Proposed Amendments to 21 DCMR Chapter 5

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

Start

Does the project include land disturbance of 5,000 ft² or more?

Yes

No

Is there 2,500 ft² or more of post-project impervious land cover?

Yes

No

Is there any pre-project natural land cover?

Yes

No

Is the site an AWDZ Site?

Yes

No

Treatment requirement based on 1.7-inch storm

No AWDZ treatment requirement

Is there any pre-project natural land cover?

Yes

No

Is the site an AWDZ Site?

Yes

No

Project is a Major Land Disturbing (MLD) Activity (1.2-inch retention requirement)

No AWDZ treatment requirement

Is there building renovation or addition?

Yes

No

Is the cost of renovation or addition greater than 50% of the pre-project value of the structure?

Yes

No

No post construction stormwater management requirement (unregulated)

Is the combined footprint of the building and area of land disturbance greater than 5,000 ft²?

Yes

No

Is there 2,500 ft² or more of post-project impervious land cover?

Yes

No

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.

Project is a Major Substantial Improvement Activity

Is there any pre-project natural land cover?

Yes

No

Treatment requirement based on 1.7-inch storm

Major Substantial Improvement Activity has a 0.8-inch retention requirement

Is the site an AWDZ site?

Yes

No
Proposed Amendments to 21 DCMR Chapter 5

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

- 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?
      - No
      - Submit request for relief from extraordinarily difficult site conditions*
      - Yes
    - Relief granted
  - No
    - Relief not granted

*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?

No

Exemption not applicable

Yes

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

No

Submit request for exemption*

Yes

Exemption not granted

Project includes reconstruction of roadway and adjacent sidewalks

Exemption granted

DOEE Review*

Exemption partially 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

Exemption not granted

DOEE Review*

Exemption partially granted

Exemption granted

DOEE conditions may require implementation of BMPs

DOEE approval of plan for soil erosion and sediment control

Structures include typical building infrastructure?

Yes

Submit request for exemption*

No

Located at public park?

No

Exemption not granted

*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

To achieve Offv:
- Use SRC
- Pay ILF

No

Requires relief from extraordinarily difficult site conditions

No

To achieve Offv:
- Use SRCs
- Use CSS GI

At least 50% of SWRv achieved on-site?

Yes

Relief from extraordinarily difficult site conditions not required

No

Requires relief from extraordinarily difficult site conditions

No

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
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?

Was the BMP installed prior to July 1, 2013?

Was the BMP installed within the last 3 years?

Was the BMP installed after May 1, 2009?

Eligible to generate SRCs*

Has the BMP previously received SRCs?

Has the site lapsed in SRC certification for 6 months?

Not eligible to generate SRCs

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