

ORDINANCE NO. 315-2004

Amending Kitsap County Code 12.40.050 to establish a Surface and Stormwater Management Program Rate Reduction for Permissive Rainwater Harvesting Systems, Infiltration Systems, and Direct Discharge Systems.

WHEREAS, section 36.89.080 of the Revised Code of Washington (RCW) requires counties that have a stormwater management fee to reduce that fee for any new or remodeled commercial building that utilizes a permissive rainwater harvesting system;

WHEREAS, a properly designed and maintained permissive rainwater harvesting systems will lessen surface water runoff;

WHEREAS, a properly designed and maintained infiltration system will lessen surface water runoff and regional flooding;

WHEREAS, direct discharge of properly treated runoff to Puget Sound or tidally influenced water does not result in flooding or negative water quality impacts;

BE IT ORDAINED:

Section 1. Kitsap County Code Title 12, "Rate Structure", Section 12.40.050, adopted by Ordinance 165-1994 and last amended by ordinance 165A-1995, is amended as follows:

12.40.050 Rate Structure:

(a) The rates and service charges shall be based on the service provided and relative contribution of surface and storm water runoff from a given parcel to the storm water control facilities. The average estimated percentage of impervious surfaces on the parcel, the land use classification, the total parcel acreage and/or measured impervious surface area will be used to determine the relative contribution of surface and storm water runoff from the parcel.

(b) The Board of County Commissioners shall establish from time to time, by resolution, the unit rate applied to each class of property identified below:

Class of Property	Basis of Service Charge
(1) Single-family residence.	A unit rate per single-family residence based on one ESU
(2) Multifamily residence.	Number of dwelling units times the unit rate.

- (3) Apartments. Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of fifty-one percent.
- (4) Commercial uses. Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of sixty-two percent.
- (5) Industrial uses. Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of thirty-four percent.
- (6) Institutional uses. Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU but not less than one, times the unit rate. In the absence of measured impervious surface area, impervious surface area shall be estimated by multiplying the gross parcel size by a density of development factor of forty-one percent.
- (7) Undeveloped land. No charge.
- (8) County roads. Estimated or measured impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU times the unit rate.
- (9) State roads. Thirty percent of the base rate for impervious surface area divided by the square footage of one ESU, rounded to the nearest ESU times the unit rate.

(c) Rainwater Harvesting Rate Reduction: Any new or remodeled commercial building (as defined by KCC 12.40.050(b)(3) through (6)) that utilizes rainwater harvesting may receive a 50% rate reduction for those surfaces from which the rain is harvested. In order to obtain the rate reduction, the proponent must demonstrate through an analysis prepared by a licensed professional engineer that the system will result in zero surface water discharge for all storm events contained in section 12.20.030 of the Kitsap County Code, using the hydrologic methods described in section 12.20.020 of the Kitsap County Code. The proponent is responsible for requesting the credit. The rate reduction will become effective for the calendar year following the request.

(d) 100% Retention/Infiltration Rate Reduction: Any new or remodeled commercial development (as defined by KCC 12.40.050(b)(3) through (6)) that utilizes 100% infiltration of all site rain runoff water may receive a 50% rate reduction. In order to obtain the rate reduction, the proponent must demonstrate through an analysis prepared by a licensed professional engineer that the system will result in zero surface water discharge for all storm events contained in section 12.20.030 of the Kitsap County Code, using the hydrologic methods described in section 12.20.020 of the Kitsap County Code. The proponent is responsible for requesting the credit. The rate reduction will become effective for the calendar year following the request.

(e) Direct Discharge to Tidally Influenced Waters Rate Reduction: Any new or remodeled commercial development (defined by KCC 12.40.050(b)(3) through (6)) that discharges directly into Puget Sound, or directly into the tidally influenced areas of rivers and streams discharging into Puget Sound, may receive a 50% rate reduction. In order to obtain the rate reduction, the proponent must demonstrate through an analysis prepared by a licensed professional engineer that the system conforms to the requirements of sections 12.20.030(4)(A) and 12.20.040 of the Kitsap County Code, and that the site does not discharge surface runoff except through the direct discharge system. The proponent is responsible for requesting the credit. The rate reduction will become effective for the calendar year following the request.

DATED this 12th day of April, 2004.

**BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON**

Patty Lent, Chair

Chris Endresen, Commissioner

Jan Angel, Commissioner

ATTEST:

Opal Robertson, Clerk of the Board

Approved as to form:

Deputy Prosecuting Attorney