

ORDINANCE NO. **10198**

AN ORDINANCE relating to comprehensive planning within the Soos Creek community planning area; amending the King County Comprehensive Plan (Ordinance 7178); and adding a new section to K.C.C. 20.12

PREAMBLE:

For the purpose of effective areawide planning and regulation, the King County council makes the following legislative findings:

1. The 1985 King County Comprehensive Plan and Map, adopted April 8, 1985 by Ordinance 7178, guides land use throughout King County.
2. The Executive Proposed Soos Creek Basin Plan, a functional plan prepared under the guidance of the Comprehensive Plan provides new information regarding land use recommendations for stream and water quality protection. The Executive Proposed Soos Creek Basin Plan recommended that properties within 1/4 mile of significant streams be zoned to maintain aquatic habitat and water quality. The reasons for and impacts of these changes are described in the issue paper attached hereto as Exhibit A.
3. The Executive Proposed Soos Creek Community Plan has recommended the amendment of the Comprehensive Plan Map to redesignate the transitional areas to identify where low density rural patterns should continue and where urban areas should locate. The reasons for and impacts of these changes are described in the issue paper attached hereto as Exhibit A.
4. A portion of the north transitional area located generally east of Fairwood, south of Maple Valley Road, north of Petrovitsky Road, and west of 196th Avenue Southeast is constrained because of major physical barriers to providing urban services, particularly to providing roads at urban standards, and natural constraints including wetlands, steep slopes, erosion hazards, and coal mine hazards which significantly diminish the area's suitability for urban development.
5. A portion of the north transitional area located in the SW 1/4 of the NE 1/4 of 26-23-05, known as the Cavanaugh property, is suitable for urban development. The site is bound by steep slopes to the north and urban development (including Fairwood Elementary School, the Fairwood development) to the south, east, and west. The property is traversed by a Bonneville Power Administration power line easement.

- 1 6. A portion of the north transitional area southwest of and
2 including Petrovitsky Park and southwest of Lake Desire,
3 abutting Petrovitsky Road, is suitable for urban
4 development because:
- 5 a. there are not significant environmental constraints;
6 b. public facilities and services are in place or can
7 be provided at reasonable cost to accommodate urban
8 growth; and
9 c. a new junior high school site is located in the
10 area.
- 11 7. The south transitional area south to the Green River is
12 constrained because of major physical barriers to
13 providing urban services, including sewer and roads at
14 urban standards at a reasonable cost and sensitive
15 anadromous fish habitat, including Big Soos Creek.
- 16 8. Technical criteria for designating the Soos Creek portion
17 of Maple Valley Urban were erroneously applied when the
18 1985 Comprehensive Plan was adopted. Maple Valley is
19 severely constrained by environmentally sensitive areas
20 including:
- 21 a. Cedar River flood plain;
22 b. Class I and II wetlands;
23 c. City of Renton sole source aquifer; and
24 d. Erosion, landslide, and seismic hazard areas. The
25 Cedar River also supports anadromous fish.
- 26 9. Redesignation of the Soos Creek portion of Maple Valley
27 from urban to rural will not substantially affect the
28 capacity of the Soos Creek planning area to provide
29 increased housing. The reasons for and impacts of this
30 change are described in the issue paper attached hereto as
31 Exhibit A.
- 32 10. Technical criteria were erroneously applied when the rural
33 designation was made for property known as the Campbell
34 property (located in the SE 1/4 23-22-05). Surrounding
35 urban land uses make small-scale farming unlikely, and
36 possibly incompatible. There are no resource lands
37 nearby, nor are there significant environmental
38 constraints, or major physical barriers to providing urban
39 services at a reasonable cost. The reasons for and
40 impacts of this change are described in the issue paper
41 attached hereto as Exhibit A.
- 42 11. Technical criteria for designating a portion of the Green
43 River Valley were erroneously applied when the 1985
44 Comprehensive Plan was adopted. The Green River Valley is
45 constrained by environmentally sensitive areas including:
- 46 a. the valley floor is in the flood plain;
47 b. seismic, erosion and landslide hazard areas in the
48 north facing slopes; and

- 1 c. the Green River supports anadromous fish.
- 2 12. Redesignation of a portion of the Green River Valley from
3 Urban to Rural will not substantially affect the capacity
4 of the Soos Creek planning area to provide increased
5 housing. The reasons for and impacts of this change are
6 described in the issue paper attached hereto as Exhibit A.
- 7 13. The Executive Proposed Soos Creek Community Plan Update
8 recommends the amendment of the Comprehensive Plan Map to
9 redesignate most of the Transitional area to Rural areas;
10 a portion of the Transitional area to Urban; to
11 redesignate portions of the Maple Valley and a portion of
12 the Green River Valley to Rural; and to redesignate to
13 Rural a portion of the Transitional area which is within
14 1/4 mile of significant streams as identified by the Soos
15 Creek Basin Plan.
- 16 14. Amendment of the Comprehensive Plan Map will provide for
17 the coordination and regulation of public and private
18 development and bears a substantial relationship to and is
19 necessary for the public health, safety and general
20 welfare of King County and its citizens.

21 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

22 SECTION 1. The King County Comprehensive Plan Map,
23 adopted by Ordinance 7178, is amended within the Soos Creek
24 community planning area to redesignate the transitional area,
25 to redesignate portions of rural lands, and to redesignate
26 portions of urban areas, as indicated on Map A attached to
27 ordinance 10198, as implemented by the Soos Creek Community
28 Plan Update and Area Zoning adopted by ordinance 10197.

1 SECTION 2. SEVERABILITY. If any provision of this
2 ordinance or its application to any person or circumstance is
3 held to be unconstitutional or invalid for any reason, the
4 remainder of the ordinance or the application of the provision
5 to other persons or circumstances is not affected.

6 INTRODUCED AND READ for the first time this 17th day
7 of June, 1991.

8 PASSED this 17th day of December, 1991.

9
10

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

11
12

Lois North
Chair

13

ATTEST:

14
15

Gerald A. Peterson
Clerk of the Council

16

APPROVED this 20th day of December, 1991.

17
18

Jim Hill
King County Executive

ISSUE PAPER

Proposed Amendments to the King County Comprehensive Plan
Soos Creek Community Plan Update

I. Comprehensive Plan Map Amendment Requirements to Redesignate
a Transitional Area Are Met

KCCP - PI-109 ALL PROPOSED COMPREHENSIVE PLAN POLICY AND
COMPREHENSIVE PLAN MAP AMENDMENTS SHOULD
INCLUDE THE FOLLOWING ELEMENTS:

A. A DETAILED STATEMENT OF WHAT IS PROPOSED TO BE
CHANGED AND WHY;

1. North Transitional Area

Most of the North Transitional area is proposed for change to Rural per proposed SCCP policy R-14. The natural constraints of the land significantly diminish this area's ability to support urban development without serious consequences to the environment. About 40% of the land in this area is constrained by sensitive environmental features. Fragile slopes, important wetlands, and the water quality of the lakes would be adversely affected by extensive urban development. Soil conditions would contribute to extensive surface water runoff problems. The area also contains coal mine hazards.

From a transportation perspective, the area is more appropriate for rural rather than urban development. There are major physical barriers to providing adequate arterial capacity at a reasonable cost. It is cost prohibitive to develop the background street network necessary to serve urban development in the North Transitional Area. Currently, this large area is served internally only with local access streets. A more complete road network of arterials, neighborhood collectors and local roads would be required for urban development. Topographical constraints (steep slopes), environmentally sensitive features (wetlands, coal mine and erosion hazards), and other obstacles (existing development power lines, large waterbodies), make provision of a street network sufficient to support urban densities difficult. Another major north/south arterial from SR-169 to Petrovitsky is infeasible to construct due to the cost involved to negotiate the steep, unstable

slope immediately south of SR-169. An additional east/west arterial would be feasible to construct for the same reason due to a canyon east of 140th Avenue SE which any road would need to cross.

The portion of the North Transitional area north of Fairwood is proposed for change to Urban per proposed SCCP policy R-15. This area includes a developed subdivision, Valley Faire II, which has sewer service currently and approximately 135 acres which has a sewer trunk line running through the property. The vacant property is immediately adjacent on the north to the Fairwood subdivision which is developed at urban densities of 7200 square foot lots. The natural features of the site are such that most of the site is capable of supporting urban development without significant environmental degradation.

The portion of the North Transitional areas southwest of and including Petrovitsky Park, and southwest of Lake Desire abutting Petrovitsky Road is also proposed for Urban per proposed SCCP policy R-16. The area does not contain the environmental constraints present in much of the remainder of the North Transitional area. The area does contain property which is proposed for development as a new junior high school site in the next five years. Petrovitsky Park is in need of sewer service.

2. South Transitional Area

The South Transitional area is proposed for change to Rural. The area is characterized by the presence of Big Soos Creek, Covington Creek, Seattle International Raceway, and Crest Airport. Environmental constraints in this area include: severe seismic, erosion, and landslide hazards along the slopes adjacent to Big Soos Creek, and a number of significant wetlands south of the Lake Heights area. The Open Space Plan identifies the southern portion of this area as part of the Green River Open Space System buffering the rural and agricultural lands in southern King County from the rapidly developing areas to the north and east. Outwash soils with good permeability are found throughout most of the area.

10198

The area northwest of Big Soos Creek includes two uses which are not compatible with intense urban development: the Seattle International Raceway and Crest Airpark. Current densities and lotting patterns in these two areas would limit the future ability to achieve overall urban densities. The area south of Auburn-Black Diamond Road does not have an adequate existing road system to support urban development. Also, it is not included in the planning areas for any sewer district. Although Auburn is the nearest service provider, representatives from Auburn have expressed a reluctance to serve this area because of its remoteness from Auburn, physical barriers, and costs to provide service.

The proposed amendments to the King County Comprehensive Plan (KCCP) map are consistent with the KCCP.

B. A STATEMENT OF ANTICIPATED IMPACTS OF THE CHANGE, INCLUDING GEOGRAPHIC AREA ISSUES PRESENTED;

The Draft Environmental Impact Statement (DEIS) for the SCCP Update describes in detail the area affected, and an analysis of anticipated impacts.

C. A DEMONSTRATION OF WHY EXISTING COMPREHENSIVE GUIDELINES SHOULD NOT CONTINUE IN EFFECT, OR WHY EXISTING CRITERIA NO LONGER APPLY;

The existing KCCP guidelines will remain in effect, as KCCP policy PI-105d directs community plans to determine the location of rural and urban areas within transitional areas.

D. A STATEMENT OF HOW FUNCTIONAL PLANS SUPPORT THE CHANGE;

The Proposed Soos Creek Basin Plan recommends that the Soos Creek basin sub-catchment be designated as a Rural Area, to maintain aquatic habitat and water quality. This recommendation will be fulfilled in the proposed Comprehensive Plan designations.

E. PUBLIC REVIEW OF THE RECOMMENDED CHANGE, NECESSARY IMPLEMENTATION (INCLUDING AREA ZONING IF APPROPRIATE), AND ALTERNATIVES;

101981

Public review of the proposed redesignation of transitional land to urban and rural, accompanying proposed zoning, and alternatives to this proposal is provided through public review of the SCCP Update and Area Zoning, the Soos Creek DEIS, and public hearings conducted by the King County Council. Over 38 Citizens Advisory Committee meetings and 6 community open houses were held by the Executive for the creation of the SCCP Update.

KCCP - PI-100 PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN'S POLICIES OR COMPREHENSIVE PLAN MAP SHOULD BE ACCOMPANIED BY ANY LAND USE REGULATORY CHANGES REQUIRED FOR IMPLEMENTATION, SO REGULATIONS WILL BE CONSISTENT WITH THE PLAN.

The adopting ordinance for the SCCP Update and the attached proposed ordinance would amend applicable King County plans. Regulatory changes required for implementation are contained in the Executive Proposed Soos Creek and Area Zoning Document.

II. Comprehensive Plan Amendment Requirements to Redesignate an Urban Area to Rural Are Met.

KCCP - P-109 ALL PROPOSED COMPREHENSIVE PLAN POLICY AND COMPREHENSIVE PLAN MAP AMENDMENTS SHOULD INCLUDE THE FOLLOWING ELEMENTS:

A. A DETAILED STATEMENT OF WHAT IS PROPOSED TO BE CHANGED AND WHY;

1. Maple Valley

A portion of Maple Valley contains significant environmental constraints to achieving urban development. Renton's sole source aquifer is located in Maple Valley. The amount of impervious surface, if this area is developed at urban densities, would restrict infiltration to replenish the aquifer; the types of uses associated with urban areas could pollute the irreplaceable source of ground water. In addition, the area contains floodplains, seismic, erosion and landslide hazard areas which would further restrict urban development. Policy NR-18 recommends this area be redesignated from Urban to Rural to protect these sensitive features.

- C. A DEMONSTRATION OF WHY EXISTING COMPREHENSIVE GUIDELINES SHOULD NOT CONTINUE IN EFFECT, OR WHY EXISTING CRITERIA NO LONGER APPLY;

The existing KCCP guidelines will remain in effect, as KCCP policy PI-112 allows the KCCP to be modified when there are major changes in circumstances and in the public's values regarding the need to preserve Rural Areas and Resource Lands, and the amendment serves a valid public purpose. Policy PI-112 also allows modifications to the KCCP when new information demonstrates that the technical criteria were erroneously applied when original designations were made.

- D. A STATEMENT OF HOW FUNCTIONAL PLANS SUPPORT THE CHANGE;

At this time, there are no functional plans which address conversion from urban to rural in this area.

- E. PUBLIC REVIEW OF THE RECOMMENDED CHANGE, NECESSARY IMPLEMENTATION (INCLUDING AREA ZONING IF APPROPRIATE), AND ALTERNATIVES;

Public review of the proposed redesignation of Urban land to Rural, the accompanying proposed zoning, and alternatives to this proposal is provided through public review of the SCCP Update and Area Zoning, the Soos Creek DEIS, the Soos Creek Basin Plan, the South King County Ground Water Management Program, and public hearings conducted by the King County Council. Over 38 Citizens Advisory Committee meetings and 6 community open houses were held by the Executive for the creation of the SCCP Update and Area Zoning.

KCCP - PI-110 PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN'S POLICIES OR COMPREHENSIVE PLAN MAP SHOULD BE ACCOMPANIED BY ANY LAND USE REGULATORY CHANGES REQUIRED FOR IMPLEMENTATION, SO REGULATIONS WILL BE CONSISTENT WITH THE PLAN.

The adopting ordinance for the SCCP Update and the attached proposed ordinance would amend applicable King County plans. Regulatory changes required for implementation are contained in the Executive Proposed Soos Creek Area Zoning Document.

10198
86101

An area on the south side of Maple Valley Road, approximately between 149th Avenue SE, and 164th Avenue SE (if extended) should remain in an Urban designation because of the presence of sewers and pre-existing urban development.

2. Green River Valley

A portion of the Green River Valley is proposed for redesignation from Urban to Rural due to significant environmental constraints which make the area generally unsuitable for urban development. In addition, the Green River supports extensive populations of anadromous and resident fish. This resource supplies industries that are an important part of the local and regional economies.

3. Soos Creek Basin Area

The Soos Creek Basin Plan recommends a comprehensive basin management program that will correct significant surface water problems and provide substantially greater protection for the basin's valuable resources than current County programs. One of the mechanisms for protecting significant fish habitat recommended by the basin plan is establishing rural densities along significant stream corridors. Much of the area within 1/4 mile of the basin plan identified as significant streams is already designated for rural densities. However, approximately 1500 acres within 1/4 mile of significant streams are currently designated Urban by the Comprehensive Plan. Policy R-20 recommends that these Urban designated lands be redesignated Rural.

B. A STATEMENT OF ANTICIPATED IMPACTS OF THE CHANGE, INCLUDING GEOGRAPHIC AREA ISSUES PRESENTED;

The DEIS for the SCCP Update describes in detail the area affected, and an analysis of the anticipated impacts. Generally, environmental resources will receive greater protection because of lower densities. Housing capacity is anticipated to be transferred to the unincorporated Urban area and to the cities of Renton, Kent, and Auburn.

KCCP - PI-112 THE URBAN AREA, RURAL AREA, RURAL ACTIVITY CENTER LOCATIONS, AND RESOURCE LANDS DESIGNATIONS FOR FOREST PRODUCTION AND AGRICULTURAL PRODUCTION DISTRICTS ON THE COMPREHENSIVE PLAN MAP ARE INTENDED TO BE LONG-TERM AND UNCHANGING, AND EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THESE DESIGNATION SHOULD BE REEVALUATED ONLY WHEN:

- A. THERE ARE MAJOR CHANGES IN CIRCUMSTANCES AND IN THE PUBLIC'S VALUES REGARDING THE NEED TO PRESERVE RURAL AREAS AND RESOURCE LANDS, AND THE PROPOSED AMENDMENT SERVES A VALID PUBLIC PURPOSE; OR
- B. NEW INFORMATION DEMONSTRATES THAT THE TECHNICAL CRITERIA WERE ERRONEOUSLY APPLIED WHEN ORIGINAL DESIGNATIONS WERE MADE.

The public review process carried out for the preparation of the SCCP Update revealed substantial public concern for the protection of Maple Valley and the Soos Creek Basin. In its consideration of this public concern, the Executive staff identified that the potential location of urban uses within these areas could endanger sensitive environmental resources, such as anadromous fish. Similar environmental constraints were found to exist for the Green River Valley. These potential conflicts are outlined in SCCP Update policies NR-1, R-18, R-19 and R-20. As elaborated in those policies and in the supporting text, a redesignation to rural would be in the public interest.

III. Comprehensive Plan Amendment Requirement to Redesignate a Rural Area to Urban Are Met.

KCCP - PI-109 ALL PROPOSED COMPREHENSIVE PLAN POLICY AND COMPREHENSIVE PLAN MAP AMENDMENTS SHOULD INCLUDE THE FOLLOWING ELEMENT:

- A. A DETAILED STATEMENT OF WHAT IS PROPOSED TO BE CHANGED AND WHY;

A 29-acre parcel in the southeast 1/4 of Section 23, Township 22, Range 5 is proposed to be redesignated from Rural to Urban. The parcel is bordered on the south by a subdivision developed at RS-9600 densities and served by sewer service, on the east across 164th by Mattson Junior High, and on the west and north by a Puget Sound Power and Light right-of-way and switching station site. Policy R-21 sets forth the reasons why this parcel should be redesignated Urban.

10198 / 86101

- B. A STATEMENT OF ANTICIPATED IMPACTS OF THE CHANGE, INCLUDING GEOGRAPHIC AREA AFFECTED AND ISSUES PRESENTED;

The change will not affect significant environmental resources. Additional housing capacity for the Urban area will be made available close to public services and an established activity center (i.e. Covington).

- C. A DEMONSTRATION OF WHY EXISTING COMPREHENSIVE PLAN GUIDANCE SHOULD NOT CONTINUE IN EFFECT, OR WHY EXISTING CRITERIA NO LONGER APPLY;

The existing KCCP guidelines will remain in effect, as KCCP policy PI-112 allows the KCCP to be modified when new information demonstrates that the technical criteria were erroneously applied when the original designations were made.

- D. A STATEMENT OF HOW FUNCTIONAL PLANS SUPPORT THE CHANGES;

There are no functional plans which address the conversion from Rural to Urban in this area.

- E. PUBLIC REVIEW OF THE RECOMMENDED CHANGE, NECESSARY IMPLEMENTATION (INCLUDING AREA ZONING IF APPROPRIATE), AND ALTERNATIVES.

Public review of the proposed redesignation from Rural and Urban, the accompanying proposed zoning, and alternatives to this proposal is provided through public review of the SCCP Update and Area Zoning, the Soos Creek DEIS, and public hearings conducted by the King County Council.

KCCP - PI-110 PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN'S POLICIES OR COMPREHENSIVE PLAN MAP SHOULD BE ACCOMPANIED BY ANY LAND USE REGULATORY CHANGES REQUIRED FOR IMPLEMENTATION, SO REGULATIONS WILL BE CONSISTENT WITH THE PLAN.

The adopting ordinance for the SCCP Update and the attached proposed ordinance would amend applicable King County plans. Regulatory changes required for implementation are contained in the Executive Proposed Soos Creek Area Zoning Document.

KCCP - PI-112 THE URBAN AREA, RURAL AREA, RURAL ACTIVITY CENTER LOCATIONS, AND RESOURCE LANDS DESIGNATIONS FOR FOREST PRODUCTION AND AGRICULTURAL PRODUCTION DISTRICTS ON THE COMPREHENSIVE PLAN MAP ARE INTENDED TO BE LONG-TERM AND UNCHANGING, AND EXCEPT AS OTHERWISE PROVIDED IN THIS CHAPTER, THESE DESIGNATIONS SHOULD BE REEVALUATED ONLY WHEN:

- A. THERE ARE MAJOR CHANGES IN CIRCUMSTANCES AND IN THE PUBLIC'S VALUES REGARDING THE NEED TO PRESERVE RURAL AREAS AND RESOURCE LANDS, AND THE PROPOSED AMENDMENT SERVES A VALID PUBLIC PURPOSE; OR
- B. NEW INFORMATION DEMONSTRATES THAT THE TECHNICAL CRITERIA WERE ERRONEOUSLY APPLIED WHEN ORIGINAL DESIGNATIONS WERE MADE.

The Rural designation was erroneously applied when the original designation was made to the subject property. Although the property is large enough for small-scale farming, the surrounding urban land uses make such a use unlikely, and possibly incompatible with urban uses. There are no resource lands nearby, nor are there significant environmental constraints or major physical barriers to providing urban services at a reasonable cost. Moreover, at least two of the four criteria for designating urban lands (KCCP, page 7) are met by the subject property. Natural features are capable of supporting urban development without significant environmental degradation, and public facilities and services are in place, or can be provided at a reasonable cost. Urban development of the property would also eventually contribute to the local balance of housing close to jobs and shopping. Given the location of the property in the middle of urban uses, the relative freedom from environmental constraints, and the proximity to urban services, it is recommended for Urban designation.

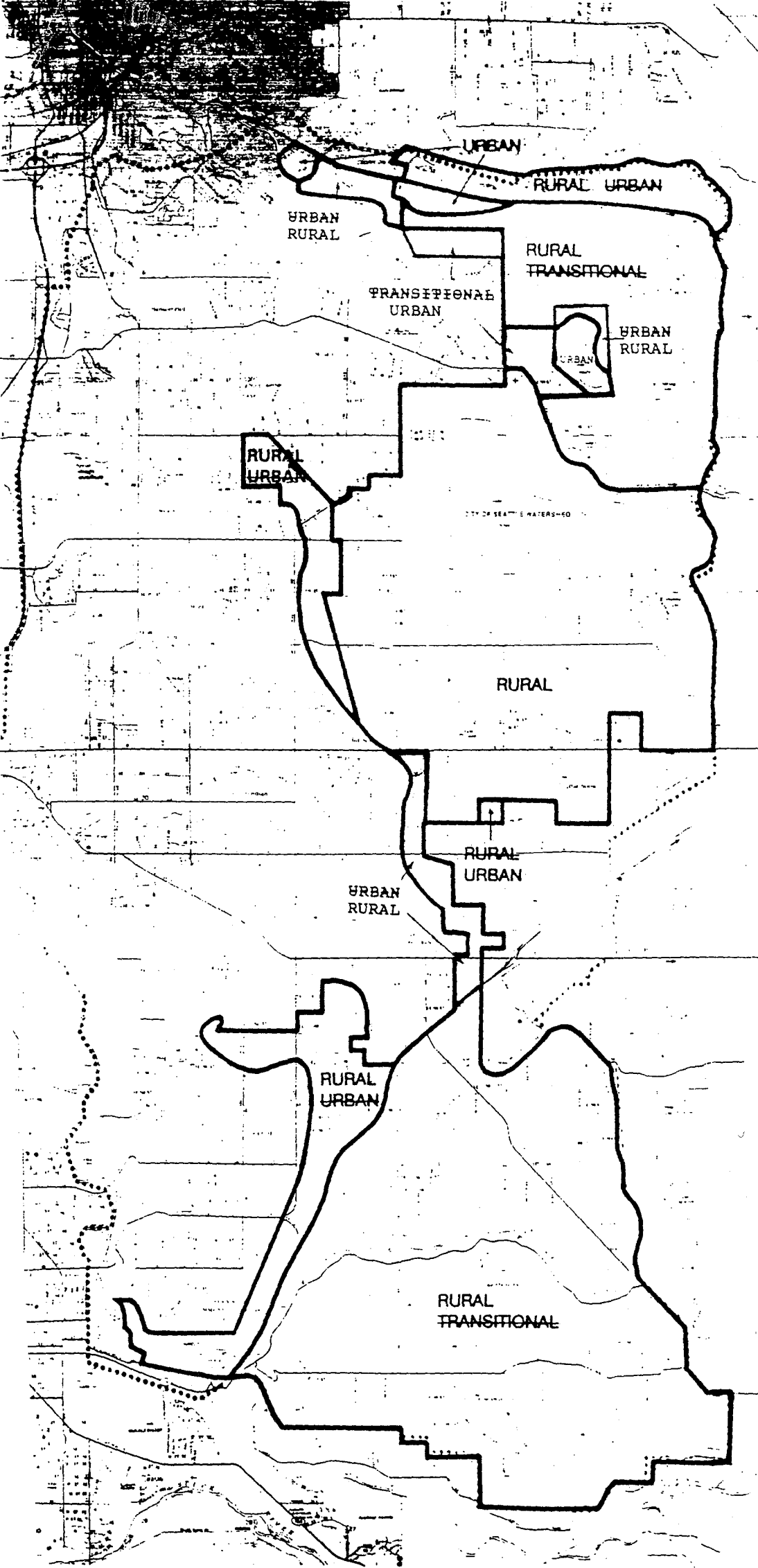
D3/issue

Proposed Changes to King County Comprehensive Plan Map

Source: King County Community Planning

Executive Proposed Soos Creek Community Plan Update 1991

MAP A



Soos Creek Community Planning Area



King County Planning and Community Development Division
1991

