CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2008 - 227

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON AMENDING THE CITY OF SAMMAMISH ZONING MAP FOR THE PURPOSE OF REZONING 30.46 ACRES ASSOCIATED WITH THE KASCHKO DOCKETED COMPREHENSIVE PLAN AMENDMENT

WHEREAS, the City Council adopted the City Zoning Map on December 2, 2003; and

WHEREAS, consistent with Chapter 24.25 and Chapter 20.05 of the Sammamish Municipal Code, an application for a site-specific land use map amendment may be accompanied by an application for a zone reclassification to implement the proposed amendment; 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 has directed that the requested reclassification be processed simultaneously with the Town Center plan schedule; and

WHEREAS, City staff analyzed the Kaschko reclassification request and recommended approval in a staff report dated February 13, 2007; and

WHEREAS, the proposed zoning would implement and support the goals of the Comprehensive Plan and were found to be compatible with the adjacent existing and permitted land uses and the surrounding development pattern; and

WHEREAS, a revised zoning map has been developed to implement the comprehensive plan revisions; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed 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 amendments was 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 considered the proposed amendments 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 hearings 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; and

WHEREAS, the City Council desires to reclassify the 30.46 acres identified in the Kaschko application from R-1 to R-4; and

WHEREAS, the City of Sammamish Comprehensive Plan GOAL TG-3: states, “Improve local circulation and emergency access throughout the community while addressing the importance of neighborhood quality and safety,” and T)-3.1: states, “Circulation. To the greatest extent possible, a cohesive traffic circulation system should be established throughout the City.”

WHEREAS, the reclassification shall be conditioned upon improvement and extension of 234th Avenue SE. and development consistent with the proposed rezone area shall include a through roadway from SE 8th to 232nd NE across parcel # 342506-9076 or as approved by the City Engineer. The specific location and design of the roadway will be subject to review and input from the City Engineer during site development application process, and be constructed as part of site development.

WHEREAS, the subject property contains wetlands, stream and a wildlife corridor which will need to be accommodated at a future development stage. Review of boundaries, impacts, and mitigation will be done as part of the development review process. City development regulations require accommodation of the wildlife corridor, including specific design requirements, which are located in SMC 21A.50.327. These include a 300-foot width where possible, with a 150-foot minimum width and a required management plan. The city has also adopted an updated critical areas code, providing for adequate wetland/stream buffers. A net density ordinance is also in effect within the city, that calculates the unit yield on a net area, subtracting critical areas, buffers, and streets; and,

WHEREAS, a master plan process for the proposal area as recommended by the Planning Commission does not appear necessary given requirements and procedures already in city code; and

WHEREAS, the City Council has considered the goals of the GMA as set forth in RCW 36.70A.020 and determined that the proposed zoning map 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 36.70.A.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 Zoning Map. The amendments to the City zoning map set forth in Attachment "A" (map) to this ordinance are hereby adopted.

Section 2. Conditions. The reclassification of properties identified in Section 1 (above) shall be conditioned upon improvement and extension of 234th Avenue SE and development consistent with the proposed rezone area shall include a through roadway from SE 8th to 232nd NE across parcel # 342506-9076 or as approved by the City Engineer. The specific location and design of the roadway will be subject to review and input from the City Engineer during site development application process, and be constructed as part of site development.

Section 3. 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 pre-empted 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 4. 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 Plan.

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:

Melanie Anderson, City Clerk

Approved as to form:

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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