

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 ~~site~~ 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.

5.6.2.1 Redevelopment of a contaminated or Brownfield site resulting in a reduction of impervious surface where no known drainage or flooding issues exist and drainage patterns are not altered shall be considered in compliance with these Regulations.~~comply.~~

5.6.2.2 Redevelopment of a contaminated or Brownfield site resulting in an increase in impervious surface shall employ runoff reduction practices to achieve an equivalent 0% 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 onsite 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 or flooding issues exist, drainage patterns are not altered, 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 a 15% reduction in effective imperviousness for an area equivalent to the increase in impervious surface.

5.6.5 For a site one acre or less without onsite stormwater management measures designed in accordance with the Delaware Sediment and Stormwater Regulations first promulgated on January 23, 1991:

5.6.5.1 Redevelopment with no new impervious cover shall adhere to Section 3.7 of these Regulations.

5.6.5.2 Redevelopment with new impervious cover shall adhere to Section 3.7 of these Regulations, employ runoff reduction practices to achieve a 15% reduction in effective imperviousness for an area equivalent to the increase in impervious surface.

5.6.6 For a site greater than one acre without onsite 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 30% or greater in impervious surface shall be considered in compliance with these Regulations.

5.6.6.2 Redevelopment that results in a decrease of greater than 15% and less than 30% impervious surface where no known drainage or flooding issues exist, drainage patterns are not altered, and adequate downstream conveyance has been demonstrated shall employ runoff reduction practices to achieve a 15% reduction in effective imperviousness.

5.6.6.3 Redevelopment that results in a decrease of less than 15% impervious surface where no known drainage or flooding issues exist, drainage patterns are not altered, and adequate downstream conveyance has been demonstrated shall employ runoff reduction practices to achieve an equivalent 0% effective imperviousness reduction.

5.6.6.4 Redevelopment with new impervious cover shall employ runoff reduction practices to achieve 0% effective imperviousness for an area equivalent to the increase in impervious surface and a 15% reduction in effective imperviousness for existing impervious surface.

~~5.6.37.1 Runoff from redeveloped areas within the project limit of disturbance that were wooded or meadow in the existing condition shall be reduced to an equivalent wooded condition using runoff reduction practices.~~

~~5.6.3.2 All remaining redeveloped areas within the project limit of disturbance shall employ runoff reduction practices to achieve a 30-15% reduction in the effective imperviousness based on the existing condition.~~ For those cases in which the minimum runoff reduction requirements are not met:

~~5.6.37.2.1 The allowable discharge for any remaining runoff shall not exceed the equivalent 24-hr detention time of the R_{Pv},~~ INSERT FUTURE LANGUAGE CONSISTENT WITH 5.2.3.2.1 and

~~5.6.37.2.2 An offset shall be provided for any portion of the R_{Pv} that does not meet the minimum runoff reduction requirements.~~ INSERT FUTURE LANGUAGE CONSISTENT WITH 5.2.3.2.2

~~5.6.37.3 Additional water quality treatment BMPs may be provided if the runoff reduction requirements of this section are not sufficient to meet Total Maximum Daily Load (TMDL) requirements for the receiving water. Pollutant reductions achieved through the use of these treatment BMPs may be used to partially reduce a runoff reduction offset requirement provided in accordance with Section 5.6.3.2.2 above.~~ INSERT FUTURE LANGUAGE CONSISTENT WITH 5.2.3.3

~~5.6.4.8~~ 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.

~~5.6.5.9~~ 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.