

ORDINANCE NO. 772

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING SECTIONS 12.15.032 AND 12.15.034 OF THE UNIVERSITY PLACE MUNICIPAL CODE BY AMENDING; RELATING TO STORMWATER MANAGEMENT FEES

WHEREAS, the City of University Place has established a surface water management utility under Chapter 12.15 of the University Place Municipal Code (UPMC); and

WHEREAS, UPMC 12.15.032 establishes the fees associated with the surface water utility; and
WHEREAS, UPMC 12.15.034 sets forth criteria for property owners with privately maintained storm drainage facilities to receive service charge credits to the annual storm drainage and surface water management fees; and

WHEREAS, the City has performed a capital and operational needs assessment of its surface water management system and developed a 20-year financial model that includes a recalculation of the annual storm drainage and surface water management fees and the establishment of a system development charge needed to pay for the projected capital and operational costs associated with the surface water management utility; and

WHEREAS, the City's NPDES Phase II permit requires the City to encourage the use of Low Impact Drainage techniques in managing storm water from new development;

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

Section 1. Amending Sections 12.15.032 of the University Place Municipal Code. Section 12.15.032 of the University Place Municipal Code titled "Fees" is hereby amended as set forth below:

12.15.032 Fees.

A. ~~Annual s~~Storm drainage and surface water management fees shall be in accordance with the table below. as follows:The rate will increase 1.7 % per year beginning in 2027 to account for inflationary cost adjustments normalized to development growth.

Land Use Category	2009 <u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027 -</u> <u>2043</u>	Basis
Residential per single unit (current)	\$191.15 <u>222.17</u>	<u>\$254.80</u>	<u>\$289.84</u>	<u>+ 1.7 %</u>	Per dwelling unit
Duplex per duplex unit	\$246.59 <u>286.61</u>	<u>\$328.7</u>	<u>\$373.90</u>	<u>+ 1.7 %</u>	Per duplex
Duplex/Condo	\$123.29 <u>143.30</u>	<u>\$164.34</u>	<u>\$186.94</u>	<u>+ 1.7 %</u>	Per duplex/condo dwelling unit
Multifamily	-				-
Minimum charge per parcel	<u>\$0.000000</u>				-
Gravel rate per sq. ft.	<u>\$0.054358</u>				Per sq. ft. impervious
Pavement rate per sq. ft.	<u>\$0.072477</u>				Per sq. ft. impervious

Land Use Category	2009 <u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027 - 2043</u>	Basis
Building rate per sq. ft.	\$0.072477				Per sq. ft. impervious
-	-				-
Mobile Home Parks					
Minimum charge per unit	\$105.50 <u>122.62</u>	<u>\$140.63</u>	<u>\$159.97</u>	<u>+ 1.7 %</u>	Per occupied site, plus
Gravel rate per sq. ft.	\$0.054358 <u>0.063179</u>	<u>\$0.072458</u>	<u>\$0.082423</u>	<u>+ 1.7 %</u>	Per sq. ft. impervious
Pavement rate per sq. ft.	\$0.072477 <u>0.084239</u>	<u>\$0.096611</u>	<u>\$0.109897</u>	<u>+ 1.7 %</u>	Per sq. ft. impervious
Building rate per sq. ft. (not including occupied site units)	\$0.072477 <u>0.084239</u>	<u>\$0.096611</u>	<u>\$0.109897</u>	<u>+ 1.7 %</u>	Per sq. ft. impervious
-	-				-
Office/Condo	-				-
Minimum charge per unit	\$0.000000				-
Building rate per sq. ft.	\$0.072477				Per sq. ft. impervious
-	-				-
Vacant Undeveloped	-				-
Minimum charge per parcel	\$0.000000				-
Area charge per acre	\$0.000000				-
Gravel rate per sq. ft.	\$0.054358				Per sq. ft. impervious
Pavement rate per sq. ft.	\$0.072477				Per sq. ft. impervious
Building rate per sq. ft.	\$0.072477				Per sq. ft. impervious
-	-				-
Forest and Timberland	-				-
Minimum charge per parcel	\$0.000000				-
Area charge per acre	\$0.000000				-
Gravel rate per sq. ft.	\$0.054358				Per sq. ft. impervious
Pavement rate per sq. ft.	\$0.072477				Per sq. ft. impervious
Building rate per sq. ft.	\$0.072477				Per sq. ft. impervious
-	-				-
State, County and Federal Highways	-				-

Land Use Category	2009 <u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027 - 2043</u>	Basis
Gravel rate per sq. ft.	\$0.016248				Per sq. ft. impervious
Pavement rate per sq. ft.	\$0.0216620				Per sq. ft. impervious
-	-				-
Roads (other than State/County/Federal)	-				-
Minimum charge per parcel	\$0.000000				-
Gravel rate per sq. ft.	\$0.054358				Per sq. ft. impervious
Pavement rate per sq. ft.	\$0.072477				Per sq. ft. impervious
Building rate per sq. ft.	\$0.072477				Per sq. ft. impervious
-	-				-
All Other Land Uses/Parcels (Multifamily, Commercial, Roads, etc.)					
Minimum charge per parcel	\$0.000000				-
Gravel rate per sq. ft.	\$0.054358 063179	<u>\$0.072458</u>	<u>\$0.082423</u>	<u>+ 1.7%</u>	Per sq. ft. impervious
Pavement/Building rate per sq. ft.	\$0.072477 084239	<u>\$0.096611</u>	<u>\$0.109897</u>	<u>+ 1.7 %</u>	Per sq. ft. impervious
Building rate per sq. ft.	\$0.072477				Per sq. ft. impervious

B. The annual surface water management fee shall be calculated based on impervious area and parcel status as of January 1st each year. The surface water management fee shall be due on or before April 30th of each year and shall be paid together with payment of real property tax upon the parcel, if any, and shall be delinquent thereafter. Provided, that if real property tax upon the parcel payable in that year exceeds \$30.00, and one-half of the tax, together with one-half of the surface water management fee provided by this section, is paid on or before April 30th of such year, the remaining one-half of the fee shall be due and payable on October 30th, next following, or at the time of payment of the remaining tax on the parcel, whichever is earlier, and shall be delinquent after that date. The surface water management fee shall be incorporated on the Pierce County real property tax statement.

C. System Development Charge (SDC). Starting in 2025, a system development charge shall be assessed to new development/redevelopment based on the proposed increase in impervious area or dwelling unit in accordance with the table below. This charge will be assessed at the time of permit issuance.

<u>Land Use Category</u>	<u>SDC</u>	<u>Basis</u>
<u>Residential per single unit (current)</u>	<u>\$550</u>	<u>Per dwelling unit</u>
<u>Duplex per duplex unit</u>	<u>\$709.52</u>	<u>Per duplex</u>
<u>Duplex/Condo</u>	<u>\$354.74</u>	<u>Per duplex/condo dwelling unit</u>

<u>Land Use Category</u>	<u>SDC</u>	<u>Basis</u>
<u>Mobile Home Parks</u>	-	-
<u>Minimum charge per unit</u>	<u>\$303.56</u>	<u>Per occupied site, plus</u>
<u>Gravel rate per sq. ft.</u>	<u>\$0.156405</u>	<u>Per sq. ft. impervious</u>
<u>Pavement rate per sq. ft.</u>	<u>\$0.208540</u>	<u>Per sq. ft. impervious</u>
<u>Building rate per sq. ft. (not including occupied site units)</u>	<u>\$0.208540</u>	<u>Per sq. ft. impervious</u>
<u>All Other Land Uses/Parcels (Multifamily, Commercial, Roads, etc.)</u>	-	-
<u>Gravel rate per sq. ft.</u>	<u>\$0.156405</u>	<u>Per sq. ft. impervious</u>
<u>Pavement/Building rate per sq. ft.</u>	<u>\$0.208540</u>	<u>Per sq. ft. impervious</u>

DE. Parcel characteristics affecting the annual surface water management fee which are altered after January 1st of any year shall not be the basis for recalculation of the fee until the next year.

E. These rates shall be reviewed each biannual budget cycle to verify growth and inflation rates.

Section 2. Amending Sections 12.15.034 of the University Place Municipal Code. Section 12.15.034 of the University Place Municipal Code titled "Service charge credits" is hereby amended as set forth below:

12.15.034 Service charge credits.

A. Property owners with privately maintained storm drainage facilities meeting the criteria of this section may be eligible for a service charge credit. To qualify for this credit, the following must be completed before October 1st of the year preceding the year for which the owner is requesting credit. Service charge credits as provided for in this section will become effective January 1st of the following year.

1. Credit will apply to all categories listed in this section.

2. To qualify for a credit, the owner of record shall provide engineering calculations to the City in accordance with design criteria acceptable to the City and "as constructed" plans stamped and signed by the owner's engineer to verify that the drainage system has adequate capacity to meet the design criteria for which the owner is requesting a credit. The owner's engineer shall prepare and stamp an operation and maintenance manual for the owner to follow in maintaining any drainage facility. The City shall be provided a copy of the maintenance manual. New calculations, "as constructed" plans, and a maintenance and operation manual shall be prepared and stamped by the owner's engineer if the drainage facility is increased or decreased in size from the original credit request.

3. Property owners not otherwise qualifying for credits as described in section 2 above, may qualify for a 10% credit when property storm drainage is managed by Low Impact Development techniques as specified in the City's Stormwater Regulations. Qualification of this credit will be based on the applicant's ability to demonstrate their storm drainage facility meets current Low Impact Development design criteria at the time of application for credit.

43. Annually, each owner of record shall provide to the City a certified statement by October 1st of the year preceding the year for which the owner of record is requesting credit on a form provided by the City verifying that all specified maintenance has been performed in accordance with the

operation and maintenance manual prepared by the owner's engineer. Once every five years, the certified statement shall be stamped and signed by the owner's engineer.

54. Each owner of record shall provide a "hold harmless" statement on a form provided by the City that indemnifies the City from any loss incurred arising from the construction and maintenance and operation of the owner's drainage facilities for both water quantity and quality runoff from the owner's property. This statement shall be signed by the owner and will be recorded with the County Auditor by the owner of record. The owner of record shall provide the City a copy of the agreement with the County Auditor recording number stamped on it before the application will be deemed completed.

65. Each owner of record must enter into an agreement with the City that allows the City to enter onto the owner's parcel to inspect the drainage facility and verify all information submitted by the owner and his/her engineer. The agreement form will be provided by the City. This agreement will be recorded with the County Auditor by the owner of record. The owner of record shall provide the City a copy of the agreement with the County Auditor recording number stamped on it before the credit application will be deemed completed.

76. Homeowners' associations comprised of a minimum of 20 properties may provide the documentation required in this section, and other such documentation as may be required by the Director, on behalf of those properties within the homeowners' association. Any submission by a homeowners' association must include a complete list of property owners' names and parcel numbers for any properties requesting the service charge credit.

87. The following credits shall apply to on-site improvements which in the opinion of the Director meet or exceed the following guidelines:

CREDIT PERCENTAGES

Infiltration Facility	Percent Credit
100-year storage	25%
50-year storage	15%
25-year storage	10%

Detention Facility Design Storm	Percent Credit
100-year	25%
50-year	15%
25-year	10%

<u>Low Impact Development</u>	<u>Percent Credit</u>
<u>LID Credit</u>	<u>10%</u>

B. The annual service charge credit will be calculated by multiplying the annual surface water management fee by the applicable credit percentages when all the conditions established for a service charge credit have been met.

In order to determine the credit percentage for a facility, the following shall apply:

1. For a facility whose year storage is not listed in this section, the next lower year storage category will be used.

2. The release rate shall be equal to or less than the predeveloped historic (forested) rates for each storm event up to the design event.
3. No credit shall be given for a facility with less than a 25-year storage.

Section 3. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

Section 5. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON OCTOBER 16, 2023.

Steve Worthington, Mayor

ATTEST:

Emelita J. Genetia, City Clerk

APPROVED AS TO FORM:

Matthew S. Kaser, City Attorney

Publication Date: 10/18/23

Effective Date: 10/23/23