Proposed Amendments to 21 DCMR Chapter 5

§ 599: Definitions of major land disturbing and major substantial improvement activities

- Does the project include land disturbance of 5,000 ft² or more?
  - No
    - Is there 2,500 ft² or more of post-project impervious land cover?
      - No
        - Is the site an AWDZ Site?
          - Yes
            - Treatment requirement based on 1.7-inch storm
          - No
            - Project is a Major Land Disturbing (MLD) Activity (1.2-inch retention requirement)
      - Yes
        - Project is a Major Substantial Improvement Activity
          - More than one type of activity. All land disturbance is Major Land Disturbing Activity (1.2-inch retention requirement). All building renovation is Major Substantial Improvement Activity.
    - Yes
      - No post construction stormwater management requirement (unregulated)
      - Is the cost of renovation or addition greater than 50% of the pre-project value of the structure?
        - No
          - Is the combined footprint of the building and area of land disturbance greater than 5,000 ft²?
            - No
              - Is there any pre-project natural land cover?
                - Yes
                  - Treatment requirement based on 1.7-inch storm
                - No
                  - No
                    - Major Substantial Improvement Activity has a 0.8-inch retention requirement
            - Yes
              - Is the site an AWDZ site?
                - Yes
                  - Treatment requirement based on 1.7-inch storm
                - No
                  - No
                    - Project is a Major Substantial Improvement Activity
Proposed Amendments to 21 DCMR Chapter 5

§ 517.7: achievement of stormwater management performance requirements for single-family or two-family affordable housing

Start

Single-family or two-family housing?

Yes

Exemption not applicable

No

Offered for rent or sale below market value to a household with an income no more than 80% of Area Median Income?

Yes

Is the land disturbance on a single record lot or tax lot at least 5,000 square feet?

Yes

Submit request for relief from extraordinarily difficult site conditions*

No

Relief not granted

DOEE Review*

Relief granted

DOEE approval of plan

30 days following sale, owner submits proof of income level

*Factors that affect this request and review include:
- An explanation of all on-site BMPs proposed
- Evidence of limitations of other on-site BMPs
- Cost to install BMPs
- Impact of BMPs on indoor or outdoor living space
- Alternative designs
- Additional factors listed in 21 DCMR Section 526
Proposed Amendments to 21 DCMR Chapter 5

§ 517.8: exemption from stormwater management requirements for pedestrian trails

Start

Project includes pre-project natural land cover?

Yes

Exemption not applicable

No

Exemption not granted

Project includes other activity that triggers the regulations (including as a common plan of development)?

Yes

Submit request for exemption*

No

Project includes reconstruction of roadway and adjacent sidewalks

DOEE Review*

Exemption partially granted

Exemption granted

DOEE conditions may require implementation of BMPs

DOEE approval of plan for soil erosion and sediment control

*Factors that affect this request and review include:
- Intended use of the trail, including size and location
- Other site-related information and BMP opportunities
- Alternative designs
- Additional factors listed in 21 DCMR Section 517
Proposed Amendments to 21 DCMR Chapter 5

§ 517.10: exemption from stormwater management requirements for small structures at parks

Start

Project includes pre-project natural land cover?

Yes

Exemption not applicable

No

Structures include typical building infrastructure?

Yes

Exemption not granted

No

Located at public park?

Yes

Submit request for exemption*

No

DOEE Review*

Exemption partially granted

Exemption granted

DOEE conditions may require implementation of BMPs

DOEE approval of plan for soil erosion and sediment control

*Factors that affect this request and review include:
- Intended use of the structure, including size and location
- Whether the project includes other activity that triggers the regulations (including as a common plan of development)?
- Other site-related information and BMP opportunities
- Alternative designs
- Additional factors listed in 21 DCMR Section 517
Proposed Amendments to 21 DCMR Chapter 5

§§ 527.9, 520.4, 522.5, and 526.1: Use of Stormwater Retention Credits

Start

Does the site drain to the CSS?

Yes

Does the site drain to the area where CSOs will be reduced with GI?

Yes

At least 50% of SWRV achieved on-site?

Yes

Requires relief from extraordinarily difficult site conditions

No

Requires relief from extraordinarily difficult site conditions not required

No

To achieve Offv: Use any SRC - Pay ILF

No

To achieve Offv: Use MS4 SRCs - Use CSS GI Area SRCs - Pay ILF

Yes

At least 50% of SWRV achieved on-site?

Yes

At least 50% of SWRV achieved on-site?

Yes

To achieve Offv: Use MS4 SRCs - Pay ILF

No

Requires relief from extraordinarily difficult site conditions

No

Requires relief from extraordinarily difficult site conditions not required

Yes

At least 50% of SWRV achieved on-site?

No

At least 50% of SWRV achieved on-site?

No

To achieve Offv: Use any SRC - Pay ILF

Yes

To achieve Offv: Use MS4 SRCs - Use CSS GI Area SRCs - Pay ILF

No

Requires relief from extraordinarily difficult site conditions

No

Requires relief from extraordinarily difficult site conditions not required

Yes

To achieve Offv: Use MS4 SRCs - Pay ILF
Proposed Amendments to 21 DCMR Chapter 5

§§ 531.16 and 534.4: Stormwater Retention Credit eligibility

Start

Is it currently within 6 months of the final rulemaking?

No

Was the BMP installed prior to July 1, 2013?

Yes

Was the BMP installed within the last 3 years?

No

Has the BMP previously received SRCS?

Yes

Has the site lapsed in SRC certification for 6 months?

No

Not eligible to generate SRCS

Yes

Eligible to generate SRCS*

No

Not eligible to generate SRCS

*Additional SRC eligibility requirements include passing maintenance inspections and submitting maintenance contracts/plans