

City of Fargo

Policy on Storm Water Discharge and Treatment Requirements

April 2021 Update

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General Storm Water Requirements

Authority and Purpose

The City of Fargo operates a Municipal Separate Storm Sewer System (MS4) under authority of the North Dakota Department of Health Permit NDR04-0000 (Discharge Permit), and City of Fargo Code of Ordinances, Chapters 17 and 37. In compliance with this authority, Fargo has developed this Storm Water Policy (storm water policy). This policy establishes standards for storm water discharges and quality treatment for all development within City of Fargo jurisdiction.

Intent of the Policy

The intent of this policy is to provide guidance to those persons working with the City of Fargo **Storm Water Management Ordinance** and to establish uniform, simplified standards that work within the framework of the City's storm water infrastructure.

Target Audience

This policy is applicable to all development (ref Code of Ordinances, Chapter 37, Paragraph 37-0102 7.) falling under the jurisdiction of the City of Fargo.

Storm Water Management Plan

All previously undeveloped properties and subdivisions, re-plats of existing properties for purposes of development, or re-development of existing developed or un-developed lots one (1) acre in size or larger or part of a larger common development that is one (1) acre in size or larger shall provide a Storm Water Management Plan (plan) for the subject area. Submission and approval of the plan is required prior to plat approval. Plan requirements are discussed in **Appendix A**.

Storm Water Discharge Requirement/Limit

The maximum storm water discharge rate shall be as defined in **Appendix C** and shall apply to the following categories:

1. Newly Platted Ag Conversion that is (1) one acre in size or larger or is part of a common development 1 acre in size or larger
2. Re-plat of current parcel that is part of a common development that is (1) one acre in size or larger
3. Re-development of existing parcel that is part of a common development that is 1 acre in size or larger

Storm Water Management Plan

A Storm Water Management Plan, prepared by a Professional Engineer registered in the State of North Dakota, indicating compliance with the discharge rate and laying out in schematic form the storm sewer on site systems is required for all developments. Detention/retention volume requirements will be established by the discharge limitation and the water quality requirements.

Water Quality Treatment

Water quality treatment is required for all new developments or re-plats one (1) acre in size or larger, common developments collectively one acre or larger, and on existing parking lots receiving full re-construction (category 2 & 3 parking lot section above) that are (1) one acre in size or larger or part of a larger common development. Requirements are specified in **Appendix D**.

Storm Water Detention, Retention, and Discharge Pond Design

Appendix E outlines the requirements for storm water pond design.

Requirements within Special Zones

Appendix F outlines the design parameters and coverage area for special zone areas that have been developed into regional drainage areas.

Appendix G outlines the design parameters for areas of the Downtown Mixed Use properties (DMU)

APPENDIX A:

STORM WATER MANAGEMENT PLAN

1. All newly platted Ag Conversion properties, new lot Subdivisions within a larger common development, and infill projects within a larger platted development equal to or greater than 1.0 acre in size are required to have a storm water management plan that includes those Best Management Practices (BMPs) required for the Addition or Subdivision to meet storm water quality and quantity requirements. Approval of the regional storm water management plan is considered part of the plat approval process.
2. Previously platted lots less than one acre, that are part of a larger common development, will be required to have a storm water management plan when the lot is developed. This storm water management plan shall analyze the impact the addition of this newly improved lot will have on the overall storm water features of the common development. As a minimum, these lots shall drain to a common inlet that is connected to the City storm water system, while meeting the allowable release rate and water quality requirements.
3. Article 37-0201 of the City of Fargo Code of Ordinances states: “An owner must submit to the City Engineer a plan for storm water management and control including detention and retention facilities. The plan shall be submitted, and approval obtained from the City Engineer prior to the owner (a) obtaining approval of an application for a plat, pursuant to Section 20-0907 of the Land Development Code of the City, or (b) engaging in any land disturbing activity.

The plan may include “in the discretion of the City Engineer, arrangements for further planning and implementation of permanent facilities for storm water management and control by subsequent owners of the property being platted or by the current owner at a later time.” Delay in producing the storm water plan will be considered when extenuating circumstances dictate but will generally not be allowed.

4. The storm water management plan, at a minimum, shall consist of:
 - a) A Storm Water Management Plan Report prepared using a “Storm Water Modeling System” that provides a modeling report similar in nature to “HydroCad”. The report shall document the assumptions, methodologies, and analysis used in arriving at the selected storm water management solution. The report must be “global” in that it looks at the entire area to be developed as well as any impacts to the site created by neighboring areas. The report shall be conceptual in nature and include (1) a narrative describing the existing site conditions, proposed site conditions, types and locations of storm water BMPs proposed to be used, as well as (2) the model calculations for the post-development 2, 10, and 100-year storm events as identified under the most current NOAA Atlas 14 release storm event for Fargo.

- b) Conceptual plan drawings and topographic maps noting all items covered in the report.
 - c) Conceptual Operations and Maintenance (O&M) plan for the system covering all requirements for keeping the system operating as planned.
 - d) The above-noted items shall be stamped and signed by a Professional Engineer registered in the State of North Dakota.
5. A regional storm water plan can use any combinations of BMPs, selected by the owner and their engineer, enabling the property to meet the storm water quantity and quality requirements. The plan may utilize regional or “on-site” detention/retention and water quality facilities however, per the Fargo Comprehensive Plan; the City desires to see storm water facilities constructed as regional amenities whenever possible. If a regional facility is used, the pond shall be located to facilitate capture of as much site storm water as possible determined by the city engineer, prior to discharging into the City storm water system.
 6. The submitted conceptual storm water plan will be reviewed by the City’s Engineering Department. The Engineering Department will evaluate the storm water plan and communicate change requirements or recommendations to the owner and their engineer. Changes made to the storm water plan prior to plat approval will be considered part of the original plan. If the plan is very complex, it may be brought before the City Commission for discussion and/or public comment prior to approval.
 7. If a subdivided property is covered by a previously approved storm water plan, the previously approved plan shall be reviewed to determine if the subdivided property is still in compliance. A letter from a North Dakota Registered Professional Engineer can accomplish this with city engineer review and approval.
 8. The approved plan will exist for the life of the subject property including any changes approved by the City Engineering Department. The final approved plan will be included with the amenities plan.
 9. The plan may require dedication of storm water or access easements or additional right-of-way for the construction of storm water conveyance and/or storage facilities.
 10. The plan must ensure the subject area conforms to the site specific performance requirements noted in Appendices C and D of this policy.

APPENDIX B: EXISTING PARKING LOT STORM WATER REQUIREMENTS

Current parking lots that have existing gravel surfacing, asphalt surfacing, concrete surfacing, or are being expanded shall comply with the requirements outlined in this Appendix and shall follow the following categories.

1. Application of these requirements and whether or not City Storm sewer is available within a reasonable distance of the site shall be as determined by the City Engineer.
2. Parking lots that expand over time beyond the original grandfathered project may add enough impervious surface thru surfacing or added buildings to trigger storm water requirements.
3. Existing Parking Lot maintenance or repairs that includes up to complete removal of asphalt or concrete surfacing, localized repair of gravel or subgrade, or surface treatments (spray coatings, chip/fog seals, crack sealing, striping) with no expansion of the current parking areas and result in no change in drainage will be exempt from the storm water requirements.
4. For existing parking lots that are (1) one acre to under (3) three acres and that involve full asphalt or concrete removal, or extensive gravel and subgrade modifications, or mill and overlays that result in modification of drainage patterns, the site shall be required to collect on-site storm water into inlets, add a water quality device, and convey storm water into the City storm water system. A pre versus post engineering drainage study shall be done. If the pre versus post flows are the same or less then no detention is required. If the pre versus post flows are larger then detention shall be required to mitigate the increase in flow only.
5. Existing parking lots (3) three acres or larger that involve full parking lot reconstruction (to include full pavement & base removal) shall be required to collect on-site storm water in inlets and convey storm water into the City storm water system and shall comply with storm water requirements contained in APPENDIX C & D for modeling, discharge rate control, and water quality for the existing parking lot being reconstructed and improved.
6. A pre-post storm water model shall be accomplished for any site, one acre or larger, on which a building addition/expansion is triggering expansion of the parking lot(s). If the post-construction model results in a greater 100-year storm discharge volume than the pre-construction model, discharge rate of the added volume shall meet City discharge rate requirements. If the new impervious area is over one acre, water quality requirements must also be met.

APPENDIX C:**SITE DEVELOPMENT - STORM WATER DISCHARGE REQUIREMENTS**

1. The discharge rate for storm water discharging from any site, greater than 3 acres in size, into any drain system within City jurisdiction, shall be limited to 1 cfs/acre. For parcels between 1 and 3 acres the maximum discharge shall be per the following table:

Parcel Size (Acres)	Release Rate (cfs)
1.0	2.00
1.1	2.05
1.2	2.10
1.3	2.15
1.4	2.20
1.5	2.25
1.6	2.30
1.7	2.35
1.8	2.40
1.9	2.45
2.0	2.50
2.1	2.55
2.2	2.60
2.3	2.65
2.4	2.70
2.5	2.75
2.6	2.80
2.7	2.85
2.8	2.90
2.9	2.95
3.0	3.00

This table shall apply to all projects covered under this policy except existing parking lots, which are defined in Appendix B.

2. A storm water report, prepared using a “Storm Water Modeling Software” that provides a modeling report similar in nature to “HydroCad”, is required for all developments one acre in size or greater or if part of a larger common development that is 1 acre or larger. The report must include hydrographs depicting flows into and out of all detention/retention facilities and note all flows into the City storm sewer system. In addition to the report, all site plans for sites requiring storm water infrastructure must include:
 - a summary table of post-construction flows for the 2, 10, and 100 year storm, as identified under the most current NOAA Atlas 14 release storm event for Fargo
 - a detail drawing of the outlet structure indicating maximum water elevations for the 2, 10, and 100 year storms, and
 - a written description of the proposed water quality treatment method
3. All sites except existing parking lots (as described in Appendix B) are required to comply with the State Water Quality Design Considerations. Water Quality Design Consideration information is included as **Appendix D** to this policy.
4. The discharge rate noted above will drive detention requirements for a particular site. Dry or wet ponds, oversized pipe, underground storm water storage facilities, or other methods can be used to achieve required storage volumes.

If a “regional” detention system, as opposed to site-specific ponds, is chosen for the development area, all water shall be routed to the regional pond prior to discharge into the City system. The original, storm water conceptual plan (see Appendix A) must address the conveyance of storm water from all parcels in the development to the regional detention facility.

If the City of Fargo storm water utility system provides conveyance to the regional facility, the 1.0 CFS/acre criteria shall be used unless otherwise planned for - if the owner requires larger flows to the regional facility, this must be considered/negotiated during the development of the original regional storm water plan and the original amenities plan (such as parallel storm sewer lines or open channel flow to existing ponds).

5. Discharge or overland flow of storm water onto a neighboring property shall not be allowed unless included in the regional plan (see Appendix A) and facilitated through the designation of required easements, dedications, or other methods allowing such conveyance.
6. The State of North Dakota Water Quality standards will be met, the method of treatment shall be selected by the design engineer from the options presented in Appendix D (Water Quality Design Considerations)

7. Construction of “rain gardens”, “grassy swales”, and other methods of achieving water quality are encouraged and will be evaluated on a case-by-case basis.
8. Criteria for construction of regional detention facilities is discussed in **Appendix E**.
9. Each plan set submittal requiring retention/detention shall include a storm system table identifying:
 - Lot size (acreage and square feet)
 - % impervious area
 - Required retention/detention volume (100 year storm event)
 - Supplied retention/detention volume (100 year storm event)
 - Water quality method being proposed including manufacturers data
 - Release rate allowable (cfs)
 - Release rate actual (cfs)

APPENDIX D: MS4 REQUIREMENTS

The following information is taken directly from page 21 of the current North Dakota NDR04-0000 MS4 Permit, dated April 1, 2016.

Water Quality

A water quality treatment system is required in developments as defined under Appendix C Storm Water Discharge Requirements. The system at a minimum must meet the standards specified below.

The post-construction controls for managing water quality for reducing pollutants carried in the first flush of storm water runoff are outlined below.

The design considerations for treating a water quality volume for common post-construction controls are as follows:

Control	Water Quality Design Consideration
Wet Detention Ponds	Water Quality Volume (Vwq) = 1800 cu-ft per impervious acre draining to the pond. The drawdown time for the Vwq should be a minimum of 12 hours.
Dry Detention Ponds (w/Extended Detention)	Extended Detention / Water Quality Volume (Vwqed) = 1800 cu-ft per impervious acre draining to pond. The drawdown time for the Vwqed should be a minimum of 24 hours and not more than 72 hours.
Infiltration	Water Quality Volume (Vwq) = 0.5 inches from impervious area. The volume captured in rain gardens, or passed through bio filters with under drains, would be grouped with infiltration for water quality treatment.
Flow-Through Treatment Devices	Size devices to treat the first 0.5 inches of runoff from impervious area.
Redevelopment / Retrofit	Incorporate water quality criteria by reducing impervious surface area and implementing controls to treat the first 0.5 inches of runoff from impervious areas.

The water quality criteria apply to on-site or regional systems for post-construction storm water management. The water quality considerations do not replace or substitute for water quantity or floodplain management for development. The water quality features may be incorporated into the design of structures for flow control; or water quality control may be achieved with separate features. Flow-Through Treatment devices such as “Defenders™” shall provide as a minimum 80 percent removal of sediment with a particle size distribution equivalent to the standard OK-110 at a feed concentration of 300 mg/L. The treatment device design shall include a bypass for storm flows above the ½” rain event from the impervious area being served.

If it is impractical to meet the water quality criteria, alternative practices may be used (e.g., grassed swales, smaller ponds, or grit chambers). If a combination of practices is used, the water quality volume is accounted for on a percentage basis. Low impact development and/or green infrastructure practices may be used as an alternative to post-construction controls.

The selection and design of post-construction controls must consider clogging or obstructions, freeze- thaw cycles, effects on slope stability and groundwater, and the ability to effectively maintain the control. Design post-construction controls for ease of inspection and maintenance access (e.g., a stabilized access that allows equipment to enter a pond).

Recommended resources for planning and designing controls for urban storm water runoff are found in the “North Dakota Storm Water Criteria Manual”
<https://www.dot.nd.gov/manuals/design/designmanual/designmanual.htm>

The property owner is responsible to operate and maintain the water quality device in accordance with the manufacturer’s recommendations. The property owner shall maintain records of maintenance of the water quality device and shall prepare an annual inspection report. These records are to be maintained with the property owner and shall be made available to the City if requested.

APPENDIX E:

STORM WATER DETENTION, RETENTION, AND DISCHARGE POND DESIGN

The following information shall apply to Standard Regional Pond Design. The City may take ownership of a storm water pond that is designed according to the following criteria.

Design Requirements:

- Pond design shall be in conformance with the Current NDPDES permit.
- Minimum pond design shall be a 100-year rain event based upon the current NOAA Atlas 14 published data for Fargo and shall include one (1) foot free board. All design modeling shall be done using HydroCad or equal commercially available modeling software. The proposer shall provide to the City a hardcopy Drainage Report signed by a ND Professional Engineer and shall provide an electronic copy of the complete design drainage model.
- Drainage and pond modeling shall include 2 year, 10 year, and 100 year 24 hour rainfall events as part of the analysis model.
- To qualify as a “Regional Pond” for purposes of City ownership and maintenance the minimum pond size for a **“Dry Pond” shall be 7.5 acre-feet** with a minimum bottom width of 100’ and the minimum pond size for a **“Wet Pond” shall be 15 acre-feet** with an average bottom width of 100’. However, the City will review on a case-by-case basis whether a pond qualifies as a “Regional Pond” for purposes of City maintenance if its size is smaller than the minimum size identified.
- Pond design shall include 15 feet minimum of level ground from the top of back slope of the pond to the property line.
- Dry Pond-slopes shall be 5:1 or flatter up to 15 foot of vertical depth, 6:1 or flatter if 15 foot of vertical depth or greater, 1.5% grade in pond bottom to low flow channel and 0.4% grade from pond inlet to pond outlet with channel liner and 1% grade from pond inlet to pond outlet without channel liner. Dry ponds do not require a safety bench and slope protection armoring if less than or equal to 10 feet deep. Dry ponds do require a safety bench and slope protection armoring if greater than 10 feet deep. Dry ponds do require a sloped pond bottom and an underdrain system sufficient to maintain a “dry” state.
- Wet Pond-slopes shall be 6:1 or flatter up to 15 foot depth. If the designer wishes, the pond to be deeper than 15 foot a geotechnical evaluation of the pond slope stability is required. If the pond backs up to residential homes or legal drains, a geotechnical evaluation of the pond slope stability is also required. The pond shall be designed with safety features such as edge plantings to deter entrance to

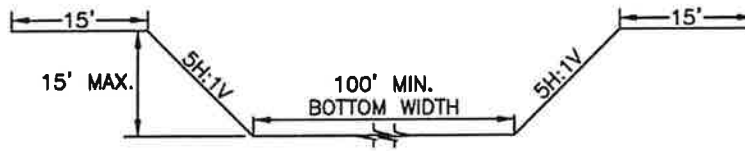
ponds and a safety ledge or bench at pond perimeter 1 foot to 2 foot below normal water level and extend out 10 feet before continuing on slope.

- Slope protection on wet ponds shall be installed to one foot below safety bench or 1 foot above and 1 foot below normal water level whichever is greater. The slope protection shall be riprap or turf reinforcement with seeding. The remainder of exposed slopes shall be turf reinforcement and seeded. Rip Rap shall meet City of Fargo standards and NDDOT standards.
- No fountains or bubblers shall be allowed within City owned regional wet ponds. All pond aesthetic features such as shape, side slopes, and vegetation that are proposed shall be identified on the plans and match the land area requirements identified in the Zoning Ordinance and project development master plan.
- A City owned "Regional Pond" should have sufficient right of way access for routine and special maintenance as determined by the City Engineer.
- The pond drawdown time criteria is outlined in Appendix D.
- The pond design shall include a control outlet structure with emergency over flow design. The over flow structure shall include provisions to prevent overflows from affecting adjoining properties. The out flow and over flow structure shall be designed to prevent plugging, be easily accessible to maintenance personnel, and shall require minimal maintenance. Maximum out flow to a City storm sewer shall be as defined in Appendix C. The release rate may be less depending on meeting water quality standards as defined in Appendix D. However, the minimum outlet orifice size shall be 3 inches and shall have a screen ahead of the orifice to prevent plugging.
- For ponds to be accepted by the City for maintenance and operation as a "Regional Pond" the features in general shall not result in unusual and/or costly future operation and maintenance as determined by the City Engineer. Bridges and box culverts if required shall meet the design criteria of the regulating authority and shall meet State and Federal safety standards.
- Ditches, swales, and channels may be designed for a variety of capacities depending on the protection required. When ditches serve as a primary water surface collector in the upper part of a drainage basin, they shall be designed per NDCC 89-14-01 except that as a minimum, shall convey the 10-year storm event without ponding in the roadway or adjacent private property. The City Engineer will ultimately decide if ditches, swales, or channels are allowed in lieu of conventional underground piping.

- The City of Fargo Storm Water Service Charge policy identifies credits that may be achieved through building of detention or retention ponds larger than as determined by this policy. Developers and designers are encouraged to familiarize themselves with the current Storm Water “Determination and Review Policy” for storm water fees.
- The minimum orifice size shall be 4 inches due to the likelihood of clogging. The engineer shall also look at the addition of a trash rack or other shield or guard installed within the control structure to aid in operation and maintenance.
- The following details shall provide minimum standards for pond design.

NOTES:

- 15' MAX. VERTICAL DEPTH
- MIN. POND SIZE = 7.5 ACRE/FEET
- MIN. 100' BOTTOM WIDTH
- MIN. 1' FREE BOARD FOR 100 YEAR EVENT
- NO BENCH REQUIRED




DRY POND
(15' MAX. VERTICAL DEPTH)

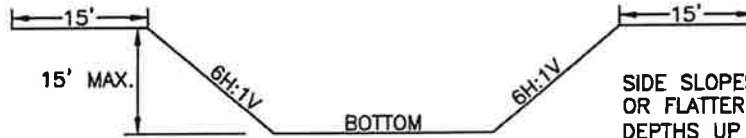


DRY POND
(GREATER THAN 15' VERTICAL DEPTH)

NOTE:

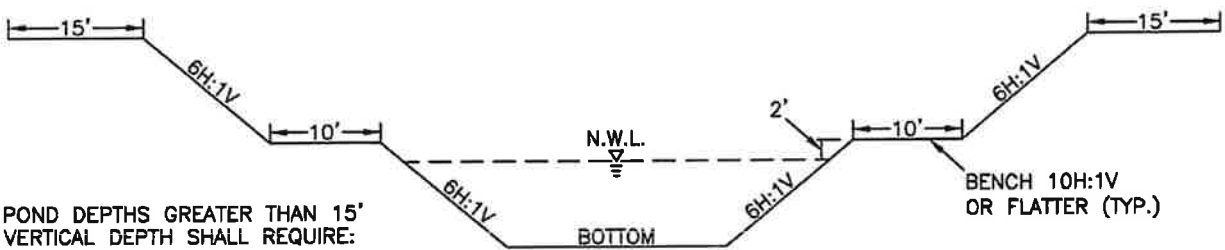
SIDE SLOPES DISPLAYED WITH 5X
VERTICAL EXAGGERATION

 ENGINEERING DEPARTMENT	ORIGINAL: 2019	
	TYPICAL DRY STORM WATER POND DETAIL	
	APPROVED:	DATE:



SIDE SLOPES SHALL BE 6H:1V
OR FLATTER FOR POND
DEPTHS UP TO 15' VERTICAL

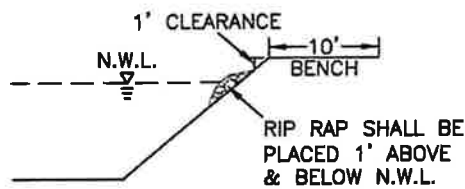
WET POND
(15' MAX. VERTICAL DEPTH)



POND DEPTHS GREATER THAN 15'
VERTICAL DEPTH SHALL REQUIRE:

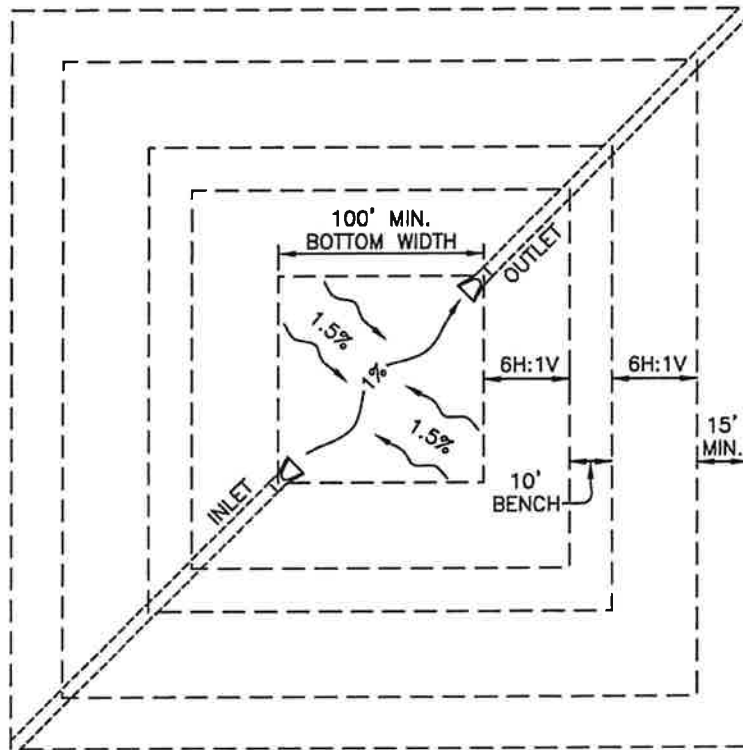
- GEOTECHNICAL EVALUATION
- SLOPE REINFORCEMENT

WET POND
(GREATER THAN 15' VERTICAL DEPTH)

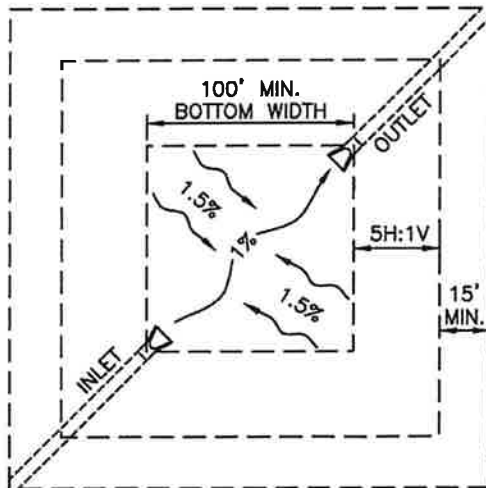


TYPICAL RIP RAP
PLACEMENT

NOTE:
SIDE SLOPES DISPLAYED WITH 5X
VERTICAL EXAGGERATION



POND BOTTOM PLAN VIEW
(GREATER THAN 15' VERTICAL DEPTH)



POND BOTTOM PLAN VIEW
(15' MAX. VERTICAL DEPTH)

APPENDIX F:

Special Zones

1. Southwest Metro Storm Water Design Parameters and Pond Coverage

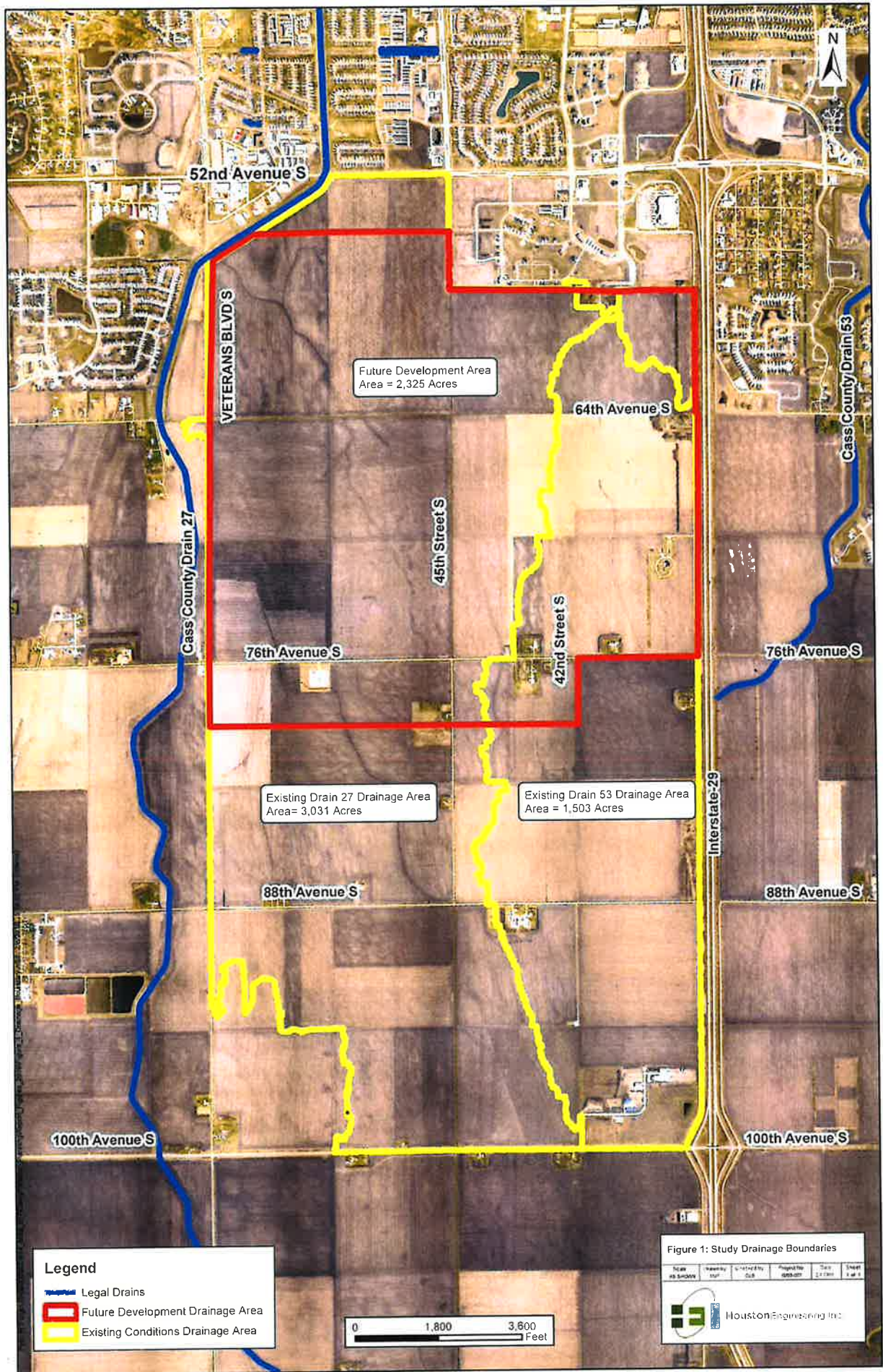
The following information shall apply to the coverage area for the new southwest Metro Storm Water Pond. Properties that develop in the area shown will have regional storm water detention and storm water quality coverage managed by the City of Fargo. Maps of the drainage boundaries and conceptual design are found in this Appendix. Fargo is moving forward in 2021 to construct the Lift Station and the first phase of the Southwest Metro Storm Water Pond. Drainage ditches and storm sewer piping within public right of ways and easements will be installed as properties and streets develop. Interim measures may be necessary to be constructed, while the larger system is being fully designed and developed due to proposed improvement parcel's location and distance from current completed conveyance system components. This storm water master planning will allow properties within the area outlined, to build without requirements for meeting discharge and water quality requirements outlined in this Design Policy. However, developing properties will need to be aware that the City of Fargo designs their street storm sewers for a 2-year rainfall event on local streets and 5-year rainfall event on arterial streets and developing properties shall design their sites to account for the limited street conveyance of storm water if not directly discharging to the conveyance ditch system or the pond.

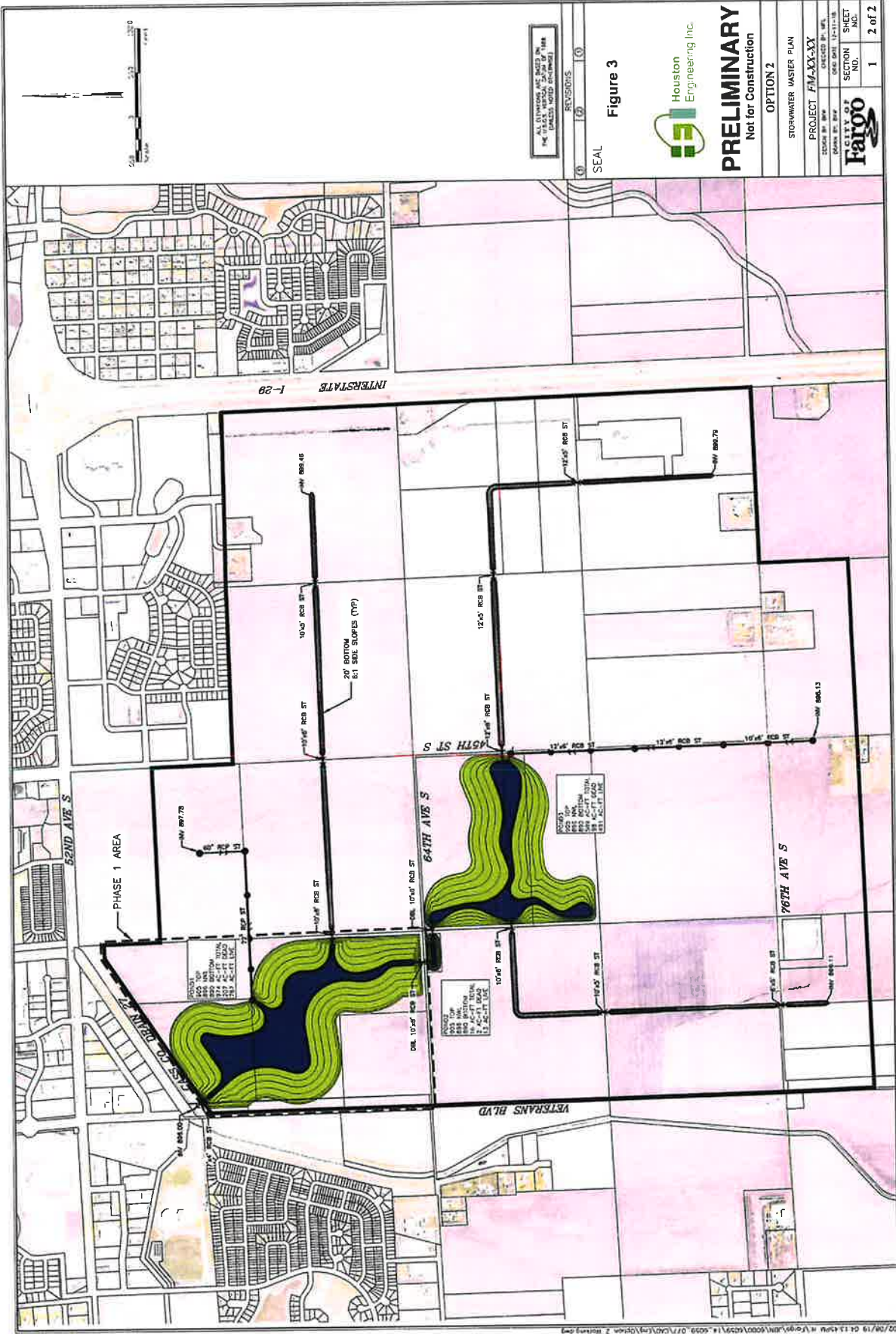
2. Downtown Mixed Use Zoning (DMU) Requirements

A modification to the storm water retention policy for the existing areas classified as within the downtown mixed use zoning district as of July 27, 2015 and approved by City Commission, this policy is as follows: Any development on a parcel one acre in size or larger within the DMU shall be allowed a maximum storm water runoff rate that is not greater than the existing conditions runoff rate from the parcel for the 2, 10 & 100 year, 24 hour synthetic rainfall events. No storm water retention will be required on the parcel unless necessary to maintain the runoff rate below the existing (pre-development) runoff rate. Lots under 1 acre are exempt from the retention requirements.

This change in policy does not affect the North Dakota Department of Health's water quality requirements. All development of any parcels within the DMU would still be required to follow, as applicable, these water quality requirements set by the Department of Health.

For parcels completing a zoning change to DMU after the effective date of July 27, 2015, property improvements will meet all storm water retention standards per the policy.





DMU July 27, 2015

