



## **Stormwater Utility Mitigation Guidelines**

If your property is eligible for a Mitigation Credit according to the policy below please complete the Mitigation Application and send the supporting documents to the address noted within 60 days of your notice as required in Sec. 21-123 of the City's Code.

**Sec. 21-123. Mitigation Credit.** The council may, by separate resolution, or in any initial stormwater resolution or any annual stormwater resolution, establish a Mitigation Credit for a stormwater charge. The calculation of a Mitigation Credit may be based upon, but not limited to, the following factors: onsite Mitigation Facilities; discharge to a system other than the city's; and the receipt, treatment and collection of city stormwater. In order to qualify for a Mitigation Credit, a non-residential property owner or a community development district shall provide the city with as built drawings of the Mitigation Facilities sealed by a Florida registered professional engineer or a certification from a Florida registered professional engineer as to the standards of retention and detention achieved by the Mitigation Facilities. If these documents are not available, then other such documentation including but not limited to the following:

- Site survey or site plan (As-Built) depicting stormwater retention or detention;
- Survey depicting the area of the parcel directly discharging to eligible waters, or private system;
- Drainage survey plan;
- Stormwater pond permit (Southwest Florida Water Management District or Florida Department of Environmental Protection Environmental Resource Permit or City of Tampa permit);
- Subdivision plat;
- Demolition and cleared site documentation;
- Topographic elevation survey; or
- Hillsborough County Property Appraiser's parcel detail

and deemed to be sufficient by the City to demonstrate that the Mitigation Facilities are operational and provide relief from all or a portion of the burden on the city system. For residential property owners and homeowners associations' sufficient information shall be provided to establish an adequate basis to evaluate the property for Mitigation Credit. Such documentation may include but not be limited to documents such as those listed above. Such documentation shall be submitted to the city for review and approval within sixty (60) days of when the property owner receives notice of the proposed assessment or fee. Any reduction which may be necessary after the Stormwater Roll has been adopted will be refunded to the property owner. No Mitigation Credit shall be granted to a parcel whose mitigation is provided by a Mitigation Facility constructed or maintained by city funds or funds received by the city as part of a cooperative funding agreement or grant.

## Eligibility

Parcels subject to a stormwater charge may be granted a mitigation credit based on one of the following factors:

1. No portion of the parcel drains to City right-of-way or any part of a stormwater system over which the City has maintenance responsibility.
2. Owner of parcel contributes monetarily to a Community Development District, Civic Association (Homeowners Association or Property Owners Association), or Special District which provides maintenance to non-City owned stormwater management facilities which accept drainage from City rights-of-way.
3. Parcel has a properly maintained and functional onsite stormwater management system which treats and/or attenuates stormwater prior to discharge to the City right-of-way or stormwater system. Proof of proper operation and maintenance may be required on a periodic basis.

## NEW

4. All non-residential properties shall on the fifth year after first receiving mitigation credit and every fifth year thereafter or upon written notice by the City, certify that the onsite stormwater infrastructure which qualified the property to be eligible for the mitigation credit continues to exist and is maintained to be functioning as designed. Properties owners shall submit As-Built Certification documents demonstrating the infrastructure is functioning as designed.

## Rationale

Mitigation credits may be granted to parcels whose offsite stormwater impacts on the City system are non-existent, are mitigated by a properly functioning and permitted stormwater system, or the parcel owner contributes to the maintenance of a private system which provides stormwater treatment and attenuation for runoff from public right-of-way. The basis for these credits is as follows:

1. Parcels which do not discharge to the City system do not impose direct stormwater maintenance burdens on the City's system.
2. Parcel owners which contribute to the maintenance of privately held stormwater management facilities that manage runoff from public rights-of-way offset some costs which might otherwise be borne by the City.
3. The City and the receiving waters receive benefits from privately-owned and maintained stormwater management facilities.
4. It is in the City's interest to encourage the proper operation and maintenance and continued existence of onsite stormwater management facilities.

## Credits

Condition	Mitigation Credit
1. Parcels With No Offsite Discharge of Stormwater to City System: The credit for such parcels will be 100% since the City bears no expense in managing the offsite discharge of the site's flow.	100%
<u>NEW</u> 2. Parcel Owner owns, operates and maintains a stormwater facility that provides attenuation and treatment equal to that necessary for the 50-year storm event (2% chance of occurrence in any one year). The credit for such parcels is based upon a linear interpolation between the 10% credit for mitigation of the 25-year storm ( 4% chance of occurrence in any one year) and a 100% credit for mitigation of a 100-year storm (1 % chance of occurrence in any one year).	40%
3. Parcel Owner Contributes to Maintenance of Private System: The credit for such parcels will be based upon the percentage of the City's stormwater operation and maintenance (O&M) budget providing for maintenance of stormwater ponds but in no case shall this be less than 10%. The O&M Budget does not include funds devoted to capital projects addressing conveyance system extension and capacity upgrades	10%
4. Parcels With Properly Functioning On-site Treatment and Attenuation: The credit for such parcels will be based upon the percentage of the City's stormwater operation and maintenance (O&M) budget providing for maintenance of stormwater ponds but in no case shall this be less than 10%. The O&M Budget does not include funds devoted to capital projects addressing conveyance system extension and system upgrades.	10%