



## City Council, Regular Meeting

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# REVISED

# AGENDA

6:30 pm – 9:30 pm  
Council Chambers

October 6, 2009

### **Call to Order**

### **Roll Call/Pledge of Allegiance**

Flag Presentation: Cub Scout Pack 551

### **Public Comment**

*Note: This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.*

### **Approval of Agenda**

### **Presentations/Proclamations**

- Presentation: International City Manager Association Performance Measure Award

### **Consent Agenda**

- Payroll for pay period ending September 15, 2009 for pay date September 18, 2009 in the amount of \$253,725.90
  - Payroll for pay period ending September 30, 2009 for a pay date October 5, 2009 in the amount of \$245,115.31
1. Approval: Claims for period ending October 6, 2009 in the amount of \$3,565,702.57 for check No. 24594 through check No. 24729
  2. Resolution: Accepting The Emergency Am Radio System Project As Complete
  3. Resolution: Granting Final Plat Approval To The Plat Of The Woods At Beaver Lake Subdivision
  4. Approval: September 1, 2009 Regular Meeting Minutes
  5. Approval: September 8, 2009 Special Meeting Minutes

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance.

Assisted Listening Devices are also available upon request.

6. Approval: September 14, 2009 Study Session Notes
7. Approval: September 15, 2009 Regular Meeting Minutes
8. Resolution: Setting A Public Hearing Date, Time And Place To Consider The Vacation Of A Portion Of Unopened Thomas Alexander Road (Aka County Road No. 867 And Old Monohan Road)
9. Ordinance: First Reading Modifying The Terms Of The Members Of The Parks And Recreation Commission, Removing Alternate Positions From The Commission And Amending Section 2.30.020 Of The Sammamish Municipal Code
10. Amendment: Pavement Management Systems/NW Management Systems

### **Unfinished Business**

11. Ordinance: Adopting The 2009 Sammamish Shoreline Master Program And Replacing The King County Shoreline Master Program Adopted By King County Ordinance 3688; Amending The City Of Sammamish Comprehensive Plan; Adopting Shoreline Maps; And Codifying The Shoreline Master Program Into Title 25 Of The Sammamish Municipal Code (**see original bill #14 for packet materials**)
- 11a. Ordinance Of The City Of Sammamish, Washington, Amending Chapter 21a.50 (Environmentally Critical Areas), Of The Sammamish Municipal Code (**see original bill #14 for packet materials**)

### **Public Hearings:**

12. Resolution: Adopting An Updated Six-Year Transportation Improvement Plan For 2010-2015
13. Ordinance: First Reading Amending the Sign Code

### **New Business - None**

### **Council Reports**

**City Manager Report** – Suburban Cities Association 2010 Nominations to Regional Committees and Boards

### **Executive Session – If necessary**

### **Adjournment**

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**AGENDA CALENDAR**

<b>October 2009</b>			
Tues 10/6	6:30 pm	Regular Council Meeting	<p>Flag Presentation: Cub Scout Pack 551</p> <p>Presentation: ICMA Performance Measure Award</p> <p>Ordinance: Shoreline Master Plan Update</p> <p>Public Hearing: Resolution Six Year Transportation Plan</p> <p>Public Hearing: Ordinance First Reading Electronic Signs</p> <p>Ordinance: First Reading Modifying terms of Parks Commissioners (consent)</p> <p>Resolution: Final Acceptance AM Radio Project (consent)</p> <p>Resolution: Final Plat Woods at Beaver Lake (consent)</p> <p>Resolution: Setting Public Hearing Date for Thomas Alexander Street Vacation (consent)</p> <p>Approval: Hybrid Vehicle Purchase</p> <p>Amendment: Pavement Management Systems/NW Management Systems</p>
Tues 10/13	6:30 pm	Special Meeting/Study Session	<p>Update: Quarterly Report DCD/Finance Sustainability</p> <p>TDR</p> <p>Update: 2008 ICMA Performance Measures Report</p> <p>Updating Public Works Standards</p>
Mon 10/19	6:30 pm	Study Session	<p>Klahanie Park Update</p> <p>Annexation Petition Ravenhill</p> <p>Swedish Medical Center Open House (5:30 – 6:30 pm Council Chambers)</p> <p>Swedish Medical Center Presentation (30 minutes)</p>
Tues 10/20	6:30 pm	Regular Council Meeting	<p>Presentation: GFOA Budget Presentation Award</p> <p>Quarterly Reports: Admin/Police/Fire/Parks</p> <p>Contract: On-call tree removal (consent)</p> <p>Contract: On-call fence installation (consent)</p> <p>Contract: On-call Hydroseeding (consent)</p> <p>Contract: On-call Plumbing (consent)</p> <p>Contract: On-call Mobile Mechanic (consent)</p> <p>Public Hearing: Thomas Alexander Street Vacation Petition</p> <p>Public Hearing: Second Reading Electronic Signs</p> <p>Ordinance: Second Reading Modifying terms of Parks Commissioners</p> <p>Ordinance: First Reading ISD/LWSD/SVSD Impact Fees</p> <p>Interlocal Agreement: Impact Fee Collection/ISD/LWSD/SVSD</p>
<b>November 2009</b>			
Tues 11/03	6:30 pm	Regular Council Meeting	<p>Ordinance: Public Hearing/Emergency Wireless Hierarchy siting</p> <p>Resolution: Annexation Raven Hill</p> <p>Ordinance: First Reading ISD/LWSD/SVSD Impact Fees</p>
Tues 11/10	6:30 pm	Study Session	<p>Commission Interviews</p> <p>2009/2010 Budget Adjustments</p>
Mon 11/16	6:30 pm	Study Session	<p>Commission Interviews</p> <p>Discussion: District Court/Jail</p>

Tues 11/17	6:30 pm	Regular Council Meeting	Flag Presentation: Girl Scout Troop 52660 Ordinance: Public Hearing/First Reading 2009-2010 Budget Adjustments Ordinance: Public Hearing/First Reading 2010 Property Tax Levy Resolution: 2010 Salary Schedule Ordinance: First Reading Updating Public Works Standards Ordinance: Second Reading Emergency Wireless Hierarchy siting Ordinance: First Reading 60% Petition Raven Hill Annexation Bid Award: Maintenance & Operations Facility Bid Award: SE 20 <sup>th</sup> Street Project Resolution: ELSP Project Acceptance
<b>December 2009</b>			
Tues 12/01	6:30 pm	Regular Council Meeting	Commission Appointments Ordinance: Second Reading 2009-2010 Budget Adjustments Ordinance: Second Reading 2010 Property Tax Levy Ordinance Ordinance: First Reading 2010 Property Tax Levy Ordinance 2 (IPD) Second Reading Updating Public Works Standards Ordinance: Second Reading 60% Petition Raven Hill
Tues 12/08	6:30 pm	Special Meeting (tentative)	Planning Commission Handoff – Town Center Development Regulations Financial Sustainability Ordinance: Second Reading 2010 Property Tax Levy Ordinance 2 (IPD)
Mon 12/15	6:30 pm	Regular Meeting	SE 24 <sup>th</sup> Street Wetland Monitoring Report Neighborhood Traffic Management Plan Bid Award: Maintenance & Operations Center
Tues 12/21	6:30 pm	Study Session	
<b>January 2010</b>			
Tues 01/05	6:30 pm	Regular Council Meeting	Council Oath of Office
Tues 01/12	6:30 pm	Study Session	Updating Public Works Standards
Mon 01/18	6:30 pm	Study Session	
Tues 01/19	6:30 pm	Regular Meeting	Public Hearing/First Reading: Raven Hill Annexation Capstone
<b>February 2010</b>			
Tues 02/02	6:30 pm	Regular Council Meeting	Ordinance: Second Reading: Raven Hill Annexation
Tues 02/09	6:30 pm	Study Session	
Mon 02/15	6:30 pm	Study Session	
Tues 02/16	6:30 pm	Regular Meeting	
<b>March 2010</b>			
Tues 03/02	6:30 pm	Regular Council Meeting	
Tues 03/09	6:30 pm	Study Session	
Mon 03/15	6:30 pm	Study Session	
Tues 03/16	6:30 pm	Regular Meeting	
<b>April 2010</b>			
Tues 04/06	6:30 pm	Regular Council Meeting	Public Hearing/First Reading: Pre Annexation Zoning Klahanie Park First Reading: Klahanie Park Annexation
Tues 04/13	6:30 pm	Study Session	
Mon 04/19	6:30 pm	Study Session	
Tues 04/20	6:30 pm	Regular Meeting	Public Hearing/Second Reading: Pre Annexation Zoning Klahanie Park Second Reading: Klahanie Park Annexation

<b>May 2010</b>			
Tues 05/04	6:30 pm	Regular Council Meeting	
Tues 05/11	6:30 pm	Study Session	
Mon 05/17	6:30 pm	Study Session	
Tues 05/18	6:30 pm	Regular Meeting	

To Be Scheduled	To Be Scheduled	Parked Items
<b>Approval:</b> Non-Motorized Project Priority List Code Enforcement Code Amendments Presentation: Draft Town Center Stormwater Master Plan Ordinance: Second Reading Puget Sound Energy Franchise Resolution: Master Fee Schedule Resolution: Adoption Thompson Basin Study Resolution: Adoption Inglewood Basin Study	Code Blocks (second round) CAO Sunset Removal Interlocal: SE 20 <sup>th</sup> Street Construction/SPWS Amendment: Interlocal/LWSD Connectivity Discussion Ordinance: Amending Wireless Code Approval: Sammamish Landing Master Plan Resolution: Final Acceptance SE 20 <sup>th</sup> Street Project Discussion: Beaver Lake Park Master Plan Preferred Alternative	



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## Events

[\[ Add Event \]](#)<< [September](#)

### October 2009

[November >>](#)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 6 p.m. <b>Planning Commission Meeting</b>	2	3
4	5	6 6:30 p.m. <b>City Council Meeting</b>	7	8 6 p.m. <b>Planning Commission Meeting</b>	9	10 10 a.m. <b>Art Fair</b> 10 a.m. <b>Creek Restoration</b>
11 10 a.m. <b>Art Fair</b>	12	13 6:30 p.m. <b>City Council Special Meeting / Study Session</b>	14 6:30 p.m. <b>Parks and Recreation Commission Meeting</b>	15 6 p.m. <b>Planning Commission Meeting</b>	16	17 9 a.m. <b>Fall Recycling Event</b> 10 a.m. <b>Fall Planting Event</b>
18	19 6:30 p.m. <b>Arts Commission Meeting</b> 6:30 p.m. <b>City Council Study Session</b>	20 6:30 p.m. <b>City Council Meeting</b>	21 6 p.m. <b>Sammamish Youth Board</b>	22	23	24 12:30 p.m. <b>Sammamish Walks!</b>
25	26	27	28	29	30 3 p.m. <b>Trick or Treat</b>	31

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## Events

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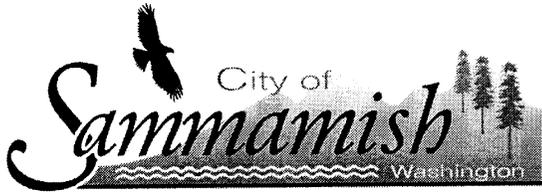
### November 2009

[December >>](#)

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 6:30 p.m. <b>City Council Meeting</b>	4	5 6 p.m. <b>Planning Commission Meeting</b>	6	7
8	9	10 6:30 p.m. <b>City Council Study Session</b>	11 8 a.m. <b>Veterans Day</b> City offices closed	12	13	14
15	16 6:30 p.m. <b>Arts Commission Meeting</b> 6:30 p.m. <b>City Council Study Session</b>	17 6:30 p.m. <b>City Council Meeting</b>	18 6 p.m. <b>Sammamish Youth Board</b> 6:30 p.m. <b>Parks and Recreation Commission Meeting</b>	19 6 p.m. <b>Planning Commission Meeting</b>	20	21 10 a.m. <b>Fall Planting Event</b>
22	23	24	25	26 8 a.m. <b>Thanksgiving Day</b> City offices closed	27 8 a.m. <b>Thanksgiving Day</b> City offices closed	28
29	30					

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Last updated Sep 30 2009



## MEMORANDUM

**TO:** Melonie Anderson/City Clerk  
**FROM:** Marlene/Finance Department  
**DATE:** October 1, 2009  
**RE:** Claims for October 6, 2009

46,334.62	+	\$ 46,334.62
188,318.00	+	188,318.00
80.00	+	80.00
680,400.00	+	680,400.00
1,968,292.93	+	1,968,292.93
682,277.02	+	682,277.02
006		
3,565,702.57	*	

**TOTAL \$ 3,565,702.57**

Check # 24594 through #24729

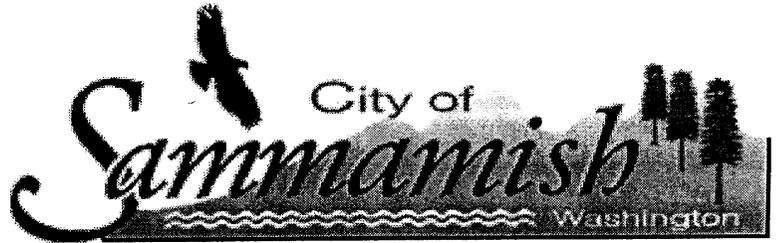
**Accounts Payable**  
**Computer Check Register**



User: CHRISG  
 Printed: 09/17/2009 - 10:22  
 Bank Account:

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
24594	ANI	ANI Administrators NW Inc	09/18/2009	091809	1,869.94
Check 24594 Total:					1,869.94
24595	ICMA401	ICMA 401	09/18/2009	091809	29,361.17
Check 24595 Total:					29,361.17
24596	ICMA401x	ICMA401	09/18/2009	091809	4,648.33
Check 24596 Total:					4,648.33
24597	ICMA457	ICMA	09/18/2009	09182009	10,455.18
Check 24597 Total:					10,455.18
Report Total:					46,334.62

Accounts Payable  
Computer Check Register



User: CHRISG

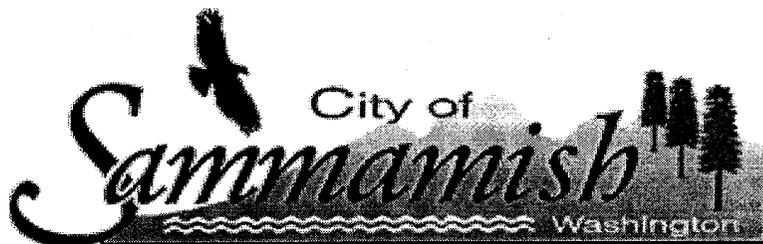
Printed: 09/22/2009 - 08:52

Bank Account:

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
24598	BALDWINR	Baldwin Resource Group Inc	09/22/2009	153618	42,700.00
Check 24598 Total:					42,700.00
24599	CIAW	Cities Insurance Assoc of Wa	09/22/2009	P2322497	145,618.00
Check 24599 Total:					145,618.00
Report Total:					188,318.00

# Accounts Payable

## Computer Check Register



User: jodee

Printed: 09/23/2009 - 09:48

Bank Account:

Check	Vendor No	Vendor Name	Date	Invoice No	Amount
24600	HYATT	Dan Hyatt	09/23/2009	09/23/2009	80.00
Check 24600 Total:					80.00
Report Total:					80.00

~~City of Sammamish~~  
marlene

Accounts Payable  
Computer Check Register Totals

Bill #1  
Printed: 09/30/09 14:22

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
24601	10/01/2009	KINGLIB	King County Library System	680,400.00	000000
				-----	
<b>CHECK TOTAL:</b>				<b>\$680,400.00</b>	

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
24602	10/06/2009	ADOLFSON	ESA Adolfson	2,851.98	000000
24603	10/06/2009	ADVANTAG	Advantage Building Services	345.00	000000
24604	10/06/2009	ANI	ANI Administrators NW Inc	155.00	000000
24605	10/06/2009	APLIANC	Appliance Service Station Inc	266.03	000000
24606	10/06/2009	APWA2008	APWA 2009 Fall Conference	380.00	000000
24607	10/06/2009	ARTECHE	Emily Artech	16.06	000000
24608	10/06/2009	ASC	Action Services Corp	978.00	000000
24609	10/06/2009	AT&TMOBI	AT&T Mobility	280.64	000000
24610	10/06/2009	ATTLONG	AT&T	67.30	000000
24611	10/06/2009	AUDIOAM	Eddie Bishop dba Audio Amigo Video Services	542.03	000000
24612	10/06/2009	BELZAK	Steve Belzak	40.14	000000
24613	10/06/2009	BERGERPA	Berger Partnership	6,756.90	000000
24614	10/06/2009	BLUEK	Blue K Development LLC	2,814.00	000000
24615	10/06/2009	BLUM	Blumenthal Uniforms & Equip	226.99	000000
24616	10/06/2009	BUILDERS	Builders Exchange of WA	6.00	000000
24617	10/06/2009	BUTKUS	Pete Butkus	41.70	000000
24618	10/06/2009	CADMAN	Cadman, Inc.	710.71	000000
24619	10/06/2009	CALPORT	CalPortland Company	3,832.00	000000
24620	10/06/2009	CARTRIDG	Cartridge World	776.32	000000
24621	10/06/2009	CASCADIA	Cascadia Consulting Group Inc	653.04	000000
24622	10/06/2009	CDK	CDK Construction Services	191,965.46	000000
24623	10/06/2009	CECCANTI	Ceccanti, Inc	252,208.48	000000
24624	10/06/2009	CENTRALW	Central Welding Supply	41.31	000000
24625	10/06/2009	CHANEY	Rebecca Chaney	3,695.00	000000
24626	10/06/2009	CITYKNIG	Monika Abercrombie	350.00	000000
24627	10/06/2009	CODEPUB	Code Publishing Inc	1,434.45	000000
24628	10/06/2009	COMCAST2	COMCAST	299.85	000000
24629	10/06/2009	COMPLETE	The Complete Line	327.40	000000
24630	10/06/2009	CONTRACT	Contract Hardware, Inc	500.90	000000
24631	10/06/2009	EAGLE	Eagle Press & Supply	3,285.00	000000
24632	10/06/2009	ENCOMPAS	Encompass	1,700.00	000000
24633	10/06/2009	ENGBUS	The Wide Format Company	405.17	000000
24634	10/06/2009	EVANS	David Evans & Associates, Inc	17,080.97	000000
24635	10/06/2009	EVERGR	Evergreen Print Solutions	333.22	000000
24636	10/06/2009	EWINGIRR	Ewing Irrigation	525.60	000000
24637	10/06/2009	FASTENAL	Fastenal Industrial Supplies	3,370.34	000000
24638	10/06/2009	FIREHOUS	Christian Edum	109.50	000000
24639	10/06/2009	FISHTAIL	Fishtail Construction LLC	9,221.38	000000
24640	10/06/2009	FRANK	Murray Franklyn	31,705.82	000000
24641	10/06/2009	GERVACIO	Roland Gervacio	207.16	000000
24642	10/06/2009	GIANINI	Chris Gianini	26.00	000000
24643	10/06/2009	GLATTING	Glatting Jackson Kercher Angli	33,372.46	000000
24644	10/06/2009	GLOCK	Glock, Inc	150.00	000000
24645	10/06/2009	GRUEBER	James Grueber	137.96	000000
24646	10/06/2009	GUARDIAN	Guardian Security	72.00	000000
24647	10/06/2009	HANDLOS	Lynne Handlos	34.10	000000
24648	10/06/2009	HILDE	Katherine Hilde	60.50	000000
24649	10/06/2009	HOMEDE	Home Depot	770.94	000000
24650	10/06/2009	HOWARD	Lyman Howard	1,992.84	000000
24651	10/06/2009	HWA	HWA GeoSciences, Inc	378.24	000000
24652	10/06/2009	INTEGRA	Integra Telecom	3,851.06	000000
24653	10/06/2009	ISD	Issaquah School District	579.48	000000
24654	10/06/2009	ISSCITY	City Of Issaquah	7,721.61	000000
24655	10/06/2009	ISSIGNS	Issaquah Signs	387.26	000000
24656	10/06/2009	JIRSA	Barbara Jirsa	247.79	000000
24657	10/06/2009	JOHNSTO	Johnston Architects PLLC	1,557.09	000000

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Bill #1 Voucher</u>
24658	10/06/2009	KBA	KBA Inc	55,519.23	000000
24659	10/06/2009	KCFLEET	King County Fleet Admin	732.47	000000
24660	10/06/2009	KINGFI	King County Finance A/R	99,827.14	000000
24661	10/06/2009	KINGPET	King County Pet Licenses	415.00	000000
24662	10/06/2009	KINGSH	King County Sheriff's Office	335,422.50	000000
24663	10/06/2009	KINSER	Kelley W. Kinser	693.99	000000
24664	10/06/2009	LAKESIDE	Lakeside Industries	308.80	000000
24665	10/06/2009	LEADER	Leader Manufacturing, Inc	15,617.99	000000
24666	10/06/2009	MANNEQUI	The Mannequin Man	410.63	000000
24667	10/06/2009	MATTHIAS	Michael Matthias	55.44	000000
24668	10/06/2009	MICRO	Microflex, Inc.	187.46	000000
24669	10/06/2009	MINUTE	Minuteman Press	1,646.50	000000
24670	10/06/2009	MUNSOFT	Municipal Software Corp	17,067.00	000000
24671	10/06/2009	NC MACH	NC Machinery Co	4,222.89	000000
24672	10/06/2009	NEXTEL	Nextel Communications	2,053.82	000000
24673	10/06/2009	NWCASC	Northwest Cascade, Inc.	980.44	000000
24674	10/06/2009	OGDEN	Ogden Murphy Wallace PLLC	84.60	000000
24675	10/06/2009	OKI	Oki Developments, Inc	645.00	000000
24676	10/06/2009	PACE	Pace Engineers, Inc.	1,973.70	000000
24677	10/06/2009	PERTEET	Pertee, Inc.	229,152.13	000000
24678	10/06/2009	PROPET	Pro Pet Distributors, Inc	322.35	000000
24679	10/06/2009	PSE	Puget Sound Energy	4,386.36	000000
24680	10/06/2009	PSF	PSF Mechanical Inc	301.13	000000
24681	10/06/2009	QUICK	Quick & Easy Concrete, Inc	1,089.53	000000
24682	10/06/2009	QWEST	QWEST	166.72	000000
24683	10/06/2009	RAINIER	Rainier Wood Recyclers Inc	417.02	000000
24684	10/06/2009	RED-E	Red-E Topsoil	1,995.64	000000
24685	10/06/2009	RENTME	Rent Me Storage, LLC	284.70	000000
24686	10/06/2009	REPROGRA	Reprographics NW Inc	2,154.71	000000
24687	10/06/2009	RICHARDS	Jessi Richardson	340.50	000000
24688	10/06/2009	ROTH	Roth Hill Engineering Partners	1,500.87	000000
24689	10/06/2009	SAM	Sammamish Plateau Water Sewer	24,888.35	000000
24690	10/06/2009	SAMCHAMB	Sammamish Chamber of Commerce	50.00	000000
24691	10/06/2009	SAMPARTN	Sammamish Partners LLC	7,817.46	000000
24692	10/06/2009	SEATIM	Seattle Times	115.76	000000
24693	10/06/2009	SERVICE	Service Paper Co	1,624.88	000000
24694	10/06/2009	SITE	Site Workshop	4,650.00	000000
24695	10/06/2009	SOUNDPUB	Sound Publishing, Inc	225.00	000000
24696	10/06/2009	SPRINT	Sprint	50.00	000000
24697	10/06/2009	STELLAR	Stellar Industrial Supply	914.85	000000
24698	10/06/2009	SUNBELTS	Sunbelt Software Distribution	2,074.03	000000
24699	10/06/2009	TCF	TCF Architecture	63,038.46	000000
24700	10/06/2009	TLC	Total Landscape Corp	7,270.48	000000
24701	10/06/2009	TREESOLU	Tree Solutions Inc	5,056.00	000000
24702	10/06/2009	UNITRENT	United Rentals NW, Inc	5,041.52	000000
24703	10/06/2009	VAN NOST	Maren Van Nostrand	1,377.60	000000
24704	10/06/2009	WAAUDIT	Wa State Auditor's Office	12,739.90	000000
24705	10/06/2009	WADOT	Wa State Dept of Transp	2,111.39	000000
24706	10/06/2009	WAEMP	State of Wa Employment Security Dept	355.55	000000
24707	10/06/2009	WAPAT	Wa State Patrol	20.00	000000
24708	10/06/2009	WATERSH	The Watershed Company	1,684.85	000000
24709	10/06/2009	WATSON	Watson Asphalt Paving Co	455,012.24	000000
24710	10/06/2009	WAWORK	Washington Workwear Stores Inc	84.67	000000
24711	10/06/2009	WERRE	Lisa Werre	155.00	000000
24712	10/06/2009	ZHANG	Haitao Zhang	112.50	000000

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**CHECK TOTAL: \$1,968,292.93**

<u>Check</u>	<u>Date</u>	<u>Vendor No</u>	<u>Vendor Name</u>	<u>Amount</u>	<u>Voucher</u>
24713	10/06/2009	BECK	R. W. Beck	368.43	000000
24714	10/06/2009	CADMAN	Cadman, Inc.	1,294.41	000000
24715	10/06/2009	EASTFIRE	Eastside Fire & Rescue	434,824.58	000000
24716	10/06/2009	FERGUSON	Ferguson Enterprises, Inc	1,358.45	000000
24717	10/06/2009	FRANCO	Francotyp-Postalia, Inc	643.20	000000
24718	10/06/2009	HERTZ	Hertz Equipment Rental	447.09	000000
24719	10/06/2009	ISD	Issaquah School District	197,819.50	000000
24720	10/06/2009	KINGFI	King County Finance A/R	115.36	000000
24721	10/06/2009	LWSD	Lake Washington School Dist	6,492.00	000000
24722	10/06/2009	PARAME	Parametrix, Inc.	3,026.68	000000
24723	10/06/2009	PERTEET	Perteet, Inc.	12,767.59	000000
24724	10/06/2009	RED-E	Red-E Topsoil	394.20	000000
24725	10/06/2009	REIDMID	Reid Middleton, Inc	902.75	000000
24726	10/06/2009	SAM	Sammamish Plateau Water Sewer	1,766.58	000000
24727	10/06/2009	SONITROL	Sonitrol Pacific	759.30	000000
24728	10/06/2009	WATREAS	Wa State Treasurer	441.00	000000
24729	10/06/2009	WESTERNE	Western Entrance Tech LLC	18,855.90	000000

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**CHECK TOTAL: \$682,277.02**



## CITY COUNCIL AGENDA BILL

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**Subject:**

Resolution of project completion and acceptance of the Emergency AM Radio Project.

**Meeting Date:** October 6, 2009

**Date Submitted:** September 15, 2009

**Originating Department:** City Manager

**Clearances:****Action Required:**

Council review and action

City Manager

Police

Public Works

Fire

Building/Planning

Attorney

**Exhibits:**

1. Draft Resolution

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**Budgeted Amount:** \$ 87,000 from 001-019-594-18-64-00 (Facilities)  
 \$ 54,368 from 301-000-594-19-63-00 (GF Capital)

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**Summary Statement:** This project has been completed and accepted by staff. The state electrical permits were finalized and approved by the Department of Labor and Industries. The federal (FCC) license has been received. The system has been tuned to meet federal specifications for radio stations of this classification and training to staff in operation of the station has been provided..

**Background:** Covered in the Resolution.

**Financial Impact:** Contract of \$129,367.69 was executed and completed with no change orders. Additional cost of \$1,894.25 for tree trimming equipment rental (tree trimming was performed by City staff) was covered by the Council-approved contingency of \$12,000.

**Recommended Motion:** Move to adopt the Resolution.



**CITY OF SAMMAMISH  
WASHINGTON  
RESOLUTION NO. R2009-\_\_\_\_\_**

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**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, ACCEPTING THE EMERGENCY AM RADIO  
SYSTEM PROJECT AS COMPLETE.**

WHEREAS, at the Regular City Council meeting of June 2, 2009, the City Council authorized the City Manager to enter into a contract with the lowest bidder for the Emergency AM Radio System; and

WHEREAS, the City Manager entered into contract C2009-151 with Custom Electric and Controls; and

WHEREAS, the project was substantially completed by the contractor on August 14, 2009;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Acceptance of the Emergency AM Radio System as Complete. The City of Sammamish hereby accepts the Emergency AM Radio System installations at Sammamish City Hall, NE Sammamish Park and Beaver Lake Park as complete.

Section 2. Authorization of Contract Closure Process. The City of Sammamish City Clerk is hereby authorized to complete the contract closure process upon receiving appropriate clearances from the Department of Revenue, the Department of Labor and Industries and the Department of Employment Security.

Section 3. Effective Date. This resolution shall take effect immediately upon signing.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 6<sup>th</sup> DAY OF OCTOBER 2009.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Melonie Anderson, City Clerk

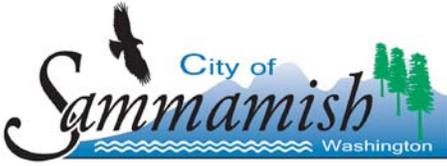
Approved as to form:

\_\_\_\_\_  
Bruce L. Disend, City Attorney

Filed with the City Clerk:

Passed by the City Council:

Resolution No.: R2009-\_\_\_\_\_



## CITY COUNCIL AGENDA BILL

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**Subject:**

Resolution: Final Plat of The Woods at Beaver Lake  
75-lot Subdivision

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Community Development

**Clearances:****Action Required:**

Motion to adopt resolution approving the subdivision

**City Manager**

**Police**

**Public Works**

**Fire**

**Building/Planning**

**Attorney**

**Exhibits:**

1. Draft Resolution
2. Hearing Examiner Decision
3. Matrix showing plat conditions and responses
4. Map of Final Plat (Site Map and Vicinity Map)

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**Budgeted Amount:** N/A – Legislative Approval

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**Summary Statement:***Description:*

The proposed Woods at Beaver Lake plat of 75 single-family lots was reviewed and granted preliminary plat approval by the City of Sammamish Hearing Examiner on April 4, 2008.

The subdivision application is vested to the City of Sammamish Municipal Code in effect on August 12, 2005 per a settlement agreement. The City of Sammamish Hearing Examiner approved the preliminary plat on April 8, 2008 subject to conditions of approval. The City of Sammamish has reviewed, and approved the installation of the required infrastructure (drainage facilities, streets, sidewalks, etc) improvements under clear and grade permit BLD2008-00368. The improvements have been substantially completed and inspected. The final lift of asphalt, and street trees etc. have been bonded for (see below).

The Woods at Beaver Lake subdivision is located at 25810 SE 30<sup>th</sup> Street on eight parcels previously developed with single family homes.

*Performance Bond:*

The applicant has posted a bond for the installation of the remaining site improvements (including streets and other required landscaping) in the amount of \$379,025.70.

*Critical Areas Bonding:*

Not applicable. There are no critical areas on site.

*Transportation Mitigation Fees:*

The applicant has paid 30% percent of the traffic mitigation impact fee in the amount of \$253,858.64 per the addendum to the settlement agreement. The remaining fees will be collected at the time of building permit issuance or deferred to the point of sale if the applicant wishes on a per lot basis.

*School Mitigation Fees paid to the City of Sammamish:*

The applicant has paid fifty percent of the applicable Issaquah School District impact fees in the amount of \$184,082.50 in addition to the current administration fee. The balance of the school impact fees shall be paid at the time of building permit issuance on a per lot basis.

The applicant has demonstrated to the City of Sammamish that all of the preliminary plat approval conditions have either been met, or have been bonded and will be met in a timely manner.

**Additional Background:**

The application was received on July 25, 2006. A State Environmental Policy Act (SEPA) determination of non-significance, DNS was issued on November 5, 2007 for environmental impacts associated with the plat. Both public works and community development approvals have been issued for BLD2008-00368 which provided for the construction of the plat improvements.

**Recommended Motion:**

Approve the 75-lot Woods at Beaver Lake subdivision, and authorize the mayor to sign the mylars for the final plat.

**CITY OF SAMMAMISH  
WASHINGTON  
Resolution No. R2009-\_\_\_**

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**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, GRANTING FINAL PLAT APPROVAL TO  
THE PLAT OF THE WOODS AT BEAVER LAKE  
SUBDIVISION**

WHEREAS, the City Council has received recommendation of approval for the final plat of the Woods at Beaver Lake Subdivision; and

WHEREAS, the City Council has reviewed said plat and finds that it conforms to all terms of the preliminary plat approval and applicable land use laws and regulations; and

WHEREAS, the City Council desires to grant final approval to the plat of the Woods at Beaver Lake subdivision;

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

Section 1. Adoption of Hearing Examiner's Findings and Conclusions.

The City Council hereby adopts the findings and conclusions included in the City of Sammamish Hearing Examiner's decision of April 4, 2008 for the preliminary plat of the Woods at Beaver Lake.

Section 2. Grant of Approval. The City Council hereby grants final approval to the plat of the Woods at Beaver Lake.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 6<sup>th</sup> DAY OF October 2009.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Resolution No.:

**BEFORE THE HEARING EXAMINER FOR THE CITY OF SAMMAMISH**

<b>Application of Steve Burnstead</b>	)	<b>File No. PLN2006-00062</b>
<b>Construction Co. for Approval of</b>	)	<b>FINDINGS OF FACT</b>
<b>The Preliminary Plat of</b>	)	<b>CONCLUSIONS OF LAW</b>
<b>Woods at Beaver Lake</b>	)	<b>AND DECISION</b>

**DECISION**

The preliminary plat of Woods at Beaver Lake is **APPROVED**, subject to conditions.

**INTRODUCTION**

The application of Core Design/Steve Burnstead Construction Company for approval of the preliminary plat of Woods at Beaver Lake came on for hearing before Gordon F. Crandall, Hearing Examiner, on March 3, 2008 at 7:00 p.m. The hearing was held at City Hall. Rob Garwood, Senior Planner presented the Staff Report Recommendation to the Hearing Examiner. Duana Koloušková of Johns Monroe Mitsunaga, Attorneys, represented Applicant.

Testifying under were:

Rob Garwood	Senior Planner
Duana Koloušková	Attorney for Applicant
Margaret King	Assistant City Attorney
Leo Suver	Burnstead Construction Company
Rob Stevens	Project Engineer
Mark Gibbons	Core Design
Vince Geglia	TraffEx
Favero Greenforest	Arborist

Steve Schock	25621 SE 28th Street
Mary Bolton	25707 SE 30th Street
Chris Schindler	26018 SE 29th Street
Bob Slack	25904 SE 31st Place
Dave Jacobs	2807 257th Place

The following exhibits were offered and admitted:

1. Staff Report with attachments A-W
  - (a) Base Land Use Application
  - (b) Site Plan by Triad Assoc., received 12/28/07
  - (c) SEPA Mitigated Determination of Non-significance (DNS) and Notice of Adoption, dated 11/5/07
  - (d) Fire Department approval, 1/23/07
  - (e) Public Works approval memorandum, dated 1/16/08
  - (f) Concurrency Approval Letter, dated 9/19/06
  - (g) Memorandum from Kathy Curry, dated 7/13/07
  - (h) Letter to Leo Suver from Talasea, dated 3/29/07
  - (i) Letter to Rob Garwood from Mark Gibbons (Core Design), dated 6/7/07
  - (j) Email with attachments to Rob Garwood from Mark Gibbons, 10/10/07 and letter from Favero Greenforest, dated 2/17/08
  - (k) Issaquah School District Review Form, dated 11/7/07
  - (l) Appeal Letter from Chris Schindler to SEPA Official, rec'd 11/26/07
  - (m) Order Dismissing Appeal, dated 11/6/07
  - (n) Letters on lot areas from Stephen Shrei, dated 1/2/08
  - (o) Woods at Beaver Lake Plat revised Traffic Impact Analysis, dated 6/6/07
  - (p) Letter from Mike Miller
  - (q) King County Short Plat #1085087

- (r) Downstream Analysis, Core Design, dated 1/16/08
- (s) Aerial photograph of the north end of 257<sup>th</sup> Place SE
- (t) Plat of Beaver Lake Park
- (u) Section King County Assessor map quarter section NE of Sec 11, Twp 24, R6 E W.M.
- (v) King County Superior court Cas No. 07-2-01602-3 SEA (Hamm-2) Briefs, Order on Motion for Voluntary Dismissal and Order of Dismissal
- (w) Klineburger Subdivision, Hearing Examiner's Decision and Order on Reconsideration<sup>1</sup>

Applicant, with the approval of the City, proposed an amendment to Condition 10 as it related to the alignment of 30<sup>th</sup> Avenue SE next to the Bolton property. At the conclusion of the hearing, the Examiner asked Applicant and the City to explain in writing the rationale for the amendment. Bolton was given two weeks thereafter to respond. On March 10, 2008, Ms. Koloušková submitted a letter explaining the need to revise condition 10. On March 11, Assistant City Attorney King submitted a similar letter.. On March 24, 2008, the Examiner received a letter from J. Richard Aramburu on behalf of Mary Bolton and Peg Bonaccio. In the letter, Aramburu states that his clients have no objection to the alignment of the road along the existing right of way north of their property, but as they had had no opportunity to review the plans for the road alignment, they withheld final comments. Under condition 10 as revised, Applicant would quit claim its easement rights in 30<sup>TH</sup> Ave SE to the City and the road would be narrowed to avoid taking any of Bolton's property for the road. Aramburu cast doubt that the easement provided any right in the City to use the easement or construct a road without acquiring additional rights from his client.

After the hearing it was discovered that the City had failed to publish notice of the hearing. Notice of a follow-up hearing on March 26, 2008 was published to provide an opportunity to anyone who failed to attend the March 3, 2008 hearing to be heard due to a

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<sup>1</sup>Exhibit W was inadvertently labeled as exhibit X on Staff Report and Recommendation to the Hearing Examiner.

lack of notice. On March 26, 2008 at 1:00 p.m., the Examiner convened the follow-up hearing. The same representatives of Applicant and the City were there, but nobody from the public appeared.

The City submitted the following additional exhibits at the follow-up hearings, which were admitted:

2. Revised Condition #10
3. Recorded Easement
4. Petition for Opticom Gate
5. Color site plan
6. Affidavit of Posting, NOPH and Recommendation to Hearing Examiner
7. Notice of Mailing, Notice of Re-opened public hearing
8. Notice of Publication, Re-opened public hearing
9. Affidavit of Mailing, Mary Bolton request
10. Email to Mary Bolton from Stacy Herman,
11. Email to Mary Bolton from Stacy Herman
12. Kenyon Disend, revised condition #10
13. Kolouskova, revised condition #10
14. Aramburu response to condition #10

The hearing was then adjourned and the record was closed.

### **FINDINGS OF FACT**

1. ***Proposal.*** Core Design, Steve Burnstead Construction Company (Applicant) proposes to subdivide a 16.6 acre tract into 75 single-family residential lots. The site is generally located between SE 28<sup>th</sup> Street and SE 30<sup>th</sup> Street and east of 257<sup>th</sup> Place SE. Existing residential subdivisions surround the site. A site plan is attached as Attachment A.
2. ***Comprehensive Plan, Zoning.*** The site is designated in the Sammamish Comprehensive Plan for residential uses with 4 dwelling units per acre in some parts

and 6 dwelling units per acre in others. The site is zoned 4 and 6 units per acre, consistent with the comprehensive plan designations.

3. **Access.** Access to the site will be from SE 30<sup>th</sup> and SE 28<sup>th</sup> Streets, which will be improved to Public Works Standards. Both will connect with E. Beaver Lake Drive SE. Existing 257<sup>th</sup> Way SE will be connected to SE 28<sup>th</sup> Street, but a temporary, removable barrier, now there, will be reinstalled at that intersection, to be removed in the future, if at all, only pursuant to City Council action. Half street improvements to SE 30<sup>th</sup> street will be required off-site from the site to East Beaver Lake Drive SE. In the event that Applicant unable to acquire right of way needed to widen SE 30<sup>th</sup> Street at the Bolton property, Applicant will have the option to realign the road to avoid that property. See revised condition #10. SE 28<sup>th</sup> Street will also be improved off-site to connect the site with East Beaver Lake Drive SE.
4. **Traffic.** The proposal when fully constructed and occupied is expected to generate 718 average weekday vehicle trips, with 56 in the am peak hour and 76 in the pm peak hour. A vehicle trip is defined as a single or one direction vehicle movement to or from the project site. A certificate of traffic concurrency was issued on August 8, 2006 and reissued on September 19, 2006. A concurrency fee of \$837,500 will be required to help pay for future transportation improvements in Sammamish.
5. **Sensitive Areas.** There are no wetlands on the site. It is, however, in the Beaver Lake and Patterson Creek sub-basins, and is covered by the Beaver Lake Management Plan. This plan imposes stringent requirements on stormwater disposal to protect the water quality of Beaver Lake.
6. **Trees.** The site has approximately 1,719 trees. Applicant will retain 370 of the existing significant trees and replant 240 more to meet the City's 25% retention requirement.
7. **Open Space.** Applicant will provide a total of 127,332 square feet of open space/recreational space, well in excess of the City's minimum requirement. Tract C will provide a children's play area.
8. **Stormwater.** Stormwater will be collected and conveyed to tract A which contains an infiltration pond and a water quality pond. Releases from the ponds will be at Level 2 flow control following basic water quality treatment plan. This water will drain to

the Patterson Creek sub-basin. Some western portions of the off-site road improvements drain to Beaver Lake and stormwater releases there will be subject to Level 3 flow control and sensitive lake water quality treatment. Some 80% of phosphorous is to be removed. Water flowing only into Jacobs Creek will be exempt from flow control and water quality requirements.

9. **Utilities.** Applicant has secured water and sewer certificates of availability from Sammamish Plateau Water and Sewer District. Other utilities such as electricity and telephone are also available.
10. **School Children.** All children attending school will be bused. The school bus stop will be at East Beaver Lake Drive SE and SE 28<sup>th</sup> Street. Children will have sidewalks all the way to the bus stop, which will provide a safe waiting area.
11. **Impact Fees.** Applicant will pay impact fees for traffic, parks, schools and surface water system development.
12. **SEPA.** A Mitigated Determination of Non Significance (MDNS) was issued for the project on November 5, 2007. The condition of the MDNS was that Applicant must secure the dedication of 30 feet of right of way on SE 28th Street from the site to East Beaver Lake Drive and improve it with 20 feet of pavement and a 5 foot sidewalk. There was one appeal of the MDNS which was rejected as untimely. The appeal was filed within the time limit, but the appeal fee was not paid. The Examiner ruled that under SMC 20.10.080 payment of the fee within the time was essential to the Hearing Examiner's jurisdiction to hear and decide the appeal. See exhibit 1(M)
13. **Notice and Comment.** Notice of the application, the determination of nonsignificance and the public hearing was given as provided by ordinance, except for publication as noted earlier. Some 25 comment letters were received, opposing improvement of SE 28<sup>th</sup> Street, objecting to opening 257<sup>th</sup> Place SE to SE 28<sup>th</sup> Street, delayed traffic and danger to children, inadequate entering and stopping distances at East Beaver Lake Drive SE and 28<sup>th</sup> Avenue SE and increased stormwater quantity and treatment.
14. Any conclusion of law deemed to be a finding of fact is adopted as such.

## CONCLUSIONS OF LAW

1. ***Jurisdiction.*** The Hearing Examiner is authorized by the Sammamish Municipal Code (SMC) to hear and decide an application for a preliminary plat, subject to appeal to Superior Court. SMC Ch 20.24; Section 20.20.020.
2. ***Factors for Approval.*** RCW 58.17.110 identifies the factors to be considered in evaluating an application for a preliminary plat.

The proposed subdivision and dedication shall not be approved unless the city, town or legislative body makes written findings that:

- a. Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds, and all other relevant factors, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
  - b. The public use and interest will be served by platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication makes such appropriate provisions and that the public use and interest will be served then the legislative body shall approve the proposed subdivision and dedication.
3. ***General Principles of Acceptability.*** SMC Chapter 19.20 provides general principles of acceptability for proposed subdivisions. These principles include (paraphrased):

The proposed plat and its ultimate use must be in the best interest of the public interest and the neighborhood development of the area. 19.20.040

Frontage on high volume traffic ways shall be provided with parallel service streets or other appropriate medium of access. 19.20.050

The streets of a subdivision must be connected by surfaced roads to an existing dedicated street. 19.20.090

Right of way needed for the City's street pattern shall be dedicated to the City, 19.20.100

Plats of four or more lots shall provide recreational space. 19.20.110 All plats shall conform to the uses, density, dimensional and other standards of the City's development code. 19.20.120

Due regard shall be given to topography of the area, the use of streets for utilities, and for rapid traffic purposes. Intersections of streets with high volume traffic routes require special approval. Right angle intersections are preferred.

4. **Discussion.** Nearby residents have expressed genuine concerns for the effects of the project. However, conditions imposed upon the project will go a long way toward alleviating those concerns. Even so, Applicant's arborist concedes that removing some trees will expose the remaining trees to the risk of blow down. He offered no solution to this problem. The increase in traffic generated by the project will be manageable, as those trips will delay existing traffic by only a few seconds. Traffic concurrency was established. SE 28<sup>th</sup> Street must be opened to provide a second access to the project, and property owners along that route are required to dedicate the right of way under the conditions of their short plat. The barricade at 257<sup>th</sup> Place SE

and 28<sup>th</sup> St. SE will remain in place until the City Council adopts a permanent policy on such matters. If Applicant is unable to secure right of way from the Bolton property, the road can be “necked down” to avoid a taking of that property. Adequate sight distances are available on East Beaver Lake Drive SE. The remaining objections to the plat are without merit.

**DECISION**

The preliminary plat of Woods at Beaver Lake is APPROVED, subject to the conditions in Attachment B.

DONE this 8th day of April, 2008



Gordon. F. Crandall  
Hearing Examiner

Attachment A	Site Plan
Attachment B	Conditions of Approval

## **RECONSIDERATION**

Any final action by the Hearing Examiner may be reconsidered within 21 days of the issuance of the decision by the Examiner if:

1. The action was based in whole or in part on erroneous facts or information;
2. The action when taken failed to comply with existing laws or regulations applicable thereto;
3. An error of procedure occurred which prevented consideration of the interests of persons directly affected by the action.

The Examiner shall reconsider a final decision pursuant to the rules of the Hearing Examiner. If a request for reconsideration is timely filed, the time limit for taking an appeal of the Examiner's decision to the Superior Court shall be stayed for a period of 14 days after issuance of the decision on the request for reconsideration.

## **NOTICE OF RIGHT OF APPEAL**

This is a type 3 land use decision pursuant to SMC 20.05.020. Any person with standing to do so, may appeal the decision of the Hearing Examiner by filing a Land Use Petition in the King County Superior Court. Such a petition will be timely if filed with the Court Clerk and served on all parties within twenty-one days of the issuance of the decision. See: RCW 36.70C





### **Woods at Beaver Lake Conditions**

1. For the purpose of ensuring compliance with all conditions of approval and the standard requirements of the SMC, the Applicant shall provide financial guarantees in conformance with SMC Chapter 27A, and PWS Chapter 10.050(K). All improvements required pursuant to the PW standards, SMC, or other applicable regulations, must be installed and approved, or bonded as specified for plats in SMC 19.60, Subdividing Procedure;
2. The applicant or subsequent owner(s) shall comply with the payment of Street Impact Fees in accordance to City of Sammamish Ordinance No 2006-208 as modified by *the Settlement Agreement and the Addendum to the Settlement Agreement* executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group;

#### ***Prior to Construction:***

3. Following preliminary plat approval, the Applicant shall obtain permit(s) for final engineering. City of Sammamish approval of the applicant's final engineering is required prior to initiation of any onsite construction;
4. At the time of preliminary plat approval (or at intake of any construction permits), the Applicant shall pay the deposit amount equal to twenty percent (20%) of the traffic impact fees in effect at that time, less a credit for any deposits paid. Traffic impact fees shall be paid consistent with the provisions of City of Sammamish Ordinance No 2006-208;
5. A clear and grade permit is required for grading of the site and construction of street frontage improvements, offsite road improvements, internal plat improvements, joint use driveways, and plat related drainage facilities;
6. A right-of-way permit issued by the City of Sammamish is required for any road or storm drainage related work in the City public right-of-way. The right-of-way permit shall include a traffic control plan. At the Department's discretion, this permit may be issued as part of the clear and grade permit;
7. A right-of-way permit issued by King County is required for any dry utility (e.g. phone, cable, power, etc.), water, and sewer related work in the City public right-of-way;

8. A building permit is required for all rockeries or retaining walls with heights of 4-ft or greater as measured from the bottom of the footing to the top of the wall, or any size walls supporting any surcharge load consistent with SMC16.210.195;
9. Unless otherwise approved by the City Engineer, all construction and upgrading of public and private roads shall be done in accordance with the City of Sammamish Interim Public Works Standards (PWS);
10. Offsite improvement is required per PWS.15.100. From the proposed development to E Beaver Lake Dr, SE 30<sup>th</sup> St shall include 30-ft of ROW dedication south of the road centerline with half street improvements consistent with PWS Table 1, PWS Figure 01-05, and City Ordinance 2005-191 for a local road. The road cross section along the frontage of Tax Parcel No 112406-9005 (presently, Bolton property) shall include elimination of planter strip and 8-ft parking with a necking down of road pavement as shown in preliminary approved plans. In the event the Applicant is unable to obtain ROW dedication for SE 30<sup>th</sup> St along Tax Parcel No 112406-9005, after good faith negotiation, the Applicant may quit claim any rights under recorded easement #6432066 to the City along with any additional conditions necessary for the construction and use of the street improvements as set forth on the preliminary plat map.
11. Per SEPA mitigation requirements, on SE 28<sup>th</sup> St, the 30-ft of ROW shall be dedicated to the City from the proposed development to E Beaver Lake Dr. A minimum of 20-ft of pavement and 5-ft sidewalk shall be constructed, as reviewed and approved by the City during final engineering.
12. All internal roads should be improved as a local public road meeting all requirements of Interim PWS Table 1 and Figure 01-05 which requires a 57-ft ROW with 36-ft of pavement, 5-ft planter strip, and 5-ft sidewalk on both sides. The City Engineer has approved the following variations to the local road standard: 1) Pavement width may be reduced to 28-ft in areas without direct driveway access such as adjacent to Tract G, and 2) ROW width may be reduced to 50-ft between Lots 14 and 15 such that there is 28-ft of pavement.
13. Tract F shall be improved as a private road consistent with PWS.15.090 when serving to access 3 to 4 lots.
14. Tracts H, I, and J shall each be improved as joint use driveways consistent with PWS.15.170 when serving as the access to two lots.
15. All proposed cul-de-sacs shall be designed per Interim PWS.15.120, PWS Figure 02-33, and the 2003 International Fire Code, except as approved by the Fire Marshall.

16. The Fire Marshal shall approve all permanent and temporary turn-a-rounds prior to Clear and Grade Permit issuance; No parking signs may be designated during Final Engineering;
17. Appropriate sidewalk transition from all proposed plat roads to all existing roads shall be designed and approved as part of the Clear and Grade Permit;
18. Drainage plans, Technical Information Reports, and analysis shall comply with the 1998 King County Surface Water Design Manual, the City of Sammamish Stormwater Management Comprehensive Plan, and the East Lake Sammamish Basin Plan; Proposed infiltration facility shall be designed to meet long term infiltration rates determined using the 2003 Western Washington Department of Ecology Manual and shall be reviewed during final engineering. **Public Works approval may result in modification of the plat layout;**
19. A geotechnical report stamped and signed by a professional geotechnical engineer licensed in the state of Washington is required to be submitted with the clear and grade permit. The geotechnical report shall address adequacy of proposed infiltration facility to meet the requirements of the 1998 King County Surface Water Design Manual.
20. Per SMC.21A.35.055, "Ten feet of Type 1 landscaping consisting of 100 percent evergreen trees and shrubs shall be required for that portion of the perimeter of detention facilities where detention facilities directly abut the public right-of-way, public access or can be seen from a public or private street or does not abut designated open space or environmentally sensitive areas." Final Engineering plans shall include landscaping consistent with SMC.21A.35.055. Compliance may result in modifications to the plat layout as preliminarily approved.
21. All new street construction for the plat shall include illumination per Article 5 of the City of Sammamish Interim Public Works Standards or as approved by the City Engineer. Maintenance of illumination along all local and private roads shall be the responsibility of the Homeowners Association or jointly shared by the owners of the development;
22. The subdivision shall be landscaped pursuant to SMC 21A.35, and PWS.15 Article VII requirements. Landscape plans shall be concurrent with the submittal of construction plans; for review and approval prior to final engineering approval; Grass in the planter strip is not consistent with PWS.15.520 which calls for shrubs;

23. A root barrier shall be required for all trees adjacent to paved areas consistent with PWS Figure 02-29;
24. Per SMC 21A.25.190(6)(a.), rockeries, retaining walls, or similar structures may project into or be located in any setback provided these structures shall not exceed a height of more than six (6) feet in height;
25. Tree protection shall be required per SMC 21A.35.230 – Tree Protection Standards. Tree protection shall be clearly identified on the plans submitted for the clearing and grading permit;
26. Replacement trees are required for the subject site, the replacement trees shall comply with the provisions of SMC 21A.35.230 and SMC 21A.35.240;
27. All new utility installation serving the subdivision within the plat or along the frontage shall be underground;
28. The Fire Marshal shall approve the location of fire hydrant(s) to meet current codes prior to Clear and Grade Permit issuance;
29. All temporary erosion and sediment control (TESC) plans shall be in accordance to the King County Surface Water Design Manual (KCSWDM 1998) Appendix D for all erosion and sediment control standards. TESC plans should show, as a minimum, clearing limits, cover measures, perimeter protection (silt fence), traffic area stabilization, sediment retention, surface water control, and dust control;
30. Current City of Sammamish Standard Plan General Notes, Roadway Notes, Drainage Notes, and Erosion and Sediment Control (ESC) Notes shall be shown on the Clear and Grade permit submitted for approval;
31. The plat conditions of approval shall be shown on the Clear and Grade construction drawings and technical information report.
32. Prior to Clear and Grade permit issuance, a restoration bond shall be posted to the City for all required improvements in the existing public right-of-way and all temporary erosion and sediment control for the plat construction. A bond quantities worksheet shall be provided by the Applicant for Public Works review and approval of restoration bond amount;
33. The existing fence at the north end of 257<sup>th</sup> Place SE shall be removed and the intersection improvements to SE 28<sup>th</sup> and 257<sup>th</sup> installed. In addition, any portions of the fence outside the right of way within 15 feet of the corner shall either be removed or reduced in height to 42 inches per SMC 21A.25.220 (Sight Distance Requirements). After that connection

improvement at the intersection of SE 28<sup>th</sup> and 257<sup>th</sup> Place is in place, a temporary removable barrier shall be installed at that intersection. That barrier will be removed at a future date consistent with the City's adopted policy and procedures.

***Prior to recording:***

34. The jurisdictional water and sewer district shall certify the adequacy of the fire hydrant(s), water main(s), and fire flow to meet current codes prior to final plat approval;
35. A Homeowners Association shall be created to be responsible for maintenance of all common areas. The covenants and restrictions of said homeowners association shall be filed for record at King County.
36. Prior to final plat approval, all public and private stormwater facilities shall be constructed and in full operation. These facilities shall include the stormwater conveyance system, detention, water quality, and any required monitoring facilities. The conveyance system shall include all drainage structures, piping, ditching, curb, gutter, and road paving with the exception of the final lift of asphalt. Half street improvements and internal plat road shall be constructed up to the initial lift of asphalt prior to final plat.
37. Prior to final plat approval, a licensed surveyor shall survey and stake all storm drain facilities and conveyance lines with associated easements and dedications not located within the public right-of-way. Public Works Inspector shall inspect and approve locations prior to final plat and easement recording;
38. Prior to final plat, temporary street name signs and no parking signs (if required on final engineering plans) shall be installed. Permanent street designation and traffic control signs, including poles and hardware, shall be installed following sidewalk installation. These items shall be paid for by the Applicant but shall be designed, furnished, and installed by the City to establish uniformity unless otherwise indicated by the City. Additional signage not shown on final engineering plans may be required based on site conditions as determined by Public Works. A written request must be submitted to the City PW Department when signing is needed and the Applicant will be billed upon completion. Street designation signs shall display street name or number;
39. All utilities within proposed rights of way must be included within a franchise agreement approved by the City Council prior to Final Plat recording;

40. Prior to final plat approval, a performance bond shall be posted to the City for all required improvements that remain at the time of final plat, or 30% of the total improvements costs, whichever is greater. A bond quantities worksheet shall be provided by the Applicant for City review and approval of performance bond amount. The restoration bond shall be released by the City following final plat approval;
41. Prior to final plat approval, the applicant or subsequent owner(s) shall comply with the payment of Street Impact Fees in accordance to City of Sammamish Ordinance No 2006-208 as modified by *the Settlement Agreement and the Addendum to the Settlement Agreement* executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group;. This shall be for 67 lots. The applicant shall pay an amount equaling 30% of the required fee prior to final plat approval;
42. Final plat shall be submitted and approved within 5 years of preliminary plat approval:

***Language to appear on the final plat:***

43. The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. Specific language related to the payment of the traffic impact fees shall be reviewed and approved by the City prior to final plat approval. The applicant shall include language that 70% of fee allowed under the Settlement Agreement is due at building permit issuance. The applicant may include the exact fee amount on the face of the plat.
44. Right-of-way dedication shall be shown on the final plat.
45. Ownership and maintenance responsibilities of all tracts shall be designated.
46. Language shall be included to adequately indicate ownership and maintenance of stormwater facilities. All stormwater tracts associated with this plat shall be dedicated to the City of Sammamish.

47. All utility and access easements shall be shown and described on the final plat.
48. The following note shall be shown on the face of the final recorded plat, “For all lots containing or adjacent to infiltration or dispersion trenches/facilities, lots shall be graded such that top of trench or facility is below bottom of foundation.”
49. “Maintenance of landscape strips along SE 30<sup>th</sup> St and the internal plat road separating the sidewalk from the roadway shall be the responsibility of the Homeowners Association. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians created by the plat.”
50. “Metal products such as galvanized steel, copper, or zinc shall not be used in all building roofs, flashing, gutters, or downspouts unless they are treated to prevent metal leaching and sealed such that contact with storm water is prevented.”
51. Unless otherwise directed by Public Works, the following note shall be shown on the final recorded plat: “All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain system as shown on the approved plat Clear and Grade permit on file with the City of Sammamish. The connection to the storm system shall be through a perforated stub-out per the 1998 King County Surface Water Design Manual.” The approved Clear and Grade permit shall be submitted with the application for any building permit. All connections of the drains shall be constructed and approved prior to final building inspection approval.
52. “Per City of Sammamish Ordinance No. 02002-112, a surface water system development charge shall be paid at the time of building permit issuance, for each new residential dwelling *unit*.”
54. Lots 1-8 shall not be subject to any impact fees (pre-existing residences).



## The Woods at Beaver Lake Compliance Matrix 10.06.09

	Conditions	Compliance
	Prior to Construction	
1)	For the purpose of ensuring compliance with all conditions of approval and the standard requirements of the SMC, the Applicant shall provide financial guarantees in conformance with SMC Chapter 27A, and PWS Chapter 10.050(K). All improvements required pursuant to the PW standards, SMC, or other applicable regulations, must be installed and approved, or bonded as specified for plats in SMC 19.60, Subdividing Procedure;	Applicant has completed performance bonds for all improvements with City of Sammamish and Sammamish Plateau Water and Sewer District
2)	The applicant or subsequent owner(s) shall comply with the payment of Street Impact Fees in accordance to City of Sammamish Ordinance No 2006-208 as modified by <i>the Settlement Agreement and the Addendum to the Settlement Agreement</i> executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group;	Applicant has complied with 30% pre-payment of street impact fees in accordance with City of Sammamish Ordinance 2006-208 as modified by the Settlement Agreement and Addendum to Settlement Agreement executed on Nov 21 <sup>st</sup> , 2006. Remaining balance shall be paid at building permit issuance (see note 10, sheet 2)
3)	. Following preliminary plat approval, the Applicant shall obtain permit(s) for final engineering. City of Sammamish approval of the applicant's final engineering is required prior to initiation of any onsite construction;	Applicant received a grading permit for final engineering from City of Sammamish on 5/8/2008 under BLD2008-00368
4)	At the time of preliminary plat approval (or at intake of any construction permits), the Applicant shall pay the deposit amount equal to twenty percent (20%) of the traffic impact	Applicant has paid 20% deposit to City of Sammamish

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	fees in effect at that time, less a credit for any deposits paid. Traffic impact fees shall be paid consistent with the provisions of City of Sammamish Ordinance No 2006-208	
5)	A clear and grade permit is required for grading of the site and construction of street frontage improvements, offsite road improvements, internal plat improvements, joint use driveways, and plat related drainage facilities;	Applicant received clear and grade permit on 08.08.08 under BLD2008-00368
6)	A right-of-way permit issued by the City of Sammamish is required for any road or storm drainage related work in the City public right-of-way. The right-of-way permit shall include a traffic control plan. At the Department's discretion, this permit may be issued as part of the clear and grade permit;	Applicant has received ROW permit from City of Sammamish 08-0020 dated 10/7/08
7)	A right-of-way permit issued by King County is required for any dry utility (e.g. phone, cable, power, etc.), water, and sewer related work in the City public right-of-way;	Permit was issued to applicant by King County for work in ROW.
8)	A building permit is required for all rockeries or retaining walls with heights of 4-ft or greater as measured from the bottom of the footing to the top of the wall, or any size walls supporting any surcharge load consistent with SMC16.210.195	Applicant has received permits for retaining walls under BLD2008-00514
9)	Unless otherwise approved by the City Engineer, all construction and upgrading of public and private roads shall be done in accordance with the City of Sammamish Interim	Applicant has designed and constructed all public and private roads in accordance with City of Sammamish Interim Public Work Standards under Permit BLD2008-00368

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	Public Works Standards (PWS); Construction and upgrading of public / private roads	
10)	Offsite improvement is required per PWS.15.100. From the proposed development to E Beaver Lake Dr, SE 30 <sup>th</sup> St shall include 30-ft of ROW dedication south of the road centerline with half street improvements consistent with PWS Table 1, PWS Figure 01-05, and City Ordinance 2005-191 for a local road. The road cross section along the frontage of Tax Parcel No 112406-9005 (presently, Bolton property) shall include elimination of planter strip and 8-ft parking with a necking down of road pavement as shown in preliminary approved plans.	The applicant has improved offsite frontage of SE 30 <sup>th</sup> in accordance with approved plans and specifications per condition 10 under BLD2008-00368, and acquiring dedication.
11)	Per SEPA mitigation requirements, on SE 28 <sup>th</sup> St, the 30-ft of ROW shall be dedicated to the City from the proposed development to E Beaver Lake Dr. A minimum of 20-ft of pavement and 5-ft sidewalk shall be constructed, as reviewed and approved by the City during final engineering.	Applicant has improved SE 28 <sup>th</sup> Street in accordance with approved plans and specifications per condition 10 under BLD2008-00368, and acquiring dedication.
12)	All internal roads should be improved as a local public road meeting all requirements of Interim PWS Table 1 and Figure 01-05 which requires a 57-ft ROW with 36-ft of pavement, 5-ft planter strip, and 5-ft sidewalk on both sides. The City Engineer has approved the following variations to the local road standard: 1) Pavement width may be reduced to 28-ft in areas without direct driveway access such as adjacent to Tract G, and 2) ROW width may be reduced to 50-ft between Lots 14 and 15 such that there is 28-ft of pavement.	Applicant has designed and is constructing all internal roads to meet requirements of of the Code under Permit BLD2008-00368.
13)	Tract F shall be improved as a private road consistent with PWS.15.090 when serving to access 3 to 4 lots.	Tract F is designed and improved consistent with the Code under Permit BLD2008-00368
14)	Tracts H, I, and J shall each be improved as joint use driveways consistent with PWS.15.170 when serving as the	Tracts are designed and improved as joint-use driveways consistent with the Code. under Permit BLD2008-00368

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	access to two lots.	
15)	All proposed cul-de-sacs shall be designed per Interim PWS.15.120, PWS Figure 02-33, and the 2003 International Fire Code, except as approved by the Fire Marshall. Cul-de-sac improvements	Cul-de-sac located as SE 259 <sup>th</sup> court is being improved to PWS.15.120 and per approval of Fire Marshall.
16)	The Fire Marshal shall approve all permanent and temporary turn-a-rounds prior to Clear and Grade Permit issuance; No parking signs may be designated during Final Engineering;	Fire Marshall has reviewed and approved permitted design plans.
17)	Appropriate sidewalk transition from all proposed plat roads to all existing roads shall be designed and approved as part of the Clear and Grade Permit.	Sidewalk transitions between all proposed and existing plat roads have been designed and approved by PW per approved plans under permit BLD2008-00368.
18)	Drainage plans, Technical Information Reports, and analysis shall comply with the 1998 King County Surface Water Design Manual, the City of Sammamish Stormwater Management Comprehensive Plan, and the East Lake Sammamish Basin Plan; Proposed infiltration facility shall be designed to meet long term infiltration rates determined using the 2003 Western Washington Department of Ecology Manual and shall be reviewed during final engineering. Public Works approval may result in modification of the plat layout.	Application has received final engineering approval for design and construction of drainage facilities in compliance with 1998 KC Surface water design manual. System has been designed to meet long-term infiltration rates using 2003 WW DOE manual requirements. Approved under Permit BLD2008-00368
19)	A geotechnical report stamped and signed by a professional geotechnical engineer licensed in the state of Washington is required to be submitted with the clear and grade permit. The geotechnical report shall address adequacy of proposed infiltration facility to meet the requirements of the 1998 King County Surface Water Design Manual.	A stamped Geotechnical report was prepared by Golder Associates, dated 4/30/08 addressing adequacy of proposed drainage facility designs to meet requirements of KC surface water design manual. Approved under permit BLD2008-00368.
20)	Per SMC.21A.35.055, "Ten feet of Type 1 landscaping consisting of 100 percent evergreen trees and shrubs shall be	A 10-foot buffer of landscaping for detention facilities is not required, as these facilities do not abut public right-of-way, and are not visible

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	required for that portion of the perimeter of detention facilities where detention facilities directly abut the public right-of-way, public access or can be seen from a public or private street or does not abut designated open space or environmentally sensitive areas.” Final Engineering plans shall include landscaping consistent with SMC.21A.35.055. Compliance may result in modifications to the plat layout as preliminarily approved.	from public roads.
21)	Street Illumination	All new roads constructed within the plats include illumination per Interim PWS. Maintenance of illumination within the plat is the responsibility of the Homeowner Association.
22)	All new street construction for the plat shall include illumination per Article 5 of the City of Sammamish Interim Public Works Standards or as approved by the City Engineer. Maintenance of illumination along all local and private roads shall be the responsibility of the Homeowners Association or jointly shared by the owners of the development.	A landscape plan was submitted by applicant and approved permit BLD2008-00368 on 5/8/2008.
23)	A root barrier shall be required for all trees adjacent to paved areas consistent with PWS Figure 02-29.	Root barrier shall be installed for all trees adjacent to paved areas, per approved landscape plans. Approved under permits BLD2008-00277 and-0068.
24)	Per SMC 21A.25.190(6)(a.), rockeries, retaining walls, or similar structures may project into or be located in any setback provided these structures shall not exceed a height of more than six (6) feet in height.	No rockeries in excess of 6ft in height are proposed within setbacks.
25)	Tree protection shall be required per SMC 21A.35.230 – Tree Protection Standards. Tree protection shall be clearly identified on the plans submitted for the clearing and grading permit Tree Protection	Tree protection has been clearly identified per approved grading, utility and construction plans approved under permits BLD2008-00368.
26)	Replacement trees are required for the subject site, the replacement trees shall comply with the provisions of SMC	Replacement trees have been provided per approved landscape plans per requirements of SMC 21A.35.230 and SMC 21A.35.240. Approved

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	21A.35.230 and SMC 21A.35.240 Tree protection shall be clearly identified on the plans submitted for the clearing and grading permit	under permit BLD2008-00368
27)	All new utility installation serving the subdivision within the plat or along the frontage shall be underground.	All new utilities serving the project have been located underground.
28)	The Fire Marshal shall approve the location of fire hydrant(s) to meet current codes prior to Clear and Grade Permit issuance	Fire Marshall has reviewed and approved locations of all fire hydrants within the plat to comply with current codes. Approved under BLD2008-00368.
29)	All temporary erosion and sediment control (TESC) plans shall be in accordance to the King County Surface Water Design Manual (KCSWDM 1998) Appendix D for all erosion and sediment control standards. TESC plans should show, as a minimum, clearing limits, cover measures, perimeter protection (silt fence), traffic area stabilization, sediment retention, surface water control, and dust control	All temporary erosion and sediment control plans have been designed in accordance with KCSWDM 1998 Appendix D under permit BLD2008-00368.
30)	. Current City of Sammamish Standard Plan General Notes, Roadway Notes, Drainage Notes, and Erosion and Sediment Control (ESC) Notes shall be shown on the Clear and Grade permit submitted for approval.	All current standard plan general notes, roadway notes, drainage notes and ESC notes are currently shown on approved clearing and grading plans under permits BLD2008-00277 and 00368.
31)	The plat conditions of approval shall be shown on the Clear and Grade construction drawings and technical information report.	All plat conditions of approval have been shown on both the approved clearing and grading plans as well as the TIR report under permits BLD2008-00277 and 00368.
32)	Prior to Clear and Grade permit issuance, a restoration bond shall be posted to the City for all required improvements in the existing public right-of-way and all temporary erosion and sediment control for the plat construction. A bond quantities worksheet shall be provided by the Applicant for Public Works review and approval of restoration bond amount.	A restoration bond was posted by the applicant prior to clear and grading activity under permit BLD2008-00277.
33)	Prior to Clear and Grade permit issuance, a restoration bond	Applicant will remove existing barricade at north end of 257 <sup>th</sup> place and

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	shall be posted to the City for all required improvements in the existing public right-of-way and all temporary erosion and sediment control for the plat construction. A bond quantities worksheet shall be provided by the Applicant for Public Works review and approval of restoration bond amount.	construction intersection improvements, including modifying fencing per SMC 21A.25.220. Applicant shall install temporary removable barrier upon completion of intersection improvements under BLD2008-00368.
	<b><u>Prior to Recording</u></b>	
34)	The jurisdictional water and sewer district shall certify the adequacy of the fire hydrant(s), water main(s), and fire flow to meet current codes prior to final plat approval Certification of Water mains and fire-flow	Sammamish Plateau Water and Sewer District approved the water systems on September 4, 2009.
35)	A Homeowners Association shall be created to be responsible for maintenance of all common areas. The covenants and restrictions of said homeowners association shall be filed for record at King County.	Applicant has formed "The Woods at Beaver Lake Homeowners Association". The CC&Rs were recorded at King County under Recording number 20090831001319
36)	Prior to final plat approval, all public and private stormwater facilities shall be constructed and in full operation. These facilities shall include the stormwater conveyance system, detention, water quality, and any required monitoring facilities. The conveyance system shall include all drainage structures, piping, ditching, curb, gutter, and road paving with the exception of the final lift of asphalt. Half street improvements and internal plat road shall be constructed up to the initial lift of asphalt prior to final plat.	The Public Works Department has inspected and approved the facilities.
37)	. Prior to final plat approval, a licensed surveyor shall survey and stake all storm drain facilities and conveyance lines with associated easements and dedications not located within the public right-of-way. Public Works Inspector shall inspect and approve locations prior to final plat and easement recording.	The easements and dedications are shown on the final plat mylar

## The Woods at Beaver Lake Compliance Matrix 10.06.09

38)	Prior to final plat, temporary street name signs and no parking signs (if required on final engineering plans) shall be installed. Permanent street designation and traffic control signs, including poles and hardware, shall be installed following sidewalk installation. These items shall be paid for by the Applicant but shall be designed, furnished, and installed by the City to establish uniformity unless otherwise indicated by the City. Additional signage not shown on final engineering plans may be required based on site conditions as determined by Public Works. A written request must be submitted to the City PW Department when signing is needed and the Applicant will be billed upon completion. Street designation signs shall display street name or number.	Temporary signs have been installed and the signage required for the final installation has been sent to King County, who will provided the signs.
39)	All utilities within proposed rights of way must be included within a franchise agreement approved by the City Council prior to Final Plat recording.	All utilities are included in City Franchise Agreements.
40)	Prior to final plat approval, a performance bond shall be posted to the City for all required improvements that remain at the time of final plat, or 30% of the total improvements costs, whichever is greater. A bond quantities worksheet shall be provided by the Applicant for City review and approval of performance bond amount. The restoration bond shall be released by the City following final plat approval.	A performance bond has been recieved under BND2009-00025 for \$379,025.70.
41)	Prior to final plat approval, the applicant or subsequent owner(s) shall comply with the payment of Street Impact Fees in accordance to City of Sammamish Ordinance No 2006-208 as modified by <i>the Settlement Agreement and the Addendum to the Settlement Agreement</i> executed on November 21, 2006 between	The applicant has paid fees equal to 30% of the required street impact fee ordinance as of September 3, 2009. (Amount \$251,500.00)

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group;. This shall be for 67 lots. The applicant shall pay an amount equaling 30% of the required fee prior to final plat approval	
42)	Final plat shall be submitted and approved within 5 years of preliminary plat approval.	Applicant submitted for final plat on December 3, 2008, within the 5 years of preliminary plat approval.
	<b>Language on Final Plat</b>	
43)	The applicant shall include a note regarding the payment of all traffic impact fees on the subject site consistent with the provisions of the Settlement Agreement and the Addendum to the Settlement Agreement executed on November 21, 2006 between the City of Sammamish and two groups of property owners and developers known as the Sammamish Development Coalition and the Sammamish Plat Applicants Group. Specific language related to the payment of the traffic impact fees shall be reviewed and approved by the City prior to final plat approval. The applicant shall include language that 70% of fee allowed under the Settlement Agreement is due at building permit issuance. The applicant may include the exact fee amount on the face of the plat.	See Note #10 Page 2 of 8, regarding payment of traffic impact fees consistent with settlement agreement dated Nov 21 <sup>st</sup> , 2006.
44)	Right-of-way dedication shall be shown on the final plat.	The Dedication will become effective with the recording of the plat. See Note, Page 1 of 8.
45)	Ownership and maintenance responsibilities of all tracts shall be designated.	Applicant has noted ownership and maintenance responsibilities for tracts under notes and conditions listed under Notes #1 through #8 on Page 2 of 9 on the Final Plat.
46)	Language shall be included to adequately indicate ownership and maintenance of stormwater facilities. All stormwater tracts associated with this plat shall be dedicated	Applicant has included note #1 Page 2 of 8 under notes and restrictions identifying ownership and maintenance of stormwater facilities to be dedicated to the City of Sammamish upon recording.

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	to the City of Sammamish.	
47)	All utility and access easements shall be shown and described on the final plat.	Applicant has included provisions for utility and access easements under Notes and Restrictions Notes 22-30, Specific Easements and Easement Notes 1-24 on page 3 of 8 of final plat.
48)	The following note shall be shown on the face of the final recorded plat, "For all lots containing or adjacent to infiltration or dispersion trenches/facilities, lots shall be graded such that top of trench or facility is below bottom of foundation."	Applicant has added note #12 on Page 2 of 8 regarding lot grading adjacent to infiltration or dispersion trenches.
49)	"Maintenance of landscape strips along SE 30 <sup>th</sup> St and the internal plat road separating the sidewalk from the roadway shall be the responsibility of the Homeowners Association. Under no circumstances shall the City bear any maintenance responsibilities for landscaping strips, planter islands, or planted medians created by the plat."	Applicant has added note #13 on Page 2 of 8 establishing maintenance of landscape median along internal plat roads and along SE 30 <sup>th</sup> to be the responsibility of the Homeowners Association.
50)	"Metal products such as galvanized steel, copper, or zinc shall not be used in all building roofs, flashing, gutters, or downspouts unless they are treated to prevent metal leaching and sealed such that contact with storm water is prevented."	Applicant has added note #14 on Page 2 of 8 excluding the use of untreated metal products on roofs, flashings, gutters or downspouts that could leach into storm system.
51)	Unless otherwise directed by Public Works, the following note shall be shown on the final recorded plat: "All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain system as shown on the approved plat Clear and Grade permit on file with the City of Sammamish. The connection to the storm system shall be through a perforated stub-out per the 1998 King County Surface Water Design Manual." The approved Clear and Grade permit shall be submitted with the application for any building permit. All connections of the drains shall be	Applicant has added note # 15 on Page 2 of 8 requiring that all building downspout, footing drains and drains from impervious surfaces be connected to permanent storm outlet.

## The Woods at Beaver Lake Compliance Matrix 10.06.09

	constructed and approved prior to final building inspection approval.	
52)	“Per City of Sammamish Ordinance No. 02002-112, a surface water system development charge shall be paid at the time of building permit issuance, for each new residential dwelling <i>unit</i> .”	Applicant has added note #16 on Page 2 of 8 requiring surface water development charge be paid at time of building permit issuance for each new dwelling unit.
53)	No condition #53 was listed on the decision.	No condition #53 was included in the Hearing Examiner’s Decision dated 04.04.08.
54)	Lots 1-8 shall not be subject to any impact fees (pre-existing residences).	The Applicant has added note #17 on Page 2 of 8 stating that no impact fees shall be paid on lots 1 – 5, 46, 51 and 61 (pre-existing residence credit). The original condition has still been met, but since the applicant opted to build three model homes on existing parcels we need to amend the condition to show where these residences were built.





# THE WOODS AT BEAVER LAKE

A PORTION OF THE SE 1/4, OF THE NE 1/4, SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M.  
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

## LEGAL DESCRIPTION

### PARCEL A:

THE EAST 335 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER, UNDER AND THROUGH THE NORTH 30.00 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF AND GOVERNMENT LOT 2 OF SAID SECTION LYING EASTERLY OF EAST BEAVER LAKE DRIVE SOUTHEAST, EXCEPT ANY PORTION OF SAID EASEMENT LYING WITHIN THE RIGHT OF WAY OF SOUTHEAST 28TH STREET, AND EXCEPT ANY PORTION OF SAID EASEMENT LYING WITHIN THE MAIN TRACT.

### PARCEL B:

THE WEST 335 FEET OF THE EAST 670 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER, UNDER AND THROUGH THE NORTH 30.00 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF AND GOVERNMENT LOT 2 OF SAID SECTION LYING EASTERLY OF EAST BEAVER LAKE DRIVE SOUTHEAST, EXCEPT ANY PORTION OF SAID EASEMENT LYING WITHIN THE RIGHT OF WAY OF SOUTHEAST 28TH STREET, AND EXCEPT ANY PORTION OF SAID EASEMENT LYING WITHIN THE MAIN TRACT.

### PARCEL C:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

### PARCEL D:

THE EASTERLY 135 FEET OF THE WEST 333.72 FEET OF THE EAST 667.44 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

EXCEPT THE SOUTH 330 FEET THEREOF, ALSO

EXCEPT THE NORTH 30 FEET THEREOF;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THAT PORTION OF THE NORTH 30 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11, LYING EASTERLY OF THE EAST LINE OF BEAVER LAKE ROAD NO. 2 AND LYING WESTERLY OF THE EAST 333.72 FEET OF SAID NORTHEAST QUARTER.

### PARCEL E-1:

THE WEST 333.72 FEET OF THE EAST 667.44 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

EXCEPT THE SOUTH 330 FEET THEREOF; AND

EXCEPT THE EAST 135 FEET THEREOF;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THAT PORTION OF THE NORTH 30 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 LYING EASTERLY OF THE EAST LINE OF BEAVER LAKE ROAD NO. 2 AND LYING WESTERLY OF THE EAST 667.44 FEET OF SAID NORTHEAST QUARTER.

### PARCEL E-2:

THE NORTH 30 FEET OF THE EAST 135 FEET OF THE WEST 333.72 FEET OF THE EAST 667.44 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THAT PORTION OF THE NORTH 30 FEET OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 11 LYING EASTERLY OF THE EAST LINE OF BEAVER LAKE ROAD NO. 2 AND LYING WESTERLY OF THE EAST 667.44 FEET OF SAID NORTHEAST QUARTER.

### PARCEL F:

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE SOUTH 30 FEET OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11 AS ESTABLISHED BY INSTRUMENT RECORDED UNDER RECORDING NUMBER 6511130.

### PARCEL G:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE NORTH 30 FEET OF THAT PORTION OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING EAST OF THE EAST LINE OF BEAVER LAKE ROAD, NO. 2, EXCEPT ANY PORTION OF SAID EASEMENT LYING WITHIN THE MAIN TRACT.

### PARCEL H:

TRACT D, KING COUNTY SHORT PLAT NUMBER 474111, RECORDED UNDER RECORDING NUMBER 7501280271, SAID SHORT PLAT BEING A SUBDIVISION OF A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE NORTH 30 FEET OF THAT PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11, LYING EASTERLY OF BEAVER LAKE ROAD NO. 2 (256TH AVE S.E.), AND OVER THE NORTH 30 FEET OF THE WEST 495 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 11;

EXCEPT ANY PORTION THEREOF LYING WITHIN THE MAIN TRACT.

### PARCEL I:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, AS DESCRIBED IN ORDER ENTERED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 07-2-06782-5, AND RECORDED UNDER RECORDING NUMBER 2007119001101.

## CITY OF SAMMAMISH DRAINAGE EASEMENT AND COVENANT

ALL DRAINAGE EASEMENTS WITHIN THIS PLAT, NOT SHOWN AS "PRIVATE", ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF SAMMAMISH, A POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON, FOR THE PURPOSE OF CONVEYING, STORING, MANAGING AND LOCATING STORM AND SURFACE WATER PER THE ENGINEERING PLANS APPROVED FOR THIS PLAT BY TO THE CITY OF SAMMAMISH, TOGETHER WITH THE RIGHT OF REASONABLE ACCESS (INGRESS AND EGRESS), TO ENTER SAID DRAINAGE EASEMENT FOR THE PURPOSE OF INSPECTING, OPERATING, MAINTAINING, REPAIRING AND IMPROVING THE DRAINAGE FACILITIES CONTAINED THEREIN. NOTE THAT EXCEPT FOR THE FACILITIES WHICH HAVE BEEN FORMALLY ACCEPTED FOR MAINTENANCE BY TO THE CITY OF SAMMAMISH, MAINTENANCE OF DRAINAGE FACILITIES ON PRIVATE PROPERTY IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

THE OWNERS OF SAID PRIVATE PROPERTY ARE REQUIRED TO OBTAIN PRIOR WRITTEN APPROVAL FROM THE CITY OF SAMMAMISH, AND ANY REQUIRED PERMITS FROM THE CITY OF SAMMAMISH FOR ACTIVITIES SUCH AS CLEARING AND GRADING, PRIOR TO FILLING, PIPING, CUTTING OR REMOVING VEGETATION (EXCEPT FOR ROUTINE LANDSCAPE MAINTENANCE SUCH AS LAWN MOWING) IN OPEN VEGETATED DRAINAGE FACILITIES (SUCH AS SWALES, CHANNELS, DITCHES, PONDS, ETC.) OR PERFORMING ANY ALTERATIONS OR MODIFICATIONS TO THE DRAINAGE FACILITIES, CONTAINED WITHIN SAID DRAINAGE EASEMENT.

THIS EASEMENT IS INTENDED TO FACILITATE REASONABLE ACCESS TO THE DRAINAGE FACILITIES. THIS EASEMENT AND COVENANT SHALL RUN WITH THE LAND AND IS BINDING UPON THE OWNERS OF SAID PRIVATE PROPERTY, THEIR HEIRS, SUCCESSORS AND ASSIGNS.

## NOTES AND RESTRICTIONS

- TRACT A, A STORMWATER QUALITY AND INFILTRATION TRACT IS HEREBY GRANTED AND CONVEYED TO THE CITY OF SAMMAMISH UPON RECORDING OF THIS PLAT, THE CITY SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF THE STORMWATER FACILITIES CONTAINED THEREIN AND THE COST THEREOF, SUBJECT TO AN EASEMENT TO THE GENERAL PUBLIC AND THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION FOR USE, ACCESS AND MAINTENANCE OF PEDESTRIAN ACCESS FACILITIES CONTAINED THEREIN, SAID HOMEOWNERS ASSOCIATION SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF SAID PEDESTRIAN ACCESS FACILITIES AND THE COST THEREOF. THE ACTUAL LIMITS OF THE EASEMENT WITHIN TRACT A WILL BE DETERMINED BY THE PHYSICAL LOCATION OF THE POND ACCESS ROAD AND PEDESTRIAN WALKWAY AS CONSTRUCTED OR TO BE CONSTRUCTED, AND IS SHOWN IN ITS APPROXIMATE LOCATION ON SHEET 7. THE WOODS AT BEAVERS LAKE HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE COST OF MAINTAINING ANY CEDAR FENCING WITHIN TRACT A, EXCEPTING THEREFROM ANY CEDAR FENCING BELONGING TO THE OWNERS OF LOTS 38 THROUGH 43 AND LOT 62. THE CITY OF SAMMAMISH IS HEREBY RESPONSIBLE FOR ANY MAINTENANCE RESPONSIBILITIES REQUIRED FOR ITS UNINTERRUPTED USE OF THE POND ACCESS ROAD AND WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF ANY PUBLIC PEDESTRIAN ACCESS FACILITIES LOCATED THEREIN.
- TRACT B IS A PRIVATE ACCESS AND UTILITY TRACT FOR INGRESS, EGRESS, PRIVATE DRAINAGE AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 42 AND 43 AND IS HEREBY CONVEYED UPON THE RECORDING OF THIS PLAT TO THE OWNERS OF SAID LOTS. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES WITHIN SAID TRACT SHALL BE BORNE BY THE OWNER(S) OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES. THE OWNERS OF SAID LOTS 42 AND 43 SHALL SHARE EQUALLY THE COST OF MAINTENANCE OF THE PRIVATE ACCESS FACILITIES WITHIN SAID TRACT. OWNERSHIP OF SAID LOTS 42 AND 43 INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT B, AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF SAID TRACT.
- TRACT C AND TRACT G, RECREATION TRACTS, ARE HEREBY GRANTED AND CONVEYED UPON THE RECORDING OF THIS PLAT TO THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION. SAID HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OF THE RECREATION FACILITIES WITHIN SAID TRACTS.
- TRACT D, TRACT E AND TRACT K, OPEN SPACE TRACTS, ARE HEREBY GRANTED AND CONVEYED UPON THE RECORDING OF THIS PLAT TO THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION. SAID HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE AND MANAGEMENT OBLIGATIONS ASSOCIATED WITH SAID TRACTS. AN EASEMENT OVER SAID TRACT K IS HEREBY RESERVED FOR AND GRANTED TO THE GENERAL PUBLIC FOR USE AND ACCESS OF THE PEDESTRIAN ACCESS FACILITIES CONTAINED THEREIN.
- TRACT F IS A PRIVATE ACCESS AND UTILITY TRACT FOR INGRESS, EGRESS, PRIVATE DRAINAGE AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 22, 23 AND 24 AND IS HEREBY CONVEYED UPON THE RECORDING OF THIS PLAT TO THE OWNERS OF SAID LOTS. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES WITHIN SAID TRACT SHALL BE BORNE BY THE OWNER(S) OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES. THE OWNERS OF SAID LOTS 22, 23 AND 24 SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE OF THE PRIVATE ACCESS FACILITIES WITHIN SAID TRACT. OWNERSHIP OF SAID LOTS 22, 23 AND 24 INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT F, AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF SAID TRACT. AN EASEMENT OVER THE SOUTH 5.00 FEET OF SAID TRACT IS HEREBY RESERVED FOR AND GRANTED TO THE GENERAL PUBLIC AND THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION FOR USE, ACCESS AND MAINTENANCE OF THE PEDESTRIAN ACCESS FACILITIES CONTAINED THEREIN. SAID HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF SAID PEDESTRIAN ACCESS FACILITIES AND THE COST THEREOF.
- TRACT H IS A PRIVATE ACCESS AND UTILITY TRACT FOR INGRESS, EGRESS, PRIVATE DRAINAGE AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 73 AND 74 AND IS HEREBY CONVEYED UPON THE RECORDING OF THIS PLAT TO THE OWNERS OF SAID LOTS. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES WITHIN SAID TRACT SHALL BE BORNE BY THE OWNER(S) OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES. THE OWNERS OF SAID LOTS 73 AND 74 SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE OF THE PRIVATE ACCESS FACILITIES WITHIN SAID TRACT. OWNERSHIP OF SAID LOTS 73 AND 74 INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT H, AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF SAID TRACT.
- TRACT I IS A PRIVATE ACCESS AND UTILITY TRACT FOR INGRESS, EGRESS, PRIVATE DRAINAGE AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 69 AND 70 AND IS HEREBY CONVEYED UPON THE RECORDING OF THIS PLAT TO THE OWNERS OF SAID LOTS. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES WITHIN SAID TRACT SHALL BE BORNE BY THE OWNER(S) OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES. THE OWNERS OF SAID LOTS 69 AND 70 SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE OF THE PRIVATE ACCESS FACILITIES WITHIN SAID TRACT. OWNERSHIP OF SAID LOTS 69 AND 70 INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT I, AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF SAID TRACT.
- TRACT J IS A PRIVATE ACCESS AND UTILITY TRACT FOR INGRESS, EGRESS, PRIVATE DRAINAGE AND UTILITIES FOR THE BENEFIT OF THE OWNERS OF LOTS 65 AND 66 AND IS HEREBY CONVEYED UPON THE RECORDING OF THIS PLAT TO THE OWNERS OF SAID LOTS. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES WITHIN SAID TRACT SHALL BE BORNE BY THE OWNER(S) OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES. THE OWNERS OF SAID LOTS 65 AND 66 SHALL SHARE EQUALLY IN THE COST OF MAINTENANCE OF THE PRIVATE ACCESS FACILITIES WITHIN SAID TRACT. OWNERSHIP OF SAID LOTS 65 AND 66 INCLUDES AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT J, AND AN EQUAL AND UNDIVIDED RESPONSIBILITY FOR THE MAINTENANCE OF SAID TRACT.
- THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF ILLUMINATION FACILITIES ALONG ALL LOCAL AND PRIVATE ROADS WITHIN THIS PLAT.
- TRANSPORTATION MITIGATION FEES SHALL BE PAID CONSISTENT WITH THE SETTLEMENT AGREEMENT AND THE ADDENDUM TO THE SETTLEMENT AGREEMENT EXECUTED NOVEMBER 21, 2006. LOTS 1 THROUGH 5, 46, 51 AND 61 ARE CREDITED FOR EXISTING RESIDENCES AND ARE NOT SUBJECT TO TRANSPORTATION MITIGATION FEES. THE REMAINING LOTS (6 THROUGH 45, 47 THROUGH 50, 52 THROUGH 60 AND 62 THROUGH 75) SHALL BE REQUIRED TO PAY AN EQUAL SHARE OF THE MITIGATION FEES, 70% OF WHICH ARE DUE AT BUILDING PERMIT ISSUANCE.
- 50% OF THE ISSAQUAH SCHOOL DISTRICT IMPACT FEE SHALL BE PAID PRIOR TO RECORDING OF THIS PLAT. LOTS 1 THROUGH 5, 46, 51 AND 61 ARE CREDITED FOR EXISTING RESIDENCES AND ARE NOT SUBJECT TO SCHOOL IMPACT FEES. THE REMAINING LOTS (6 THROUGH 45, 47 THROUGH 50, 52 THROUGH 60 AND 62 THROUGH 75) SHALL BE REQUIRED TO PAY AN EQUAL SHARE OF THE BALANCE OF THE FEE IN EFFECT AT TIME OF BUILDING PERMIT ISSUANCE.
- FOR ALL LOTS CONTAINING OR ADJACENT TO INFILTRATION OR DISPERSION TRENCHES, SAID LOTS SHALL BE GRADED SUCH THAT THE TOP OF TRENCH IS BELOW BOTTOM OF FOUNDATION.
- THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION IS HEREBY RESPONSIBLE FOR THE MAINTENANCE OF LANDSCAPE STRIPS SEPARATING THE SIDEWALK FROM THE ROADWAY, PLANTER ISLANDS, AND/OR PLANTED MEDIANS, INCLUDING THE MEDIAN ISLAND SEPARATING THE TRAVEL LANES OF SE 30TH STREET AND THOSE LANDSCAPE STRIPS LYING ALONG THE SOUTH SIDE OF SE 30TH STREET FROM THE EASTERLY RIGHT-OF-WAY MARGIN OF EAST BEAVER LAKE DRIVE TO THE SOUTHWESTERLY PLAT ENTRANCE. UNDER NO CIRCUMSTANCES SHALL THE CITY BEAR ANY MAINTENANCE RESPONSIBILITIES FOR THE HEREIN DESCRIBED LANDSCAPING STRIPS, PLANTER ISLANDS, OR PLANTED MEDIANS.
- METAL PRODUCTS SUCH AS GALVANIZED STEEL, COPPER, OR ZINC SHALL NOT BE USED IN ALL BUILDING ROOFS, FLASHING, GUTTERS, OR DOWNSPOUTS UNLESS THEY ARE TREATED TO PREVENT METAL LEACHING AND SEALED SUCH THAT CONTACT WITH STORM WATER IS PREVENTED.
- ALL BUILDING DOWNSPOUTS, FOOTING DRAINS, AND DRAINS FROM ALL IMPERVIOUS SURFACES SUCH AS PATIOS AND DRIVEWAYS SHALL BE CONNECTED TO THE PERMANENT STORM DRAIN OUTLET AS SHOWN ON THE APPROVED CONSTRUCTION DRAWING ON FILE WITH THE CITY OF SAMMAMISH. THIS PLAN SHALL BE SUBMITTED WITH THE APPLICATION FOR ANY BUILDING PERMIT.
- IN ACCORDANCE WITH CITY OF SAMMAMISH ORDINANCE NO. 02002-112, A SURFACE WATER SYSTEM DEVELOPMENT CHARGE SHALL BE PAID AT THE TIME OF BUILDING PERMIT ISSUANCE, FOR EACH NEW RESIDENTIAL DWELLING UNIT. LOTS 1 THROUGH 5, 46, 51 AND 61 ARE CREDITED FOR EXISTING RESIDENCES AND ARE NOT SUBJECT TO THE SURFACE WATER SYSTEM DEVELOPMENT CHARGE.
- LOTS 1 THROUGH 5, 46, 51 AND 61 SHALL NOT BE SUBJECT TO ANY IMPACT FEES
- NO LOT OR PORTION OF A LOT SHALL BE SUBDIVIDED AND SOLD, OR RESOLD, OR ITS OWNERSHIP CHANGED OR TRANSFERRED IN VIOLATION OF APPLICABLE CITY, COUNTY, STATE, OR FEDERAL STANDARDS, RULES REGULATIONS OR LAWS.
- THE WOODS AT BEAVER LAKE HOMEOWNERS ASSOCIATION WAS ESTABLISHED AUGUST 31, 2009.
- THE HOUSE ADDRESS WITHIN THIS PLAT SHALL BE ASSIGNED WITHIN THE RANGE OF 2817 TO 2997 ON 258TH PLACE SE, WITHIN THE RANGE OF 2840 TO 2931 ON 259TH PLACE SE, WITHIN THE RANGE OF 3003 TO 3093 ON 259TH COURT SE, WITHIN THE RANGE OF 25812 TO 25934 ON SE 28TH PLACE AND WITHIN THE RANGE OF 25701 TO 25851 ON SE 30TH STREET. INDIVIDUAL ADDRESSES WILL BE ASSIGNED FOR EACH RESIDENCE OR BUILDING AT THE TIME OF BUILDING PERMIT ISSUANCE.

CONTINUED ON SHEET 3



14711 N.E. 29th Pl. Suite 101  
Bellevue, Washington 98007  
425.885.7877 Fax 425.885.7963

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JOB NO. 06039

# THE WOODS AT BEAVER LAKE

A PORTION OF THE SE 1/4, OF THE NE 1/4, SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M.  
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

## NOTES AND RESTRICTIONS CONT. FROM SHEET 2

21. THIS SITE IS SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS AND SETBACKS, IF ANY, SET FORTH IN OR DELINEATED ON KING COUNTY SHORT PLAT NO. 474111, RECORDED UNDER RECORDING NO. 7501280271. NOTED HERE.
22. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF AN UNDERGROUND UTILITY EASEMENT TO PUGET SOUND POWER AND LIGHT COMPANY FOR ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NO. 7412050424, AND IS SHOWN HEREON.
23. THIS SITE IS SUBJECT TO THE RESERVATION OF ALL COAL, OIL, GAS AND MINERAL RIGHTS, AND RIGHTS TO EXPLORE FOR THE SAME AS CONTAINED IN DEED FROM WEYERHAEUSER TIMBER CO., A WASHINGTON CORPORATION RECORDED UNDER RECORDING NO. 4390424. NOTED HERE.
24. THIS SITE IS SUBJECT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN AN INSTRUMENT REGARDING ON-SITE SEWAGE SYSTEM OPERATION AND MAINTENANCE REQUIREMENTS, AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NO. 20030826002870. NOTED HERE.
25. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF AN AGREEMENT BETWEEN KING COUNTY WATER DISTRICT NO. 121 AND MR. AND MRS. JONATHAN BRYAN REGARDING WATER SERVICE AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NO. 7502270317. NOTED HERE.
26. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF AN AGREEMENT BETWEEN STEVEN BURNSTEAD CONSTRUCTION AND THE CITY OF ISSAQUAH REGARDING A TRAFFIC MITIGATION SETTLEMENT AGREEMENT AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NO. 20071204002000. NOTED HERE.
27. THIS SITE IS SUBJECT TO THE TERMS AND CONDITIONS OF A NOTICE OF CHARGES BY WATER, SEWER, AND/OR STORM AND SURFACE WATER UTILITIES, AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NO'S. 20040414002865 AND 20060126001770. NOTED HERE.
28. THIS SITE IS SUBJECT TO AN EASEMENT, AND THE TERMS AND CONDITIONS THEREOF, TO PUGET SOUND ENERGY FOR GAS AND ELECTRIC UTILITY SYSTEMS AS DISCLOSED BY INSTRUMENT RECORDED UNDER RECORDING NO. 20081121001378. NOTED HERE.
29. BUILDING SET BACK LINE DIMENSIONS ARE DEFINED AS FOLLOWS (PER SAMMAMISH MUNICIPAL CODE 21A.25.030 AND CITY OF SAMMAMISH ORDINANCE ORD2009-00249): FRONT = 10 FEET; SIDE = 5 FEET (10 FEET ADJACENT TO STREETS); REAR = 5 FEET.

## UTILITY EASEMENT PROVISION

1. AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF SAMMAMISH, PUGET SOUND ENERGY COMPANY, THE REGIONAL TELEPHONE COMPANY, THE REGIONAL CABLE TELEVISION COMPANY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AND UPON TRACTS B, F, H, I AND J, THE EXTERIOR 5 FEET, PARALLEL WITH AND ADJOINING TRACTS H, I, AND J, THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING TRACT F, AS SHOWN ON SHEET 8 AND THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS AND TRACTS AND THOSE EASEMENTS IDENTIFIED AS PUBLIC UTILITY, EASEMENTS, AS SHOWN HEREIN IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDER GROUND CONDUITS, MAINS, CABLES AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH SANITARY SEWER, WATER, ELECTRIC TELEPHONE, T.V. AND GAS SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSE HEREIN STATED, THESE EASEMENTS ENTERED UPON FOR THESE PURPOSES SHALL BE RESTORED AS NEAR AS POSSIBLE TO THEIR ORIGINAL CONDITION BY THE UTILITY. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT, TELEPHONE, OR CABLE T.V. SHALL BE PLACED OR BE PERMITTED TO BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

## WATER AND SEWER EASEMENT PROVISION

AN EASEMENT IS HEREBY DEDICATED AND CONVEYED, UPON THE RECORDING OF THIS PLAT, TO THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT OR ITS SUCCESSORS AND ASSIGNS, OVER, UNDER, ACROSS AND UPON TRACTS B, F, H, I AND J, THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING TRACTS H, I AND J, OF LOTS 64 THROUGH 75, THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING THE PUBLIC STREET FRONTAGE, OF ALL LOTS AND TRACTS, AND THOSE EASEMENTS SHOWN ACROSS LOTS 20 THROUGH 24 AND LOTS 38 AND 39 AND TRACTS A, K AND F AS "S.P.W.S.D. SEWER EASEMENT" OR "S.P.W.S.D. WATER EASEMENT", AS SHOWN HEREIN IN WHICH TO INSTALL, LAY, CONSTRUCT, MAINTAIN, INSPECT, REPLACE, REPAIR, REMOVE, RENEW, USE, AND OPERATE WATER AND SEWER SYSTEMS AND APPURTENANCES FOR THIS SUBDIVISION AND OTHER PROPERTY, TOGETHER WITH THE RIGHT TO ENTER UPON THE EASEMENTS AT ALL TIMES WITH ALL NECESSARY MAINTENANCE AND CONSTRUCTION EQUIPMENT FOR THE PURPOSES STATED. THE GRANTOR COVENANTS THAT NO STRUCTURES SHALL BE CONSTRUCTED OR ERECTED OVER, UPON OR WITHIN THESE EASEMENTS, INCLUDING FENCES, EXCEPT THAT THE CITY OF SAMMAMISH WILL BE PERMITTED TO INSTALL FENCING WITHIN THE SEWER EASEMENT SHOWN UPON TRACT A, OR ROCKERIES, AND NO TREES, BUSHES OR OTHER SHRUBBERY SHALL BE PLANTED IN THE AREA OF GROUND FOR WHICH THE EASEMENT IN FAVOR OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT HAS BEEN APPROVED. THE SAMMAMISH PLATEAU WATER AND SEWER DISTRICT SHALL BE RESPONSIBLE FOR THE REPAIR AND/OR REPLACEMENT OF ANY CITY OF SAMMAMISH FENCING DAMAGED OR DESTROYED WITHIN TRACT A DURING THE COURSE OF SEWER FACILITY INSTALLATION, MAINTENANCE, INSPECTION, REMOVAL, REPAIR OR REPLACEMENT.

FOR THOSE EASEMENTS ACROSS THE ENTIRETY OF TRACTS B, F, H, I AND J THE DISTRICT SHALL NOT BE RESPONSIBLE FOR ANY COSTS OF PAVEMENT REPLACEMENT OR REPAIR NECESSITATED BY DAMAGE INCURRED THROUGH THE NORMAL OPERATION OR MAINTENANCE OF THE WATER AND/OR SEWER FACILITIES, EXCEPT THAT IN THE EVENT THAT THE SURFACING IS REMOVED BY THE GRANTEE FOR ANY UNDERGROUND CONSTRUCTION, UNDERGROUND REPAIR OR REPLACEMENT OF THE WATER AND/OR SEWER LINES, THE SURFACING SHALL BE RESTORED AS NEARLY AS REASONABLY POSSIBLE TO ITS CONDITION PRIOR TO PLACEMENT OF THE WATER OR SEWER FACILITY.

## PRIVATE EASEMENT PROVISIONS

THE OWNER(S) OF LAND HEREBY SUBDIVIDED DO HEREBY GRANT AND CONVEY TO THE OWNER(S) OF LOTS BENEFITED AS STATED IN THE EASEMENT NOTES OR ANY OTHER PRIVATE EASEMENT SHOWN AND THEIR ASSIGNS A PERPETUAL EASEMENT FOR THE STATED UTILITIES. THESE EASEMENTS AND CONDITIONS SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON THE SUCCESSORS, HEIRS, AND ASSIGNS OF THE OWNER(S) OF LAND HEREBY BENEFITED. THE OWNER(S) OF LOT BENEFITED AND ITS ASSIGNS SHALL HAVE THE RIGHT WITHOUT PRIOR INSTITUTION OF ANY SUIT OR PROCEEDINGS OF LAW AT SUCH TIME AS MAY BE NECESSARY TO ENTER UPON SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, ALTERING, OR RECONSTRUCTING SAID UTILITIES OR MAKING ANY CONNECTIONS THERETO WITHOUT INCURRING ANY LEGAL OBLIGATION OR LIABILITY THEREFOR; PROVIDED THAT SUCH SHALL BE ACCOMPLISHED IN A MANNER THAT IF EXISTING PRIVATE IMPROVEMENTS ARE DISTURBED OR DESTROYED THEY WILL BE REPAIRED OR REPLACED TO A CONDITION SIMILAR AS THEY WERE IMMEDIATELY BEFORE THE PROPERTY WAS ENTERED UPON BY THE ONE BENEFITED. THE OWNER(S) OF THE BURDENED LOT SHALL RETAIN THE RIGHT TO USE THE SURFACE OF SAID EASEMENT IF SUCH USE DOES NOT INTERFERE WITH THE INSTALLATION OR USE OF SAID UTILITIES. HOWEVER, THE OWNER(S) OF THE BURDENED LOT SHALL NOT ERECT OR MAINTAIN ANY BUILDINGS OR STRUCTURES WITHIN THE EASEMENT. ALSO THE OWNER(S) OF THE BURDENED LOT SHALL NOT PLANT TREES, SHRUBS OR VEGETATION HAVING DEEP ROOT PATTERNS WHICH MAY CAUSE DAMAGE TO OR INTERFERE WITH SAID UTILITIES. ALSO THE OWNER(S) OF THE BURDENED LOT SHALL NOT DEVELOP OR BEAUTIFY THE EASEMENT AREAS IN SUCH A WAY TO CAUSE EXCESSIVE COST TO THE OWNER(S) OF LOT BENEFITED PURSUANT TO ITS RESTORATION DUTIES HEREIN.

## EASEMENT NOTES

1. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 1, 2, AND 3 IS TO THE BENEFIT OF THE OWNERS OF LOTS 2, 3, AND 4. THE OWNERS OF LOTS 1, 2, 3 AND 4 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
2. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 5, 6, AND 7 IS TO THE BENEFIT OF THE OWNERS OF LOTS 6, 7, AND 8. THE OWNERS OF LOTS 5, 6, 7 AND 8 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
3. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 10 IS TO THE BENEFIT OF THE OWNERS OF LOTS 9 AND 11. THE OWNERS OF LOTS 9, 10 AND 11 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
4. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 12 IS TO THE BENEFIT OF THE OWNERS OF LOT 13. THE OWNERS OF LOTS 12 AND 13 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
5. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 16 AND 17 IS TO THE BENEFIT OF THE OWNERS OF LOTS 15 AND 16. THE OWNERS OF LOTS 15, 16 AND 17 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
6. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 19 AND 20 IS TO THE BENEFIT OF THE OWNERS OF LOTS 18, 19 AND 21. THE OWNERS OF LOTS 18, 19, 20 AND 21 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
7. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 22 IS TO THE BENEFIT OF THE OWNERS OF LOT 23. THE OWNERS OF LOTS 22 AND 23 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
8. THE 8 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON TRACT K IS TO THE BENEFIT OF THE OWNERS OF LOT 24. THE OWNERS OF LOT 24 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES WITHIN SAID EASEMENT.
9. THE PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 25 IS TO THE BENEFIT OF THE OWNERS OF LOTS 22, 23 AND 24. THE OWNERS OF LOTS 22, 23 AND 24 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
10. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 26, 27, 28, 29, 30, 31, 32, 33 AND 34 IS TO THE BENEFIT OF THE OWNERS OF LOTS 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37 AND 38. THE OWNERS OF LOTS 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37 AND 38 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
11. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 28, 29, 30 AND 31 IS TO THE BENEFIT OF THE OWNERS OF LOTS 27, 28 AND 29. THE OWNERS OF LOTS 27, 28, 29 AND 30 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
12. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 32 AND 33 IS TO THE BENEFIT OF THE OWNERS OF LOTS 31 AND 32. THE OWNERS OF LOTS 31, 32 AND 33 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
13. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 40, 41 AND 42 IS TO THE BENEFIT OF THE OWNERS OF LOTS 39, 40, 41, 42 AND 43. THE OWNERS OF LOTS 39, 40, 41, 42 AND 43 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
14. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 44 AND TRACT G IS TO THE BENEFIT OF THE OWNERS OF LOTS 44 AND 45. THE OWNERS OF LOTS 44 AND 45 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
15. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 46, 47 AND 48 IS TO THE BENEFIT OF THE OWNERS OF LOTS 47, 48 AND 49. THE OWNERS OF LOTS 46, 47, 48 AND 49 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
16. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 44, 45, 46, 47, 48 AND 49. THE OWNERS OF LOTS 44, 45, 46, 47, 48 AND 49 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
17. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 52 IS TO THE BENEFIT OF THE OWNERS OF LOTS 51 AND 53. THE OWNERS OF LOTS 51, 52, AND 53 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
18. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 55, 56 AND 57 IS TO THE BENEFIT OF THE OWNERS OF LOTS 54, 55 AND 56. THE OWNERS OF LOTS 54, 55, 56 AND 57 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
19. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 59 AND 61 IS TO THE BENEFIT OF THE OWNERS OF LOTS 58 AND 59. THE OWNERS OF LOTS 58, 59 AND 61 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
20. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 53, 54, 55, 56, 57, 58, 59, 60 AND TRACT G IS TO THE BENEFIT OF THE OWNERS OF LOTS 52, 53, 54, 55, 56, 57, 58 AND 59. THE OWNERS OF LOTS 52, 53, 54, 55, 56, 57, 58 AND 59 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
21. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOTS 62, 65, 66, 69, 70 AND 73 IS TO THE BENEFIT OF THE OWNERS OF LOTS 62, 65, 66, 69, 70, 73 AND 74. THE OWNERS OF LOTS 62, 65, 66, 69, 70, 73 AND 74 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
22. THE 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 67 IS TO THE BENEFIT OF THE OWNERS OF LOT 68. THE OWNERS OF LOTS 67 AND 68 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
23. THE 10 FOOT BY 10 FOOT PRIVATE DRAINAGE EASEMENT SHOWN ON LOT 71 IS TO THE BENEFIT OF THE OWNERS OF LOT 72. THE OWNERS OF LOTS 71 AND 72 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR PRIVATE DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
24. AN EASEMENT OVER THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING TRACTS F, H, I AND J AND THE EXTERIOR 10 FEET, PARALLEL WITH AND ADJOINING THE PUBLIC STREET FRONTAGE OF ALL LOTS AND TRACTS, WITHIN THIS PLAT, IS HEREBY RESERVED FOR THE BENEFIT OF THE OWNERS OF LOTS 1 THROUGH 75 OF THIS PLAT FOR PRIVATE UTILITY SERVICES, INCLUDING, BUT NOT LIMITED TO, WATER, SANITARY SEWER, ELECTRIC AND GAS, AS INSTALLED IN THE COURSE OF THE DEVELOPMENT OF THIS PLAT. THE OWNERS OF SAID LOTS 1 THROUGH 75 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE UTILITY FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE OF THOSE PRIVATE UTILITY FACILITIES USED IN COMMON WITHIN SAID EASEMENT.



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JOB NO. 06039

# THE WOODS AT BEAVER LAKE

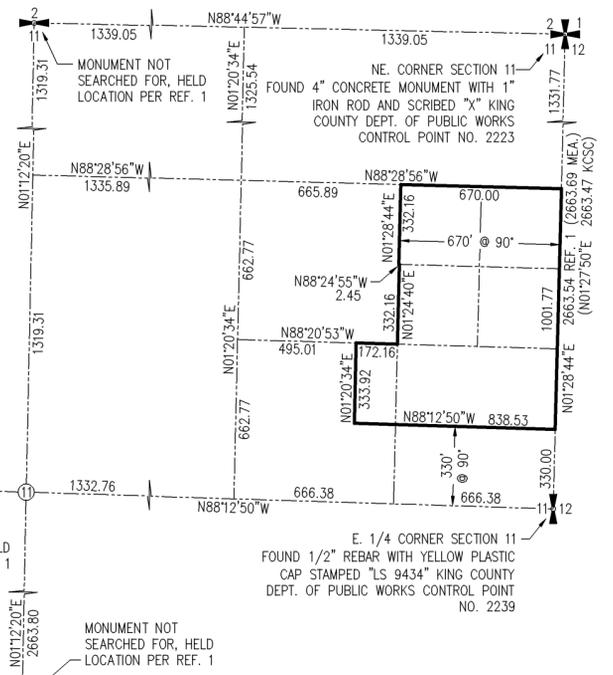
A PORTION OF THE SE 1/4, OF THE NE 1/4, SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M.  
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

## SURVEY NOTES

- ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY SECOND PLAT CERTIFICATE ORDER NO. 1211688, DATED JANUARY 25, 2008, SUPPLEMENTAL COMMITMENT #1, DATED NOVEMBER 13, 2008, SUPPLEMENTAL COMMITMENT #2, DATED MAY 8, 2009, SUPPLEMENTAL COMMITMENT #3, DATED MAY 12, 2009, THIRD CERTIFICATE DATED MAY 15, 2009 AND SUPPLEMENTAL #1 OF THE THIRD CERTIFICATE, DATED JULY 16, 2009. IN PREPARING THIS MAP, CORE DESIGN HAS CONDUCTED NO INDEPENDENT TITLE SEARCH NOR IS CORE DESIGN AWARE OF ANY TITLE ISSUES AFFECTING THE SURVEYED PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY THE REFERENCED CHICAGO TITLE CERTIFICATE. CORE DESIGN HAS RELIED WHOLLY ON CHICAGO TITLE'S REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND THEREFORE CORE DESIGN QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.
- ALL SURVEY CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT IN JULY, 2006.
- PROPERTY AREA = 725,691± SQUARE FEET (16.6596± ACRES).
- ALL DISTANCES ARE IN FEET.
- THIS IS A FIELD TRAVERSE SURVEY. A SOKKIA FIVE SECOND COMBINED ELECTRONIC TOTAL STATION WAS USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTATION AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MET OR EXCEEDED THOSE SPECIFIED IN WAC 332-130-090. ALL MEASURING INSTRUMENTS AND EQUIPMENT ARE MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
- THE SECTION SUBDIVISION INFORMATION SHOWN HEREON IS BASED ON THE PLAT OF BEAVER LAKE PARK, REF. 1.

## REFERENCES

- THE PLAT OF BEAVER LAKE PARK RECORDED IN VOLUME 196 OF PLATS, PAGES 71 THROUGH 74 UNDER RECORDING NO. 20001207000896.



BEAVER LAKE ESTATES  
VOL. 169, PG'S. 65-77,  
REC. NO. 9407070268

HIGH COUNTRY DIV. 2  
VOL. 132, PG'S. 93-94,  
REC. NO. 8601070366

HIGH COUNTRY DIV. 1  
VOL. 132, PG'S. 3-6,  
REC. NO. 8508200845

**SECTION SUBDIVISION:**  
NOT TO SCALE



SCALE: 1" = 100'

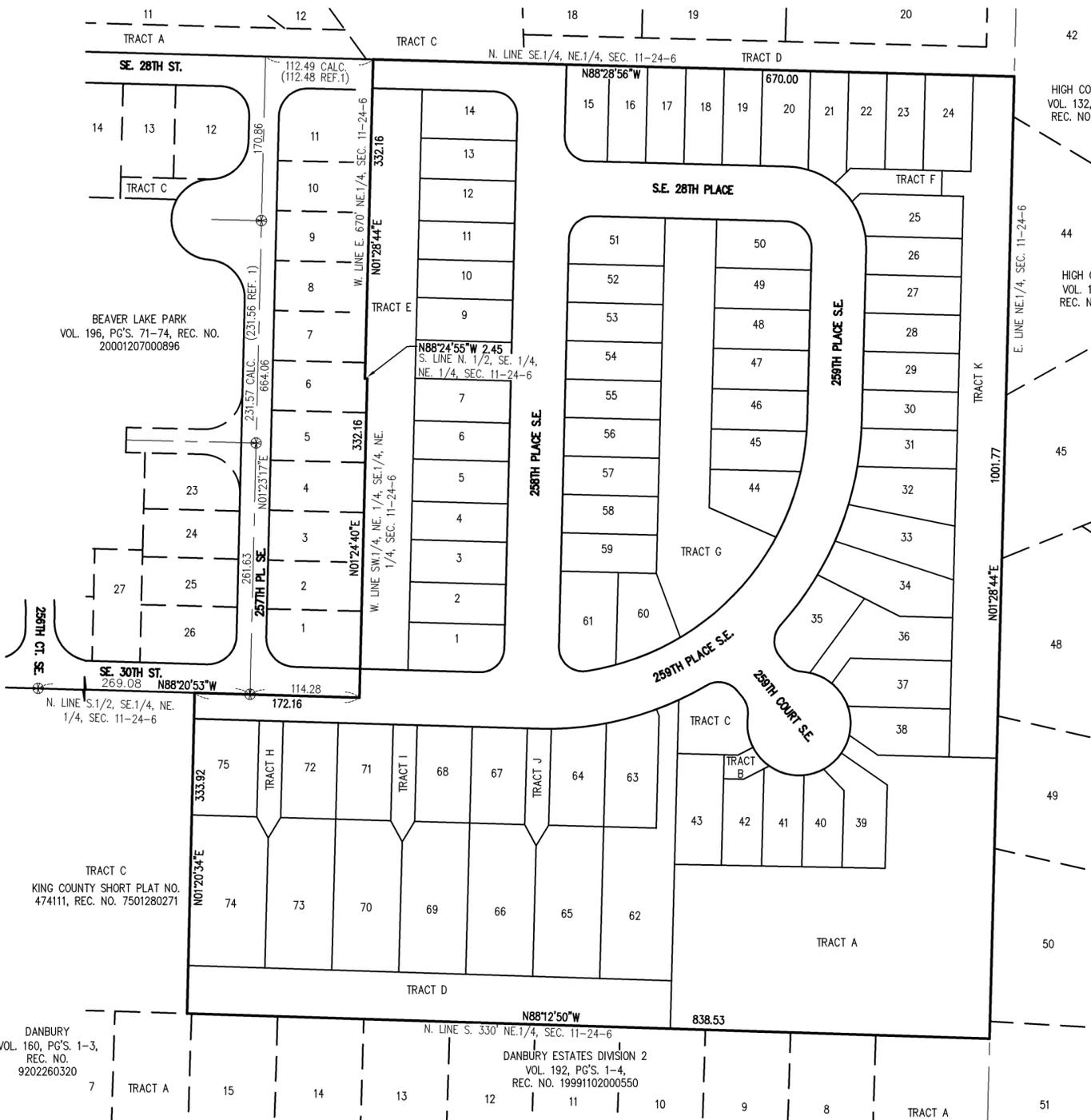


## BASIS OF BEARINGS

N01°28'44"E BETWEEN THE MONUMENTS FOUND IN PLACE AT THE EAST QUARTER AND NORTHEAST CORNER OF SECTION 11-24-6 PER THE PLAT OF BEAVER LAKE PARK, REF. 1.

## LEGEND

- ⊕ FOUND CONCRETE MONUMENT WITH PUNCHED 2 1/4" BRASS DISK STAMPED "27133" IN MONUMENT CASE PER REF. 1.



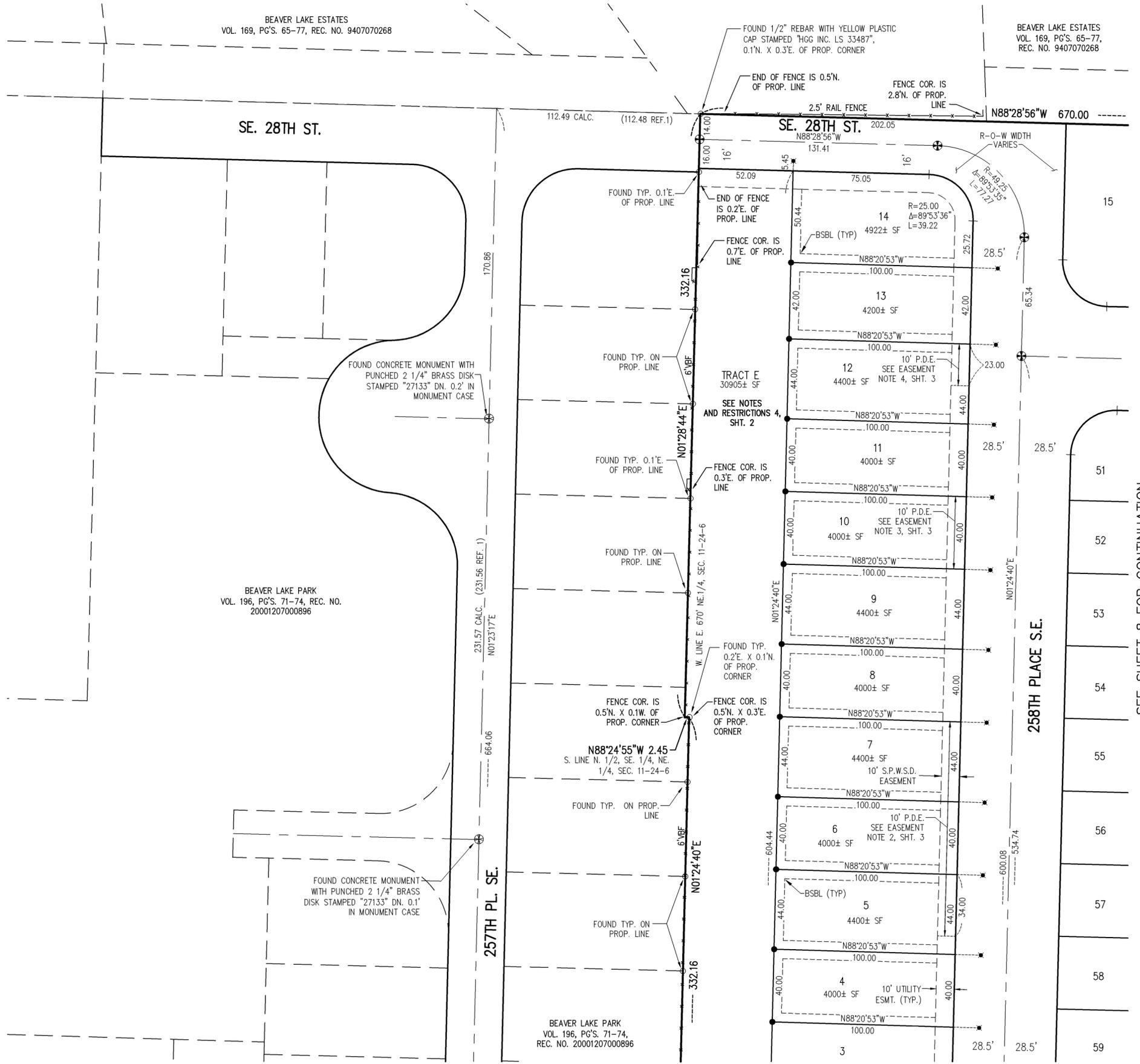
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A PORTION OF THE SE 1/4, OF THE NE 1/4, SECTION 11, TOWNSHIP 24 NORTH, RANGE 6 EAST, W.M.  
CITY OF SAMMAMISH, KING COUNTY, WASHINGTON



SEE SHEET 6 FOR CONTINUATION

SEE SHEET 8 FOR CONTINUATION

**LEGEND**

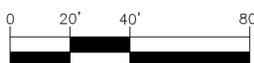
- ⊕ FOUND MONUMENT AS NOTED.
- ⊕ SET 4" CONCRETE MONUMENT WITH 2" BRASS DISK STAMPED "38488" IN MONUMENT CASE.
- FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "CASSOU LS 27133", AS SHOWN HEREON, EXCEPT AS NOTED OTHERWISE.
- SET 1/2" REBAR W/YELLOW PLASTIC CAP STAMPED "CORE 38488"
- ✱ SET TACK WITH WASHER STAMPED "CORE 38488" ON PROPERTY LINE EXTENDED, IN LIEU OF FRONT CORNER, AT 14.25' OFFSET TO FRONT CORNER, UNLESS SHOWN OTHERWISE.
- VBF VERTICAL BOARD FENCE
- P.D.E. PRIVATE STORM DRAINAGE EASEMENT
- P.S.E. PRIVATE SEWER EASEMENT
- BSBL BUILDING SETBACK LINE (SEE NOTES & RESTRICTIONS 29, SHEET 3)
- S.P.W.S.D. SAMMAMISH PLATEAU WATER AND SEWER DISTRICT

**BASIS OF BEARINGS**

N01°28'44"E BETWEEN THE MONUMENTS FOUND IN PLACE AT THE EAST QUARTER AND NORTHEAST SECTION CORNER OF SECTION 11-24-6 PER THE PLAT OF BEAVER LAKE PARK, REF. 1.



SCALE: 1" = 40'



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CITY OF SAMMAMISH, KING COUNTY, WASHINGTON

SEE SHEET 5 FOR CONTINUATION



SEE SHEET 7 FOR CONTINUATION

**LEGEND**

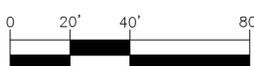
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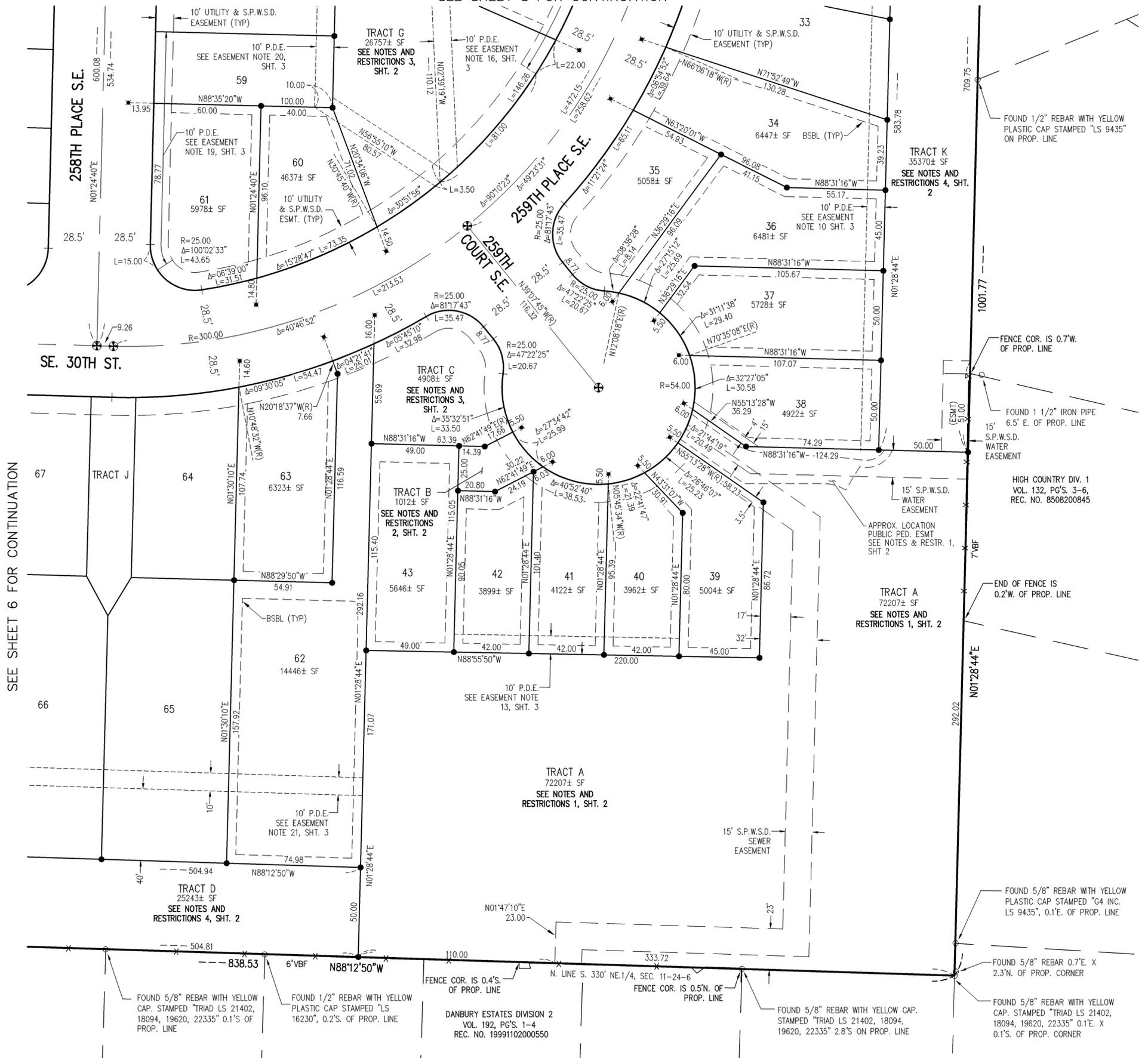
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SEE SHEET 8 FOR CONTINUATION



SEE SHEET 6 FOR CONTINUATION

### LEGEND

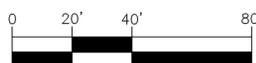
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SEE SHEET 6 FOR CONTINUATION

SEE SHEET 7 FOR CONTINUATION

### LEGEND

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# COUNCIL MINUTES

## Regular Meeting September 1, 2009

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

**Councilmembers present:** Mayor Don Gerend, Deputy Mayor Jack Barry, Councilmembers Mark Cross, Kathleen Huckabay, Michele Petitti and Nancy Whitten.

**Councilmembers absent:** Councilmember Lee Felling.

**MOTION:** Councilmember moved to excuse Councilmember Felling. Councilmember seconded. Motion carried 6-0.

**Staff present:** City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### **Roll Call/Pledge**

Roll was called. City Attorney Bruce Disend led the pledge.

### **Public Comment**

Richard Kuprewitz, 4643 192<sup>nd</sup> Drive NE: He spoke regarding the NE 42<sup>nd</sup> Barricade bus tour and presented a slide showing a flip over accident on 192<sup>nd</sup> Drive NE and stated for the record that there have been several other flip over accidents on 192<sup>nd</sup> Drive NE. He recommends future city barricade meetings be noticed well in advance, communicate with affected developments and homeowners, public meetings, incorporate working sessions, and meetings be scheduled during the evening.

Vanessa Martinez, Representing the Sammamish Teen Center Now. She encouraged the City Council to purchase the old Library Building for use as a Teen Center.

Claire Peterski, Executive Director Faith in Action: The group teamed with the Camp Fire Girls to provide yard work for the elderly as well as provide support to help others stay in their homes.

Sandy Livingston, 2709 224<sup>th</sup> Avenue NE: She was supportive of the Teen Center.

Jim Hanstreet 27 214<sup>th</sup> Avenue SE: He also spoke in support of purchasing the old Library for the Teen Center.

**Approval of Agenda**

**MOTION:** Councilmember Huckabay requested removing the Sween House Bid Award from the consent calendar (item #4) and moved it to the last item under new business. A motion was made to approve the revised agenda. Councilmember Huckabay seconded. Motion carried unanimously 6-0.

City Manager Yazici gave a staff report and update on the Sween House agreement with Youth Eastside Services. It is tentatively scheduled to come back to the Council on September 15<sup>th</sup> for approval. The bid to remodel the Sween House is very favorable, and is well below the engineer's estimate.

**Proclamations/Presentations**

- **Children's Hospital** – Bellevue: Desiree Leigh Director of Regional Government Affairs and Community Relations, Children's Bellevue Clinic Director Paula Holmes and Alexandra Sheldon, Project Coordinator for Government Affairs was also present. A clinic in Bellevue is currently under construction. (A handout is available in the Clerk's office upon request)

**Consent Calendar**

**Payroll for pay period ending July 31, 2009 for pay date August 5, 2009 in the amount of \$278,580.55**

**Payroll for pay period ending August 15, 2009 for pay date August 20, 2009 in the amount of \$260,123.91**

**Approval: Claims for period ending August 4, 2009 in the amount of \$1,016,592.52 for check No. 24141 through 24239**

**Approval: Claims for period ending August 18, 2009 in the amount of \$2,288,278.25 for check No. 24240 through 24364**

**Approval: Claims for period ending September 1, 2009 in the amount of \$1,329,258.77 for check No. 24365 through 24452**

**~~Bid Award: Sween House Remodel/Elite Commercial Contracting~~**

**Contract: 244<sup>th</sup> Wetland Monitoring/Shannon & Wilson**

**Approval: Minutes for July 7, 2009 Regular Meeting**

**Approval: Notes for July 14 Study Session**

**Approval: Minutes for July 21, 2009 Regular Meeting**

**MOTION:** To approve consent calendar as amended. Motion carried unanimously 6-0.

**Public Hearing opened at 7:25 p.m.**

### **Shoreline Master Plan and Critical Areas Ordinance**

Kamuron Gurol gave the staff report. He updated the Council on the packet materials and next steps that are required to be made prior to adoption of the Shoreline Master Plan. A copy of the Draft Shoreline Plan was handed out to the Councilmember's. Mr. Gurol also went over the changes that will be required to make the Critical Areas Ordinance and the Shoreline Master Plan work together. (A copy of the PowerPoint presentation is available in the Clerk's Office upon request). Staff has recommended that the Public Hearing be continued to September 8, 2009. A stakeholder meeting is scheduled for September 3, 2009 from 2-6 p.m. to review with the public all the amendments that are being recommended. Three Councilmember's are encouraged to attend. Any amendments that Council members would like to be considered should be sent to staff as soon as possible.

Kamuron Gurol replied to Councilmember Whitten about taking in comments after the public hearing has been closed, and that staff and the City Attorney concur that once the public hearing is closed, the Council should deliberate and make a decision, whatever that may be. City Attorney Bruce Disend explained that the purpose of comments presented during the public process and the consequences of hearing comments outside the public process.

Peter Scontrino 21832 SE 28<sup>th</sup> Street: He submitted written comments outlining his requested amendments, which are available in the City Clerk's Office upon request. His requests included; eliminating a required vegetation enhancement area (VEA), revising the square footage of docks from 600 square feet and allow up to eighty feet in length to reach deeper water, allow docks to be within five feet of the property line if owners on both sides agree, and if the VEA is required, reduce the area from fifteen feet wide to five feet, exclude the required enhanced VEA for a home that is partially inside the fifty foot setback when an addition is made outside the fifty foot setback, allow swapping the location of a required VEA and ban phosphorous fertilizer.

Don Barnett 2920 E. Lk. Sammamish Pkwy NE: He submitted written comments outlining his requested amendments, which are available in the City Clerk's Office upon request.

Gary Morishima 22611 SE 20<sup>th</sup>: Spoke in support of SHO draft September 1<sup>st</sup> plan. He would like to know when the City Council draft plan will be available for review. Mayor Gerend explained that it is currently available.

Mike Collins: 2841 E. Lk Sammamish Pkwy NE: He spoke in support of the SMP and looking forward to working and participating on the amendment process that is currently scheduled for September 3, 2009. He thanked staff for scheduling the meeting.

Kathy Richardson 2033 E. Lake Sammamish Pkwy NE: She spoke in support of the SHO draft plan. She requests reconsidering policy direction in the following categories: fence height, interior setbacks on Lake Sammamish and dock lengths. Ms. Richardson submitted comments, which are available in the Clerk's Office upon request.

Ted Davis 3137 E. Lake Sammamish Shorelane SE: Thanked the Council for working with homeowners and review of the SHO plan. He supports the September 1, 2009 SHO plan revision to the Council Plan.

Tim Trohimovich with Futurewise: He submitted written comments that detail his requests to include adequate measures to protect Lake Sammamish and other lake and streams. A copy of his comments is available in the City's Clerk's Office upon request.

Ginette Toskey 2430 238<sup>th</sup> Place NE: Submitted a revised version of the Sammamish Homeowners (SHO) Shoreline Master Plan dated September 1, 2009 and written comments, which are available in the City Clerk's Office upon request.

George Toskey, 2430 238<sup>th</sup> Place NE: He proposes that the CAO and SMP be completely decoupled. He submitted written comments that are available in the Clerk's Office upon request.

Reid Brockway 167 East Lake Sammamish Shore Lane NE: Submitted written comments, which are available in the Clerk's Office upon request.

Susan Brockway 167 East Lake Sammamish Shore Lane NE: She submitted written comments, which are available in the City Clerk's Office upon request.

Linda Eastlick, PO Box 2574, Issaquah: She agreed with the previous speakers regarding the efforts of Council, staff and residents in developing this plan. She also spoke regarding dock length and setbacks on Pine and Beaver Lake

Michael Pizzo, 3123 Eastlake Sammamish Parkway NE He supports the September 1, 2009 SHO plan. He has concerns with lots becoming non-conforming.

CJ Kahler 21911 SE 20<sup>th</sup>: He encourages the Council to reconsider the 15 foot vegetation enhancement area on Pine and Beaver Lakes. He would like this to be removed from the plan.

Reid Brown 3139 E. Lake Sammamish Shore Lane SE: Supports the September 1, 2009 SHO Plan. Terminology of conforming is very important to him. He proposed adding language that would address existing stairs over bulkheads, which could affect him and his neighbors. It is not currently addressed in the September 1, 2009 SHO Plan. Mr. Brown is not in favor with removing bulkheads.

Urban & Diane Massett: Agrees with Mr. Kahler.

Mary Jo Kahler 21911 SE 20<sup>th</sup> Street: She is in support of the SHO plan. She has concerns with requiring a VEA on Pine Lake. She submitted written comments, which are available in the City Clerk's Office upon request.

James O'Neill, 1410 Eastlake Sammamish Shore Lane NE: Spoke in support of the SHO document. Feels the shoreline plans for all cities around Lake Sammamish should be similar.

Rory Crispin, PO Box 40443 Bellevue: He pointed out several problems with the SMP.

Gary and Patricia Smith, 5011 E. Lake Sammamish: They urged Council to adopt the SHO recommendations.

Herb Gilbeau, 173 E Lake Sammamish Parkway SE: He urged support for SHO plan.

Harvey & Betty Miller, 2712 222<sup>nd</sup> Avenue SE: Agreed with previous speaker Peter Scontrino.

City Manger Yazici publicly thanked Harvey Miller for volunteering his time for many years cleaning out the outlet area/weir of Pine Lake.

Jim Creevey, 1103 E Lake Sammamish Parkway NE: He spoke regarding the issues on non-conformity and docks. He supports the SHO plan.

Dwight Martin, 5101 E Lake Sammamish Parkway NE: He submitted written comments, which are available in the Clerk's Office upon request. He does support the SHO plan. Incentives for setback reductions are important and vegetative edge is more important that bulkhead removal.

Stan Bump 23010 SE 8<sup>th</sup> Street: Submitted written comments, which are available in the Clerk's Office upon request. He discussed minimum sized lots and would at least like to draw attention to the need for the Council to address impervious surface limits for lake shore lots.

Roger McPherson, Builder: Has built at least 50 homes on Beaver, Pine and Lake Sammamish. He explained that these requirements will cause homeowners a great deal of extra expenses and 5 year bonding requirements, which bonding companies are no longer issuing, causing homeowners to come up with the cash. He supports the SHO program.

Katherine Kitto 1723 E Beaver Lake Drive SE: She supports the SHO plan and a narrow VEA or none at all.

Dave Harmon 22303 SE 20<sup>th</sup> Street: Spoke regarding non-conforming lots. He works in the insurance industry; he says that a non-conforming designation will stay with the property forever and make it difficult or near impossible to receive homeowners insurance on a property that is labeled "non-conforming."

**Public Hearing was continued to September 8, 2009 at 8:35 pm.**

Council recessed at 8:35 pm. And returned at 8:55 pm

**Unfinished Business** - None**New Business****Bid Award: Eastlake Sammamish Parkway Phase 1B/SCI Infrastructure**

City Engineer Laura Philpot gave the staff report. She explained that this project cannot be delayed until 244<sup>th</sup> Avenue project is complete due to the Federal Stimulus funding.

**MOTION:** Councilmember Petitti moved to authorize the City Manager to award a contract to SCI Infrastructure, LLC for the East Lake Sammamish Parkway Project Phase 1B in an amount not to exceed \$2,743,595.60 and administer a construction contingency in the amount of \$256,404.40. Deputy Mayor Barry seconded. Motion carried unanimously 6-0.

**Bid Award: Sween House Remodel/Elite Commercial Contracting**

City Manager Ben Yazici gave the staff report. He answered questions regarding the upcoming lease of the Sween House after the remodel.

**MOTION:** Councilmember Petitti moved to authorize the City Manager to award a bid to Elite Commercial Contracting for the Sween House Remodel project at its bid price of \$219,113.88 and to administer a \$20,000 construction contingency. Councilmember Whitten seconded. Motion carried unanimously 6-0.

Mr. Yazici explained that there was no reason to discuss the property acquisition in Executive Session so the discussion will take place in open session. The discussion revolved around the purchase of the old library property for use as a teen center. Last year the price for the property was \$5 million. The city has now reached an agreement to purchase the library for \$3.4 million. The City has approximately \$10 million surplus in the capital fund. This transaction could be completed by early in 2010. The Boys and Girls club would perform the internal tenant improvements, including an additional gym by 2011 and would run the center.

**MOTION:** Councilmember Cross moved to authorize the City Manager to purchase the old library building at a purchase price of \$3,424,500 contingent upon agreement of the King County Library. Deputy Mayor Barry seconded. Motion carried unanimously 6-0.

Councilmember Whitten and Huckabay expressed concern that this will not be an all-age facility. Mr. Yazici said these concerns could be addressed in the agreement that will be drawn up with the Boys and Girls Club. Council expressed consensus that the funds for the property should come from the excess in the Transportation budget.

Councilmember Whitten feels that the access to the site is poor and the city would be better served to spend more money on a larger site within the town center.

**AMENDMENT:** Councilmember Huckabay moved to call this a Recreation Center and that the City will commit to providing additional recreational services for senior, families and young people. for the entire community. Amendment carried 5-1 with Deputy Mayor Barry dissenting.

**MAIN MOTION:** Carried as amended unanimously, 6-0.

### **Council Reports**

**Councilmember Cross:** He thanked staff for a great 10<sup>th</sup> birthday celebration and all the hard work put into the celebration.

**Councilmember Whitten:** Thanked staff and the public for all the input and work on the Shoreline Master Plan.

**Councilmember Huckabay:** She thanked staff for the 10<sup>th</sup> birthday celebration and also the event put on by the Chamber of Commerce that same evening. She reported on regional transit proposals and the bus cuts and King County's proposal of preserving 96% of the bus service and fee increases. She requested an excused absence for September 15, 2009 City Council meeting. Has concerns with a pandemic flu and how the City would deal with a pandemic. She would like to see some additional discussions on the Klahanie Park.

City Manager Yazici is currently working towards setting up a meeting with King County Executive Office.

**Deputy Mayor Barry:** Was very pleased with the City's 10<sup>th</sup> birthday party and the Sammamish Chamber of Commerce event the same evening. He supports an annual event. City Manager Yazici will discuss this further during budget discussions.

**Councilmember Petitti:** She attended promoting the Issaquah Schools Levy and Bond meeting. They are currently working towards marketing the bond. She was very pleased with the outcome of the City's 10<sup>th</sup> birthday party. She would like to embrace the history of Sammamish.

**Mayor Gerend:** He reported on the 10<sup>th</sup> birthday celebration and the kiddy parade. Suggested some music and other additional entertainment for any future parades and commended staff for all the preparation and work that was required for the event. He supports an annual event, perhaps earlier in August. Perhaps a "Sammamish Days".

### **City Manager Report**

City Manager Yazici thanked Mayor Gerend for attending all the 10<sup>th</sup> birthday committee meetings and also commended staff for all their hard work putting this event together. He announced the Beaver Lake Master Plan Meeting, Planning Commission Meeting and the September 3, 2009 Shoreline Master Plan Meeting.

The special meeting next Tuesday, September 8th will begin at 5:30 p.m.

Meeting adjourned at 10:25 pm

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Melonie Anderson, City Clerk

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Donald L. Gerend, Mayor

# COUNCIL MINUTES

## Special Meeting September 8, 2009

Mayor Don Gerend called the special meeting of the Sammamish City Council to order at 5:30 pm.

**Councilmembers present:** Mayor Don Gerend, Deputy Mayor Jack Barry, Councilmembers Mark Cross, Lee Felling (left @ 8:10 pm), Kathleen Huckabay (arrive 5:45 pm/left @ 8:15 pm), Michele Petitti and Nancy Whitten.

**Staff present:** City Manager Ben Yazici, Works Director John Cunningham, Community Development Director Kamuron Gurol, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### Roll Call/Pledge

Roll was called. Deputy Mayor Barry led the pledge.

### Public Comment

Frank Blau, 24742 SE 28<sup>th</sup> Place, Spoke regarding the Beaver Lake Master Plan. He is not in favor of expanding the current ball fields, adding lights or installing artificial turf at the park. He suggested instead that the City not improve Beaver Lake Park, but instead try to acquire the ball fields in Klahanie currently owned by King County.

### Approval of Agenda

**MOTION:** Councilmember Petitti moved to approve the agenda. Councilmember Cross seconded. Motion carried unanimously 6-0.

### Public Hearing (Continued from September 1, 2009)

**Ordinance of the city of Sammamish, Washington, adopting the 2009 Sammamish Shoreline Master Program And Replacing The King County Shoreline Master Program Adopted By King County Ordinance 3688; Amending The City Of Sammamish Comprehensive Plan; Adopting Shoreline Maps; And Codifying The Shoreline Master Program Into Title 25 Of The Sammamish Municipal Code**

**Ordinance Of The City Of Sammamish, Washington, Amending Chapter 21a.50 (Environmentally Critical Areas), Of The Sammamish Municipal Code**

Director of Community Development Kamuron Gurol made some opening statements regarding the process the Shoreline Master Program has gone through to date.

Public Hearing Opened at 5:50 pm

Mike Collins, 2841 East Lake Sammamish Parkway, He explained that Kathy Richardson will be available to answer any Council questions for the Sammamish Home Owners (SHO) group. He also believes the issue of impervious surfaces is a basin wide issue, not just a shoreline issue. He feels LID will be the solution to these problems. He feels pruning is good for trees. Council needs to be aware of unintended consequences. He also feels that Sammamish residents account for the least amount of impact on Lake Sammamish

Peter Scontrino, 21832 SE 28<sup>th</sup> Street, (submitted written comments)

Don Barrett, 2920 East Lake Sammamish Parkway NE, He requested Council consider honoring the requests of homeowners to change the designation on their property from Urban Conservancy to Shoreline Residential. He does not support the shared docks idea.

Boyer Halverson, 21928 SE 28<sup>h</sup> Street, He supports the SHO draft. He feels that Pine Lake is improving already without have additional vegetation enhancement requirements.

Dwight Martin, 5101 East Lake Sammamish Parkway SE, (Submitted written comments).

Dave Harmon, 22303 SE 20<sup>th</sup> Street, He supports the proposed amendments on Table A 3-e and 3-f. He recommended writing the SMP the way the Council and residents want it to be and let Department Of Ecology either accept or reject the plan.

Bob Sorenson, 22609 NE 2<sup>nd</sup> Street, (Submitted written comments)

Kathy Richardson, 2033 East Lake Sammamish Parkway SE, She commented on the mitigation criteria for Lake Sammamish, specifically on Table A, 3d. The requirement of bulkhead removal would place an extreme financial hardship on residents if they chose to reduce the setback. Bulkhead removal should not be the first alternative for mitigation. She recommended a list of alternatives for reducing the setback.

Linda Eastlick, PO Box 2574, Issaquah, She spoke regarding vegetation enhancement areas (VEA). She feels the current recommendation is not what Council directed at the last meeting. She also supported removing the Urban Conservancy designation.

Harvey Miller, 2712 222<sup>nd</sup> Avenue SE, He feels a 50 foot setback is too large and would be devastating to older residents around the around Pine and Beaver Lake.

Reid Brockway, 167 East Lake Sammamish Shore Lane NE, He encouraged council to thoroughly consider all the amendments seriously and not rush through them.

Rory Crispin, PO Box 40443, Bellevue, He owns a cabin on Beaver Lake. He feels the SMP is still applying critical area regulations to the shoreline areas. He does not feel that the VEA should be considered a critical area.

Public Hearing closed at 6:25 pm.

Several Councilmembers offered opening comments on the Shoreline Master Plan.

Director of Community Development Kamuron Gurol began the process for Council deliberations. Mayor Gerend asked the other Councilmembers to study up on the minor changes in Table B and SHO re-write of the SMP so they will be ready to make a quick decision regarding them at the September 15, 2009 meeting.

**MOTION: Councilmember Huckabay moved to approve the ordinance adopting the August 7, 2009 Shoreline Master Plan. Councilmember Felling seconded.**

**Table “A” Decisions (Table attached to minutes):**

*Topic 1 Nonconformance/Shoreline Setback*

1-a (25.08.100/25.06.020): Councilmember Cross moved to keep the original language from the August 7, 2009 version of the SMP with the amendment of increasing the time for permit application from one year to two. Councilmember Huckabay seconded. Motion carried 5-2 with Mayor Gerend and Deputy Mayor Barry dissenting.

1-b (25.08.020[8] and [11]): Consensus was reached to add language that ensures the 200 foot exemption is not used more than once.

*Topic 2 Setback Uses (including structures)*

2a (25.02.010): Councilmember Petitti moved to retain the WAC definition of “Structure” and the other issues be dealt with by developing a list of exemptions. Councilmember Huckabay seconded. Motion carried 6-1 with Mayor Gerend dissenting.

2b (25.02.010[7]): Councilmember Whitten moved to delete “water-oriented” to allow accessory structures within the setback such as picnic tables and barbeque pits. Councilmember Petitti seconded. Motion carried unanimously 7-0.

2d: Council agreed to the following: Ensure that accessory structures are located outside the Vegetation Enhancement Area, either within the active use area or 20 ft. back from the OHWM.

Council recessed from 8:30 to 8:35 pm

*Topic 3: Vegetation Enhancement Area/Shoreline Setback –All Lakes*

3-b (25.06.020[11]): Mayor Don Gerend moved to encourage, rather than require a 15 foot VEA. Councilmember Petitti seconded. Motion carried 3-2 with Councilmembers Cross and Whitten dissenting.

Council requested staff to develop language for future consideration which would prohibit phosphorus fertilizer use within the City Limits.

3d- (25.06.020[9][a]): Consensus was reached to change the language in this section to read: Delete requirement to remove bulkhead first if “reasonable”.

**Unfinished Business** - None

**New Business** - None

**Council Reports**

**City Manager Report**

Meeting adjourned at 9:45 pm

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Melonie Anderson, City Clerk

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Donald L. Gerend, Mayor



# *STUDY SESSION NOTES*

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## **Study Session September 14, 2009**

Mayor Don Gerend opened the study session of the Sammamish City Council at 6:30 pm.

### **Public Comment**

### **Topics**

- ✓ Discussion: Ordinance Modifying Terms of Parks Commissioners
- ✓ Sammamish Landing Master Plan Preferred Alternative
- ✓ Evans Creek Preserve Master Plan
- ✓ Six Year Transportation Improvement Plan

### **Council Reports**

### **City Manager Report**

### **Close Study Session**

**10:00 pm**



# COUNCIL MINUTES

## Regular Meeting September 15, 2009

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

**Councilmembers present:** Mayor Don Gerend, Deputy Mayor Jack Barry, Councilmembers Mark Cross, Lee Felling, Michele Petitti (arrived at 7:00 pm and left at 10:30 pm) and Nancy Whitten.

**Councilmember absent:** Councilmember Kathleen Huckabay.

**MOTION:** Councilmember Whitten moved to excuse Councilmember Huckabay. Councilmember Felling seconded. Motion carried unanimously 6-0.

**Staff present:** City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

### **Roll Call/Pledge**

Roll was called. City Manager Ben Yazici led the pledge.

### **Public Comment**

David Paul, 2718 204<sup>th</sup> Avenue SE, Submitted two petitions from 258 residents requesting separated walkways be constructed on the south side of SE 24<sup>th</sup> Street between 204<sup>th</sup> Avenue SE and 200<sup>th</sup> Avenue SE and on the west side of 212<sup>th</sup> Avenue SE from the north edge of SE 34<sup>th</sup> Street to approximately 80 ft. north of the driveway at 2525 212<sup>th</sup> Avenue SE.

Linda Hall, 118 5<sup>th</sup> Avenue Seattle, WA, Representing the YWCA. She spoke in favor of the ARCH funding (on the consent agenda) which will partially fund the YWCA Family Village in Issaquah.

George Toskey 2430 238<sup>th</sup> Place NE, (submitted written comments)

John Galvin 432 228<sup>th</sup> Avenue SE, He hopes that all of the residents that have participated in the Shoreline Master Plan will continue to be involved with City Council business, even after the plan has been adopted.

Fanny Beyeler-Vasquez, 19821 SE 19<sup>th</sup> Street, She spoke in favor of the petition requesting walkways on SE 24<sup>th</sup> to improve pedestrian safety.

Anna Whitfield, 19415 SE 21<sup>st</sup> Street, She also spoke in favor of a walkway on SE 24<sup>th</sup> and 212<sup>th</sup> Avenue SE. The street is very narrow, steep and often icy in the winter.

Dave Douglas, Waterfront Construction 10315 19<sup>th</sup> Avenue SE, Everett, He thanked the Council and staff for their hard work on the Shoreline Master Plan.

Mary Rice, 20106 SE 20<sup>th</sup> Plane, She also spoke in favor of the proposed walkways on SE 24<sup>th</sup> and 212<sup>th</sup> Avenue SE.

### **Approval of Agenda**

**MOTION: Councilmember Whitten moved to approve the agenda. Councilmember Felling seconded. Motion carried unanimously 5-0.**

### **Proclamations/Presentations**

*Proclamation: Mayor's Month of Concern for the Hungry*

#### PROCLAMATION MAYOR'S MONTH OF CONCERN FOR THE HUNGRY

WHEREAS, our Cities of Kirkland, Redmond, Bellevue, Issaquah, Sammamish, and Mercer Island, recognize adequate nutrition as a basic goal for each citizen; and

WHEREAS, no parent should have to send a child to school hungry, no baby should be without the comfort of the feedings needed for mental and physical growth, no elderly person's health should be jeopardized by lack of appropriate foods; and

WHEREAS, food banks, emergency and hot meal programs working with our cities, local churches, social service agencies, and hundreds of volunteers are striving day in and day out to stem the rising tide of hunger, but still need more help; and

WHEREAS, we believe that when the citizens who are not involved hear of the especially desperate needs of the hungry as winter approaches and their low incomes must stretch to cover increasing fuel, electricity and rental costs—leaving even less money for monthly food purchase, an outpouring of community assistance will follow; and

WHEREAS, the Emergency Feeding Program of Seattle & King County coordinates an annual food drive to help support the efforts of their program and the area's food banks in fighting hunger which will be held at grocery stores throughout King County on Saturday, September 26, 2009; and

WHEREAS, the Cities of Kirkland, Redmond, Bellevue, Issaquah, Sammamish, and Mercer Island would like to launch a Month of Concern for the Hungry, beginning on September 26, 2009;

NOW, THEREFORE, I, Mayor Don Gerend, on behalf of the Sammamish City Council, do hereby proclaim **September 26 - October 24, 2009** as

#### **East King County Month of Concern for the Hungry**

and strongly urge all citizens to join the Emergency Feeding Program, Hopelink, Renewal Food Bank, Issaquah Food Bank, Mercer Island Food Bank and the A.R.A.S. Foundation to nourish those who are hungry.

## **Consent Calendar**

Payroll for pay period ending August 31, 2009 for pay date September 5, 2009 in the amount of \$262,334.06

Approval: Claims for period ending September 15, 2009 in the amount of \$2,502,671.25 for check No. 24453 through check No. 24593

Resolution: Accepting The Pine Lake Park Phase IIb Site And Shoreline Construction Project As Complete. (R2009-381)

Resolution: Setting A Public Hearing Date To Consider The Vacation Of A Portion Of Unopened Thomas Alexander Road (County Road No. 867) (R2009-382)

Resolution: Approving Certain Expenditures From The Regional Coalition For Housing Trust Fund For 2009/2010 (R2009-383)

Approval: Sween House Lease Agreement

Resolution: Adopting Evans Creek Preserve Master Plan (R2009-384)

**MOTION: Councilmember Felling moved to approve consent calendar. Councilmember Whitten seconded. Motion carried unanimously 6-0.**

Patti Skelton, Friends of Youth, thanked the Council for approving the Sween House Lease Agreement allowing them to use the Sween House as a Counseling center.

## **Unfinished Business**

**Ordinance: Adopting The 2009 Sammamish Shoreline Master Program And Replacing The King County Shoreline Master Program Adopted By King County Ordinance 3688; Amending The City Of Sammamish Comprehensive Plan; Adopting Shoreline Maps; And Codifying The Shoreline Master Program Into Title 25 Of The Sammamish Municipal Code (O2009-264)**

**Ordinance Of The City Of Sammamish, Washington, Amending Chapter 21a.50 (Environmentally Critical Areas), Of The Sammamish Municipal Code (O2009-265)**

### **Topic 3: Vegetation Enhancement Area/Shoreline Setback – All Lakes**

3-f (25.06.020[9]) and Table 1: Councilmember Whitten moved and Councilmember Barry seconded amending Table 1 as follows:

	<b>Number of feet the standard Lake Sammamish shoreline setback may be reduced</b>	<b>Reduction Criteria</b>
		Delete 25.06.020(10)((a). Have a menu choice system that is ordered by setback reduction rather than priority of use.
1	10 feet	For establishment of a 15-foot VEA along the shoreline
2	15 feet	<ul style="list-style-type: none"> <li>a. For removal of an existing bulkhead located at, below, or within five feet landward of the lake's ordinary high water mark (OHWM) and subsequent restoration of the shoreline to a natural or semi-natural state, including the restoration of topography, soil composition, and vegetation; or</li> <li>b. For restoration of the shoreline to a natural or semi-natural state if no bulkhead is present, but other existing unnatural shoreline contours are present; or</li> <li>c. For preservation of the existing natural shoreline conditions if no bulkhead or other unnatural shoreline features are present.</li> </ul>
3	10 feet	For establishment of at least a 5 foot width of native vegetation along the entire water ward side of a modified bulkhead, including the use of small gravel or rock fill, as part of an Army Corps of Engineer approved plan and in compliance with all WDFW and other appropriate agency regulations.
4	5-10 feet	Reduction of 5 feet for impervious surface coverage 10 percent less than the city standard (45% rather than 55% coverage) or 10 feet for coverage 20 percent less than the city standard (35% rather than 55% coverage).
5	5 feet	For limiting lawn area to no greater than 20 percent of the shoreline jurisdiction area
6	1-10 feet	For every 50 square feet of native planting area added landward of and adjacent to the VEA, 1 foot reduction (up to 10 feet maximum reduction).
7	5 feet	For preservation of existing native vegetation or restoration of native vegetation, as necessary, in a minimum 5 foot wide nearshore area below the lake's OHWM
8	5 feet	For preparation of, and agreement to adhere to a written shoreline vegetation management plan that includes appropriate limitations on the use of fertilizer, herbicides, and pesticides to protect lake water quality.

3-g (25.06.020[10]): Councilmember Whitten moved to retain the language in the SMP regarding tree retention. Mayor Gerend seconded. Motion carried 4-2 with Councilmembers Felling and Petitti dissenting.

#### **Topic 4: Docks and Moorage Structures/Boat Launches**

4a,b,c (25.07.050[2]): Councilmember Barry moved to increase the private docks size on Lake Sammamish to 600 sq ft, to increase the joint-use dock size to 800 sq ft and change the dock length to COE standards.. Councilmember Whitten seconded. Motion carried 5-1 with Councilmember Cross dissenting.

4 d,e (25.07.050[3]): Councilmember Whitten moved to increase the private dock size on Pine and Beaver Lake to 600 sq ft., change the dock length to 8-foot depth or 80 feet length. Councilmember Felling seconded. Motion carried 5-1 with Councilmember Cross dissenting.

4-h (25.07.050[1]): Consensus was reached to require joint use docks for all new subdivisions.

#### **Topic 6: Other**

6a (25.01.090): Councilmember Barry moved to delete the Liberal Construction language in the SMP Plan. Mayor Gerend seconded. Motion failed 4-2 with Mayor Gerend and Deputy Mayor Barry dissenting.

6-d (25.02.010[18]): Deputy Mayor Barry moved to add “revetments” into the definition of bulkhead alternatives: (Bulkhead alternatives) may consist of large rocks or revetments integrated with vegetation and other materials. Councilmember Petitti seconded. Motion carried unanimously 6-0.

#### **Topic 7: Access/Public Recreation**

7-b(25.06.030[2]): Councilmember Whitten moved to change the language to read “New public access is not required for new single-family subdivisions. Councilmember Felling seconded. Motion carried unanimously 6-0.

#### **Topic 9: Designations – Urban Conservancy**

9-b (25.070.010): Councilmember Felling moved to remove the Urban Conservancy designation from the SMP. Councilmember Petitti seconded. Motion carried 4-2 with Councilmembers Cross and Petitti dissenting.

#### **Topic 11: Councilmember Amendments not otherwise included**

11a (25.07.080[4]): Mayor Gerend moved to allow an access easement across subdivided lots for parcels created landward from the new shoreline lot: For lots fronting directly on the OHWM,

the lot width circle shall touch the OHWM. An access easement may be included in the lot width circle. Councilmember Petitti seconded. Motion carried 5-0.

### **Topic 16: Jurisdiction and Environmental Designations & General Shoreline Regulations – Environmental Protection and Conservation**

16b (25-06.020[5]): Councilmember Felling move to delete the following language: Mitigation measures shall be implemented in the sequence prescribed in SMC 21A.50.135, and mitigation provisions in SMC 21A.50.140 and SMC 21A.50.145 shall apply. Mayor Gerend seconded. Motion carried 4-1 with Councilmember Cross dissenting.

16c (25.06.020[7]): Consensus was reached to add the following language: A shoreline setback is established for Lake Sammamish, Pine Lake, and Beaver Lake. The shoreline setback area is the area extending forty-five (45) feet (or as reduced by SMC 25.06.020[10]) landward from the OHWM.

16d (25.06.020) Councilmember Cross moved to revise partial exemption language to allow expansion in the “shadow” only. Councilmember Felling seconded. Motion carried 5-0. (Staff will develop language to define the word “shadow” in the SMP).

16f(25.06.050[1]): Consensus was reached regarding additions of the word “new” as follows: (1) New shoreline uses and developments (and their related construction processes) shall incorporate all known, available, and reasonable methods of preventing, controlling, and treating storm water. (3) To avoid water quality degradation by malfunctioning or failing septic systems located in the shoreline jurisdiction, new on-site sewage systems shall be located, designed, and maintained to meet all applicable water quality, utility, and health standards. (4) New structures installed below OHWM or that regularly and frequently come in contact with water shall be constructed of Washington Department of Fish and Wildlife (WDFW) approved materials.

### **Topic 17: Use/Development Regulations**

17c, (25.07.030[5](c) & new): Consensus was reached to add the following underlined language: Filling waterward of the OHWM shall only be allowed when necessary to support one or more of the following: (c) Bio-engineered shoreline stabilization projects, including bio-engineered shoreline stabilization associated with private residential developments when associated with a permitted or conditional use and as required by state or federal agencies.

17g (25.07.070[2]): Councilmember Whitten moved to change the language to: Such alternatives (bulkhead alternatives and bio-stabilization) include large rocks, logs, revetments and other natural materials integrated with native vegetation to prevent erosion of land into lakes. Councilmember Cross seconded. Motion carried unanimously 5-0.

### **Topic 19: Shoreline Jurisdiction/Designations**

19b(25.05.010[2]): Councilmember Cross moved to change the language as follows: The OHWM shall be determined based on site-specific observation and assessment using accepted

protocols and criteria established by the Department of Ecology in accordance with RCW 98.58.030(2)(b). Councilmember Barry seconded. Motion carried 5-0.

19c (25.05.020[3]): Consensus was reached to amend the language as follows: The map does not necessarily identify or depict the actual extent of shoreline jurisdiction or all associated wetlands.

**New Business - None**

**Council Reports - None**

**City Manager Report - None**

**Executive Session** – No Executive Session was held.

Meeting adjourned at 11:00 pm

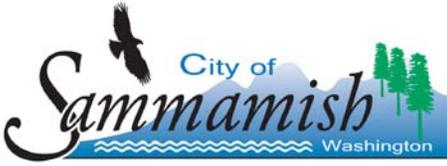
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Melonie Anderson, City Clerk

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Donald L. Gerend, Mayor





## CITY COUNCIL AGENDA BILL

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**Subject:**

Resolution establishing the date, time and place for a Public Hearing to consider a request to vacate unopened Thomas Alexander Road (aka County Road No. 867 and Old Monohan Road) Right of Way in the 1100 through 1400 blocks of East Lake Sammamish Parkway SE.

**Action Required:**

City Council adoption of the attached Resolution establishing the date, time and place for the Public Hearing to consider this street right of way vacation request.

**Exhibits:**

1. Resolution Setting Public Hearing Date, Time and Place
2. Maps (2) Showing Location of Proposed Right of Way Vacation.

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Public Works

**Clearances:**

- |  |  |
|--|--|
| <input type="checkbox"/> City Manager            | <input type="checkbox"/> Police              |
| <input checked="" type="checkbox"/> Public Works | <input type="checkbox"/> Fire                |
| <input type="checkbox"/> Building/Planning       | <input checked="" type="checkbox"/> Attorney |

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**Budgeted Amount: Not Applicable**

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**Summary Statement:**

The City has received a petition from the owners of King County Assessor's Parcel Nos. 0624069041 and 0624069047, located at approximately 1200 East Lake Sammamish Parkway East SE, requesting that the City vacate the portion of the unopened Thomas Alexander Road (aka County Road # 867 and Old Monohan Road) right of way abutting their property. The applicant has submitted a complete street vacation request petition and all necessary supporting information as required by Chapter PWS 05 of the City's Interim Public Works Standards, "Street and Alley Vacation Procedures".

Since this petition request covers approximately 62% of the unopened Thomas Alexander right of way in this location the public hearing will be for consideration by the City Council of vacation of all of the unopened Thomas Alexander street right of way in this vicinity.

**Background:**

Section PWS 05.070 of the City's Interim Public Works Standards states: "If the petition has been signed by two-thirds of the adjacent property owners, the petition shall be forwarded to the City Council which, shall, by resolution, fix a time when the petition will be heard and determined by the City Council, or committees of the Council." Per the Public Works Standards requirements, "This hearing shall be not more than 60 days nor less than 20 days after the date of adoption of the resolution."

The right of way vacation request petition for unopened Thomas Alexander Road that has been received by the city has been signed by 100% of the owners of property abutting the requested right of way vacation area. Therefore, in compliance with the above code requirements, staff is recommending that the City Council establish a Public Hearing date of November 3, 2009 to receive input on and consider this street vacation request. This date is between the required 20 and 60 days following adoption of the resolution, meeting the hearing date requirements contained in the Interim Public Works Standards.

While the property owner requested right of way vacation is for only approximately 62% of the total unopened Thomas Alexander Road street right of way in this area, staff is recommending that at this public hearing, Council take testimony on and consider the potential vacation of all of the unopened Thomas Alexander Road right of way in this area rather than consider a piecemeal vacation as is requested by the property owner submitted vacation petitions.

Therefore, this public hearing is for consideration of vacation of all of the unopened Thomas Alexander Road right of way lying east of East Lake Sammamish Parkway SE, north of SE 14<sup>th</sup> Street and south of the property located at 1104 East Lake Sammamish Parkway SE. The right of way to be considered for vacation is further described as that portion of said unopened Thomas Alexander Road lying in the 1100 through 1400 blocks of East Lake Sammamish Parkway SE abutting King County Assessor Parcel Nos. 0624069087, 0624069109, 0624069047, 0624069002, 0624069068 and 0624069041.

**Financial Impact:**

None at this time. If the City Council ultimately decides in favor of this street right of way vacation request, the abutting property owners will be required to purchase the vacated right of way for one-half of its appraised value.

**Recommended Motion:**

Move to adopt Resolution No. R2009-\_\_\_ scheduling a Public Hearing date of November 3, 2009 for the purpose of receiving testimony and deciding on the request to vacate the portion of unopened Thomas Alexander Road (aka County Road No. 867 and Old Monohan Road) right of way lying east of East Lake Sammamish Parkway SE, north of SE 14<sup>th</sup> Street and south of the property located at 1104 East Lake Sammamish Parkway

SE being further described as that portion of said unopened Thomas Alexander Road lying in the 1100 through 1400 blocks of East Lake Sammamish Parkway SE abutting King County Assessor Parcel Nos. 0624069087, 0624069109, 0624069047, 0624069002, 0624069068 and 0624069041.



**CITY OF SAMMAMISH  
WASHINGTON  
RESOLUTION NO. R2009 - \_\_\_\_\_**

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**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, SETTING A PUBLIC HEARING DATE,  
TIME AND PLACE TO CONSIDER THE VACATION OF A  
PORTION OF UNOPENED THOMAS ALEXANDER ROAD  
(AKA COUNTY ROAD NO. 867 AND OLD MONOHAN  
ROAD)**

WHEREAS, a petition signed by the owners of one hundred percent of property abutting a portion of unopened Thomas Alexander Road (aka County Road No. 867 and Old Monohan Road) located at approximately 1200 East Lake Sammamish Parkway SE (and more particularly known as King County Assessor's Parcel Nos. 0624069041 and 0624069047) was filed with the City Clerk of the City of Sammamish requesting vacation of the above described right of way; and

WHEREAS, as required by the City of Sammamish Interim Public Works Standards, the Public Works Director of the City of Sammamish has returned a Certificate of Sufficiency for the referenced street vacation petition; and

WHEREAS, the City's Interim Public Works Standards (PWS.05.070) and Washington State Law (RCW 35.79.010) require a Public Hearing on such submitted right of way vacation petition requests and also require that the date, time and place of such Hearing be fixed by Resolution of the City Council; and

WHEREAS, the requested Thomas Alexander Road street right of way vacation includes over sixty percent of the total unopened Thomas Alexander Road right of way in this area; and

WHEREAS, in this case, it is more logical to consider vacation of all of the unopened Thomas Alexander Road right of way lying east of East Lake Sammamish Parkway SE, north of SE 14<sup>th</sup> Street and south of the property located at 1104 East Lake Sammamish Parkway SE and being further described as that portion of said unopened Thomas Alexander Road abutting King County Assessor Parcel Nos. 0624069087, 0624069109, 0624069047, 0624069002, 0624069068 and 0624069041 than it is to consider vacation of this unopened right of way on a piece meal basis;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

November 3, 2009 at 6:30 pm at the Sammamish City Council Chambers, 801 228<sup>th</sup> Avenue SE, Sammamish, Washington shall be fixed as the date, time and place for the Public Hearing and determination by the Sammamish City Council of said street right of way vacation request and petition.

**PASSED BY THE SAMMAMISH CITY COUNCIL AT A REGULAR MEETING  
THEREOF ON THE 6<sup>th</sup> DAY OF OCTOBER 2009.**

CITY OF SAMMAMISH

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Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

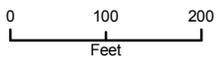
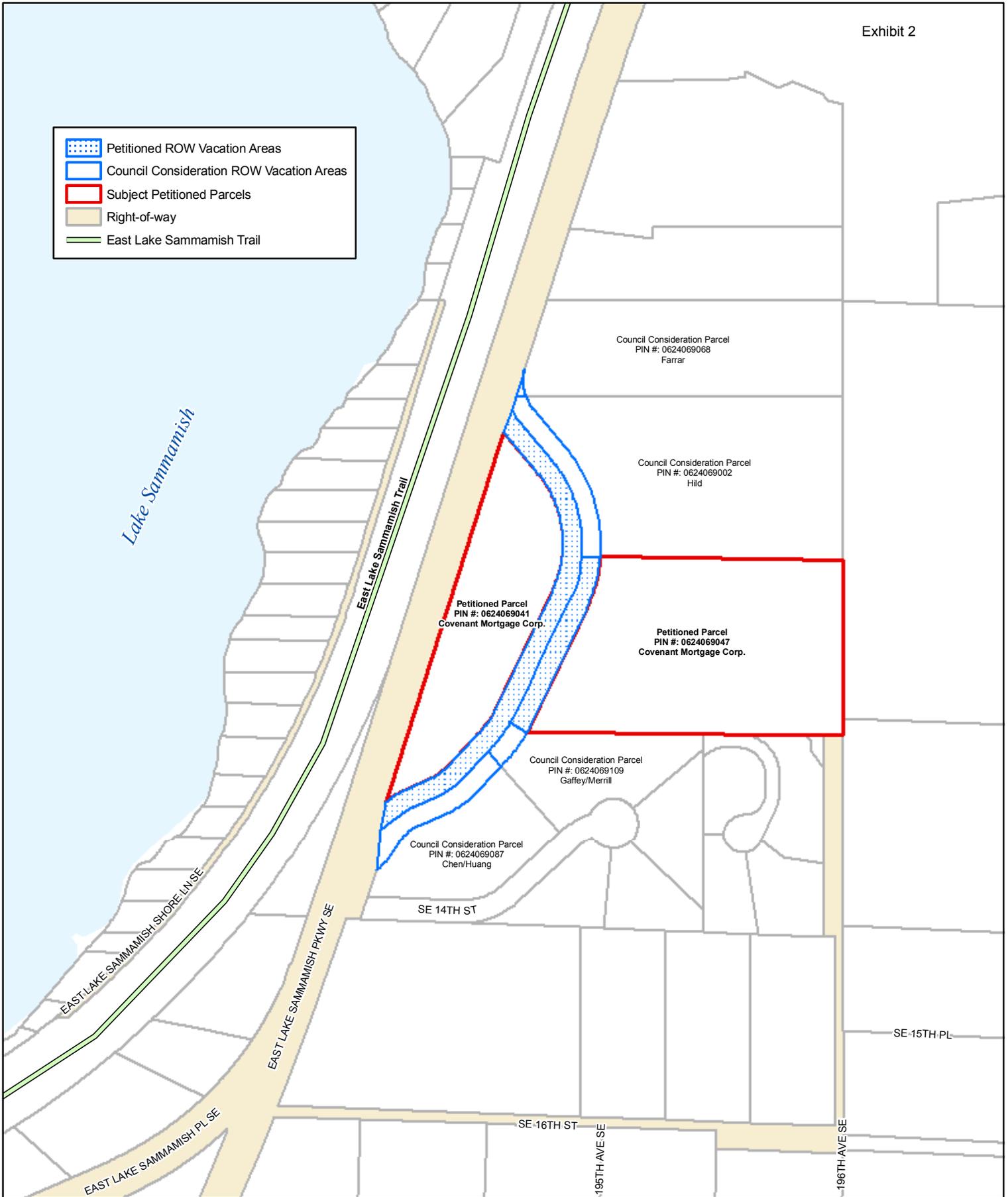
Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk:	September 30, 2009
Passed by the City Council:	October 6, 2009
Date of Publication:	
Effective Date:	

-  Petitioned ROW Vacation Areas
-  Council Consideration ROW Vacation Areas
-  Subject Petitioned Parcels
-  Right-of-way
-  East Lake Sammamish Trail



**RIGHT-OF-WAY VACATION REQUEST**  
**Covenant Mortgage Corp.**







## CITY COUNCIL AGENDA BILL

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**Subject:**

Ordinance Amending Chapter 2.30.020 (Parks and Recreation Commission) of the Sammamish Municipal Code

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Parks and Recreation

**Clearances:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> <b>City Manager</b> | <input type="checkbox"/> <b>Police</b>              |
| <input type="checkbox"/> <b>Public Works</b>            | <input type="checkbox"/> <b>Fire</b>                |
| <input type="checkbox"/> <b>Building/Planning</b>       | <input checked="" type="checkbox"/> <b>Attorney</b> |

**Action Required:**

First reading, no action is required.

**Exhibits:**

1. Ordinance
2. Letter from Hank Klein, Commission Chair

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**Budgeted Amount:** N/A

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**Summary Statement:**

The Parks and Recreation Commission identified several goals in 2009, one of which included updating Chapter 2.30 of the Sammamish Municipal code relating to the Parks and Recreation Commission. This section of the code has not been updated since 2002.

The proposed ordinance, as presented previously, calls for three major changes:

1. Establishing four-year commission terms, consistent with other commissions.
2. Staggering commission terms to minimize impacts of member turnover, similar to the rotation adopted by the Planning Commission in 2007.
3. Discontinuing the alternate positions.

More detailed information and background on the Parks and Recreation Commission recommendation is included in the letter to City Council from Hank Klein, Commission Chair, dated September 14, 2009.

Additional amendment, Section 2.30.020 (2). Since the ordinance was last reviewed by City Council, a further recommendation was made to revisit the section related to appointments. For your reference, Section 2.30.020(2) (Appointment to the Parks Commission) currently reads as follows:

*(2) Appointment. Each councilmember shall nominate one member of the parks and recreation commission, subject to confirmation by the City council. Members of the parks and recreation commission must reside within the City limits of the City of Sammamish. Parks and recreation commission members shall be selected without respect to political affiliation and shall serve without compensation. The two remaining members of the parks and recreation commission shall be nominated by the community development committee subject to confirmation by the City council. These two remaining members do not need to reside within the City limits. If a park commissioner is interested in being reappointed for another three-year term, the commissioner must send a letter of interest to the City council prior to the expiration of his or her term of office. Subject to council approval, the park commissioner will then be re-appointed for another three-year term. Any vacant positions due to term expiration will be advertised and filled through the appointment process.*

Although this section was not considered previously, the process outlined above is now defunct and should be updated.

Additional language has been proposed in the attached ordinance amending the appointment process. Please note, for consistency, the new language closely mirrors 2.60.020 related to the appointment of Planning Commission members.

In addition, the proposed amendment will allow for the appointment of up to one non-resident to the Parks and Recreation Commission. Although not required, the Council may desire at a future date to solicit input from communities outside the Sammamish City limits. The City currently owns property outside the City limits (Evans Creek Preserve) and may be asked to consider the transfer of additional park properties outside the City limits in the future. Again, this option simply provides flexibility to the City Council in the appointment process, but the appointment of a non-resident is not required.

**Background:**

For detailed background on the Parks and Recreation Commission formation and the recommendation from the Commission related to this proposed amendment, please reference the attached letter from Hank Klein, Commission Chair, dated September 14, 2009.

**Financial Impact:**

No Financial Impact.

**Recommended Motion:**

First reading of the ordinance, no action required.

**CITY OF SAMMAMISH  
WASHINGTON  
ORDINANCE O2009-XXX**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH  
WASHINGTON MODIFYING THE TERMS OF THE  
MEMBERS OF THE PARKS AND RECREATION  
COMMISSION, REMOVING ALTERNATE POSITIONS  
FROM THE COMMISSION AND AMENDING SECTION  
2.30.020 OF THE SAMMAMISH MUNICIPAL CODE**

WHEREAS, the City Council approved Ordinance 099-37 creating a Parks and Recreation Commission consisting of nine members, and designated that the initial terms of Commission members shall be staggered and terms will last three years; and

WHEREAS, the City Council approved Ordinance O2001-90 to modify the terms of the Parks and Recreation Commission members to allow for the re-appointment of commission members to three year terms subject to City Council approval; and

WHEREAS, the City Council approved Ordinance O2002-101 to add three non-voting alternate members to the Parks and Recreation Commission; and

WHEREAS, the City Council desires to further modify the number of positions and the terms of Commission members in order to promote continuity and minimize disruption of Commission business; and

WHEREAS, the provisions of the foregoing ordinances have been codified as Section 2.30.020 of the Sammamish Municipal Code;

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

Section 1. Amendment. Sammamish Municipal Code 2.30.020 is amended to read as follows:

(1) . Number of Members.

(a) The Parks and Recreation Commission shall consist of nine members.

(b) The current terms for all positions on the commission shall be staggered as shown in attachment A.:

1. Three of the five terms that expire in 2010 shall be extended for two years and shall expire in 2012; the remaining two terms shall be for three years and shall expire in 2013.

2. Of the four terms that will expire in 2011, two shall be new terms for three years and shall expire in 2014; the remaining two terms shall be for four years and shall expire in 2015.

(c) Following the completion of each new term established by subsection (b), the term for each position shall thereafter be four years.

(2) Appointment

Members of the Parks and Recreation Commission shall be selected from residents living within the City limits. Up to one exception to this rule may be made, at the discretion of the City council, in instances where an appointee brings a special interest or talent to the commission. Park and Recreation Commission members shall be selected without respect to political affiliation and shall serve without compensation. Parks and Recreation Commission members shall be subject to confirmation by the City council.

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, or a summary thereof consisting of the title, shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Don Gerend

ATTEST/AUTHENTICATED

\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

\_\_\_\_\_  
Bruce L. Disend, City Attorney

Filed with the City Clerk:  
 First Reading:  
 Passed by the City Council:  
 Date of Publication:  
 Effective Date:

**CITY OF SAMMAMISH  
 WASHINGTON  
 ORDINACE O2009-XXX  
 PARKS AND RECREATION COMMISSION – ATTACHMENT A**

	Current Term Ends	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Position 1	2010			Extended 2-Year Term		4-Year Term						
Position 2	2010			Extended 2-Year Term		4-Year Term						
Position 3	2010			Extended 2-Year Term		4-Year Term						
Position 4	2010			New 3-Year Term		4-Year Term						
Position 5	2010			New 3-Year Term		4-Year Term						
Position 6	2011				New 3-Year Term		4-Year Term					
Position 7	2011				New 3-Year Term		4-Year Term					
Position 8	2011				4-Year Term				4-Year Term			
Position 9	2011				4-Year Term				4-Year Term			





## Memorandum

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DATE: September 14, 2009

TO: City Council

FROM: Hank Klein, Chair, Parks and Recreation Commission

RE: Revised Parks and Recreation Commission Ordinance Recommendation

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On behalf of the Parks and Recreation Commission (Parks Commission), I am pleased to share with you our recommendation on a revision to the Parks Commission Ordinance.

### **Background**

The Parks Commission was formed in 1999, the year the City incorporated. Since formation there have been a number of changes to the Commission, including the addition of alternate positions. As a Commission we felt that our 10-year anniversary marked a critical milestone and also provided an opportunity to review and update the current ordinance.

As we considered a revision, we did so with several goals in mind:

1. Establish Park Commission terms consistent with other commissions;
2. Stagger the Park Commission terms to minimize the impacts of member turnover; and
3. Re-evaluate the effectiveness of the alternate positions.

A subcommittee of the Parks Commission met earlier this year and prepared a revised ordinance for Commission review. After several modifications and a thorough review by the full commission, we reached consensus. A summary of our recommendation is provided below.

### **Commission Terms**

When the Parks Commission was formed in 1999, the term of appointment for commission members was established at 3-years. When the Planning Commission and the Arts Commission were formed (2003), the term of appointment for commission members was established at 4-years. Our desire and recommendation is to implement a 4-year term for Park Commission members to achieve consistency.

### **Staggered Terms**

At present, 8 of the Park Commission terms will end in 2010, and 4 will end in 2011. As you can imagine, a potential turnover of 8 members in one year is far from desirable for our group. Furthermore, the current rotation could result in 100% turnover within a two-year period.

Our recommendation is to establish staggered terms, similar to those recently adopted by the Planning Commission. The proposed rotation, also known as the "3-2-2-2 Plan," establishes a nearly uniform rotation of Park Commission members over a 4-year period. The graph depicting the proposed rotation is attached.

### **Discontinue Alternate Positions**

In 2002, the City Council adopted an ordinance adding three alternate positions to the Parks Commission. The thought at the time was that alternates would work alongside regular commission members, staying up to speed on current issues and ultimately be available to fill a vacancy when needed. The goal of this approach was to minimize the impacts of turnover and the challenges of bringing someone up to speed in a short amount of time.

This past year we had two vacancies occur on the Parks Commission, both regular positions. At the time we also had three alternates, two of which expressed interest in filling the regular positions. Council action resulted in appointment of one alternate to a regular position and the other position was filled by a new applicant. Given that this action was inconsistent with the original intention of the alternate positions, we feel it is unnecessary and perhaps unfair to continue these positions.

It should also be noted that the Parks Commission is the largest of the three commissions with 12 total members (9 regular members and 3 alternates). The Arts Commission has 10 members (7 regular members and 3 alternates) and the Planning Commission has 7 members. We believe that a 9-member Parks Commission is sufficient to carry out the duties assigned by the Council and that this is an appropriate size given the staff resources available to support our work.

### **The Transition**

At present, we have two vacancies on the Parks Commission – one regular position and one alternate. We felt that now would be the appropriate time to make the transition to a smaller commission, with staggered 4-year terms.

Our recommendation for the transition is as follows:

1. City Council to adopt the revised ordinance thereby implementing four-year staggered terms and eliminating the alternate positions.
2. City Council to appoint one alternate to a regular position on the Parks Commission, thereby filling the current vacancy.
3. The three remaining alternate positions will be phased out at the end of 2010. Existing vacancies in the alternate positions will not be filled.
4. City Council to assign position numbers (1 thru 9) by the end of 2009 to currently appointed Parks Commission members. Assignment of position numbers is necessary for implementation of the revised ordinance.

Again, we believe now is the time to make the changes to the terms of the Park Commission. We very much appreciate the opportunity to provide you with our recommendation regarding this ordinance and we look forward to receiving your feedback.



## CITY COUNCIL AGENDA BILL

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**Subject:**  
Pavement Management Program contract amendment.

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Public Works

**Action Required:**

Authorize the City Manager to execute a Contract Supplemental Amendment with NW Management System to survey and rate the pavement within the city as well as upgrade our software.

**Clearances:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> <b>City Manager</b> | <input type="checkbox"/> <b>Police</b>   |
| <input checked="" type="checkbox"/> <b>Public Works</b> | <input type="checkbox"/> <b>Fire</b>     |
| <input type="checkbox"/> <b>Building/Planning</b>       | <input type="checkbox"/> <b>Attorney</b> |

**Exhibits:**

1. Supplemental Agreement, Amendment #2

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**Budgeted Amount:** \$1,280,000 in the adopted 2009-2010 project budget (Transportation Capital Improvement Fund, 340-119-542-30-48-00; \$1,000,000 budgeted in 2009 plus \$280,000 carryforward of unexpended 2008 budget)

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**Summary Statement:**

The Public Works Department recommends that the City Council authorize the City Manager to execute a supplemental agreement with NW Management Systems to resurvey all the street segments within the city limits and update our database. This new work will include purchase, setup and training of upgraded software.

**Background:**

In 2007 the cities hired NW Management Systems to survey and rate all of our street segments, based on the visual inspection of distresses; each segment was assigned a pavement condition index rating. This rating is entered into a software database that predicts the lifespan of our street system and provides staff with various budget scenarios. It is common industry practice to "re-rate" streets every 3 to 5 years. This helps take into account local soils, construction methods, weather, and traffic loadings. After multiple ratings are

entered the software is able to better predict lifespan for Sammamish rather than utilizing the lifespan curve derived from national averages. The winter of 2007/2008 and the winter of 2008/2009 were both more severe than normal. This caused new distresses and many of our ratings in our system are not correct.

Public Works staff is preparing budget scenarios to share with council in January. By updating the street network ratings, we will be able to prepare a more accurate forecast of the pavement needs in the upcoming 6 to 10 years.

**Financial Impact:**

Staff previously discussed setting aside \$50,000 of the budgeted \$1,280,000 with Council for street condition survey and database update. The requested supplemental agreement is in the amount of \$48,000 and fits well within approved budget and anticipated costs.

**Recommended Motion:**

Move to authorize the City Manager to execute a supplemental agreement with NW Management Systems in the amount of \$48,000 to update the city's pavement ratings and software.



## SUPPLEMENTAL AGREEMENT

Amendment Number: <b>2</b>	Date: <b>September 29, 2009</b>
Project: <b>Pavement Management Program</b>	City Project number: <b>N/A</b>
Consultant: <b>NW Management Systems</b>	Contract Number: <b>C2007-149</b>

The City of Sammamish desires to amend the agreement with NW Management Systems to update the City's Pavement Management Program.

The following tasks are added to the contract scope by means of this contract amendment:

### ***Task I. Condition Surveys & PCI Calculations***

Northwest Management Systems (NWMS) will perform an additional pavement condition survey on the City's pavement network. A total of roughly 1325 sections will be surveyed. Like many Puget Sound Communities, Sammamish has a pavement network that is subjected to high volumes and heavy loads from the surrounding area. The distresses present are reflective of the traffic levels, as well as the environment and climate. Common distresses include alligator cracking, rutting, distortions, patches and utility cuts as well as weathering and raveling.

The distress types to be collected will include:

- Alligator Cracking
- Longitudinal Cracking
- Transverse Cracking
- Weather and Raveling
- Rutting
- Utility Cuts and Patches

Approximately one sample unit will be inspected for each 1,000 lineal feet of roadway. Any variation from the established procedures will be to accommodate unique local conditions and will be reviewed with the City of Sammamish. Any areas that are not typical of the entire section will be inspected and recorded as a special sample unit.

Typically, a one-person crew will perform the condition surveys. The distress data will be recorded in the field using a PDA. NWMS will be responsible for providing all equipment necessary for performance of this task.

All information collected from the condition surveys will then be entered into the pavement management system database. This task shall be performed at NWMS's office in order to provide quality control of all data entered into the system. NWMS recommends this procedure over data entry in the field to avoid errors and to provide backup forms of all information recorded in the field.

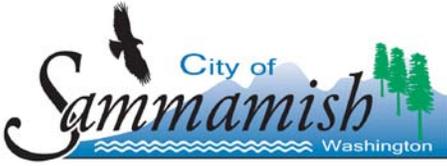
NWMS will then perform the pavement condition index (PCI) calculations using the pavement management system software, and correct any errors found. The PCI may then be used in the pavement performance models and in the budgetary analyses.

***Task J. Convert to StreetSaver Online Version 9 and training on the new software***

NWMS will convert the City's current version software 7.5 to the online StreetSaver version 9. This will include the first year online subscription cost. NWMS will also train the City in the use of the new software.

**The Contract end date is extended to January 31, 2009. All other provisions in the original contract remain in effect.**

Original Contract Amount:	Current Contract Amount	Estimated Net Change This Amendment	Estimated Contract Total After Change
<b>\$ 52,000</b>	<b>\$ 52,000</b>	<b>\$ 48,000</b>	<b>\$ 100,000</b>
<p><i>Paul Soels</i>      <i>9/30/09</i></p> <p>_____ Northwest Management Systems      Date</p>		<p>Approved: _____</p> <p>_____ City of Sammamish      Date</p>	



## CITY COUNCIL AGENDA BILL

---

**Subject:**  
Resolution Adopting the 2010-2015 Six-Year  
Transportation Improvement Plan (TIP).

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Public Works

**Clearances:**

**Action Required:**  
Conduct Public Hearing and Adopt attached  
Resolution

<input type="checkbox"/> City Manager	<input type="checkbox"/> Police
<input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Fire
<input type="checkbox"/> Building/Planning	<input type="checkbox"/> Attorney

**Exhibits:**

- 1) Resolution adopting the 2010-2015 Six-Year  
Transportation Improvement Plan (TIP).
- 2) 2010-2015 Six-Year Transportation  
Improvement Plan
- 3) Map.

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**Budgeted Amount:** Not Applicable

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**Summary Statement:**

All cities are required by state law (RCW Chapter 35.77) to have a Six-Year Transportation Improvement Program (TIP) and to adopt an update of the TIP annually. These updates must be pursuant to one or more public hearings and shall be consistent with the City's Comprehensive Plan. Lastly, the annual TIP must be filed with the Secretary of Transportation within thirty days after adoption.

The TIP is a planning document containing transportation capital improvement programs and projects the City foresees undertaking over the next six years. The TIP by itself does not authorize projects to move forward nor provide funding for any of its listed projects; for that to occur requires that individual projects be funded through the City's normal budget adoption process.

### **Background:**

This is an annual adoption that is required by State law. Resolution 2008-340 adopting the 2009-2014 TIP was approved (4-1-1) at the July 15, 2008 City Council Meeting and included \$65.1 million in transportation improvements. The 2010-2015 TIP includes \$32.4 million in transportation improvements, representing a 50% decrease from the previous year's TIP. This decrease is reflective of the significant downturn in the residential housing market and the associated decrease in forecasted road impact fee revenue and project need.

This update to the TIP is continuing the annual progression along the 18-year TIP that was developed in collaboration with the new road impact fee adopted by the City Council in 2006; however the majority of the concurrency-related capital roadway projects have been pushed out to later years than what was previously approved. This change reflects the current dramatic slowdown in the development market and the overall economy. A summary of the changes to the TIP include:

- Delaying the start of the following concurrency road improvement projects:
  - 1) East Lake Sammamish Parkway NE - NE 26<sup>th</sup> St to 196<sup>th</sup> Ave NE
  - 2) SE Duthie Hill Rd/Issaquah-Beaver Lake Rd Intersection
  - 3) Issaquah-Pine Lake Rd - SE 48<sup>th</sup> St to Klahanie Blvd
- Added East Lake Sammamish Parkway NE Phase 1B project
- Added SE 20<sup>th</sup> St - 212<sup>th</sup> Ave SE to 228<sup>th</sup> Ave SE non-motorized project
- Added 244<sup>th</sup> Ave NE - NE 8<sup>th</sup> St to NE 14<sup>th</sup> St non-motorized project
- Added Public Works Trust Fund Loan repayments for the 228<sup>th</sup> Ave NE improvement project
- Significantly increased annual funding for the pavement preservation/overlay program

This TIP does not yet include any improvements related to the Town Center Plan.

### **Financial Impact:**

There is no financial impact at this time. The 6-year TIP is a planning document and as such does not commit the City to any financial obligations. Council will encounter and address the financial impacts in the future as they appropriate funding for the various projects listed in the 6-year TIP.

### **Recommended Motion:**

Move to adopt, by Resolution Number 2009-\_\_\_\_, the 2010-2015 Six-Year Transportation Improvement Plan as attached.

**CITY OF SAMMAMISH  
WASHINGTON  
RESOLUTION NO. R2009-\_\_\_\_\_**

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**A RESOLUTION OF THE CITY OF SAMMAMISH,  
WASHINGTON, ADOPTING AN UPDATED SIX-YEAR  
TRANSPORTATION IMPROVEMENT PLAN FOR 2010-2015**

WHEREAS, state law requires the legislative body of each city to prepare and adopt a comprehensive transportation improvement plan for the ensuing six years; and

WHEREAS, the purpose of such plan is to assure that each city shall have plans looking to the future, for not less than six years, as a guide in carrying out a coordinated transportation program; and

WHEREAS, if a city has adopted a comprehensive plan, state law provides that the transportation improvement plan shall be consistent with the comprehensive plan; and

WHEREAS, the adoption of a transportation improvement plan will allow the City to coordinate planning efforts, mitigate certain transportation impacts, and pursue grant funding for transportation projects; and

WHEREAS, the updated plan is consistent with recent changes to RCW 35.77.010 and incorporates urban planning approaches that promote physical activity and non-motorized and transit oriented projects; and

WHEREAS, the City has conducted an environmental review of the plan in accordance with the State Environmental Policy Act, Chapter 43.21C RCW; and

WHEREAS, the Planning Commission and City Council have conducted a public hearings to receive comments on the proposed plan;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,  
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. Adoption of Transportation Improvement Plan. The City hereby adopts the Six-Year Transportation Improvement Plan, 2010-2015, attached hereto as Exhibit “A” and incorporated herein by reference.

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.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 6<sup>TH</sup> DAY OF OCTOBER, 2009**

CITY OF SAMMAMISH

APPROVED

\_\_\_\_\_  
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

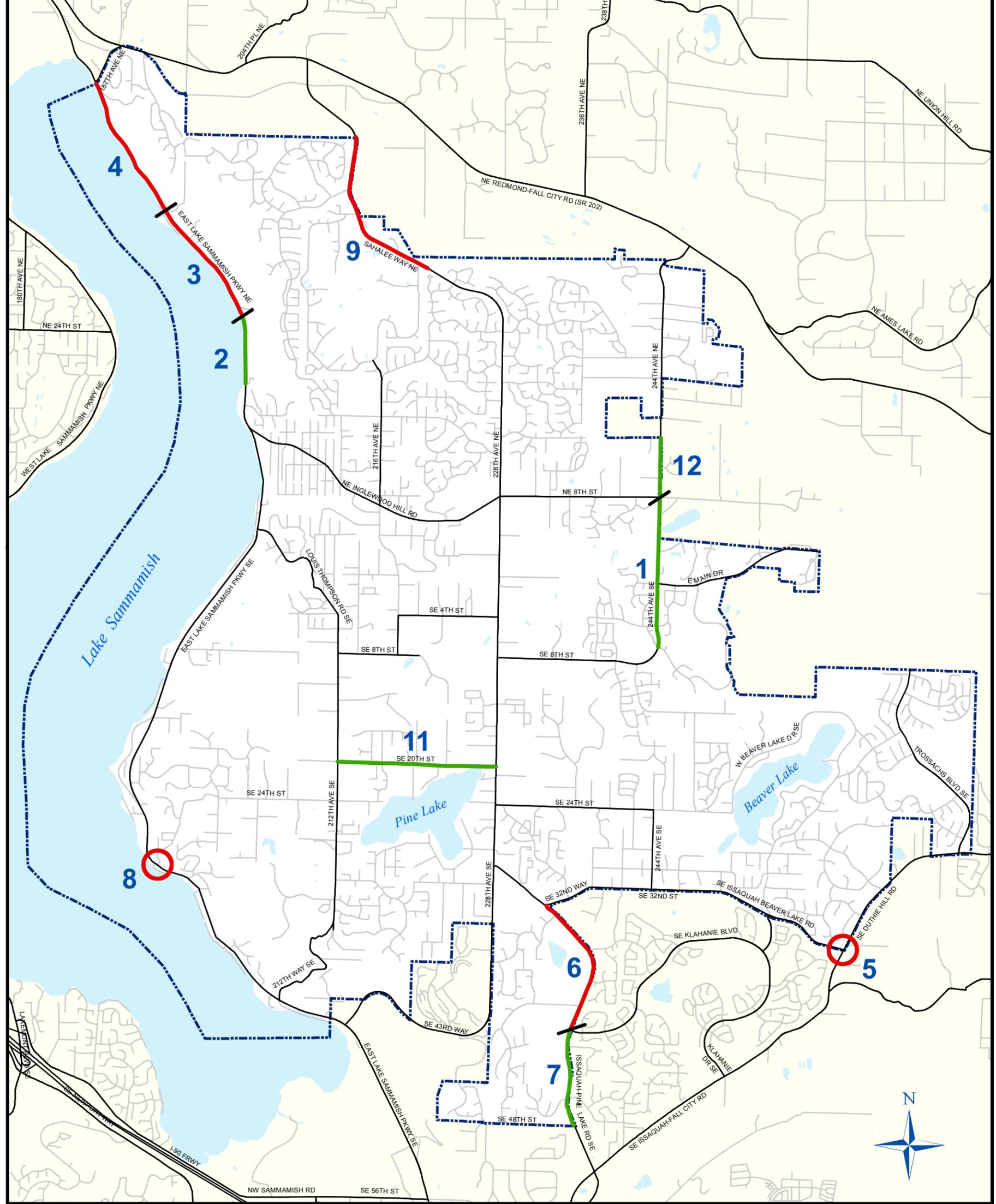
\_\_\_\_\_  
Bruce L. Disend, City Attorney

Filed with the City Clerk: September 30, 2009

Passed by the City Council: October 6, 2009

Resolution No.: R2009 - \_\_\_\_\_

# 2010 - 2015 Six Year Transportation Improvement Program



## Project List

1. 244th Ave. NE - SE 8th St. to NE 8th St.
2. East Lake Sammamish Parkway NE Phase 1B - NE 18th St. to 2200 block
3. East Lake Sammamish Parkway NE - NE 26th St. to 196th Ave. NE
4. East Lake Sammamish Parkway NE - 196th Ave. NE to 187th Ave. NE
5. SE Duthie Hill Road/Issaquah-Beaver Lake Rd. Intersection
6. Issaquah-Pine Lake Rd. - SE 32nd Way to Klahanie Blvd.
7. Issaquah-Pine Lake Rd. - Klahanie Blvd. to SE 48th St.
8. East Lake Sammamish Parkway SE/SE 24th St. Intersection
9. Sahalee Way NE - 220th Ave. NE to North City Limits
11. SE 20th St. - 212th Ave. SE to 228th Ave. SE
12. 244th Ave. NE - NE 8th St. to NE 14th St.

<b>2</b>	Project Location and TIP Number - Funded
<b>8</b>	Project Location and TIP Number - Unfunded
---	City Limits



## 2010 - 2015 SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM

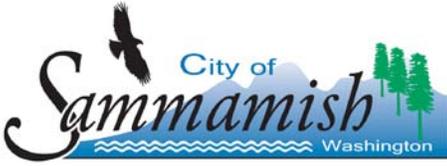
### Project List and Total Project Expenditure Summary\* (\*subject to City Council budget decisions)

*All Projects costs and revenue projections are in 2010 dollars*

	TIP	Project Title	Total Project	2010	2011	2012	2013	2014	2015	Future Years	6 Yrs Total	
<b>CONCURRENCY PROJECTS</b>	<b>CAPITAL PROJECTS</b>	1 244th Ave NE - SE 8th St to NE 8th St Widen to 3 lanes with bike lanes, curb, gutter and sidewalk; Add intersection control	18,040,000	5,800,000							5,800,000	
		2 East Lake Sammamish Parkway NE Phase 1B - NE 18th Pl to 2200 Block Widen with bike lanes and pedestrian facilities	3,612,000	3,500,000								3,500,000
		3 East Lake Sammamish Parkway NE - NE 26th St to 196th Ave NE Widen with bike lanes and pedestrian facilities	12,630,000									12,230,000
		4 East Lake Sammamish Parkway NE - 196th Ave NE to 187th Ave NE Widen with bike lanes and pedestrian facilities	15,910,000									15,510,000
		5 SE Duthie Hill Road / Issaquah-Beaver Lake Rd Intersection Construct turn lanes and traffic signal	870,000									870,000
		6 Issaquah-Pine Lake Rd - Klahanie Blvd to SE 32nd Widen to 3 lanes with bike lanes, curb, gutter, and sidewalk	22,370,000									22,370,000
		7 Issaquah-Pine Lake Rd - SE 48th to Klahanie Blvd Widen to 5 lanes with bike lanes, curb, gutter and sidewalk	23,850,000							1,000,000		22,850,000
		8 East Lake Sammamish Parkway SE / SE 24th St Intersection Construct traffic signal, turn lanes, curb, gutter & sidewalk	5,010,000									5,010,000
		9 Sahalee Way NE - 220th Ave NE to North City Limits Widen to 3 lanes with bike lanes, curb, gutter, and sidewalk	21,240,000									21,240,000
		10 Public Works Trust Fund Loan Repayment 228th Ave NE Improvements			565,333	562,667	560,000	557,333	554,667	552,000	3,256,000	3,351,999
<b>NON-MOTORIZED</b>	<b>PROGRAMS</b>	11 SE 20th St - 212th Ave SE to 228th Ave SE Provide non-motorized facilities	3,840,000	3,000,000							3,000,000	
		12 244th Ave NE - NE 8th St to NE 14th St Provide non-motorized facilities	800,000	700,000								700,000
		13 Non-motorized Transportation Projects Sidewalks, Trails, Bikeways, and Paths, etc.	4,500,000	750,000	750,000	750,000	750,000	750,000	750,000	750,000		4,500,000
		14 Sidewalk Projects Various sidewalk projects, includes gap projects, extensions, safety improvements.	1,500,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000		1,500,000
		15 Overlay Program Provides for the City's annual street overlay program and other major maintenance and rehabilitation.	6,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000		6,000,000
		16 Transportation Concurrency Program Create and maintain programs and processes required to operate an on-going Transportation Concurrency Program.	300,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000		300,000
		17 Intersection and Safety Improvements Various intersection and other spot improvements as needed, including channelization, signing, safety improvements, signalization, or other traffic control devices.	1,800,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000		1,800,000
		18 Neighborhood CIP Various capital improvements including safety improvements, gap projects, bike routes, pedestrian safety enhancements, and school zone safety improvements.	600,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000		600,000
		19 Local Improvement Districts Matching funds for use with neighborhood cooperative LID improvements	0	0	0	0	0	0	0	0		0
		20 Transit Program Provides funding for capital project matching funds, additional transit service, and staff coordination with King County Metro transit, Sound Transit to secure transit services and facilities.	360,000					60,000	60,000	60,000		360,000
<b>6-Yr Total Project Expenditures - Transportation</b>				<b>16,075,333</b>	<b>3,072,667</b>	<b>3,070,000</b>	<b>3,067,333</b>	<b>3,064,667</b>	<b>4,062,000</b>	<b>103,336,000</b>	<b>32,411,999</b>	
<b>Total Expenditures</b>				<b>16,075,333</b>	<b>3,072,667</b>	<b>3,070,000</b>	<b>3,067,333</b>	<b>3,064,667</b>	<b>4,062,000</b>		<b>32,411,999</b>	

Operating Contribution Percentage	100%	100%	100%	100%	100%	100%	
Operating Contribution	12,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	22,000,000
Transportation Fund Revenue	850,000	2,000,000	2,000,000	2,100,000	2,200,000	2,200,000	11,350,000
Road Impact Fees	435,000	725,000	1,087,500	1,450,000	1,812,500	2,175,000	7,685,000
Anticipated grants	5,700,000	0	0	0	0	0	5,700,000
<b>TOTAL</b>	<b>18,985,000</b>	<b>4,725,000</b>	<b>5,087,500</b>	<b>5,550,000</b>	<b>6,012,500</b>	<b>6,375,000</b>	<b>46,735,000</b>

Accumulative Project Expenditures	16,075,333	19,148,000	22,218,000	25,285,333	28,349,999	32,411,999
Annual Cash Flow Surplus or Deficit	2,909,667	1,652,333	2,017,500	2,482,667	2,947,833	2,313,000
Accumulative Cash Flow Surplus or Deficit	2,909,667	4,562,000	6,579,500	9,062,167	12,010,001	14,323,001



## CITY COUNCIL AGENDA BILL

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**Subject:** First Reading and Public Hearing  
“Changing Message Center signs at Schools”

Amendments: Revisions to SMC 21A.45

(Residential zone signs)

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Community Development

**Clearances:**

**Action Required:** First Reading and Public Hearing  
No action required.

**City Manager**                       **Police**

**Public Works**                               **Fire**

**Building/Planning**                       **Attorney**

**Exhibits:**

1. Planning Commission Recommendation memorandum
2. Ordinance with Code Amendment Options

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**Budgeted Amount:** N/A

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**Background:**

Eastlake and Skyline High Schools have expressed an interest in converting the schools' existing non-digital reader board sign into an electronic reader board sign (also referred to as a “Changing Message Center sign”). The existing signs require a significant amount of time to modify messages and generally do not meet the schools' needs.

Sammamish Municipal Code 21A.45 governs the placement of changing message center signs, and currently prohibits such changing message center signs at high schools. Staff provided three options for a code amendment to the Planning Commission, including a “No Action Alternative”. The Planning Commission and staff held a public meeting on April 2, 2009 and a public hearing on May 7, 2009 that was continued to July 2, 2009. Following deliberation, for the reasons identified in the Planning Commission Recommendation memorandum, the Planning Commission recommended (5 in the affirmative, 2 in the negative) that the City Council pursue the “No Action Alternative”.

The Planning Commission's reasons for the "No Action Alternative" are described in the Planning Commission recommendation memorandum.

The Washington Community, Trade, and Economic Development Department (CTED) has granted expedited review of the proposed code amendment; no comments were received from state agencies. The City anticipates issuing a SEPA Determination of Non Significance (DNS) before the City Council's scheduled second reading and public hearing.

**Financial Impact: N/A**

**Recommended Motion:** No Action required. First reading and open Public Hearing. Continue Public Hearing to October 20, 2009.



## Planning Commission

801 – 228<sup>th</sup> Avenue SE • Sammamish, WA 98075 • Phone: 425-295-0500 • Fax: 425-295-0600 • Web: [www.ci.sammamish.wa.us](http://www.ci.sammamish.wa.us)

To: City Council

September 29, 2009

From: Tom Vance, Chair

RE: Recommendation for "Changing Message Center signs at Schools" amendment to the Sammamish Municipal Code

On behalf of the Planning Commission, I am pleased to transmit the Planning Commission's recommendations for the "Changing Message Center signs at Schools" amendment to the Sammamish Municipal Code. The Commission and staff used a public participation process that included multiple public meetings and an extended public hearing process.

The Planning Commission and staff held a public meeting on April 2, 2009 and a public hearing on May 7, 2009 that was continued to July 2, 2009. The Planning Commission received public input from staff representing Skyline and Eastlake high schools and the general public.

The Planning Commission was generally receptive to the request by Eastlake High School and Skyline High School. However the timing of the proposed amendment relative to the Town Center development regulations, and concerns about limiting such signs to high schools ultimately precluded the Planning Commission from recommending a code amendment at this time.

On July 2, 2009, staff presented the Planning Commission with three options for adopting an amendment to the sign code (a summary memo and draft code amendments are attached). The majority of the Planning Commission recommends (5 in the affirmative, 2 in the negative) that the City Council pursue **Option 3: No Action Alternative**. "Option 3: No Action Alternative" would not amend the current sign code at this time. The code would continue to allow for a 25 square foot freestanding sign and for a manually changed sign message board. This recommendation is based upon the following concerns, as discussed by members of the commission during deliberations:

1. Any changes to the Sammamish Municipal Code requirements contained in Title 21A for signs should be part of a comprehensive rewrite of the development standards for signs;
2. The proposed code amendment raised potential legal questions the City Council should consider. Limiting new electronic changing message center signs may raise legal questions. We recommend that the Council consult with the City Attorney prior to taking action;
3. The aesthetic impact of the number, size, and type of signs that could potentially be built along 228<sup>th</sup> Avenue under Option 1 is potentially significant; and,
4. The proposed code amendment is premature prior to adoption of sign code standards for the Town Center. Sammamish Children's School, Eastside Catholic High School, Arbor School, and effectively Skyline High School are in the Town Center and any potential signage should conform with the Town Center design standards.

Additionally, the Planning Commission also suggested that the City Council consider the following:

1. Authorize a comprehensive overhaul of the development standards for signs immediately following adoption of the Town Center development regulations, including a review of all provisions allowing changing message center signs;
2. Include a "sunset" or "compliance clause" for signs that do not conform to the sign standards, in particular as part of a future sign code amendment. This was identified as part of the Electronic Reader Board discussion, but could be applied to all sign regulations; and
3. Install a community event sign on the Sammamish Commons property, or several community event signs strategically located throughout the City, and allow schools to post events on that sign.

Thank you for your consideration of our recommendations. If you have any questions, please contact Kamuron Gurool at 425.295.0520 or [kgurool@ci.sammamish.wa.us](mailto:kgurool@ci.sammamish.wa.us).



**DRAFT**  
**CITY OF SAMMAMISH**  
**WASHINGTON**  
**ORDINANCE NO. O2009 - \_\_\_\_**

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**AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING CHAPTER 21A.45 (DEVELOPMENT STANDARDS – SIGNS), OF THE SAMMAMISH MUNICIPAL CODE**

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, development applications are reviewed for compliance with these regulations; and

WHEREAS, the Sammamish Comprehensive Plan’s Land Use Element recommends that the City development regulations foster a sense of community;

WHEREAS, the Sammamish Municipal Code limits the placement of changing message center signs to commercially zoned properties;

WHEREAS, several high schools located on residentially zoned property within the City are interested in promoting school events to the community at large, are requesting additional flexibility in the placement of changing message center signs;

WHEREAS, the Planning Commission and staff held a public meeting on April 2, 2009 and a public hearing on May 7, 2009 that was continued to July 2, 2009;

WHEREAS, the public process for the proposed amendments has provided for public participation opportunities and included presentation and a public hearing before the Sammamish City Council on October 6, 2009 and October 20, 2009; and

WHEREAS, the City issued a SEPA Determination of Non Significance for the proposed code amendments on October 1, 2009; and

WHEREAS, the Growth Management Services Review Team in the Washington State Department of Commerce granted expedited review and approval of the proposed code amendments on September 29, 2009.

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

**Section 1. Amendments to the Municipal Code.** The municipal code amendments set forth in Attachment "A" 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 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 the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2009.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

\_\_\_\_\_  
Bruce L. Disend, City Attorney

Filed with the City Clerk:      October 1, 2009  
Public Hearing:

Exhibit 2

First Reading:

Public Hearing:

Passed by the City Council:

Date of Publication:

Effective Date:

## Exhibit 2

- SMC 21A.15.1095 - Sign, changing message center
- SMC 21A.15.1100 - Sign, community bulletin board
- SMC 21A.45.060 - General sign requirements
- SMC 21A.45.080 - Residential zone signs
- SMC 21A.45.070 - Community bulletin board signs.

“Plain Text” is existing code language

“~~Strikethrough Text~~” is existing language that will be deleted

“Underline Text” is code language that will be added

**Option 1 – Purpose of the sign is to provide notice of community events to the community in addition to students, parents, and school staff**

- Allowed at schools only
- One sign may be a changing message center sign (wall or freestanding)
- Maximum area of 32 square feet
- Require shut-off at 10:00PM
- Non-commercial message
- Prohibit moving / scrolling text & graphics
- Limit message change to once every 60 minutes

**21A.15.1095 Sign, changing message center.**

"Sign, changing message center" means an electrically controlled sign that contains advertising messages that changes at intervals of three minutes or greater.

**21A.45.060 General sign requirements.**

- (1) All signs, except billboards, community bulletin boards, community identification signs, political signs, real estate signs, and special event signs shall be on-premises signs; provided, that uses located on lots without public street frontage in business and office zones may have one off-premises directional sign of no more than 16 square feet.
- (2) Fuel price signs shall not be included in sign area or number limitations of SMC 21A.45.090 through 21A.45.110, provided such signs do not exceed 20 square feet per street frontage.
- (3) Projecting and awning signs and signs mounted on the sloping portion of roofs shall not be permitted for uses in the residential zones. In other zones, projecting and awning signs and signs mounted on the sloping portion of roofs may be used in lieu of wall signs, provided:
  - (a) They maintain a minimum clearance of eight feet above finished grade;
  - (b) They do not project more than six feet perpendicular from the supporting building facade;
  - (c) They meet the standards of subsection (10) of this section if mounted on the roof of a building; and
  - (d) They shall not exceed the number or size permitted for wall signs in a zone.
- (4) Changing message center signs and time and temperature signs, which can be wall or freestanding signs, shall not exceed the size permitted for wall or freestanding signs, and shall be permitted only in the NB, CB, and O zones, except that changing message center signs may be permitted in the R zone, subject to the provisions of SMC 21A.45.070 and 21A.45.080. Changing message center signs and time and temperature signs shall not exceed the maximum sign height permitted in the zone.
- (5) Directional signs shall not be included in the sign area or number limitation of SMC 21A.45.080 through 21A.45.110, provided they shall not exceed six square feet in surface area and are limited to one for each entrance or exit to surface parking areas or parking structure.
- (6) Sign Illumination and Glare.
  - (a) All signs in the NB, CB, or O zones, and community bulletin boards in the R zone, may be internally illuminated;

- (b) Unless otherwise provided for in subsection (6)(a) of this section, signs in the R zones may only be indirectly illuminated, provided the light source for indirectly illuminated signs shall be no farther away from the sign than the height of the sign;
  - (c) Indirectly illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way;
  - (d) Electrical requirements for signs shall be governed by Chapter 19.28 RCW and Chapter 296-46-910 WAC; and
  - (e) Signs with an on/off operation shall be permitted only in the CB zone.
- (7) Maximum height for wall signs shall not extend above the highest exterior wall or structure upon which the sign is located.
- (8) Maximum height for projecting signs shall not extend above the highest exterior wall upon which the projecting sign is located.
- (9) Maximum height for awning signs shall not extend above the height of the awning upon which the awning sign is located.
- (10) Any sign attached to the sloping surface of a roof shall be installed or erected in such a manner that there are no visible support structures, shall appear to be part of the building itself, and shall not extend above the roof ridge line of the portion of the roof upon which the sign is attached.
- (11) Except as otherwise permitted by this chapter, off-premises directional signs shall not exceed four square feet in sign area.
- (12) Mixed use developments in the NB, CB, or O zones are permitted one permanent residential identification sign not exceeding 32 square feet in addition to the maximum sign area requirements in the zone where the mixed use development is located.

...

#### **21A.45.080 Residential zone signs.**

Signs in the R zone are limited as follows:

- (1) Nonresidential Use.
  - (a) One sign identifying nonresidential uses, not otherwise regulated by this section, not exceeding 25 square feet and not exceeding six feet in height is permitted;
  - (b) Schools are permitted signs as follows:
    - 1. Location. e
      - a. One freestanding sign per school or school facility entrance, ~~and not exceeding six feet in height, which may be located in the setback;~~
      - b. Two additional wall signs ~~not exceeding 25 square feet~~ attached directly to the school or school facility ~~are permitted;~~
      - c. All signs located on a street corner or driveway shall conform with Chapter 14.01 SMC, Public Works Standards Adopted and SMC 21A.25.220, Sight distance requirements.
    - 2. Specifications.
      - a. All signs shall be limited to an area of 32 square feet;
      - b. Freestanding signs may be located in required setbacks subject to the limitations of subsection (b) above;
      - c. Freestanding signs shall not exceed a height of 6 feet;

- d. One of the allowed signs may be a changing message center sign, subject to the following:
  - i. Signs shall be designed to prevent light and glare from being visible to adjacent residential properties;
  - ii. Signs shall automatically dim during hours of darkness;
  - iii. Signs shall be turned off between the hours of 10 PM and 6 AM except during emergencies;
  - iv. Signs shall not contain moving graphics, text, or video;
  - v. Sign messages shall not change more than once every 60 minutes;
  - vi. Sign messages shall be limited to providing school related information, or announcing or promoting a nonprofit or not-for-profit sponsored school or community fair, festival, or event; and,
  - vii. If it is determined by the City Engineer or Director that the changing message center sign constitutes a traffic hazard for any reason, additional conditions may be imposed.
- (c) Public agency facilities, including but not limited to civic centers, community centers, public agency offices, and public utility yards, are permitted two signs for each facility. Each sign shall be limited to a sign area of not more than 30 square feet and not exceeding a height of more than six feet for freestanding signs;
- (d) Home occupation and home industry signs are limited to wall signs not exceeding six square feet.
- (2) Residential Use.
  - (a) One residential identification sign not exceeding two square feet is permitted; and
  - (b) One permanent residential development identification sign not exceeding 32 square feet is permitted per development. The maximum height for the sign shall be six feet. The sign may be freestanding or mounted on a wall, fence, or other structure.

**END OF OPTION 1**

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**Option 2 – Purpose of the sign is to provide notice of school events to the students, parents, and school staff**

- Allowed at schools only
- Both wall signs may be a changing message center sign (but not freestanding signs)
- Maximum area of 32 square feet
- Required 50 foot building setback
- Require shut-off at 10:00PM
- Non-commercial message
- Allow moving / scrolling text & graphics
- Limit message change to once every 60 minutes

**21A.15.1095 Sign, changing message center.**

"Sign, changing message center" means an electrically controlled sign that contains advertising messages that changes at intervals of three minutes or greater.

**21A.45.060 General sign requirements.**

- (1) All signs, except billboards, community bulletin boards, community identification signs, political signs, real estate signs, and special event signs shall be on-premises signs; provided, that uses located on lots without public street frontage in business and office zones may have one off-premises directional sign of no more than 16 square feet.
- (2) Fuel price signs shall not be included in sign area or number limitations of SMC 21A.45.090 through 21A.45.110, provided such signs do not exceed 20 square feet per street frontage.
- (3) Projecting and awning signs and signs mounted on the sloping portion of roofs shall not be permitted for uses in the residential zones. In other zones, projecting and awning signs and signs mounted on the sloping portion of roofs may be used in lieu of wall signs, provided:
  - (a) They maintain a minimum clearance of eight feet above finished grade;
  - (b) They do not project more than six feet perpendicular from the supporting building facade;
  - (c) They meet the standards of subsection (10) of this section if mounted on the roof of a building; and
  - (d) They shall not exceed the number or size permitted for wall signs in a zone.
- (4) Changing message center signs and time and temperature signs, which can be wall or freestanding signs, shall not exceed the size permitted for wall or freestanding signs, and shall be permitted only in the NB, CB, and O zones, except that changing message center signs may be permitted in the R zone, subject to the provisions of SMC 21A.45.070 and 21A.45.080. Changing message center signs and time and temperature signs shall not exceed the maximum sign height permitted in the zone.
- (5) Directional signs shall not be included in the sign area or number limitation of SMC 21A.45.080 through 21A.45.110, provided they shall not exceed six square feet in surface area and are limited to one for each entrance or exit to surface parking areas or parking structure.
- (6) Sign Illumination and Glare.

- (a) All signs in the NB, CB, or O zones, and community bulletin boards in the R zone, may be internally illuminated;
  - (b) Unless otherwise provided for in subsection (6)(a) of this section, signs in the R zones may only be indirectly illuminated, provided the light source for indirectly illuminated signs shall be no farther away from the sign than the height of the sign;
  - (c) Indirectly illuminated signs shall be arranged so that no direct rays of light are projected from such artificial source into residences or any street right-of-way;
  - (d) Electrical requirements for signs shall be governed by Chapter 19.28 RCW and Chapter 296-46-910 WAC; and
  - (e) Signs with an on/off operation shall be permitted only in the CB zone.
- (7) Maximum height for wall signs shall not extend above the highest exterior wall or structure upon which the sign is located.
  - (8) Maximum height for projecting signs shall not extend above the highest exterior wall upon which the projecting sign is located.
  - (9) Maximum height for awning signs shall not extend above the height of the awning upon which the awning sign is located.
  - (10) Any sign attached to the sloping surface of a roof shall be installed or erected in such a manner that there are no visible support structures, shall appear to be part of the building itself, and shall not extend above the roof ridge line of the portion of the roof upon which the sign is attached.
  - (11) Except as otherwise permitted by this chapter, off-premises directional signs shall not exceed four square feet in sign area.
  - (12) Mixed use developments in the NB, CB, or O zones are permitted one permanent residential identification sign not exceeding 32 square feet in addition to the maximum sign area requirements in the zone where the mixed use development is located.

...

**21A.45.080 Residential zone signs.**

Signs in the R zone are limited as follows:

- (1) Nonresidential Use.
  - (a) One sign identifying nonresidential uses, not otherwise regulated by this section, not exceeding 25 square feet and not exceeding six feet in height is permitted;
  - (b) Schools are permitted signs as follows:
    - 1. Location.
      - a. ~~One freestanding~~ sign per school or school facility entrance, ~~not exceeding 25 square feet and not exceeding six feet in height, which may be located in the setback.~~
      - b. ~~Two additional wall signs not exceeding 25 square feet~~ attached directly to the school or school facility ~~are permitted;~~
      - c. ~~All signs located on a street corner or driveway shall conform with Chapter 14.01 SMC, Public Works Standards Adopted and SMC 21A.25.220, Sight distance requirements.~~
    - 2. Specifications.
      - a. ~~All signs shall be limited to an area of 32 square feet;~~

- b. Freestanding signs shall not exceed a height of 6 feet;
  - c. Freestanding signs may be located in required setbacks subject to the limitations of subsection (b) above;
  - d. Up to two wall signs may be changing message center signs, subject to the following:
    - i. Signs shall be designed to prevent light and glare from being visible to adjacent residential properties;
    - ii. Signs shall be setback a minimum of 50 feet from any abutting residential property or public right-of-way;
    - iii. Signs shall automatically dim during hours of darkness;
    - iv. Signs shall be turned off between the hours of 10 PM and 6 AM except during emergencies;
    - v. Signs shall be designed such that the message is not visible from vehicle travel and parking lot circulation lanes;
    - vi. Signs may contain moving graphics, text, or video;
    - vii. Sign messages shall not change more than once every 60 minutes; and,
    - viii. Sign messages shall be limited to providing school related information, or announcing or promoting a nonprofit or not-for-profit sponsored school or community fair, festival, or event.
- (c) Public agency facilities, including but not limited to civic centers, community centers, public agency offices, and public utility yards, are permitted two signs for each facility. Each sign shall be limited to a sign area of not more than 30 square feet and not exceeding a height of more than six feet for freestanding signs;
- (d) Home occupation and home industry signs are limited to wall signs not exceeding six square feet.
- (2) Residential Use.
- (a) One residential identification sign not exceeding two square feet is permitted; and
  - (b) One permanent residential development identification sign not exceeding 32 square feet is permitted per development. The maximum height for the sign shall be six feet. The sign may be freestanding or mounted on a wall, fence, or other structure.



## CITY COUNCIL AGENDA BILL

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**Subject:** Shoreline Master Program Update and Associated Critical Areas Amendments  
Third Reading

**Meeting Date:** October 6, 2009

**Date Submitted:** September 30, 2009

**Originating Department:** Community Development

**Action Required:**

- Complete deliberations
- Motion to adopt the amended Shoreline Master Plan
- Motion CAO amendments

**Clearances:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> <b>City Manager</b>      | <input type="checkbox"/> <b>Police</b>              |
| <input type="checkbox"/> <b>Public Works</b>                 | <input type="checkbox"/> <b>Fire</b>                |
| <input checked="" type="checkbox"/> <b>Building/Planning</b> | <input checked="" type="checkbox"/> <b>Attorney</b> |

**Exhibits:**

1. Ordinance and Attachment A-SMP  
City Council Draft SMP  
<http://www.ci.sammamish.wa.us/files/document/5782.pdf>  
Designation Maps  
<http://www.ci.sammamish.wa.us/files/document/5776.pdf>  
<http://www.ci.sammamish.wa.us/files/document/5777.pdf>  
<http://www.ci.sammamish.wa.us/files/document/5778.pdf>  
<http://www.ci.sammamish.wa.us/files/document/5779.pdf>
2. Table A updated-completed items
3. Table B-updated
4. Table C-additional items for decision
5. Ordinance and revised Attachment A-Critical Areas Amendments
6. Staff memorandum-UC designation
7. Staff memorandum-structure definition

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**Budgeted Amount:** N/A

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**Summary Statement:**

The City's Shoreline Master Program (SMP) is proposed to be amended for compliance with State Shoreline Management Act Guidelines as set forth in the Washington Administrative Code 173-27. All jurisdictions in the State of Washington with state shorelines (lakes with surface areas greater or equal to 20 acres and streams with flow of 20 cubic feet per second) are required to undertake this process. The city's shorelines are currently regulated under the existing SMP, which has been in place with King County since 1978 and with the City of Sammamish since its incorporation. Companion amendments to the Critical Areas Ordinance are included for consistency with the update.

**Background:**

After an extensive public process, the Planning Commission recommended adoption of amendments. The City Council public hearing was convened on March 17, 2009, and additional public hearing sessions were held on June 2, 2009 and September 1, 2009. The public hearing concluded on September 1<sup>st</sup> and Council deliberations are in progress. The City Council Review Draft includes amendments to the plan to be consistent with council direction.

**Financial Impact:**

N/A

**Recommended Motion:**

Motion to adopt the amended SMP. Motion to adopt the associated CAO amendments.

**DRAFT**  
**CITY OF SAMMAMISH**  
**WASHINGTON**  
**ORDINANCE NO. O2009 - \_\_\_\_**

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AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, ADOPTING THE 2009 SAMMAMISH SHORELINE MASTER PROGRAM AND REPLACING THE KING COUNTY SHORELINE MASTER PROGRAM ADOPTED BY KING COUNTY ORDINANCE 3688; AMENDING THE CITY OF SAMMAMISH COMPREHENSIVE PLAN; ADOPTING SHORELINE MAPS; AND CODIFYING THE SHORELINE MASTER PROGRAM INTO TITLE 25 OF THE SAMMAMISH MUNICIPAL CODE

WHEREAS, the City incorporated in August of 2009;

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, the City has not adopted a Shoreline Master Program to replace the King County Shoreline Master Program, originally adopted by King County Ordinance 3688 on May 1, 1978; and

WHEREAS, the State of Washington passed the Shoreline Management Act of 1971 governing the adoption of Shoreline Master Programs, as currently set forth within Chapter 58 of Title 90 of the Revised Code of Washington, and subject to the Washington State Department of Ecology's administrative rules contained within Title 173 of the Washington Administrative Code; and

WHEREAS, the City applied for, and obtained a grant from the Washington State Department of Ecology in March of 2006 to assist in the preparation and adoption of a 2009 Sammamish Shoreline Master Program; and

WHEREAS, the City has completed the preparation of supporting information and background material for the 2009 Shoreline Master Program; and

WHEREAS, the City Council adopted lake buffers and/or other protections associated with Lake Sammamish, Pine Lake, and Beaver Lake as part of Ordinance O2005-193; and

WHEREAS, the new Shoreline Master Program provides for protection and development standards on Lake Sammamish, Pine Lake, and Beaver Lake that are equivalent to, or

provide greater protection than, the protection and development standards contained within Ordinance O2005-193; and

WHEREAS, the City Council intends to repeal those portions of Ordinance O2005-193 that provide for the lake buffers and/or other protections associated with Lake Sammamish, Pine Lake, and Beaver Lake concurrent with the adoption of the 2009 Sammamish Shoreline Master Program; and

WHEREAS, development applications are reviewed for compliance with these regulations; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non Significance for the proposed 2009 Shoreline Master Program and associated SMC 21A.50 (Critical Areas) amendments was issued on August 26, 2009; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Sammamish Shoreline Master Program was received by the State of Washington Department of Community, Trade and Economic Development on August 11, 2009; and

WHEREAS, the public process for the proposed amendments has provided for extensive public participation opportunities at more than twenty public meetings and hearings before the Planning Commission and City Council as well as a number of public open houses, and dialogue sessions between June of 2007 and July of 2009; and

WHEREAS, the Planning Commission held public meetings and public hearings in 2007 and 2008 and forwarded a recommend Sammamish Shoreline Master Program to the City Council on January 6, 2009; and

WHEREAS, the City Council considered the proposed Sammamish Shoreline Master Program at a City Council public hearing on March 17, 2009, which was continued on June 2, 2009, and September 1, 2009; 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 Shoreline Master Program.** The 2009 Sammamish Shoreline Master Program set forth in Attachment "A" to this ordinance is hereby adopted.

**Section 2. Repeal of Title 25 of the Sammamish Municipal Code.** Title 25 of the Sammamish Municipal Code, which contains portions of the King County Shoreline Master Program adopted by King County Ordinance 3688, is hereby repealed.

**Section 3. Codification of the Shoreline Master Program.** The City Council authorizes the Community Development Director and City Clerk to codify the regulatory provisions of the Sammamish Shoreline Master Program within Title 25 of the Sammamish Municipal Code for ease of use and reference.

**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 be transmitted to the Washington State Department of Ecology for review and approval. This ordinance shall become effective on the date that the Department of Ecology issues formal approval of the ordinance.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE \_\_\_\_ DAY OF \_\_\_\_\_ 2009.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Don Gerend

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Melonie Anderson, City Clerk

Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk:

Public Hearing:

First Reading:

Public Hearing:

Passed by the City Council:

Date of Publication:

Effective Date:

**TABLE A – Completed and Combined**  
City Council direction from September 8 and 15, 2009

Row	Section/page	Description	Staff comment
<b>Topic 1: Nonconformance/Shoreline Setback</b>			
A	25.08.100 and 25.06.020	Setback line: <ul style="list-style-type: none"> <li>Trace around the footprint of legally constructed homes that exist within the proposed setback; and</li> <li>Allow movement of structure that doesn't increase non-conformance</li> </ul>	Not adopted
B	25.08.020 (8) and (11)	Add language that ensures the 200 foot exemption is not used more than once	Adopted
<b>Topic 2: Setback Uses (including structures)</b>			
A	25.02.010	Change definition of structure to match definition from the Sammamish development code rather than WAC definition;	Not adopted
B	25.02.010	Use state definitions for consistency and to reduce ambiguity	Adopted
C	25.06.020(7)	Only water dependant uses, shore access, and uses that can only be located in the shoreline setback unless there is a hardship that justifies a reduction in width should be allowed;	Not adopted
D	25.06.020(7)	Delete "water-oriented" to allow accessory structures within the setback such as picnic tables and barbeque pits.	Adopted
E	25.06.020 and 25.07.080	Ensure that accessory structures may be located inside the Vegetation Enhancement Area but only within the active use area	Adopted
F	25.07.080	Create a specific allowance for concrete paths within the setback.	Not adopted

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
<b>Topic 3: Vegetation Enhancement Area/Shoreline Setback –All Lakes</b>			
A	25.06.020 (8) and (11)	<p>All lakes:</p> <ul style="list-style-type: none"> <li>• Maintain a minimum shoreline setback of 30 feet, after applying all reductions (including those for planting, bulkhead removal, and inclined fill)</li> <li>• Ensure that all new development or expansion within shoreline jurisdiction is subject to VEA requirements.</li> <li>• Do not allow VEA relocation or reduction except for active use area allocation.</li> </ul>	Not adopted
B	25.06.020(11)	Pine & Beaver: Ensure that all new development or expansion within the shoreline jurisdiction is subject to VEA requirements	Not adopted
C	25.06.020(11)	Pine & Beaver: Encourage, rather than require, a 15 foot VEA	Adopted
D	25.06.020(11)	<p>P&amp;B: If a 15 foot VEA is retained</p> <ul style="list-style-type: none"> <li>○ decrease width to 5 feet; and</li> <li>○ allow expansion of homes partially in the setback to expand outside the setback without a VEA; and</li> <li>○ allow VEA relocation at a 1:1 ratio;</li> </ul>	Not adopted
E	25.06.020(11)	P&B: offer a variety of mitigation options (LID, reduced impervious surface) for reduction of VEA to 5 feet	Not adopted
F	25.06.020(9)(a)	Replace “feasible” with “reasonable”	Adopted

**TABLE A – Completed and Combined  
City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
G	25.06.020(9) and Table 1	Lake Sammamish setback reductions <ul style="list-style-type: none"> <li>• Delete requirement to remove bulkhead first if feasible, and instead place VEA at top of list, and</li> <li>• Revise language as in SHO draft</li> </ul>	Not adopted
H		OR <ul style="list-style-type: none"> <li>• Use list from current CAO where any combination of techniques if allowed</li> </ul>	Not adopted
I	25.06.020(9) and Table 1	Delete 25.06.020(10((a). Have a menu choice system that is ordered by setback reduction rather than priority of use.	Adopted
		(Combine SHO draft and CC draft language as follows)	Adopted
		1. 10 feet – For establishment of a 15-foot VEA along the shoreline.	
		2.	
		a. 15 feet – For removal of an existing bulkhead located at, below, or within five feet landward of the lake’s ordinary high water mark (OHWM) and subsequent restoration of the shoreline to a natural or semi-natural state, including the restoration of topography, soil composition, and vegetation; or	Adopted
	b. 15 feet – For restoration of the shoreline to a natural of seminatural state if no bulkhead is present, but other existing unnatural shoreline contours are present; or	Adopted	
	c. 15 feet – For preservation of the existing natural shoreline conditions if no bulkhead or other unnatural shoreline features are present.	Adopted	

**TABLE A – Completed and Combined  
City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
		3. 10 feet – For establishment of at least a 5 foot width of native vegetation along the entire waterward side of a modified bulkhead, including the use of small gravel or rock fill, as part of an Army Corps of Engineer approved plan and in compliance with all WDFW and other appropriate agency regulations.	Adopted
		4. 5-10 feet – Reduction of 5 feet for impervious surface coverage 10 percent less than the city standard (45% rather than 55% coverage) or 10 feet for coverage 20 percent less than the city standard (35% rather than 55% coverage).	Adopted
		5. 5 feet - For limiting lawn area to no greater than 20 percent of the shoreline jurisdiction area.	Adopted
		6. 1-10 feet –For every 50 square feet of native planting area added landward of and adjacent to the VEA, 1 foot reduction (up to 10 feet maximum reduction).	Adopted
		7. 5 feet – For preservation of existing native vegetation or restoration of native vegetation, as necessary, in a minimum 5 foot wide nearshore area below the lake’s OHWM.	Adopted
		8. 5 feet – For preparation of, and agreement to adhere to a written shoreline vegetation management plan that includes appropriate limitations on the use of fertilizer, herbicides, and pesticides to protect lake water quality.	

**TABLE A – Completed and Combined**  
City Council direction from September 8 and 15, 2009

Row	Section/page	Description	Staff comment
<b>Topic 4: Docks and Moorage Structures/Boat Launches</b>			
A	25.07.050(2)	<ul style="list-style-type: none"> <li>• Increase private dock size to 600 sq ft (LS)</li> </ul>	Adopted
B	25.07.050(2)	<ul style="list-style-type: none"> <li>• Increase joint-use dock size to 800 sq ft (LS)</li> </ul>	Adopted
B	25.07.050(2)	<ul style="list-style-type: none"> <li>• Change dock length to COE standard (LS)</li> </ul>	Adopted
D	25.07.050(3)	<ul style="list-style-type: none"> <li>• Increase private dock size to 600 sq ft (P/B)</li> </ul>	Adopted
E	25.07.050(3)	<ul style="list-style-type: none"> <li>• Change dock length to 8-foot depth or 80 feet length (P/B)</li> </ul>	Adopted
F	25.07.050(1)	<ul style="list-style-type: none"> <li>• Eliminate 15 ft side setback requirement for docks, lifts, buoys, floats</li> </ul>	Not adopted
G	25.07.050(1)	Add similar threshold as in the PC draft: If the total value of addition or reconstruction is greater than 75% of the existing value, the property owner(s) would need to conform with all provisions for new construction of this Program.	Not adopted
H	25.07.050 (1)	Require joint use docks for new subdivisions in Urban Conservancy designation;	Not adopted
I		OR Require joint use docks for all new subdivisions (UC and SR)	Adopted
J	25.07.050	Recommend that a no net increase in dock area be adopted. If it is not adopted, then the adverse impacts of new and larger docks should be mitigated.	Not adopted
<b>Topic 5: R4 instead of SMP (see Development Regulations below)</b>			

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
K	25.07.080(4)	Use city code (R4) for shoreline interior setbacks rather than 15% lot width setback requirement for Lake Sammamish	Not adopted
L	25.07.080(5)	Use city code (R4) for fence height regulation, eliminating height limit of 6 ft in shoreline jurisdiction	Not adopted
M	25.07.080(5)	Limit fences to 6 feet within the shoreline setback and use city code for the rest of shoreline jurisdiction (Richardson 9/07/09)	Not adopted
<b>Topic 6: Other</b>			
A	25.01.090	Delete Liberal Construction	Not adopted
B	25.08.050(6)	Allow residents to apply for shoreline variances when a use/development is prohibited by SMP (SHO)	Not adopted
C	25.02.010(52)	Remove the reference to “mean high water mark” from the definition of Ordinary High Water Mark (Cross)	Not adopted
D	25.02.010(18)	Add “revetments” into definition of bulkhead alternative: (Bulkhead alternatives) may consist of large rocks <u>or</u> <u>revetments</u> integrated with vegetation and other materials	Adopted
<b>Topic 7: Public Access/Public Recreation</b>			

**TABLE A – Completed and Combined  
City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
A	25.06.030(2)	Change to ensure public access complies with state law: <ul style="list-style-type: none"> <li>• New physical public access is <del>not</del> required for new single-family residential subdivisions <u>that will create more than four lots and residential developments of more than four housing units;</u> and</li> <li>• <u>Commercial and other nonresidential uses shall provide physical public access.</u></li> </ul>	Not adopted
B	25.06.030(2)	OR <ul style="list-style-type: none"> <li>• <del>New physical public access is not required for new single-family residential subdivisions.</del></li> </ul>	Adopted
C	25.06.030	Delete: Requirements for overwater public access facilities to be constructed of light penetrating and non-contaminating materials	Not adopted
D	25.06.030(4)	No new right or covenant shall be construed as being granted through or across private property under these regulations.	Not adopted
<b>Topic 8: Impervious Surface and LID</b>			
<b>Topic 9: Designations – Urban Conservancy</b>			
A	25.07.010	Reconsider requirements for UC such as subdivision limitation, dock spacing, increased setbacks	Not adopted
B	25.07.010	Remove the Urban Conservancy designation from the SMP	Adopted
C	Various	Offer a menu of options for increased protection of Urban Conservancy designated lots including: <ul style="list-style-type: none"> <li>• Impervious surface reduction</li> <li>• Setbacks enlargement</li> <li>• Vegetation beyond base requirement</li> <li>• LID</li> </ul>	Not adopted
<b>Topic 10: Citywide CAO/other revisions</b>			

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
A	21A.50.290	Adopt wetland buffers consistent with one of Ecology’s recommended alternatives in Appendix 8-C: Guidance on Widths of Buffers and Ratios for Compensatory Mitigation for Use with the Western Washington Wetland Rating System.	Not adopted
B	No SMP reference	Consider a City-wide ban on phosphorus fertilizer	Future consideration
C	25.08.100(1)(e)(i)	Change to two years: The owner(s) submit a complete application within <u>twenty-four (24)</u> <del>twelve (12)</del> months of the date the damage occurred;	Adopted in SMP Future consideration city-wide
<b>Topic 11: Council Member Amendments not otherwise included</b>			
A	25.07.080(4)	Allow an access easement across subdivided lots for parcels created landward from the new shoreline lot: <ul style="list-style-type: none"> <li>For lots fronting directly on the OHWM, the lot width circle shall touch the OHWM. <u>An access easement may be included in the lot width circle.</u> <del>provided that an access easement shall not be included within the circle.</del></li> </ul>	Adopted
<b>Topic 12: Introduction/Applicability</b>			
<b>Topic 13: Critical Areas Regulations</b>			
A	25.01.070	<p>Delete: <del>(1)The Sammamish Critical Areas Ordinance codified in SMC 21A.50 as amended on / / (ordinance number) is hereby adopted as a part of this Program.</del></p> <p><del>(2)Uses, alterations and developments within the shoreline jurisdiction that are subject to the Reasonable Use Exception provisions of SMC 21A.50.070(2) shall also be subject to the shoreline variance requirements in this Program.</del></p> <p>Replace with: Shorelines of the state shall not be considered critical areas except to the extent that specific areas located within shorelines</p>	Not adopted

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
B		of the state qualify for critical area designation based on the definition of critical areas provided by RCW 36.70A.030(5) and have be designated as such by the Sammamish Critical Areas Ordinance, SMC 21A.50. (RCW 36.70A.480(5)). All critical areas within the shoreline jurisdiction shall be regulated by the Sammamish Critical Areas Ordinance SMC 21A.50.	
<b>Topic 14: Definitions not in other sections</b>			
<b>Topic 15: Goals and Policies not in other sections</b>			
A	25.03.030(1) Public Access Goals	Change existing and add new goal: Provide opportunities for physical and visual public access to public shorelines when such access can be reasonably accommodated without human health, safety, and/or security risks, while minimizing adverse effects on shoreline functions and processes, <del>private property rights, and/or neighboring uses.</del> <u>(5) Protect private shoreline property owners from damage or liability related to public or other private access or use of the shorelines.</u>	Not adopted
B	25.04.040(1) Public Recreation Goals	Change existing and add new goal: Locate public recreational uses in shoreline areas that can support those uses without risks to human health, safety, and/or security, while minimizing effects on shoreline functions and processes, <del>private property rights, and/or neighboring uses.</del> <u>(5) Protect private shoreline property owners from damage or liability related to public or other private access or use of the shorelines.</u>	Not adopted
C	25.04.010(4)(b) Public Access Policies	Change: The design of all public shoreline access areas should <del>attempt to minimize potential impacts to</del> <u>not infringe on</u> private property <u>rights</u> .	Not adopted

**TABLE A – Completed and Combined**  
City Council direction from September 8 and 15, 2009

Row	Section/page	Description	Staff comment
<b>Topic 16: Jurisdiction and Environmental Designations &amp; General Shoreline Regulations - Environmental Protection and Conservation</b>			
A	25.06.020(5) Mitigation	Change: Property owners proposing new shoreline use or development <u>within the shoreline setback</u> shall mitigate adverse environmental impacts in accordance with this Program.	Not adopted
B	25.06.020(5) Mitigation	Delete: <del>Mitigation measures shall be implemented in the sequence prescribed in SMC 21A.50.135, and mitigation provisions in SMC 21A.50.140 and SMC 21A.50.145 shall apply.</del>	Adopted
C	25.06.020(7) Shoreline Setback	A shoreline setback is established for Lake Sammamish, Pine Lake, and Beaver Lake. The shoreline setback area is the area extending forty-five (45) feet <u>(or as reduced by SMC 25.06.020(10))</u> landward from the OHWM.	Adopted
D	25.06.020	Revise partial exemption language to allow expansion in the “shadow” only.	Adopted
E	25.06.020(9)(c) Lake Sammamish Reduced Shoreline Setback	Reduction measures shall be installed, monitored, maintained and city inspected. <u>The monitoring period shall be five (5) years.</u> <del>Mitigation provisions in SMC 21A.50.140 and SMC 21A.50.145 shall apply and financial guarantees pursuant to SMC 21A may be required.</del>	Not adopted

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
F G	25.06.050(1) Restoration regulations	Change: Deletion of “all” from the following; and Additions of “new” as follows: (1) <del>Shoreline</del> <u>New shoreline</u> uses and developments (and their related construction processes) shall incorporate all known, available, and reasonable methods of preventing, controlling, and treating stormwater (3) To avoid water quality degradation by malfunctioning or failing septic systems located in the shoreline jurisdiction, <u>new</u> on-site sewage systems shall be located, designed, and maintained to meet all applicable water quality, utility, and health standards. (4) <del>Structures</del> <u>New structures</u> installed below OHWM or that regularly and frequently come in contact with water shall be constructed of Washington Department of Fish and Wildlife (WDFW)-approved materials.	Not adopted Adopted
<b>Topic 17: Use/Development Regulations</b>			
A	25.07.020 Dredging Regulations	Change: Dredging may be permitted when necessary to support the following: <del>Bio-engineered shoreline stabilization projects, including bio-engineered shoreline stabilization</del> associated with private residential developments.	Not adopted

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
B	25.07.030(5)(c) & (new) Filling Regulations	Change: Filling waterward of the OHWM shall <del>only</del> be allowed when necessary to support one or more of the following: (c) <del>Bio-engineered shoreline stabilization projects, including bio-engineered shoreline stabilization</del> associated with private residential developments. (new) <u>When associated with a state approved water-related development or use</u>	Not adopted
C	25.07.030(5)(c) & (new)	Filling waterward of the OHWM shall only be allowed when necessary to support one or more of the following: (c) Bio-engineered shoreline stabilization projects, including bio-engineered shoreline stabilization associated with private residential developments. <u>(new) When associated with a permitted or conditional use and as required by state or federal agencies.</u>	Adopted
D	25.07.030(6)	<del>Delete: Fill or excavation shall not be located where structural shore stabilization will be required to maintain materials placed or removed. Disturbed areas shall be immediately stabilized and revegetated, as applicable.</del>	Not adopted
E	25.07.070(1) (e) Shoreline Stabilization	Change: No gabions <u>subject to corrosion</u> , motor vehicles, appliances, structure demolition debris, or solid waste of any kin shall be used for shoreline stabilization.	Not adopted

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
F	25.07.070(2)	Change: Such alternatives (bulkhead alternatives and bio-stabilization) include large rocks, <del>logs, revetments,</del> and other natural materials integrated with native vegetation to prevent erosion of land into the lakes.	Not adopted
G	25.07.070(2)	Change: Such alternatives (bulkhead alternatives and bio-stabilization) include large rocks, logs, <u>revetments</u> and other natural materials integrated with native vegetation to prevent erosion of land into the lakes.	Adopted
H	25.07.080(6) subdivision	Change: In addition, landward portions of <del>all lots</del> <u>the shoreline lot</u> created through subdivision shall have a minimum size of twelve thousand five hundred (12,500) square feet	Not adopted
I	25.07.100(8) Transportation regulation	Change: Parking facilities shall be located and designed to minimize adverse environmental impacts, <del>including, but not limited to</del> <u>and consider the following:</u> (a) Stormwater runoff; and (etc)	Not adopted
<b>Topic 18: Permit Criteria</b>			
A	25.08.010(4)	Change: A new use or development that is <del>unlisted or</del> listed as a “conditional use” pursuant to this Program, must obtain a conditional use permit even if the development or use does not require a substantial development permit.	Not adopted

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
B	25.08.030(3) Permits – exemptions from a Substantial Development Permit	Change: Exemptions shall be construed narrowly. Only those developments that meet the <del>precise terms</del> <u>intent</u> of one or more of the listed exemptions may be granted exemptions from the substantial development permit process.	Not adopted
C	25.08.050(5) Permits – exemptions from a Substantial Development Permit	Delete: <del>Proposals that qualify as a Reasonable Use Exception pursuant to SMC 21A.50.070(2) shall require a shoreline variance.</del>	Moved to Table B.
D	25.08.050(6) Permits – exemptions from a Substantial Development Permit	Delete: <del>In the granting of all shoreline variances, consideration shall be given to the cumulative environmental impact of additional requests for like actions in the area. For example, if variances were granted to other developments in the area where similar circumstances exist, the total of the variances should also remain consistent with the policies of RCW 90.58.020 and should not produce significant adverse effects to the shoreline ecological functions and processes or other users.</del>	Not adopted
<b>Topic 19: Shoreline Jurisdiction/Designations</b>			
A	Designation maps	Change: Nelson, Barrett, Pizzo, Kaczynski, Renbarger, Pascal, Lo, Wiggers, and Pine Brook Meadows properties from Urban Conservancy to Shoreline Residential	Redundant

**TABLE A – Completed and Combined**  
**City Council direction from September 8 and 15, 2009**

Row	Section/page	Description	Staff comment
B	25.05.010(2)	Change: The OHWM shall be determined based on site-specific observation and assessment using accepted protocols and criteria <del>established by the Department of Ecology defined by RCW 98.58.030(2)(b).</del>	Not adopted
C	25.05.010(2)	Change: The OHWM shall be determined based on site-specific observation and assessment using accepted protocols and criteria established by the Department of Ecology <u>in accordance with RCW 98.58.030(2)(b).</u>	Adopted
D	25.05.020(3)	Change: The map does not necessarily identify or depict the <del>lateral</del> <u>landward</u> extent of shoreline jurisdiction or all associated wetlands.	Not adopted
E	25.05.020(3)	Change: The map does not necessarily identify or depict the <u>actual</u> extent of shoreline jurisdiction or all associated wetlands.	Adopted
F	25.08.050 (5)(6)(6)(9)	<p>Delete: Proposals that qualify as a Reasonable Use Exception pursuant to SMC 21A.50.070(2) shall require a shoreline variance.</p> <p>Delete: Consideration to the cumulative environmental impact of additional requests when granting shoreline variances.</p> <p>Change: Allow application for variance for use/development that is specifically prohibited</p>	<p>Redundant</p> <p>Redundant</p> <p>Redundant</p>

Row	Section/page	Description	Staff comment
<b>Topic 1: Nonconformance/Shoreline Setback</b>			
B-1	25.08.100(1)(f)	Insert CAO provision that allows non-conforming structures to be moved to area of least impact	OK
B-2	25.02.010	Clarify the definition of Replacement: Replacement means to rebuild using new materials.	OK
B-3	25.07.070	Add a new subsection that specifically allows for the in-kind repair and maintenance of existing stairs on the water-ward side of existing bulkheads.	OK
<b>Topic 2: Structures in setbacks</b>			
B-4	25.01.060(2)	Replace new text regarding prioritization of definitions with original text from PC draft	OK
B-5	25.07.080(2)(b)(i)	Change area of accessory structures from 150 sq ft to 200 sq ft, and increase height from 8 feet to 10 feet	OK
B-6	25.07.080(2)(b)(i) p 59	Clarify that non-fixed landscaping features are not regulated: single and clustered rocks used in landscaping, birdhouses, and temporary non-fixed items such as party tents, umbrellas, outdoor furniture, and garden boxes, planters, and temporary trellises	OK
<b>Topic 3: Vegetation Enhancement Area / Shoreline Setback (all lakes)</b>			
B-7	25.06.020(14)	Change: Notice on Title. Any lot required to maintain a vegetation enhancement area shall record a notice on the title consistent with SMC 21A.50.180.	OK Staff notes that VEAs are only required on Lake Sammamish
B-8		Delete partial exemption language specific to Lake Sammamish and add language necessary for 200-1000 sq ft allowance	OK

Row	Section/page	Description	Staff comment
<b>Topic 4: Docks and Moorage Structures/Boat Launches</b>			
B-9	25.08.100(1)(a)	Add new word: Reconstruction, <u>replacement</u> , or expansion of the exterior envelope of an existing, legally established non-conforming structure is allowed provided that...	<b>OK</b> ; Replacement already allowed under non-conforming. Staff will clarify language.
B-10	25.04.020(2)(b)	Change: <del>Private</del> <u>New private</u> docks, floats, and lifts should not be placed in locations where they will impact critical habitats where alternative locations are available.	<b>OK</b>
B-11	25.07.040(1)	Change: Existing legally established launch ramps and rails associated with private residential development may be maintained and repaired <del>provided the repair and maintenance meet all of the requirements of this section and the non-conforming use provisions in SMC 25.08.100.</del>	<b>OK</b>
<b>Topic 5: R4 instead of SMP (see Development Regulations below)</b>			
<b>Topic 6: Other</b>			
B-12	25.01.050(6)(b)	Delete and change: By including policies and regulations that require mitigation of adverse impacts in a manner that ensures no net loss of shoreline ecological functions. <del>The required mitigation shall include avoidance, minimization, and compensation of impacts in accordance with the policies and regulations for mitigation sequencing in in a manner that is consistent with</del> <u>WAC 173-26-201(2)(e)(i);</u>	<b>OK</b>
B-13	25.07.030(5)	Add: Filling waterward of the OHWM shall only be allowed to support one or more of the following: <u>(new) When associated with a state approved water-related development or use.</u>	<b>OK</b>

Row	Section/page	Description	Staff comment
Supplement: B-14	25.04.010(7)(a) 25.04.020(2)(a) 25.04.020(5)(g) 25.07.020(3)(b) 25.07.070(1)(a) 25.08.050(6)	Removes “and processes” from the phrase “ecological functions and processes,” where protection is not associated with critical areas (that are distinct from lakes) or public lands.	OK
B-15	25.04.010(2)(d)	Removes “or processes”: In assessing the potential for net loss of ecological functions <del>or processes</del> , both project-specific and cumulative impacts should be considered in accordance with WAC 173-26-186(8)(d).	OK
<b>Topic 7: Public Access/Public Recreation</b>			
B-16	25.07.100(6)	Ensure that parking for a regional trail is allowed within the shoreline jurisdiction.	OK
<b>Topic 8: Impervious Surface and LID</b>			
B-17	25.06.020	Reduce the impervious surface limits for small lots in Shoreline jurisdiction to 55%	OK
<b>Topic 9: Designations – Urban Conservancy</b>			
<b>Topic 10: Citywide CAO/other revisions</b>			
B-18	21A.50.060 (a) and (b)	"lakes" need to be removed; the word is not used later in the document in this context. "Lakes and Ponds" is replaced by "Ponds" and "Other Lakes and Ponds" in replaced by "Naturally Occurring Ponds" in 21A.50.351.	OK - Partial exemption language to be inserted in SMP
B-19	21A.50.060	"areas, or shoreline setbacks required by the Sammamish Shoreline Master Program," which was inserted, needs to be removed. The 21A.50.060 (a) and (b) text should be moved into the SMP and modified to clearly state how it applies to lakes. For example, the 1000 sq ft addition allowed by (b) should not be allowed to be closer to the lake.	OK - Partial exemption language to be inserted in SMP
B-20	21A.50.400	The sunset clause should not be eliminated by the SMP update.	OK

Row	Section/page	Description	Staff comment
<b>Topic 11: Council Member Amendments not otherwise included</b>			
<b>Topic 12: Introduction/Applicability</b>			
B-21	25.01	Change introduction: The overarching goal is <del>to protect and enhance the shoreline environment upon which the region's aesthetic and environmental values depend</del> meant to strike a balance among private ownership, public access, and public protection of the State's shorelines.	OK
B-22	25.01	Change: New uses and developments ( <i>will be</i> ) designed to avoid and/or mitigate for impacts to the environment	OK
B-23	25.01	Change: Existing legally established uses and developments <del>generally</del> are allowed to continue as "grandfathered."	OK
B-24	25.01	Change: The SMA Guidelines require that an SMP result in "no net loss" of shoreline ecological functions. This SMP accomplishes that requirement <del>systematically</del> through <u>its</u> goals, policies, and regulations noted above <del>as well as a</del> providing restoration <u>program and enhancement</u> incentives to offset the cumulative impacts of <u>new</u> shoreline uses and developments over time.	OK
B-25	25.01.030(4)	Change: insert "new" - Existing lawfully established uses and developments are not subject to regulations of this Program until or unless there is a change in use or <u>new</u> development <del>proposal</del> .	OK
<b>Topic 13: Critical Areas Regulations</b>			
<b>Topic 14: Definitions not in other sections</b>			
B-26	25.08.010	Change: Moorage structure. Moorage structure means any <del>fixed structure or device, including but not limited to docks, piers, moorage piles, and buoys, and boat lifts</del> placed at or below the OHWM and designed to provide for the moorage of boats or other	OK

Row	Section/page	Description	Staff comment
		watercraft or vessels.	
B-27	25.02.010	Change: Shoreline stabilization. Shoreline stabilization means actions taken to prevent or mitigate erosion impacts to property, dwellings, businesses, or structures caused by shoreline processes such as currents, floods, tides, wind or wave action. Shoreline stabilization includes but is not limited to structural armoring approaches such as bulkheads <del>and walls</del> , <u>bulkhead alternatives</u> and nonstructural approaches such as bio-engineering.	OK
<b>Topic 15: Goals and Policies not in other sections</b>			
B-28	25.03.060(New) Restoration and Enhancement Goals	Add: <u>Restore natural ecological or shoreline functions, to the extent reasonable, while pursuing shoreline use goals set forth in sections 25.03.040 and 25.03.050.</u>	OK
B-29	25.04.010(7)(b) Vegetation Conservation Policies	Change: Clearing and thinning <del>for view corridors</del> should be limited to minimize adverse impacts on ecological functions and values and protect slope stability.	OK
B-30	25.04.010(9)(a) Views and Aesthetic Policies	Change: New shoreline uses and developments should be <del>designed and maintained</del> encouraged to minimize obstructions of the public's visual access to the water and shoreline from public lands, rights-of way and other public property.	OK
B-31	25.04.020(2) Docks (etc) Policies	Change: (a) <del>Public</del> <u>New public</u> and private docks, floats, mooring buoys and lifts should be designed and constructed with appropriate mitigation as required by this Program to ensure no net loss of ecological processes and functions. (b) <del>Private</del> <u>New private</u> docks, floats, and lifts should not be placed in locations where they will impact critical habitats where alternative locations are available. (c) <del>Shared</del> <u>New shared</u> or joint-use docks <del>and floats</del> are preferred	OK

Row	Section/page	Description	Staff comment
		over single-user docks <del>where feasible.</del>	
B-32	25.04.020(5)(c) Shoreline stabilization Policies	Change: Shoreline stabilization including bulkheads and bulkhead alternatives should be located, designed, and maintained to minimize adverse effects on shoreline ecology, including effects on the project site and adjacent properties <u>over time</u> . Probable effects of proposed shoreline stabilization on ongoing shoreline processes and functions should be fully evaluated for consistency with this Program <del>so that appropriate measures can be identified and implemented.</del>	OK
B-33	25.04.050(1) Transportation	Change: New public transportation uses and facilities should be located outside of the shoreline jurisdiction unless alternative locations are infeasible or the transportation facility is required to serve water-dependent <del>or</del> public uses.	OK
<b>Topic 16: Jurisdiction and Environmental Designations &amp; General Shoreline Regulations - Environmental Protection and Conservation</b>			
B-34	25.06.020(6)(d) Building Setback	Change: (The following may be allowed) Impervious ground surfaces, such as driveways and patios, <del>provided that such improvements may be subject to special drainage provisions adopted for all critical areas;</del>	OK
B-35	25.06.020(8)(a) (i) Lake Sammamish VEA	Property owners shall be required to establish and maintain the vegetation enhancement area: (i) If they propose to construct or expand the footprint of a residential structure that is located entirely or partially in the standard shoreline setback <u>such that the expanded footprint within the shoreline setback will increase</u> by more than two hundred (200) square feet of footprint including when using the partial exemption <del>process of SMC</del>	OK

Row	Section/page	Description	Staff comment
		<del>21A.50.060(1)(a) or (b)</del> 25.06.020(8);	
B-36	25.06.020(8)(a) (ii) Lake Sammamish VEA	(ii) If they propose to construct or expand <del>a</del> <u>an existing</u> bulkhead or other stabilization structure by more than ten percent (10%).	OK
B-37	25.06.020(8)(a) (iii) Lake Sammamish VEA	(iii) Excluded from this requirement are changes to a structure that do not expand the <u>envelope footprint of the structure, such as reroofing, interior remodel, and landscape maintenance or pruning trees.</u> Also excluded from this requirement is rebuilding in the same footprint plus <u>up to two hundred (200) square feet of additional footprint area within the shoreline setback providing the additional footprint area is not closer to the lake.</u>	OK
B-38	25.06.020(8)(b) Lake Sammamish VEA	The vegetation enhancement area, <u>excluding the active use area,</u> shall be planted or maintained with at least seventy-five percent (75%) <u>by area</u> of the vegetation consisting of native trees, shrubs, and groundcover designed to improve ecological functions. Up to twenty-five percent (25%) <u>by area</u> of the vegetation in the vegetation enhancement area may be composed of non-native or ornamental plantings.	OK
B-39	25.06.020(9) Lake Sammamish Reduced Shoreline Setback	Lake Sammamish Reduced Shoreline Setback. The Lake Sammamish shoreline setback may be reduced in accordance with this Program and as shown in the Table 1 below. <del>The reduced shoreline setback must provide equal or greater protection of lake functions than the standard shoreline setback.</del>	OK
<b>Topic 17: Use/Development Regulations</b>			
B-40	25.07.010(1) Summary of Uses	Add and Delete: <u>Table 3 summarizes the dimensional standards for each lake.</u> <del>Uses not addressed in the program shall be conditional uses.</del> <del>Specific regulations for each use/development are provided in the subsequent section.</del>	OK

Row	Section/page	Description	Staff comment
B-41	25.07.050(2) Lake Sammamish	The following requirements apply to all <u>new</u> private docks, floats, and lifts on Lake Sammamish, including shared/joint-use facilities and beach club facilities. <del>These apply in addition to the regulations in SMC 25.07.050(1).</del>	OK
B-42	25.07.050(3) Pine and Beaver Lakes	Each individual residential lot on Pine and Beaver Lake shall be allowed <del>no more than one (1) of each of the following moorage structures:</del> one (1) residential dock, and one (1) float.	OK
B-43	25.07.070(4)	Change that eliminates technical assessments for bulkhead alternative and bioengineered shoreline stabilization: To comply with regulation SMC 25.07.070(2) <del>and</del> (3) of this section, the property owner shall provide technical reports	OK
B-44	25.07.080(6) subdivision	Change: Divide run on sentence into two sentences.	OK
<b>Topic 18: Permit Criteria</b>			
B-45	25.08.050(5) Permits – exemptions from a Substantial Development Permit	Delete: <del>Proposals that qualify as a Reasonable Use Exception pursuant to SMC 21A.50.070(2) shall require a shoreline variance.</del>	OK
B-46	25.08.050(9) Permits – exemptions from a Substantial Development Permit	Delete: <del>The burden of proving that a proposed shoreline variance meets these conditions shall be on the applicant; absence of such proof shall be grounds for denial of the application.</del>	OK
B-47	25.08.040 (4)	Change: addition of reference for formal appeal process	OK
<b>Topic 19: Shoreline Jurisdiction/Designations</b>			

TABLE C

Row	Section/page	Description	Staff comment
<b>Topic 4: Docks and Moorage Structures/Boat Launches</b>			Douglas/ staff
C-1	25.07.050(2)	Clarify dock length on Lake Sammamish: 80 foot length or as needed to reach a depth of 8 feet	Staff research shows that the COE does not have a limit on dock length with a case by case review of docks longer than the average of adjacent docks. Staff suggests using the 8 foot depth and 80 foot length as was adopted for Pine and Beaver lakes.
<b>Topic 20: Loose Ends</b>			
C-2	25.02.010	Replace: <del>Grading means any excavation, filling, removing the duff layer or any combination thereof (SMC 21A15.565);</del> with  Grading means the movement of redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land (WAC 173-26-020).	Staff is OK with the change to the state definition.
C-3	25.06.020	Delete or Change. Exterior lighting shall not shine directly onto the water. Exterior lighting fixtures shall include full cut off devices such that no glare or direct illumination extends <del>across property lines or</del> onto the lake.	Staff is OK with the proposed change.

**DRAFT**  
**CITY OF SAMMAMISH**  
**WASHINGTON**  
**ORDINANCE NO. O2009 - \_\_\_\_**

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AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING CHAPTER 21A.50 (ENVIRONMENTALLY CRITICAL AREAS), OF THE SAMMAMISH MUNICIPAL CODE

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, the adopted City of Sammamish Comprehensive Land Use Plan supports the protection of environmentally critical areas through the adoption of development regulations; and

WHEREAS, the City Council adopted Ordinance O2005-193, which amended the Sammamish Municipal Code to update the City's environmentally critical area regulations to meet the requirements of RCW 36.70A.020, RCW 36.70A.172, and WAC 365-195-900 through 925; and

WHEREAS, prior to adopting Ordinance O2005-193, the City Council undertook an extensive Best Available Science (BAS) review and public process in accordance with the requirements of the GMA, developed Sammamish Municipal Code amendment drafts, prepared environmental documents in accordance with the requirements of the State Environmental Policy Act (SEPA), and held meetings and hearings throughout the code development process; and

WHEREAS, the City Council intends to adopt a new Shoreline Master Program on September 15, 2009, consistent with the requirements of RCW 90.58, WAC 173-26, and WAC 173-27; and

WHEREAS, the new Shoreline Master Program provides for protection and development standards on Lake Sammamish, Pine Lake, and Beaver Lake that are equivalent to, or provide greater protection than, the protection and development standards contained within Ordinance O2005-193; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non Significance for the proposed 2009 Shoreline Master Program and associated SMC 21A.50 (Critical Areas) amendments was issued on August 26, 2009; and

WHEREAS, in accordance with WAC 365-195-620, a notice of intent to adopt the proposed Sammamish Shoreline Master Program was received by the State of Washington Department of Community, Trade and Economic Development on August 18, 2009; and

WHEREAS, development applications are reviewed for compliance with these regulations; and

WHEREAS, the public process for the proposed amendments has provided for public participation opportunities; and

WHEREAS, the City Council considered the proposed amendments at a City Council public hearing conducted on September 1, 2009.

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

**Section 1. Amendments to the Municipal Code.** The municipal code amendments set forth in Attachment "A" to this ordinance are hereby adopted.

**Section 2. Interpretation.** The City Council authorizes the Community Development Director to administratively interpret these provisions as necessary to implement the intent of the Council.

**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 be transmitted to the Washington State Department of Ecology for review and approval. This ordinance shall become effective on the date that the Department of Ecology issues formal approval of the ordinance.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 2009.**

CITY OF SAMMAMISH

\_\_\_\_\_  
Mayor Don Gerend

ATTEST/AUTHENTICATED:

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Melonie Anderson, City Clerk

Approved as to form:

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Bruce L. Disend, City Attorney

Filed with the City Clerk:  
Public Hearing:  
First Reading:  
Public Hearing:  
Passed by the City Council:  
Date of Publication:  
Effective Date:



## ATTACHMENT A

- SMC 21A.50.060(1) - Partial Exemptions.
- SMC 21A.50.210 - Building Setbacks.
- SMC 21A.50.290(2) - Wetlands – Development Standards.
- SMC 21A.50.351 - Lakes and ponds – Development standards.
- SMC 21A.50.352 - Lake Sammamish buffer – Permitted alterations.

“Plain Text” is existing code language

“~~Strikethrough Text~~” is existing language that will be deleted

“Underline Text” is code language that will be added

**21A.50.060 Partial exemptions-Critical Areas.**

- (1) The following developments, activities and uses are exempt from the review process of this chapter, except for the notice on title provisions, SMC 21A.50.180 and 21A.50.190, and the frequently flooded areas provisions, SMC 21A.50.230, and provided such exempt activities are otherwise consistent with the purpose of this chapter and other applicable regulations. The director may apply conditions to an underlying permit or approval to ensure that the activities are consistent with the provisions of this chapter.
  - (a) Structural modification of, addition to or replacement of existing legally created structures, except single detached residences in existence before November 27, 1990, which do not meet the building setback or buffer requirements for wetlands, streams, lakes, ponds or landslide hazard areas if the modification, addition, replacement or related activity does not increase the existing footprint of the structure lying within the above-described building setback area, critical area or buffer.
  - (b) Structural modification of, addition to or replacement of legally created single detached residences and improvements constructed on existing associated legally created impervious surfaces in existence before November 27, 1990, which do not meet the building setback or buffer requirements for wetlands, streams, lakes, ponds or landslide hazard areas if the modification, addition, replacement or related activity does not increase the existing total footprint of the residence and associated impervious surface lying within the above-described buffer or building setback area by more than 1,000 square feet over that existing before November 27, 1990, and no portion of the modification, addition or replacement is located closer to the critical area or, if the existing residence is in the critical area, extends farther into the critical area.
  - (c) Maintenance or repair of structures that do not meet the development standards of this chapter for landslide or seismic hazard areas if the maintenance or repair does not increase the footprint of the structure and there is no increased risk to life or property as a result of the proposed maintenance or repair.
  - (d) Select Vegetation Removal Activities. The removal of the following invasive vegetation is allowed with hand labor and/or light equipment; provided, that the appropriate erosion-control measures are used and the area is replanted with native vegetation according to a restoration or enhancement plan that has been approved by the City of Sammamish:
    - (i) Noxious weeds as identified by Washington State or King County noxious weed lists;
    - (ii) Himalayan blackberry (*Rubus discolor*, *R. procerus*);
    - (iii) Evergreen blackberry (*R. laciniatus*);
    - (iv) Ivy (*Hedera* spp.); and
    - (v) Holly (*Ilex* spp.), laurel, Japanese knotweed (*Polygonum cuspidatum*), or any other species on the King County noxious weed list.Removal of any native vegetation or woody debris from a critical area is prohibited unless the action is part of an approved alteration.
  - (e) Conservation, Preservation, Restoration and/or Enhancement.

- (i) Conservation and preservation of soil, water, vegetation, fish and other wildlife that does not entail alteration of the location, size, dimensions or functions of an existing critical area or buffer; and
- (ii) Restoration and enhancement of critical areas or buffers; provided, that actions do not alter the location, dimensions or size of the critical area or buffer; that actions improve and do not reduce the existing quality or functions of the critical areas or buffers; and that actions are implemented according to a restoration or enhancement plan that has been approved by the City of Sammamish.

...

**21A.50.210 Building setbacks.**

Unless otherwise provided, buildings and other structures shall be set back a distance of 15 feet from the edges of a critical area buffer. ~~The setback from the Lake Sammamish buffer shall be five feet; provided, that the setback shall not be less than required by this chapter or the shoreline master program, whichever is greater.~~ The following may be allowed in the building setback area:

- (1) Landscaping;
- (2) Uncovered decks;
- (3) Building overhangs if such overhangs do not extend more than 18 inches into the setback area;
- (4) Impervious ground surfaces, such as driveways and patios; provided, that such improvements may be subject to special drainage provisions adopted for the various critical areas; and
- (5) Trails.

**21A.50.290 Wetlands – Development standards.**

...

~~(2) Wetlands located entirely waterward of the ordinary high water mark of a lake or pond shall be regulated by the buffer and development standards provided for lakes and ponds in SMC 21A.50.351 and 21A.50.352, and by the adopted shoreline master program.~~

...

**21A.50.351 Lakes and Ponds – Development standards.**

~~A development proposal on a parcel or parcels containing a lake, pond or associated buffer or setback shall meet the following requirements:~~

- ~~(1) Lake Sammamish Buffer. A 45-foot standard buffer shall be established from the ordinary high water mark, as defined by the Shoreline Management Act, of Lake Sammamish; provided, that up to 25 percent, or no less than 15 feet, of the lake frontage may be used for shoreline access.~~
- ~~(2) Increased Lake Sammamish Buffers. The department may require the Lake Sammamish buffer to be increased when necessary to protect other fish and wildlife habitat conservation areas. Where the lake exists adjacent to a stream or wetland located~~

landward of the ordinary high water mark, the standards that provide greater protection shall prevail. Where the lake buffer includes a landslide hazard area, the buffer width shall be the greater of either the lake buffer or 25 feet beyond the top of the landslide hazard area.

(3) ~~Lake Sammamish Buffer Reduction. The Lake Sammamish buffer may be reduced when buffer reduction impacts are mitigated using any combination of the following mitigation options and result in equal or greater protection of lake functions. In no case shall the buffer be less than 15 feet. The Lake Sammamish buffer may be reduced by:~~

~~(a) Fifteen feet for:~~

~~(i) Removal of an existing bulkhead located at, below, or within five feet landward of the lake's ordinary high water mark (OHWM) and subsequent restoration of the shoreline to a natural or seminatural state, including restoration of topography, soil composition, and vegetation;~~

~~(ii) Restoration of shoreline to a natural or seminatural state if no bulkhead is present, but other existing unnatural shoreline contours are present; or~~

~~(iii) Preservation of existing natural shoreline conditions if no bulkhead or other unnatural shoreline features are present;~~

~~(b) Ten feet for preservation of existing trees and native vegetation or restoration of native vegetation, as necessary, in the remaining Lake Sammamish buffer to be retained along at least 75 percent of the site's lake frontage. Up to 25 percent by area of preserved and/or restored vegetation can be comprised of noninvasive, nonnative vegetation. Up to 25 percent, or no less than 15 feet, of the lake frontage may be used for shoreline access; provided, that access areas are located to avoid areas of greater sensitivity and habitat value. Restoration of native vegetation shall consist of a mixture of trees, shrubs and groundcover and be designed to improve habitat functions;~~

~~(c) Five feet for preservation of existing native vegetation or restoration of native vegetation, as necessary, in the minimum five foot wide nearshore area below the lake's ordinary high water mark (OHWM);~~

~~(d) Five feet for preparation of, and agreement to adhere to, a shoreline vegetation management plan that includes appropriate limitations on the use of fertilizer, herbicides, and pesticides as needed to protect lake water quality; and~~

~~(e) Five feet for limiting lawn area to no greater than 20 percent of the lot area. Landscaped areas outside of the lawn and buffer areas shall be maintained or planted in noninvasive vegetation.~~

~~(4) Other Lakes and Naturally Occurring Ponds – New Residence Setback and Tree Retention.~~

~~(a) A 50-foot building setback for new residences shall be established from the ordinary high water mark (OHWM), as defined by the Shoreline Management Act, for lakes and naturally occurring ponds, that are and is other than Lake Sammamish not otherwise regulated by the Sammamish Shoreline Master Program.~~

~~(b) On lots abutting a lake or pond or containing the 50-foot setback area, 25 percent of existing significant trees shall be retained on-site. Half of the significant trees to be retained shall be located within the 50-foot building setback area. Where~~

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half of the trees to be retained are not present within the setback area, the remaining number may be retained elsewhere on-site.

**~~21A.50.352 — Lake Sammamish buffer — Permitted alterations.~~**

~~Alterations to the Lake Sammamish buffers are not allowed, except as provided for by complete exemptions, partial exemptions and exceptions in this chapter or as allowed for by this section.~~

- ~~(1) — New development and uses shall be prohibited from the Lake Sammamish buffer, except as provided for in this chapter. Developments associated with water dependent and water enjoyment uses allowed by the shoreline master program are not required to meet the required buffer; provided, that the placement of structures, storage, and hard surfaces within the buffer shall be limited to the minimum necessary for the successful operation of the use. In no case shall surface parking be allowed within the lake buffer;~~
- ~~(2) — Surface water management activity or facility, such as an energy dissipater and associated pipes, is allowed in the Lake Sammamish buffer only if the applicant demonstrates, to the satisfaction of the department, that:
  - ~~(a) — No reasonable alternative exists; and~~
  - ~~(b) — The functions of the lake and related buffer are not adversely affected;~~~~
- ~~(3) — Public and private trails are allowed in the Lake Sammamish buffer consistent with the standards and requirements in this chapter, development standards in Chapter 21A.30 SMC, and requirements elsewhere in the SMC. Proposals for constructing viewing platforms, associated access trails, and spur trails must be reviewed by a qualified professional and a critical areas study may be required;~~
- ~~(4) — A dock, pier, moorage, float, or launch facility may be allowed, subject to the provisions of SMC Title 25;~~
- ~~(5) — Enhancement and Restoration. Lake buffer enhancement or restoration not associated with any other development proposal may be allowed if accomplished according to a plan for its design, implementation, maintenance and monitoring prepared by and carried out under the direction of a qualified professional. Restoration or enhancement must result in a net improvement to the functions of the lake ecosystem;~~
- ~~(6) — Restoration Required. Restoration shall be required when the lake buffer is altered in violation of law or without any specific permission or approval by the City. A mitigation plan for the restoration shall conform to the requirements of this chapter; and~~
- ~~(7) — Development may be further regulated by the adopted shoreline master program. (Ord. O2005-193 § 1)~~



### Specific requests for Shoreline designation changes

Name/Lake	Address, Parcel Number and Lake	Current KC SMP Designation/Planning Commission Recommendation	Request	Staff comments
<p><b>1. Donald Barnett/Lake Sammamish</b></p>	<p>2920 East Lake Sammamish Pkwy NE, 2025069041 (house is on 2025069016 on the east side of East Lake Sammamish Parkway</p>	<p>Conservancy/Urban Conservancy.</p>	<p>Shoreline Residential</p>	<p>The Urban Conservancy Designation was based on the significant high quality habitat and hydrological functions. The property contains a treed shoreline and a salmon-bearing stream with restoration potential. Areas to the north are designated UC.</p>
<p><b>2. Beth Nelson (Hughes Property)/Lake Sammamish</b></p>	<p>Vacant no address. 2025069071 and 2025069085-</p>	<p>Conservancy/Urban Conservancy</p>	<p>Shoreline Residential</p>	<p>Property currently vacant with a home directly to the south. High quality beach and vegetation. Areas to the north and south are proposed to be UC.</p>
<p><b>3. Michael Pizzo/Lake Sammamish</b></p>	<p>3123 E. Lake Sammamish Pkwy NE, 2025069042</p>	<p>Conservancy/Urban Conservancy</p>	<p>Shoreline Residential</p>	<p>Property has a residence. Owner was originally concerned that UC restriction would not allow 2<sup>nd</sup> story addition. (Note- This was addressed in the Council Draft SMP) The areas to the north and south are designated UC.</p>
<p><b>4. Walter Kaczynski/Beaver Lake</b></p>	<p>1310 West Beaver Lake Dr SE, 0124069021</p>	<p>Conservancy/Urban Conservancy</p>	<p>Shoreline Residential</p>	<p>Owners concern is over limits on subdivision and docks. (Note-This was addressed in the Council Draft SMP) Beaver Lake Preserve is immediately to the west. There is a wetland on the Preserve above ordinary high water which is believed to extend on to this property. Areas to the east and west are proposed to be UC.</p>

<b>5. Donald Renbarger/Beaver Lake</b>	1302 W. Beaver Lake Drive 0124069022-	Conservancy/Urban Conservancy	Shoreline Residential	The subject parcel is one parcel east of the Beaver Lake Preserve. Wetland on the Preserve is suspected to extend on to this property as well.
<b>6. Alan Pascal/Beaver Lake</b>	1501 East Beaver Lake Dr SE, 0124069007-Beaver Lake	Conservancy/Urban Conservancy	Shoreline Residential	Concern over ability to subdivide (Note: The applicant recorded a short plat on this property in March of 2008). (Note-This was addressed in the Council Draft SMP) The property has a stream tract to the west and a wetland tract along the lake above OHWM.
<b>7. Derald Lo/Pine Lake</b>	21520 SE 28 <sup>th</sup> Lane, 0924069129	Rural/Urban Conservancy.	Shoreline Residential	Owner's concern that the proposed designation is arbitrary. His parcel is the only one of the three on Pine lake with a house on the west end of Pine Lake. Property is located on a Class 1 wetland and has significant environmental features.
<b>8. Boris Wiggers/Pine Lake</b>	Vacant. No address. 0924069102(Wiggers communal tract)	Rural/Urban Conservancy.	Shoreline Residential	Concerned that UC will not allow construction of a dock because of the proposed 200 foot spacing of docks. (Note- This was addressed in the Council Draft SMP). Property is located on a Class 1 wetland and has significant environmental features.
<b>9. Pine Brook Meadows subdivision open space (Howard Edson and Lori Walters)/Pine Lake</b>	Vacant. 6790700460	Rural/Urban Conservancy	Shoreline Residential	Concerned that UC will not allow construction of a dock because of the proposed 200 foot spacing of docks. (Note- This was addressed in the Council Draft SMP). Property is located on a Class 1 wetland and has significant environmental features.



# Memorandum

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**Date:** September 30, 2009  
**To:** City Council  
**From:** Kamuron Gurol  
**Re:** Urban Conservancy Reconsideration

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At the September 15, 2009 council meeting the Council provided staff with direction related to removing the Urban Conservancy (UC) designation contained in the Council Review Draft Shoreline Master Program. Staff offers the following information for Council's review and potential reconsideration of the removal of the UC designation.

#### Background:

- A Conservancy designation has been part of the Sammamish Municipal Code since incorporation and the King County Code since 1978
- The Inventory and Characterization Report (June 2007) confirmed:
  - Shoreline areas retaining features and characteristics indicative of increased environmental function were recommended to be designated Urban Conservancy.
  - Shoreline areas not retaining features and characteristics indicative of increased environmental function were recommended to be designated Shoreline Residential.
- The Planning Commission considered individual requests from the public for designation changes
- A case by case review led to recommendations for some properties to change from Urban Conservancy to Shoreline Residential based on individual site characteristics.
- Features indicative of increased environmental function include:
  - Larger percentage within critical areas
  - Larger lot size, relatively undeveloped
  - Historic pattern with larger setback area due to previous Conservancy designation

#### Rationale for Urban Conservancy

- Continuity with the Planning Commission public process
- Property characteristics consistent with Urban Conservancy from the state menu of designations
- Retention (with revised standards) helps meet no net loss requirement
- Continues incentive qualification for Public Benefit Rating System for property owners

Staff recommends that the Urban Conservancy designation be retained in the plan, and the impervious surface standard be revised from 55% to 40% for Urban Conservancy areas. If the council decides to retain the Urban Conservancy designation, then the attached list of re-designation requests should also be considered.



## Memorandum

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**Date:** September 30, 2009  
**To:** Ben Yazici  
**From:** Kamuron Gurol  
**Re:** Definition of “structure” in the SMP

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Citizen comments have indicated a desire for a revised definition of “structure” from that in the City Council Review Draft SMP.

Definition of structure from Council Draft SMP:

*WAC 173-27-030 (15) Structure means a permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except vessels.*

The definition of structure located in SMC 21A.15.1255 has been suggested as alternative language, as follows:

*21A.15.1255 Structure.*

*“Structure” means anything permanently constructed in or on the ground, or over the water, excluding fences six feet or less in height, uncovered decks less than 18 inches above grade, uncovered paved areas, and structural or nonstructural fill.*

If the SMC definition is substituted for the WAC definition an additional edit should be made to clarify decks and paved areas proposed to be located within the Vegetation Enhancement Area (VEA) must be located in the active use area of the VEA. Council has already indicated that structures in the VEA must be located in the active use area. The edit is needed since the SMC definition excludes some decks, and paved areas from the definition of structure. Fill is otherwise regulated in the SMP.

Suggested edit: Add to proposed SMC 25.06.020 (8) letter (e) to read as follows:

*“Structures, decks and paved areas within the Vegetation Enhancement Area may only be located within the Active Use Area.”*