



Date: October 7, 2004

To: Management Committee Representatives

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Subject: Compliance with Provision C.3.j. – Site Design Measures Guidance and Standards Development

Provision C.3.j requires that each municipality review and analyze local standards and guidance to identify opportunities for revisions that would benefit water quality.

The draft review and analysis is due to the San Francisco Bay and Central Valley Regional Water Quality Water Boards (Water Boards) by November 15 and must be submitted to the Program by Monday, November 8th.

The C.3 Planning and Permitting Work Group assisted with preparation of this memo, which provides some background and some guidance for preparing the submittal.

Background

Provision C.3.j states in part:

The Dischargers shall review their local design standards and guidance for opportunities to make revisions that would result in reduced impacts to water quality and beneficial uses of waters. In this event, the Dischargers shall make any such revisions and implement the updated standards and guidance, as necessary.

Provision C.3.j lists nine “areas of site design” as examples of design standards and guidance that might be changed.

The Provision includes the following schedule:

August 15, 2003: Submit a detailed workplan and schedule for review of the standards and guidelines, any proposed revisions thereto, and any implementation of revised standards and guidance.

November 15, 2004: Submit a draft review and analysis of local standards and guidance, opportunities for revision, and any proposed revised standards and guidance.

November 15, 2005: Incorporate any revised standards and guidance into local approval processes and fully implement the revised standards and guidance.

In July 2003, the Management Committee approved a Site Design Standards and Guidelines Work Plan (Work Plan), which called on the Program to prepare a suggested checklist of site design elements, and for municipalities to use that checklist to internally review their local site design standards. The Program was to also compile references and examples of site design standards and guidelines. Municipalities were to use these references when preparing proposed revisions to their standards.

In September 2003, Program staff distributed two checklists:

- A “Code and Ordinance Worksheet” developed by the Center for Watershed Protection.
- A “Policy, Code, and Ordinance Worksheet” used by the Santa Clara Valley Urban Runoff Pollution Prevention Program as part of their Development Policies Comparison Project (which pre-dated the C.3 Provisions).

In December 2003, Program staff distributed “An Annotated Bibliography of Resources for C.3 Compliance” (3 pp.). The bibliography listed several publications that include site design guidance and included URLs for downloading them from the Internet.

Members of the Planning and Permitting Work Group report that local inter-departmental work groups met several times over the past year to discuss policies or standards that may conflict with the C.3 provisions and to plan revisions. Some plan to bring these changes as a package of measures needed to implement the C.3 provisions.

Provision C.3.j and the *Stormwater C.3 Guidebook*

Since the C.3.j Work Plan was submitted, the following significant changes have taken place:

- At the Planning and Permitting Work Group’s recommendation, the Program drafted a *Stormwater C.3 Guidebook*, which all Co-permittees will use to guide applicants to design their projects in compliance with the C.3 provisions.

- The Legal Work Group developed a revised model stormwater ordinance. The updated ordinance references the *Stormwater C.3 Guidebook* and gives force to its requirements.
- Program staff developed and distributed a questionnaire to survey municipalities' plans for C.3 implementation. Questions 11 and 12 asked whether the specific instructions for site design and design of treatment BMPs conflicted with existing standards or policies. Eleven municipalities responded. The responses indicate that municipalities either found no conflicts or have acknowledged the conflicts and are revising policies as needed.
- The Planning and Permitting Work Group noted that municipalities generally have considerable flexibility to require new or changed designs through discretionary review, even without a general revision of standards.

By adopting the *Guidebook*, municipalities will have substantially achieved the objectives of Provision C.3.j. The attached table shows how the Water Board's example site design guidance and standards in Provision C.3.j correspond to guidance in the draft *Stormwater C.3 Guidebook*.

However, to ensure compliance with the permit, municipalities must prepare an analysis as described in Provision C.3.j and submit it by the deadline.

Preparing Your Municipality's Submittal to the Water Board

To emphasize the connection between C.3.j and the *Stormwater C.3 Guidebook*, prepare your review and analysis of local standards and guidance as follows:

1. Use the attached table to summarize local standards and guidance relevant to the examples the Water Board provided in Provision C.3.j. Where appropriate, cite the local ordinance title or municipal code section number. In the rightmost column, note whether your municipality intends to revise the ordinance.
2. In a narrative accompanying the table, elaborate on your municipality's plans to revise local policies, design guidance, and standards (if any revisions are planned).

Deadline: November 8, 2004

Send your review and analysis to Tom Dalziel by November 8th.

No.	Water Board Example Standards in C.3.j	Page	Standards Municipalities will adopt with <i>Stormwater C.3 Guidebook</i>	Related Existing Local Standards (Cite Title or Code Section)	Standard to be Revised?
1	Minimize land disturbance	23	"Conform the site layout along natural landforms, avoid excessive grading and disturbance of vegetation and soils, and replicate the site's natural drainage patterns."		
2	Minimize impervious surfaces (e.g., roadway width, driveway area, and parking lot area), especially directly connected impervious areas	23	"For all types of development, limit overall coverage of pavement and roofs...."		
3	Minimum-impact street design standards for new development and redevelopment, including typical specifications (e.g., neo-traditional street design standards and/or street standards recently revised in other cities, including Portland, Oregon, and Vancouver, British Columbia)	23	Consider "... narrower streets and sidewalks ..." in the context of overall design to limit imperviousness.		
4	Minimum-impact parking lot design standards, including parking space maximization within a given area, use of landscaping as a stormwater drainage feature, use of pervious pavements, and parking maxima	23	"...smaller parking lots (fewer stalls, smaller stalls, and more efficient lanes), and indoor or underground parking."		
5	Clustering of structures and pavement	23	"Concentrate development on portions of the site with less permeable soils and preserve areas that can promote infiltration." (Planning and Permitting Work Group concluded that using the word "clustering" would be confusing since "cluster" is also used to refer to a particular type of development.)		

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6	<p>Typical specifications or “acceptable design” guidelines for lot-level design measures, including:</p> <ul style="list-style-type: none"> • Disconnected roof downspouts to splash blocks or “bubble-ups” • Alternate driveway standards (e.g., wheelways, unit pavers, or other pervious pavements) • Microdetention, including landscape detention and use of cisterns (may also be considered treatment measures) 	24	<p>“Direct runoff from impervious areas to adjacent pervious areas or depressed landscape areas.... Select permeable pavements and surface treatments ... Use drainage as a design element. Use above-ground drainage swales, depressed landscape areas, vegetated buffers, and bioretention areas as amenities...”</p> <p><i>Guidebook</i> Chapter 5 details a method to quantify the benefits of these practices and use them to comply with Provision C.3.c.</p>		
7	Preservation of high-quality open space	23	“Define development envelope and protected areas, identifying areas that are most suitable for development and areas that should be protected ...”		
8	Maintenance and/or restoration of riparian areas and wetlands as project amenities, including establishing vegetated buffer zones to reduce runoff into waterways, allow for stream channel change as a stream’s contributing watershed urbanizes, and otherwise mitigate the effects of urban runoff on waters and beneficial uses of waters (may also be considered treatment measures)		These measures would typically be considered as part of CEQA review for a project that could potentially have an impact on streams or riparian areas. <i>Guidebook</i> Chapter 4 discusses the relationship between C.3 and CEQA.		
9	Incorporation of supplemental controls to minimize changes in the volume, flow rate, timing, and duration of runoff, for a given precipitation event or events. These changes include cumulative hydromodification caused by site development. Measures may include landscape-based measures or other features to reduce the velocity of, detain, and/or infiltrate stormwater runoff (may also be considered treatment measures).	25	To be addressed in detail in the Hydrograph Modification Management Plan (HMP). The HMP is designed to require consideration of measures to minimize changes in volume, flow rate, timing, and duration of runoff at all sites subject to C.3.		