

## CITY POLICY

RE: ADJUSTMENTS AND/OR CREDITS TO MUNICIPAL STORM WATER DRAINAGE CHARGES.

### BACKGROUND

The municipal storm water drainage utility uses a rate structure based on the anticipated relative contribution of storm water drainage runoff volume and pollutant loading to the storm water drainage system. A parcel's contribution is determined by that parcel's size and its land use, under the principle that more intensively developed land uses typically have a larger percentage of impervious surface and contribute a much greater volume of water to the system for the standard rainfall event of 2.3 inches in 24 hours and/or larger pollutant loading.

It is recognized that some parcels, due either to their unique topographic, vegetative, geologic and other characteristics have a hydrologic response substantially different from that of similarly sized parcels of the same land use.

To provide for an equitable assessment of storm water drainage charges, based on reasonably expected contribution of flows, provisions need to be made to permit adjustments to the storm water drainage charge for those parcels with unique or unusual characteristics, or credits to the storm water drainage charge for those parcels with storm water runoff volume and/or quality treatment facilities.

### POLICY STATEMENT

The basis of the City of Bloomington's storm water drainage charges is the anticipated relative contribution of storm water runoff volume and pollutant loading to the storm water drainage system from a given parcel. Where unique or unusual conditions exist where the actual contributions of storm water runoff volume or pollutant loading from a given parcel is substantially different from those anticipated by the storm water drainage rate structure, the Director of Public Works, or designee thereof, may adjust or credit the storm water drainage charge for said parcel to an appropriate level in accordance with the guidelines specified herein.

The ordinance establishing the Storm Water Drainage Utility provides for the Director of Public Works to make adjustments and/or credits to the charges when (1) the property owner supplies data demonstrating a storm water runoff volume for the standard rainfall event substantially different from that being used for the parcel, or (2) the property owner supplies data demonstrating that storm water runoff from the parcel is being treated to provide the required removal efficiency for total suspended solids (TSS).

## PROCEDURE STATEMENT

### (1) Property Owner to Provide Detailed Information

It is the responsibility of the property owner or agent thereof to present to the Director of Public Works, or designee thereof, sufficient information concerning a parcel's hydrologic characteristics to permit an accurate assessment of the conditions that exist. This information may include, but is not limited to:

- A. Site plan showing locations of all buildings, paved areas and other development relative to lot lines.
- B. The total lot area and area of impervious surfaces, in square feet.
- C. Site topography or contours of sufficient detail to ascertain flow directions, rates and volumes.
- D. Hydraulic calculations specifying outflow volumes and rates for various rainfall events.
- E. Calculation of total suspended solids removal efficiency of any on-site storm water runoff treatment facility.

### (2) Adjustments Where Parcel Runoff is Significantly Different From Land Use Standard

Where the unit runoff generated by a parcel differs from the assigned amount for that land use category by more than 20 percent, the Director of Public Works, or designee thereof, may adjust the parcel's storm water drainage charge in accordance with the following procedure:

- A. Calculation of unit runoff for the parcel shall be determined by the methods outlined in the Natural Resources Conservation Service Technical Release No. 55, utilizing a so-called one-year event of 24-hour duration as the standard rainfall event.
- B. If calculated unit runoff is shown to differ from the assigned amount for that land use category by 20 percent or more, the volume portion of the fee for that parcel shall be adjusted by multiplying it by the ratio of the calculated unit runoff to the standard unit runoff.
- C. A parcel's storm water drainage charge shall be subject to increases as well as decreases by this procedure.
- D. For parcels with ponds covered by public easements, the area used for the calculation of the charge shall be reduced by the size of the easement area.

- E. Because single family and duplex fees are not based upon actual parcel acreage, no adjustments for unit runoff differences will be made for those land uses except for totally vacant unimproved fully turfed parcels.
- F. Adjustments shall not be retroactive. They become effective from the date they are approved.

(3) Procedure for Calculation of Storm Water Detention Credits for Volume Charges

A parcel may be credited for up to 31 percent of the storm water drainage charge for on-site measures which are owned and maintained by the applicant which limit storm water outflow rates from the site in accordance with the following procedure:

- A. 14 percent credit for parcels which limit peak outflow rates during a 5-year, 24-hour rainfall event to pre-development rates.
- B. 18 percent credit for parcels which limit peak outflow rates during a 10-year, 24-hour rainfall event to pre-development rates.
- C. 24 percent credit for parcels which limit peak outflow rates during a 25-year, 24-hour rainfall event to pre-development rates.
- D. 27 percent credit for parcels which limit peak outflow rates during a 50-year, 24-hour rainfall event to pre-development rates.
- E. 31 percent credit for parcels which limit peak outflow rates during a 100-year, 24-hour rainfall event to pre-development rates.
- F. No detention credits will be given for parcels which do not at least limit 5-year events to pre-development rates.

Runoff rates shall be determined using TR-55.

Only one of the above credits (A-F) may be applied to each parcel. Detention ponds which operate between the steps described above will receive the lower credit.

(4) Procedure for Calculation of Water Quality Treatment Credits for Quality Charges

A parcel may be credited for up to 19 percent of the storm water drainage charge for on-site measures which are owned and maintained by the applicant which effectively reduce the outflow of pollutants from the site. Credit percentage shall be based on the actual percentage of total suspended solid (TSS) removal efficiency, as determined by the following procedure, except that no credit will be given for sediment removal efficiencies of less than 55 percent.

The TSS removal efficiency shall be calculated using one of the following methodologies:

"Methodology of Analysis of Detention Basins for Control of Urban Runoff Quality," Office of Water, Non-Point Source Division, U.S. E.P.A., September 1986.

"Detpond," Robert Pitt and John Voorhees.

"P8 Urban Catchment Model," IEP, Inc., William W. Walker, Jr.

Credit shall range from 13 percent, for parcels with a water quality treatment facility providing a TSS removal efficiency of 55 percent, to 19 percent, for parcels with a water quality treatment facility providing a TSS removal efficiency of 80 percent or greater. A credit of 19 percent shall be offered to those parcels which provided a water quality treatment facility cash-in-lieu payment, under Section 16.54(c) of the City Code, from December 7, 1992, through December 18, 1995. From December 19, 1995, through April 1, 1996, owners of parcels that were required to address water quality treatment, per the City Code requirements, who requested making a cash-in-lieu payment amount were allowed to escrow the necessary payment amount. The escrow amount will be returned to the payer, without interest, upon adoption of this policy.

- (5) Credits shown in (3) and (4) above (for volume charges and quality charges, respectively), and adjustments, may be cumulative.

#### CITY'S RIGHT TO INSPECT FACILITIES AND INITIATE FEE ADJUSTMENTS AND/OR CREDITS

The Director of Public Works, or designee thereof, reserves the right to inspect periodically all storm drainage control facilities to ascertain that they are operating properly. If such a system, due to improper maintenance or other reason, fails to detain or cleanse storm water runoff in an effective manner, the Director of Public Works, or designee thereof, may eliminate or reduce detention or water quality credits to an appropriate level. Any such facility shall not be eligible to apply for storm drainage charge adjustments and/or credits for a period of 12 months following any adjustment and/or credit. Adjustments and/or credits shall not be made retroactively. An appeal from the Director of Public Works' determination may be made to the City Council.

The issuance of any building permit or other action which changes or intensifies an existing land use shall be cause for an adjustment of storm water drainage charges to an appropriate level.