

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2016-417**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, AMENDING THE SURFACE WATER
DESIGN MANUAL AND SECTION 13.20.020 OF THE
SAMMAMISH MUNICIPAL CODE RELATING TO SURFACE
WATER MANAGEMENT; PROVIDING FOR SEVERABILITY;
AND DECLARING AN EMERGENCY**

WHEREAS, the City incorporated in August of 1999;

WHEREAS, the City Council first adopted the City's Comprehensive Plan on September 16, 2003, and has subsequently reviewed and amended the Comprehensive Plan, and the City Council has enacted zoning consistent with the comprehensive plan; and

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

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

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

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

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

WHEREAS, through Ordinance No. O2015-389, the City Council adopted development regulations relating to surface water management within a specific historic plat. The regulations reduced the amount of new and/or replaced impervious surface that would be allowed before requiring review and regulation; and

WHEREAS, the City Council has determined that an adjacent assessors plat with similar characteristics to the historic plat defined in Ordinance No O2015-389 would likewise benefit from a similar threshold for review and regulation; and

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

WHEREAS, the City has determined that interim development regulations adopted under the provisions of RCW 36.70A.390 are necessary in order to allow adequate time for the City to effectively analyze and determine if current development regulations and review requirements address the surface and stormwater issues in the Tamarack assessors plat; and

WHEREAS, the City Council finds that amending the surface water management regulations is necessary for the protection of the public health, safety and welfare;

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

Section 1. Findings of Fact. The City Council adopts as findings of fact the recitals set forth above, which are incorporated herein by this reference.

Section 2. SMC 13.20.020, Drainage review - When required - Type, Amended. Sammamish Municipal Code Section 13.20.020, *Drainage review – When required – Type*, is hereby amended as set forth in **Attachment 1**, which is incorporated herein by this reference.

Section 3. City of Sammamish Surface Water Design Manual Addendum, Amended. The City of Sammamish Surface Water Design Manual Addendum is hereby amended as set forth in **Attachment 2**, which is incorporated herein by this reference.

Section 4. Effective Duration of Interim Development Regulations: The interim zoning regulations set forth in this Ordinance shall be in effect for a period of six (6) months from the effective date of this Ordinance and shall automatically expire at the conclusion of that six-month period unless sooner repealed.

Section 5. Public Hearing. The City Council will hold a public hearing at the City Council's regular meeting beginning at 6:30 p.m. on December 13, 2016 or as soon thereafter as the business of the City Council shall permit, in order to take public testimony and to consider adopting further findings of fact.

Section 6. 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 7. Effective Date. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, and public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to *Matson v. Clark County*

Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), non-exhaustive underlying facts necessary to support this emergency declaration are included in the "WHEREAS" clauses, above, all of which are adopted by reference as findings of fact as if fully set forth herein.

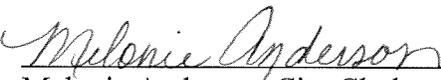
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 18TH DAY OF OCTOBER, 2016.

CITY OF SAMMAMISH



Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:



Melonie Anderson, City Clerk

Approved as to form:



Michael R. Kenyon, City Attorney

Filed with the City Clerk:	October 13, 2016
First Reading:	October 18, 2016
Passed by the City Council:	October 18, 2016
Date of Publication:	October 21, 2016
Effective Date:	October 18, 2016

**ATTACHMENT 1:
Amended SMC 13.20.020**

13.20.020 Drainage review – When required – Type.

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

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

(a.1) Would result in 500 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface within a historic plat as defined and mapped in Attachment B at the end of this section; or

(a.2) Would result in 500 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface within the Tamarack assessors plat as defined and mapped in Attachment C at the end of this section; or

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

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

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

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

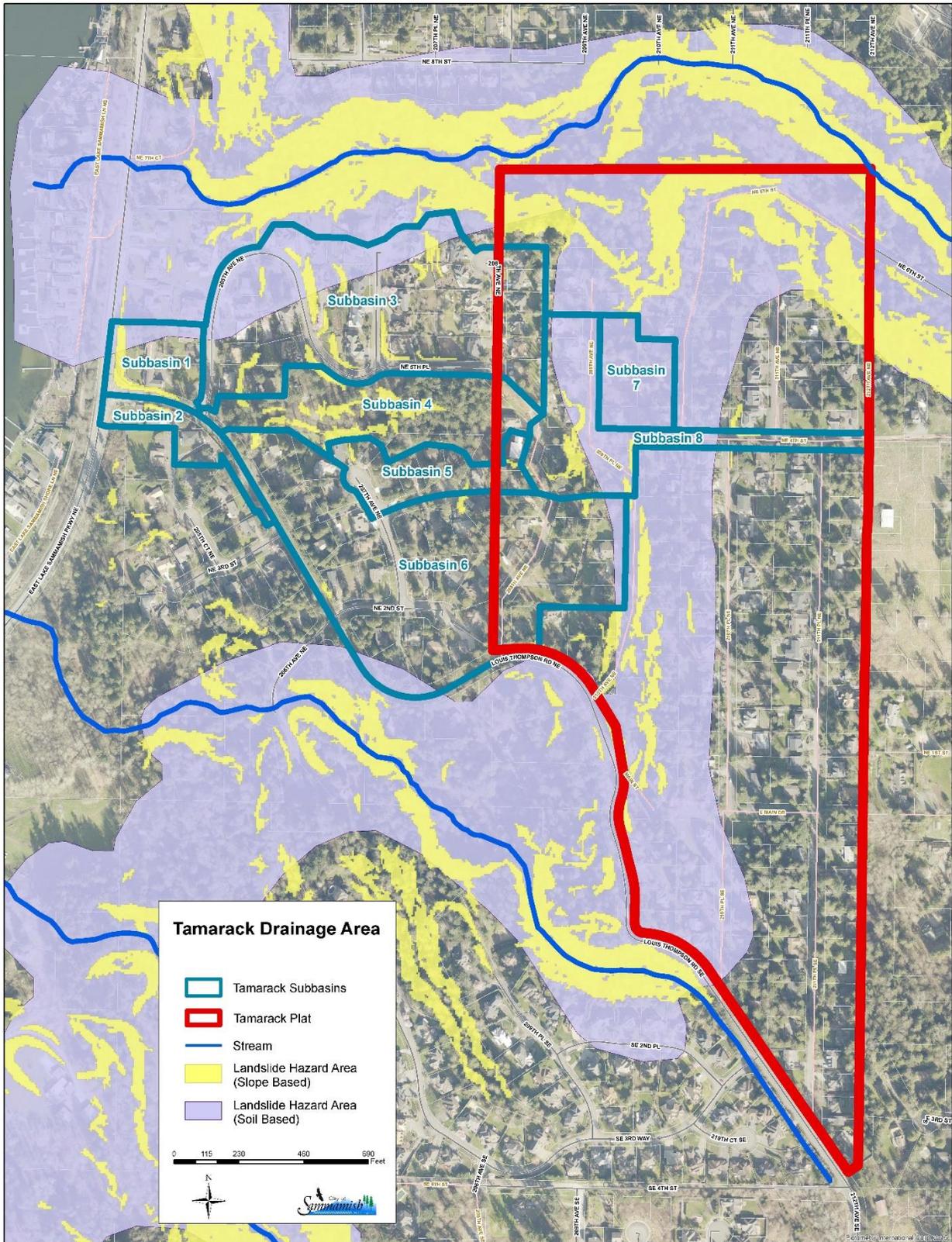
(f) Is a redevelopment project proposing \$100,000 or more of improvements to an existing high-use site; or

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

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

- (a) Small project drainage review;
- (b) Targeted drainage review;
- (c) Full drainage review; or
- (d) Large project drainage review.

ATTACHMENT C



**ATTACHMENT 2:
Amended City of Sammamish Surface Water Design Manual**

**1.2.1 CORE REQUIREMENTS #1:
DISCHARGE AT THE NATURAL LOCATION**

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DISCHARGE REQUIREMENTS

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

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2. IF a proposed project or any **natural discharge area** within a project is located within a historic plat²¹ as defined and mapped in Attachment B of SMC 13.20.020, within the Tamarack assessors plat as defined and mapped in Attachment C of SMC 13.20.020, or within a Landslide Hazard Drainage Area²² and, in fact, ultimately drains over the erodible soils of a SAO-defined landslide hazard area with slopes steeper than 15%, THEN a **tightline system must be provided** through the landslide hazard area to an acceptable discharge point unless one of the following exceptions applies. The tightline system must comply with the design requirements in Core Requirements #4 and in Section 4.2.2 unless otherwise approved by DDES. Drainage easements for this system must be secured from downstream property owners and recorded prior to engineering plan approval.

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

- a) Less than 500 square feet of new impervious surface will be added within the **natural discharge area**, OR
- b) All runoff from the **natural discharge area** will be infiltrated for runoff events up to and 31 including the 100-year event, OR
- c) DDES determines that a tightline system is not physically feasible or will create significant adverse impact based on a soils report by a geotechnical engineer.

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²¹ Historic plats are plats approved prior to 1977 that created separate lots as defined in SMC Title 19A smaller than 5,000 square feet.

²² *Landslide Hazard Drainage Areas* are areas mapped by the County where it has been determined that overland flows from new projects will pose a significant threat to health and safety because of their close proximity to SAO-defined landslide hazard areas that are on slopes steeper than 15% (see Definitions Section for a more detailed definition of SAO landslide hazard areas). Such areas are delineated on the Landslide Hazard Drainage Areas map adopted with this manual (see map pocket on inside of back cover).