

Skagit County Planning Commission's Recorded Motion Regarding the Stormwater Code Update

Proposal publish date:	June 11, 2015
Proposal name:	Stormwater Code Update
Documents available at:	www.skagitcounty.net/planning
Public hearing body:	Skagit County Planning Commission
Public hearing date:	Tuesday, July 7, 2015, at 6 p.m.
Written comment deadline:	Thursday, July 9, 2015, at 4:30 p.m.
PC deliberations:	Tuesday, July 21, 2015

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, reasons for action, and recommendations to the Board of County Commissioners.

Findings of Fact and Reasons for Action

1. Effective management of stormwater from development is important for the protection of septic systems, wells, neighboring and downstream property owners, and the environment.
2. Controls on both water quantity and water quality are key to effective stormwater management.
3. Onsite stormwater management reduces the strain on the County's stormwater system and preserves system capacity.
4. Low-Impact Development techniques are intended to mimic natural processes and are effective means to manage stormwater quantity and quality where appropriate.
5. Stormwater infiltration helps preserve groundwater supplies and stream flows.
6. The Ecology 2013 Western Washington Phase II National Pollution Discharge Elimination System (NPDES) permit requires the County to update its development regulations to use the 2012 Ecology Stormwater Manual and to require Low-Impact Development techniques, where feasible, inside the NPDES permit area.
7. Where both landscaping and LID facilities are required, property owners should be able to combine the requirements.
8. Stormwater management requirements should be balanced with economic practicality and feasibility.

9. Outside the NPDES permit area, development should have incrementally increased stormwater management requirements based on the intensity of the land use.
10. The entire existing drainage code chapter, as it applies inside and outside the NPDES permit area, will benefit from the proposed reorganization and rewriting which will make application of the code clearer and easier.
11. Easements for access and inspection may be appropriate for larger developments (e.g. subdivisions, commercial developments) but raise issues of property rights, privacy, and unknown expectations and execution of inspections for single-family residences especially in the light of possible future expansion of the NPDES Permit Area.

Recommendation

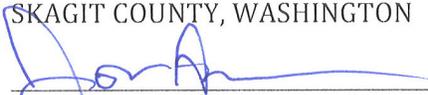
The Planning Commission recommends that the Board of County Commissioners **approve** the proposal with the following changes:

1. Rewrite the definition of “effective impervious surface” to avoid using the word “ineffective,” or consider deleting “effective impervious surface” throughout the proposal and replacing it with “hard surface” or another term that makes more sense, consistent with the Stormwater Manual and the NPDES Permit.
2. Rewrite 14.16.830(2)(c) to make it clear that LID stormwater facilities can be used as credit for landscaping requirements where they would meet all or a portion of the landscaping requirements.
3. Add “(MR)” to the column header in table 14.32.040-1 for clarity.
4. Move the first sentence in 14.32.080(2)(b) to new 14.32.080(1)(d). Add “Runoff from development may not cause a significant adverse impact to downgradient properties.”
5. Strike 14.32.100(3)(a) requiring easements for access and inspection. Find other options for obtaining legal authority to inspect and enforce maintenance standards for private stormwater facilities. Explore what other jurisdictions are using.
6. Add a line to the stormwater code as a note for later development review (that does not require septic permits) to ensure sheet flows or infiltration is directed away from septic drain fields.

This recorded motion approved July 21, 2015:

Commission Vote	Support	Oppose	Absent	Abstain
Josh Axthelm, Chair	✓			
Keith Greenwood, Vice Chair	✓			
Amy Hughes	✓			
Annie Lohman	✓			
Kathy Mitchell	✓			
Kevin Meenaghan	✓			
Tammy Candler	✓			
vacant			✓	
vacant			✓	
Total	7	0	2	0

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON



Josh Axthelm, Chair

7/21/2015
Date



Dale Pernula, Secretary

7/21/15
Date