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6 ORDINANCE NO. 12093
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9 AN ORDINANCE concurring with the recommendation of
10 the Hearing Examiner, amending Ordinance No. 8846
11 and K.C.C. 20.12.170, as amended, to amend the Bear
12 Creek Area Zoning P-suffix conditions relating to
13 the northern half of the Novelty Hill Master Plan
14 Development (MPD) Area as requested by PORT BLAKELY
15 TREE FARMS, designated Department of Development and
16 Environmental Services File Nos. BCCP0001 and
17 L94UP002.
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19 PREAMBLE:

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21 The Bear Creek Community Plan and Area Zoning (BCCP) as
22 adopted by the Council on January 30, 1989, in Ordinance No.
23 8846 contained highly detailed P-suffix conditions and policies
24 specifying the processing and development standards for the
25 Novelty Hill Master Plan Developments (now termed Urban Planned
26 Developments--UPDs). The following changed circumstances have
27 created conflicts or inconsistencies between these earlier
28 site-specific zoning provisions for developing master plans in
29 the BCCP and current policies, regulations and procedures, and
30 known facts:

31 1. Policies and regulations adopted by King County after
32 enactment of the BCCP have established new standards and
33 procedures for reviewing development proposals which are more
34 detailed and stringent than those that were in effect at the
35 time the BCCP was adopted. These include:

- 36 A. The Surface Water Design Manual (SWDM)
37 B. The Sensitive Areas Ordinance (SAO) in 1990;
38 C. The Road Mitigation Payment System (MPS) Fee Ordinance
39 in 1991;

40 D. School Concurrency and Mitigation Ordinance in 1991;
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- 1 E. Demonstration Project Ordinance 10153, allowing a
2 retirement community in the Novelty Hill MPD Area, in 1991;
- 3 F. Bear Creek Basin Plan in 1992;
- 4 G. Zoning Code Title 21A in 1994, as amended in 1995;
- 5 H. Revised King County Road Standards in 1993;
- 6 I. King County County-wide Planning Policies in 1993, as
7 amended in 1994;
- 8 J. Zoning Maps implementing Title 21A county-wide in 1995;
- 9 K. Amendments to Title 13 changing sewer and water service
10 criteria in 1995;
- 11 L. Transportation Concurrency Management Ordinance in
12 1995;
- 13 M. King County Comprehensive Plan in 1994.
- 14 2. Major changes have been made to the UPD project
15 proposals, including project downsizing and conversion of the
16 Blakely Ridge proposal to an age-restricted community.
- 17 3. Environmental Impact Statements have been issued which
18 now provide a more accurate and elaborate analysis of the
19 physical properties of the sites.
- 20 4. K.C.C. 21A.39.030(B) has been enacted, which provides
21 that a UPD permit and development agreement may authorize
22 development standards different from those otherwise imposed
23 under the King County Code in order to provide flexibility to
24 achieve public benefits, respond to changing community needs,
25 and encourage modifications which provide the functional
26 equivalent or adequately achieve the purposes of county
27 standards.
- 28 5. Ordinance 11954 was enacted in September, 1995,
29 amending certain key Bear Creek Community Plan policies
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1 pertaining to Novelty Hill Master Plan Development (MPD) and
2 amending Ordinance No. 8846 and K.C.C. 20.12.170.

3 Accordingly, it is appropriate and desirable that the
4 Novelty Hill UPDs be developed under the King County policies
5 and regulations established since the adoption in 1989 of the
6 Bear Creek Community Plan and Area Zoning. Many of the P-
7 suffix conditions for the Novelty Hill Master Plan Developments
8 contained in the Bear Creek Community Plan and Area Zoning are
9 no longer applicable or feasible, or are less effective than
10 more recently adopted King County policies and regulations in
11 promoting high-quality urban development while still protecting
12 the natural environment.

13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14 SECTION 1. This ordinance adopts and incorporates the
15 findings and conclusions of the September 27, 1995, report and
16 recommendation of the hearing examiner filed with the clerk of
17 the council on October 12, 1995, amending Ordinance 8846 and
18 K.C.C. 20.12.170, on the application of Port Blakely Tree Farms
19 to delete in their entirety the existing Bear Creek Area Zoning
20 P-suffix conditions relating to the Novelty Hill Master Plan
21 Development (MPD) Area as applied to the Blakely Ridge urban
22 planned development and adding in lieu thereof new P-suffix
23 conditions as provided in Attachment A hereto, designated
24 department of development and environmental services file nos.
25 BCCP0001 and L94UP002

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SECTION 2. The recommendation of the hearing examiner to amend the Bear Creek Area Zoning P-suffix conditions related to the Blakely Ridge property within the Novelty Hill Master Plan Development area in the manner described in Section 1 above is hereby adopted.

INTRODUCED AND READ for the first time this 30th day of June, 1995.

PASSED by a vote of 9-1 this 19th day of December, 1995.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 28th day of December, 1995.

Ray Loder
King County Executive

ATTACHMENT A

NOVELTY HILL MASTER PLAN DEVELOPMENTS/URBAN PLANNED DEVELOPMENTS
AREA P-SUFFIX CONDITIONS1. Process

The review process for the Master Plan Developments/Urban Planned Developments shall include:

- A. A project-level Environmental Impact Statement;
- B. Participation by the public, agencies, and other jurisdictions through EIS comments, meetings, and through public hearings held before a Hearing Examiner;
- C. Permit processing fees paid by the applicant;
- D. Final action by the King County Council;
- E. A recorded development agreement which contains final conditions of approval.

2. Environmental Resource Protection

The Master Plan Developments/Urban Planned Developments shall include:

- A. Establishment of a natural resource protection area (NRPA) to protect wetlands, surface water quality, groundwater recharge, groundwater quality, wildlife, and aquatic resources.
- B. A Master Drainage Plan (MDP) consistent with King County Surface Water Design Manual requirements to be prepared by the applicant. The MDP shall include a post-development monitoring program.

3. Housing

The Master Plan Developments/Urban Planned Developments shall provide the following:

- A. A range of housing types including lot sizes, attached and detached single-family and multi-family housing units and densities;

- B. Of the total residential units, 10% shall be affordable to low-income households (income level below 80% of the median-income for King County); 10% shall be affordable to moderate-income households (income levels between 80 and 100% of the median income for King County); and 10% shall be affordable to median-income households (income levels between 100 and 120% of the median income for King County). No low-income housing will be required unless publicly funded programs for such housing is available, provided that the developer sets aside sufficient land for a period of up to 5 years.
- C. A post-development monitoring program for affordable housing.

4. Retail/Commercial and Business Park Development

The Novelty Hill Master Plan Developments/Urban Planned Developments shall provide sufficient area to accommodate retail/commercial and business park uses to serve the needs and provide employment for future residents and employees.

5. Public Services

The Master Plan Developments/Urban Planned Developments shall ensure that provisions for the following public services are provided to adequately mitigate the impacts of these proposals on the following:

- A. Fire and police protection;
- B. Public water and sewer systems;
- C. School facilities.

6. Transportation

The Master Plan Developments/Urban Planned Developments shall include:

- A. A transportation plan which provides for compliance with King County concurrency standards, level-of-service standards, safety and operation standards, and which identifies on and off-site transportation improvements, methods of funding, and a post-development monitoring program.

- B. On-site design shall promote the use of alternative modes of transportation including, but not limited to, transit, carpool, bicycle, pedestrian, and equestrian trail facilities.

7. Parks, Trails and Open Space

The Master Plan Developments/Urban Planned Developments shall provide the following:

- A. A variety of parks and recreational facilities designed to meet the needs of future residents and employees.
- B. A pedestrian, bicycle, and equestrian trail system which provides circulation throughout the project and which provides linkage to off-site regional trails.
- C. Perimeter buffers to screen adjacent rural lands.