

CITY OF GAFFNEY, SC
STORMWATER MANAGEMENT POLICY
(Effective Date: 11-17-09)

It is the policy of the City of Gaffney that all stormwater conveyance systems must be properly managed and maintained to ensure adequate efficiency of municipal and private storm water systems. In order to accomplish this goal, the guidelines for stormwater management are as follows:

1.1 Stormwater Management and Maintenance Responsibilities.

The City is responsible for stormwater drainage facilities which are on City property, in City rights-of-way, or in permanent stormwater drainage easements conveyed to and accepted for maintenance by the City. The South Carolina Department of Transportation (SCDOT) is responsible for storm water drainage facilities on SCDOT rights-of-way, easements, or property. All other stormwater drainage facilities, including the maintenance thereof, are the responsibility of the property owner(s).

1.2 Encroachment Permits.

The City will not allow any alterations, connections, or additional stormwater drainage to any City maintained stormwater drainage system without prior approval by the City and/or the issuance of an Encroachment Permit. The applicant shall submit a stormwater management and sediment/erosion control plan to the City Engineer that details the existing and proposed drainage for the site and compares the pre- and post- discharges at the point(s) of release onto right-of-way. All proposed plans must be reviewed by the City Engineer and, if approved, installed in accordance with approved plans. All permitted improvements must be inspected by the City Engineer, or his designated representative, prior to final approval.

1.3 Site Grading/Land Disturbance Permits.

The surface of land in the City shall not be disturbed or altered for any purpose whatsoever until a Land Disturbance Permit is issued by the City to the person(s) responsible for such activities, unless excluded by this policy. The applicant shall submit a completed application for land disturbance, plan review fees, as well as a stormwater management and sediment/erosion control plan that details the existing and proposed drainage for the site and compares the pre- and post- discharges at the point(s) of release onto adjacent property. All proposed plans must be reviewed by the City Engineer and, if approved, installed in accordance with approved plans. No permit shall be issued until the applicant has submitted evidence of approval by the City Engineer and the South Carolina Department of Health and Environmental Control (SCDHEC). All permitted improvements must be inspected by the City Engineer, or his designated representative, prior to final approval.

Land Disturbance Permits will only be issued to contractors that are properly licensed with the South Carolina Department of Labor, Licensing and Regulation (LLR), or other person(s) properly approved by the State and the City to conduct such work.

Exclusions for permitting are as follows:

- *Agricultural land management and agricultural practices, or the construction of on-farm buildings and structures less than one acre in size used in farming operation, provided that such practices or structures do not materially impede the runoff capability of the existing drainage channels.

- *Construction or land improvement of single-family residences, one duplex dwelling, or their accessory buildings which are separately built, and not part of a multiple construction, and not located within the designated 100-year floodplain, provided that such construction does not materially impede the runoff capability of the existing drainage channels and does not disturb more than one acre.

- *Mining and mineral resource extraction operations conducted in accordance with a valid mining permit issued by the division of mining and solid waste management of SCDHEC, provided that such construction does not materially impede the runoff capability of the existing drainage channels.

- *Land disturbing activities undertaken on forest land for the production and harvesting of timber and timber products.

- *Emergency repairs or emergency maintenance of existing utilities and facilities, which require ground to be broken. (Notification on the next business day is still required.)

- *Construction activities by the SCDOT within their right-of-way.

- *Activities relating to the routine maintenance and/or repair or rebuilding of the tracks, rights-of-ways, bridges, communication facilities and any other related structures and facilities of a railroad company.

- *Minor land disturbing activities, as determined by the City Engineer, which would not violate the integrity of this chapter.

- *Land disturbing activities that are conducted under a federal environmental permit, license or certification, conditioned on compliance with the minimum standard and criteria developed under this policy.

- *Certain activities undertaken by utility providers within public right-of-way that are not substantial land disturbing activities and are not intended to be regulated by this chapter.

Fees for land disturbance permits and plan review fees shall be fixed by City Council. Applications for land disturbance permits, as well as information on associated fees, are available at the City's Community Development Department.

1.4 Other Permits

An applicant shall comply with the requirements set forth in other applicable ordinances with respect to the submission and approval of preliminary and final

subdivision plats, improvements plans, building and zoning permits, inspections, appeals and similar, along with those set forth in this policy and as may be required by state statutes and the regulations of any department of the State of South Carolina.

1.5 Incorporation by Reference.

For the purpose of this policy, the most recent version of the following documents are incorporated by reference:

- S.C. DHEC NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities, SCR 100000;
- S.C. DHEC Regulation 72-300; 72-301; 72-305; and 72-307, except references to time frames found in 72-305 B(2) and M.
- S.C. DHEC “S.C. Stormwater Management and Sediment Control Handbook for Land Disturbance Activities.”

1.6 Applicability.

Stormwater management and sediment/erosion control plans shall be required for any new residential development or subdivision, and for any new commercial, industrial, institutional or educational development. No subdivision plat or site plan shall be approved and no building permits shall be issued until and unless the stormwater management and sediment/erosion control plans have been reviewed and approved by the city engineer.

Plan review and approvals for sites that disturb less than one acre and that are not part of a larger common plan may proceed under “simplified plan” submittal requirements. Based on the complexity of the site the city engineer will determine whether a complete stormwater management and sediment/erosion control plan, is required or if a simplified plan will suffice. Upon satisfactory completion of the plan review process a land disturbance permit may be granted.

For site plans that disturb one acre of land or greater and those that disturb less than one acre but are part of a larger common plan, all of the requirements of a stormwater management and sediment/erosion control plan apply. The applicant shall obtain coverage under the “NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities” (construction general permit, CGP) for the described land disturbing activity. Once the coverage under the construction general permit is obtained from DHEC, a copy of the SCDHEC permit shall be provided to the City for review and approval.

The required stormwater management and sediment/erosion control plan shall identify means for controlling the stormwater runoff release rate from the development, providing storage or infiltration for the excess stormwater runoff where required, reducing velocity, controlling sediment/erosion and providing

water quality treatment. The stormwater management and sediment/erosion control plan shall contain but not be limited to the information listed in SCDHEC regulations unless specifically excluded by the city engineer.

1.7 Release Rates to City Rights-of-Way and Properties.

Post-development release rates to the City's right-of-way and/or properties for the 2-year, 10-year, and 25-year (24-hour duration) storm events shall be equal to or less than those calculated for the pre-development condition for the 2-year, 10-year, and 25-year storm events, respectively, for the given site conditions. If the post-development discharges for the 2-year, 10-year, or 25-year storm events exceed the pre-development discharges for the given storm, the applicant will be required to provide detention on site so that the pre-developed discharge condition is met.

Post-construction discharge shall be in the same direction as that before construction. In addition, the facility shall be designed to provide the safe passage of runoff from the 100-year (24-hour duration) storm event.

1.8 Variances

- (a) *Standards.* Variations from these standards, provisions, and specifications may be granted when it is demonstrated to the satisfaction of the Building Code Board of Adjustments and Appeals that, owing to special conditions, a strict adherence to the provisions of this article will result in unnecessary hardship and that the spirit and intent of the ordinance will be observed.
- (b) *Procedure.* A request for variation shall be filed by the owner, seeking to develop or change the use of his property, or his agent with the city engineer who shall refer it, together with his recommendation to the Building Code Board of Adjustments and Appeals for decision. The request for variation shall be written and state specifically what variation is sought and the public's interest in granting the variation.

1.9 Penalties; applicability.

Any person, firm or corporation who violates or fails to comply with any of the provisions of this policy shall be guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not more than \$500.00 and/or imprisonment for not more than 30 days or both. A separate offense shall be deemed committed upon each day during or on which each violation occurs or continues. In order to secure maintenance of permanent stormwater structures or water quality devices, the City shall have full authority to place liens on property of any person, firm, corporation or association that fails to properly maintain said structures or devices.