AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING ATTACHMENT A TO ORDINANCE O2014-373, ESTABLISHING INTERIM DEVELOPMENT REGULATIONS AS AUTHORIZED BY THE GROWTH MANAGEMENT ACT RELATING TO SURFACE WATER MANAGEMENT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

WHEREAS, through the adoption of Ordinance No. O2014-373 on July 15, 2014, the City Council adopted interim development regulations relating to surface water management; and

WHEREAS, pursuant to State law, the City held a public hearing on September 2, 2014 to take public testimony and further consider said interim development regulations as set forth in Attachment A to Ordinance No O2014-373; and

WHEREAS, as a result of the September 2, 2014 public hearing and further consideration of said amendments, the City Council now desires to amend the adopted interim development regulations to read as set forth in Attachment A to this Ordinance;

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

Section 1. Adoption of Interim Zoning Regulations. Attachment A to Ordinance No. O2014-373, as adopted in Section 2 of Ordinance No. O2014-373 on July 15, 2014, is hereby amended as set forth in the Attachment A to this Ordinance. Attachment A to this Ordinance shall replace and otherwise supersede Attachment A to Ordinance No. O2014-373. In all other respects, Section 2 and all other sections of Ordinance No. O2014-373 shall remain in full force and effect as currently 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 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 3. Effective Date. This Ordinance shall take effect five days after passage and publication in the official newspaper of the City.
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 7TH DAY OF OCTOBER, 2014.

CITY OF SAMMAMISH

[Signature]

Mayor Thomas E. Vance

ATTEST/AUTHENTICATED:

[Signature]

Melanie Anderson, City Clerk

Approved as to form:

[Signature]

for: Michael R. Kenyon, City Attorney

Filed with the City Clerk: October 1, 2014
Passed by the City Council: October 7, 2014
Date of Publication: November 4, 2014
Effective Date: November 10, 2014
Attachment A
Interim Development Regulations

SMC 13.20.020 Drainage review – When required – Type

(1) Drainage review is required when any proposed project is subject to a City of Sammamish development permit or approval and:

(a) Would result in 2,000,000 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface; or

(a.1) Would result in 500 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface with an Historic Plat as defined and mapped in Ordinance 2014-373 Exhibit A; or

(b) Would involve 7,000 square feet or more of land disturbing activity; or

(c) Would construct or modify a drainage pipe or ditch that is 12 inches or more in size or depth or receives surface and stormwater runoff from a drainage pipe or ditch that is 12 inches or more in size or depth; or

(d) Contains or is adjacent to a flood hazard area as defined in SMC Title 15 or 21A; or

(e) Is located within a critical drainage area; or

(f) Is a redevelopment project proposing $100,000 or more of improvements to an existing high-use site; or

(g) Is a redevelopment project on a site in which the total of new plus replaced impervious surface is 5,000 square feet or more and whose valuation of proposed improvements, including interior improvements and excluding required mitigation and frontage improvements, exceeds 50 percent of the assessed value of the existing site improvements.

(2) The drainage review for any proposed project shall be scaled to the scope of the project’s size, type of development and potential for impacts to the regional surface water system to facilitate preparation and review of project applications. If drainage review for a proposed project is required under subsection (1) of this section, the City shall determine which of the following drainage reviews apply as specified in the Surface Water Design Manual:

(a) Small project drainage review;

(b) Targeted drainage review;

(c) Full drainage review; or

(d) Large project drainage review. (Ord. O2011-304 § 1 (Att. A))
Surface Water Design Manual

1.2.1 CORE REQUIREMENTS #1: 
DISCHARGE AT THE NATURAL LOCATION

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DISCHARGE REQUIREMENTS
Proposed projects must comply with the following discharge requirements (1, 2, and 3) as applicable:

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2. IF a proposed project or any natural discharge area within a project is located within a historic plat, outlined in red as depicted in Ordinance 2014-373 Exhibit A or Landslide Hazard Drainage Area3422 and, in fact, ultimately drains over the erodible soils of a SAO-defined landslide hazard area with slopes steeper than 15%, THEN a tightline system must be provided through the landslide hazard area to an acceptable discharge point unless one of the following exceptions applies. The tightline system must comply with the design requirements in Core Requirements #4 and in Section 4.2.2 unless otherwise approved by DDES. Drainage easements for this system must be secured from downstream property owners and recorded prior to engineering plan approval.

Exceptions: A tightline is not required for any natural discharge location where one of the following conditions can be met:

a) Less than 5002,000 square feet of new impervious surface will be added within the natural discharge area, OR

b) All runoff from the natural discharge area will be infiltrated for runoff events up to and including the 100-year event, OR

c) The developed conditions runoff volume2 from the natural discharge area is less than 50% of the existing conditions runoff volume from other areas draining to the location

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1 Historic plats are plats approved prior to 1977 that created separate lots as defined in SMC Title 19A smaller than 5,000 square feet.
2 Landslide Hazard Drainage Areas are areas mapped by the County where it has been determined that overland flows from new projects will pose a significant threat to health and safety because of their close proximity to SAO-defined landslide hazard areas that are on slopes steeper than 15% (see Definitions Section for a more detailed definition of SAO landslide hazard areas). Such areas are delineated on the Landslide Hazard Drainage Areas map adopted with this manual (see map pocket on inside of back cover).

2. For the purposes of applying this exception, the developed conditions runoff volume is the average annual runoff volume as computed with KCRTS per Chapter 3. Any areas assumed not to be cleared when computing the developed conditions runoff volume must be set aside in an open space tract or covenant in order for the proposed project to qualify for this exception. Preservation of existing forested areas in Landslide Hazard Drainage Areas is encouraged.
where runoff from the natural discharge area enters the landslide hazard area onto slopes steeper than 15%, AND the provisions of Discharge Requirement I are met, OR

c) DDES determines that a tightline system is not physically feasible or will create significant adverse impact based on a soils report by a geotechnical engineer.

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