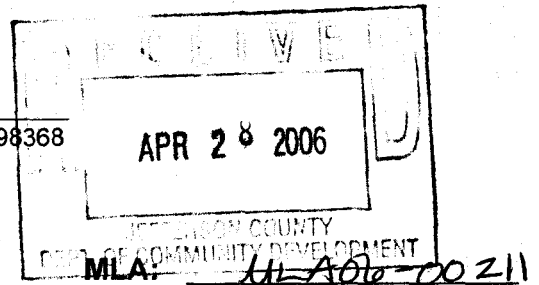




**JEFFERSON COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
 621 Sheridan Street • Port Townsend • Washington 98368  
 360/379-4450 • 360/379-4451 Fax  
 www.co.jefferson.wa.us/commdevelopment



**Master Permit Application**

Project Description (include separate sheets as necessary):  
 Port Ludlow Drainage District UDC Drainage REvisions

Tax Parcel Number: NA - Port Ludlow Drainage District Property Size: 620 Acres (acres/square feet)

Site Address and/or Directions to Property: Port Ludlow Drainage District

Property Owner(s) of Record: Varies - Public Municipals Corporation

Telephone: (360) 437-5153 Fax: (360) 437-5254 email: rregan@olypen.com

Mailing Address: P.O. Box 65261, Port Ludlow, WA 98365

Applicant/Agent (if different from owner): Barry Baker

Telephone: (206) 284-0860 Fax: (206) 283-3206 email: bbaker@g-o.com

Mailing Address: 701 Dexter Ave. N., Suite 200, Seattle, WA 98109

**What kind of Permit? (Check each box that applies)**

<input type="checkbox"/> Building <input type="checkbox"/> Demolition Permit <input type="checkbox"/> Single Family <input type="checkbox"/> Garage Attached / Detached <input type="checkbox"/> Manufactured Home <input type="checkbox"/> Modular <input type="checkbox"/> Commercial * <input type="checkbox"/> Change of Use <input type="checkbox"/> Address _____ ↑ Road Approach _____ <input type="checkbox"/> Propane <input type="checkbox"/> Allowed "Yes" Use Consistency Analysis <input type="checkbox"/> Stormwater Management <input type="checkbox"/> Site Plan Approval Advance Determination (SPAAD) * <input type="checkbox"/> Temporary Use <input type="checkbox"/> Wireless Telecommunication * <input type="checkbox"/> Forest Practices Act/Release of Six-Year Moratorium <p style="text-align: center;">* May require a Pre-Application Conference</p>	<input type="checkbox"/> Variance (Minor, Major or Reasonable Economic Use) <input type="checkbox"/> Conditional Use [C(a), C(d), or C] ** <input type="checkbox"/> Discretionary "D" or Unnamed Use Classification <input type="checkbox"/> Special Use (Essential Public Facilities) ** <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Short Plat ** <input type="checkbox"/> Binding Site Plan ** <input type="checkbox"/> Long Plat ** <input type="checkbox"/> Planned Rural Residential Development (PRRD)/Amendments ** <input type="checkbox"/> Plat Vacation/Alteration ** <input type="checkbox"/> Shoreline Master Program Exemption/Permit Revisions ** <input type="checkbox"/> Shoreline Management Substantial Development ** <input type="checkbox"/> Shoreline Management Variance <input checked="" type="checkbox"/> Comprehensive Plan/UDC/Land Use District Map Amendment <input type="checkbox"/> Jefferson County Shoreline Master Program Amendment <p style="text-align: center;">**Requires a Pre-Application Conference</p>
---	---

Please identify any other local, state or federal permits required for this proposal, if known: NONE

I hereby designate BARRY BAKER DESIGNATION OF AGENT to act as my agent in matters relating to this application for permit(s).

OWNER SIGNATURE [Signature] Chairman PLDD Commission Date: Apr 27/06

By signing this application form, the owner/agent attests that the information provided herein, and in any attachments, is true and correct to the best of his, her or it's knowledge. Any material falsehood or any omission of a material fact made by the owner/agent with respect to this application packet may result in this permit being null and void.

I further agree to save, indemnify and hold harmless Jefferson County against all liabilities, judgments, court costs, reasonable attorney's fees and expenses which may in any way accrue against Jefferson County as a result of or in consequence of the granting of this permit.

I further agree to provide access and right of entry to Jefferson County and its employees, representatives or agents for the sole purpose of application review and any required later inspections. Access and right of entry to this property shall be requested and shall occur only during regular business hours.

Signature: [Signature] Date: April 27, 2006

The action or actions Applicant will undertake as a result of the issuance of this permit may negatively impact upon one or more threatened or endangered species and could lead to a potential "take" of an endangered species as those terms are defined in the federal law known as the "Endangered Species Act" or "ESA." Jefferson County makes no assurances to the applicant that the actions that will be undertaken because this permit has been issued will not violate the ESA. Any individual, group or agency can file a lawsuit on behalf of an endangered species regarding your action(s) even if you are in compliance with the Jefferson County development code. The Applicant acknowledges that he, she or it holds individual and non-transferable responsibility for adhering to and complying with the ESA. The Applicant has read this disclaimer and signs and dates it below.

Signature: [Signature] Date: April 27, 2006

**OWNER BUILDER STATEMENT**

The signer of this statement does hereby certify that they are the Owners of the parcel referenced herein, that they are not licensed contractors and that they will be assuming the responsibility of the General Contractor for the proposed project.

Signature: NA Date: \_\_\_\_\_

GENERAL CONTRACTOR OR MANUFACTURED HOME INSTALLER: <u>NA</u>	PHONE: ( )	FAX: ( )
MAILING ADDRESS:	EMAIL:	
CONTRACTOR'S LICENSE NUMBER:	WAINS NUMBER	
ARCHITECT/ENGINEER:	PHONE ( )	FAX: ( )
MAILING ADDRESS:	EMAIL	

<b>Project Type:</b> <input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration/Remodel <input type="checkbox"/> Repair <input type="checkbox"/> Demolition  <b>Type of Heat:</b> _____	<b>Frame Type:</b> <input type="checkbox"/> Wood <input type="checkbox"/> Steel <input type="checkbox"/> Concrete <input type="checkbox"/> Masonry <input type="checkbox"/> Other: _____	<b>Bathrooms:</b> Existing: _____ Proposed: _____ Total: _____  <b>Bedrooms:</b> Existing: _____ Proposed: _____ Total: _____	<b>Shoreline:</b>  <b>Bank Height:</b> _____  <b>Setback:</b> _____	<b>Type of Sewage Disposal:</b> <input type="checkbox"/> Sewer <input type="checkbox"/> Community System <input type="checkbox"/> Individual System SEP Permit # _____ <b>Water Supply:</b> <input type="checkbox"/> Private well <input type="checkbox"/> Two Party <input type="checkbox"/> Public Name of System: _____
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**If this is a Commercial Project you must answer the following:**  
 Number of Parking Spaces: **Current:** \_\_\_\_\_ **Proposed:** \_\_\_\_\_    Number of ADA Parking Spaces: \_\_\_\_\_  
 Number of occupants (includes owners, tenants, employees, etc) **Current** \_\_\_\_\_ **Proposed** \_\_\_\_\_  
 IBC Occupancy: \_\_\_\_\_ IBC Type of construction: \_\_\_\_\_ Will you have Food Service? **Yes / No**  
**If this is a Propane Tank and/or Appliance Installation permit, mark all items below that apply:**  
 Underground Tank     Above ground Tank    Size of Propane Tank: \_\_\_\_\_  
 Heat Stove     Cook Stove     Woodstove     Fireplace Insert     Hot Water Tank     Pellet Stove     Other \_\_\_\_\_  
**Is this appliance being installed in a Manufactured / Mobile Home?** Yes / No  
**When applying for a permit to install a propane tank you must also submit a site plan showing all of the buildings, all property lines, tank location and size, distances from the propane tank to all property lines, buildings and septic system components, including the reserve area.**

	Square Footage		For Office Use Only	Amount
	Current	Proposed		
Main Floor			Consistency Review:	
2 <sup>ND</sup> Floor			Base fee:	
3 <sup>rd</sup> Floor			Additional Section:	
Mezzanine:			Plan Check fee:	
Heated Basement			State Surcharge fee:	
Unheated Basement			Pot Water Review fee:	
Other Unheated			911/Rd Approach fee:	
Garage/Carport			TOTAL: \$	
Decks			Receipt Number:	
Other			Cash/Check Number:	
<b>ESTIMATED COST (REQUIRED)</b> *Fair market value of all labor and materials foundation to finish			Date:	
			Initials:	



**JEFFERSON COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

621 Sheridan Street • Port Townsend • Washington 98368  
 360/379-4450 • 800/831-2678 • 360/379-4451 Fax


**Application for Suggested Comprehensive Plan/UDC Amendment<sup>1</sup>**

MLA # _____	PROJECT/APPLICANT NAME: <u>Port Ludlow Drainage District</u>
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*Applications must be completed and submitted to the Department of Community Development by **May 1** of the current calendar year in order to be considered during this year's amendment process. Completed applications that are received after May 1 will be placed on the docket for the following calendar year. Applications that are incomplete (i.e., that do not include all of the information required below) will be returned to the applicant.*

**Submittal Requirements**

1. A completed Master Permit Application. Representative authorization is required if application is not signed by applicant.
2. Any additional information reasonably deemed necessary by the Administrator to evaluate the proposed amendment.
3. Please prepare and label as "Exhibit A," a description of the proposed Plan/UDC amendment and any associated development proposal(s) if applicable. Applications for projected-related amendments must include plans and information or studies accurately depicting existing and proposed uses and improvements. Applications for such amendments that do not specify proposed uses and potential impacts are assumed to have maximum impact to the environment and public facilities and services.
4. Please provide an explanation of why the amendment is being proposed. (Attach additional sheets, if necessary.)  
Please see Exhibit A  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. Please prepare and label as "Exhibit B," proposed amendatory language (i.e., to affected text of both the Comprehensive Plan and UDC) shown in "bill" format, with text to be added indicated with underlining (e.g., underlining), and text to be deleted indicated with strikeouts (e.g., ~~strikeouts~~).
6. Please prepare and label as "Exhibit C," a thorough explanation of how the proposed amendment, meets, conflicts with, or relates to the following inquiries (NOTE: Simple "yes" or "no" responses are unacceptable.)
  - a. Have the circumstances related to the proposed amendment and/or the area in which it is located substantially changed since the adoption of the Jefferson County Comprehensive Plan?
  - b. Are the assumptions that form the basis for the Jefferson County Comprehensive Plan no longer valid, or has new information become available that was not considered during the process of adoption of the Jefferson County Comprehensive Plan or any subsequent amendment?
  - c. Does the proposed amendment reflect current widely held values of the residents of Jefferson County?
7. *The applicant hereby certifies that the statements contained in this application are true and provide an accurate representation of the proposed amendment; and the applicant(s) hereby acknowledges that any approval issued on this application may be revoked if any such statement is found to be false.*

  
 APPLICANT'S SIGNATURE

April 27, 2006  
 DATE

<sup>1</sup> See UDC Section 9.4.  
 COMP PLAN AMEND APP.DOC REV 4/25/2005

**Exhibit A****Suggested Jefferson County Comprehensive Plan/UDC  
Amendment****Port Ludlow Drainage District**

The Port Ludlow Drainage District was formed through a petition process in 1999 and 2000. The purpose of the District's formation was to address drainage issues within the northern portion of the Port Ludlow Master Planned Resort, which had been initially platted starting in the 1960's. When the majority of the District was platted, no drainage requirements for urban level development were in force within Jefferson County. This lack of adequate drainage facilities led to a number of significant concerns and complaints from the residents of the District.

Since that time, Jefferson County has adopted current drainage standards for large parcel development, primarily through the adoption of the 2001 Washington State Department of Ecology Stormwater Management Manual for Western Washington (2001 DOE Manual). This manual however, exempts single family residential development from meeting flow control basic requirements if the total effective impervious area is less than 10,000 square feet. Most home development within the District falls under this threshold.

While there is a requirement to provide "On-site Stormwater Management" (Minimum Requirement #5, Volume 1, Section 2.5.5 DOE Manual) for development greater than 2,000 square feet impervious area, there is little enforceable review for such guidance. This has led to a number of failures of systems that may have technically met the requirements within the existing UDC, but did not provide adequate drainage.

The Port Ludlow Drainage District has reviewed the existing Unified Development Code for Jefferson County and has prepared three documents for the BOCC consideration.

The first document is included in the Port Ludlow Comprehensive Stormwater Management Plan as an appendix titled Standard Plans for the PLDD. This document provides direction and design information for development of single family residences and stormwater management measures that can be implemented with or without engineering design. The reason these standard plans were developed is that the 2001 Washington State Department of Ecology Stormwater Management Manual for Western Washington (adopted by the PLDD and JCBOCC) does NOT specifically address single family residences in existing platted properties. This, of course, describes the vast majority of the PLDD.

The second, and primary, document for the BOCC consideration are proposed changes to Section 18 of the Jefferson County Unified Development Code. These changes are

proposed for development within the PLDD only. These changes require the developers of single family lots to provide a higher level of protection of downstream properties than can currently be held under the existing UDC and references the standard plans presented in the PLDD Comprehensive Stormwater Management Plan. The reason these changes are necessary is that the properties within the PLDD were developed at a time before stormwater design standards and manuals were required. While the sizing of the drainage ditches and culverts in the public right-of-way are generally adequate for build out, the areas outside of the public right-of-way in common greenbelts or other drainage easements are significantly impacted by on-going development and are not adequately sized. Full discussions of these problems are presented in the PLDD Comprehensive Stormwater Management Plan.

The final document presented is a draft covenant that is referenced in the proposed changes to the UDC. For those properties that installed stormwater management facilities, the District feels it is imperative that they be properly maintained and if not, the District has legal access to complete the maintenance (after proper legal notice) to protect properties impacted by those drainage facilities. This covenant would be recorded against the property so to provide legal access regardless of transfer of ownership. This is similar to what the county currently requires for commercial development in general.

These three documents would provide the PLDD residents with a higher level of protection that is warranted due to the area being more densely developed than typical county development. The PLDD is developed at urban or suburban densities and therefore will need facilities that are designed and maintained to such standards. These standards would also provide the development community a consistent, easily applied standard for design, reducing plan review time and complexity.

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JEFFERSON COUNTY DCD

## Exhibit B

# Suggested Jefferson County Comprehensive Plan/UDC Amendment

## Port Ludlow Drainage District

18.30.070 Stormwater management standards.

Application for a building permit for new construction shall be accompanied by a drainage plan. The purpose of the drainage plan is to show the method of solving water problems on the property and to provide for temporary storage such that peak runoff is not increased and that equilibrium of the natural system is maintained. The drainage plan shall include the detail provisions for foundation drains; roof drains; accommodating changes in runoff due to grading, landscaping and addition of impervious surfaces; and handling of runoff from, and to, adjacent areas in the local drainage basin. In addition, the drainage system design shall include adequate provisions for reducing pollution resulting from the improvements to the property or intended use thereof which could materially affect runoff water quality, and for preventing increases to local runoff water velocities. Prior to issuance of building permit for new construction, the drainage plans will be reviewed by Jefferson County or designee or other agent of Jefferson County to determine if the plan will adequately meet the requirements of UDC 18.30.

All new development and redevelopment must conform to the standards and minimum requirements set by the most current version of the Washington Department of Ecology Stormwater Management Manual for Western Washington (SMM) and obtain a stormwater management permit if required by subsection (6) of this section. The administrator may require additional measures as indicated by the environmental review or other site plan review.

(1) Definitions. For the purposes of this section, the definitions at I-2.3 of the SMM shall apply:

(a) "New development" includes land-disturbing activities, including Class IV General forest practices that are conversions from timber land to other uses; structural development, including construction or installation of a building or other structure; creation of impervious surfaces; and subdivision, short subdivision and binding site plans as defined and applied in Chapter 58.17 RCW. Projects meeting the definition of redevelopment shall not be considered new development.

(b) "Redevelopment" includes, on a site that is already substantially developed (i.e., has 35 percent or more of existing impervious surface coverage), the creation or addition of impervious surfaces; the expansion of a building footprint or addition or replacement of a structure; structural development including construction, installation or expansion of a building or other structure; replacement of impervious surface that is not part of a routine maintenance activity; and land-disturbing activities.

(c) "Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, a hard surface area which

causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater. Open, uncovered retention/detention facilities shall not be considered as impervious surfaces for purposes of determining whether the thresholds for application of minimum requirements are exceeded. Open, uncovered retention/detention facilities shall be considered impervious surfaces for purposes of runoff modeling.

(d)“Land-disturbing activity” is any activity that results in movement of earth, or a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, clearing, grading, filling, and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land-disturbing activity. Vegetation maintenance practices are not considered land-disturbing activity.

(2)Exemptions. Commercial agriculture, road maintenance activities, and forest practices regulated under WAC Title 222, except for Class IV General forest practices and COHPs (see JCC 18.20.160), pursuant to SMM Section I-2.2, are exempt from the provisions of the minimum requirements.

(3)Development and Redevelopment Minimum Requirements. Development and redevelopment meeting the criteria of subsection (1)(a) of this section shall be required to control erosion and sediment during construction and to permanently stabilize soil exposed during construction. Such development shall:

(a)Comply with the minimum requirements for development of small parcels in Section I-2.5 of the SMM;

(b)Applicants for all development and redevelopment meeting the criteria for subsection(1)(a) of this section, except for detached single-family residences and duplexes creating or adding less than 2,000 square feet and land-disturbing activities of less than 7,000 square feet, shall prepare a stormwater site plan (or, show on other diagrams being prepared for the project, if appropriate) showing:

- (i)Vicinity map;
- (ii)Location of the structure and its access;
- (iii)All applicable setback requirements;
- (iv)Location of all applicable erosion and sediment control BMPs; and
- (v)Existing site features and sensitive areas.

(4)New Development Minimum Requirements.

(a)All new development and redevelopment shall be required to comply with Minimum Requirement #2 (Construction Stormwater Pollution Prevention) as contained in the SMM.

(b) New development that includes: (i) the creation or addition of 2,000 square feet, or greater, of new, replaced, or new plus replaced impervious surface area; or (ii) has land-disturbing activities of 7,000 square feet or greater shall comply with Minimum Requirements Nos. 1 through 5 as contained in the SMM.

(c) New development that includes: (i) the creation or addition of 5,000 or more square feet of impervious surface; or (ii) converts three-quarters acre, or more, of native vegetation to lawn or landscaped areas; or (iii) converts 2.5 acres, or more, of native vegetation to pasture, shall comply with Minimum Requirements Nos. 1 through 10 as contained in the SMM.

(d) Redevelopment that includes: (i) new, replaced, or total of new plus replaced impervious surface of 2,000 square feet or more; or (ii) 7,000 square feet or more of land-disturbing activity shall comply with Minimum Requirements Nos. 1 through 5 as contained in the SMM.

(e) Stormwater Site Plan. Stormwater site plans shall be developed to the standards of Chapter 3 of the SMM, and include:

- (i) Project overview;
- (ii) Plot plan, including the elements of subsection (3)(b) of this section; and:
- (iii) Locations of structures and other impervious surfaces;
- (iv) Locations of stormwater runoff control facilities;
- (v) Road rights-of-way and easements;
- (vi) Preliminary conditions summary;
- (vii) Analysis of off-site water quality impacts (including ground water) resulting from the project, and mitigation measures;
- (viii) Analysis and design of proposed stormwater runoff control facilities, including treatment and source control BMPs (cf. Section I-4 of the SMM, which provides a list of and selection process for BMPs);
- (ix) Erosion and sediment control plan;
- (x) Special reports and studies;
- (xi) Stormwater and drainage system maintenance specifications.

(5) Stormwater Management Permit and Plan Review. All grading of 500 cubic yards or more (not exempted under subsection (5)(b) of this section), land-disturbing activities of 7,000 square feet or more, or creation of 2,000 square feet or more of impervious surface shall be subject to a stormwater management permit. Prior to issuance of a stormwater management permit, the applicant shall submit the required stormwater management plans to the administrator for review and approval. The administrator shall issue the stormwater management permit consistent with a Type I permit process (as specified in Chapter 18.40 JCC) only upon a finding that the proposed use or activity meets all applicable requirements of JCC 18.30.060 and this section, and any other applicable requirements of this code.

(a) Applications for grading projects or land-disturbing activities which require a stormwater management permit shall include the following information. The administrator may waive specific submittal requirements determined to be unnecessary for review of the application.

- (i)Source of fill material and deposition of excess material;
- (ii)Physical characteristics of fill material;
- (iii)Proposed methods of placement and compaction consistent with the applicable standards in Appendix Chapter 33 of the Uniform Building Code;
- (iv)Proposed surfacing material;
- (v)Proposed method(s) of drainage and erosion control;
- (vi)Methods for restoration of the site;
- (vii)Demonstration that instream flow of water will remain unobstructed;
- (viii)Demonstration that erosion and sedimentation from outflow channels will be minimized by vegetation or other means; and
- (ix)Demonstration that pond runoff will be controlled to protect adjacent property from damage.

**6. Port Ludlow Drainage District**

In addition to the requirements listed above, development within the Port Ludlow Drainage District shall meet the following drainage review requirements:

(a) When Required. A drainage review is required when any proposed project is subject to a Jefferson County building permit; land clearing, grading or filling permit; shoreline substantial development permit; flood control zone permit; or subdivision or plat approval, and meets one of the following criteria:

1. Any single family residence or permitted modification thereof that adds or replaces impervious surface;
2. Would construct or modify a drainage pipe or ditch that is twelve inches or more in diameter or depth or receives surface and storm water runoff from a drainage pipe or ditch that is twelve inches or more in diameter or depth;
3. Any other project that would add or replace impervious surface. Repaving an existing paved area such as a parking lot or driveway shall be excluded from drainage review unless the drainage patterns are modified.

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(b) Proposed projects shall provide flow control facilities to mitigate the increased surface and storm water runoff generated by the addition or replacement of impervious surface and any related land-cover conversion.

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(c) The County hereby adopts by reference the "Drainage Requirements for Small Sites" handout, available at the Department of Community Development office, that details the specific requirements for drainage plan submittals, flow control, and water quality treatment. For all projects adding or replacing up to 5,000 square feet of impervious surface, the project shall comply with the requirements in the handout. For all single family residences adding or replacing up to 10,000 square feet of impervious surface, the project shall comply with the requirements in the handout. All other projects shall comply with the flow control requirements in the Manual.

(d) Drainage facilities on private property

(1) Drainage facilities accepted by the Port Ludlow Drainage District for maintenance.

A. The District performs the maintenance and operation of drainage facilities that have formally been accepted for maintenance and operation by the District Commissioners.

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B. The District may assume maintenance of privately maintained drainage facilities only if the following conditions have been met:

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1. All necessary easements or dedications entitling the District to properly maintain the drainage facility have been conveyed to the District;

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2. The District Commissioners have determined that the facility is in the dedicated easement, or tract and that maintenance of the facility will contribute to protecting or improving the health, safety and welfare of the community based upon review of the existence of or potential for:

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*flooding,  
downstream erosion,  
property damage due to improper function of the facility,  
safety hazard associated with the facility,  
degradation of water quality or in-stream resources, or  
degradation to the general welfare of the community; and*

3. The District Commissioners have declared in writing acceptance of maintenance responsibility by the District.

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C. The District Commissioners may terminate the District's assumption of maintenance responsibilities in writing after determining that continued maintenance will not significantly contribute to protecting or improving the health, safety and welfare of the community based upon review of the existence of or potential for:

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1. Flooding,
2. Downstream erosion,
3. Property damage due to improper function of the facility,
4. Safety hazard associated with the facility,
5. Degradation of water quality or in-stream resources, or
6. Degradation to the general welfare of the community.

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D. A drainage facility, which does not meet the criteria of this section, shall remain the responsibility of the applicant required to construct the facility and owners of the property for which the facility was required.

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(2) Drainage facilities not accepted by the Port Ludlow Drainage District for maintenance.

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A. The owners of the property and the applicant required to construct a drainage facility shall remain responsible for the facility's continual performance, operation and

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maintenance in accordance with the standards and requirements of the District and shall remain responsible for any liability arising out of these duties. This responsibility includes maintenance of a drainage facility which is:

1. Under a maintenance guarantee or defect guarantee;
2. A private road conveyance system;
3. Located within and serving only one single family residential lot;
4. Located within and serving a multi-family or commercial site unless the facility is part of an approved shared facility plan;
5. Located within or associated with an administrative or formal subdivision which handles runoff from an area of which less than two-thirds is designated for detached or townhouse dwelling units located on individual lots unless the facility is part of an approved shared facility plan;
6. Previously terminated for assumption of maintenance responsibilities by the District in accordance with UDC18.30;
7. Not otherwise accepted by the District for maintenance.

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B. Prior to the notice to proceed for work authorized by any of the permits and/or for any multi-family or commercial project required to have a flow control or water quality treatment facility, the applicant shall record a Declaration of Covenant, running with the land. A copy of the District's standard form for the covenant is available from the District's office.

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1. In the event that the property owners do not effect the maintenance and/or repairs, the District may perform the work upon due notice. The property owners are required to reimburse the Port Ludlow Drainage District for that work. The restrictions set forth in the covenant shall be included in any instrument of conveyance of the subject property and shall be recorded with the Jefferson County records division.

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2. The Port Ludlow Drainage District may enforce the restrictions set forth in the Declaration of Covenant.

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C. Prior to the issuance of any of the permits, project approvals for the project, or the release of financial guarantees posted to guarantee satisfactory completion, the owners of the subject property for which a drainage facility was required shall pay a fee to reasonably compensate the District for costs relating to inspection of the facility to ensure that it has been constructed according to the approved plans and applicable specifications and standards.

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D. The duties specified in this section with regard to payment of inspection fees and reimbursement of maintenance costs shall be enforced against the person or persons holding title to the property for which the drainage facility was required.

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E. Where not specifically defined in this section, the responsibility for performance, operation and maintenance of drainage facilities and conveyance systems, both natural and constructed, shall be determined on a case-by-case basis.

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(e) For drainage projects with engineered design plans, once the subject permit has been issued the applicant shall fully implement the provisions of the submitted plan and contact the engineer of record to arrange a schedule to inspect the property for plan compliance. A certificate of occupancy will not be issued until the engineer of record submits an original signed letter to the Jefferson County Department of Community Development confirming that the installation of the stormwater facilities complies with the stormwater plan.

[Ord. 02-03 § 2; Ord. 21-02 § 1; Ord. 18-02 § 2 (Exh. C); Ord. 11-00 § 6.7]