

Planning Commission

801 228th Avenue SE • Sammamish, WA 98075 • Phone: 425.295.0500 • Fax: 425.295.0600 • web: www.ci.sammamish.wa.us

MEMO

Date: February 21, 2008

To: The Planning Commission

From: Rob Garwood, Senior Planner

A handwritten signature in black ink, appearing to read "RG", is written over the name "Rob Garwood".

RE: Proposed minor Sammamish Municipal Code (SMC) code amendments

Since the City's incorporation the staff has noted a variety of minor code discrepancies, errors, and provisions which need to be corrected in order to make the code more understandable and consistent. In addition, the code contains hold overs from the King County Code which either had unintended consequences or allowed uses which made sense in the rural areas of the county, but not in the City. In order to correct these issues the staff will be bringing you proposed code revisions in 2008. Highlights of the proposed changes are as follows:

- Minor corrections such as incorrect numbering in the text or incorrect municipal code citations.
- Corrections to the code to reintroduce exemptions to the Clear and Grade section of the code which were unintentionally removed when the City went from the Uniform Building Code to the International Building Code. For instance, an exemption from requiring a grading permit for less than 50 cubic yards of grade and fill, and exemptions for septic field installation.
- Corrections and clarifications in the definitions section.
- Modification of the Interpretations section of the code to allow citizens to appeal interpretations made by the Community Development Department.
- Revisions of the interior lot line setback distances in R-4 to make them consistent with other zones. Currently, R-4 has a 7 foot interior lot line setback all of the other zones have a 5 foot interior setback.
- Elimination of the allowance of commercial establishments of 5,000 square feet or less in any residential zone, where the parcel is at least one mile from the nearest commercial area. This is a hold over from King County's code and was intended for rural areas.
- Corrections to the Title 21A eliminating conflicts with other municipal code sections and standards, such as the street tree requirements which appear in both the landscape section of the code and in the Public Works Standards.

Memo

To: Planning Commissioners
From: Kamuron Gurol, Director of Community Development
Date: February 14, 2008
Re: 2008 Comprehensive Plan Amendments Summary

Summary

Consistent with SMC 24.25.070, the Community Development Department solicited suggestions from the general public and city departments for potential amendments to the Sammamish Comprehensive Plan for the 2008 amendment cycle. The submittal window for 2008 requests ran from September 1 through September 30, 2007, and this opportunity was advertised on the city webpage and in the citywide newsletter.

The city received its first citizen proposed comprehensive plan amendments. Other amendments were proposed by the city's Community Development Department related to annexations. Draft ordinances amending the comprehensive plan and zoning map will be available during by the commission's deliberation scheduled for March 6th 2008.

The following list is a summary of all proposed amendments to be heard at the upcoming February 21st hearing with initial staff responses. Please note the last item related to the Town Center, although not part of the February 21st hearing, will proceed to the city council as part of the 2008 comprehensive plan amendment package.

Docket Request: (Attached SEPA, Staff Report and Maps)

1. John Kaschko: The applicant is requesting land use re-designation from R-1 to R-4 and associated R-4 zoning for properties totaling 40 acres, accessed off of 234th Ave SE. The applicant indicates the reason for the requested amendment is to allow for more consistency with neighborhoods surrounding the area.

Staff Response: The subject parcels are located adjacent to the boundary of the city's Town Center sub-area plan, and the City Council has directed that the requested comprehensive plan amendment be processed simultaneously with the town center schedule. Staff recommends that the area be re-designated to R-4 with implementing zoning of R-4.

Community Development Department (Attached SEPA, Annexation Report and Maps):

2. Land Use Element, Maps (Figures: III 2 and III 2a): The city should designate all areas within the UGB, existing or expanded, as potential annexation areas (PAAs) and adopt contingent land use designations and zoning for those areas.

Staff Response: The city recently completed a feasibility study, i.e., "Annexation Strategy Study" as of November 2007 with specific recommendations on annexation and land use for all the areas studied. Some of the study areas are currently within the UGB, and based upon the study results, it is recommended that these areas, if not already designated, be designated as PAAs. Land use and zoning would be established, effective upon annexation. Several of the areas studied are currently outside of the UGB, but are the subject of a city docket request to King County for inclusion. These areas are recommended for designation as PAAs, contingent upon approval of the UGB changes by King County. Land use and zoning would also be established for these areas, effective upon annexation.

The city currently has one annexation request from the Camden Park subdivision, and since the completion of the study several neighborhoods adjacent to the city have also expressed interest in annexing to the city.

3. Land Use Element: Amend the following land use policies:

- ~~LUP-16.7 The City should evaluate the annexation study areas in consultation with King County and neighboring jurisdictions as appropriate, including but not limited to the following areas in unincorporated King County:~~
- ~~a. Property owned by the City of Sammamish abutting the current City limits, including, but not limited to, the Evans Creek Preserve,~~
 - ~~b. Parcels between the UGB, north of Duthie Hill Road and just west of SE 25th Place, i.e., "the notch".~~
 - ~~c. Property fronting NE 14th Street and 244th Avenue NE and surrounded by the city on three sides,~~
 - ~~d. Property North of East Main Drive, accessed off NE 4th Place, with in Ravenhill Subdivision,~~
 - ~~e. Two technical correction areas within the UGB located adjacent to NE 44th Street and Sahalee Way NE,~~
 - ~~f. The Sammamish Plateau and/or the NE Sammamish Sewer and Water District service areas within the existing or expanded UGB. (Ord. 02006-199)~~

~~LUP-16.11 All unincorporated area within the City of Sammamish The Aldarra Farms and neighboring properties within the UGB or as amended is designated as potential annexation areas. (Ord. 02006-199), (Ord. 02008-XXX)~~

~~LUP-16.12 The properties with the UGB east of 244th Avenue NE, between NE 80th Place and 245th Place NE are designated as a potential annexation area. (Ord. 02006-199)~~

Staff Response: Because the above proposed policy amendment reflects work tasks completed in the city's annexation feasibility study, i.e., "Annexation Strategy Study" the staff recommends the amendments be approved.



Determination of Non-Significance (DNS) and Adoption of Existing Environmental Documents

Description of proposal: Adoption of 2008 Comprehensive Plan Amendments

The city's Comprehensive Plan, is proposed to be amended as follows 1.) Establish the designation of Potential Annexation Areas (PAA) for the areas known as "Mystic Lake", "Camden Park Estates", "Duthie Hill" and "Soaring Eagle Park" all of which are dependent on a King County Comprehensive Plan Amendment, and for the existing subdivisions, "Ravenhill" and "Rosemont at Timberline" and the area known as "The Outlook" all of which are within the urban growth area boundary 2.) Establish comprehensive plan land use designations for the PAA's established by the city in 2006 and for the above described proposed PAA's, 3). Change comprehensive plan land use designations and zoning from R-1 to R-4 for 40 acres, including the parcels, i.e., (3425069076, 3425069075, 3425069060, 3425069012, 3425069080, 3425069079, 3425069078, 3425069077, 3425069104, 3425069103 3425069102) associated with the Kaschko applicant generated docket request, and; 4.) Revise Figure III-2a of the Growth Management and Land Use Elements of the city's Comprehensive Plan depicting PAA's and study areas.

Proponent: City of Sammamish, Community Development Department

Location of proposal: The city limits of Sammamish

Lead agency: City of Sammamish, Community Development Department

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 21 days from the date below. Comments must be submitted in writing and received by the deadline described below.

Titles, Agency, Adoption Dates and Descriptions of documents being adopted:

Documents: Draft and Final Supplemental Environmental Impact Statements for the City of Sammamish Comprehensive Plan. The City of Draft and Final Sammamish Final Environmental Impact Statements Town Center Sub-Area Plan. **Lead Agency:** City of Sammamish Community Development Department. **Publication Dates:** February 18, 2003 and September 5, 2003 and October 2, 2007. **Descriptions:** These documents describe, on a programmatic level, the natural and built environmental features, functions, and values located in the City of Sammamish, and the impacts associated with the adoption of the Sammamish Comprehensive Plan and the Town Center Plan, including those impacts on the natural and built environment.

If the documents being adopted have been challenged (WAC 197-11-630), please describe:

N/A

The documents are available to be read at:

City of Sammamish, Community Development Department
801-228th Ave SE
Sammamish, WA 98075
425-295-0500
website: <http://www.ci.sammamish.wa.us/ComprehensivePlan>

We have identified and adopted these documents as being appropriate for this proposal after independent review. In addition to the information in the SEPA environmental checklists including the supplemental sheet for non-project actions; the documents listed above will help meet the environmental review needs for the current proposal and will accompany the proposal to the decision maker.

Agency adopting the documents: Community Development Department

Date of issuance: February 7, 2008

Responsible official:
Kamuron Gurol, Director
801-228th Ave SE
Sammamish, WA 98075
425-295-0520

Contact person:
Emily Arteche, Senior Planner
801-228th Ave SE
Sammamish, WA 98075
425-295-0522

2/6/08 
Date Signature

You may comment on this determination. Send comments to:
SEPA Responsible Official
City of Sammamish, Community Development Department
801-228th Ave SE, Sammamish, WA 98074

Deadline: Comments must be received at the address above by February 27, 2008 at 5pm per SMC 20.15.070. This is a programmatic SEPA decision therefore no administrative appeal is provided.



STAFF REPORT FOR COMPREHENSIVE PLAN AMENDMENT

Docket item # 2006 – 00002 Request for Comp Plan Amendment

Applicant: John Kaschko
Address: 629 234th Ave SE
Sammamish, WA 98074

Land use and Rezone change request

The Docket item application is for 40.26 acres located along SE 8th St. adjacent to the Town Center planning area to the west and bordering SE 8th St. to the south. A Traffic Analysis is currently under preparation to analyze the proposal for potential impacts. The final designated area could be revised subject to the specific participation by property owners within the application area.

Adjacent Zoning

To the east and north the current zoning is R-6. To the west, the land use designation is currently R-4 in the Comp Plan and R-1 on the City Zoning map. The Town Center Plan will change that area to higher density development upon adoption. SE 8th Street is directly to the south bordered by Skyline High School across the street.

Municipal Code Reference

Docket item submission is governed by City of Sammamish Municipal Code 24.25.070 Annual Cycle Process. The current application for site specific land use map amendment and associated rezone is consistent with the process specified in the above referenced Code section.

Parcel Map

Attached to this report is a map of the affected properties.

Environmental Impacts

A review of wetland 1511, which crosses several parcels associated with this application was conducted by ESA Adolfson and concludes that, "Wetland 1511 merits a rating of Category 1 wetland." The report states that there is a reasonable development area within the 40 acres. An environmental review of the comprehensive plan amendments has been conducted under the State Environmental Policy Act (SEPA) and threshold determination

was issued on February 7, 2008 and is included in the planning commission packet. Further SEPA review will be required at the development review stage, which will include site specific analysis of wetland or other impacts, and any appropriate mitigation.

Traffic Impacts

A traffic study based on a rezone to R-4 for the 40 acre area is currently being prepared by DEA and the results of the study will be provided to the Planning Commission prior to the March 6, 2008 Planning Commission meeting. Concurrency review and payment of appropriate impact fees will be required at the development review stage.

Applicant Summary

The applicant provided a summary of the Comp Plan amendment and rationale that is attached to this Report. Staff concurs with this analysis.

Recommendation/Conditions on Rezone

Staff recommends this Comp Plan amendment be approved subject to a condition requiring construction of a connector road from SE 8th St. to connect with either SE 4th St. extension or the public portion of the Eastside Catholic High School access to occur prior to occupancy of any future development.

RECEIVED BY PERMIT CENTER

SEP 27 2006

CITY OF SAMMAMISH

**Proposed Amendment
Comprehensive Plan
City of Sammamish**

1. Proposed Amendment

Change from R-1 to R-4 the zoning in the Comprehensive Plan for the 40 acre area described "THE S.E. ¼ OF THE S.W. ¼ SEC. 34, T. 25 N., R. 6 E., W.M. KING COUNTY, WASHINGTON: EXCEPT THE SOUTH 30.00 FEET FOR ROAD." This area is outlined in Attachment A.

2. Anticipated Impacts

This may increase housing density in this area in the future if the actual zoning on the affected properties changes to R-4. Additional housing will have additional traffic, potential environmental effects would need to reviewed/addressed during the development process. The proposal will lead to a more consistent pattern in the area neighborhoods as well as bringing more citizens closer to the Town Center/Commons.

3. Issues with the current Comprehensive Plan

The current zoning of R-1 was put in place by King County in 1994 (see exhibit C). This was prior to the incorporation of the City of Sammamish and the immediate area was sparsely populated (8 families lived on SE 8th). The complete reasoning behind this zoning classification is unclear. In reviewing the zoning maps, it appears any area that may have some type of sensitive or critical area was zoned R-1. Speaking with a member of the committee who helped develop and complete the City of Sammamish Comprehensive Plan, he indicated "we didn't do anything with that area, we just took it from the County as it was." In short, during the development of the Comprehensive Plan there was not an in depth review of this specific area. Consequently, the zoning in reality dates to 1994.

This area is designated "urban growth area." Per RCW 36.70A.030 "(18) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170." Per RCW 36.70A.110 Comprehensive plans - Urban growth areas: "1) Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature."

LUP-3.11 Community design standards, zoning and development regulations should encourage:
b. Compatibility with surrounding uses

Zoning immediately to the north and to the east is R-6 (see exhibit B), the area immediately to the west is currently R-4 in the Comprehensive Plan. This area is slated for review/possible rezoning as part of the Town Center project. No "Revised Alternatives" show downzoning, zoning appears to stay the same or increase. The current zoning of R-1 on the subject property is inconsistent with the surrounding uses.

Recent wetland delineation has shown the size of the wetland marked in Exhibits D, E and F for tax parcel 342506-9060 is incorrect (see Exhibit G) and grossly overestimates the size of the wetland. This same wetland area is much larger in the Town Center area which is R-4 in the Comprehensive Plan. The wetland on in the eastern portion of the 40 acres is the same wetland extending into the property immediately to the north, R-6 in the Comprehensive Plan. There is one "Erosion" potential slope, this same slope runs through the Town Center site and is much larger in size than for the Proposal 40 acre area. In short, environmentally sensitive areas are much smaller in the proposed area than in the R-4 Town Center area where density may be significantly increasing.

With the construction of Eastside Catholic High School, there will be two high schools immediately adjacent to the proposal area, the new City Hall and Commons area nearing completion is within ¼ mile.

4. Compliance with the Growth Management Act

The state's three GMA hearing boards each have developed their own guideline on what constitutes urban and rural densities. The Central Puget Sound Growth Management Hearings Board has adopted a "bright line rule" dictating zoning designations requiring a minimum of four dwelling units per acre with urban growth areas.

RCW 36.70A.020 Planning goals.

The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
- (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

- Changing the zoning will support affordability, compatibility and efficient use of land.
- Support improved planning for public facilities and services.
- The area is well supported with a 16 inch sewer line through the subject property.
- SE 8th is one of 3 major roads on the east side to 228th that runs in an east-west direction. SE 8th will become a corridor that would better support public transportation.

RCW 36.70A.110 Comprehensive plans — Urban growth areas.

(1) Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature.

- Increased density in this area is supported by RCW 36.70A.110 (1)

(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development...

- There is a 16 inch sewer line, the Skinner interceptor, through the subject area and the water, power, phone, cable and gas lines that run along SE 8th have been upgraded with the large developments to the east. SE 8th is now one of the major east-west connections on the east side of 228th. With the completion of 244th, this will be more so. This area has more than adequate service capabilities. Urban growth in the subject area is consistent with RCW 36.70.A.110 (3)

5. Compliance with Sammamish Vision Statement

Elements of the Sammamish vision statement include: "...new development will complement Sammamish's existing character as well as allow for diversity and creativity.....

Encourage community gathering spaces which invite human presence, arouse curiosity, pique interest and allow for the interaction of people... Develop civic and cultural opportunities and experiences...."

- With the location of the new City Hall/Commons, it will support to goal of increasing walkability and access to the Town Center/commons area.
- Changing the zoning will result in consistency of neighborhoods.

This change is consistent with the Sammamish Municipal Code:

21A.10.030 Urban residential zone. (2) Use of this zone is appropriate in urban areas or activity centers, designated by the comprehensive plan or community plans as follows:

(a) The R-1 zone on or adjacent to lands with area-wide environmental constraints where development is required to cluster away from sensitive areas, on lands designated urban separators or wildlife habitat network where development is required to cluster away from the axis of the corridor, or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities;

(b) The R-4 through R-8 zones on urban lands that are predominantly environmentally unconstrained and are served at the time of development, by adequate public sewers, water supply, streets, and other needed public facilities and services;

- There are no subdivisions of the same density around the Proposed area.
- This area is on the axis of the corridor.
- The Town Center area adjacent on the west (R-4) has critical/sensitive areas that comprise a larger percentage of the surface area than the proposal area. Increasing density in the proposal area will have less impact to sensitive areas increased density in the Town Center subject area. The subject property is more "environmentally unconstrained" than the Town Center area to the west.

6. Effects on Current Functional Plans/Capital improvement

This amendment proposal will not have an effect on these items as it only changes what the potential for the area can be. Amending the plan may allow a potentially larger, more affordable number of units to be built on the subject properties. However, any actual development/building will still go through all the appropriate application review, setbacks, environmental checklists, concurrency, etc. Changing the zoning does not subvert that process, it allows the potential for consistency with the surrounding areas.

7. Necessary Implementation Steps

Add the amendment to the Comprehensive Plan. Alternatives would be to use a higher zoning (R-6 or R-8) which may be more compatible with what happens in the Town Center area or to not change the zoning which continues the current incongruity.

8. Support Goals of the Comprehensive Plan

Goal LUG-5: Promote community gathering places that encourage the interaction of people.”

Goal LUG-7: Encourage land use patterns that promote walkability, diversity and creativity.

Goal LUG-15: Promote connectivity between neighborhoods.

Goal LUG-16: Develop Sammamish as a leading member in regional planning efforts.

- A modest increase in density in this are, close to City Hall, the Commons supports gathering, walking, connectivity.

LUP-1.3 b. “District Descriptions” states: The purposes of the Residential Districts are to implement Comprehensive Plan policies for housing quality, diversity, and affordability, and to efficiently use land, public services, and energy.

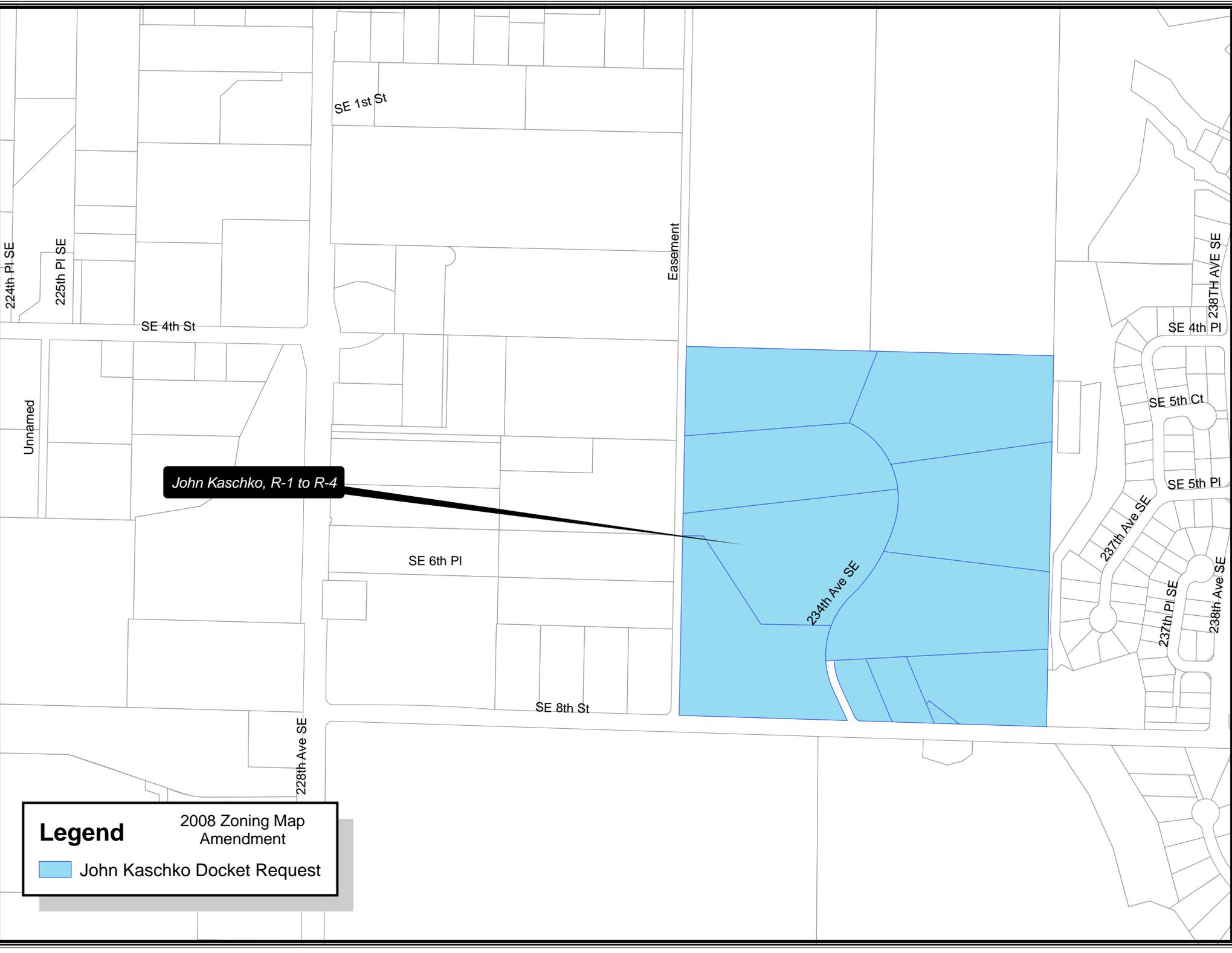
- R-1 zoning in this area is not efficient use of the land and building at this density would not support affordability.

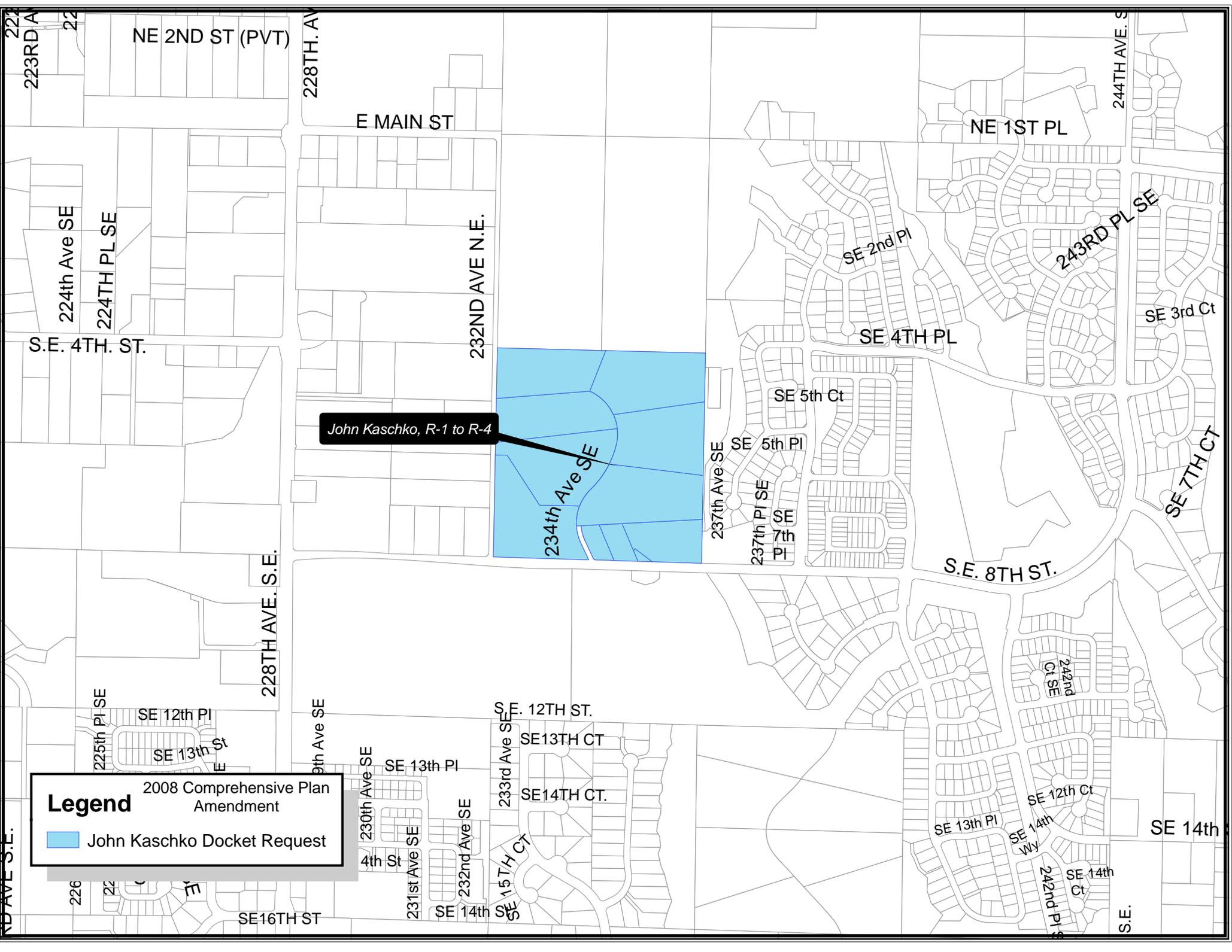
LUP- 3.10 states: The design, scale, and allowable uses within the three designated community centers shall be strictly regulated in accordance with approved sub-area or master plans to ensure compatibility with the surrounding neighborhood. Development should vary with the type and intensity of the abutting neighborhood in which it is located.

- The Town Center proposal is not consistent with an R-1 neighborhood “next door.”

9. Effects on adjacent and nearby land use and surrounding development pattern

The amendment will result in increased compatibility/consistency with surrounding areas.





NE 2ND ST (PVT)

E MAIN ST

NE 1ST PL

223RD AVE

224th Ave SE

224TH PL SE

232ND AVE N.E.

243RD PL SE

S.E. 4TH. ST.

SE 2nd Pl

SE 3rd Ct

SE 4TH PL

John Kaschko, R-1 to R-4

SE 5th Ct

234th Ave SE

237th Ave SE

SE 5th Pl

237th Pl SE

SE 7th Pl

SE 7TH CT

S.E. 8TH ST.

228TH AVE. S.E.

225th Pl SE

SE 12th Pl

SE 13th St

9th Ave SE

230th Ave SE

SE 13th Pl

S.E. 12TH ST.

SE13TH CT

SE14TH CT.

233rd Ave SE

SE 15TH CT

242nd Ct SE

SE 13th Pl

SE 12th Ct

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SE 14th

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S.E.

Legend

2008 Comprehensive Plan Amendment

John Kaschko Docket Request



ND AVE S.E.

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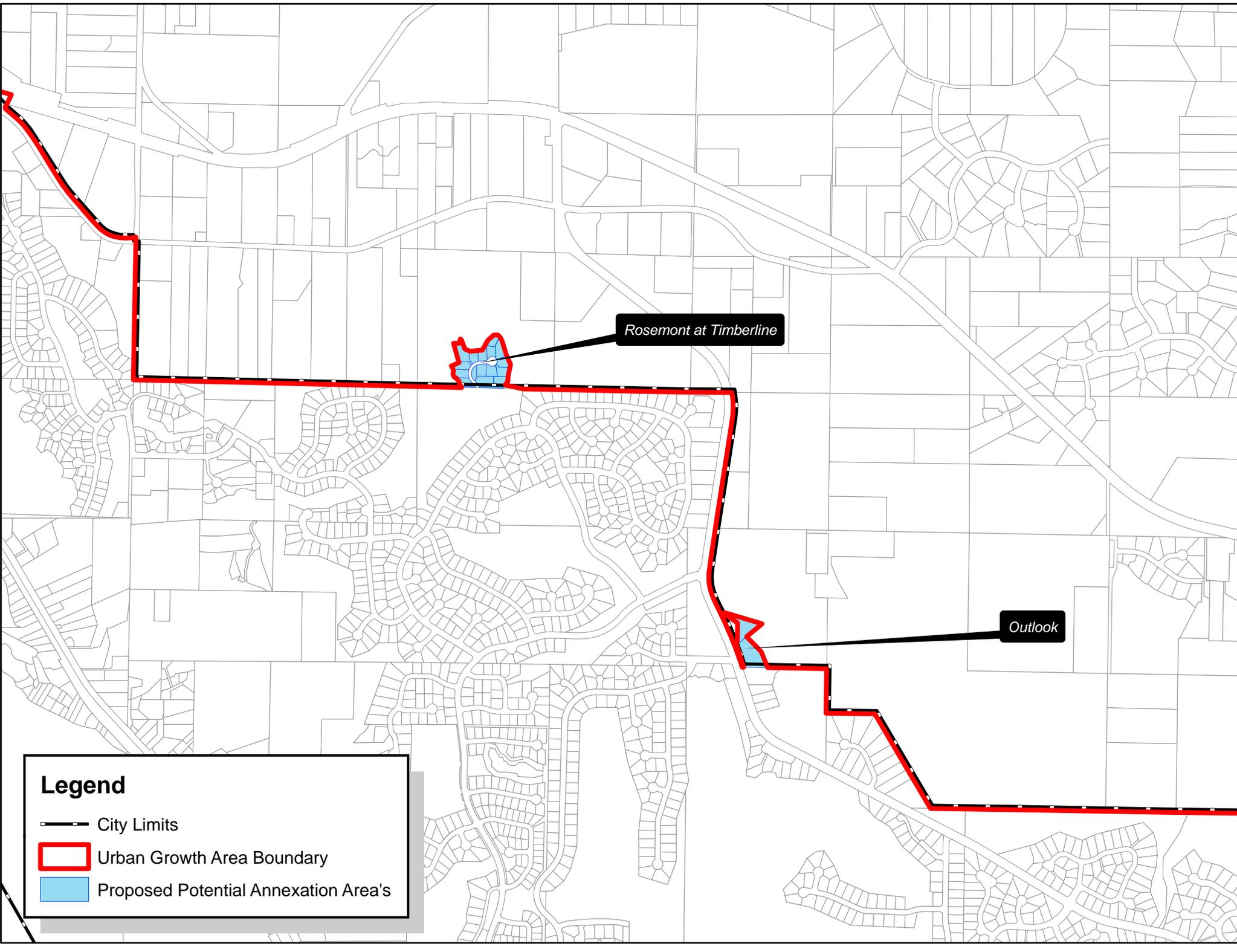
SE16TH ST

4th St

231st Ave SE

SE 14th

232nd Ave SE



Rosemont at Timberline

Outlook

Legend

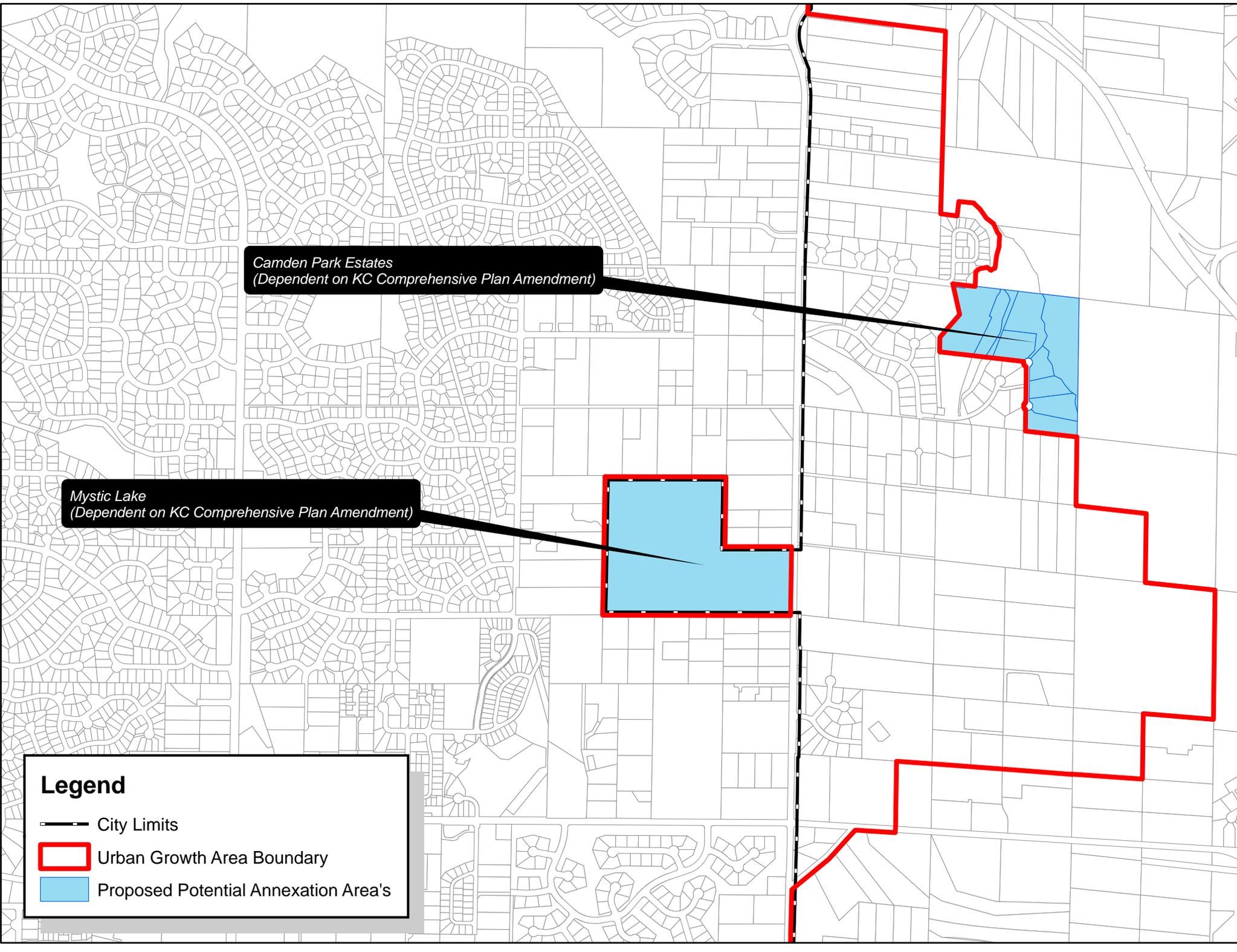
- City Limits
- Urban Growth Area Boundary
- Proposed Potential Annexation Area's

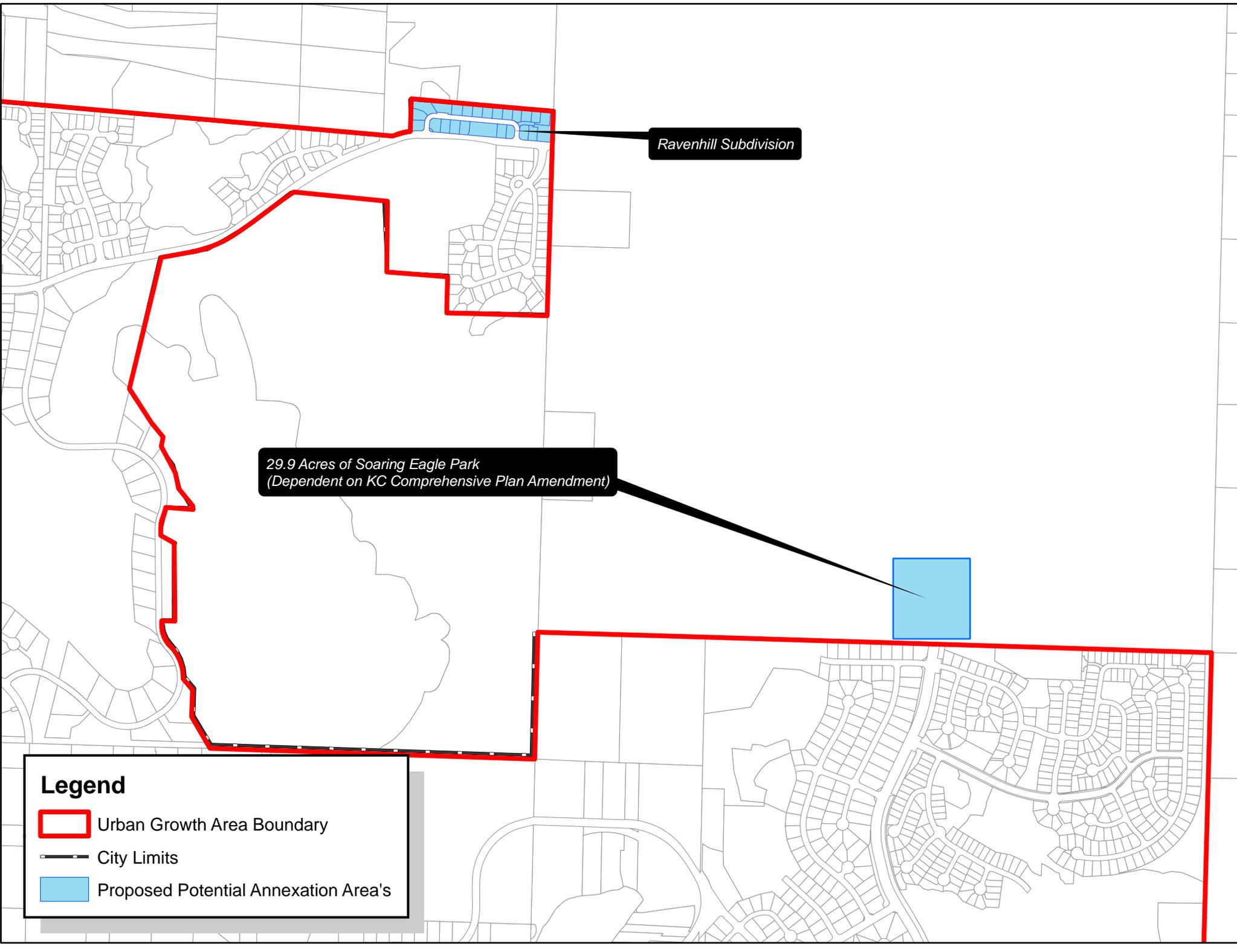
*Camden Park Estates
(Dependent on KC Comprehensive Plan Amendment)*

*Mystic Lake
(Dependent on KC Comprehensive Plan Amendment)*

Legend

- City Limits
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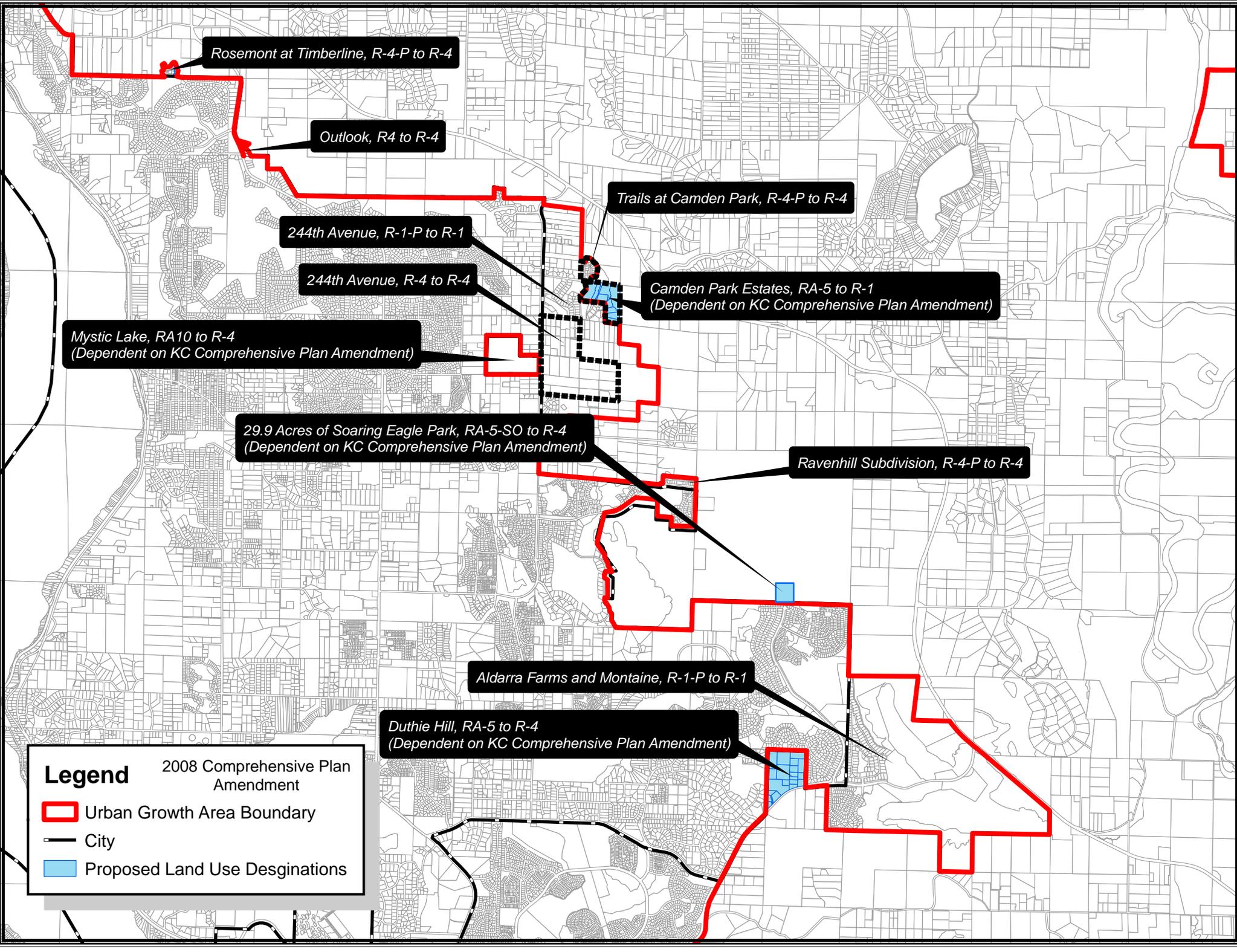


Ravenhill Subdivision

*29.9 Acres of Soaring Eagle Park
(Dependent on KC Comprehensive Plan Amendment)*

Legend

-  Urban Growth Area Boundary
-  City Limits
-  Proposed Potential Annexation Area's



Rosemont at Timberline, R-4-P to R-4

Outlook, R4 to R-4

Trails at Camden Park, R-4-P to R-4

244th Avenue, R-1-P to R-1

244th Avenue, R-4 to R-4

Camden Park Estates, RA-5 to R-1
(Dependent on KC Comprehensive Plan Amendment)

Mystic Lake, RA10 to R-4
(Dependent on KC Comprehensive Plan Amendment)

29.9 Acres of Soaring Eagle Park, RA-5-SO to R-4
(Dependent on KC Comprehensive Plan Amendment)

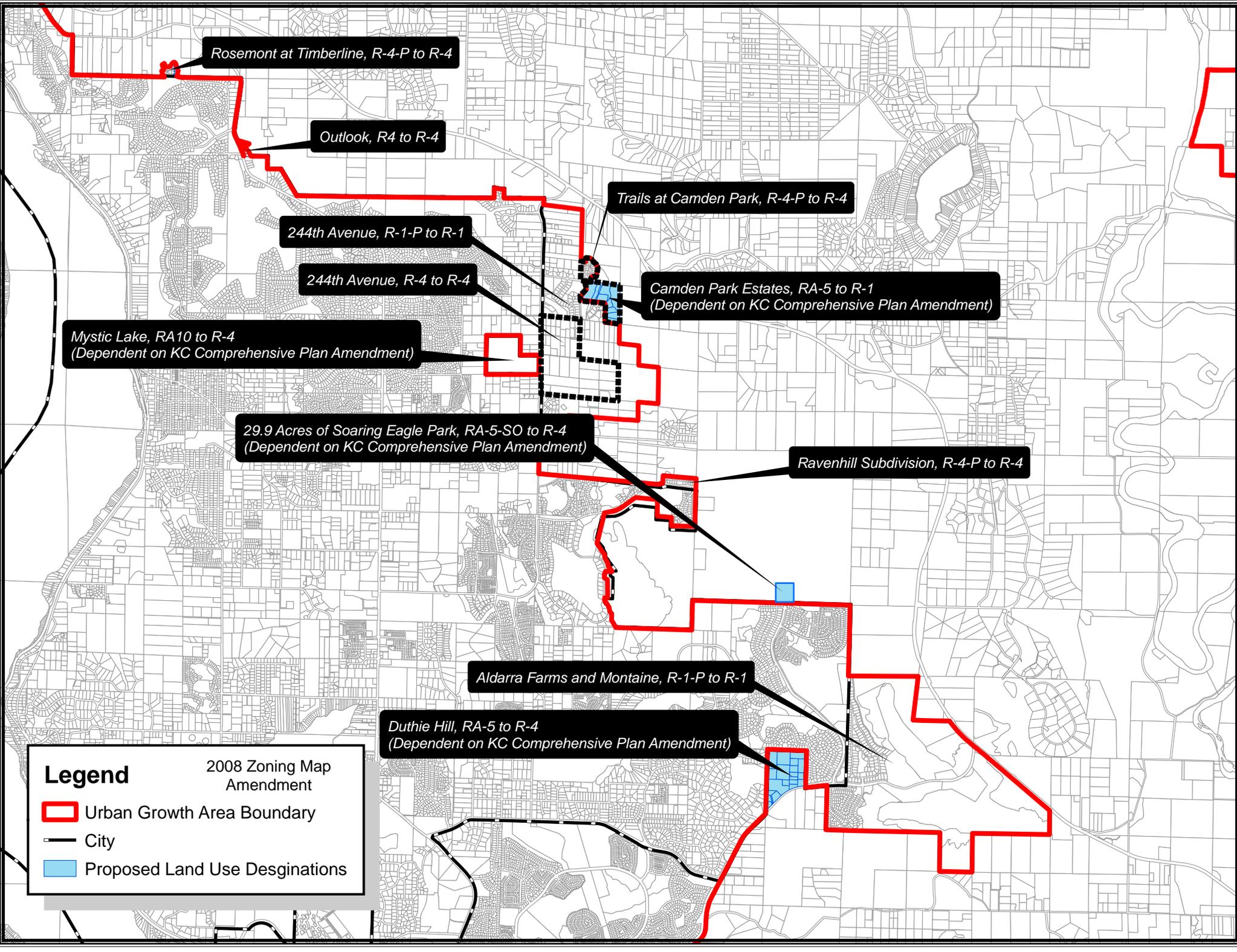
Ravenhill Subdivision, R-4-P to R-4

Aldarra Farms and Montaine, R-1-P to R-1

Duthie Hill, RA-5 to R-4
(Dependent on KC Comprehensive Plan Amendment)

Legend 2008 Comprehensive Plan Amendment

- ▭ Urban Growth Area Boundary
- City
- Proposed Land Use Designations



Rosemont at Timberline, R-4-P to R-4

Outlook, R4 to R-4

244th Avenue, R-1-P to R-1

244th Avenue, R-4 to R-4

Trails at Camden Park, R-4-P to R-4

Camden Park Estates, RA-5 to R-1
(Dependent on KC Comprehensive Plan Amendment)

Mystic Lake, RA10 to R-4
(Dependent on KC Comprehensive Plan Amendment)

29.9 Acres of Soaring Eagle Park, RA-5-SO to R-4
(Dependent on KC Comprehensive Plan Amendment)

Ravenhill Subdivision, R-4-P to R-4

Aldarra Farms and Montaine, R-1-P to R-1

Duthie Hill, RA-5 to R-4
(Dependent on KC Comprehensive Plan Amendment)

Legend 2008 Zoning Map Amendment

- ▭ Urban Growth Area Boundary
- City
- Proposed Land Use Designations