

March 2, 1992  
91-486S4.5MMC

Greg Nickels  
Introduced by: Bruce Laing

Proposed No.: 91-486

ORDINANCE NO. **10293**

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AN ORDINANCE adopting the Covington Master Drainage Plan as a supplemental element of the Soos Creek Basin Plan; adding a new section to K.C.C. 9.04; amending Ordinance 6949, Section 10 and K.C.C. 20.44.080; amending Ordinance 10197, Section 3; and repealing Ordinance 9044 and K.C.C. 20.12.240

FINDINGS:

For the purpose of effective surface water management and the protection of important stream, wetland, and groundwater resources in the Covington Master Drainage Plan area of the Soos Creek Basin, the King County council makes the following legislative findings:

1. The Covington Master Drainage Plan area covers approximately 1,200 acres in the Soos Creek basin located in southeast King County. The Covington Master Drainage Plan area contains outstanding surface water and related natural resources including populations of coho and chinook salmon, steelhead and cutthroat trout, as well as high quality groundwater aquifers used for domestic water supply.
2. The sensitivity of these stream and fisheries resources to the adverse effects of urbanization requires the application of protective measures more stringent than those currently adopted by King County through the King County Surface Design Manual and the Sensitive Areas Ordinance.
3. To protect public health, the quality of the aquifer that provides domestic water supply for the City of Kent must be safeguarded.
4. To protect public safety and private property, peak flows in Little Soos Creek must be controlled to prevent flooding of residences in the Covington area.
5. Little Soos and Jenkins Creeks can continue to support significant populations of salmonids if water quality and habitat are protected from further degradation. The fishery produced by these streams is a significant contribution to the commercial and recreational fishery of the Green River system, valued at more than nineteen million dollars annually.
6. Little Soos Creek is especially sensitive to the adverse effects of urbanization because of its smaller flows and the large percentage of the Little Soos Basin that lies within the Covington area. Therefore, Little Soos Creek requires additional stormwater runoff controls.
7. The Covington area is designated as an urban activity center by the 1985 King County Comprehensive Plan and the Soos Creek Plateau Community Plan.

1 8. The King County council directed the surface water  
2 management division to develop a master drainage plan for  
3 the Covington area in King County Ordinances 9044, 9397,  
4 and 9772.

5 9. The Draft Covington Master Drainage Plan and Draft  
6 Environmental Impact Statement were completed on May 9,  
7 1991 and a public notice regarding availability of these  
8 was published on May 13, 1991. The Final Environmental  
9 Impact Statement was published on January 31, 1992.

10 10. The Covington Master Drainage Plan recommends a  
11 comprehensive mitigation program consisting of:

- 12 a. stormwater management facilities,  
13 b. drainage and pollutant source controls, and  
14 c. stream and fisheries protection measures to  
15 maintain the water quality, groundwater resources,  
16 fish and wildlife habitat, and existing stream  
17 systems.

18 11. Implementation of the mitigation program identified  
19 in the Covington Master Drainage Plan is necessary to  
20 effectively reduce and minimize the surface water impacts  
21 generated by existing and new development in the Covington  
22 urban activity center.

23 12. Development of regional and subregional surface water  
24 management facilities that treat and dispose of runoff  
25 generated by more than one property can result in  
26 substantial cost savings to developers and accommodate  
27 treatment for stormwater from state highways and provide  
28 the same level of control and treatment as individual on-  
29 site facilities for each development.

30 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

31 NEW SECTION. SECTION 1. A new section is added to K.C.C.

32 9.04 to read as follows:

33 The Covington Master Drainage Plan dated January 1992 and  
34 attached as Attachment A, is hereby adopted, augmenting and  
35 amplifying county policy established in the Soos Creek Basin  
36 Plan with regard to surface water management within the  
37 boundaries of the Covington Master Drainage Plan area as  
38 designated by Ordinance 9772.

39 NEW SECTION. SECTION 2. A new section is added to K.C.C.

40 9.04 to read as follows: The surface water management division  
41 is hereby authorized to revise the 1990 King County Surface  
42 Water Design Manual to include a new Appendix with the  
43 following special drainage provisions for development to be  
44 applied in the Covington Master Drainage Plan area:

1           A. Development proposals in the Covington Master Drainage  
2 Plan area shall have the option to submit plans for regional or  
3 subregional surface water management facilities, as defined in  
4 the Covington Master Drainage Plan, that treat and dispose of  
5 the runoff from more than one development, provided that the  
6 proposed regional or subregional surface water management  
7 facilities provide the same level of control and treatment of  
8 surface water as required by the 1990 King County Surface Water  
9 Design Manual and relevant sections of this ordinance.

10 Developers that propose to use the regional or subregional  
11 facilities shall submit plans with facility design and  
12 agreements with adjacent landowners for the construction and  
13 operation of these facilities. The design and construction of  
14 such facilities shall be reviewed and approved by King County.  
15 King County will assume the maintenance of regional and  
16 subregional facilities upon satisfactory completion of a final  
17 inspection by the county and release of all performance bonds.

18           B. Development in the Covington Master Drainage Plan area  
19 that proposes to infiltrate stormwater generated by the project  
20 (as authorized in core requirement 3 of the 1990 King County  
21 Surface Water Design Manual) must submit a plan which addresses  
22 off-site analysis (core requirement 2 of the 1990 King County  
23 Surface Water Design Manual) and includes:

24           1. an identification of the location of domestic water  
25 supply wells within a one mile radius of the proposed  
26 infiltration facilities,

27           2. an assessment of human health risks from  
28 infiltration, and

29           3. recommendations for appropriate measures to mitigate  
30 identified health risks.

31 The plan shall be reviewed and approved by King County.

32           C. Development proposed in the areas with glacial till  
33 (Alderwood) soils identified on Attachment 2 shall be required  
34 to provide stormwater detention of four acre inches of  
35 detention storage volume per impervious acre developed.

1 D. Development proposed in the areas designated on  
 2 Attachment C shall submit a detailed subbasin drainage analysis  
 3 demonstrating that the stormwater generated by development does  
 4 not discharge directly or indirectly to Little Soos Creek. The  
 5 plans shall be reviewed and approved by King County.

6 E. All new commercial and industrial development in the  
 7 Covington Master Drainage Plan Area shall be required to submit  
 8 a plan identifying the appropriate source controls and best  
 9 management practices. The plan shall be reviewed and approved  
 10 by King County.

11 F. All commercial and industrial development proposals  
 12 shall submit plans for secondary spill containment for all  
 13 electrical and mechanical equipment mounted on rooftops and  
 14 plans showing the use of relatively inert materials (i.e.,  
 15 vinyl) for roofing and gutter materials. The plan shall be  
 16 reviewed and approved by King County.

17 G. Developments proposed in the Covington Master Drainage  
 18 Plan area within one hundred feet of the edge of Jenkins Creek  
 19 25 or Soos Creek 77 wetlands shall have wetland buffers  
 20 established using a sliding scale of buffer width defined as  
 21 follows:

22	Buffer Composition	Buffer Width
23	<u>% Forest</u>	<u>Feet</u>
24	100	50
25	80	60
26	60	70
27	40	80
28	20	90
29	0	100

30 Forests are defined as the area covered by trees greater than  
 31 four inches diameter at breast height and twenty feet in  
 32 height.

33 H. Developments in the Covington Master Drainage Plan  
 34 Area within one hundred feet of the ordinary high watermark of  
 35 Jenkins and Little Soos Creeks shall be required to re-  
 36 establish native vegetation in stream buffers where native  
 37 vegetation has been destroyed or disturbed. A plan for  
 38 revegetation shall be reviewed and approved by King County.  
 39 Planting shall be complete before issuance of an occupancy

1 permit for the development. If the building and land  
2 development division determines that the season is  
3 inappropriate for planting, the occupancy permit can be  
4 granted, provided a bond is established for the costs of  
5 revegetation.

6 I. New stream or wetland crossings by roads or utilities  
7 within the Master Drainage Plan area shall not be permitted  
8 unless no practical alternative exists. Plans will be  
9 submitted to King County for review and approval. The adverse  
10 environmental effects of new crossings shall be mitigated in  
11 accordance with SEPA requirements.

12 J. Surface water management facilities for developments  
13 or redevelopments with greater than 5,000 square feet of  
14 impervious surface which propose to infiltrate storm water  
15 shall be required to have lined wetpond and biofiltration swale  
16 treatment prior to infiltration. Developments of less than 3  
17 single family residences are exempt from this requirement.

18 K. New developments within one hundred feet of the  
19 ordinary high water mark of Jenkins and Little Soos Creek shall  
20 be required to submit plans to restrict access to the streams  
21 and their buffers using fences, barriers and other means  
22 consistent with the recommendations of the Sensitive Areas  
23 Ordinance fending committee. The plan will be reviewed and  
24 approved by King County.

25 L. Erosion and sedimentation controls shall be required  
26 for all building sites within the Covington Master Drainage  
27 Plan area including single family building sites. Approved  
28 erosion and sedimentation control plans shall be required  
29 before initiating construction and an additional site  
30 inspection by the building and land development division is  
31 required at the time of site preparation.

32 NEW SECTION. SECTION 3. Ordinance 6949, Section 10 and  
33 K.C.C. 20.44.080 are each amended to read as follows:

1 Substantive authority. A. The procedures and standards  
2 of WAC 197-11-650 through 197-11-660 are adopted regarding  
3 substantive authority and mitigation.

4 B. For the purposes of RCW 43.21C.060 and WAC  
5 197-11-660(a), the following policies, plans, rules and  
6 regulations are designated as potential bases for the exercise  
7 of King County's authority under SEPA:

8 1. The policies of the State Environmental Policy  
9 Act, RCW chapter 43.21C.020.

10 2. The King County Comprehensive Plan, its addenda,  
11 and revisions and community and middle plans and housing  
12 report, and surface water management program basin plans, as  
13 specified in King County Code chapter 20.12.

14 3. The King County Zoning Code, as adopted in King  
15 County Code Title 21.

16 4. The King County Agricultural Lands Policy, as  
17 adopted in King County Code chapter 20.54 and Title 26.

18 5. The King County Landmarks Preservation Code, as  
19 adopted in King County Code chapter 20.62.

20 6. The King County Shoreline Management Master  
21 Plan, as adopted in King County Code Title 25.

22 7. The King County Surface Water Runoff Policy,  
23 including the Covington Master Drainage Plan, as adopted in  
24 King County Code chapter 9.04.

25 8. The King County Road Standards, 1986 Update, as  
26 adopted in King County Code chapter 14.42.

27 C. Any decision to approve, deny or approve with  
28 conditions pursuant to RCW 43.21C.060 shall be contained in the  
29 responsible official's decision document. The written order  
30 shall contain facts and conclusions based on the proposals  
31 specific adverse environmental impacts (or lack thereof) as  
32 identified in an environmental checklist, EIS, threshold  
33 determination, other environmental document including an  
34 executive department's staff report and recommendation to a  
35 decision maker, or findings made pursuant to a public hearing

1 authorized or required by law or ordinance. The decision  
2 document shall state the specific plan, policy or regulation  
3 which supports the SEPA decision.

4 D. This chapter shall not be construed as a limitation  
5 on the authority of King County to approve, deny or condition a  
6 proposal for reasons based upon other statutes, ordinances or  
7 regulations.

8 SECTION 4. The Soos Creek Community Plan Update Area  
9 Zoning, attached to Ordinance 10197 as Appendix B, is adopted  
10 as the official zoning control for that portion of  
11 unincorporated King County defined therein, with an additional  
12 P-suffix condition to be applied in the Covington Master  
13 Drainage Plan area prohibiting any land uses involving  
14 hazardous waste recycling or treatment, solid waste landfills,  
15 petroleum pipelines, businesses maintaining open storage of  
16 toxic substances, and all new businesses that use or propose to  
17 use septic tank drainfield systems.

18 SECTION 5. The county executive is hereby directed to  
19 develop a program and supplemental budget request to design and  
20 construct the retrofit projects identified in the Covington  
21 Master Drainage Plan and to initiate enhanced maintenance and  
22 implement the monitoring recommendations of the Plan. Within 1  
23 year of the approval of the supplemental budget request, and  
24 annually thereafter until the retrofit projects are completed,  
25 SWM shall provide a progress report to the Council and identify  
26 any further modifications to the plan or adjustments to land  
27 use approvals which may be needed to assure than the plan  
28 objectives are being met.

29 NEW SECTION. SECTION 6. A new section is added to K.C.C.  
30 9.04 to read as follows:

31 The Surface Water Management Division is hereby authorized  
32 to attach such conditions of approval to any development as may  
33 be necessary to achieve the state standards for fecal coliform  
34 and copper loading, as set out in the Covington Master Drainage

1 Plan, and the flood flow standard established in the Soos Creek  
2 Basin Plan, are met.

3 NEW SECTION. SECTION 7. A new section is added to K.C.C.  
4 9.04 to read as follows:

5 For the portion of the Covington Master Drainage Plan  
6 lying north of SR 18, development approvals shall be  
7 conditioned as necessary to preclude clearing of land for or  
8 construction of infrastructure or structures prior to  
9 completion of the retrofit facilities which are necessary to  
10 reduce copper loadings in Little Soos Creek, those retrofit  
11 facilities being referred to in the Covington Master Drainage  
12 Plan as Kentwood High School, Mattson Junior High School, and  
13 Emerald Downs Subdivision.

14 SECTION 8. Ordinance 9044 and K.C.C. 20.12.240 are each  
15 hereby repealed.

16 SECTION 9. Should any section, subsection, paragraph,  
17 sentence, clause or phrase of this ordinance be declared  
18 unconstitutional or invalid for any reason, such decision shall  
19 not affect the validity of the remaining portion of this  
20 ordinance.

21 INTRODUCED AND READ for the first time this 8<sup>th</sup> day  
22 of July 1991.

23 PASSED this 2<sup>nd</sup> day of March, 1992.

24 KING COUNTY COUNCIL  
25 KING COUNTY, WASHINGTON

26 Rudney Luger  
27 Chair

28 ATTEST:

29 Gerald A. Peterson  
30 Clerk of the Council

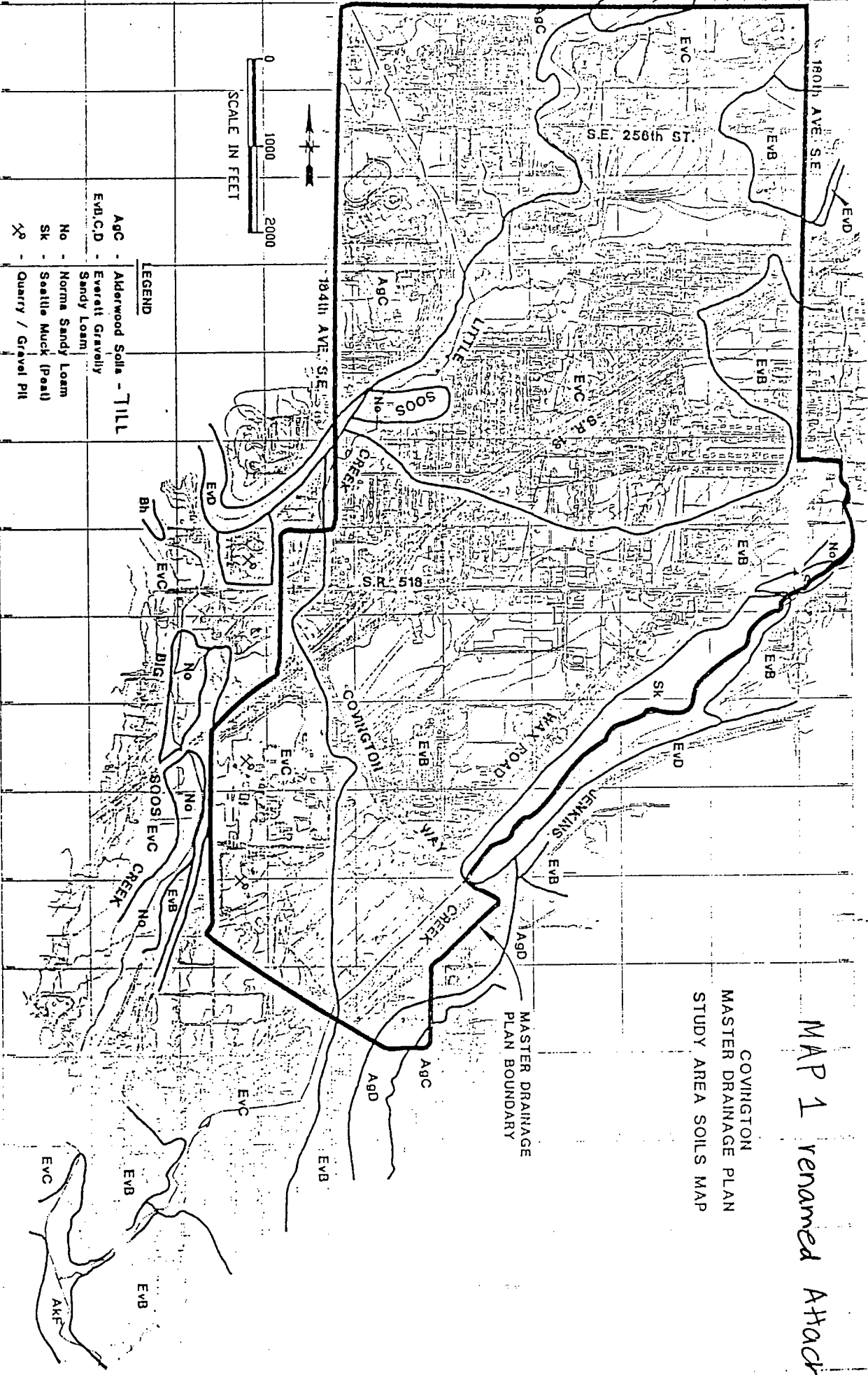
31 APPROVED this 11<sup>th</sup> day of March, 1992.

32 Quinn Tull  
33 King County Executive

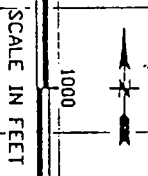


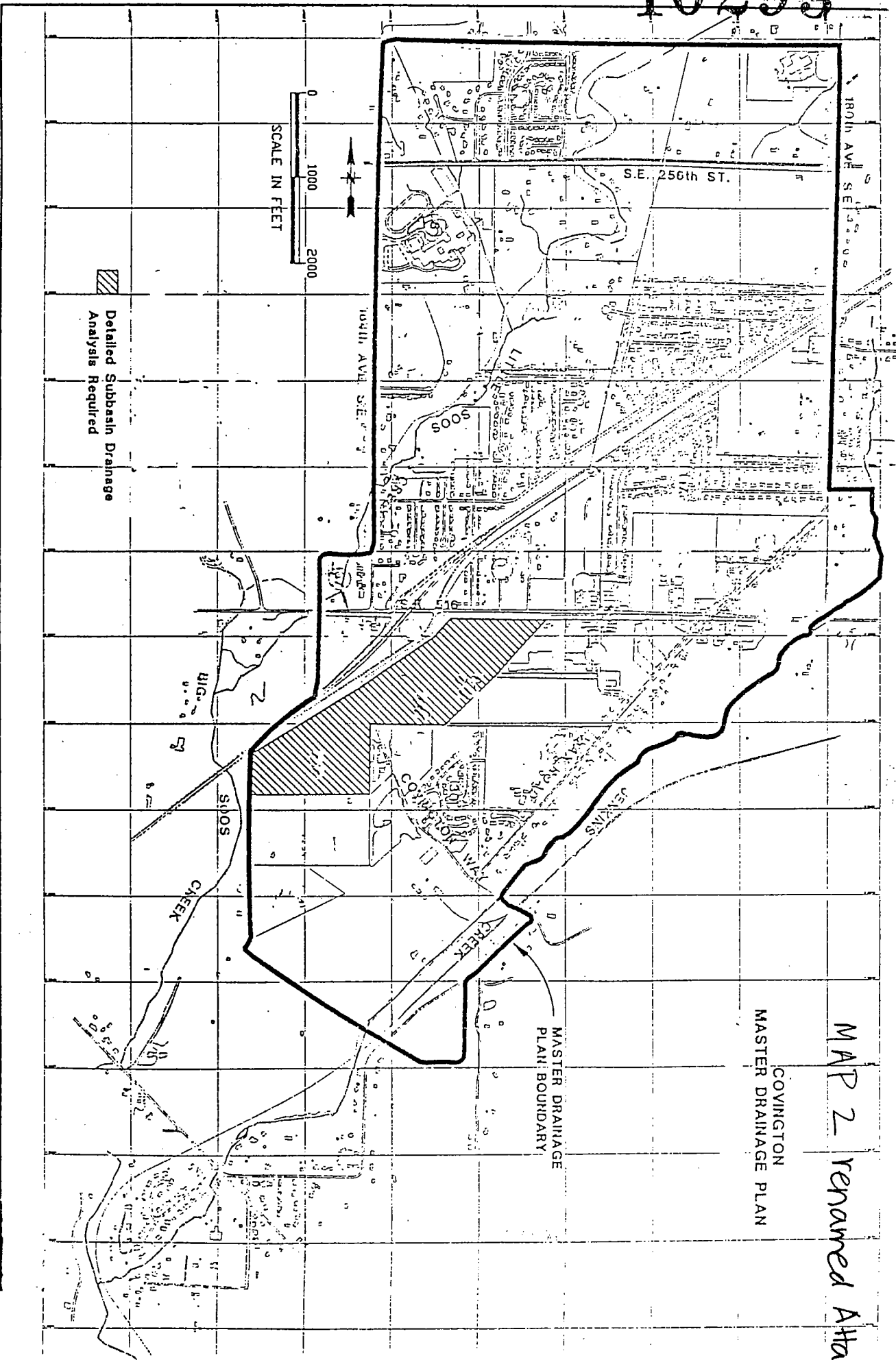
MAP 1 renamed Attachment 2

COVINGTON  
MASTER DRAINAGE PLAN  
STUDY AREA SOILS MAP



- LEGEND**
- AgC - Alderwood Soils - Till
  - EVB,C,D - Everett Gravelly Sandy Loam
  - No - Norma Sandy Loam
  - Sk - Seattle Muck (peat)
  - X - Quarry / Gravel Pit





MAP 2 renamed Attachment C

COVINGTON  
MASTER DRAINAGE PLAN

MASTER DRAINAGE  
PLAN BOUNDARY

Detailed Subbasin Drainage  
Analysis Required

**ORDINANCE 10293**

**COVINGTON MASTER DRAINAGE PLAN VOLUME  
II DRAFT**

**KING COUNTY DEPARTMENT OF PUBLIC WORKS  
SURFACE WATER MANAGEMENT DIVISION**

**COVINGTON MASTER DRAINAGE PLAN AND  
FINAL EIS VOLUME I FINAL**

**KING COUNTY DEPARTMENT OF PUBLIC WORKS  
SURFACE WATER MANAGEMENT DIVISION**

***ATTACHMENT(S) AVAILABLE IN ARCHIVES***