



Legislation Text

File #: 2011-0459, **Version:** 1

Clerk 11/02/2011

AN ORDINANCE regarding surface water management; revising surface water management rate adjustment program and timing of its implementation; and amending Ordinance 16958, Section 7.

STATEMENT OF FACTS:

1. To provide surface water management facilities and programs, King County charges property owners within its surface water management service area, which is unincorporated King County, fees based on impervious surface area, including graduated nonresidential fees and one uniform rate for all residential parcels.
2. King County grants requests for rate adjustments based on demonstration that one or more of the conditions in K.C.C. 9.08.080 are met.
3. On November 15, 2010, the council adopted Ordinance 16958, which revised the surface water management service charge and rate adjustment program for nonresidential parcels pending the development of a program that more comprehensively takes into account the effectiveness of on-site management of storm and surface water runoff.
4. The following guiding principles are a reasonable and legitimate basis for future amendments to the rate adjustment program:
 - a. The rate adjustment program will be, to the extent possible, linked to the effectiveness of facility or on-site practices that reduce storm water impacts; that is, the more effective the facility or practices are at reducing storm water impacts the greater the discount.

- b. The rate adjustment program is, and will be, administratively feasible.
- c. The rate adjustment program will provide property owner incentive to improve on-site control of stormwater, such as via retrofitting existing facility, improved operations and maintenance and similar approaches.
- d. The rate adjustment program is, and will be, consistent, meaning not in conflict, with other King County Code requirements.
- e. Any amendments to the rate adjustment program will be available to all nonresidential properties once adopted.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The department of natural resources and parks, water and land resources division, is undertaking a rate structure study in 2012 for implementation in 2013 that analyzes the current surface water management service charge rate structure, including a revised rate adjustment program that shall include evaluation of a parcel aggregation discount, which would treat multiple contiguous parcels under common ownership as a single parcel for purposes of surface water management fee discounts. The study shall be transmitted by September 30, 2012, with any legislation implementing changes to surface water management fees, in the form of a paper and electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.

SECTION 2. The revised rate adjustment program should be based on a stackable discount, meaning a percentage discount that increases in increments based on the effectiveness of on-site practices to reduce stormwater impacts, demonstrated through compliance with specified flow control or water quality protection standards or National Pollutant Discharge Elimination System stormwater permit standards such that each demonstration of compliance results in additional percentage discounts, consistent with the guiding principles that provide the basis for the recommendations in Surface Water Management (SWM) Fee Discount Rates for Non-Residential Parcels - Proviso Report, Attachment A to this ordinance.

SECTION 3. As provided in section 4 of this ordinance, Ordinance 16958, Section 4, expires and Ordinance 16958, Section 6, takes effect January 1, 2014, and, therefore, applications for a two-rate discount on surface water management fees, as authorized in K.C.C. 9.08.080.B.5, shall no longer be accepted on or after January 1, 2014, or upon the effective date of an ordinance creating and implementing the revised rate adjustment program informed by the rate study that reflects the guiding principles in Attachment A to this ordinance, whichever date comes first. The revised rate adjustment program will replace the two-rate discount currently in effect.

SECTION 4. Ordinance 16958, Section 7, is hereby amended to read as follows:

A. Sections 1 through 5 of ~~((this \emptyset))~~ Ordinance 16958 take effect January 1, 2011.

B. Section 6 of ~~((this \emptyset))~~ Ordinance 16958 takes effect January 1, ~~((2013))~~ 2014.

10 days prior, official paper

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