

**Stormwater Modification or Waiver Request**

**A. Applicability:** This application is to be used for requests for modifications or waivers from stormwater management regulations pursuant to SCC 30.63A.250 and modifications requested pursuant to SCC 30.63C.040.

**B. Instructions:** (1) Complete the blanks below. (2) Provide sufficient information to evaluate the request. (3) Contact (425) 388-3311 x2790 to schedule an appointment to submit this request. Supporting documents and fees must be submitted at the appointment.

Request is for: \_\_\_ Modification or \_\_\_ Waiver of the following stormwater management regulations and/or standards:

Check applicable SCC Chapter

List specific code provision

\_\_\_ Drainage Chapter 30.63A SCC

\_\_\_\_\_

\_\_\_ Grading Chapter 30.63B SCC

\_\_\_\_\_

\_\_\_ Low Impact Development (LID) Chapter 30.63C SCC

\_\_\_\_\_

*Note: Pursuant to SCC 30.63C.040(3), requests for EDDS deviations combined with requests for modifications must be submitted under one proposal as a comprehensive site analysis.*

**C. Project Information:**

PFN: \_\_\_\_\_ Project Name: \_\_\_\_\_

Project Vesting Date: \_\_\_\_\_ PDS Project Manager: \_\_\_\_\_

Applicant or Representative and Firm: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

**D. Criteria:**

1. Describe the reason for the modification or waiver request. (SCC 30.63A.250(2)(a))

2. Describe how the intent of the stormwater management regulations and/or standards will be achieved if the modification or waiver is granted. (SCC 30.63A.250(2)(a))

3. Describe how the modification or waiver will not increase drainage impacts. (SCC 30.63A.250(2)(a))

4. Demonstrate how the request meets at least one of the following criteria:

- \_\_\_ (a) compliance with the requirement will not substantially achieve the intended purpose because of unusual site conditions;
- \_\_\_ (b) compliance with the requirement will impose an undue hardship on the applicant that does not generally

occur when the requirement is met on other sites, and the hardship is due to special circumstances on the site such as topography, location or surroundings, and is not the result of the applicant's own actions;

\_\_\_ (c) the requirement is not technically feasible;

\_\_\_ (d) the requirement will cause or poses a significant threat of harm to public health, safety or welfare; the environment; or public or private property; which harm outweighs the requirement's benefits;

\_\_\_ (e) an emergency situation necessitates approval of the waiver or modification;

\_\_\_ (f) no reasonable use of the property is possible unless the waiver or modification is approved; or

\_\_\_ (g) an alternative technology or approach provides a better way to meet or exceed the protections afforded by this chapter, provided that the director may condition final approval and acceptance of the alternative upon proof of successful operation after construction. (SCC 30.63A.250(2)(b))

**(All remaining questions apply to LID Projects only)**

5. (Modification pursuant to Chapter 30.63C SCC only): To meet the purposes of the LID Guidance Manual, identify the applicable SCC chapter and specific provision(s) for which the modification is requested. (SCC 30.63C.040)

- \_\_\_ (a) Chapter 30.23 SCC; \_\_\_\_\_
- \_\_\_ (b) Chapter 30.42B SCC; \_\_\_\_\_
- \_\_\_ (c) Chapter 30.52A SCC; \_\_\_\_\_
- \_\_\_ (d) Chapter 30.63A SCC; \_\_\_\_\_
- \_\_\_ (e) Chapter 30.63B SCC; \_\_\_\_\_
- \_\_\_ (f) Chapter 30.24 SCC. \_\_\_\_\_

6. (Modification pursuant to Chapter 30.63C only): Describe how the modification is consistent with and furthers the purposes of the LID Guidance Manual. (SCC 30.63C.040(2)(a))

7. (Modification pursuant to Chapter 30.63C only): Describe how the modification does not result in significant adverse environmental impacts. (SCC 30.63C.040(2)(b))

8. (Modification pursuant to Chapter 30.63C only): Describe how the modification does not threaten public health,

9. (Modification pursuant to Chapter 30.63C only): Describe how the modification is consistent with generally accepted engineering and design criteria, as provided in Chapter 30.63C SCC. (SCC 30.63C.040(2)(d))

10. (Modification pursuant to Chapter 30.63C only): Describe how the modification promotes one of the following criteria: (SCC 30.63C.040(2)(e))

- \_\_\_ (i) Innovative site design furthering the purposes of the program
- \_\_\_ (ii) Increased on-site stormwater retention using a variety of vegetation and landscape conditions,
- \_\_\_ (iii) Retention or redevelopment of original natural habitat conditions over a significant portion of the site,
- \_\_\_ (iv) Improved on-site water quality beyond that required by current applicable regulations; or
- \_\_\_ (v) Retention or re-creation of pre-development and/or natural hydrologic conditions, and retention or re-creation

of forested watershed conditions

11. (Modification pursuant to Chapter 30.63C only): Describe how the modification does not conflict with chapters 30.62, 30.62A, 30.62B, 30.62C, 30.64 and 30.65 SCC. (SCC 30.63C.040(2)(f))

(This page to be completed by Planning and Development Services Staff)

**E. Analysis of Justification for Modification:**

- |   |  |
|---|--|
| <input type="checkbox"/> Conformance to existing standard   | <input type="checkbox"/> Improved safety     |
| <input type="checkbox"/> Adverse Topography                 | <input type="checkbox"/> Maintainability     |
| <input type="checkbox"/> Comparable to or exceeds standards | <input type="checkbox"/> Public cost savings |
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Other               |

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Director's Findings of Fact:

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Staff Recommendations:

- |   |   |
|---|---|
| <input type="checkbox"/> Approve              | <input type="checkbox"/> Deny                     |
| <input type="checkbox"/> Conditional Approval | <input type="checkbox"/> Denial without Prejudice |

Basis:

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Additional Review Received (certain projects may require review by other parties as applicable):

- |                                       |                                       |
|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Fire Marshal | <input type="checkbox"/> Traffic      |
| <input type="checkbox"/> Biologist    | <input type="checkbox"/> Right of Way |

Final PDS Administrative Decision:

- |   |   |
|---|---|
| <input type="checkbox"/> Approved                 | <input type="checkbox"/> Denied                   |
| <input type="checkbox"/> Approved with conditions | <input type="checkbox"/> Denied without Prejudice |

Conditions, if applicable:

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Chief Engineering Officer or County Engineer, as applicable