

ORDINANCE NUMBER 102 -09
AN ORDINANCE AMENDING ORDINANCE 80-08 ADOPTION
A STORMWATER AND SURFACE WATER UTILITY

WHEREAS, on June 17, 2008 the Board of County Commissioners adopted Ordinance 80-08 forming a Storm and Surface Water Utility under Title 14, Section 14.46 of the Mason County Code; and

WHEREAS, controlling stormwater runoff continues to be a priority in Mason County, as does the need to meet Federal and State Stormwater standards; and

WHEREAS, efforts to better facilitate the County's implementation of Section 14.46, as adopted, require revisions to the Ordinance to better clarify it's intent and promote effective implementation; and

WHEREAS, Section 14.46 of the Mason County Code addressing the Storm and Surface Water Utility is being revised to incorporate more specific timeframes for the expansion of the boundaries of the Utility, as well as a series of maps for illustration and reference; and


WHEREAS, the Board held a public hearing on NOVEMBER 17, 2009 to consider amendments to Section 14.46 as outlined above and received public testimony on the same.

NOW THEREFORE, the Mason County Board of County Commissioners hereby adopts this Ordinance amending Ordinance 80-08 adopting a Stormwater and Surface Water Utility as outlined in Attachment "A" and with inclusion of new maps titled "Storm & Surface Water Utility Boundary – Maps 2 through 5"

DATED this 17th day of NOVEMBER, 2009.

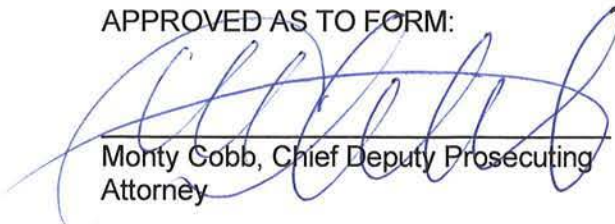
BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

ATTEST:


Shannon Goudy, Clerk of the Board


Tim Sheldon, Chair

APPROVED AS TO FORM:


Monty Cobb, Chief Deputy Prosecuting Attorney


Lynda Ring Erickson, Commissioner


Ross Gallagher, Commissioner

Attachment A

Chapter 14.46 STORM AND SURFACE WATER UTILITY

Sections:

14.46.010 Purpose.

14.46.020 Boundaries.

14.46.030 Utility responsibilities.

14.46.031 Organization of the utility.

14.46.040 Financial management.

14.46.010 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.

14.46.020 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 No. 1. Future expansion of boundaries will be based on the following schedule provided in Table 1 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.

<u>Table 1</u>	
Belfair and Allyn UGA <u>(Map 1)</u>	2008
Defined Marine Recovery Areas <u>and Shelton UGA (Map 2)</u>	<u>June 1,</u> 2009
Defined Shellfish Protection Areas <u>(Map 3)</u>	<u>June 1,</u> 2010
Defined Rural Activities Centers and Limited Areas of More Intense Rural Development (LAMIRD) <u>(Map 4)</u>	<u>June 1,</u> 2011
County wide** <u>(Map 5)</u>	<u>June</u> <u>1, 2012*</u>

* Based on development impacts and water quality

** Designated forest lands will not be included in any utility boundary

Attachment A

(1) ~~Within the boundaries of the Utility (as defined in Table 1) Within the Belfair and Allyn urban growth area as defined on Map No. 1, a~~ applicable sections of Chapter 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.

(2) Outside the ~~Belfair and Allyn urban growth area~~ the boundaries of the Utility as defined ~~in Table 1 on Map No. 1,~~ applicable sections of Chapter 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 subsection (1) of this section.~~

(3) Regardless of location, any land employing the master plan development process will be required to meet the requirements of subsection (1) of this section and the required sections of Chapter 14.48.

14.46.030 Utility responsibilities.

The utility will have three basic responsibilities:

- (1) Flooding management;
- (2) Water quality improvement;
- (3) Protecting aquatic habitat.

14.46.031 Organization of the utility.

The utility will be organized to perform the following functions:

	Responsible Department
Environmental planning and policy development	Utilities and Wwaste Mmanagement and Eenvironmental Hhealth
Capital facilities planning	Public Wworks
Operations and maintenance	Utilities and Wwaste management
Code enforcement and technical assistance	Community Ddevelopment and Ppublic Wworks
Development review	Community Ddevelopment and Ppublic Wworks
Monitoring, research and evaluation	Utilities and Wwasteater Mmanagement and Eenvironment Hhealth
Program management and administration	Utilities and Wwaste management
Public involvement and education	Utilities and Wwaste Mmanagement, Mason Cconservation ddistrict and WSU Eextension

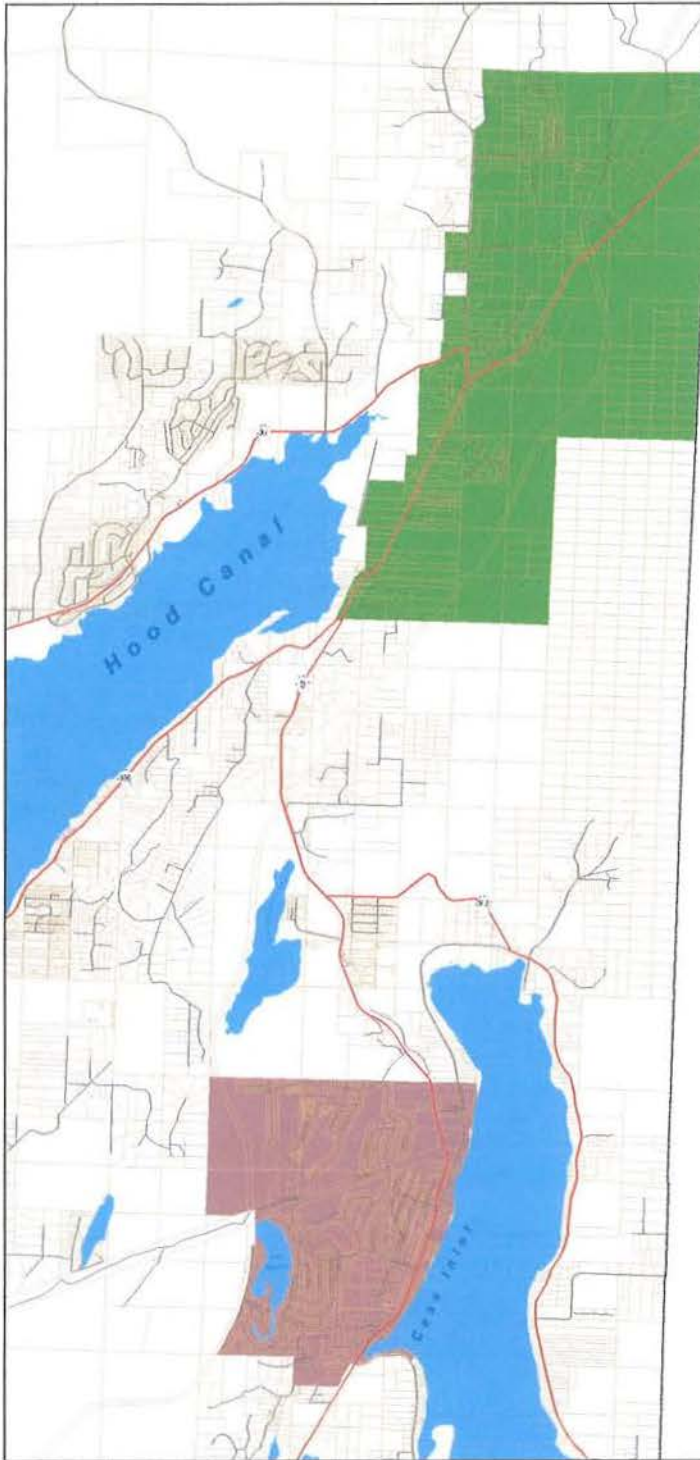
Attachment A

14.46.040 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 twenty acres in size with structures and impervious surfaces will pay a reduced rate. Such rate will be fifty percent 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 one hundred thousand dollars 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.

Attachment A



STORM & SURFACE WATER UTILITY BOUNDARY

Map 1

County Commissioners

Ordinance Number

Lynda Ring Erickson, District 1 Date


Tim Sheldon, District 2 Date

Ross Gallagher, District 3 Date

Rebecca S. Rogers, Clerk of the Board Date

SHANNON WOODY

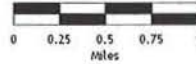
Legend

-  Allyn UGA
-  Belfair UGA
-  Taxlot Parcels

Map Date: 6/11/2009
Map File: Storm_Surface_Water_Utility_Map1.mxd
Made with ArcGIS 9.3
Shannon County GIS Department

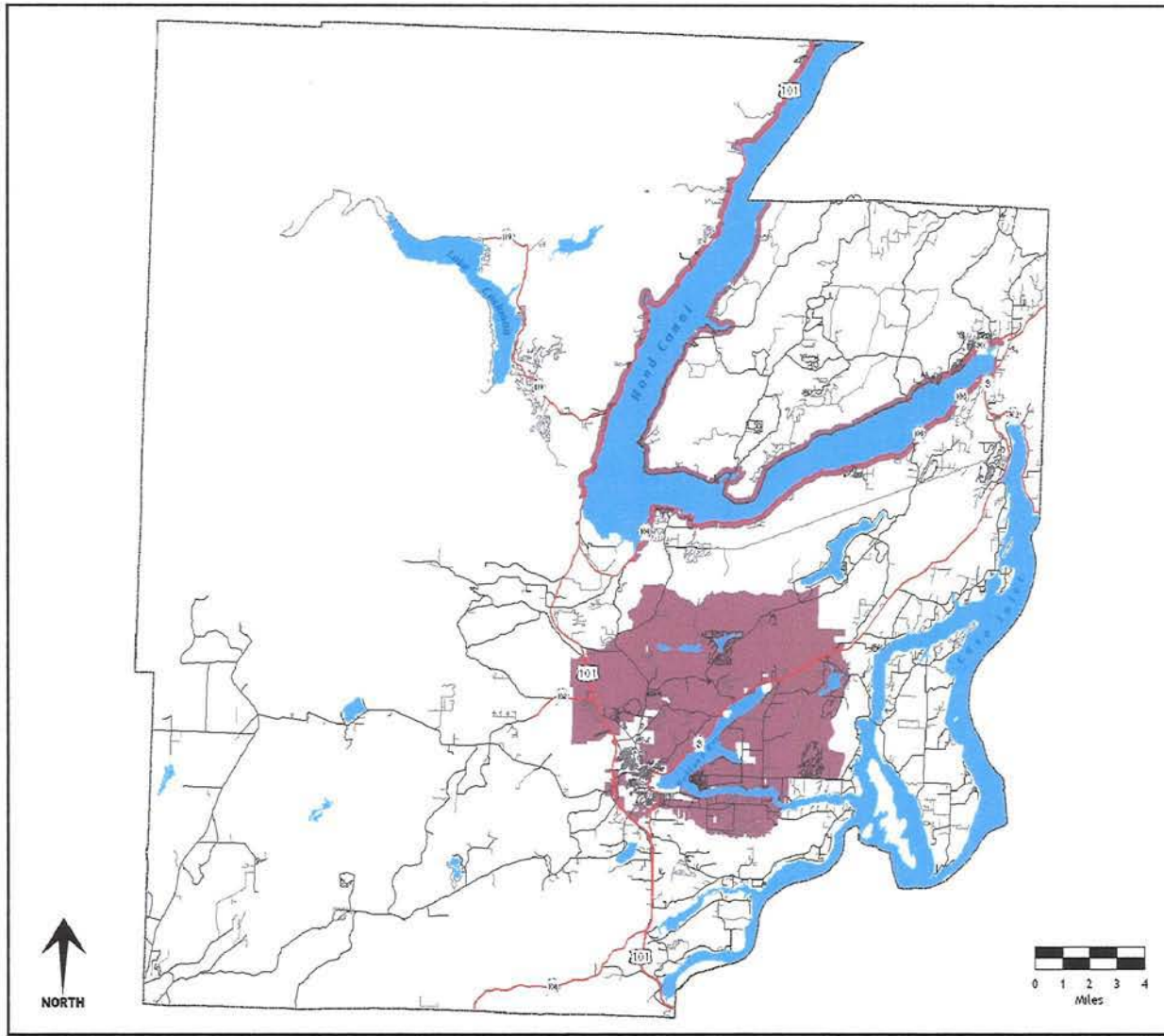


NORTH



FOR LAMER AND LINDSEY OF EASLEY

The date for this utility map has been based on current data and may not reflect the most recent changes to the utility system. It is the responsibility of the user to verify the accuracy of the data and to update the map as necessary. The information on this map is for informational purposes only and is not intended to be used for any other purpose. Shannon County does not warrant the accuracy or completeness of the information on this map. Shannon County does not assume any liability for any errors or omissions on this map. Shannon County does not assume any liability for any damages, including consequential damages, arising from the use of this map. Shannon County does not assume any liability for any damages, including consequential damages, arising from the use of this map. Shannon County does not assume any liability for any damages, including consequential damages, arising from the use of this map.



STORM & SURFACE WATER UTILITY BOUNDARY

Map 2

County Commissioners

Ordinance Number	Date
Lynda Ring Erickson, District 1	Date
Tim Sheldon, District 2	Date
Ross Gallagher, District 3	Date
Shannon Goudy, Clerk of the Board	Date

Legend

Phase II - MRAs and Shelton UGA

Map Date: 10/12/2009
 Map File: Storm_Surface_Water_Utility_Bdry_Map2_Landscape.mxd
 Made with ArcGIS 9.3.1
 Mason County GIS Department



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Attachment A


STORM & SURFACE WATER UTILITY BOUNDARY

Map 3

County Commissioners

County Commissioners	
Ordinance Number	
Lynda Ring Erickson, District 1	Date
Tim Sheldon, District 2	Date
Ross Gallagher, District 3	Date
Shannon Goady, Clerk of the Board	Date

Legend

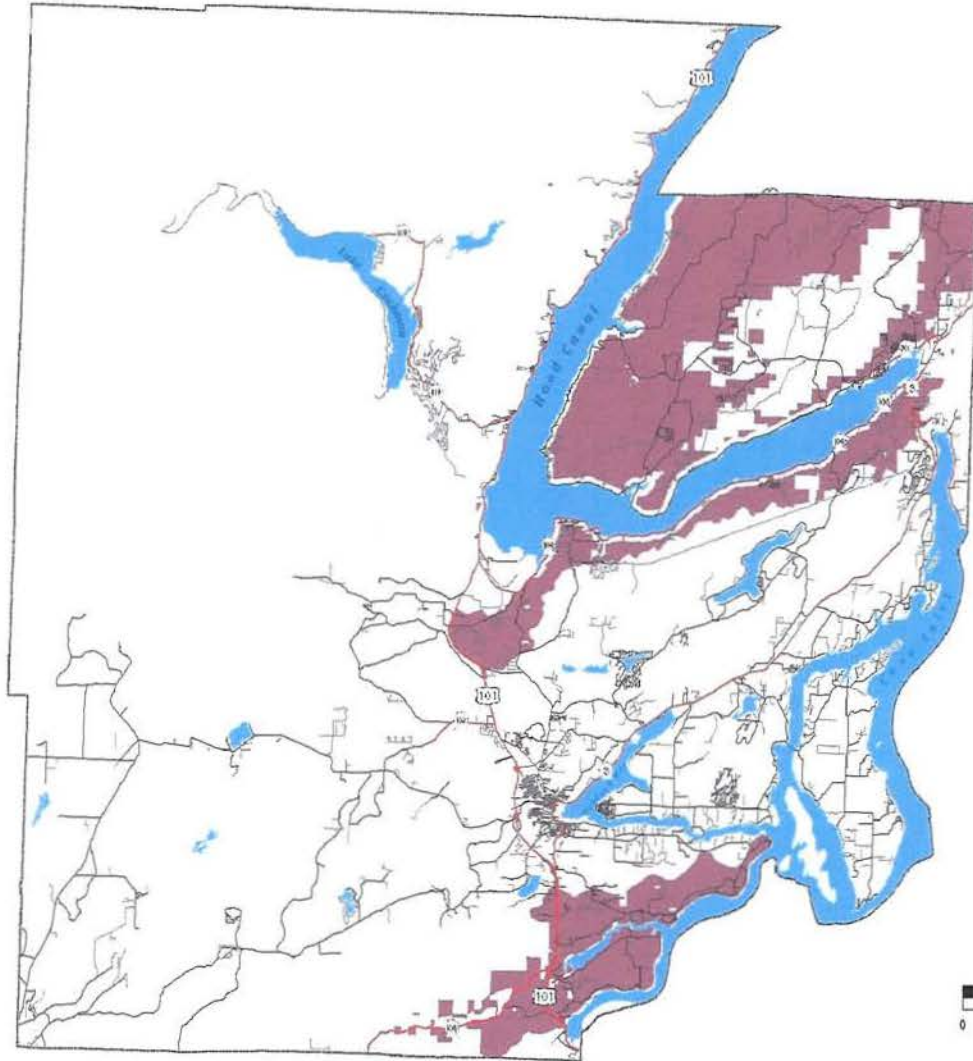
 Phase III - Shellfish Protection Districts

Map Date: 10/12/2009
Map File: Storm_Surface_Water_Utility_Bdry_Map3_Landscape.mxd
Made with ArcGIS 9.3.1
Norfolk County GIS Department



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Attachment A


STORM & SURFACE WATER UTILITY BOUNDARY

Map 4

County Commissioners

Ordinance Number	
Lynda Ring Erickson, District 1	Date
Tim Sheldon, District 2	Date
Ross Gallagher, District 3	Date
Shannon Goudy, Clerk of the Board	Date

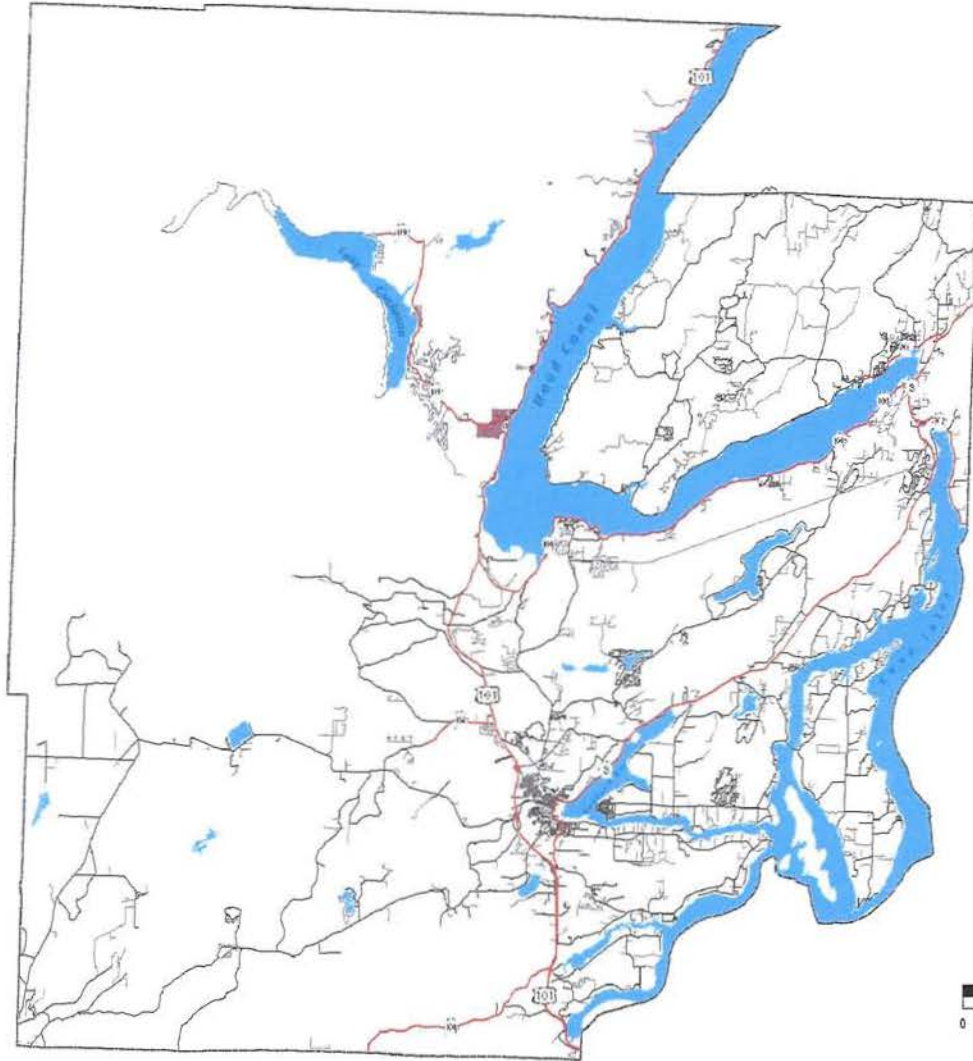
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 Phase IV - RACs and LAMIRDs

Map Date: 05/15/2009
 Map File: Storm_Surface_Water_Utility_Map4_LandUse.mxd
 Made with ArcGIS 9.3.1
 Name: County GIS Department



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
STORM & SURFACE WATER UTILITY BOUNDARY

Map 5

County Commissioners

County Commissioners	
Ordinance Number	
Lynda Ring Erickson, District 1	Date
Tim Sheldon, District 2	Date
Ross Gallagher, District 3	Date
Shannon Goudy, Clerk of the Board	Date

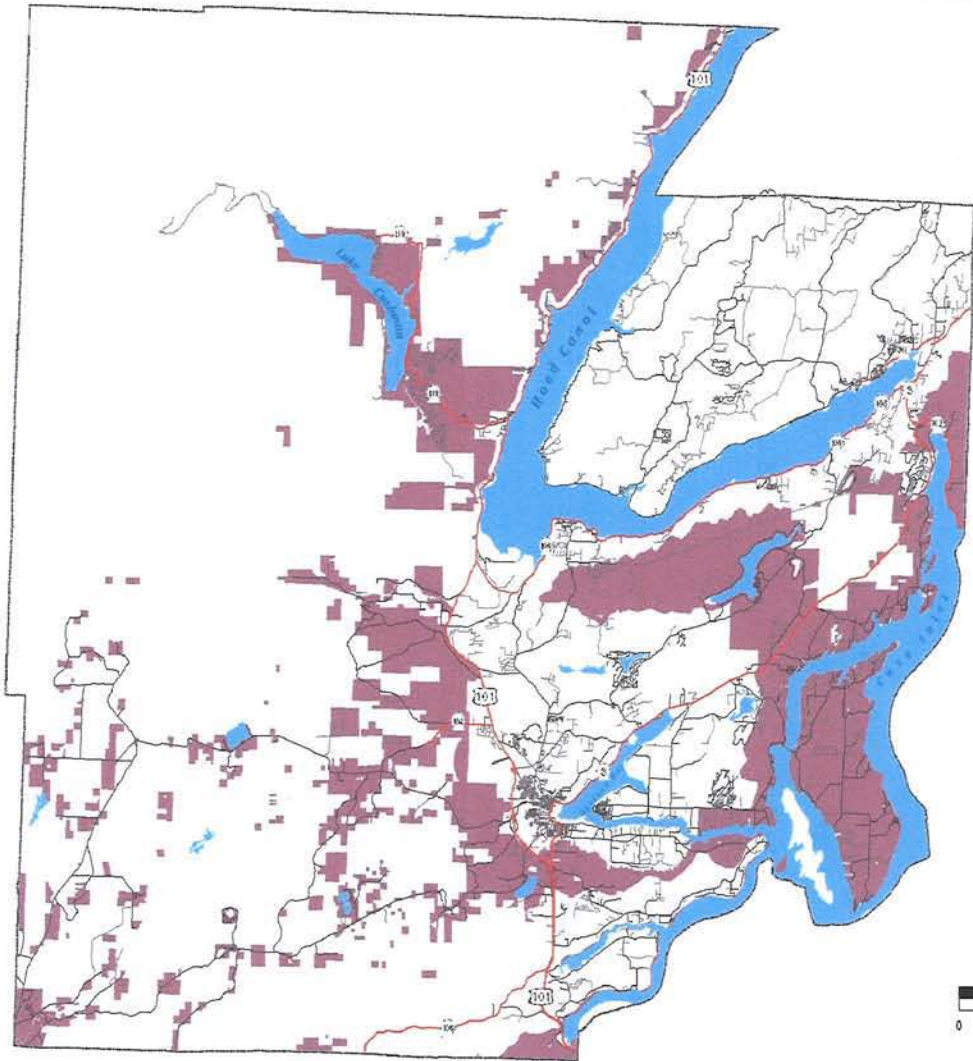
Legend

 Phase V - Remainder of County

Map Date: 12/12/2009
 Map File: Storm_Surface_Water_Utility_Bdry_Map5_Landscape.mxd
 Made With: ArcGIS 9.3.1
 Source: County GIS Department



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