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December 12, 1991  
91-458S/SoosCrkP:rt

Introduced by: BRUCE LAING

Proposed No.: 91-458

# 10197

ORDINANCE NO. 10197

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AN ORDINANCE relating to Comprehensive Planning; adopting the Soos Creek Community Plan Update; adopting the Soos Creek Area Zoning; amending the King County Sewerage General Plan; amending Ordinance 4035 and amending Ordinance 4572, Sections 1 and 2, of K.C.C. 20.12.270, and amending Ordinance 9044 and K.C.C. 20.12.420.

PREAMBLE:

For the purpose of effective areawide planning and regulation, the King County council makes the following legislative findings:

1. The Soos Creek area is an appropriate geographic area for augmentation and amplification of the King County Comprehensive Plan through the adoption of the Soos Creek Community Plan Update and Area Zoning. The Soos Creek Community Plan Update is a continuation of the program to plan area-by-area in King County.
2. The Soos Creek area is a growing area with competing demands for land uses and development and requires areawide planning and zoning.
3. King County, with the assistance of the Soos Creek Community Plan Update Citizens Advisory Committee, the Technical Advisory Committee and general citizen input, has studied and considered alternative policies, plans, programs and other means to provide for the orderly development of the Soos Creek area and has considered the social, economic and environmental impacts of the plan and areawide zoning. King County has prepared an Environmental Impact Statement for the Soos Creek Community Plan and Area Zoning and distributed the Draft Environmental Impact Statement on July 1, 1991 and Final Environmental Impact Statement on December 9, 1991.
4. The Community Plan Update and Area Zoning provide for the coordination and regulation of public and private development and bear a substantial relationship to, and are necessary for, the public health, safety, and general welfare of King County and its citizens.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 4572 Sections 1 and 2, K.C.C.

20.12.270, is hereby repealed, and the following is substituted:

The Soos Creek Community Plan Update attached to Ordinance 10197 as Appendix A, is adopted in its entirety as an amplification and augmentation of the Comprehensive Plan for King County and as such constitutes official county policy for the geographic area defined therein.

1            SECTION 2.       Ordinance 9044 and K.C.C. 20.12.420 is  
2 hereby amended as follows:

3 Interim zoning in the Soos Creek and Tahoma/Raven Heights  
4 community planning areas.

5            ~~A. The findings set forth in Ordinance 9044 as amended,~~  
6 ~~including the report entitled The Need for Interim Zoning in~~  
7 ~~the Soos Creek Basin and the findings of Ordinance 9772,~~  
8 ~~establish the need for extending the interim zoning for those~~  
9 ~~portions of the Soos Creek and Tahoma/Raven Heights community~~  
10 ~~planning areas in the Soos Creek Basin, in order that King~~  
11 ~~County can have the opportunity to effectively review and~~  
12 ~~consider changing the zoning in many of those areas from urban~~  
13 ~~or transitional to rural.~~

14            ~~B. Zoning.~~

15            ~~1. The properties shown on the official map, labeled~~  
16 ~~Soos Creek Basin Plan Interim Zoning, and represented by~~  
17 ~~Attachment A, as amended by this ordinance are hereby rezoned~~  
18 ~~to AR-5 with the following exceptions: (a) the interim zoning~~  
19 ~~for those properties within the Tahoma/Raven Heights Plan area~~  
20 ~~which are designated as resource lands by the Community Plan~~  
21 ~~and have pre-existing Forest Resource (F-R) or Quarrying and~~  
22 ~~Mining (Q-M or Q-M-P) zoning, as shown on the map represented~~  
23 ~~by Attachments 2A through 2K to Ordinance 9772\*; for these~~  
24 ~~properties, the interim zoning is hereby repealed and the pre-~~  
25 ~~existing F-R, Q-M and Q-M-P zoning reinstated; (b) the~~  
26 ~~proposed preliminary plat of Elk Run Division 3 and Division 4~~  
27 ~~submitted October 9, 1989. This proposed preliminary plat is~~  
28 ~~hereby reinstated to the zoning classification in effect on~~  
29 ~~said site as of July 20, 1989; (c) properties located in the~~  
30 ~~NE 1/4 of the SE~~  
31 ~~1/4 of Section 33, township 22, range 06; (d) subdivisions~~  
32 ~~approved on or before the effective date of this ordinance~~  
33 ~~(1/28/91) that create lots approved for sewer service; (e) an~~  
34 ~~area known as Covington Center shown on Attachment B\*, as~~

1 ~~amended by the addition of the area served by ULID 72-S and~~  
2 ~~represented by Attachment 1\* to Ordinance 9772 because of the~~  
3 ~~existing development pattern, its proximity to the stream~~  
4 ~~system, and its designation by the Comprehensive Plan as an~~  
5 ~~Urban Center; and (f) that portion of the North Half of the~~  
6 ~~South Half of the Southwest Quarter of the Northeast Quarter of~~  
7 ~~Section 4, Township 22 N, Range 5 E.W.M. lying west of the~~  
8 ~~centerline of the Bonneville Transmission Line easement (Tax~~  
9 ~~lots 143, 145, 154, 155, 156, portions of tax lot 144 and 76).~~

10 ~~Notwithstanding the application of the interim AR-5 zone,~~  
11 ~~church uses are not prohibited in existing buildings with or~~  
12 ~~without remodeling, provided that any new parking facilities~~  
13 ~~meet all surface water management requirements.~~

14 ~~2. Further degradation of the fishery found in the~~  
15 ~~Soos Creek Basin will occur unless additional controls are~~  
16 ~~applied to existing and future development in Covington Center.~~  
17 ~~The following P-suffix conditions shall be applied to the area~~  
18 ~~known as the Covington Center. King County surface water~~  
19 ~~management division will complete in May 1991 a master drainage~~  
20 ~~plan which will address mitigation of the cumulative impacts to~~  
21 ~~fisheries resources from development in the Covington Center.~~  
22 ~~In advance of the MDP, Prior to the King County Council's~~  
23 ~~adoption of the Covington Master Drainage Plan, applicants for~~  
24 ~~new preliminary subdivisions or any non-single family~~  
25 ~~construction permits (including grading permits) shall submit~~  
26 ~~for approval to the surface water management division a site-~~  
27 ~~specific drainage plan which mitigates the project and~~  
28 ~~cumulative impacts of the development pursuant to the 1990~~  
29 ~~Drainage Manual standards. ~~Prior to the approval of new~~~~  
30 ~~~~preliminary subdivisions or any non-single family construction~~~~  
31 ~~~~permits (including grading permits), a master drainage plan~~~~  
32 ~~must be prepared and approved by the King County surface water~~  
33 ~~management division which mitigates the project and cumulative~~

1 ~~impacts to the fisheries resources of development in the~~  
2 ~~Covington Center.~~

3 ~~C. Timeframe of interim zoning.~~

4 ~~1. The interim zoning set forth in Subsection B~~  
5 ~~shall be in effect in the Soos Creek Community Planning Area~~  
6 ~~until January 1, 1992 or until the effective date of the Soos~~  
7 ~~Creek Community Plan revision and area zoning, if it is sooner.~~  
8 ~~The Soos Creek Community Plan and Area Zoning and draft~~  
9 ~~environmental impact statement shall be transmitted to the King~~  
10 ~~County Council by May 31, 1991.~~

11 ~~2. The interim zoning set forth in Subsection B~~  
12 ~~shall be in effect in the Tahoma/Raven Heights Community~~  
13 ~~Planning Area until January 1, 1992 or until the effective date~~  
14 ~~of the Tahoma/Raven Heights Community Plan revision and area~~  
15 ~~zoning, if it is sooner. The Tahoma/Raven Heights Community~~  
16 ~~Plan and Area Zoning Revision and environmental documents shall~~  
17 ~~be transmitted to the Council by August 1, 1991.~~

18 ~~D. In the event the King County Executive fails to~~  
19 ~~transmit the Soos Creek Community Plan and Area Zoning and DEIS~~  
20 ~~and the Tahoma/Raven Heights Revision and environmental~~  
21 ~~documents by the dates set forth in this section, the interim~~  
22 ~~controls shall expire for the Soos Creek Community Planning~~  
23 ~~area on May 31, 1991 and for Tahoma/Raven Heights Community~~  
24 ~~Planning area on August 1, 1991.~~

25 SECTION 3. The Soos Creek Community Plan Update Area  
26 Zoning, attached to Ordinance 10197 as Appendix B, is adopted  
27 as the official zoning control for that portion of  
28 unincorporated King County defined therein.

29 SECTION 4. Ordinance No. 4035, previously adopting the  
30 King County Sewerage General Plan, is hereby amended in  
31 accordance with Section 1.

32 SECTION 5. SEVERABILITY. If any provision of this  
33 ordinance or its application to any person or circumstance is  
34 held to be unconstitutional or invalid for any reason, the

1 remainder of the ordinance or the application of the provision  
2 to other persons or circumstances is not affected.

3 INTRODUCED AND READ for the first time this 17th day  
4 of June, 1991.

5 PASSED this 17th day of December, 1991.

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KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

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Lois North  
Chair

11 ATTEST:

12 Gerald A. Peterson  
13 Clerk of the Council

14 APPROVED this 20th day of December, 1991.

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Jim Hill  
King County Executive

AMENDMENT 1A moved by PULLEN passed 9-0.

10197

KING COUNTY COUNCIL  
SOOS CREEK COMMUNITY PLAN UPDATE PANEL  
RECOMMENDED AMENDMENTS TO THE EXECUTIVE PROPOSED  
SOOS CREEK COMMUNITY PLAN UPDATE

November 8, 1991  
Amended December 5, 1991

On November 7, 1991, the Council's Soos Creek Community Plan Update Panel recommended that King County Council adopt the Executive Proposed Plan with the following changes.

CHAPTER 2- Natural Resources

Stream and Wetlands Resources

REVISED PLAN POLICY

(Page 10)

AMENDMENT 5 moved by BARDEN passed 8-1, Gruger "NO."  
NR-1 The continued viability and health of the Soos Creek planning area's stream systems and fisheries resources dependent upon them should be assured through zoning, special zoning conditions and development regulations. The intent of policy NR-1 is to control densities along stream corridors identified by the Soos Creek Basin Plan. This policy will be implemented through the Area Zoning by placing Rural densities within 1/4 mile of ((these)) significant stream systems identified as Types 1, 2 and 3 waters according to the Sensitive Areas Ordinance.

The executive is requested to prepare a proposal for the establishment of a transfer of development rights program for the areas within 1/4 mile of significant stream systems which are AR-5 or S-C-P pursuant to this plan, which would provide for the transfer of development rights from the AR-5 or S-C-P-zoned properties to the urban areas of the Soos Creek Community Planning area. The proposal should also address how to modify existing zoning to achieve a TDR program. The Executive is requested to prepare a funding plan for development of this proposal by March 1, 1992 and is requested to submit the proposal for a TDR program by July 1, 1993. The proposal shall evaluate the feasibility of applying the program to other parts of the county.  
Applicable Comprehensive Plan Policy

E-321 Water quality, natural drainage, fish and wildlife habitat, and aesthetic functions of rivers, streams, lakes and Puget Sound should be protected.

E-322 New development adjacent to rivers, streams, lakes and Puget Sound should preserve an undisturbed corridor wide enough to maintain natural functions.

The following P-suffix conditions are recommended:

Clustering shall be required for all subdivision of property within the stream corridor. The reserve tract shall be retained in permanent open space retaining the natural vegetation. For properties adjacent to the streams, clustering shall occur on the portions of the property furthest away from the stream, fencing shall be required along the boundary of the reserve tract or along the the edge of the stream buffer required by the Sensitive Areas Ordinance, whichever is the greater distance from the stream.

REVISED PLAN POLICY

(Page 11)

NR-3 Degraded wetlands and stream channels and banks in the Soos Creek planning area's drainages should be rehabilitated to prevent further erosion and water quality problems. These areas include but are not limited to, May Creek, Garrison Creek, Molasses Creek and Olsen Creek. Where conditions permit, the banks and channels should be restored to a natural state. Where it has been determined that additional standards may be appropriate to control volume, these should be required for new development.

Applicable Comprehensive Plan Policy

E-325 Degraded stream and river channels and banks should be rehabilitated by public programs and new development, to maintain water quality and prevent further erosion problems. Where conditions permit, the banks and channels should be restored to a natural state.

## REVISED PLAN POLICY

(Page 11)

NR-4 Streams in the Soos Creek planning area should be protected from livestock impacts through implementation of the Sensitive Areas Ordinance provisions.

This recommendation addresses the issues of livestock access to streams. The SAO adopted standards for new livestock uses and the panel recommends that the Council address the issue of existing livestock upon receipt of the recommendations of the livestock group set up in Section 88 of the SAO.

## Clearing and Erosion Control

## REVISED PLAN POLICY

(Page 12)

NR-8 Until such time that a county wide clearing ordinance is adopted, interim development standards should be implemented whereby clearing is limited on subdivisions, short subdivisions, and new residential and commercial building projects to protect water quality, limit surface water runoff and erosion, and maintain wildlife habitat and visual buffers.

NR-5 through NR-9 deals with the issue of clearing of land outside of sensitive areas. The proposed plan recommends the development of a countywide clearing ordinance which addresses the issues set forth in these recommendations. The panel recommended the adoption of the attached P-suffix conditions which will expire upon adoption of an ordinance with equal or greater protection.

## REVISED PLAN POLICY

(Page 15)

NR-15 Staff concurs with the recommendation regarding the formation of Lake Improvement Districts and the addressing of small lakes through basin plans and non-point action plans.

The terminology is recommended to be changed to "Lake Management Districts" to be consistent with the state enabling legislation establishing these districts.

(Page 167)

NR-13 The P-suffix condition implementing policy NR-13 is recommended to be modified as follows:

"Prior to any business or multifamily ((rezone)) development or building permit approval, ((the applicant must submit a drainage plan to BALD (consistent with the King County Drainage Manual) which mitigates)) a drainage plan shall be approved by SWM (consistent with the King County Surface Water Design Manual) which does not increase site specific, and cumulative flooding and drainage problems."

In addition, on December 5, 1991, the panel added the requirement that.. "Prior to development of any parcel in this center, King County Surface Water Management Division must certify that the flooding problems to residences, businesses and roads have been corrected."

## CHAPTER 3

## Phasing Urban Development

In light of the panel's recommendation regarding growth phasing, the following policies are recommended to be substituted for those in the Executive proposal.

(Page 33)

A-12 Lands immediately adjacent to the Cities of Renton, Kent and Auburn in the Soos Creek planning area, the urban portions of the Soos Creek Basin stream corridors, the multifamily/commercial centers ~~(except the Meridian Valley Center)~~ and the Covington Urban Activity Center and Master Drainage Plan area within phase 1 of the urban growth area should be zoned for urban development. A GR-5 overlay shall be in place until December 31, 1994 at which time urban density zoning will become effective.

GR-5 zoning is recommended for parcels which are proposed for residential zoning due to the traffic generated by these facilities. The GR-5 zoning will be lifted for nonresidential developments which require a conditional use permit (i.e. medical facilities) to proceed. This would be consistent with the policy of permitting services to locate in and be developed in the planning area.

On December 5, 1991, the panel added the area east of 116th Ave. SE, west of 120th Ave. SE, south of SE 232nd St. and north of SE 251st St. to the area designated as Phase 1 and applied RS 7200 zoning with a GR-5 overlay.

The panel also revised the Phase 1 area by the addition of the area west of Fairwood and surrounding Lake Desire. This area, was originally proposed for Phase 2. The following P-suffix condition was recommended for properties in this area:

"Properties in the Lake Desire Drainage Basin shall meet all water quality and quantity requirements as outlined by the King County Surface Water Management Division. These requirements must be in compliance with the State Growth Management Act. Special attention should be given to increased retention/detention requirements and clearing restrictions on undeveloped parcels and storm water treatments which will ensure that the quality of discharged waters shall be equal to or better than the current Lake Desire water quality."

(Page 34-35)

Policies A-13, A-14 and A-15 are recommended to be substituted by the following:

A-13/14/15. Vacant and partially developed lands within the Phase 2 area will be designated Growth Reserve (GR-2.5) and remain at low densities until the area annexes to the Cities of Renton, Kent or Auburn or a plan amendment applies urban densities.

The following P-suffix is recommended:

Mandatory clustering shall be required. The applicant will demonstrate how urban densities can be achieved in the future through the submission of a shadow plat. Resubdivision of the reserve tract would be permitted following a plan update or the approval of urban zoning.

ANNUAL PROGRESS REPORTS

The Executive is requested to submit annual progress reports on the development of the appropriate ordinances and mechanisms to implement the Growth Management Act and the status of development and the provision of services in the planning area. In addition, the panel requests that the Executive submit, within 6 months of the adoption of the Soos Creek Community Plan Update, a schedule of transportation capital projects proposed in the planning area.

\*\*\*\*\*

The King County Comprehensive Plan and the Growth Management Act (GMA) support growth phasing tied to the provisions of urban services. Policy A-11 in the plan is consistent with both the Comprehensive Plan and the GMA and supports growth phasing.