

## SUMMARY and FISCAL NOTE

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
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### **1. BILL SUMMARY**

**Legislation Title:**

AN ORDINANCE relating to the implementation of the 2016 Stormwater Code update; ensuring that the City’s local program for stormwater regulation meets substantive requirements of the State Department of Ecology; amending Sections 22.170.120, 23.22.028, 23.22.074, 23.24.050, and 23.76.032 of the Seattle Municipal Code; amending Section 106 of the 2012 Seattle Building Code; and amending Section R105 of the 2012 Seattle Residential Code.

**Summary and background of the Legislation:**

This legislation is related to an update to the Stormwater Code that will: 1) incorporate new requirements from the Washington State Department of Ecology; 2) incorporate SPU and DPD policy changes; and 3) improve usability. As part of this process, DPD is proposing related updates to the City’s Building, Residential, Land Use and Grading Codes to ensure all City regulations meet the substantive requirements of Ecology for stormwater regulation. The requirements apply to the City of Seattle for its municipal stormwater discharges covered by the 2013-2018 Phase I Municipal Stormwater Permit that Ecology issued under federal Clean Water Act and state authority, as amended (MS4 Permit). This legislation provides for application of the 2016 updates to the Stormwater Code to land use, building and grading permit applications, in association with the target effective date of the 2016 Stormwater Code (January 1, 2016). The proposed changes specifically relate to the applicability of the Stormwater Code to construction project application dates and project start dates and are intended to ensure that all City regulations affecting these dates apply in the same way.

### **2. CAPITAL IMPROVEMENT PROGRAM**

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

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

**This legislation does not have direct financial implications.**

Appropriations Notes:

This legislation does not have a fiscal impact separate from the accompanying Stormwater Code legislation.

This legislation affects the timing of implementation of the Stormwater Code. The revised

Stormwater Code will apply to permits for which a request for renewal is made after January 1, 2016 if construction hasn't begun by that date. The fiscal impact of the increment of cost due to this legislation is considered in the fiscal analysis of the Stormwater Code.

As discussed in the Stormwater Code legislation, DPD anticipates additional staffing requirements as a result of the Stormwater Code update due to a sizeable increase in the number of projects requiring on-site drainage review and the increased complexity of on-site inspections. As part of the 2016 budget process, DPD will request an additional \$569,778 in annual appropriations to fund requests for 2 additional FTE Drainage Reviewers (\$258,426 annual total or \$129,213 per reviewer) and 2 additional FTE DPD Site Inspectors and associated vehicles (\$311,352 annual total, or \$155,676 per reviewer and vehicle).

#### 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?** No
- b) **Is there financial cost or other impacts of not implementing the legislation?** No
- c) **Does this legislation affect any departments besides the originating department?** No
- d) **Is a public hearing required for this legislation?**  
Yes. The City Council must hold a public hearing, to be scheduled before the Seattle Public Utility and Neighborhood Committee.
- e) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
Yes. Publication of notice of the Council public hearing must be made in *The Daily Journal of Commerce* and in the City's Land Use Information Bulletin (LUIB). Additionally, environmental review under the State Environmental Policy Act is required, and publication of notice of the environmental determination was made in *The Daily Journal of Commerce*, *The Seattle Times*, and in the City's Land Use Information Bulletin on March, 9, 2015, when amendments to the Stormwater Code legislation were first proposed. An addendum to the environmental review covering the current proposed legislation has been issued and publication of notice of the addendum was made in *The Daily Journal of Commerce* and *The Seattle Times* on June 25, 2015.
- f) **Does this legislation affect a piece of property?** No
- 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?** No
- 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.**  
NA

**i) Other Issues:**

**List attachments below:**

Exhibit A – Directors’ Report