

May 25, 2016

Growth Management Planning Council King County Executive Dow Constantine, Chair King County Chinook Building 401 5<sup>th</sup> Avenue, Suite 800 Seattle, WA 98104

RE: Urban Growth Area Amendment Request - Duthie Hill Notch

Dear Chair Constantine and members of the GMPC,

The City of Sammamish is appreciative of the opportunity to provide comment on the Urban Growth Area (UGA) amendment request for the Duthie Hill Notch area. The City supports this request for a number of reasons:

- This area abuts the Sammamish city limits on three sides;
- The majority of the properties in this area are smaller than the five-acre minimum lot size of the zoning for this area;
- Residents of this area could be provided with a full range of urban services upon annexation; and
- Certainty would be provided for Duthie Hill Road as the City would provide for upgrading and long term maintenance of this road from the eastern city limit boundary to the intersection of Duthie Hill Road and Issaquah – Pine Lake Road.

To accomplish this, including the Duthie Hill Notch in the Sammamish UGA, the City, as it most recently did in July 2015, requests the Growth Management Planning Council (GMPC) consider and support a future minor amendment to Countywide Planning Policy (CPP) DP-16(b) to allow for small corrections to irregularities in the UGA boundary. Proposed language is provided below that would provide for a minor adjustment in this area, while assuring the integrity of the UGA. Areas that would qualify under the criteria would likely be few and would be less than fifty acres, constituting irregularities in the UGA surrounded on all sides by urban area and barriers to further expansion. The proposed change (item d) is noted in underline format below:

DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a. A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b. A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space.
  - Is at least four times the acreage of the land added to the Urban Growth Area;
  - 2. Is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
  - 3. Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c. The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

d. <u>The area is less than 50 acres and is surrounded on at least three sides by urban area and the fourth side by a natural or manmade barrier to further UGA expansion, such as an arterial roadway.</u>

The Duthie Hill area is approximately 46 acres in size and is bordered on the west, north and east by incorporated Sammamish urban area. Duthie Hill Road forms the south border, and is owned by King County adjacent to the Duthie Hill Area, and Sammamish on both sides of the area. The surrounding incorporated area is zoned R-4 (4 units per acre) and is developed with single family homes on platted lots. King County zoning for the Duthie Hill Area is RA-5 (one dwelling unit per five acres). There are twenty parcels in the Duthie Hill Area, and the smallest parcel is 0.62 acre and twelve of the twenty parcels are less than two acres in area. Sixteen of the twenty parcels (80%) do not conform to current King County RA-5 zoning requirements.

Future access to the area would be provided by City of Sammamish street rights-of-way that are stubbed at the boundary of the area at the northwest and northeast corners from the Trossachs and High Country neighborhoods, both of which are located within Sammamish. Water and sewer lines exist within these rights-of-way, as well as within the right-of-way of Duthie Hill Road. The County has designated Duthie Hill Road as a principal arterial, thus fully surrounding the Duthie area with urban development and infrastructure.

The Duthie Hill area is characterized by urban development which can be efficiently and cost effectively served by roads and road maintenance, water, sanitary sewer and storm drainage, and other urban services and it should be included within the UGA of the City of Sammamish. Inclusion would facilitate much-needed future improvements to Duthie Hill Road, completing the City right-of-way ownership in the area.

The requested minor amendment in the CPPs will not affect the long term stability of the UGA boundary and will allow minor corrections only when appropriate criteria are met and to efficiently serve the citizens of the area with the full range of urban services that surrounding residents enjoy.

In addition to supporting the aforementioned minor amendment to the CPPs, the City is also supportive of examining additional policy changes to provide alternatives and/or options to allow for small corrections to irregularities in the UGA boundary.

Thank-you again for the opportunity to provide comment on the Urban Growth Area (UGA) amendment request for the Duthie Hill Notch area. The City of Sammamish looks forward to working with you in the near future on policy changes to resolve this matter.

Sincerely,

Don Gerend, Mayor City of Sammamish

Copy:

Karen Wolf, AICP, Senior Policy Analyst KCEO Performance, Strategy and Budget

Diane Carlson, *Director of Regional Initiatives* KCEO Intergovernmental Relations

Attachments:

City of Sammamish letter to GMPC July 13, 2015 w/ attachments



801 – 228th Avenue SE • Sammamish, WA 98075 • Phone: 425-295-0500 • Fax: 425-295-0600 • web: www.sammamish.us

July 13, 2015

Growth Management Planning Council
King County Executive Dow Constantine, Chair
King County Chinook Building
401 5th Ave. Suite 800 Seattle, WA 98104

RE: Sammamish request - Duthie Hill Area

Dear Chair Constantine and members of the GMPC,

The City of Sammamish requests that the GMPC consider and support a minor amendment to Countywide Planning Policy DP-16 to allow for small corrections to irregularities in the Urban Growth Area (UGA) boundary. Proposed language is provided below that would provide for a minor adjustment in the Duthie Hill area, while assuring the integrity of the UGA. Areas that would qualify under the criteria would likely be few and would be less than 50 acres, constituting irregularities in the UGA surrounded on all sides by urban area and barriers to further expansion. The proposed change (item d) is noted in underline format below:

DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a. A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b. A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space
  - 1. Is at least four times the acreage of the land added to the Urban Growth Area;
  - 2. Is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
  - 3. Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c. The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.
- d. The area is less than 50 acres and is surrounded on at least three sides by urban area and the fourth side by a natural or manmade barrier to further UGA expansion, such as an arterial roadway.

The Duthie Hill area is approximately 46 acres in size and is bordered on the west, north and east by incorporated Sammamish urban area. Duthie Hill Road forms the south border, and is owned by King County adjacent to the Duthie Hill Area, and Sammamish on both sides of the area. The surrounding incorporated area is zoned R-4 (4 units per acre) and is developed with single family homes on platted lots. King County zoning for the Duthie Hill Area is RA-5 (one dwelling unit per five acres). There are twenty parcels in the Duthie Hill Area, and the smallest parcel is 0.62 acre and twelve of the twenty parcels are less than 2 acres in area. Sixteen of the twenty parcels (80%) do not conform to current King County RA-5 zoning requirements.

Future access to the area would be provided by City of Sammamish street rights-of-way that are stubbed at the boundary of the area at the northwest and northeast corners from the Trossachs and High Country neighborhoods, both of which are located within Sammamish. Water and sewer lines exist within these rights-of-way, as well as within the right-of-way of Duthie Hill Road. The County has designated Duthie Hill Road as a principal arterial, thus fully surrounding the Duthie area with urban development and infrastructure.<sup>1</sup>

The Duthie Hill area is characterized by urban development which can be efficiently and cost effectively served by roads and road maintenance, water, sanitary sewer and storm drainage, and other urban services and it should be included within the Urban Growth Area of the City of Sammamish. Inclusion would facilitate much-needed future improvements to Duthie Hill Road, completing the City right-of-way ownership in the area.

### **History:**

The City has been interested in eventual annexation of this area since at least 2006.

In November of 2007, the City completed an annexation strategy study. Based on this study, on April 21, 2008 the Sammamish City Council adopted Ordinances 2008-228 and 2008-229 that adopted contingent Potential Annexation Area (PAA) and land use and zoning designations for the Duthie Hill Area. The ordinances assigned potential R-1 (1 house per acre) zoning and a R1-R4 land use designation, contingent upon a change in the UGA and designation of the area as a Sammamish PAA.

King County declined to consider requests for the UGA change in 2008 and 2012, under the current CPPs.

More recently, in early 2015, the City completed a draft Duthie Hill Land Use Study, available through the following link: <a href="http://www.sammamish.us/files/document/14492.pdf">http://www.sammamish.us/files/document/14492.pdf</a>

This study includes a thorough analysis of the proposed change and process needed to include the Duthie Hill area within the Sammamish UGA leading to eventual annexation.

The City is in support of a related docket request submitted for consideration in the King County comprehensive plan update by property owners Paul and Julie Brenna for the UGA boundary change. This docket request contains petition signatures in favor of the change by owners of 65% of the parcels, representing 78% of the acreage. The King County Council approved scope of work for the comprehensive plan update also includes consideration of this UGA change.

The City also requests that concurrently with this policy change, or with the approved docket request, that the Duthie Hill area be included on the land use map (Appendix 1) as urban and as a Sammamish PAA on the PAA map (Appendix 2).

The requested minor change in the CPPs will not affect the long term stability of the UGA boundary and will allow minor corrections only when appropriate criteria are met and to efficiently serve the citizens of the area with the full range of urban services that surrounding residents enjoy.

Thank you for your consideration and support.

Sincerely,

Thomas E. Vance, Mayor City of Sammamish

CC:

Karen Wolf, AICP, Senior Policy Analyst KCEO Performance, Strategy and Budget

Diane Carlson, *Director of Regional Initiatives* KCEO Intergovernmental Relations

<sup>1</sup>The King County definition of a Principal Arterial:

Provides for movement across and between large subareas of an urban region and serves predominantly "through traffic" with minimum direct service to abutting land uses. This category includes freeways and major highways under the jurisdiction of the Washington State Department of Transportation.

#### Attachments:

Maps: vicinity map, current land use designations, current zoning Sammamish Ordinances 2008-228 and 2008-229

Figure 1 Vicinity Map

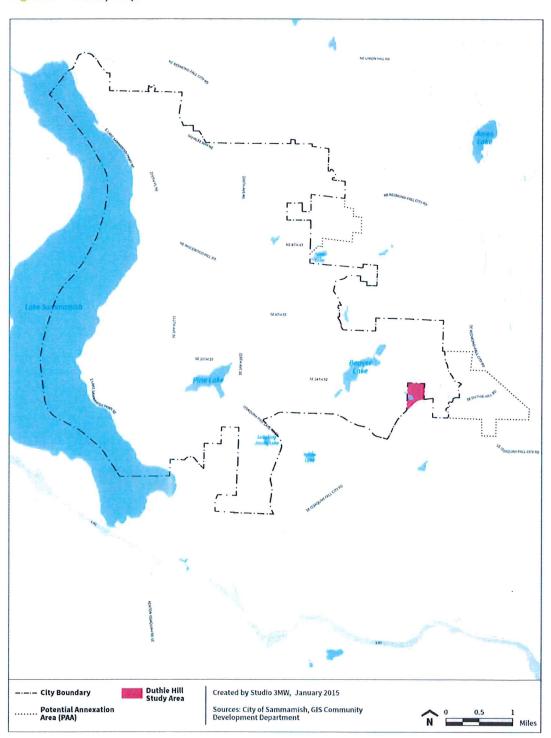


Figure 2 Current Comprehensive Plan Land Use Designations

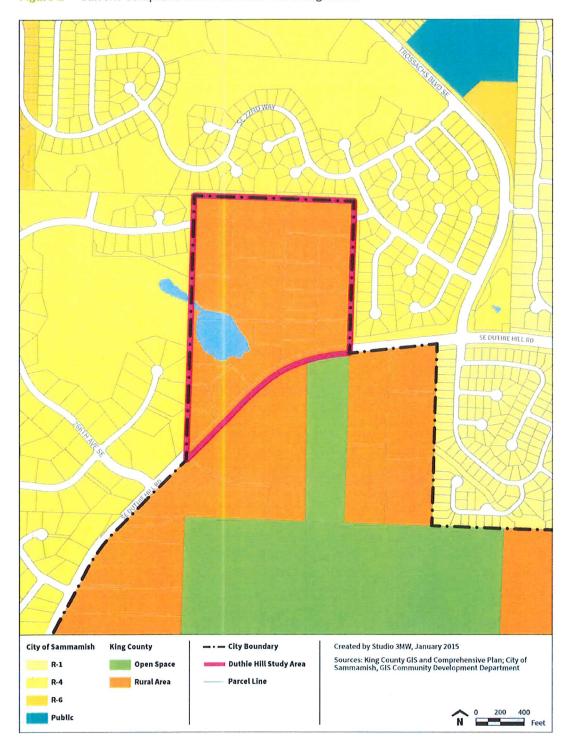
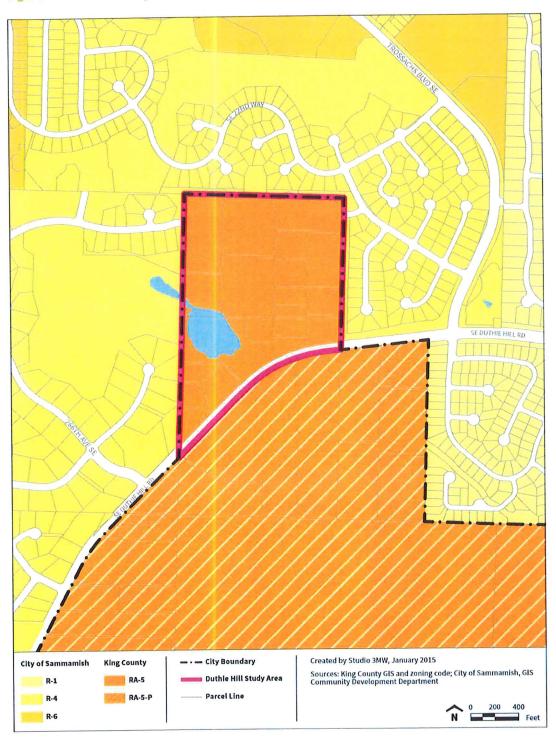


Figure 3 Current Zoning Designations



# CITY OF SAMMAMISH WASHINGTON

**ORDINANCE NO. 02008 - 228** 

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY COMPREHENSIVE PLAN LAND USE ELEMENT INCLUDING: REVISING LAND USE POLICIES AND FIGURES III-2 AND III-2A FOR THE PURPOSE OF DESIGNATING ADDITIONAL POTENTIAL ANNEXATION AREAS AND DESIGNATING CONTINGENT LAND USES ASSOCIATED WITH SUCH POTENTIAL ANNEXATION AREAS

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

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

WHEREAS, the City is required to plan under the Growth Management Act, goals set forth in RCW 36.70A.020 in order to guide the development of the Comprehensive Plan and the adoption of development regulations; and

WHEREAS, the Comprehensive Plan, Land Use Policy 16.7, states that the City should evaluate annexation study areas in consultation with King County and neighboring jurisdictions as appropriate, and

WHEREAS, the City completed an Annexation Strategy Study in November 2007 that included recommendations for including certain land use designations; and

WHEREAS, amendments to the Comprehensive Plan have been developed to implement Annexation Strategy Study; and

WHEREAS, in the event that the proposed amendments are adopted, appropriate land use designations will have been prepared; 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 affected property owners from the following areas: Aldarra Estates, Montaine at Aldarra and Ravenhill, July 19, 2007, Camden Park, Camden Park Estates, The Trails at Camden Park and Devereaux, August 1, 2007, Duthie Hill Road Study Area, August 6, 2007, 244th North and 244th South PAA, September 10, 2007; and the public process included presentations to the Sammamish Planning Commission on July 19, September 20 and November 1, 2007; 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 Duthie Hill "Notch" is surrounded on three sides by the city of Sammamish and on the fourth by Duthie Hill Road, an arterial serving urban areas, and urban services such as water, sewer, and emergency services are available; and

WHEREAS, the City Council desires to designate all areas within the City's Urban Growth Boundary, as amended as potential annexation areas, and to adopt contingent land use designations for those areas; and

WHEREAS, the land use designations shall be contingent upon and take effect upon annexation to the City; 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 King County Council and the Growth Management Planning Council must also consider amendments to the Urban Growth Boundary and such consideration is currently occurring; and

WHEREAS, the City Council desires to take early action to allow full consideration of the City's amendments in the King County and Growth Management Planning Council processes; and

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

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

Section 1. Amendments to the Comprehensive Plan Adopted. The Sammamish Comprehensive Plan Land Use Element, Chapter III, is hereby amended as set forth in Attachment "A" (text and maps) to this ordinance. The land use designations shown in the map amendments shall be contingent upon and take effect upon annexation of the property the amendments affect to the City.

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 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

Mayor Lee Fellinge

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: Public Hearing: First Reading: Public Hearing: Passed by the City Council:	April 10, 2008 April 15, 2008 April 15, 2008 April 21, 2008 April 21, 2008
Passed by the City Council: Date of Publication: Date of Re-publication: Effective Date:	April 21, 2008 April 25, 2008 June 12, 2008 June 17, 2008

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## ATTACHMENT "A"

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:

Property owned by the City of Sammamish abutting the current City limits, including, but not limited to, the Evans Creek Preserve,

Parcels between the UGB, north of Duthic Hill Road and just west of SE 25th Place, i.e., "the notch".

Property fronting NE 14th Street and 244th Avenue NE and surrounded by the city on three sides,

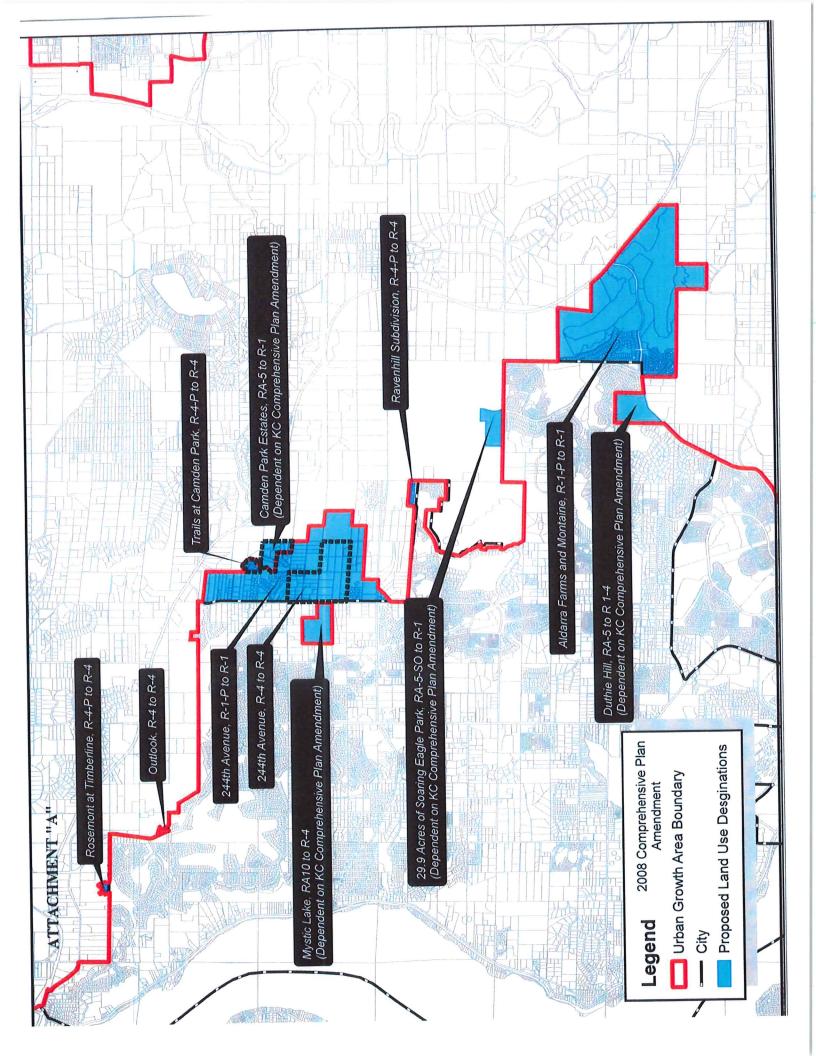
Property North of East Main Drive, accessed off NE 4th Place, with in Ravenhill Subdivision,

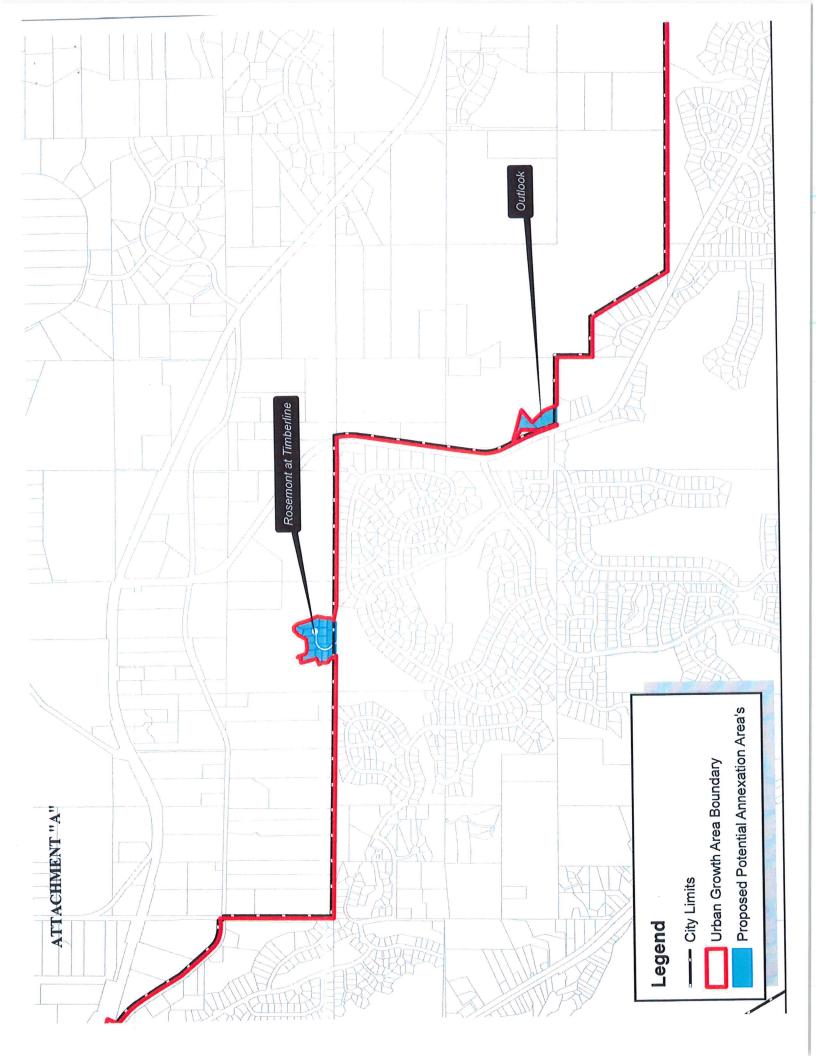
Two technical correction areas within the UGB located adjacent to NE 44th Street and Sahalee Way NE,

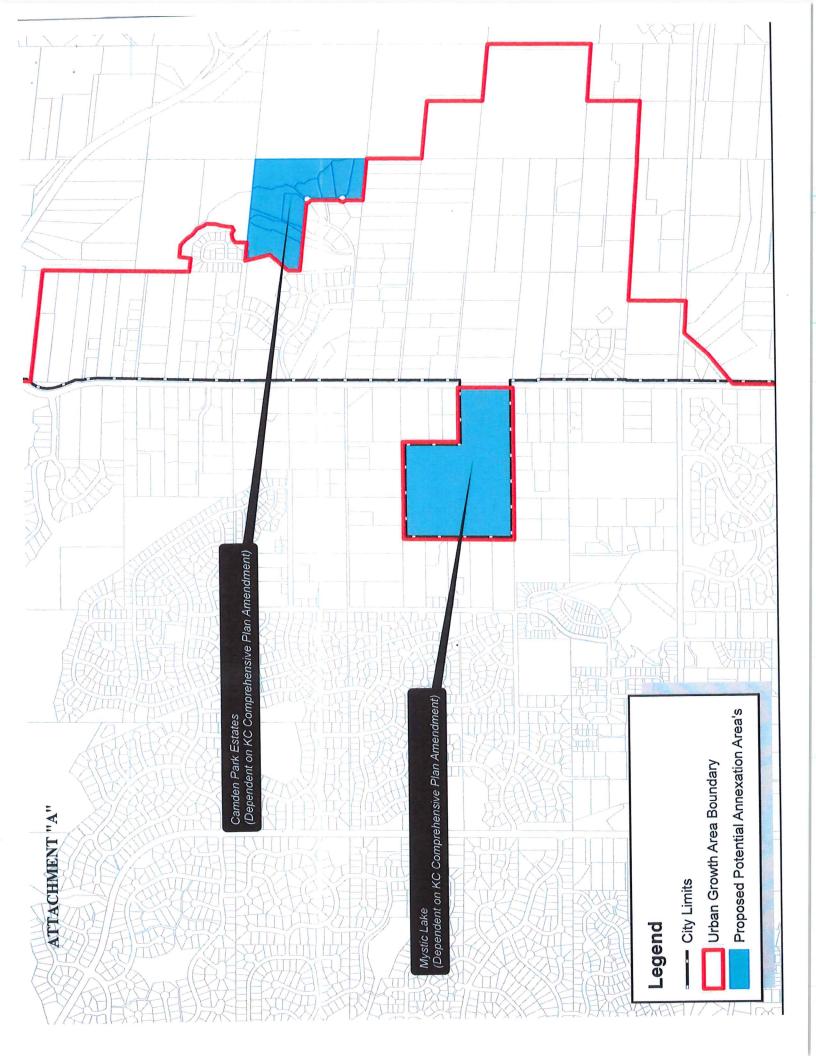
The Sammamish Plateau and/or the NE Sammamish Sewer and Water District service areas within the existing or expanded UGB. (Ord. 02006-199)

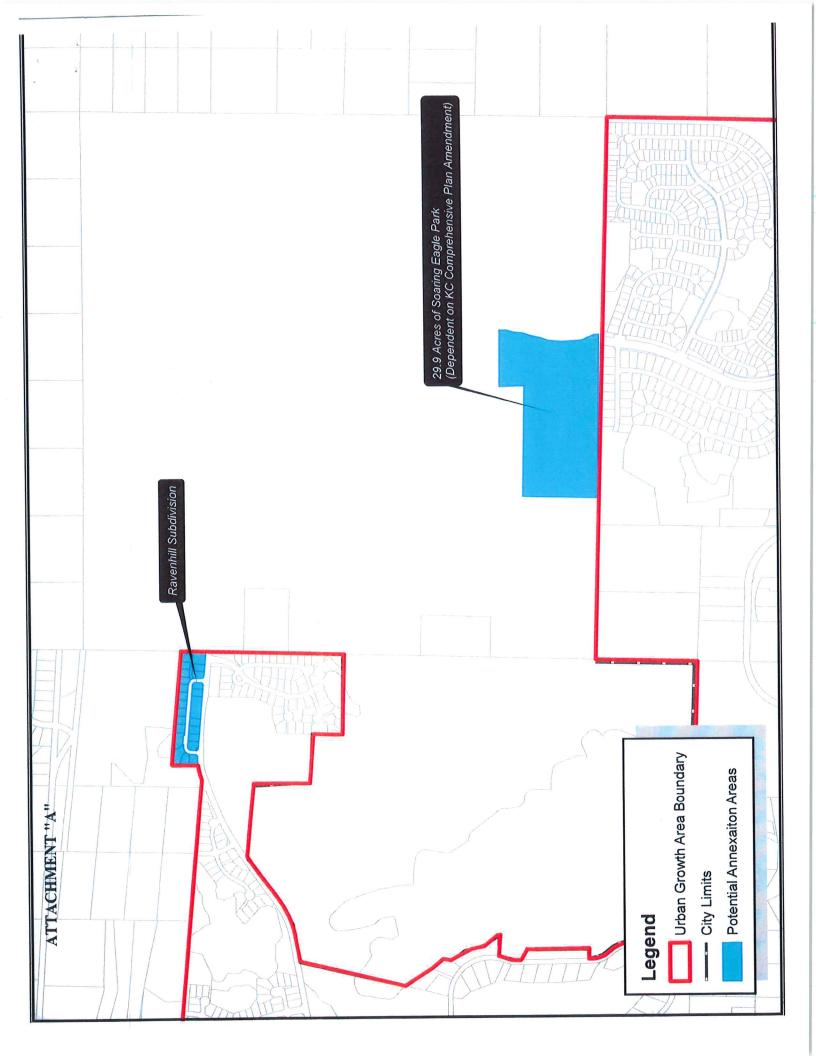
LUP-16.11 All unincorporated areas within the urban growth boundary of the City of Sammamish The Aldarra Farms and neighboring properties within the UGB or as amended are is designated as potential annexation areas. (Ord. 02006-199), (Ord. 02008-XXX)

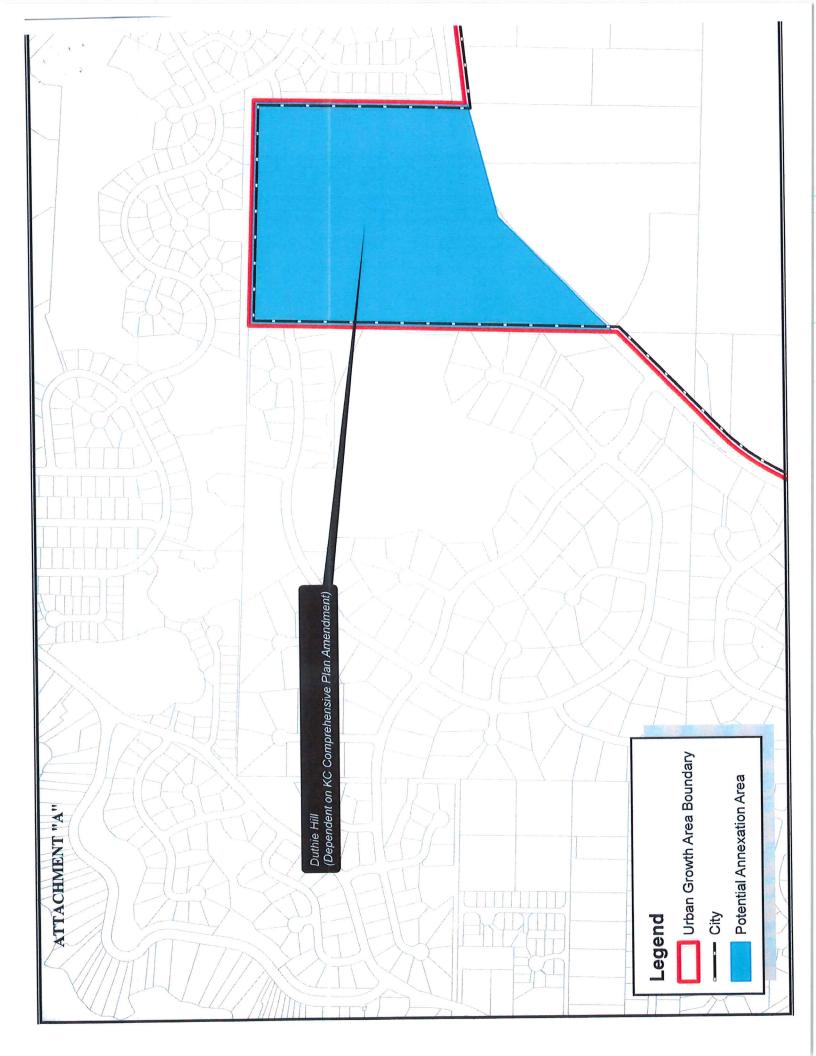
LUP-16.12 The properties with the UGB east of 244th Avenue NE, between NE 80th Place and 245th Place NE are designated as a potential annexation area. (Ord. 02006-199)











# CITY OF SAMMAMISH WASHINGTON

### **ORDINANCE NO. 02008 -229**

## AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING THE CITY ZONING MAP TO DESIGNATE CONTINGENT PAA ZONING

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003; and

WHEREAS, the Sammamish Municipal Code authorizes amendments or revisions associated with a city comprehensive plan amendment; and

WHEREAS, City Comprehensive Plan Land Use Policy 16.10 states that the City should ensure that newly annexed lands are zoned in accordance with the Sammamish Comprehensive Plan Land Use Map and policies; and

WHEREAS, the City completed a feasibility study entitled the "Annexation Strategy Study" as of November 2007 which included specific recommendations for amendments to the City's Comprehensive Plan and zoning map; and

WHEREAS, the City has adopted comprehensive plan land use designations for all the areas studied; and

WHEREAS, the zoning that has been proposed would implement and support the goals of the City's Comprehensive Plan, and the City Council has found the zoning to be compatible with 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 the event that the City Council adopts the revised zoning map and subsequently approves an annexation request, appropriate zoning will be in place; 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 was 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 affected property owners from the following areas and on the following dates: Aldarra Estates, Montaine at Aldarra and Ravenhill, July 19, 2007; Camden Park, Camden Park Estates, The Trails at Camden Park and Devereaux, August 1, 2007; Duthie Hill Road Study Area, August 6, 2007; 244th North and 244th South PAA, September 10, 2007; and presentations to the Sammamish Planning Commission on July 19, September 20 and November 1, 2007; 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 designate zoning for all the potential annexation areas within the City's Urban Growth Boundary, as amended; and

WHEREAS, the proposed zoning changes, if adopted, shall be contingent upon and take effect upon annexation to the City; and

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

WHEREAS, the King County Council and the Growth Management Planning Council must also consider amendments to the Urban Growth Boundary and such consideration is currently occurring; and

WHEREAS, the City Council desires to take early action to allow full consideration of the City's amendments in the King County and Growth Management Planning Council processes; and

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

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

<u>Section 1. Amendments to the Zoning Map</u>. The zoning map amendments set forth in Attachment "A" (map) to this ordinance are hereby adopted. The map amendments shall be contingent upon and take effect upon annexation of the property affected by the amendments to the City.

<u>Section 2. Severability.</u> 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 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 21<sup>st</sup> DAY OF APRIL 2008.

CITY OF SAMMAMISH

Mayor Lee Fellinge

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: Public Hearing: First Reading: Public Hearing: Passed by the City Council: Date of Publication: Date of Re-publication: Effective Date:	April 10, 2008 April 15, 2008 April 15, 2008 April 21, 2008 April 21, 2008 April 25, 2008 June 12, 2008 June 17, 2008

