

Date: October 24, 2016

To: Mayor and Members of the City Council

From: Catherine A. Drews, Assistant City Attorney

Subject: Relationship for LID Principles Project, Clearing and Grading Code and Storm and Surface Water Code Proposed Code Amendments

At the October 24 Study Session, Council will hear presentations on three separate agenda items related to the to the City's NPDES Phase II Municipal Stormwater Permit. The three proposed code amendments related the NPDES Permit are:

1. NPDES Code Amendments to the Storm and Surface Water Utility Code (Chapter 24.06);
2. NPDES Code Amendments to the Clearing and Grading Code (Ch. 23.76 BCC); and
3. Low Impact Development Principles Project -- Continued Discussion.

These agenda items all arise from requirements under the NPDES permit and because they all relate to controlling stormwater runoff, staff is presenting them to Council together. The first two items proposing amendments to the Clearing and Grading and Storm and Surface Water codes, involve primarily non-discretionary amendments to conform the codes to Appendix 1 in the NPDES Permit. These amendments are the technical and engineering standards that relate to stormwater management and low impact development best management practices. These amendments have always been anticipated as conformance amendments as they are required in in the Permit. Unlike the Land Use Code, no notice is required for these amendments; however, information has been provided about updates and proposed changes to the City's stormwater program, including the Storm and Surface Water Engineering Standards (available training) on the LID Principles Project webpage and through contact with staff.

The code amendments also contain some housekeeping amendments to provide clarity and predictability and also amendments to simplify the code drafting process, like adding language to ensure that when material that is incorporated by reference is updated, the codes track those updates without the need to formally update the code.

The LID Principles Project is a separate but similar requirement under the NPDES Permit. The project involves low impact development principles, which are typically land use strategies intended to reduce stormwater flows.