

Title Project Thresholds and Right-of-Way Related Utility Work	Number DWW-202.7	Rev. no. 1
Responsibility Drainage and Wastewater Division Project Delivery Branch	Supersedes N/A	Pages 3
Division/Deputy Director's Approval /s/ Madeline Goddard (Drainage & Wastewater)	/s/ Henry Chen (Interim, Project Delivery)	Effective Date August 26, 2015

1. PURPOSE

This procedure clarifies the thresholds for projects with right-of-way related utility work as stated in the City's Stormwater Code SMC 22.800 - 22.808. The code and this procedure are not intended to either:

- Allow a project, regardless of phasing, to avoid requirements for flow control, treatment or green stormwater infrastructure (GSI) when the construction of new and replaced roadway (as distinguished from sidewalk) meets the thresholds where mitigation is required, or;
- Burden a project with additional requirements for flow control, treatment or GSI because of ancillary utility construction work in the right-of-way that meets the criteria for an exemption under [SMC 22.800.040.A.2.a.2.](#)

2. DEFINITIONS

Integral with: Utility work that is essential to the completeness of the road-related project. For example, relocation of existing utilities to another location so that the project is feasible is "integral with" the project.

Contiguous to: Utility work that (a) is within the project site without considering areas disturbed solely by utility work in the right-of-way or (b) abuts the lot or parcel that triggered the right-of-way or utility improvements. This includes service cuts, but does not include that portion of the utility extension work beyond the frontage of the lot or parcel.

Utility work: The installation of underground or overhead utility facilities that includes replacing the ground surface with in-kind material or materials with similar runoff characteristics and the associated land disturbing activities including new or replaced impervious surface. **Note:** Utility work associated with publicly bid Drainage and Wastewater (DWW) capital improvement projects funded by SPU is not exempt from flow control, treatment, and GSI requirements per [SMC 22.800.040.A.2.a.1.](#)

3. PROCEDURE

A. Projects with Right-of-Way Related Utility Work

1. Projects in the right-of-way that do not otherwise exceed a threshold for flow control, treatment or GSI before considering areas disturbed solely by utility work shall not be required to include the land disturbing activity for utility work when determining if the

project exceeds thresholds (unless it is a publicly bid DWW capital improvement project funded by SPU per [SMC 22.800.040.A.2.a.1](#)).

2. Projects with 5,000 square feet of new plus replaced impervious surface in the roadway before considering areas disturbed solely by utility work are Roadway Projects and shall meet the requirements of [SMC 22.805.060.A and B](#).
3. Roadway Projects that exceed the thresholds of [SMC 22.805.060](#) (Minimum Requirements for Roadway Projects) before considering areas disturbed solely by utility work shall include the land disturbing activity for the utility work that is integral with and contiguous to the road-related (i.e. Roadway) project to meet the minimum requirements for flow control and/or treatment.
4. Roadway Projects that exceed the thresholds of [SMC 22.805.020.F](#) (Implement Green Stormwater Infrastructure) before considering areas disturbed solely by utility work shall include the land disturbing activity for utility work that is integral with and contiguous to the road-related (i.e. Roadway) project to meet the minimum requirements for GSI.
5. For Sidewalk Projects, utility work is not considered integral with and contiguous to a road-related project. Therefore, the areas disturbed solely by utility work are not required to comply with [Section 22.805.080](#) (Minimum Requirements for Flow Control) or [Section 22.805.090](#) (Minimum Requirements for Treatment) per SMC [22.800.040.A.2.a](#).

B. Examples

1. If, in association with a Roadway Project, a utility voluntarily adds or continues utility work, flow control, treatment or GSI is only required for the disturbance for the utility work “integral with” and “contiguous to” the project if the Roadway Project, without considering areas disturbed solely by utility work, exceeds a flow control, treatment, or GSI threshold.

If, for the convenience of the utility or the public, the work is advertised, bid, or managed jointly, this additional utility work is not considered “integral with” the project and the associated land disturbing activity does not require flow control, treatment, or GSI mitigation (unless it is a publicly bid DWW capital improvement project funded by SPU per [SMC 22.800.040.A.2.a.1](#)).

2. If a Parcel-based project, for instance, requires (a) power delivered to the Site, (b) a new service, and (c) undergrounding power adjacent to the Site, flow control, treatment or GSI is only required for the disturbance for the utility replacement “contiguous to” the project if the project without considering areas disturbed solely by utility work exceeds a flow control, treatment, or GSI threshold.

Land disturbing activity for utility work in the alley, sidewalk, and road adjacent to the project will require flow control, treatment or GSI if the project without considering areas disturbed solely by utility work exceeds a flow control, treatment, or GSI threshold. Utility work from a block or a mile away is not considered “contiguous to” a project, and the associated land disturbing activity does not require flow control, treatment, or GSI mitigation.

4. AUTHORITY/REFERENCES

- SMC 22.800.040.A.2 – Stormwater Code: Exemptions, Adjustments, and Exceptions
- SMC 22.805 – Stormwater Code: Minimum Requirements for All Projects

APPENDIX

SMC 22.800.040, Stormwater Code: Exemptions, Adjustments, and Exceptions

Subsection A.2, Exemptions

The following land disturbing activities are not required to comply with the specific minimum requirements listed below.

- a. Maintenance, repair, or installation of underground or overhead utility facilities, such as, but not limited to, pipes, conduits and vaults, and that includes replacing the ground surface with in-kind material or materials with similar runoff characteristics are not required to comply with Section 22.805.080 (Minimum Requirements for Flow Control) or Section 22.805.090 (Minimum Requirements for Treatment), except as modified as follows:
 - 1) Installation of a new or replacement of an existing public drainage system, public combined sewer or public sanitary sewer in the public right-of-way shall comply with Section 22.805.060 (Minimum requirements for Roadway Projects) when these activities are implemented as publicly bid capital improvement projects funded by Seattle Public Utilities; and
 - 2) Installation of underground or overhead utility facilities that are integral with and contiguous to a road-related project shall comply with Section 22.805.060 (Minimum requirements for Roadway Projects).