

**CITY OF SAMMAMISH
CITY COUNCIL AGENDA
STUDY SESSION/SPECIAL MEEETING
June 13, 2001**

Wednesday, June 13, 2001, 7:30 p.m., 486 228th Ave. N.E., City Hall Chambers

	<i>Approximate Time</i>
<u>OPEN STUDY SESSION</u>	7:30 pm
1. Noise Ordinance	7:30 pm
2. Construction Hours Violation and Penalties	7:50 pm
3. Skate Park Site Analysis	8:20 pm
4. City Manager's Report	8:50 pm
<u>CLOSE STUDY SESSION</u>	9:05 pm
<u>SPECIAL MEETING</u>	9:05 pm
CALL TO ORDER	
ROLL CALL/PLEDGE	
APPROVAL OF AGENDA	
1. Resolution: Relating to the establishment of annexation policy and potential annexation areas for the City of Sammamish, adopting annexation policies for the City of Sammamish and a notice of intent to establish potential annexation areas respective to the county wide planning policies	9:05 pm
3. Adjourn	10:00 pm

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, RELATING TO PUBLIC NUISANCE
NOISE**

WHEREAS, the City Council for the City of Sammamish desires to establish an ordinance regulating excessive noise within the City for the health, safety and welfare of its citizens;

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

Section 1. Declaration of Policy. The City Council finds that inadequately controlled noise adversely affects the health, safety and welfare of the people, the value of property, and the quality of the environment. Therefore, it is hereby declared to be the policy of the City of Sammamish to minimize the exposure of citizens to the harmful physiological and psychological effects of excessive noise. It is the express intent of the City to control the level of noise in a manner which promotes commerce, the use, value and enjoyment of property, sleep and repose, and the quality of the environment.

Section 2. Public Nuisance. It is unlawful for any person to cause, or for any person in possession of property to allow to originate from said property, sound that is a public nuisance. For purposes of this chapter, a “public nuisance” is any noise which unreasonably disturbs or interferes with the peace, comfort and repose of owners or possessors of real property. The following sources of sound are defined to be public nuisances, except to the extent that they may be specifically exempted by other provisions of this Ordinance:

- a. The frequent, repetitive or continuous sounding of any horn or siren, whether attached to a motor vehicle or otherwise, except as a warning of danger or as specifically permitted or required by law;
- b. The creation of frequent, repetitive or continuous sounds in connection with the starting, operation, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine within a residential district;
- c. Yelling, shouting, whistling or singing on or near the public streets between the hours of 10:00 p.m. and 8:00 a.m.;
- d. The creation of frequent, repetitive or continuous sounds which emanate from any building, structure, apartment or condominium, such as sounds from musical instruments, audio sound systems, band sessions or social gatherings;

- e. Sound from motor vehicle audio sound systems, such as tape players, radios and compact disc players, operated at a volume so as to be audible greater than 50 feet from the vehicle itself;
- f. Sound from portable audio equipment, such as tape players, radios and compact disc players, operated at a volume so as to be audible greater than 50 feet from the source;
- g. The squealing, screeching or other such sounds from motor vehicle tires in contact with the ground or other roadway surface because of rapid acceleration, braking or excessive speed around corners; provided, that sounds which result from actions which are necessary to avoid danger shall be exempt from this section;
- h. Sounds originating from residential property relating to temporary projects for the maintenance or repair of homes, grounds and appurtenances, including but not limited to sounds from lawnmowers, power hand tools, snow removal equipment and composters between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and 10:00 p.m. and 9:00 a.m. on weekends.

Section 3. Exclusion. This chapter shall not apply to regularly scheduled events at parks, such as public address systems for baseball games or park concerts, or to community events, festivals or permitted parades.

Section 4. Penalty for Violation. Any person who violates the provisions of this chapter shall be subject to a civil fine not to exceed \$250.00 for the first offense. For second and subsequent offenses within any twelve (12) consecutive month period, the person shall be guilty of a misdemeanor punishable as provided by RCW 9A.20.010(2).

Section 4. 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 5. 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 _____, 2001.

CITY OF SAMMAMISH

Mayor H. Troy Romero

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:

Date of Publication:

Effective Date

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ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2001.

CITY OF SAMMAMISH

Mayor H. Troy Romero

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:

Date of Publication:

Effective Date

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, AMENDING ORDINANCE NO. 099-15 TO
ADD PENALTIES FOR VIOLATIONS OF THE HOURS OF
CONSTRUCTION**

WHEREAS, the Washington State Register directs cities to enforce the State Building Code in accordance with Chapter 19.29 RCW; and

WHEREAS, The City of Sammamish has adopted the State Building Code and amended it to regulate the hours of construction allowed under the Code; and

~~WHEREAS, the majority of noise complaints is a result of non-owner occupied new residential development within residential areas.~~

WHEREAS, the City currently has no enforcement mechanism for its hours of construction;

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

~~Section 1. Ordinance No. 099-15 Amended.~~ Section 5 of Ordinance 099-15 is hereby amended to read as follows:

~~Section 5. Uniform Building Code - Section 110 added - Hours of Construction.~~
Section 110 of the Uniform Building Code, as adopted by section 3 of this ordinance, is deemed added and to read as follows:

110 Hours of Construction.

110.1 Hours of Construction. Except as otherwise provided in this ordinance, the activities and construction noise regulated by this ordinance shall be limited to the following hours for non-owner occupied residential construction:

- | | | |
|-----|------------------------|------------------|
| (1) | Monday through Friday | 7 a.m. to 8 p.m. |
| (2) | Saturdays and Holidays | 9 a.m. to 6 p.m. |
| (3) | Sundays | No construction |

110.2 Enforcement. Violation of any provision of this Section of the Uniform Building Code is prohibited and shall be a civil infraction with a penalty of \$250.00 for the first offense. A second offense within a 365-day period shall be a civil infraction with a penalty of \$500.00. A

third or subsequent offense within 365 days of a first offense shall be a civil infraction with a penalty of \$1,000.00. The Director of Community Development, the Director's designee, or a Police Officer may enforce the provisions of this Section of the Uniform Building Code.

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 _____, 2001.

CITY OF SAMMAMISH

H. Troy Romero, Mayor

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:

Date of Publication:

Effective Date:

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. ___**

A RESOLUTION OF THE CITY OF SAMMAMISH CITY COUNCIL RELATING TO THE ESTABLISHMENT OF ANNEXATION POLICY AND POTENTIAL ANNEXATION AREAS FOR THE CITY OF SAMMAMISH, ADOPTING ANNEXATION POLICIES FOR THE CITY OF SAMMAMISH AND A NOTICE OF INTENT TO ESTABLISH POTENTIAL ANNEXATION AREAS RESPECTIVE TO THE COUNTY WIDE PLANNING POLICIES.

WHEREAS, the City of Sammamish was incorporated on August 31 of 1999; and

WHEREAS, the City adopted portions of the King County Comprehensive Plan and Development Regulations as part of the interim Sammamish Development Code; and

WHEREAS, the City did not adopt Potential Annexation Areas at the time the Interim Comprehensive Plan and Development Regulations were adopted; and

WHEREAS, under the provisions of RCW 36.70A, the City of Sammamish must adopt a Comprehensive Plan within four years of the city's incorporation date; and

WHEREAS, the City's Planning Advisory Board is developing a Comprehensive Plan and Development Regulations for the City with a planned adoption date of no later than December 31, 2001; and

WHEREAS, the City Council finds it is in the best interest of the citizens of the City of Sammamish to formally establish annexation policy for the adjacent unincorporated urban growth areas; and

WHEREAS, the King County County-Wide Planning Policies, policy LU-31, requires that each city shall designate potential annexation areas in collaboration with adjacent cities and King County; and

WHEREAS, the King County County-Wide Planning Policies, policy LU-32, requires that annexations may only occur in Potential Annexation Areas (PAA); and

WHEREAS, pursuant to the requirements of the King County County-Wide Planning Policies, the City officially requests that the King County Executive consider and adopt potential annexation areas to the City of Sammamish.

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

Section 1. Adoption of Annexation Policy. The City Council hereby adopts annexation policy for the city as attachment "A" to this resolution.

Section 2. Adoption of Potential Annexation Areas. The City Council adopts potential annexation areas as depicted on attachment "B" to this resolution.

Section 3. Submittal to King County . The City Council directs the City Clerk to transmit a copy of this resolution and attachments to the King County Executive, the Mayors of the cities of Redmond and Issaquah and the King County Boundary Review Board

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution 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 Resolution or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2001.

CITY OF SAMMAMISH

Mayor H. Troy Romero

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 15, 2001

Passed by the City Council:

Resolution No.

Annexation Policies

Overview – Purpose and Relationship to GMA

This draft annexation policy is to identify unincorporated territory on the periphery of the City limits to which Sammamish is capable of providing services over the 20-year planning period, and to provide a policy direction for annexation of properties within such territory.

Although the Growth Management Act (RCW36.70A) does not mandate an annexation element or policy, it is sound planning management to include such a policy document as annexations are an intrinsic component in planning for, and establishing, urban growth areas between cities.

The King County County-Wide Planning Policies (KCCWPP) require cities to designate potential annexation areas (PAA), in collaboration with King County and adjacent counties or cities. Consultation with residential groups within the affected areas is also required.

Profile of the Planning Area

The City of Sammamish incorporated in August of 1999. The City comprises 21 square miles on the East Sammamish Plateau and as of January 2001 contained 34,104 residents, making it the 25th largest City in Washington State. It has experienced phenomenal population growth from the mid-1980's. Between 1990 and 2000, the Sammamish area grew by 58%. Sammamish is essentially a bedroom, commuter community, with the majority of residents employed in the major cities west of the Lake Sammamish, such as Bellevue, Seattle and Redmond. Since incorporation, there have not been any annexations to the City.

The City adopted, with modifications, the King County Comprehensive Plan and Development Regulations as the interim Sammamish Plan and Development Regulations. The Comprehensive Plan Map identifies several unincorporated areas within the urban growth boundary, adjacent to the city, which could constitute potential annexation areas. These areas are described in particular in the policy section of this document.

Pre-Annexation Policies

Policy 1. Annex the following areas when the residents or the property owners request annexation:

- Unincorporated areas in the Urban Growth Area adjacent to the City, including Klahanie, Aldara Farms and the area immediately east of 244th;

- The Providence Point area, including the unincorporated property located on East Lake Sammamish Parkway, extending from approximately SE 46th Street, north, also including that portion lying west of East Lake Sammamish Parkway adjacent to Lake Sammamish;
- The area lying between Issaquah-Fall City Road and the City of Issaquah city limits, extending on the west from the intersection of Issaquah Fall City Road and the Issaquah Pine Lake Road, east to the north line of the NW ¼ of Section 13, Township 24 N, Range 6 E. Wm, thence south along the center section line to the center section of Section 24, Township 24 N, Range 6 E. Wm, thence west to the Issaquah City limits.

Policy 2. Adjust the municipal boundaries with adjacent cities where the existing boundaries create unserviceable pockets of land.

Policy 3. Establish pre-annexation zoning for the entire potential annexation area, where practicable.

Policy 4. Make every effort, whether by interlocal agreement or other mechanism, to ensure that land which lies within King County's jurisdiction, but which lies within the City's Potential Annexation Area, develop under the City of Sammamish Comprehensive Plan policies and development standards which the city has developed for these areas.

Policy 5. Recognize the integrity of existing neighborhoods and the need for maintaining logical and reasonable service areas as a general direction when working with individual annexation requests.

Policy 6. Establish a minimum annexation area which includes reasonable boundaries for individual annexation requests.

Policy 7. Require owners of land annexing to the city to be subject to their proportionate share of the City's bonded indebtedness.

Policy 8. Establish appropriate zoning district designations in proposed annexation areas that would implement the City's Comprehensive Plan.

Policy 9. Evaluate proposed annexations within the potential annexation area based upon the following:

- The ability of the City to provide public services at a level equal to or better than that available from the current service provider;
- The ability of the City to provide public services at the City's adopted level of services standard;
- Whether the annexation would eliminate an unincorporated island or which could be expanded to eliminate an unincorporated island;
- Whether the annexation follow logical boundaries, such as streets, waterways, or substantial topographical changes;

- Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery;
- The relative costs to serve the proposed annexation versus the revenue to be derived from the annexation, with the acknowledgement that a negative net revenue projection by itself should not be considered grounds for disapproval.

Policy 10. Plan the extension of City services throughout the planning area so as to prevent "leapfrog" development from occurring.

Policy 11. Develop and implement a standardized, user-friendly computer program for conducting fiscal feasibility studies to determine the economic impact of proposed annexations.

Policy 12. Prioritize annexations within the Potential Annexation Area. Annexations processed at the request of property owners will be prioritized as received.

Policy 13. Use available public information media such as the City's web-page, the City newsletter, informational brochures, and periodic meetings to provide information about annexations to residents.

Post-Annexation Policies

Policy 14. Upon final adoption and approval of an annexation, transfer all review authority for all development applications pending review in King County to the City of Sammamish. For those projects which have been approved by King County, review authority remains with King County.

Policy 15. Make every effort to ensure a smooth transition from County to City Administration.

Policy 16. Charge owners and residents of newly annexed, fully developed territory only the same utility upgrading costs for which current residents are responsible (excluding special improvement or benefit districts that may be created).

Policy 17. Coordinate all development activities between the City and King County within the Potential Annexation Area. Where possible, joint development review should occur.

CITY COUNCIL ROLL CALL

DATE: June 13, 2001

NAME	PRESENT	EXCUSED	ABSENT
Mayor Troy Romero	✓		
Deputy Mayor Ken Kilroy	✓		
Jack Barry	✓		
Phil Dyer	✓		
Don Gerend		✓	
Ron Haworth		✓	
Kathleen Huckabay	✓		

Kilroy / Barry excuse 5-0 pass

Barry / Kilroy agenda 5-0 pass

Pine Lake fir

(in 2 weeks contract for approval!)



Location Analysis for Potential Skate Park Sites Identified Opportunities and Constraints

1. Pine Lake 'A'

Opportunities

- Good visibility/natural surveillance off of 228th.
- Land currently owned by City
- On bus route
- Good pedestrian linkages
- Good topography

Constraints

- Environmental impact. A substantial number of trees would be removed
- Wooded areas on three sides provide hiding and escape areas
- Debris on the Skate Court from surrounding trees
- Conflict with other uses/feel of wooded lakefront park
- Isolated from the rest of the park facilities.

2. Pine Lake 'B'

Opportunities

- Existing public facilities nearby (restrooms, telephone, drinking fountain)
- Good topography
- Land currently owned by City
- Acceptable Natural Surveillance

Constraints

- Environmental impact. A substantial number of trees would be removed
- Wooded areas on two sides provide hiding and escape areas
- Debris on the Skate Court from surrounding trees
- Conflict with other uses/feel of wooded lakefront park
- Close to residential: Noise Conflict

3. Pine Lake 'C'

Opportunities

- Existing public facilities nearby (restrooms, telephone, drinking fountain)
- Good topography
- Land currently owned by City
- In fairly open area near ballfield

Constraints

- Environmental impact. A substantial number of trees would be removed
- Wooded areas on either side provide hiding and escape areas
- Debris on the Skate Court from surrounding trees
- Conflict with other uses/feel of wooded lakefront park
- Residential area behind the site
- Close to residential: Noise/Use Conflict
- Poor natural surveillance

4. East Sammamish Park 'A'

Opportunities

- Existing public support facilities (restroom, telephone)
- Adjacent parking
- Other recreation opportunities provide surveillance
- Convenient to pedestrian routes in northern neighborhoods
- Good overall size, room to be creative
- Good natural surveillance from inside the park. Exposure from all sides.

Constraints

- Park is in residential neighborhood
- Adjacent to Mead Elementary
- Need to create buffer with new youth play area
- Limited natural surveillance from NE 16th
- Need to clear vegetation from front of park.

5. East Sammamish Park 'B'

Opportunities

- Existing public support facilities (restroom, telephone)
- Adjacent parking
- Other recreation opportunities provide surveillance
- Convenient to pedestrian routes in northern neighborhoods

Constraints

- Park is in residential neighborhood
- Park is adjacent to Mead Elementary
- Directly next to residential homes with limited buffer
- Confined space
- Need to clear vegetation from front of park

6. 228th and SE 8th

Opportunities

- Centrally located in the City
- Good pedestrian linkages
- Excellent natural surveillance
- Part of a future civic campus / park setting
- Good topography
- Space to create support facilities

Constraints

- No Master Plan for 10 acre site
- No current support facilities
- Would need to re-zone land from R1
- May create undesirable design parameter to future site planning



LOCATION ANALYSIS FOR POTENTIAL SKATEPARK SITES

	Factors for Consideration	Pine Lake A	Pine Lake B	Pine Lake C	East Samm A	East Samm B	228 th & SE 8 th	
1	Existing public land with facilities (restrooms, telephone, drinking fountain)							
2	Accessible/central location							
3	Natural surveillance – visible from public							
4	On/near bus route							
5	Under utilized space/land							
6	Additional development costs							
7	Surrounding land use							
8	Public land currently owned by City of Sammamish							
9	Topography							
10	Convenient to pedestrian linkage							
11	Environmental Impact							
12	Available adjacent off-street parking or some on-street parking							
13	Site large enough to accommodate some off-street parking							
14	Potential for drop off space							
15	Acceptable site size							
16	Full ADA accessibilities							
17	Relationship to recreation opportunities and support facilities							
18	Expediency for construction							

Positive
 Neutral
 Negative

