



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19543

Proposed No. 2022-0377.1

Sponsors McDermott

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

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, Ordinance 7590 established the surface water management
15 program to provide a comprehensive approach to surface and storm water
16 problems including "basin planning, land use regulation, construction of
17 facilities, maintenance and public education." In 1991, Ordinance 10187
18 increased the services provided by the surface water management program
19 and set a rate structure and service charges. In 2001, Ordinance 14261
20 acknowledged that the costs to provide surface water management had

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21 increased due to the ordinary impacts of inflation and due to increased and
22 more stringent federal and state requirements for the proper management
23 of surface water quality and quantity. In 2006, Ordinance 15638
24 acknowledged that the then soon to be effective new National Pollutant
25 Discharge Elimination System permit would require King County's
26 compliance with more stringent requirements. In 2010, Ordinance 16958
27 acknowledged that costs had increased to comply with the stringent
28 requirements of the National Pollutant Discharge Elimination System
29 permit and to meet the ordinary impacts of inflation. In 2012, Ordinance
30 17451 acknowledged that the surface water management program had
31 increased capital construction needs, increased costs of National Pollutant
32 Discharge Elimination System permit compliance, and revenue losses
33 from annexations of unincorporated county areas to cities. It also
34 acknowledged that the King County road services program had identified
35 construction needs to mitigate stormwater impacts and that these capital
36 projects were necessary to protect life and property as well as to maintain
37 or restore water quality and ecological functions in receiving waters.
38 Ordinance 17451 also incorporated changes to the rate adjustment
39 program that provided incentives to property owners to improve on-site
40 control of stormwater through the granting of additional discounts. In
41 2016, Ordinance 18401 acknowledged the residential parcel fee charged
42 by King County was insufficient to meet the projected revenue
43 requirements needed to provide necessary surface water management

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44 services to protect public health and safety. In 2018, Ordinance 18836
45 acknowledged that the residential parcel fee charged by King County was
46 insufficient to address inflationary increases in surface water management
47 in accordance with the more stringent federal and state requirements to
48 comply with the National Pollutant Discharge Elimination System permit.

49 4. The current rate of two hundred and eighty-nine dollars per single
50 family residential parcels is inadequate to cover inflationary increases in
51 the surface water management fund, it does not provide an adequate level
52 of funding to continue to build upon ongoing efforts to mitigate the
53 impacts of degrading stormwater infrastructure comprised of grey, which
54 are facilities and systems, and green, which are natural lands, forests,
55 bioswales and rain gardens, elements. The proposed increase of
56 approximately eleven and seven hundred sixty-five thousandths percent
57 will help continued efforts to improve the stormwater infrastructure to a
58 higher level of service, one that is more resilient and helps support a long-
59 term strategy to mitigate the impacts of climate change in an equitable
60 manner across the county. Examples of such efforts include removal of
61 barriers to fish passage, forest health and restoration and additional
62 support structures to advance county initiatives.

63 5. An increase in the base amount of the surface water management
64 charge from two hundred eighty-nine dollars per residential parcel in
65 2023, a thirty-four dollar increase over 2022, and corresponding
66 adjustments in the rates for classes of nonresidential property, are needed

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67 to provide necessary surface water management services to protect public
68 health and safety.

69 6. It is in the public interest, and is necessary for the protection of health,
70 safety, and welfare of the residents of King County, that the necessary
71 costs of providing surface water management services continue to be
72 funded and that such costs continue to be charged against those parcels
73 either benefitting from such services or contributing to the increase of
74 surface water runoff, or both, which the King County surface water
75 management program must address.

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

80 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

83 A. The service charges shall be based on the relative contribution of increased
84 surface and storm water runoff from a given parcel to the surface and storm water
85 management system. The percentage of impervious surfaces on the parcel, the total
86 parcel acreage and any mitigating factors as provided in K.C.C. 9.08.080 shall be used to
87 indicate the relative contribution of increased surface and storm water runoff from the
88 parcel to the surface and storm water management system. The relative contribution of
89 increased surface and storm water runoff from each parcel determines that parcel's share

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90 of the service charge revenue needs. The service charge revenue needs of the program
 91 are based upon all or any part, as determined by the council, of the cost of meeting
 92 stormwater permit obligations of state and federal law and the cost of surface and storm
 93 water management services and to pay or secure the payment of all or any portion of any
 94 issue of general obligation or revenue bonds issued for that purpose.

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

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

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

107 Class	Impervious Surface %	Rate
108 Residential	NA	(\$289.00) <u>\$323.00/parcel/year</u>
109 Very Light	0 to less than or equal to 10%	(\$289.00) <u>\$323.00/parcel/year</u>
110 Light	greater than 10% to less than	(\$803.51) <u>\$898.04/acre/year</u>
111	or equal to 20%	
112 Moderate	greater than 20% to less than	(\$1,504.04) <u>\$1,680.99/acre/year</u>

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- 113 or equal to 45%
- 114 Moderately greater than 45% to less than ~~(((\$2,566.60))~~ \$2,868.55/acre/year
- 115 Heavy or equal to 65%
- 116 Heavy greater than 65% to less than or ~~(((\$3,575.37))~~ \$3,996.00/acre/year
- 117 or equal to 85%
- 118 Very Heavy greater than 85% to less than or ~~(((\$4,399.10))~~ \$4,916.64 /acre/year
- 119 equal to 100%
- 120 County Roads NA Set in accordance with RCW 90.03.525
- 121 State Highways NA Set in accordance with RCW 90.03.525
- 122 The minimum service charge in any class shall be ~~((two hundred eighty-nine~~
- 123 ~~dollars))~~ three hundred and twenty-three dollars per parcel per year. Mobile home parks'
- 124 maximum annual service charges in any class shall be ~~((two hundred eighty-nine dollars))~~
- 125 three hundred and twenty-three dollars times the number of mobile home spaces.
- 126 D. The county council shall review the surface water management services
- 127 charges biennially to ensure the long term fiscal viability of the program and to guarantee
- 128 that debt covenants are met. The program shall use equitable and efficient methods to
- 129 determine service charges.
- 130 E. When a parcel with impervious surface is divided by the boundary of the
- 131 service area and a portion of the parcel's impervious surface drains into the service area,
- 132 the parcel shall be charged as otherwise provided herein on the basis of the lands and
- 133 impervious surfaces that drain into the service area. When the director has determined
- 134 that the impervious surface of a parcel, divided by the boundary of the service area,
- 135 completely drains outside of the service area, the parcel is exempt from the rates and

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136 charges of this chapter.

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

138 specific basins and subbasins of the service area so as to charge properties or parcels of

139 one basin or subbasin for improvements, studies or maintenance that the council deems to

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140 provide service or benefit the property owners of one or more basins or subbasins.

141 SECTION 2. This ordinance takes effect January 1, 2023.

Ordinance 19543 was introduced on 10/4/2022 and passed by the Metropolitan King County Council on 11/15/2022, by the following vote:

Yes: 7 - Balducci, Dembowski, Kohl-Welles, Perry, McDermott, Upthegrove and Zahilay
No: 2 - Dunn and von Reichbauer

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:
Claudia Balducci
F8830816F1C4427...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:
Melani Pedroza
C267B914088E4A0...
Melani Pedroza, Clerk of the Council

APPROVED this ____ day of 11/29/2022, _____.

DocuSigned by:
Dow Constantine
4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: None

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Signer Events

Claudia Balducci
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 Deputy Clerk of the Council
 King County Council
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Kaitlyn Wiggins kwwiggins@kingcounty.gov Executive Legislative Coordinator King County Executive Office Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	<div style="border: 2px solid blue; padding: 5px; display: inline-block;">COPIED</div>	Sent: 11/23/2022 12:38:55 PM Viewed: 11/23/2022 12:46:46 PM
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