

**CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO. R2010-430**

**A RESOLUTION OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING INTERIM STORMWATER
DEVELOPMENT STANDARDS FOR SAMMAMISH TOWN
CENTER**

WHEREAS, , the City Council adopted the Town Center Subarea Plan on June 9, 2008, as an amendment to, and element of the Sammamish Comprehensive Plan; and

WHEREAS, the Town Center Subarea Plan established the policy basis for the development of the Town Center, and provided specific direction regarding the Town Center Stormwater Development Standards; and

WHEREAS, the Town Center Development Regulations will authorize development consistent with the policy direction of the adopted Town Center Plan and specific regulatory provisions and references “Appendix G – Interim Stormwater Development Standards for Sammamish Town Center”; and

WHEREAS, the Planning Commission has reviewed the stormwater standards contained in “Appendix G – Interim Stormwater Development Standards for Sammamish Town Center” and recommended adoption of the standards on July 15, 2010; and

WHEREAS, the City Council has reviewed the standards contained in “Appendix G – Interim Stormwater Development Standards for Sammamish Town Center”;

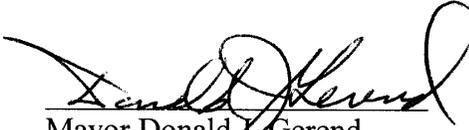
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Adoption of the Appendix G – Interim Stormwater Development Standards for Sammamish Town Center: The City Council hereby adopts “Appendix G – Interim Stormwater Development Standards for Sammamish Town Center”, attached hereto as Attachment “A” and incorporated herein by reference.

Section 2. 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 19th TH DAY OF OCTOBER 2010.**

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: September 7, 2010
Passed by the City Council: October 19, 2010
Resolution No.: R2010-430

APPENDIX G

Interim Stormwater Development Standards (July 7, 2010) for Sammamish Town Center

Purpose and Intent

The Sammamish Town Center is located at the headwaters of the Thompson and Inglewood Basins, which contain sensitive natural resources such as:

- Ebright Creek, one of only a few streams in the Lake Sammamish watershed that supports late-run kokanee salmon,
- Large high quality wetlands that provide flow attenuation to Ebright Creek, minimizing erosive forces from peak runoff, and
- Critical Aquifer Recharge Areas that serve to preserve deep groundwater aquifers for municipal uses.

The goal of the stormwater management approach for the Town Center is to use low impact development (LID) techniques to meet stormwater management requirements that will be required through adoption of a stormwater manual equivalent to the 2005 Western Washington Ecology Manual. Ecology has convened two workgroups to evaluate technical feasibility and implementation aspects of wide-spread use of LID. In the absence of a definition of LID feasibility, the intent of the stormwater development code for the Town Center is to institute a performance standard that limits the offsite discharge of stormwater volumes to the average annual stormwater volumes produced from pre-developed forested conditions to achieve sustainability goals and preserve natural resources. It is the intent that this will be an interim standard until the Ecology technical committee develops definitions for LID and feasibility. Once Ecology has an official position, then the City may adopt it with or without modifications, and this interim standard will no longer be in effect.

Goals

The specific goals of this stormwater development standards are:

- 1) To support and achieve the sustainability goals for the Town Center as described in the Town Center Plan (City of Sammamish 2008)
- 2) To preserve natural resources of sensitive wetlands, critical aquifer recharge areas, and Ebright Creek's kokanee spawning habitat.
- 3) To provide opportunities for innovative environmental management techniques where appropriate.
- 4) To encourage green building techniques, low-impact development techniques, and other mechanisms to minimize environmental impacts.
- 5) To comply with the applicable local, state and federal stormwater regulations and requirements.

As all of these goals are jeopardized by increases in the volume of water discharged to the streams and wetlands of the Inglewood and Thompson Basins, adopting a Stormwater Development Code for the Town Center is necessary to help improve and maintain the quality of these aquatic resources.

Applicability

All land uses in the City of Sammamish Town Center zones that propose to add or will result in 2,000 square feet or more of new impervious surface, replaced impervious surface or new plus replaced impervious surface in the Sammamish Town Center shall:

1. Limit the offsite discharge of stormwater volumes from the developed site to stormwater volumes produced from pre-developed forested site conditions;
2. Provide innovative stormwater approaches to achieve the intent of the standards; and
3. Incorporate the preferred LID approaches described in this Comprehensive Plan.
4. Meet the requirements of the adopted Sammamish Stormwater Manual.

The standards also apply to properties undergoing redevelopment with proposed increases in impervious surfaces greater than what is present in 2010.

Relationship of Town Center Stormwater Standards to Sammamish Regulations.

The stormwater standards recommended here apply to new development and redeveloping properties within the Sammamish Town Center. In case of inconsistency or conflict between the standards set forth here and the Sammamish Municipal Code or the Sammamish Stormwater Manual; the most restrictive provision shall apply.

Establishing Discharge Volumes

Developed stormwater discharge volumes shall match the average annual volume discharged from the pre-developed forested site conditions as determined using a calibrated continuous simulation hydrologic model based on the EPA's HSPF (Hydrologic Simulation Program-Fortran) program, or an approved equivalent model. Designs shall also conform to the duration and peak standards in the Sammamish Stormwater Manual, and the requirement to maintain historical flows to downstream wetlands and streams.

Stormwater Treatment Options:

All treatment options shall be designed according to the adopted Sammamish Stormwater Manual, and the Low Impact Development Technical Guidance Manual for Puget Sound. Alternative stormwater treatment techniques may be presented to the City for review and approval. Proposals will be reviewed to see if they meet the intent of the Comprehensive Stormwater Plan at the discretion of the City. The City will not approve any proposal that doesn't provide an equivalent level of protection as required in the Sammamish Stormwater Manual.

Submittal Requirements

Submittal requirements are identified in the Sammamish Stormwater Manual. Additional information that shall be included in the submittal documents are:

- A description of methods used to determine predeveloped forested stormwater volumes and results.
- A description of methods used to meet volume standard, including engineering calculations to size facilities.

Operations and Maintenance, Easements and Declarations of Covenant:

1) Maintenance of all required stormwater treatment facilities is the responsibility of the owner of the site/lot served by these facilities. The responsibility for such maintenance must be clearly assigned to the current and future owners of the site/lot through a "declaration of covenant and grant of easement" as described in Requirement 2 below.

2) A declaration of covenant and grant of easement shall be recorded for each site/lot that contains any stormwater facilities. A draft of the proposed covenant shall be reviewed and approved by the City of Sammamish prior to recording. All required covenants shall be recorded prior to final construction approval for the proposed project. A sample covenant can be located in Section C.5.2, p. C-125 in the 2009 King County Surface Water Design Manual. At a minimum, the covenant shall provide the following:

a) Provide notice to future owners of the presence of stormwater treatment facilities on the lot and the responsibility of the owner to retain, uphold, and protect the stormwater treatment devices, features, pathways, limits, and restrictions.

b) Include as an exhibit, a recordable version of the following drainage plan information:

- The stormwater facility site plan showing all developed surfaces (impervious and pervious) and the location and dimensions of flow control devices, features, flowpaths (if applicable), and limits of native growth retention areas (if applicable). This plan(s) shall be to scale and include site topography in accordance with the specifications for such plans in Section C.4.2 (p. C-113) of the 2009 KCSWDM.

- The stormwater facility design and maintenance details for each flow control feature per Section C.4.3 (p. C-117). This includes a diagram (if applicable) of each flow control device or feature and written maintenance and operation instructions and restrictions for each device, feature, flowpath (if applicable), native growth retention area (if applicable) and impervious surface coverage (if applicable).

c) Require that each flow control BMP be operated and maintained at the owner's expense in accordance with the above exhibit.

d) Grant the City of Sammamish the right to enter the property at reasonable times for purposes of inspecting the flow control facility and to perform any corrective maintenance, repair, restoration, or mitigation work on the flow control facility that has not been performed by the property owner within a reasonable time set by

the City, and to charge the property owner for the cost of any maintenance, repair, restoration, or mitigation work performed by the City.

e) Prohibit any modification or removal of flow control facility without written approval from the City. In cases where the modification or removal is done under a City of Sammamish development permit, the approval must be obtained from the City and a covenant shall be recorded to reflect the changes. In all other cases, the approval must be obtained from the City of Sammamish and a covenant must be recorded to reflect the changes. Approval will be granted only if equivalent protection in terms of hydrologic performance is provided by other means.