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| **Project ID:** |
| **CHECKLIST FOR DETERMINATION OF PROJECT CATEGORY** |
|  | Project Name:Project Location: | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**APPLICABILITY OF PERMANENT, POST-CONSTRUCTION STORMWATER BMP REQUIREMENTS AND PROJECT TYPE DETERMINATION**

**Overview and Instructions**

The City of Vista’s (City’s) Stormwater Management Program is regulated by the San Diego regional municipal stormwater permit (referred to as a Municipal Separate Storm Sewer System Permit). This permit requires that new development and redevelopment projects incorporate permanent stormwater Best Management Practices (BMPs) into the project design. The City of Vista’s *BMP Design Manual* (formerly *SUSMP Manual*) discusses BMP requirements applicable to new development and redevelopment projects.

ALL STANDARD AND PRIORITY PROJECTS ARE REQUIRED TO INCORPORATE SITE DESIGN AND SOURCE CONTROL BMPS. Additional treatment control and hydromodification management BMP requirements apply to projects that meet specific criteria or thresholds. This checklist must be completed by the project applicant or proponent, and is used to determine if those additional BMPs are required.

***Not all site improvements are considered “development projects” under the MS4 Permit.***

Development projects are defined by the MS4 Permit as "construction, rehabilitation, redevelopment, or reconstruction of any public or private projects". Development projects are issued local permits to allow construction activities. To further clarify, this checklist applies only to new development or redevelopment activities and/or projects that have the potential to contact storm water and contribute an anthropogenic source of pollutants, or reduce the natural absorption and infiltration abilities of the land.

***A project must be defined consistent with the California Environmental Quality Act (CEQA) definitions of "project."***

CEQA requires that the project include “the whole of the action”. "Whole of the Action" means the project may not be segmented or phased into small parts either onsite or offsite if the effect is to reduce the quantity of impervious area and fall below thresholds for applicability of storm water requirements. This requirement precludes "piece-mealing," which is the improper (and often artificial) separation of a project into smaller parts to avoid preparing Environmental Impact Report level documentation.

As indicated above, for the purposes of the *BMP Design Manual*, the "project" is the "whole of the action" which has the potential for adding or replacing or resulting in the addition or replacement of, roofs, pavement, or other impervious surfaces, thereby resulting in increased flows and storm water pollutants.

When defining the project, the following questions are considered:

* What are the project activities?
* Do they occur onsite or offsite?
* What are the limits of the project (project boundary)?
* What is the whole of the action associated with the project (i.e. what is the total amount of new or replaced impervious area considering all of the collective project components through all phases of the project)?
* Are any facilities or agreements to build facilities offsite in conjunction with providing service to the project (street-widening, utilities)?

Responses to the checklist represent an initial assessment of the proposed project conditions and impacts. City staff will confirm this checklist based on assessment of the development application and/or project plans. Results of the checklist will classify a project as one of the following: Priority Development Project, Standard Project, or Non-development Project.

If additional information is needed while completing this checklist, please refer to the City’s *BMP Design Manual*. Alternatively, contact City Land Development staff.

This Form is divided into 4 sections:

1. Post-Construction Stormwater Requirement Exemptions
2. Priority Development Project Determination
3. Special Consideration for Redevelopment Projects (50 Percent Rule)
4. Final Project Determination

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| **SECTION 1 – POST CONSTRUCTION STORMWATER REQUIREMENT EXEMPTIONS** | **City of Vista****BMP Design Manual** |

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| This section will determine whether your project is exempt from post-construction BMP requirements and would be classified as a Non-Development Project. See section 1.3 of the City’s *BMP Design Manual* for further discussion. | **YES** | **NO** |
| 1. Replacement of impervious surfaces that are part of a routine maintenance activity, such as (check yes if any apply):
2. Replacing roof material on an existing building
3. Rebuilding a structure to original design after damage from earthquake, fire or similar disaster
4. Restoring pavement or other surface materials affected by trenches from utility work
5. Resurfacing existing roads and parking lots, including slurry, overlay and restriping
6. Routine replacement of damaged pavement, including full depth replacement, if the sole purpose is to repair the damage
7. Constructing new sidewalk, pedestrian ramps or bike lanes on existing roads (within existing street right-of-way)
8. Restoring a historic building to its original historic design
9. Routine replacement of damaged pavement, such as pothole repair

**Note**: Work that creates impervious surface outside of the existing impervious footprint is not considered routine maintenance. |  **☐** |  **☐** |
| 1. Repair or improvements to an existing building or structure that do not alter the size (check yes if any apply):
2. Plumbing, electrical and HVAC work
3. Interior alterations including major interior remodels and tenant build-out within an existing commercial building
4. Exterior alterations that do not change the general dimensions and structural framing of the building (does not include building additions or projects where the existing building is demolished)
 |  **☐** |  **☐** |
| If you answered **YES** to either category (a) or (b), your project is considered a Non-Development Project, and post construction BMP requirements do not apply. Please proceed to Section 4 and check the **Non-Development Project** box.If you answered **NO** to category (a) and (b),please proceed to Section 2. |

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| **SECTION 2 – PRIORITY DEVELOPMENT PROJECT DETERMINATION** | **City of Vista** **BMP Design Manual** |

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| This section determines whether your project is a **Priority Development Project (PDP)** or a **Standard Project.** See section 1.4 of the City’s *BMP Design Manual* for further discussion. The following eight (8) types of projects are defined as **PDPs:** | **YES** | **NO** |
| 1. New development projects that create 10,000 square feet or more of impervious surfaces (collectively over the entire project site). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.
 |  **☐** |  **☐** |
| 1. Redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site on an existing site of 10,000 square feet or more of impervious surfaces). This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land.
 |  **☐** |  **☐** |
| 1. New and redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface (collectively over the entire project site), and support one or more of the following uses:
2. Restaurants. This category is defined as a facility that sells prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (Standard Industrial Classification (SIC) code 5812).
3. Hillside development projects. This category includes development on any natural slope that is twenty-five percent or greater.
4. Parking lots. This category is defined as a land area or facility for the temporary parking or storage of motor vehicles used personally, for business, or for commerce.
5. Streets, roads, highways, freeways, and driveways. This category is defined as any paved impervious surface used for the transportation of automobiles, trucks, motorcycles, and other vehicles.
 |  **☐** |  **☐** |
| 1. New or redevelopment projects that create and/or replace 2,500 square feet or more of impervious surface (collectively over the entire project site), and discharge directly to an Environmentally Sensitive Area (ESA). “Discharging directly to” includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands).

**Note:** ESAs are areas that include but are not limited to all Clean Water Act Section 303(d) impaired water bodies; State Water Quality Protected Areas; water bodies designated with the RARE beneficial use by the State Water Board and San Diego Water Board; and any other equivalent environmentally sensitive areas which have been identified by the City. For projects adjacent to an ESA, but not discharging to an ESA, the 2,500 sq-ft threshold does not apply as long as the project does not physically disturb the ESA and the ESA is upstream of the project. There are no Areas of Special Biological Significance (ASBS) or State Water Quality Protected Areas in the City’s jurisdiction. The ESAs within the City’s boundaries which include 303(d)-listed impairments and RARE beneficial use designations are listed below: * Agua Hedionda Creek
* Buena Creek
* Buena Vista Creek
* Loma Alta Creek
 |  **☐** |  **☐** |
| 1. New development projects, or redevelopment projects that create and/or replace 5,000 square feet or more of impervious surface, that support one or more of the following uses:
2. Automotive repair shops. This category is defined as a facility that is categorized in any one of the following SIC codes: 5013, 5014, 5541, 7532-7534, or 7536-7539.
3. Retail gasoline outlets. This category includes Retail gasoline outlets that meet the following criteria: (a) 5,000 square feet or more or (b) a projected Average Daily Traffic of 100 or more vehicles per day.
 |  **☐** |  **☐** |
| 1. New or redevelopment projects that result in the disturbance of one or more acres of land and are expected to generate pollutants post construction. This means any activity that moves soils or substantially alters the pre-existing vegetated or man-made cover of any land. This includes, but is not limited to the following:
2. Grading, digging, cutting, scraping, stockpiling, pavement removal, and exterior construction;
3. Substantial removal of vegetation where soils are disturbed including but not limited to removal by clearing or grubbing; or
4. Any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse.
 |  **☐** |  **☐** |
| If you answered **YES** to any of the categories above (a-f), your project is considered a PDP. Please proceed to section 3 and check the **Priority Development Project** Box in Section 4.If you answer **NO** to all categories, then your project is considered a Standard Project. Please proceed to Section 4 and check the **Standard Project Box**. |

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| **SECTION 3 –** **SPECIAL CONSIDERATIONS FOR REDEVELOPMENT PROJECTS (50 PERCENT RULE)** | **City of Vista** **BMP Design Manual** |

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| This section determines additional considerations required for **Redevelopment PDPs.** See section 1.7 of the City’s *BMP Design Manual* for further discussion.  | **YES** | **NO** |
| Will redevelopment result in the creation or replacement of impervious surface in an amount of more than 50 percent of the surface area of the previously existing development? See clarification on calculation of the ratio of impervious surface below. These requirements for managing storm water on an entire redevelopment project site are commonly referred to as the "50 Percent Rule". For the purpose of calculating the ratio, the surface area of the previously existing development shall be the area of impervious surface within the previously existing development. The following steps shall be followed to estimate the area that requires treatment to satisfy the MS4 Permit requirements:1. How much total impervious area currently exists on the site?
2. How much existing impervious area will be replaced with new impervious area?
3. How much new impervious area will be created in areas that are pervious in the existing condition?
4. Total created and/or replaced impervious surface = Step 2 + Step 3.
5. **50 Percent Rule Test**: Is step 4 more than 50 Percent of Step 1? If yes, treat all impervious surface on the site (including existing impervious surface not being replaced or added). If no, then treat only Step 4 impervious surface and any area that comingles with created and/or replaced impervious surface area.

Note: Step 2 and Step 3 must not overlap, as it is fundamentally not possible for a given area to be both “replaced” and “created” at the same time. Also activities that occur as routine maintenance (see Section 1 of this form) shall not be included in Step 2 and Step 3 calculation.For example, a 10,000 square foot development proposes replacement of 4,000 square feet of impervious area. The treated area is less than 50 percent of the total development area and only the 4,000 square foot area is required to be treated. |  **☐** | **☐** |
| If you answered **YES**, then you must implement the PDP requirements for all impervious surfaces across the entire site. Please proceed to Section 4 and check the box under PDP indicating that the Project **Is a** **Redevelopment Project Subject to the 50 Percent Rule**. If you answered **NO,** then you are only required to treat impervious surfaces that are replaced or created. Please proceed to section 4 and check the box under PDP indicating this is **Not a Redevelopment Project Subject to the 50 Percent Rule**. |

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| **SECTION 4 – FINAL PROJECT DETERMINATION** | **City of Vista** **BMP Design Manual** |

BASED ON THE INFORMATION PROVIDED IN SECTIONS 1-3, THIS PROJECT IS DETERMINED TO BE A:

[ ]  **PRIORITY DEVELOPMENT PROJECT.** PRIORITY REQUIREMENTS APPLY AND A STORM WATER QUALITY MANAGEMENT PLAN (SWQMP) MUST BE SUBMITTED AT THE TIME OF APPLICATION.

[ ]  THIS **IS** A REDEVELOPMENT PROJECT SUBJECT TO THE 50 PERCENT RULE.

[ ]  THIS **IS NOT** A REDEVELOPEMNT PROJECT SUBJECT TO THE 50 PERCENT RULE.

[ ]  **STANDARD PROJECT.** STANDARD REQUIREMENTS APPLY AND APPLICABLE SECTIONS OF A STORM WATER QUALITY MANAGEMENT PLAN (SWQMP) MUST BE SUBMITTED AT THE TIME OF APPLICATION.

[ ]  **NON DEVELOPMENT PROJECT.**

 **Applicant Information and Signature Box City use only**

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| Concur: | Yes | No |
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| By: |
| Date: |
| Land Dev #: |

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| Address: APN(s) |
| Applicant Name: | Applicant Title: |
| Applicant Signature: | Date: |

**Supporting discussion for this checklist, as well as BMP requirements for Priority Development Projects and Standard Projects, is provided in the City of Vista *BMP Design Manual*.**