

October 4, 1994

Introduced By: Brian Derdowski

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Proposed No.: 94-493

ORDINANCE NO. **11522**

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AN ORDINANCE authorizing the King County department of public works, surface water management division, to adopt the Beaver Lake Management Plan as an administrative rule; amending Ordinance 7590, Sections 1 and 15 as amended, and K.C.C. 9.08.010 and 9.08.120.

PREAMBLE:

For the purpose of effective surface water management in the Beaver Lake Watershed, the King County council makes the following findings of fact:

1. The Beaver Lake Watershed covers 1,041 acres and lies within the Laughing Jacobs subbasin of the East Lake Sammamish Basin located in eastern King County.
2. The King County council passed Ordinance 11111 in November 1993 which adopted the East Lake Sammamish Basin and Nonpoint Action Plan which included interim recommendations for the Beaver Lake Watershed.
3. The Beaver Lake Watershed streams, wetlands, and lakes are presently hydraulically intact and include three number-one-rated, unique and outstanding wetlands: ELS 10, ELS 21, and ELS 57.
4. Seventy-seven percent of the watershed is currently forest or open space which under future land use will be decreased to 34 percent with the remaining 33 percent becoming additional medium and high density single family residential development.
5. The King County parks division is in the process of developing a regional park facility on the southern shore of Beaver Lake, providing active, passive, and natural recreation areas including a fishing pier, interpretive trails, and nature center.
6. Water quality in Beaver Lake is currently considering good to fair with current in-lake summer phosphorus concentration averaging 21 µg/l but under future land use conditions, is predicted to become very poor with in-lake summer phosphorus concentrations averaging 36 µg/l.
7. The Beaver Lake Management Plan was developed as directed by K.C.C. 9.08.040 to protect watershed quality, lake quality, and the watershed's aquatic resources.
8. Implementation of the policies set out in the management plan are expected to substantially reduce the impact additional development will have on lake and watershed quality as well as provide ongoing monitoring of water quality.
9. The management plan proposes that revenues from a lake management district, which must be formed through public vote, and a state grant, which may not be awarded and which in any case must be matched by revenues from the district, are to fund monitoring of water quality treatment measures implemented under the plan. Without such monitoring, it will be impossible to determine the effectiveness of these measures in protecting Beaver Lake. Therefore, if a lake management district for the Beaver Lake watershed is not formed in 1996, the council finds that administrative rules promulgated to implement the Beaver Lake Management Plan should no longer be effective after December 31, 1996.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 7590, Section 1 as amended and K.C.C.

9.08.010 are each hereby amended to read as follows:

Definitions: The following definitions shall apply in the interpretation and enforcement of this chapter:

1           A. "Basin plan" means a plan and all implementing regula-  
2 tions and procedures including but not limited to capital projects,  
3 public education activities, land use management regulations adopted by  
4 ordinance for managing surface and storm water management facilities and  
5 features within individual sub-basins.

6           B. "County" means King County.

7           C. "Department" means the department of public works.

8           D. "Developed parcel" means any parcel altered from the  
9 natural state by the construction, creation or addition of impervious  
10 surfaces.

11           E. "Director" means the director of the department of public  
12 works or the director's designee.

13           F. "Lake Management Plan" means the plan (and supporting  
14 documents as appropriate) describing the lake management recommendations  
15 and requirements which has been formally adopted by rule under the  
16 procedures specified in K.C.C. 2.98. Adopted lake management plans are  
17 available from the surface water management division and the department  
18 of development and environmental services. A synopsis of adopted Lake  
19 Management Plans will be distributed to all Surface Water Design Manual  
20 subscribers as part of the manual's routine update process.

21           (~~F~~)G. "Drainage facility" means the system of collecting,  
22 conveying, and storing surface and storm water runoff. Drainage  
23 facilities shall include but not be limited to all surface and storm  
24 water conveyance and containment facilities including streams, pipe-  
25 lines, channels, ditches, swamps, lakes, wetlands, closed depressions,  
26 infiltration facilities, retention/detention facilities, erosion/  
27 sedimentation control facilities, and other drainage structures and  
28 appurtenances, both natural and constructed.

29           (~~G~~)H. "Impervious surface" means a hard surface area which  
30 either prevents or retards the entry of water into the soil mantle as it  
31 entered under natural conditions prior to development, and/or a hard  
32 surface area which causes water to run off the surface in greater

1 quantities or at an increased rate of flow from the flow present under  
2 natural conditions prior to development. Common impervious surfaces  
3 include, but are not limited to, roofs, walkways, patios, driveways,  
4 parking lots, storage areas, areas which are paved, graveled or made of  
5 packed or oiled earthen materials, or other surfaces which similarly  
6 impede the natural infiltration of surface and storm water. Open,  
7 uncovered retention/detention facilities shall not be considered as  
8 impervious surfaces for the purpose of this chapter.

9 (~~H~~)I. "Land use code" means restrictions on the type of  
10 development for a specific parcel of land as identified by records  
11 maintained by the King County department of assessments as modified or  
12 supplemented by information resulting from investigation by the surface  
13 water management division. Land use codes are preliminary indicators of  
14 the extent of impervious surface and are used in the initial analysis to  
15 assign an appropriate rate category for a specific parcel. "Service  
16 station", "single-family home", and "shopping center" are examples of  
17 land use codes.

18 (~~I~~)J. "Maintenance" means the act or process of cleaning,  
19 repairing or preserving a system, unit, facility, structure or piece of  
20 equipment.

21 (~~J~~)K. "Natural surface water drainage system" means such  
22 landscape features as rivers, streams, lakes, and wetlands. This system  
23 circulates water in a complex hydrological cycle.

24 (~~K~~)L. "Open Space" means any parcel, property or portion  
25 thereof classified for current use taxation under the provisions of  
26 K.C.C. 20.36 and RCW 84.34, or for which the development rights have  
27 been sold to King County under the provisions of K.C.C. 26.04. This  
28 definition includes lands which have been classified as open space,  
29 agricultural or timber lands under criteria contained in K.C.C. 20.36  
30 and RCW 84.34.

1           (~~L~~)M. "Parcel" means the smallest separately segregated unit  
2 or plot of land having an identified owner, boundaries, and surface area  
3 which is documented for property tax purposes and given a tax lot number  
4 by the King County assessor.

5           (~~M~~)N. "Person" means any individual, firm, company, associa-  
6 tion, corporation or governmental agency.

7           (~~N~~)O. "Program" means the Surface Water Management Program  
8 as set forth in chapter.

9           (~~O~~)P. "Rate category" means the classification in this  
10 chapter given to a parcel in the service area based upon the type of  
11 land use on the parcel and the percentage of impervious surface area  
12 contained on the parcel.

13           (~~P~~)Q. "Retention/detention facility" means a type of  
14 drainage facility designed either to hold water for a considerable  
15 length of time and then release it by evaporation, plant transpiration  
16 and/or infiltration into the ground; or to hold runoff for a short  
17 period of time and then release it to the surface and storm water  
18 management system.

19           (~~Q~~)R. "Residence" means a building or structure or portion  
20 thereof, designed for and used to provide a place of abode for human  
21 beings. The term residence includes the term "residential" or "reside-  
22 ntial unit" as referring to the type of or intended use of a building or  
23 structure.

24           (~~R~~)S. "Residential parcel" means any parcel which contains  
25 no more than three residences or three residential units which are  
26 within a single structure and is used primarily for residential pur-  
27 poses.

28           (~~S~~)I. "Service area" means the area described in Exhibit A  
29 dated November 27, 1991 which is attached hereto and incorporated by  
30 reference herein. This exhibit is available in the office of the clerk  
31 of the council.  
32

1           (~~(T)~~)U. "Storm water plan" means a King County ordinance  
2 specifying the storm water control facilities that will be funded by a  
3 bond issue.

4           (~~(U)~~)V. "Surface and storm water management services" means  
5 the services provided by the Surface Water Management Program, including  
6 but not limited to basin planning, facilities maintenance, regulation,  
7 financial administration, public involvement, drainage investigation and  
8 enforcement, aquatic resource restoration, surface and storm water  
9 quality and environmental monitoring, natural surface water drainage  
10 system planning, intergovernmental relations, and facility design and  
11 construction.

12           (~~(V)~~)W. "Sub-basin" means a drainage area which drains to a  
13 water course or water body named and noted on common maps and which is  
14 contained within a basin as defined in K.C.C. 9.04.020.

15           (~~(W)~~)X. "Surface and storm water" means water originating from  
16 rainfall and other precipitation that is found in drainage facilities,  
17 rivers, streams, springs, seeps, ponds, lakes and wetlands as well as  
18 shallow ground water.

19           (~~(X)~~)Y. "Surface and storm water management system" means  
20 constructed drainage facilities and any natural surface water drainage  
21 features which collect, store, control, treat and/or convey surface and  
22 storm water.

23           (~~(Y)~~)Z. "Undeveloped parcel" means any parcel which has not  
24 been altered from its natural state by the construction, creation, or  
25 addition of impervious surface.

26           SECTION 2. Ordinance 7590, Section 15 as amended and  
27 K.C.C. 9.08.120 are each hereby amended to read as follows:

28           Administrative Procedures. Pursuant to K.C.C. 2.98 the director  
29 shall develop administrative procedures relating to the implementation  
30 of this chapter (~~(and the imposition and collection of service charges~~  
31 ~~including but not limited to; p)~~). This includes but is not limited  
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A. Procedures for the imposition and collection of service charges and/or for filling of liens and initiation of foreclosure on delinquent accounts and the collection of the debt service portion of the service charge in areas that annex or incorporate ((-)); and

B. Lake Management Plans for:

1. Beaver Lake; provided that such administrative procedures shall no longer be effective after December 31, 1996, if a lake management district has not been formed for the Beaver Lake watershed in 1996.

INTRODUCED AND READ for the first time this 15<sup>th</sup> day of

August, 1994.

PASSED by a vote of 11 to 0 this 3<sup>rd</sup> day of

October, 1994.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Kent Pullen  
Chair

ATTEST:

Gerald A. Polster  
Clerk of the Council

APPROVED this 12<sup>th</sup> day of October, 1994.

Ray Locke  
King County Executive

Attachments:

Council amended 10/3/94