

## Summary of Major Changes to Seattle's 2009 Stormwater Code (DRAFT)

### Chapter 22.800 - Title, Scope and Authority

1. Revised exemptions for utility projects (22.800.040.A.2.a): Revised exemptions regarding maintenance, repair, or installation of underground utility facilities so that SPU-sponsored capital improvement projects in the public right-of-way are exempt from minimum requirements for on-site stormwater management, flow control, and water quality treatment.  
*Remarks: This change is under review for each SPU utility system (i.e. public drainage system, public combined sewer, public sanitary sewer, and public water supply system) to evaluate the 2009 policy decision to not exempt SPU-sponsored capital improvement projects.*
2. Revised exemptions for utility projects (22.800.040.A.2.a.1): Revised exemptions for utility projects to include "Minimum Requirements for On-site Stormwater Management (22.805.070)" along with existing exemptions for flow control and water quality treatment.  
*Remarks: The 2009 Stormwater Code intended to exempt utility projects from the Green Stormwater Infrastructure to the Maximum Extent Feasible requirement (GSI to MEF) along with Flow Control and Water Quality Treatment, but was inadvertently required when GSI to MEF was added under the subheading of 22.805.020.G.*
3. Revised exemptions associated with pavement practices (22.800.040.A.2.b): Revised terminology from "Road maintenance practices" to "Pavement maintenance practices".  
*Remarks: This change is consistent with Seattle's 2013 Municipal Stormwater NPDES Permit.*
4. Added exceptions for Roadway Projects (22.800.040.C.1.d): Exception associated with severe construction feasibility (i.e. infrastructure limitations, hydraulic limitations) added for roadway projects.  
*Remarks: This revision is intended to be consistent WSDOT Highway Runoff Manual and to account for the unique construction limitations associated with working within a public roadway right-of-way within an urban environment with existing infrastructure limitations.*
5. Added new section for transition to Revised Stormwater Code (22.800.100): Added new section regarding effective date of Stormwater Code. Effective date dependent upon start of construction. For projects with "complete applications" submitted under previous Stormwater Code, start of construction shall be prior to June 30, 2020, otherwise 2015 Stormwater code applies.  
*Remarks: This revision added for consistency with Seattle's 2013 Municipal Stormwater NPDES Permit and affects both building and master use permits (including short plats).*

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**Chapter 22.801 - Definitions**

6. Added, deleted and revised terms: Approximately 5 new terms are defined and the definitions for 14 other terms have been materially revised in the 2015 Stormwater Code. Definitions for three terms no longer pertinent have been deleted. Table 1 lists the terms that have been materially modified (indicated by italicized text), added (indicated as underlined text), or deleted (indicated by strikethrough text).

*Remarks: These changes are necessary to clarify certain code provisions, to implement revised minimum requirements, and to meet the provisions of Seattle’s 2013 Municipal Stormwater NPDES Permit.*

**Table 1: Key New or Significantly Revised Definitions**

<del>Authority with jurisdiction</del>	<u>Industrial activities</u>	<u>Project Site</u>
<u>Aquatic life use</u>	<del>Joint project</del>	<i>Receiving water</i>
<i>Capacity-constrained system</i>	<i>Maximum extent feasible</i>	<i>Replace impervious surface</i>
<del>Cause or contribute to a violation</del>	<i>Nutrient-critical receiving water</i>	<i>Roadway project</i>
<i>Green stormwater infrastructure</i>	<i>Parcel-based project</i>	<i>Sidewalk project</i>
<u>Groundwater</u>	<i>Pollution-generating impervious surface</i>	<i>Site</i>
<u>Illicit Connection</u>	<i>Pollution-generating pervious surface</i>	<i>Stormwater</i>
<i>Impervious surface</i>		

Note: New definitions are underlined. Revised definitions are in italics. Deleted definitions are in strikethrough.

**Chapter 22.802 – Prohibited and Permissible Discharges**

7. Prohibited Discharges to Public Combined Sewers (22.802.020.D): Subsection added that discharges shall comply with SMC 22.16 (Side Sewer Code).

*Remarks: Clarifies that discharges to public combined sewers shall meet the requirements of the Side Sewer Code.*

8. Changes to permissible discharges (22.802.030): The list of permissible discharges has been modified and conditioned.

*Remarks: The changes are nearly all based on the provisions of Seattle’s 2013 Municipal Stormwater NPDES Permit.*

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**Table 2: Substantive Changes to Permissible Discharges (22.802.030)**

A. Conditionally Permissible Discharges to Drainage systems and Receiving Waters. Discharges from the sources listed below are permissible discharges only if the stated conditions are met and unless the Director of SPU determines that the type of discharge, directly or indirectly to a public drainage system, private drainage system, or a receiving water within or contiguous to Seattle city limits, whether singly or in combination with others, is causing or contributing to a violation of the City's NPDES stormwater permit or is causing or contributing to a water quality problem:

1. Discharges from potable water sources...

2. Discharges from swimming pools, spas, hot tubs, fountains, or similar aquatic recreation facilities and constructed water features...

3. Discharges of street and sidewalk washwater when the surfaces are swept prior to washing, detergents are not used, and water use is minimized...

4. Discharges of water from routine external building washdown when detergents are not used and water use is minimized.

5. Discharges of water used to control dust when water use is minimized; and

6. Other non-stormwater discharges, provided that these discharges are in compliance with the requirements of a stormwater pollution prevention plan that addresses control of such discharges and is approved by the Director.

B. Permissible discharges:...

13. Discharges of tracing dye used to establish or verify a drainage or sewer connection.

Note: Underlined text indicates additions and strikethrough text indicate deletions of text based on the 2009 Stormwater Code.

9. Testing for prohibited discharges (22.802.040.A): Prior to dye testing, notice to SPU shall be provided 24-hours in advance.

*Remarks: To alert the Water Quality Hotline that dye can be expected in the drainage system.*

### Chapter 22.803 – Minimum Requirements for All Discharges and All Real Property

10. Added requirement to map property drainage and plumbing infrastructure (22.803.020.A): Explicit that mapping is required.

*Remarks: Added to enhance clarity of the Stormwater Code.*

11. Site maintenance (22.803.030.G): New subsection to perform site maintenance to prevent transport of pollutants.

*Remarks: Added requirement for all real property.*

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12. Minimum requirements for specific activities (22.803.040): Requires source control for specific pollution-generating activities. Clarifies requirements applicable for all discharges except those that drain only to the public combined sewer.

*Remarks: Requirements specified in Volume 4 of the Stormwater Manual.*

### Chapter 22.805 – Minimum Requirements for All Projects

13. Revised minimum requirements for all projects (22.805.020): Revised so that On-site Stormwater management is a requirement based on project type (i.e. Single-family residential, Trail/Sidewalk, Roadway, Parcel). Relocated requirement to amend soils to On-site Stormwater Management section of the code.

*Remarks: Relocated On-site Stormwater Management requirement for clarity.*

14. Protect Green Stormwater Infrastructure BMPs (22.805.020.D.19): Added protection of GSI BMPs during construction and the requirement to remove and replace if not functioning.

*Remarks: Added for consistency with Seattle's Municipal Stormwater NPDES Permit.*

15. Minimum requirements for Single-family residential projects (22.805.030): Threshold for On-site Stormwater Management (formerly GSI to MEF) changed from all SFRs to projects with:
- 2,000 sf of impervious surface, or
  - 7,000 sf of land-disturbing activity

*Remarks: Consistent with Seattle's 2013 Municipal Stormwater NPDES Permit. No longer includes 1,500 sf impervious surface credit for SFRs.*

16. Flow control for Parcel-based projects (22.805.050): Parcel projects not required to provide flow control in some combined basins determined to have sufficient capacity by the Director of SPU.

*Remarks: The language describing basins and the designated basins are under review based upon the Combined Sewer Overflow program.*

17. Flow control for Roadway projects (22.805.060): Roadway projects not required to provide flow control in some combined basins determined to have sufficient capacity by the Director of SPU.

*Remarks: The language describing basins and the designated basins are under review based upon the Combined Sewer Overflow program.*

18. Treatment for Roadway projects (22.805.060): Roadway projects with greater than 35% existing impervious surface not expanding the existing impervious surface by 50% are only required to provide treatment for new impervious surface greater than 5,000 sf.

*Remarks: Change consistent with Seattle's Stormwater Permit requirements. Policy change based upon (1) Seattle more cost-effectively addressing roadway pollutants through implementation of Street Sweeping for Water Quality Program (begun in 2011) and (2) challenges with the installation and maintenance of limited technologies suitable for installation in Seattle's highly urbanized ROW.*

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19. On-site Stormwater Management (22.805.070): GSI to MEF is replaced with On-site stormwater management and relocated to this section. On-site stormwater management includes:

- a. Amend soils, and
- b. Comply with either:
  - i. On-site Performance Standard, or
  - ii. On-site List by project type

*Remarks: Similar to changes in Seattle's 2013 Municipal Stormwater NPDES Permit, but complements Seattle's unique urban environment.*

20. On-site Performance Standard (22.805.070.C): Includes matching the pre-developed condition of "forested" or "pasture" depending upon existing impervious surface coverage.

*Remarks: Requirement is similar to Ecology On-site performance standard, but complements Seattle's existing flow control standards (i.e. Forested, Pasture).*

21. On-site List (22.805.070.D): Impervious surface runoff shall be directed to a GSI BMP. GSI BMPs are categorized by priority.

*Remarks: Requirement is similar to Ecology On-site lists, but BMPs are expanded and grouped slightly differently than Ecology.*

22. On-site List (22.805.070.D): Competing needs (i.e. historic/archaeological, special zoning districts, health/safety, transportation, trees) may allow the reduction of BMPs when using the on-site list.

*Remarks: Allowance similar to Ecology On-site lists, but tailored to Seattle's specific urban development and Seattle-specific ordinances.*

23. Wetland Protection Standard (22.805.080.B.1): Wetland Protection Standard revised and Ecology guidance sheet references added.

*Remarks: Revised to meet changes Seattle's 2013 Municipal Stormwater NPDES Permit.*

24. Pre-developed Forested Standard (22.805.080.B.2): Standard language revised slightly.

*Remarks: Revised to complement On-site Performance Standard language.*

25. Pre-developed Pasture Standard (22.805.080.B.3): Standard language revised slightly.

*Remarks: Revised to complement On-site Performance Standard language.*

26. Enhanced Treatment (22.805.090.B.5): Standard revised to reference aquatic life use.

*Remarks: Revised to meet changes Seattle's 2013 Municipal Stormwater NPDES Permit.*

### Chapter 22.808 – Stormwater Code Enforcement

27. Slight changes to enforcement: There have been slight, mainly administrative changes to this chapter:

*Remarks: Overall, changes in Stormwater Code enforcement are based on feedback from SPU and DPD inspectors and are designed to make enforcement less problematic and more consistent to implement.*