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This Assistance Bulletin only applies to property within unincorporated Snohomish County and does not apply to property within incorporated city limits.

Reduced Drainage Requirements Allowed Under the “Exception”

Assistance Bulletin

107

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Some project sites are eligible for reduced drainage requirements under section 30.63A.210 Snohomish County Code (SCC). As the first step in determining if the exception applies, look at the thresholds for the drainage requirements found in SCC 30.63A.200 (exemptions), 30.63A.300 (new development), and 30.63A.310 (redevelopment). If your project is exempt from all drainage requirements or subject only to minimum requirement 2 (MR 2), you don't need to worry about this “exception.” If your project is subject to MR 1 through 5 or to MR 1 through 9, this exception could reduce your compliance requirements, specifically some (but not all) of the requirements under MR 1, 5, and 9. [Bulletin #89](#) Drainage Review will be helpful in determining this first step.

Q: Is my project eligible for the “exception” to the drainage requirements?

A: To be eligible for this exception, projects and project sites must meet all of the following criteria:

- No portion of the project site will drain, either directly or indirectly, to any existing or planned municipal separate storm sewer system (MS4)¹. A project site does not drain, either directly or indirectly, to any existing or planned MS4 if the following criteria are met:
 - ◇ Stormwater runoff generated from the project site will either flow directly to a receiving water body or be totally contained on the project site and dispersed through infiltration and/or evaporation; and
 - ◇ Stormwater leaving the project site through infiltration will not migrate to a component of the MS4 through groundwater flow or otherwise indirectly to the existing or planned MS4.
- The new development or redevelopment activity:
 - ◇ Will result in less than 10,000 square feet of new, replaced, or new plus replaced hard surfaces; and
 - ◇ Must occur outside of all critical areas, together with the buffers of and setbacks from critical areas, except that such activities may occur within floodplains and aquifer recharge areas of low or moderate sensitivity to groundwater contamination.

Q: If my project is eligible for the exception under SCC 30.63A.210, what am I “excepted” from?

A: In general, the exception allowed in SCC 30.63A.210 means that projects do not need to use the BMPs specified in the Drainage Manual Volume I, section 2.5.5. Since these BMPs are not required (MR 5), there is no need to account for them on the site plan (MR 1), no need to conduct a feasibility analysis for them (MR 5) and no need to provide a maintenance and inspection covenant or to record a private easement to protect them (MR 9).

This bulletin is intended only as an information guide. The information may not be complete and is subject to change. For complete legal information, refer to Snohomish County Code.

Q: What is meant by “hard surfaces” ?

A: Hard surfaces include impervious surfaces, permeable pavement, and vegetated roofs. (SCC 30.91H.035)

Q: If the exception in SCC 30.63A.210 applies to my project, what will still be required?

A: The exception only applies to specific provisions in MR 1, MR 5, and MR 9, it does *not* apply to *all* of the provisions in MR 1, 5, or 9. All other requirements in MR 1-5 or MR 1-9 still apply as determined by threshold criteria found in SCC 30.63A.300 or 30.63A.310. [Bulletin #89](#) will be helpful in determining requirements based on project criteria and thresholds.

MR 1 requires preparation of a stormwater site plan (SCC 30.63A.400). A site plan will still be required. For the exception to apply, your stormwater site plan must contain the information necessary to document that your project and project site meet the exception criteria related to the MS4, proposed hard surfaces and critical areas. The stormwater site plan must contain:

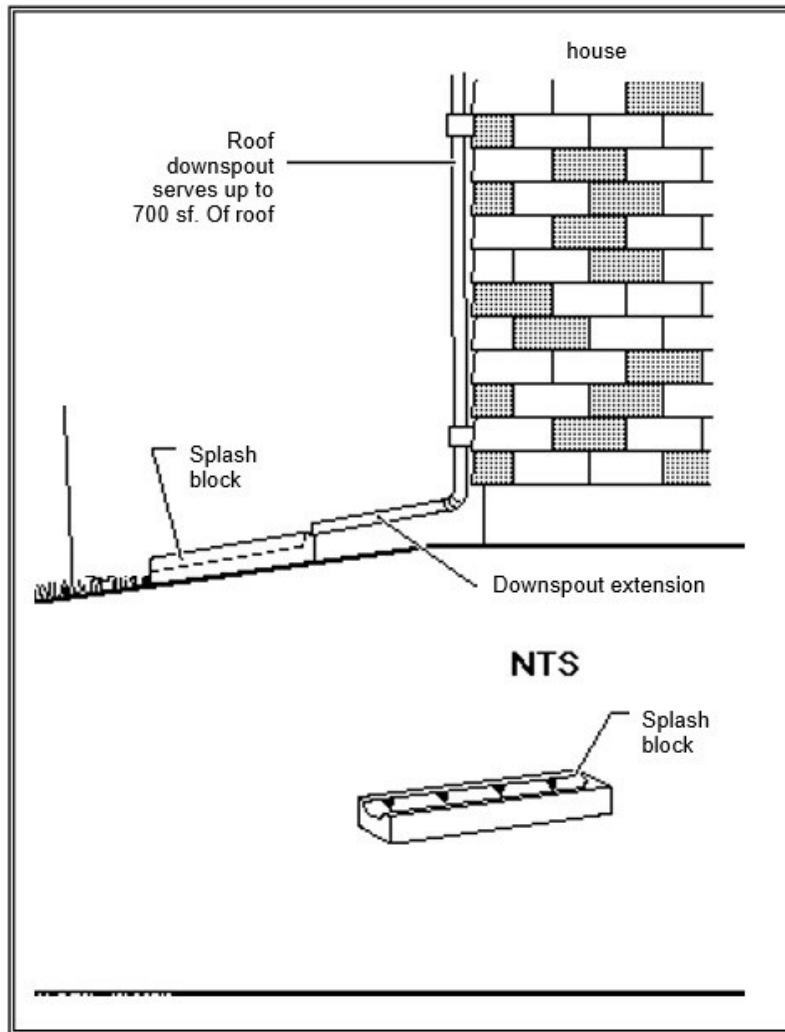
- A stormwater site plan showing:
 - ◇ Existing site topography;
 - ◇ Location of any MS4 components (both existing and planned as defined per SCC 30.91M.225) surrounding the site, or within ¼ mile downslope of the site;
 - ◇ Groundwater flow characteristics:
 - ◆ Flow direction,
 - ◆ Depth below grade, and
 - ◆ Discharges to the surface or to a roadside ditch within ¼ mile downstream of the site;
 - ◇ Approximate location of all existing and proposed new or replaced hard surfaces;
 - ◇ Location of critical areas (streams, lakes, wetlands, marine waters, habitat for critical species, buffers, and required setbacks);
 - ◇ Direction of runoff flows;
 - ◇ Proposed onsite stormwater management facilities and/or best management practices; and
- An engineer’s certification that the completed project will not drain, directly or indirectly, to the MS4.

Your stormwater site plan will likely require additional information beyond those items listed above (*refer to your submittal project-specific and drainage checklists for additional site plan requirements*).

Q: My project qualifies for the exception. What is required to address rooftop drainage given the exception to the BMPs in MR 5 allowed per SCC 30.63A.210?

A: The exception in SCC 30.63A.210 applies to the BMPs listed under MR 5 in section 2.2.5 of the Drainage Manual, Volume I, except for BMP T5.13 Post Construction Soil Quality and Depth, which may still be required. However, the stormwater drainage from rooftops via downspouts will still need to be accounted for and managed properly to protect the receiving waters since your project does not drain to the MS4, and to prevent impacts to neighboring properties. In most cases, the stormwater from downspouts will likely be dispersed into vegetated areas via splash blocks (BMP T5.10B) (See Drainage Manual, Volume III, Chapter 3, pg. 23-25). However, if dispersion via splash blocks is infeasible, other options may need to be considered. Options for on-site stormwater management BMPs may include the following:

- BMP T5.13 Post Construction Soil Quality and Depth ([Bulletin #94](#))
- BMT T5.10A Downspout Flow Dispersion, BMP T5.10B Downspout Dispersion Systems, or BMP 5.10C Perforated Stub-out Connections
- BMP T5.11 Concentrated Flow Dispersion or BMP T5.12 Sheet Flow Dispersion.



Source: Drainage Manual, Volume III, Chapter 3, pg. 25.

Figure 3.5 Splash Block Dispersion

¹**SCC 30.91M.225** "Municipal separate storm sewer system" or "MS4" means a conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (i) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State Law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the State.
- (ii) Designed or used for collecting or conveying stormwater.
- (iii) Which is not a combined sewer.
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.
- (v) Which is defined as "large" or "medium" or "small" or otherwise designated by Ecology pursuant to 40 CFR 122.26.

The "existing" MS4 means all elements of the system that are in place and operating at the time of a project's initial permit application. The "planned" MS4 includes future elements of the system that are either: 1) under construction; 2) included in the system operator's adopted 6-Year Capital Improvement Program, or comparable capital plan; or 3) included in any private development project that has submitted a complete application.