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ORDINANCE NO. 2041

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING CHAPTER 13.20 OF THE REDMOND MUNICIPAL CODE RELATING TO STORM DRAINAGE AREA CHARGES IN ORDER TO CHANGE THE SAME TO CAPITAL FACILITIES CHARGES AND IN ORDER TO CHANGE THE METHOD OF COMPUTATION THEREOF; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 31, 1999.

WHEREAS, the City has conducted a study of storm drainage rates and charges,
and

WHEREAS, as the result of the study, the Public Works Department has recommended that the current system of area and frontage charges established by Chapter 13.20 of the Redmond Municipal Code should be amended in order to provide for a storm drainage capital facilities charge based upon proposed impervious units, and

WHEREAS, the City Council concurs in the Public Works Department's recommendation, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Capital Facilities Charge. Chapter 13.20 of the Redmond Municipal Code is hereby amended to read as follows:

13.20.010 Purpose. The purpose of this chapter is to establish storm drainage connection or capital facilities charges for all properties within the City that are hereafter developed with impervious surface contributing storm water runoff. It is also the purpose of this chapter to establish requirements for the

development and improvement of real properties within that part of the City lying within the West Lake Sammamish Flood Control Zone District and to provide for flood control and storm drainage facilities upon a cooperative basis with the District.

13.20.020 Definitions. As used in this chapter, the following terms have the meanings set forth below:

A. "Development" means any alteration by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area that affects the hydraulic properties of any parcel of land.

B. "Impervious surface" means those hard surfaced areas which either prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions preexisting any development on the property, and/or those hard surfaced areas which cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexisting any development on the property, including, but not limited to, such surfaces as rooftops, asphalt or concrete sidewalks, paving, driveways, parking lots, walkways, patio areas, storage areas, and gravel, oiled macadam, or other surfaces which similarly affect the natural the natural infiltration or runoff patters existing prior to development.

C. "Impervious unit" means a configuration or conglomeration of impervious surface estimated to contribute an amount of runoff to the City's stormwater management system which is approximately equal to that created by the average single-family residential parcel. One impervious unit (IU) is equivalent to two thousand square feet of impervious surface area. For purposes of computation of the charges provided for in this chapter, only whole impervious units are considered; fractions are truncated (rounded down).

D. "The West Lake Sammamish Flood Control Zone District" means that area described in King County Resolution No. 25759, passed April 29, 1963, and revised by King County Resolution No. 27674, passed April 6, 1974.

13.20.030 Capital Facilities Charge Imposed. There is hereby established a storm drainage capital facilities charge which shall be imposed upon all parcels which are proposed to be developed within the City. No building permit, short subdivision or subdivision approval, or other permit allowing development

within the City shall be granted except upon payment of said capital facility charge.

13.20.040 Amount of Charge. The capital facilities charge established by this chapter shall be calculated for each property based upon the number of impervious units proposed to be created by the development. The charge for each proposed impervious unit is \$ 400.00. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units to be created by the proposed development by the charge for each such unit.

13.20.050 Storm Drainage Construction Fund. There is established a storm drainage construction fund into which shall be paid all capital facilities charges collected under this chapter, all area and frontage charges collected under previous ordinances, and all contributions made by the City and from other sources, and from which shall be paid the cost and expense of planning, designing, constructing and installing general facilities for storm drainage and flood control and maintenance and operation thereof.

13.20.060 Disbursements to District. The capital facilities charge imposed by this chapter includes that amount which the City is obligated to collect as area charges from properties located within the West Lake Sammamish Flood Control Zone District as a contribution towards the cost of general facilities for storm drainage within the District. The City will periodically disburse funds collected for such purposes to the District upon receiving assurance from the District that it will undertake responsibility for storm drainage within those areas of the City that are within the boundaries of the District. The remainder of the capital facilities charges collected from properties within the District shall be used for capital facilities within the City.

13.20.070 Collection of Charges. The capital facility charges imposed by this chapter shall be paid prior to issuance of any building permit, short subdivision or subdivision approval, or other permit allowing development within the City.

13.20.080 Credits. The Public Works Department shall establish a system for recording payments of capital facilities charges made pursuant to this chapter in order that credit may be recorded and given for contributions made for storm drainage

general facilities in connection with that property. It is the intent of this section that development shall not be charged twice for the same proposed impervious unit and that where a proposed impervious unit has been paid for pursuant to a short subdivision or subdivision approval, site plan approval, or other development approval required by the City, the applicant shall not be charged a second time for that unit when a building or other subsequent permit for the same development is issued.


13.20.080 Additional Requirements for Development Within District. No building permit, short subdivision or subdivision approval, or other permit allowing development within the City shall be issued for development of property within the West Lake Sammamish Flood Zone Control District unless the development complies with the rules, regulations and requirements of the District. In addition, the owner of any property within the District being improved or developed shall be responsible for the installation of an adequate storm drainage system within his or her property in conformity with City standards and in conformity with the comprehensive storm drainage plan of the District.

13.20.090 Additional Requirements for Development Outside District. The owners of all property within the City being improved or developed outside the boundaries of the West Lake Sammamish Flood Zone Control District shall be responsible for the installation of an adequate storm drainage system within his or her property in conformity with City standards and in conformity with the comprehensive storm drainage plan of the City.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance, being the exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect and be in full force at 11:59 p.m. on December 31, 1999, which is more than five days after its passage and publication of an approved summary consisting of the title.

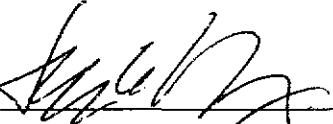
CITY OF REDMOND


MAYOR ROSEMARIE IVES
MAYOR PRO TEMPORE, RICHARD G. COLE

ATTEST/AUTHENTICATED:


CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	November 8, 1999
PASSED BY THE CITY COUNCIL:	November 23, 1999
SIGNED BY THE MAYOR PRO TEMPORE	November 23, 1999
PUBLISHED:	November 27, 1999
EFFECTIVE DATE:	11:59 p.m. on December 31, 1999
ORDINANCE NO. <u>2041</u>	