

Part Two: Administrative Requirements

The requirements presented in this document shall be used to aid the design engineer or applicant in the preparation of drainage reports, drainage letters, construction drawings, and record drawings for stormwater management facilities. In addition, this document shall outline general requirements, policies, and procedures for new development and redevelopment submittals.

- 1. Regulatory Hierarchy.** SEMSWA holds the Colorado Discharge Permit System (CDPS) Regulation 61.8(11) (Reg 61) General Permit for Stormwater Discharges Associated with Municipal Separate Storm Sewer Systems (MS4s) for the City of Centennial (MS4 Permit). Portions of the City tributary to the Cherry Creek drainageway are also subject to the Cherry Creek Reservoir Control Regulation 5 CCR 1002-72 (CR 72), that reflect specific standards to protect an impaired water body. Together, the Reg 61 MS4 Permit and CR 72 constitute the minimum requirements for post-construction stormwater quality management, including the design, construction, and maintenance of post-construction Control Measures (CMs) within the SEMSWA service area within the City of Centennial (City). In the event of conflict for sites within the Cherry Creek basin where Reg 61 MS4 Permit and CR 72 requirements may overlap, the more restrictive of these standards shall govern. For sites outside of the Cherry Creek basin, the Reg 61 MS4 Permit requirements shall govern. In addition, criteria presented in Urban Drainage and Flood Control District's (UDFCD) Urban Storm Drainage Criteria Manual (USDCM), Volume I, II, and III, shall apply as applicable to the design, construction, and maintenance of these post-construction CMs, except as modified or amended herein. Reference is made to the USDCM for assistance in determining generally accepted post-construction CM requirements, design features, and sizing. In addition to referring designers to the USDCM, the goal of this document is to provide additional criteria and guidance for the design, construction, maintenance and functionality of post-construction CMs. The minimum requirements set forth herein, along with the USDCM, may be amended from time to time.
- 2. Enactment Authority.** SEMSWA is an independent governmental entity formed by formal agreement to provide stormwater management and maintenance for the City and unincorporated portions of Arapahoe County within the SEMSWA Service Area. As part of the authority provided to SEMSWA, these administrative requirements (criteria) are adopted by resolution.
- 3. Jurisdiction.** These criteria shall apply to all land within the City portion of the SEMSWA Service Area boundaries including any public lands. A map of the SEMSWA Service Area can be found on SEMSWA's website at www.semswa.org. These criteria shall apply to all systems and facilities constructed in or on public Rights-of-Way, easements dedicated for drainage across public or private property, easements for public use, and to all privately owned and maintained stormwater conveyance, detention, or water quality facilities.
- 4. Stormwater Management Improvements.** Stormwater management improvements within the public right-of-way, drainage easements or tracts are required to be designed, constructed and accepted in accordance with SEMSWA standards and criteria. Construction drawings and a drainage report/letter must be developed for all stormwater

management improvements and submitted to SEMSWA for review. SEMSWA acceptance of final construction plans is a condition for issuance of the Stormwater Public Improvement Permit (SPIP).

- 5. Drainage Report Requirements.** All development applications or land use proposals within the City shall submit drainage reports/letters, construction drawings, and as-built drawings in accordance with the requirements of this document. Drainage report submittal requirements related to the type of development or land use proposal are outlined in the following table. For the purposes of this document, only Land Use Plans that require a Phase III Report will be further discussed.

LAND USE PLAN	DRAINAGE SUBMITTAL REQUIREMENTS
Conventional Zoning or General Development Plan (GDP)	Phase I Drainage Report
Master Development Plan	Phase II Drainage Report
Specific Development Plan (SDP)	Phase II Drainage Report
Administrative Site Plan (ASP)	Phase III Drainage Report
Subdivision Development Plan	Phase III Drainage Report
Use by Special Review	Phase III Drainage Report
Location and Extent	Phase III Drainage Report
Preliminary Plat	Phase II Drainage Report
Final Plat/Replat/Minor Subdivision	Phase III Drainage Report

- 6. Phase III Drainage Report Approval Required for Construction.** The acceptance of a Phase III Drainage Report and construction drawings must be obtained prior to construction of any drainage improvements. Phase I and Phase II Drainage reports are conceptual and are reviewed by SEMSWA, but they do not receive a formal acceptance and cannot be used for construction. In some cases, a drainage letter will be substituted for a Phase III Drainage Report and shall follow the same acceptance requirements.

- A. Two Year Acceptance for Phase III Drainage Reports.** Phase III Drainage Reports will be valid for two years from the date of acceptance. If construction drawings have not been developed and accepted by SEMSWA within two years of the Drainage Report acceptance, the Phase III Drainage Report must be submitted for re-acceptance. In order to be re-accepted, it must be demonstrated that the concepts, designs, and calculations presented in the report are consistent with current criteria and standards. If new concepts, criteria, or standards have been adopted since the drainage report was accepted and then expired, or the drainage report is not in conformance with the MS4 Permit after expiration, submittal of an amendment to the Phase III Drainage Report will be required. Amendment and/or Renewal Fees shall apply, in accordance with the SEMSWA Fee Schedule, available at www.semswa.org. The updated Phase III Drainage Report must be accepted and that report will provide the foundation for development and acceptance of the

construction drawings. Phase I and Phase II Drainage Reports are not formally accepted, and therefore not affected by the acceptance period.

B. Requirement for Phase III Drainage Report and Plan Submittal. The purpose of the Phase III Drainage Report is to update the drainage concepts, and to present the design details on construction plans for the drainage facilities discussed in the Phase II Drainage Report. Also, any change to the Phase II concept must be presented. Phase III Drainage Reports should follow the Phase III Drainage Report/Letter checklist available at www.semswa.org.

7. Construction Plan Submittal. When Stormwater Public Improvements are required, construction drawings shall be submitted with the Phase III Drainage Report.

A. Construction Plan Requirements. If construction drawings include a water quality design, they shall comply with the requirements specified in the CM checklist, available at www.semswa.org.

B. Construction Plan Administration. Submission of construction plans (and Phase III Drainage Report) requires the payment of review fees in accordance with the SEMSWA Fee Schedule available on SEMSWA's website at www.semswa.org. Construction drawings are valid for a period of two year after initial approval. Reapproval of the plans is required after two years if work is ongoing, or in order to obtain a SPIP. If the construction drawings have expired and a SPIP has not been issued, and new concepts, criteria, or standards have been adopted since the construction drawings were accepted and then expired, or the expired construction drawings are not in conformance with the MS4 Permit, submittal of an amendment to the construction drawings will be required. Amendment and/or Renewal Fees shall apply, in accordance with the SEMSWA Fee Schedule.

8. Permitting. The construction of all Stormwater Public Improvements requires the issuance of a SPIP from SEMSWA. Issuance of the SPIP is contingent upon approval of the construction drawings and Drainage Report/Letter by SEMSWA along with the execution and posting of collateral associated with the SEMSWA Addendum to the City of Centennial Public Improvement Agreement. Issuance of the SPIP may be concurrent or after the issuance of a GESD Permit for a Site. Issuance of the SPIP may be concurrent or after the issuance of a Floodplain Development Permit, if required. It is the applicant's obligation and responsibility to obtain all other permits required by local, State, or/or Federal law. The SPIP shall be effective for two years after the issue date and must be renewed if work occurs after that time.

9. Inspections. Stormwater Public Improvements shall be inspected in accordance with the SPIP and for conformance with the approved construction drawings. It is the responsibility of the applicant to contact SEMSWA to schedule inspections related to the installation of Stormwater Public Improvements. Failure to comply with the terms of the SPIP, including correcting identified deficiencies to Stormwater Public Improvements, may result in enforcement. Changes in the field that effect the design or functionality of a Stormwater Public Improvement shall be coordinated with the design engineer and

may require an amendment to the construction drawings and/or Drainage Report/Letter. Minor, non-substantive changes in the field that do not affect the design or functionality of the Stormwater Public Improvements may be approved by SEMSWA in the field.

- 10. Acceptance.** Upon completion of the Stormwater Public Improvements for a Site, and in accordance with the SPIP, Probationary Acceptance (PA) of the Stormwater Public Improvements may be granted. When PA is granted, the SEMSWA Addendum to the Public Improvement Agreement collateral may be reduced to 10% of the total. As a condition of PA, the following must occur:
- a. Deficiencies identified in inspections have been satisfactorily corrected.
 - b. Stormwater Public Improvements have been maintained and or cleaned of all construction debris, including sediment and trash, and all water quality facilities function in a manner consistent with the approved construction drawings.
 - c. Submission and acceptance by SEMSWA of the records drawings, in accordance with this document. Should deficiencies be identified on the record drawings, those deficiencies must be satisfactorily addressed.
 - d. Concurrent Initial Close Out (ICO) of the GESC Permit, unless otherwise approved by SEMSWA.

Final Acceptance (FA) of the Stormwater Public Improvements shall occur one (1) year after PA has been granted, unless otherwise approved by SEMSWA. When FA is granted, SEMSWA Addendum to the Public Improvement Agreement collateral may be released. As a condition of FA, the following must occur:

- a. Stormwater Public Improvements have been maintained and or cleaned of all construction debris, including sediment and trash, and all water quality facilities function in a manner consistent with the approved construction drawings.
- b. Concurrent Final Close Out (FCO) of the GESC Permit, unless otherwise approved by SEMSWA.

After FA, the Operations and Maintenance Requirements for post-construction CMs are the ongoing responsibility of the property owner (Part One, Section 14.7).

- 11. Record Drawing Requirements.** All Stormwater Public Improvements must be reviewed and accepted by SEMSWA. SEMSWA's acceptance process verifies that the improvements have been constructed and function in accordance with the requirements of the approved construction drawings. SEMSWA acceptance does not mean that SEMSWA accepts the facilities for maintenance. Maintenance of stormwater facilities is the responsibility of the property owner or as otherwise defined by legal agreement or within the Maintenance Agreement (Part One, Section 14.7). The record drawings for the stormwater improvements shall include the following information, at a minimum, for the specific facilities or components of the stormwater management system.

- a. Statement of Substantial Compliance by the responsible Professional Engineer
- b. Statement of Substantial Compliance by a Professional Land Surveyor
- c. Verify pipe, drainageway, flood control facility, and water quality control measure grades
- d. Pond volume, manhole and inlet surface and sump elevations, pipe invert elevations at flared end sections, manholes, inlets and outlet structures
- e. Verify Design Event Water Surface Elevations (100-year, EURV, WQCV, as applicable)
- f. Depict all field changes, specifically changes to Stormwater Public Improvements that vary from the approved construction plans

12. Variances (Section 1.8.6 and 1.8.7)

A. Submittal Requirements. Variance requests shall be submitted to the SEMSWA Case Manager assigned to the project case and shall be reviewed for completeness. A complete variance request application which can be found at www.semswa.org and shall include all required submittal information identified herein, including all items specified by SEMSWA. If the application is deemed complete, the application shall then be processed pursuant to this Section. If the application is deemed incomplete, SEMSWA shall inform the applicant of such fact within five (5) working days of its submittal. No further processing of an incomplete request shall occur until the deficiencies are corrected.

B. Review by Technical Review Committee. Complete applications shall be considered by SEMSWA's Technical Review Committee (TRC) at the next regularly scheduled TRC meeting. The applicant shall be informed of the meeting date and may attend to provide additional evidence on its behalf. The TRC shall act to approve, approve with conditions or deny the variance request based on the approval criteria set forth herein, and where applicable, contained in Part One, Section 14.6. The TRC shall render a written decision within five (5) working days following the meeting at which the variance was considered.

C. Appeals of TRC Decision. The applicant may appeal a denial of a variance request to the Director within thirty (30) days of the date of TRC's written denial. The applicant's appeal shall be submitted in writing to the Director. Within ten (10) working days of receipt of the applicant's written notice of appeal, the Director shall consider the variance request and render a decision to uphold or reject the TRC's decision on the variance request based on the approval criteria set forth herein.

D. Final Appeal to the Board of Directors. An applicant may appeal the Director's decision to the Board. The applicant's appeal shall be submitted in writing to the SEMSWA Board of Directors and will be heard at the next available Board Meeting. The Board's decision to approve, approve with conditions or deny the variance shall be made part of a resolution

E. Criteria of Approval. A variance application may be approved only if the following criteria have been met:

1. The variance represents the least deviation from the regulations that will afford relief;
2. The variance will not increase costs of maintenance and repair of storm drainage facilities or other public facilities;
3. The variance meets the stated principles found herein;
4. The variance will not cause property damage to upstream or downstream properties;
5. The request will not impose undue adverse environmental impacts;
6. Access to the property and safe traffic flow will not be compromised;
7. The variance otherwise serves the public health, safety and welfare;
8. The variance will not result in an MS4 Permit violation;
9. For the Constrained Redevelopment Site Standard from Part One, Section 14.2.5, it shall be demonstrated within the request the ability to install a post-construction CM without reducing the site's surface area covered with structures.

F. Additional Criteria for the use of Non-Standard Control Measures. SEMSWA has deemed the use of Non-Standard Control Measures, as discussed in Part One, Section 14.7, to require additional design and maintenance considerations and therefore are only allowed as an approved variance. All variances must meet the variance requirements outlined in Section E, and in addition, the following should be addressed as part of the variance request:

1. The variance request shall include a justification as to why a Standard CM cannot be utilized, how the proposed Non-Standard Post-Construction CM meets or exceeds the water quality treatment as compared to a Standard Post-Construction CM for the site, and why a Non-Standard Post-Construction CM would not burden the owner with increased maintenance costs, limited maintenance service providers, and operation complexities;
2. The variance request shall include a life cycle cost analysis for the Non-Standard Post-Construction CM as compared to a Standard Post-Construction CM that could be used at the site;
3. The construction of the Non-Standard Post-Construction CM shall include onsite construction oversight from the design engineer and the CM manufacturer (for proprietary CMs, such as underground water quality devices). Agreement to abide by this requirement shall be included in the variance request; and

4. The site shall have some mechanism in place prior to approval of the construction drawings to guarantee the ability to finance the long-term operations and maintenance of the Non-Standard Post-Construction CM, such as a Service Plan that includes stormwater maintenance or a similar assessment.