

Stormwater C.3 Update

Exceptions to LID Requirements

- Municipalities may allow, at their discretion, projects with development approvals prior to January 1, 2016, that include stormwater treatment, to proceed according to the approved plan.
- Municipalities may allow projects with approved vesting tentative maps to implement the stormwater Provision C.3 requirements that were in effect at the time of map approval.
- "Special Projects" on small, densely developed sites, or in close proximity to transit, may be allowed to use non-LID treatment for some portion of the development in some circumstances.

Changes to "Grandfathering"

The newly reissued Municipal Regional Stormwater Permit requires most development projects ("Regulated Projects", see p. 2) to implement Low Impact Development (LID) to treat runoff from new or replaced impervious surfaces.

Any Regulated Project that starts construction after January 1, 2016 must implement the LID requirements. There are potential exceptions:

- Projects with previously approved Stormwater Control Plans may implement those plans.

- Projects with previously approved tentative maps may implement requirements in effect at the time of approval.

To comply with the LID requirements, follow the

project design and submittal requirements in the *Stormwater C.3 Guidebook*, 6th Edition, available on the Clean Water Program website.

If you believe your project may qualify for an exception, consult with municipal staff.



Bioretention facility with active and passive landscape uses.



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C.3 Design Do's and Don'ts

Contra Costa municipalities adopted LID standards for stormwater treatment in 2005. The standards have been updated a few times over the last decade.

Most development projects can implement the LID requirements without affecting site uses, and at reasonable cost.

Do plan your LID design, including the location of bioretention facilities, before applying for a tentative map or a site design approval.

Do keep drainage management areas small, and distribute bioretention facilities throughout the site.

Do keep drainage on the surface by using sheet flow, swales, valley gutters, and trench drains.

Do design bioretention facilities with the facility rim and each soil layer flat.

Do follow the design guidance in the *Stormwater C.3 Guidebook*, including bioretention facility design criteria.

Do integrate bioretention

facilities with active and passive landscape uses.

Don't combine C.3 facilities with flood control detention facilities. This strategy often compromises facility function and site aesthetics.

Don't slope adjacent landscaping into bioretention facilities. Use a curb or retaining wall where needed.

Don't fence off or isolate bioretention facilities.

Don't locate bioretention facilities on individual subdivision lots.

Provision C.3 Thresholds and Requirements

Impervious Area Threshold	Effective Date	Summary of Requirements
All projects requiring municipal approvals or permits (includes single-family residences)	May 1, 2010	As encouraged or directed by local staff, preserve or restore open space, riparian areas, and wetlands as project amenities; minimize land disturbance and impervious surfaces (especially parking lots); cluster structures and pavements; include micro-detention in landscaped and other areas, and direct runoff to vegetated areas. Use Bay-friendly landscaping features and techniques. Include Source Controls specified in <i>Guidebook</i> Appendix D.
Projects between 2,500 and 10,000 square feet requiring approvals or permits (includes single-family residences)	December 1, 2012	Install one or more of the following: Direct roof runoff into cisterns or rain barrels for reuse; direct runoff from roofs, sidewalks, walkways, patios, driveways and/or uncovered parking lots on to vegetated areas; construct sidewalks, walkways, patios, bike lanes, driveways, or uncovered parking lots with permeable surfaces. Prepare and submit a Stormwater Control Plan for a Small Land Development Project.
Auto service facilities, gas stations, restaurants, and uncovered parking lots \geq 5,000 square feet	December 1, 2011	Prepare and submit a Stormwater Control Plan as described in <i>Guidebook</i> Chapter 3, including features and facilities to ensure runoff is treated before leaving the site. Use the LID Design Guide in Chapter 4, including sizing factors and criteria for "treatment only."
All projects \geq 10,000 square feet	August 15, 2006	
All projects \geq 1 acre	February 15, 2005	
All projects \geq 1 acre	October 14, 2006	Select one of four flow-control compliance options in <i>Guidebook</i> Appendix C.. Where required, design project features and facilities for hydrograph modification management (flow-control) as well as stormwater treatment. Prepare and submit a Stormwater Control Plan as described in Chapter 3 and use the LID Design Guide in Chapter 4, including the sizing factors and criteria for treatment and flow control.

More changes to Provision C.3 in MRP 2.0

On November 19, 2015, the California Regional Water Quality Control Board for the San Francisco Bay Region reissued the Municipal Regional Stormwater Permit (MRP 2.0). The reissued permit took effect on January 1, 2016.

The updated permit includes only a few changes to the Provision C.3 requirements for new development and redevelopment. The following are in addition to changes to grandfathering (see p. 1).

Feasibility of Harvesting/Reuse

Applicants are no longer required to prepare an analysis of the feasibility or infeasibility of stormwater harvesting and use, infiltration, or evapotranspiration. Bioretention facilities can and should be used to meet Provision C.3 treatment and hydromodification man-

agement requirements.

Special Projects

Special Projects are projects that meet specified criteria for location and density. A graduated system of "LID Treatment Reduction Credits" may apply. Credits may be applied to allow to substitution of tree-box-type high flowrate biofilters or vault-based high flowrate media filters in place of bioretention. See pp. 59-61 of the *Stormwater C.3 Guidebook*, 6th Edition.

With MRP 2.0, mixed-use Special Projects may apply either dwelling units/acre (DU/Ac) or floor area ratio (FAR) to calculate treatment reduction credits based on density.

FAR is defined as "The ratio of the total floor area on all floors of all buildings at a project site (except structures, floors,

or floor areas dedicated to parking) to the total project site area."

Gross Density is defined as "The total number of residential units divided by the acreage of the entire site area, including land occupied by public right-of-ways, recreational, civic, commercial, and other non-residential uses."



Bioretention facility in an "infill" residential subdivision