

5/04/99

Introduced By: Maggi Fimia
Jane Hague

KN:ps098-698 Proposed No.: 98-698

ORDINANCE NO. **13576**

AN ORDINANCE relating to property-specific development conditions for site disturbance, making legislative findings, adopting amendments to zoning code definitions, applying property-specific development conditions for site disturbance to certain properties in the Holmes Point area, repealing the significant tree retention special district overlay for certain properties in the Holmes Point area; amending Ordinance 12824, Appendices A and B, and adding a new section to K.C.C. chapter 21A.06.

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

A. Pursuant to the Growth Management Act (GMA), King County has adopted the 1994 King County Comprehensive Plan.

B. The GMA requires that the County's development regulations, including but not limited to area zoning, be consistent with and implement the comprehensive plan and its amendments.

C. King County has developed a variety of measures, including regulations, incentives, open space acquisition and low-density zoning, to balance the objectives of environmental protection and encouragement of infill residential development in the Urban Growth Area, as called for by 1994 King County Comprehensive Plan policies U-501, U-502 and U-503. In September 1998, the metropolitan King County Council adopted new policy CP-720, calling for "minimum site disturbance" development standards to be applied to the Holmes Point area. The special development standards adopted by this ordinance are consistent with, and provide additional means of implementing these policies.

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2 D. The Northshore Community Plan Update and area zoning, adopted in
3 1993, applied two p-suffix conditions with higher levels of surface water
4 control and significant tree retention beyond general code requirements to the
5 Holmes Point area to protect wildlife habitat, address areawide erosion,
6 landslide or other hazardous conditions, and to protect neighborhood
7 character.

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9 E. In August 1997, King County completed the p-suffix conversion project.
10 The Northshore p-suffix condition on stormwater retention/detention was
11 converted to Special Requirement 15.4, located in K.C.C. chapter 9.04, and
12 the p-suffix condition on significant tree retention was converted into a
13 special district overlay, located in K.C.C. chapter 21A.38.

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15 F. In November 1996, King County adopted the 1997 King County budget.
16 Included in this legislation was a proviso directing the department of
17 development and environmental services (DDES) to conduct a study of
18 Holmes Point and to forward to the council any recommended adjustments to
19 the area's zoning or zoning conditions.

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21 G. In December 1997, following three public meetings in the community,
22 DDES submitted the Holmes Point Summary Report to the council, with
23 preliminary recommendations for changing development standards in the
24 Holmes Point area.

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26 H. In compliance with Ordinance 13147, in September 1998 DDES
27 circulated a draft of this ordinance to stakeholders and held a fourth public
28 meeting in the community to solicit more comments. After modifying the
29 draft in response to comments, DDES transmitted the ordinance to the
30 council. This ordinance implements the Comprehensive Plan policies cited in
31 paragraph C above, and the DDES recommendations for new development
32 standards in the Holmes Point Summary Report.

33
34 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

35 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 21A.06 a
36 new section to read as follows:

37 Significant tree. Significant tree: an existing healthy tree that is not a hazard tree (i.e.
38 a tree that does not have a high probability of imminently falling due to a debilitating disease

1 or structural defect) and that, when measured four and one-half feet above grade, has a
2 minimum diameter of:

- 3 A. Eight inches for evergreen trees; or
- 4 B. Twelve inches for deciduous trees.

5 SECTION 2. The property-specific development standards relating to minimum site
6 disturbance attached to this ordinance in Appendix A are adopted as provided in K.C.C.
7 21A.38.020 and 21A.38.030. Existing area-specific special district overlays and property-
8 specific development standards adopted under to Ordinance 12824, Appendices A and B, are
9 retained except as specifically amended by section 3 of this ordinance.

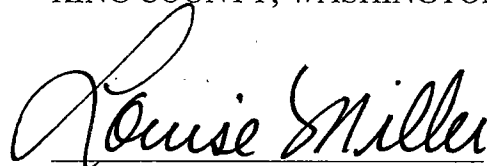
10 SECTION 3. The significant tree retention special overlay, referenced as SO-220 and
11 depicted on the map in Ordinance 12824, Appendix B, entitled "Significant Tree Retention 4
12 of 8," is hereby amended to remove the properties listed in Appendix A attached to this
13 ordinance.

1 SECTION 4. Twelve months following the adoption of this ordinance, the director of
2 the department of development and environmental services shall conduct a review of the
3 minimum site disturbance property specific development condition for its effectiveness in
4 allowing urban infill development to occur, while protecting the Holmes Point Community
5 Planning Area's environmentally sensitive features. A summary of this review, along with
6 any recommendations for changes to the minimum site disturbance standards shall be
7 transmitted to the Council by December, 2001.


8 INTRODUCED AND READ for the first time this 16th day of November, 1998.

9 PASSED by a vote of 12 to 0 this 6th day of July, 1999.

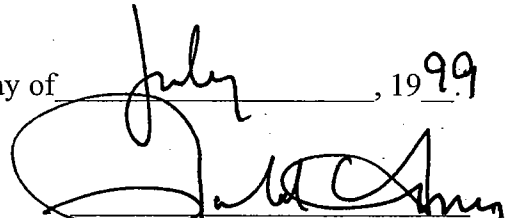
10 KING COUNTY COUNCIL
11 KING COUNTY, WASHINGTON

12 
13 Louise Miller
14 Chair

15 ATTEST:

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18 Deputy Clerk of the Council

19 APPROVED this 12 day of July, 1999

20 
21 King County Executive
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23 Attachments: Appendix A. Holmes Point Site Disturbance P-suffix Conditions, Parcel List
24 and Map dated 7/7/99

APPENDIX A to Proposed Substitute Ordinance 98-698

Holmes Point Site Disturbance P-suffix Conditions, Parcel List and Map

Insert the following property-specific (P-suffix) development standard into Appendix A of Ordinance 12824 following the text and maps for Northshore p-suffix condition NS-P22:

**Minimum Site Disturbance Property-Specific Development Standards
and Area Zoning Map**

A. Purpose. The purpose of the minimum site disturbance development standards is to allow infill at urban densities while providing an increased level of protection for the Holmes Point study area, an urban residential area characterized by a predominance of sensitive environmental features including but not limited to steep slopes, landslide hazard areas and erosion hazard areas, and further characterized by a low level of roads and other impervious surfaces relative to undisturbed soils and vegetation, tree cover and wildlife habitat. These standards limit the allowable amount of site disturbance on lots in Holmes Point to reduce visual impacts of development, maintain community character and protect a high proportion of the undisturbed soils and vegetation, tree cover and wildlife, and require an inspection of each site and the area proposed to be cleared, graded and built on prior to issuance of a building permit.

B. Standards. Within the parcels listed below and shown on the accompanying map, the minimum density, maximum density and maximum impervious surface standards set forth in K.C.C. 21A.12.030A are superseded by this p-suffix, and the following development standards shall be applied to all residential development proposed after the effective date of this ordinance:

1. Where the underlying classification is R-8, the base and maximum density shall be eight dwelling units per acre, and there is no minimum density;
2. Where the underlying classification is R-6, the base and maximum density shall be six dwelling units per acre, and there is no minimum density;
3. Where the underlying classification is R-4, the base and maximum density shall be four dwelling units per acre, and there is no minimum density;
4. When review under K.C.C. chapter 21A.24 (Sensitive Areas) or the King County Surface Water Design Manual is required, the review shall assume the maximum development permitted by this p-suffix condition will occur on the subject property, and the threshold of approval shall require a demonstration of no significant adverse impact on properties located downhill or downstream from the proposed development.
5. Total building coverage and all other impervious surfaces shall be limited within every building lot as follows:
 - a. On lots up to six thousand five hundred square feet in size, two thousand six hundred square feet;
 - b. On lots six thousand five hundred and one to nine thousand square feet in size, two thousand six hundred square feet plus twenty eight percent of the lot area over six thousand five hundred square feet;
 - c. On lots over nine thousand square feet in size, three thousand three hundred square feet plus ten percent of the lot area over nine thousand square feet;
 - d. On a lot already developed, cleared or otherwise altered up to or in excess of the limits set forth above prior to the effective date of the application of this p-suffix condition,

new impervious surfaces shall be limited to five percent of the area of the lot, not to exceed 750 square feet;

e. The limits set forth in this section are to be measured at grade level; the area of an allowable impervious surface shall not be calculated to include above-grade unsupported projections such as eaves or cantilevered bays or decks; and

f. For purposes of computing the allowable impervious surface within each lot, private streets, joint-use driveways or other impervious-surfaced access facilities required for vehicular access to a lot in easements, access panhandles or other areas excluded from the lot width circle used to measure lot width as provided in K.C.C. 21A.12.050B shall be excluded from calculations.

6. In addition to the maximum area allowed for buildings and other impervious surfaces under subsection B.5, up to 50 percent of the total lot area may be used for garden, lawn or landscaping, provided:

a. all significant trees, as defined in K.C.C. chapter 21A.06, must be retained. The limits set forth in this subsection are to be measured at grade level; the area of allowable garden, lawn or landscaping may intrude into the drip line of a significant tree required to be retained under this subsection if it is demonstrated not to cause root damage or otherwise imperil the tree's health;

b. total site alteration, including impervious surfaces and other alterations, shall not exceed 75 percent of the total lot area; and

c. if development on the lot is to be served by an on-site sewage disposal system, any areas required by the department of public health to be set aside for on-site sewage disposal

systems shall be contained as much as possible within the portion of the lot altered for garden, lawn or landscaping as provided by this subsection. If elements of the on-site sewage disposal system must be installed outside the landscaped area, the elements must be installed so as not to damage any significant trees required to be retained under subsection B.6.a, and any plants that are damaged must be replaced with similar native plants.

7. Subdivisions, short subdivisions and conditional use permits for more than one dwelling unit shall be subject to the following requirements:

a. New public or private road improvements shall be the minimum necessary to serve the development on the site in accordance with King County Road Standards. King County shall consider granting variances to the road standards to further minimize site disturbance, consistent with pedestrian and traffic safety, and the other purposes of the road standards; and

b. Impervious surfaces and other alterations within each lot shall be limited as provided in subsections 5 and 6. In townhouse or multifamily developments, total impervious surfaces and other alterations shall be limited to two thousand six hundred square feet per lot or dwelling unit in the R-6 and R-8 zones, and three thousand three hundred square feet per lot or dwelling unit in the R-4 zone.

8. The Department of Development and Environmental Services or its successor agency (DDES) shall conduct site inspections prior to approving any site alteration or development on parcels subject to this p-suffix condition as follows:

a. Prior to issuing a permit for alteration or building on any individual lot subject to this p-suffix condition, DDES shall inspect the site to verify the existing amount of

undisturbed area, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the area of the lot proposed to be altered and built on with environmental fencing, high-visibility tape or other conspicuous and durable means, and shall depict this area on a site plan included in the application.

b. Prior to issuing a preliminary short subdivision approval, conditional use permit or building permit for more than one dwelling unit, or preliminary subdivision approval on any parcel subject to this p-suffix condition, DDES shall inspect the site to verify the amount of undisturbed area, tree and other plant cover, and any previous site alteration or building on the site. Prior to this inspection and prior to altering the site, the applicant shall clearly delineate the area of the proposed grading for streets, flow control and other common improvements, with environmental fencing, high-visibility tape or other conspicuous and durable means, and shall depict this area on a plot plan included in the application.

Development of individual lots within any approved subdivision or short subdivision shall be subject to an individual inspection in accordance with subsection a.

c. Applicants will be assessed a non-refundable hourly fee for all inspections required by this subsection, consistent with K.C.C. Title 27, as amended.

9. Areas not covered by impervious surfaces or altered as provided in subsections 5, 6 or 7, which are not sensitive areas governed by K.C.C. chapter 21A.24, shall be maintained in an undisturbed state, except for the following activities:

a. Incidental trimming or removal of vegetation necessary for protection of property or public health and safety, or the incidental removal of vegetation to be used in the celebration of recognized holidays. Replacement of removed hazardous trees may be required;

b. Areas infested by noxious weeds may be replanted with appropriate native species or other appropriate vegetation;

c. Construction of primitive pedestrian-only trails in accordance with the construction and maintenance standards in the U.S. Forest Service "Trails Management Handbook" (FSH 2309.18, June 1987, as amended) and "Standard Specifications for Construction of Trails" (EM-7720-102, June 1996, as amended); but in no case shall trails be constructed of concrete, asphalt or other impervious surface;

d. Limited trimming and pruning of vegetation for the creation and maintenance of views, and the penetration of direct sunlight, provided the trimming or pruning does not cause root damage or otherwise imperil the tree's health as allowed for in K.C.C. 21A.24.310D.4; and

e. Individual trees or plants may be replaced with appropriate species on a limited basis. Forested hydrological conditions, soil stability and the duff layer shall be maintained.

10. Conformance with this p-suffix condition shall not relieve an applicant from conforming to any applicable provisions of K.C.C. chapter 21A.24.

C. Variations from Standards. For development activity occurring after the effective date of the application of this p-suffix condition, upon written request from the applicant, the director of DDES may allow up to a ten percent increase in impervious surface on individual lots over the limits set forth in Section B above, provided such increase is the minimum

necessary to allow reasonable use of the property and meets all other applicable decision criteria for a variance as provided in K.C.C. 21A.44.030, and one or more of the following circumstances applies:

1. Development of a lot will require a driveway sixty feet or longer from the lot boundary to the proposed dwelling unit;
2. On-site flow control facilities are required by the King County Water and Land Resources Division or its successor agency;
3. The requested increase will allow placement of new development on the site in such a way as to allow preservation of one or more additional significant trees, as defined in K.C.C. chapter 21A.06, that would otherwise be cleared; or
4. The requested increase is necessary to provide additional parking, access ramp or other facilities needed to make a dwelling accessible for a mobility-impaired resident.

D. Area Zoning Map and List of Affected Parcels. The parcels listed below, and shown on the accompanying map, are subject to the minimum site disturbance P-suffix development conditions set forth in this Appendix:

1973700170	3391600060	8677900124
1973700180	3391600070	8677900160
1973700190	3391600080	8677900200
1973700200	3391600090	8677900201
1973700210	3391600100	8677900202
1973700220	3391600110	8677900203
1973700221	3391600120	8677900204
1973700240	3391607777	8677900205
1973700251	3761100005	8677900240
1973700260	3761100015	8677900241
1973700270	3761100025	8677900242
1973800010	3761100035	8677900243
1973800020	3761100045	8677900280
1973800030	3761100050	8677900281
1973800040	3761100055	8677900282
1973800050	3761100065	8677900283
1973800060	3761100070	8677900284

1973800070	3761100075	8677900285
1973800080	3761100080	8677900286
1973800090	3761100085	8677900320
1973800100	3761100096	8677900321
1973800110	3761100110	8677900324
1973800120	3761100120	8677900325
1973800130	3761100125	8677900360
1973800140	3761100127	8677900361
1973800150	3761100135	8677900362
1973800160	3761100145	8677900363
1973800170	3761100150	8677900364
1973800180	3761100155	8677900365
1973800194	3761100160	8677900400
1973800195	3761100175	8677900401
1973900010	3761100180	8677900402
1973900020	3761100185	8677900403
1973900030	3761100190	8677900404
1973900040	3761100195	8677900440
1973900050	3761100196	8677900441
1973900060	3761100205	8677900442
1973900070	3761100210	8677900480
1973900080	3761100211	8677900481
1973900090	3761100212	8677900482
1973900100	3761100213	8677900483
1973900110	3761100214	8677900485
1973900120	3761100215	8677900520
1973900130	3761100216	8677900521
1973900140	3761100217	8677900522
1973900150	3761100220	8677906666
1973900160	3761100221	8678000010
1973900170	3761100225	8678000020
1973900180	3761100226	8678000030
1973900190	3761100230	8678000040
1973900200	3761100240	8678000050
1973900210	3761100245	9388100005
1973900220	3761100246	9388100012
1973900230	3761100247	9388100013
1973900240	3761100250	9388100014
1973900250	3761100255	9388100015
1973900260	3761100257	9388100016
1973900270	3761100258	9388100017
1973900280	3761100259	9388100018
1973900290	3761100260	9388100020
1973900300	3761100270	9388100021
1973900310	3761100275	9388100022
1973900320	3761100276	9388100024
1973900330	3761100280	9388100025
1973900340	3761100285	9388100026
1973900350	3761100288	9388100027
1973900360	3761100290	9388100028
1973900370	3761100292	9388100029
1973900380	3761100293	9388100030
1973900390	3761100294	9388100031

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1973907777	3761100320	9388100032
1974000010	3761100322	9388100033
1974000020	3761100325	9388100034
1974000030	3761100330	9388100035
1974000040	3761100340	9388100036
1974000050	3761100341	9388100037
1974000060	3761100342	9388100038
1974000070	3761100350	9388100040
1974200010	3761100355	9388100041
1974200020	3761100360	9388100042
1974200030	3761100365	9388100043
1974200040	3761100370	9388100045
1974200050	3761107777	9388100050
1974200060	3761700005	9388100055
1974200070	3761700010	9388100056
1974200080	3761700020	9388100057
1974200090	3761700030	9388100058
1974200100	3761700040	9388100066
1974300010	3761700045	9388100068
1974300020	3761700050	9388100069
1974300030	3761700053	9388100070
1974300040	3761700054	9388100256
1974300050	3761700055	9388106666
1974300060	3761700058	9388107777
1974300070	3761700059	9573000010
1974300080	3761700060	9573000020
1974300090	3761700061	9573000030
1974300100	3761700065	9573000040
1974300110	3761700067	9573000050
1974300120	3761700068	9573000060
1974300130	3761700069	9573000070
1974300140	3761700071	9573000080
1974300150	3761700072	9573000090
1974300160	3761700073	9573000100
1974300170	3761700075	9573000110
1974400010	3761700077	9573000120
1974400020	3761700080	9573000130
1974400030	3761700081	9573120010
1974400040	3761700093	9573120020
1974400050	3761700095	9573120030
1974400060	3761700096	9573120040
1974400070	3761700100	9573120050
1974400080	3761700105	9573120060
1974400090	3761700110	9573120070
1974400100	3761700111	9573120080
1974400110	3761700112	9573120090
1974400120	3761700115	9573120100
1974400130	3761700116	9573120110
1974400140	3761700117	9573120120
1974400150	3761700120	9573120130
1974400160	3761700121	9573120140
1974400170	3761700122	9573120150
1974400180	3761700125	9573120160

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1974400190	3761700130	9573120170
1974400200	3761700135	9573120180
1974400210	3761700136	9573120190
1974400220	3761700140	9573120200
1974400230	3761700145	9573120210
1974400240	3761700146	9573120220
1974400250	3761700155	9573120230
2141250010	3761700165	9573120240
2141250020	3761700176	9573120250
2141250030	3761700177	9573120260
2141250040	3761700183	9573120270
2141250050	3761700184	9573120280
2141250060	3761700185	9573120290
2141250070	3761700193	9573120300
2141250080	3761700195	9573120310
2141250090	3761700200	9573120320
2141250100	3761700205	9573120330
2141250110	3761700215	9573120340
2141250120	3761700216	9573120350
2141250130	3761700217	9573120360
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2326049010	3761700226	9573120380
2326049011	3761700227	9573120390
2326049016	3761700235	9573120400
2326049018	3761700240	9573120410
2426049001	3761700245	9573120420
2426049010	3761700247	9573120430
2426049013	3761700248	9573120440
2426049036	3761700249	9573120450
2426049110	3761700250	9573120460
2426049132	3761700251	4057000025
2426049134	3761700252	4057000030
2526049003	3761700253	4093300140
2526049005	3761700255	4093300150
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2541100020	3761700258	8677900007
2541100030	3761700259	4055700166
2541100040	3761700260	4055700167
2541100050	3761700265	4055700175
2541100060	3761700270	4055700176
2541100070	3761707777	4055700180
2541100080	3762300005	4055700181
2541100090	3762300010	4055700185
2541100100	3762300015	4055700186
2541100110	3762300025	4055700215
2541110010	3762300040	4055700216
2541110020	3762300045	4055700220
2541110030	3762300055	4055700225
2541110040	3762300060	4055700226
2541110050	3762300085	4055700230
2541110060	3762300100	4055700235
2541110070	3762300105	4055700240
2541110080	3762306666	4055700250

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2541110090	3840700285	4055700255
2541110100	3840700290	4055700260
2541110110	3840700320	4055700265
2541110120	3840700326	4055700266
2541110130	3840700327	4055700267
2541110140	3840700330	4055700285
2541110150	3840700410	4055700286
2541110160	3840700415	4055700290
2541110170	3840700421	4055700292
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2541110200	3840700427	4055700300
2541110210	3840700429	4055700301
2541110220	3840700430	4055700302
2541110230	3840700432	4055700310
2541116666	3840700698	4055700315
2626049005	3840700699	4055700320
2796700010	3840700705	4055700330
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4055700410	4055700020	4055701106
4055700425	4055700025	4055701110
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4055700485	4055700095	4055701045
4055700486	4055700103	4055701050
4055700488	4055700104	4055701055
4055700490	4055700785	4055701056
4055700493	4055700795	4055701060
4055700495	4055700796	4055701061
4055700496	4055700798	4055701065
4055700500	4055700799	4055701066
4055700505	4055700800	4055701067
4055700510	4055700801	4055701075
4055700515	4055700802	4055701080
4055700520	4055700805	4055701085

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4055700522	4055700808	4093300160
4055700530	4055700809	4093300170
4055700531	4055700810	4093300180
4055700532	4055700812	4093300190
4055700535	4055700813	4093300200
4055700539	4055700825	4093300210
4055700540	4055700835	4093300220
4055700541	4055700836	4093300231
4055700542	4055700850	4093300240
4055700543	4055700851	4093300250
4055700544	4055700860	4093300260
4055700545	4055700865	4093300270
4055700547	4055700866	4093300280
4055700551	4055700920	4093300290
4055700552	4055700921	4093300300
4055700556	4055700925	4093300310
4055700557	4055700930	4093300320
4055700558	8677900046	4055700774
4055700565	8677900120	4055700775
4055700601	8677900121	4055700776
4055700625	8677900122	4055700777
4055700626	8677900123	4055700778
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4055700637	5003400020	4093300110
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4055700645	5003400040	4093300130
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KENMORE

Saint Edward State Park

Big Finn Hill Park

Holmes Point Planning Area

O O Denny Park

Lake Washington

