CITY OF SAMMAMISH
WASHINGTON

ORDINANCE NO. O2008-226

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY OF SAMMAMISH COMPREHENSIVE PLAN LAND USE ELEMENT, FIGURE III-2, FOR THE PURPOSE OF CHANGING THE LAND USE DESIGNATIONS ASSOCIATED WITH THE KASCHKO PROPERTY

WHEREAS, the City Council adopted the City’s Comprehensive Plan on September 16, 2003; and

WHEREAS, the Growth Management Act, RCW Chapter 36.70A, authorizes amendments or revisions of a comprehensive plan to be made annually; and

WHEREAS, the City Municipal Code, Chapter 24.25, allows site-specific land use map amendments to be initiated by a property owner for consideration in the annual Comprehensive Plan review cycle; and

WHEREAS, the City received a request from John Kaschko, in September 2006, that 30.46 acres of his property and other supportive property owners be considered for re-designation from R-1 to R-4 during the next Comprehensive Plan review cycle, and said request was docketed for consideration; and

WHEREAS, the subject property is located adjacent to the boundary of the City’s Town Center sub-area plan, and the City Council directed that the requested comprehensive plan amendment be processed simultaneously with the Town Center plan schedule; and

WHEREAS, City staff analyzed the Kaschko docketed amendment and recommended approval of the requested re-designation in a staff report dated February 13, 2007; and

WHEREAS, amendments the Comprehensive Plan have been developed to implement the Kaschko request; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Community, Trade and Economic Development on April 1, 2008 to allow for a 60 day review and comment period; and

WHEREAS, an environmental review of the proposed Comprehensive Plan amendments has been conducted in accordance with the requirements of the State Environmental Policy Act (SEPA), and a SEPA threshold determination of non-significance and notice of adoption was issued on February 7, 2008 and sent to state agencies and interested parties; and
WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including a mailing to affected property owners on February 7, 2008 notifying them of a public hearing and the SEPA open public comment period; and

WHEREAS, the Planning Commission also considered the proposed amendments to the Sammamish Comprehensive Plan at Planning Commission public hearings conducted on February 21, 2008 and March 6, 2008 and

WHEREAS, the Planning Commission considered the public comment received and other information presented at the public hearing and voted to recommend adoption of the proposed amendments to the City Council; and

WHEREAS, the City Council has considered the Planning Commission’s recommended amendments to Sammamish Comprehensive Plan; and

WHEREAS, the City Council desires to re-designate the 30.46 acres identified in the Kaschko docketed comment from R-1 to R-4 and to adopt contingent land use designations for that area; and

WHEREAS, the City Council has considered the goals of GMA as set forth in RCW 36.70A.020 and determined that the proposed Comprehensive Plan amendments attached to this ordinance reflect the appropriate balancing of the public interests served by the planning goals of the GMA; and,

WHEREAS, the effective date of these amendments will be coincident with the adoption of the Town Center subarea plan meeting in order to be consistent with the requirements of RCW 36.70A.130 for consideration of cumulative impacts related to comprehensive plan amendments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendments to the Sammamish Comprehensive Plan Adopted. The revisions to the Sammamish Comprehensive Plan Land Use Element, Chapter III, Figure III-2, as set forth in Attachment “A” (map) to this ordinance are hereby adopted.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.
**Section 3. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after passage and publication, but no sooner than the effective date of the ordinance adopting the Sammamish Town Center.

**ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE 21ST DAY OF APRIL 2008.**

CITY OF SAMMAMISH

[Signature]
Mayor Lee Fellinge

ATTEST/AUTHENTICATED:

[Signature]
Melonie Anderson, City Clerk

Approved as to form:

[Signature]
Bruce L. Disend, City Attorney

Filed with the City Clerk: April 10, 2008
Public Hearing: April 15, 2008
First Reading: April 15, 2008
Public Hearing: April 21, 2008
Passed by the City Council: April 21, 2008
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