

ATTACHMENT G.3:

CITY OF LONG BEACH IN PLACE LID ORDINANCE

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CHAPTER 18.74 LOW IMPACT DEVELOPMENT STANDARDS

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18.74.010 Purpose.

The purpose of this Chapter is to require the use of low impact development (LID) standards in the planning and construction of development projects. LID standards promote the goal of environmental sustainability by helping improve the quality of receiving waters, protecting the Los Angeles and San Gabriel River watersheds, maintaining natural drainage paths, and protecting potable water supplies within the City. The LID objective of controlling and maintaining flow rate is addressed through land development and storm water management techniques that imitate the natural hydrology (or movement of water) found on the site. Using site design and best management practices that allow for storage and retention, infiltration, filtering, and flowrate adjustments achieve the goals of LID, advances sustainability and reduces the overall cost of storm water management. The use of engineered systems, structural devices, and vegetated natural designs distributes storm water and urban runoff across a development site maximizing the effectiveness of LID.

(ORD-10-0035, § 1, 2010)

18.74.020 Definitions.

"Brownfield" means a piece of industrial or commercial property that is abandoned or underused and often environmentally contaminated, especially one considered as a potential site for redevelopment.

"Development" means any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects; or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

"LID Best Management Practices Manual" means a manual of LID standards and practices for storm water pollution mitigation, including technical feasibility and implementation parameters, alternative compliance for technical infeasibility, as well as other rules, requirements and procedures as the City deems necessary, for implementing the provisions of this Section of the Long Beach Municipal Code.

"Multi-phased project" shall mean any development or redevelopment implemented over more than one (1) phase and the site of a multi-phased project shall include any land and water area designed and being used to store, treat or manage storm water runoff in connection with the Development or Redevelopment, including any tracts, lots, or parcels of real property, whether Developed or not, associated with, functionally connected to, or under common ownership or control with such Development or Redevelopment.

"Offsite Runoff Mitigation Fee" means fee paid to the City for the management of storm water runoff generated from the 0.75-inch water quality storm in excess of the storm water runoff that is infiltrated, evapotranspired and/or stored for use. The Offsite Runoff Mitigation Fee shall be used by the City to construct or apply towards the construction of an offsite mitigation project within the same sub-watershed that will achieve at least the same level of water quality protection as if all of the runoff was retained onsite.

"Redevelopment" means land-disturbing activities that result in the creation, addition, or replacement of five hundred (500) square feet or more of impervious surface area on an already developed site. Redevelopment includes, but is not limited to: the expansion of a building footprint; addition or replacement of a structure; replacement of impervious surface area that is not part of a routine maintenance activity; and land-disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

"Site" means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land use in connection with the facility or activity.

(ORD-10-0035, § 1, 2010)

18.74.030 LID requirements and applicability.

- A. The provisions of this Section set forth the requirements for and shall apply to all new Development and Redevelopment projects in the City of Long Beach. The following Development or Redevelopment projects are exempt from the requirements of this Chapter:
 - 1. Any Development or Redevelopment projects that creates, adds or replaces less than five hundred (500) square feet of impervious area;
 - 2. Any Development and Redevelopment projects involving emergency construction activities required to immediately protect public health and safety;
 - 3. Any interior building alteration or addition that does not expand the building footprint; or
 - 4. Any Development or Redevelopment projects that do not requiring a building permit.
- B. LID requirements for new Development or Redevelopment projects:
 - 1. Residential development of four (4) Units or Less:
 - a. For new development less than one (1) acre, or if redevelopment alters at least fifty percent (50%) or more of the impervious surfaces of an existing developed site, comply with the standards and requirements of this Chapter and implement at least two (2) adequately sized LID BMP alternatives from the LID Best Management Practices Manual.
 - b. For new Development that is one (1) acre and greater, the entire Site shall

- comply with the standards and requirements of this Chapter and the LID Best Management Practices Manual.
2. Residential Developments of five Units or More and nonresidential Developments:
 - a. For new development, or if redevelopment alters at least fifty percent (50%) or more of the impervious surfaces of an existing developed site, the entire site shall comply with the standards and requirements of this Chapter and of the LID Best Management Practices Manual.
 - b. Where the Redevelopment alters less than fifty percent (50%) of the impervious surfaces of an existing developed site, only such incremental Redevelopment shall comply with the standards and requirements of this Chapter and of the LID Best Management Practices Manual.
 - C. This Chapter shall not apply to those projects for which a building permit application has been filed for and deemed complete by the Department of Development Services prior to July 1, 2011.

(ORD-10-0035, § 1, 2010)

18.74.040 LID plan review.

- A. Compliance with the LID standards of this Chapter shall be demonstrated through a LID plan review. Permit applicant shall be required to submit an LID plan for review to the Department of Development Services. The LID plan shall demonstrate how the project will meet the standards and requirements of this Chapter and of the LID Best Management Practices Manual. A submitted LID plan shall indicate compliance with the following standards:
 1. Storm water runoff will be infiltrated, captured and reused, evapotranspired, and/or treated onsite through storm water best management practices allowed in the LID Best Management Practices Manual.
 2. The onsite storm water management techniques must be properly sized, at a minimum, to infiltrate, evapotranspire, and/or store for use without any storm water runoff leaving the site to the maximum extent feasible, for at least the volume of water produced by a storm event that results from:
 - a. The volume of runoff produced from a 0.75 inch storm event; or
 - b. The 85th percentile twenty-four (24) hour runoff event determined as the maximized capture storm water volume for the area using a forty-eight (48) to seventy-two (72) hour draw down time, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998); or
 - c. The volume of annual runoff based on unit basin storage water quality volume, to achieve eighty percent (80%) or more volume treatment by the method recommended in the California Storm Water Best Management Practices Handbook - Industrial/Commercial, (2003).
- B. When the onsite LID requirements are technically infeasible, the infeasibility shall be demonstrated in the submitted LID plan and shall be reviewed in consultation with the Department of Development Services. The technical infeasibility may result from conditions that may include, but are not limited to:
 1. Locations where seasonal high ground water is within ten (10) feet of surface grade;
 2. Locations within one hundred (100) feet of a ground water well used for drinking

- water;
 - 3. Brownfield Development sites or other locations where pollutant mobilization is a documented concern;
 - 4. Locations with potential geotechnical hazards; or
 - 5. Locations with impermeable soil type as indicated in applicable soils and geotechnical reports.
- C. If complete onsite compliance of any type is technically infeasible, a Development or Redevelopment project shall be required to comply with, at a minimum, all applicable Standard Urban Storm Water Mitigation Plan (SUSMP) requirements of [Chapter 18.61](#) in order to maximize onsite compliance. For the remaining runoff that cannot feasibly be managed onsite, one or a combination of the following shall be required:
- 1. An Offsite Runoff Mitigation Fee pursuant to Subsection 18.74.050.B shall be paid to the City of Long Beach's Storm Water Pollution Abatement Fund for offsite mitigation, as described in the LID Best Management Practices Manual. The funding will be applied towards the construction of an offsite mitigation project(s) within the same sub-watershed that will achieve at least the same level of water quality protection as if all of the runoff was retained onsite.
 - 2. To provide an incentive for onsite management of storm water runoff, Development and Redevelopment projects will receive the following reduction in the Offsite Runoff Mitigation Fee based on the percentages of storm water runoff that is managed onsite through infiltration, evapotranspiration, and/or capture and use:

Storm water Runoff Managed Onsite	Fee Reduction
Between 90% and 99%	75%
Between 75% and 89%	50%
Between 50% and 74%	25%

- 3. A Multi-Phased Project must design a system acceptable to satisfy these standards and requirements for the entire Site during the first phase and will implement these standards and requirements for each phase of Development or Redevelopment projects of the Site during the first phase or prior to commencement of construction of a later phase, to the extent necessary to treat the storm water from such later phase.

(ORD-10-0035, § 1, 2010)

18.74.050 LID plan review, permit and Offsite Runoff Mitigation Fees. 

- A. Permit applicants who seeks to engage in new Development or Redevelopment as defined in this Chapter by obtaining a building permit shall pay the required plan examination and permit fees as set forth in [Chapter 18.06](#)
- B. Permit applicants who seeks to engage in new Development or Redevelopment as defined in this Chapter by obtaining a building permit and does not demonstrate complete onsite compliance as described in the LID Best Management Practices Manual, is required to pay an Offsite Runoff Mitigation Fee in the manner and amount as set forth in the schedule of

fees and charges established by City Council resolution.

- C. Any Development or Redevelopment projects that are exempted from this Chapter shall have the option to voluntarily opt in and incorporate into the project the LID requirements of this Chapter. In such case, the LID plan review, permit and Offsite Runoff Mitigation Fees associated with the project shall be waived.

(ORD-10-0035, § 1, 2010)

18.74.060 LID Best Management Practices Manual.

- A. The Department of Development Services shall prepare, maintain, and update, as deemed necessary and appropriate, the LID Best Management Practices Manual to include LID standards and practices and standards for storm water pollution mitigation. The LID Best Management Practices Manual shall also include technical feasibility and implementation parameters, alternative compliance for technical infeasibility, as well as other rules, requirements and procedures as the City deems necessary, for implementing the provisions of this Chapter of the Long Beach Municipal Code.
- B. The Department of Development Services shall develop, as deemed necessary and appropriate, in cooperation with other City Departments and stakeholders, informational bulletins, training manuals and educational materials to assist in the implementation of the LID requirements.

(ORD-10-0035, § 1, 2010)