

CODE

**CITY OF REDMOND
ORDINANCE NO. 2864**

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING RMC 13.18, "STORMWATER MANAGEMENT UTILITY," MODIFYING THE CODE TO SIMPLIFY HOW STORMWATER RATES ARE CALCULATED, TO MODERNIZE RATE CREDITS, AND TO MAKE THE STORMWATER RATE FAIR WITHOUT INCREASING TOTAL UTILITY RATE REVENUES

WHEREAS, the City of Redmond needs a stormwater utility to protect the public from pollution and flooding caused by stormwater; and

WHEREAS, the City of Redmond needs a stormwater utility to protect and restore water resources from degradation caused by stormwater; and

WHEREAS, the structure of Redmond's stormwater utility rate and credits needed updating to better align the credits given to rate payers with the impacts they create on City-owned/operated stormwater infrastructure and natural resources; and

WHEREAS, the City of Redmond stormwater utility rate and credits needed updating to clarify how and when credits apply.

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

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Amendment of Chapter. RMC 13.18, "Stormwater Management Utility," is hereby amended to read as follows:

Chapter 13.18
STORMWATER MANAGEMENT UTILITY

Sections:

- 13.18.010 Stormwater management utility created - Responsibilities.
- 13.18.020 Administrator of utility.
- 13.18.030 Ownership of city stormwater facilities and assets.
- 13.18.040 Rates and charges - Definitions.
- 13.18.050 System of charges.
- 13.18.060 Rate adjustment.
- 13.18.070 Authority to promulgate rules.
- 13.18.080 Repealed.

13.18.010 Stormwater management utility created - Responsibilities.

There is created and established pursuant to Chapters 35A.80 and 35.67 RCW a storm and surface water utility to be known as the "Redmond Stormwater Management Utility." All references to "the utility" in this chapter refer to the Redmond Stormwater Management

Utility. The utility will have primary authority and responsibility for carrying out the city's comprehensive drainage and storm sewer plan, including responsibilities for planning, design, construction, maintenance, administration, and operation of all city storm and surface water facilities, as well as establishing standards for design, construction, and maintenance of improvements on private property where these may affect storm and surface water management.

13.18.020 Administrator of utility.

The Director of Public Works shall be ex officio administrator of the utility.

13.18.030 Ownership of city stormwater facilities and assets.

Title and all other incidents of ownership of the following assets are vested in the utility: All properties, interests, and physical and intangible rights of every nature owned or held by the city, however acquired, insofar as they relate to or concern storm or surface water sewage, further including, without limitation, all properties, interests, and rights acquired by adverse possession or by prescription,

directly or through another, in and to the drainage or storage, or both, of storm or surface waters, or both, through, under, or over lands, watercourses, sloughs, streams, ponds, lakes, and swamps, all beginning in each instance, at a point where storm or surface waters first enter the storm and surface water system of the city and ending in each instance at a point where the storm or surface waters exit from the storm and surface water system of the city, and in width to the full extent of inundation caused by storm or flood conditions, together with all funds on deposit in the city storm drainage construction fund and future revenues of said fund.

13.18.040 Rates and charges - Definitions.

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

(A) [~~A-~~] "Developed parcel" means a parcel of real property which has been altered by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area which affects the hydraulic properties of the parcel.

(B) [~~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, 'green roofs', asphalt or concrete sidewalks, paving, driveways, parking lots, walkways, patio areas, storage areas, and gravel, oiled macadam, pervious asphalt or concrete, or other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.

(C) [E-] "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 rates and charges, impervious units are truncated to the nearest tenth.

(D) [~~D-~~] "Parcel" means the smallest separately segregated unit or plot of land having an identified owner, boundaries and surface area which constitutes a separate lot or tract capable of being conveyed without further subdivision.

(E) [~~E-~~] "Single-family parcel" means a parcel which has been actually developed with a single-family residence.

(F) [~~F-~~] "Undeveloped parcel" means any parcel of real property which has not been altered by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area which affects the hydraulic properties of the parcel.

~~[G. "ON-SITE INFILTRATION," FOR PURPOSES OF THIS CHAPTER, IS A METHOD OF STORMWATER MANAGEMENT IN WHICH ALL OF THE FOLLOWING ARE MET:~~

- ~~1. RAINFALL AND RUNOFF REACHING THE SITE ARE PERCOLATED INTO THE GROUND WITHIN THE SITE; AND~~
- ~~2. THE COLLECTION AND PERCOLATION OF THE RAINFALL AND RUNOFF IS ACHIEVED BY FACILITIES WHICH ARE IN~~

~~CONFORMANCE WITH WRITTEN ENGINEERING ANALYSIS AND PLANS,
BOTH OF WHICH HAVE BEEN APPROVED BY THE CITY; AND~~

~~3. MAINTENANCE, REPAIR AND RECONSTRUCTION OF ALL
PARTS OF FACILITIES FOR COLLECTING THE RAINFALL AND
RUNOFF AND ACHIEVING ITS PERCOLATION INTO THE GROUND ARE
THE RESPONSIBILITY OF AND ARE MAINTAINED TO DESIGN
LEVELS BY THE PROPERTY OWNER(S).]~~

(H) [H.] "Other developed parcel" means any developed parcel not defined as a single-family parcel in subsection (E) of this section, including duplexes and rights-of-way.

13.18.050 System of charges.

The following monthly service charges are established for all parcels of real property within the boundaries of the city, as they now exist or as they may be hereafter amended, for the purpose of carrying on the responsibilities of the stormwater management utility:

(A) [A.] Undeveloped Parcels. Undeveloped parcels shall not be charged.

(B) [B.] Single-Family Parcels. The monthly service charge for each single-family parcel shall be \$16.56 per

month, which shall hereafter be referred to as the "base rate."

(C) [~~C.~~] Other Developed Parcels. The monthly service charge for all other developed parcels, including city-owned properties and rights-of-way, shall be computed by multiplying the base rate times the number of impervious units applicable to the parcel times the rate adjustment for the parcel as determined under Section 13.18.060. This formula is expressed mathematically as follows:

$$\text{Charge} = \text{Base Rate} \times \text{IUs} \times \text{Rate Adjustment}$$

(D) [~~D.~~] Minimum Charge. Notwithstanding the number of impervious units applicable to any individual property, there shall be a minimum monthly service charge for all developed properties equal to the base rate.

13.18.060 Rate adjustment.

(A) [~~A.~~] Generally. The rate adjustment used to compute the monthly service charge for parcels [~~WITHOUT ON-SITE INFILTRATION~~] shall be determined by taking the coverage factors set forth in subsection (B) of this section and adding or subtracting any applicable water

quality and quantity [~~FACTORS~~] credits, and any special program adjustment, as determined under subsections (C) and (D) of this section. [~~THE RATE ADJUSTMENT USED TO DETERMINE THE MONTHLY SERVICE CHARGE FOR PARCELS WITH ON-SITE INFILTRATION SHALL BE AS SET FORTH IN SUBSECTIONS (D) AND (F) OF THIS SECTION.~~] Parcels served by multiple water quality or quantity facilities will have the rate adjustment calculated based on the percentage of area treated by each facility.

(B) [~~B-~~] Coverage Factor.

For Impervious Surface
Expressed as a Percentage of
Total Parcel Area Over Rate Adjustment
Is

| | |
|-----|--------|
| 30% | + 1.10 |
| 40% | + 1.20 |
| 50% | + 1.30 |
| 60% | + 1.40 |
| 70% | + 1.50 |
| 80% | + 1.60 |
| 90% | + 1.70 |

Portions of a parcel receiving an infiltration or dispersion credit shall receive a coverage factor of 1.

The remainder of the parcel will receive a coverage factor based on the entire parcel.

(C) [~~C~~] Water Quantity and Quality [FACTORS]

Credits:

(1) [~~1~~] Quantity [FACTORS] Credits:

| [FACILITY TYPE] | [DESIGN STORM] | | | |
|------------------------------|----------------|---------|---------|----------|
| | <10-YEAR | 10-YEAR | 25-YEAR | 100-YEAR |
| ON-SITE RETENTION | 0 | 0.25 | 0.30 | 0.35 |
| ON-SITE DETENTION | 0 | 0.15 | 0.20 | 0.25 |
| DIRECT-DISCHARGE | 0 | 0.25 | 0.30 | 0.35 |
| REGIONAL FACILITY DETENTION* | 0 | 0.08 | 0.10 | 0.13 |

~~[*THE REGIONAL FACILITY CREDIT IS AVAILABLE ONLY AFTER PAYMENT OF THE APPLICABLE SUB-BASIN CAPITAL FACILITY CHARGE.]~~

| | <u>Description</u> | <u>Examples</u> | <u>Credit</u> |
|-------------------------|--|---|---------------|
| <u>High Performance</u> | <u>Designed systems that prevent the majority of runoff from leaving the site.</u> | <ul style="list-style-type: none"> <u>Rainwater Harvesting and Reuse</u> <u>Full infiltration or dispersion</u> <u>LID Performance Standard + Flow Control</u> | <u>-0.4</u> |
| <u>Full Control</u> | <u>Designed systems that control the majority of runoff from the site.</u> | <ul style="list-style-type: none"> <u>Detention (2001 Standard)</u> <u>Private Direct Discharge</u> <u>Infiltration (91% annual runoff volume)</u> | <u>-0.2</u> |

| | | | |
|------------------------|---|---|--------------|
| <u>Partial Control</u> | <u>Designed systems that partially control the runoff from the site.</u> | <ul style="list-style-type: none"> <u>Detention (1992 Standard)</u> <u>Rainwater Harvesting (State Definition)</u> | <u>-0.1</u> |
| <u>Other Control</u> | <u>Designed systems that reduce or control runoff in some manner but do not meet the criteria above. Typically older systems.</u> | <ul style="list-style-type: none"> <u>Other designed flow control</u> <u>Other designed infiltration</u> <u>LID Performance Standard</u> | <u>-0.05</u> |

(2) [2.] Quality [FACTORS] Credits:

| [FACILITY TYPE] | [DESIGN-STORM] | | | |
|----------------------------------|----------------|---------|---------|----------|
| | <10 YEAR | 10 YEAR | 25 YEAR | 100 YEAR |
| NO STANDARD OR SPECIAL MEASURES | +0.20 | +0.20 | +0.20 | +0.20 |
| STANDARD FLOATABLES SEPARATOR | 0 | 0 | 0 | 0 |
| SPECIAL MEASURES | -0.20 | -0.25 | -0.30 | -0.35 |
| REGIONAL FACILITY WATER QUALITY* | -0.10 | -0.13 | -0.15 | -0.18] |

[* THE REGIONAL FACILITY CREDIT IS AVAILABLE ONLY AFTER PAYMENT OF THE APPLICABLE SUB BASIN CAPITAL FACILITY CHARGE.]

| | <u>Description</u> | <u>Examples</u> | <u>Credit</u> |
|-----------------|--|---|---------------|
| <u>Advanced</u> | <u>Designed system that separates runoff from non-pollution generating surfaces.</u> | <u>Infiltration of non-pollution generating</u> | <u>-.2</u> |

| | | | |
|------------------------|--|---|-------------|
| | | <u>surfaces</u> <u>Rainwater Harvesting</u> <u>and Reuse</u> | |
| <u>Enhanced</u> | <u>Designed system that removes sediment, metals, and/or phosphorus to current ecology standard.</u> | <u>Enhanced Treatment</u> | <u>-.15</u> |
| <u>Basic</u> | <u>Designed system that removes sediment to current ecology standard.</u> | <u>Basic Treatment</u> | <u>-.1</u> |
| <u>Other Treatment</u> | <u>Designed systems that improve or monitor water quality in some manner but do not meet the criteria above.</u> | <u>State or City Required</u> <u>Monitoring</u> <u>Oil/Water Separator</u> <u>Other designed water quality</u> | <u>-.05</u> |

(D) [~~D~~] Special Programs. Adjustments for special programs may be determined on a case-by-case contractual basis upon approval by the City Council. [~~UNDER THIS PROVISION THE ROOF AREA OF COMMERCIAL BUILDINGS ON "OTHER DEVELOPED" PARCELS MAY RECEIVE A 10% DISCOUNT ON THE FINAL STORMWATER RATE FOR UTILIZING A PROPERLY SIZED PERMISSIVE RAINWATER HARVESTING SYSTEM, AS ALLOWED BY CITY AND STATE REGULATIONS.~~]

(E) [~~E~~] Because developed city rights-of-way provide surface drainage, access to the storm drain pipes and overflow routes for stormwater in many areas, such developed rights-of-way shall have a fixed single

rate adjustment of [~~0.5~~] 0.3, notwithstanding any other provision of this section.

~~[F. RATE ADJUSTMENT FOR ON-SITE INFILTRATION. THE FOLLOWING RATE ADJUSTMENTS SHALL APPLY TO PARCELS WITH ON-SITE INFILTRATION SYSTEMS:]~~

~~[BILLING PER IMPERVIOUS UNIT FOR PARCELS WITH ON-SITE INFILTRATION]~~

~~[DESIGN STORM FREQUENCY]~~

| [COVERAGE | | | | |
|-----------|------|------|------|-------|
| PERCENT | <10 | ≥10 | ≥25 | ≥100 |
| | YR. | YR. | YR. | YR. |
| <30 | 1.00 | 0.50 | 0.40 | 0.30 |
| ≥30 | 1.10 | 0.59 | 0.49 | 0.39 |
| ≥40 | 1.20 | 0.62 | 0.52 | 0.42 |
| ≥50 | 1.30 | 0.65 | 0.55 | 0.45 |
| ≥60 | 1.40 | 0.69 | 0.59 | 0.49 |
| ≥70 | 1.50 | 0.72 | 0.62 | 0.52 |
| ≥80 | 1.60 | 0.75 | 0.65 | 0.55 |
| ≥90 | 1.70 | 0.79 | 0.69 | 0.59] |

(G) [~~G.~~] The [~~FACTORS~~] credits set forth in this section shall apply only if the on-site [~~OR OTHER~~] facilities for which a reduction in the rate adjustment is given met applicable [~~CITY~~] standards upon installation, received [~~CITY~~] approval of construction,

and have been and are maintained and operated in accord with city standards applicable at the time of billing. In the event that the administrator of the utility determines that the operation and maintenance standards are not complied with, no reduction in the rate adjustment shall be made for water quantity, water quality, or special programs [~~, OR INFILTRATION~~] for a minimum of one year and until operation and maintenance do meet city standards, whereupon the person being billed may reapply for system inspection and for application of the special programs, [~~INFILTRATION,~~] water quantity and/or quality credits s [~~FACTOR~~].

(H) [~~H-~~] Developed rights-of-way designated as state highways shall have a fixed single rate adjustment of 0.3, notwithstanding any other provision of this section.

13.18.070 Authority to promulgate rules.

The administrator of the utility is authorized to promulgate rules and regulations governing the proration or other adaptation of rates to particular site circumstances and any other matters necessary to

calculate or impose the service charges provided for in this chapter.

13.18.080 Billing and collection.

Repealed by Ord. 2464.

Section 3. 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 4. Effective date. This ordinance shall become effective January 1, 2017, after publication of an approved summary thereof consisting of the title.

ADOPTED by the Redmond City Council this 6th day of December,
2016.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

ATTEST:


MICHELLE M. HART, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:


JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK: November 15, 2016
PASSED BY THE CITY COUNCIL: December 6, 2016
SIGNED BY THE MAYOR: December 9, 2016
PUBLISHED: December 12, 2016
EFFECTIVE DATE: December 17, 2016
ORDINANCE NO. 2864

YES: ALLEN, BIRNEY, CARSON, MARGESON, SHUTZ, STILIN
NO: MYERS