

November 2, 1993
10703.AMD(AT:hdm)

Introduced by: Gruger

Proposed No.: 93-633

\$5.00

ORDINANCE NO. **11109**

AN ORDINANCE relating to Comprehensive Planning; amending the Northshore Community Plan Update Area Zoning and amending K.C.C. 20.12.210 and Ordinance 10703, Section 2.

PREAMBLE:

The King County Council has determined that technical errors were made in Ordinance 10703 passed by the Council on January 19, 1993.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. K.C.C. 20.12.210 and Ordinance No. 10703,

Section 2, are hereby amended to read as follows:

A. The Northshore Community Plan Update attached to Ordinance 10703 as Appendix A** as amended by the Northshore Community Plan Update Review Panel's amendments dated September 30, 1992 and attached hereto as Appendix E**, is adopted in its entirety 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.

B. The Northshore Community Plan Update Area Zoning, attached to Ordinance 10703 as Appendix B** as amended by the Northshore Community Plan Update Review Panel's amendments dated September 30, 1992 and attached hereto as Appendix E**, is adopted as the official zoning control for that portion of unincorporated King County defined therein with the following Northshore Community Plan Update Area Zoning recommended changes (Attachment A to Ordinance 11109).

C. Ordinance No. 4035, previously adopting the King County Sewerage General Plan, is hereby amended in accordance with Subsection A.

D. The King County Comprehensive Plan Map, adopted by Ordinance 7178, is amended within the Northshore community planning area to redesignate the transitional area, to redesignate portions of resource lands, and to redesignate portions of urban areas, as indicated on the map attached

1 hereto as Appendix C.** Justification for the amendments are
2 contained in an issue paper attached hereto as Appendix D.**
3 These designations shall be implemented by the adoption of the
4 Northshore Community Plan Update and Area Zoning.

5 INTRODUCED AND READ for the first time this 23rd day
6 of August, 1993.

7 PASSED this 8th day of November, 1993

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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Audrey Gruel
Chair

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12 ATTEST:

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Gerald A. Peterson
Clerk of the Council

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APPROVED this 22nd day of November, 1993.

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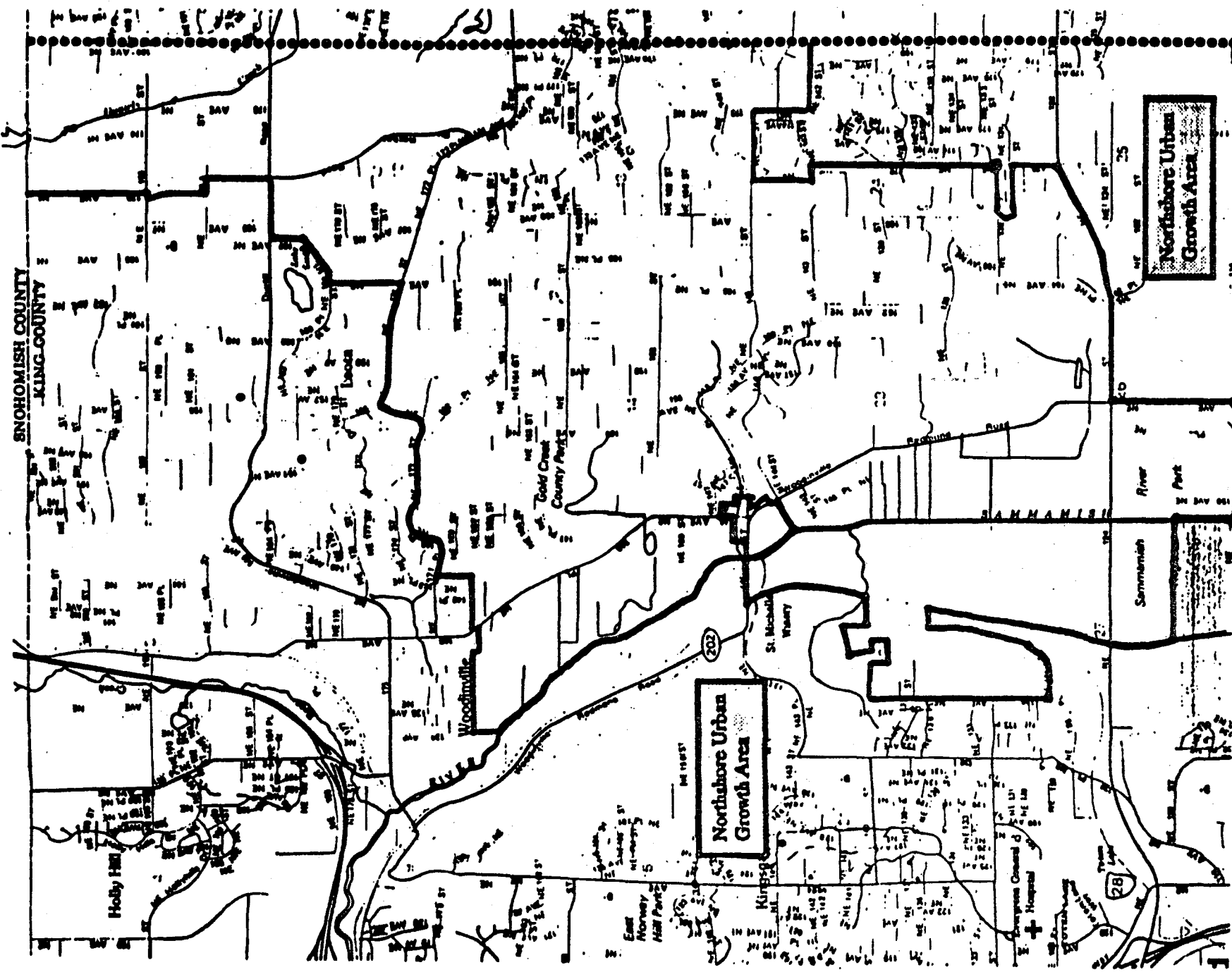
Jim Delp
King County Executive

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Attachments:
A Northshore Community Plan Update Area Zoning Recommended
Changes

Changes to the Executive Proposed Area Zoning:

Modify Northshore Urban Growth Area Map as shown below:



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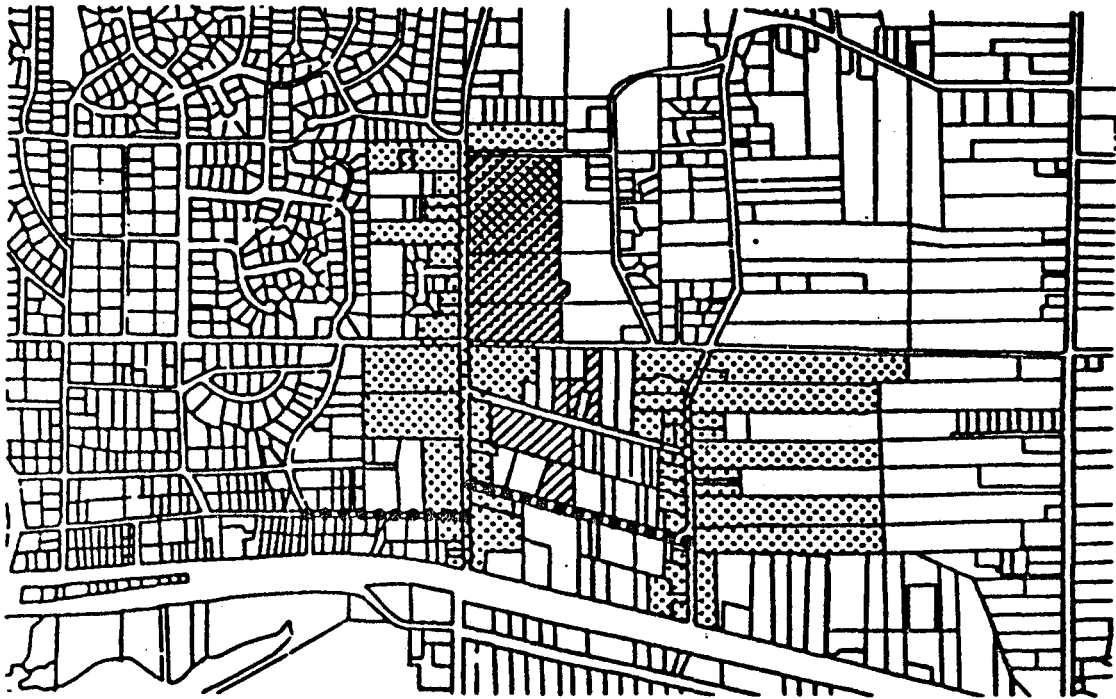
Any PUD, subdivision, or short subdivision of property zoned RS-5000-P shall improve adjacent streets to applicable King County Roadway Standards. In addition, all formal subdivisions of greater than 15 lots in the RS-5000-P zone which do not take direct access to an arterial roadway must be serviced by a neighborhood collector street from the site of the subdivision to an arterial. Where sub-standard, neighborhood collector street must be improved by the developer to meet minimum construction standards contained within the current King County Roadway Standards including variance provisions. Streets trees shall be provided on all improved roadway sections, in accordance with the Street Trees P-suffix condition found in this Area Zoning.

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As a condition of approval for any development permit, public pedestrian right of way must be provided ~~along the easterly 12 feet of the property. This right of way shall be improved with a six-foot wide, durable pathway and shall be landscaped between the north and south ends of the property. The walkway may be located within any landscaping buffers, but must connect with walkways located on other properties established in accordance with this condition.~~

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Kenmore Pedestrian Linkages Areas A and B and Primary Pedestrian Street - modify map as shown below.



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Kenmore Office-Only P-suffix - modify map to exclude the property shown below:



Changes to Northshore Review Panel Recommended Amendments (dated September 30, 1992):

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On all public streets which are either created as part of or are on the perimeter of a commercially permitted development or short or formal subdivision, or-subdivision-permitted-development, street trees shall be provided in accordance with the following specifications:

1. Trees shall be planted in accordance with Drawing 23 of the King County Road Standards.
2. One tree shall be provided on both sides of residential and commercial access streets for every 30 feet of access streets contained within the development. One tree shall be provided on the improved side of the roadway for every 30 feet of residential and commercial access streets on the perimeter of the development, where the development is required only to improve only part of the full roadway section. The trees shall be evenly distributed throughout access streets in the development, taking into account driveways, intersections, etc. The requirement for street trees on access streets does not apply to public parks. Street trees planted back of sidewalk may be included in the calculation for the required number of trees in perimeter buffers.

3. One tree shall be provided on both sides of arterial roads for every 40 feet of arterial roadways contained within the development. One tree shall be provided on the improved side of the roadway for every 40 feet of arterial roadway on the perimeter of the development, where the development is required only to improve part of the full roadway section. The trees shall be evenly distributed throughout arterial roads of the development, taking into account driveways, intersections, etc..
4. On arterial roadways and residential and commercial streets, only trees on the list of approved street trees, as provided by-the-DDES-arborist, may be planted.
5. A street tree plan shall be provided by the developer in order for DDDES to determine if the above requirements will be met. The plan is subject to the review and approval of DDDES.
6. Planted trees shall be healthy. Deciduous trees shall have a minimum trunk diameter of one and three-quarter inches at the caliper at time of planting; evergreen trees shall be a minimum of four feet tall at time of planting.

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Significant trees shall be retained on grading permits, formal subdivisions and multifamily, commercial, industrial or institutional developments as follows, until such time as equivalent or more stringent Countywide regulations are adopted:

- a. All significant trees located within required perimeter landscaping area;
- b. Five percent of the significant trees in the remaining site area including Sensitive Area Setback Areas, of a commercial or industrial development;
- c. Ten percent of the significant trees in the remaining site area including Sensitive Area Setback Areas, of a formal subdivision, or institutional development;
- d. Ten percent of the significant trees on individual lots for single detached dwelling, if any portions of such lot contains erosion hazard areas.
- e. Utility developments shall be exempt from the tree retention requirements of this chapter;
- f. Fifty percent of the significant trees within sensitive areas or surface water management bio-filtration system areas may be used to satisfy the tree retention requirement;

- g. Except as provided in subsection H, significant trees to be retained shall not include significant trees that are:
- (1) Damaged or diseased;
 - (2) Safety hazards due to potential root, trunk or limb failure.
- h. At the discretion of King County, damaged or diseased or standing dead trees may be counted toward the significant tree requirement if the applicant demonstrates that such trees will provide important wildlife habitat.
1. Significant tree retention plan. A tree retention plan shall be submitted concurrent with a grading or building permit or preliminary subdivision application, whichever is reviewed and approved first. The tree retention plan shall consist of:
- a. A tree survey that identifies the location, size and species of all significant trees on a site. The tree survey:
 - (1) Shall not include significant trees that are:
 - (a) Damaged or diseased;
 - (b) Safety hazards due to potential root, trunk or limb failure.
 - (2) May be conducted using standard timber cruising methods to reflect general locations, numbers and grouping of significant trees.
 - (3) Shall show the location and species of each significant tree of 18 inches or greater in diameter, regardless of survey method used.
 - b. A development plan identifying the significant trees that are proposed to be retained, transplanted or restored.
 - c. For subdivisions with individual lots containing erosion hazard areas, the face of the plat map shall further stipulate for such lots that development plans consistent with KCC 21.14.130. are to be submitted by each lot owner at the time of development, if lot clearing is to be deferred until individual lot development occurs.
2. Incentive Criteria for retaining significant trees. Each significant tree that is retained and located outside of the area for perimeter landscaping, sensitive areas and Sensitive Area Setback Areas, and that meets one or more of the following criteria may be credited as two trees in

complying with the retention requirement of this chapter:

- a. Exceeds 60 feet in height or 24 inches in diameter;
 - b. Located in groupings of at least five trees with canopies that touch or overlap;
 - c. Provides energy savings through winter wind protection or summer shade due to their location relative to buildings;
 - d. Belongs to a unique or unusual species of native or non-native tree not usually found locally; or
 - e. Are located within 25 feet of any required Sensitive Area Setback Area.
3. Protection of Significant Trees. To provide the best protection for significant trees:
- a. No clearing shall be allowed on a site until approval of tree retention and landscape plans.
 - b. A limit of disturbance generally corresponding to the drip line of the significant tree shall be identified during the construction stage with either a:
 - (1) Temporary five-foot high fence, or
 - (2) Line of five-foot high, orange colored two-by-four inch stakes placed no more than ten feet apart.
 - c. No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within the area defined by such fencing or stakes.
 - d. A rock well shall be constructed if the grade level around the tree is to be raised by more than one foot. The inside diameter of the well shall be equal to the diameter of the tree trunk plus five feet.
 - e. The grade level shall not be lowered within the larger of the two areas defined as follows:
 - (1) The drip line of the tree(s), or
 - (2) An area around the tree equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground.
 - f. Alternative protection methods may be used if determined by the manager to provide equal or greater tree protection.
 - g. If significant trees as described in KCC 21.14.160.A and B were previously located in a closed, forested situation, an adequate buffer of smaller trees shall be

retained or replaced on the fringe of such significant trees.

4. Restoration of significant trees. When the required number of significant trees cannot be retained, significant trees that are removed shall be restored with:
 - a. Transplanted significant trees;
 - b. New trees measuring three inch caliper or more at a replacement rate of one and one-half (1.5) square inches for every one square inch of basal area; or
 - c. New trees measuring less than three inch caliper at a replacement rate of two square inches for every one square inch of basal area.
5. Performance bonds or other appropriate security (including letters of credit and set aside letters) shall be required for a period of one year after the planting or transplanting of vegetation.
6. Definition of significant tree:

Significant tree: an existing healthy tree which, when measured four feet above grade, has a minimum diameter of:

- a. Eight inches for evergreen trees,
- b. Twelve inches for deciduous trees, or
- c. A grouping of 3 or more existing trees, each having a diameter of at least 3" measured at 4' above grade, may be substituted for each required significant tree.

As a condition of approval for any short subdivision, formal subdivision, land use or commercial permit, properties containing rights-of-way established by King County Ordinances 8115, 8075, 8070, 8144, 8074, 8071, 8114, 8073, and 8072 shall improve the right-of-way as required by the County Road Engineer, based on the expected level of roadway classification, as defined by the King County Road Standards, King County Transportation Plan and the Woodinville Urban Design Study (attached to this plan).

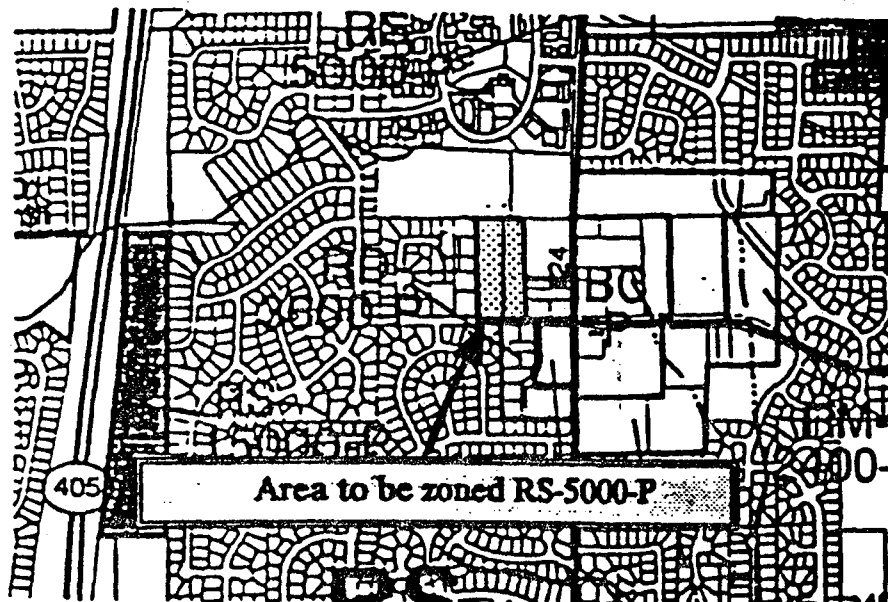
Additional right of way alignments in Woodinville beyond those established by ordinance have been identified through the community planning process. They are shown conceptually on the Woodinville Design Requirements map and are labelled "Woodinville Right-of-Way Alignment". These streets shall be in a 60-foot public right-of-way and improved to the design standards shown in the Woodinville Urban Design Study and to the requirements of the King County Road Engineer. The actual roadway alignment may be varied slightly from that shown on the map if necessary for design or traffic safety considerations.

Development and land use permits on tax lots 005 and 0079, in STR 11-26-4, tax lots 0457, 0453, 0451, 0423, 0425, 0606, 0663, 0480 and 0475 in STR 12-26-4, and tax lots 0046, 0078 and 0167 in STR 1-26-4 shall meet the following P-suffix condition (Applicable tax lots show in the Kenmore Right-of-Way Dedication area on the Kenmore Right-of-Way Dedication, SR-522 Access Restriction map.):

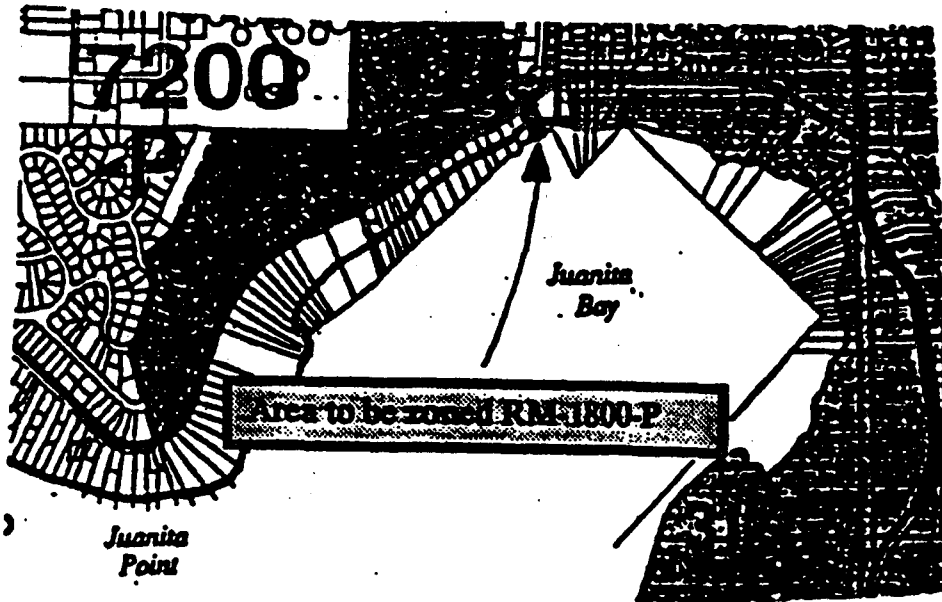
The development shall dedicate and build NE 185th Street to collector arterial standards on the property frontage.

Changes to Panel Recommended Zoning map:

Tax lots 103 and 144, STR 21-26-5, are zoned RS-5000-P (see map below).



Modify the property shown below to RM-1800-P.



Changes to Technical Corrections to Substitute Ordinance 91-346,
dated December 21, 1993:

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1. Swamp Creek Floodplain

Commercial permits or permits for new residences shall require the 100-year floodplain of Swamp Creek to be placed in a Sensitive Areas Setback Area. New formal subdivisions in the Swamp Creek Floodplain areas shown on the Natural Resource Protection Area map, shall place the 100-year floodplain of Swamp Creek in a Sensitive Areas tract, to be dedicated to the homeowner's association. Determination of the floodplain shall be done for each permit application. Determination shall be based on an actual field survey, using floodplain elevations provided by the US Federal Emergency Management Agency (FEMA).

All developments in RM or RD zones shall provide an interpretive sign that provides information about Swamp Creek and its wildlife, biological, and hydrological functions. Said sign shall be adjacent to the fences at the floodplain edge and be subject to review and approval of Environmental Division ecologists.

2. Swamp Creek Heron Habitat

To provide habitat for herons, an additional 50 foot buffer on each side of the required sensitive area buffers is required in short and formal subdivisions along the tributary to Swamp Creek upstream of 192nd Street within the Swamp Creek Heron Habitat area as shown on the Natural Resource Protection Area map. This 50 foot buffer shall be planted with dense native plant materials to discourage human intrusion into feeding or nesting and roosting areas. Plantings shall be reviewed and approved by DDES. This additional 50 foot buffer may be used in density calculations. If conformance with this requirement would result in an unbuildable lot, then development siting shall be done in consultation with Environmental Division biologists and be reviewed and approved by DDES.

3. Sammamish River Corridor Habitat

Within the Sammamish River Corridor Habitat area as shown on the Natural Resource Protection Area map, short subdivisions, formal subdivisions, and commercial permits must conduct special wildlife studies to identify Great Blue Heron nesting, roosting, and feeding areas of the site. These studies shall be done by a wildlife biologist. Any feeding habitat identified on-site must be designated as a Sensitive Areas setback area and an additional 50 foot buffer on each side of the Sensitive Areas Setback Area shall be established. Use of the 100-year floodplain for computation of site densities shall be consistent with the Sensitive Areas Ordinance. The additional 50 foot buffer may be used to calculate site densities. The additional 50 foot buffer shall be planted with dense native plant material to discourage human intrusion into floodplain and feeding areas.

4. Lake Washington Shoreline Habitat

Along the shoreline of Lake Washington identified as Condition 4, Lake Washington Shoreline Habitat, on the Natural Resource Protection Area map, all short subdivisions, formal subdivisions, and PUDs shall provide a 50 foot buffer in addition to required shoreline setbacks. This additional 50 foot buffer may be used in density calculations. Dense plantings of native plant materials shall be provided and are subject to review and approval by DDES.

5. Wetlands Habitat

Short subdivisions, formal subdivisions, and commercial permits adjacent to wetlands identified as Condition 5 on the Natural Resource Protection Area map, shall provide an additional 50 foot buffer around the wetland. This

additional 50 foot buffer may be used in density calculations. Dense plantings of native plant materials shall be provided and are subject to review and approval by DDES. If conformance with this requirement would result in an unbuildable lot, then development siting shall be done in consultation with Environmental Division biologists and be reviewed and approved by DDES.

6. Rookeries

There shall be a 660 foot radius buffer maintained around the periphery of Great Blue Heron rookeries in the Natural Resources Protection Area. A rookery and its buffer shall be designated as Sensitive Areas Setback Area, excepting existing structures and paving. Human access shall be restricted under nest trees from February 15th to July 31st. Access may be restricted with fencing and signage, or dense plantings with native plant materials and signage.

7. General

New docks, piers, bulkheads, and boat ramps constructed within the Natural Resource Protection Area must mitigate for loss of heron feeding habitat by providing enhanced native vegetation adjacent to the development or between the development and the shoreline. Bulkheads should be buffered from the water's edge by enhanced plantings of native vegetation.

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The following text shall be added to AZ requests 9,10,11 and reflected in the text of the Area Zoning.

The Northshore Plan Area Zoning specifies that the subject properties located in section 7-26-5, tax lots 20, 33, 44, 90, 100, 108, 188, be classified GR-5-P potential RS-15000. The Northshore Plan recognizes that the subject properties (and others in this specific area) may be subsequently considered for multifamily if the following conditions are met:

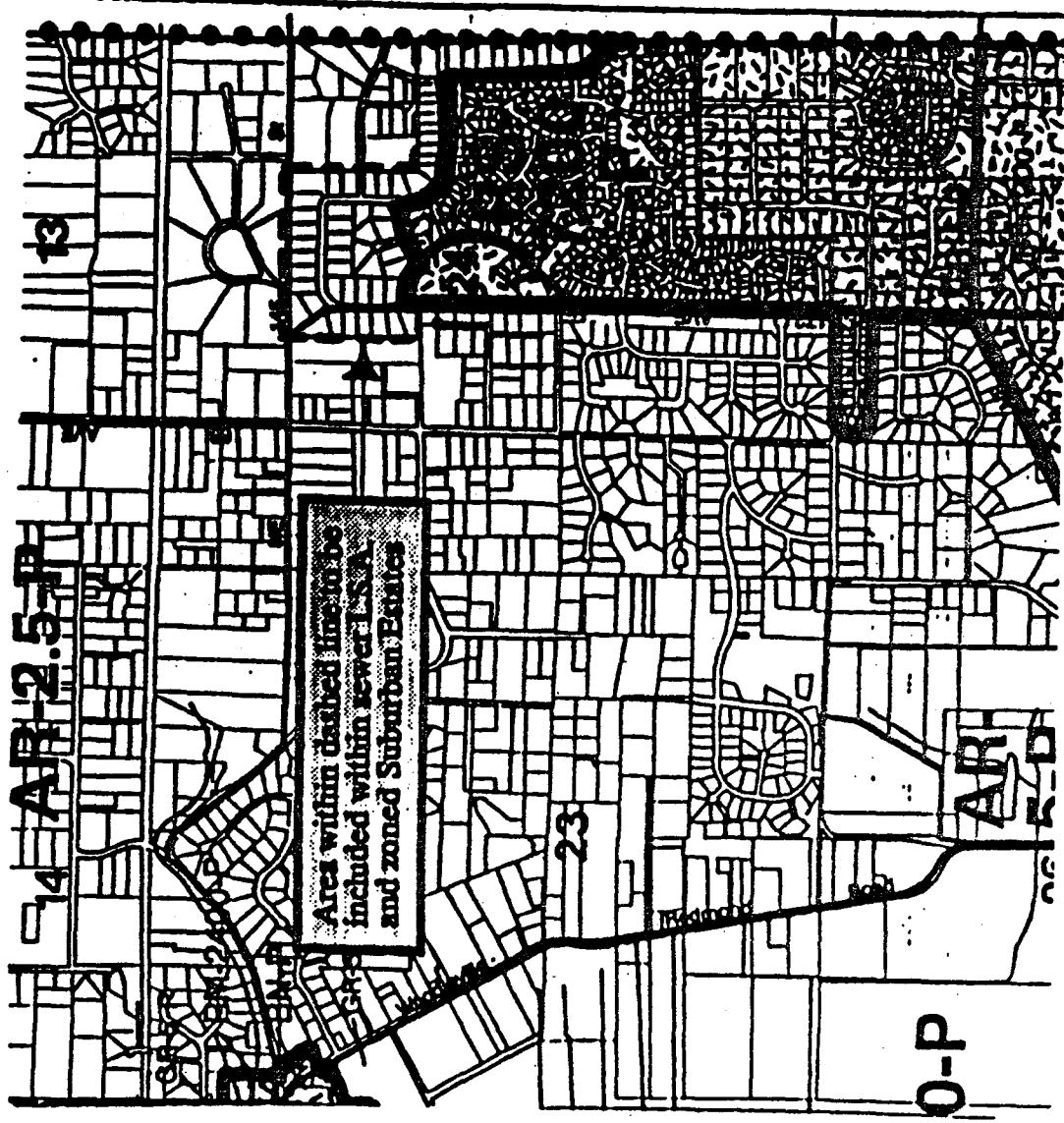
- * Area wide circulation plan shows primary access onto 91st Ave. NE with not more than one additional access point onto SR-522 is developed and approved by BALD.
- * Phasing plan for the removal of the existing commercial uses is developed that coincides with build out.
- * Site plan showing a vegetated buffer along SR-522.
- * Significant vegetation must be retained on 35% of the site, not including sensitive areas.

Any reclassification application for multifamily development should be a joint application from (but not limited to) owners of the following tax lots: 20, 33, 40, 90, 100, 108, 126, and 188 rather than on a case by case basis.

Changes to Amendments made by full Council, January 4, 11, and 19:

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Include additional area within sewer LSA and zone SE-P, as shown on the map below:



~~hazardous wastes have been identified on site by the Department of Geology. A thorough evaluation of the presence and location of hazardous wastes on site shall be prepared. Clean-up of these wastes shall proceed as areas within the site are developed. Prior to any development, the applicant shall conduct additional environmental assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up in accordance with the remediation schedule.~~

ns13/corord

11/8/93 Council amendment passed unanimously.

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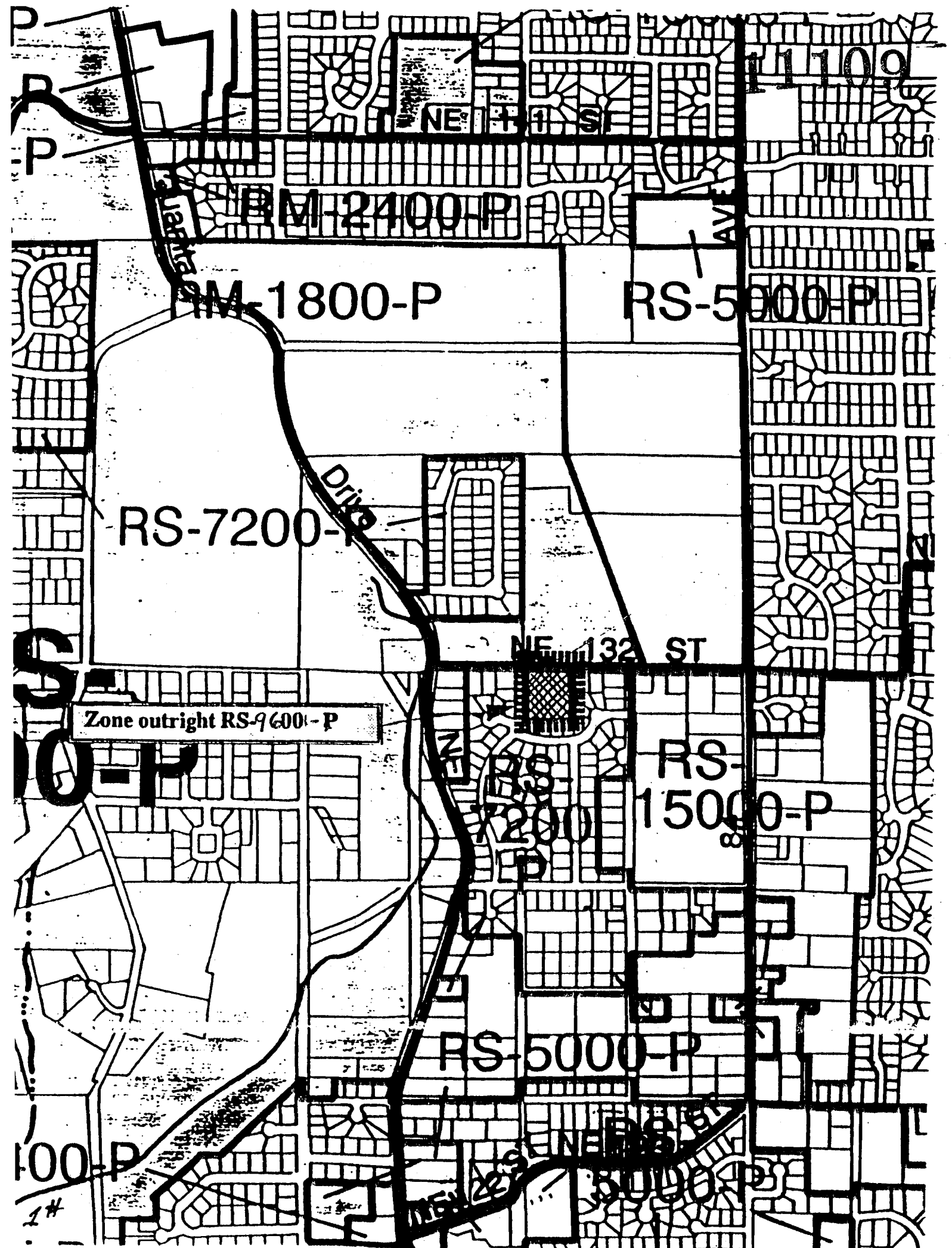
Modify Pre-Mix site conditions as follows:

Maximum heights shall be 92 feet in the northern and central portions of the mixed use development area. A 45-foot height limit shall apply to all development within ~~200~~ 100 feet of the channelized edge of the Lake Washington shoreline. The boundary of the channelized edge shall extend to the inner harbor line. A 35-foot height limit shall apply to all development within the first 200 feet, and a 45-foot height limit to all development within the next 100 feet of the Sammamish River shoreline edge that is not channelized.

ns13/amd

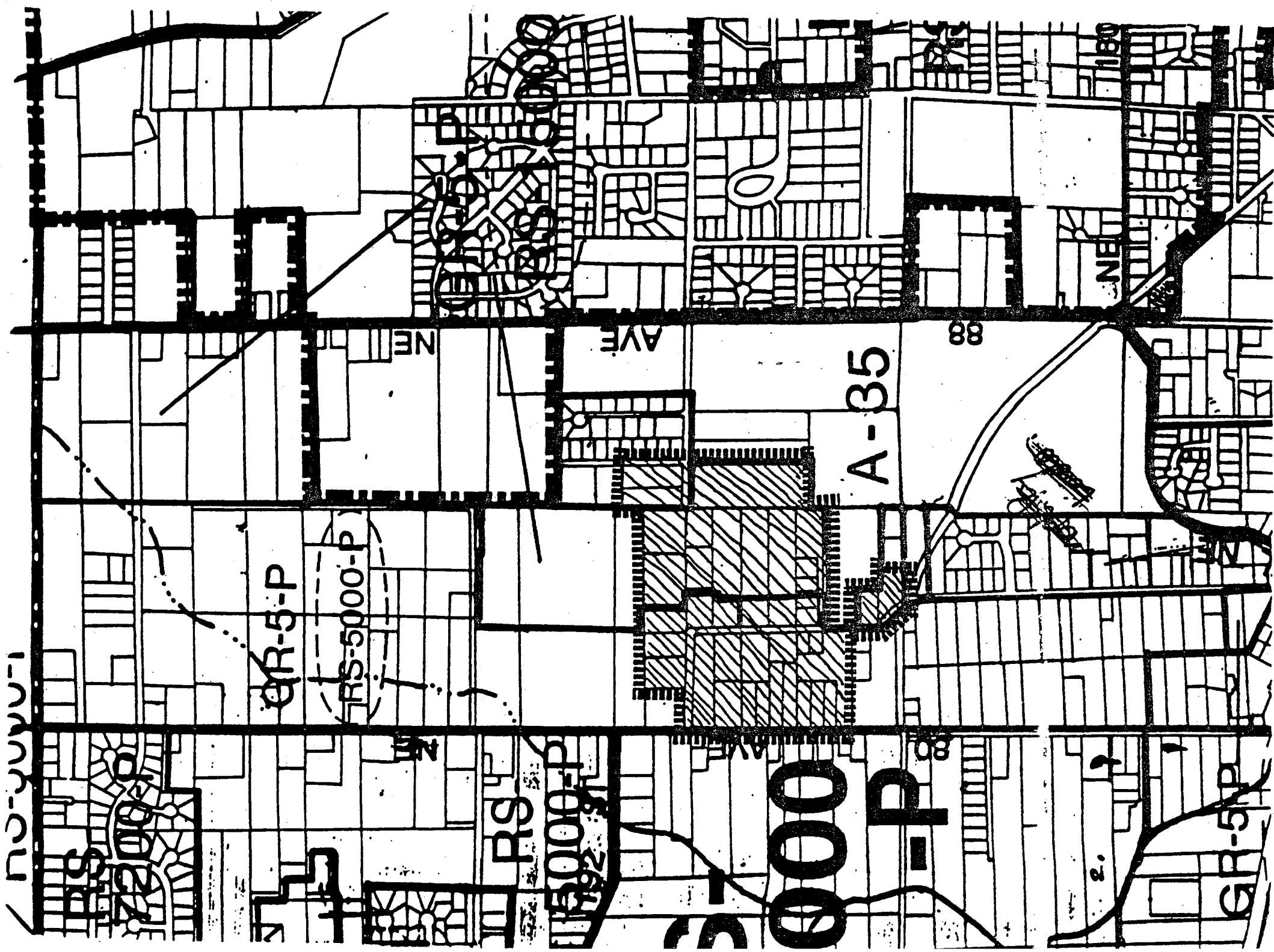
Clarify that P-suffix height limitation map for Kenmore Pre-Mix site should reflect 45' height limit within 200' of shoreline for areas north of inner harbor line.

Remove GR-5-P overlay from property t.l. 252604-0155, and zone RS 9600 as shown below:



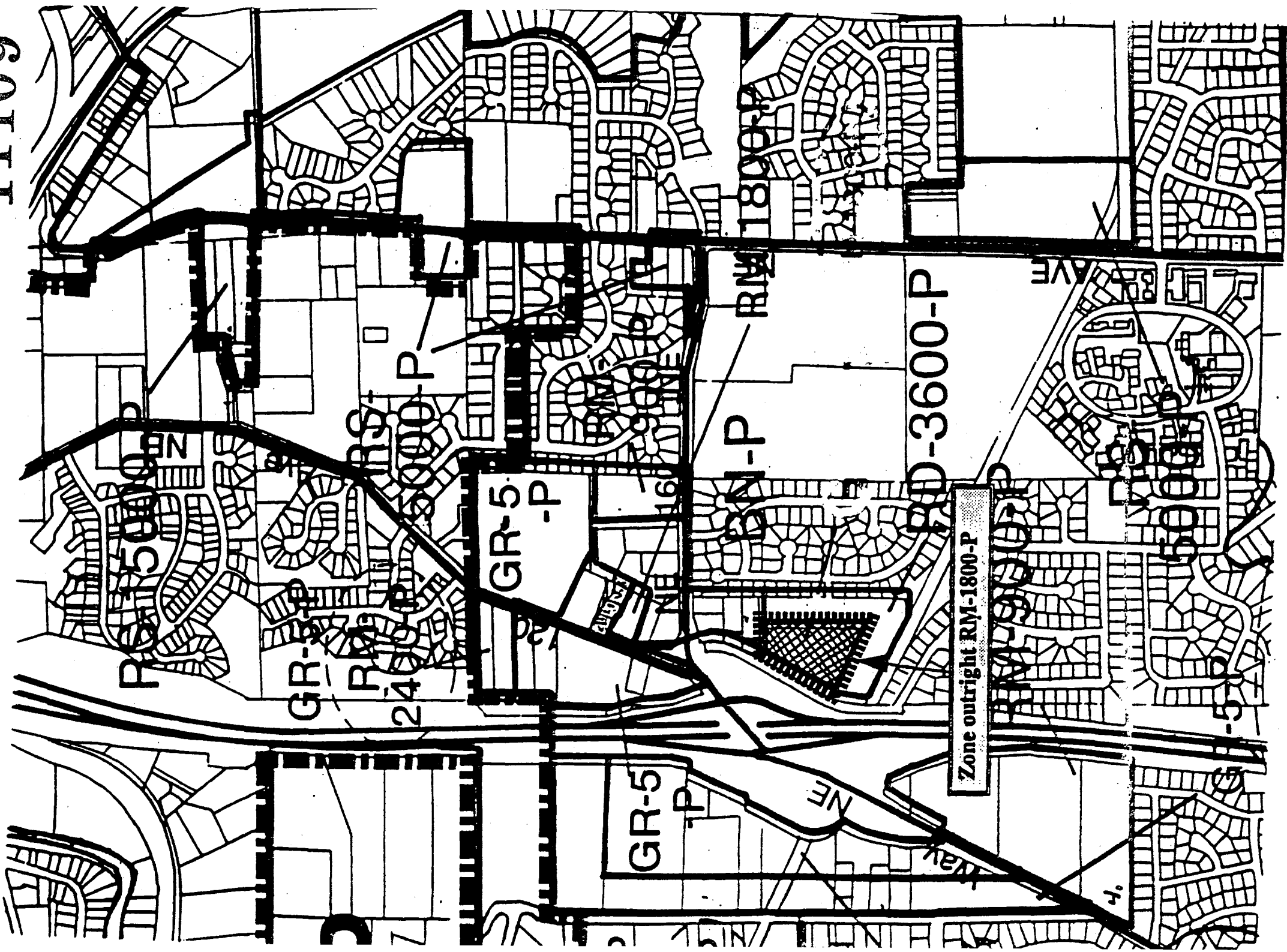
Remove GR-5-P zoning from all properties within ULID #73 east of 80th Avenue NE, as shown below. The potential zone on all included properties shall become the actual zone.

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Remove GR-5-P designation from t.l. 162605-9040 (shown below).
Designate outright RM-1800-P.

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Modify RM-2400-P zoning to RM-1800-P and ML-P, as shown below.
Clarify that the conditions of file nos. 130-79R, 131-79R,
920-77-SH, and 127-82-R continue to apply.

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