

January 7, 1991
2:50 pm

Introduced by: Bruce Lainq

Proposed No.: 90-1001

ORDINANCE NO. **9772**

An Ordinance extending the interim zoning for the portion of the Soos Creek and Tahoma/Raven Heights Community Planning Areas in the Soos Creek Basin Planning Area; amending Ordinance 9044 as amended; and amending K.C.C. 20.12.420.

PREAMBLE

For the purpose of effective land use planning and regulation, the King County Council 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 and attached to Ordinance 9044 as Attachment, and the findings in Ordinance 9044. In addition, the Council finds that:

1. The Soos Creek and Tahoma/Raven Heights community planning areas include the Soos Creek Basin. The Soos Creek Basin encompasses the Soos, Jenkins and Covington Creek Basins. The Executive Proposed Soos Creek Basin Plan was transmitted to the Council in July, 1990. The Council will begin review of the proposed Basin Plan in January, 1991. The Soos Creek Community Plan and Area Zoning Update will be transmitted to the Council in Spring 1991 for Council action by December 31, 1991; and the Tahoma/Raven Heights Community Plan and Area Zoning Revision will be transmitted in Summer, 1991 for Council action by December 31, 1991.

The Soos Creek Plan Update and the Tahoma/Raven Heights Plan revision will address land use planning and zoning. As reflected in Ordinance 9044, as amended, the Soos Creek Basin is a valuable aquatic and fisheries resource. The concern for protection of the fisheries resources identified by the Soos Creek Basin Plan and recommended zoning to implement the policies of the Basin Plan will be one of the primary elements considered during the Soos Creek Plan Update and the Tahoma/Raven Heights Revision process in planning for and zoning in these two areas.

On July 13, 1989 the King County Council adopted interim zoning for those portions of the Soos Creek and Tahoma/Raven Heights planning areas included in the Soos Creek Basin planning area, as amended. Interim zoning in these community planning areas will expire January 13, 1991.

2. In 1990, the Planning and Community Development Division made substantial progress working on the Soos Creek Community Plan and Area Zoning Update. The community plan concept and draft plan policies have been completed and reviewed with a citizen advisory committee; supplemental studies for the Covington Activity Center were completed; preliminary urban growth areas are being negotiated with adjoining jurisdictions; coordination with the Kent and Tahoma School Districts regarding cumulative impacts of planned growth on schools is occurring; work on the Environmental Impact Statement has begun; and public workshops on the plan concept are beginning.

On July 1, 1990 State legislation on growth management (S.H.B. 2929), which passed March 9, 1990, became effective. The State legislation had an immediate impact on the original timeline of the Soos Creek Community Plan and Area Zoning Update. S.H.B. 2929 requires greater coordination with adjoining jurisdictions, the cities of Auburn, Kent, and Renton regarding urban growth boundaries, development standards, and phasing of growth.

The provisions of S.H.B. 2929 also require the County to minimize incompatible land uses at Urban and Rural area

1 boundaries; to establish growth phasing provisions to match
2 development with adequate level of services (schools, roads,
3 transit, water); to improve quality of urban development; to
4 establish a network of open space as urban separators; and to
5 designate and regulate for the purpose of protection, critical
6 areas, specifically critical recharge areas, aquifers, fish and
7 wildlife conservation areas, flood areas, and resource lands.

8 S.H.B. 2929 will require the same new scope of work for the
9 Tahoma/Raven Heights Plan and Area Zoning Revision, including
10 greater coordination with the adjoining jurisdictions, Black
11 Diamond and Issaquah. The Executive Proposed Tahoma/Raven
12 Heights Community Plan Revision will commence in 1991.

13 The proposed Soos Creek Basin Plan, transmitted to Council
14 July, 1990 for action, recommends a combination of approaches
15 to protect the Soos Creek system from surface water, which
16 includes sewers, infiltration and zoning. The findings of the
17 proposed Basin Plan indicate urban density development in the
18 drainage basin of the Soos Creek system as allowed under the
19 zoning effective prior to the adoption of interim zoning,
20 Ordinance 9044, will cause serious degradation of the system
21 environment and fisheries resource. The Basin Plan recommends
22 one unit per five acre zoning (AR-5) in areas adjacent to
23 streams, some of which are presently zoned for higher
24 densities.

25 3. The extension of interim zoning, pending adoption of the
26 Soos Creek Community Plan Update and the Tahoma/Raven Heights
27 Plan Revision, is necessary so that King County has the
28 opportunity to effectively consider changing the zoning in
29 those portions of the community planning areas in the Soos
30 Creek Basin. Without interim zoning, King County's ability to
31 consider and then to implement the recommendations in the Soos
32 Creek Basin Plan through the Soos Creek and Tahoma/Raven
33 Heights community planning and area zoning process will be
34 seriously compromised.

35 King County's experience has been that without interim
36 zoning and by the time of adoption of a proposed community plan
37 and area zoning, planning options are precluded because of
38 development occurring under existing zoning. For example, the
39 Bear Creek Community Plan and Area Zoning was transmitted by
40 the Executive August 1987, and adopted by the Council January
41 1989. Between August 1987 and January 1989, development
42 applications for 1100 lots on 1500 acres were submitted under
43 the existing urban zoning, not the proposed rural zoning. The
44 zoning adopted by the Council was primarily rural. King County
45 was not able to effectuate this zoning because of the
46 development that occurred under the previous urban zone.

47 The County's opportunity to consider land use and zoning
48 options to establish low-density zoning to protect stream
49 corridors, to establish urban separators, to exercise growth
50 phasing to discourage development until facilities and services
51 are available, will be foreclosed.

52 4. Based on King County's experience administering the interim
53 zoning adopted by Ordinance 9044 as amended, during 1990, the
54 following modifications to the provisions and application of
55 the interim zoning are made:

56 A. Within the portion of the Tahoma/Raven Heights planning
57 area affected by Ordinance 9044 are nonresidential areas
58 designated as natural resource lands by the Tahoma/Raven
59 Heights Community Plan. Within these natural resource lands,
60 the Forest-Recreation (F-R) and Quarry and Mining (Q-M) zone
61 classifications as currently applied and administered by King
62 County preclude urban density residential development;
63 therefore, the AR-5 interim zoning adopted for these areas by
64 Ordinance 9044 is unnecessary and is repealed;

65 B(i). Within a portion of the Tahoma/Raven Heights
66 planning area affected by Ordinance 9044 a technical correction
67 is necessary to correct the division numbers, previously

1 misnumbered, for the proposed preliminary plat of Elk Run
2 Division 3 and 4 and thereby excluding it from interim zoning
3 adopted by Ordinance 9044.

4 (ii). Based on location outside of the one-quarter mile
5 stream corridor, the properties neighboring Elk Run,
6 specifically located in NE 1/4 of the SE 1/4 of section 33,
7 township 22 range 06, are excluded from interim zoning;

8 C. The Surface Water Management (SWM) Division is
9 preparing a Master Drainage Plan (MDP) for Covington Center.
10 It is anticipated to be completed by May 1991. Pending
11 adoption of the MDP, applications for development may proceed
12 in the MDP area, and applicants allowed to submit a site-
13 specific drainage plan to mitigate development for review by
14 SWM;

15 D. ULID 72-S forms reasonable boundaries for Covington
16 Center, all lands served by the ULID are excluded from AR-5
17 zoning and are subject to the P-Suffix conditions related to
18 drainage described in this ordinance; and

19 E. Section 3 of Ordinance 9044 as amended is deleted until
20 or unless a future development rights plan is adopted by the
21 Council.

22
23 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24 SECTION 1. Ordinance 9044, Sections 1 through 3, as
25 amended, and K.C.C. 20.12.420, is hereby amended to read as
26 follows:

27 A. The findings set forth in Ordinance 9044 as amended,
28 including the report entitled The Need for Interim Zoning in
29 the Soos Creek Basin and the findings of this ordinance,
30 establish the need for extending the interim zoning for those
31 portions of the Soos Creek and Tahoma/Raven Heights community
32 planning areas in the Soos Creek Basin, in order that King
33 County can have the opportunity to effectively review and
34 consider changing the zoning in many of those areas from urban
35 or transitional to rural.

36 ((A))B. Zoning.

37 1. The properties shown on the official map, labeled Soos
38 Creek Basin Plan Interim Zoning, and represented by Attachment
39 A as amended by this ordinance are hereby rezoned to AR-5 with
40 the ((exception of)) following exceptions: (a) the interim
41 zoning for those properties within the Tahoma/Raven Heights
42 Plan area which are designated as resource lands by the
43 Community Plan and have pre-existing Forest-Resource (F-r) or
44 Quarrying and Mining (Q-M or Q-M-P) zoning, as shown on the map
45 represented by Attachments 2A through 2K to this ordinance; for
46 these properties, the interim zoning is hereby repealed and the

1 pre-existing F-R, Q-M and Q-M-P zoning reinstated; (b) the
2 proposed preliminary plat of Elk Run Division ((2-and)) 3 and 4
3 submitted October 9, 1989. This proposed preliminary plat is
4 hereby reinstated to the zoning classification in effect on
5 said site as of July 20, 1989; (c) properties located in the NE
6 1/4 of the SE 1/4 of section 33, township 22, range 06; (d)
7 subdivisions approved on or before the effective date of this
8 ordinance that create lots approved for sewer service; (e) an
9 area known as Covington Center shown on Attachment B, as
10 amended by the addition of the area served by ULID 72-S and
11 represented by Attachment 1 to this ordinance because of the
12 existing development pattern, its proximity to the stream
13 system, and its designation by the Comprehensive Plan as an
14 Urban Center; and (f) that portion of the North Half of the
15 South Half of the Southwest Quarter of the Northeast Quarter of
16 Section 4, Township 22 N, Range 5 E.W.M. lying west of the
17 centerline of the Bonneville Transmission Line easement (Tax
18 lots 143, 145, 154, 155, 156, portions of tax lot 144 and 76).

19 Notwithstanding the application of the interim AR-5 zone,
20 church uses are not prohibited in existing buildings with or
21 without remodeling, provided that any new parking facilities
22 meet all surface water management requirements.

23 2. ~~((An area known as Covington Center, shown on Attachment~~
24 ~~B, is excluded from the interim zone change to AR-5 because of~~
25 ~~the existing development pattern, its proximity to the stream~~
26 ~~system, and its designation by the Comprehensive Plan as an~~
27 ~~Urban Center. However, f)) Further degradation of the fishery~~
28 found in the Soos Creek Basin will occur unless additional
29 controls are applied to existing and future development in
30 Covington Center. The following P-suffix conditions shall be
31 applied to the area known as the Covington Center. King County
32 surface water management division will complete in May 1991 a
33 master drainage plan which will address mitigation of the
34 cumulative impacts to fisheries resources from development in
35 the Covington Center. In advance of the MDP, applicants shall

1 submit for approval to the surface water management division a
 2 site-specific drainage plan which mitigates the project and
 3 cumulative impacts of the development pursuant to the 1990
 4 Drainage Manual standards.

5 ~~3. ((The following P suffix shall apply to these~~
 6 ~~properties. There shall be the following minimum native growth~~
 7 ~~easement buffers on both sides from the centerline of the~~
 8 ~~stream: 150 feet for Type I streams used by salmonids; 100~~
 9 ~~feet for other Type I streams and Type II streams used by~~
 10 ~~salmonids; 100 feet for other Type I streams and Type II~~
 11 ~~streams used by salmonids; 50 feet for other Type II streams;~~
 12 ~~25 feet for Type III streams.))~~

13 C. Timeframe of interim zoning:

14 1. The interim zoning set forth in subsection ((A)) B shall
 15 be in effect in the Soos Creek Community Planning Area ((~~for~~
 16 ~~eighteen months (until 1/31/91))~~) until January 1, 1992 ((~~from~~
 17 ~~the effective date of this section)~~) or until the effective
 18 date of the Soos Creek Community Plan revision and area zoning,
 19 ((~~whichever comes first~~)) if it is sooner. The Soos Creek
 20 Community Plan and Area Zoning and draft environmental impact
 21 statement shall be transmitted to the King County Council by
 22 May 31, 1991.

23 2. The interim zoning set forth in subsection ((A)) B shall
 24 be in effect in the Tahoma/Raven Heights Community Planning
 25 area ((~~for eighteen months (until 1/31/91))~~) until January 1,
 26 1992 ((~~from the effective date of this section)~~) or until the
 27 effective date of the Tahoma/Raven Heights Community Plan and
 28 area zoning revision, ((~~whichever comes first~~)) if it is
 29 sooner. The Tahoma/Raven Heights Community Plan and Area
 30 Zoning Revision and environmental documents shall be
 31 transmitted to the Council by August 1, 1991.

32 ((~~C. These properties rezoned to AR-5-P as a result of~~
 33 ~~this section shall be eligible for participation in any future~~

1 ~~development rights plan adopted by the county should be interim~~
2 ~~zoning extend beyond the eighteen months)).~~

3 NEW SECTION. SECTION 2. In the event the King County
4 Executive fails to transmit the Soos Creek Community Plan and
5 Area Zoning and DEIS and the Tahoma/Raven Heights Revision and
6 environmental documents by the dates set forth in this
7 ordinance, the interim controls shall expire for the Soos Creek
8 Community Planning area on May 31, 1991 and for Tahoma/Raven
9 Heights Community Planning area on August 1, 1991.

10 NEW SECTION. SECTION 3. Notwithstanding the application
11 of the interim AR-5 zoning or the P-suffix conditions contained
12 in this ordinance, the following property is exempt from the
13 conditions of this ordinance and shall be granted a building
14 permit for a single family dwelling.

15 The west 350 feet of the East 1,056 feet of the NE 1/4 of
16 the SE 1/4 of Section 24, T22N, R5E, W.M., in King County,
17 Washington. Less the North 10 acres and the South 660 feet of
18 said East 1,056 feet. Together with an easement for road and
19 utilities over the North 30 feet of the South 45 feet of the
20 West 1,026 feet of the East 1,056 feet of said subdivision, and
21 over the west 20 feet of the East 1,056 feet of the North 615
22 feet of the South 660 feet of said subdivision.

23 NEW SECTION. SECTION 4. The King County Council
24 recognizes that there may be some properties that exist within
25 the Soos Creek Interim Zoning Area that constitute special
26 circumstances that are not now recognized by the council. The
27 council hereby directs the Building and Land Development
28 Division, the Planning and Community Development Division, and

1 the Surface Water Management Division to treat these properties
2 in a way consistent with the treatment accorded other similar
3 properties addressed elsewhere in this ordinance.

4 INTRODUCED AND READ this 3rd day of December,
5 1990.

6 PASSED this 7th day of January, 1991.

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

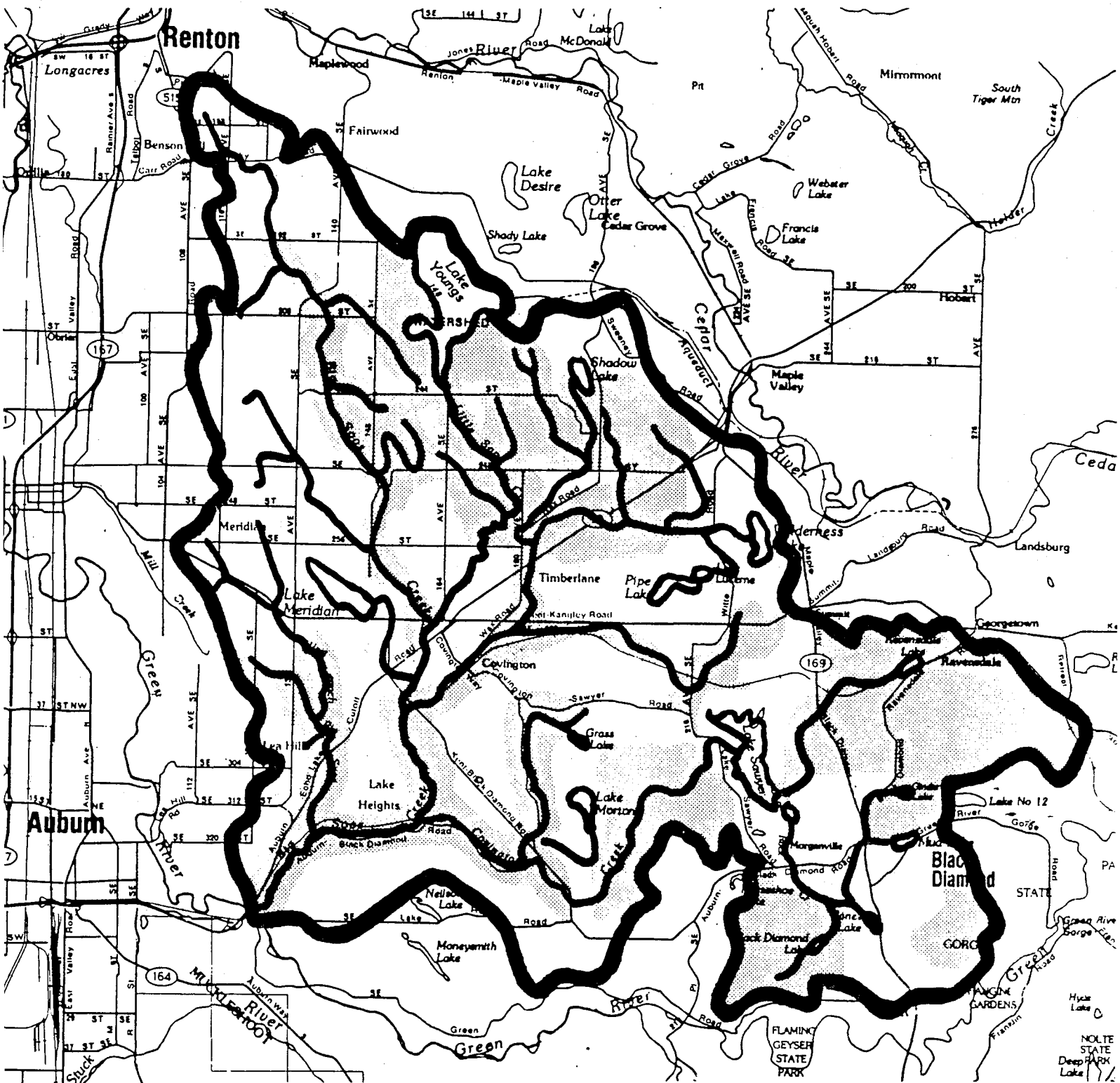
9 Lois North
10 Chair




11 ATTEST:

12 Gerald A. Peterson
13 Clerk of the Council
14

APPROVED this 7th day of January, 1991.

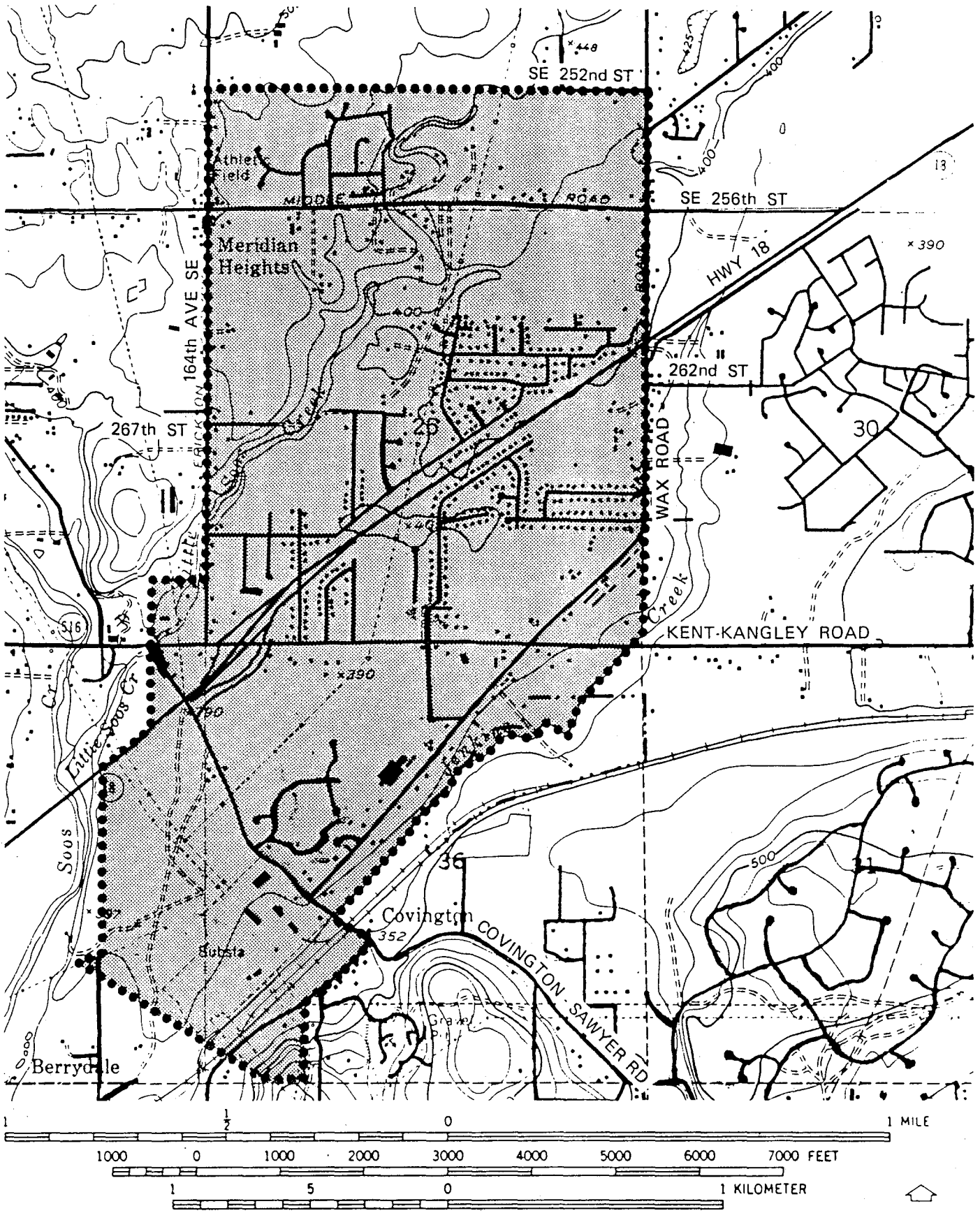
15 Jim Hill
King County Executive

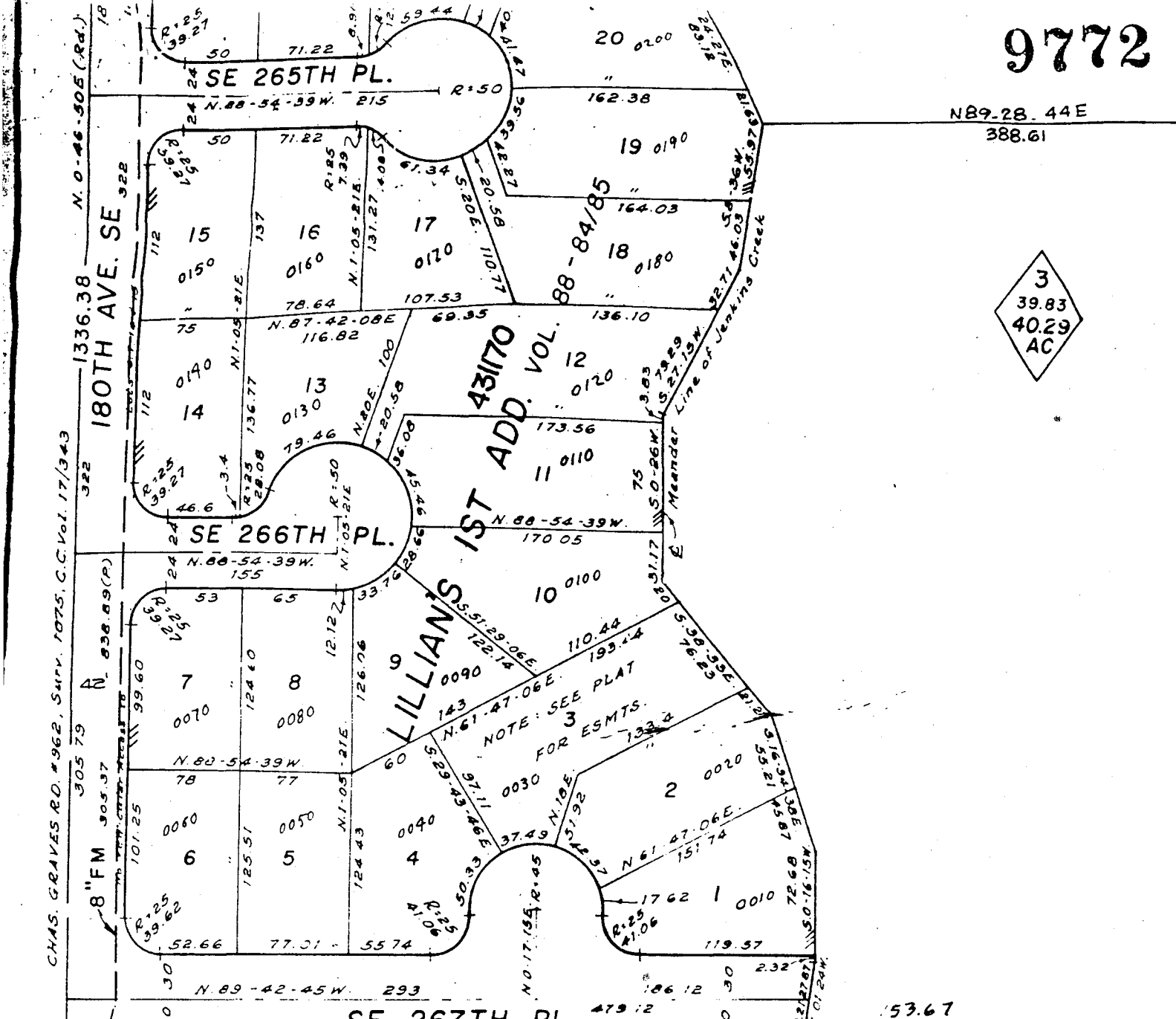


-  Area covered by Interim Ordinance*
-  Soos Creek Basin boundary
-  Major streams and lakes

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

COVINGTON PORTION OF URBAN ACTIVITY CENTER





3
39.83
40.29
AC

CHAS. GRAVES RD. #962, SURV. 1075, C.C. Vol. 17/343

8" FM 305.79 305.97 306.89 (P)

T.L. 9032
RUEGG
N.A.
N.A.
N.A.
\$10,648.61
\$600.00
(\$1,500.00)

\$9,748.61

T.L. 9026
RUEGG
N.A.
N.A.
N.A.
N.A.
\$2,333.51
N.A.
N.A.

\$2,333.51

1.82 Ac.
(26)
11657
166.86 ±
N01-00-31E 166.86

U.L.I.D. 72-S BOUNDARY

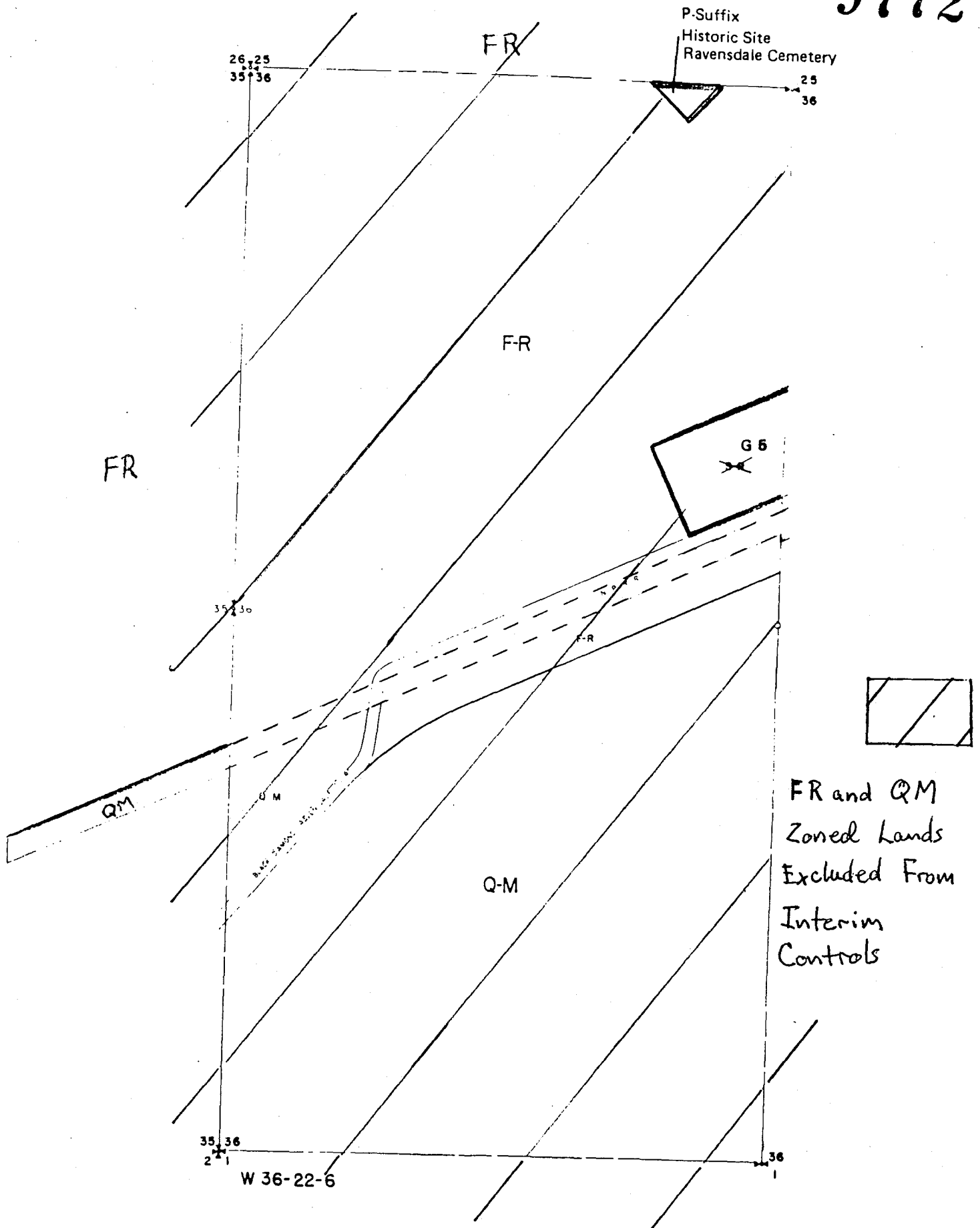
T.L. 9014
JONES
N.A.
\$12,004.64
N.A.
N.A.
\$600.00
N.A.

\$12,604.64

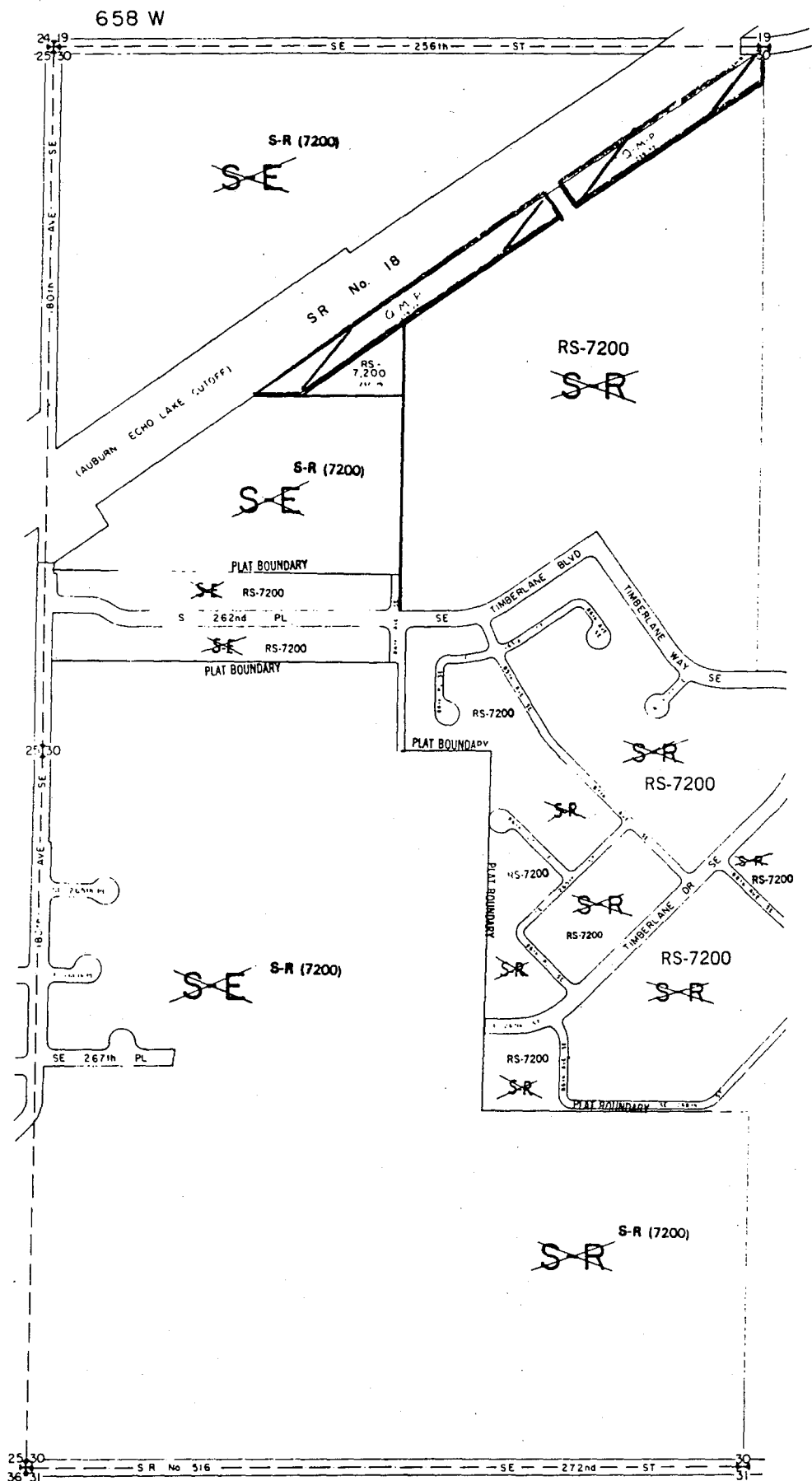
U.L.I.D. 72-S LEGEND

- T.L. #####
- NAME
- COMMERCIAL
- RESIDENTIAL
- BPA IMPACTED
- MIXED USE
- STUB SERVICE
- ADJUSTMENT
-
- TOTAL

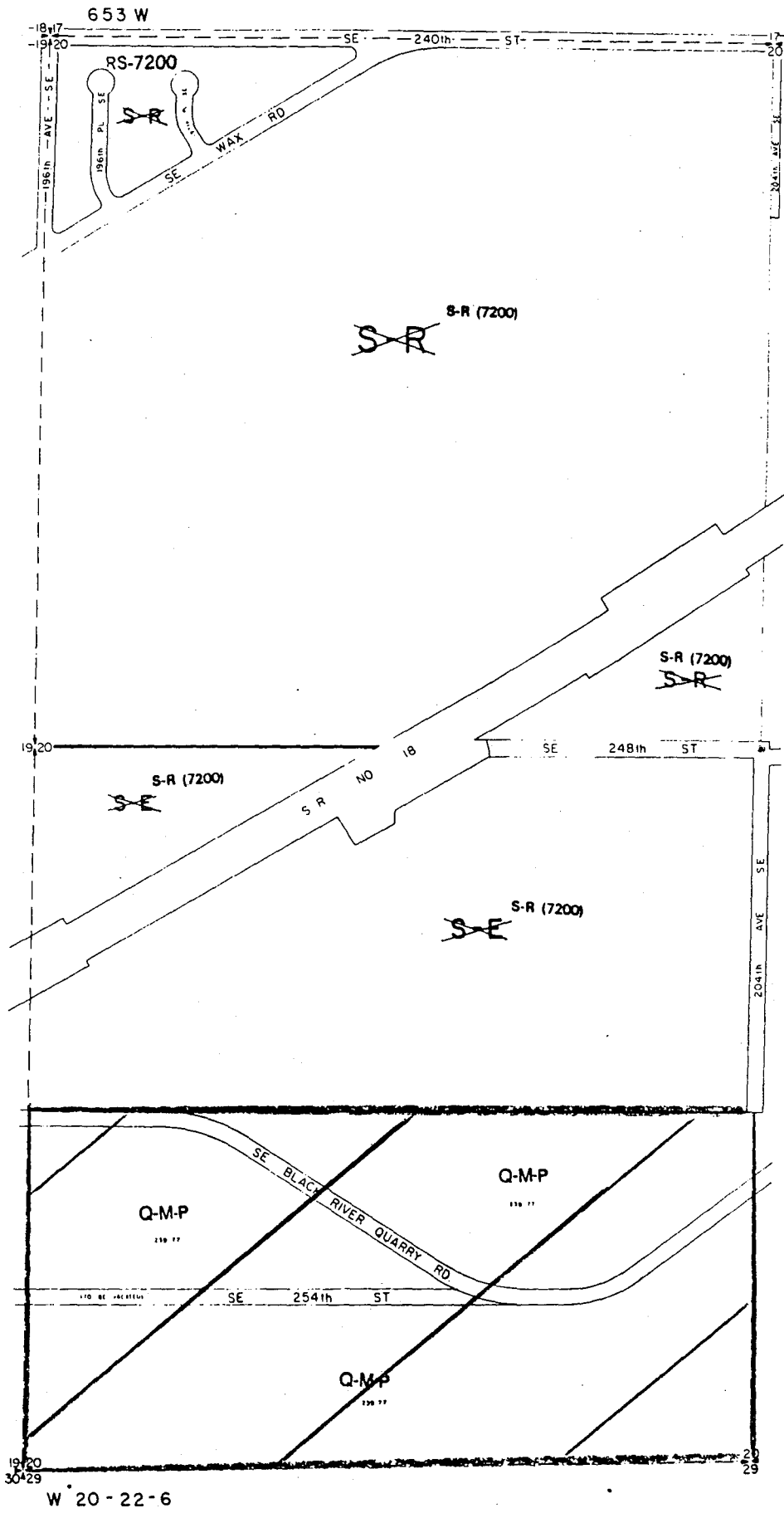
NOTE: N.A. = NOT ASSESSED

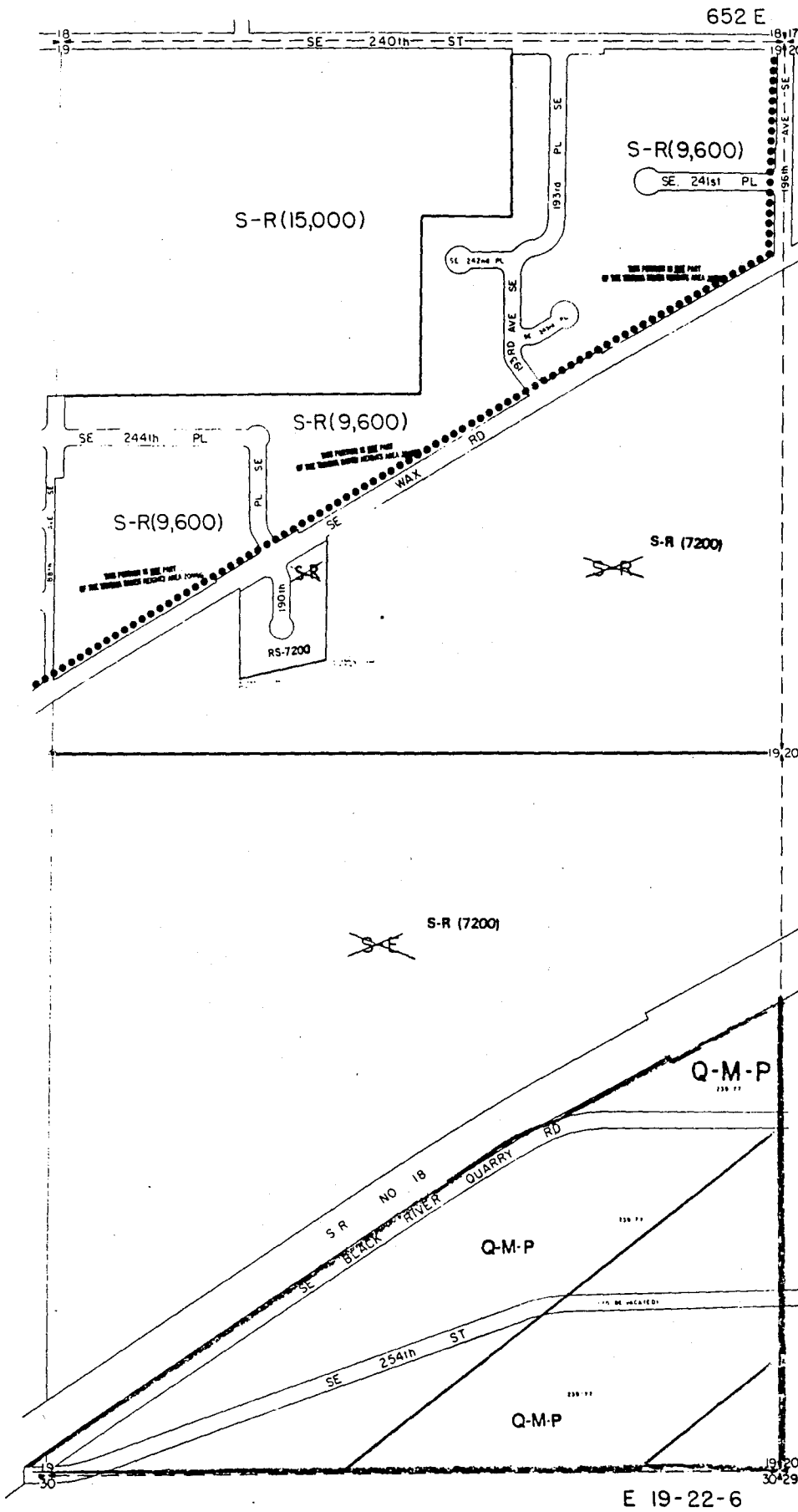


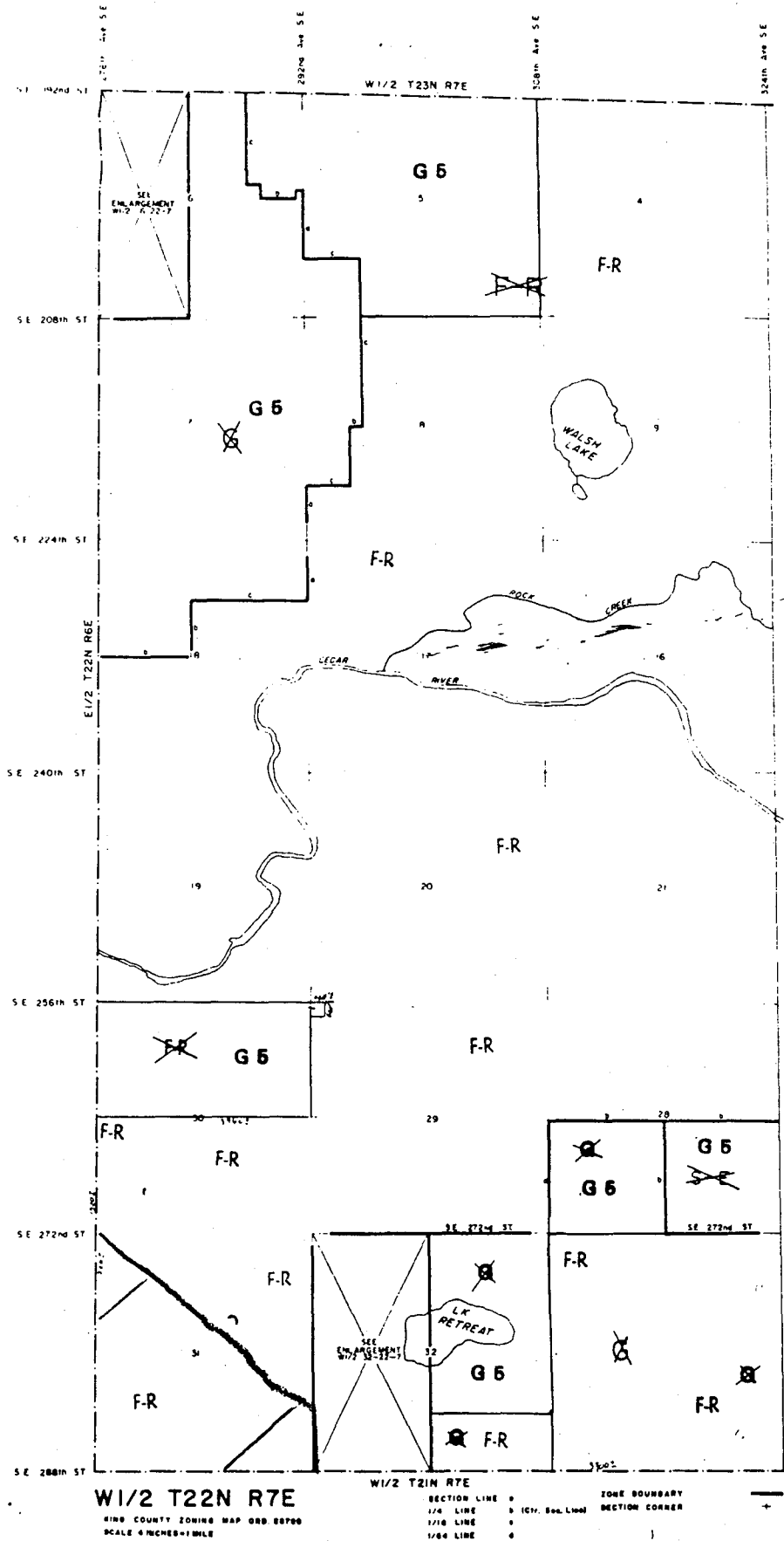
Boundaries shown are not to scale, and are for representational purposes only. Please refer to the official zoning maps at Building and Land Development, 3600 136th Place Southeast, Bellevue.

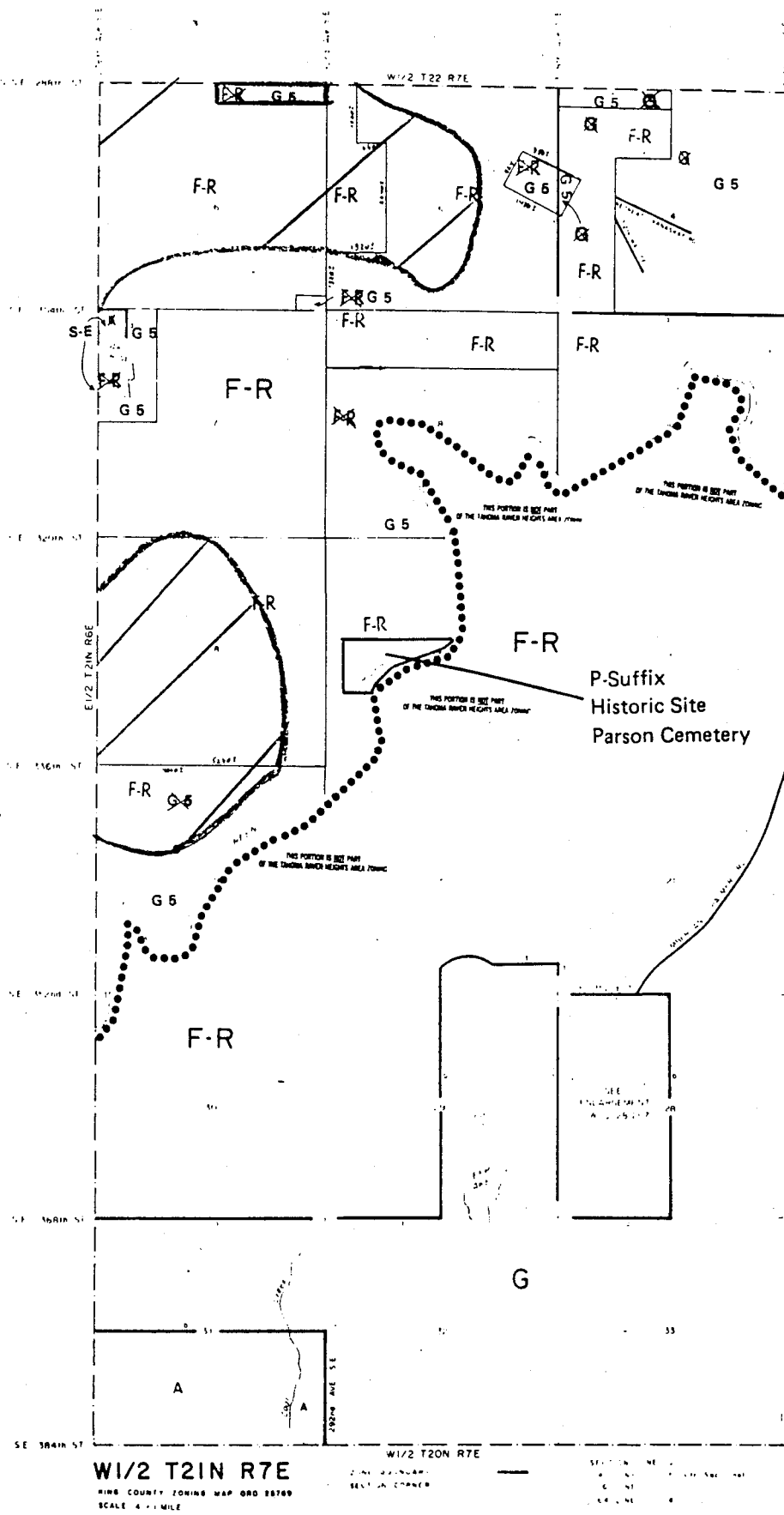


W 30-22-6



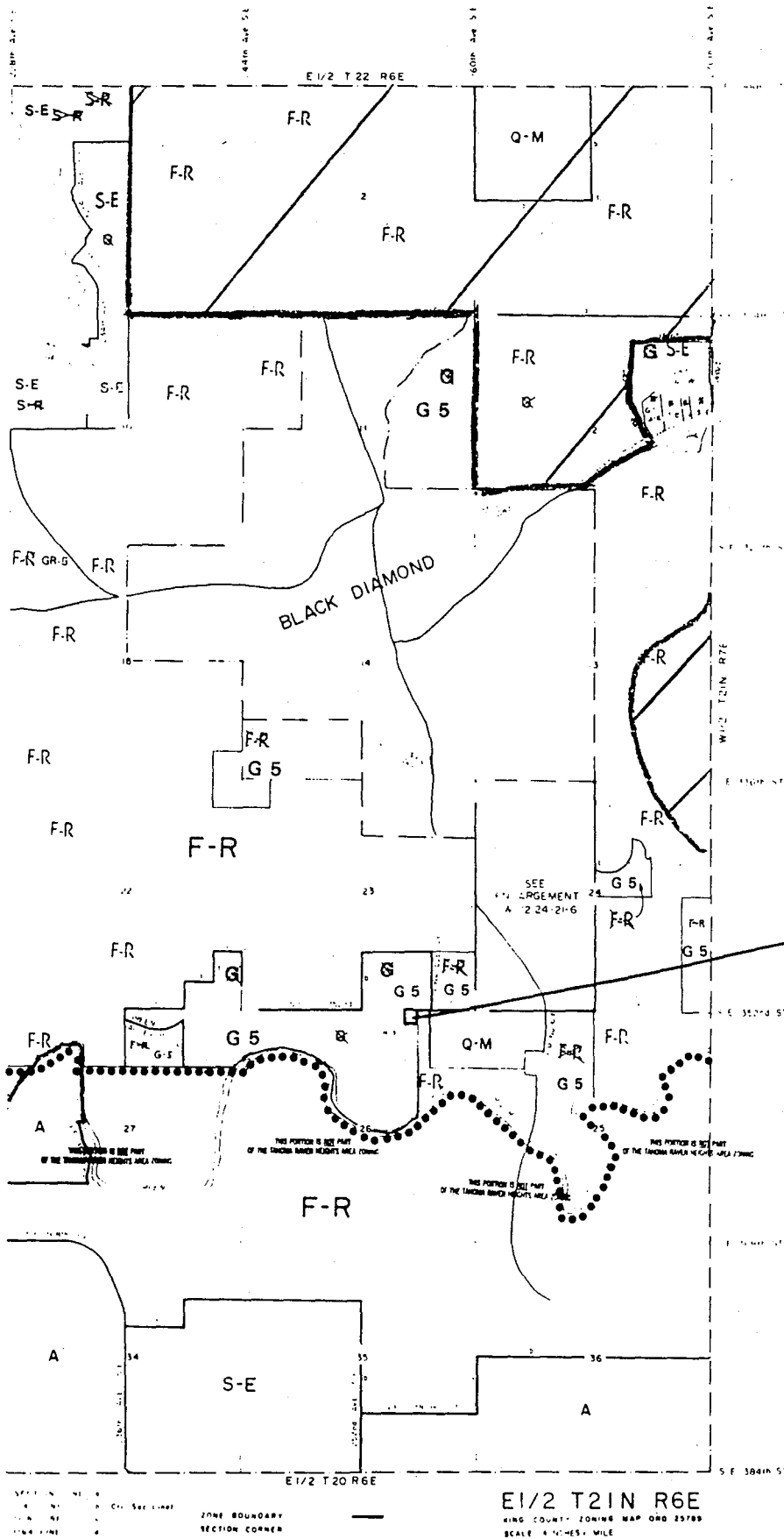


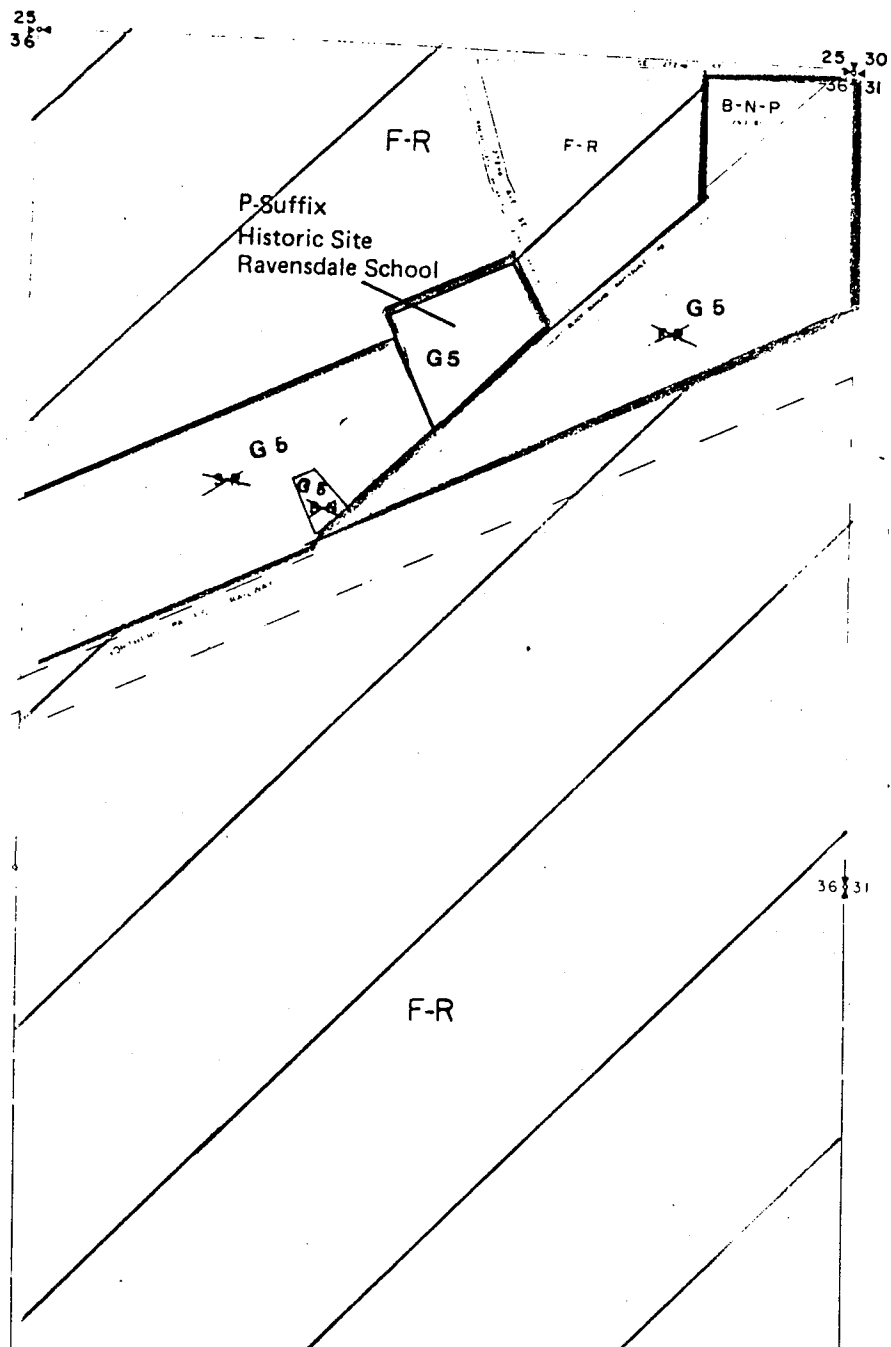




W1/2 T21N R7E
 RING COUNTY ZONING MAP ORD 28769
 SCALE 4" = 1 MILE

W1/2 T20N R7E
 SECTION CORNER
 SEE ENCL. MAP 17
 A 105117





COVINGTON CENTER TO BE SERVED BY U.L.I.D 72-S

9772

