

ORDINANCE NO. **9234**

AN ORDINANCE establishing interim zoning on certain areas of the East Sammamish community planning area, amending the sewer Local Service Area (LSA) and LSA map (Figure 8) in the East Sammamish Community Plan and declaring an emergency.

## PREAMBLE:

For the purpose of effective land use planning and regulation in the East Sammamish community planning area, the King County council finds:

1. An update of the East Sammamish Community Plan is currently underway (proposed Council Motion 89-814) to address land use planning and related issues, including the concern for environmental protection. An executive-proposed community plan update and the East Lake Sammamish Basin Plan are due to be transmitted to and acted on by the King County council within 24 months.

A two-year planning process for the update will include participation from local residents serving on a citizen advisory committee; cooperative planning between the county and the cities of Redmond and Issaquah; and consideration of regional plans and intergovernmental agreements. The process will result in an executive proposed plan which will be transmitted to the council.

After transmittal of the executive proposed East Sammamish Community Plan update and area zoning, the council will begin their review process which will include analysis of the proposed plan, public hearings and consideration of area zoning requests. Council review and amendment will result in adoption of new proposed land use policies and regulations.

The community plan update will 1) implement the 1985 King County Comprehensive Plan; 2) specify official policy guiding environmental protection, growth and development for the East Sammamish planning area; 3) establish community project priorities and 4) establish official zoning controls.

2. The East Lake Sammamish Basin Plan has been initiated for a ten square mile watershed area of the Pine Lake plateau draining to Lake Sammamish. The basin plan will examine the current condition of the basin's stream flows, fisheries habitat and related natural resources and predict how these conditions will intensify as land use changes to suburban and urban densities. The basin plan will recommend a wide spectrum of land use, regulatory and capital improvement measures to repair current drainage problems and avoid future resource damages.

1 The two year basin planning process is being coordinated  
2 with the community plan update and will similarly  
3 include direct participation in the plan from landowners  
4 and residents serving on a citizens advisory committee.  
5 The basin plan is also proposed to be augmented by State  
6 Centennial grant funding to study additional measures for  
7 the control of nonpoint source pollution. Coordination  
8 of the augmented basin plan with a watershed management  
9 committee made up of the county, City of Issaquah, King  
10 County Conservation District, Muckleshoot Indian Tribe  
11 and other potential affected parties is anticipated.

12 As with the community plan update, an executive proposed  
13 basin plan will be prepared and transmitted to the county  
14 council for review and approval. Approval of the basin  
15 plan and adoption of ordinance necessary to implement its  
16 recommendations will complete the process.

- 17 3. The 1985 King County Comprehensive Plan directs the  
18 county to encourage growth in urban areas and protect  
19 resource, rural and environmentally sensitive areas. The  
20 East Sammamish Community Planning area contains Urban,  
21 Rural, Transitional and Environmentally Sensitive areas.  
22 By allowing development at existing zoning there are  
23 environmental and planning concerns for three areas of  
24 the East Sammamish community planning area.

25 These three areas, the Evans Creek Area, the Snoqualmie  
26 River Drainage Basin, and the North Beaver Lake Subarea,  
27 are particularly vulnerable due to sensitive  
28 environmental features, inadequate infrastructure and  
29 development under the existing zoning.

30 A. Evans Creek (Areas 1a and 1b on Attachment 1).

31 This 3.5 square mile area is characterized by primarily  
32 undeveloped land, unique and significant wetlands,  
33 geologically sensitive slopes and critical salmon  
streams. The Evans Creek Valley and its surrounding  
hillsides are relatively undeveloped, contain large  
areas of environmentally sensitive land, and help  
support the valuable fisheries resource of the  
Bear-Evans drainage system.

The geologic formations of the Evans Creek drainage are  
equivalent to those already regulated under the  
designated West Snoqualmie Critical Drainage Basin, the  
Bear Creek Steep Slope P-Suffix Conditions. The recent  
Bear Creek and Snoqualmie studies on these areas  
demonstrate that development on these sensitive  
geologic features without adequate drainage controls or  
at inappropriate densities will likely result in  
significant environmental impacts including damage to  
valuable fisheries resources.

The preliminary Bear Creek Basin Plan recommends  
enhanced drainage control measures and 5 acre rural  
zoning (AR 5-P) to further protect the aquatic  
resources of Evans Creek.

B. Snoqualmie River Drainage Basin (Area 2 on  
Attachment 1)

1 The 10 square mile portion of the Snoqualmie River  
2 drainage system within the East Sammamish community  
3 planning area consists primarily of the Patterson Creek  
4 Valley and its surrounding hillsides. It is relatively  
5 undeveloped, largely forested and contains large areas  
6 of environmentally sensitive land. Portions of this  
7 area are adjacent to rural residential areas in the  
8 Snoqualmie Valley, zoned AR-2.5, AR-5, and AR-10.

9 This area helps support the valuable wild-stock coho  
10 fisheries resource of the Snoqualmie River drainage  
11 system. Coho salmon depend on small side streams to  
12 successfully survive during their first year. These  
13 side streams are extremely susceptible to impacts from  
14 conversion of forest lands into residential and other  
15 development.

16 The geologic formations of the Patterson Creek drainage  
17 area are equivalent to those already regulated under  
18 the designated West Snoqualmie Critical Drainage Basin,  
19 the Bear Creek Steep Slope P-Suffix Conditions, and the  
20 Snoqualmie Valley Erosion Problem Areas P-Suffix  
21 Conditions. Development on these sensitive geologic  
22 features without adequate drainage controls or at  
23 inappropriate densities will result in significant  
24 environmental impacts including damage to valuable  
25 fisheries resources.

26 C. North Beaver Lake Subarea (Area 3 on Attachment 1)

27 The current East Sammamish Community Plan was adopted  
28 in 1982, prior to the 1985 adoption of the King County  
29 Comprehensive Plan. Under the current East Sammamish  
30 Community Plan, this area is designated for master plan  
31 development (MPD). The area is designated Urban under  
32 the King County Comprehensive Plan. MPD experience in  
33 the South Beaver Lake subarea (Klahanie) has shown that  
the East Sammamish MPD criteria do not adequately  
address off-site impacts and are not consistent with  
KCCCP MPD criteria. King County Comprehensive Plan MPD  
criteria (PI-206), which was not used in the East  
Sammamish Plan, better addresses large parcel  
development.

34 The North Beaver Lake subarea of the East Sammamish  
35 Planning area contains large areas of environmentally  
36 sensitive and forested land. Development on these  
37 forested lands without adequate drainage controls or as  
38 an MPD will likely result in significant direct and  
39 cumulative impacts to wildlife populations and water  
40 quality of the Beaver Lake subarea. Wetlands and  
41 streams within this undeveloped area serve as the  
42 principal source of water for Beaver Lake, an  
43 urbanizing small lake whose water quality can easily be  
44 impacted by poorly planned development. The recent  
45 Bear Creek and Snoqualmie studies on similar areas  
46 demonstrated the need for new methods of protecting the  
47 environment since the adoption of the East Sammamish  
48 Community Plan.

1 The majority of this 3.75 square mile portion of the  
2 North Beaver Lake subarea is undeveloped. Development  
3 of this area under existing zoning could add an  
4 additional 2,500 to 10,000 households. Present urban  
5 services (roads, water, sewer, schools) are either not  
6 keeping pace with development or are unavailable.  
7 Development to date has averaged one home per acre, not  
8 seven to eight homes per acre as proposed in the King  
9 County Comprehensive Plan. Continued growth of this  
10 area at the existing zoning prior to completion of the  
11 East Sammamish Community Plan Update would foreclose  
12 planning options and potentially effect the citizens,  
13 wildlife and natural resources of the plateau and the  
14 county.

9 1) Roads. The existing network of roads is inadequate  
10 to serve new development. Most roads on the plateau  
11 have two lanes with limited shoulders. Continued  
12 development of the North Beaver Lake area at one home  
13 per acre could add over 25,000 automobile trips per  
14 day. Development of the North Beaver Lake area at  
15 four homes per acre through a master plan development  
16 could add over 102,000 trips per day.

14 2) Sewer Service. This area is not currently served by  
15 sewers. Development without sewers would not achieve  
16 the urban densities of the King County Comprehensive  
17 Plan. Urban development with sewers prior to the  
18 update could overload the transportation network,  
19 schools and water supplies unless development phasing  
20 tools, not now part of the East Sammamish Community  
21 Plan, were applied. These phasing tools are best  
22 applied through an update of the East Sammamish  
23 Community Plan.

19 3) Water. The Sammamish Plateau Water and Sewer  
20 District is facing a 20% growth rate. The District  
21 now serves 6,500 customers and has already authorized  
22 a total of 13,500 connections. District water  
23 availability could be exhausted by 1992, even with  
24 additional water rights from their current well.

23 The District suspended issuance of water availability  
24 letters in March, 1989. Few connections have been  
25 authorized for the potential 2,500 to 10,000 new  
26 homes in the North Beaver Lake area. The District  
27 has completed a study which recommends connections to  
28 the City of Seattle Tolt pipeline to provide  
29 additional water in 1992 at the earliest. Water  
30 service on the plateau is a long term, regional  
31 utility decision better made in the context of the  
32 community plan update and through a regional planning  
33 effort between King County and the City of Seattle.

28 4) Schools. Representatives of the region's school  
29 districts and Educational Service District No. 121  
30 have documented the impacts of residential  
31 development on the abilities of the districts to  
32 provide adequate school facilities to meet the  
33 demands generated by residential development.  
Development of the North Beaver Lake area at one to  
four homes per acre could result in an additional  
1,000 to 4,500 students. The Lake Washington School

1 District will need 11 new schools by 1993. The  
2 Issaquah School District will need five new  
3 elementary schools, two new middle schools, and two  
4 new senior high schools by 1997. Funding for these  
5 schools is in doubt, given the State school board's  
6 moratorium on issuing matching funds. King County  
7 has received testimony from schools that they can  
8 neither finance nor build schools at a rate rapid  
9 enough to keep up with current development.

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4. Unincorporated King County has and will continue to experience population and employment growth resulting in competing demand for facilities, services, and the protection of critical natural resources.

The East Sammamish Plateau is experiencing one of the highest rates of growth in King County. The 1989 Annual Growth Report reported a 94% growth rate on the plateau from 1980 to 1988. The 1980 population of 12,300 is forecast to reach 25,400 by 1990, 39,600 by 2000 and 73,400 by 2020. Growth is occurring at a pace completely unanticipated by the adopted East Sammamish Community Plan, as evidenced by the MPD called Klahanie. The 3,200 expected dwelling units in Klahanie were expected to be built over twelve years. Klahanie is now expected to be completed in a fraction of this time. This rapid rate of growth strains public services including roads, water, sewer and schools.

The cumulative impacts and public service requirements of pending development of these areas threaten the public health, safety and welfare and the ability to provide public services.

5. Solutions to these impacts and service requirements are best resolved through the East Sammamish Community Plan update public planning process and the East Lake Sammamish basin plan which together will consider community concerns, regional needs and broader King County policies.
6. Long term planning options will be foreclosed by property owners developing under existing zoning. Interim zoning is needed for the short term to provide future planning opportunities. Without this protection, anticipated extensive development and growth will precede the community planning process precluding community participation, development consistent with the Comprehensive Plan and regional cooperation on certain portions of the East Sammamish plateau.
7. Other portions of the East Sammamish planning area such as South Beaver Lake, Pine Lake and Sahalee, generally are already partially subdivided and developed at densities consistent with the current community plan. Development at existing densities cannot continue to be supported by existing infrastructure.

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

2 SECTION 1. The Interim Zoning in the East Sammamish Planning  
3 Area shall be as follows:

4 A. The Evans Creek valley and hillside area shown in  
5 Attachment A, and indentified as Area 1-a, which include all  
6 lands below the 300-foot elevation contour in the Sahalee and  
7 Evans Creek subareas, are hereby reclassified from S-C, S-R, M-P,  
8 M-P-P, RS-15,000 and S-R (15,000) to GR-5-P, with the P-suffix  
9 conditions set forth in section 2 of this ordinance. The Evans  
10 Creek Valley and hillside area shall also be removed from the  
11 sewer Local Service Areas for this interim period to comply with  
12 King County Comprehensive Plan policy F-317.

13 B. The Evans Creek-Hilltop properties shown in Attachment A,  
14 and identified as Area 1-b, which include the Evans Creek  
15 drainage basin within the Sahalee subarea, are hereby  
16 reclassified from S-C, S-R and RS-15,000 to S-C-P, S-R-P, and  
17 RS-15,000-P with the P-suffix conditions set forth in section 2  
18 of this ordinance.

19 C. The Snoqualmie River drainage basin properties shown in  
20 Attachment A, and identified as Area 2, which include all lands  
21 in the Snoqualmie River drainage basin the Evans-Patterson,  
22 Sahalee, Beaver Lake and Grand Ridge subareas, are hereby  
23 reclassified from SC, G-5, SC (potential S-R), B-N-P, RM-2400,  
24 S-E, F-R, G, G-5 (potential SC-P) to GR-5-P, with the P-suffix  
25 conditions set forth in section 2. The A zoned property in this  
26 area is unchanged. No sewer LSA boundaries shall be extended  
27 prior to adoption of the East Sammamish Community Plan Update.

28 D. The North Beaver Lake properties shown in Attachment A,  
29 and identified as Area 3, which include all lands outside the  
30 Snoqualmie drainage basin and generally north of Southeast 24th  
31 Street and west, north and east of Beaver Lake Drive, are hereby  
32 reclassified from SC (potential S-R) and G-5 to GR-5-P, with the  
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1 P-suffix conditions set forth in section 2 of this ordinance. No  
2 sewer LSA boundaries shall be extended into the potential LSA  
3 area designated by the East Sammamish Plan prior to adoption of  
4 the East Sammamish Community Plan Update.

5 E. The properties shown in Attachment A, and identified as  
6 area 4 is hereby reclassified to ~~GR-5~~-P with the P-suffix  
7 conditions set forth in section 2 of this ordinance. No sewer  
8 LSA boundaries shall be extended into the potential LSA area  
9 designated by the East Sammamish Plan prior to adoption of the  
10 East Sammamish Community Plan Update.

11 SECTION 2. Interim P-Suffix Conditions.

12 As discussed in the Preamble, the lands described in  
13 section 1 include environmentally sensitive natural features.  
14 Drainage and stream corridor conditions are necessary to provide  
15 adequate environmental protection.

16 A. Drainage. The following conditions shall apply to all of  
17 the lands described in section 1. These development conditions  
18 are intended to reduce or eliminate major surface water runoff  
19 impacts of development within the Patterson Creek/Snoqualmie  
20 River and Evans Creek drainages.

21 1. Due to the extreme sensitivity of property in the indicated  
22 drainage area to water-induced erosion, and the resulting  
23 potential for danger to the safety of persons and property in  
24 these areas, the following conditions shall apply to all new  
25 development in the indicated areas unless the applicant can  
26 demonstrate that their project is so categorized in error,  
27 because:

28 a. Site drainage does not in fact drain over slopes 15% or  
29 steeper; and

30 b. The downstream drainage pathway is not underlain with  
31 erodable granular sediment anywhere along its route; and

32 c. The site is underlain by permeable sediments that will  
33 infiltrate and dissipate runoff even after clearing and  
development.

If all of these exemptions are not met, a drainage control

1 plan shall be required and reviewed and approved by BALD for all  
2 development in this area whenever a proposed development requires  
3 a building permit, conditional use permit, unclassified use  
4 permit, variance, rezone, planned unit development, subdivision,  
5 short subdivision, right-of-way, will be developed to waive  
6 drainage control plan requirements for proposed uses that will not  
7 impact surface water runoff quantities or rates. Once a drainage  
8 plan is approved through the subdivision process, individual  
9 building permits on the same property will not require another  
10 drainage.

11 2. Unless otherwise exempted, the following conditions shall  
12 apply:

13 a. Stormwater detention shall contain up to the  
14 100-year/24-hour storm and shall be computed using a Soil  
15 Conservation Service based hydrograph method. Release shall be  
16 a 1/2 the forested 2 year/24 hour release rate for design storm  
17 events up to and including the 2 year/24 hour design storm event,  
18 the forested 2 year/24 hour release rates for design storm events  
19 up to and including the 10 year/24 hour design storm event, and  
20 the forested 10 year/24 hour release rate for design storm events  
21 up to and including the 100 year/24 hour design storm event.

22 b. Point discharge from detention systems will be only  
23 into drainage channels that convey surface water in the  
24 pre-development state. Dispersed discharge will be evaluated as  
25 a potential alternative.

26 c. Installation of the critical drainage control features,  
27 as scheduled and delineated in the drainage control plan as  
28 approved by BALD, shall be installed prior to any unrelated land  
29 clearing, vegetation removal, site grading, road construction or  
30 utility installation. Only those activities associated with  
31 pre-development exploration, such as surveying and performance of  
32  
33



1 soil tests and limited clearing and grading associated with  
2 construction of drainage facilities, will be permitted prior to  
3 completion of the drainage control system.

4 d. In those situations where features of the drainage  
5 system or subsequent development make installation of the final  
6 drainage system impossible, a phased drainage control plan will  
7 be developed which provides the required level or  
8 retention/detention to the entire site at all times.

9 B. Interim Stream Corridor Guidelines. The following  
10 conditions shall apply for all of the lands described in  
11 section 1. These development conditions are intended to  
12 recognize the importance of stream corridors and direct  
13 development to protect an undisturbed corridor sufficient to  
14 maintain natural functions of the stream.

15 Undisturbed stream corridors support wildlife habitat,  
16 protect water and environmental quality, enhance fishery  
17 production and are an important resource in the planning area.

18 The following conditions shall apply to all new developments  
19 in the areas provided by in section 1 to provide stream corridors.

20 1. All stream corridors shall be designated as native  
21 growth protection restriction areas (NGPRA) in formal  
22 subdivision, multifamily, or commercial building permits,  
23 variances, shoreline management and conditional use permits and  
24 unclassified use permits.

25 2. In formal subdivisions, Planned Unit Developments, and  
26 Master Planned Developments, each stream corridor designated as  
27 an NGPRA also shall be placed in a separate tract.

28 3. All new plats and short plats shall provide NGPRA or  
29 other measures providing equivalent environmental protection to  
30 avoid disturbance of the buffer vegetation.

31 4. Stream corridor NGPRAs and tracts will be sized  
32 according to the following criteria:  
33

1  
2 a. Streams not adjacent to wetlands or slopes 30% or  
3 greater:

4 (1) For all DNR Type I-IV streams and for DNR Type V  
5 streams which are habitat for anadromous salmonids, a minimum 100  
6 foot corridor from the top-of-bank on both sides shall be  
7 provided and designated as a NGPRA, and a 15 foot building  
8 setback line (BSBL) will extend landward from the edge of the  
9 tract.

10 (2) For Type V streams which are not anadromous  
11 salmonid habitats, a minimum 25 foot corridor from the stream  
12 center line on both sides shall be provided and designated as a  
13 NGPRA, and a 15 foot BSBL will extend landward from the edge of  
14 the tract.

15 b. Streams adjacent to slopes 30% and greater:

16 (1) For streams adjacent to or within 25 feet of the  
17 top-of-slopes which are less than 100 feet in horizontal length,  
18 a corridor shall extend 25 feet beyond the top-of-slope and a 15  
19 foot setback line (BSBL) shall apply. The corridor shall be  
20 designated NGPRA. These requirements shall also apply if slopes  
21 are variable, that is, having small benches or terraces but also  
22 having an overall slope of 30% or greater.

23 (2) For streams adjacent to or within 25 feet of the  
24 top-of-slopes which are greater than 100 feet in horizontal  
25 length, a corridor shall extend 125 feet beyond the top-of-bank  
26 or the water's edge and a 15 foot BSBL shall apply. The corridor  
27 shall be designated as NGRPA. This requirement shall apply if  
28 slopes are variable, that is, having small benches or terraces  
29 but also having an overall slope of 30% or greater.

30 (3) A minimum 100 foot corridor designated as NGPRA  
31 and a 15 foot BSBL shall be provided for all streams under this  
32 section.  
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1  
2 5. Stream Corridor Exemption. If an applicant for a  
3 development proposal otherwise allowed under the applicable zone  
4 demonstrates that establishment of a NGPRA of the width required  
5 above would deny all reasonable use of the property, the director  
6 of the department of parks, planning and resouces, or his or her  
7 designee, in consultation with the Prosecuting Attorney's Office,  
8 may administratively reduce the width of the NGPRA in order to  
9 allow development.

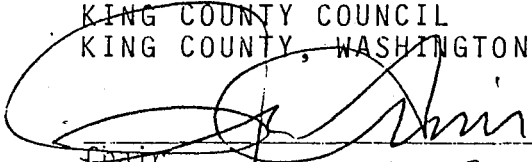
10 SECTION 3. Duration of Interim Zoning. The interim zoning  
11 applied in section 1 shall be in effect for 120 days from the  
12 effective date of this ordinance. (December 11, 1989)

13 SECTION 4. The county council finds and declares that an  
14 emergency exists and that this ordinance is necessary for the  
15 immediate preservation of public peace, health or safety or for  
16 the support of county government and its existing public  
17 institutions.

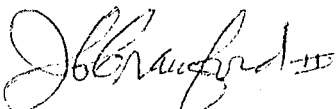
18 INTRODUCED AND READ for the first time this 11<sup>th</sup> day  
19 of December, 1989.

20 PASSED this 11<sup>th</sup> day of December, 1989.

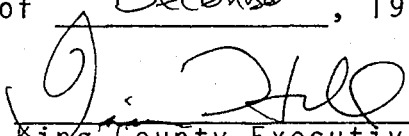
21 KING COUNTY COUNCIL  
22 KING COUNTY, WASHINGTON

23   
24 Chair  
25 11:47 AM  
26 12/11/89

27 ATTEST:

28   
29 Clerk of the Council

30 APPROVED this 13<sup>th</sup> day of December, 1989.

31   
32 King County Executive

