



Technical Procedure Document

Subject: City Permitting, Construction, and Close-Out Process

Introduction

In September 2007, the City of Charleston (City) passed a stormwater ordinance incorporating the federally mandated requirements of the National Pollution Discharge Elimination System (NPDES) Phase II stormwater program. Part of this ordinance included the authorization to develop and implement a Stormwater Design Standards Manual (SWDSM) to be used by the City when reviewing approving and permitting construction, development, and re-development projects. The SWDSM describes the policies and procedures that will be used by the City's Department of Stormwater Management to implement the City's ordinances related to stormwater, and serves multiple purposes, including "providing application submission requirements and the approval process".

This memo is intended to give an overview of the City's permitting process from submittal through project closeout and highlight (highlighted areas denotes a change) the differences between the SWDSM adopted in 2010 with the most recent update in 2013 and the, recently, City Council approved manual to become effective July 1, 2020.

Permitting Process (SWDSM Chapter 4)

Applications

There are two identified tracks through which applications for project review are submitted, Technical Review Committee track (TRC) and non-TRC track. The TRC track has a separate application that is required in addition to the Construction Activities Application (CAA) (SWDSM Section 4.4). For an application package to be considered "Administratively Complete", it must include all applications, supporting documents, and associated fees.

The following link to the TRC Manual has information on which TRC track and category is most appropriate for a project:

<https://www.charleston-sc.gov/DocumentCenter/View/20200/TRC-Projects-Requiring-Review?bidId=>

Technical Review Committee Track

TRC categorizes projects as either Site Plan or Subdivision projects, and determine whether or not a project requires a TRC review. Projects requiring TRC review must submit the appropriate application based on project type:

- Site Plan: <https://www.charleston-sc.gov/DocumentCenter/View/20150/TRC-Site-Plan-Application-January-2019?bidId=>
- Subdivision: <https://www.charleston-sc.gov/DocumentCenter/View/17219/TRC-Subdivision-Application---TRC--PC-June-2019?bidId=>.

Non-Technical Review Committee Track

There are instances where a project does not require a review from the City. These exemptions remain unchanged and shall comply with the City's Ordinance (Sec 54-604b) and can also be found in Section 2.2 of the TRC Manual. Should a project not require TRC review and does not qualify for an exemption, it should be submitted directly to the Department of Stormwater Management via the Citizens Access Portal (CAP).



Construction Activity Application (SWDSM Section 4.4)

The definition of Construction or Construction Activity is unchanged and defined as an “activity involving clearing, grading, transporting, filling, or any other activity which causes land to be exposed to the danger of erosion, or which might create an alteration to an existing drainage way or other component of the City’s stormwater management system or facility”. The type of activity determines the required application to be submitted as part of the TRC application package. The application types and required supporting documentation are as follows:

- Single Family Residential (SFR) (SWDSM Section 4.5.1)
 - Completed Building Permit Application
 - Erosion Prevention & Sediment Control (EPSC) Certification form: <https://www.charleston-sc.gov/DocumentCenter/View/5912/Erosion-Protection--Sediment-Control-Certification-Fill-in-Form?bidId=>
- Small Construction Activity (Type I) (SWDSM Section 4.5.2)
 - Application for Small Construction Activities and Utility/Linear Projects form <https://www.charleston-sc.gov/DocumentCenter/View/5910/Application-for-Small-Construction-Activities-and-Utility-Linear-Projects-TypeI-Fill-in-Form?bidId=>
 - EPSC Certification form (See SFR)
 - Completed Small Construction Activity Guidelines and Checklist (with applicable documentation)
 - Additional Permits (if required)
- Medium Construction Activity Application (Type II) (SWDSM Section 4.5.3)
 - Application for Medium and Large Construction Activities form <https://www.charleston-sc.gov/DocumentCenter/View/5909/Application-for-Medium-and-Large-Construction-Activities-TYPE23-Fill-in-Form?bidId=>
 - Completed Medium and Large Construction Activity Guidelines and Checklist (with applicable documentation)
 - Comprehensive Stormwater Pollution Prevention Plan (C-SWPPP) with Stormwater Technical Report and Construction Plans
 - United States Army Corps of Engineers (USACE) Wetland Jurisdictional Determination
 - Additional permits (if required)
- Large Construction Activity (Type III) (SWDSM Section 4.5.4)
 - Application for Medium and Large Construction Activities form <https://www.charleston-sc.gov/DocumentCenter/View/5909/Application-for-Medium-and-Large-Construction-Activities-TYPE23-Fill-in-Form?bidId=>
 - Completed Medium and Large Construction Activity Guidelines and Checklist (with applicable documentation)
 - C-SWPPP with Stormwater Technical Report and Construction Plans
 - USACE Wetland Jurisdictional Determination
 - Stormwater Masterplan
 - Phased EPSC Plan
 - Additional permits (if required).
 - Pre-Submittal Meeting with TRC is required
- Linear/Utility Activity (4.5.5)
 - Application for Small Construction Activities and Utility/Linear Projects form <https://www.charleston-sc.gov/DocumentCenter/View/5910/Application-for-Small-Construction-Activities-and-Utility-Linear-Projects-TypeI-Fill-in-Form?bidId=>



The disturbed area thresholds criteria and application package requirements are unchanged from the previous edition of the SWDSM and can be found in **SWDSM Section 4.5**.

Applicants should be mindful of any additional permits and approvals required for Construction Activities. The City may request these approvals/permits prior to approving a CAA. These include, but are not limit to, South Carolina Department of Transportation (SCDOT) Encroachment Permit, USACE permits, South Carolina Department of Health Environmental Control (SCDHEC) Coastal Zone Consistency (CZC), and City of Charleston Design Review Board (<https://www.charleston-sc.gov/294/Design-Review-Board-DRB>).

Design Exemptions and Exceptions (SWDSM 4.10)

The City's policy on design exceptions remain unchanged and shall comply with the City's Ordinance. A design exception may be granted by the City if there is an exceptional circumstance applicable to the site exists, such that the adherence to the provisions of the SWDSM will not fulfill the intent of the SWDSM. A written request will be required by the City. The written request must contain:

- Specific exception sought
- Reason the exception is needed
- Supporting data
- An explanation why the exception should be granted by the City

Stormwater Review Fees (SWDSM Section 4.9.1)

Single Family Residential Properties with less than 0.5 acres of disturbance have a total review fee of \$100. All other submittals have a base fee of \$500 plus \$200 per disturbed acre rounded up to the next whole acre (up to \$5,000 maximum).

TRC fees based on review type still apply and can be found on the required application based on project type.

Submittal Process

Citizen Access Portal (SWDSM Section 4.4)

Since the last iteration of the SWDSM, the City has changed how applications and correspondence are handled. The City now uses the CAP where the application package and TRC application package is uploaded and distributed to the necessary City Departments for review. Department comments and/or approvals are also communicated via the CAP. The CAP notifies applicants when correspondence is ready for viewing from City Staff. **The CAP cannot be used without the applicant being registered.** For information on how to register for a CAP account, go to:

https://cap.charleston-sc.gov/energov_prod/citizenaccess/site/public/main

Technical Review Committee Track and Non-Technical Review Committee Track Submittal

Currently the CAP system is not fully implemented. Until full implementation occurs, TRC submittal shall be routed through the Zoning Division and non-TRC shall be routed through the Department of Stormwater Management. Once full implementation occurs, submissions should be through the CAP system.



City Review (SWDSM Section 4.7)

Technical Review Committee Track

The Technical Review Committee reviews site plans and subdivisions for compliance with City of Charleston codes. The TRC exists to help developers and designers with the design and permitting process in the most efficient manner possible. The City has a set of laws established by the City Council that are intended to protect the health and safety of its citizens. These laws are also for the purpose of improving the quality of design and construction in the City. Since there are multiple City departments responsible for administering these laws it is beneficial to have development review coordinated to avoid confusion and delay. The TRC Manual can be viewed at:

<https://www.charleston-sc.gov/DocumentCenter/View/17190/TRC-Manual-Revised-December-2017?bidId=>

In addition to the separate Stormwater and Engineering reviews, representatives from Americans with Disability Act (ADA)/Legal, Fire, Geographic Information Systems (GIS)/Addressing, Parks, Planning, Traffic and Transportation, and Zoning will perform independent reviews. Each department will provide respective comments to the applicant.

Non-Technical Review Committee Track

The review of the CAA and required documents will be completed by the Department of Stormwater Management. Comments will be provided to the applicant.

Revision/Resubmittal (SWDSM Section 4.7)

If review comments or requests for additional information are required or a denial is issued, a letter detailing the comments, requests, or reasons for the denial will be issued to the applicant. Prior to replying to this letter, a meeting between the City and the engineer/developer may be required to be scheduled and attended by the applicant. If a meeting is required, the applicant may submit a reply after the meeting has been held.

If the reply from the applicant does not contain the requested information, another letter will be issued by the City to the applicant. The applicant must then reply with the requested information. This process will continue until all information needed by the City has been received.

Dependent upon the track (TRC vs. non-TRC), comment responses will be submitted to the appropriate department(s).

Construction Activities Application Approval

Once all requested information has been submitted by the applicant, TRC and/or CAA Application approval will be granted, depending on applicable track (TRC vs. Non-TRC). Part of this approval includes the CAA/MS4 Approval Letter to be forwarded to SCDHEC along with the Notice of Intent for NPDES Construction General Permit (CGP) Coverage.

Changes After Approval (SWDSM Sections 4.8.1 & 4.9.2)

Changes after approval include revisions made to approved plans and/or construction documents or transferring construction activity responsibility. Any revisions made to approved plans or construction documents shall be submitted to the City in writing. It should be noted, implementation of changes shall not occur until it has been reviewed and approved by the City. Revisions include, but are not limited to:

- Pipe size and grade alterations affecting hydraulic capacity
- Easement boundary changes due to change in stormwater system components
- Changes in general grading plan that affect flow direction, rate, volume, or quality of stormwater runoff

Transfer of Responsibility (SWDSM Section 4.8.2)

\$100 for each property ownership transaction. This fee also applies should there be a change in ownership during the construction activity.



Expiration of Approval (SWDSM Section 4.8.3)

A CAA Approval will remain valid for up to five years from the date of issuance, provided that the project is in compliance with the City of Charleston Ordinance and this SWDSM and is not inactive for a period of 12 consecutive months. Construction, development, and redevelopment activities shall be initiated within 12 months of issuance of the City approval. Failure to initiate these activities will render the approval invalid at the end of the twelfth month.

Construction Activity (SWDSM Chapter 5)

Pre-Construction (SWDSM Section 5.2)

Technical Review Committee Track

The sequence of construction must be consistent with the City's TRC Pre-Construction Conference requirements. This involves the following first steps in the approval to initiation of construction activities phase of the project.

1. A mandatory TRC Pre-Construction Meeting including City representatives, owner or owner's representative, project engineer, and contractor shall be held prior to starting any work on the site. This is to occur once all TRC approvals have been obtained (after NPDES CGP certification of coverage issuance from SCDHEC), which is required prior to installation of any site improvements (including initial SWPPP controls and tree protection barricading). Stamped approved TRC plans will be provided by the City at the TRC Pre-Construction Conference Meeting. Please also note the TRC pre-construction conference does not necessarily replace any NPDES CGP Pre-Construction Meeting.
2. A mandatory NPDES CGP Pre-Construction Meeting with City representatives, owner or owner's representative, project engineer, and contractor shall be held at the required locations provided in the NPDES CGP Section 4.1.C.
3. After the TRC Pre-Construction Meeting, the meeting minutes (produced by the applicant) are then submitted to City Engineering Division (Kate Capps at 843-720-2536 or cappsk@charleston-sc.gov) and need approval by the City. After approval of the minutes by the City, the initial SWPPP inspection and tree barricade inspections can be requested from the City's Department of Stormwater Management and Zoning Division, respectively
4. Contractor shall identify all trees to be protected and install all tree protection barricading as indicated. Install all site perimeter sediment control measures, temporary construction entrance, and other required initial SWPPP controls.
5. Contact City Zoning Division (Eric Schultz at 843-724-3790 or schultze@charleston-sc.gov) for inspection and approval of tree protection barricading. Submit a City Department of Stormwater Management Initial SWPPP Inspection Request Form to the City's Stormwater Administrative Assistant (843-724-3761 or mitchellan@charleston-sc.gov) to request the initial SWPPP inspection.

After the initial SWPPP and tree protection inspections have been approved, construction on the project may begin.

Non-Technical Review Committee Track

1. A mandatory NPDES CGP Pre-Construction Meeting with City representatives, owner or owner's representative, project engineer, and contractor shall be held at the required locations provided in the NPDES CGP Section 4.1.C.
2. The initial SWPPP inspection and tree barricade inspections can be requested from the City's Department of Stormwater Management and Zoning Division, respectively
3. Contractor shall identify all trees to be protected and install all tree protection barricading as indicated. Install all site perimeter sediment control measures, temporary construction entrance, and other required initial SWPPP controls.
4. Contact City Zoning Division (Eric Schultz at 843-724-3790 or schultze@charleston-sc.gov) for inspection and approval of tree protection barricading. Submit a City Department of Stormwater Management Initial SWPPP Inspection Request Form to the City's Stormwater Administrative Assistant (843-724-3761 or mitchellan@charleston-sc.gov) to request the initial SWPPP inspection.

After the initial SWPPP and tree protection inspections have been approved, construction on the project may begin.



Inspection Fees

Inspection fees are required prior to beginning construction. It should be noted, the inspection fees from the last version of the SWDSM has changed and are as follows:

- \$75 for less than 1-acre site
- \$150 for 1 to 5-acre site
- \$250 for 5.01 to 10-acre site
- \$500 for 10.01 or more-acre site

These fees are only for the initial inspection and include two re-inspections at no additional costs. Construction shall not be authorized if after two re-inspections the BMPs aren't installed and operating per the approved construction plans. Additional inspection fees will be applied at the above rate schedule.

Construction (SWDSM Section 5.3)

EPSC BMPs shall be maintained throughout the entirety of construction in accordance to the Onsite Stormwater Pollution Prevention Plan (OS-SWPPP). The applicant/owner must conduct weekly SWPPP inspections and maintain these records as part of the OS-SWPPP.

Routine SWPPP inspections must be conducted a minimum of at least once every calendar week with no time period between inspections exceeding nine (9) days (SWDSM Section 5.3.2).

Operator must also be aware of any and all inspections associated with the CAA Permit. The permit can be viewed and requested through the CAP.

Notifications (SWDSM Section 5.4.6)

The applicant/owner shall notify the City based on the occurrence as follows (SWDSM Table 5-1):

Occurrence	Contact	Timeframe
Modifications to the construction sequence or timeframe	Onsite personnel	Immediately
Major modifications to the approved design or SWPPP	City and SCDHEC	Prior to Implementing modification
Transfer of responsibility	City and SCDHEC	14 calendar days
Dangerous spills or leaks	Minor: Onsite personnel Major: Contact 911 or local emergency response team	Immediately
Illicit discharge(s)	City	24 hours
Inspection reports	Personnel responsible for EPSC maintenance	Notify immediately, seven days to perform maintenance
Changes to permit status	Citizen Access Portal	Immediately
City enforcement as described in Section 7.2	Onsite personnel	Immediately



Post-Construction Activity (SWDSM Chapter 6)

At the conclusion of construction activities, the owner shall ensure the site is stabilized with permanent vegetation, paved areas, and stormwater conveyances are clean of debris and sediment, and that permanent stormwater controls are working properly. After which, the CAA Closeout Application (CAA COA) can be submitted to the Department of Stormwater Management. The COA can be found at:

<https://www.charleston-sc.gov/DocumentCenter/View/5911/Close-Out-Application-Fill-in-Form?bidId=>

The CAA COA and package contents are based construction activity type and consists of the following:

- **Single Family Residential:** CAA COA, Hydrostatic Testing Results (if applicable), Dye Testing Results (if applicable)
- **Site Plan:** CAA COA, SCDHEC NOT (copy), Record Drawings, Covenants for Permanent Maintenance of Stormwater Facilities (CPMSF) Agreement⁺ (https://www.charleston-sc.gov/DocumentCenter/View/9545/Covenants-for-Permanent-Maintenance-of-Stormwater-Facilities_2014?bidId=), Hydrostatic Testing Results (if applicable), Dye Testing Results (if applicable), In-Situ Infiltration Testing Results (if applicable), Stormwater Inspection Video (if applicable for public infrastructure)
- **Subdivision/Road Construction Projects:** CAA COA, SCDHEC NOT (copy), Record Drawings, CPMSF Agreement⁺, Hydrostatic Testing Results (if applicable), Dye Testing Results (if applicable), In-Situ Infiltration Testing Results (if applicable), Stormwater Inspection Video (if applicable for public infrastructure), Final Plat
- **Linear Projects:** CAA COA, SCDHEC NOT (copy)

*Required if project has a permanent structural stormwater measure.

⁺Recordation fee will be required prior to approval of closeout.

A PACKAGE IS CONSIDERED "ADMINISTRATIVELY COMPLETE" UPON RECEIPT OF ALL REQUIRED DOCUMENTATION BASED ON CONSTRUCTION ACTIVITY TYPE.

Hydrostatic Testing (SWDSM Section 6.8)

Hydrostatic testing may be required when stormwater infrastructure will be conveyed to the City. This doesn't apply for Site Plan projects, unless a public utility is located within an easement.

Dye Testing (SWDSM Section 6.8)

Dye testing is required for any new sewer connection.

In Situ Testing (SWDSM Section 6.9)

In Situ testing is required for any infiltration BMP.

Record Drawings (SWDSM Section 6.10)

Digital copies of Record Drawings must be submitted with a data structure compliant with the City of Charleston's GIS standards. The Record Drawing preparer should coordinate with the City of Charleston GIS Division. Record drawings shall be compliant with the City of Charleston Dedication Manual Record Drawing Review Section. The Dedication Manual can be found at:



https://www.charleston-sc.gov/DocumentCenter/View/14638/2017-Dedication-Manual-Final_031517?bidId=

After the package has been reviewed, the City will correspond with the applicant if there are any outstanding items or issues needing to be addressed. Once the City's comments have been addressed, an CAA Close-Out Approval Letter will be issued, and the construction process will be completed.

Stormwater Facility Warranty (SWDSM 6.7)

After the stormwater facilities have been inspected and approved by the City, a two-year warranty of the installed stormwater system shall be signed by the owner and submitted to the City. Any deficiencies, defects, or failures that occur during the warranty period shall be addressed by the owner/permittee. The City shall be notified, and a subsequent inspection will be required. Prior to the end of the warranty period, the City will re-inspect the stormwater facilities. Any deficiencies noted shall be addressed by the owner/permittee and a subsequent inspection will be required. Pipes shall be video inspected at the end of the two-year warranty period and will be subject to the same requirements as the initial video inspection outlined. The stormwater facility warranty MUST be signed and submitted along with the City's acceptance of the stormwater management system with its structural elements before issuance of any of the various types of Certificates of Occupancy.

A warranty will not be required for Utility or SFR projects and are, generally, applicable to Road Construction Plan Submittal.