

## Summary of Changes to the Seattle Stormwater Code

### 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

### 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 PGPS
- Revised the list of projects that require preliminary drainage review

Code Section	Spring 2020 Public Review Draft	Fall 2020 Public Review Draft	Final 2021 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>	
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>	
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>	
<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	
22.801.030 – “B”	No edits	Added definition for “Basic treatment receiving water” to match existing Manual language	
22.801.040 – “C”	Minor edits to “Construction Stormwater Control Plan” definition	Revised definition of “Creek” to match WAC typing	

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<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.	
22.801.060 – “E”	Updated “Effective impervious surface” to “Effective hard surface”	No new edits	
22.801.130 – “L”	Formatting revisions to “Large project” definition	No new edits	
22.801.140 – “M”	Updated “Master use permit” definition to refer to 23.84A.025	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	
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	
22.801.190 – “R”	Added definition of “down to foundation” to “replaced hard surface” and “replaced impervious surface” definitions	<ul style="list-style-type: none"> <li>• Removed definition for “Down to the foundation” and revised “replaced hard surface” definition” and “replaced impervious surface” definitions</li> </ul>	

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<b>22.801 – Definitions (continued)</b>			
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>	
<b>22.802 – Prohibited and Permissible Discharges</b>			
22.802.010 through 22.802.040	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	
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 Spring 2020 moved from 22.803.030 to 22.803.040)	

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<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> Clarified that future construction permits shall comply with the provisions of the approved preliminary drainage control plan	
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>	
22.805.030 – Minimum Requirements for Single-Family Residential Projects	Changed “reduced” to “altered” when a lot is amended	No new edits	
22.805.040 – Minimum Requirements for Trail and Sidewalk Projects	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>	

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<b>22.805 – Minimum Requirements for All Projects (continued)</b>			
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>	

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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>	
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>	



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<b>22.805 – Minimum Requirements for All Projects (continued)</b>			
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>	
<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>	
<b>22.808 – Stormwater Code Enforcement</b>			
22.808.010 through 22.808.140	No edits	No edits	