

## Summary of Changes to the Seattle Stormwater Code

**July 2021 Final Stormwater Code**

- Revised timeline for City Projects to begin land disturbing activity
- Revised allowance for lower hard surface assumptions for Short Plats and Subdivisions

**Spring 2021 Public Review Draft Stormwater Code**

- Updated definition of pollution-generating impervious surfaces
- Revised lot coverage analysis associated with subdivisions and short plats
- Revised minimum requirements for timing of construction of shared drainage systems
- Revised minimum requirements for mainline extensions
- Reverted threshold and standard for Parcel-based Projects for discharges to Small Lake Basins back to 2016 requirements
- Removed flow control for Discharges from Groundwater for Roadway Projects
- Clarified On-site List for Parcel-based Projects use of water quality treatment BMPs in lieu of non-infiltrating bioretention

**Winter 2021 Public Review Draft Stormwater Code**

- Minor updates to definitions for clarity
- Revised minimum requirements for controlling pollutants
- Revised minimum requirements for timing of construction of shared drainage systems
- Added minimum requirements for mainline extensions and the public drainage system
- Added clarification for discharges to a capacity-constrained system
- Incorporated landscape management plans into maintenance requirements

**Fall 2020 Public Review Draft Stormwater Code**

- Clarified types of land disturbing activities that are not required to comply
- Added and updated definitions
- Incorporated revisions to Construction Stormwater Pollution Prevention for consistency with the 2015-2020 Construction Stormwater General Permit.
- Revised threshold for Parcel-based Projects meeting the Pasture Standard in creek basins and small lake basins from 2,000 sf to 5,000 sf of new plus replaced hard surfaces
- Revised flow control standard for Parcel-based Projects from Peak Standard to "existing condition standard" for small lakes
- Revised threshold for Parcel-based Projects meeting the Peak Standard in public combined sewer basins from 10,000 sf to 5,000 sf of new plus replaced hard surfaces
- Revised flow control standard for Roadway Projects from Pasture Standard to "existing condition standard" for creek basins, small lakes, capacity-constrained systems, and discharges from groundwater
- Removed flow control requirements for Roadway Projects in the public combined system
- Added Rainwater Harvesting to Category 4 for SFR and Parcel-based Projects
- Clarified that evaluation of a Sidewalk / Trail Compost-Amended Strip is not required for trail or sidewalk projects for projects discharging to a designated receiving water, or its basin
- Added approved landscape management plan (LMP) as an alternative to water quality treatment for pollution-generating pervious surfaces (PGPS)
- Revised the list of projects that require preliminary drainage review

**Spring 2020 Public Review Draft Stormwater Code**

- Added clarification regarding which minimum requirements apply to specific land disturbing activities
- Added clarification regarding basin plans and managing stormwater requirements at an alternative location
- Added and updated definitions
- Updated terminology and BMP references based on proposed revisions to Volume 2 (Construction Stormwater Control) and Volume 4 (Source Control)
- Updated on-site lists for all project types
- Clarified wetland protection standards based on updated guidance from Ecology
- Added a new category and submittal requirements for preliminary drainage review

Code Section	Spring 2020 Public Review Draft	Fall 2020 Public Review Draft	Winter 2021 Public Review Draft	Spring 2021 Public Review Draft	July 2021 Final Stormwater Code
<b>22.800 – Title, Scope, Authority</b>					
22.800.040 – Exemptions, Adjustments, and Exceptions	<ul style="list-style-type: none"> <li>• Added clarification regarding land disturbing activities that are not required to comply with all of the minimum requirements</li> <li>• Added detail regarding remediation projects and structural stormwater control projects</li> <li>• Added clause that additional source controls may be required in the combined sewer if activities pose a hazard</li> </ul>	Revised land disturbing activities that are not required to comply: <ul style="list-style-type: none"> <li>• Added projects that include development beyond soil remediation or tank removal replaced with in-kind material are not exempt</li> <li>• Changed terminology from structural stormwater control projects to retrofit projects</li> <li>• Clarified that exemption for retrofit projects does not include land disturbing activities that are not integral to drainage control</li> </ul>	No new edits	No new edits	No new edits
22.800.070 – Minimum Requirements for City Agency Projects	No edits	Updated dates and ordinance numbers	Updated one ordinance number	No new edits	Revised timeline for beginning land disturbing activity from 18 months to five years
22.800.080 – Authority	<ul style="list-style-type: none"> <li>• Added clarification regarding receiving water drainage basin plans</li> <li>• Added clarification regarding managing flow control, water quality treatment, on-site stormwater management or wetlands protection requirements at an alternative location or by contributing funds</li> </ul>	<ul style="list-style-type: none"> <li>• Revised clarification regarding receiving water drainage basin plans</li> </ul>	Updated one code reference (Chapter 22.805)	No new edits	No new edits
22.800.100 – Transition to Revised Stormwater Code	Added clarification regarding utility installations	<ul style="list-style-type: none"> <li>• Clarified issuance and expiration dates for permits</li> <li>• Updated compliance dates for 2021 Stormwater Code</li> </ul>	No new edits	Clarified issuance dates for permits	No new edits
<b>22.801 – Definitions</b>					
22.801.020 – “A”	Updated “Aquatic life use” definition to add marine waters	Removed reference to marine waters in the “Aquatic life use” definition	No new edits	No new edits	No new edits
22.801.030 – “B”	No edits	Added definition for “Basic treatment receiving water” to match existing Manual language	No new edits	No new edits	No new edits
22.801.040 – “C”	Minor edits to “Construction Stormwater Control Plan” definition	Revised definition of “Creek” to match WAC typing	No new edits	No new edits	No new edits

Code Section	Spring 2020 Public Review Draft	Fall 2020 Public Review Draft	Winter 2021 Public Review Draft	Spring 2021 Public Review Draft	July 2021 Final Stormwater Code
<b>22.801 – Definitions (continued)</b>					
22.801.050 – “D”	Expanded “Development” definition	Added to definition of “Development” “Class IV-general forest practices that are conversions from timberland to other uses” for equivalency to NPDES Permit.	Added curbs and gutters to listed example components of a “Drainage System”	Revised definition of “Director of SPU” to mean “General Manager and Chief Executive Officer” of Seattle Public Utilities	No new edits
22.801.060 – “E”	Updated “Effective impervious surface” to “Effective hard surface”	No new edits	No new edits	Updated code reference for definition of “Environmentally critical area”	No new edits
22.801.130 – “L”	Formatting revisions to “Large project” definition	No new edits	No new edits	No new edits	No new edits
22.801.140 – “M”	Updated “Master use permit” definition to refer to 23.84A.025	No new edits	No new edits	No new edits	No new edits
22.801.150 – “N”	<ul style="list-style-type: none"> <li>Added “New hard surface” definition</li> <li>Added “New impervious surface” definition</li> <li>Added “Non-listed creeks” definition</li> </ul>	Deleted a portion of the proposed “New hard surface” and “New impervious surface” definitions referring to existing surface converted to a pollution generating surface	No new edits	No new edits	No new edits
22.801.170 – “P”	<ul style="list-style-type: none"> <li>Updated “Pollution-generating impervious surface” definition, including adding “rail lines, railways, and rail yards” as pollution-generating</li> <li>Updated “Pollution-generating pervious surface” definition</li> <li>Updated “Project” definition</li> <li>Updated “Project site” definition</li> </ul>	Removed “certain” from industrial activities in “Pollution-generating impervious surface” definition	No new edits	Updated definition of “Pollution-generating impervious surfaces”: <ul style="list-style-type: none"> <li>To exclude “rail yards”,</li> <li>To define “recurring routine vehicle use” to no more than “once per day”</li> </ul>	Revised DPD to SDCI
22.801.190 – “R”	Added definition of “down to foundation” to “replaced hard surface” and “replaced impervious surface” definitions	Removed definition for “Down to the foundation” and revised “replaced hard surface” definition” and “replaced impervious surface” definitions	No new edits	No new edits	No new edits
22.801.200 – “S”	<ul style="list-style-type: none"> <li>Updated “Sidewalk project” definition</li> <li>Updated “Single-family residential project” definition – added “associated accessory dwelling unit” and “Residential Small Lots”</li> <li>Updated “Site” definition</li> </ul>	<ul style="list-style-type: none"> <li>Removed Residential Small Lots (RSL) from “Single-family residential project” definition</li> <li>Changed threshold from 10,000 sf to 5,000 sf total new plus replaced hard surface and removed reference to pollution generating hard surface threshold since no longer applicable</li> </ul>	<ul style="list-style-type: none"> <li>Added definition for “Standard Plans and Specifications”</li> <li>Revised “Stream” definition to match updated “Creek” definition (refers to Type S, F, Np or Ns water)</li> </ul>	No new edits	No new edits
<b>22.802 – Prohibited and Permissible Discharges</b>					
22.802.010 through 22.802.040	No edits	No edits	No edits	No edits	No edits
<b>22.803 – Minimum Requirements for All Discharges and All Real Property</b>					
22.803.030 – Minimum Requirements for Source Controls for All Real Property	<ul style="list-style-type: none"> <li>Revised BMP names</li> <li>Added new BMPs for Source Controls for All Real Property</li> </ul>	Moved activities for Specific Activities for Businesses and Public Entities from 22.803.030 to 22.803.040	No new edits	No new edits	Revised “Site Property Maintenance” to “Property Maintenance”

Code Section	Spring 2020 Public Review Draft	Fall 2020 Public Review Draft	Winter 2021 Public Review Draft	Spring 2021 Public Review Draft	July 2021 Final Stormwater Code
<b>22.803 – Minimum Requirements for All Discharges and All Real Property (continued)</b>					
22.803.040 – Minimum Requirements for Source Controls For Businesses and Public Entities for Specific Activities	Removed clause stating that the source control requirements for specific activities did not apply to [businesses and public entities] that drain only to the public combined sewer	Added a new section for source control requirements for certain activities conducted within the city (section added in the Spring 2020 Public Review Draft moved from 22.803.030 to 22.803.040)	No new edits	No new edits	No new edits
<b>22.805 – Minimum Requirements for All Projects</b>					
22.805.010 – General	Added general requirements for closely related projects; master use permits requiring Preliminary Drainage Control Review; and stormwater facilities that will serve multiple proposed lots, parcels, or tracts	Revised Spring 2020 language for: <ul style="list-style-type: none"> <li>Closely related projects</li> <li>Preliminary drainage review for master use permits</li> <li>Construction of stormwater facilities that will serve multiple proposed lots, parcels, or tracts</li> </ul> <p>Clarified that future construction permits shall comply with the provisions of the approved preliminary drainage control plan</p>	Revised Fall 2020 language for minimum requirements for timing of construction of shared drainage systems	<ul style="list-style-type: none"> <li>Moved language from 22.807.020 regarding “maximum lot coverage” associated with subdivisions and short plats and removed restrictive covenant limiting hard surface requirement</li> <li>Revised Winter 2021 Public Review Draft language for minimum requirements for timing of construction of shared drainage systems</li> </ul>	In Section D, removed reference to lower hard surface allowances and replaced with reference to Adjustments, 22.800.040.B.
22.805.020 – Minimum requirements for all projects	<ul style="list-style-type: none"> <li>Modified terminology for “Minimum Requirements for Construction Stormwater Pollution Prevention Plan” for consistency with Ecology</li> <li>Clarified requirements for protecting wetlands</li> <li>Added Chapter 22.803 reference to requirement to install source control BMPs for businesses and public entities</li> </ul>	<ul style="list-style-type: none"> <li>Incorporated revisions to Element 5 (Prevent Erosion and Sediment Transport) and Element 11 (Control Pollutants) for consistency with the 2015-2020 Construction Stormwater General Permit.</li> <li>Added mainline extension requirements to Minimum requirements for all projects</li> </ul>	<ul style="list-style-type: none"> <li>Minimum Requirements for Construction Stormwater Pollution Prevention Plan, Element #11 (Control Pollutants): <ul style="list-style-type: none"> <li>Revised text to require removal of contaminated soils (11.e)</li> <li>Added “Train all employees on proper BMPs for preventing illicit discharges, including spills” (11.k)</li> </ul> </li> <li>Added a new section: Extension of the Public Drainage System – Projects Not Conducted in Public Right-of-Way (22.805.020.L).</li> <li>Added a new section: Extension of the Public Drainage System – Projects Conducted in Public Right-of-Way (22.805.020.M)</li> <li>Added a new section: Conveyance Requirements for Projects Conducted in Public Right-of-Way. (22.805.020.N)</li> </ul>	<ul style="list-style-type: none"> <li>Minor edit to name of Construction Stormwater Plan</li> <li>Revised title to “Extension of the Public Drainage System <b>for Projects Not Conducted in Public Right-of-Way</b>” (22.805.020.L) and added clarifications regarding abutting public place and accessibility to parcels</li> <li>Revised title to “Extension of the Public Drainage System <b>for Projects Conducted in Public Right-of-Way</b>” (22.805.020.M)</li> </ul>	Revised DPD to SDCI
22.805.030 – Minimum Requirements for Single-Family Residential Projects	Changed “reduced” to “altered” when a lot is amended	No new edits	No new edits	No new edits	No new edits
22.805.040 – Minimum Requirements for Trail and Sidewalk Projects	No edits	No edits	No edits	No edits	No edits

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<b>22.805 – Minimum Requirements for All Projects (continued)</b>					
22.805.050 – Minimum Requirements for Parcel-Based Projects	<ul style="list-style-type: none"> <li>• Changed “reduced” to “altered” when a lot is amended</li> <li>• Revised criteria for complying with minimum requirements for wetland protection</li> <li>• Updated “effective impervious surface” to “effective hard surface”</li> <li>• Added thresholds for converting vegetation and increasing runoff during 100-year recurrence interval flow frequency</li> <li>• Updated applicable criteria for Pre-developed Pasture Standard for discharges to Listed Creek Basins and Non-listed Creek Basins</li> </ul>	<ul style="list-style-type: none"> <li>• Updated 0.1 cubic feet per second (cfs) to 0.15 cfs for consistency with Appendix 1 of the NPDES Phase I permit</li> <li>• Revised threshold for Parcel-based Projects meeting the Pasture Standard in creek basins from 2,000 sf to 5,000 sf of new plus replaced hard surfaces</li> <li>• Revised threshold for Parcel-based Projects meeting the Peak Standard in small lake basins from 2,000 sf to 5,000 sf of new plus replaced hard surfaces</li> <li>• Revised flow control standard for Parcel-based Projects from Peak Standard to “existing condition standard” for small lakes</li> <li>• Revised threshold for Parcel-based Projects meeting the Peak Standard in public combined sewer basins from 10,000 sf to 5,000 sf of new plus replaced hard surfaces</li> <li>• Revised (#6) Discharges to a Capacity-constrained System “unless the downstream system has sufficient capacity as specified in 22.805.020.H (Ensure Sufficient Capacity)”</li> </ul>	<ul style="list-style-type: none"> <li>• Changed terminology from “man-made” to “constructed” conveyance system, various places.</li> <li>• Revised threshold exception text for Discharges to a Capacity-constrained System: 2,000 square feet or more unless the downstream system “only includes ditches or culverts and the system has been determined to have” sufficient capacity</li> </ul>	For Discharges to Small Lake Basins, reverted threshold and standard back to 2016 requirements. All Small Lakes Basins are located within a Capacity-constrained Systems, so thresholds and standards align for both basins to avoid confusion.	Corrected reference to Peak Control section.
22.805.060 – Minimum Requirements for Roadway Projects	<ul style="list-style-type: none"> <li>• Revised criteria for complying with minimum requirements for wetland protection</li> <li>• Changed threshold from “new plus replaced hard surface” to “new hard surface”</li> <li>• Updated “effective impervious surface” to “effective hard surface”</li> <li>• Added thresholds for converting vegetation and increasing runoff during 100-year recurrence interval flow frequency</li> </ul>	<ul style="list-style-type: none"> <li>• Updated 0.1 cfs to 0.15 cfs for consistency with Appendix 1 of the NPDES Phase I permit</li> <li>• Revised flow control standard for Roadway Projects from Pasture Standard to “existing condition standard” for creek basins</li> <li>• Revised flow control standard for Roadway Projects from Peak Standard to “existing condition standard” for small lakes, capacity-constrained systems, and discharges from groundwater</li> <li>• Revised (#6) Discharges to a Capacity-constrained System “unless the downstream system has sufficient capacity as specified in 22.805.020.H (Ensure Sufficient Capacity)”</li> <li>• Removed flow control requirements for Roadway Projects in the public combined system</li> </ul>	<ul style="list-style-type: none"> <li>• Changed terminology from “man-made” to “constructed” conveyance system, various places.</li> <li>• Revised threshold exception text for Discharges to a Capacity-constrained System: 10,000 square feet or more unless the downstream system “only includes ditches or culverts and the system has been determined to have” sufficient capacity</li> </ul>	Removed flow control for “Discharges from Groundwater” for Roadway Projects	No new edits

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<b>22.805 – Minimum Requirements for All Projects (continued)</b>					
22.805.070 – Minimum Requirements for On-Site Stormwater Management	<ul style="list-style-type: none"> <li>Added clarification that tables apply to roofs and other hard surfaces</li> <li>Added clarification for public health and safety standards</li> <li>Added that Infiltration Trenches and Drywells can be used for non-roof hard surfaces, but is not required (applies to Single-family Residential Projects and Parcel-based Projects)</li> <li>Moved Non-infiltrating Bioretention and Vegetated Roofs to Category 4 (shifted former Category 4 BMPs to Category 5) (applies to Single-family Residential Projects and Parcel-based Projects)</li> <li>Added that water quality treatment BMPs can be used in lieu of non-infiltrating bioretention for surfaces discharging to designated receiving waters</li> <li>Updated terminology to “Trees” instead of “Newly Planted Trees”</li> <li>Clarified “S” footnote</li> <li>Added new Category 2 BMP – Sidewalk / Trail Compost Amended Strip (applies to all On-site Lists)</li> <li>Added trees to a new Category 4 (applies to Trail and Sidewalk Projects and Roadway Projects)</li> </ul>	<ul style="list-style-type: none"> <li>Added Rainwater Harvesting to Category 4 for SFR and Parcel-based Projects</li> <li>Added footnotes regarding the applicability of Category 2 vs. Category 4 Rainwater Harvesting</li> <li>Clarified that evaluation of a Sidewalk / Trail Compost-Amended Strip is not required for trail or sidewalk projects for projects discharging to a designated receiving water, or its basin</li> <li>Clarified that evaluation of a Sidewalk / Trail Compost-Amended Strip is not allowed for roadway surfaces</li> <li>Revised footnotes for Roadway Projects to clarify that rain gardens cannot be used to meet requirements for areas of 5,000 sf or more</li> </ul>	No new edits	Clarified that water quality treatment BMPs cannot be used in lieu of non-infiltrating bioretention if discharging to a public combined sewer basin	No new edits
22.805.080 – Minimum Requirements for Flow Control	Clarified wetland protection standards based on updated guidance from Ecology	<ul style="list-style-type: none"> <li>Added Existing Condition Standard</li> <li>Revised Peak Control Standard</li> </ul>	<ul style="list-style-type: none"> <li>Revised Existing Condition Standard: Updated requirements for matching the discharge duration and added specific requirement for discharges to a creek or a creek drainage basin (For creek basins, match durations up to 50-year; 25-year for other basins).</li> <li>Revised Peak Control Standard: Updated exceedance flow rates</li> </ul>	Revised Existing Condition Standard so that matching the discharge duration up to 50-year also applies to Small Lake Basins	No new edits
22.805.090 – Minimum Requirements for Treatment	<ul style="list-style-type: none"> <li>Updated “impervious surface” to “hard surface”</li> <li>Added reference to marine waters for enhanced treatment</li> <li>Updated enhanced treatment requirements for Parcel-based Projects including projects that construct four or more dwelling units</li> </ul>	<ul style="list-style-type: none"> <li>Added approved landscape management plan (LMP) as an alternative to water quality treatment for PGPS</li> <li>Clarified that Enhanced Treatment requirements do not apply to projects discharging to a basic treatment receiving water</li> </ul>	For pollution-generating pervious surfaces “other than artificial turf,” a landscape management plan developed according to rules promulgated by the Director may be utilized in lieu of installing water quality treatment facilities	No new edits	No new edits



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<b>22.807 – Drainage Control Review and Application Requirements</b>					
22.807.020 – Drainage control review and application requirements	<ul style="list-style-type: none"> <li>Added a new category and submittal requirements for preliminary drainage review</li> <li>Updated thresholds and terminology for standard drainage review</li> <li>Modified “Large project drainage control review” to “Comprehensive drainage review”</li> </ul>	<ul style="list-style-type: none"> <li>Revised the list of projects that require preliminary drainage review</li> <li>Added closely related projects to application of thresholds</li> <li>Revised standard drainage review and approval to include applications or approvals for activities/projects for specific activities (also added to 22.803.040.A)</li> <li>Added requirement for civil engineer for projects requiring a Hydraulic Project Approval</li> </ul>	No new edits	<ul style="list-style-type: none"> <li>Moved language from 22.807.020 regarding “maximum lot coverage” associated with subdivisions and short plats to 22.805.010</li> <li>Clarified requirements associated with the preliminary drainage control plan and on-site stormwater management</li> </ul>	No new edits
22.807.090 Maintenance and Inspection	No edits	No edits	<ul style="list-style-type: none"> <li>Added “management plans” to maintenance requirement for owner and other responsible parties</li> <li>For informing future purchasers and other successors and assignees to the property, added requirement for implementation of a landscape management plan</li> </ul>	Added “ <b>implement landscape</b> ” management plans to maintenance requirement for owner and other responsible parties	No new edits
<b>22.808 – Stormwater Code Enforcement</b>					
22.808.010 through 22.808.140	No edits	No edits	No edits	No edits	No edits