

10-29-87

Introduced by Bruce Laing

Proposed No. 87-265

ORDINANCE NO. 8297

AN ORDINANCE granting in part the appeal of Cedar Development Company and Harriett Bernhard and Gerard E. Bernhard, et al, and granting preliminary approval to the plat of CEDAR PARK NORTH, designated Building and Land Development File No. 487-4, with amended conclusions and conditions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein findings nos. 1-7 and conclusions nos. 2, 3, 4, 5, 6, and 7 as contained in the report of the zoning and subdivision examiner dated June 10, 1987, and the council does hereby approve the preliminary plat of Cedar Park North, designated file no. 487-4, with the following amendments:

Conclusion 1 of the examiner's report and recommendation of June 10, 1987 is amended as follows:

1. It is undeniably true that the proposed subdivision will change the existing character of the neighborhood. However, many of the concerns expressed by interested neighbors at the public hearing in this matter were of a nature that would more properly have been considered at the time the community plan and area zoning were adopted for this neighborhood. A long series of public hearings and debate preceded the adoption of the northshore community plan by the King County council, and it was that body's decision that it is appropriate to allow 7,200 square foot lots in this neighborhood when they can be served by a sewer. As stated by the technical committee, the applicant is generally entitled to proceed with a subdivision which is consistent with the community plan and area zoning in the absence of any substantial environmental or topographical constraints. While the comprehensive plan is an appropriate consideration, it does primarily apply to consideration of rezones. If it were controlling, I do not see that the proposed development lies within any area where significant new

1 development would be precluded by any physical constraints. If a 50 foot
2 tract were required as a greenbelt buffer along the southern boundary of
3 the property, it is likely that an excessive number of lots in the
4 proposed subdivision would be eliminated. However, we do not think it
5 would be unreasonable to make some provision for preservation of
6 existing trees in the proposed subdivision. Such a provision will
7 reduce the impact of higher density development on surrounding
8 properties and enhance the environment of the future residents of Cedar
9 Park North as well as current neighbors. A native growth protection
10 easement or an open space tract would require loss of too many lots.
11 However, a 4 foot fence on the south, west, and north boundaries would
12 reduce the visual impact of smaller lots, prevent children and pets from
13 disturbing adjacent livestock, protect children from traffic and reduce
14 traffic noise levels for future residents. Therefore, it is concluded
15 that the first 2 lines of condition 23 in the report dated June 10, 1987
16 should be stricken and a new condition, no. 26, should be added
17 requiring a fence in conformity to the language above. It is unlikely
18 that all of the wildlife which presently resides on the property can be
19 preserved; however, some of the more adaptable species may continue to
20 reside in the vicinity of the new homes. It is an inevitable
21 concomitant of development that wildlife habitat disappears, and,
22 indeed, substantial numbers of wildlife were probably displaced by the
23 construction of the homesites of current residents as they will be by
24 the proposed development. However, in making the decision that urban
25 level densities are appropriate in this area, the county council has
26 decided that this price will be paid in order to provide housing for the
27 citizens of King County.

28 Condition 23 is amended as follows:

29 23. Prior to grading or clearing, the applicant or its successors shall
30 provide the technical committee with an inventory prepared by a
31 qualified forester or biologist of any tree above 12 inches diameter,
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breast height, within 50 feet of the boundaries of the plat and no cutting of such trees shall occur without the approval of the building division. The applicant shall be entitled to create a building pad on each lot; however, preservation of trees to the maximum extent feasible will be required.

New condition 26:

26. A solid view obscuring fence 4 feet in height shall be placed around the south, west, and northerly boundaries of the subdivision before final approval. The style, materials and structure of the fence shall be subject to approval by the building division.

INTRODUCED AND READ for the first time this 6th day of April, 1987.

PASSED this 27th day of October, 1987.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Gary Grant
Chair

ATTEST:

Janeth M. Owens
Clerk of the Council

APPROVED this _____ day of _____, 19____.

King County Executive

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