

June 10, 2022

## Addendum to June 7, 2022, Supplemental Staff Report

Updated Code for Regional Stormwater Facilities and Reference to Airport Environs Overlay Requirements

### SCC 14.32.040(2)

(2) Within the Airport Environs Overlay the provisions of SCC 14.32.16.210(3)(c)(iii) apply.

### SCC 14.32.150(4)-(6):

(4) Regional Facilities.

(a) A regional facility is a stormwater BMP that may provide Runoff Treatment and Flow Control to more than one property. Regional stormwater facilities may be used as an alternative method of meeting Minimum Requirements No. 5, No. 6, No. 7, and No. 8.

(b) Regional facilities are designed, reviewed, and approved based on impervious surfaces anticipated with full development within the basin that drains to the facility.

(i) Once approved, a regional facility may be used for future development provided the regional facility is operational prior to development and has capacity for any future development that proposes to rely on it for compliance.

(ii) The owner/operator of a regional stormwater facility must track impervious surfaces within the basin to determine how much actual capacity remains for use by future projects. This data must be provided to Skagit County upon request.

(iii) A regional stormwater facility's flow control/treatment capacity may not be exceeded.

(v) A Development Agreement pursuant to SCC Chapter 14.14 may include appropriate provisions to ensure re-review and, if warranted, additional Runoff Treatment and/or Flow Control to ensure compliance with stormwater requirements and standards that may apply to future development. Provisions of any development agreements must allow for and ensure compliance with the Permit.

(c) An existing regional facility proposed to be used to meet stormwater requirements for a development application will be reviewed for compliance with the stormwater requirements and standards applicable to the development application as set forth in the Permit and the Skagit County Code.

(i) Regional facilities are subject to review 20 years after the permit issued for construction of the facility, except regional facilities constructed prior to June 30, 2022, are not subject to review prior to June 30, 2027.

(ii) Such review is limited to the impact on the regional facility by the proposed use set forth in the development application, including an analysis of whether the

regional facility has remaining capacity to received stormwater discharges from the proposed project.

(iii) If a regional facility does not have the capacity to meet current stormwater requirements for a development application the deficiencies may be addressed by retrofitting the existing facility or constructing new facilities, or both.