

CITY OF BOWIE

CHAPTER VI

EXEMPTION , WAIVER, AND VARIANCE REQUIREMENTS

Stormwater controls shall be provided for all development activities in the City of Bowie except where an exemption, waiver or variance is applied for and received in accordance with the following guidelines. SWM facility may be provided on site or off site without having to apply for any waiver, unless City Manager requires specifically on-site stormwater management facility.

I. Exemption Section 21B-3c

Both for peak discharge and water quality. Currently no fees are assessed for exemption.

- 1) Additions or modifications to existing single family residences (SFR) detached structures.
- 2) Developments that do not disturb over 5000 sq.ft.of land area.
- 3) Land development activities which have been determined will be regulated under specific State laws which provide managing stormwater runoff.
- 4) SFR developments consisting of single houses, each on a lot of 2 acres or greater.

II. Waiver

The City Manager may grant a waiver of stormwater management quantity and/or quality control requirements for individual developments, provided that a written request is submitted by the applicant containing descriptions, drawings and any other information that is necessary to evaluate the proposed development. A separate written waiver request shall be required in accordance the additions, extensions or modifications to a development receiving a waiver. The grant of waiver lies within the sole discretion of the City Manager. The waiver fees shall be determined by the City Engineer in consultation with the City Manager as deemed suitable, from time to time.

A. Peak discharge only Section 21B-3e

- 1) Proposed project does not generate an increase in the two (2) year post-development peak discharge rate more than ten (10) percent above the two (2) year pre-development peak discharge rate and not causing adverse impact on the receiving wetlands,

watercourse or waterbody.

- 2) Site completely surrounded by existing developed areas, which are served by an existing network of public storm drainage systems of adequate capacity to accommodate the runoff from the additional development.
- 3) The runoff from the entire site for the ten (10) year storm is less than five (5) cfs.
- 4) The net increase in the impervious width is less than six feet for road construction projects.

B. Water quality only Section 21B-3d

- 1) Infiltration "waiver" criteria
 - a. "C" or "D" soils (no additional testing required).
 - b. Slopes in excess of 20%.
 - c. Groundwater within 2 feet of the bottom of the proposed infiltration structure.
 - d. Infiltration rates less than 0.52 in/hr
 - e. In fill.
 - f. Unstable soils (such as Marlboro clays).
- 2) Wet Pond "waiver " criteria
 - a. Army Corps or State WRA denial.
 - b. The City will not allow any new creation of wetlands which will have an adverse impact on the quality of the environment with respect to the needs of the citizens of Bowie.
 - c. Minimum drainage area not available to provide an adequate base flow to sustain an acceptable water surface elevation (5' minimum depth required).
- 3) Extended detention "waiver" criteria
 - a. Army Corps or State WRA denial.
 - b. Cannot meet design criteria due to small drainage area serving the facility.
- 4) Oil and grit separator - In commercial properties after infiltration is infeasible, oil and grit separator shall be provided.
- 5) A pure detention facility is primarily a quantity management strategy which does not address the quality concerns of the City of Bowie and will not be considered an adequate water quality structure.

6) If water quality cannot be provided by either items 1,2, or 3, then other acceptable measures must be considered in order to provide some water quality enhancement. These may be in the form of vegetated buffer zones, stilling basins, oil and grit separators, sand and gravel filter beds, riprap outfall aprons, sod-lined ditches with check dams or natural depressions.

*in add'n
to previous
measures
check for
erosion
control
measures
in riprap
outfall aprons
check for
erosion
control
measures
in riprap
outfall aprons*

Any of these practices must be approved prior to implementation into the site design by the Director of Public Works. Some of the aforementioned items will be restricted to use only on privately maintained sites. Water quality cannot be over-compensated for another location. Each outfall must be controlled independently.

A combination of successive practices may be used to achieve the water quality control objectives as established in the City's stormwater management ordinance. The developer is required to provide adequate justification for the rejection of any of the practices in the priority established in the City's stormwater management ordinance, as follows:

- a) infiltration of runoff on-site
- b) stormwater retention structures
- c) stormwater extended detention structures
- d) stormwater detention structures

III. VARIANCE : Section 21B-3g

Both for peak discharge and water quality.

The City Manager may grant a written variance from quantity and/or quality control requirements if there are exceptional circumstances applicable to the site, such that strict adherence to the provisions of the stormwater management ordinance will result in unnecessary hardship and not fulfill the intent of Chapter 21B. A written request for variance shall be provided to the City and shall state the specific variance sought and reasons for the variance. The City Manager shall not grant a variance unless and until sufficient specific reasons justifying the variance are provided by the person developing the land. Judgement of sufficient justification for granting a variance shall be at the sole discretion of the City Manager.

WAIVER FEES:

Currently Waiver Fees are assessed as follows:

1. \$130 per residential unit or lot. Peak discharge waiver and water quality waiver shall be charged separately.
2. For commercial, industrial, institutional or road improvement developments @ \$7200 per impervious acre.
3. Additional waiver fee @ \$130 per lot may be assessed by the City if existing discharge flooding is a problem and is not addressed or mitigated, such as in the Huntington area.

CITY OF BOWIE

CHAPTER VII

PERMITS & BONDS

CITY OF BOWIE

BONDING AND PERMIT PROCEDURE

I. City shall require bonds and permits on the following scopes of work:

A. **Public property, rights-of-ways, easements**

- bond and inspect everything within public right-of-ways, reviewed and approved by the City, including stormwater management, storm drainage, paving, curb and gutter, sidewalks, trees, street lights plus any stormwater management and storm drainage off-road, ~~but~~ within City easements. *public*

B. **Private residential sites** such as condominiums or townhouses with private off-street parking.

- bond and inspect: stormwater management, *public* storm drains, paving, curb and gutter, sidewalks. *(and street lights)*

C. **Private commercial sites** such as apartments, retail, or business.

- bond and inspect stormwater management, storm drains, ~~curb and gutter.~~ *Associated with outfalls of Stormwater Management Structures*

II. Amounts:

A. Rough Grading or vertical grade establishment

1. Restoration Bond @ 100% of site restoration and stabilization cost within public right-of-way.
2. Permit Fee @ 7.5% of estimated cost including clearing and grubbing, earthwork (cut, fill, spoil, borrow), seeding and mulching, etc.

B. Storm Drain and Paving *(bonds may be separate or combined)*

1. Performance Bond @ 125% on storm drains, drainage structures, riprap, pavings, curb and gutter, sidewalks, street trees, street lights, removing existing structures, etc.
2. Payment Bond @ 50% on all the costs listed in performance bond.
3. Permit Fees @ 7.5% on all the costs listed in performance bond.

C. Stormwater Management

1. Performance Bond @ 125% on stormwater management ponds, water quality structures, outfall structures, riprap, riser structure, pipes, anti-seep collars, geotextile, trees, fence, gate, maintenance road, etc.
2. Payment Bond @ 50% on all the costs listed in performance bond.
3. Permit Fees @ 7.5% on all the costs listed in performance bond.

D. (See next page)

NOTES:

1. Bonds and permits will be made on the basis of approved plans and cost estimates for each section or parcel. These plans cannot be further subdivided for bond/permit purposes.
2. All cost estimates shall be in accordance with the most current City list of approved unit prices.
3. For large residential developments, each sub-section shall not be less than 25 acres and a maximum of eight sub-sections or phases per subdivision for permits may be allowed by the City.
4. The performance bond shall be released after the approved as-built plans are submitted in duplicate mylars to the City for their record. If the City has any other conditions besides this for the release of bonds, those will still be effective.

VKG:kd5. A 10% contingency fee shall ~~be~~ be added to all construction cost estimates

June 1990

January 1994

EROSION AND SEDIMENT CONTROL PERMIT
REQUIREMENTS

Effective July 1, 1992, no person shall clear or grade land without first obtaining an erosion and sediment control permit from the City of Bowie. Listed below is the formula to determine the permit fee and inspection fee applicable to such activity.

Areas of land disturbance shall be determined from the Prince George's Soil Conservation District's approved and valid sediment and erosion control plans. Permits will remain valid for a period of two (2) years from the date of issuance unless the sediment control plans have expired or Prince George's Department of Environmental Resources permit expires or the bonds submitted to the City of Bowie have been invalidated.

ITEM	TOTAL AMOUNT
Application Fee	\$ 20.00
First Disturbed Acre (1 acre min.)	100.00
Acres (1.1-5.0) x \$75.00	_____
Additional Disturbed Acreage x \$25.00	_____
 Total Permit & Inspection Fee Due the City of Bowie	 _____
 Revision fee = 25% of the original Permit & Inspection Fee	 _____

*add
D - Under
Section*

*attachment
for item D on P. 7-2*

MFS:jg
1/22/93

New

CITY OF BOWIE

A. ROUGH GRADING PERMIT REQUIREMENTS

Name of Project: _____

Approved Construction Cost Estimate: _____

Approved Restoration Cost Estimate: _____

Restoration Bond @ 100% of Restoration Cost: _____

Permit Fee @ 7.5% of Construction Cost: _____

\$ _____
\$ _____
\$ _____
\$ _____

Items to be Submitted to City DPW/FWA (prior to issuance of permit)

- _____ 1. Road profiles approved and signed by the City of Bowie.
- _____ 2. Site grading plan.
- _____ 3. Sediment control drawings approved and signed by S.C.D. for rough grading.
- _____ 4. Quantities and cost estimates based on most current City approved unit prices for restoration of the area and rough grading.
- _____ 5. Bonds posted for restoration of the area.
- _____ 6. Fees posted for inspection based on the actual cost of construction.
- _____ 7. Stormwater management ^{final design} ~~concept~~ plan approved by the City of Bowie.
- _____ 8. If wetlands are being disturbed, then Federal and/or State permits are to be obtained, or the City of Bowie needs to be satisfied that no Federal and/or State permits are required. This applies to both the Army Corps permit and the State of Maryland Water Quality Certification.
- _____ 9. Erosion and Sediment Control Permit issued by the
City of Bowie
- _____ 10. _____

FWA Project No. _____
VKG:kd

B. STORMWATER MANAGEMENT CONSTRUCTION PERMIT

Name of Project: _____
Approved Construction Cost Estimate: \$ _____
Performance Bond @ 125%: \$ _____
Payment Bond @ 50%: \$ _____
Permit Fee @ 7.5% of Construction Cost: \$ _____

Items to be Submitted to City DPW/FWA (prior to issuance of permit)

- _____ 1. Stormwater management concept approved by the City of Bowie.
- _____ 2. Storm drainage impact analysis.
 - _____ A. Impact statement
 - _____ B. 100 year floodplain
- _____ 3. Stormwater management plans approved and signed by the City of Bowie and;
 - _____ A. S.C.S. small pond approval or;
 - _____ B. ~~W.R.A.~~ *M O E dam safety* approval for larger ponds.
- _____ 4. Dam breach analysis, upon request.
- _____ 5. S.C.D. approved sediment control plans for construction of the SWMF.
- _____ 6. W.S.S.C. fee assessment for flood control if in the Collington branch watershed.
- _____ 7. Quantities and cost estimates for stormwater management construction, based on most current City approved unit prices.
- _____ 8. Bonds and permit fee for stormwater management construction.
- _____ 9. A City of Bowie Maintenance Agreement for private (non-residential) stormwater management facilities needs to be signed and recorded.
- _____ 10. If wetlands are being disturbed, then Federal and/or State permits are to be obtained, or the City of Bowie needs to be satisfied that no Federal and/or State permits are required. This applies to both the Army Corp permit and the State of Maryland Water Quality Certification.

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- _____ 11. Submit 2 Recorded Final Plats showing land dedications and easements for stormwater management pond and the access to it. Prior to the City's acceptance of the facility, the necessary easements will be transferred to the City by deed of easement, and fee simple title to the stormwater management ponds will be conveyed to the City, free and clear of all encumbrances.
- _____ 12. Maintenance schedule for all the stormwater management facilities shall be posted on the plans, as applicable for private sites.
- _____ 13. Tree preservation plan - approved by the Prince George's County.
- _____ 14. Landscape plan for tree plantation ^{ing} around the pond approved by the City.
- _____ 15. A pre-construction meeting between Developer, City and the County may be required depending on the watershed.
- _____ 16. _____

FWA Project No. _____
VKG:kd

* NEW 10/20/92

C. STREET AND STORM DRAIN PERMIT

Name of Project:

Phase/Section:

Approved Construction Cost Estimate:

Performance Bond @ 125%:

Payment Bond @ 50%:

Permit Fee @ 7.5% of Construction Cost:

\$ _____
\$ _____
\$ _____
\$ _____

- _____ 1. Street and/or storm drain plans approved and signed by the City of Bowie.
- _____ 2. Stormwater management detailed design approved and bonded.
- _____ 3. ~~S.C.S.~~ or ~~W.R.A. bond~~ approval for the regional pond. *NRCS NDE Dam Safety*
- _____ 4. S.C.D. approved sediment control plans for streets and/or storm drain construction, *PERMIT ISSUED BY P.G.D.E.P. BANKS*
- _____ 5. Two (2) copies of recorded final plat showing street, storm drain, and stormwater management dedications, right-of-ways, and/or easements. Prior to the City's acceptance of storm drain facilities, the necessary easements must be transferred to the City by deeds of easements, free and clear of all encumbrances.
- _____ 6. Quantities and cost estimates for street and/or storm drain construction, based on most current City approved unit prices.
- _____ 7. Bonds and permit fee for street and/or storm drain construction.
- _____ 8. A City of Bowie Maintenance Agreement for private (non-residential) stormwater management facilities signed and recorded.
- _____ 9. Landscaping plan for the public right-of-ways approved by the City of Bowie.
- _____ 10. Street lighting plan approved by the City of Bowie.
- _____ 11. Water and sewer plans approved by W.S.S.C.
- _____ 12. Water quality structures approved by the City at each outfall or fee in lieu of, as agreed by the City.
- _____ 13. Legal description of all the easements and right-of-ways for storm drains and its appurtenances.
- _____ 14. Entrance Plan from the County road, approved by the County.
- _____ 15. _____

D. BUILDING PERMIT

Name of Project:

- _____ 1. Permanent or Interim (See E. below) Stormwater peak discharge control constructed and accepted by the City or by Prince George's County.
- _____ 2. Infiltration (or any other approved water quality) facilities permitted by City. This requirement also applies for those facilities designed to control quality which are permitted by Prince George's County.
- _____ 3. Public streets and storm drains permitted, by the City.
- _____ 4. Private paving, sidewalks, curb and gutter permitted.
- _____ 5. _____
- _____ 6. _____

E. INTERIM STORMWATER MANAGEMENT FACILITY

Interim facilities to satisfy both quantity and quality requirements may be approved in the City's sole discretion provided that:

- _____ 1. The permanent facility has been approved by the City of Bowie or Prince George's County and bonded for construction, or, in the case of a county regional facility, a C-plan has been issued.
- _____ 2. S.C.S. or ^{MDE}W.R.A. pond approval for the permanent pond.
- _____ 3. S.C.S. or ^{MDE}W.R.A. pond approval for the interim pond.
- _____ 4. City of Bowie approval for the interim facility.
- _____ 5. Quantities and cost estimates as per the most current City approved unit prices.
- _____ 6. Bonds and permit fee posted for construction of the interim facility.
- _____ 7. Bonds and permit fee posted for removal of the interim facility, and restoration of site.

- _____ 8. The drainage area for interim stormwater management facilities shall not exceed twenty (20) percent of the entire on-site/off-site developable area, excluding public rights-of-way.

NOTE: To be considered under the 20% cap, the City of Bowie will review interim stormwater management structures on a first come basis. These submittals must be sent to the Department of Public Works by certified mail or any other means which produces proof of delivery. A submittal will be considered acceptable if all items in the Current Bowie Design Review Check List are addressed. This check list may be obtained from the City Engineer's office.

- _____ 9. (A) A City of Bowie Maintenance Agreement for private (non-residential) Stormwater facilities executed and recorded, or (B) an ordinance creating a special taxing district to fund the perpetual maintenance of the facility must be enacted by the City Council.

- _____ 10. If wetlands are being disturbed, Federal and/or State permits must be obtained, or the City of Bowie must be satisfied that no Federal (Army Corps of Engineers) and/or State (State of Maryland Water Quality Certification) permits are required.

_____ 11. _____

_____ 12. _____

_____ 13. _____

F. PRINCE GEORGE'S COUNTY REGIONAL FACILITIES

Building permits may be issued for properties served or proposed to be served by a County Regional Facility provided that:

- _____ 1. Conceptual Plan has been approved by the City, including water quality controls.
- _____ 2. Design approved by the County. An approval letter from the County shall be required.

- _____ 3. Funding for the Regional pond has been appropriated in the first year of the Prince George's County C.I.P. or construction has begun. Fee in lieu of construction does not satisfy the funding requirement.
- _____ 4. On-site infiltration or any other approved water quality facilities approved and permitted by the City.
- _____ 5. Public streets and storm drains approved and permitted by the City.
- _____ 6. Private paving sidewalks, curb and gutter approved and permitted by the City.

FWA Project No. _____
VKG:kd

CITY OF BOWIE REQUIREMENTS FOR COORDINATION WITH FEDERAL AND/OR STATE AGENCIES WITH RESPECT TO WETLANDS ISSUES

STATE PERMITS refers to Maryland Department of Health Water Quality Certification.

FEDERAL PERMITS refers to U.S. Army Corps Wetlands Certification.

1. Stormwater management concept review submittals need to include a map of the hydric soils for the development. This map shall be a photocopy of the Prince George's County soil survey with the property lines delineated on it and a reference made as to the location of hydric soils, if there are any, on the site.
2. If there are no hydric soils on the property, then the restrictions imposed for release of City of Bowie construction permits with respect to Federal and/or State permits can be ignored, and stormwater management concept approval may be obtained.
3. If there are hydric soils present on the site, then a wetlands report needs to be prepared by an individual deemed qualified by the Army Corps of Engineers. The report must be submitted prior to final stormwater management concept approval.
4. If the report indicates that there is no impact on the wetlands from the proposed development, then the restrictions imposed for release of City of Bowie construction permits with respect to Federal and/or State permits can be ignored.
5. If the report indicates that wetlands are being impacted, then the City of Bowie needs to be satisfied that Federal and/or State permits are obtained or permits are not required prior to the release of any construction permits in those areas in question.

9/1/88