

17485

A1

1 November 2012

12/3/12 Council Meeting

khm

Sponsor: Phillips

LP Moved as
Consent Package

Proposed No.: 2012-0103

Passed Unanimously

1 AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,

2 VERSION 3

3

4 **Chapter 1, Regional Growth Management Planning:**

5 On the Land Use 2012 map found at the end of Chapter 1, delete "Rural Neighborhood"

6 in the map's legend and insert "Rural Neighborhood Commercial Center"

7 **Chapter 4, Environment:**

8 Starting on page 4-13, delete policy E-115 and replace it with the revised policy E-115

9 attached.

10 On page 4-27, delete the first paragraph under the heading "Public Health" and replace

11 with the revised paragraph attached.

12 On page 4-45, delete policy E-433 and replace it with the revised policy E-433 attached.

13 On page 4-46, delete the second paragraph and replace it with the revised paragraph

14 attached.

15 On page 4-63, delete policy E-480 and replace it with the revised policy E-480 attached.

16 On page 4-77, delete the last paragraph and replace it with the attached.

17 **Chapter 5, Shorelines**

18 Delete pages 5-92 through 5-94 and replace with the attached.

19 **Chapter 7, Transportation:**

20 On page 7-16, delete policy T-208 and replace it with the revised policy T-208 attached.

21 **Chapter 8, Services, Facilities and Utilities:**

22 Starting on page 8-17, delete policy F-238 and replace it with the revised policy F-238
23 attached.

24 On page 8-22, delete policy F-252 and replace it with the revised policy F-252 attached.

25 Starting on page 8-26, delete policy F-264 and replace it with the revised policy F-264
26 attached.

27 On page 8-43, delete the first paragraph following policy F-304 and replace with the
28 revised paragraph attached.

29 **Glossary:**

30 On page G-3, delete the heading and the definition for "Channel migration zone" and
31 replace with the attached.

32 On page G-31, delete heading and the definition for "Water Quality" and replace with the
33 attached.

34

Effect: Subsequent to the committee action, the Executive made requests for changes or clarification to the proposed Comprehensive Plan updates. The proposed changes on the attachment are only shaded for ease of review.

E-115

~~((The Puget Sound Partnership maintains a science program that provides the foundation for the partnership's work. As part of this effort, t))~~**The county should identify opportunities for coordinating its existing monitoring programs with monitoring and assessment work conducted through the Puget Sound Partnership's Strategic Science Plan and Biennial Science Work Plan.**

Public Health

~~((At risk of v))~~ Vulnerable populations are often defined as groups whose unique needs may not be fully integrated into planning for disaster response. These populations include, but are not limited to, those who are physically or mentally disabled, blind, deaf, hard-of-hearing, cognitively impaired, or mobility challenged. Also included in this group are those who are non-English (or not fluent) speakers, geographically or culturally isolated, medically or chemically dependent, homeless, frail elderly, and children.

Public Health – Seattle - King County has established a Vulnerable Population Action Team to address the needs of this population.

See www.kingcounty.gov/healthservices/health/preparedness/VPAT.aspx

E-433

King County ((shall)) should map Fish and Wildlife Habitat Conservation Areas. King County shall protect Fish and Wildlife Habitat Conservation Areas through measures such as regulations, incentives, capital projects, or purchase, as appropriate.

King County defines Species of Local Importance as those species that are of local concern primarily because of their population status or their sensitivity to habitat manipulation. The county takes into consideration native species named as priority species by WDFW; anadromous salmonids aquatic species whose populations are particularly vulnerable to changes in water quality and quantity; species whose habitat or mobility is limited (local populations of species that are immobile or have very limited habitat); and species that can be directly impacted by King County (for example, where road projects or other infrastructure development can impact habitat; where the county may acquire, protect, or restore certain habitat types). King County Species of Local Importance are identified so that they and their habitats may be considered during land use planning((§)) and protected during project implementation and development. Habitats for Species of Local Importance are designated as a type of Fish and Wildlife Habitat Conservation Area and are covered by polices and regulations designed to protect those areas. However, individual animals or plants may also be at risk of injury from development or during construction or other changes to the landscape and may require additional measures to protect them from injury. For example, freshwater mussels may be protected from an instream project by relocating individual animals so they are not injured or killed during construction. Or, a rare individual plant may require the protection of an area of land because the plant cannot be relocated.

E-480

Enhancement or restoration of degraded wetlands may be allowed to maintain or improve wetland functions and values, provided that all wetland functions are evaluated in a wetland management plan, and adequate monitoring, code enforcement and evaluation is provided and assured by responsible parties. Restoration or enhancement must result in a net improvement to the functions and values of the wetland system. Within available resources, King County should provide ~~((F))~~ technical assistance to small property owners ~~((should be considered))~~ as an incentive to encourage the restoration or enhancement of degraded wetlands.

Many of the county's functional plans, programs and development regulations ~~((impact))~~
~~assist in the county's~~ ~~((ability))~~ effort to conserve and recover ESA listed species. These include the code provisions governing zoning, critical areas, clearing and grading, landscaping, and the shoreline master program. County plans include the Surface Water Design Manual, the flood hazard management plan, and regional wastewater services plan. Finally the county's reliance on best management practices for vegetation management, use of insecticides, herbicides and fungicides, and pest management, as well as for management of agricultural and forest lands also play a crucial role in protecting ESA listed species.

IX. Primary & Administrative Policies

A. Reservation of Right to Appeal Department of Ecology Decisions

By law, King County's Shoreline Master Program must be approved by Ecology, which has the power to reject or modify part or all of King County's SMP elements.

1. Reservation of right to submit alternate proposal to Ecology

If Ecology recommends a change to some or all of the elements in King County's SMP, King County reserves the right to submit an alternate proposal for approval.

S-901 If the Department of Ecology recommends changes to any elements of the King County Shoreline Master Program, King County reserves the right to submit an alternate proposal to the Department for its review and approval.

2. Appeal of Ecology's decision to reject or modify King County Shoreline Master Program.

If Ecology rejects or modifies part or all of the elements of in King County's SMP, King County reserves the right to appeal this decision, in whole or part, to the Growth Management Hearings Board and the courts.

S-902 If the Department of Ecology rejects part or all of King County's Shoreline Master Program, or if the Department of Ecology recommends changes that are unacceptable to King County, King County reserves the right to appeal the Department's decision to the Shoreline Management Hearings Board.

B. Posting Notice of Effective Date of King County's Shoreline Master Program and Shoreline Regulations

~~(((1. Effective date of the King County Shoreline Master Program and associated regulations upon direct approval by the Department of Ecology)))~~

The King County SMP ~~((becomes effective on the date the SMP is approved))~~ and any amendments to the SMP take effect only after approval by the Washington State Department of Ecology. ~~((The SMP~~

regulations become effective on the date of the Department of Ecology letter to King County approving the SMP. Pursuant to SMA, this is the effective date of the SMP, regardless of any appeals filed by any individual or entity.

S-903 — King County's Shoreline Master Program will become effective on the date of the letter from the Department of Ecology to King County approving the Shoreline Master Program.

2. Effective date of Program if the Department of Ecology recommends changes or modifications to the SMP.

If Ecology rejects or modifies elements of King County's SMP, the SMP will become effective as indicated in the following policies.

S-904 — If the Department of Ecology recommends changes to King County's Shoreline Master Program and King County accepts those changes, the Shoreline Master Program becomes effective on the date the Department of Ecology receives written notice from King County of its agreement to accept the proposed changes.

S-905 — If the Department of Ecology recommends changes to King County's Shoreline Master Program and King County submits an alternate proposal in response and the Department of Ecology accepts the alternate proposal, the Shoreline Master Program will become effective on the date of the letter from the Department of Ecology to King County accepting the alternate proposal.

S-906 — If King County files an appeal with the Growth Management Hearings Board regarding a decision by the Department of Ecology to reject or modify part or all of the King County Shoreline Master Program, it will not become effective until the appeal is resolved and the Shoreline Master Program is approved by the Department of Ecology.

3. Publication of notice of effective date of King County's SMP.

King County will publish a general notice to inform the public of the effective date of the SMP.))

S-((907))903 Upon receipt of the letter from the Department of Ecology approving the King County Shoreline Master Program ~~(SMP) or any amendments to the SMP~~, King County will promptly ~~((publish))~~ ~~post on its website a~~ notice that the Department of Ecology has taken final action and approved the ~~((Shoreline Master Program))~~ ~~SMP or SMP amendments~~. The notice will indicate the effective date.

~~((C)). Treaty Rights Not Affected by Shoreline Master Program~~

King County has sought the input of and consulted with Tribes located in and adjacent to King County when developing the SMP. However, the Shoreline Master Plan and associated shoreline regulations shall not be construed to affect any treaty rights established between the United States and the individual Tribes.

S-((908))904 Nothing in the King County Shoreline Master Program nor in any action taken under the Shoreline Master Program shall be construed to affect any treaty right to which the United States is a party.

Power to Abate Nuisance Retained by King County and the State Of Washington

Adoption of the SMP is a requirement of the SMA. King County's compliance with this state law should not be construed in any way to limit or modify all other powers possessed by King County.

S-((909))905 Nothing in the King County Shoreline Master Program shall be construed to limit the power of King County or the State of Washington to abate nuisances within the shoreline jurisdiction.

S-((910))906 King County specifically reserves all rights, power, and authority granted to it by law. Nothing in the King County Shoreline Master Program shall be construed in any way to limit any power or authority possessed by King County.

T-208

King County shall not add any new arterial capacity in the Rural Area or natural resource lands, except for segments of rural regional corridors that pass through rural or resource lands to accommodate levels of traffic between urban centers. Rural regional corridors shall be identified in the Transportation Needs Report (Appendix C) and shall meet all of the following criteria:

- a. Connects one urban area to another, or to a highway of statewide significance that provides such connection, by traversing the Rural Area;
- b. Classified as a principal arterial;
- c. Carries high traffic volumes (at least 15,000 ADT); and
- d. At least half of P.M. peak trips on the corridor are traveling to cities or other counties.

F-238

New subdivisions with more than six single-family lots on Vashon-Maury Island and in basins with closed streams in the Rural Area (as defined in WAC 173-507, 508, 509, 510, and 515) may not be served by a potable water system using an exempt well, or a combination of multiple exempt wells. Exempt wells are allowed only in the Rural Area and only under the following circumstances:

- a. New subdivisions or short subdivisions with six or fewer lots;**
- b. Except as otherwise provided in subsection c. of this policy only one exempt well per subdivision or short subdivision will be permitted unless more than one exempt well is needed to meet the water flow requirements for the subdivision or short subdivision;**
- c. Individual private wells may be used in a subdivision or short subdivision when all lots in the subdivision or short subdivision are twenty acres in area or larger; and**
- d. New developments in the Rural Area served ~~((bygone))~~ by one or more exempt wells shall not exceed one-half acre of irrigation.**

F-252

In reviewing proposals for modified and expanded service area boundaries for municipal water suppliers, the UTRC shall consider, in addition to Policy F-~~((240))251~~:

- a. Compliance by the water system with its water system comprehensive plan, including water conservation elements;**
- b. Whether it can meet its duty to provide service within its service area, as required under chapter 43.20 RCW; and**
- c. Consistency with the service provisions of any applicable Coordinated Water System Plan, as adopted in King County Code Chapter 13.28.**

F-264

Except as otherwise provided for in this policy, public sewer service shall be prohibited in the Rural Area or on Natural Resource Lands.

- a. Public sewer service may be expanded to the Rural Area or to Natural Resource Lands, only:
 - 1. where needed to address specific health and safety problems threatening the use of existing structures;**
or
 - 2. to serve a new school authorized to be located in the Rural Area by ~~((and))~~ R-327.****
- b. Public sewers may be extended, pursuant to this policy, only if they are tightlined and only after a finding is made by King County that no reasonable alternative technologies are feasible.**
- c. Public sewers that are allowed in the Rural Area or on Natural Resource Lands pursuant to this policy shall not be used to convert Rural Area land or Natural Resource Lands to urban uses and densities or to expand permitted nonresidential uses.**

Channel Migration Zone

Channel migration zones are those areas along a river channel within which the channel(s) can be reasonably predicted, based on best available science, to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings. ~~((within the lateral extent of likely stream channel movement that are subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in the location of stream channels, as shown on King County's Channel Migration Zone maps. Channel migration zone means the corridor that includes the present channel, the severe channel migration hazard area and the moderate channel migration hazard area. Channel migration zone does not include areas that lie behind an arterial road, a public road serving as a sole access route, a state or federal highway or a railroad. Channel migration zone may exclude areas that lie behind a lawfully established flood protection facility that is likely to be maintained by existing programs for public maintenance consistent with designation and classification criteria specified by public rule. Excluded areas must be outside of the Urban Growth Area and channel constraints must lie above the 100 year flood elevation, unless the flood elevation is otherwise demonstrated using scientific and technical information. When a natural geologic feature affects channel migration, the channel migration zone width will consider such natural constraints.))~~

Water Quality

Water quality means the physical characteristics of water within shoreline jurisdiction, including water quantity, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in this chapter, the term water quantity refers only to development and uses regulated under this chapter and affecting water quantity, such as ~~((impermeable))~~ pollution generating surfaces and stormwater handling practices. Water quantity, for purposes of this ~~((chapter))~~ comprehensive plan, does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.03.250 through 90.03.340.

17485

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1 November 2012

12/3/12 Council Meeting

khn

LP Moved as
Consent Package

Sponsor: Phillips

Proposed No.: 2012-0103

Passed Unanimously

1 **AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,**

2 **VERSION 3**

3 **Chapter 3, Rural Area and Natural Resource Lands:**

4 On page 3-4, delete the first paragraph after the header "B. Rural Character" and replace
5 it with the revised paragraph attached.

6 On page 3-27, delete the first paragraph following policy R-325 and replace it with the
7 revised paragraph attached.

8 On page 3-49, delete the paragraph immediately preceding the heading "1. Protecting
9 Forest Lands" and replace it with the revised paragraph attached.

10 **Chapter 4, Environment:**

11 On page 4-16, after the heading "King County Greenhouse Gas Emissions" delete the
12 paragraph and replace it with the revised paragraph attached.

13 On page 4-55, in the first paragraph following policy E-455, delete the reference "Policy
14 F-264" and insert "Policy F-266"

15 **Chapter 6, Parks, Open Space and Cultural Resources:**

- 16 On page 6-5, delete the first paragraph under the heading "1. Regional Recreation Site,
17 Multiple Use Sites and Trails" and replace it with the revised paragraph attached.
- 18 On page 6-15, in the last line of policy P-204, after "celebration of cultural diversity and
19 creativity." delete "transmission"
- 20 **Chapter 7, Transportation:**
- 21 On page 7-24, delete policy T-233 and replace it with the revised policy T-233 attached.
- 22 On page 7-25, delete policy T-238 and replace it with the revised policy T-238 attached.
- 23 On page 7-43, delete the listing found directly above policy T-405 and replace it with the
24 attached.
- 25 **Chapter 8, Services, Facilities and Utilities:**
- 26 Starting on page 8-8, delete the last paragraph and replace it with the revised paragraph
27 attached.
- 28 Starting on page 8-36, after the heading "M. Human Services" delete the paragraph and
29 replace with the attached.
- 30 On page 8-42, delete the paragraph between policies F-301 and F-302 and replace with
31 the attached.
- 32 **Chapter 10, Community Plans:**
- 33 On page 10-3, after the heading "I. Bear Creek" delete the paragraph and replace it with
34 the attached.
- 35 **Glossary:**
- 36 On page G-6, delete the heading and the definition for "Density Incentives/Bonuses" and
37 replace with the attached.
- 38 On page G-6, delete the heading and the definition for "Development" and replace with
39 the attached.

Effect: Makes changes to various chapters of the 2012 Comprehensive Plan to address matters raised by the clerk of the Council. While these changes are more than technical, and therefore beyond the authority of the clerk to make, they are only intended to provide clarity or remove ambiguity and not intended to change the intent of the text or policy. The proposed changes on the attachment are only shaded for ease of review.

The GMA requires the protection of traditional rural activities and rural character. King County is committed to protecting rural character and recognizes that each of its rural communities has distinct and unique characteristics. These communities vary depending on settlement and economic history, geography, and distance from the urbanizing areas of the region. For example, residents of Vashon Island, accessible only by ferry, enjoy an island's leisurely and scenic lifestyle. Residents of the hilly gorge region around Black Diamond enjoy numerous recreational opportunities. There are small communities throughout rural King County, such as Hobart and Cumberland, each with ~~((their))~~ its own unique history and lifestyle. Other communities~~((s))~~ with ~~((a))~~ rich rural heritages, such as Old Maple Valley, are in transition as development of land in and adjacent to the areas is occurring. In the Snoqualmie Valley, farming is still the mainstay, while further east, the Town of Skykomish has a significant railroad and forestry history.

In 2011, a School Siting Task Force was convened at the request of the Growth Management Planning Council to examine the issue of siting schools in rural areas, including whether they may be served by sewers. The Task Force examined undeveloped rural properties owned by school districts and made recommendations as to their use or disposition. In its final report, the Task Force recommended that all future school siting be consistent with the policies in VISION 2040.. Placing schools in cities in the rural area or in Rural Towns reduces transportation and environmental impacts, protects rural character, ~~and~~ allows schools to be served with urban-level utilities and fire protection and ~~((to be))~~ used efficiently for other community activities.

The first step to maintain and enhance commercial forestry is to protect the forest land base. The second step is to encourage an ecosystem approach to forest management that provides for long-term ecosystem health and productivity and addresses cumulative impacts on non-timber resources. The third step is to ~~((support and encourage commercial forestry by))~~ minimize~~((ing))~~ land use conflicts and offer~~((ing))~~ incentives for ~~((their))~~ the retention of commercial forestry and the forest land base.

Human-caused climate change results primarily from greenhouse gas (GHG) emissions such as methane, carbon dioxide and nitrous oxide, which are measured in metric tons of carbon dioxide equivalent (MTCO₂e). King County has recognized that it must reduce the GHG emissions of its operations and support broader efforts to reduce countywide emissions.

King County's regional parks and facilities accommodate a wide range of active and passive recreational activities. Recreation sites ~~that make up a functional system ((e))~~ includes highly developed sites with organized, scheduled activities such as soccer and softball; passive or low impact recreation sites that include both physical activities and less intense activities such as informal play, trail use, and picnicking; and multiuse sites that include a combination of active recreation and passive recreation with less intensely developed facilities and natural areas.

T-233

In both urban and rural unincorporated areas of King County, the following needs will be given the highest priority when identifying, planning, and programming nonmotorized improvements:

- a. Addressing known collision locations;**
- b. Fostering safe walking and bicycling routes to schools and other areas where school-aged children regularly assemble; ((and))**
- c. Filling gaps in, or enhancing connections to, the regional trail system; and**
- d. Locations of high concentration of pedestrian and/or bicycle traffic.**

T-238

New school development should address safe walking and bicycling routes for students. If the existing transportation infrastructure within a one-mile radius, together with the school's road frontage improvements cannot support safe walking or bicycling to school, King County shall use its development review authority to require the school district and the new school to address the long-term transportation needs of students, including through the state-mandated Safe Routes to School program.

The following actions can be used to balance the funding shortfall of the plan:

1. Reduce transportation funding needs;
2. Develop new revenue options;
3. Change LOS ~~on~~;
4. Change land use.

The elements of green building include: siting the project (to take advantage of existing services, to retain existing landscaping and natural features, and to increase building energy performance); requiring energy efficiency (to reduce energy consumption, to increase occupants' comfort, and to reduce green house gas emissions); managing building construction and demolition materials efficiently to reduce greenhouse gas emissions, and to increase the life-cycle of the building); increasing water efficiency (to reduce water consumption and to reduce wastewater treatment); and implementing universal design to ensure for aging in place and to service diverse occupancy opportunities.

King County has a regional role in human services, working with many partners, such as the federal, state, and other local governments, service providers, non-profit organizations, foundations, faith communities, businesses, schools, and the criminal justice system, to help those most in need. King County's investments in human services are guided by the Framework Policies for Human Services and ultimately, the King County Strategic Plan. The Framework Policies are contained in Chapter 2.51 of the King County Code and "establish priorities and guide the future development of county human service programs." The purpose of the Framework Policies is to communicate King County government's role in human services, the goals we seek to achieve, and the principles that will underlie our investments.

Disruption of traffic due to public and private road projects frequently occurs in King County. Policies in this chapter support existing programs to notify utilities of upcoming projects to build, expand, or maintain county roads so utility and road construction can be coordinated. Distribution systems for gas, electric and telecommunications installation in new construction now have separate permits. Permit consolidation is desirable as a means to expedite review while protecting the environment. ((Countywide Planning Policy ED-23 encourages jurisdictions to establish a master utility project.))

The Bear Creek Community Plan became effective in February 1989, and directed most forecast growth into a concentrated area near the City of Redmond Watershed, first referred to as the "Novelty Hill Master Planned Developments." The rest of the Bear Creek Plateau was designated for a mixture of suburban and rural residential development. The 1994 King County Comprehensive Plan redesignated most of the planning area as rural. In 1995, some of the Bear Creek Community Plan's policies relating to the Novelty Hill Master Planned Developments (MPDs) were amended by Ordinance 11954. Also, the 1994 Comprehensive Plan refers to MPDs as Urban Planned Developments (UPDs). After the 1994 Comprehensive Plan's urban designation of the UPD sites was appealed and remanded to the county, the sites in question were redesignated for Fully Contained Communities (FCCs) as defined in the Growth Management Act, as well as UPDs (See policy ~~((R-104 in Chapter 3))~~ U-178). The readopted policies for the most part address Novelty Hill and some area-specific transportation and trail issues.

Density Incentives/Bonuses

Density incentives, or density bonuses, are programs that allow ~~more~~~~((additional))~~ dwelling units than the number permitted on a site by zoning (sometimes referred to as "base density") in exchange for public benefits provided by the developer. King County has incorporated use of density incentives with standard urban subdivision, mobile home park, and multifamily development projects. (King County Code, Title 21A)

Development

For purposes of the shoreline master program, development means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removing sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to ~~((this chapter at))~~ any state of water level.

17485

5

12 November 2012

12/3/12 Council Meeting

Technical amendment
rb

LP Model as consent
package
Passed Unanimously

Sponsor: Phillips

Proposed No.: 2012-0103

1 AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3

2 On page 4, line 67, after "Attachments" delete "A, B, C, D, E, F, G and H" and insert "A,
3 B, C, D, E, F and G"

4
5 On page 6, line 127, delete "B." and insert "~~(B.)~~ C."

6
7 On page 7, line 138, after "department of" delete "development and environmental
8 services" and insert "permitting and environmental review"

9
10 On page 7, line 145, after "department of" delete "development and environmental
11 services" and insert "permitting and environmental review"

12
13 On page 7, beginning on line 149, delete "~~(and)~~ and" and insert "and"

14
15 On page 7, beginning on line 152, after "department of" delete "development and
16 environmental services" and insert "permitting and environmental review"

17

18 On page 40, line 807, after "department of" delete "development and environmental
19 services" and insert "permitting and environmental review"

20

21 On page 44, line 893, after "department of" delete "development and environmental
22 services" and insert "permitting and environmental review"

23

24 On page 46, beginning on line 939, after "of the department of" delete "development and
25 environmental services" and insert "permitting and environmental review"

26

27 On page 49, line 1001, after "department of" delete "development and environmental
28 services" and insert "permitting and environmental review"

29

30 On page 49, line 1011, after "department of" delete "development and environmental
31 services" and insert "permitting and environmental review"

32

33 On page 72, after line 1524, insert:

34 "SECTION 29. Ordinance 10870, Section 576, as amended, and K.C.C.

35 21A.38.030 are each hereby amended to read as follows:

36 A. Property-specific development standards, denoted by the zoning map symbol -
37 P after the zone's map symbol or a notation in the ~~((SITUS File))~~ geographic information
38 system data layers, shall be established on individual properties through either
39 reclassifications or area zoning. All property-specific development standards are
40 contained in Appendix of Ordinance 12824 as currently in effect or hereinafter amended

41 and shall be maintained by the department of permitting and environmental review in the
42 Property Specific Development Conditions notebook. Upon the effective date of
43 reclassification of a property to a zone with a “-P” suffix, the property-specific
44 development standards adopted thereby shall apply to any development proposal on the
45 subject property subject to county review, including, but not limited to, a building permit,
46 grading permit, subdivision, short subdivision, subsequent reclassification to a potential
47 zone, urban planned development, conditional use permit, variance((;)) and special use
48 permit.

49 B. Property-specific development standards shall address problems unique to
50 individual properties or a limited number of neighboring properties that are not addressed
51 or anticipated by general minimum requirements of this title or other regulations.

52 C. Property-specific development standards shall cite the provisions of this title, if
53 any, that are to be augmented, limited, or increased, shall be supported by documentation
54 that addresses the need for such a condition(((s))) or conditions, and shall include street
55 addresses, tax lot numbers or other clear means of identifying the properties subject to the
56 additional standards. Property-specific development standards are limited to:

- 57 1. Limiting the range of permitted land uses;
- 58 2. Requiring special development standards for property with physical constraints
59 (e.g., environmental hazards, view corridors);
- 60 3. Requiring specific site design features (e.g., building orientation, lot layout,
61 clustering, trails or access location);
- 62 4. Specifying the phasing of the development of a site;

63 5. Requiring public facility site dedications or improvements (e.g., roads, utilities,
64 parks, open space, trails, school sites); or

65 6. Designating sending and receiving sites for transferring density credits as
66 provided in K.C.C. 21A.36.

67 D. Property-specific development standards shall not be used to expand permitted
68 uses or reduce minimum requirements of this title

69 SECTION 30. Ordinance 12627, Section 2, as amended, and K.C.C. 21A.55.020
70 are each hereby amended to read as follows:

71 A. ~~((Authority and Application of Demonstration Projects.))~~ In establishing any
72 demonstration project, the council shall specify the following ~~((provisions))~~:

73 1. The purpose of the demonstration project;

74 2. The location~~((s))~~ or locations of the demonstration project;

75 3. The scope of authority to modify standards and the lead agency~~((/))~~ or
76 department with authority to administer the demonstration project;

77 4. The development standards established by this title or other titles of the King
78 County Code ~~((which))~~ that affect the development of property that are subject to
79 administrative modifications or waivers;

80 5. The process through which requests for modifications or waivers are
81 reviewed and any limitations on the type of permit or action;

82 6. The criteria for modification or waiver approval;

83 7. The effective period for the demonstration project and any limitations on
84 extensions of the effective period;

85 8. The scope of the evaluation of the demonstration project and the date by
86 which the executive shall submit an evaluation of the demonstration project; and

87 9. The date by which the executive shall submit an evaluation of specific
88 alternative standards and, if applicable, proposed legislation.

89 B. A demonstration project shall be designated by the Metropolitan King County
90 Council through the application of a demonstration project overlay to properties in a
91 specific area or areas. A demonstration project shall be indicated on the zoning map or a
92 notation in the ((SITUS File)) geographic information system data layers maintained by
93 the department of permitting and environmental review, by the suffix "-DPA" (meaning
94 demonstration project area) following the map symbol of the underlying zone or zones.
95 Within a designated demonstration project area, approved alternative development
96 regulations may be applied to development applications."

97

98 Renumber the remaining sections consecutively and correct any internal references
99 accordingly.

100

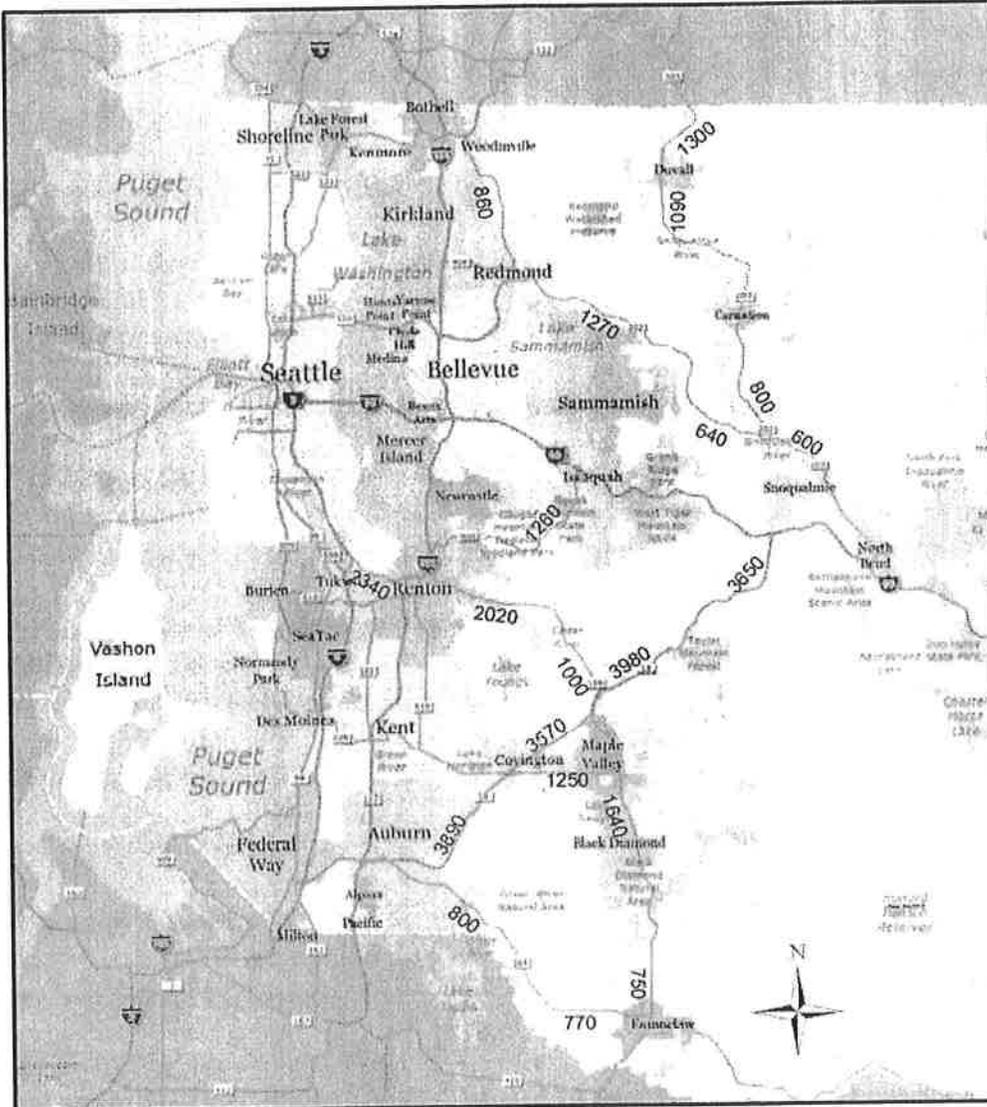
101 On Attachment D (Appendix C – Transportation), after page C-29, insert the attached
102 map, 2030 Forecast Traffic Volumes on State Facilities in Unincorporated King County
103 (PM Peak Hour trips)

104

EFFECT:

- **Corrects references to ordinance attachments**
- **Corrects subsection reference**
- **Corrects old references to DDES and other corrections made in Ordinance 17420**

- **Adds two new sections to fix references to defunct SITUS files and makes other grammar corrections**
- **Inserts 2030 Travel Forecast map into Attachment D**



2030 Forecast Traffic Volumes on State Facilities in Unincorporated King County (PM Peak Hour trips)

Source: King County EMME/2 Traffic Forecast Model



September 06, 2012

26 November 2012

12/13/12 Council Meeting

Work Program add

Sponsor: Lambert/Phillips

khm/rb

Proposed No.: 2012-0103

LP moved, as consent package passed unanimously

1 AMENDMENT TO TO PROPOSED ORDINANCE 2012-0103, VERSION 3

2 On page 72, after line 1524, insert:

3 "O.1. The Executive shall work collaboratively with the City of Woodinville to
4 develop joint recommendations for promoting the wine and agriculture industries.

5 2. In developing these recommendations, the County shall work with the City to
6 analyze and consider the following:

7 a. Identification of existing and needed transportation infrastructure including
8 traffic safety improvements, roads, sidewalks, parking, trails, tourism buses, signage and
9 way finding;

10 b. The finite nature and value of agricultural soil resources and the agricultural
11 potential of the APD;

12 c. The character of the surrounding rural area;

13 d. Vacant, buildable, and redevelopable land within the existing urban growth
14 area;

15 e. The adopted Countywide Planning Policies and King County Comprehensive
16 Plan;

17 f. Input from the public and interested stakeholders, including local businesses
18 and surrounding city and unincorporated area communities;

19 g. Failing septic systems and pollution in the valley, in conjunction with the
20 report set forth in subsection I of this section; and

21 h. Non-conforming uses on the unincorporated lands in King County and on the
22 agricultural lands.

23 Renumber the remaining subsections consecutively and correct any internal references
24 accordingly.

EFFECT: Requires the Executive to engage in joint planning with the City of Woodinville to develop joint recommendations for promoting the wine and agriculture industries.

M1a

20 November 2012

12/12 Council Meeting

rb

hp. Moved as
Consent Package
Passed Unanimously

Sponsor: Pete von Reichbauer

Proposed No.: 2012-0103

**AMENDMENT TO ATTACHMENT A OF STRIKING AMENDMENT TO PROPOSED
ORDINANCE 2012-0103, VERSION 3**

Delete all text on pages MA-23 through MA-25, insert the following:

Map Amendment # 7

Pacific Raceways

AMENDMENT TO THE KING COUNTY COMPREHENSIVE PLAN – LAND USE MAP

Amend Map # 16 Sections 3 and 10, Township 21, Range 5 as follows:

Reclassify any portion of the following parcels within the recommended conservation easement – about 32 acres - from I-P (Industrial with conditions) to RA-5 (Rural Area, one lot per five acres)::

1021059002

1021059008

0321059190

1021059003

Reclassify the remainder of parcels 1021059002 and 0321059190 that are outside of the recommended easement – about 1.6 acres – from RA-5 to I-P, industrial with a P-Suffix condition SC-PO-2, which reads as follows:

"The site is limited to racetrack uses only; no other industrial uses are allowed which are not permitted by the SIR Special Use Permit. The Rural land use designation will remain; should the racetrack use be terminated, this property should continue to be designated Rural and the zoning shall revert to RA-5."

Pre-effective Condition

The zoning amendments shall not become effective until the property owner of Pacific Raceway has recorded a permanent conservation easement with King County that meets

the following criteria, on all of the land under Pacific Raceway ownership:

- a. The conservation easement shall extend the greater of either (1) three hundred feet from the ordinary high water mark on both sides of Soosette Creek or (2) fifty feet beyond the top of the steep slope or landslide hazard area of Soosette Creek;
- b. The conservation easement shall be re-vegetated using native tree and shrub species within any currently disturbed areas.

Effect:

The revision will result in a net increase of 30.4 additional acres of RA-5 zoning (32 acres of land being rezoned from I-P to RA-5 and 1.6 acres rezoned from RA-5 to I-P.

The reclassifications are not effective until the owner of Pacific Raceways has dedicated a conservation easement the greater or 300' from the OHWM of Soosette Creek or 50' beyond the top of the steep slope or landslide hazard area of Soosette Creek.

Pacific Raceways

Recommended Zoning Map



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representation or warranty, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey instrument. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

- RA-5 Rural Area, 1 DU/5 acres
- A-10 Agricultural, 1 DU/10 acres
- R-1 Residential, 1 DU/acre
- I Industrial

- Incorporated Areas
- Urban Growth Boundary
- Study Area



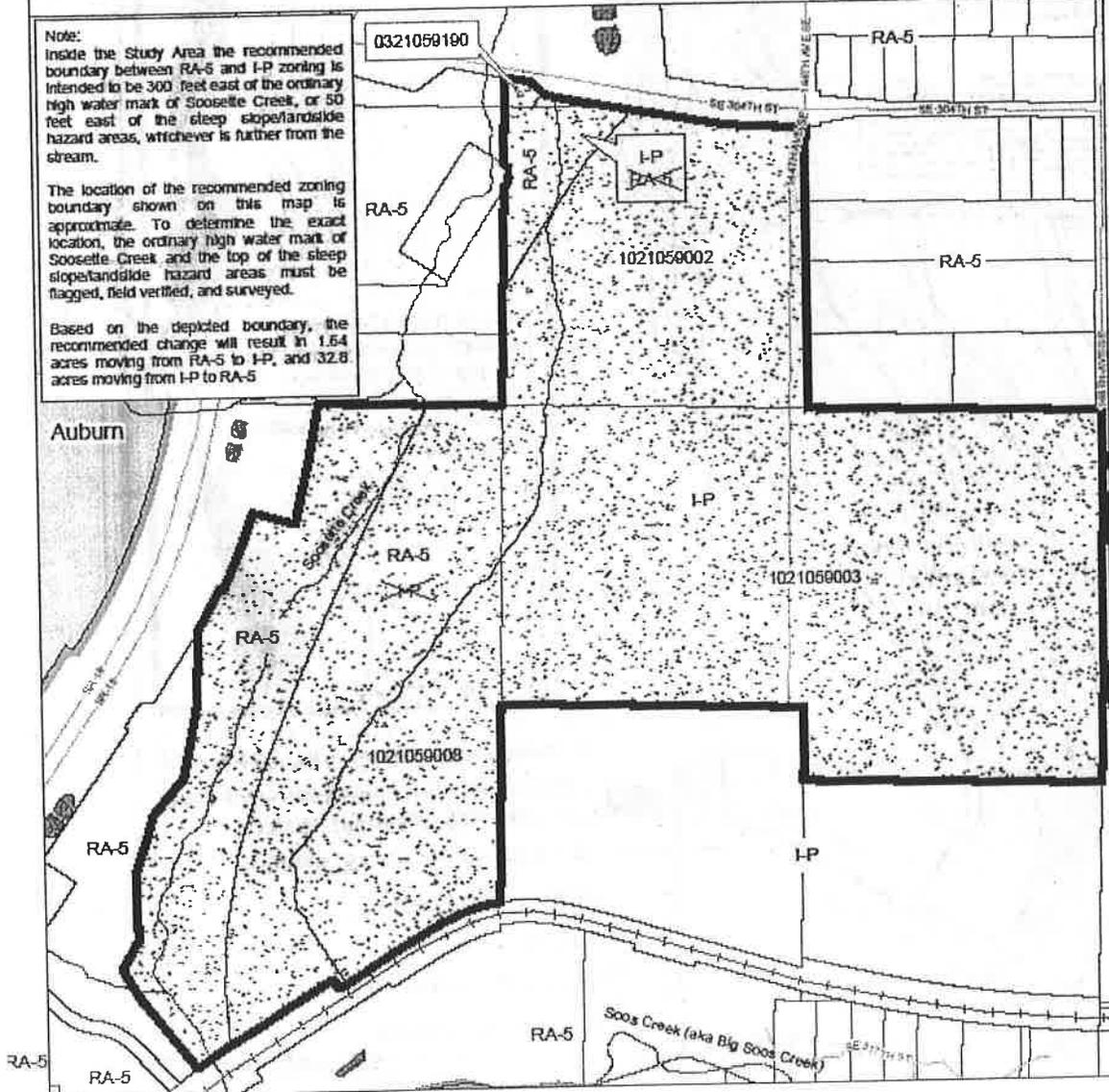
0 300 600
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Date: February 10, 2013
 I:\james11\Projects\2012_CompPlan\Project\PacificRaceways_jac_fmz.mxd
 I:\james11\Projects\2012_CompPlan\Project\PacificRaceways_jac_fmz.mxd
 WCCOMBOP

Note:
 Inside the Study Area the recommended boundary between RA-5 and I-P zoning is intended to be 300 feet east of the ordinary high water mark of Soosette Creek, or 50 feet east of the steep slope/landslide hazard areas, whichever is further from the stream.

The location of the recommended zoning boundary shown on this map is approximate. To determine the exact location, the ordinary high water mark of Soosette Creek and the top of the steep slope/landslide hazard areas must be flagged, field verified, and surveyed.

Based on the depicted boundary, the recommended change will result in 1.54 acres moving from RA-5 to I-P, and 32.8 acres moving from I-P to RA-5.





King County

Appendix 2: Recommended Conservation Easement

DATE: FEB 01, 2012
MIDLAND PROJECT 15-00089207, COMPLAN (PROJECT) PACIFIC GRACE W/ SYSTEM 3 ADD7
MIDLAND PROJECT 15-00089207, COMPLAN DELIVERY FACILITY GRACEWAY STOP FOR PDR
MIDLAND

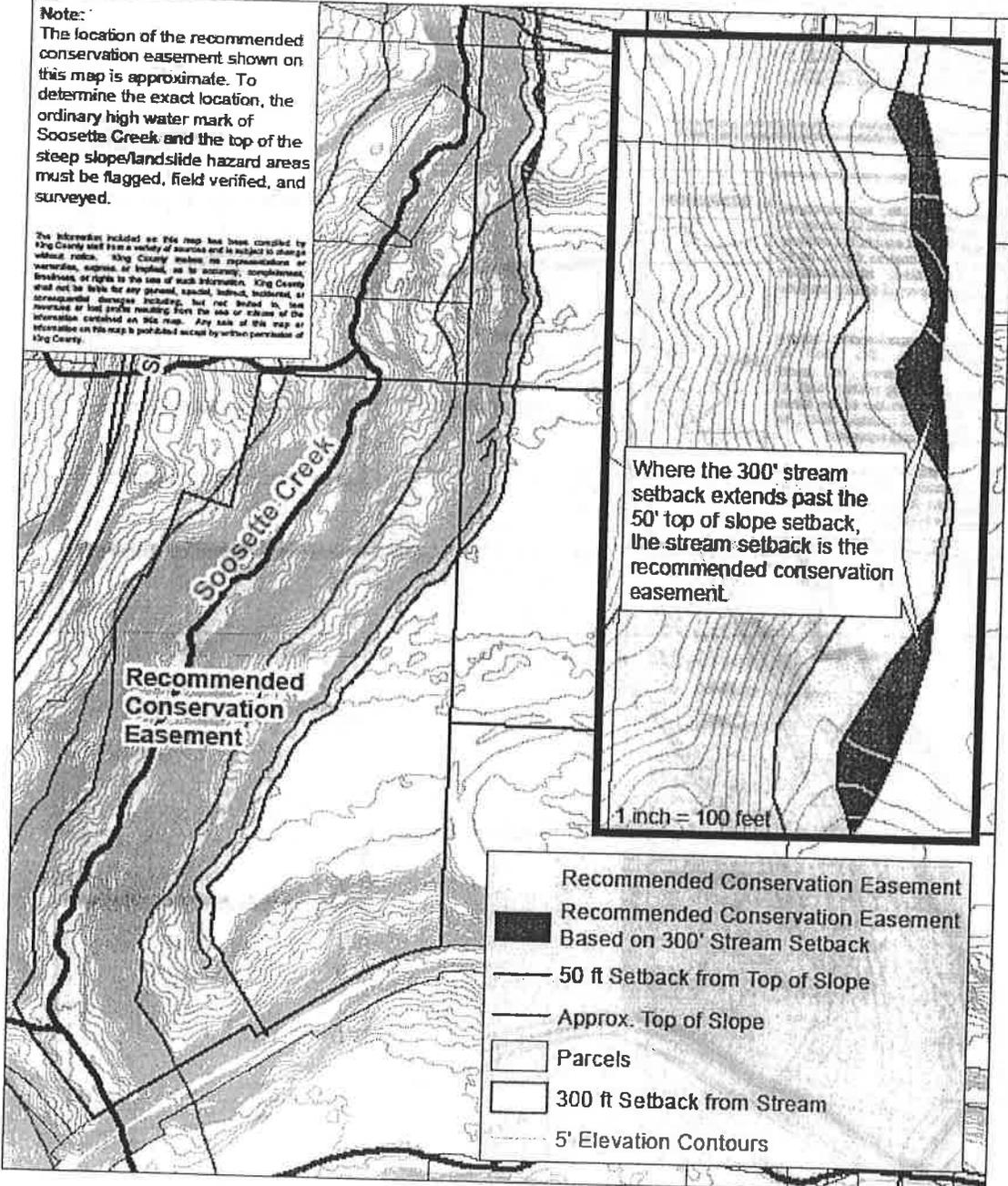


1 inch = 500 feet

Note:

The location of the recommended conservation easement shown on this map is approximate. To determine the exact location, the ordinary high water mark of Soosette Creek and the top of the steep slope/landslide hazard areas must be flagged, field verified, and surveyed.

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Where the 300' stream setback extends past the 50' top of slope setback, the stream setback is the recommended conservation easement.

1 inch = 100 feet

-  Recommended Conservation Easement Based on 300' Stream Setback
-  50 ft Setback from Top of Slope
-  Approx. Top of Slope
-  Parcels
-  300 ft Setback from Stream
-  5' Elevation Contours

17485

Sh1

1 November 2012

12/3/12 Council Meeting

khm

LP moved, as
consent package

Sponsor: Phillips

Passed Unanimously Proposed No.: 2012-0103

1 **AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,**

2 **VERSION 3**

3 **Chapter 5, Shorelines**

4 On page 5-56, delete the paragraph that precedes Policy S-628 and replace with the
5 revised paragraph attached.

6 On page 5-59 after policy S-638, insert new policy S-639 attached.

7 Renumber the remaining policies in Chapter 5 of the Comprehensive Plan consecutively
8 and correct any internal references accordingly.

9 On page 5-76, delete policy S-754 and replace it with the revised policy S-754 attached.

10 On page 5-88, delete policy S-800 and replace it with the revised policy S-800 attached.

11

Effect: These are the policy and text revisions that the Department of Ecology has required the County to make in order to receive the Department's approval of the County's Shoreline Master Program, the policies of which are contained in Chapter 5 - Shorelines of the Comprehensive Plan. The proposed changes on the attachment are only shaded for ease of review.

Critical saltwater habitats include all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sand lance; subsistence, commercial and recreational shellfish beds; mudflats, spits, intertidal habitats with vascular plants, and areas with which priority species have a primary association. Critical saltwater habitats include both the shorelines and the adjacent submerged areas.

S-639 King County shall continue mapping channel migration zones on all of its rivers and streams within shoreline jurisdiction where channel migration zones have not already been mapped.

S-754

King County should require multi-family residential development and subdivisions within the shoreline jurisdiction creating more than four lots to provide ((community-or)) public access.

S-800

King County shall allow fill waterward of the ordinary high-water mark

~~((allowed))~~ only when necessary to support:

1. Water-dependent use;
2. Public access;
3. Cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan;
4. Disposal of dredged material considered suitable under, and conducted in accordance with, the dredged material management program of the Washington Department of Natural Resources;
5. Expansion or alteration of transportation facilities of statewide significance currently located on the shoreline and then only upon a demonstration that alternatives to fill are not feasible; ~~((or))~~
6. Mitigation actions, environmental restoration, beach nourishment, enhancement projects; or
7. ~~((and-f))~~ Flood risk reduction projects implemented consistent with the goals, policies and objectives of the King County Flood Hazard Management Plan where no reasonable alternative exists.

17485

1a

30 November 2012

12/3/12 Council Meeting

SMP Code amendments
khm

Sponsor: Phillips

Proposed No.: 2012-0103

LP Moved, as
Consent Package
Passed Unanimously

1 AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3:

2 **On page 8, after line 155, insert:**

3 "SECTION 7. Ordinance 16985, Section 4, and K.C.C. 20.12.205 are each hereby
4 amended to read as follows:

5 The following King County Code sections in effect as of ~~((December 10, 2010))~~ the
6 effective date of this ordinance, are adopted as land use and development regulations within the
7 shoreline jurisdiction:

8 A. The following sections within K.C.C. Title 20:

- 9 1. K.C.C. 20.18.040;
- 10 2. K.C.C. 20.18.050;
- 11 3. K.C.C. 20.18.056;
- 12 4. K.C.C. 20.18.057;
- 13 5. K.C.C. 20.18.058; and
- 14 6. K.C.C. 20.24.510.

15 B. The following sections within K.C.C. Title 21A:

- 16 1. ~~((K.C.C. 21A.06.358;~~
- 17 2.)) K.C.C. 21A.06.118;

- 18 ~~((3.))~~ 2. K.C.C. 21A.06.156;
- 19 ~~((4.))~~ 3. K.C.C. 21A.06.181;
- 20 4. K.C.C. 21A.06.181E;
- 21 5. K.C.C. 21A.06.181G;
- 22 6. K.C.C. 21A.06.182;
- 23 7. K.C.C. 21A.06.333A;
- 24 ~~((5.))~~ 8. K.C.C. 21A.06.401;
- 25 ~~((6.))~~ 9. K.C.C. 21A.06.469;
- 26 ~~((7.))~~ 10. K.C.C. 21A.06.573;
- 27 ~~((8.))~~ 11. K.C.C. 21A.06.653;
- 28 ~~((9.))~~ 12. K.C.C. 21A.06.738;
- 29 ~~((10. K.C.C. 21A.06.118;~~
- 30 ~~11.))~~ 13. K.C.C. 21A.06.796;
- 31 ~~((12.))~~ 14. K.C.C. 21A.06.796A;
- 32 15. K.C.C. 21A.06.825;
- 33 ~~((13.))~~ 16. K.C.C. 21A.06.892;
- 34 ~~((14.))~~ 17. K.C.C. 21A.06.913;
- 35 ~~((15.))~~ 18. K.C.C. 21A.06.971;
- 36 ~~((16.))~~ 19. K.C.C. 21A.06.1081;
- 37 ~~((17.))~~ 20. K.C.C. 21A.06.1082A;
- 38 ~~((18.))~~ 21. K.C.C. 21A.06.1082B;
- 39 ~~((19.))~~ 22. K.C.C. 21A.06.1082C;
- 40 ~~((20.))~~ 23. K.C.C. 21A.06.1082D;

41 ~~((21.))~~ 24. K.C.C. 21A.06.1083;
42 ~~((22.))~~ 25. K.C.C. 21A.06.1083A;
43 ~~((23.))~~ 26. K.C.C. 21A.06.1268;
44 ~~((24.))~~ 27. K.C.C. ~~((21A.06.1385A))~~ 21A.06.1385;
45 ~~((25.))~~ 28. K.C.C. 21A.06.1386;
46 ~~((26.))~~ 29. K.C.C. 21A.06.1388;
47 ~~((27.))~~ 30. K.C.C. 21A.06.1389;
48 ~~((28.))~~ 31. K.C.C. 21A.24.045;
49 ~~((29.))~~ 32. K.C.C. 21A.24.051;
50 ~~((30.))~~ 33. K.C.C. 21A.24.055;
51 ~~((31.))~~ 34. K.C.C. 21A.24.070A., D. and E.;
52 ~~((32.))~~ 35. K.C.C. 21A.24.125;
53 ~~((33.))~~ 36. K.C.C. 21A.24.130;
54 ~~((34.))~~ 37. K.C.C. 21A.24.133;
55 ~~((35.))~~ 38. K.C.C. 21A.24.200;
56 ~~((36.))~~ 39. K.C.C. 21A.24.210;
57 ~~((37.))~~ 40. K.C.C. 21A.24.220;
58 41. K.C.C. 21A.24.230;
59 ~~((38.))~~ 42. K.C.C. 21A.24.240;
60 ~~((39.))~~ 43. K.C.C. 21A.24.250;
61 ~~((40.))~~ 44. K.C.C. 21A.24.260;
62 ~~((41.))~~ 45. K.C.C. 21A.24.275;
63 ~~((42.))~~ 46. K.C.C. 21A.24.280;

64 ~~((43.))~~ 47. K.C.C. 21A.24.290;
65 ~~((44.))~~ 48. K.C.C. 21A.24.300;
66 ~~((45.))~~ 49. K.C.C. 21A.24.310;
67 ~~((46.))~~ 50. K.C.C. 21A.24.316;
68 ~~((47.))~~ 51. K.C.C. 21A.24.325;
69 ~~((48.))~~ 52. K.C.C. 21A.24.335;
70 ~~((49.))~~ 53. K.C.C. 21A.24.340;
71 ~~((50.))~~ 54. K.C.C. 21A.24.358;
72 ~~((51.))~~ 55. K.C.C. 21A.24.365;
73 ~~((52.))~~ 56. K.C.C. 21A.24.380;
74 ~~((53.))~~ 57. K.C.C. 21A.24.382;
75 ~~((54.))~~ 58. K.C.C. 21A.24.386;
76 ~~((55.))~~ 59. K.C.C. 21A.24.388;
77 ~~((56.))~~ 60. K.C.C. 21A.32.045;
78 ~~((57.))~~ 61. K.C.C. 21A.50.030;
79 ~~((58. K.C.C. 21A.06.182;~~
80 ~~59. K.C.C. 21A.06.825;))~~ and
81 ~~((60.))~~ 62. K.C.C. chapter 21A.25.

82 C. Amendments to the land use and development regulations included in subsections A.
83 and B. of this section must be approved by the Washington state Department of Ecology before
84 they become land use and development regulations within the shoreline jurisdiction.

85 SECTION 8. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030 are each
86 hereby amended to read as follows:

87 A. The King County Comprehensive Plan shall be amended in accordance with this
88 chapter, which, in compliance with RCW 36.70A.130(2), establishes a public participation
89 program whereby amendments are considered by the council no more frequently than once a year
90 as part of the amendment cycle established in this chapter, except that the council may consider
91 amendments more frequently to address:

92 1. Emergencies;

93 2. An appeal of the plan filed with the Central Puget Sound Growth Management
94 Hearings Board or with the court;

95 3. The initial adoption of a subarea plan, which may amend the urban growth area
96 boundary only to redesignate land within a joint planning area; ~~((or))~~

97 4. An amendment of the capital facilities element of the Comprehensive Plan that occurs
98 in conjunction with the adoption of the county budget; or

99 5. The adoption or amendment of a shoreline master program under chapter 90.58 RCW.

100 B. Every year the Comprehensive Plan may be amended to address technical updates and
101 corrections, and to consider amendments that do not require substantive changes to policy
102 language, changes to the priority areas map, or changes to the urban growth area boundary, except
103 as permitted in subsection B.5, 10. and 12. of this section. This review may be referred to as the
104 annual cycle. The Comprehensive Plan, including subarea plans, may be amended in the annual
105 cycle only to consider the following:

106 1. Technical amendments to policy, text, maps or shoreline designations;

107 2. The annual capital improvement plan;

108 3. The transportation needs report;

109 4. School capital facility plans;

110 5. Changes required to implement an amendment to a joint interlocal/development
111 agreement in existence on January 1, 2008, between King County, another local government and
112 one or more private parties, only if the amendment to the joint interlocal/development agreement
113 includes a provision to alter the urban growth area boundary to add areas to the urban growth area,
114 requires that an area four times the area that is added to the urban growth area be permanently
115 designated as park or open space and requires the transfer of development rights on terms as
116 provided in the amendment;

117 6. Changes required by existing Comprehensive Plan policies;

118 7. Changes to the technical appendices and any amendments required thereby;

119 8. Comprehensive updates of subarea plans initiated by motion;

120 9. Changes required by amendments to the countywide planning policies or state law;

121 10. Redesignation proposals under the four-to-one program as provided for in this
122 chapter;

123 11. Amendments necessary for the conservation of threatened and endangered species;

124 and

125 12. Site-specific comprehensive land use map amendments that do not require substantive
126 change to comprehensive plan policy language and that do not alter the urban growth area
127 boundary, except to correct mapping errors.

128 C. Every fourth year beginning in 2000, the county shall complete a comprehensive review
129 of the Comprehensive Plan in order to update it as appropriate and to ensure continued compliance
130 with the GMA. This review may provide for a cumulative analysis of the twenty-year plan based
131 upon official population growth forecasts, benchmarks and other relevant data in order to consider
132 substantive changes to policy language and changes to the urban growth area (UGA). This

133 comprehensive review shall begin one year in advance of the transmittal and may be referred to as
134 the four-year cycle. The urban growth area boundaries shall be reviewed in the context of the four-
135 year cycle and in accordance with countywide planning policy FW-1 and RCW 36.70A.130. If the
136 county determines that the purposes of the Comprehensive Plan are not being achieved as
137 evidenced by official population growth forecasts, benchmarks, trends and other relevant data,
138 substantive changes to the Comprehensive Plan may also be considered on even calendar years.
139 This determination shall be authorized by motion. The motion shall specify the scope of the even-
140 year amendment, and identify that the resources necessary to accomplish the work are available.
141 An analysis of the motion's fiscal impact shall be provided to the council before to adoption. The
142 executive shall determine if additional funds are necessary to complete the even-year amendment,
143 and may transmit an ordinance requesting the appropriation of supplemental funds.

144 D. The executive shall seek public comment on the comprehensive plan and any proposed
145 comprehensive plan amendments in accordance with the procedures in K.C.C. 20.18.160 before
146 making a recommendation, in addition to conducting the public review and comment procedures
147 required by SEPA. The public, including unincorporated area councils, shall be afforded at least
148 one official opportunity to record public comment before to the transmittal of a recommendation
149 by the executive to the council. County-sponsored councils and commissions may submit written
150 position statements that shall be considered by the executive before transmittal and by the council
151 before adoption, if they are received in a timely manner. The executive's recommendations for
152 changes to policies, text and maps shall include the elements listed in comprehensive plan policy
153 RP-307 and analysis of their financial costs and public benefits, any of which may be included in
154 environmental review documents. Proposed amendments to the comprehensive plan shall be

155 accompanied by any development regulations or amendments to development regulations,
156 including area zoning, necessary to implement the proposed amendments."

157 **Renumber the remaining sections consecutively and correct any internal references**
158 **accordingly.**

159 **On page 17, after line 374, insert:**

160 "SECTION 12. Ordinance 15051, Section 18, and K.C.C. 21A.06.181G are each hereby
161 amended to read as follows:

162 Channel migration hazard area, severe: a portion of the channel migration zone, as
163 shown on King County's Channel Migration Zone maps, ~~((that includes the present channel. The~~
164 ~~total width of the severe channel migration hazard area equals one hundred years times the~~
165 ~~average annual channel migration rate, plus the present channel width. The average annual~~
166 ~~channel migration rate as determined in the technical report, is the basis for each Channel~~
167 ~~Migration Zone map)) in which there is a higher level of channel migration hazard due to a high~~
168 likelihood of continued, progressive bank erosion, rapid shifting of channel location, or other
169 imminent channel changes.

170 SECTION 13. Ordinance 11621, Section 20, as amended, and K.C.C. 21A.06.182 are each
171 hereby amended to read as follows:

172 Channel migration zone: ~~((those areas within the lateral extent of likely stream channel~~
173 ~~movement that are subject to risk due to stream bank destabilization, rapid stream incision, stream~~
174 ~~bank erosion and shifts in the location of stream channels)) the area along a river channel within~~
175 which the channel can be reasonably predicted, based on best available science, to migrate over
176 time as a result of natural and normally occurring hydrological and related processes when
177 considered with the characteristics of the river and its surroundings, as follows:

178 A. In areas located outside King County's shoreline jurisdiction, channel migration zones
179 are as shown on King County's Channel Migration Zone maps. In those areas, "channel
180 migration zone" means the corridor that includes the present channel, the severe channel
181 migration hazard area and the moderate channel migration hazard area;

182 B. In areas located in King County's shoreline jurisdiction, the channel migration zone
183 includes:

184 1. Areas shown on King County's Channel Migration zone maps, including both the
185 severe channel migration hazard area and the moderate channel migration hazard area; and

186 2. Areas not shown on King County's Channel Migration Zone maps but located within
187 the floodplain((;

188 ~~C. "Channel migration zone" does not include areas that lie behind an arterial road, a
189 public road serving as a sole access route, a state or federal highway or a railroad; and~~

190 ~~D. "Channel migration zone" may exclude areas that lie behind a lawfully established
191 flood protection facility that is likely to be maintained by existing programs for public
192 maintenance consistent with designation and classification criteria specified by public rule.~~

193 ~~When a natural geologic feature affects channel migration, the channel migration zone width will
194 consider such natural constraints)).~~

195 SECTION 14. Ordinance 10870, Section 317, and K.C.C. 21A.06.1385 are each hereby
196 amended to read as follows:

197 Water dependent use: a ~~((land)) use ((which can only exist when the interface between wet
198 meadows, grazed land and water provides the biological or physical conditions necessary for the
199 use)) or portion of a use that cannot exist in a location that is not adjacent to the water and that is
200 dependent on the water by reason of the intrinsic nature of its operations.~~

201 NEW SECTION. SECTION 15. A new section is added to K.C.C. chapter 21A.24 to read
202 as follows:

203 A. The department and the department of natural resources and parks, by public rule, shall
204 adopt:

205 1. Criteria for channel migration designation, classification and mapping, taking into
206 consideration, at a minimum, Washington state department of ecology channel migration zone
207 mapping guidelines; and

208 2. Channel migration zone studies and channel migration zone maps.

209 B. The channel migration zone and its component channel migration hazard areas shall be
210 delineated in a channel migration zone study that is the basis for each channel migration zone map.

211 C. The channel migration zone study:

212 1. Shall evaluate evidence of historical channel locations and movement, basin-scale
213 physical characteristics, current channel conditions and other relevant factors in order to delineate
214 the channel migration zone;

215 2. Shall include the present channel within the channel migration zone;

216 3. Shall determine the extent of channel migration hazard areas within the channel
217 migration zone; and

218 4. May exclude areas from the channel migration zone that lie behind a lawfully
219 established flood protection structure that is maintained by existing programs for public
220 maintenance, transportation infrastructure, or other constructed feature if it is built above the
221 elevation of the one hundred-year flood or if scientific or technical information otherwise
222 demonstrate that the flood protection structure is not within the channel migration zone.

223 SECTION 16. Ordinance 15051, Section 137, as amended, and K.C.C. 21A.24.045 are

224 each hereby amended to read as follows:

225 A. Within the following seven critical areas and their buffers all alterations are allowed if
226 the alteration complies with the development standards, impact avoidance and mitigation
227 requirements and other applicable requirements established in this chapter:

- 228 1. Critical aquifer recharge area((5));
- 229 2. Coal mine hazard area;
- 230 3. Erosion hazard area;
- 231 4. Flood hazard area except in the severe channel migration hazard area;
- 232 5. Landslide hazard area under forty percent slope;
- 233 6. Seismic hazard area; and
- 234 7. Volcanic hazard areas.

235 B. Within the following seven critical areas and their buffers, unless allowed as an
236 alteration exception under K.C.C. 21A.24.070, only the alterations on the table in subsection C. of
237 this section are allowed if the alteration complies with conditions in subsection D. of this section
238 and the development standards, impact avoidance and mitigation requirements and other applicable
239 requirements established in this chapter:

- 240 1. Severe channel migration hazard area;
- 241 2. Landslide hazard area over forty percent slope;
- 242 3. Steep slope hazard area;
- 243 4. Wetland;
- 244 5. Aquatic area;
- 245 6. Wildlife habitat conservation area; and

246 7. Wildlife habitat network.

247 C. In the following table where an activity is included in more than one activity category,
 248 the numbered conditions applicable to the most specific description of the activity governs. Where
 249 more than one numbered condition appears for a listed activity, each of the relevant conditions
 250 specified for that activity within the given critical area applies. For alterations involving more than
 251 one critical area, compliance with the conditions applicable to each critical area is required.

KEY
 Letter "A" in a cell means alteration is allowed
 A number in a cell means the corresponding numbered condition in subsection D. applies
 "Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network

L	O	S	A	W	B	A	B	C	W	A
A	V	T	N	E	U	Q	U	H	I	N
N	E	E	D	T	F	U	F	A	L	D
D	R	E		L	F	A	F	N	D	
S		P	B	A	E	T	E	N	L	N
L	40%		U	N	R	I	R	E	I	E
I		S	F	D		C		L	F	T
D	A	L	F				A		E	W
E	N	O	E	A		A	N	M		O
	D	P	R	N		R	D	I	A	R
H		E		D		E		G	R	K
A	B					A	S	R	E	
Z	U	H					E	A	A	
A	F	A				A	V	T		
R	F	Z				N	E	I		
D	E	A				D	R	O		
	R	R					E	N		
		D								
Structures										
Construction of new single detached dwelling unit				A 1		A 2				
Construction of a new tree-supported structure				A 64		A 64			A 64	
Construction of nonresidential structure				A 3		A 3			A 3, 4	
Maintenance or repair of existing structure	A 5	A		A		A			A 4	
Expansion or replacement of existing structure	A 5, 7	A 5, 7		A 7, 8		A 6, 7, 8			A 4, 7	

Interior remodeling	A	A	A	A	A
Construction of new dock or pier			A 9	A 9, 10, 11	
Maintenance, repair or replacement of dock or pier			A 12	A 10, 11	A 4
Grading					
Grading		A 13		A 14	A 4, 14
Construction of new slope stabilization	A 15	A 15	A 15	A 15	A 4, 15
Maintenance of existing slope stabilization	A 16	A 13	A 17	A 16, 17	A 4
Mineral extraction	A	A			
Clearing					
Clearing	A 18	A 18, 19	A 18, 20	A 14, 18, 20	A 4, 14, 18, 20
Cutting firewood		A 21	A 21	A 21	A 4, 21
Removal of vegetation for fire safety	A 22	A 22	A 22	A 22	A 4, 22
Removal of noxious weeds or invasive vegetation	A 23	A 23	A 23	A 23	A 4, 23
Forest Practices					
Nonconversion Class IV-G forest practice	A 24	A 24	A 24	A 24	A 24, 25
Class I, II, III, IV-S forest practice	A	A	A	A	A
Roads					
Construction of new public road right-of-way structure on unimproved right-of-way			A 26	A 26	
Construction of new road in a plat			A 26	A 26	
Maintenance of public road right-of-way structure	A 16	A 16	A 16	A 16	A 16, 27
Expansion beyond public road right-of-way structure	A	A	A 26	A 26	
Repair, replacement or modification within the roadway	A 16	A 16	A 16	A 16	A 16, 27
Construction of driveway or private access road	A 28	A 28	A 28	A 28	A 28
Construction of farm field access drive	A 29	A 29	A 29	A 29	A 29
Maintenance of driveway, private access road, farm field access drive or parking lot	A	A	A 17	A 17	A 17, 27
Construction of a bridge or culvert as part of a driveway or private access road	A 39	A 39	A 39	A 39	A 39
Bridges or culverts					
Maintenance or repair of bridge or culvert	A 16, 17	A 16, 17	A 16, 17	A 16, 17	A 16, 17, 27

Replacement of bridge or culvert	A 16	A 16	A 16	A 16, 30	A 16, 27
Expansion of bridge or culvert	A 16, 17	A 16, 17	A 16, 17, 31	A 17, 31	A 4
Utilities and other infrastructure					
Construction of new utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34	A 32, 34	A 27, 32, 35
Construction or maintenance of a hydroelectric generating facility	A 67	A 67	A 66	A 66	A 4, 66
Construction of a new residential utility service distribution line	A 32, 33	A 32, 33	A 32, 60	A 32, 60	A 27, 32, 60
Maintenance, repair or replacement of utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34, 36	A 32, 34, 36	A 4, 32, 37
Construction of a new on-site sewage disposal system or well			A 63	A 63	
Maintenance or repair of existing well	A 37	A 37	A 37	A 37	A 4, 37
Maintenance or repair of on-site sewage disposal system	A	A	A	A 37	A 4
Construction of new surface water conveyance system	A 32, 33	A 32, 33	A 32, 38	A 32, 38	A 4
Maintenance, repair or replacement of existing surface water conveyance system	A 33	A 33	A 16, 32, 38	A 16, 40, 41	A 4, 37
Construction of new surface water flow control or surface water quality treatment facility			A 32	A 32	A 4, 32
Maintenance or repair of existing surface water flow control or surface water quality treatment facility	A 16	A 16	A 16	A 16	A 4
Construction of new flood protection facility			A 42	A 42	A 27, 42
Maintenance, repair or replacement of flood protection facility	A 33, 43	A 33, 43	A 43	A 43	A 27, 43
Flood risk reduction gravel removal	A 61	A 61	A 61	A 61	A 61
Construction of new instream structure or instream work	A 16	A 16	A 16	A 16, 44, 45	A 4, 16, 44, 45
Maintenance or repair of existing instream structure	A 16	A	A	A	A 4
Recreation					

Construction of new trail	A 46	A 46	A 47	A 47	A 4, 47
Maintenance of outdoor public park facility, trail or publicly improved recreation area	A 48	A 48	A 48	A 48	A 4, 48
Habitat, education and science projects					
Habitat restoration or enhancement project	A 49	A 49	A 49	A 49	A 4, 49
Scientific sampling for salmonids			A 50	A 50	A 50
Drilling and testing for critical areas report	A 51	A 51	A 51, 52	A 51, 52	A 4
Environmental education project	A 62	A 62	A 62	A 62	A 62
Agriculture					
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops and related activity	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Grazing livestock	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Construction or maintenance of a commercial fish farm			A 53, 54	A 53, 54	A 53, 54
Construction or maintenance of livestock manure storage facility			A 53, 54, 55	A 53, 54, 55, 56	A 53, 54
Construction or maintenance of livestock flood sanctuary			A	A 56	
Construction of agricultural drainage			A 57	A 57	A 4, 57
Maintenance of agricultural drainage	A 23, 58	A 23, 58	A 23, 53, 54, 58	A 23, 53, 54, 58	A 4, 23, 53, 54, 58
Construction or maintenance of farm pond, fish pond or livestock watering pond	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Other					
Shoreline water dependent or shoreline water oriented use				A 65	
Excavation of cemetery graves in established and approved cemetery	A	A	A	A	A
Maintenance of cemetery graves	A	A	A	A	A
Maintenance of lawn, landscaping or garden for personal consumption	A 59	A 59	A 59	A 59	A 59
Maintenance of golf course	A 17	A 17	A 17	A 17	A 4, 17

253 1. Limited to farm residences in grazed or tilled wet meadows and subject to the
254 limitations of subsection D.3. of this section.

255 2. Only ((A))allowed in a buffer of a lake that is twenty acres or larger on a lot that was
256 created before January 1, 2005, if:

257 a. at least seventy-five percent of the lots abutting the shoreline of the lake or seventy-
258 five percent of the lake frontage, whichever constitutes the most developable lake frontage, has
259 existing density of four dwelling units per acre or more;

260 b. the development proposal, including mitigation required by this chapter, will have the
261 least adverse impact on the critical area;

262 c. existing native vegetation within the critical area buffer will remain undisturbed
263 except as necessary to accommodate the development proposal and required building setbacks;

264 d. access is located to have the least adverse impact on the critical area and critical area
265 buffer;

266 e. the alteration is the minimum necessary to accommodate the development proposal
267 and in no case in excess of a development footprint of five thousand square feet;

268 f. the alteration is no closer than:

269 (1) on site with a shoreline environment designation of high intensity or residential, the
270 greater of twenty-five feet ((øf)) or the average of the setbacks on adjacent lots on either side of
271 the subject property, as measured from the ordinary high water mark of the lake shoreline;

272 (2) on a site with a shoreline environment designation of rural, conservancy, resource
273 or forestry, the greater of fifty feet or the average of the setbacks on adjacent lots on either side of
274 the subject property, as measured from the ordinary high water mark the lake shoreline; and

275 (3) on a site with a shoreline environment designation of natural, the greater of one
276 hundred feet or the average of the setbacks on adjacent lots on either side of the subject property,
277 as measured from the ordinary high water mark; and

278 g. to the maximum extent practical, alterations are mitigated on the development
279 proposal site by enhancing or restoring remaining critical area buffers.

280 3. Limited to nonresidential farm-structures in grazed or tilled wet meadows or buffers of
281 wetlands or aquatic areas where:

282 a. the site is predominantly used for the practice of agriculture;

283 b. the structure is in compliance with an approved farm management plan in accordance
284 with K.C.C. 21A.24.051;

285 c. the structure is either:

286 (1) on or adjacent to existing nonresidential impervious surface areas, additional
287 impervious surface area is not created waterward of any existing impervious surface areas and the
288 area was not used for crop production;

289 (2) higher in elevation and no closer to the critical area than its existing position; or

290 (3) at a location away from existing impervious surface areas that is determined to be
291 the optimum site in the farm management plan;

292 d. all best management practices associated with the structure specified in the farm
293 management plan are installed and maintained;

294 e. installation of fencing in accordance with K.C.C. chapter 21A.30 does not require the
295 development of a farm management plan if required best management practices are followed and
296 the installation does not require clearing of critical areas or their buffers; and

297 f. in a severe channel migration hazard area portion of an aquatic buffer only if:

- 298 (1) there is no feasible alternative location on-site;
- 299 (2) the structure is located where it is least subject to risk from channel migration;
- 300 (3) the structure is not used to house animals or store hazardous substances; and
- 301 (4) the total footprint of all accessory structures within the severe channel migration
- 302 hazard area will not exceed the greater of one thousand square feet or two percent of the severe
- 303 channel migration hazard area on the site.

304 4. Allowed if no clearing, external construction or other disturbance in a wildlife habitat

305 conservation area occurs during breeding seasons established under K.C.C. 21A.24.382.

306 5. Allowed for structures when:

- 307 a. the landslide hazard poses little or no risk of injury;
- 308 b. the risk of landsliding is low; and
- 309 c. there is not an expansion of the structure.

310 6. Within a severe channel migration hazard area allowed for:

311 a. existing legally established primary structures if:

- 312 (1) there is not an increase of the footprint of any existing structure; and
- 313 (2) there is not a substantial improvement as defined in K.C.C. 21A.06.1270; and

314 b. existing legally established accessory structures if:

315 (1) additions to the footprint will not make the total footprint of all existing structures

316 more than one-thousand square feet; and

317 (2) there is not an expansion of the footprint towards any source of channel migration

318 hazard, unless the applicant demonstrates that the location is less subject to risk and has less impact

319 on the critical area.

320 7. Allowed only in grazed wet meadows or the buffer or building setback outside a severe
321 channel migration hazard area if:

322 a. the expansion or replacement does not increase the footprint of a nonresidential
323 structure;

324 b.(1) for a legally established dwelling unit, the expansion or replacement, including any
325 expansion of a legally established accessory structure allowed under this subsection B.7.b., does
326 not increase the footprint of the dwelling unit and all other structures by more than one thousand
327 square feet, not including any expansion of a drainfield made necessary by the expansion of the
328 dwelling unit. To the maximum extent practical, the replacement or expansion of a drainfield in
329 the buffer should be located within areas of existing lawn or landscaping, unless another location
330 will have a lesser impact on the critical area and its buffer;

331 (2) for a structure accessory to a dwelling unit, the expansion or replacement is located
332 on or adjacent to existing impervious surface areas and does not result in a cumulative increase in
333 the footprint of the accessory structure and the dwelling unit by more than one thousand square
334 feet;

335 (3) the location of the expansion has the least adverse impact on the critical area; and

336 (4) a comparable area of degraded buffer area shall be enhanced through removal of
337 nonnative plants and replacement with native vegetation in accordance with an approved
338 landscaping plan;

339 c. the structure was not established as the result of an alteration exception, variance,
340 buffer averaging or reasonable use exception; ~~((and))~~

341 d. to the maximum extent practical, the expansion or replacement is not located closer to
342 the critical area or within the relic of a channel that can be connected to an aquatic area; and

343 e. The expansion of a residential structure in the buffer of a Type S aquatic area that
344 extends towards the ordinary high water mark requires a shoreline variance if:

345 (1) the expansion is within thirty five feet of the ordinary high water mark; or

346 (2) the expansion is between thirty-five and fifty feet of the ordinary high water mark
347 and the area of the expansion extending towards the ordinary high water mark is greater than three
348 hundred square feet.

349 8. Allowed upon another portion of an existing impervious surface outside a severe
350 channel migration hazard area if:

351 a. except as otherwise allowed under subsection D.7. of this section, the structure is not
352 located closer to the critical area;

353 b. except as otherwise allowed under subsection D.7. of this section, the existing
354 impervious surface within the critical area or buffer is not expanded; and

355 c. the degraded buffer area is enhanced through removal of nonnative plants and
356 replacement with native vegetation in accordance with an approved landscaping plan.

357 9. Limited to piers or seasonal floating docks in a category II, III or IV wetland or its
358 buffer or along a lake shoreline or its buffer where:

359 a. the vegetation where the alteration is proposed does not consist of dominant native
360 wetland herbaceous or woody vegetation six feet in width or greater and the lack of this vegetation
361 is not the result of any violation of law;

362 b. the wetland or lake shoreline is not a salmonid spawning area;

363 c. hazardous substances or toxic materials are not used; and

364 d. if located in a freshwater lake, the pier or dock conforms to the standards for docks
365 under K.C.C. 21A.25.180.

366 10. Allowed on type N or O aquatic areas if hazardous substances or toxic materials are
367 not used.

368 11. Allowed on type S or F aquatic areas outside of the severe channel migration hazard
369 area if in compliance with K.C.C. 21A.25.180.

370 12. When located on a lake, must be in compliance with K.C.C. 21A.25.180.

371 13. Limited to regrading and stabilizing of a slope formed as a result of a legal grading
372 activity.

373 14. The following are allowed in the severe channel migration hazard area if conducted
374 more than one hundred sixty-five feet from the ordinary high water mark in the rural area and one-
375 hundred fifteen feet from the ordinary high water mark in the urban area:

376 a. grading of up to fifty cubic yards on lot less than five acres; and

377 b. clearing of up to one-thousand square feet or up to a cumulative thirty-five percent of
378 the severe channel migration hazard area.

379 15. Only where erosion or landsliding threatens a structure, utility facility, roadway,
380 driveway, public trails, aquatic area or wetland if, to the maximum extent practical, stabilization
381 work does not disturb the slope and its vegetative cover and any associated critical areas.

382 16. Allowed when performed by, at the direction of or authorized by a government
383 agency in accordance with regional road maintenance guidelines.

384 17. Allowed when not performed under the direction of a government agency only if:

385 a. the maintenance or expansion does not involve the use of herbicides, hazardous
386 substances, sealants or other liquid oily substances in aquatic areas, wetlands or their buffers; and

387 b. when maintenance, expansion or replacement of bridges or culverts involves water
388 used by salmonids:

389 (1) the work is in compliance with ditch standards in public rule; and
390 (2) the maintenance of culverts is limited to removal of sediment and debris from the
391 culvert and its inlet, invert and outlet and the stabilization of the disturbed or damaged bank or
392 channel immediately adjacent to the culvert and shall not involve the excavation of a new sediment
393 trap adjacent to the inlet.

394 18. Allowed for the removal of hazard trees and vegetation as necessary for surveying or
395 testing purposes.

396 19. The limited trimming and pruning of vegetation for the making and maintenance of
397 view corridors or habitat enhancement under a vegetation management plan approved by the
398 department, if the soils are not disturbed and the activity will not adversely affect the long term
399 slope stability or water quality or cause erosion. The vegetation management plan shall use native
400 species with adequate root strength to add stability to a steep slope.

401 20. Harvesting of plants and plant materials, such as plugs, stakes, seeds or fruits, for
402 restoration and enhancement projects is allowed.

403 21. Cutting of firewood is subject to the following:

404 a. within a wildlife habitat conservation area, cutting firewood is not allowed;

405 b. within a wildlife network, cutting shall be in accordance with a management plan
406 approved under K.C.C. 21A.24.386; and

407 c. within a critical area buffer, cutting shall be for personal use and in accordance with
408 an approved forest management plan or rural stewardship plan.

409 22. Allowed only in buffers if in accordance with best management practices approved by
410 the King County fire marshal.

411 23. Allowed as follows:

412 a. if conducted in accordance with an approved forest management plan, farm
413 management plan or rural stewardship plan; or
414 b. without an approved forest management plan, farm management plan or rural
415 stewardship plan, only if:
416 (1) removal is undertaken with hand labor, including hand-held mechanical tools,
417 unless the King County noxious weed control board otherwise prescribes the use of riding mowers,
418 light mechanical cultivating equipment or herbicides or biological control methods;
419 (2) the area is stabilized to avoid regrowth or regeneration of noxious weeds;
420 (3) the cleared area is revegetated with native vegetation and stabilized against erosion;
421 and
422 (4) herbicide use is in accordance with federal and state law;
423 24. Only if in accordance with chapter 76.09 RCW and Title 222 WAC and:
424 a. a forest management plan is approved for the site by the King County department of
425 natural resources and parks; and
426 b. the property owner provides a notice of intent in accordance with RCW 76.09.060
427 that the site will not be converted to nonforestry uses within six years.
428 25. Only if in compliance with published Washington state Department of Fish and
429 Wildlife and Washington state Department of Natural Resources Management standards for the
430 species. If there are no published Washington state standards, only if in compliance with
431 management standards determined by the county to be consistent with best available science.
432 26. Allowed only if:
433 a. there is not another feasible location with less adverse impact on the critical area and
434 its buffer;

435 b. the corridor is not located over habitat used for salmonid rearing or spawning or by a
436 species listed as endangered or threatened by the state or federal government unless the department
437 determines that there is no other feasible crossing site.

438 c. the corridor width is minimized to the maximum extent practical;

439 d. the construction occurs during approved periods for instream work;

440 e. the corridor will not change or diminish the overall aquatic area flow peaks, duration
441 or volume or the flood storage capacity; and

442 f. no new public right-of-way is established within a severe channel migration hazard
443 area.

444 27. To the maximum extent practical, during breeding season established under K.C.C.
445 21A.24.382, land clearing machinery such as bulldozers, graders or other heavy equipment are not
446 operated within a wildlife habitat conservation area.

447 28. Allowed only if:

448 a. an alternative access is not available;

449 b. impact to the critical area is minimized to the maximum extent practical including the
450 use of walls to limit the amount of cut and fill necessary;

451 c. the risk associated with landslide and erosion is minimized;

452 d. access is located where it is least subject to risk from channel migration; and

453 e. construction occurs during approved periods for instream work.

454 29. Only if in compliance with a farm management plan in accordance with K.C.C.
455 21A.24.051.

456 30. Allowed only if:

- 457 a. the replacement is made fish passable in accordance with the most recent Washington
458 state Department of Fish and Wildlife manuals or with the National Marine and Fisheries Services
459 guidelines for federally listed salmonid species; and
- 460 b. the site is restored with appropriate native vegetation.
- 461 31. Allowed if necessary to bring the bridge or culvert up to current standards and if:
- 462 a. there is not another feasible alternative available with less impact on the aquatic area
463 and its buffer; and
- 464 b. to the maximum extent practical, the bridge or culvert is located to minimize impacts
465 to the aquatic area and its buffer's.
- 466 32. Allowed in an existing roadway if conducted consistent with the regional road
467 maintenance guidelines.
- 468 33. Allowed outside the roadway if:
- 469 a. the alterations will not subject the critical area to an increased risk of landslide or
470 erosion;
- 471 b. vegetation removal is the minimum necessary to locate the utility or construct the
472 corridor; and
- 473 c. significant risk of personal injury is eliminated or minimized in the landslide hazard
474 area.
- 475 34. Limited to the pipelines, cables, wires and support structures of utility facilities within
476 utility corridors if:
- 477 a. there is no alternative location with less adverse impact on the critical area and
478 critical area buffer;
- 479 b. new utility corridors meet the all of the following to the maximum extent practical:

480 (1) are not located over habitat used for salmonid rearing or spawning or by a species
481 listed as endangered or threatened by the state or federal government unless the department
482 determines that there is no other feasible crossing site;

483 (2) the mean annual flow rate is less than twenty cubic feet per second; and

484 (3) paralleling the channel or following a down-valley route near the channel is
485 avoided;

486 c. to the maximum extent practical utility corridors are located so that:

487 (1) the width is the minimized;

488 (2) the removal of trees greater than twelve inches diameter at breast height is
489 minimized;

490 (3) an additional, contiguous and undisturbed critical area buffer, equal in area to the
491 disturbed critical area buffer area including any allowed maintenance roads, is provided to protect
492 the critical area;

493 d. to the maximum extent practical, access for maintenance is at limited access points
494 into the critical area buffer rather than by a parallel maintenance road. If a parallel maintenance
495 road is necessary the following standards are met:

496 (1) to the maximum extent practical the width of the maintenance road is minimized
497 and in no event greater than fifteen feet; and

498 (2) the location of the maintenance road is contiguous to the utility corridor on the side
499 of the utility corridor farthest from the critical area;

500 e. the utility corridor or facility will not adversely impact the overall critical area
501 hydrology or diminish flood storage capacity;

502 f. the construction occurs during approved periods for instream work;

- 503 g. the utility corridor serves multiple purposes and properties to the maximum extent
504 practical;
- 505 h. bridges or other construction techniques that do not disturb the critical areas are used
506 to the maximum extent practical;
- 507 i. bored, drilled or other trenchless crossing is laterally constructed at least four feet
508 below the maximum depth of scour for the base flood;
- 509 j. bridge piers or abutments for bridge crossing are not placed within the FEMA
510 floodway or the ordinary high water mark;
- 511 k. open trenching is only used during low flow periods or only within aquatic areas
512 when they are dry. The department may approve open trenching of type S or F aquatic areas only
513 if there is not a feasible alternative and equivalent or greater environmental protection can be
514 achieved; and
- 515 l. minor communication facilities may collocate on existing utility facilities if:
- 516 (1) no new transmission support structure is required; and
- 517 (2) equipment cabinets are located on the transmission support structure.
- 518 35. Allowed only for new utility facilities in existing utility corridors.
- 519 36. Allowed for private individual utility service connections on site or to public utilities
520 if the disturbed area is not expanded and no hazardous substances, pesticides or fertilizers are
521 applied.
- 522 37. Allowed if the disturbed area is not expanded, clearing is limited to the maximum
523 extent practical and no hazardous substances, pesticides or fertilizers are applied.
- 524 38. Allowed if:

- 525 a. conveying the surface water into the wetland or aquatic area buffer and discharging
526 into the wetland or aquatic area buffer or at the wetland or aquatic area edge has less adverse
527 impact upon the wetland or aquatic area or wetland or aquatic area buffer than if the surface water
528 were discharged at the buffer's edge and allowed to naturally drain through the buffer;
- 529 b. the volume of discharge is minimized through application of low impact development
530 and water quality measures identified in the King County Surface Water Design Manual;
- 531 c. the conveyance and outfall are installed with hand equipment where feasible;
- 532 d. the outfall shall include bioengineering techniques where feasible; and
- 533 e. the outfall is designed to minimize adverse impacts to critical areas.
- 534 39. Allowed only if:
- 535 a. there is no feasible alternative with less impact on the critical area and its buffer;
- 536 b. to the maximum extent practical, the bridge or culvert is located to minimize impacts
537 to the critical area and its buffer;
- 538 c. the bridge or culvert is not located over habitat used for salmonid rearing or spawning
539 unless there is no other feasible crossing site;
- 540 d. construction occurs during approved periods for in-stream work; and
- 541 e. bridge piers or abutments for bridge crossings are not placed within the FEMA
542 floodway, severe channel migration hazard area or waterward of the ordinary high water mark.
- 543 40. Allowed for an open, vegetated stormwater management conveyance system and
544 outfall structure that simulates natural conditions if:
- 545 a. fish habitat features necessary for feeding, cover and reproduction are included when
546 appropriate;

547 b. vegetation is maintained and added adjacent to all open channels and ponds, if
548 necessary to prevent erosion, filter out sediments or shade the water; and

549 c. bioengineering techniques are used to the maximum extent practical.

550 41. Allowed for a closed, tightlined conveyance system and outfall structure if:

551 a. necessary to avoid erosion of slopes; and

552 b. bioengineering techniques are used to the maximum extent practical.

553 42. Allowed in a severe channel migration hazard area or an aquatic area buffer to
554 prevent bank erosion only:

555 a. if consistent with the Integrated Streambank Protection Guidelines (Washington State
556 Aquatic Habitat Guidelines Program, 2002) and if bioengineering techniques are used to the
557 maximum extent practical, unless the applicant demonstrates that other methods provide equivalent
558 structural stabilization and environmental function;

559 b. based on a critical areas report, the department determines that the new flood
560 protection facility will not cause significant impacts to upstream or downstream properties; and

561 c. to prevent bank erosion for the protection of:

562 (1) public roadways;

563 (2) sole access routes in existence before February 16, 1995;

564 (3) new primary dwelling units, accessory dwelling units or accessory living quarters
565 and residential accessory structures located outside the severe channel migration hazard area if:

566 (a) the site is adjacent to or abutted by properties on both sides containing buildings or
567 sole access routes protected by legal bank stabilization in existence before February 16, 1995. The
568 buildings, sole access routes or bank stabilization must be located no more than six hundred feet
569 apart as measured parallel to the migrating channel; and

570 (b) the new primary dwelling units, accessory dwelling units, accessory living
571 quarters or residential accessory structures are located no closer to the aquatic area than existing
572 primary dwelling units, accessory dwelling units, accessory living quarters or residential accessory
573 structures on abutting or adjacent properties; or

574 (4) existing primary dwelling units, accessory dwelling units, accessory living quarters
575 or residential accessory structures if:

576 (a) the structure was in existence before the adoption date of a King County Channel
577 Migration Zone hazard map that applies to that channel, if such a map exists;

578 (b) the structure is in imminent danger, as determined by a geologist, engineering
579 geologist or geotechnical engineer;

580 (c) the applicant has demonstrated that the existing structure is at risk, and the
581 structure and supporting infrastructure cannot be relocated on the lot further from the source of
582 channel migration; and

583 (d) nonstructural measures are not feasible.

584 43. Applies to lawfully established existing structures if:

585 a. the height of the facility is not increased, unless the facility is being replaced in a new
586 alignment that is landward of the previous alignment and enhances aquatic area habitat and
587 process;

588 b. the linear length of the facility is not increased, unless the facility is being replaced in
589 a new alignment that is landward of the previous alignment and enhances aquatic area habitat and
590 process;

591 c. the footprint of the facility is not expanded waterward;

592 d. consistent with the Integrated Streambank Protection Guidelines (Washington State
593 Aquatic Habitat Guidelines Program, 2002) and bioengineering techniques are used to the
594 maximum extent practical;

595 e. the site is restored with appropriate native vegetation and erosion protection materials;
596 and

597 f. based on a critical areas report, the department determines that the maintenance,
598 repair, replacement or construction will not cause significant impacts to upstream or downstream
599 properties.

600 44. Allowed in type N and O aquatic areas if done in least impacting way at least
601 impacting time of year, in conformance with applicable best management practices, and all
602 affected instream and buffer features are restored.

603 45. Allowed in a type S or F water when such work is:

604 a. included as part of a project to evaluate, restore or improve habitat, and

605 b. sponsored or cosponsored by a public agency that has natural resource management
606 as a function or by a federally recognized tribe.

607 46. Allowed as long as the trail is not constructed of impervious surfaces that will
608 contribute to surface water run-off, unless the construction is necessary for soil stabilization or soil
609 erosion prevention or unless the trail system is specifically designed and intended to be accessible
610 to handicapped persons.

611 47. Not allowed in a wildlife habitat conservation area. Otherwise, allowed in the buffer
612 or for crossing a category II, III or IV wetland or a type F, N or O aquatic area, if:

- 613 a. the trail surface is made of pervious materials, except that public multipurpose trails
614 may be made of impervious materials if they meet all the requirements in K.C.C. chapter 9.12. A
615 trail that crosses a wetland or aquatic area shall be constructed as a raised boardwalk or bridge;
- 616 b. to the maximum extent practical, buffers are expanded equal to the width of the trail
617 corridor including disturbed areas;
- 618 c. there is not another feasible location with less adverse impact on the critical area and
619 its buffer;
- 620 d. the trail is not located over habitat used for salmonid rearing or spawning or by a
621 species listed as endangered or threatened by the state or federal government unless the department
622 determines that there is no other feasible crossing site;
- 623 e. the trail width is minimized to the maximum extent practical;
- 624 f. the construction occurs during approved periods for instream work; and
- 625 g. the trail corridor will not change or diminish the overall aquatic area flow peaks,
626 duration or volume or the flood storage capacity.
- 627 h. the trail may be located across a critical area buffer for access to a viewing platform
628 or to a permitted dock or pier;
- 629 i. A private viewing platform may be allowed if it is:
- 630 (1) located upland from the wetland edge or the ordinary high water mark of an aquatic
631 area;
- 632 (2) located where it will not be detrimental to the functions of the wetland or aquatic
633 area and will have the least adverse environmental impact on the critical area or its buffer;
- 634 (3) limited to fifty square feet in size;
- 635 (4) constructed of materials that are nontoxic; and

636 (5) on footings located outside of the wetland or aquatic area.

637 48. Only if the maintenance:

638 a. does not involve the use of herbicides or other hazardous substances except for the

639 removal of noxious weeds or invasive vegetation;

640 b. when salmonids are present, the maintenance is in compliance with ditch standards in

641 public rule; and

642 c. does not involve any expansion of the roadway, lawn, landscaping, ditch, culvert,

643 engineered slope or other improved area being maintained.

644 49. Limited to alterations to restore habitat forming processes or directly restore habitat

645 function and value, including access for construction, as follows:

646 a. projects sponsored or cosponsored by a public agency that has natural resource

647 management as a primary function or by a federally recognized tribe;

648 b. restoration and enhancement plans prepared by a qualified biologist; or

649 c. conducted in accordance with an approved forest management plan, farm

650 management plan or rural stewardship plan.

651 50. Allowed in accordance with a scientific sampling permit issued by Washington state

652 Department of Fish and Wildlife or an incidental take permit issued under Section 10 of the

653 Endangered Species Act.

654 51. Allowed for the minimal clearing and grading, including site access, necessary to

655 prepare critical area reports.

656 52. The following are allowed if associated spoils are contained:

657 a. data collection and research if carried out to the maximum extent practical by

658 nonmechanical or hand-held equipment;

659 b. survey monument placement;
660 c. site exploration and gage installation if performed in accordance with state-approved
661 sampling protocols and accomplished to the maximum extent practical by hand-held equipment
662 and; or similar work associated with an incidental take permit issued under Section 10 of the
663 Endangered Species Act or consultation under Section 7 of the Endangered Species Act.

664 53. Limited to activities in continuous existence since January 1, 2005, with no expansion
665 within the critical area or critical area buffer. "Continuous existence" includes cyclical operations
666 and managed periods of soil restoration, enhancement or other fallow states associated with these
667 horticultural and agricultural activities.

668 54. Allowed for expansion of existing or new agricultural activities where:

669 a. the site is predominantly involved in the practice of agriculture;

670 b. there is no expansion into an area that:

671 (1) has been cleared under a class I, II, III, IV-S or nonconversion IV-G forest practice
672 permit; or

673 (2) is more than ten thousand square feet with tree cover at a uniform density more
674 than ninety trees per acre and with the predominant mainstream diameter of the trees at least four
675 inches diameter at breast height, not including areas that are actively managed as agricultural crops
676 for pulpwood, Christmas trees or ornamental nursery stock;

677 c. the activities are in compliance with an approved farm management plan in
678 accordance with K.C.C. 21A.24.051; and

679 d. all best management practices associated with the activities specified in the farm
680 management plan are installed and maintained.

681 55. Only allowed in grazed or tilled wet meadows or their buffers if:

682 a. the facilities are designed to the standards of an approved farm management plan in
683 accordance K.C.C. 21A.24.051 or an approved livestock management plan in accordance with
684 K.C.C. chapter 21A.30;

685 b. there is not a feasible alternative location available on the site; and

686 c. the facilities are located close to the outside edge of the buffer to the maximum extent
687 practical.

688 56. Allowed in a severe channel migration hazard area portion of an aquatic area buffer
689 if:

690 a. located outside the shoreline jurisdiction;

691 b. the facilities are designed to the standards in an approved farm management plan in
692 accordance with K.C.C. 21A.24.051;

693 ~~((b-))~~ c. there is not a feasible alternative location available on the site; and

694 ~~((e-))~~ d. the structure is located where it is least subject to risk from channel migration.

695 57. Allowed for new agricultural drainage in compliance with an approved farm
696 management plan in accordance with K.C.C. 21A.24.051 and all best management practices
697 associated with the activities specified in the farm management plan are installed and maintained.

698 58. If the agricultural drainage is used by salmonids, maintenance shall be in compliance
699 with an approved farm management plan in accordance with K.C.C. 21A.24.051.

700 59. Allowed within existing landscaped areas or other previously disturbed areas.

701 60. Allowed for residential utility service distribution lines to residential dwellings,
702 including, but not limited to, well water conveyance, septic system conveyance, water service,
703 sewer service, natural gas, electrical, cable and telephone, if:

704 a. there is no alternative location with less adverse impact on the critical area or the
705 critical area buffer;

706 b. the residential utility service distribution lines meet the all of the following, to the
707 maximum extent practical:

708 (1) are not located over habitat used for salmonid rearing or spawning or by a species
709 listed as endangered or threatened by the state or federal government unless the department
710 determines that there is no other feasible crossing site;

711 (2) not located over a type S aquatic area;

712 (3) paralleling the channel or following a down-valley route near the channel is
713 avoided;

714 (4) the width of clearing is minimized;

715 (5) the removal of trees greater than twelve inches diameter at breast height is
716 minimized;

717 (6) an additional, contiguous and undisturbed critical area buffer, equal in area to the
718 disturbed critical area buffer area is provided to protect the critical area;

719 (7) access for maintenance is at limited access points into the critical area buffer.

720 (8) the construction occurs during approved periods for instream work;

721 (9) bored, drilled or other trenchless crossing is encouraged, and shall be laterally
722 constructed at least four feet below the maximum depth of scour for the base flood; and

723 (10) open trenching across Type O or Type N aquatic areas is only used during low
724 flow periods or only within aquatic areas when they are dry.

725 61. Allowed if sponsored or cosponsored by the countywide flood control zone district
726 and the department determines that the project and its location:

- 727 a. is the best flood risk reduction alternative practicable;
- 728 b. is part of a comprehensive, long-term flood management strategy;
- 729 c. is consistent with the King County Flood Hazard Management Plan policies;
- 730 d. will have the least adverse impact on the ecological functions of the critical area or its
- 731 buffer, including habitat for fish and wildlife that are identified for protection in the King County
- 732 Comprehensive Plan; and
- 733 e. has been subject to public notice in accordance with K.C.C. 20.44.060.
- 734 62.a. Not allowed in wildlife habitat conservation areas;
- 735 b. Only allowed if:
- 736 (1) the project is sponsored or cosponsored by a public agency whose primary function
- 737 deals with natural resources management;
- 738 (2) the project is located on public land or on land that is owned by a nonprofit agency
- 739 whose primary function deals with natural resources management;
- 740 (3) there is not a feasible alternative location available on the site with less impact to
- 741 the critical area or its associated buffer;
- 742 (4) the aquatic area or wetland is not for salmonid rearing or spawning;
- 743 (5) the project minimizes the footprint of structures and the number of access points to
- 744 any critical areas; and
- 745 (6) the project meets the following design criteria:
- 746 (a) to the maximum extent practical size of platform shall not exceed one hundred
- 747 square feet;
- 748 (b) all construction materials for any structures, including the platform, pilings,
- 749 exterior and interior walls and roof, are constructed of nontoxic material, such as nontreated wood,

750 vinyl-coated wood, nongalvanized steel, plastic, plastic wood, fiberglass or cured concrete that the
751 department determines will not have an adverse impact on water quality;

752 (c) the exterior of any structures are sufficiently camouflaged using netting or
753 equivalent to avoid any visual deterrent for wildlife species to the maximum extent practical. The
754 camouflage shall be maintained to retain concealment effectiveness;

755 (d) structures shall be located outside of the wetland or aquatic area landward of the
756 Ordinary High Water Mark or open water component (if applicable) to the maximum extent
757 practical on the site;

758 (e) construction occurs during approved periods for work inside the Ordinary High
759 Water Mark;

760 (f) construction associated with bird blinds shall not occur from March 1 through
761 August 31, in order to avoid disturbance to birds during the breeding, nesting and rearing seasons;

762 (g) to the maximum extent practical, provide accessibility for persons with physical
763 disabilities in accordance with the International Building Code;

764 (h) trail access is designed in accordance with public rules adopted by the department;

765 (i) existing native vegetation within the critical area will remain undisturbed except as
766 necessary to accommodate the proposal. Only minimal hand clearing of vegetation is allowed; and

767 (j) disturbed bare ground areas around the structure must be replanted with native
768 vegetation approved by the department.

769 63. Not allowed in the severe channel migration zone, there is no alternative location with
770 less adverse impact on the critical area and buffer and clearing is minimized to the maximum
771 extent practical.

772 64. Only structures wholly or partially supported by a tree and used as accessory living
773 quarters or for play and similar uses described in K.C.C. 16.02.240.1, subject to the following:

774 a. not allowed in wildlife habitat conservation areas or severe channel migration hazard
775 areas;

776 b. the structure's floor area shall not exceed two hundred square feet, excluding a narrow
777 access stairway or landing leading to the structure;

778 c. the structure shall be located as far from the critical area as practical, but in no case
779 closer than seventy-five feet from the critical area;

780 d. only one tree-supported structure within a critical area buffer is allowed on a lot;

781 e. all construction materials for the structure, including the platform, pilings, exterior
782 and interior walls and roof, shall be constructed of nontoxic material, such as nontreated wood,
783 vinyl-coated wood, nongalvanized steel, plastic, plastic wood, fiberglass or cured concrete that the
784 department determines will not have an adverse impact on water quality;

785 f. to the maximum extent practical, the exterior of the structure shall be camouflaged
786 with natural wood and earth tone colors to limit visual impacts to wildlife and visibility from the
787 critical area. The camouflage shall be maintained to retain concealment effectiveness;

788 g. the structure must not adversely impact the long-term health and viability of the tree.

789 The evaluation shall include, but not be limited to, the following:

790 (1) the quantity of supporting anchors and connection points to attach the tree house to
791 the tree shall be the minimum necessary to adequately support the structure;

792 (2) the attachments shall be constructed using the best available tree anchor bolt
793 technology; and

794 (3) an ISA Certified Arborist shall evaluate the tree proposed for placement of the tree
795 house and shall submit a report discussing how the tree's long-term health and viability will not be
796 negatively impacted by the tree house or associated infrastructure;

797 h. exterior lighting shall meet the following criteria:

798 (1) limited to the minimum quantity of lights necessary to meet the building code
799 requirements to allow for safe exiting of the structure and stairway; and

800 (2) exterior lights shall be fully shielded and shall direct light downward, in an attempt
801 to minimize impacts to the nighttime environment;

802 i. unless otherwise approved by the department, all external construction shall be limited
803 to September 1 through March 1 in order to avoid disturbance to wildlife species during typical
804 breeding, nesting and rearing seasons;

805 j. trail access to the structure shall be designed in accordance with trail standards under
806 subsection D.47. of this section;

807 k. to the maximum extent practical, existing native vegetation shall be left undisturbed.
808 Only minimal hand clearing of vegetation is allowed; and

809 l. vegetated areas within the critical area buffer that are temporarily impacted by
810 construction of the structure shall be restored by planting native vegetation according to a
811 vegetation management plan approved by the department.

812 65. Shoreline water dependent and shoreline water oriented uses are allowed in the
813 aquatic area and aquatic area buffer of a Type S aquatic area if consistent with K.C.C. chapter
814 21A.25, chapter 90.58 RCW and the King County Comprehensive Plan.

815 66. Only hydroelectric generating facilities meeting the requirements of K.C.C.
816 21A.08.100B.14., and only as follows:

- 817 a. there is not another feasible location within the aquatic area with less adverse impact
818 on the critical area and its buffer;
- 819 b. the facility and corridor is not located over habitat used for salmonid rearing or
820 spawning or by a species listed as endangered or threatened by the state or federal government
821 unless the department determines that there is no other feasible location;
- 822 c. the facility is not located in Category I wetlands or Category II wetlands with a habitat
823 score 30 points or greater
- 824 d. the corridor width is minimized to the maximum extent practical;
- 825 e. paralleling the channel or following a down-valley route within an aquatic area buffer
826 is avoided to the maximum extent practical;
- 827 f. the construction occurs during approved periods for instream work;
- 828 g. the facility and corridor will not change or adversely impact the overall aquatic area
829 flow peaks, duration or volume or the flood storage capacity;
- 830 h. The facility and corridor is not located within a severe channel migration hazard area;
- 831 h. To the maximum extent practical, buildings will be located outside the buffer and
832 away from the aquatic area or wetland;
- 833 i. To the maximum extent practical, access for maintenance is at limited access points
834 into the critical area buffer rather than by a parallel maintenance road. If a parallel maintenance
835 road is necessary the following standards are met:
- 836 1. to the maximum extent practical the width of the maintenance road is minimized and
837 in no event greater than fifteen feet; and
- 838 2. the location of the maintenance road is contiguous to the utility corridor on the side
839 of the utility corridor farthest from the critical area;

840 j. the facility does not pose an unreasonable threat to the public health, safety or welfare
841 on or off the development proposal site and is consistent with the general purposes of this chapter
842 and the public interest; and

843 k. the facility connects to or is an alteration to a public roadway, public trail, a utility
844 corridor or utility facility or other infrastructure owned or operated by a public utility; and

845 67. Only hydroelectric generating facilities meeting the requirements of K.C.C.
846 21A.08.100.B.14, and only as follows:

847 a. there is not another feasible location with less adverse impact on the critical area and
848 its buffer;

849 b. the alterations will not subject the critical area to an increased risk of landslide or
850 erosion;

851 c. the corridor width is minimized to the maximum extent practical;

852 d. vegetation removal is the minimum necessary to locate the utility or construct the
853 corridor;

854 e. the facility and corridor do not pose an unreasonable threat to the public health,
855 safety or welfare on or off the development proposal site and is consistent with the general
856 purposes of this chapter, and the public interest and significant risk of personal injury is eliminated
857 or minimized in the landslide hazard area; and

858 f. the facility connects to or is an alteration to a public roadway, public trail, a utility
859 corridor or utility facility or other infrastructure owned or operated by a public utility.

860 SECTION 17. Ordinance 15051, Section 138, as amended, and K.C.C. 21A.24.051 are
861 each hereby amended to read as follows:

862 A. The alterations identified in K.C.C. 21A.24.045 for agricultural activities are allowed to
863 expand within the buffers of wetlands, aquatic areas and wildlife habitat conservation areas, when
864 an agricultural activity is currently occurring on the site and the alteration is in compliance with an
865 approved farm management plan in accordance with this section or, for livestock activities, a farm
866 management plan in accordance with K.C.C. chapter 21A.30.

867 B. This section does not modify any requirement that the property owner obtain permits
868 for activities covered by the farm management plan.

869 C. The department of natural resources and parks or its designee shall serve as the single
870 point of contact for King County in providing information on farm management plans for purposes
871 of this title. The department of natural resources and parks shall adopt a public rule governing the
872 development of farm management plans. The rule may provide for different types of farms
873 management plans related to different kinds of agricultural activities, including, but not limited to
874 the best management practices for dairy nutrient management, livestock management, horticulture
875 management, site development and agricultural drainage.

876 D. A property owner or applicant seeking to use the process to allow alterations in critical
877 area buffers shall develop a farm management plan based on the following goals, which are listed
878 in order of priority:

879 1. To maintain the productive agricultural land base and economic viability of agriculture
880 on the site;

881 2. To maintain, restore or enhance critical areas to the maximum extent practical in
882 accordance with the site specific goals of the landowner;

883 3. To the maximum extent practical in accordance with the site specific goals of the
884 landowner, maintain and enhance natural hydrologic systems on the site;

885 4. To use federal, state and local best management practices and best available science for
886 farm management to achieve the goals of the farm management plan; and

887 5. To monitor the effectiveness of best management practices and implement additional
888 practices through adaptive management to achieve the goals of the farm management plan.

889 E. If a part or all of the site is located within the shoreline jurisdiction, the farm
890 management plan shall:

891 1. Consider and be consistent with the goals of the shoreline management act and the
892 policies of the King County shoreline master program;

893 2. Consider the priorities of the King County shoreline protection and restoration plan;

894 and

895 3. Ensure no net loss of shoreline ecological functions.

896 F. The property owner or applicant may develop the farm management plan as part of a
897 program offered or approved by King County. The plan shall include, but is not limited to, the
898 following elements:

899 1. A site inventory identifying critical areas, structures, cleared and forested areas, and
900 other significant features on the site;

901 2. Site-specific performance standards and best management practices to maintain,
902 restore or enhance critical areas and their buffers and maintain and enhance native vegetation on
903 the site including the best management practices for the installation and maintenance of farm field
904 access drives and agricultural drainages;

905 3. A plan for future changes to any existing structures or for any changes to the landscape
906 that involve clearing or grading;

907 4. A plan for implementation of performance standards and best management practices;

908 5. A plan for monitoring the effectiveness of measures taken to protect critical areas and
909 their buffers and to modify the farm management plan if adverse impacts occur; and

910 6. Documentation of compliance with flood compensatory storage and flood conveyance
911 in accordance with K.C.C. 21A.24.240.

912 ~~((F.))~~ G. A farm management plan is not effective until approved by the county. Before
913 approval, the county may conduct a site inspection, which may be through a program offered or
914 approved by King County, to verify that the plan is reasonably likely to accomplish the goals in
915 subsection D. and consistent with subsection E. of this section.

916 ~~((G.))~~ H. Once approved, activities carried out in compliance with the approved farm
917 management plan shall be deemed in compliance with this chapter. In the event of a potential code
918 enforcement action, the department of development and environmental services shall first inform
919 the department of natural resources and parks of the activity. Prior to taking code enforcement
920 action, the department of development and environmental services shall consult with the
921 department of natural resources and parks and the King Conservation District to determine whether
922 the activity is consistent with the farm management plan."

923 **Renumber the remaining sections consecutively and correct any internal references**
924 **accordingly.**

925 **On page 37, after line 741, insert:**

926 "SECTION 17. Ordinance 3688, Section 303, as amended, and K.C.C. 21A.25.050 are
927 each hereby amended to read as follows:

928 A. The King County shoreline jurisdiction consists of:

929 1. All water areas of the state, as defined in RCW 90.58.030, including reservoirs and
930 associated wetlands, together with the lands underlying them, except for:

931 a. lakes smaller than twenty acres and their associated wetlands; and
932 b. segments of rivers and streams and their associated wetlands where the mean annual
933 flow is less than twenty cubic feet per second; and

934 2.a. The shorelands that extend landward in all directions as measured on a horizontal
935 plane for two hundred feet from the ordinary high water mark of the waterbodies identified in
936 subsection A.1. of this section;

937 b. the one hundred year floodplain and contiguous floodplain areas landward two
938 hundred feet from the one-hundred year floodplain; and

939 c. all wetlands and river deltas associated with the streams, lakes and tidal waters that
940 are subject to chapter 90.58 RCW.

941 B. The shoreline jurisdiction does not include tribal reservation lands and lands held in
942 trust by the federal government for tribes. Nothing in the King County Shoreline Master Program
943 or action taken under that program shall affect any treaty right to which the United States is a party.

944 C. The lakes and segments of rivers and streams constituting the King County shoreline
945 jurisdiction are set forth in Attachment K to this ordinance. The King County shoreline
946 jurisdiction is shown on a map adopted in chapter 5 of the King County Comprehensive Plan. If
947 there is a discrepancy between the map and the criteria established in subsection A. of this section,
948 the criteria shall constitute the official King County shoreline jurisdiction.

949 SECTION 18. Ordinance 16985, Section 31, and K.C.C. 21A.25.100 are each hereby
950 amended to read as follows:

951 A. The shoreline use table in this section determines whether a specific use is allowed
952 within each of the shoreline environments. The shoreline environment is located on the vertical
953 column and the specific use is located on the horizontal row of the table. The specific uses are

954 grouped by the shoreline use categories in WAC 173-26-241. The specific uses are defined by
955 those uses in K.C.C. chapter 21A.08. The table should be interpreted as follows:

956 1. If the cell is blank in the box at the intersection of the column and the row, the use is
957 prohibited in that shoreline environment;

958 2. If the letter "P" appears in the box at the intersection of the column and the row, the
959 use may be allowed within the shoreline environment;

960 3. If the letter "C" appears in the box at the intersection of the column and the row, the
961 use may be allowed within the shoreline environment subject to the shoreline conditional use
962 review procedures specified in K.C.C. 25.32.050, as recodified by this ordinance.

963 4. If a number appears in the box at the intersection of the column and the row, the use
964 may be allowed subject to the appropriate review process in this section, the general
965 requirements of this chapter and the specific development conditions indicated with the
966 corresponding number in subsection C. of this section. If more than one number appears after a
967 letter, all numbers apply.

968 5. If more than one letter-number combination appears in the box at the intersection of
969 the column and the row, the use is allowed in accordance with each letter-number combination.

970 6. A shoreline use may be allowed in the aquatic environment only if that shoreline use
971 is allowed in the adjacent shoreland environment.

972 7. This section does not authorize a land use that is not allowed by the underlying
973 zoning, but may add additional restrictions or conditions or prohibit specific land uses within the
974 shoreline jurisdiction. When there is a conflict between the permitted land uses in K.C.C.
975 chapter 21A.08 and shoreline uses in this section, preference for shoreline uses shall first be
976 given to water-dependent uses, then to water related uses and finally to water enjoyment uses.

977 All uses in the shoreline jurisdiction must comply with all relevant county code provisions and
 978 with the King County Shoreline Master Program.

979 **B. Shoreline uses**

KEY P - Permitted Use. C -	H	R	R	C	R	F	N	A
Shoreline Conditional Use.	I	E	U	O	E	O	A	Q
Blank - Prohibited. Shoreline	G	S	R	N	S	R	T	U
uses are allowed only if the	H	I	A	S	O	E	U	A
underlying zoning allows the		D	L	E	U	S	R	T
use. Shoreline uses are	I	E		R	R	T	A	I
allowed in the aquatic	N	N		V	C	R	L	C
environment only if the	T	T		A	E	Y		
adjacent upland environment	E	I		N				
allows the use	N	A		C				
	S	L		Y				
	I							
	T							
	Y							
Agriculture								
Agriculture (K.C.C. 21A.08.090)		P	P	P	P	P	P1	
Aquaculture								
Aquaculture (fish and wildlife management, K.C.C.)	P2							

21A.08.090)								
<u>Commercial salmon net pens</u>	<u>C2</u>	<u>C2</u>	<u>C2</u>	<u>C2</u>	<u>C2</u>	<u>C2</u>		<u>C2</u>
Boating Facilities								
Marinas (K.C.C. 21A.08.040)	C3	C3	C3					C3
Commercial Development								
General services (K.C.C. 21A.08.050)	P4	P5	P5					
Business services, except SIC Industry No. 1611, automotive parking and off-street required parking lot (K.C.C. 21A.08.060)	P6							
Retail (K.C.C. 21A.08.070)	P7	P8						
Government Services								
Government services except commuter parking lot, utility facility and private stormwater management facility (K.C.C. 21A.08.060)	P9	P9	P9	P9	P9	P9	P9	C10
Forest Practices								
Forestry (K.C.C. 21A.08.090)		P11	P11	P11	P11	P11	C11	
Industry								

Manufacturing (K.C.C. 21A.08.080)	P12							
In-stream structural uses								
Hydroelectric generation facility, wastewater treatment facility and municipal water production (K.C.C. 21A.08.100)	C13	C13	C13			C13		C13
In-stream utility facilities (K.C.C. 21A.08.060)	P14	C14						
In-stream transportation portion of SIC 1611 highway and street construction (K.C.C. 21A.08.060)								C15
In-stream fish and wildlife management, except aquaculture (K.C.C. 21A.08.090)								C16
Mining								
Mineral uses (K.C.C. 21A.08.090)					C17	C17		C17
Recreational Development								
Recreational/cultural except	P18	P19	P19	P20		P19	P21	C

for marinas and docks and piers (K.C.C. 21A.08.040)								
Residential Development								
Single detached dwelling units (K.C.C. 21A.08.030)		P	P	P	P	C22	C22	
Townhouse, apartment, mobile home park, cottage housing (K.C.C. 21A.08.030)	P23	P			P			
Group residences (K.C.C. 21A.08.030)	P23	P						
Accessory uses (K.C.C. 21A.08.030)	P24	P24	P24	P24	P24	C22 and 24	C22 and 24	
Temporary lodging (K.C.C. 21A.08.030)	P23	P27	P27	C27	C27			
Live-aboards	P28	P28	P28					P28
Transportation and parking								
Transportation facilities	P29	P29	P29	C29	P29	P29	C29	C29
Commuter parking lot (K.C.C. 21A.08.060)								
Automotive parking (K.C.C. 21A.08.060)								

Off-street required parking lot (K.C.C. 21A.08.060)								
Utilities								
Utility facility (K.C.C. 21A.08.060)	P26	C26						
Regional land uses								
Regional uses except hydroelectric generation facility, wastewater treatment facility and municipal water production (K.C.C. 21A.08.100)	P30							

980

C. Development conditions:

981

1. ~~((Only low intensity agriculture is allowed i))~~In the Natural environment, limited to

982

low intensity agriculture, such as livestock use with an animal unit density of no more than one

983

per two acres in the shoreline jurisdiction, seasonal hay mowing and related activities and

984

horticulture not to exceed twenty percent of the site area located within the shoreline jurisdiction.

985

2.a. The supporting infrastructure for aquaculture may be located landward of the

986

aquaculture operation, subject to the limitations of K.C.C. Title 21A.

987

b. The aquaculture operation must meet the standards in K.C.C. 21A.25.110.

988

c. In aquatic areas adjacent to the residential shoreline environment, net pen facilities

989

shall be located no closer than one thousand five hundred feet from the ordinary high water mark

990

of this environment, unless the department allows a specific lesser distance that it determines is

991 appropriate based upon a visual impact analysis. Other types of floating culture facilities may be
992 located within one thousand five hundred feet of the ordinary high water mark if supported by a
993 visual impact analysis.

994 d. In aquatic areas adjacent to the rural shoreline environment, net pen facilities shall
995 be located no closer than one thousand five hundred feet from the ordinary high water mark of
996 this environment, unless the department allows a specific lesser distance that it determines is
997 appropriate based upon a visual impact analysis.

998 e. In the natural shoreline environment and aquatic areas adjacent to the natural
999 shoreline environment, limited to aquaculture activities that do not require structures, facilities or
1000 mechanized harvest practices and that will not alter the natural character of the site or alter
1001 natural systems or features.

1002 3.a. New marinas are not allowed along the east shore of Maury Island, from Piner
1003 Point to Point Robinson.

1004 b. Marinas must meet the standards in K.C.C. 21A.25.120.

1005 4. Water dependent general services land uses in K.C.C. 21A.08.050 are allowed. Non-
1006 water dependent general services land uses in K.C.C. 21A.08.050 are only allowed on sites that
1007 are not contiguous with the ordinary high water mark or on sites that do not have an easement
1008 that provides direct access to the water.

1009 5.a. Water-dependent general services land uses in K.C.C. 21A.08.050 are allowed.

1010 b. Non-water-dependent general services land uses in K.C.C. 21A.08.050 are only
1011 allowed as part of a shoreline mixed-use development that includes water-dependent uses.

1012 c. Non-water-oriented general services land uses must provide a significant public
1013 benefit by helping to achieve one or more of the following shoreline master program goals:

- 1014 ~~((i-))~~ (1) economic development for water-dependent uses ~~((that are water-~~
1015 ~~dependent))~~);
- 1016 ~~((ii-))~~ (2) public access;
- 1017 ~~((iii-))~~ (3) water-oriented recreation;
- 1018 ~~((iv- multimodal transportation circulation;~~
1019 ~~v-))~~ (4) conservation of critical areas, scenic vistas, aesthetics or fish and wildlife
1020 habitat; ~~((or))~~ and
- 1021 ~~((vi-))~~ (5) ~~((preservation))~~ protection and restoration of historic properties.

1022 6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed. Water-
1023 related business services uses are only allowed as part of a shoreline mixed-use development and
1024 only if they support a water-dependent use. The water-related business services uses must
1025 comprise less than one-half of the square footage of the structures or the portion of the site
1026 within the shoreline jurisdiction.

1027 7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

1028 b. Non-water-dependent retail uses in K.C.C. 21A.08.050 are only allowed as part of a
1029 shoreline mixed-use development if the non-water-dependent retail use supports a water-
1030 dependent use. Non-water-dependent uses must comprise less than one-half of the square
1031 footage of the structures or the portion of the site within the shoreline jurisdiction.

1032 c. Non-water-oriented retail uses must provide a significant public benefit by helping
1033 to achieve one or more of the following shoreline master program goals:

1034 ~~((i-))~~ (1) economic development for water-dependent uses ~~((that are water-~~
1035 ~~dependent))~~);

1036 ~~((ii-))~~ (2) public access;

1037 ~~((iii.))~~ (3) water-oriented recreation;

1038 ~~((iv. multimodal transportation circulation;~~

1039 ~~v-))~~ (4) conservation of critical areas, scenic vistas, aesthetics or fish and wildlife

1040 habitat; and

1041 ~~((vi. preservation))~~ (5) protection and restoration of historic properties.

1042 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. Non-water-

1043 dependent retail uses in K.C.C. 21A.08.050 are only allowed if the retail use provides a

1044 significant public benefit by helping to achieve one or more of the following shoreline master

1045 program goals:

1046 a. economic development for water-dependent uses ~~((that are water dependent));~~

1047 b. public access;

1048 c. water-oriented recreation;

1049 d. ~~((multimodal transportation circulation;~~

1050 e-)) conservation of critical areas, scenic vistas, aesthetics or fish and wildlife habitat;

1051 and

1052 ~~((f. preservation))~~ e. protection and restoration of historic properties.

1053 9.a. Water-dependent government services in K.C.C. 21A.08.060 are allowed.

1054 b. Non-water-dependent government services in K.C.C. 21A.08.060 are only allowed

1055 as part of a shoreline mixed-use development if the non-water-dependent government use

1056 supports a water-dependent use. Non-water-dependent uses must comprise less than one-half of

1057 the square footage of the structures or the portion of the site within the shoreline jurisdiction.

1058 Only low-intensity water-dependent government services are allowed in the Natural

1059 environment.

1060 10. The following standards apply to government services uses within the Aquatic
1061 environment:

1062 a. Stormwater and sewage outfalls are allowed if upland treatment and infiltration to
1063 groundwater, streams or wetlands is not feasible and there is no impact on critical saltwater
1064 habitats, salmon migratory habitat and the nearshore zone. However, stormwater and sewage
1065 outfalls are not allowed in the Maury Island Aquatic Reserve, except from Piner Point to Point
1066 Robinson;

1067 b. Water intakes shall not be located near fish spawning, migratory or rearing areas.
1068 Water intakes must adhere to Washington state Department of Fish and Wildlife fish screening
1069 criteria. To the maximum extent practical, intakes should be placed at least thirty feet below the
1070 ordinary high water mark;

1071 c. Desalinization facilities shall not be located near fish spawning, migratory or
1072 rearing areas. Intakes should generally be placed deeper than thirty feet below the ordinary high
1073 water mark and must adhere to Washington state Department Fish and Wildlife fish screening
1074 criteria. Discharge of desalination wastewater or concentrated mineral is not allowed in the
1075 Maury Island Aquatic Reserve, except that outside the Inner and Outer Harbormaster Harbor,
1076 discharge may be considered if there is no impact on critical saltwater habitats, salmon migratory
1077 habitat and the nearshore zone;

1078 d. Cable crossings for telecommunications and power lines shall:

1079 (1) be routed around or drilled below aquatic critical habitat or species;

1080 (2) be installed in sites free of vegetation, as determined by physical or video seabed
1081 survey;

1082 (3) be buried, preferably using directional drilling, from the uplands to waterward of
1083 the deepest documented occurrence of native aquatic vegetation; and

1084 (4) use the best available technology;

1085 e. Oil, gas, water and other pipelines shall meet the same standards as cable crossings
1086 and in addition:

1087 (1) pipelines must be directionally drilled to depths of seventy feet or one half mile
1088 from the ordinary high water mark; and

1089 (2) use the best available technology for operation and maintenance;

1090 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or within the
1091 Aquatic environment adjacent to the Conservancy and Natural shorelines.

1092 11. ~~((Only low intensity forestry is allowed i))~~In the Natural environment, ~~((and all~~
1093 ~~forestry))~~ limited to low intensity forest practices that conserve or enhance the health and
1094 diversity of the forest ecosystem or ecological and hydrologic functions conducted for the
1095 purpose of accomplishing specific ecological enhancement objectives. In all shoreline
1096 environments, forest practices must meet the standards in K.C.C. 21A.25.130.

1097 12. Manufacturing uses in the shoreline environment must give preference first to
1098 water-dependent manufacturing uses and second to water-related manufacturing uses:

1099 a. Non-water-oriented manufacturing uses are allowed only:

1100 (1) as part of a shoreline mixed-use development that includes a water-dependent
1101 use, but only if the water-dependent use comprises over fifty percent of the floor area or portion
1102 of the site within the shoreline jurisdiction;

1103 (2) on sites where navigability is severely limited; or

1104 (3) on sites that are not contiguous with the ordinary high water mark or on sites that
1105 do not have an easement that provides direct access to the water; and

1106 (4) all non-water-oriented manufacturing uses must also provide a significant public
1107 benefit, such as ecological restoration, environmental clean-up, historic preservation or water-
1108 dependent public education;

1109 b. public access is required for all manufacturing uses unless it would result in a
1110 public safety risk or is incompatible with the use;

1111 c. shall be located, designed and constructed in a manner that ensures that there are no
1112 significant adverse impacts to other shoreline resources and values.

1113 d. restoration is required for all new manufacturing uses;

1114 e. boat repair facilities are not permitted within the Maury Island Aquatic Reserve,
1115 except as follows:

1116 (1) engine repair or maintenance conducted within the engine space without vessel
1117 haul-out;

1118 (2) topside cleaning, detailing and bright work;

1119 (3) electronics servicing and maintenance;

1120 (4) marine sanitation device servicing and maintenance that does not require haul-
1121 out;

1122 (5) vessel rigging; and

1123 (6) minor repairs or modifications to the vessel's superstructure and hull above the
1124 waterline that do not exceed twenty-five percent of the vessel's surface area above the waterline.

1125 13. The water-dependent in-stream portion of a hydroelectric generation facility,
1126 wastewater treatment facility and municipal water production are allowed, including the upland

1127 supporting infrastructure, and shall provide for the protection and preservation, of ecosystem-
1128 wide processes, ecological functions, and cultural resources, including, but not limited to, fish
1129 and fish passage, wildlife and water resources, shoreline critical areas, hydrogeological
1130 processes, and natural scenic vistas.

1131 14. New in-stream portions of utility facilities may be located within the shoreline
1132 jurisdiction if:

1133 a. there is no feasible alternate location;

1134 b. provision is made to protect and preserve ecosystem-wide processes, ecological
1135 functions, and cultural resources, including, but not limited to, fish and fish passage, wildlife and
1136 water resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas;
1137 and

1138 c. the use complies with the standards in K.C.C. 25.16.160, as recodified by this
1139 ordinance.

1140 15. Limited to in-stream infrastructure, such as bridges, and must consider the priorities
1141 of the King County Shoreline Protection and Restoration Plan when designing in-stream
1142 transportation facilities. In-stream structures shall provide for the protection and preservation, of
1143 ecosystem-wide processes, ecological functions, and cultural resources, including, but not
1144 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,
1145 hydrogeological processes, and natural scenic vistas.

1146 16. Limited to hatchery and fish preserves.

1147 17. Mineral uses:

1148 a. must meet the standards in K.C.C. chapter 21A.22;

1149 b. must be dependent upon a shoreline location;

1150 c. must avoid and mitigate adverse impacts to the shoreline environment during the
1151 course of mining and reclamation to achieve no net loss of shoreline ecological function. In
1152 determining whether there will be no net loss of shoreline ecological function, the evaluation
1153 may be based on the final reclamation required for the site. Preference shall be given to mining
1154 proposals that result in the creation, restoration, or enhancement of habitat for priority species;

1155 d. must provide for reclamation of disturbed shoreline areas to achieve appropriate
1156 ecological functions consistent with the setting;

1157 e. may be allowed within the active channel of a river only as follows:

1158 ~~((i-))~~ (1) removal of specified quantities of sand and gravel or other materials at
1159 specific locations will not adversely affect the natural processes of gravel transportation for the
1160 river system as a whole;

1161 ~~((ii-))~~ (2) the mining and any associated permitted activities will not have significant
1162 adverse impacts to habitat for priority species nor cause a net loss of ecological functions of the
1163 shoreline; and

1164 ~~((iii-))~~ (3) if no review has been previously conducted under this subsection C.17.e.,
1165 prior to renewing, extending or reauthorizing gravel bar and other in-channel mining operations
1166 in locations where they have previously been conducted, the department shall require compliance
1167 with this subsection C.17.e. If there has been prior review, the department shall review previous
1168 determinations comparable to the requirements of this section C.17.e. to ensure compliance with
1169 this subsection under current site conditions; and

1170 f. Must comply with K.C.C. 21A.25.190.

1171 18. Only water-dependent recreational uses are allowed, except for public parks and
1172 trails, in the High Intensity environment and must meet the standards in K.C.C. 21A.25.140 for
1173 public access and K.C.C. 21A.25.150 for recreation.

1174 19. Water-dependent and water-enjoyment recreational uses are allowed in the
1175 Residential, Rural and Forestry environments and must meet the standards in K.C.C. 21A.25.140
1176 for public access and K.C.C. 21A.25.150 for recreation.

1177 20. In the Conservancy environment, only the following recreation uses are allowed
1178 and must meet the standards in K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for
1179 recreation:

1180 a. parks; and

1181 b. trails.

1182 21. In the Natural environment, only passive and low-impact recreational uses are
1183 allowed.

1184 22. Single detached dwelling units must be located outside of the aquatic area buffer
1185 and set back from the ordinary high water mark to the maximum extent practical.

1186 23. Only allowed as part of a water-dependent shoreline mixed-use development where
1187 water-dependent uses comprise more than half of the square footage of the structures on the
1188 portion of the site within the shoreline jurisdiction.

1189 24. Residential accessory uses must meet the following standards:

1190 a. docks, piers, moorage, buoys, floats or launching facilities must meet the standards
1191 in K.C.C. 21A.25.180;

1192 b. residential accessory structures located within the aquatic area buffer shall be
1193 limited to a total footprint of one-hundred fifty square feet; and

1194 c. accessory structures shall be sited to preserve visual access to the shoreline to the
1195 maximum extent practical.

1196 25. New highway and street construction is allowed only if there is no feasible alternate
1197 location. Only low-intensity transportation infrastructure is allowed in the Natural environment.

1198 26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.

1199 27. Only bed and breakfast guesthouses.

1200 28. Only in a marina.

1201 29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

1202 30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

1203 SECTION 19. Ordinance 16985, Section 32, and K.C.C. 21A.25.110 are each hereby
1204 amended to read as follows:

1205 An applicant for an aquaculture facility must use the sequential measures in K.C.C.
1206 21A.25.080. The following standards apply to aquaculture:

1207 A. Unless the applicant demonstrates that the substrate modification will result in an
1208 increase in habitat diversity, aquaculture that involves little or no substrate modification shall be
1209 given preference over aquaculture that involves substantial substrate modification and the degree
1210 of proposed substrate modification shall be limited to the maximum extent practical.

1211 B. The installation of submerged structures, intertidal structures and floating structures
1212 shall be limited to the maximum extent practical.

1213 C. Aquaculture proposals that involve substantial substrate modification or
1214 sedimentation through dredging, trenching, digging, mechanical clam harvesting or other similar
1215 mechanisms, shall not be permitted in areas where the proposal would adversely impact critical
1216 saltwater habitats.

1217 D. Aquaculture activities that after implementation of mitigation measures would have a
1218 significant adverse impact on natural, dynamic shoreline processes or that would result in a net
1219 loss of shoreline ecological functions shall be prohibited.

1220 E. Aquaculture should not be located in areas that will result in significant conflicts with
1221 navigation or other water-dependent uses.

1222 F. Aquaculture facilities shall be designed, located and managed to prevent the spread of
1223 diseases to native aquatic life or the spread of new nonnative species.

1224 G. Aquaculture practices shall be designed to minimize use of artificial chemical
1225 substances and shall use chemical compounds that are least persistent and have the least impact
1226 on plants and animals. Herbicides and pesticides shall be used only in conformance with state
1227 and federal standard and to the minimum extent needed for the health of the aquaculture activity.

1228 H. ~~((Commercial salmon net pen facilities shall not be located in King County waters.~~
1229 ~~These do not include subsistence))~~ Noncommercial salmon net pen facilities that involve
1230 minimal supplemental feeding and limited use of chemicals or antibiotics as provided in
1231 subsection G. of this section may be located in King County waters if they are:

1232 1. subsistence salmon net pens operated by tribes with treaty fishing rights; ~~((or))~~

1233 2. for the limited penned cultivation of wild salmon stocks during a limited portion of
1234 their lifecycle to enhance restoration of native stocks; or

1235 3. ~~((when))~~ implemented as mitigation for a development activity ~~((, but only when such~~
1236 ~~activities involve minimal supplemental feeding and limited use of chemicals or antibiotics as~~
1237 ~~provided in subsection G. of this section))~~.

1238 I. If uncertainty exists regarding potential impacts of a proposed aquaculture activity and
1239 for all experimental aquaculture activities, unless otherwise provided for, the department may

1240 require baseline and periodic operational monitoring by a county-approved consultant, at the
1241 applicant's expense, and shall continue until adequate information is available to determine the
1242 success of the project and the magnitude of any probable significant adverse environmental
1243 impacts. Permits for such activities shall include specific performance measures and provisions
1244 for adjustment or termination of the project at any time if monitoring indicates significant,
1245 adverse environmental impacts that cannot be adequately mitigated.

1246 J. Aquaculture developments approved on an experimental basis shall not exceed five
1247 acres in area, except land-based projects and anchorage for floating systems, and three years in
1248 duration. The department may issue a new permit to continue an experimental project as many
1249 times as it determines is necessary and appropriate.

1250 K. The department may require aquaculture operations to carry liability insurance in an
1251 amount commensurate with the risk of injury or damage to any person or property as a result of
1252 the project. Insurance requirements shall not be required to duplicate requirements of other
1253 agencies.

1254 L. If aquaculture activities are authorized to use public facilities, such as boat launches
1255 or docks, King County may require the applicant to pay a portion of the cost of maintenance and
1256 any required improvements commensurate with the use of those facilities.

1257 M. New aquatic species that are not previously cultivated in Washington state shall not
1258 be introduced into King County saltwaters or freshwaters without prior written approval of the
1259 Director of the Washington state Department of Fish and Wildlife and the Director of the
1260 Washington Department of Health. This prohibition does not apply to: Pacific, Olympia,
1261 Kumomoto, Belon or Virginica oysters; Manila, Butter, or Littleneck clams; or Geoduck clams.

1262 N. Unless otherwise provided in the shoreline permit issued by the department, repeated
1263 introduction of an approved organism after harvest in the same location shall require approval by
1264 the county only at the time the initial aquaculture use permit is issued. Introduction, for purposes
1265 of this section, shall mean the placing of any aquatic organism in any area within the waters of
1266 King County regardless of whether it is a native or resident organism within the county and
1267 regardless of whether it is being transferred from within or without the waters of King County.

1268 O. For aquaculture projects, over-water structures shall be allowed only if necessary for
1269 the immediate and regular operation of the facility. Over-water structures shall be limited to the,
1270 storage of necessary tools and apparatus in containers of not more than three feet in height, as
1271 measured from the surface of the raft or dock.

1272 P. Except for the sorting or culling of the cultured organism after harvest and the
1273 washing or removal of surface materials or organisms before or after harvest, no processing of
1274 any aquaculture product shall occur in or over the water unless specifically approved by permit.
1275 All other processing and processing facilities shall be located landward of the ordinary high
1276 water mark.

1277 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict compliance
1278 with all applicable governmental waste disposal standards, including, but not limited to, the
1279 Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water Pollution Control. No
1280 garbage, wastes or debris shall be allowed to accumulate at the site of any aquaculture operation.

1281 R. Unless approved in writing by the National Marine Fisheries Service or the U.S. Fish
1282 and Wildlife Service, predator control shall not involve the killing or harassment of birds or
1283 mammals. Approved controls include, but are not limited to, double netting for seals, overhead
1284 netting for birds and three-foot high fencing or netting for otters. The use of other nonlethal,

1285 nonabusive predator control measures shall be contingent upon receipt of written approval from
1286 the National Marine Fisheries Service or the U.S. Fish and Wildlife Service, as required.

1287 S. Fish net pens and rafts shall meet the following criteria in addition to the other
1288 applicable regulations of this section:

1289 1. Fish net pens shall not be located in inner Quartermaster Harbor, consistent with the
1290 recommendations in the Washington state Department of Natural Resources Maury Island
1291 Environmental Aquatic Reserve Final Management Plan (October 29, 2004);

1292 2. Fish net pens shall meet, at a minimum, state approved administrative guidelines for
1293 the management of net pen cultures. In the event there is a conflict in requirements, the more
1294 restrictive requirement shall prevail;

1295 3. Fish net pens shall not occupy more than two surface acres of water area, excluding
1296 booming and anchoring requirements. Anchors that minimize disturbance to substrate, such as
1297 helical anchors, shall be employed. Such operations shall not use chemicals or antibiotics;

1298 4. Aquaculture proposals that include new or added net pens or rafts shall not be
1299 located closer than one nautical mile to any other aquaculture facility that includes net pens or
1300 rafts. The department may authorize a lesser distance if the applicant demonstrates to the
1301 satisfaction of the department that the proposal will be consistent with the environmental and
1302 aesthetic policies and objectives of this chapter and the Shoreline Master Program. The
1303 applicant shall demonstrate to the satisfaction of the department that the cumulative impacts of
1304 existing and proposed operations would not be contrary to the policies and regulations of the
1305 program;

1306 5. Net cleaning activities shall be conducted on a frequent enough basis so as not to
1307 violate state water quality standards. When feasible, the cleaning of nets and other apparatus
1308 shall be accomplished by air drying, spray washing or hand washing; and

1309 6. In the event of a significant fish kill at the site of a net pen facility, the fin fish
1310 aquaculture operator shall submit a timely report to Public Health - Seattle-King County,
1311 Environmental Health Division and the department stating the cause of death and shall detail
1312 remedial actions to be implemented to prevent reoccurrence.

1313 T. All floating and submerged aquaculture structures and facilities in navigable waters
1314 shall be marked in accordance with United States Coast Guard requirements.

1315 U. The rights of treaty tribes to aquatic resources within their usual and accustomed
1316 areas shall be addressed through direct coordination between the applicant and the affected tribes
1317 through the permit review process.

1318 V. Aquaculture structures and equipment shall be of sound construction and shall be so
1319 maintained. Abandoned or unsafe structures and equipment shall be removed or repaired
1320 promptly by the owner. Where any structure might constitute a potential hazard to the public in
1321 the future, the department shall require the posting of a bond commensurate with the cost of
1322 removal or repair. The department may abate an abandoned or unsafe structure in accordance
1323 with K.C.C. Title 23.

1324 W. Aquaculture shall not be approved where it will adversely impact eelgrass and
1325 macroalgae.

1326 X. Commercial salmon net pens shall meet the following criteria and requirements:

1327 1. Each commercial salmon net pen application shall provide a current, peer-reviewed
1328 science review of environmental issues related to salmon net pen aquaculture;

1329 2. The department shall only approve a commercial salmon net pen application if the
1330 department determines the scientific review demonstrates that the project construction and
1331 activities will achieve no net loss of ecological function in a manner that has no significant
1332 adverse short-term impact and no documented adverse long-term impact to applicable elements
1333 of the environment, including, but not limited to, habitat for native salmonids, water quality, eel
1334 grass beds, other aquaculture, other native species, the benthic community below the net pen or
1335 other environmental attributes;

1336 3. The department's review shall:

1337 a. include an assessment of the risk to endangered species, non-endangered species,
1338 and other biota that could be affected by the net pen; and

1339 b. evaluate and model water quality impacts utilizing current information, technology,
1340 and assessment models. The project proponent shall be financially responsible for this water
1341 quality assessment;

1342 4. Commercial salmon net pens shall be designed, constructed, and maintained to
1343 prevent escapement of fish in all foreseeable circumstances, including, but not limited to, tide,
1344 wind, and wave events of record, floating and submerged debris, and tidal action;

1345 5. Commercial salmon net pens shall not be located:

1346 a. within three hundred feet of an area containing eelgrass or a kelp bed;

1347 b. within one thousand five hundred feet of an ordinary high water mark; or

1348 c. in a designated Washington state Department of Natural Resources aquatic reserve

1349 6. A commercial salmon net pen may not be used to mitigate the impact of a
1350 development proposal; and

1351 7. The conditional use permit for commercial salmon net pen must be renewed every
1352 five years. An updated scientific review shall be conducted as part of the renewal and shall
1353 include a new risk assessment and evaluation of the impact of the operation of the salmon net
1354 pen during the previous five years.

1355 SECTION 20. Ordinance 16985, Section 39, and K.C.C. 21A.25.160 are each hereby
1356 amended to read as follows:

1357 A. The shoreline modification table in this section determines whether a specific
1358 shoreline modification is allowed within each of the shoreline environments. The shoreline
1359 environment is located on the vertical column and the specific use is located on the horizontal
1360 row of the table. The specific modifications are grouped by the shoreline modification
1361 categories in WAC 173-26-231. The table should be interpreted as follows:

1362 1. If the cell is blank in the box at the intersection of the column and the row, the
1363 modification is prohibited in that shoreline environment;

1364 2. If the letter "P" appears in the box at the intersection of the column and the row, the
1365 modification may be allowed within the shoreline environment;

1366 3. If the letter "C" appears in the box at the intersection of the column and the row, the
1367 modification may be allowed within the shoreline environment subject to the shoreline
1368 conditional use review procedures specified in K.C.C. 21A.44.100;

1369 4. If a number appears in the box at the intersection of the column and the row, the
1370 modification may be allowed subject to the appropriate review process indicated in this section
1371 and the specific development conditions indicated with the corresponding number immediately
1372 following the table, and only if the underlying zoning allows the modification. If more than one
1373 number appears at the intersection of the column and row, both numbers apply; and

1374 5. If more than one letter-number combination appears in the box at the intersection of
 1375 the column and the row, the modification is allowed within that shoreline environment subject to
 1376 different sets of limitations or conditions depending on the review process indicated by the letter,
 1377 the specific development conditions indicated in the development condition with the
 1378 corresponding number immediately following the table.

1379 6. A shoreline modification may be allowed in the aquatic environment only if that
 1380 shoreline modification is allowed in the adjacent shoreland environment.

1381 7. This section does not authorize a shoreline modification that is not allowed by the
 1382 underlying zoning, but may add additional restrictions or conditions or prohibit specific
 1383 modifications within the shoreline jurisdiction. All shoreline modifications in the shoreline
 1384 jurisdiction must comply with all relevant county code provisions and with the King County
 1385 Shoreline Master Program.

1386 B. Shoreline modifications.

KEY P - Permitted	H	R	R	C	R	F	N	A
Modification. C - Shoreline	I	E	U	O	E	O	A	Q
Conditional Use Required.	G	S	R	N	S	R	T	U
Blank - Prohibited. Shoreline	H	I	A	S	O	E	U	A
modifications are allowed		D	L	E	U	S	R	T
only if the underlying zoning	I	E		R	R	T	A	I
allows the modification.	N	N		V	C	R	L	C
Shoreline modifications are	T	T		A	E	Y		
allowed in the aquatic	E	I		N				
environment only if the	N	A		C				

adjacent upland environment allows the modification	S I T Y	L		Y				
Shoreline stabilization								
Shoreline stabilization, not including flood protection facilities	P1	P1	P1	C1	P1	C1		P1 C1
Flood protection facilities	P2	P2	P2	P2	P2			P2
Piers and docks								
Docks, piers, moorage, buoys, floats or launching facilities	P3	P3	P3	C3	C3	C3		P3 C3
Fill								
Filling	P4 C4	P4 C4	P4 C4	P4 C4	P4 C4	C4	C4	P4 C4
Breakwaters, jetties, groins and weirs								
Breakwaters, jetties, groins and weirs	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5
Beach and dunes management								
Not applicable in King								

County								
Dredging and dredge material disposal								
Excavation, dredging, dredge material disposal	P6 C6	P6 C6	P6 C6	P6 C6	P6 C6	C6	C6	P6 C6
Shoreline habitat and natural systems enhancement projects								
Habitat and natural systems enhancement projects	P7	P7	P7	P7	P7	P7	P7	P7
Vegetation management								
Removal of existing intact native vegetation	P8	P8	P8	P9	P8	P8	P9	P9

- 1387 C. Development conditions.
- 1388 1. New shoreline stabilization, including bulkheads, must meet the standards in K.C.C.
- 1389 21A.25.170;
- 1390 2. Flood protection facilities must be consistent with the standards in K.C.C. chapter
- 1391 21A.24, the King County Flood Hazard Management Plan adopted January 16, 2007, and the
- 1392 Integrated Stream Protection Guidelines (Washington state departments of Fish and Wildlife,
- 1393 Ecology and Transportation, 2003). New structural flood hazard protection measures are
- 1394 allowed in the shoreline jurisdiction only when the applicant demonstrates by a scientific and
- 1395 engineering analysis that the structural measures are necessary to protect existing development,
- 1396 that nonstructural measures are not feasible and that the impact on ecological functions and

1397 priority species and habitats can be successfully mitigated so as to assure no net loss of shoreline
1398 ecological functions. New flood protection facilities designed as shoreline stabilization must
1399 meet the standards in K.C.C. 21A.25.170.

1400 3. Docks, piers, moorage, buoys, floats or launching facilities must meet the standards
1401 in K.C.C. 21A.25.180;

1402 4.a. Filling must meet the standards in K.C.C. 21A.25.190.

1403 b. A shoreline conditional use permit is required to:

1404 (1) Place fill waterward of the ordinary high water mark for any use except
1405 ecological restoration or for the maintenance and repair of flood protection facilities; and

1406 (2) Dispose of dredged material within shorelands or wetlands within a channel
1407 migration zone;

1408 c. Fill shall not placed in critical saltwater habitats except when all of the following
1409 conditions are met:

1410 (1) The public's need for the proposal is clearly demonstrated and the proposal is
1411 consistent with protection of the public trust, as embodied in RCW 90.58.020;

1412 (2) Avoidance of impacts to critical saltwater habitats by an alternative alignment or
1413 location is not feasible or would result in unreasonable and disproportionate cost to accomplish
1414 the same general purpose;

1415 (3) The project including any required mitigation, will result in no net loss of
1416 ecological functions associated with critical saltwater habitat; and

1417 (4) The project is consistent with the state's interest in resource protection and
1418 species recovery.

1419 d. In a channel migration zone, any filling shall protect shoreline ecological functions,
1420 including channel migration.

1421 5.a. Breakwaters, jetties, groins and weirs:

1422 (1) are only allowed where necessary to support water dependent uses, public access,
1423 approved shoreline stabilization or other public uses, as determined by the director;

1424 (2) are not allowed in the Maury Island Aquatic Reserve except as part of a habitat
1425 restoration project or as an alternative to construction of a shoreline stabilization structure;

1426 (3) shall not intrude into or over critical saltwater habitats except when all of the
1427 following conditions are met:

1428 (a) the public's need for the structure is clearly demonstrated and the proposal is
1429 consistent with protection of the public trust, as embodied in RCW 90.58.020;

1430 (b) avoidance of impacts to critical saltwater habitats by an alternative alignment or
1431 location is not feasible or would result in unreasonable and disproportionate cost to accomplish
1432 the same general purpose;

1433 (c) the project including any required mitigation, will result in no net loss of
1434 ecological functions associated with critical saltwater habitat; and

1435 (d) the project is consistent with the state's interest in resource protection and
1436 species recovery.

1437 b. Groins are only allowed as part of a restoration project sponsored or cosponsored by
1438 a public agency that has natural resource management as a primary function.

1439 c. A conditional shoreline use permit is required, except for structures installed to
1440 protect or restore shoreline ecological functions.

1441 6. Excavation, dredging and filling must meet the standards in K.C.C. 21A.25.190. A
1442 shoreline conditional use permit is required to dispose of dredged material within shorelands or
1443 wetlands within a channel migration zone

1444 7. If the department determines the primary purpose is restoration of the natural
1445 character and ecological functions of the shoreline, a shoreline habitat and natural systems
1446 enhancement project may include shoreline modification of vegetation, removal of nonnative or
1447 invasive plants, shoreline stabilization, including the installation of large woody debris, dredging
1448 and filling. Mitigation actions identified through biological assessments required by the National
1449 Marine Fisheries Services and applied to flood hazard mitigation projects may include shoreline
1450 modifications of vegetation, removal of nonnative or invasive plants, shoreline stabilization,
1451 including the installation of large woody debris, dredging and filling.

1452 8. Within the critical area and critical area buffer, vegetation removal is subject to
1453 K.C.C. chapter 21A.24.

1454 9. Except for forest practices conducted under K.C.C. 21A.25.130, existing native
1455 vegetation located outside of the critical area and critical area buffer shall be retained to the
1456 maximum extent practical. Within the critical area and critical area buffer, vegetation removal is
1457 subject to K.C.C. chapter 21A.24.

1458 SECTION 21. Ordinance 16985, Section 46, and K.C.C. 21A.25.210 are each hereby
1459 amended to read as follows:

1460 The expansion of a dwelling unit or residential accessory structure located in the
1461 shoreline jurisdiction, if allowed under K.C.C. 21A.24.045, is subject to the following:

1462 A. ~~((In the Conservancy, Resource, Forestry or Natural shoreline environments, a~~
1463 ~~shoreline conditional use permit is required;~~

1464 B.)) If the proposed expansion will result in a total cumulative expansion of the dwelling
1465 unit and accessory structures of more than one thousand square feet, a shoreline variance is
1466 required; and

1467 ((C.)) B. If the site has an approved rural stewardship plan under K.C.C. 21A.24.055, the
1468 expansion is not allowed.

1469 SECTION 22. Ordinance 16985, Section 47, and K.C.C. 21A.25.220 are each hereby
1470 amended to read as follows:

1471 A. The shoreline dimensions table in subsections B. and C. of this section establishes the
1472 shoreline standards within each of the shoreline environments. The shoreline environment is
1473 located on the vertical column and the density and dimensions standard is located on the
1474 horizontal row of the table. The table should be interpreted as follows:

1475 1. If the cell is blank in the box at the intersection of the column and the row, the
1476 standards are the same as for the underlying zoning.

1477 2. If the cell has a number in the box at the intersection of the column and the row, that
1478 number is the density or dimension standard for that shoreline environment.

1479 3. If the cell has a parenthetical number in the box at the intersection of the column and
1480 the row, that parenthetical number identifies specific conditions immediately following the table
1481 that are related to the density and dimension standard for that environment.

1482 B. The dimensions enumerated in this section apply within the shoreline jurisdiction. If
1483 there is a conflict between the dimension standards in this section and K.C.C. chapter 21A.12,
1484 the more restrictive shall apply.

1485 **Shoreline dimensions.**

	H	R	R	C	R	F	N	A
--	---	---	---	---	---	---	---	---

	I G H I N T E N S I T Y	E S I D E N T I A L	U R A L E R V A N C Y	O N S I D E R V A N C Y	E S O U R C E	O R T H O D O X Y	A U R A L	Q U A R T E R L Y
Standards								
Base height	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	30 feet (1)	35 feet (1)
<u>Maximum density (units per acre)</u>	<u>6 (4)</u>	<u>6 (4)</u>						
Minimum lot area			5 acres (2)	5 acres (2)	10 acres	80 acres	80 acres	
Minimum lot width		50	100	150	150	150	330	

		feet	feet	feet	feet	feet	feet	
Impervious surface				10%				
				(3)				

1486

C. Development conditions.

1487

1. This height can be exceeded consistent with the base height for the zone only if the

1488

structure will not obstruct the view of a substantial number of residences on areas adjoining the

1489

shoreline or if overriding considerations of the public interest will be served, and only for:

1490

a. agricultural buildings;

1491

b. water dependent uses and water related uses; and

1492

c. regional light rail transit support structures, but no more than is reasonably

1493

necessary to address the engineering, operational, environmental issues at the location of the

1494

structure;

1495

2. The minimum lot areas may be reduced as follows:

1496

a. to no less than 10,000 square feet or the minimum lot areas for the zone, whichever

1497

is greater, through lot averaging; and

1498

b. when public access is provided, to no less than 8,000 square feet, or the minimum

1499

lot area for the zone, whichever is greater, through cluster development, as provided in K.C.C.

1500

chapter 21A.14.

1501

3. For lots created before the effective date of this section*, if achieving the ten percent

1502

maximum impervious surface limit is not feasible, the amount of impervious surface shall be

1503

limited to the maximum extent practical but not to exceed the amount of impervious surface

1504

allowed under K.C.C. 21A.12.030 and 21A.12.040.

1505 4. Except for a mixed use development, the density of the underlying zoning or 6 units
1506 per acre, whichever is lower. A mixed use development may have the density of the underlying
1507 zone."

1508 **Renumber the remaining sections consecutively and correct any internal references**
1509 **accordingly.**

1510 **On page 64, after line 1342, insert:**

1511 "SECTION 32. Ordinance 3688, Section 257, as amended, and K.C.C. 21A.06.1385A
1512 are each hereby repealed."

1513 **Renumber the remaining sections consecutively and correct any internal references**
1514 **accordingly.**

1515 Add Attachment K, KING COUNTY SHORELINE JURISDICTION, dated
1516 November 30, 2010.

Effect: Incorporates required changes to County's Shoreline Master Program mandated by the Dept. of Ecology, as well as some recommended changes.

KING COUNTY SHORELINE JURISDICTION
November 30, 2010

STREAMS ¹		
Stream Name	Latitude	Longitude
Alice Creek	47.4189	121.59
Alpine Creek	47.696	121.25
Bear Creek	47.7336	122.068
Bear Creek	47.3406	121.537
Bear Creek	47.279	121.8
Big Creek	47.6016	121.416
Big Soos Creek	47.358	122.128
Black River	47.4404	122.238
Boise Creek	47.2036	121.882
Boulder Creek	47.3502	121.706
Boxley Creek	47.4518	121.721
Burn Creek	47.6628	121.241
Burnboot Creek	47.4938	121.32
Calligan Creek	47.5926	121.642
Camp Creek	47.1501	121.709
Camp Robber Creek	47.5645	121.338
Carroll Creek	47.6907	121.232
Champion Creek	47.1894	121.55
Charley Creek	47.2345	121.815
Cherry Creek	47.7777	121.862
Coal Creek	47.2732	121.878
Commonwealth Creek	47.4346	121.409
Coney Creek	47.652	121.453
Cottage Lake Creek	47.7246	122.079
Cougar Creek	47.6136	121.522
Covington Creek	47.3343	122.04
Cripple Creek	47.5108	121.49
Deception Creek	47.6089	121.142
Deep Creek	47.6971	121.728
Deep Creek	47.4758	121.89
Denny Creek	47.4229	121.449
Dingford Creek	47.5429	121.388
Dry Creek	47.7688	121.667
East Fork Foss River	47.581	121.192

¹ Point at which stream has a mean annual flow of 20 cubic feet per second.

Attachment K

STREAMS ¹		
Stream Name	Latitude	Longitude
East Fork Index Creek	47.7373	121.508
East Fork Issaquah Creek	47.5328	121.975
Evans Creek	47.6573	122.062
Fisher Creek	47.6347	121.209
Friday Creek	47.2362	121.469
Gale Creek	47.2643	121.709
Goat Creek	47.6868	121.473
Granite Creek	47.4711	121.621
Great Falls Creek	47.6325	121.384
Green River	47.1615	121.356
Griffin Creek	47.714	121.844
Hancock Creek	47.5646	121.636
Hansen Creek	47.3737	121.516
Hardscrabble Creek	47.599	121.331
Harlan Creek	47.75	121.271
Harris Creek	47.7058	121.897
Holder Creek	47.4479	121.957
Humpback Creek	47.3777	121.474
Illinois Creek	47.7294	121.569
Jenkins Creek	47.3553	122.106
Kaleetan Creek	47.4649	121.51
Kelley Creek	47.7516	121.204
Kimball Creek	47.6813	121.437
Kimball Creek	47.5259	121.833
Kulla Kulla Creek	47.448	121.527
Lennox Creek	47.6157	121.483
Lindsay Creek	47.3354	121.665
Little Bear Creek	47.7762	122.157
Lowe Creek	47.73	121.459
Maloney Creek	47.6894	121.343
Martin Creek	47.7725	121.155
May Creek	47.5197	122.164
Mercer Slough	47.6024	122.171
Middle Fork Snoqualmie River	47.548	121.253
Middle Fork Taylor Creek	47.3569	121.762
Money Creek	47.7006	121.498
Newaukum Creek	47.2324	121.965
North Creek	47.7764	122.187
North Fork Cedar River	47.3255	121.46

Attachment K

STREAMS ¹		
Stream Name	Latitude	Longitude
North Fork Cherry Creek	47.7477	121.93
North Fork Creek	47.7388	121.821
North Fork Green River	47.2843	121.665
North Fork Snoqualmie River	47.73	121.459
North Fork Taylor Creek	47.3734	121.8
North Fork Tolt River	47.7294	121.569
Patterson Creek	47.5913	121.957
Phelps Creek	47.7001	121.587
Philippa Creek	47.6248	121.627
Pioneer Creek	47.1762	121.353
Pratt River	47.4449	121.493
Pyramid Creek	47.1132	121.441
Quartz Creek	47.5747	121.578
Raging River	47.4402	121.853
Rainy Creek	47.5325	121.526
Rex River	47.3087	121.632
Rock Creek	47.4748	121.444
Rock Creek	47.3987	121.92
Rock Creek	47.3798	122.016
Rock Creek	47.1624	121.51
Salmon Creek	47.7327	121.533
Sawmill Creek	47.1736	121.447
Sawyer Creek	47.6817	121.2
Scatter Creek	47.1853	121.867
Seattle Creek	47.3186	121.559
Slippery Creek	47.1691	121.662
Smay Creek	47.2687	121.514
Smith Creek	47.6016	121.416
Snow Creek	47.269	121.417
South Fork Cedar River	47.2863	121.484
South Fork Snoqualmie River	47.4473	121.427
South Fork Tolt River	47.6994	121.54
Spider Creek	47.4599	121.559
Stossel Creek	47.714	121.844
Sunday Creek	47.6039	121.572
Sunday Creek	47.2559	121.374
Surprise Creek	47.6715	121.137
Swamp Creek	47.777	122.246
Tacoma Creek	47.2022	121.337

Attachment K

STREAMS ¹		
Stream Name	Latitude	Longitude
Talapus Creek	47.4046	121.511
Ten Creek	47.5756	121.752
Tinkham Creek	47.3312	121.468
Tokul Creek	47.7388	121.821
Tunnel Creek	47.7214	121.11
Tye River	47.7484	121.122
Unnamed Outflow Of Gold Lake	47.552	121.354
Unnamed Tributary Of Middle Fork Snoqualmie River	47.5178	121.612
Unnamed Tributary Of East Fork Miller River	47.6298	121.369
Unnamed Tributary Of Middle Fork Snoqualmie River	47.5437	121.26
Unnamed Tributary Of North Fork Snoqualmie River	47.5345	121.701
Unnamed Tributary To Coal Creek	47.272	121.898
Unnamed Tributary To Copper Lake	47.599	121.331
Unnamed Tributary To Deception Creek	47.6181	121.172
Unnamed Tributary To Deception Creek	47.6108	121.14
Unnamed Tributary To Deception Creek	47.6103	121.163
Unnamed Tributary To East Fork Foss River	47.6004	121.194
Unnamed Tributary To East Fork Foss River	47.5967	121.265
Unnamed Tributary To East Fork Foss River	47.5863	121.236
Unnamed Tributary To Index Creek	47.7654	121.541
Unnamed Tributary To Opal Lake	47.5742	121.249
Unnamed Tributary To Otter Lake	47.5668	121.279
Unnamed Tributary To S F Skykomish River	47.7311	121.392
Unnamed Tributary To Tolt Reservoir	47.698	121.62
Unnamed Tributary To Tunnel Creek	47.7139	121.11
Unnamed Tributary To West Fork Foss River	47.6223	121.283
Unnamed Tributary To West Fork Foss River	47.5843	121.318
Unnamed Tributary To West Fork Foss River	47.5635	121.307
Unnamed Tributary To West Fork Miller River	47.6255	121.433
Unnamed Tributary Of Dingford Creek	47.5218	121.388
Unnamed Tributary Of Lake Dorothy	47.5849	121.39
Unnamed Tributary Of South Fork Tolt River	47.6971	121.728
Unnamed Tributary Of Snoqualmie Lake	47.5849	121.39
Unnamed Tributary Of Taylor River	47.6171	121.456
Unnamed Tributary Of Taylor River	47.5601	121.449
West Creek	47.2644	121.419
West Fork Miller River	47.6171	121.456
West Fork Smay Creek	47.2717	121.605
Wildcat Creek	47.491	121.471

Attachment K

LAKES ²		
Lake	Latitude	Longitude
Alice Lake	47.53169	121.891
Ames Lake	47.64135	121.959
Angeline Lake	47.57098	121.307
Annette Lake	47.35897	121.475
Azurite Lake	47.56871	121.295
Bass Lake	47.25495	121.996
Bear Lake	47.57339	121.395
Big Heart Lake	47.579	121.325
Black Lake	47.64657	121.73
Boyle Lake	47.59699	121.757
Bridges Lake	47.60619	121.757
Calligan Lake	47.60549	121.667
Chester Morse Lake	47.37844	121.662
Chetwoot Lake	47.55657	121.314
Copper Lake	47.60233	121.333
Cottage Lake	47.75303	122.088
Cougar Lake	47.60158	121.529
Deception Lakes	47.63473	121.14
Deep Lake	47.27345	121.939
Deer Lake	47.57093	121.401
Delta Lake	47.59069	121.309
Derrick Lake	47.49917	121.496
Dream Lake	47.60004	121.437
Echo Lake	47.5094	121.868
Fisher Lake	47.63872	121.22
Fivemile Lake	47.27284	122.286
Francis Lake	47.63616	121.421
Glacier Lake	47.65709	121.144
Goat Lake	47.53944	121.421
Gold Lake	47.55024	121.344
Hester Lake	47.50865	121.393
Horseshoe Lake	47.53342	121.422
Howard Hanson Reservoir	47.25744	121.743
Iceberg Lake	47.50085	121.306
Jade Lake	47.5974	121.18
Kaleetan Lake	47.4662	121.495
Keevie Lake	47.31215	122.05

² Midpoint of lakes 20 acres or greater.

Attachment K

LAKES ²		
Lake	Latitude	Longitude
Klaus Lake	47.58304	121.755
Lake Borst	47.53116	121.82
Lake Caroline	47.48775	121.507
Lake Clarice	47.62492	121.185
Lake Desire	47.4423	122.107
Lake Dolloff	47.32526	122.286
Lake Dorothy	47.58603	121.384
Lake Geneva	47.29161	122.281
Lake Hancock	47.56948	121.676
Lake Holm	47.30328	122.127
Lake Iiswoot	47.58352	121.25
Lake Joy	47.69661	121.87
Lake Kathleen	47.47803	122.088
Lake Killarney	47.28491	122.293
Lake Kulla Kulla	47.43226	121.549
Lake Malachite	47.6087	121.341
Lake Marcel	47.69387	121.915
Lake Margaret	47.76952	121.901
Lake McDonald	47.47155	122.077
Lake Moolock	47.55262	121.649
Lake Morton	47.32436	122.085
Lake Nadeau	47.54819	121.651
Lake No 12	47.32547	121.976
Lake Philippa	47.61027	121.62
Lake Sammamish	47.59433	122.098
Lake Washington	47.52446	122.244
Lake Youngs	47.4192	122.116
Langlois Lake	47.63709	121.889
Little Heart Lake	47.59132	121.33
Loch Katrine	47.63684	121.606
Locket Lake	47.58494	121.269
Loop Lake	47.6543	121.852
Lower Tuscohatchie Lake	47.43876	121.496
Lynch Lake	47.7102	121.724
Marmot Lake	47.6121	121.188
Marten Lake	47.59256	121.514
Mason Lake	47.42367	121.551
Moneysmith Lake	47.29147	122.123
Nordrum Lake	47.55154	121.439

Attachment K

LAKES ²		
Lake	Latitude	Longitude
Otter Lake	47.57998	121.289
Otter Lake	47.43675	122.088
Pratt Lake	47.43506	121.513
Ptarmigan Lakes	47.63159	121.212
Rattlesnake Lake	47.43199	121.772
Ravensdale Lake	47.35137	121.991
Retreat Lake	47.35238	121.939
Rock Lake	47.6402	121.335
Shadow Lake	47.40575	122.086
Shady Lake (Mud Lake)	47.42948	122.105
SMC Lake	47.54503	121.657
Snoqualmie Lake	47.56625	121.413
Snow Lake	47.46766	121.457
Star Lake	47.35476	122.288
Sunday Lake	47.6246	121.579
Surprise Lake	47.66988	121.139
Thompson Lake	47.45514	121.589
ToltSeattle Water Supply Reservoir	47.70402	121.632
Tuscohatchie Lake	47.43163	121.476
Unnamed Lake	47.65342	121.502
Unnamed Lake	47.47022	121.35
Upper Loch Katrine	47.62094	121.602
Upper Wildcat Lake	47.48545	121.492
Walsh Lake	47.4079	121.929

17485

U3a

30 November 2012

12/3/12 Council Meeting

khm

Passed Unanimously

Sponsor:

Jane Hague

Proposed No.: 2012-0103

1 AMENDMENT TO ATTACHMENT A PROPOSED ORDINANCE 2012-0103,

2 VERSION 3

3 Delete pages 2-33 and 2-34 and replace with the attached.

4 **Effect: Eliminates the limited exception of when drainage facilities may be allowed**
5 **on the rural side of a Four to One proposal, but instead allows land, redesignated**
6 **from rural to urban that is to be used for naturally appearing drainage facilities, not**
7 **required to satisfy the 4 to 1 ratio of dedicated rural open space. The proposed**
8 **changes on the attachment are only shaded for ease of review**

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- U-185 Through the Four-to-One Program, King County shall actively pursue dedication of open space along the original Urban Growth Area line adopted in the 1994 King County Comprehensive Plan. Through this program, one acre of Rural Area land may be added to the Urban Growth Area in exchange for a dedication to King County of four acres of permanent open space. Land added to the Urban Growth Area for naturally appearing drainage facilities in support its development does not require dedication of permanent open space.
- U-186 King County shall evaluate Four-to-One proposals for both quality of open space and feasibility of urban development. The highest-quality proposals shall be recommended for adoption as amendments to the Urban Growth Area. Lands preserved as open space shall retain their Rural Area designations and should generally be configured in such a way as to connect with open space on adjacent properties.
- U-187 King County shall use the following criteria for evaluating open space in Four-to-One proposals:
- a. Quality of fish and wildlife habitat areas;
 - b. Connections to regional open space systems;
 - c. Protection of wetlands, stream corridors, ground water and water bodies;
 - d. Unique natural, biological, cultural, historical, or archeological features;
 - e. Size of proposed open space dedication and connection to other open space dedications along the Urban Growth Area line; and
 - f. The land proposed as open space shall remain undeveloped, except for those uses allowed in U-188.
- U-188 King County shall preserve the open space acquired through this program primarily as natural areas, passive recreation sites or resource lands for farming or forestry. King County may allow the following additional uses only if located on a small portion of the open space, provided that these uses are found to be compatible with the site's natural open space values and functions such as those listed in the preceding policy:
- a. Trails;
 - b. Compensatory mitigation of wetland losses on the urban designated portion of the project, consistent with the King County Comprehensive Plan and the Critical Area Ordinance; and

- c. Active recreation uses not to exceed five percent of the total open space area. Support services and facilities for the active recreation uses may locate within the active recreation area only, and shall not exceed five percent of the active recreation area. An active recreation area shall not be used to satisfy the active recreation requirements for the urban designated portion of the project as required by K.C.C. Title 21A((; and
- d. ~~Drainage or stormwater facilities, such as retention ponds, may be allowed but only if all the following conditions are met:~~
- ~~1. the county determines, applying sustainable development principles, that the facilities, are compatible with the site's natural open space values and functions;~~
 - ~~2. the acreage necessary for the drainage or stormwater facilities shall not be included in the calculation of the amount of permanent open space dedicated to King County under U-185;~~
 - ~~3. the owners of the land added to the Urban Growth Area, or any successors in interests, including purchasers of lots created in the lands added to the Urban Growth Area, shall retain ownership of and remain responsible for the maintenance and operation of the stormwater or drainage facilities in perpetuity or until another municipality assumes ownership of the facilities. Prior to approval of the Four to One application, the applicant shall place a notice of this requirement on title approved by King County)).~~

U-189

Land added to the Urban Growth Area under the Four-to-One Program shall have a minimum density of four dwellings per acre and shall be physically contiguous to the original Urban Growth Area, unless there are limitations due to the presence of critical areas, and shall be able to be served by sewers and other efficient urban services and facilities; provided that such sewer and other urban services and facilities shall be provided directly from the urban area and shall not cross the open space or rural area. ~~((Except as otherwise provided in U-188, stormwater or d))~~ Drainage facilities to support the urban development shall be located within the urban portion of the development. In some cases, lands must meet affordable housing requirements under this program. The total area added to the Urban Growth Area as a result of this policy shall not exceed 4,000 acres.

3a

30 November 2012

12/3/12 Council Meeting

421 Code amendments

khm

Sponsor: Hague

Proposed No.: 2012-0103

LP Moved as consent package

Passed Unanimously

1 AMENDMENT TO PROPOSED ORDINANCE 2012-0103 VERSION 3

- 2 On page 10, line 205, after "development and shall be at a minimum density of four dwelling
- 3 units per acre;" delete "((and))" and insert "and".
- 4 On page 10, delete lines 206 through 208.
- 5 On page 10, at the beginning of line 209, delete "12." and insert "11."

Effect: Incorporates the changes reflected in amendment U3a to Chapter 2 of the Comprehensive Plan.



19 November 2012

12/3/12 Council Meeting

cmj
LP Moved, as consent
package

Sponsor: Lambert

Passed Unanimously Proposed No.: 2012-0103

1 **AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3**

2 On page 72, after line 1524, insert:

3 "O. By June 1, 2013, the executive shall provide a report detailing the progress of the
4 rule making process, as required by this ordinance, which will develop the criteria for the
5 designation and mapping of the channel migration zone areas in unincorporated King County.
6 Additional reports to provide updates on the progress on the rule making process and
7 implementation of the designation and mapping of channel migration zones shall be provided
8 each January 1 and June 1, until the mapping is completed. The reports required by this
9 subsection shall be transmitted to the council in the form of a paper original and an electronic
10 copy with the clerk of the council, who shall retain the original and provide an electronic copy to
11 all councilmembers and to the lead staff for the transportation, economy and environment
12 committee, or its successor."

13

14

EFFECT: Adds a new work program relating to the rule making process for development criteria to guide designation and mapping of channel migration zones.

27 November 2012

12/3/12 Council Meeting

LP Moved as consent package



PASSAL
UNANIMOUSLY

Sponsor: Lambert

Proposed No.: 2012-0103

1 AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,

2 VERSION 3

3 On page 3-28, delete policy R-327 and replace it with revised policy R-327 as follows:

4 **R-327** **Consistent with the recommendations of the School Siting Task**
5 **Force, included as Appendix Q, in the Rural Area:**

6 a. Except as otherwise provided in subsections d. and e. of this
7 policy, ((A))an existing elementary, middle, or junior high
8 school may be modified or expanded but shall not be converted
9 to a high school;

10 b. An existing high school may be modified or expanded or
11 converted to an elementary, middle, or junior high school;

12 c. ((The following sites may develop as new schools:
13 1-)) Snoqualmie Valley 1: parcel number 1823099046, as
14 shown on the King County Department of Assessments map as
15 of March 31, 2012, may develop as a new school;

16 ~~((2-))~~ d. Lake Washington 4: parcel numbers 0825069008 and
17 0825069056, as shown on the King County Department of
18 Assessments map as of March 31, 2012, may develop as a new
19 school and convert an existing school on the site to a high
20 school use;

21 ~~((d-))~~ e. Tahoma 1: parcel number 2622069047, as shown
22 on the King County Department of Assessments map as of
23 March 31, 2012, may develop as a new school and convert an
24 existing school on the site to a high school use only if no
25 alternative site can be located within the UGA;

26 ~~((e-))~~ f. Lake Washington 2: parcel numbers 3326069010
27 and 3326069009, as shown on the King County Department of
28 Assessments map as of March 31, 2012, may develop as a new
29 school only if no feasible alternative site can be located within
30 the UGA, in which case it may be ~~((and only after being))~~
31 incorporated into the UGA; and

32 ~~((f-))~~ g. Enumclaw A and D: the rural portions of parcel
33 numbers ~~((2321069065,))~~ 2321069064, 2321069063, and
34 2321069062, as shown on the King County Department of
35 Assessments map as of March 31, 2012, may develop as
36 ballfields or recreational playfields only, for a school located on
37 the urban portions of the parcels.

Effect: Clarify language to be consistent with the intent of the School Siting Task Force.

17485

27 November 2012

8

12/3/12 Council Meeting

LP Moved, as consent Package

Passed: Unanimously Sponsor: Lambert

Proposed No.: 2012-0103

1 AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3

2 On page 20, in the cell in the row "Secondary or High School" and the column for "RA",
3 after "C39 and 31" insert "C41 and 31"

4

5 On page 31, after line 600, insert "41. A high school may be allowed as a reuse of an
6 existing public school if allowed under King County Comprehensive Plan policies."

Effect: Add a condition to allow a new high school in the RA zone when it is a reuse of an existing public school and allowed under the Comprehensive Plan. This is consistent with the School Siting Task Force recommendations.

17485

6a

1 December 2012

12/3/12 Council Meeting

rb

LP moved as consent
package
Passed Unanimously

Sponsor: Phillips/Lambert

Proposed No.: 2012-0103

1 AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3

2 Beginning on page 31, line 607, delete all of section 14, and insert:

3 "SECTION 14. Ordinance 16267, Section 59, and K.C.C. 21A.24.381 are each
4 hereby amended to read as follows:

5 To ensure that agriculture will remain the predominate use in the agriculture
6 production district, the department shall only approve an aquatic habitat restoration project,
7 a floodplain restoration project or a project under the mitigation reserves program that is
8 proposed for a site located within ~~((the))~~ an agricultural production district~~((s))~~, as follows:

9 A. The project shall be allowed only when supported by owners of the land
10 where the proposed project is to be sited;

11 B. Except as provided in subsection C. of this section, ~~((F))~~ the project shall be
12 located on ~~((agricultural))~~ lands that the department of natural resources and parks
13 determines~~((:~~

14 ~~1.a. A))~~ are unsuitable for direct agricultural production purposes, such as portions
15 of property that have not historically been farmed due to soil conditions or frequent
16 flooding and that it determines cannot be returned to productivity by drainage maintenance;
17 ~~((or))~~ and

18 ~~((b. The proposed project would result in a net benefit to agricultural~~
19 ~~productivity in the agricultural production district;~~

20 ~~2. The project will not reduce the ability to farm in the area; and~~

21 ~~3. Agriculture will remain the predominant use in the agricultural production~~
22 ~~district;~~

23 ~~B.)) C. If the project is located on land determined by the department of natural~~
24 ~~resources and parks to be suitable for direct agriculture, then:~~

25 ~~1. The applicant shall demonstrate to the satisfaction of the department that there~~
26 ~~are no ~~((other suitable land outside the agricultural production district))~~ unsuitable lands~~
27 ~~available within the agricultural production district, that meet the technical or locational~~
28 ~~requirements of the project~~((is available for the project));~~~~

29 ~~2. The applicant shall demonstrate to the satisfaction of the department of natural~~
30 ~~resources and parks that the project will not reduce the ability to farm in the area and that~~
31 ~~agriculture will remain the predominate use in the agricultural production district; and~~

32 ~~((C. The department shall hold a public meeting to solicit input from the property~~
33 ~~owners affected by the project; and~~

34 ~~D. The department shall determine that the project:~~

35 ~~1.)) 3. The project ~~((is))~~ must either:~~

36 ~~a. be included in, or be consistent with, an approved Water Resources Inventory~~
37 ~~Area Plan, Farm Management Plan, Flood Hazard Management Plan~~((;))~~ or other ~~((King~~~~
38 ~~County functional)) similar watershed scale plan; or~~

39 ~~((2. Based on the recommendation of the department of natural resources and~~
40 ~~parks, the project would improve))~~

41 b. not reduce the baseline agricultural productivity within the agricultural
42 production((s)) district."

EFFECT: Shading is provided for ease of referring to changes made by this amendment to the proposed substitute.

- **Clarifies role of DNRP and DPER relating to review and approval of salmon-habitat projects in APD**
- **Provide clearer distinction as to treatment of lands suitable for direct agriculture versus lands that are unsuitable for direct agriculture**

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In addition, the document highlights the need for regular audits. By conducting periodic reviews, any discrepancies can be identified and corrected promptly. This proactive approach helps in maintaining the integrity of the financial information.

Furthermore, it is advised to use standardized accounting practices. This includes following established guidelines for recording and reporting. Consistency in these practices is crucial for providing reliable and comparable financial statements.

17485

10

29 November 2012

12/3/12 Council Meeting

Work Program add

Sponsor: Lambert

khm/rb

AP Moved, as consent package

Proposed No.: 2012-0103

Passed: Unanimously

1 AMENDMENT TO TO PROPOSED ORDINANCE 2012-0103, VERSION 3

2 On page 72, after line 1524, insert:

3 "O. Recognizing that structures, such as farm pads, are vital to agriculture activities
4 and are allowed in the channel migration zones in accordance with K.C.C. 21A.24.045.A,
5 the executive shall work with the state department of ecology to develop a revised
6 K.C.C. 21A.24.045.D.56. to more accurately reflect the restrictions on placing such
7 structures in severe channel migration zones."

EFFECT: Requires the Executive develop a revised code provision to clarify that restriction of structures in severe channel migration zones.

17485

RP1

26 November 2012 12/3/12
Council Meeting

khm

LP moved
6-3 JP/KC/LG
" W09

Sponsor: Phillips

Proposed No.: 2012-0103

- 1 AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,
- 2 VERSION 3
- 3 Delete page 1-9 and replace with the attached.
- 4 Renumber the remaining policies in Chapter 2 of the Comprehensive Plan consecutively
- 5 and correct any internal references accordingly.

Effect: Inserts two new policies requiring: (1) until the GMPC takes action on an UGA expansion proposal, the County will not act on it; and (2) except for four-to-one proposals, before the Council will consider any UGA expansion proposal, it must have been through the public review of the executive's draft proposed changes to the comprehensive plan or the hearing examiner process.

1345

body charged with developing the CPPs and then sending a recommendation to the King County Council for its review and approval. The Growth Management Planning Council is a representative body consisting of elected officials from King County, Seattle, the Suburban Cities Association, and the City of Bellevue.

The CPPs describe an overall vision for the cities and unincorporated portions of King County, and provide general strategies and approaches to be used by local jurisdictions, acting individually and cooperatively, to achieve that vision. The policies address those issues that benefit from greater consistency across jurisdictions and those that are of a countywide or regional nature. The CPPs are currently undergoing the first major update since 1992 to reflect: the recent adoption of VISION 2040; revised population, housing, and employment growth targets; and the fact that the policies are out-of-date after nearly 20 years of growth and development.

King County and all cities and towns of King County are responsible for ensuring that their respective comprehensive plans are consistent with and implement the CPPs. As the regional government, King County provides leadership on issues of countywide importance.

King County, together with its cities, published the 2007 King County Buildable Lands Report. Ratified in 2008, the Report fulfills the requirements of the GMA for the county and its cities to, every five years, evaluate whether there is sufficient suitable land to accommodate the projected county-wide population. The Buildable Lands evaluation represents a mid-course check on achievement of GMA goals. The focus of the evaluation is on the designated urban areas of King County and growth targets for those areas as established in the CPPs. Based on data from 2001 through 2005, the 2007 Buildable Lands Report evaluated the actual housing constructed, densities of new residential development, and the amount of actual land developed for commercial and industrial uses within the UGA. Based on that data, it projected that there is a sufficient amount of land within the UGA to accommodate housing, commercial and industrial uses through 2022 and beyond.

RP-202 Except Four-to-One proposals, King County shall not expand the Urban Growth Area (UGA) prior to the Growth Management Planning Council taking action on the proposed expansion of the UGA.

RP-203 The county shall not forward to the Growth Management Planning Council, for its recommendation, any proposed expansion of the UGA unless the proposal was either

1 November 2012

*KL suggestion
OR LP accepted as friendly*

- a. Included in the scoping motion and an area zoning study of the proposal was included in the public review draft of proposed King County Comprehensive Plan updates; or
- b. Subjected to the hearing examiner process for site specific map amendments as contemplated by the King County Code.

The King County Comprehensive Plan provides policy guidance for unincorporated King County. The ~~((e))~~Comprehensive ~~((p))~~Plan addresses all of the mandatory and several of the optional elements of the GMA. The Comprehensive Plan serves as a vital guide to the future and provides a framework for managing change.

~~RP-((202))204~~ King County shall implement the Countywide Planning Policies through its comprehensive plan and through Potential Annexation Area, preannexation and other interlocal agreements with its cities.

17485

U1

26 November 2012 12/3/12
Council Meeting

rb

RD moved
PASSED: 9-0

Sponsor: Reagan Dunn

Proposed No.: 2012-0103

1 **AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,**

2 **VERSION 3**

3 On page 2-25, amend U-169 to read as follows:

4 U-169 Stand-alone commercial developments legally established outside
5 designated centers in the Urban Growth Area may be recognized with
6 the CO designation and appropriate commercial zoning, including any
7 identified potential zoning classification. An action to implement a
8 potential zoning classification shall not require a detailed subarea plan,
9 if the current CO designation is to remain unchanged. When more
10 detailed subarea plans are prepared, these developments may be
11 designated as centers and allowed to grow if appropriate, or may be
12 encouraged to redevelop consistent with the residential density and
13 design policies of the comprehensive plan.

Effect: A review of parcels with both a CO land use designation AND a potential zone classification indicate that only two parcels would be affected by this amendment:

- Parcel 5624201250 is part of a major Seattle City Light transmission line ROW that runs westerly from the main industrial substation in South Park. This parcel is zoned RB (Regional Business) with a potential zone of R-18

(Residential 18 units per acre). No development is allowed within such transmission line ROWs and actualization of the potential zone is unlikely.

- **The northerly 246.14 feet of Parcel 145700005 (located in the East Renton Plateau) is currently developed with an office building. This portion of the parcel was subject to a quasi-judicial rezone request from O (Office) - Potential RB (Regional Business) to RB, in order to use the site as a used car lot. The requested rezone was denied by the Examiner and upheld by council on appeal (on the basis of the requirement to conduct a subarea plan).**
- **This amendment would allow actualization of the potential RB zone under the current CO designation. NOTE: The RB zone is a classification allowed under the CO designation and is currently in place in the South Park area.**

17485

26 November 2012

12/3/12
Council Meeting

M2a

rb

REMOVED
PASSED: 9-0

Sponsor: Dunn

Proposed No.: 2012-0103

AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,

VERSION 3

After page MA-40, insert the following:

Map Amendment 10

Melki – Zone Change

AMENDMENT TO THE KING COUNTY ZONING ATLAS

Amend Map #14, Section 14, Township 23, Range 5, as follows:

Rezone the northerly 246.14 feet of parcel 1457500005 (exclusive of the area that lies within the wetland demarcation area established through code enforcement action E08G0099) from O (Office)- Potential RB (Regional Business) to RB-P.

Apply the following property-specific (p-suffix) conditions:

- This reclassification shall be effective only after a conservation easement has been recorded with the King County Recorder’s Office for the:
 - RB-zoned portion of parcel 1457500005 that lies within the wetland demarcation area established through code enforcement action E08G0099, and
 - Remaining R-4 zoned portion of the parcel,
- The uses of the RB-zoned portion of the parcel shall be limited to the:
 - Sale, lease or rental of used (pre-owned) automobiles, and
 - Uses allowed for the Office zone,
- The number of automobiles for sale, lease or rental shall not exceed 45,
- No repair or maintenance of automobiles shall be permitted on-site,

- The parking area and storm water retention facilities shall be upgraded to comply with current county regulations, including but not limited to the county's surface water management standards,
- Landscaping shall be provided pursuant to K.C.C. chapter 21A.16,
- Lighting for the parking area shall be positioned in a manner to direct light only to the parking area and away from residential properties to the west and east, and
- Automobiles shall be washed only within an area where contaminated waste water cannot escape to the natural drainage system.

Effect: The proposed zoning amendment actualizes the potential RB zoning for the property and applies conditions related to uses, design and dedication of a conservation easement.

East Renton Plateau – Melki

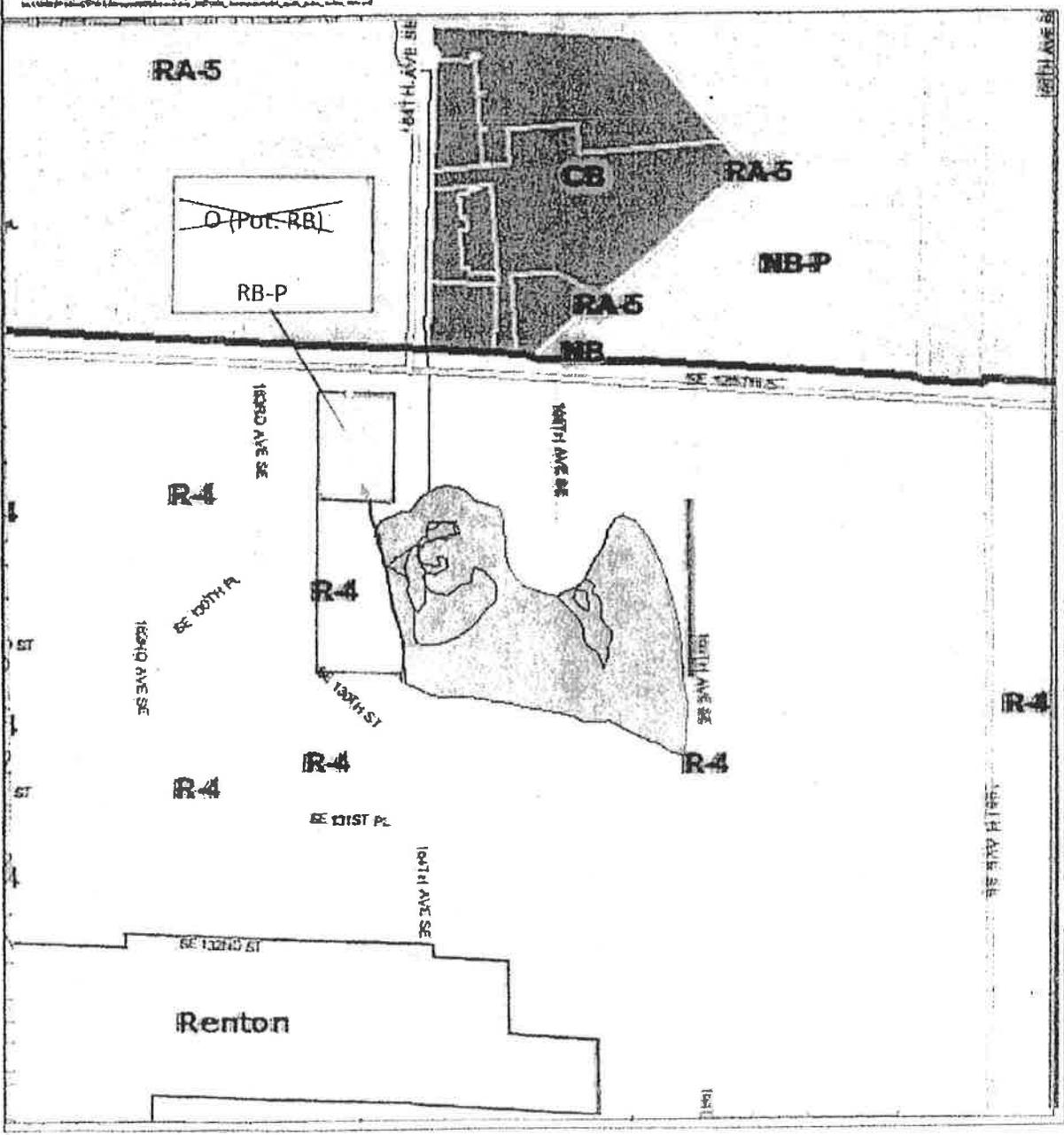
Proposed Zoning Map Revision



The information included on this map has been prepared by King County and does not constitute a warranty or representation of accuracy. It is intended for informational purposes only. The information is not intended to be used as a survey. King County does not have jurisdiction over the information, but it is intended to be used as a guide. The information is not intended to be used as a survey. King County does not have jurisdiction over the information, but it is intended to be used as a guide. The information is not intended to be used as a survey. King County does not have jurisdiction over the information, but it is intended to be used as a guide.

-  Incorporated Areas
-  Urban Growth Boundary

- O Office
- RB-P Regional Business
- R-4 Residential (4 lots per acre)
- CB Community Business
- NB Neighborhood Business



17485

29 November 2012 12/3/12
Council Meeting

I2

khm/rb

Sponsor: Hague

JH moved

8-1 Joe McDermott
w no 4

Proposed No.: 2012-0103

AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3

On Attachment A, page 11-4, delete I-203 and insert the following:

"I-203 Except as otherwise provided in this policy, the annual cycle shall not consider proposed amendments to the King County Comprehensive Plan that require substantive changes to comprehensive plan policies and development regulations or that alter the Urban Growth Area (UGA) Boundary. Substantive amendments and changes to the UGA Boundary may be considered in the annual amendment cycle only if the proposed amendments are necessary for the protection and recovery of threatened and endangered species, or to implement:

a. A ((a)) proposal for a ((4 to 1)) Four-to-One project; or

b. Changes related to a mining site conversion demonstration project. The demonstration project shall evaluate and address:
1. potential options for the use of a reclaimed mine site,
including the feasibility of residential use and/or long-term
forestry on the demonstration project site;

17 2. the impacts to carbon sequestration as a result of
18 reforestation, and for residential use, the impacts to carbon
19 sequestration when implementing modified standards for lot
20 clustering or transfer of development rights;
21 3. the need for a site design that compatibly integrates any
22 proposed residential development on the demonstration project
23 site with uses occurring on the adjacent rural or forest
24 production district lands, especially if the proposed residential
25 development utilizes modified standards for lot clustering
26 and/or transfer of development rights;
27 4. the levels and standards for reclamation of mining sites that
28 are appropriate to their use either for long-term forestry and/or
29 for residential development; and
30 5. the need to ensure that the demonstration project provides
31 an overall public benefit by providing permanent protection, as
32 designated park or open space, of lands in the vicinity of the
33 demonstration project site that form the headwaters of critical,
34 high valued habitat areas; or that remove the development
35 potential from nonconforming legal parcels in the forest
36 production district; or that provide linkages with other forest
37 production district lands."

Effect: Adds a new subsection b. to allow a demonstration project in an annual update cycle; provided the demonstration project addresses:

- **Long-term feasibility of forestry on the project site**
- **Ensures compatibility with adjacent FPD lands**
- **Carbon sequestration through reforestation, lot clustering and use of TDRs**
- **Mining site reclamation appropriate to the long-term use of the demonstration project site**
- **Permanent protection of nearby lands that are the headwaters of critical habitats, that remove development potential from nonconforming lots or that provide linkages between FPD lands**

I December 2012 12/3/12 Council Meeting

khm/rb

Sponsor: Hague

JH moved

8-1 Joe mc Dermott & now

Proposed No.: 2012-0103

1 AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3

2 **On page 8, after line 155, insert:**

3 "SECTION 7. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030 are each
4 hereby amended to read as follows:

5 A. The King County Comprehensive Plan shall be amended in accordance with this
6 chapter, which, in compliance with RCW 36.70A.130(2), establishes a public participation
7 program whereby amendments are considered by the council no more frequently than once a year
8 as part of the amendment cycle established in this chapter, except that the council may consider
9 amendments more frequently to address:

- 10 1. Emergencies;
- 11 2. An appeal of the plan filed with the Central Puget Sound Growth Management
12 Hearings Board or with the court;
- 13 3. The initial adoption of a subarea plan, which may amend the urban growth area
14 boundary only to redesignate land within a joint planning area; ((or))
- 15 4. An amendment of the capital facilities element of the Comprehensive Plan that occurs
16 in conjunction with the adoption of the county budget; or
- 17 5. The adoption or amendment of a shoreline master program under chapter 90.58 RCW.

18 B. Every year the Comprehensive Plan may be amended to address technical updates and
19 corrections, and to consider amendments that do not require substantive changes to policy

20 language, changes to the priority areas map, or changes to the urban growth ((area)) boundary,
21 except as permitted in subsection B.5, 10. and 12. of this section. This review may be referred to
22 as the annual cycle. The Comprehensive Plan, including subarea plans, may be amended in the
23 annual cycle only to consider the following:

- 24 1. Technical amendments to policy, text, maps or shoreline designations;
- 25 2. The annual capital improvement plan;
- 26 3. The transportation needs report;
- 27 4. School capital facility plans;
- 28 5. Changes required to implement ((an amendment to)) a ((joint nterlocal/development
29 agreement in existence on January 1, 2008, between King County, another local government and
30 one or more private parties, only if the amendment to the joint interlocal/development agreement
31 includes a provision to agreement to alter the urban growth area boundary to add areas to the urban
32 growth area, requires that an area four times the area that is added to the urban growth area be
33 permanently designated as park or open space and requires the transfer of development rights on
34 terms as provided in the amendment)) mining site conversion demonstration project. The
35 demonstration project shall evaluate and address:

- 36 a. potential options for the use of a reclaimed mine site, including the feasibility of
37 residential use and/or long-term forestry on the demonstration project site;
- 38 b. the impacts to carbon sequestration as a result of reforestation, and for residential use,
39 the impacts to carbon sequestration when implementing modified standards for lot clustering or
40 transfer of development rights;
- 41 c. the need for a site design that compatibly integrates any proposed residential
42 development on the demonstration project site with uses occurring on the adjacent rural or forest

43 production district lands, especially if the proposed residential development utilizes modified
44 standards for lot clustering and/or transfer of development rights;

45 d. the levels and standards for reclamation of mining sites that are appropriate to their
46 use either for long-term forestry and/or for residential development; and

47 e. the need to ensure that the demonstration project provides an overall public benefit
48 by providing permanent protection, as designated park or open space, of lands in the vicinity of the
49 demonstration project site that form the headwaters of critical, high-valued habitat areas; or that
50 remove the development potential from nonconforming legal parcels in the forest production
51 district; or that provide linkages with other forest production district lands;

52 6. Changes required by existing Comprehensive Plan policies;

53 7. Changes to the technical appendices and any amendments required thereby;

54 8. Comprehensive updates of subarea plans initiated by motion;

55 9. Changes required by amendments to the countywide planning policies or state law;

56 10. Redesignation proposals under the four-to-one program as provided for in this

57 chapter;

58 11. Amendments necessary for the conservation of threatened and endangered species;

59 and

60 12. Site-specific comprehensive land use map amendments that do not require substantive

61 change to comprehensive plan policy language and that do not alter the urban growth area

62 boundary, except to correct mapping errors.

63 C. Every fourth year beginning in 2000, the county shall complete a comprehensive review

64 of the Comprehensive Plan in order to update it as appropriate and to ensure continued compliance

65 with the GMA. This review may provide for a cumulative analysis of the twenty-year plan based

66 upon official population growth forecasts, benchmarks and other relevant data in order to consider
67 substantive changes to policy language and changes to the urban growth area (UGA). This
68 comprehensive review shall begin one year in advance of the transmittal and may be referred to as
69 the four-year cycle. The urban growth area boundaries shall be reviewed in the context of the four-
70 year cycle and in accordance with countywide planning policy FW-1 and RCW 36.70A.130. If the
71 county determines that the purposes of the Comprehensive Plan are not being achieved as
72 evidenced by official population growth forecasts, benchmarks, trends and other relevant data,
73 substantive changes to the Comprehensive Plan may also be considered on even calendar years.
74 This determination shall be authorized by motion. The motion shall specify the scope of the even-
75 year amendment, and identify that the resources necessary to accomplish the work are available.
76 An analysis of the motion's fiscal impact shall be provided to the council before to adoption. The
77 executive shall determine if additional funds are necessary to complete the even-year amendment,
78 and may transmit an ordinance requesting the appropriation of supplemental funds.

79 D. The executive shall seek public comment on the comprehensive plan and any proposed
80 comprehensive plan amendments in accordance with the procedures in K.C.C. 20.18.160 before
81 making a recommendation, in addition to conducting the public review and comment procedures
82 required by SEPA. The public, including unincorporated area councils, shall be afforded at least
83 one official opportunity to record public comment before to the transmittal of a recommendation
84 by the executive to the council. County-sponsored councils and commissions may submit written
85 position statements that shall be considered by the executive before transmittal and by the council
86 before adoption, if they are received in a timely manner. The executive's recommendations for
87 changes to policies, text and maps shall include the elements listed in Comprehensive Plan policy
88 RP-307 and analysis of their financial costs and public benefits, any of which may be included in

89 environmental review documents. Proposed amendments to the Comprehensive Plan shall be
90 accompanied by any development regulations or amendments to development regulations,
91 including area zoning, necessary to implement the proposed amendments."
92 Renumber the remaining sections consecutively and correct any internal references accordingly.

Effect: Implements revisions to policy I-203 to allow for implementation of a demonstration project in an annual update cycle; provided the demonstration project addresses:

- **Long-term feasibility of forestry on the project site and adjacent FPD lands**
- **Carbon sequestration through reforestation, lot clustering and use of TDRs**
- **Mining site reclamation appropriate to the long-term use of the demonstration project site**
- **Permanent protection of nearby lands that are the headwaters of critical habitats, that remove the development potential from nonconforming lots, or that provide linkages between FPD lands**

17485

M5b

30 November 2012

12/3/12 Council Meeting

khm/rb

Sponsor: Hague

Proposed No.: 2012-0103

JH moved

8-1 Joe McDermott & no

AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,

VERSION 3

Delete all text and maps from pages MA-5 through MA-10.

Effect: The proposed amendment would leave the land use designation and zoning on tax parcels 3622069065 (103.72 acres), 3522069018 (45.08 acre portion) and 0121069002 (165.9 acre portion) (commonly referred to as Reserve Silica) as they are currently - Mineral and Mining, respectively.

00001

0010

Faint, illegible text, possibly bleed-through from the reverse side of the page.

29 November 2012

A/B/12
Council Meeting

9

Work Program revision

Sponsor: Lambert

khm

RC
Model

Proposed No.: 2012-0103

5-4

DeMcDermott, BF, JP/LP "not"

1 **AMENDMENT TO TO PROPOSED ORDINANCE 2012-0103, VERSION 3**

2 On page 69, delete lines 1465 through 1467 and insert:

3 " d. identify(~~alternative means, but excluding extension of public sewers~~)

4 possible methods of sewage treatment as allowed under the Comprehensive Plan policies,

5 and including a range of costs, for the identified (~~alternative~~) methods, that may be

6 utilized to provide for safe treatment of sewage."

7

EFFECT: Clarifies that the study of sewage issues includes all methods of sewage treatment allowed under the Comprehensive Plan (See F-264).

3 December 2012 Council Meeting

Tr2.B

Joe mc Dermott moved
PASSED
Unanimously

Sponsor: Lambert/McDermott

Proposed 2012-0103
No.:

- 1 AMENDMENT Tr2.B to ATTACHMENT A TO PROPOSED ORDINANCE 2012-
- 2 0103, VERSION 3
- 3 Starting on page 7-16, after the heading "D. Road System" delete policies T-206
- 4 through T-210 and replace with the attached revised policies T-206 through T-210.
- 5 Renumber the remaining policies in Chapter 3 of the Comprehensive Plan consecutively
- 6 and correct any internal references accordingly.

Effect: This amendment recognizes the need to control growth in the rural area while at the same time acknowledge that roads in the rural area serve not only rural residents but also urban residents. It also addresses compliance with PSRC's Vision 2040.

- 1 T-206 Except as provided in T-209, King County shall not construct and shall oppose
2 the construction by other agencies of any new arterials or ((state or interstate))
3 highways in the Rural Area or natural resource lands.
4
- 5 T-207 King County recognizes the importance to regional and local mobility of state
6 highways that traverse the Rural Area and should advocate for state and federal
7 agencies to improve performance of these facilities, consistent with the
8 county's adopted Comprehensive Plan policies ((regarding Rural Area)) to
9 prevent unplanned development ((and preservation of the)) in the Rural Area
10 and preserve rural character.
11
- 12 T-208 King County shall not add any new arterial capacity in the Rural Area or natural
13 resource lands, except for segments of rural regional corridors that pass
14 through rural or resource lands accommodate levels of traffic between urban
15 ((centers)) areas. Rural regional corridors shall be identified in the
16 Transportation Needs Report (Appendix C) and shall meet all of the following
17 criteria:
18 a. Connects one urban area to another, or to a highway of statewide
19 significance that provides such connection, by traversing the Rural
20 Area;
21 b. Classified as a principal arterial;
22 c. Carries high traffic volumes (at least 15,000 ADT); and
23 d. At least half of P.M. peak trips on the corridor are traveling to cities or
24 other counties.
25
- 26 T-209 ~~((King County shall not construct any new arterials except for rural regional~~
27 ~~arterials and only after the maximum capacity of existing regional rural~~
28 ~~corridors to accommodate levels of traffic between urban centers has been~~
29 ~~reached.)) King County shall avoid construction of major roads and capacity
30 expansion on existing roads in rural and resource areas. Where increased
31 roadway capacity is warranted to support safe and efficient travel through rural
32 areas, appropriate rural development regulations and strong commitments to
33 access management should be in place prior to authorizing such capacity
34 expansion in order to prevent unplanned growth in rural areas.
35~~

36 **T-210** **Any capacity increases to rural regional corridors shall be designed to**
37 **accommodate levels of traffic between urban ((centers)) areas consistent with**
38 **the county's adopted Comprehensive Plan policies regarding development in**
39 **the surrounding Rural Area or natural resource lands. The county shall seek to**
40 **maximize the efficient use of existing roadway capacity before considering**
41 **adding new capacity to rural regional corridors.**

17485

3 December 2012

Council Meeting

R2.B

RC MOVED.
PASSED UNANIMOUSLY

Sponsor: Lambert/McDermott

Proposed No.: 2012-0103

1 **AMENDMENT TO ATTACHMENT A TO PROPOSED ORDINANCE 2012-0103,**

2 **VERSION 3**

3 On page 3-27, delete policy R-326 and replace it with revised policy R-326 as follows:

4 **R-326**

Except as provided in R-327:

5 a. **New ((S))schools and institutions** primarily serving rural residents
6 shall be located in neighboring cities and rural towns; ~~((and))~~

7 b. **New ((S))schools, institutions, and other community facilities**
8 primarily serving urban residents shall be located within the UGA;
9 **and**

10 c. **New community facilities and services that primarily serve rural**
11 **residents shall be located in neighboring cities and rural towns,**
12 **with limited exceptions when their use is dependent on a rural**
13 **location and their size and scale supports rural character.**

Effect: Would direct that new facilities that primarily serve rural residents to be in rural towns and neighboring cities and that new facilities serving urban populations be placed in the Urban area. Additions make this policy more consistent with both the 2012 Countywide Planning Policies and VISION 2040.

T1

3 December 2012 Council Meeting

khm/rb
2 P moved
Passed unanimously

Sponsor: _____

Proposed No.: 2012-0103

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2012-0103, VERSION 3**

2 **Beginning on page 1, line 1, delete all material through page 2, line 36, and insert:**

3 "AN ORDINANCE relating to comprehensive

4 planning and permitting; and amending Ordinance

5 15556, Section 3, and K.C.C. 4.08.057, Ordinance

6 11616, Section 11, as amended, and K.C.C.

7 13.24.134, Ordinance 12824, Section 3, as

8 amended, and K.C.C. 20.12.050, Ordinance 16985,

9 Section 4, and K.C.C. 20.12.205, Ordinance 13147,

10 Section 19, as amended, and K.C.C. 20.18.030,

11 Ordinance 14047, Section 9, as amended, and

12 K.C.C. 20.18.170, Ordinance 14047, Section 10, as

13 amended, and K.C.C. 20.18.180, Ordinance 12196,

14 Section 11, as amended, and K.C.C. 20.20.040,

15 Ordinance 10870, Section 36, as amended, and

16 K.C.C. 21A.04.150, Ordinance 10870, Section 37,

17 as amended, and K.C.C. 21A.04.160, Ordinance
18 15051, Section 18, and K.C.C. 21A.06.181G,
19 Ordinance 11621, Section 20, as amended, and
20 K.C.C. 21A.06.182, Ordinance 10870, Section 317,
21 and K.C.C. 21A.06.1385, Ordinance 10870,
22 Section 332, as amended, and K.C.C. 21A.08.050,
23 Ordinance 11481, Section 2, as amended, and
24 K.C.C. 21A.24.311, Ordinance 15051, Section 137,
25 as amended, and K.C.C. 21A.24.045, Ordinance
26 15051, Section 138, as amended, and K.C.C.
27 21A.24.051, Ordinance 16267, Section 59, and
28 K.C.C. 21A.24.381, Ordinance 15051, Section
29 198, and K.C.C. 21A.24.382, Ordinance 15051,
30 Section 199, and K.C.C. 21A.24.383, Ordinance
31 3688, Section 303, as amended, and K.C.C.
32 21A.25.050, Ordinance 16985, Section 31, and
33 K.C.C. 21A.25.100, Ordinance 16985, Section 32,
34 and K.C.C. 21A.25.110, Ordinance 16985, Section
35 39, and K.C.C. 21A.25.160, Ordinance 16985,
36 Section 46, and K.C.C. 21A.25.210, Ordinance

37 16985, Section 47, and K.C.C. 21A.25.220,
38 Ordinance 13274, Section 5, as amended, and
39 K.C.C. 21A.37.030, Ordinance 13274, Section 6,
40 as amended, and K.C.C. 21A.37.040, Ordinance
41 14190, Section 7, as amended, and K.C.C.
42 21A.37.050, Ordinance 16267, Section 68, and
43 K.C.C. 21A.37.055, Ordinance 14190, Section 8,
44 as amended, and K.C.C. 21A.37.060, Ordinance
45 13274, Section 7, as amended, and K.C.C.
46 21A.37.070, Ordinance 13274, Section 8, as
47 amended, and K.C.C. 21A.37.080, Ordinance
48 13733, Section 8, as amended, and K.C.C.
49 21A.37.100, Ordinance 13733, Section 10, as
50 amended, and K.C.C. 21A.37.110, Ordinance
51 13733, Section 12, as amended, and K.C.C.
52 21A.37.130, Ordinance 13733, Section 13, as
53 amended, and K.C.C. 21A.37.140, Ordinance
54 13733, Section 14, as amended, and K.C.C.
55 21A.37.150, Ordinance 10870, Section 576, as
56 amended, and K.C.C. 21A.38.030 and Ordinance

57 12627, Section 2, as amended, and K.C.C.
58 21A.55.020, adding a new section to K.C.C.
59 chapter 21A.24, adding a new section to K.C.C.
60 chapter 21A.38, adding a new section to K.C.C.
61 chapter 21A.42, decodifying K.C.C. 20.12.010 and
62 repealing Ordinance 11621, Section 28, and
63 K.C.C. 21A.06.1177 and Ordinance 3688, Section
64 257, as amended, and K.C.C. 21A.06.1385A.”

65 **Effect: Reflects additional code sections revised by amendments to the**
66 **proposed ordinance.**

67

