

Agenda Report

TO: CITY COUNCIL

DATE: September 16, 2002

THROUGH: Municipal Services Committee

FROM: City Manager

SUBJECT: Revision of the Standard Urban Storm Water Mitigation Plan (SUSMP) Ordinance

RECOMMENDATION:

It is recommended that the City Council adopt a Resolution amending the storm water and urban run-off control regulations and repealing Resolution No. 7950.

BACKGROUND:

In July of 1996, the California Regional Water Control Board, Los Angeles Region, (Regional Board) issued the National Pollutant Discharge Elimination System (NPDES) permit to the County of Los Angeles, as Principal Permittee, and 84 cities, including the City of Pasadena, as co-permittees to control and minimize the discharge of pollutants associated with storm water and urban run-off.

On September 11, 2000, the City Council adopted Resolution 7908 and conducted the first reading of Ordinance No. 6837 to establish storm water and run-off control regulations as required by the Standard Urban Storm Water Mitigation Plan (SUSMP) which is part of the NPDES permit. In addition, because of anticipated periodic changes in the SUSMP requirements, it was recommended and approved that changes to the City's storm water and run-off regulations be adopted by a resolution rather than by changing the ordinance.

The SUSMP ordinance set requirements for the capture or treatment of storm water run-off from the following types of development projects requiring discretionary approval:

- Single family hillside residences
- 100,000 square foot or greater commercial developments
- Automotive repair shops
- Retail gasoline outlets
- Stand-alone restaurants
- Home subdivisions of 10 units or more
- Parking lots greater than 5,000 square feet or 25 spaces exposed to rainfall

At the second reading of the ordinance, the City Council requested that staff respond to a request to make the requirements for construction projects in hillside areas more restrictive. As a result, the City Council adopted Resolution No. 7950 on December 4, 2000, amending storm water and urban run-off control regulations to include new construction or major remodeling of homes in hillside areas, including projects that did not require discretionary approval.

On December 13, 2001, the Regional Board adopted the new Los Angeles NPDES permit, regulating storm water discharges in Los Angeles County and 84 cities. The new permit includes changes to the SUSMP as well as requiring cities to amend their ordinances in order to comply with the new requirements.

Most of the previous requirements still remain in effect. The changes can be summarized as follows:

1. The same categories of projects as listed above remain, except the threshold for commercial developments will be reduced from 100,000 square feet to one acre (43,560 square feet), effective March 10, 2003.
2. Non-discretionary projects, except for homes in hillside areas, were exempt from SUSMP requirements. Under the new requirements, non-discretionary projects are no longer exempt.
3. The list of project types subject to SUSMP requirements now includes any project of 2,500 or more square feet located within an "environmentally sensitive area".
4. The applicant for any project subject to SUSMP requirements shall sign a statement accepting responsibility for maintenance of all required improvements until such time as the property is transferred. Furthermore, if the property is transferred or leased, such transfer or lease shall include conditions requiring the transferee to assume maintenance responsibilities or replace such improvements with improvements meeting then current standards. The successor owner or lessee shall conduct annual inspections of all required improvements at least once a year and retain proof of inspection.
5. All construction sites shall be inspected at least once between October 1 and April 15 for compliance with required construction methods or practices designed to mitigate the adverse impacts of storm water runoff during construction.
6. All construction sites over one acre are required to have an approved local storm water pollution prevention plan.
7. After March 10, 2003, construction sites over one acre shall have a permit from the State and a storm water pollution prevention plan.

FISCAL IMPACT:


No direct fiscal impact to the city is expected since the costs associated with complying with this ordinance will be borne by the developer. Staff has been monitoring the City's costs and will be recommending to the City Council a revision to the General Fee Schedule for Fiscal Year 2004.

Respectfully submitted,



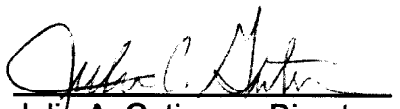
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