

**CITY OF SAMMAMISH
WASHINGTON
Ordinance No. 02006-196**

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, PERTAINING TO LAND USE AND ZONING, REPEALING CHAPTER 19.08 OF THE SAMMAMISH MUNICIPAL CODE, ENTITLED GROWTH MANAGEMENT PHASING OF RESIDENTIAL DEVELOPMENT

WHEREAS, the State Legislature enacted the Growth Management Act (GMA), RCW Chapter 36.70A, finding that “uncoordinated and unplanned growth together with a lack of common goals expressing the public’s interest in the conservation of and the wise use of our lands, pose a threat to the environment, sustainable development and the health, safety and high quality of life enjoyed by residents of this state”(RCW36.70A.010); and

WHEREAS, the GMA includes adopted goals to guide the development and adoption of comprehensive plans and development regulations for those counties and cities that are required to plan under the Act; and

WHEREAS, the GMA (RCW 36.70A.090) states that “[a] comprehensive plan should provide for innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments, and the transfer of development rights”; and

WHEREAS, the City’s Comprehensive Plan includes policies related to managing growth; and

WHEREAS, the City Council enacted Ordinance 2005-183, which adopted Chapter 19.08 of the Sammamish Municipal Code, commonly referred to as the “Growth Phasing Ordinance”, and said ordinance was intended to implement the policy direction of the Comprehensive Plan and to provide an innovative land management technique as anticipated by the GMA; and

WHEREAS, the City Council found, in adopting Ordinance 2005-183, that growth and development has been occurring at a rate which exceeded the thresholds set in Comprehensive Policy Land Use Policy 3.4; and

WHEREAS, without phasing of residential development, the City Council found that the City would meet or exceed the City’s twenty year growth target, set for the year 2022, in far less than twenty years; and

WHEREAS, in consideration of the goals of the GMA, and the City Comprehensive Plan, amendments were prepared to the Sammamish Municipal Code as set forth in Ordinance 2005-183 to implement phasing of residential development within the City limits; and

WHEREAS, from June 17, 2004 through June 2, 2005 the Planning Commission engaged in a systematic public process to study the issues raised by the proposed amendments, to inform the public about the amendments, and to receive public comment concerning the proposed amendments, including conducting 20 regular and special meetings of the Commission, three stakeholder meetings in February and March 2005 and two sessions of public testimony on May 2, 2005 and May 19, 2005; and

WHEREAS, the Planning Commission carefully considered the proposed amendments and recommended approval of the amendments to the City Council; and

WHEREAS, the City Council held a first reading of the ordinance proposing the amendments, and a public hearing on the proposed amendments on June 7, 2005, and a second reading and continued public hearing of the ordinance on June 21, 2005 a third reading of the ordinance on July 12, 2005, a fourth reading of the ordinance on July 19, 2005 and a fifth reading of the ordinance on July 26, 2005; and

WHEREAS, the City Council of the City of Sammamish found that legislative action was necessary and appropriate in order to allow the City of Sammamish: (1) to develop in accordance with the State Growth Management Act; (2) to develop in accordance with the City's Comprehensive Plan; (3) to accommodate the City's projected population growth in a reasonable manner; (4) to avoid placing undue strain upon the City's resources; and (5) to serve the public health, safety and welfare; and

WHEREAS, the City Council adopted Ordinance 2005-183 on July 26, 2005, with an effective date of August 15, 2005; and

WHEREAS, Ordinance 2005-183 was appealed to the Washington State Central Puget Sound Growth Management Hearings Board; and

WHEREAS, following a hearing, the Board issued an Order of Non-compliance on February 21, 2006, and remanded Ordinance 2005-183 to the City to take legislative action to address the Board's order by the deadline date of May 22, 2006; and

WHEREAS, the City is currently engaged in litigation regarding two other land use matters involving development within the City and the City Council has taken into consideration the substantial amount of time and expense that continuing of the litigation will cause; and

WHEREAS, the City Council has carefully assessed the benefits and burdens of continuing said land use litigation as well as the benefits and burdens of appealing the Growth Hearings Board's order regarding the Growth Phasing ordinance; and

WHEREAS, although the City disagrees with the findings of the Board's Order of Non-compliance, the City Council has weighed the costs and benefits to the citizens of Sammamish of continuing the litigation, and of appealing the Hearings Board's order;

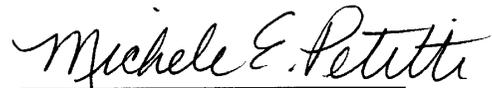
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 2005-183 adopting Chapter 19.08 of the Sammamish Municipal Code is hereby repealed.

Section 2. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force and effect as prescribed by code.

ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE 16th DAY OF MAY, 2006.

CITY OF SAMMAMISH



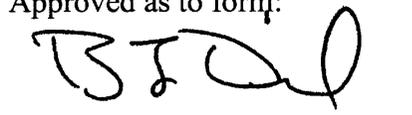
Mayor, Michele E. Petitti

ATTEST/AUTHENTICATED:



Melonie Anderson, City Clerk

Approved as to form:



Bruce L. Disend, City Attorney

Filed with the City Clerk:	April 26, 2006
First Reading:	May 2, 2006
Date Adopted:	May 16, 2006
Publication Date:	May 20, 2006
Effective Date:	May 25, 2006