

5.6 Redevelopment Criteria

5.6.1 The Department recognizes the benefits of redevelopment. The requirements under this section are intended to encourage redevelopment while establishing compliance criteria that meet the overall goals and intent of these regulations.

5.6.2 In the case of development of a contaminated or Brownfield site, a remediation plan approved by the Department may meet the stormwater management goals and the intent of these regulations with prior consent and subsequent approval by the Department. Sections 5.6.2.1 and 5.6.2.2 apply in instances where the Site Investigation and Remediation Section (SIRS) does not apply infiltration restrictions.

5.6.2.1 Redevelopment of a contaminated or Brownfield site resulting in a reduction of impervious surface where no known drainage issues exist or will be created shall be considered in compliance with these Regulations.

5.6.2.2 Redevelopment of a contaminated or Brownfield site resulting in an increase in impervious surface where no known drainage issues exist or will be created shall employ runoff reduction practices to achieve an equivalent 30% reduction in effective imperviousness for an area equivalent to the increase in impervious surface.

5.6.3 Compliance with the Resource Protection Event as defined in 5.2.2 shall be accomplished to the maximum extent practicable for redevelopment projects through the following provisions.

5.6.4 For a site with stormwater management measures designed in accordance with the Delaware Sediment and Stormwater Regulations first promulgated on January 23, 1991:

5.6.4.1 Redevelopment resulting in a reduction of impervious surface where no known drainage issues exist or will be created and there are no outstanding stormwater-related maintenance issues to be resolved or addressed shall be considered in compliance with these Regulations.

5.6.4.2 Redevelopment resulting in an increase in impervious surface shall employ runoff reduction practices to achieve an equivalent 15% reduction in effective imperviousness for existing impervious areas and a 0% effective imperviousness for an area equivalent to the increase in impervious surface.

5.6.5 Sites with one acre or less of disturbed area without stormwater management systems designed in accordance with the Delaware Sediment and Stormwater Regulations first promulgated on January 23, 1991 shall adhere to Section 3.7 of these Regulations.

5.6.6 For a site with greater than one acre of disturbed area without stormwater management measures designed in accordance with the Delaware Sediment and Stormwater Regulations first promulgated on January 23, 1991:

5.6.6.1 Redevelopment that results in a decrease of 15% or greater in impervious surface shall be considered in compliance with these Regulations.

5.6.6.2 Redevelopment that results in a decrease of less than 15% impervious surface where no known drainage issues exist or will be created shall employ runoff reduction practices to achieve an equivalent 15% reduction in effective imperviousness.

5.6.6.3 Redevelopment resulting in an increase in impervious surface shall employ runoff reduction practices to achieve an equivalent 15% reduction in effective imperviousness for existing impervious areas and a 0% effective imperviousness for an area equivalent to the increase in impervious surface.

5.6.7 For those cases in which the minimum runoff reduction requirements are not met:

5.6.7.1 INSERT FUTURE LANGUAGE CONSISTENT WITH 5.2.3.2.1 and

5.6.7.2 INSERT FUTURE LANGUAGE CONSISTENT WITH 5.2.3.2.2

5.6.7.3 INSERT FUTURE LANGUAGE CONSISTENT WITH 5.2.3.3

5.6.8 Any redevelopment project that increases the rate, volume or duration of flow to a new or existing point of discharge during the Conveyance Event shall comply with the requirements of Section 5.3.

5.6.9 Any redevelopment project that increases the rate, volume or duration of flow to a new or existing point of discharge during the Flooding Event shall comply with the requirements of Section 5.4.