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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3688

AN ORDINANCE increasing storm and surface water drainage charges for the Storm and Surface Water Utility of the City of Bellevue; creating a new classification for wetlands; amending the combined rate for large properties; amending the credit provided for detention facilities; adopting certain rate policies; and amending Sections 2, 3 and 4 of Ordinance No. 2429.

WHEREAS, Section 4 of Ordinance No. 2429, as amended, requires that the rates and charges established therein be reevaluated no later than five years from March 1, 1982; and

WHEREAS, the Storm and Surface Water Utility, with the advice and assistance of a rate consultant, has reviewed the financial condition of the Utility and has reviewed the rates and charges provided by Ordinance No. 2429 as amended and the policies upon which said rates and charges were established; and

WHEREAS, the rate consultant and the Utility have determined and recommend that the rates and charges of the Utility be modified to provide for a more equitable distribution of said rates and charges; that revenues available to the Utility be increased; and that certain rate policies with respect thereto be adopted; and

WHEREAS, additional revenues for the Utility are necessary to fund the 1987-1991 Utility CIP, reestablish reserves used for the January, 1986 storm emergency, improve the Utility's debt coverage factor, and to provide for increased operations and maintenance costs resulting from CIP construction, plat dedications, annexations, and in anticipation of new federal regulations on storm water quality; and

WHEREAS, a public hearing was held on June 23, 1986, with regard to said proposed increase in the Utility's rates and charges; and

WHEREAS, the Storm and Surface Water Advisory Commission has reviewed the proposed modifications to the Utility's rates and charges and the proposed rate policies and on July 10, 1986, recommended adoption of said proposals and policies; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 4 of Ordinance No. 2429 as amended by Section 2 of Ordinance No. 2577 and further amended by Section 1 of Ordinance No. 3080 is further amended to read as follows:

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Section 4. There is hereby levied upon all real property within the City of Bellevue which contributes drainage water to or which benefits from the function of the Storm and Surface Water Utility of the City of Bellevue, and there shall be collected from the owners thereof, monthly service charges based on the square footage of the properties and on the appropriate intensity of development classification(s) of such properties, such that for each 2,000 square feet of area or increments thereof, the property shall be charged an amount per month as follows:

<u>Wetland</u>	<u>Undeveloped</u>	<u>Light Development</u>	<u>Moderate Development</u>	<u>Heavy Development</u>	<u>Very Heavy Development</u>
\$0.00	\$0.14	\$0.81	\$1.01	\$1.51	\$2.03

and each account shall be charged an additional customer charge in the amount of \$0.89 per month, and there shall be collected from the owners of undeveloped properties which become developed a "late-comer" facilities charge of \$11.87 per equivalent billing unit per year from March 1, 1982 to date of development, pro-rated on a monthly basis. An equivalent billing unit shall be defined as the number of square feet of property divided by 2,000 square feet times the runoff coefficient associated with the newly developed property's intensity of development classification. The runoff coefficient for the following development classifications are defined as follows: Wetland: 0.00; Undeveloped: 0.25; Light Development: 0.4; Moderate Development: 0.5; Heavy Development: 0.75; Very Heavy Development: 1.00.

The rates and charges established herein shall be reevaluated no later than five years from September 1, 1986.

Section 2. Section 3 of Ordinance No. 2429 as amended by Section 1 of Ordinance No. 2577 is hereby further amended to read as follows:

Section 3. The Storm and Surface Water Utility may reclassify an individual parcel of property to the next lower classification of intensity than would be indicated by its percentage of impervious surfaces based on hydrologic data to be submitted by the property owner or his agent to the said Utility, which demonstrates a hydrologic response substantially similar to that of a parcel of property of such lower classification of intensity.

The City Council further finds that, in the case of some parcels of property of more than 35,000 square feet in size, in addition to the conditions set forth in paragraph 1 of this section, there may be intensities of development on portions of such parcels of property which differ significantly from other

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portions of such property in terms of hydrologic response. To provide for consideration of the variation in intensity of development which may be present on such parcels of property, the Storm and Surface Water Utility may classify portions of such parcels of property in any of the classifications defined in Section 2 on the basis of hydrologic response. Provided, however, that at least 35,000 square feet shall be classified in the most intense classification appropriate to a portion of the parcel of property.

Section 3. Section 2 of Ordinance No. 2429 is hereby amended to read as follows:

Section 2. All real property in the City of Bellevue shall be classified by the Storm and Surface Water Utility according to the square footage of area of the property and the intensity of development set forth below:

- a. Wetlands - Real property or a portion of real property that has been designated as "wetlands" pursuant to the City's Sensitive Areas Notebook, as hereafter adopted. Such property shall continue to be charged under its existing classification until it has been specifically designated as "wetlands" pursuant to the Sensitive Areas Notebook.
- b. Undeveloped - Real property which is undeveloped and unaltered by buildings, roads, impervious surfaces or other physical improvements which change the hydrology of the property from its nature state.
- c. Light Development - Developed real property which has impervious surfaces of less than 20% of the total square footage area of the property.
- d. Moderate Development - Developed real property which has impervious surfaces between 20% and 40% of the total square footage area of the property.
- e. Heavy Development - Developed real property which has impervious surfaces between 40% and 70% of the total square footage area of the property.
- f. Very Heavy Development - Developed real property which has impervious surfaces of more than 70% of the total square footage area of the property.

Section 4. The rate policies given Clerk's Receiving No. 11466 are hereby adopted.

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Section 5. The revised monthly service charges, monthly customer charge and late-comer facilities charge, herein established shall take effect on September 1, 1986.

Section 6. This ordinance shall take effect and be in force five days after its passage and legal publication.

PASSED by the City Council this 28th day of July, 1986, and signed in authentication of its passage this 28th day of July, 1986.

(SEAL)

Cary E. Bozeman
Cary E. Bozeman, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard Gidley
Richard Gidley, Assistant City Attorney

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk

Published August 3, 1986