## ORDINANCE NO 2443

ORDINANCE OF THE CITY OF REDMOND. AN WASHINGTON, REPEALING ORDINANCE NO 2435, ADOPTED ON DECEMBER 16, 2008, AND ADOPTING 13 20 047, STORM DRAINAGE CAPITAL CHARGES, FACILITIES OVERLAKE CAPITAL FACILITIES CHARGES, IN ORDER TO ESTABLISH AN ADDITIONAL OVERLAKE CAPITAL **FACILITIES** \$4,397 PER CHARGE **IMPERVIOUS** PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, water quality is an important environmental concern for all citizens of the City of Redmond, and

WHEREAS, stormwater management is a vital component in any water quality program, and

WHEREAS, the Natural Resources Division of the City's Public Works Department has recommended a stormwater capital facility charge of \$4,397 per IU be established in the Overlake sub-basin to cover the costs of basin-wide facilities in lieu of providing onsite stormwater facilities, and that the same be imposed and collected at the time of connection to the City's storm drainage system

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS

Section 1 Classification This ordinance is of a general and permanent nature, and shall become a part of the City Code

Section 2 Repeal of Ordinance Ordinance No 2435, previously adopted on December 16, 2008, shall be repealed in its entirety with the adoption of this ordinance, and the ordinance language existing prior to adoption of Ordinance No 2435 shall remain in effect

Section 3 Adoption of Section RMC 13 20 047, Storm

Drainage Capital Facilities Charges, Overlake Capital Facilities

Charges, is hereby added to read as follows

## 13.20.047 OVERLAKE CAPITAL FACILITIES CHARGES.

A. Parcels which are proposed to be developed within the Overlake sub-basin depicted on the map attached to this Ordinance shall not be required to construct onsite stormwater detention and water quality facilities as required elsewhere in this code. In lieu of such construction, an Overlake sub-basin stormwater capital facilities charge is hereby imposed upon all such parcels. The Overlake sub-basin capital facilities charge shall be used by the City to construct basin-wide stormwater detention and water quality facilities to detain and treat stormwater generated by properties within the sub-basin. Interim stormwater facilities may be required to protect downstream properties until regional facilities are constructed.

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- B. The Overlake capital facilities charge shall be calculated for each property based upon the number of impervious units proposed to be created by the development. The charge for each impervious unit is \$4,397.00. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units to be created by the proposed development by the charge for each such unit.
- C. The Overlake sub-basin capital facilities charge provided for in this section shall be in addition to the citywide capital facilities charge established by Section 13.20.030 and .040. No building permit, short subdivision or subdivision approval, or other permit allowing development with the Overlake sub-basin shall be granted except upon payment of said capital facilities charge.

Section 4 Overlake Sub-Basin Map The map attached to this ordinance and depicting the Overlake Sub-basin referred to in RMC 13 20 047 is hereby adopted by this reference as if set forth in full

Section 5 Severability If any section, sentence, clause or phrase of this ordinance or any code provision adopted hereby should be held to be invalid or unconstitutional by a

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court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or any such code provision

Section 6 <u>Effective Date</u> This ordinance shall take effect and be in full force five days after its passage and publication of a summary as provided by law

ADOPTED by the Redmond City Council this 20<sup>th</sup> day of January, 2009

CITY OF REDMOND

MAYOR PRO TEMPORE NANCY MCCORMICK

ATTEST/AUTHENTICATED

MICHELLE M MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY

Βv

FILED WITH THE CITY CLERK PASSED BY THE CITY COUNCIL

January 13, 2009 January 20, 2009

SIGNED BY THE MAYOR

January 20, 2009

PUBLISHED

January 26, 2009

EFFECTIVE DATE

January 31, 2009

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PASSED UNANIMOUSLY (7-0) Allen, Carson, Cole, Margeson, McCormick, Myers and Vache