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July 13, 1989
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INTRODUCED BY: SIMS, LAING, GRANT

PROPOSED NO. 89-549

ORDINANCE NO. **9044**

AN ORDINANCE establishing interim zoning on certain properties in the Soos, Jenkins and Covington Creek Basins in the Soos Creek and Tahoma/Raven Heights Community Planning Areas and declaring an emergency.

PREAMBLE:

For the purpose of effective land use planning and regulation, the King County council hereby adopts the findings set forth in the report entitled The Need for Interim Zoning in the Soos Creek Basin, King County, July 6, 1989, which is incorporated herein and is attached as Attachment C. In addition, the Council finds that:

1. Unincorporated King County has experienced and will continue to experience population and employment growth resulting in competing demands for facilities, services, and the protection of critical natural resources. The 1985 Comprehensive Plan directs the county to encourage growth in urban areas and protect designated resource, rural and environmentally sensitive areas. The area encompassed by the Soos, Jenkins and Covington Creek Basins, known as the Soos Creek system, contains all four types of land and comprises portions of both the Soos Creek and Tahoma/Raven Heights Community Planning Areas.
2. The Soos Creek Basin Plan was initiated in March 1987 to analyze the critical surface water problems in Soos, Jenkins and Covington Creeks. The Soos Creek Basin Plan study covers portions of the Soos Creek and Tahoma/Raven Heights Community Planning Areas. The basin plan is a functional plan element of the Comprehensive Plan and develops specific strategies to implement the surface water and environmental policies of the Comprehensive Plan in these three stream basins.
3. The three stream basins contain habitat capable of supporting historic salmon runs if protected from further degradation, and the fishery produced in these streams is a significant contribution to the over nineteen million dollars annual commercial and recreational fishery of the Green River. The Green River fishery is a major economic resource for the Muckleshoot Tribe and is used as an "indicator system" for the international treaty with the United States and Canada.
4. The preliminary findings of the Soos Creek Basin Plan indicate urban density development in the stream corridors of the Soos Creek system, under existing controls, will cause severe damage to the stream system and loss of the fisheries resource. These preliminary findings and the policy direction of the 1985 Comprehensive Plan for the Soos Creek area differ substantially from the existing zoning. Continued subdivision of property under existing zoning, in advance of the adoption of the revised Soos Creek and Tahoma/Raven Heights Community Plans and Area Zoning implementing the Basin Plan, would preclude consideration of

1 significant and potentially desirable land use
 2 alternatives by the county council during its review
 3 process, set a development pattern which may not be in the
 4 public interest, which may be inconsistent with the King
 5 County 1985 Comprehensive Plan, and based on environmental
 6 information now available to the county, would lead to
 7 irreparable environmental damage in critical drainage
 8 basins of Soos Creek, its tributaries and its floodplain.

9 5. An update of the Soos Creek Community Plan is currently
 10 underway (council Motion 7142) to address land use
 11 planning and related issues including the concern for
 12 protection of fisheries resources raised by work on the
 13 Soos Creek Basin Plan, and to consider zoning to implement
 14 the policies of the Basin Plan and Community Plan. This
 15 community plan update is due to be transmitted to the King
 16 County council in the fall of 1990, and will have
 17 integrated the information from the Soos Creek Basin
 18 Plan. Hearings on the proposed Soos Creek Basin Plan and
 19 area zoning will be held in the next eighteen months.

20 6. Preliminary findings of the Soos Creek Basin Plan Study
 21 indicate that policy and zoning changes will also be
 22 required in the Tahoma/Raven Heights Community Plan area.
 23 Hearings to consider the final Soos Creek Basin Plan Study
 24 and permanent changes in these policies and zoning will
 25 be held in the next eighteen months. The Executive
 26 intends to propose funding immediately for a Tahoma/Raven
 27 Heights Community Plan revision study to address the
 28 issues raised by the Soos Creek Basin Plan Study.

29 7. Existing zoning allows for densities from one unit per
 30 five acres to four-to-six units per acre in some areas
 31 adjacent to these valuable habitat areas. From January
 32 1988 to December 1988, 116 plat and short plat
 33 applications for 2,587 lots were accepted by King County
 in the Soos Creek and Tahoma/Raven Heights Community
 Planning Areas. The number of lots represents a
 significant increase over the annual average for the
 previous nine years.

8. The interim zoning will allow planning alternatives to be
 considered in the community planning process without
 further degradation of the fisheries.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Interim Zoning in the Soos Creek and Tahoma/Raven
 Heights Community Planning Areas.

A. The properties shown on the official map, labeled Soos
 Creek Basin Plan Interim Zoning, and represented by Attachment A,
 are hereby rezoned to AR-5.

B. An area known as Covington Center shown on Attachment B is
 excluded from the interim zone change to AR-5 because of the
 existing development pattern, its proximity to the stream system,
 and its designation by the Comprehensive Plan as an Urban Center.

1 However, further degradation of the fishery will occur unless
2 additional controls are applied to existing and future development
3 in Covington Center. The following P-suffix condition shall be
4 applied to the area known as the Covington Center. Prior to the
5 approval of new preliminary subdivisions or any non-single family
6 construction permits (including grading permits), a master
7 drainage plan must be prepared and approved by the King County
8 surface water management division which mitigates the project and
9 cumulative impacts to the fisheries resources of development in
10 the Covington Center.

11 C. The following P-suffix shall apply to these properties.
12 There shall be the following minimum native growth easement
13 buffers on both sides from the centerline of the stream: 150 feet
14 for Type I streams used by salmonids; 100 feet for other Type I
15 streams and Type II streams used by salmonids; 50 feet for other
16 Type II streams; 25 feet for Type III streams.

17 SECTION 2. Timeframe of Interim Zoning.

18 A. The interim zoning set forth in Section 1 shall be in
19 effect in the Soos Creek Community Planning Area for eighteen
20 months from the effective date of this ordinance or until the
21 effective date of the Soos Creek Community Plan revision and area
22 zoning, whichever comes first.

23 B. The interim zoning set forth in Section 1 shall be in
24 effect in the Tahoma/Raven Heights Community Planning Area for
25 eighteen months from the effective date of this ordinance or until
26 the effective date of the Tahoma/Raven Heights Community Plan
27 revision and area zoning, whichever comes first.

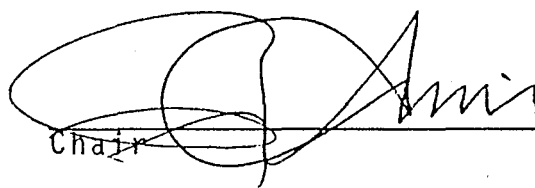
28 SECTION 3. Those properties rezoned to AR-5 as a result of
29 this ordinance shall be eligible for participation in any future
30 development rights plan adopted by the county should the interim
31 zoning extend beyond the eighteen months.
32
33

1 SECTION 4. The county council finds and declares that an
2 emergency exists and that this ordinance is necessary for the
3 immediate preservation of public peace, health or safety or for
4 the support of county government and its existing public
5 instruction.

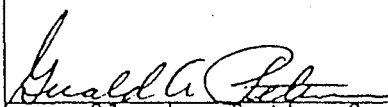
6 INTRODUCED AND READ for the first time this 10th day
7 of July, 1989.

8 PASSED this 13th day of July, 1989.

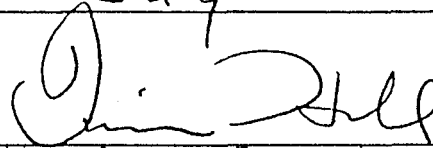
9 KING COUNTY COUNCIL
10 KING COUNTY, WASHINGTON

11 
12 Chair

13 ATTEST:

14 
15 DEPUTY Clerk of the Council

16 APPROVED this 21st day of July, 1989.

17 
18 King County Executive

RESOURCE AREA CRITERIA

Resource areas are basins or sub-basins that are considered important to the viability of salmonid populations as biological, cultural and economic resources.

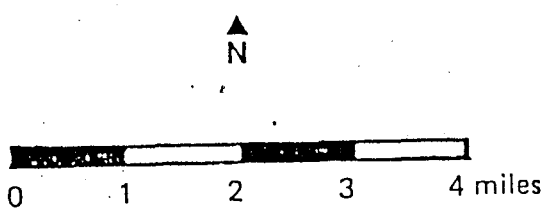
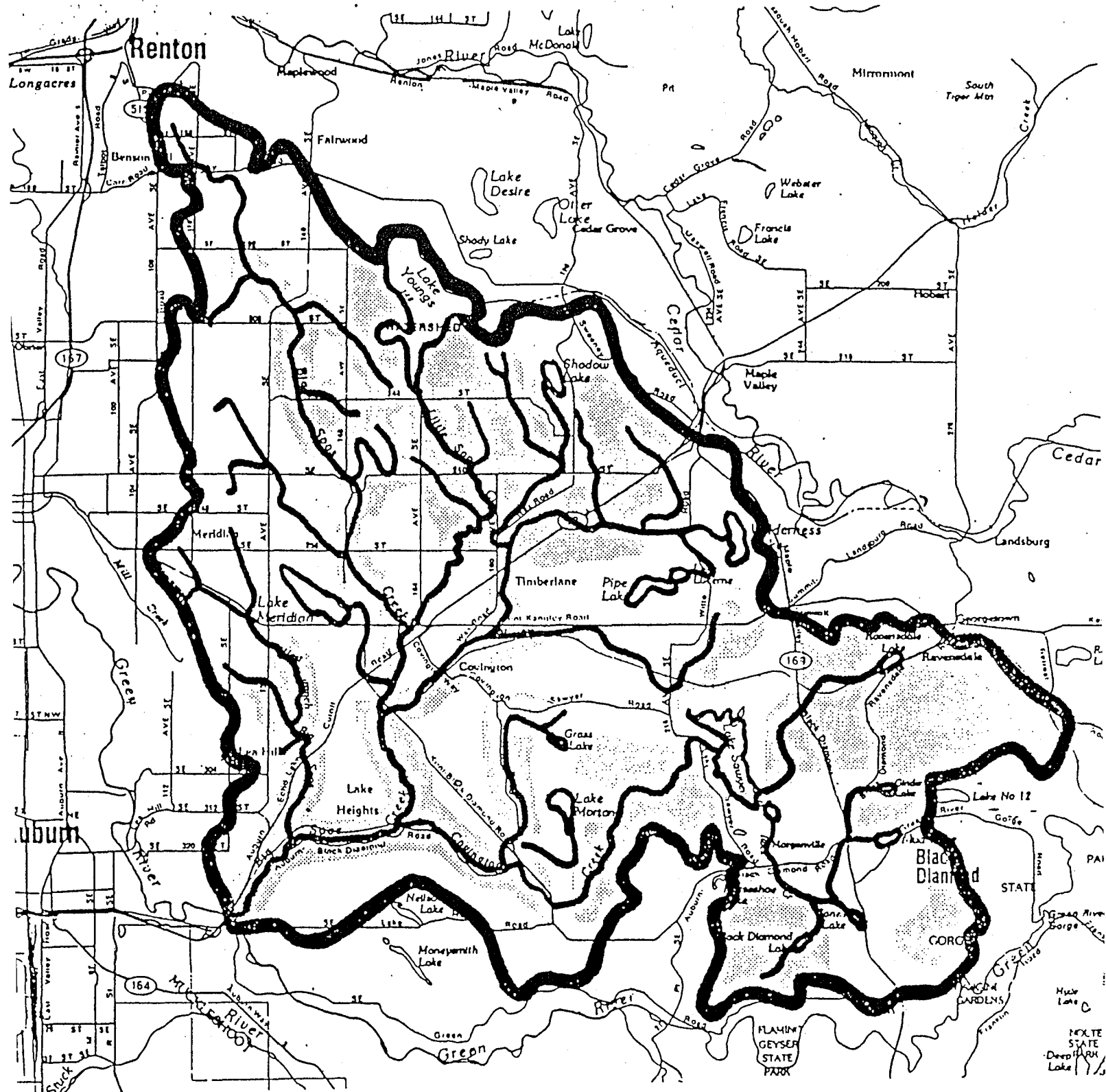
Regionally Significant Resource Areas contribute to the resource base of the Lower Puget Sound Region by virtue of exceptional species and habitat diversity and abundance when compared to basins of similar size and structure throughout the region.




These basic criteria are used to define such areas:

1. Watershed structure and function, as measured by stream/wetland loss and alteration, functional characteristics, riparian corridor integrity and natural flow regimes, are not appreciably altered from historic conditions.
2. Habitat diversity and abundance, as measured by various elements such as pool:riffle ratio, gradient, substrate conditions, large woody debris and channel stability, are evenly dispersed throughout the basin and are of consistently high quality when compared to other basins in the region. This diversity serves various species and life stages.
3. Salmonid diversity and abundance, as measured by species composition, life stage and populations, are at or near historic levels and provide a demonstrated contribution to the regional fishery resource; or the area supports endangered, threatened or sensitive species, or a species of interest to King County or other resource management agency or tribe.

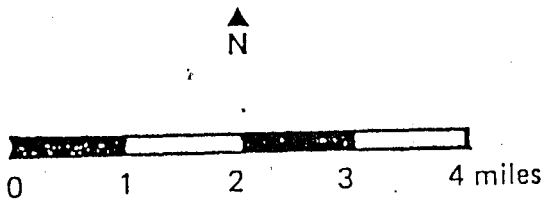
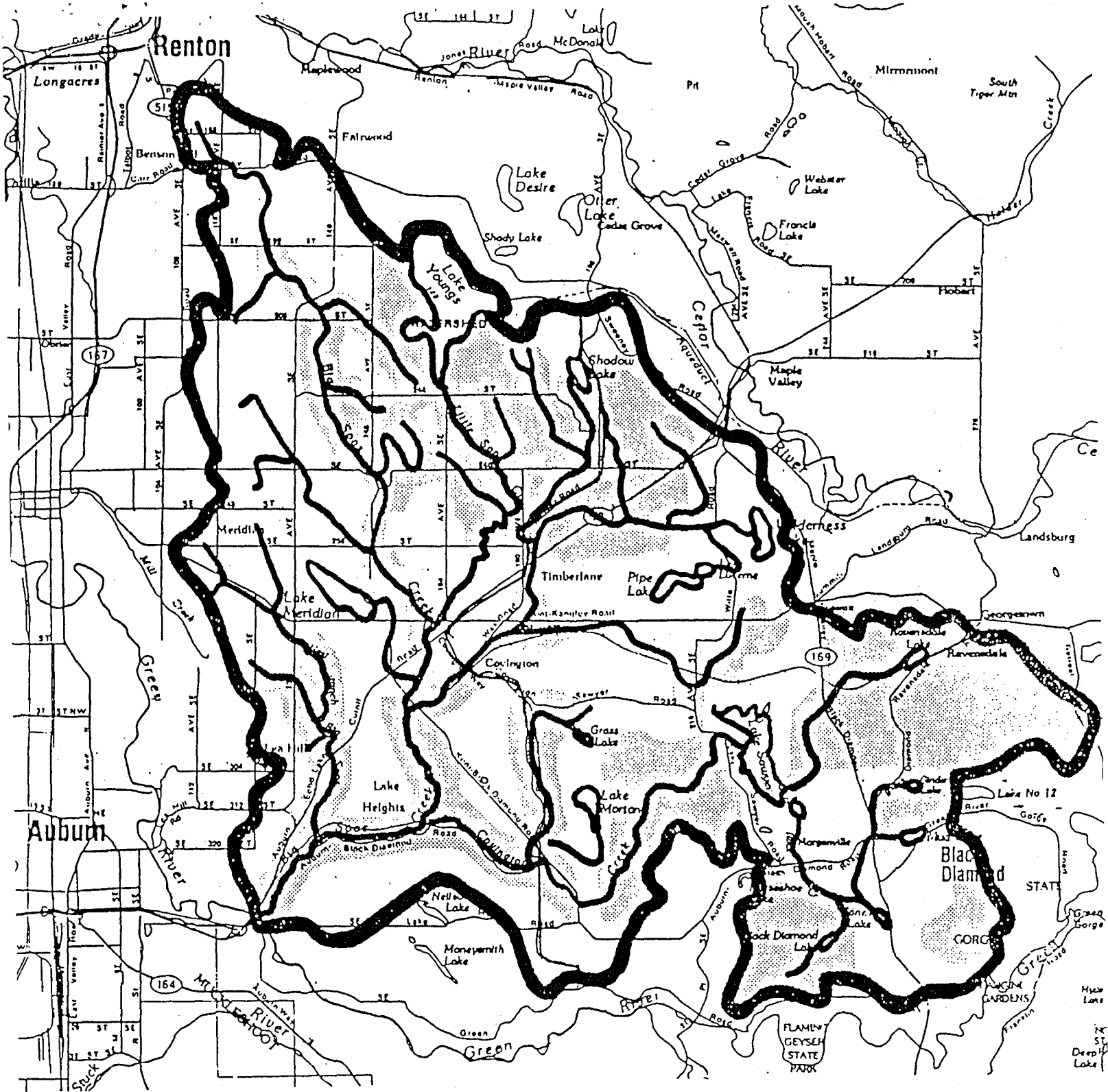
Locally Significant Resource Areas contribute to the resource base, particularly for resident salmonids, within the basin and provide transport and rearing zones for anadromous salmonids on their way to RSRAs. They provide habitat and salmonid diversity and abundance which is important within the basin but is not considered to be of regional significance by resource agencies or tribal authorities.




1. Watershed structure and function have been altered by clearing, stream and wetland loss, but riparian corridors remain intact and flow conditions are adequate for spawning/rearing and are not contributing to habitat instability.
2. Habitat diversity and abundance are considered good as measured by pool:riffle ratio, gradient, substrate, etc. (but generally not exceptional) throughout the sub-basin and show few signs of instability. These areas may be successfully enhanced by various methods.
3. Salmonid diversity and abundance is lower than in RSRAs but still support one or more species or life stages at population levels considered low but stable.



-  Area covered by Interim Ordinance*
-  Soos Creek Basin boundary
-  Major streams and lakes

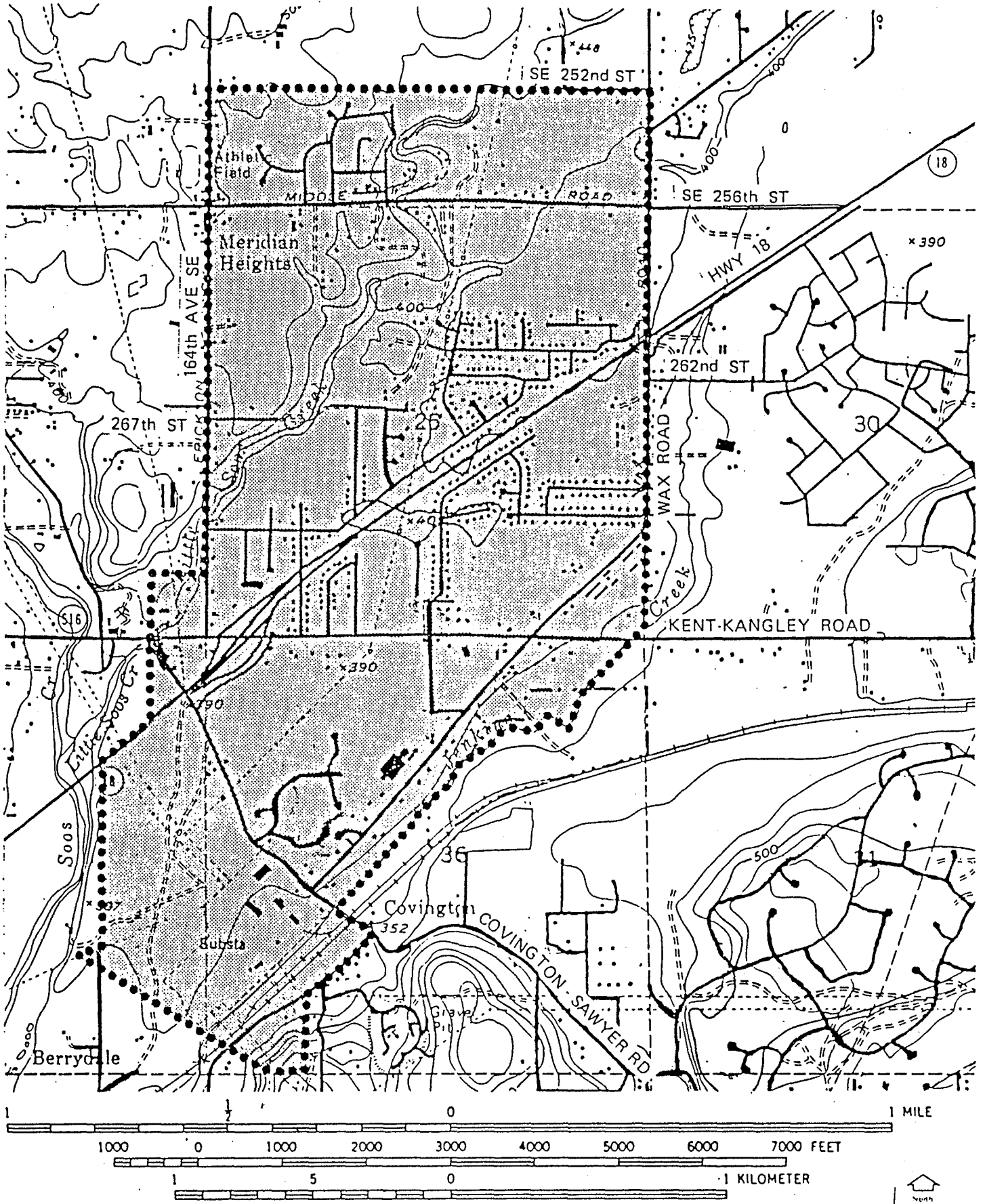
*Note: Approximately 4,500 acres are currently zoned for higher densities.



-  Area covered by Interim Ordinance*
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COVINGTON MASTER DRAINAGE PLANNING AREA



ATTACHMENT C

THE NEED FOR INTERIM ZONING

IN THE

SOOS CREEK BASIN,

KING COUNTY

July 6, 1989

Prepared By:

Surface Water Management Division

King County Department of Public Works

And

Planning and Community Development Division

King County Department of Parks, Planning and Resources

INTRODUCTION

On July 6, 1989, the King County Executive proposed interim zoning regulations in the Soos Creek Basin to protect valuable fisheries habitat. The purpose of this paper is to explain the need for interim zoning.

The Soos Creek Basin lies in southeast King County, north and east of the Green River and east of the Cities of Kent and Auburn. The Basin consists of mainstem Big Soos Creek plus some 25 tributaries of which Covington and Jenkins Creeks are the major tributaries. There are over 60 linear miles of streams which drain approximately 70 square miles (44,800 acres). Wetlands are also very extensive in the Soos Creek Basin, covering over 2000 acres in more than 225 individual wetlands.

SOOS CREEK BASIN FISHERIES RESOURCES

Over several thousand years the streams, wetlands, lakes and forests of the Soos Creek Basin have come to support a diverse and abundant flora and fauna. Of particular importance are the species of resident and anadromous salmonids that inhabit the waters of the Soos Creek Basin and contribute a substantial portion to the Green River fishery. Fall and spring chinook, coho and chum salmon, sea-run and resident cut-throat trout, rainbow trout and its anadromous form, steelhead, all contribute to the Green River sport and commercial fishery valued at approximately \$19 million annually. The Washington State Department of Fisheries operates one of two salmon hatcheries in King County on the mainstem of Soos Creek. The Soos Creek system contains spawning and rearing habitat that ranks among the most diverse and abundant in the County, contributes more than 50 percent of Green River fishery. Reduction and loss of the Soos Creek resource would significantly depress the Green River fishery and affect commercial interests (both American and Canadian), tribal fisheries, and sport fisheries in Puget Sound.

The fishery produced by the Soos Creek Basin is imperiled. Based upon current trends and anticipated future conditions, urbanization and the effects associated with urban densities present an imminent threat to the continued viability of the resource. The production at the fish hatchery is less than 70 percent of its capacity due to silt from the stream clogging the rearing ponds, and the spawning and rearing habitat upstream is being destroyed at an unprecedented rate.

DEVELOPMENT IN THE SOOS CREEK BASIN

The Soos Creek Basin covers portions of two community land use planning areas, Soos Creek and Tahoma Raven Heights. The 1985 King County Comprehensive Plan designates most of the Big Soos Creek area for urban development as well as 65 percent of the Covington Creek and 50 percent of Jenkins Creek areas. The Soos Creek Planning Area had an estimated population of over 87,000 in 1988 and is expected to grow to over 130,000 by the year 2000. This planning area is the second fastest growing area in King County.

People are attracted to the Soos Creek area by the current rural setting, its proximity to the Green River Valley Cities and their employment bases, and the availability of housing. Current zoning allows for development densities in many areas from one unit per acre to six units per acre. The urbanization that has occurred and is projected affects the quality of the natural environment. A number of large scale negative effects on the Soos Creek Basin have been observed and more are anticipated. Streams in the western developed part of the Basin have experienced enormous adverse impacts. Peak flows in Soosette Creek, a tributary to Soos Creek, expected to occur only once in 500 years are now predicted in some cases to occur once every five years. Stream disruption from road crossings and culverts, bank stabilization, and removal of streamside vegetation have all contributed to a measurable decline in fish production in the Western part of the Soos Creek Basin.

SOOS CREEK BASIN PLAN FINDINGS

In response to the significant natural resources in the Soos Creek Basin and the expected development pressure, King County initiated a comprehensive basin planning effort in March, 1987. The basin plan was to look at current conditions of the stream system and project conditions resulting from planned growth. Following this analysis the plan was to use a range of techniques, from drainage and sensitive area regulations to capital projects and land use changes, to solve or reduce existing and future problems.

From the analysis of current conditions, the professional and technical staff working on the plan found areas of stream habitat and fishery production, mostly in the eastern part of the Basin, that is some of the most productive for its size in the County, equalled only in Bear and Issaquah Creeks which are of comparable size. Other stream reaches predominantly in the western part of the Basin, exhibited degradation from development that had largely compromised the productive capability of the stream and its habitat for salmonid usage. Based upon these findings, specific stream reaches were ranked into three categories: regionally significant, locally significant, and low concern (see attachment A).

Another significant finding from the work on the basin plan is the inability of technical solutions, either structural or non-structural, to protect the regionally and locally significant resource areas from degradation with existing zoned densities and projected urbanization. The effect of the transition from rural development to urban, resulting in the replacement of forests with buildings, is too great to control with known techniques and guarantee protection of the fishery resource.

RECOMMENDED INTERIM ZONING

Based on these findings, interim zoning is recommended to hold or reduce the existing density of development in specific areas of the Basin to one unit per five acres or less. These areas include a corridor one-quarter mile wide on both sides of the stream where it is designated as locally significant, and the entire sub-basin where the drainage area is tributary to a stream reach designated as regionally significant. The interim density zoning will reduce allowable densities on approximately 4500 acres. The overall area covered by the interim zoning consists of approximately 15,000 acres of which 70 percent is already zoned for densities of one unit per five acres or less. There are over 125,000 acres in the two Community Planning Areas.

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The Need for Interim Zoning
in the Soos Creek Basin
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Some localized areas which fall within the area designated for interim zoning have been excluded because of: existing development and approved subdivisions at higher densities, previous commitments to urban services and/or the area was surrounded by existing development of higher densities. One area of particular concern, known as the Covington Center (along Kent Kangley Road and east of Highway 19), is excluded from the low density proposal but prior to additional issuance of permits and subdivision approvals, a master drainage plan will be required.

The proposed controls are to serve on an interim basis until completion of the Soos Creek Basin Plan and updates have been adopted for the Soos Creek and the Tahoma Raven Heights Community Plans. They are emergency measures necessary to protect the fishery of the Soos Creek Basin until a more thorough analysis and public review process is completed which will decide the ultimate future of the fishery and development in the community. Attachment B shows the areas affected by the interim controls.

The provision of urban services and utility infrastructure to serve the expected growth in the Soos Creek area is one of the primary responsibilities of King County. No less important is the need to conserve and protect significant stream and natural resource systems which enhance the quality of life in King County. We must remember that one of the pre-eminent attractions of King County is its natural environmental wonders, of which the continued return of salmon to our streams is at the top of the list. We must allow growth to prosper but we need to balance it with protection of our environment. The proposed interim zoning for Soos Creek allows us time to make wise decisions for the future in both these regards.