



## **POLICY MEMO NO. 2 – EXTENT OF DRAINAGE EASEMENT DEDICATION**

### **DSPN SECTION 4-1.600 B EXTENT OF DRAINAGE EASEMENT DEDICATION**

A drainage easement shall be dedicated to the city to the limits of stormwater inundation from a base flood for the watercourses described above, plus drainage and stormwater storage facilities. Drainage easement dedications shall encompass all physical structures and sufficient area to access and maintain the facilities, including the setbacks for storage facilities as set forth in Storage Facilities Design above.

### **EXPLANATION:**

If a drainage easement violation is observed by City staff during the permitting process, staff will review the violation to determine whether it has a significant impact on drainage conditions. If a significant impact is identified, permits shall be withheld until the violation is remedied.

When a drainage easement violation has been determined to have a *de minimis* impact on drainage conditions, the plan may be approved with the following note added to the plan and the CDS system (or its successor).

“A drainage easement violation has been observed on the project site and a determination is made that the violation is *de minimis* and not likely to cause additional significant impact on any flooding occurrence. This plan review is approved.

However, this is not to be considered a waiver of any current or future enforcement action by the City of any violations, the property/homeowner remains subject to potential code enforcement action by the City and the property owner remains responsible to remedy the violation.”