

**RESOLUTION No. 212240**

Adopted on DEC 19 1974

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That Council Policy No. 800-4, entitled "Construction of Drainage Facilities," be, and it is hereby amended as set forth in the form of Council Policy filed in the office of the City Clerk as Document No. 749698.

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby instructed to add the aforesaid to the Council Policy Manual.

BE IT FURTHER RESOLVED, that Resolution No. 194065, adopted June 27, 1968, is hereby rescinded.

APPROVED: JOHN W. WITT, City Attorney

By J. S. Wiegand  
J. S. Wiegand, Deputy

JSW:cav  
12/9/74

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BACKGROUND

1. Introduction:

Adequate drainage facilities are required to remove storm water runoff in an efficient, economic, environmentally and aesthetically acceptable manner for the protection of property and life. Various types of drainage facilities are required dependent upon the situation encountered.

Financing construction and reconstruction of the City's storm water drainage system involves varying benefits and responsibilities and may therefore involve a division of costs between the property owners and the City. In some cases, however, costs may be borne by property owners solely, or by the City solely. Work may be done by a City contract, by an Assessment District, or by private contract accomplished under either a public improvement permit, or subdivision agreement.

2. Definitions of Storm Water Drainage Facilities:

- |   |  |
|---|--|
| Storm Drain -                           | A system of closed drainage conduits connected by clean-outs, inlets, and other appurtenances. |
| Culvert -                               | A drainage conduit under a roadway and open at both ends.                                      |
| Drainage Ditch -                        | An open lined channel which is less than 8 feet wide on the bottom.                            |
| Drainage Channel -                      | An open lined channel which is more than 8 feet wide on the bottom.                            |
| Major Drainage Channel-                 | An open lined channel designed to drain an area in excess of 2,000 acres.                      |
| Natural Ditch -<br>(or natural channel) | An unlined ditch (or channel) created by natural storm runoff and erosion.                     |

DOCUMENT NO. 749698  
 FILED DEC 24 1974  
 OFFICE OF THE CITY CLERK  
 SAN DIEGO, CALIFORNIA

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Drainage Swale -

A wide and shallow depression which carries surface runoff.

Flood Control Facilities -

Drainage facilities designed to control or regulate major flood waters.

Brow Ditch, Terrace Ditch,  
Back Lot Line Ditch and  
Side Lot Line Ditch.

A ditch constructed to intercept and convey minor surface runoff.

Private Drainage Facilities -

Smaller types of drainage facilities including, but not limited to, the brow ditch category designed to carry surface runoff on private property.

Runoff Area - a geographical area comprising the limits of contributory surface runoff to a storm drain system.

Benefited Area - a geographical area, not necessarily the same as the runoff area, which benefits directly from a drainage project.

PURPOSE

- 1) To establish guidelines for the construction and maintenance of storm water drainage facilities.
- 2) To identify and assign general fiscal responsibilities for the construction of various types of drainage facilities.

POLICY

1. General

The responsibility for the construction of storm water drainage facilities is based upon the following criteria:

- a. It is the basic responsibility of any owner or holder of land to accept and provide a suitable outlet for the natural upstream flow of storm water runoff passing through or originating from such land.

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- b. Diversion of the natural flow of storm water runoff from one runoff area to another shall not be permitted without specific approval of the City.
- c. The City will accept responsibility for maintenance of drainage facilities when drainage comes from public right-of-way such as streets and alleys.
- d. The City will assume responsibility for a drainage facility when public drainage easements are granted to and accepted by the City.
- e. The City will accept drainage easements when drainage facilities are installed to the standards established by the City.
- f. The construction and maintenance of drainage facilities for limited drainage areas where runoff is clearly from private property and the drainage facilities are of local benefit is the responsibility of the private property owners affected.

2. Undeveloped and Unsubdivided Areas of the City

- A. When such areas are proposed to be subdivided by the owner/developer, the necessary public drainage facilities to be constructed by the subdivision will be subject to determination, review and approval by the City. When approved, the costs of construction will be borne by the owner/developer. Continuing maintenance of these public drainage facilities will become the responsibility of the City, subject to completion and City acceptance of all subdivision public improvements required of the developer and the granting of appropriate easements to the City.
- B. Similarly, necessary private drainage facilities in the subdivision will also be subject to determination, review and approval by the City and the costs of construction will be borne by the developer. Continuing maintenance of such facilities becomes the sole responsibility of subsequent property owners on which the facility is located and their private nature should be appropriately noted on all subdivision plans and documents.

3. Developed Areas

- A. Public drainage facilities required to replace or augment existing inadequate facilities and which receive public drainage in a completely developed area may be constructed by the City. In such areas, the City will normally accept responsibility for confining storm water runoff within the limits of the street or installed drainage facilities

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and will take steps to avoid private property damage due to street drainage overflow. The City, in these instances, will usually finance all costs, subject to available funding, priorities and scheduling.

When new facilities will alleviate street flooding and damage to private property due to previously installed inadequate drainage facilities, property in the area is deemed to have previously financed existing improvements and, therefore, should not be reassessed. In such cases, the benefiting area is usually so small or undefinable that it would be an inequitable burden to allocate any cost to it.

- B. Private drainage facilities associated with land development and building activity are subject to review and approval by the City and the cost of construction will be borne by the property owner or permittee. Continuing maintenance of such facilities becomes the sole responsibility of the property owner on whose land the facilities are located.

4. Partially Developed Areas

- A. Public drainage facilities required in partially developed areas involving some undeveloped properties are subject to City approval, under the following alternates:

1) Assessment District with City Participation

These projects may be initiated in accordance with Council Policy 800-3. The assessment project's benefiting area would normally be limited to those properties in close proximity to the facility which would experience an elimination of flood hazard or derive other tangible benefits from the construction of the drainage facility. Because the project usually includes work which is of intangible general benefit to an extensive area, the City will ordinarily participate. City participation will usually not exceed 50% of the total costs, although the exact amount may vary depending on the relative benefit and responsibilities. Further, drainage projects included in the City's Capital Improvements Program for potential City financing with relatively low priorities may be accelerated if the affected property owners agree via assessment petition to assume a share of the cost in consideration of such acceleration.

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2) Assessment Projects without City Participation

These are projects which benefit only a limited area and which are constructed under Assessment District proceedings in accordance with Council Policy 800-3. The assessment district will pay all costs, and the district includes only that property which will receive direct, tangible benefit.

- B. Private drainage facilities that are associated with subdivision activity are subject to the same criteria as outlined for undeveloped areas in paragraph 2.B. Those not involved with subdivision activity are subject to the same criteria as outlined for developed areas in paragraph 3.B.

5: Cooperative Drainage Projects

A cooperative drainage project is a small facility in which the City shares the total cost of the installation with a property owner. The purpose is to assist in upgrading older areas which were subdivided without the construction of adequate drainage facilities, thereby reducing maintenance costs to the City, public hazards and/or property damage. The City's share will normally be limited to 50% of the total cost of the project.

- A. Projects are eligible for cooperative financing if they meet any of the following conditions:
- (1) Will accept drainage off improved City streets or other public rights-of-way.
  - (2) Will accept drainage from partially developed areas and the property on which the drain is to be constructed is already subdivided.
  - (3) The drainage facility to be installed will benefit the City by eliminating a maintenance problem, a public hazard and/or property damage.
- B. Projects do not qualify for cooperative financing under the following conditions:
- (1) The facility is intended to provide a culvert under an unimproved street. (These should be installed with the street improvements.)
  - (2) Drainage work contemplated is incompatible with the overall drainage plan for the area.
  - (3) Project is of such scope that it should be financed under one of the alternatives previously outlined..

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6. Flood Control Projects

These special projects consist of major flood control works intended to control or regulate flood waters in large drainage basins. Ordinarily, financing will be shared by the Federal, State and local agencies under the auspices of the U.S. Army Corps of Engineers. Property owners may be required to pay a portion of the total cost apportioned to the local agency such as the City.

7. Funding

A. With the exception of cooperative drainage projects and assessment district projects, all projects with significant or total funding by the City shall be specifically identified and scheduled in the Capital Improvements Program of the City.

B. Funding of City involved projects shall be from such sources as determined by the City Council and may include but not be limited to the Capital Outlay Fund, Bond Funds, Gas Tax, Grants, etc., as permitted by law.

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Passed and adopted by the Council of The City of San Diego on DEC 19 1974,  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
 City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

1974 DEC 11 AM 8:34

Office of the City Clerk, San Diego, California	
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