



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” development, specifically urban infill, high-density, and transit oriented development projects, called “Special Projects”. Special Projects were approved because, when considered at the watershed scale, smart growth development projects can either reduce existing impervious surfaces, or create less “accessory” impervious areas and automobile-related pollutant impacts, and thus these types of projects were recognized by the Water Board as having inherent water quality and other environmental benefits.

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.7, documentation must be provided to show why the use of LID treatment is infeasible and LID treatment reduction credits will be used.

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: High Density Projects (≤ 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 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 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, such as that of a General Plan or a specific area plan.
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 of 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 CREDIT 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.6.

J.3 Category B: High Density Projects

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

CRITERIA FOR CATEGORY B (HIGH DENSITY) SPECIAL PROJECTS

To be considered a Category B Special Project, a 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, such as that of a General Plan or a specific area plan.
2. Be located in a Permittee'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 of 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 CREDIT FOR CATEGORY B (HIGH DENSITY) SPECIAL PROJECTS

For Category B Special Projects, the maximum LID treatment reduction credit allowed depends on the density achieved by the project in accordance with the criteria shown in Table J-1. Density is expressed as Floor Area Ratio (FAR)¹ for commercial and mixed-use development projects and as Dwelling Units per Acre (DU/Ac)² 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 not possible, as described in Section J.7. Any remaining amount of stormwater runoff must be treated with LID treatment measures.

¹ Floor Area Ratio = (Total covered area of all floors of all buildings on a certain site) ÷ (Area of the site)

² Dwelling Units per Acre = (total number of residential units for all buildings) ÷ (Area of site) [as determined by Permittee's Zoning Code or other applicable ordinance]

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 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; 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 an FAR of at least 2:1.
3. If a residential development project, achieve a density of at least 25 DU/Ac.

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

For Category C Special Projects, the 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 for which the project is eligible. 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.7. 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 hub³, or its location within a planned Priority Development Area (PDA)⁴. 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.

Table J-2	
Location Credits for Category C: Transit Oriented Development (Only one Location Credit may be used)	
% of the C.3.d Amount of Runoff that May Receive Non-LID	Project Site Location
50%	50% or more of the site is located within a ¼ 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

³ 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.

⁴ 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 San Francisco Bay area.

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-3. Density is expressed as Floor Area Ratio (FAR) for commercial and mixed-use development projects and as 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.

Table J-3 Density Credits for Category C: Transit Oriented Development (Only one Density Credit may be used)		
% of the C.3.d Amount of Runoff that May Receive Non-LID Treatment	Land Use Type	Density Required to Obtain the Density Credit
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-4. 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.

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

J.5 Calculating the LID Treatment Reduction Credit (Special Projects Worksheet)

The Special Projects Worksheet at the end of Appendix J should be used to document that your project meets the criteria for Special Project Categories A, B, and/or C and to calculate the total allowable LID treatment reduction credit for which the project is eligible. As mentioned earlier, if the project meets all the criteria for more than one Special Project Category, it may only use the LID treatment reduction credit allowed under one of the categories. However, the worksheet may be used to compute the credit allowed under each category in order to determine which category would allow the most credit.

The municipality may require submittal of the Special Projects Worksheet, or a similar worksheet, as part of the stormwater management plan for the project. To download an electronic version of the worksheet, visit the Program's website www.scvurppp.org and click on "Low Impact Development."

J.6 Applying the LID Treatment Reduction Credits to Special Projects

The following steps should be used to develop the stormwater management plan for Special Projects and apply the LID treatment reduction credits allowed for the project.

1. Determine the total amount of impervious surface created and/or replaced on site that is subject to C.3 treatment requirements, and the associated C.3.d volume of runoff. This is the area and volume for which the LID treatment reduction credits will be applied to determine the maximum amount of runoff that can be treated using non-LID treatment measures.
2. Conduct the feasibility evaluation for infiltration and rainwater harvesting/use, using the worksheets described in Appendix I, for the portion of runoff that must be treated using LID treatment measures. The results of this evaluation will determine which LID practices can be used.

3. Define drainage management areas on the site, and identify self-treating and self-retaining areas, if any (see Chapter 4).
4. Adjust drainage management areas as needed to route the amount of runoff that needs to be treated with LID treatment measures and as much of the rest of the C.3.d amount of runoff as possible to LID treatment measures.
5. For the portion of runoff that must be treated with non-LID treatment measures (up to the allowable LID treatment reduction credit), document the reasons why LID treatment measures cannot be used (see Section J.7).

J.7 LID Infeasibility Requirement for Special Projects

In order to obtain approval for the LID treatment reduction credits, the applicant must provide a narrative discussion of the feasibility or infeasibility of using 100 percent LID treatment, onsite and offsite, as part of the stormwater management plan. Both technical and economic feasibility or infeasibility should be discussed, as applicable.

The narrative discussion should describe how the routing of stormwater runoff has been optimized to route as much runoff as possible to LID treatment measures. A discussion should also be provided for each area of the site for which runoff must be treated with non-LID treatment measures, and should include the following:

1. Uses of impervious surfaces that preclude the use of LID treatment; and
2. Technical constraints that preclude the use of any landscaped areas for LID treatment, such as:
 - a. Inadequate size to accommodate biotreatment facilities that meet the sizing requirements for the drainage area;
 - b. Slopes too steep to terrace;
 - c. Proximity to an unstable bank or slope;
 - d. Environmental constraints (e.g., landscaped area is within riparian corridor);
 - e. High groundwater or shallow bedrock;
 - f. Conflict with subsurface utilities;
 - g. Cap over polluted soil or groundwater;
 - h. Lack of head or routing path to move collected runoff to the landscaped area or from the landscaped area to the disposal point;
 - i. Other conflicts or required uses that preclude use for stormwater treatment (explain).

In addition, the applicant must demonstrate to the municipality performing the project review that it is infeasible to provide LID treatment of an equivalent amount of runoff offsite either at a regional project or on other property owned by the project proponent in the same watershed (i.e., that alternative compliance, as described in Chapter 9, is infeasible). Check with the local municipality to determine if there are any regional projects available for alternative compliance purposes (at the time of completion of this Handbook, there were none in Santa Clara Valley).

Special Projects Worksheet



Project Name:

Project Address:

Applicant/Developer Name:

1. "Special Project" Determination:

Special Project Category "A"

Does the project have ALL of the following characteristics?

- 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 district¹;
 - Creates and/or replaces 0.5 acres or less of impervious surface;
 - Includes no surface parking, except for incidental parking for emergency vehicle access, ADA access, and passenger or freight loading zones;
 - Has at least 85% coverage of the entire site by permanent structures. The remaining 15% portion of the site may be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping and stormwater treatment.
- No (continue) Yes – complete Section 2 of the Special Project Worksheet

Special Project Category "B"

Does the project have ALL of the following characteristics?

- 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 district¹;
 - Creates and/or replaces an area of impervious surface that is greater than 0.5 acres, and no more than 2.0 acres;
 - Includes no surface parking, except for incidental parking for emergency access, ADA access, and passenger or freight loading zones;
 - Has at least 85% coverage of the entire site by permanent structures. The remaining 15% portion of the site may be used for safety access, parking structure entrances, trash and recycling service, utility access, pedestrian connections, public uses, landscaping and stormwater treatment;
 - Minimum density of either 50 dwelling units per acre (for residential projects) or a Floor Area Ratio (FAR) of 2:1 (for commercial or mixed use projects)
- No (continue) Yes – complete Section 2 of the Special Project Worksheet

Special Project Category "C"

Does the project have ALL of the following characteristics?

- At least 50% of the project area is within 1/2 mile of an existing or planned transit hub² or 100% within a planned Priority Development Area³;
 - The project is characterized as a non-auto-related use⁴; and
 - Minimum density of either 25 dwelling units per acre (for residential projects) or a Floor Area Ratio (FAR) of 2:1 (for commercial or mixed use projects)
- No Yes – complete Section 2 of the Special Project Worksheet

¹ And built as part of a municipality's stated objective to preserve/enhance a pedestrian-oriented type of urban design.

² "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. (A bus stop with no supporting services does not qualify.)

³ A "planned Priority Development Area" is an infill development area formally designated by the Association of Bay Area Government's / Metropolitan Transportation Commission's FOCUS regional planning program.

⁴ Category C specifically excludes stand-alone surface parking lots; car dealerships; auto and truck rental facilities with onsite surface storage; fast-food restaurants, banks or pharmacies with drive-through lanes; gas stations; car washes; auto repair and service facilities; or other auto-related project unrelated to the concept of transit oriented development.

Special Projects Worksheet



2. LID Treatment Reduction Credit Calculation:

Category	Impervious Area Created/Replaced (acres)	Site Coverage (%)	Project Density or FAR	Density/Criteria	Allowable Credit (%)	Applied Credit (%)
A			N.A.	N.A.	100%	
B				Res ≥ 50 DU/ac or FAR ≥ 2:1	50%	
				Res ≥ 75 DU/ac or FAR ≥ 3:1	75%	
				Res ≥ 100 DU/ac or FAR ≥ 4:1	100%	
C				Location credit (select one)⁵:		
				Within ¼ mile of transit hub	50%	
				Within ½ mile of transit hub	25%	
				Within a planned PDA	25%	
				Density credit (select one):		
				Res ≥ 30 DU/ac or FAR ≥ 2:1	10%	
				Res ≥ 60 DU/ac or FAR ≥ 4:1	20%	
				Res ≥ 100 DU/ac or FAR ≥ 6:1	30%	
				Parking credit (select one):		
				≥ 10% at-grade surface parking ⁶	10%	
No surface parking	20%					
TOTAL TOD CREDIT =						

⁵ To qualify for the location credit, at least 50% of the project's site must be located within the ¼ mile or ½ mile radius of an existing or planned transit hub, as defined on page 1, footnote 2. 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. To qualify for the PDA location credit, 100% of the project site must be located within a PDA, as defined on page 1, footnote 3.

⁶ The at-grade surface parking must be treated with LID treatment measures.