



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 14, 2018

Ordinance 18836

Proposed No. 2018-0471.1

Sponsors Upthegrove

1 AN ORDINANCE regarding surface water management;
2 revising surface water management service charges; and
3 amending Ordinance 7590, Section 8, as amended, and
4 K.C.C. 9.08.070.

5 STATEMENT OF FACTS:

6 1. King County works in partnership with property owners and state and
7 federal agencies to minimize the impacts of storm and surface runoff on
8 the water quantity and quality of the waters of the state.

9 2. King County charges property owners within its surface water
10 management service area, which is unincorporated King County, a
11 graduated fee based on six nonresidential rate classes tied to relative
12 amount of impervious surface and one uniform rate class for all residential
13 parcels.

14 3. In 1986, the King County council adopted Ordinance 7590, which
15 established the surface water management program to provide a
16 comprehensive approach to surface and storm water problems including
17 "basin planning, land use regulation, construction of facilities,
18 maintenance and public education." In 1991, the council increased the
19 services provided by the surface water management program and set a rate

20 structure and service charges by adopting Ordinance 10187. In 2001, the
21 council adopted Ordinance 14261, acknowledging that the costs to provide
22 surface water management had increased due to the ordinary impacts of
23 inflation and due to increased and more stringent federal and state
24 requirements for the proper management of surface water quality and
25 quantity. In 2006, the council adopted Ordinance 15638, acknowledging
26 that the then soon to be effective new National Pollutant Discharge
27 Elimination System permit would require King County's compliance with
28 more stringent requirements. In 2010, the council passed Ordinance
29 16958, acknowledging that costs had increased to comply with the
30 stringent requirements of the National Pollutant Discharge Elimination
31 System permit and to meet the ordinary impacts of inflation. In 2012, the
32 council adopted Ordinance 17451, acknowledging that the surface water
33 management program had increased capital construction needs, increased
34 costs of National Pollutant Discharge Elimination System permit
35 compliance, and revenue losses from annexations of unincorporated
36 county areas to cities. It also acknowledged that the King County road
37 services program had identified construction needs to mitigate stormwater
38 impacts and that these capital projects were necessary to protect life and
39 property as well as to maintain or restore water quality and ecological
40 functions in receiving waters. Ordinance 17451 also incorporated changes
41 to the rate adjustment program that provided incentives to property owners
42 to improve on-site control of stormwater through the granting of additional

43 discounts. In 2016, the council adopted Ordinance 18401, acknowledging
44 the residential parcel fee charged by King County was insufficient to meet
45 the projected revenue requirements needed to provide necessary surface
46 water management services to protect public health and safety.

47 4. While the current rate of two hundred and forty dollars and forty-four
48 cents per single family residential parcels is adequate to cover inflationary
49 increases in the surface water management fund, it does not provide an
50 adequate level of funding to continue to build upon ongoing efforts to
51 mitigate the impacts of degrading stormwater infrastructure comprised of
52 grey (facilities and systems) and green (natural lands, forests, bio-swales,
53 rain gardens) elements. The proposed increase of approximately twenty
54 percent will help continue efforts to improve the stormwater infrastructure
55 to a higher level of service, one that is more resilient and helps support a
56 long-term strategy to mitigate the impacts of climate change in an
57 equitable manner across the county.

58 5. An increase in the base amount of the surface water management
59 charge from two hundred forty dollars and forty-four cents per residential
60 parcel to two hundred eighty-nine dollars per residential parcel in 2019, a
61 forty-eight dollar and fifty-six cent increase over 2018, and corresponding
62 adjustments in the rates for classes of nonresidential property, are needed
63 to provide necessary surface water management services to protect public
64 health and safety.

65 6. It is in the public interest, and is necessary for the protection of health,

66 safety, and welfare of the residents of King County, that the necessary
67 costs of providing surface water management services continue to be
68 funded and that such costs continue to be charged against those parcels
69 benefitting from such services and/or contributing to the increase of
70 surface water runoff, which the King County surface water management
71 program must address.

72 7. Parcels owned by federally recognized tribes or members of such tribes
73 that are located within the historical boundaries of a reservation are not
74 subject to the surface water management charges provided for in K.C.C
75 chapter 9.08.

76 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

77 SECTION 1. Ordinance 7590, Section 8, as amended, and K.C.C. 9.08.070 are
78 each hereby amended to read as follows:

79 A. The service charges shall be based on the relative contribution of increased
80 surface and storm water runoff from a given parcel to the surface and storm water
81 management system. The percentage of impervious surfaces on the parcel, the total
82 parcel acreage and any mitigating factors as provided in K.C.C. 9.08.080 shall be used to
83 indicate the relative contribution of increased surface and storm water runoff from the
84 parcel to the surface and storm water management system. The relative contribution of
85 increased surface and storm water runoff from each parcel determines that parcel's share
86 of the service charge revenue needs. The service charge revenue needs of the program
87 are based upon all or any part, as determined by the council, of the cost of meeting
88 stormwater permit obligations of state and federal law and the cost of surface and storm

89 water management services and to pay or secure the payment of all or any portion of any
90 issue of general obligation or revenue bonds issued for that purpose.

91 B. The division shall determine the service charge for each parcel within the
92 service area by the following methodology:

93 Residential and very lightly developed nonresidential parcels shall receive a flat
94 rate service charge for the reasons in K.C.C 9.08.060. Light to very heavily developed
95 parcels shall be classified into the appropriate rate category by their percentage of
96 impervious surface coverage. Land use codes or data collected from parcel
97 investigations, or both shall be used to determine each parcel's percentage of impervious
98 surface coverage. After a parcel has been assigned to the appropriate rate category, the
99 service charge for the parcel shall be calculated by multiplying the total acreage of the
100 parcel times the rate for that category.

101 C. There is hereby imposed upon all developed properties in the service area
102 annual service charges as follows:

103	Class	Impervious Surface %	Rate
104	Residential	NA	(((\$240.44)) <u>\$289.00/parcel/year</u>
105	Very Light	0 to less than or equal to 10%	(((\$240.44)) <u>\$289.00/parcel/year</u>
106	Light	greater than 10% to less than	(((\$647.96)) <u>\$803.51/acre/year</u>
107		or equal to 20%	
108	Moderate	greater than 20% to less than	(((\$1,251.59)) <u>\$1,504.04/acre/year</u>
109		or equal to 45%	
110	Moderately	greater than 45% to less than	(((\$2,133.78)) <u>\$2,566.60/acre/year</u>
111	Heavy	or equal to 65%	

112 Heavy greater than 65% to less than or ~~(((\$2,955.98))~~ \$3,575.37/acre/year
113 or equal to 85%

114 Very Heavy greater than 85% to less than or ~~(((\$3,669.84))~~ \$4,399.10/acre/year
115 equal to 100%

116 County Roads NA Set in accordance with RCW 90.03.525

117 State Highways NA Set in accordance with RCW 90.03.525

118 The minimum service charge in any class shall be ~~((one two hundred forty dollars~~
119 ~~and forty four cents))~~ two hundred eighty-nine dollars per parcel per year. Mobile home
120 parks' maximum annual service charges in any class shall be ~~((two hundred forty dollars~~
121 ~~and forty four cents))~~ two hundred eighty-nine dollars times the number of mobile home
122 spaces.

123 D. The county council shall review the surface water management services
124 biennially to ensure the long term fiscal viability of the program and to guarantee that
125 debt covenants are met. The program shall use equitable and efficient methods to
126 determine service charges.

127 E. When a parcel with impervious surface is divided by the boundary of the
128 service area and a portion of the parcel's impervious surface drains into the service area,
129 the parcel shall be charged as otherwise provided herein on the basis of the lands and
130 impervious surfaces that drain into the service area. When the director has determined
131 that the impervious surface of a parcel, divided by the boundary of the service area,
132 completely drains outside of the service area, the parcel is exempt from the rates and
133 charges of this chapter.

134 F. The King County council by ordinance may supplement or alter charges within

135 specific basins and subbasins of the service area so as to charge properties or parcels of
136 one basin or subbasin for improvements, studies or maintenance that the council deems to
137 provide service or benefit the property owners of one or more basins or subbasins.

138 SECTION 2. This ordinance takes effect January 1, 2019.

139

Ordinance 18836 was introduced on 10/1/2018 and passed by the Metropolitan King
County Council on 11/13/2018, by the following vote:

Yes: 6 - Mr. Gossett, Mr. McDermott, Mr. Dembowski, Mr.
Upthegrove, Ms. Kohl-Welles and Ms. Balducci
No: 3 - Mr. von Reichbauer, Ms. Lambert and Mr. Dunn
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council



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KING COUNTY COUNCIL
CLERK

APPROVED this 19 day of NOVEMBER 2018.

Dow Constantine, County Executive

Attachments: None