

ORDINANCE NO. **10917**

AN ORDINANCE reversing, in part, and amending the recommendation of the Zoning and Subdivision Examiner and granting preliminary approval, subject to conditions, of the Preliminary Plat of BEAVER LAKE ESTATES, designated Department of Development and Environmental Services (formerly BALD) File No. S89P0004.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

Section 1. This ordinance does hereby adopt and incorporate findings 1 through 28 and conclusions 1 through 7, 9, 11 through 13 and 15 through 22 of the report of the zoning and subdivision examiner, dated January 8, 1993, and the preliminary report to the zoning and subdivision examiner dated October 20, 1992, which were filed with the clerk of the council on January 28, 1993, for the preliminary plat of Beaver Lake Estates, designated department of development and environmental services (formerly BALD) file no. S89P0004.

Section 2. Conclusions 8, 10, and 14 of the zoning and subdivision examiner's report dated January 8, 1993 are amended as follows:

8. County standards for park dedication or a fee in lieu thereof are set forth in KCC 19.38. That chapter does not by its own terms apply to the SC zone. Without direct statutory authorization it would be inappropriate to impose such requirements on the applicant. Therefore, the report and recommendation with regard to parks is in error.
10. Since the adoption of the east sammamish community plan (ordinance no. 10847) the subject property has been included within the local service area of the sewerage general plan. Therefore, the appeal is moot in this

respect. However, in the event that any delay should occur in implementation of the plan, it is appropriate to amend the pre-existing local service area to include the subject property. Therefore, proposed ordinance no. 92-719 is so amended.

14. The proposed 92 lots are clustered on one-half of the property as required by the SC zoning. The examiner has required that the reserve area be counted as one lot, thus reducing one lot from the proposed plat. The basis for this reduction is a provision in the GR zoning classification adopted by reference in the SC zone (KCC 21.19.050). We conclude the SC code makes reference to the GR zone only as to the resubdivision of the reserve area. This plat does not propose resubdivision of the reserve tract. Therefore, the examiner erred in requiring the reduction of one lot for the proposed plat.

Section 3. Conditions 41 and 42 of the report of the zoning and subdivision examiner are deleted.

INTRODUCED AND READ for the first time this 28<sup>th</sup> day of September, 1992.

PASSED this 28<sup>th</sup> day of June, 1993.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Audrey D. Meyer  
chair

ATTEST:

Gerald A. Peterson  
Clerk of the Council

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