CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2015-389

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING PROVISIONS RELATED TO SURFACE WATER MANAGEMENT IN THE SURFACE WATER DESIGN MANUAL AND AS ALSO CODIFIED INTO CHAPTER 20 OF TITLE 13 OF THE SAMMAMISH MUNICIPAL CODE

WHEREAS, the City incorporated in August of 1999;

WHEREAS, the City Council adopted the City’s Comprehensive Plan on September 16, 2003, and the City has enacted zoning consistent with the comprehensive plan; and

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003 and subsequent revisions have been made since that time; and

WHEREAS, Title 13 of the Sammamish Municipal Code ("SMC") contains development regulations for surface and stormwater management; and

WHEREAS, plats approved prior to 1977 ("historic plats") were not subject to surface and stormwater regulations; and

WHEREAS, the City has landslide hazard areas that are potentially subject to risk of mass movement and susceptible to landslides due to a combination of geologic, topographic, and hydrologic factors; and

WHEREAS, the City has observed that when development occurs on previously vacant lots within historic plats that drain onto landslide hazard areas, there is a greater possibility for deleterious discharges associated with surface and stormwater when the development is not tightened below the landslide hazard area; and

WHEREAS, drainage review is currently not required for development permits or approvals that would result in less than 2,000 square feet of new impervious surface, replaced impervious surface, or new plus replaced impervious surface; and

WHEREAS, through the adoption of Ordinance No. O2014-373 on July 15, 2014, and amended through Ordinance O2014-474 on October 7, 2014, the City Council adopted interim development regulations relating to surface water management and those interim regulations are expected to expire in 2015;
WHEREAS, the City Council held a public hearing on March 3, 2015 and received public testimony related to the adoption of the proposed permanent regulations set forth herein; and interim development regulations relating to surface water management.

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non Significance for the proposed permanent regulations was issued on February 17, 2015; and

WHEREAS, in accordance with RCW 36.70A, a request for expedited review was received by the State of Washington Department of Commerce on October 24, 2014 and was granted expedited review on November 10, 2014; and

WHEREAS, the public process for the proposed permanent regulations has provided for public participation opportunities at public meetings and hearings before the Planning Commission and City Council between September of 2014 and March of 2015; and

WHEREAS, the Planning Commission held public meetings and public hearings on September 18 and October 16, 2014 and forwarded a recommendation to permanently amend Section 13.20.020 SMC and Section 1.2.1 of the adopted Surface Water Design Manual to further regulate and adopt standards for surface water management to the City Council on March 3, 2015; and

WHEREAS, the City Council considered the proposed surface water management regulations at a City Council public hearing on March 3, 2015, and

WHEREAS, the City Council considered the Planning Commission’s recommendation, public comment, and other available information.

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

Section 1. Adoption of the Surface Water Management regulations. The Surface Water Management regulations as set forth in Attachment “A” to this ordinance are hereby adopted.

Section 2. Codification of the Surface Water Management regulations. The City Council authorizes the Community Development Director and City Clerk to codify the regulatory provisions of this ordinance into Section 13.20.020 SMC and Section 1.2.1 of the adopted Surface Storm Water Design Manual for ease of use and reference.

Section 3. Adoption of Historic Plat map. The Historic Plat map as set forth in Attachment “B” to this ordinance is hereby adopted.

Section 4. Interpretation. The City Council authorizes the Community Development Director to administratively interpret these provisions as necessary to implement the intent of the Council.
Section 5. 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 6. 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 the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 17th DAY OF MARCH 2015.

CITY OF SAMMAMISH

[Signature]
Mayor Thomas E. Vance

ATTEST/AUTHENTICATED:

[Signature]
Melonie Anderson, City Clerk

Approved as to form:

[Signature]
Michael R. Kenyon, City Attorney

Filed with the City Clerk: February 25, 2015
Public Hearing: March 3, 2015
First Reading: March 3, 2015
Second Reading: March 17, 2015
Passed by the City Council: March 17, 2015
Date of Publication: March 20, 2015
Effective Date: March 25, 2015
ATTACHMENT A

Stormwater Development Regulations – Inglewood

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 \(2,000,002,000\) 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 within an Historic Plat as defined and mapped in Attachment B; 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))
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 plat¹ as defined and mapped in Attachment B or Landslide Hazard Drainage Area² 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 5,000,000 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

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
where runoff from the natural discharge area enters the landslide hazard area onto slopes steeper than 15%, AND the provisions of Discharge Requirement 1 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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