as concerns about water quantity and quality has repeatedly been raised by constituents of the unincorporated area of Sedgwick County.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AMENDS THE FOLLOWING SECTIONS OF THE CODE AS FOLLOWS:

SECTION 1. AMENDMENT TO SEC. 23-202. - Definitions. The definition of *Director* is amended to read as follows:

Director means the person appointed to the position of the director of the Sedgwick County Division of Public Works or his/her duly authorized representative.

SECTION 2. AMENDMENT TO SEC. 23-230. – Designation and duties of the director.

Sec. 23-230 is amended to read as follows:

The Director of the Sedgwick County Division of Public Works shall administer, implement, and enforce the provisions of this article. Any powers granted or duties imposed upon the director by this article may be delegated by the director to persons or entities acting in accordance with this article and in the beneficial interest of or in the employ of Sedgwick County.

SECTION 3. AMENDMENT TO SEC. 23-300. – Stormwater quality management standards.

Sec. 23-300 of the *Sedgwick County Code* is amended to read as follows:

Sec. 23-300. – Stormwater quality management standards.

(a) *Applicability.*

(1) Water quality treatment and downstream channel protection shall be required of owners of new developments and redevelopments that cause a land disturbance greater than or equal to one (1) acre, including projects that cause a land disturbance less than one (1) acre that are part of a larger common plan of development or sale.

(2) The requirements of division 6 of this article shall not apply to:

- i. New developments or redevelopments that have a construction plan approved by January 1, 2011, and will have completed construction of all stormwater management facilities within 90 days of January 1, 2011. This does not exempt such new developments from water quality management regulations that may be required in the future by EPA or KDHE; or
- ii. Redevelopment projects that consist solely of ordinary maintenance activities, remodeling of buildings on the existing foundation, resurfacing (milling and overlay) of existing paved areas, and exterior changes or improvements.

(b) *Water quality treatment standard for new developments.* Stormwater runoff from applicable new developments must be treated for water quality prior to discharge from the development site in accordance with the stormwater treatment standards and criteria provided in the stormwater manual.

(c) *Water quality treatment standard for redevelopments.* Owners of applicable redevelopments must adhere to one (1) of the following requirements.

- (1) The total impervious cover of the property after redevelopment shall be reduced by at least twenty (20) percent from the total impervious cover of the property prior to the proposed redevelopment.
- (2) Stormwater runoff from at least thirty (30) percent of the site's existing impervious cover and for one-hundred (100) percent of any new land disturbance that will result from the proposed redevelopment shall be treated for water quality prior to discharge from the redevelopment site in accordance with the stormwater treatment standards and criteria provided in the stormwater manual.

- (3) The owner shall provide stormwater controls at an alternative location in the same watershed as the proposed redevelopment. The level of stormwater control provided shall be equivalent to what would have been provided at the proposed redevelopment for either requirement (1) or (2) above, at a minimum.
 - (4) In agreement and partnership with Sedgwick County, the owner shall provide engineering design and/or construction activities to address one (1) or more known downstream water quality or channel erosion issues located within the same watershed as the proposed redevelopment, through stream restoration and/or other off-site remedies approved by the director.
 - (5) The owner shall pay a fee in-lieu-of water quality control and channel protection control, in an amount to be determined by the county in accordance with the in-lieu-of fee schedule as adopted by the county commission of Sedgwick County, Kansas per the watershed plan which covers the redevelopment.
 - (6) Any combination of (1) through (5) above may be acceptable to Sedgwick County or any other solution(s) approved by the director that meets the intent of this chapter.
- (d) *Downstream stabilization standard.* Downstream long-term channel protection shall be provided for applicable new developments and redevelopments prior to discharge from the new/redevelopment site in accordance with the downstream stabilization standards and criteria provided in the stormwater manual.

SECTION 4. SEVERABILITY CLAUSE.

Should any section, clause or provision of this Resolution be declared by any court of competent jurisdiction to be invalid, the same shall not affect the validity of this Resolution as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 5. PUBLICATION AND EFFECTIVE DATE.

Upon the adoption of this Resolution, the Clerk of Sedgwick County shall publish this Resolution once in the official County newspaper. This Resolution shall take effect upon publication.

[signature page follows]

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 3 day of September, 2025.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:



[Signature]
RYAN BATY, Chairman
Commissioner, Fourth District

[Signature]
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:

[Signature] 8/5/25
SAMANTHA SEANG
Assistant County Counselor

[Signature]
JEFF BLUBAUGH
Commissioner, Second District

[Signature]
STEPHANIE WISE
Commissioner, Third District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District