

## PHASE 1 UPDATES TO DESIGN AND CONSTRUCTION STANDARDS

### SELECTED CHANGES TO DEFINITIONS

#### Chapter 1

#### GENERAL REQUIREMENTS AND ADMINISTRATIVE PROVISIONS

##### Reader Notes (2/7/17 draft)

As part of the Phase 1 Design and Construction Standards Update, Clean Water Services (District) has drafted proposed changes to Chapter 1 that incorporate new NPDES permit requirements. Limited changes are proposed to Chapter 1. Therefore, this document is limited to the sections that are added or changed, and includes:

1. Revised definition of Development to incorporate the treatment requirement for modified impervious areas and add a definition for the term 'Modify.'
2. Clarified definitions for Impervious Area, Low Impact Development Approaches and Redevelopment.
3. Placeholder for a new definition for 'Stormwater Management Approach' to clarify changes proposed to Chapter 4.

Additional definitions may be added or clarified upon review and incorporation of public comments received on Chapter 1 and the previously-distributed initial drafts for Chapters 2, 4 and 6.

Changes to the Chapter 1 definitions are indicated as:

New Text      ~~Removed Text~~

1.03.15 Development

- a. All human-induced changes to improved or unimproved real property, including:
  1. Construction of structures requiring a building permit if such structures increase or modify the impervious surface footprint on the real property;
  2. Land division, including subdivisions, lot line adjustments, expedited land partitions and minor land partitions. “Land Division” does not include plats for the sole purpose of converting existing buildings to condominiums;
  3. Drilling;
  4. Site alterations resulting from surface mining or dredging;
  5. Grading that would require an erosion control permit;
  6. Construction of earthen berms;
  7. Paving and roadway construction;
  8. Excavating that would require an erosion control permit;
  9. Clearing when it results in the removal of trees or native vegetation that would require a permit from the City/County or notification to the Oregon Department of Forestry;
  10. Redevelopment; and
  11. Construction of utility infrastructure.
  
- b. The following activities are not included in the definition of development:
  1. Farming activities when conducted in accordance with accepted farming practices as defined in ORS 30.930 or under the Tualatin River Subbasin Agricultural Water Quality Management Area Plan.
  2. Construction on lots in subdivisions meeting the criteria of ORS 92.040(2).
  3. Any development activity for which land use approvals have been issued pursuant to a land use application submitted to a land use authority on or before February 4, 2000 and deemed complete by the land use authority on or before March 15, 2000. Renewals or modifications of such land use approvals shall be required to conform to these regulations.
  4. Measures to repair, maintain, or remove existing structures, facilities, roadways, driveways, accessory uses, or other development, provided such measures are consistent with District/City/County regulations, do not result in additional hydrologic impact and do not encroach further into the Vegetated Corridor or Sensitive Area.
  5. Interior modifications and vertical additions (additional stories) that do not modify the existing structure footprint or increase the

building footprint impervious area of the site, provided such modifications or additions are consistent with District/City/County regulations and do not encroach further into the Vegetated Corridor or Sensitive Area.

6. Measures to replace within the existing footprint a structure(s) lost due to a catastrophic event such as fire, provided that such measures are consistent with District/ City/County regulations. Structures that are partly or wholly within a FEMA designated 100-year floodplain that are damaged beyond more than 50% of the value or proposed to be improved by more than 50% of their value, must be elevated or flood-proofed consistent with the National Flood Insurance Program participation requirements.

#### 1.03.32 Impervious Area

Pavement, maintained gravel areas, structures, public and private roadways, roofs, and other hard surfaces which are not specifically designed to allow water to infiltrate or results in more runoff than in the undeveloped condition. ~~Except in the case of some low impact development approaches, effective impervious area is not directly connected to the drainage system via piping.~~

#### 1.03.36 LIDA

Low Impact Development Approaches are stormwater management approaches that seek to mitigate the impacts of increased runoff and stormwater pollution using a set of planning, design and construction approaches. LIDA include engineered systems that promote infiltration, evapotranspiration and reuse of rainwater, treat stormwater runoff and can occur at a wide range of landscape scales (i.e., regional, community and site). Low Impact Development Approaches ~~include~~ including various techniques such as green roofs, pervious pavement, and vegetated treatment and runoff control, etc.

#### 1.03.xx Modify or Modification

The removal of an impervious surface that exposes gravels, aggregates or soil followed by the placement of impervious or pervious surfaces.

#### 1.03.52 Redevelopment

Redevelopment includes only those activities that alter existing improved impervious areas on the subject property. Redevelopment does not include the addition of impervious areas to areas that were previously pervious. ~~Sites which alter existing impervious areas and add new impervious areas shall be regulated as development sites.~~ Redevelopment includes but is not limited to: the expansion of or change to an existing building footprint or structure,

provided such expansion only impacts already impervious areas; reconfiguration of existing roadways, driveways, or parking lots; and land disturbing activities related to structural or impervious area modifications.

1.03.xx Stormwater Management Approach

To be developed