

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK AMENDING CHAPTER 16.24, "DRAINAGE PLANS" OF THE LAKE FOREST PARK MUNICIPAL CODE TO ADOPT THE 2009 KING COUNTY WASHINGTON SURFACE WATER DESIGN MANUAL WITH MINOR EXCEPTIONS REQUIRED BY THE CITY'S PHASE II MUNICIPAL STORMWATER GENERAL PERMIT.

WHEREAS, the City finds that adoption of these amendments to the Lake Forest Park Municipal Code related to water quality are necessary to protect the health, safety and welfare of the residents of Lake Forest Park and the integrity of the city's resources for the benefit of all by: minimizing or eliminating water quality degradation; preserving and enhancing the suitability of waters for recreation, fishing, and other beneficial uses; and preserving and enhancing the aesthetic quality and biotic integrity of the water; and

WHEREAS, the City recognizes that adoption of these revisions are required under the federal Clean Water Act, 33 U.S.C. 1251 et. seq., and the Western Washington Phase II Municipal Stormwater General Permit issued by the Washington Department of Ecology pursuant to the Clean Water Act and Chapter 90.48 of the Revised Code of Washington; and

WHEREAS, while recognizing the necessity to comply with the Clean Water Act and Chapter 90.48 RCW, the City Council also recognizes the importance of maintaining economic viability while providing necessary environmental protection and believes that adoption of these amendments to the Lake Forest Park Municipal Code will help achieve both goals; now, therefore,

THE CITY COUNCIL OF THE CITY OF LAKE FOREST PARK, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 16.24.010 of the Lake Forest Park Municipal Code is amended as follows:

Article I. General Provisions

16.24.010 Purpose.

A. The city council finds that this chapter is necessary to promote sound development policies and construction procedures which respect and preserve the city's watercourses; to minimize water quality degradation and control of sedimentation of creeks, streams, ponds, lakes, and other water bodies; to protect the life, health, and property of the general public; to preserve and enhance the suitability of waters for contact recreation and fish habitat; to preserve and enhance the aesthetic quality of the waters; to maintain and protect valuable groundwater quantities, locations, and flow patterns; to ensure the

safety of city roads and rights-of-way; and to decrease drainage-related damages to public and private property.

B. Surface Water Design Manual Adopted. The ~~2005~~-2009 King County Washington Surface Water Design Manual, as now existing and as may be amended in the future, is hereby adopted by reference and is hereinafter referred to as the Design Manual. (Ord. 956 § 1, 2007; Ord. 730 § 1, 1997)

Section 2. Section 16.24.170 of the Lake Forest Park Municipal Code is amended as follows:

Article III. Standards

16.24.170 Standards generally.

The standards in this article shall apply to all projects subject to the rules and regulations described herein. Additionally, the water quality standards and sedimentation control standards should apply to all properties discharging storm and surface water runoff into the drainage facility. All standards including but not limited to conveyance, retention, stormwater quality, flow control and maintenance contained in the Design Manual are hereby adopted by reference and amended as follows:

A. Drainage review threshold for all projects shall be reduced from 2,000 square feet to 1,000 square feet;

B. The entire corporate limits of the city of Lake Forest Park are within the conservation flow control area;

C. The city of Lake Forest Park is within the basic water quality area with enhanced treatment required for multifamily and commercial as identified in the Design Manual; and

D. The sensitive area mapping shall be the mapping referenced in LFPMC 16.16.050.

[E. The “Impervious Surface Area Percentage Exemption” in Section 1.2.3 is not applicable within the City of Lake Forest Park.](#)

Section 3. Section 16.24.240 of the Lake Forest Park Municipal Code is amended as follows:

16.24.240 Wetlands.

A. Where existing wetlands function as a control feature in the natural drainage system, no project will be permitted which reduces that control feature. Projects proposed in a wetland area shall be accompanied by an engineering report prepared by a registered civil engineer qualified to practice in the state of Washington, describing existing conditions and how those conditions will be maintained during and after project completion. ~~The property owner, however, shall not be required to provide greater runoff control and storage potential than presently exists at the time he seeks project approval.~~

Projects that discharge stormwater to a wetland either directly or indirectly through a conveyance system that meet the threshold requirements in Core Requirement #3 Flow Control and Core Requirement #8 Water Quality shall also be applied for discharges to wetlands. Discharges to wetlands shall maintain the hydrologic conditions, hydrophytic vegetation, and substrate characteristics necessary to support existing and designated uses. The hydrologic analysis shall use the existing land cover condition to determine the existing hydrologic conditions unless directed otherwise by the director. A wetland can be considered for hydrologic modification and/or stormwater treatment in accordance with Guide Sheet 1B in Appendix I-D of the Stormwater Management Manual for Western Washington (2005). Stormwater treatment and flow control facilities shall not be built within a natural vegetated buffer, except for:

1. necessary conveyance systems as approved by the Director; or
2. as allowed in wetland approved for hydrologic modification and/or treatment in accordance with Guide sheet 1B in appendix I-D of the Stormwater Management Manual for Western Washington (2005).

B. No construction shall be permitted within 50 feet of the average annual high water line of a wetland unless permitted under LFPMC 16.16.330. (Ord. 730 § 9, 1997; Ord. 427 § 10.1.6, 1989)

Section 4. If any provision of this chapter or its application to any person or property is held invalid, the remainder of the chapter or the application of the provision to other persons or property shall not be affected

Section 5. This ordinance shall take effect on _____, 2010, following publication as provided by law.

PASSED BY A MAJORITY VOTE of the members of the City of Lake Forest Park City Council this ____ day of _____ 2010.

APPROVED:

David R. Hutchinson, Mayor