

ORDINANCE NO. 555

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING UNIVERSITY PLACE MUNICIPAL CODE TITLE 13, PUBLIC WORKS, TO REGULATE STORMWATER FACILITIES AND DISCHARGE RELATED TO CONSTRUCTION AND DEVELOPMENT ACTIVITY, ADOPTING THE SURFACE WATER DESIGN MANUAL SETTING MINIMUM REQUIREMENTS, AND SETTING STANDARDS FOR INSPECTION AND MAINTENANCE OF STORMWATER FACILITIES.

WHEREAS, the Federal Clean Water Act established the National Pollutant Discharge Elimination System ("NPDES") permitting program enacted to protect the surface and groundwater supplies and which delegates to the Washington State Department of Ecology the authority to administer the program; and

WHEREAS, in 2007 the Department of Ecology issued to smaller cities in Western Washington, including University Place, the Western Washington Phase II Municipal Stormwater permit to regulate discharges from small municipal storm sewers; and

WHEREAS, the City finds that the increased development of land leads to stormwater pollution by the increased use of common pollutants and by the population; and

WHEREAS, the City finds that the increased development of land leads to the increase in stormwater flows which can result in erosion, sediment deposits, and flooding; and

WHEREAS, the City Council finds that erosion, sedimentation, and stormwater pollution affect the ecological balance of the water bodies, which is detrimental to the public health, safety, and welfare; and

WHEREAS, the City finds that regulation of the construction and maintenance of stormwater facilities is necessary to control stormwater discharge and the quality and quantity of municipal stormwater; and

WHEREAS, in order to provide continued management and control of stormwater within the City in compliance with the requirements of the NPDES municipal permit, amendments to the Public Works Code are necessary for the public health, safety, and welfare.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 13.25 – Surface Water Management - Amended. Section 13.25 is amended to adopt additional provisions consistent with the NPDES permit as follows:

13.25.115 Adopting King County Surface Water Codes

Sections 9.04 and 16.82.100 of the King County Municipal Code are hereby adopted and incorporated herein fully by this reference with the exceptions enumerated below.

1. All references within these codes to King County or County shall be construed to be the City of University Place.
2. All references to King County Departments shall be construed to be the City of University Place Engineering Department.

3. Section 9.04.020.Z.3 is hereby revised to read: Has a project site of fifty acres or more within a critical aquifer recharge area, as defined in UPMC 17.20.
4. Section 9.04.020.VV is hereby revised to read: "Surface Water Design Manual" means the manual, and supporting documentation referenced or incorporated in the manual, describing surface and storm water design and analysis requirements, procedures and guidance that has been formally adopted in UPMC 13.05.320
5. Section 9.04.030(4) is hereby revised to read: Contains or is adjacent to a flood hazard area as defined in UPMC 17.30.
6. Section 9.04.050(A)(7) is hereby revised to read: Financial guarantees and liability. All drainage facilities constructed or modified for projects, except downspout infiltration and dispersion systems for single family residential lots, must comply with the liability requirements of K.C.C 9.04.100 and the financial guarantee requirements of UPMC 13.05 Article VI.
7. Section 9.04.050(C)(4) is hereby revised to read: A request for an adjustment shall be processed in accordance with the procedures specified in the Surface Water Design Manual and UPMC 13.05.
8. Section 9.04.050(D) is hereby revised to read: The drainage review requirements in this section and in the Surface Water Design Manual may be modified or waived under the procedures in UPMC 13.05.
9. Section 9.04.095 is hereby revised to read: **Vesting period for lots in final short plats.** Unless the department finds that a change in conditions creates a serious threat to the public health or safety in the short subdivision, for a period of five years after recording, a lot within a short subdivision shall be governed by the provisions of this chapter in effect at the time a fully completed application for short subdivision approval was filed in accordance with UPMC 22.05.
10. The last sentence of Section 9.04.100 is hereby revised to read: If this liability insurance is not kept in effect as required, University Place may initiate enforcement action pursuant to UPMC 1.20.
11. Section 9.04.140(A)(1) is hereby revised to read: The director is authorized to promulgate and adopt administrative rules under the procedures specified in UPMC 13.05 for the purpose of implementing and enforcing the provisions of this chapter.
12. Section 9.04.196 is hereby deleted.
13. Section 16.82.100(A)(2) is hereby revised to read: All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with UPMC 13.25 Article III.

13.25.120 Design standards.

A. The King County Surface Water Design Manual (KCSWDM) and the King County Stormwater Pollution Prevention Manual and the portions of the King County Road Standards referenced therein are hereby adopted and incorporated fully into this chapter by this reference. The King County Surface Water Design Manual sets forth the drainage and erosion control requirements as supplemented herein. In these documents, all references to King County or the County shall be construed to refer to the City of

University Place; all references to the King County Department of Development and Environmental Services (DDES) or the Water and Land Resources Division of the King County Department of Natural Resources (WLR), shall be hereby revised to read the City of University Place ~~Community Development Engineering Department~~ or such other department as the City Manager may designate to enforce this chapter.

B. The design standards shall be applied in the following hierarchy of precedence:

1. University Place Municipal Code;
2. King County Surface Water Design Manual;
3. King County Stormwater Pollution Prevention Manual
4. King County Road Standards;
5. Washington State Department of Transportation (WSDOT) Standard Specifications for Road, Bridge, and Municipal Construction;
6. WSDOT Design Manual;
7. WSDOT Construction Manual.

C. The term "critical drainage area" in the King County Surface Water Design Manual shall have the meaning of "critical area" as defined in Chapter 13.05 UPMC, Article II, and classified in UPMC Title 17.

D. The term "landslide hazard drainage area" in the King County Surface Water Design Manual shall have the meaning of "landslide and erosion hazard area" as defined in Chapter 13.05 UPMC, Article II, and classified in UPMC Title 17.

E. A site development permit is added to the permits and approvals listed in Section 1.1.1 of the King County Surface Water Design Manual.

F. Core Requirement No. 3 "Impervious Surface Performance Exemption" of the KCSWPM is deleted and not in effect.

G. Core Requirement No. 5 provision for the allowance for projects in the residential zone that result in no more than 4% total impervious surface and no more than 15% pervious surface is deleted and not in effect.

H. Soil equality and depth criteria located in reference Section 4-A of the KCSWPM is hereby specifically adopted by reference as the sole criteria.

I. King County's approved method for modeling impervious area for rain garden credits in the KCSWDM is hereby specifically adopted by reference as the method for determining credits for Treatment under Minimum Requirement No. 6.

(Ord. 518 § 1, 2008; Ord. 423 § 40, 2004; Ord. 395 § 3, 2003).

13.25.260 Storm drainage inventory.

All new and modified storm drainage facilities will be mapped on the University Place G.I.S. inventory system. The storm drainage inventory fee ~~to be adopted must~~ shall be paid by the applicant at the time of permit issuance ~~to compensate the City for this activity.~~

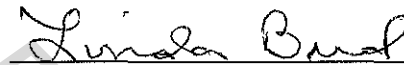
(Ord. 518 § 1, 2008; Ord. 395 § 3, 2003).

Section 2. Department Of Ecology Stormwater Manual Wetlands Provisions Adopted. Minimum Requirement No. 8 of Appendix 1 of the Washington State Department of Ecology Stormwater Manual and Ecology's Guide Sheets 1B and 2B are hereby adopted and incorporated herein fully by this reference.

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 or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL ON JULY 20, 2009.


Linda Bird, Mayor

ATTEST:


Emy Genetia, City Clerk

APPROVED AS TO FORM:


Janean Parker, City Attorney

Published: 07/22/09
Effective Date: 07/27/09