November 12, 1991 91-642S.ORD VN/ji

Introduced by: Bruce Laing

Proposed No.: 91-642

ordinance no. 10200

AN ORDINANCE relating to Comprehensive Planning; adopting the Tahoma/Raven Heights Communities Plan Amendment; adopting the Tahoma/Raven Heights Communities Plan Amendment Area Zoning; amending the King County Sewerage General Plan (Ordinance No. 4035) amending Ordinance No. 6986, as amended, and K.C.C. 20.12.360; and repealing Ordinance 9044, as amended, and K.C.C. 20.12.420.

PREAMBLE:

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

- 1. The Tahoma/Raven Heights planning area contains a portion of the Soos Creek Basin. The Soos Creek Basin encompasses the Soos, Jenkins, and Covington Basins. The Executive Proposed Soos Creek Basin Plan was transmitted to the council in July, 1990 and is currently under council review. The Basin Plan identifies the Soos Creek basin as a valuable aquatic and fisheries resource.
- 2. The findings of the Executive Proposed Soos Creek Basin Plan indicate urban density development in the drainage basin of the Soos Creek system, under existing controls, will cause serious degradation to the stream system and fisheries resource. The Basin Plan recommends establishing a maximum rural residential density of one home per five acre zoning (AR-5) within a quarter mile of both sides of locally significant resource streams throughout the basin and for the Regionally Significant Resource Areas in upper Covington and Jenkins basins to reduce surface water problems, ensure water quality, and prevent private property damage.
- On July 13, 1989, the King County council adopted Ordinance 9044 which established interim zoning for those portions of the Tahoma/Raven Heights planning areas included in the Soos Creek Basin planning area until adoption of the zoning measures could be evaluated in the Tahoma/Raven Heights Communities Plan revision. zoning in this community planning area was to expire January 13, 1991, however Ordinance 9772 was adopted to extend the interim controls. The interim zoning will be The interim zoning will be in effect in the Tahoma/Raven Heights community planning area until January 1, 1992 or until the effective date of the Tahoma/Raven Heights Communities Plan Amendment and Area Zoning if it is sooner. Ordinance 9772 requires the Tahoma/Raven Heights Communities Plan Amendment and Area Zoning to be transmitted by August 1, 1991 for council action by December 31, 1991.
- 4. On March 11, 1991, the King County council adopted Motion 8225 directing the Planning and Community Development Division to prepare a Tahoma/Raven Heights Communities Plan Amendment Study. The study provides King County with an opportunity to consider implementing the land use and zoning recommendations of the Executive Proposed Soos Creek Basin Plan since a community planning process is not underway for the Tahoma/Raven Heights planning area. The motion also established the scope of

work for the Tahoma/Raven Heights Communities Plan Amendment Study to address issues of environmental protection, residential densities, resource lands and industries, provision of sewer service, and the need for a Comprehensive Plan Map Amendment.

5. The existing land use designations under the 1984 Tahoma/Raven Heights Community Plan allow for densities from one unit per five acres to four-to-six units per acre in some areas adjacent to these valuable habitat areas.

6. The density control recommendations of the Executive Proposed Soos Creek Basin Plan is inconsistent with the map designation of the 1984 Tahoma/Raven Heights Community Plan existing zoning.

7. Continued development under existing zoning may set a development pattern which is not in the public interest and could result in flooding, erosion, sedimentation, destruction of fish habitat, degraded water quality and other irreparable environmental damage in the critical drainage basin of Soos Creek, its tributaries, and its floodplain.

8. The Executive Proposed Soos Creek Basin Plan provides new technical information which was not considered in the 1984 Tahoma/Raven Heights Communities Plan and Area Zoning.

9. The impacts from these changed circumstances make consideration of a plan amendment necessary.

10. King County, with the assistance of the Soos Creek Basin Plan Citizens Advisory Committee, other interested agencies and general citizen input, has studied the land use and zoning recommendations of the Executive Proposed Soos Creek Basin Plan and determined the need to amend the 1984 Tahoma/Raven Heights Communities Plan pursuant to K.C.C. 20.12.070 and .080.

 11. The environmental impacts of the plan amendment and areawide zoning are addressed in the Draft and Final Environmental Impact Statements prepared by the King County Surface Water Management Division for the Executive Proposed Soos Creek Basin Plan. A Determination of Significance was issued on July 23, 1991 and a Notice of Adoption of Existing Environmental Documents will be completed for the Tahoma/Raven Heights Communities Plan and Area Zoning on August 7, 1991.

12. The Communities Plan Amendment and Area Zoning provide for the coordination and regulation of public and private development and bear a substantial relationship to, and are necessary for, the public health, safety, and general welfare of King County and its citizens.

13. Environmental impacts related to the adjustments of sewer local service areas generally were addressed in the King County Comprehensive Plan Draft and Final Environmental Impact Statements. Further project level environmental analysis of the impacts of installation of sewer lines in the Lake Sawyer area will be accomplished by the sewer district if and when sewer lines are proposed for the area.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 6986 as amended and K.C.C. 20.12.360

are hereby amended as follows:

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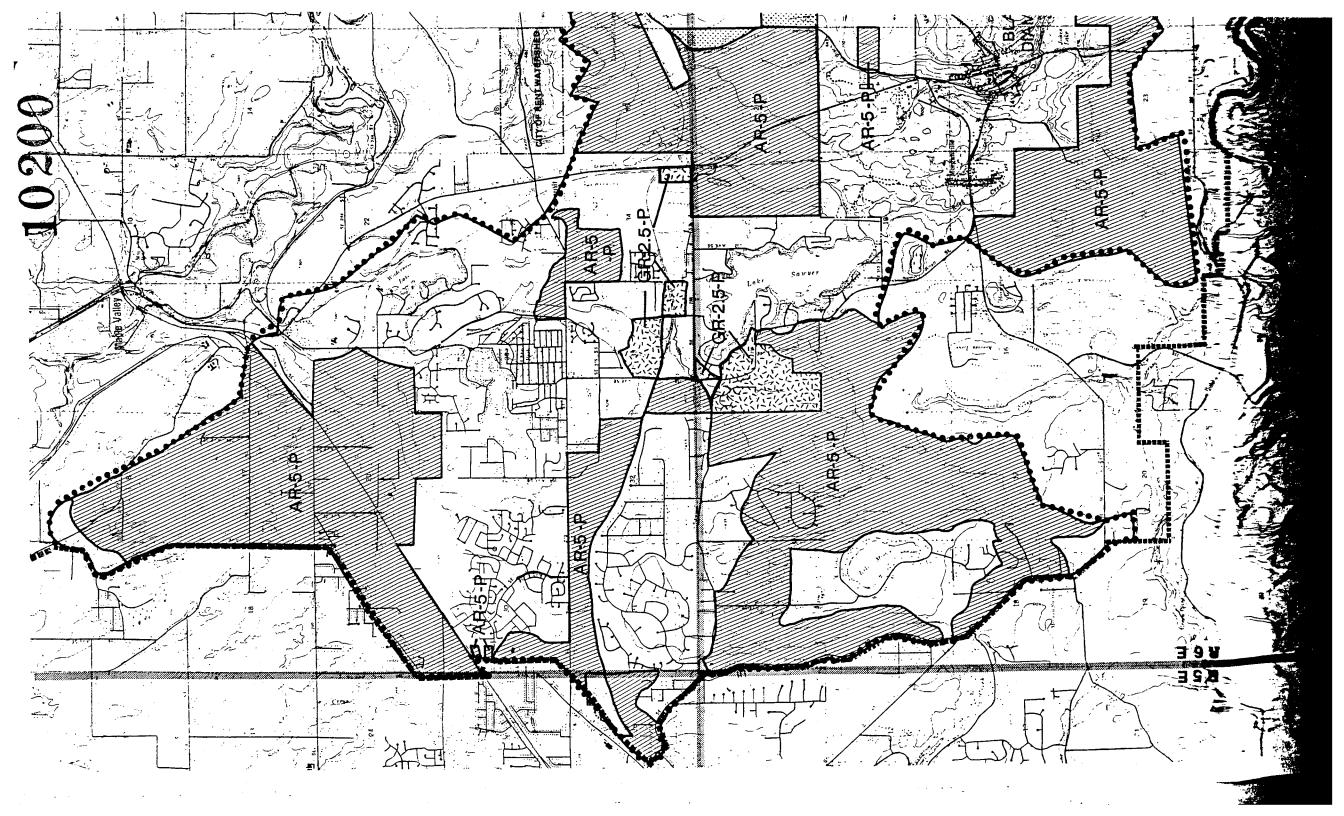
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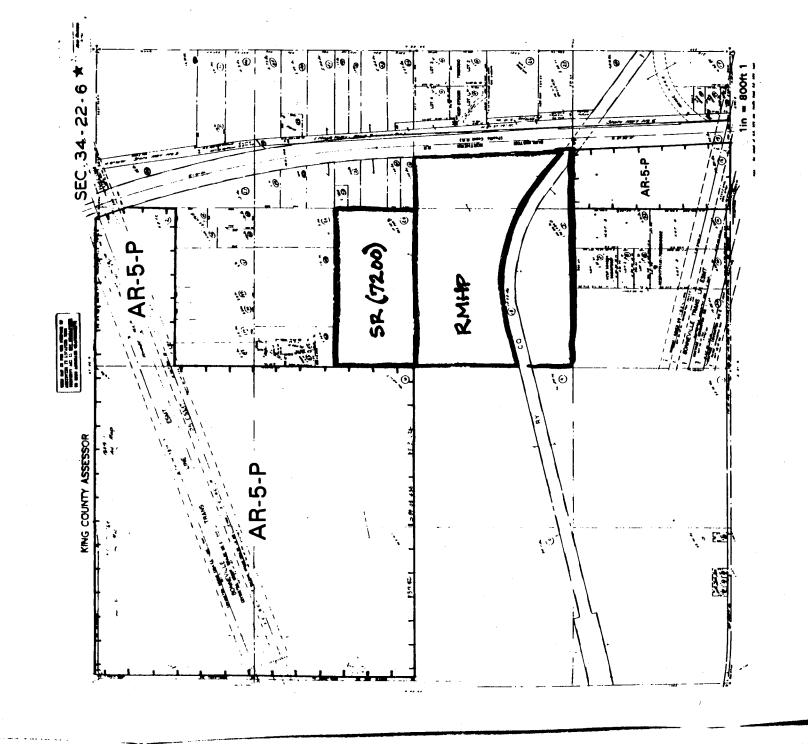
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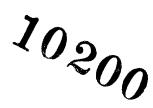
- The Tahoma/Raven Heights Community Plan, attached to Ordinance 6986 as Appendix A, is adopted as an amplification and augmentation of the Comprehensive Plan for King County and as such constitutes official county policy for the geographic area defined therein.
- The Tahoma/Raven Heights Community Plan Area Zoning, R. attached to Ordinance 6986 as Appendix B, is adopted as the official zoning control for that portion of unincorporated King County defined therein.
- Ordinance 4035, previously adopting the King County Sewerage General Plan, is hereby corrected in accordance with subsection A.
- Ordinance No. 1913, previously adopting area zoning for Tahoma/Raven Heights on February 4, 1974, is hereby corrected in accordance with Subsection B.
- The King County planning division, as directed by Motion 7121, has studied the Lake Webster area of the Tahoma/Raven Heights Community Plan and Area Zoning pursuant to K.C.C. 20.12.070 - 20.12.080 and determined the need to amend the area zoning. The amendment to the area zoning as described in the Lake Webster Plan Amendment Report, attached to Ordinance 8732 as Appendix A, is consistent with the intent of the Tahoma/Raven Heights Community Plan and King County Comprehensive Plan policies. The amendment to the Tahoma/Raven Heights Area Zoning, attached to Ordinance 8732 as Appendix B, is adopted as the official zoning control for that portion of unincorporated King County defined therein.
- The King County Comprehensive Plan map as adopted by F. Ordinance 7178 is hereby amended in accordance with K.C.C. 20.12.030, subsection C as follows:

The Lake Webster area as described in the Lake Webster Plan Amendment Report, attached to Ordinance 8738 as Appendix A, is designated Rural consistent with the intent of King County Comprehensive Plan policies.





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SUBSTITUTE P-SUFFIX CONDITIONS FOR CLEARING AND GRADING IN THE TAHOMA RAVEN HEIGHTS COMMUNITY PLAN AMENDMENT

The following text should be substituted for the text in the Tahoma Raven Heights Community Plan Amendment beginning on pages 20 and 80.

Matural Systems

Environmental regulations which contribute to protecting natural systems in Soos Creek include the State Environmental Policy Act (SEPA), the King County Sensitive Areas Ordinance (SAO), and the King County Surface Water Design Manual. These are regulations which apply countywide and may not account for the unique circumstances of different sites or drainage basins. The P-suffix conditions which follow address specific site clearing concerns within the Tahoma Raven Heights planning area. These conditions are taken from the Soos Creek Basin Plan, which also contains the scientific analysis and justification for the conditions. The conditions in Section A address clearing and grading in advance of subdivisions and building permit approval.

A. Clearing and Grading

As a general rule, the vegetation on a development site should be retained as long as possible to reduce impacts. Even after construction has begun, permanent retention of as much of the native vegetation as possible is important and contributes to mitigating the adverse impacts. Native vegetation is adapted to the conditions of the Northwest including summer drought, winter temperatures, insect pests, and diseases. Native vegetation provides food, shelter, and breeding sites to which local wildlife has adapted.

Temporary erosion control and drainage facilities are required to be in place prior to any clearing on a plat. Once the roads and utilities have been constructed and the plat has received final approval, the construction of individual homesites begins. The cumulative sedimentation from the construction of a number of single family homes without erosion control can be significant. Generally, individual single family residential homes fall below the threshold for drainage and erosion control plans pursuant to the Surface Water Design Manual. As a result, erosion and sedimentation control are needed for individual development.

In addition, tighter controls should be placed on the clearing that occurs during the platting process. Under present conditions, sites are often completely cleared very early in the development process, sometimes long before there are any building permits issued for a site. During the time between clearing and site development, substantial erosion and sedimentation can occur. Until there is a need to remove the existing vegetation for construction, the forest should remain in order to protect surface and ground water quality, and to provide wildlife habitat. When construction does occur, the surface water management facilities should be installed first, in order to control the increased surface water flows that will occur when the site is cleared.

Commercial property should not be cleared until after approval of an individual site plan. This delay will allow for integrating the existing vegetation and trees on site into the overall landscape design.

The following policy reflects the recommendations of the Soos Creek Basin Plan as contained in BW-3 and BW-4 regarding retention of vegetation.

Clearing and grading should be limited on all short plats, plats, and commercial projects to protect water quality, limit surface water runoff and erosion and maintain wildlife habitat and visual buffers.

The following P-suffix conditions implement the above policy. These conditions shall apply in the portions of the Soos Creek Basin covered by the Tahoma Raven Heights Plan. The conditions shall expire automatically upon the effective date of an adopted countywide clearing ordinance.

- 1. Subdivisions, Short Subdivisions and PUDs. The following conditions apply only to applications for subdivisions, short subdivisions and PUDs. Deviations from these standards may be allowed based on a special study prepared by a qualified forester with expertise in windthrow or tree disease.
- a. Lot clearing during road and utility construction. The building envelope on each buildable lot shall be identified on the engineering plans. The following table specifies the maximum size of the building envelope based on actual average lot size:

Lot Size (in sq.ft.)

Greater than 15000

9001-15000

5000-9000

Less than 5000

Building Envelope

5000 sq.ft.

35% of lot size

45% of lot size

55% of lot size

Except as provided in subsection 1.b., the clearing of building envelopes shall occur at the same time as the clearing for roads and utilities. The clearing limits for each building envelope shall be clearing marked of flagged on each lot and inspected

prior to any clearing. Erosion and sedimentation controls shall be instituted on the building envelopes as required by the Surface Water Design Manual. The vegetation remaining after initial clearing of the building envelope may be preserved or cleared as deemed appropriate by the permittee of the residential building permit for that lot after its approval and issuance.

b. Lot-by-lot clearing. In subdivisions, short subdivisions and PUDs served by on-site septic systems, clearing on individual lots shall be postponed until the approval and issuance of the individual residential building permit for each lot. No clearing on the individual building lots shall occur during the construction of roads and utilities except that necessary to accommodate cuts and fills due to topography and road design. Erosion and sedimentation control plans shall be designed through buildout including sediment pond sizing. All building permits shall have erosion control measures consistent with the Surface Water Design Manual standards.

In subdivisions, short subdivisions and PUDs served by sewers, the applicant may opt to postpone clearing on individual building lots until the approval and issuance of the individual residential building permits for each lot. Under this option, no clearing on individual building lots shall occur during the construction of roads and utilities except that necessary to accommodate cuts and fills due to topography and road design. Erosion and sedimentation control plans shall be designed through buildout including sediment pond sizing. All building permits shall have erosion control measures consistent with the Surface Water Design Manual standards.

B. Seasonal Clearing Restrictions

Introduction of fine-grained sediment into stream channels is a significant cause of fish-habitat and water quality degradation in the Soos Creek Basin. This fine sediment clogs stream gravels, reduces the clarity of the water, and carries a substantial proportion of the urban contaminants into downstream water bodies. Based on numerous observations of existing development during the winters of 1988-89 and 1989-90, active construction and land-grading sites are one of the primary sources of observed turbidity problems in individual steams throughout the Soos Creek system.

The identification of November 1 through March 31 in Policy BW-4 is particularly important because of the amount of rain received by the County, and the extent of flooding which historically occurs between these months. The following policy is based on the BW-4 recommendation of the Soos Creek Basin Plan.

Within the Soos Creek Basin, bare ground associated with clearing, grading, utility installation, building construction, and other development activity should be covered or revegetated in accordance with King County Surface Water Design Manual Standards between Movember 1 and March 31 of each year. Barth moving and land-clearing activity should not occur during this period within the Soos Creek Basin except for regular maintenance for public facilities and public agency response to emergencies that threaten the public health, safety and welfare. Landscaping of single-family residences, existing permitted commercial forestry and mining activities, and development sites with approved and constructed drainage facilities that infiltrate 100 percent of surface runoff should be exempt from these restrictions.

The following P-suffix conditions implement the above policy. These conditions shall apply in the portions of the Soos Creek Basin covered by the Tahoma Raven Heights Plan. The conditions shall expire automatically upon the effective date of an adopted countywide clearing ordinance.

- 1. Seasonal restrictions. Clearing and grading shall not be permitted between November 1 and March 31. All bare ground must be fully covered or revegetated between these dates.
- 2. Exemptions. The following activities are exempt from the clearing and grading seasonal restriction:
- a. Emergencies that threaten the public health, safety and welfare.
 - b. Routine maintenance of public agency facilities.
- c. Routine maintenance of existing utility structures as provided in the Sensitive Areas Ordinance, K.C.C. 21.54.030.D.
- d. Clearing or grading where there is 100 percent infiltration of the surface water runoff within the site in approved and installed construction-related drainage facilities.
- e. Clearing and grading where all state water quality standards are met including turbidity. SWM shall develop administrative procedures before such exemptions are allowed. BARDEN moved PASSED 7-0,
 - f. Landscaping of single-family residences.
- Sims, North excuse
- g. Class II and III forest practices.
- h. Quarrying or mining within sites with approved permits.

PB

- i. Clearing or grading for utility hook-ups on approved residential and commercial building permits.
- j. Completion of any final clearing/grading work for construction activities which meet all applicable permit conditions and best management practices for a period of time (not to exceed two weeks) in the month of November if dry weather conditions are present.

C. Vegetation Coverage

Protection of natural vegetation coverage moderates surface water runoff and erosion and protects the integrity of stream channels. Removing forest cover increases the peak rate of surface runoff. Forest cover intercepts falling rain, absorbs water through roots and creates an aborsorbant duff layer on the forest floor. The following policy addresses retention of vegeation within the Soos Creek Basin and is based on recommendations BW-3, AS-10, and AS-15 of the Soos Creek Basin Plan.

For new subdivisions in the Rural Area of Soos Creek Basin in the Tahoma Raven Heights Planning Area, a minimum of 20 percent of the property should be retained as a separate tract of undisturbed indigenous vegetation except in areas mapped as Regionally Significant Areas where 35 percent should be retained.

The following P-suffix conditions implement the above policy.

These conditions shall apply in the portions of the Soos Creek

Basin covered by the Tahoma Raven Heights Plan. The conditions

shall expire automatically upon the effective datge of an adopted

countywide clearing ordinance.

1. Separate tracts. In the rural zones listed below, 20 percent of each subdivision or short subdivision shall be placed in a separate tract to reduce surface water runoff, except in areas identified as Regionally Significant Areas where 35 percent shall be placed in the separate tract:

A-R 2.5 A-R 5 A-R 10

2. Areas to be included. In meeting the percent requirement, the applicant may include all acreage set aside in sensitive areas tracts except for wetlands and streams. Buffers for these sensitive areas may be included.

When additional acreage beyond that occupied by the above features is necessary to meet the percent requirement, this land shall be included in the separate tract but the applicant shall receive full density credit for this land. The applicant may reduce lot sizes below the minimum required for that zone to accomodate the transfer of density but they shall not change the residential uses permitted in the zone. Density transfers within the A-R classification shall be subject to the clustering provisions in the A-R zone.

P-suffix conditions December 12, 1991 1020

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The separate tract shall retain vegetation in large contiguous areas rather than isolated patches, strips or individual trees. Forest or trees are the preferred vegetation type to be included in the tract, shrubs are the second preference and grasslands or pastures are least preferable.

NEW POLICY

AMENDMENT moved by SULLIVAN passed 3-0, Sims excused. Comprehensive Plan Policy F-305 and the Sewerage General Plan recognize that there may be situations in which sewer facilities need to be located in rural areas for purposes of providing sewer service to urban areas. Sewer facilities such as pump stations, force mains and trunk lines which do not provide connections to rural areas may be located in rural areas if the Utilities Technical Review Committee determines that such location is technically necessary, provided that those facilities do not provide sewer service outside of local service areas. The UTRC is directed to authorize the location of such facilities in rural areas if the criteria set out herein are met.

AMENDMENTS moved by PULLEN passed 7-0, Sims, North excused.

TAHOMA/RAVEN HEIGHTS PANEL AMENDMENTS OF

NOVEMBER 4 AND DECEMBER 5, 1991

TAHOMA/RAVEN HEIGHTS AMENDMENTS

Tahoma/Raven Heights Review panel recommended changes to the Executive's Proposed Tahoma/Raven Heights Communities Plan Amendment Study and Area Zoning as follows:

- 1. Amend proposed area zoning for the Southeast Sub-area by reclassifying properties classified as Forest Recreation (F-R) to Rural Area, one home per five acres (A-R-5-P) and Forest (F) as shown on the attached maps. The following P-suffix conditions relating to Seasonal Clearing Restrictions and Vegetation Coverage shall apply to the AR-5 zone classification and shall expire upon adoption of county-wide clearing and grading ordinance.
 - a) Clearing and grading shall not be permitted between November 1 and March 1.
 - b) Landscaping of single family residences, existing permitted commercial forestry and mining activity areas zoned for resource use and development sites with approved and constructed drainage facilities that infiltrate 100 percent of surface water should be exempt from these restrictions. Regular maintenance for public facilities and public agency response to emergencies that threaten the public health, safety and welfare are also exempt.
 - c) For new subdivisions in the Rural Area of the Soos Creek basin, a minimum of 20% of undisturbed indigenous vegetation shall be retained. The area may include wetland and stream buffers, but not the sensitive area itself. Areas not classified as sensitive should be added as necessary to attain a minimum total of 20% undisturbed indigenous vegetation.
 - d) For new subdivisions in Rural Areas of the Soos Creek Basin which are identified as Regionally Significant Resource Areas (RSRAs,) at least 35% of undisturbed indigenous vegetation shall be retained. The area may include wetland and stream buffers, but not the sensitive area itself. Areas not classified as sensitive should be added as necessary to attain a total of at least 35% undisturbed indigenous vegetation.
 - e) The undisturbed area shall retain vegetation in large contiguous areas rather than isolated patches, strips or individual trees. Trees are the preferred vegetation to be included in the tract, shrubs are the second preference and grasslands are least preferable. Trees that pose a hazard may be removed.

- f) The undisturbed area shall be clearly marked for permanent protection.
- 2. Insert in the Area Zoning on Pages 40-43, 51, 55-57, 63, 71, 72, 74-77 the following note:

King County, as part of its implementation of the State Growth Management Act, will consider its land use designation and zoning for properties adjacent to the City of Black Diamond.

- 3. Amend proposed Area Zoning pages 37-39, 51-53 as reflected on attached map by reclassifying properties currently zoned S-E, SR (7200), and GR-5 (potential SC) to GR-2.5-P. The following P-suffix conditions shall apply:
 - 1) The reserve tract created through subdivision or short subdivision shall not be further subdivided while subject to the GR classification; and
 - Parcels containing two acres or more but less than five acres shall not be subdividable to create additional lots.
- 4. Amend Proposed Sewer Local Service Area map to include the Lake Sawyer community as reflected on the attached map.
- 5. Amend proposed land use map by designating subject property single family 4--6 units per acre.
 - Amend proposed Area Zoning for property located in Section 34-22-6 T.L. 20 to SR (7200).
- 6. Amend proposed land use map by designating that portion of T.L. 3 located north of railroad right-of-way RMH-P.
 - Amend proposed Area Zoning by classifying subject property RMH-P.
- 7. Amend proposed land use map by designating subject property located in Section 20-22-6 M-L-P.
 - Amend proposed Area Zoning by classifying the subject property M-L-P.

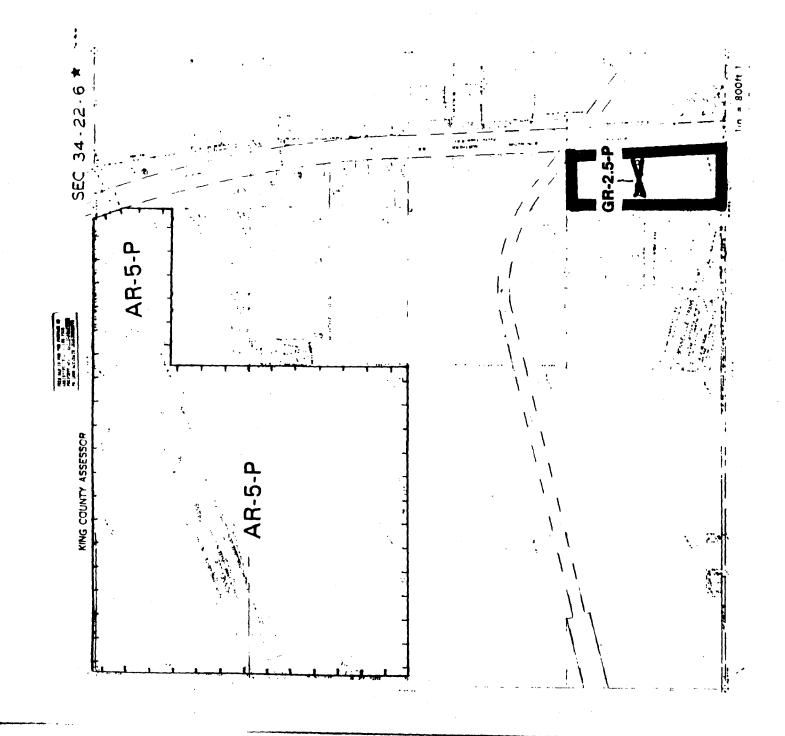
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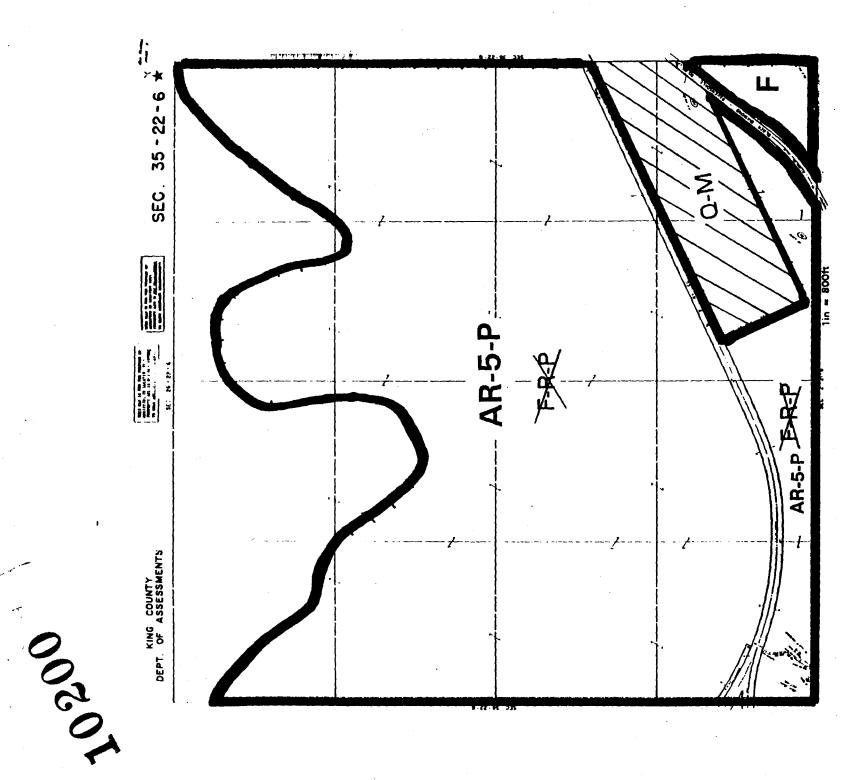
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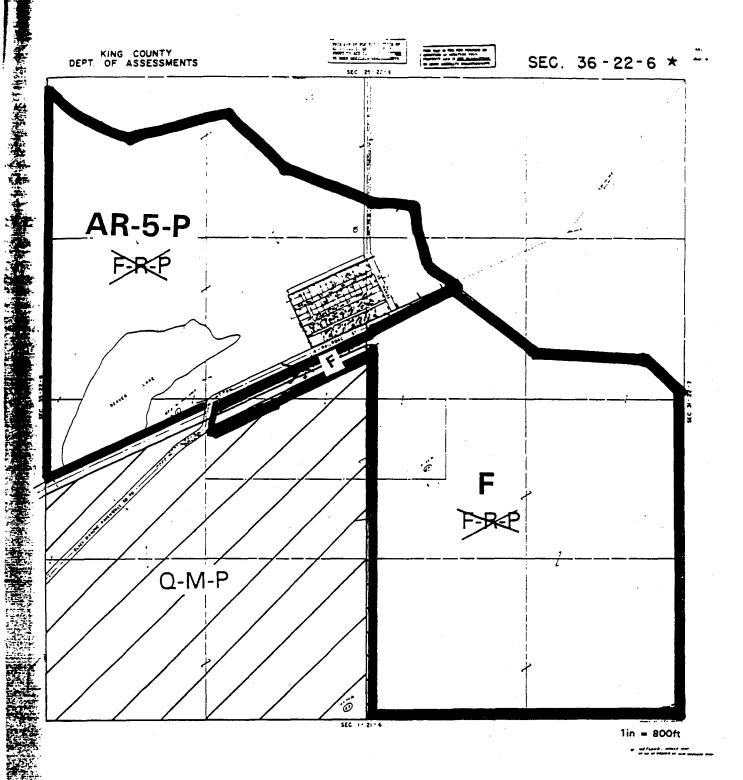
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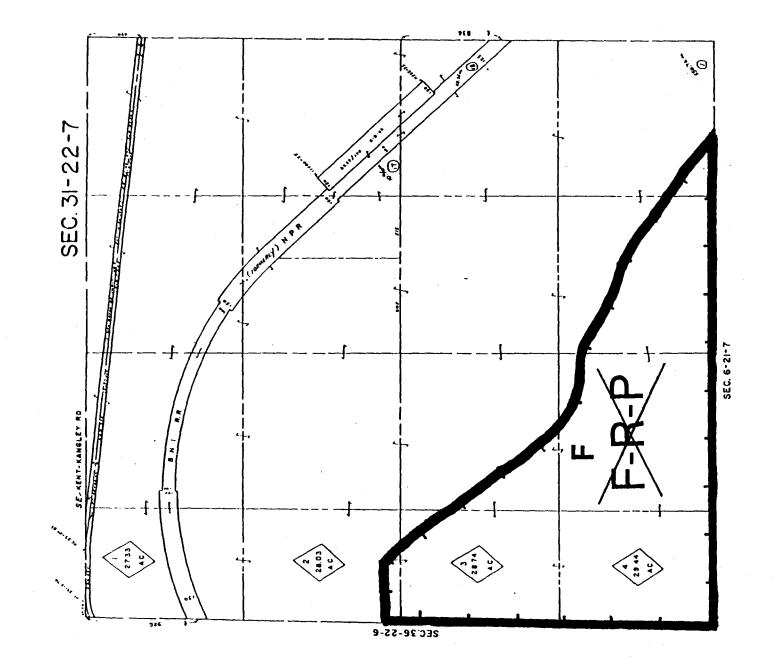
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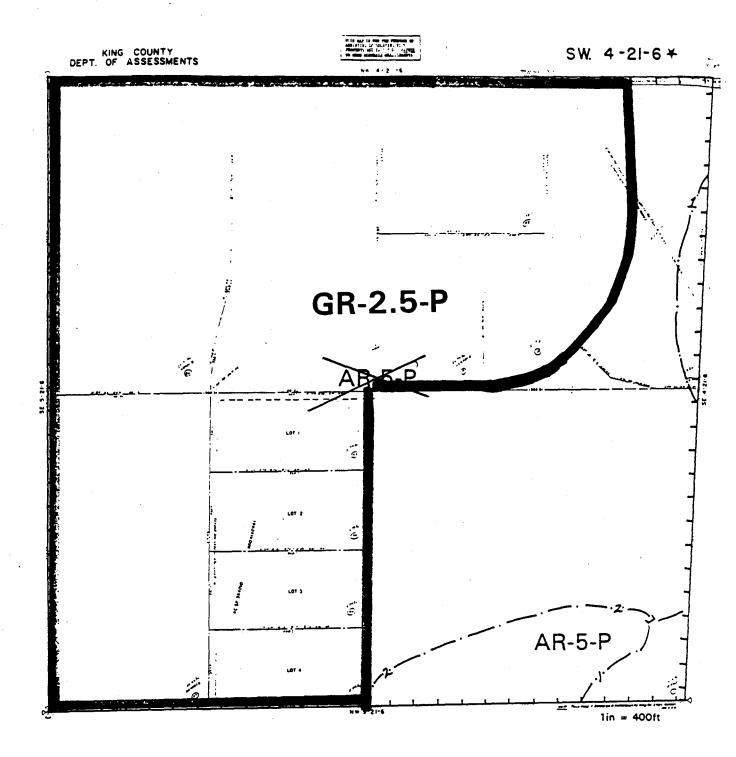


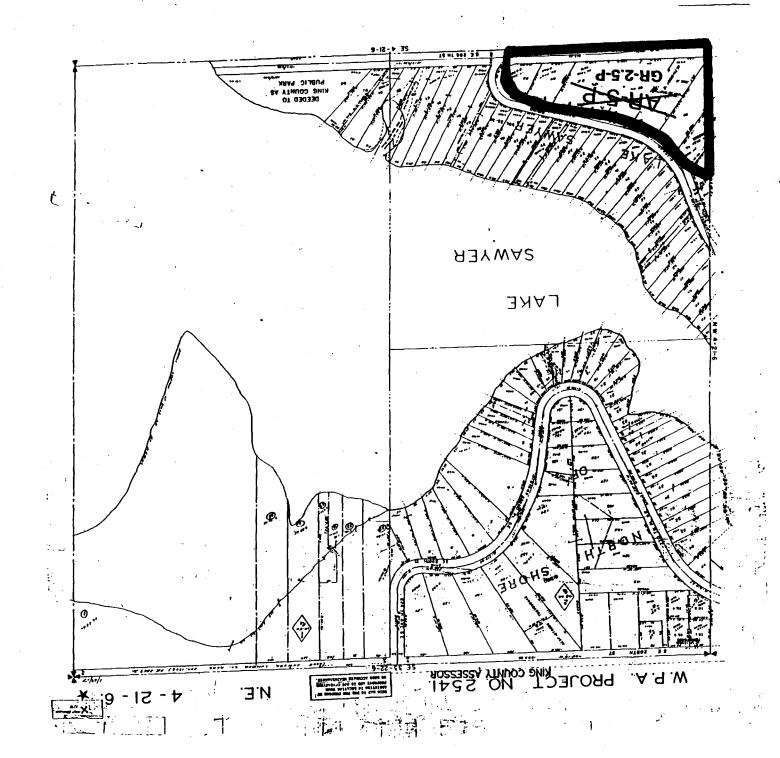
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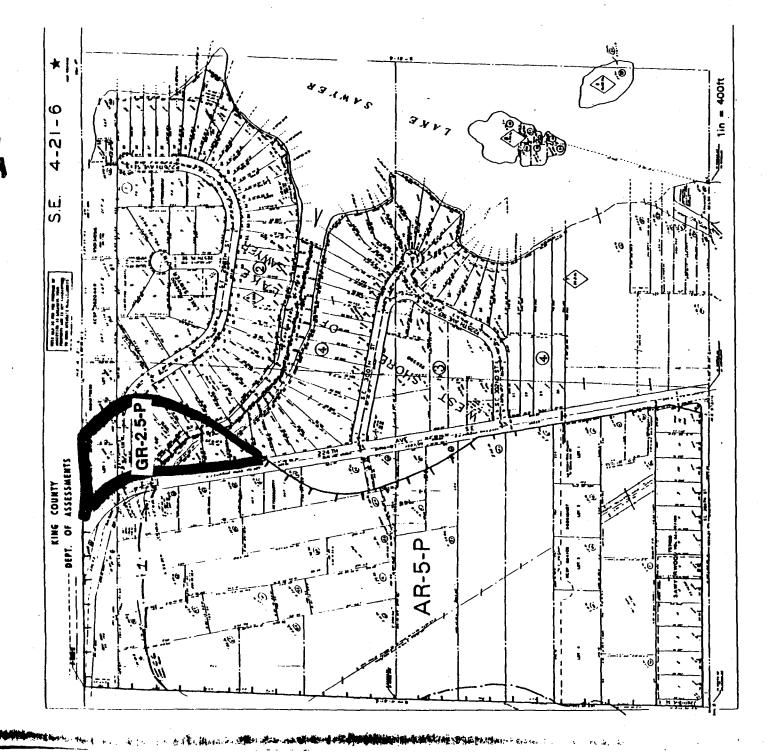
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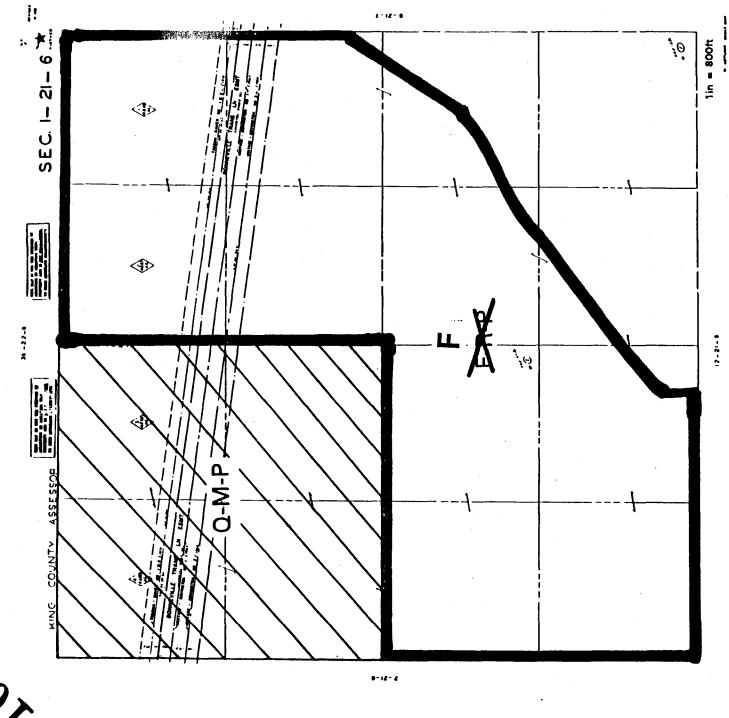


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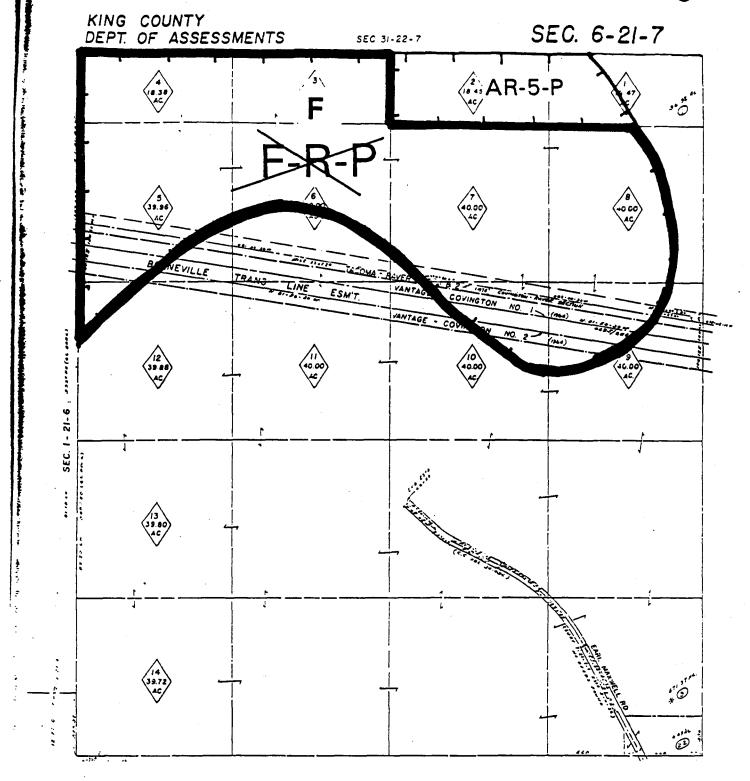
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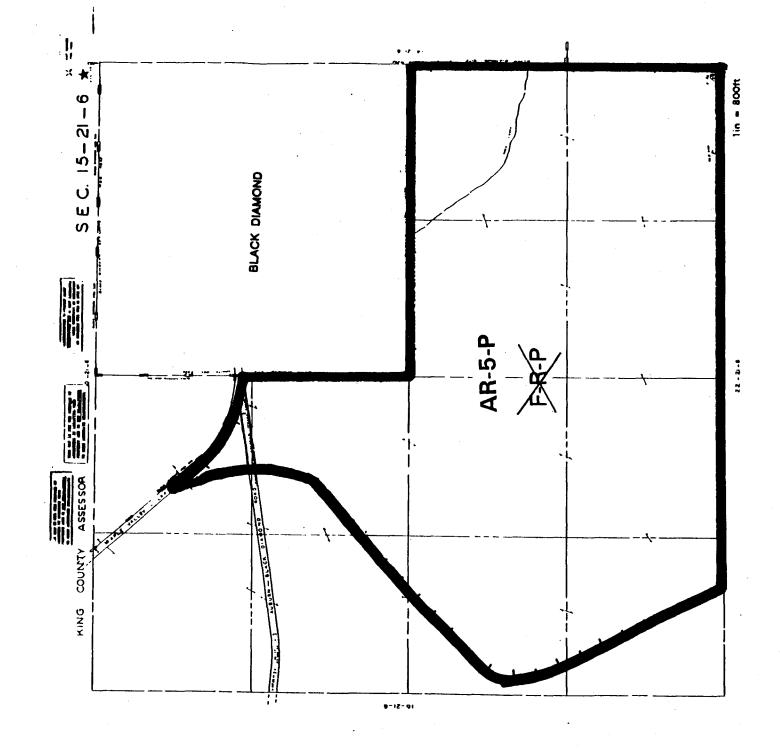


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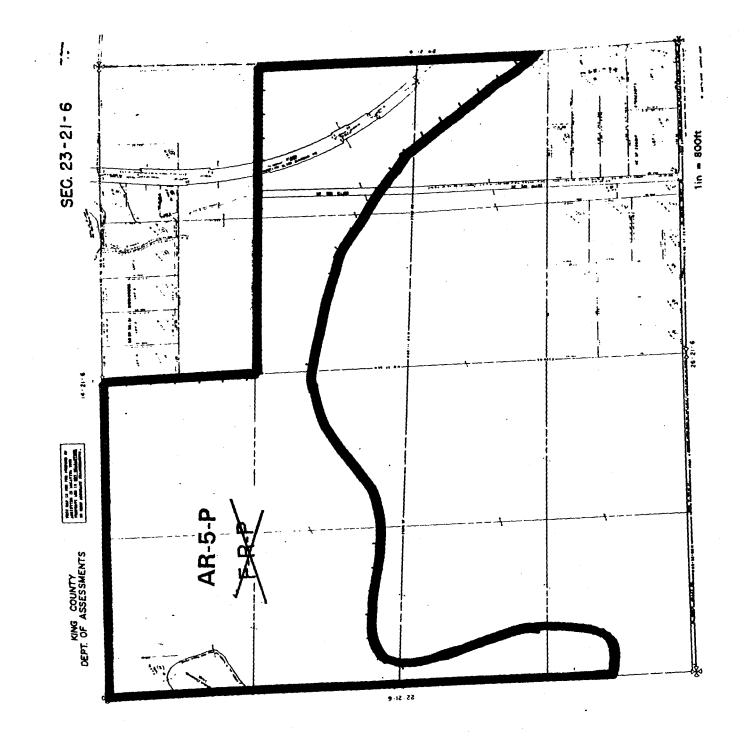
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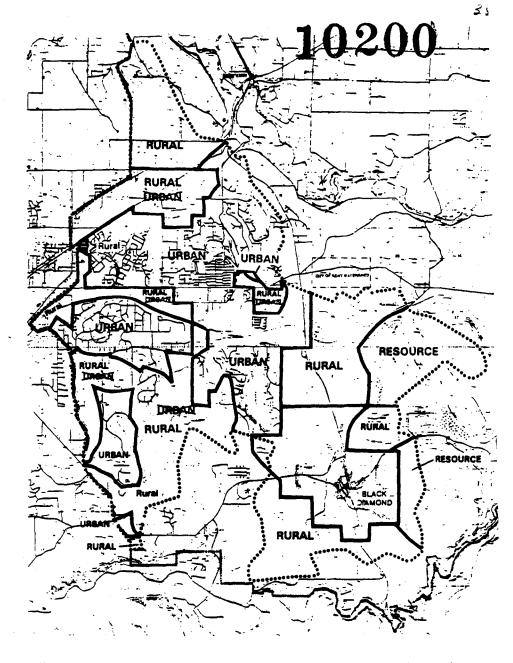
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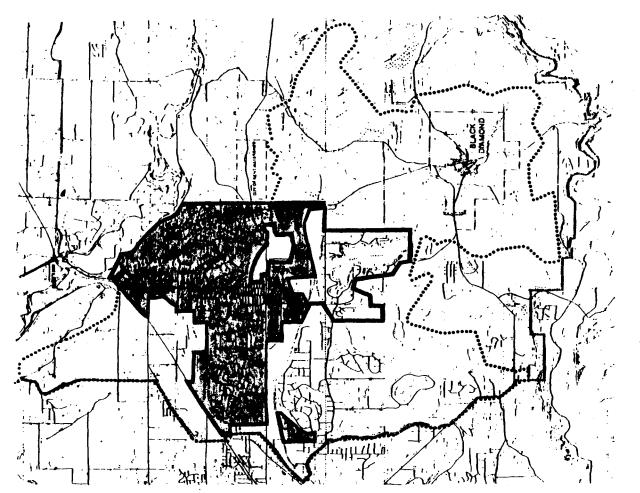


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King County Council
Panel Tahoma/Raven
Heights Plan Amendment
Proposed Changes to
King County Comprehensive
Plan Map

--- Study Area Boundary



King County Council
Panel Tahoma/Raven
Heights Plan Amendment
Proposed Sewer Local
Service Area.

... Study Area Boundary