

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2005-182**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, RELATING TO LAND USE AND ZONING,
DECLARING A MORATORIUM ON THE FILING OF
CERTAIN APPLICATIONS FOR DEVELOPMENT
PERMITS AND BUILDING PERMITS WITHIN THE
TOWN CENTER AREA OF THE CITY OF SAMMAMISH.**

WHEREAS, incorporation of the City of Sammamish was approved at an election held on November 8, 1998; and

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

WHEREAS, there has been rapid and substantial growth in and around the City of Sammamish; and

WHEREAS, one of the concerns of the citizens of Sammamish which led to incorporation of the City was the impact of County land use decisions on the Sammamish community; and

WHEREAS, City Council on September 16, 2003 adopted Ordinance No. 2003-130, a Comprehensive Plan which established land use goals and a sub-area planning requirement in and around the site of the then-planned City Hall/Park project, now known as Sammamish Commons; and

WHEREAS, the Comprehensive Plan, Land Use Goal 2 calls for the establishment of three designated community centers to host a diversity of high quality places to live, work, shop and recreate: the existing centers at Inglewood Center and Pine Lake Village; and the recently initiated Sammamish Commons project; and

WHEREAS, Land Use Goal 2 includes several Land Use Policies (LUP) addressing development of the community centers (LUP 2.1, LUP 2.4 and LUP 2.8) and LUP 2.2(d) calls for a sub-area planning process for properties in the vicinity of 228th Avenue that may be affected by the Sammamish Commons; and

WHEREAS, the City Council, on July 20, 2004, passed Resolution No. 2004-176 which established a Special Study Area Task Force to begin the sub-area planning process; and

WHEREAS, the Special Study Area Task force has completed its work and provided the City Council with a report, entitled "Special Study Area Vision", which includes suggested boundaries for an identified "Town Center" that are substantially smaller than the original area designated for sub-area planning as identified in the Comprehensive Plan; and

WHEREAS, the City Council has considered the goals set forth in the Comprehensive Plan and the development vision statements in the Special Study Area Vision Report; and

WHEREAS, the City Council has determined that a broader view of potential boundaries for the Town Center is appropriate; and

WHEREAS, placing a moratorium of limited duration and limited scope around the Town Center Study Area would be in the public interest and promote orderly land development consistent with the Comprehensive Plan; and

WHEREAS, state law, RCW 35A.63.220, authorizes the City Council to adopt land use moratoriums;

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

Section 1. Findings of Fact. The "Whereas" clauses above shall constitute findings of fact in support of the moratorium hereafter set forth and are incorporated herein.

Section 2 Moratorium Established. Except as hereafter set forth, a moratorium is imposed upon the filing of applications for development permits and building construction permits, for property located within the limits of the area known as Sammamish Town Center Study Area within the City of Sammamish as identified in "Attachment A" to this Ordinance. For purposes of this moratorium, the terms "development permits and building construction permits" include:

- a. Subdivision approvals;
- b. Short subdivision approvals;
- c. Single and Multi-family dwelling unit approvals (homes, apartments, townhouses, condominiums, mobile home parks, group residences);
- d. Building permits, other than those exempted in Section 3 of this Ordinance;
- e. Rezones.

Section 3. Categorical Exemptions. The terms "development permits and building construction permits" shall not include the following:

- a. Permits and approvals for repair, restoration, rehabilitation, remodeling or to comply with health and safety standards to existing single family residential, multi-family residential and commercial structures when such additions or alterations do not result in the creation of new units or the addition to any building, and permits for structures replacing pre-existing structures destroyed by fire or other unintentional casualty;

- b. Permits and approvals for government facilities and structures;
- c. Permits and approvals for signs;
- d. Permits and approvals for lot line adjustments;

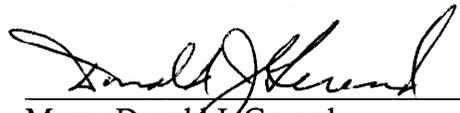
Provided that this moratorium shall not affect vested rights established pursuant to previously filed and fully complete applications.

Section 4. Effective Period of Moratorium. This moratorium, as a public emergency measure necessary for the protection of the public health, safety, and welfare, shall be effective immediately upon passage and shall continue until January 19, 2006 unless terminated sooner by action of the City Council.

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.

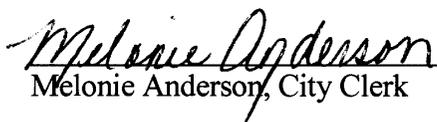
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 19th DAY OF JULY 2005.

CITY OF SAMMAMISH



Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:



Melonie Anderson, City Clerk

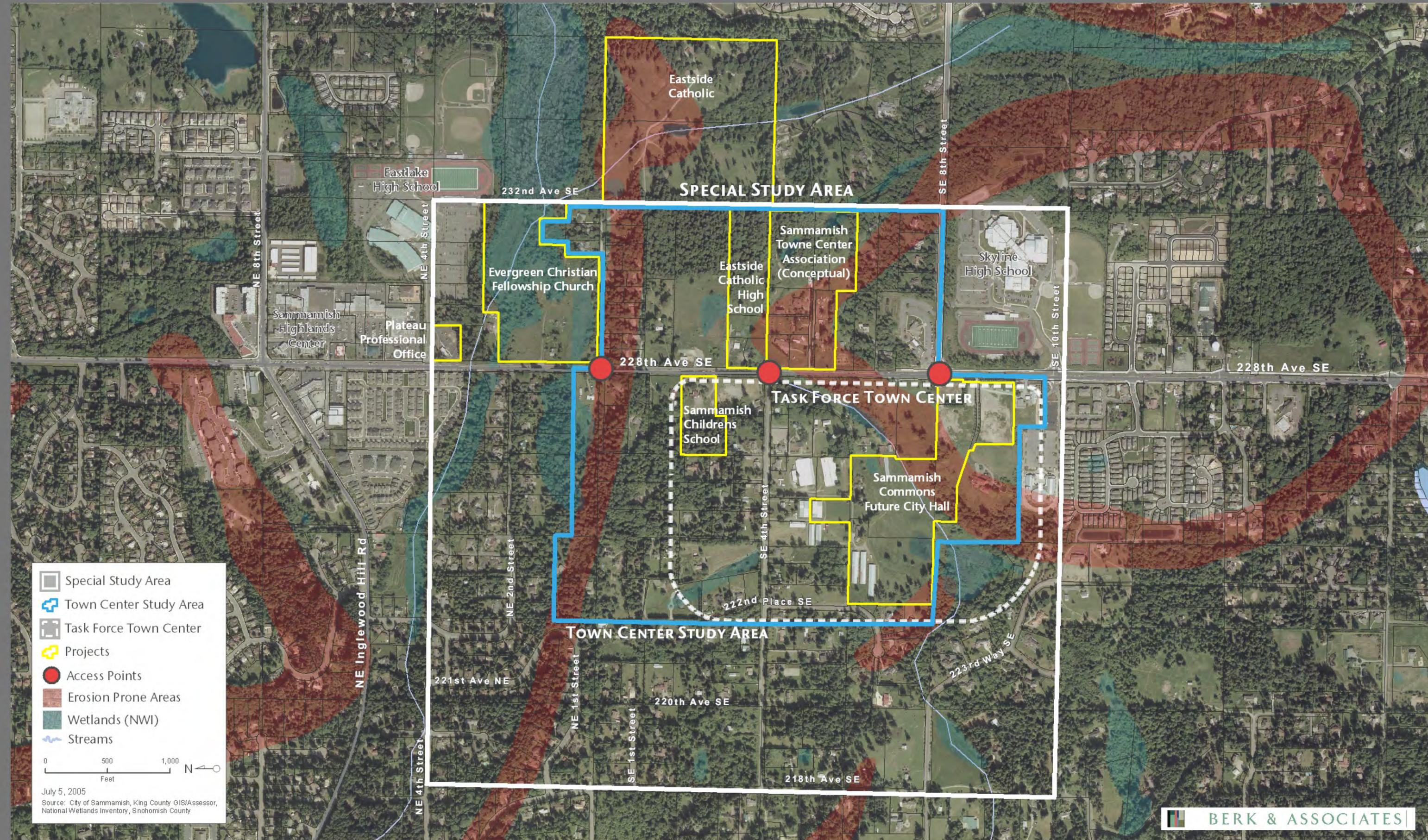
Approved as to form:



Bruce L. Disend, City Attorney

Filed with the City Clerk: July 14, 2005
First Reading: July 19, 2005

Passed by the City Council: July 19, 2005
Date of Publication: July 23, 2005
Effective Date: July 20, 2005



Special Study Area
 Town Center Study Area
 Task Force Town Center
 Projects
● Access Points
 Erosion Prone Areas
 Wetlands (NWI)
~ Streams

0 500 1,000
 Feet

July 5, 2005
 Source: City of Sammamish, King County GIS/Assessor,
 National Wetlands Inventory, Snohomish County