



# Special Projects

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### J.1 Introduction

On November 28, 2011, the San Francisco Bay Regional Water Quality Control Board (Water Board) amended the MRP to allow LID treatment reduction credits for three categories of smart growth, high density and transit oriented development project, described below. Projects that receive LID treatment reduction credits are allowed to use specific types of non-LID treatment, if the use of LID treatment is first evaluated and determined to be infeasible. As described in Section J.5, documentation must be provided to show why the use of LID treatment is considered infeasible.

The types of non-LID treatment that may be used are:

- High flow-rate media filters, and
- High flow-rate tree well filters (also called high flow-rate tree box filters).

The three categories of Special Projects are:

- Category A: Small Infill Projects ( $\leq \frac{1}{2}$  acre of impervious surface)
- Category B: Larger Infill Projects ( $\leq 2$  acres of impervious surface)
- Category C: Transit-Oriented Development

Any Regulated Project that meets all the criteria for more than one Special Project Category (such as a Regulated Project that may be characterized as a Category B or C Special Project)

may only use the LID Treatment Reduction Credit allowed under one of the categories. For example, a Regulated Project that may be characterized as a Category B or C Special Project may use the LID Treatment Reduction Credit allowed under Category B or Category C, but not the sum of both.

## **J.2 Category A: Small Infill Projects**

The defining criteria and LID treatment reduction credits for Category A projects are described below.

### ***CRITERIA FOR CATEGORY A (SMALL INFILL) SPECIAL PROJECTS***

To be considered a Category A Special Project, a Provision C.3 Regulated Project must meet all of the following criteria:

1. Be built as part of the municipality's stated objective to preserve or enhance a pedestrian-oriented type of urban design.
2. Be located in the municipality's designated central business district, downtown core area or downtown core zoning district, neighborhood business district or comparable pedestrian oriented commercial district, or historic preservation site and/or district.
3. Create and/or replace one half acre or less of impervious surface area.
4. Include no surface parking, except for incidental surface parking. Incidental surface parking is allowed only for emergency vehicle access, Americans with Disabilities Act (ADA) accessibility, and passenger and freight loading zones.
5. Have at least 85% coverage for the entire project site by permanent structures. The remaining 15% portion of the site is to be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping, and stormwater treatment.

### ***LID TREATMENT REDUCTION FOR CATEGORY A (SMALL INFILL) SPECIAL PROJECTS***

Any Category A Special Project may qualify for 100% LID Treatment Reduction Credit, which would allow the Category A Special Project to treat up to 100% of the amount of stormwater runoff specified by Provision C.3.d with either one or a combination of the two types of non-LID treatment systems identified in Section J.1. Prior to receiving the LID treatment reduction credits, the applicant must demonstrate, to the satisfaction of municipal staff, that LID treatment is infeasible, as described in Section J.5.

## **J.3 Category B: Larger Infill Projects**

The defining criteria and LID treatment reduction credits for Category B projects are described below.

**CRITERIA FOR CATEGORY B (LARGER INFILL) SPECIAL PROJECTS**

To be considered a Category B Special Project, a Provision C.3 Regulated Project must meet all of the following criteria:

1. Be built as part of the municipality's stated objective to preserve or enhance a pedestrian-oriented type of urban design.
2. Be located in a municipality's designated central business district, downtown core area or downtown core zoning district, neighborhood business district or comparable pedestrian oriented commercial district, or historic preservation site and/or district.
3. Create and/or replace greater than one-half acre but no more than 2 acres of impervious surface area.
4. Include no surface parking, except for incidental surface parking. Incidental surface parking is allowed only for emergency vehicle access, ADA accessibility, and passenger and freight loading zones.
5. Have at least 85% coverage for the entire project site by permanent structures. The remaining 15% portion of the site is to be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping, and stormwater treatment.

**LID TREATMENT REDUCTION FOR CATEGORY B (LARGER INFILL) SPECIAL PROJECTS**

For Category B Special Projects, the maximum LID treatment reduction credit allowed varies depending upon the density achieved by the project in accordance with the criteria shown in Table J-1. Density is expressed in Floor Area Ratios (FARs) for commercial and mixed-use development projects and in Dwelling Units per Acre (DU/Ac) for residential development projects. The credits are expressed in percentages of the amount of stormwater runoff specified by Provision C.3.d for the Project's drainage area. The Special Project may treat the percentage of the C.3.d amount of runoff that corresponds to the project's density using either one or a combination of the two types of non-LID treatment systems listed in Section J.1. To be eligible to receive the LID treatment reduction credits, the applicant must demonstrate, to the satisfaction of municipal staff, that LID treatment is infeasible, as described in Section J.5. Any remaining amount of stormwater runoff must be treated with LID treatment measures.

Table J-1 Category B LID Treatment Reduction Credits, Based on the Density of Development		
% of the C.3.d Amount of Runoff that May Receive Non-LID Treatment	Land Use Type	Density Required to Obtain the LID Treatment Reduction Credit
50%	Commercial or Mixed Use	Floor Area Ratio 2:1
50%	Residential	50 dwelling units/acre
75%	Commercial or Mixed Use	Floor Area Ratio 3:1
75%	Residential	75 dwelling units/acre
100%	Commercial or Mixed Use	Floor Area Ratio 4:1
100%	Residential	100 dwelling units/acre

#### J.4 Category C: Transit-Oriented Development

The defining criteria and LID treatment reduction credits for Category C projects are described below.

##### **CRITERIA FOR CATEGORY C (TRANSIT ORIENTED DEVELOPMENT) SPECIAL PROJECTS**

To be considered a Category C Special Project, a Provision C.3 Regulated Project must meet all of the following criteria:

1. Be characterized as a non auto-related land use project. That is, Category C specifically excludes any Regulated Project that is a stand-alone surface parking lot; car dealership; auto and truck rental facility with onsite surface storage; fast-food restaurant, bank or pharmacy with drive-through lanes; gas station, car wash, auto repair and service facility; or other auto-related project unrelated to the concept of Transit-Oriented Development.
2. If a commercial or mixed-use development project, achieve at least an FAR of 2:1.
3. If a residential development project, achieve at least a density of 25 DU/Ac.

##### **LID TREATMENT REDUCTION FOR CATEGORY C (TRANSIT-ORIENTED DEVELOPMENT)**

For Category C Special Projects, the total maximum LID treatment reduction credit allowed is the sum of three different types of credits for which the Category C Special Project qualifies. These credits are categorized as follows:

- Location Credits,
- Density Credits, and

- Minimized Surface Parking Credits.

The Special Project may use either one or a combination of the two types of non-LID treatment systems listed in Section J.1 to treat the total percentage of the C.3.d amount of stormwater runoff that results from adding together the Location, Density and Minimized Surface Parking credits that the project is eligible for. In addition, to be eligible to receive the LID treatment reduction credits, the applicant must demonstrate, to the satisfaction of municipal staff, that LID treatment is infeasible, as described in Section J.5. Any remaining amount of stormwater runoff must be treated with LID treatment measures.

***Location Credits (Transit-Oriented Development)***

Location credits are based on the project site’s proximity to a transit hub<sup>1</sup>, or its location within a planned Priority Development Area (PDA)<sup>2</sup>. Only one Location Credit may be used by an individual Category C Special Project, even if the project qualifies for multiple Location Credits. In order to qualify for a Location Credit, at least 50 percent or more of a Category C Special Project’s site must be located within the ¼ or ½ mile radius of an existing or planned transit hub, or 100 percent of the site must be located within a PDA. The Location Credits, presented in Table J-2, are expressed in percentages of the amount of stormwater runoff specified by Provision C.3.d for the project’s drainage area.

<b>Table J-2</b>	
<b>Location Credits for Category C, Transit Oriented Development</b>	
(Only one Location Credit may be used.)	
<b>% of the C.3.d Amount of Runoff that May Receive Non-LID</b>	<b>Project Site Location</b>
50%	50% or more of the site is located within a ¼ or ½ mile radius of an existing or planned transit hub
25%	50% or more of the site is located within a ½ mile radius of an existing or planned transit hub
25%	100% of the site is located within a PDA

<sup>1</sup> Transit hub is defined as a rail, light rail, or commuter rail station, ferry terminal, or bus transfer station served by three or more bus routes (i.e., a bus stop with no supporting services does not qualify). A planned transit hub is a station on the MTC’s Regional Transit Expansion Program list, per MTC’s Resolution 3434 (revised April 2006), which is a regional priority funding plan for future transit stations in the San Francisco Bay Area.

<sup>2</sup> A planned Priority Development Area (PDA) is an infill development area formally designated by the Association of Bay Area Government’s / Metropolitan Transportation Commission’s FOCUS regional planning program. FOCUS is a regional incentive-based development and conservation strategy for the

***Density Credits (Transit-Oriented Development)***

To qualify for any Density Credits, a Category C Special Project must first qualify for one of the Location Credits listed above. The Density Credits are based on the density achieved by the project in accordance with the criteria shown in Table J-4. Density is expressed in Floor Area Ratios (FARs) for commercial and mixed-use development projects and in Dwelling Units per Acre (DU/Ac) for residential development projects. The credits are expressed in percentages of the amount of stormwater runoff specified in Provision C.3.d. Commercial and mixed-use Category C projects do not qualify for Density Credits based on DU/Ac, and residential Category C Projects do not qualify for Density Credits based on FAR. Only one Density Credit may be used by an individual Category C Special Project, even if the project qualifies for multiple Density Credits.

<p align="center"><b>Table J-3</b>  <b>Density Credits for Category C, Transit Oriented Development</b>                      (Only one Density Credit may be used.)</p>		
<p align="center"><b>% of the C.3.d Amount of Runoff that May Receive Non-LID Treatment</b></p>	<p align="center"><b>Land Use Type</b></p>	<p align="center"><b>Density Required to Obtain the Density Credit</b></p>
10%	Commercial or Mixed Use	Floor Area Ratio 2:1
10%	Residential	30 dwelling units/acre
20%	Commercial or Mixed Use	Floor Area Ratio 4:1
20%	Residential	60 dwelling units/acre
30%	Commercial or Mixed Use	Floor Area Ratio 6:1
30%	Residential	100 dwelling units/acre

***Minimized Surface Parking Credits (Transit-Oriented Development)***

To qualify for any Minimized Surface Parking Credits, a Category C Special Project must first qualify for one of the Location Credits listed above. The LID treatment reduction credit is based on the amount of post-project impervious surface area that is dedicated to at-grade surface parking, in accordance with the criteria shown in Table J-3. The credits are expressed in percentages of the amount of stormwater runoff specified in Provision C.3.d. The at-grade surface parking must be treated with LID treatment measures. Only one Minimized Surface Parking Credit may be used by an individual Category C Special Project, even if the project qualifies for multiple Minimized Surface Parking Credits.

<p align="center"><b>Table J-4</b>  <b>Minimized Surface Parking Credits for Category C, Transit Oriented Development</b>                      (Only one Minimized Surface Parking Credit may be used.)</p>	
<p align="center"><b>% of the C.3.d Amount of Runoff that May Receive Non-LID</b></p>	<p align="center"><b>Percentage of the Total Post-Project Impervious Surface Dedicated to At-Grade, Surface Parking</b></p>
10%	10% or less
20%	0% (except for emergency vehicle access, ADA accessibility and passenger and freight loading zones)

**J.5 LID Infeasibility Requirement for Special Projects**

In order to be considered a Special Project, in addition to documenting that all applicable criteria for one of the above-described Special Project categories have been met, the applicant must provide a narrative discussion of the feasibility or infeasibility of using 100 percent LID treatment onsite and offsite. Both technical and economic feasibility or infeasibility shall be discussed, as applicable. The discussion shall contain enough technical and/or economic detail to document the basis of any infeasibility that is determined.