



Legislation Text

File #: 2010-0075, **Version:** 1

Clerk 01/26/2010

AN ORDINANCE approving the City of Black Diamond 2008 Water System Plan.

STATEMENT OF FACTS:

1. King County has adopted K.C.C. chapter 13.24, which requires approval of comprehensive plans for water and sewer utilities that distribute or obtain water in unincorporated King County as a prerequisite for operating in unincorporated King County, receiving approval for annexation proposals, being granted right-of-way franchises and being given approval for right-of-way construction permits. K.C.C. 13.24.060 prescribes the requirements for approval of such plans, including consistency with state and local planning requirements.
2. RCW 70.116.050 requires that water system plans developed by purveyors within the boundaries of a critical water supply service area are to be reviewed by local governments to ensure that the plans are not inconsistent with the land use plans, shoreline master programs and developmental policies of those local governments.
3. King County has adopted a comprehensive plan that includes water supply policies in its provisions for facilities and services (policies F-213 through F-245) that call for consistency with other adopted plans, support for regional water supply planning, reclaimed water use and water conservation, and protection of water resources.
4. The city of Black Diamond ("the city") has submitted its 2008 water system plan ("the plan") to King County for review and approval. K.C.C. chapter 13.24 requires review of water system

plans by the utilities technical review committee ("UTRC"), and a recommendation to the King County executive and council on the plan and the requirements under K.C.C. chapter 13.24 and consistency with the King County Comprehensive Plan. The UTRC has reviewed the planning data and city operations and hereby finds:

- a. The plan uses growth projections based on build-out forecast information provided by developers, which are larger numbers than the population targets under the growth management act, but the customized forecast is appropriately used;
 - b. The plan uses King County land use classifications for those parts of the city's service area that are located in unincorporated King County. The city does not have a franchise to operate in unincorporated King County;
 - c. The capital facility plan is adequate to meet anticipated facility and service needs;
 - d. The plan is consistent with applicable state water quality laws, including the evaluation of reclaimed water use, which the city is doing voluntarily; and
 - e. The plan is consistent with other pertinent county adopted plans and policies, with the exception of the existing South King County Coordinated Water System Plan, which will need to be modified as provided for by law.
5. The Washington state Department of Health approved the city's plan on July 24, 2009.
 6. The city completed a state Environmental Policy Act checklist and issued a determination of nonsignificance for the issuance of the plan on March 31, 2009.
 7. The city's operations and facilities meet multiple existing statutory, administrative, and planning standards. As the city's operations, facilities and planning meet the requirements of the King County Code and are consistent with the King County Comprehensive Plan, the UTRC recommends approval of the plan conditioned on the city's submitting a franchise application under K.C.C. chapter 6.27 within one year of the date of such an approval.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The City of Black Diamond 2008 Water System Plan, Attachment A to this ordinance, is hereby approved as a comprehensive water system plan conditioned on the city's submitting a franchise application to King County under K.C.C. chapter 6.27 within one year of the effective date of this ordinance.