

Ordinance No. 124758

Council Bill No. 118362

AN ORDINANCE relating to the Stormwater Code; amending Sections 22.800.040, 22.805.050, and 22.805.060 of the Seattle Municipal Code.

Related Legislation File: \_\_\_\_\_

Date Introduced and Referred:	To: (committee):
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action:	Date Presented to Mayor:
Date Signed by Mayor:	Date Returned to City Clerk:
Published by Title Only _____	Date Vetoed by Mayor:
Published in Full Text _____	
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

# The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

## Committee Action:

Date	Recommendation	Vote

This file is complete and ready for presentation to Full Council. \_\_\_\_\_

## Full Council Action:

Date	Decision	Vote



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118362

Record No.: CB 118362

Type: Ordinance (Ord)

Status: Attested by City Clerk

Version: 1

In Control: City Clerk

File Created: 02/26/2015

Final Action: 04/24/2015

Title: AN ORDINANCE relating to the Stormwater Code; amending Sections 22.800.040, 22.805.050, and 22.805.060 of the Seattle Municipal Code.

	<u>Date</u>
Notes:	Filed with City Clerk:
Sponsors: Bagshaw	Mayor's Signature:
	Vetoed by Mayor:
	Veto Overridden:
	Veto Sustained:

**Attachments:**

Drafter: bob.hennessey@seattle.gov

Filing Requirements/Dept Action:

**History of Legislative File**

Legal Notice Published:  Yes  No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	03/05/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council to the City Clerk						
	Notes:						
1	City Clerk	03/10/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review to the Council President's Office						
	Notes:						
1	Council President's Office	03/11/2015	sent for review	Seattle Public Utilities and Neighborhoods Committee			
	Action Text: The Council Bill (CB) was sent for review to the Seattle Public Utilities and Neighborhoods Committee						
	Notes:						
1	Full Council	03/30/2015	referred	Seattle Public Utilities and Neighborhoods Committee			

**Action Text:** The Council Bill (CB) was referred. to the Seattle Public Utilities and Neighborhoods Committee  
**Notes:**

- 1 Seattle Public Utilities and Neighborhoods Committee 04/03/2015 held

**Action Text:** The Council Bill (CB) was held.  
**Notes:**

- 1 Seattle Public Utilities and Neighborhoods Committee 04/14/2015 approve

Pass

**Action Text:** The Committee recommends that Full Council pass the Council Bill (CB).  
In Favor: 3 Chair Bagshaw, Vice Chair Sawant, Member Harrell  
Opposed: 0

- 1 Full Council 04/20/2015 passed

Pass

**Action Text:** The Council Bill (CB) was passed by the following vote, and the President signed the Bill:  
In Favor: 7 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember O'Brien, Councilmember Rasmussen, Councilmember Sawant  
Opposed: 0

- 1 City Clerk 04/21/2015 submitted for Mayor's signature Mayor

**Action Text:** The Council Bill (CB) was submitted for Mayor's signature. to the Mayor  
**Notes:**

- 1 Mayor 04/24/2015 Signed

**Action Text:** The Council Bill (CB) was Signed  
**Notes:**

- 1 Mayor 04/24/2015 returned City Clerk

**Action Text:** The Council Bill (CB) was returned to the City Clerk  
**Notes:**

- 1 City Clerk 04/24/2015 attested by City Clerk

**Action Text:** The Ordinance (Ord) was attested by City Clerk  
**Notes:**

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**CITY OF SEATTLE**  
**ORDINANCE** 124758  
**COUNCIL BILL** 118362

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2  
3  
4 AN ORDINANCE relating to the Stormwater Code; amending Sections 22.800.040, 22.805.050,  
5 and 22.805.060 of the Seattle Municipal Code.

6  
7 WHEREAS, Chapter 22.800 of the Seattle Municipal Code was established, and Chapter 22.805  
8 of the Seattle Municipal Code was added, by Ordinance 123105, which repealed and  
9 amended by re-enacting, relocating and amending the text of Chapters 22.800, 22.801,  
10 22.802, and 22.808 of the Seattle Municipal Code, previously amended by Ordinances  
11 122738, 122055, 121276, 119965, 118396, 117852, 117789, 117697, and 117432 and  
12 adopted by Ordinance 116425; and

13  
14 WHEREAS, the City of Seattle is subject to the terms of the National Pollutant Discharge  
15 Elimination System and State Waste Discharge General Permit for Discharges from  
16 Large and Small Municipal Separate Storm Sewer Systems, issued August 1, 2012, by  
17 the State of Washington Department of Ecology in compliance with the federal Clean  
18 Water Act and state law, as amended effective January 16, 2015; and

19  
20 WHEREAS, the City of Seattle approved Resolution 31534, adopting a 2015-2020 Strategic  
21 Business Plan for Seattle Public Utilities and is committed to efficient, forward-looking  
22 utility services that keep Seattle the best place to live; and

23  
24 WHEREAS, the revisions to Seattle 2009 Stormwater Code will increase efficiency and  
25 streamline stormwater code implementation for the City of Seattle departments, residents,  
26

1 and businesses, while continuing protections for Seattle's waterways from stormwater-  
2 based impacts; NOW, THEREFORE,

3 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

4 Section 1. Subsection A of Section 22.800.040 of the Seattle Municipal Code, enacted by  
5 Ordinance 123105, is amended as follows:

6 **22.800.040 Exemptions, Adjustments, and Exceptions**

7 A. Exemptions.

8 1. The following land uses are exempt from the provisions of this subtitle:

9 a. Commercial agriculture, including only those activities conducted on  
10 lands defined in RCW 84.34.020(2), and production of crops or livestock for wholesale trade;  
11 and  
12

13 b. Forest practices regulated under Title 222 Washington Administrative  
14 Code, except for Class IV general forest practices, as defined in WAC 222-16-050, that are  
15 conversions from timber land to other uses.  
16

17 2. The following land disturbing activities are not required to comply with the  
18 specific minimum requirements listed below.

19 a. Maintenance, repair, or installation of underground or overhead utility  
20 facilities, such as, but not limited to, pipes, conduits and vaults, and that includes replacing the  
21 ground surface with in-kind material or materials with similar runoff characteristics are not  
22 required to comply with Section 22.805.080 (Minimum Requirements for Flow Control), or  
23 Section 22.805.090 (Minimum Requirements for Treatment), except as modified as follows:  
24  
25  
26

1 1) Installation of a new or replacement of an existing public  
2 drainage system, public combined sewer, or public sanitary sewer (~~(, or public water supply~~  
3 ~~system))~~ in the public right-of-way shall comply with Section 22.805.060 (Minimum  
4 requirements for Roadway Projects) when these activities are implemented as publicly bid  
5 capital improvement projects funded by Seattle Public Utilities; and

6 2) Installation of underground or overhead utility facilities that are  
7 integral with and contiguous to a road-related project shall comply with Section 22.805.060  
8 (Minimum requirements for Roadway Projects).

9 b. Road maintenance practices limited to the following activities are not  
10 required to comply with Section 22.805.060 (Minimum requirements for Roadway Projects),  
11 Section 22.805.080 (Minimum Requirements for Flow Control), or Section 22.805.090  
12 (Minimum Requirements for Treatment):

- 13  
14  
15 1) Pothole and square cut patching;  
16 2) Overlaying existing asphalt or concrete or brick pavement with  
17 asphalt or concrete without expanding the area of coverage;  
18 3) Shoulder grading;  
19 4) Reshaping or regrading drainage ditches;  
20 5) Crack sealing; and  
21 6) Vegetation maintenance.

22 \*\*\*

1 Section 2. Section 22.805.050 of the Seattle Municipal Code, enacted by Ordinance  
2 123105, is amended as follows:

3 **22.805.050 Minimum Requirements for Parcel-Based Projects**

4 A. Flow Control. Parcel-based projects shall meet the minimum requirements for flow  
5 control contained in Section 22.805.080, to the extent allowed by law, as prescribed below.

6 1. Discharges to Wetlands. Parcel-based projects discharging into a wetland shall  
7 comply with subsection 22.805.080.B.1 (Wetland Protection Standard) if:.

8 a. The total new plus replaced impervious surface is 5,000 square feet or  
9 more; or  
10

11 b. The project converts 3/4-acres or more of native vegetation to lawn or  
12 landscaped areas and from which there is a surface discharge into a natural or man-made  
13 conveyance system from the site; or  
14

15 c. The project converts 2.5 acres or more of native vegetation to pasture  
16 and from which there is a surface discharge into a natural or man-made conveyance system from  
17 the site.

18 2. Discharges to Listed Creek Basins. Parcel-based projects discharging into Blue  
19 Ridge Creek, Broadview Creek, Discovery Park Creek, Durham Creek, Frink Creek, Golden  
20 Gardens Creek, Kiwanis Ravine/Wolfe Creek, Licton Springs Creek, Madrona Park Creek, Mee-  
21 Kwa-Mooks Creek, Mount Baker Park Creek, Puget Creek, Riverview Creek, Schmitz Creek,  
22 Taylor Creek, or Washington Park Creek shall:  
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24  
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1 a. Comply with subsection 22.805.080.B.2 (Pre-developed Forested  
2 Standard) if the existing impervious coverage is less than 35 percent and one or more of the  
3 following apply:

4 1) The project adds 5,000 square feet or more of new impervious  
5 surface and the total new plus replaced impervious surface is 10,000 square feet or more; or

6 2) The project converts 3/4 acres or more of native vegetation to  
7 lawn or landscaped areas and from which there is a surface discharge into a natural or man-made  
8 conveyance system from the site; or

9 3) The project converts 2.5 acres or more of native vegetation to  
10 pasture and from which there is a surface discharge into a natural or man-made conveyance  
11 system from the site; or

12 4) The project adds 5,000 square feet or more of new impervious  
13 surface and, through a combination of effective impervious surfaces and converted pervious  
14 surfaces, causes a 0.1 cubic feet per second increase in the 100-year recurrence interval flow  
15 frequency as estimated using a continuous model approved by the Director.

16 b. Comply with subsection 22.805.080.B.3 (Pre-developed Pasture  
17 Standard) if the criteria in subsection 22.805.050.A.2.a do not apply and the total new plus  
18 replaced impervious surface is 2,000 square feet or more.

19 3. Discharges to Non-listed Creek Basins. Parcel-based projects discharging into  
20 a creek not listed in subsection 22.805.050.A.2 shall:  
21

1 a. Comply with subsection 22.805.080.B.2 (Pre-developed Forested  
2 Standard) if the existing land cover is forested and one or more of the following apply:

3 1) The project adds 5,000 square feet or more of new impervious  
4 surface and the total new plus replaced impervious surface is 10,000 square feet or more; or

5 2) The project converts 3/4 acres or more of native vegetation to  
6 lawn or landscaped areas and from which there is a surface discharge into a natural or man-made  
7 conveyance system from the site; or

8 3) The project converts 2.5 acres or more of native vegetation to  
9 pasture and from which there is a surface discharge into a natural or man-made conveyance  
10 system from the site; or

11 4) The project adds 5,000 square feet or more of new impervious  
12 surface and, through a combination of effective impervious surfaces and converted pervious  
13 surfaces, causes a 0.1 cubic feet per second increase in the 100-year recurrence interval flow  
14 frequency as estimated using a continuous model approved by the Director.  
15

16 b. Comply with subsection 22.805.080.B.3 (Pre-developed Pasture  
17 Standard) if the criteria in subsection 22.805.050.A.3.a do not apply and the total new plus  
18 replaced impervious surface is 2,000 square feet or more.  
19

20 4. Discharges to Small Lake Basins. Parcel-based projects discharging into Bitter  
21 Lake, Green Lake, or Haller Lake drainage basins shall comply with subsection 22.805.080.B.4  
22 (Peak Control Standard) if the total new plus replaced impervious surface is 2,000 square feet or  
23 more.  
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1                   5. Discharges to Public Combined Sewer. Unless the Director of SPU has  
2 exercised its discretion to determine and has determined that the public combined sewer has  
3 sufficient capacity to carry existing and anticipated loads, ((Parcel-based)) parcel-based projects  
4 discharging into the public combined sewer shall comply with subsection 22.805.080.B.4 (Peak  
5 Control Standard) if the total new plus replaced impervious surface is 10,000 square feet or  
6 more.

7  
8                   6. Discharges to a Capacity-constrained System. In addition to applicable  
9 minimum requirements for flow control in subsection 22.805.050.A.1 through subsection  
10 22.805.050.A.5, parcel-based projects discharging into a capacity-constrained system shall also  
11 comply with subsection 22.805.080.B.4 (Peak Control Standard) if the total new plus replaced  
12 impervious surface is 2,000 square feet or more.

13  
14                B. Treatment. Parcel-based projects not discharging to the public combined sewer shall  
15 comply with the minimum requirements for treatment contained in Section 22.805.090, to the  
16 extent allowed by law, if:

17                   1. The total new plus replaced pollution-generating impervious surface is 5,000  
18 square feet or more; or

19                   2. The total new plus replaced pollution-generating pervious surfaces is 3/4 of an  
20 acre or more and from which there is a surface discharge in a natural or man-made conveyance  
21 system from the site.  
22

1  
2 Section 3. Section 22.805.060 of the Seattle Municipal Code, enacted by Ordinance  
3 123105, is amended as follows:

4 **22.805.060 Minimum Requirements for Roadway Projects**

5 A. Flow Control. Roadway projects shall meet the minimum requirements for flow  
6 control contained in Section 22.805.080, to the extent allowed by law, as prescribed below.

7  
8 1. Discharges to Wetlands. Roadway projects discharging into a wetland shall  
9 comply with subsection 22.805.080.B.1 (Wetland Protection Standard) if:

10 a. The total new plus replaced impervious surface is 5,000 square feet or  
11 more; or

12 b. The project converts 3/4 acres or more of native vegetation to lawn or  
13 landscaped areas and from which there is a surface discharge into a natural or man-made  
14 conveyance system from the site; or

15 c. The project converts 2.5 acres or more of native vegetation to pasture  
16 and from which there is a surface discharge into a natural or man-made conveyance system from  
17 the site.

18  
19 2. Discharges to Listed Creek Basins. Roadway projects discharging into Blue  
20 Ridge Creek, Broadview Creek, Discovery Park Creek, Durham Creek, Frink Creek, Golden  
21 Gardens Creek, Kiwanis Ravine/Wolfe Creek, Licton Springs Creek, Madrona Park Creek, Mee-  
22 Kwa-Mooks Creek, Mount Baker Park Creek, Puget Creek, Riverview Creek, Schmitz Creek,  
23 Taylor Creek, or Washington Park Creek shall:  
24

1 a. Comply with subsection 22.805.080.B.2 (Pre-developed Forested  
2 Standard) if the existing impervious coverage is less than 35 percent and one or more of the  
3 following apply:

4 1) The project adds 5,000 square feet or more of new impervious  
5 surface and the total new plus replaced impervious surface is 10,000 square feet or more; or

6 2) The project converts 3/4 acres or more of native vegetation to  
7 lawn or landscaped areas and from which there is a surface discharge into a natural or man-made  
8 conveyance system from the site; or

9 3) The project converts 2.5 acres or more of native vegetation to  
10 pasture and from which there is a surface discharge into a natural or man-made conveyance  
11 system from the site; or

12 4) The project adds 5,000 square feet or more of new impervious  
13 surface and, through a combination of effective impervious surfaces and converted pervious  
14 surfaces, causes a 0.1 cubic feet per second increase in the 100-year recurrence interval flow  
15 frequency as estimated using a continuous model approved by the Director.

16 b. Comply with subsection 22.805.080.B.3 (Pre-developed Pasture  
17 Standard) if the criteria in subsection 22.805.060.A.2.a do not apply and the total new plus  
18 replaced impervious surface is 10,000 square feet or more.

19 3. Discharges to Non-listed Creek Basins. Roadway projects discharging into a  
20 creek not listed in subsection 22.805.060.A.2 shall:  
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23  
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26

1 a. Comply with subsection 22.805.080.B.2 (Pre-developed Forested  
2 Standard) if the existing land cover is forested and one or more of the following apply:

3 1) The project adds 5,000 square feet or more of new impervious  
4 surface and the total new plus replaced impervious surface is 10,000 square feet or more; or

5 2) The project converts 3/4 acres or more of native vegetation to  
6 lawn or landscaped areas and from which there is a surface discharge into a natural or man-made  
7 conveyance system from the site; or

8 3) The project converts 2.5 acres or more of native vegetation to  
9 pasture and from which there is a surface discharge into a natural or man-made conveyance  
10 system from the site; or

11 4) The project adds 5,000 square feet or more of new impervious  
12 surface and, through a combination of effective impervious surfaces and converted pervious  
13 surfaces, causes a 0.1 cubic feet per second increase in the 100-year recurrence interval flow  
14 frequency as estimated using a continuous model approved by the Director.  
15

16 b. Comply with subsection 22.805.080.B.3 (Pre-developed Pasture  
17 Standard) if the criteria in subsection 22.805.060.A.3.a do not apply and the total new plus  
18 replaced impervious surface is 10,000 square feet or more.  
19

20 4. Discharges to Small Lake Basins. Projects discharging into Bitter Lake, Green  
21 Lake, or Haller Lake drainage basins shall comply with subsection 22.805.080.B.4 (Peak Control  
22 Standard) if the total new plus replaced impervious surface is 10,000 square feet or more.  
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1                   5. Discharges to Public Combined Sewer. Unless the Director of SPU has  
2 exercised its discretion to determine and has determined that the public combined sewer has  
3 sufficient capacity to carry existing and anticipated loads, ((Roadway)) roadway projects  
4 discharging into the public combined sewer shall comply with subsection 22.805.080.B.4 (Peak  
5 Control Standard) if the total new plus replaced impervious surface is 10,000 square feet or  
6 more.

7  
8                   6. Discharges to a Capacity-constrained System. In addition to applicable  
9 minimum requirements for flow control in subsection 22.805.060.A.1 through subsection  
10 22.805.060.A.5, roadway projects discharging into a capacity-constrained system shall also  
11 comply with subsection 22.805.080.B.4 (Peak Control Standard) if the total new plus replaced  
12 impervious surface is 10,000 square feet or more.

13                   B. Treatment. Roadway projects not discharging to the public combined sewer shall  
14 ~~((comply with the minimum requirements for treatment contained in Section 22.805.090))~~, to the  
15 extent allowed by law ~~((,if))~~ :

16                   1. ~~((The))~~ If the site has less than 35 percent existing impervious surface  
17 coverage, and the project's total new plus replaced pollution-generating impervious surface is  
18 5,000 square feet or more, comply with the minimum requirements for treatment contained in  
19 Section 22.805.090 for flows from the total new plus replaced pollution-generating impervious  
20 surface; and  
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1                   2. If the site has greater than or equal to 35 percent existing impervious surface  
2 coverage and the project's total new ((plus replaced)) pollution-generating impervious surface is  
3 5,000 square feet or more ((~~5,000~~)) , and

4                   a. If the new pollution-generating impervious surface adds 50 percent or  
5 more to the existing impervious surfaces within the project limits, comply with the minimum  
6 requirements for treatment contained in Section 22.805.090 for flows from the total new plus  
7 replaced pollution-generating impervious surface. The project limits are defined by the length of  
8 the project and the width of the right-of-way; or

9                   b. If the new pollution-generating impervious surface adds less than 50  
10 percent to the existing impervious surfaces within the project limits, comply with the minimum  
11 requirements for treatment contained in Section 22.805.090 for flows from the total new  
12 pollution-generating impervious surface. The project limits are defined by the length of the  
13 project and the width of the right-of-way; and

14                   ((2)) 3. If ((The)) the total new plus replaced pollution-generating pervious  
15 surfaces is three-quarters of an acre or more and from which there is a surface discharge in a  
16 natural or man-made conveyance system from the site, comply with the minimum requirements  
17 for treatment contained in Section 22.805.090 for flows from the total new plus replaced  
18 pollution-generating pervious surface .

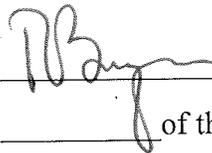
19                   Section 4. This ordinance does not affect any existing right acquired or liability or  
20 obligation incurred under the sections amended in this ordinance or under any rule or order  
21 adopted under those sections, nor does it affects any proceeding instituted under those sections.  
22

1 An applicant for a permit that is not subject to the provisions of this ordinance may ask the City  
2 to review the entire application under the provisions of this ordinance.

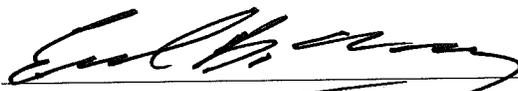
3 Section 5. The provisions of this ordinance are hereby declared to be separate and  
4 severable. The invalidity of any clause, sentence, paragraph, subdivision, subsection or portion  
5 of this ordinance or the invalidity of the application thereof to any person or circumstance does  
6 not affect the validity of the remainder of this ordinance or the validity of its application to other  
7 persons or circumstances.  
8

1 Section 6. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 20<sup>th</sup> day of April, 2015, and  
5 signed by me in open session in authentication of its passage this  
6 20<sup>th</sup> day of April, 2015.

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8  
9   
10 \_\_\_\_\_  
11 President \_\_\_\_\_ of the City Council

12 Approved by me this 24<sup>th</sup> day of April, 2015.

13  
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15   
16 \_\_\_\_\_  
17 Edward B. Murray, Mayor

18 Filed by me this 24<sup>th</sup> day of April, 2015.

19  
20  
21   
22 \_\_\_\_\_  
23 Monica Martinez Simmons, City Clerk

24 (Seal)

**BILL SUMMARY & FISCAL NOTE**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
SPU	Sherell Ehlers /6-4576	Aaron Blumenthal/3-2656
DPD	Ede Courtenay /3-9679	
SDOT	Maureen Meehan /4-8750	

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to the Stormwater Code; amending Sections 22.800.040, 22.805.050, and 22.805.060 of the Seattle Municipal Code.

**Summary and background of the Legislation:**

The purpose of the City of Seattle’s Stormwater Code is to protect life, property, public health and the environment from the adverse impacts of urban stormwater runoff. Adverse impacts can include flooding, pollution, landslides, and erosion. The Stormwater Code and its associated joint SPU/DPD Directors’ Rules were last updated in 2009.

SPU and DPD are in the process of updating the 2009 Stormwater Code to: 1) incorporate new Department of Ecology requirements; 2) incorporate SPU and DPD policy changes; and 3) improve usability. All updates to Seattle’s Stormwater Code were originally intended to occur at one time with an effective date of June 30, 2015. However, due to Ecology Department delays in reviewing the City’s draft proposal and Seattle’s desire to have three cost-saving modifications effective by the originally anticipated effective date, updates to the 2009 Stormwater Code will occur as two legislative processes: the “2015 Revision to Stormwater Code” (effective date 5/25/15) and the “2016 Stormwater Code Update” (anticipated effective date 1/1/16).

This proposed legislation would effectuate the 2015 Stormwater Code revision. Three modifications are being proposed as part of this process:

- **Water quality treatment thresholds for roadway projects.** This modification would make water quality treatment thresholds for roadway projects less stringent by making them equivalent to Ecology thresholds.
- **Exempting SPU DW LOB utility projects.** This modification would exempt long and linear SPU drinking water utility projects (e.g., drinking water pipes) from flow control, water quality treatment and green stormwater requirements. This would be equivalent to Ecology’s requirements.
- **Flow Control exemption flexibility.** This modification would add the flexibility to the Stormwater Code to allow the SPU Director to designate areas, such as in controlled combined sewer basins (or basins to be controlled under the CSO Consent Decree), that do

not require flow control. These basins could be identified as part of a future Director's Rule. Ecology equivalency requirements do not apply to discharges to the combined sewer.

These three modifications are being proposed at this time to realize the anticipated cost decreases to public and private projects and because they are not a part of Ecology's ongoing review for equivalency under Ecology requirements. All other modifications to the 2009 Stormwater Code will occur as part of the "2016 Stormwater Code Update" legislative process.

## 2. CAPITAL IMPROVEMENT PROGRAM

This legislation creates, funds, or amends a CIP Project.

Project Name:	Project I.D.:	Project Location:	Start Date:	End Date:	Total Cost:

## 3. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

This legislation has direct financial implications. (If the legislation has direct fiscal impacts)

This legislation does not have direct financial implications.

## 4. OTHER IMPLICATIONS

a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?**

Yes. Proposed modifications that are part of the "2015 Revision to Stormwater Code" will decrease capital costs associated with Stormwater Code compliance. Since one of the modifications addresses roadway projects and one of the modifications addresses SPU drinking water utility projects, it is anticipated that the majority of the capital cost-savings will be to SDOT and SPU. However, there may be decreased costs to other public or private development projects that are located in the right of way or are not required to provide flow control to the combined sewer. In addition to capital cost savings, the proposed modifications will avoid future SPU and private maintenance costs associated with the facilities that would have been constructed.

Cost decreases are difficult to quantify given the uncertainty associated with where and when future projects will occur. That being said, based on knowledge of current projects, SPU and SDOT estimated anticipated decreased capital costs resulting from two of the proposed modifications for the time period between May 25<sup>th</sup>, 2015 (effective date) and December 31, 2015 (see table below). This both gives an idea of the potential cost decreases over a typical six month period and the specific anticipated cost decreases if these modifications are effective May 25, 2015, as part of this process instead of waiting

for the “2016 Stormwater Code Update” anticipated to be effective January 1, 2016. As the initial area that is anticipated to be identified as part of the flow control exemption flexibility is relatively small, no current projects or cost-savings have been identified.

**Estimated Anticipated Decrease in Capital Costs (5/25/15 – 12/31/15)**

<b>Modification</b>	<b>SDOT</b>	<b>SPU</b>
Water quality treatment threshold for roadway projects	\$200,000 - \$500,000	
Exempting SPU drinking water utility projects		\$90,000

In addition, there is some quantification that can be done for long-term decreases associated with proposed modification to water quality thresholds for roadway projects. SDOT anticipates a 5-10% decrease in project costs for projects that will no longer trigger water quality treatment. In 2012, SDOT estimates it spent over \$600,000 on water quality facilities associated with Stormwater Code compliance that would no longer be required. In addition, SPU would avoid an additional \$30,000 - \$50,000/yr. that would have been required to maintain such facilities.

Quantification can occur for done for long-term decreases associated with the proposed modification to exempt SPU drinking water utility projects. SPU estimates an average 10% decrease in project costs for project that will no longer trigger Stormwater Code requirements. Based on a rough level analysis of the projects in the proposed 2015-2020, it is estimated that there would be \$2,000,000 cost decrease for those projects.

**b) Is there financial cost or other impacts of not implementing the legislation?**

The decrease in Stormwater Code compliance costs to SDOT, SPU, and other public and private development described a) above would not occur.

**c) Does this legislation affect any departments besides the originating department?**

Yes. The departments that will be impacted by this legislation are SDOT and SPU. As stated in the response to questions “a”, SPU and SDOT capital costs are anticipated to decrease. The department lead for the Stormwater Code Update for SDOT is Maureen Meehan.

**d) Is a public hearing required for this legislation?**

Yes. This legislation is subject to a public hearing requirement. The intent is for formal hearings to be conducted in conjunction with the legislative process when the legislation comes before the Council.

Outreach to stakeholders is summarized in the table below.

**Public Presentations on Overall 2009 Stormwater Code Update Process**

<b>Date</b>	<b>Group</b>
January 24, 2013	Thornton Creek Alliance
March 18, 2013	External User Stakeholders
May 8, 2013	Master Builders Association of King and Snohomish Counties
May 9, 2013	Fauntleroy Watershed Council
June 27, 2013	Seattle Builders Council Master Builders Association
<b>November 7, 2013</b>	<b>Public Open House</b>
November 19, 2013	Thornton Creek Alliance
November 26, 2013	North Seattle Industrial Association
December 17, 2013	King County
<b>June 3, 2014</b>	<b>Public Meeting</b>
June 5, 2014	Seattle Builders Council Master Builders Association
June 11, 2014	American Council of Engineering Companies (ACEC)
July 15, 2014	Washington Society of Landscape Architects (WASLA)
<b>Date</b>	<b>Group</b>
July 16, 2014	Master Builders Association (MBA)
July 17, 2014	American Society of Civil Engineers (ASCE)
July 18, 2014	American Public Works Association (APWA)
August 13, 2014	Urban Forestry Commission
January 26, 2015	Puget Soundkeeper Alliance (PSA)

- e) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
 No.
  
- f) **Does this legislation affect a piece of property?**  
 No. The proposal is a non-project legislative action with no specific site. As Stormwater Code requirements are city-wide, specific projects affected by the proposal may occur anywhere within Seattle's city limits.
  
- g) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?**  
 There is no perceived implication for the principles of the Race and Social Justice Initiative. This legislation does not impact vulnerable or historically disadvantaged communities.
  
- h) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.**  
 This legislation does not include a new initiative or a major programmatic expansion.

**i) Other Issues:**

**List attachments below:**

Exhibit A – Directors’ Report

Exhibit B – Environmentally Critical Areas: Best Available Science Review

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STATE OF WASHINGTON -- KING COUNTY

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323801

No. 124755,756,757,758,759

CITY OF SEATTLE, CLERKS OFFICE

**Affidavit of Publication**

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORDINANCES

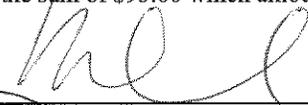
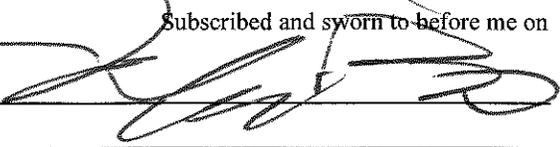
was published on

05/07/15

The amount of the fee charged for the foregoing publication is the sum of \$93.00 which amount has been paid in full.



Affidavit of Publication

  
\_\_\_\_\_  
Subscribed and sworn to before me on  
05/07/2015   
\_\_\_\_\_

Notary public for the State of Washington,  
residing in Seattle

# State of Washington, King County

## City of Seattle Title Only Ordinances

The full text of the following legislation, passed by the City Council on April 20, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

### ORDINANCE NO. 124755

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

### ORDINANCE NO. 124756

AN ORDINANCE relating to funding for housing and community development programs; adopting the City of Seattle 2015 Annual Action Plan to the 2014 - 2017 Consolidated Plan for Housing and Community Development and authorizing its submission to the United States Department of Housing and Urban Development; authorizing acceptance of grant funds from that department for programs and activities included in the Annual Action Plan; modifying appropriations to various departments and budget control levels in the 2015 Adopted Budget; and ratifying and confirming prior acts, all by a three-fourths vote of the City Council.

### ORDINANCE NO. 124757

AN ORDINANCE increasing civil assessments for failure to timely file reports; amending Seattle Municipal Code Sections 2.04.330.

### ORDINANCE NO. 124758

AN ORDINANCE relating to the Stormwater Code; amending Sections 22.800.040, 22.805.050, and 22.805.060 of the Seattle Municipal Code.

### ORDINANCE NO. 124759

AN ORDINANCE relating to grant funds from non-City sources; authorizing the Director of Transportation to accept specified grants and execute related agreements for and on behalf of the City; amending Ordinance 124648, which adopted the 2015 Budget, including the 2015-2020 Capital Improvement Program (CIP); changing appropriations to the Seattle Department of Transportation; adding a new project; revising allocations for certain projects in the 2015-2020 CIP; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, May 7, 2015.

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