Comprehensive Stormwater Ordinance Revision for Urban Stream Enhancement

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Our Steps for a Successful Process

Tex Haeuser
Develop a Committee

- Zoning Improvements Committee Developed in 2006
- Environmental Protection a Top Priority
- Formed to Address Necessary Updates in Wetlands, Shoreland, Stormwater Code
- Well Rounded – Representative Group

ZONING COMMITTEE
- Business
- Planning Board
- Conservation Commission
- Chamber of Commerce
- Legal
- Developers
- City Council
- Zoning Board of Appeals
- Technical Staff
- South Portland Land Trust
- Citizens
An Open, Transparent Process

- Extensive Committee Meetings
- Public Access TV, Website, Email Notifications
- Professional Technical Support – Internal and External
- Well-Timed Education and Outreach to Planning Board
Solid Internal Communications

- Inter-Departmental Technical Meetings
- Engagement of Non-traditional Planning Partners – Fire and Public Works
- Extensive Email Distribution List for Other Staff
Frame the Potential Changes to Policy

- Planning Staff and Consultants Addressed General Issues First
- Frame the Topics Before Getting into Specific Language
- Committee Understanding is Crucial
Read for Details

- Must Obligate People to Read Carefully
- Raise and Document pertinent questions
- Proofread for technical details and cross-references
Planning Policy and Ordinance Implementation

Mark Eyerman
City Stormwater Regulations Create 3 Tiers

1. Stormwater Drainage Plans for Small Buildings/Expansions
2. Basic Stormwater Management Plans for Small Developments
3. Post-construction Management Plans for Larger Developments
Drainage Plans

- Required for New Buildings Not Subject to PB Review
- Includes New Single-family Homes
- Also Required for Expansions of Existing Buildings
- Increase in Impervious Area > 5,000 SF
- Focus is on How Runoff will be Managed
- Addresses Impacts on Both Abutters and City Systems
Basic Stormwater Management Plans

- Required for Minor Subdivisions
- Also for Projects Subject to Site Plan Review That Don’t Trigger Post-Construction Plan
- Tied to “Basic Standards” of Maine DEP OR
- Treatment of 0.5” of Runoff With LID Practices
- Requires Basic Housekeeping Plan But no Formal Inspection or Reporting Requirements
Post-Construction Stormwater Management Plans

- Required for Major Subdivisions
- Also for Projects Subject to Site Plan Review That Disturb More Than 15,000 SF
- Includes Both New Development and Redevelopment
- If State Stormwater Permit Required, Must Conform To State Requirements
- If No State Permit, Must Meet “Basic” and “General” State Standards OR
- Treatment of 0.5” Of Runoff With LID Practices
- Includes Provision For Annual Monitoring and Reporting
Principle #1 – Balance Between Environment and Development

- Committee Includes Both Environmental and Development Interests
- Considered Impact Of Regulations On Small and Infill Development
- Some Proposals are Compromises
Principle #2 – Requirements Relate to Scale of Development

- Ordinance Creates 3 Tiers of Requirements
- Bigger Projects Subject to More Requirements
- Concern for Burden on Little Guy
**Principle #3 – Relationship to Existing City Thresholds**

- City Already Deals With Drainage For New Buildings
- Drainage Plan Builds On Existing Requirement
- City Already Uses 15,000 SF Of Disturbed Area As a Threshold For Site Plan Review
- Already Required To Address Stormwater
- Used That To Determine What Requires a Post-Construction Plan
**Principle #4 – Coordinate with State Requirements**

- Tried to Create Seamless Regulations
- If a State Permit Required, State Permit Fulfills City Requirement
- City Standards for Basic And Post-construction Plans Tied to State Standards
- But City Thresholds are Lower (15,000 Vs. 40,000 Sf)
- Reference State Manuals for BMPs
The Details in The Definitions

Zach Henderson
Importance of Redevelopment to Long-term Urban Stream Restoration

Redevelopment Provides the Most Cost-Effective Mechanism for the Implementation of Structural Stormwater Retrofits

![Graph showing strategies to maximize retrofit delivery over time.](image)
Definitions are Critical

- What Type of Activity Warrants Upgrading Stormwater Management on a Site

Disturbance =

Change in Topography

Altered Drainage Pattern

Change in Purpose or Use of the Parcel
Redevelopment Example