

CITY OF KIRKLAND

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DEPARTMENT OF PUBLIC WORKS PRE-APPROVED PLANS POLICY

Policy D-11: SURFACE WATER ADJUSTMENT PROCESS

This process is provided for the occasions when site conditions dictate or a project applicant requests modifications to one of the surface water core or special requirements, or any other specific requirement or standard contained in the King County Surface Water Design Manual or the City of Kirkland Public Works Pre-Approved Plans. A fee will be required for review of an adjustment request. For projects with complex drainage issues (such as extensive modeling or review of modeling results), review by a third party may be required at the applicant's expense. Proposed adjustments must be approved prior to final permit approval.

Adjustment Process

1. Complete a Surface Water Standards Adjustment Request form (see page 2 of this policy).
2. Submit the request form and additional materials, including fee, to the Public Works Department. Include all materials that may assist in a complete review and consideration of the request. Failure to provide all pertinent information may result in delayed processing or denial of request.
3. The request will be reviewed, and the applicant will be notified of approval/denial.

Adjustment Criteria

Adjustments to the surface water design requirements may be granted provided that granting the adjustment will achieve ALL of the following:

1. The adjustment will produce a compensating or comparable result that is in the public interest, AND
2. The adjustment meets the objectives of safety, function, appearance, environmental protection, and maintainability based on sound engineering judgment, AND
3. Granting the adjustment for the individual property in question will not create a significant adverse impact to public health, welfare, water quality, and properties downstream or nearby, AND
4. The adjustment requires the best practicable alternative for achieving the spirit and intent of the requirements in question, AND,
5. The granting of any adjustment that would be in conflict with the requirements of any other department will require review with that department.

The City of Kirkland recognizes there are special circumstances or conditions affecting property such that strict application of the criteria for producing a compensating or comparable result would deprive the applicant of all reasonable use of the parcel of land in question. In these cases Public Works staff will work with the applicant, and every effort will be made to find creative ways to meet the intent of the requirement and to achieve a mutually satisfactory result.

Adjustment Reconsideration Process

The applicant may request reconsideration of the denial or conditions of approval of an adjustment request by submitting a formal letter to the Public Works Director within 15 working days of the decision. This letter must include justification for reconsideration of the decision, along with a copy of the adjustment request. The director shall respond to the applicant in writing within 15 working days. The director's decision on the reconsideration request shall be final. A per-hour review fee will be charged to the applicant for review of a reconsideration request.

Exceptions/Variances

For applicants requesting a formal exception/variance from the minimum requirements, see the City of Kirkland Western Washington Phase II Municipal Stormwater Permit (Appendix I, Section 6).



SURFACE WATER DESIGN STANDARDS ADJUSTMENT REQUEST

Instructions to Applicant/Design Engineer:

Please complete this form and submit to the COK Public Works Department. Include all materials that may assist in a complete review and consideration of the adjustment request. Failure to provide all pertinent information may result in delayed processing or denial of request.

COK Permit Number:		Request date:
Project Name:		
Project Address:		
Applicant Name:	Design Engineer Name and Firm:	
Applicant Phone:	Design Engineer Phone:	
Applicant Signature:	Design Engineer Signature:	

Description of Adjustment Request:

Justification for Adjustment Request:

Applicable KC Surface Water Design Manual: 2009 or 2016 or 2021

Applicable Section(s) of Standards:

COK Determination: **Approved** **Denied**

Conditions (if applicable):

COK Staff Signature: _____ **Date:** _____