

City of Minneapolis

Stormwater Utility Credit Rules

Pursuant to Chapter 510 of the Minneapolis Code of Ordinances

Introduction

Properties in the City of Minneapolis with impervious area are charged a monthly stormwater utility fee based on the impervious area onsite. This fee is used to operate and maintain the City's storm sewer system, mitigate flooding, and to implement practices to protect the water quality of receiving waterbodies from the impacts of urbanization. Property owners that take measures to significantly reduce the impact of stormwater runoff generated from a property may be eligible for a reduction in their stormwater utility fee through a stormwater utility credit.

Property owners complying with requirements for new developments, as outlined in Chapter 54: Stormwater Management Ordinance of the Minneapolis Code of Ordinances, will be eligible to apply for credit. Credits may also be given for voluntarily implementing stormwater management practices and going above and beyond the minimum water quality and quantity standards outlined in the ordinance.

Eligibility

Only accounts that are current on all utility payments are eligible to receive the stormwater utility credit. Properties receiving a stormwater utility credit must be in good standing with applicable NPDES permits and all city code and ordinance requirements to receive the credit.

Single-family Credits

Single-family credits, defined in this guidance as utility credits awarded to single family homes, duplexes, and triplexes, are addressed differently than commercial credits, which include all other land use types. Single-family credits will be awarded at a flat 35 percent upon completion and submittal of the credit program application and documentation that can be found on the city's website. There are no recertification requirements for single-family credits. The credit will be removed upon ownership change or evidence that the BMP is not longer functioning or has been removed from the property.

Previously Approved Single-family Credits

Stormwater Utility Credits approved before January 1, 2022 will be allowed to retain their current credit amounts and standards as long as the property stays in good standing with the Program. This includes being current with the utility account receiving the credit.

Commercial Credits

Commercial credits, defined in this guidance as utility credits awarded to all land uses with the exception of single-family homes, duplexes, and triplexes will be applied to properties based on this guidance document. The procedures, credit types and amounts, and recertification requirements outlined below apply only to commercial credits.

If the property applying for a credit falls under the Chapter 54 Ordinance, that property must first be fully compliant with all Chapter 54 requirements before applying for a credit. This includes, but is not limited to, the final report and timely annual self-inspection submittals. Furthermore, if a property with a credit falls out of Chapter 54 compliance, any credit will be removed from the account and the full stormwater utility fee will be applied to the account. Reapplication is required to receive credits on the account once the property becomes compliant, and no credits shall be awarded until the new application has been submitted and approved.

All BMPs must be maintained, inspected, and function as-designed and approved. Failure to maintain BMPs will result in credit termination. No credit shall be awarded retroactively for the time-period of non-compliance.

Any credit on a property that is sold, or to which a different owner is transferred, will be removed from the account and the new owner may reapply.

Procedure

In order to receive higher levels of credits, engineering calculations are required to be performed by a licensed professional. The City will then complete a review of the application and submitted materials. Any credit that is approved will be awarded to the account after approval of the application and a successful inspection.

All BMPs included in an application must be installed and functioning prior to final application submittal. The credit amount or type of credit awarded may change based on any changes to the property or the BMPs.

A recertification application for Stormwater Utility Credits will need to be submitted every five years to ensure that stormwater BMPs are continuing to function as designed. Applications for recertification will be reviewed and applied according to the credits guidance in effect at the time of initial application. The long-term maintenance and function of stormwater management facilities are critical to ensuring that the stormwater benefit to the City is realized. If a property is sold or transferred to a new owner, the new owner will need to reapply per Program requirements at the time of reapplication.

Credits

The maximum Stormwater Utility Credit available to commercial credits is 70%. If multiple credit types are applicable, they may be combined for a maximum of 70%. The maximum Stormwater Utility Credit available to commercial credits located in City of Minneapolis Green Zones is 80%.

<u>Credit Type</u>	<u>Description</u>	<u>Amount (Percentage of Utility)</u>	<u>Applied to</u>
<u>Prerequisite</u>	<u>To apply for any credit, a property must submit a plan for managing winter salt (chloride) application – Chloride Management Plan (CMP)</u>		
<u>Chapter 54</u>	<u>Meet the minimum standards for water quality treatment, peak discharge rate control, and volume control of Chapter 54 as a part of development approval</u>	<u>10%</u>	<u>Property area meeting the standard</u>
<u>Advanced/Enhanced CMP</u>	<u>Implement a comprehensive site-wide CMP that demonstrates chloride reduction</u>	<u>Up to 30%</u>	<u>Portions of property where winter site management is required.</u>
<u>Voluntary/Unregulated</u>	<u>Voluntary BMPs (not required as a part of development) meeting water quality treatment, peak discharge rate control, and volume control standards as outlined in Chapter 54</u>	<u>50%</u>	<u>Property area meeting standard</u>
	<u>Water quality treatment: remove at least 75% of the total phosphorus (TP) on an average annual basis</u>	<u>Up to 30%</u>	<u>Property area meeting the standard</u>
<u>Above and Beyond</u>	<u>Volume reduction: capture and retain on-site 2.0" of runoff from impervious surfaces</u>	<u>20%</u>	<u>Property area meeting the standard</u>
	<u>Peak discharge rate control: maintain peak discharge rates at or below the pre-settlement rates for the 10-, and 100-year storm events</u>	<u>60%</u>	<u>Property area meeting the standard</u>
<u>Equity</u>	<u>Credit added for implementing vegetated Green Stormwater Infrastructure (GSI) practices on properties located in Green Zones</u>	<u>10%</u>	<u>Must be associated with another Credit Type; cannot be applied alone.</u>

Prerequisite - Chloride Management Plan

A basic Chloride Management Plan (CMP) is required for all stormwater utility credit applications. A template plan will be available on the City's website.

Chapter 54 Credit

A Stormwater Utility Credit of 10% (aggregate total for all BMPs, not each individual BMP) will be available for properties where the applicant has implemented stormwater management facilities required by the City's Chapter 54: Stormwater Management Ordinance through the Preliminary Development Review (PDR) process. The credit will be granted for the portion of impervious area that drains to the facility. The BMP should meet the general guidelines described in the Minnesota Pollution Control Agency's (MPCA) [Minnesota Stormwater Manual](#), and the City's Storm and Sanitary Sewer

Guide. The stormwater management facility must meet the minimum stormwater management standards outlined in Chapter 54.

Advanced/Enhanced Chloride Management Plan Credit

A Stormwater Utility Credit of up to 30% will be available for properties that complete and implement an enhanced Chloride Management Plan on the property. The credit will be available for the portions of the site that are used for pedestrian and vehicle traffic (sidewalks, roads, driveways, parking, etc.). The enhanced chloride management plan must include provisions for a certified salt applicator, staff training, storing all salt stockpiles under cover, and documentation of what approaches are used to perform winter maintenance with less salt. Details on all components required for an enhanced chloride management plan will be available on the City's website. Annual reporting will be required. The State of Minnesota's [Smart Salting Assessment Tool](#) (SSAt) will be utilized to produce an annual report on the practices and procedures being used on the property.

Voluntary Credits

Voluntary use of Stormwater Management Practices: A Stormwater Utility Credit of 50% (aggregate total for all BMPs, not each individual BMP) will be available where the applicant can show the property meets the stormwater management that would be required under the standards of the City's Chapter 54 Ordinance but was **not** required as a condition of approval through the PDR process.

Water Quality Treatment: A Stormwater Utility Credit of up to 30% will be available for properties that are removing at least 75% of the total phosphorus load on an average annual basis with the use of voluntary BMPs.

Above and Beyond Credits

The City of Minneapolis utilizes the Stormwater Utility Credits Program to incentivize practices and standards that substantially improve stormwater in the City. The credit will be granted for the portion of impervious area that drains to and is treated by the stormwater management facility.

Volume Reduction: A Stormwater Utility Credit of 20% will be granted for properties that are capturing and retaining onsite a minimum of 2.0 inches of runoff. This volume of water must be infiltrated or reused and fully retained onsite.

Peak Discharge Rate Control: A Stormwater Utility Credit of 50% will be granted for properties that are maintaining peak discharge rates at or below the pre-settlement rates for both the 10- and 100-year storm event.

Equity Credit

Properties located within a [Green Zone](#) will be eligible for an additional 10% Credit, not to exceed 80% total credit. This extra credit is applicable for implementing vegetated Green Stormwater Infrastructure (GSI) practices on-site.

Program Submission Requirements

The Owner or their designee shall supply basic information for parcels that are receiving credit. Such information will include, but is not limited to: the name of owner, site contact, location, utility account number, parcel identification number (PID), and the stormwater management documentation required to demonstrate compliance with credits being sought. The owner or their designee will certify that the

stormwater management facility is functioning as designed per the credit application and credit amount applied for. By submitting a credit application, the owner is certifying that all information is correct and that they acknowledge that the credit determination will be based on the information provided, and that the City may access the property as necessary to inspect the facility. A later determination that the information was inaccurate will result in loss of credit.

The Stormwater Utility Credit is available upon successful completion of the application and inspection process. Applications must be complete, including submittal of all necessary engineering calculations, documentation, proof of required information, and signed by a certified professional. If all requirements and conditions are met, the Stormwater Utility Credit will be applied to the property and become effective the date that all required application materials are approved, and the facilities are functioning as-designed and pass inspection.

Stormwater management facilities must be maintained by the property owner to the minimum standards set during the approval process. Upon inspection, if any onsite facility is not performing adequately or if the five-year recertification is not applied for then the credits will be removed and the property owner must pay the full stormwater utility charge.

Annual inspection and maintenance records must be maintained and included with the 5-year recertification application to be in compliance with the program.

Recertification for Commercial Stormwater Utility Credit

All properties receiving a commercial stormwater utility credit will be required to recertify every five years. Recertification submittals will be based on the amount of credit being received. The purpose of the recertification process is to ensure that privately installed BMPs are continuing to function and that the stormwater utility credit is being given to properties that continue to demonstrate a stormwater treatment benefit to the city.

Submittals with five-year recertification:

All applicants– This information does not need to be submitted by a certified or licensed professional.

- An application with complete site details; address, owner, and contact information
- Map detailing the site conditions, including impervious area totals, size and location of the BMP, and flow path from the impervious to the BMP.
- Copy of the Operations and Maintenance Plan
- Field documentation of the BMP – pictures/video
- Annual inspection and maintenance records
- Chloride Management Plan

Tier 1 – All submittals required by everyone, and:

- Checklist or simple form, provided by the City, for assessment for small sites/BMPs (this does not have to be completed by a certified or licensed professional)

Tier 2 – All submittals required by everyone, and:

- A map detailing the drainage for the entire site including:

- All related infrastructure to the BMP (i.e. inlets/outlets, storm pipes, manholes, underdrains, etc.)
- Any connection points to the City of Minneapolis stormwater system or discharge off-site
- Functional assessment of the BMP, is the BMP functioning as designed
- Signed off by a certified professional

Tier 3 – all submittals required by everyone and by Tier 2, and:

- Hydraulic and hydrologic modeling demonstrating compliance (must be signed off on by a licensed professional)
- If previous modeling exists, can use that with verification by a certified professional that site conditions have not changed.

Tier 4 – All submittals required by everyone and by Tiers 2 and 3, and:

- Certification by a licensed professional (engineer or landscape architect) that the BMP has been constructed and continues to function under the standards of the SWUC program.

	Credit amount per year
Tier 1	\$1-\$1,200
Tier 2	\$1,200 - \$5,000
Tier 3	\$5,000 - \$24,000
Tier 4	>\$24,000

Previously-Approved Credits

Stormwater Utility Credits approved before January 1, 2022 will be allowed to retain their current credit amounts and standards as long as the property stays in good standing with the Program. This includes being current with the utility account receiving the credit.

These properties will be subject to the five-year recertification requirement. In addition, all properties must prepare and submit a basic Chloride Management Plan.

Previously-approved credits will be terminated for any of the following reasons:

- Property is sold or transfers ownership
- Facility no longer meets the previous Program requirements
- Failure to recertify
- Failure to submit annual inspection and maintenance records with the recertification
- Failure to remain current with the utility account receiving the credit
- Facility is removed or modified resulting in a reduction to stormwater treatment
- City inspection results in a determination that facility is not functioning properly

If a previously-approved credit is removed, the property is eligible to reapply for a credit under the most current Credit Program standards at the time of reapplication.