

ORDINANCE NUMBER 80-08

An Ordinance adopting a Stormwater and Surface Water Utility

WHEREAS, uncontrolled stormwater run off is one of Mason County's pressing environmental problems. Contaminated water from poorly managed development sites, increasing amounts of impervious surfaces, and flows from roads and highways have added to the poor water quality now being experienced in Puget Sound and Hood Canal and other water bodies in the County; and

WHEREAS, while Mason County is not yet required to meet Federal and State stormwater standards, we have recognized that we must take a leadership role in implement better control practices. We are currently developing a Countywide Stormwater Management Master Plan and are implementing small-area urban run-off management plans for Belfair and Allyn, including a pilot demonstration stormwater capital facility to be constructed in Belfair or Allyn; and

WHEREAS, The County recently adopted Low Impact Development techniques, including ways to retain trees and other vegetative cover and infiltrated stormwater, so the need for large and costly centralized structural stormwater treatment facilities is minimized; and

WHEREAS, The County is adopting the Western Washington 2005 Stormwater Manual, initially for the Belfair and Allyn Urban Growth Areas; and

WHEREAS, the formation of a storm and surface water utility will allow the County to better manage and coordinate our efforts to control the damage associated with urban run-off; and

WHEREAS, the Board held a public hearing on June 17, 2008 to consider the formation of a storm and surface water utility and heard favorable comments to form such a district.

NOW THEREFORE, The Mason County Board of County Commissioners hereby adopts the ordinance forming a Storm and Surface Water Utility by adding title 14.46 to the Mason County Code as outline in Attachment "A" and with current boundaries as shown on Map #1 titled "The Boundaries of the Storm and Surface Water Utility"

DATED this 17th day of June, 2008

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

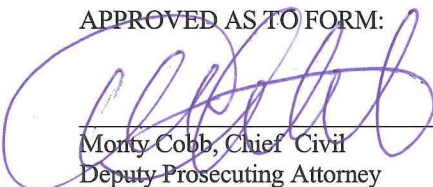
ATTEST:


Rebecca S. Rogers, Clerk of the Board

Voted Nay
Tim Sheldon, Chair


Lynda Ring Erickson, Commissioner

APPROVED AS TO FORM:


Monty Cobb, Chief Civil
Deputy Prosecuting Attorney


Ross Gallagher, Commissioner

Storm & Surface Water Utility

14.46

CHAPTERS

- Purpose
- Boundaries
- Responsibilities
- Financial Management

14.46.10 Purpose:

A Storm and Surface Water Utility is created for Mason County to develop and implement strategies and actions to reduce the frequency and severity of flooding so hazardous situations are eliminated; water quality improvement in all local streams, water bodies, Puget Sound and Hood Canal are achieved; the loss of important aquatic habitats is minimized. The goal of the Utility will be to mediate conflicts between the pressures created by development and the need to conserve Mason County's natural environment.

14.46.20 Boundaries

The boundaries of the Utility will change over time. Initially the boundaries of the Utility will be the Belfair and Allyn Urban Growth Areas as illustrated on Map #1. Future expansion of boundaries will be based on the following schedule unless development impacts, new research, or declining water quality and habitat loss indicates a more aggressive need to include the areas in the Utility boundaries earlier.

❖ Belfair and Allyn UGA	2008
❖ Defined Marine Recovery Areas	2009
❖ Defined Shellfish Protection Areas	2010
❖ Defined Rural Activities Centers and Limited Areas of More Intense Rural Development (LAMIRD)	2011
❖ County wide**	2012*

*Based on development impacts and water quality

**Designated Forest lands will not be included in any Utility boundary

14.46.021

Within the Belfair and Allyn Urban Growth Area as defined on Map #1, applicable Sections of 14.48 of this regulation will govern the development of land. This will include provisions of the 2005 Department of Ecology Drainage manual or any version that might be developed in the future. This will include the use of Low Impact development techniques.

14.46.023

Outside the Belfair and Allyn Urban Growth Area as defined on Map #1, applicable Sections of 14.48 will govern the development of land until they might be added to the boundaries of the Utility. When new Utility territory is added Section 14.46.021.

14.46.024

Regardless of location, any land employing the Master Plan Development Process will be required to meet the requirements of 14.46.021 and the required sections of 14.48.

14.46.30 Utility Responsibilities

The Utility will have three basic responsibilities:

1. Flooding Management
2. Water Quality Improvement
3. Protecting Aquatic Habitat

14.46.31 Organization of the Utility

The Utility will be organized to perform the following functions:

- Environmental Planning and Policy Development
Responsible Dept: Utilities and Waste Management & Environmental Health
- Capital Facilities Planning
Responsible Dept: Public Works
- Operations and Maintenance
Responsible Dept: Utilities and Waste Management
- Code Enforcement & Technical Assistance
Responsible Dept: Community Development & Public Works
- Development Review
Responsible Dept: Community Development & Public Works
- Monitoring, Research & Evaluation
Responsible Dept: Utilities and Water Management & Environment Health
- Program Management and Administration
Responsible Dept: Utilities & Waste Management
- Public Involvement and Education
Responsible Dept: Utilities & Waste Management, Mason Conservation District & WSU Extension

14.46.40 Financial Management

There are no annual stormwater fees associated with the creation of the utility at this time. Assessments or fees may become necessary to support the utility and its functions. Any fee system may be based on impervious surfaces, including all hard surfaces on a property including roof areas. Designated forest, agricultural lands, and open space lands will be exempt from payment of any assessment or fees. Properties greater than 20 acres in size with structures and impervious surfaces will pay a reduced rate. Such rate will be 50% of the established rate.

Public and private roads constructed of impervious surfacing materials or portion thereof so constructed may be required to pay a fee not to exceed \$100,000 per year based on maintenance and monitoring needs for retrofit projects. A priority list of projects will be developed before any fee or assessment is collected. These projects can be ones that prevent flooding or manage water quality or preserve aquatic habitat. The first choice for control of any kind should be natural over man-made or built structures.