



Environmental, Planning, and Engineering Consultants

322 North Shore Drive
Building 1B, Suite 200
Pittsburgh, PA 15212
tel: 412 770-3100
www.akrf.com

Memorandum

To: Kara Smith, City of Pittsburgh – Department of City Planning
James Stitt, Pittsburgh Water and Sewer Authority

From: AKRF, Inc.

Date: June 27, 2021

Re: Stormwater Code and Ordinance Review and Update Project
Title Thirteen: Stormwater Management: Summary of Changes

CHAPTER 1301: - GENERAL PROVISIONS

§ 1301.02 - STATEMENT OF FINDINGS

- Define acronyms for “Combined Sewer Overflow” and “Allegheny County Sanitary Authority.”
- Capitalize first letter of defined terms.

§ 1301.03 – PURPOSE

- Update PA Code reference to match DEP 2022 Model Stormwater Ordinance.
- Capitalize first letter of defined terms.

§1301.04 - STATUTORY AUTHORITY

- Capitalize first letter of defined terms.

§1301.05 - APPLICABILITY

- Capitalize first letter of defined terms.

§ 1301.08 - COMPATIBILITY WITH OTHER REQUIREMENTS

- Relabel existing content as Paragraph A.

- Add Paragraph B with reference to the City of Pittsburgh Stormwater Design Manual requirements and to incorporate standards and guidelines by reference.
- Capitalize first letter of defined terms.

§ 1301.09 - ERRONEOUS PERMIT

- Capitalize first letter of defined terms.

CHAPTER 1302: - DEFINITIONS

- Capitalize first letter of defined terms.
- Added terms previously defined in § 906.07 SM-O Stormwater Management Overlay District:
 - Conduit
 - Confluence
 - County
 - Culvert
 - Dam
 - Disturbed Area
 - Drainage
 - Drainage Area
 - Hydrology
 - Outfall
 - Outlet Structure
 - Performance Standard
 - Permeability
 - Point of Interest
 - Reservoir
 - Runoff Characteristics
 - SCS
 - Sedimentation
 - Storm Sewer
 - Storm Sewer Discharge
 - Stormwater Collection System
 - Subarea
 - Time of Concentration
 - Volume of Stormwater Runoff
 - Watershed Storm Water Management Plan (or Watershed Plan)

- Additional added terms:
 - Combined Sewer
 - Earth Disturbance Activity
 - In-lieu Fee
 - Preferred Stormwater Management Technologies
 - Sanitary Sewer
- Removed terms:
 - Detention Basin
 - Stormwater Management Facility
- Modified definitions:
 - 95th Percentile Rainfall Event
 - Best Management Practice (BMP)
 - Impervious Surface (Impervious Area)
 - Point of Interest

CHAPTER 1303: - STORMWATER MANAGEMENT STANDARDS

§ 1303.01 - GENERAL REQUIREMENTS

- Item f. Added minor clarifying language including reference to “project site” and sub-item number 3 regarding pre-development impervious area to be included as part of stormwater requirements.
- Item h.3. Changed to Stormwater Design Manual instead of the PA BMP Manual. Changed infeasibility language to reference Section 1303.03.
- Item i. For locations where infiltration is prohibited, removed reference to Landslide Prone Overlay District and replaced with reference to the Stormwater Design Manual where technical infeasibility criteria for infiltration will be covered. The infiltration technical infeasibility criteria will include the Landslide Prone Overlay District as well as other criteria such as soil contamination and undermined areas.
- Item j. Changed requirement to apply to “all BMPs” instead of just infiltration BMPs
- Item k. Removed reference to PennDOT and NOAA Atlas 14 rainfall estimates and replaced with reference to the Stormwater Design Manual for rainfall estimates which will include future climate change projections.
- Item m. Changed to Stormwater Design Manual instead of the PA BMP Manual.
- Added Item o. New item added requiring filtration in MS4 areas and direct discharges to surface waters.
- Added Item p. New item added for pretreatment requirements.
- Added Item q. New item added for stormwater connections hierarchy and reference to PWSA Developers Manual and Stormwater Design Manual for stormwater connections.
- Added Item r. New item added for right-of-way discharges and “no-harm” downstream hydraulic analysis.

- Added Item s. New item added for responsibility of stormwater discharges including right-of-way upgrades, payment and maintenance.
- Capitalize first letter of defined terms.

§ 1303.02 - EXEMPTIONS

- Change reference of discretion of “the Department” to “the City” to accept off-site SWM practices.
- Capitalize first letter of defined terms.

§ 1303.03 - VOLUME CONTROLS

- Opening paragraph replaced BMP Manual with Stormwater Design Manual. Removed language “or alternative design criteria as allowed by PA Code Title 25, Chapter 102” as these do not cover climate change or peak flow matching requirements for Public Health and Safety watersheds.
- Item a. CG-1 Method:
 - Removed private versus publicly funded volume distinction. All regulated activities now subject to the 95th percentile rain event volume with future climate change projection.
 - For infiltration infeasibility under the removal options section replaced “except in Landslide Prone Overlay District” with “Demonstration of technical infeasibility for the removal of runoff shall meet infeasibility criteria thresholds established within the Stormwater Design Manual.” The Stormwater Design Manual will cover the Landslide Prone Overlay District.
 - Replaced 24 and 72 hour dewatering time requirements with “runoff shall be detained and meet water quality release rate requirements as stipulated within the Stormwater Design Manual.”
- Item b. CG-2 Method:
 - Removed private versus publicly funded volume distinction. All regulated activities now subject to the 95th percentile rain event volume with future climate change projection.
 - For infiltration infeasibility under the removal options section replaced “except in Landslide Prone Overlay District” with “Demonstration of technical infeasibility for the removal of runoff shall meet infeasibility criteria thresholds established within the Stormwater Design Manual.” The Stormwater Design Manual will cover the Landslide Prone Overlay District.
 - Replaced 24 and 72 hour dewatering time requirements with “runoff shall be detained and meet water quality release rate requirements as stipulated within the Stormwater Design Manual.”
- Added Volume Control Incentives and Offsets which include:
 - Grant payment for volume control
 - Active site controls
 - Intra-owner trading offsets
 - Volume control offsets for future development
 - Qualifying language for NPDES Permit requirements

- Added technical infeasibility determinations for volume control rather than feasibility of using green infrastructure.
- Detailed language defining technical infeasibility have been mainly deleted and will be incorporated into the Stormwater Management Design Manual.
- References to green infrastructure have been replaced where applicable to preferred and approved BMPs.
- Policies on innovation review and in-lieu fee payment have been added.
- Capitalize first letter of defined terms.

§ 1303.04 - RATE CONTROLS

- Created rate control requirements for the following conditions:
 - Item a. Areas covered by the Allegheny County Act 167 maps.
 - Item b. Areas covered by the City Public Health and Safety release rate map.
 - Item c. Areas not covered by Allegheny County Act 167 maps or by City Public Health and Safety release rate map.
- Added the climate change rainfall language to all conditions: “using the rainfall estimates and procedures incorporating the use of future climate change rainfall projections provided within the City of Pittsburgh Stormwater Design Manual.”
- Under Item c. added language pertaining to Public Health and Safety release rate requirements.
- Under Item d. added language stating that more stringent release rate requirement governs when Act 167 and Public Health and Safety maps overlap for the same project site.
- Added Item e. Added language for Rate Control Incentives and Points of Interest
 - Grant payment for per additional cubic foot of storage for additional rate control.
 - Stipulations that grant payments for volume and rate are not additive.
 - Potential for intra-owner offsite trading providing the site is upstream to the downstream flooding point of interest.
- Capitalize first letter of defined terms.

§ 1303.05 – RIPARIAN BUFFERS

- Capitalize first letter of defined terms.

§ 1303.06 - STANDARDS FOR GREEN INFRASTRUCTURE AND LOW IMPACT DEVELOPMENT

- Section is deleted and rewritten content has been incorporated into 1303.03.

CHAPTER 1304: - STORMWATER MANAGEMENT (SWM) SITE PLAN REQUIREMENTS

- Add new sections for General Requirements and Conceptual Stormwater Management Plan. Revise section numbering. Revised sections and numbering are as follows:

- § 1304.01 - GENERAL REQUIREMENTS [new section]
- § 1304.02 – CONCEPTUAL STORMWATER MANAGEMENT PLAN [new section]
- § 1304.03 – STORMWATER MANAGEMENT SITE PLAN [previously Section 1304.01 – Plan Requirements]
- § 1304.04 - PLAN SUBMISSION [previously Section 1304.02]
- § 1304.05 - PLAN REVIEW [previously Section 1304.03]
- § 1304.06 - MODIFICATION OF PLANS [previously Section 1304.04]
- § 1304.07 - RESUBMISSION OF DISAPPROVED SWM SITE PLANS [previously Section 1304.05]
- § 1304.08 - AUTHORIZATION TO CONSTRUCT AND TERM OF VALIDITY [previously Section 1304.06]
- § 1304.09 - RECORD DRAWINGS, COMPLETION CERTIFICATE, AND FINAL INSPECTION [previously Section 1304.07]
- Capitalize first letter of defined terms.

§ 1304.01 - GENERAL REQUIREMENTS [new section]

- New section establishes two-step SWM Site Plan review and approval process.

§ 1304.02 – CONCEPTUAL STORMWATER MANAGEMENT PLAN [new section]

- New section establishes Conceptual Stormwater Management Plan submission requirements.

§ 1304.03 – STORMWATER MANAGEMENT SITE PLAN [previously Section 1304.01 – Plan Requirements]

- Move general requirement regarding no approvals for SWM Site Plans that are deficient in meeting requirements of Title Thirteen to Section 1304.01.
- Add references to City of Pittsburgh Stormwater Design Manual.
- Add requirement for infiltration testing and geotechnical investigation report in accordance with City of Pittsburgh Stormwater Design Manual.
- Add requirement for proof of application or approval for state and federal permits as applicable.
- Add requirement for proof of submission of a soil erosion and sediment control plan to the Allegheny County Conservation District and proof of approval including for Non-Permitted Plan reviews per 25 PA Code 102.4(b)(2)(i).

§ 1304.05 - PLAN REVIEW [previously Section 1304.03]

- Add reference to Conceptual SWM Plans.
- Add references to City of Pittsburgh Stormwater Design Manual.
- Establish review duration of fifteen (15) business days for Conceptual SWM Plan review.
- Establish one year expiration period for Conceptual SWM Site Plan approval.

- Add text previously in Title Nine, Section 924.02 – Issuance of Permits regarding SWM Site Plan approval and include reference to Title Thirteen and the City of Pittsburgh Stormwater Design Manual.

§ 1304.06 - MODIFICATION OF PLANS [previously Section 1304.04]

- Edit text from “Article” to “Title” for proper reference to Title Thirteen.

§ 1304.07 - RESUBMISSION OF DISAPPROVED SWM SITE PLANS [previously Section 1304.05]

- Edit text from “Article VI” to “Chapter 1306” for proper reference to fees.

§ 1304.08 - AUTHORIZATION TO CONSTRUCT AND TERM OF VALIDITY [previously Section 1304.06]

- Update Section references due to renumbering of Sections within the Chapter 1304.

§ 1304.09 - RECORD DRAWINGS, COMPLETION CERTIFICATE, AND FINAL INSPECTION [previously Section 1304.07]

- Add reference to City of Pittsburgh Stormwater Design Manual.

CHAPTER 1305: - OPERATION AND MAINTENANCE

§ 1305.01 – RESPONSIBILITIES OF DEVELOPERS AND LANDOWNERS

- Clarified that the operations and maintenance (O&M) agreement is part of the permanent deed restriction and omitted reference to the O&M Plan.

§ 1305.02 – OPERATIONS AND MAINTENANCE AGREEMENTS

- Clarified that the O&M Plan developed under Chapter 1304.03 must be incorporated into the O&M Agreement.

§ 1305.03 – OPERATIONS AND MAINTENANCE AGREEMENTS

- Added language stipulating that repairs must be implemented and documented in a timely manner following inspection.
- Capitalize first letter of defined terms.

§ 1305.04 - PERFORMANCE GUARANTEE

- Added language stipulating requirements of performance security.

CHAPTER 1306: - FEES AND EXPENSES

- Capitalize first letter of defined terms.

CHAPTER 1307: - PROHIBITIONS**§ 1307.01 - PROHIBITED DISCHARGES AND CONNECTIONS**

- Reference provisions in Title 4, the City of Pittsburgh Stormwater Design Manual, and PWSA Developer's Manual.

§ 1307.02 - ROOF DRAINS AND SUMP PUMPS

- Reference provisions in Title 4, the City of Pittsburgh Stormwater Design Manual, and PWSA Developer's Manual.

CHAPTER 1308: - ENFORCEMENT AND PENALTIES

- Capitalize first letter of defined terms.

§ 1308.03 - SUSPENSION AND REVOCATION

- Add item for suspension or revocation if approval was procured by false representation or issued by mistake for consistency with Title Nine, 924.04.B Revoke Permits and Approvals.