

ORDINANCE NO. 7945

AN ORDINANCE denying the appeal of Cougar Mountain Associates; denying the proposed preliminary plat of Ames Lake Hills, designated as Building and Land Development File No. 1082-3; amending Ordinance No. 7811 and adopting findings, conclusions and decision.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1: Ordinance No. 7811 is hereby amended as follows:

This ordinance does hereby adopt and incorporate by reference ((herein)) the findings, ((and)) conclusions and decision in Attachment A ((~~contained in the report of the zoning and subdivision examiner dated June 13, 1986 which was filed with the clerk of the council on July 3, 1986~~)) concerning the preliminary plat of Ames Lake Hills, designated by the building and land development division, department of planning and community development file no. 1082-3. Based upon the environmental impacts of the proposed development of 90 lots on the subject property, the council denies the appeal of the applicant. ((~~from the said report and recommendation and the council does hereby adopt as its action the recommendation contained in said report.~~))

INTRODUCED AND READ for the first time this 26<sup>th</sup> day of January, 1987.

PASSED this 2<sup>nd</sup> day of February, 1987.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Gary Grant  
Chair

ATTEST:

Jocelyn M. Owens  
Clerk of the Council

APPROVED this 1<sup>st</sup> day of February, 1987.

G. Hill  
King County Executive

FINDINGS, CONCLUSIONS AND DECISION

Having reviewed the record in this matter including the report of the Hearing Examiner dated June 13, 1986 and having heard oral presentations by the proponents and the opponents of the proposal, and having questioned the Hearing Examiner regarding his recommendation, the King County Council now makes and enters the following:

FINDINGS

1. The proposal involves the subdivision of approximately 128 acres into 90 lots for purposes of constructing single-family dwellings. The average lot area within the development would be 1 1/3 acres although the actual lot size would range from approximately 3/4 acre to 6 acres. The proposal is located in Section 7, Township 25, Range 7, lying on the east side of Ames Lakes-Carnation Road N.E. at West Snoqualmie Valley Road N.E. between N.E. 60th Street and N.E. 70th. The zoning in the area is G (General). Public services to the proposed development would be provided by Ames Lake Water Association for water, Fire District No. 35 for fire protection and emergency services, School District No. 407 of the Lower Snoqualmie Valley School District, and solid waste disposal by private contractors utilizing primarily the Houghton Transfer Station. Sewage disposal would be by on-site septic tanks and drainfields.

2. The site of the proposed development is located on a small plateau above the Snoqualmie River Valley in the Snoqualmie Community Planning area. Surrounding land uses are residential, on lots ranging in size from 4.6 acres to 10 acres and larger, and agricultural. Approximately the northern one-third of the subject property is considered to be a part of the Snoqualmie Valley/Patterson Ridge Agricultural District based upon its

proximity to active agricultural lands (i.e. the Carnation Farms). However the site has never been in agricultural use and no portion of the site is designated as agricultural land of county significance.

3. Elevations on the site range from 118 feet in the southwest, where Ames Creek traverses a corner of the site, to approximately 409 feet in the southeast. In the northern portion of the property, the elevation ranges from approximately 135 feet to 310 feet. Slopes vary from relatively level upper slope, ridge top, and slope toe areas to steep mid-slopes and terrace fronts. Several small knolls, ravines and depressions are located throughout the site. Some drainage flows directly into Ames Creek near the southwestern boundary, but surface water travels primarily to the northwest, into the wetland designated Ames Lake No. 57.

4. The proposed development was determined in 1982 to be a major action significantly affecting the environment and therefore an environmental impact statement (EIS) was required. A draft environmental impact statement was issued on September 17, 1985 and ultimately became the final environmental impact statement with an addendum issued in March, 1986.

5. The environmental impact statement identified as major issues the impact of the proposal on surface water quantity and quality, fish and wildlife habitat, land use, and public services.

6. With respect to public facilities and services that would be required by the proposed development, the environmental impact statement identified the following impacts:

A. Fire protection for the proposal would be provided by King County Fire Protection District No. 35.

That district currently has three stations with headquarters in the city of Carnation and a single engine satellite station at Lake Joy and a small single engine station at the Carnation Research Farm. The proposal would be serviced first by the Carnation Farms station with backup from headquarters. The Carnation Farms station is approximately one mile from the site's main access point. This station is all volunteer relying on volunteers 24 hours a day 7 days a week. Approximate response time to the development from the station could be 5 minutes, depending upon the availability of volunteers. Otherwise response time from the main station at Carnation would be at least 10 minutes. The uncertainty of the response time by the volunteer station at Carnation Farms is offset somewhat by the mutual aid agreement between First District No. 35 and Fire District No. 34, which has a station 2 miles from the proposal with a full-time staff of 12 firefighters. Fire District 35 recognizes the need for an additional satellite station on Tolt Hill and the upgrading of the Carnation Farms station. The addition of the proposal would escalate the need to upgrade the Carnation Farms station although financing for such an upgrade is uncertain. Fire District 35 is presently attempting to obtain new vehicles and remodel the existing Lake Joy station. In general, Fire Protection District No. 35 presently has a Class 8 fire protection rating within a rating system which ranges from a high of 1 to a low of 10, with Class 4 being the highest rating in any portion of unincorporated King County.

B. Both emergency aid vehicles are presently housed at the headquarters of the King County Fire Protection District No. 35 in Carnation. As is the case with fire protection vehicles from that station, response time to the proposal was estimated at at least 10 minutes.

C. Police services would be provided by King County Department of Public Safety North Precinct No. 2, which includes all of unincorporated King County north of Bellevue and Seattle, east of Puget Sound, west of King-Chelan County and north of I-90. It is estimated that the addition of the housing proposed by this development would require the addition of one officer to Precinct Two and equipment for that officer.

D. The proposal would be served by the Carnation Elementary School and the Tolt Junior and Senior High School. The enrollment in these schools as of March 1985 was respectively 372 students and 583 students. The planned capacity by the school district for these schools is 400 and 600 respectively, and the state rating capacity is 434 and 705 respectively. It is estimated that the proposal when fully built and occupied would result in an addition of 50 students to the school district with 25 to each school. The addition of these students would place at least the junior and senior high school above its planned capacity and could have adverse effects on the ability of the school district to staff and provide educational services, particularly due to current state funding levels and the lag time of the new homes being placed on the tax rolls.

E. Solid waste disposal services for the area in which the proposal is located are presently provided by Sno-King Disposal Company, through private contracts with individual residences. The Houghton Transfer Station located approximately 10 miles from the proposal would be the primary transfer station used to serve the proposal. The Houghton Transfer Station is currently operating at designed capacity and the site for a new facility has yet to be determined.

7. With respect to the impact on water quality and fish or wildlife habitat, the environmental impact statement identified the following specific impacts:

A. Located approximately 100 feet from the proposal's northwest corner is Ames Lake Wetland No. 57 which is rated as a Class 1(b) wetland in King County's wetland inventory designating it as a unique and outstanding wetland. Water flowing into Ames Lake Wetland No. 57 also flows from that wetland into a nearby wetland, Ames Lakes Wetland No. 58 which is rated a Class 2 wetland in King County wetland inventory. Although the proposal contemplates mitigation of any impacts on the wetlands by the provision of a native growth easement between the wetland and any development, such native growth protection easements are difficult to enforce and therefore risk losing their integrity. Development in the density proposed can be expected to significantly disturb Wetland 57 with an adverse impact on this unique and outstanding wetland. The impact on this wetland can be expected to be particularly adverse during March through June which is the breeding season for both

migratory fowl and resident wildlife species.

B. Flowing out of Ames Lake Wetland No. 57 is Ames Creek which is rated by the Department of Natural Resources as a Type 3 water. The Type 3 water classification is applied to natural waters which among other things are used by significant numbers of fish for spawning, rearing and migration, are used by significant numbers of resident, game fish, or are highly significant for the protection of downstream water quality. As with the mitigation for Ames Lake Westland No. 57, a native growth protection easement is proposed to mitigate the adverse impacts of the development on Ames Creek.

8. With respect to the major issue of the impact of the proposal on the existing area land use, the environmental documents identified an unavoidable adverse impact of the proposal through the creation of pressure for similar density developments in the area through the introduction of 90 new residences housing an estimated 307 people by this proposal and the concomitant expansion and extension of services into previously undeveloped areas for purposes of providing service to the proposal. It is estimated that the proposal will generate approximately 990 average daily trips utilizing the area road network. It is anticipated that the majority of the traffic generated by the proposal would be traveling south and west to employment, service and recreation centers in Redmond, Bellevue and Seattle. Increased traffic generated by the development could, however, conflict with the slow-moving agricultural traffic on roads north and east of the site. Such slow-moving agricultural traffic is frequently traveling on the West Snoqualmie Valley Road, Northeast

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80th Street and Ames Lake-Carnation Road Northeast. The primary access point to the development is located on the Ames Lake-Carnation Road Northeast.

9. No community plan has been adopted for this area, although preparation of the initial plan is currently under way. The area is currently zoned "G" (General). The density proposed by this development is allowable in the "G" zone. The King County Comprehensive Plan of 1985 designates the site "rural".

10. In 1984, pursuant to RCW 43.21C.060 and WAC 197-11-660(a), King County identified in King County Code 20.44.080 both the policies of the state environmental policy act and the King County Comprehensive Plan as policies, plans, rules or regulations which, among others, form the basis for the exercise of the county's substantive authority under Chapter 43.21C RCW.

Based on the foregoing Findings of Fact, the Council hereby makes and enters the following:

#### CONCLUSIONS

1. As presently envisioned, the proposal would be likely to result in significant adverse environmental impacts on water quality and wildlife habitat, specifically Ames Lake Wetlands Nos. 57 and 58 and Ames Creek, assorted public services including schools, fire protection and solid waste disposal, and land use by heightening the trend toward more intense land use in the area and creating pressure to alter surrounding land use, both in and of itself, and considered as part of the cumulative impact with other similar developments.

2. Reasonable mitigation measures are insufficient to mitigate these identified adverse environmental impacts in that

the evidence established that native growth protection easements would not effectively protect the impacted creeks and wetlands, and that the pressures on existing public services and heightened trend towards more intensive land use unavoidably follow from the introduction of 90 homes housing in excess of 300 individuals in a predominantly rural area.

3. The proposal as presently envisioned also conflicts with numerous policies of the King County Comprehensive Plan-1985 including but not limited to the following policies: PC-114, PC-115, PI-103, R-105, R-215, RL-302 and RL-304.

Based on the foregoing Findings and Conclusion, the Council makes the following:

#### DECISION

The proposal as presently envisioned would likely result in significant adverse environmental impacts which cannot be mitigated by reasonable mitigation measures. The proposal also conflicts with numerous policies of the King County Comprehensive Plan-1985. Therefore, pursuant to the authority provided by Chapter 43.21C RCW and King County Code Chapter 20.44, the proposal is denied with leave to submit a revised application. Any such amended application, in order to be considered without a new application, is required to be submitted within one year from the date this action becomes final and conclusive.