

Applicability

The Stormwater Management Standards apply to industrial, commercial, institutional, residential subdivisions, multi-family residential projects, and roadway projects, including site preparation, construction, redevelopment, and on-going operations.

The Stormwater Management Standards do not apply to ⁽¹⁾

- (1) Single-family house project;
- (2) Emergency repairs to roads or their drainage systems.
- (3) Redevelopment of Existing Properties

The Stormwater Management Standards do apply to the extent practicable to:

- (1) Residential subdivisions with four or fewer lots with a discharge potentially affecting a critical area; and
- (2) Five to nine residential lots, provided any discharge will not affect a critical area.

The Stormwater Management Standards do apply to:

- (1) Five to nine residential lot residential subdivisions with discharges potentially affecting critical areas and any subdivision of 10 or more lots, as well as all commercial and industrial developments. Residential development that is a part of a phased development project does not qualify for an exemption. These thresholds do not preclude these activities from meeting applicable state regulatory requirements not directly related to the stormwater discharge.

Table: Stormwater Management Standards Applicability for Subdivision Projects

Project Type	Not Affecting Critical Areas	Affecting Critical Areas
Single Family House	Not Subject to Standards	Not Subject to Standards *
2-4 Lot Subdivision	Subject to the Extent Practicable	Subject to the Extent Practicable
5-9 Lot Subdivision	Subject to the Extent Practicable	Must Meet the Standards
> 10 Lot Subdivision	Must Meet the Standards	Must Meet the Standards

*****Where Critical Areas are: Outstanding Resource Waters, Public Swimming Beaches, Cold Water Fisheries, and Recharge Areas for Public Water Supplies.*****

¹ For projects of any size, direct discharges of untreated stormwater from pipes to wetlands or waters are not allowed. Erosion and sedimentation controls during construction must be provided for all land disturbances in excess of 5,000 square feet.