

10/24/16

Title 14



lk

Sponsor: Lambert

Proposed No.: 2016-0400

1 **STRIKING AMENDMENT TO PROPOSED ORDINANCE 2016-0400**

2 On page 2, beginning on line 126, strike everything through page 47, line 1034, and
3 insert

4 "BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 SECTION 1. Sections 2 through 44 of this ordinance should constitute a new
6 chapter in K.C.C. Title 14.

7 NEW SECTION. SECTION 2. There is hereby added to the new chapter created
8 in section x of this ordinance a new section to read as follows:

9 A. The definitions in this chapter apply throughout this title.

10 B. The definitions in RCW 36.75.010 apply to this title unless otherwise defined
11 in this chapter.

12 NEW SECTION. SECTION 3. There is hereby added to the new chapter created
13 in section 1 of this ordinance a new section to read as follows:

14 "Applicant" means a property owner or a public agency or public or private utility
15 that owns a right of way or other easement or has been adjudicated the right to the
16 easement under RCW 8.12.090, or any person or entity designated or named in writing

17 by the property or easement owner to be the applicant, in an application for a
18 development proposal, permit or approval.

19 NEW SECTION. SECTION 4. There is hereby added to the new chapter created
20 in section 1 of this ordinance a new section to read as follows:

21 "Capital improvement program" or "CIP" means the expenditures and revenues
22 programmed by King County for capital purposes for road improvements over the six-
23 year period of the adopted CIP currently in effect.

24 NEW SECTION. SECTION 5. There is hereby added to the new chapter created
25 in section 1 of this ordinance a new section to read as follows:

26 "Comprehensive Plan" means the adopted King County Comprehensive Plan.

27 NEW SECTION. SECTION 6. There is hereby added to the new chapter created
28 in section 1 of this ordinance a new section to read as follows:

29 "Concurrency" means transportation facilities are in place at the time of
30 development or that a financial commitment is in place to complete within six years the
31 improvements needed to maintain the county level of service standards, according to
32 RCW 36.70A.070(6).

33 NEW SECTION. SECTION 7. There is hereby added to the new chapter created
34 in section 1 of this ordinance a new section to read as follows:

35 "Concurrency status" means whether or not an area passes the concurrency test.

36 NEW SECTION. SECTION 8. There is hereby added to the new chapter created
37 in section 1 of this ordinance a new section to read as follows:

38 "Concurrency test" means determining whether or not an area meets level of
39 service standards as described in K.C.C. 14.70.220.

40 NEW SECTION. SECTION 9. There is hereby added to the new chapter created
41 in section 1 of this ordinance a new section to read as follows:

42 "Concurrency test results map" means the map displaying which travel sheds are
43 passing or failing the concurrency test for residential and commercial land uses.

44 NEW SECTION. SECTION 10. There is hereby added to the new chapter
45 created in section 1 of this ordinance a new section to read as follows:

46 "County property" means all county real property, including, but not limited to,
47 recreational trails, county road rights-of-way and dedicated open space.

48 NEW SECTION. SECTION 11. There is hereby added to the new chapter
49 created in section 1 of this ordinance a new section to read as follows:

50 "County road engineer" means the county road engineer, as specified in RCW
51 36.75.010 and 36.80.010 or the county road engineer's authorized representative.

52 NEW SECTION. SECTION 12. There is hereby added to the new chapter
53 created in section 1 of this ordinance a new section to read as follows:

54 "Curb" means a cement, concrete or asphaltic concrete raised structure designed
55 to delineate the edge of the roadway and to separate the vehicular portion of the roadway
56 from that provided for pedestrians and to control surface drainage.

57 NEW SECTION. SECTION 13. There is hereby added to the new chapter
58 created in section 1 of this ordinance a new section to read as follows:

59 "Custodial departments" means those county departments whose function is to
60 manage and control county use of the rights-of-way or other county property.

61 NEW SECTION. SECTION 14. There is hereby added to the new chapter
62 created in section 1 of this ordinance a new section to read as follows:

63 "Development" means specified changes in use designed or intended to permit a
64 use of land that will contain more dwelling units or buildings than the existing use of the
65 land, or to otherwise change the use of the land or buildings or improvements on the land
66 in a manner that increases the amount of vehicle traffic generated by the existing use of
67 the land and that requires a development permit from King County. This definition does
68 not pertain to the rezoning of land or a grading permit.

69 NEW SECTION. SECTION 15. There is hereby added to the new chapter
70 created in section 1 of this ordinance a new section to read as follows:

71 "Development application" means the request made to the department of
72 permitting and environmental review, or its successor agency, for approval of a
73 development.

74 NEW SECTION. SECTION 16. There is hereby added to the new chapter
75 created in section 1 of this ordinance a new section to read as follows:

76 "Development approval" means an order, permit or other official action of the
77 department of permitting and environmental review, or its successor agency, granting or
78 granting with conditions an application for development.

79 NEW SECTION. SECTION 17. There is hereby added to the new chapter
80 created in section 1 of this ordinance a new section to read as follows:

81 "Development engineer" means the department of permitting and environmental
82 review employee responsible for the conditioning, review, inspection and approval of
83 right-of-way use permits and road and drainage improvements constructed as part of
84 development permits administered by the department of permitting and environmental
85 review. The development engineer or the development engineer's designee shall be a

86 professional civil engineer registered and licensed under the laws of the state of
87 Washington.

88 NEW SECTION. SECTION 18. There is hereby added to the new chapter
89 created in section 1 of this ordinance a new section to read as follows:

90 "Development units" means the number of dwelling units approved for residential
91 development.

92 NEW SECTION. SECTION 19. There is hereby added to the new chapter
93 created in section 1 of this ordinance a new section to read as follows:

94 "Financial commitment" consists of expenditures and revenues designated in an
95 adopted CIP. The adopted CIP identifies all applicable and available revenue sources and
96 forecasts these revenues through the six-year period with reasonable assurance that the
97 funds will be available.

98 NEW SECTION. SECTION 20. There is hereby added to the new chapter
99 created in section 1 of this ordinance a new section to read as follows:

100 "Highway Capacity Manual" means Special Report 209 of the Transportation
101 Research Board of the National Research Council, as it exists on the effective date of this
102 ordinance.

103 NEW SECTION. SECTION 21. There is hereby added to the new chapter
104 created in section 1 of this ordinance a new section to read as follows:

105 "Intersection standards" means a standard by which King County evaluates
106 intersections affected by new development to assure safe and efficient operation and that
107 improvements to mitigate the adverse impacts of such developments are completed, in

108 accordance with the state Environmental Policy Act, K.C.C. chapter 14.80, K.C.C.
109 20.44.080 and the King County Comprehensive Plan.

110 NEW SECTION. SECTION 22. There is hereby added to the new chapter
111 created in section 1 of this ordinance a new section to read as follows:

112 "Level of service standard" means the traffic standards that are adopted in the
113 Comprehensive Plan.

114 NEW SECTION. SECTION 23. There is hereby added to the new chapter
115 created in section 1 of this ordinance a new section to read as follows:

116 "Peak period" means the weekday afternoon period during which the greatest
117 volume of traffic uses the road system.

118 NEW SECTION. SECTION 24. There is hereby added to the new chapter
119 created in section 1 of this ordinance a new section to read as follows:

120 "Planting strip" means that portion of the right of way behind the curb line and
121 between the curb line and the sidewalk or between the sidewalk and the right of way line
122 used for the planting of trees, grass, shrubs or ground cover.

123 NEW SECTION. SECTION 25. There is hereby added to the new chapter
124 created in section 1 of this ordinance a new section to read as follows:

125 "Reviewing agency" means the department of permitting and environmental review
126 or its successor agency responsible for reviewing subdivisions and other developments
127 within its jurisdiction.

128 NEW SECTION. SECTION 26. There is hereby added to the new chapter
129 created in section 1 of this ordinance a new section to read as follows:

130 "Right of way" means land, property or property interest, such as an easement,
131 usually in a strip, as well as bridges, trestles or other structures dedicated to or otherwise
132 acquired by the county for public motor vehicle transportation purposes, including, but
133 not limited to, roads, streets, avenues and alleys, whether or not opened, improved or
134 maintained for public motor vehicle transportation purposes.

135 NEW SECTION. SECTION 27. There is hereby added to the new chapter
136 created in section 1 of this ordinance a new section to read as follows:

137 "Right of way use agreement" means an agreement between the county and a
138 wireless telecommunications provider through which a site-specific and revocable
139 privilege to use county right of way at a location identified in the agreement for wireless
140 telecommunications facilities is granted and through which the terms and conditions for
141 exercising the granted privilege to use the county right of way are set forth.

142 NEW SECTION. SECTION 28. There is hereby added to the new chapter
143 created in section 1 of this ordinance a new section to read as follows:

144 "Road classification" means the classification of roadways based on the function
145 and design of a specific road.

146 NEW SECTION. SECTION 29. There is hereby added to the new chapter
147 created in section 1 of this ordinance a new section to read as follows:

148 "Rural Area" means the area outside the urban growth boundary line as defined in
149 the Comprehensive Plan.

150 NEW SECTION. SECTION 30. There is hereby added to the new chapter
151 created in section 1 of this ordinance a new section to read as follows:

152 "Rural Mobility Area" means one of the rural towns as defined by the
153 Comprehensive Plan.

154 NEW SECTION. SECTION 31. There is hereby added to the new chapter
155 created in section 1 of this ordinance a new section to read as follows:

156 "Rural Neighborhood Commercial Center" means the rural neighborhood
157 commercial centers of Cottage Lake, Preston and Cumberland.

158 NEW SECTION. SECTION 32. There is hereby added to the new chapter
159 created in section 1 of this ordinance a new section to read as follows:

160 "Rural Town" means an unincorporated town governed by King County as
161 defined in the Comprehensive Plan.

162 NEW SECTION. SECTION 33. There is hereby added to the new chapter
163 created in section 1 of this ordinance a new section to read as follows:

164 "Segment" means a designated portion of an arterial used in level of service
165 standard calculation.

166 NEW SECTION. SECTION 34. There is hereby added to the new chapter
167 created in section 1 of this ordinance a new section to read as follows:

168 "Sidewalk" means that property between the curb line and the adjacent property,
169 set aside and intended for the use of pedestrians, improved by paving.

170 NEW SECTION. SECTION 35. There is hereby added to the new chapter
171 created in section 1 of this ordinance a new section to read as follows:

172 "Road standards" means the adopted King County Road Design and Construction
173 Standards.

174 NEW SECTION. SECTION 36. There is hereby added to the new chapter
175 created in section 1 of this ordinance a new section to read as follows:

176 "Special use permit" means a permit for the use of county property issued under
177 K.C.C. chapter 14.30.

178 NEW SECTION. SECTION 37. There is hereby added to the new chapter
179 created in section 1 of this ordinance a new section to read as follows:

180 "Transportation facilities" means principal, minor and collector arterial roads and
181 state highways, as well as associated sidewalks, bike lanes and other facilities supporting
182 nonmotorized travel.

183 NEW SECTION. SECTION 38. There is hereby added to the new chapter
184 created in section 1 of this ordinance a new section to read as follows:

185 "Travel shed" means a geographic area within which all development would be
186 likely to use or be affected by traffic on arterials within the travel shed.

187 NEW SECTION. SECTION 39. There is hereby added to the new chapter
188 created in section 1 of this ordinance a new section to read as follows:

189 "Travel time" means the time it takes a vehicle to travel from one specified point
190 to another.

191 NEW SECTION. SECTION 40. There is hereby added to the new chapter
192 created in section 1 of this ordinance a new section to read as follows:

193 "Travel time standard" means the level of service standard used to judge the
194 performance of arterial road segments. The level of service standard is identified by
195 ranges of average travel speed by road classification.

196 NEW SECTION. SECTION 41. There is hereby added to the new chapter
197 created in section 1 of this ordinance a new section to read as follows:

198 "Urban Growth Area" means an area inside the urban growth boundary as defined
199 in the King County Comprehensive Plan.

200 NEW SECTION. SECTION 42. There is hereby added to the new chapter
201 created in section 1 of this ordinance a new section to read as follows:

202 "Wireless" means transmissions through the airwaves including, but not limited
203 to, infrared line of sight, cellular, microwave or satellite.

204 NEW SECTION. SECTION 43. There is hereby added to the new chapter
205 created in section 1 of this ordinance a new section to read as follows:

206 "Wireless telecommunications facility" means the capital, equipment and
207 property, including, but not limited to, the poles, pipes, mains, conduits, ducts, pedestals
208 and electronic equipment within the right of way used for the purpose of transmitting,
209 receiving, distributing, providing or offering wireless telecommunications.

210 NEW SECTION. SECTION 44. There is hereby added to the new chapter
211 created in section 1 of this ordinance a new section to read as follows:

212 "Wireless telecommunications provider" means every person that owns, controls,
213 operates or manages a wireless minor telecommunication facility within the county right
214 of way for the purpose of offering wireless telecommunication services, meaning the
215 transmission for hire of information in electronic or optical form, including, but not
216 limited to, voice, video or data.

217 SECTION 45. Ordinance 665, Section 1, as amended, and K.C.C. 14.04.010 are
218 each hereby amended to read as follows:

219 ~~((The county executive has been advised by the director of transportation that the~~
 220 ~~need exists for an official))~~ A. King County operates and maintains an extensive
 221 ~~road((/street)) system. ((This system will show, by maps and/or exhibits, the~~
 222 ~~roads/streets))~~

223 B. The department of transportation maintains a road system database that
 224 identifies the roads for which King County ~~((has maintenance responsibility))~~ is
 225 responsible. The department of transportation shall provide road index maps of the
 226 official county road system on the road services division's website annually following the
 227 county road administration board's annual validation of the data.

228 SECTION 46. The following are each hereby repealed:

- 229 A. Ordinance 665, Section 2, and K.C.C. 14.04.020;
- 230 B. Ordinance 665, Section 3, and K.C.C. 14.04.030;
- 231 C. Ordinance 665, Section 4, and K.C.C. 14.04.040;
- 232 D. Ordinance 665, Section 5, as amended, and K.C.C. 14.04.050; and
- 233 E. Ordinance 665, Section 6, and K.C.C. 14.04.060.

234 SECTION 47. Ordinance 665, Section 7, and K.C.C. 14.04.070 are each hereby
 235 amended to read as follows:

236 All roads~~((/streets))~~ constructed by the Washington ~~((S))~~state Department of
 237 ~~((Highways))~~ Transportation in conjunction with~~((, and/))~~ or adjacent to~~((,))~~ an
 238 ~~((I))~~interstate ~~((H))~~highway, ~~((S))~~state ~~((P))~~primary or ~~((S))~~state ~~((L))~~limited ~~((A))~~access
 239 ~~((H))~~highway ~~((Interstate Highway, State Primary or State Limited Access Highway))~~
 240 and used as access, exit, frontage road or service road and covered by a maintenance
 241 agreement between the Washington ~~((S))~~state Department of ~~((Highways))~~

242 Transportation and King County shall be considered a part of the King County
243 road(~~/street~~) system whether or not the state has relinquished any or all claims.

244 SECTION 48. The following sections are hereby repealed:

245 A. Ordinance 665, Section 8, and K.C.C. 14.04.080;

246 B. Ordinance 665, Section 9, and K.C.C.14.04.090; and

247 C. Ordinance 665, Section 10, and K.C.C. 14.04.100.

248 SECTION 49. Resolution 25878 and K.C.C. 14.12.010 are each hereby amended
249 to read as follows:

250 ~~((The following policy is approved and adopted, and henceforth all road closure~~
251 ~~and load limit restrictions will be disseminated in accordance with this policy insofar as it~~
252 ~~is possible to do so:~~

253 ~~A. A list of roads which will remain open and available for school bus use during~~
254 ~~thawing conditions will be supplied to each and every school district operating on county~~
255 ~~roads within King County. This will be accomplished during the month of September of~~
256 ~~each school year.~~

257 ~~B. In the event road closures are required, the school district will be notified prior~~
258 ~~to one p.m. of the day preceding the road closures on school bus routes, to be effective~~
259 ~~the following day. If the morning pick-up of children is accomplished, the school district~~
260 ~~will be permitted to use these routes for the returning of the children to their normal bus~~
261 ~~stops.~~

262 ~~C. School buses will be permitted to turn around at the intersection of a school~~
263 ~~bus route which is closed, and the open route with the minimum maneuvering possible on~~
264 ~~the closed road in the intersection area.~~

265 ~~D. The county will establish the necessary communications with the school~~
266 ~~districts to provide the proper notification. The county engineer will initiate road~~
267 ~~closures and unless specified otherwise, closures shall be county wide.))~~ A. The council
268 has determined when in order to prevent serious damage or destruction to a county road
269 or bridge caused by rain, snow, climatic or other conditions, the county road engineer
270 may close such a county road or bridge. In exercising the authority to close a county road
271 or bridge, the county road engineer shall comply with the requirements of RCW
272 46.44.080.

273 B. The county road engineer may, in cases of emergency or a closure lasting less
274 than twelve hours, temporarily close county roads and bridges by posting notices at each
275 end of the closed portion and at all intersecting state highways and county roads and
276 county roads and city streets.

277 C. It is unlawful for any person to operate a vehicle on any county road or bridge
278 in violation of any closure under subsection A. or B. of this section, unless the driver is in
279 possession of a limited special permit issued by the county road engineer, who is
280 authorized to issue limited special use permits for the operation of school buses,
281 emergency vehicles and motor trucks transporting perishable commodities or
282 commodities necessary for the health and welfare of local residents during periods of the
283 closures.

284 SECTION 50. Resolution 27219 and K.C.C. 14.12.020 are each hereby repealed.

285 SECTION 51. Ordinance 11426, Section 1, and K.C.C. 14.16.010 are each

286 hereby amended to read as follows:

287 A. The council has determined when in order to prevent serious damage or
 288 destruction to a county road or bridge caused by rain, snow, climatic or other conditions,
 289 the county road engineer may limit weights of vehicles and prohibit or limit classes or
 290 types of vehicles on county roads or bridges, in accordance with RCW 46.44.080.

291 B. It is unlawful for any person to operate a vehicle on any county road or ~~((over~~
 292 ~~any King County))~~ bridge when ~~((such))~~ the vehicle has a gross weight that is greater
 293 than the posted maximum weight for that county road or ~~((that))~~ bridge or the type or
 294 class of vehicle has been limited or prohibited from operating on the county road or
 295 bridge, unless the driver is in possession of a limited special permit issued by the county
 296 road engineer ~~((or designee))~~ for the safe use of ~~((such))~~ the county road or bridge.

297 C. Notice of ~~((closing of individual bridge to certain classes or))~~ limiting weights
 298 of vehicles or prohibiting or limiting classes or types of vehicles on a county road or
 299 bridge shall be:

300 ~~((A.))~~ 1. Published ~~((in a local paper of general circulation,))~~ on King County
 301 department of transportation's website; and

302 ~~((B.))~~ 2. Posted on signs at each end of ~~((subject))~~ the county road or bridge ~~((;~~
 303 ~~on or prior to the date of publication))~~. All signs shall be erected and maintained in
 304 accordance with RCW 36.86.040, ~~((RCW))~~ 46.61.450 and ~~((RCW))~~ 47.36.030.

305 D. The road services division shall report to the council its Annual Bridge Report
 306 required by WAC 136-20-060 that establishes the ~~((M))~~ maximum gross weights for
 307 vehicles operating on a ~~((over King C))~~ county bridge ~~((s shall be established by ordinance~~
 308 ~~in accordance with RCW 36.75.270 and RCW 46.44.080.~~

309 ~~The county road shall have the authority by administrative determination to~~
310 ~~immediately impose temporary gross weight limits on bridges based on the results of an~~
311 ~~engineering and traffic investigation. The traffic engineer shall have the authority to~~
312 ~~immediately erect and maintain official traffic control devices for temporary gross weight~~
313 ~~limits on bridges as directed by the county road engineer and in accordance with Chapter~~
314 ~~46.90 RCW, WAC 308-330-265 and K.C.C. 46.04.010. The temporary gross weight limits~~
315 ~~on bridges shall be in effect for not longer than one year from the date of posting or until~~
316 ~~the weight limits are established by ordinance)) and any prohibition or limitation of certain~~
317 ~~classes or types of vehicles operating on a county bridge.~~

318 E. Annually the road services division shall report to the council all county roads
319 that limit or prohibit classes or types of vehicles or limit the weight of vehicles that may
320 operate on them.

321 F. The reports required by this section shall be in the form of a paper original
322 and an electronic copy with the clerk of the council, who shall retain the original and
323 provide an electronic copy to all councilmembers, the policy staff director and the lead
324 staff for the transportation, environment and economy committee, or its successor.

325 G. The county road engineer may, in cases of emergency or a limitation or
326 prohibition lasting less than twelve hours, temporarily limit weights of vehicles and
327 prohibit or limit classes or types of vehicles operating on county roads or bridges by
328 posting notices at each end of the closed portion and at all intersecting state highways and
329 county roads and county roads and city streets.

330 SECTION 52. Ordinance 11426, Section 3, and K.C.C. 14.16.015 are each
331 hereby amended to read as follows:

332 The county road engineer (~~(or designee is authorized to)~~) may issue limited
333 special permits for the safe use of load limited bridges by emergency vehicles and other
334 vehicles exceeding the posted maximum weight as authorized by RCW 46.44.080.

335 SECTION 53. Ordinance 5701, Section 3, and K.C.C. 14.16.020 are each hereby
336 amended to read as follows:

337 Those King County bridges that are posted with one legal load are done so
338 (~~(pursuant to)~~) in accordance with the definitions and standards for maximum gross
339 vehicle weight contained in (~~(RCW)~~) chapter 46.44 RCW, (~~(particularly)~~) specifically the
340 vehicle weight table of RCW 46.44.041.

341 SECTION 54. The following sections are each hereby repealed:

- 342 A. Ordinance 5701, Section 4, and K.C.C. 14.16.030;
- 343 B. Ordinance 5701, Section 5, as amended, and K.C.C. 14.16.040;
- 344 C. Ordinance 16744, Section 1 and K.C.C. 14.16.055;
- 345 D. Ordinance 16744, Section 2, and K.C.C. 14.16.089; and
- 346 E. Ordinance 5701, Section 11, as amended, and K.C.C. 14.16.100.

347 SECTION 55. Ordinance 5701, Section 18, as amended, and K.C.C. 14.16.170
348 are each hereby amended to read as follows:

349 A. The director of the department of transportation and the county sheriff are
350 authorized to enforce the provisions of this chapter and any rules and regulations
351 promulgated thereunder.

352 B. Any violation of this chapter is a traffic infraction and subject to a penalty of
353 (~~(\$250)~~) two hundred fifty dollars.

354 SECTION 56. Ordinance 1969, Section 1, as amended, and K.C.C. 14.20.010 are
355 each hereby amended to read as follows:

356 The ~~((1996))~~ current English edition of the Standard Specifications for Road,
357 Bridge, and Municipal Construction issued by the Washington ~~((S))~~state Department of
358 Transportation and the American Public Works Association, Washington State Chapter,
359 is adopted as the standard specifications for road, bridge and drainage construction in
360 King County, except that the provisions of the ~~((1994))~~ 2014 edition shall continue in
361 effect on those current projects advertised prior to November 1, ~~((1996))~~ 2014, for
362 construction

363 SECTION 57. Ordinance 336, (part), as amended, and K.C.C. 14.20.020 are each
364 hereby amended to read as follows:

365 The department of transportation ~~((will))~~ shall comply with the Soil Conservation
366 Service Standards, Specifications and Contracting Procedures when working in
367 conjunction with the federal government on a project requiring ~~((such))~~ compliance.

368 SECTION 58. The following are each hereby repealed:

- 369 A. Resolution 22903 (part), as amended, and K.C.C. 14.24.010;
- 370 B. Resolution 22903 (part), as amended, and K.C.C. 14.24.020;
- 371 C. Ordinance 6452, Section 1 and K.C.C. 14.30.010;
- 372 D. Resolution 9793, Paragraph 1, and K.C.C. 14.32.010;
- 373 E. Resolution 9793, Paragraph 2, and K.C.C. 14.32.020;
- 374 F. Resolution 9793, Paragraph 3(a) and (b), and K.C.C. 14.32.030;
- 375 G. Resolution 9793, Paragraph 3(c), and K.C.C. 14.32.040;
- 376 H. Resolution 9793, Paragraph 3(d), and K.C.C. 14.32.050;

- 377 I. Resolution 9793, Paragraph 3(e), and K.C.C. 14.32.060;
378 J. Resolution 9793, Paragraph 3(f), and K.C.C. 14.32.070;
379 K. Resolution 9793, Paragraph 3(g), and K.C.C. 14.32.080;
380 L. Resolution 9793, Paragraph 4(a), and K.C.C. 14.32.090;
381 M. Resolution 9793, Paragraph 4(c), and K.C.C. 14.32.100;
382 N. Resolution 9793, Paragraph 4(d), and K.C.C. 14.32.110;
383 O. Resolution 9793, Paragraph 4(e), and K.C.C. 14.32.120;
384 P. Resolution 9793, Paragraph 4(f), and K.C.C. 14.32.130;
385 Q. Resolution 9793, Paragraph 5(a), and K.C.C. 14.32.140;
386 R. Resolution 9793, Paragraph 5(b), and K.C.C. 14.32.150;
387 S. Resolution 9793, Paragraph 5(c), and K.C.C. 14.32.160;
388 T. Resolution 9793, Paragraph 5(d), and K.C.C. 14.32.170;
389 U. Resolution 9793, Paragraph 6(a), and K.C.C. 14.32.180;
390 V. Resolution 9793, Paragraph 6(b), and K.C.C. 14.32.190;
391 W. Resolution 9793, Paragraph 7, and K.C.C. 14.32.200;
392 X. Resolution 9793, Paragraph 9, and K.C.C. 14.32.210;
393 Y. Resolution 9793, part, as amended, and K.C.C. 14.32.220;
394 Z. Resolution 9793, Paragraph 10, and K.C.C. 14.32.230;
395 AA. Resolution 9793, Paragraph 11, and K.C.C. 14.32.240;
396 BB. Ordinance 10962, Sections 1 and 6, as amended, and K.C.C. 14.38.010;
397 CC. Ordinance 10962, Sections 2 and 5, as amended, and K.C.C. 14.38.020;
398 DD. Ordinance 14734, Section 3, and K.C.C. 14.38.025;
399 EE. Ordinance 10962, Sections 3 and 4, as amended, and K.C.C. 14.38.030;

400 FF. Ordinance 14734, Section 5, and K.C.C. 14.38.045; and

401 GG. Ordinance 14734, Section 6, and K.C.C. 14.38.055.

402 SECTION 59. Ordinance 129, Section 1, as amended, and K.C.C. 14.40.010 are

403 each hereby amended to read as follows:

404 ~~((Petitions for the vacation of county roads may be granted by the council in~~
405 ~~accordance with the provisions of RCW Chapter 36.87 as amended by Chapter 185, Laws~~
406 ~~of 1969 First Extraordinary Session, except as provided herein, and King County shall~~
407 ~~receive compensation as provided for in this chapter.)) Proposed vacation of a county~~

408 right of way may be initiated:

409 A. By the council, which by ordinance declares its intent to vacate and abandon a
410 county right of way or portion thereof that is considered useless and directs the county
411 road engineer to prepare a report on such vacation and abandonment; or

412 B. By a petition for vacation of a county right of way filed with the clerk of the
413 council.

414 NEW SECTION. SECTION 60. There is hereby added to K.C.C. chapter 14.40 a
415 new section to read as follows:

416 A. Property owners of the majority of the frontage on any county right of way or
417 portion of the right of way they seek to vacate may petition the council to vacate and
418 abandon the right of way or portion of the right of way by submitting a vacation petition
419 to the clerk of the council.

420 B. The petition must include the name, address and land owned for each
421 petitioner and set forth that the right of way is useless as part of the county road system
422 and that the public will be benefited by its vacation. A county right of way may be

423 considered useless if it is not necessary to serve an essential role in the public road
424 network or if it would better serve the public interest in private ownership.

425 C. The petition must be signed by owners of a majority of the lineal footage of
426 the right of way the petition seeks to vacate.

427 D. The petition shall be accompanied by:

428 1. Payment of the administrative fee in the amount specified in Section 63 of
429 this ordinance; and

430 2. A legal description of the right of way proposed to be vacated and of the
431 property owned by each petitioner, including the square footage of the area of vacation
432 and a drawing, for both the area of right of way proposed to be vacated and the property
433 adjacent to the proposed vacation owned by each petitioner. The county road engineer
434 may require a drawing prepared by a surveyor licensed by the state of Washington.

435 E. After receipt of a petition and payment of the administrative fee, the clerk of
436 the council shall transmit the petition to the county road engineer, who shall evaluate the
437 proposed vacation for compliance with requirements of this section.

438 NEW SECTION. SECTION 61. There is hereby added to K.C.C. chapter 14.40 a
439 new section to read as follows:

440 A. Upon receipt of a petition, the county road engineer shall determine whether
441 owners of the majority of the lineal footage of the frontage of the right of way proposed
442 for vacation have signed the petition. If the county road engineer determines the
443 signatories of the petition own less than the majority of the lineal footage of the frontage
444 of the right of way proposed for vacation, the county road engineer shall notify the
445 petitioners and the clerk of the council that the petition does not have sufficient

446 signatories. The petitioners shall have thirty days from the date of that notice to
447 supplement the petition by filing with the clerk of the council, with a copy to the county
448 road engineer, a sufficient number of additional petition signatures to establish that a
449 majority of owners of the lineal footage of the frontage of the right of way proposed for
450 vacation support the petition. Failure to include the signature of a majority the owners of
451 the lineal footage of the frontage of the right of way proposed for vacation is grounds for
452 the county road engineer to report in writing to the council clerk that the petition is
453 deficient. In that event, no further action will be taken on the petition and the county road
454 engineer shall inform the petitioners of the determination.

455 B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if
456 under subsection A. of this section the county road engineer determines that the petition
457 is valid, then the county road engineer shall examine the right of way proposed to be
458 vacated and abandoned and complete a report that complies with the requirements in
459 RCW 36.87.040, including the county road engineer's opinion of whether the right of
460 way should be vacated. The report should address:

- 461 1. Whether the county right of way should be vacated and abandoned;
- 462 2. Whether the county right of way is in use or has been in use;
- 463 3. The condition of the right of way;
- 464 4. Whether it is advisable to preserve all or a portion of the right of way for the
465 county transportation system of the future;
- 466 5. Whether the public will be benefited by the vacation of the county right of
467 way;

468 6. The appraised value of the county right of way or portion thereof proposed
469 for vacation as well as the county road engineer's recommendation for compensation to
470 be determined in accordance with the factors listed in K.C.C. 14.40.020.A.;

471 7.a. Whether the proposed county right of way to be vacated serves as access to
472 property abutting the county right of way that is the subject of the vacation request; and

473 b. a recommendation for requiring access easements for all abutting properties
474 as a condition of granting the vacation;

475 8.a. Whether the proposed county right of way to be vacated contains utilities;
476 and

477 b. a recommendation for retaining an easement for the construction, repair and
478 maintenance of public utilities and services that are authorized at the time the ordinance
479 is adopted or are physically located on a portion of the right of way being vacated;

480 9. Other matters that may be of interest, including any fees charged under
481 section 62.B. of this ordinance;

482 10. Whether the proposed area to be vacated abuts a body of salt or fresh water
483 as set forth in RCW 36.87.130;

484 11. A list of property owners whose property abuts the county right of way or
485 any portion thereof proposed for vacation who are not petitioners; and

486 12. If not waived in accordance with section 62.C. of this ordinance, a list of all
487 costs incurred in preparing the report.

488 C. Upon completion of the report by the county road engineer, the executive shall
489 transmit the report, any petition and a proposed ordinance to the council. The hearing

490 examiner is appointed by the council to conduct the public hearing of any proposed
491 vacation of a county right of way.

492 NEW SECTION. SECTION 62. There is hereby added to K.C.C. chapter 14.40 a
493 new section to read as follows:

494 A. Petitioners shall pay to the clerk of the council an administrative fee set forth
495 in section 63 of this ordinance. No portion of the administrative fee shall be returned to
496 petitioners.

497 B. In addition to the administrative fee required in subsection A. of this section,
498 the county road engineer may charge petitioners additional fees for costs associated with
499 the processing, investigation, determination of value, appraisals and the cost of the public
500 hearing pertaining to the petition. The county road engineer shall provide petitioners
501 with an estimate of these costs prior to the county road engineer preparing the report on
502 the proposed vacation.

503 C. The director of the road services division has the discretion to waive all or a
504 portion of any additional fee assessed under subsection B. of this section and required by
505 this chapter. The waiver must be in writing and shall state a compelling need or public
506 purpose that is served by the waiver.

507 NEW SECTION. SECTION 63. There is hereby added to K.C.C. chapter
508 4A.700 a new section to read as follows:

509 The fee that petitioners shall pay under section 62.A. of this ordinance is two-
510 hundred dollars, plus any additional fees allowed under section 62.B. of this ordinance.
511 All or a portion of the additional fees may be waived as provided under section 62.C. of
512 this ordinance.

513 SECTION 64. Ordinance 129, Section 1 (part), as amended, and K.C.C.

514 14.40.015 are each hereby amended to read as follows:

515 A. The ~~((office of the))~~ hearing examiner shall hold a public hearing~~((s on~~
 516 ~~vacations which have been recommended for approval by the department of~~
 517 ~~transportation, and provide a recommendation to the council, as prescribed by RCW~~
 518 ~~36.87.060))~~ on the proposed ordinance and to consider the report of the county road
 519 engineer and to take testimony and evidence, relating to a proposed vacation of a county
 520 right of way or any portion thereof. The hearing examiner shall prepare a record of the
 521 proceedings and a recommendation to the council concerning the proposed vacation in
 522 accordance with K.C.C. 20.22.060 and 20.22.220 and shall recommend the amount of
 523 compensation, if any.

524 B. ~~((In the event the report by the department of transportation recommends~~
 525 ~~denial of the vacation petition, the following shall be the operating procedure:~~

526 1. ~~The department of transportation shall transmit written notification to the~~
 527 ~~petitioner, citing the rationale for the denial and indicating that the denial may be~~
 528 ~~appealed to the office of the hearing examiner for hearing and recommendation to the~~
 529 ~~council. The department of transportation shall file a copy of the notice of denial with~~
 530 ~~the council clerk's office.~~

531 2. ~~The notice of denial shall be final unless the petitioner files an appeal in~~
 532 ~~accordance with K.C.C. 20.22.080.~~

533 3. ~~Any appeal filed by a petitioner shall be processed by the office of the~~
 534 ~~hearing examiner in the same manner as vacations recommended for approval.-))~~ Notice
 535 of the public hearing required by subsection A. of this section shall be published at least

536 once a week for two consecutive weeks preceding the date fixed for the hearing, in the
537 official county newspaper. A copy of the notice shall be posted for at least twenty days
538 preceding the date fixed for hearing at each termini of the county right of way or portion
539 of a right of way proposed to be vacated or abandoned. A copy of the notice shall also be
540 provided to petitioners.

541 C. At least fourteen days before the hearing to consider the proposed vacation,
542 the county road engineer shall send a copy of the report to all petitioners and to persons
543 whose property abuts the county right of way or any portion thereof proposed for
544 vacation who are not petitioners.

545 SECTION 65. Ordinance 2759, Section 2, as amended, and K.C.C. 14.40.020 are
546 each hereby amended to read as follows:

547 ~~((The amount of compensation, if required in this chapter, shall be recommended~~
548 ~~by the zoning and subdivision examiner and shall be determined by the council according~~
549 ~~to the following criteria:~~

550 ~~A. Vacation of all county roads included in Classes A, B and C, if granted, shall~~
551 ~~require compensation at the full appraised value of the vacated road for Class A~~
552 ~~vacations; at seventy five percent of the full appraised value for Class B vacations; and at~~
553 ~~fifty percent of full appraised value for class C vacations as of the effective date of the~~
554 ~~vacation, which amount, for the purposes of this chapter, may be determined from the~~
555 ~~records of the department of assessments; however, the zoning and subdivision examiner~~
556 ~~may propose and the council shall have the authority to accept real property of equal or~~
557 ~~greater value in lieu of cash compensation. The council shall have the authority to waive~~
558 ~~some or all of the compensation, except two hundred dollars administrative costs for~~

559 ~~processing the vacation of a county road, where the petitioner is providing an alternative~~
560 ~~road to the county of equal or greater value and said alternative will fulfill the public~~
561 ~~purposes of the previous transportation circulation plan.~~

562 ~~B. Vacation of all county roads included in Class D, or those roads vacated by~~
563 ~~operation of law under the laws of 1889-1890 and affirmed by council action, if granted,~~
564 ~~shall require a two hundred dollar fee as compensation for the administrative costs of the~~
565 ~~vacation.~~

566 ~~C. In the recommendation to the council pursuant to K.C.C. 20.22.060, the~~
567 ~~hearing examiner may recommend the acceptance of real property of equal or greater~~
568 ~~value in lieu of cash compensation, or may recommend the waiver of some or all of the~~
569 ~~compensation required by this section.~~

570 ~~D. When a road is vacated for a governmental agency, compensation shall be in~~
571 ~~accordance with the classification of the road, except that some or all of the~~
572 ~~compensation may be waived at the discretion of the council.~~

573 ~~E. The council may waive some or all of the compensation for any classification~~
574 ~~of road, if it determines that it would benefit King County to do so.)) A.1. Compensation~~
575 ~~may be required as a condition for the vacation of a county right of way. In determining~~
576 ~~the appropriate compensation, the council may consider as a factor the assessed land~~
577 ~~value of parcels adjacent to the county right of way proposed for vacation in addition to~~
578 ~~the factors listed in RCW 36.87.120.~~

579 ~~2. The compensation determined to be paid shall be a condition precedent to the~~
580 ~~vacation of any county road and shall be paid to King County within ninety days of~~
581 ~~receipt of the request for compensation.~~

582 B. The county road engineer or the hearing examiner may propose and the
583 council may accept real property of equal or greater value in lieu of cash compensation.

584 C. Payment of compensation shall be made to the road services division and shall
585 be credited to the county road operating fund.

586 D. For the purposes of chapter 36.87 RCW, all county right of ways shall be of
587 one classification.

588 E. Upon meeting the terms and conditions included in the ordinance granting
589 vacation, the county right of way or portion of the right of way shall be considered
590 vacated.

591 SECTION 66. Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060 are
592 each hereby amended to read as follows:

593 The examiner shall issue recommendations, in the following cases:

594 A. Proposals for establishment or modification of cable system rates under
595 K.C.C. 6.27A.140;

596 B. ~~((Applications or appeals related to the v))~~ Vacation of county roads under
597 K.C.C. chapter 14.40;

598 C. All Type 4 decisions under K.C.C. chapter 20.20;

599 D. Applications for public benefit rating system assessed valuation on open space
600 land and current use assessment on timber lands under K.C.C. chapter 20.36, except as
601 provided in K.C.C. 20.36.090;

602 E. Applications for agricultural land variances under K.C.C. 20.54.090,
603 applications for rezones or subdivisions under K.C.C. 20.54.100.A., appeals of
604 designations of agricultural land of county significance under K.C.C. 20.54.100.C. and

605 applications to revise the boundaries of agricultural lands of county significance under
606 K.C.C. 20.54.110.C.;

607 F. Appeals of decisions to designate or reject a nomination for designation for a
608 landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter
609 20.62;

610 G. Creation of a lake or beach management district and a special assessment roll
611 under chapter 36.61 RCW; and

612 H. Other applications or appeals that are prescribed by ordinance.

613 SECTION 67. The following are each hereby repealed:

614 A. Ordinance 129, Section 3, as amended, and K.C.C. 14.40.030;

615 B. Ordinance 129, Section 4, as amended, and K.C.C. 14.40.040;

616 C. Ordinance 129, Section 5, as amended, and K.C.C. 14.40.050; and

617 D. Ordinance 2759, Section 1, and K.C.C. 14.40.060.

618 SECTION 68. Ordinance 15753, Section 1, as amended, and K.C.C. 14.42.005
619 are each hereby amended to read as follows:

620 ((A.)) Chapter 36.75 RCW authorizes the county to perform all acts necessary
621 and proper for the administration of the county roads. County roads shall be established,
622 laid out, constructed, altered, repaired, improved and maintained by the legislative
623 authority of the county or by private individuals or corporations who are allowed to
624 perform such work under an agreement with the county legislative authority. The work
625 and improvements shall be done in accordance with ((~~adopted county~~) the road standards
626 under the supervision and direction of the county road engineer.

627 ~~((B. The purpose of the King County Road Design and Construction Standards~~
628 ~~("the standards") is to set forth specific, consistent and acceptable road design and~~
629 ~~construction elements for developers and other private parties constructing or modifying~~
630 ~~road or right-of-way facilities that require county licenses or permits and to establish~~
631 ~~uniform criteria to guide the county's own design and construction of new county roads~~
632 ~~or reconstruction of existing roads. The standards support the county's goals for~~
633 ~~achieving affordable housing, providing adequate facilities for development in an~~
634 ~~efficient manner, complying with storm water management and environmental and~~
635 ~~cultural resource policies, and balance these goals with the general safety and mobility~~
636 ~~needs of the traveling public.~~

637 ~~C. The county requires standardization of road design elements when necessary~~
638 ~~for consistency and to ensure, so far as practicable, that motoring, bicycling, transit,~~
639 ~~equestrian and pedestrian public safety needs are met. Considerations include safety,~~
640 ~~convenience, pleasant appearance, proper drainage, economical maintenance and cultural~~
641 ~~and environmental resource protection. The standards also provide requirements for the~~
642 ~~location and installation of utilities within the right-of-way.~~

643 ~~D. The standards are intended to assist, but not substitute for, competent work by~~
644 ~~design professionals. The standards are not intended to unreasonably limit any~~
645 ~~economically maintained innovative or creative efforts or to lower impact development~~
646 ~~alternatives that could result in equivalent or improved safety, quality and~~
647 ~~maintainability.))~~

648 SECTION 69. Ordinance 11187, Section 1, as amended, and K.C.C. 14.42.010
649 are each hereby amended to read as follows:

650 A. (~~(=)~~)King County Road Standards,(~~("2007")~~) 2016, incorporated (~~(herein)~~) as
651 Attachment A to (~~(Ordinance 15753)~~) this ordinance, are hereby approved and adopted as
652 the King County standards for road design and construction.

653 B. Consistent with the council's direction and intent in adopting (~~(these)~~) the road
654 standards, the department of transportation is hereby authorized to develop public rules
655 and make minor changes to the text and drawings in order to better implement the road
656 standards and as needed to stay current with changing design and construction technology
657 and methods.

658 SECTION 70. Ordinance 8041, Section 3, as amended, and K.C.C. 14.42.020 are
659 each hereby repealed.

660 SECTION 71. Ordinance 8041, Section 4, as amended, and K.C.C. 14.42.030 are
661 each hereby amended to read as follows:

662 A. The road standards approved and adopted under K.C.C. 14.42.010 apply
663 prospectively to all newly constructed or modified road and right-of-way facilities, both
664 public and private, within King County. The road standards apply to modifications of
665 roadway features or existing facilities that are within the scope of reconstructions,
666 required off-site road improvements for land developments or capital improvement
667 projects when so required by King County or to the extent they are expressly referred to
668 in project plans and specifications. (~~(These)~~) The road standards are not intended to
669 apply to resurfacing, restoration(~~(-)~~) and rehabilitation projects as those terms are defined
670 in the Washington state Department of Transportation Local Agency Guidelines Manual,
671 as amended. The county road engineer may (~~(in his or her discretion)~~) consider the road

672 standards as optional goals for the design and construction of resurfacing, restoration and
 673 rehabilitation projects.

674 B. The road standards shall apply to every (~~new placement and every planned,~~
 675 ~~nonemergency replacement of existing~~) utility pole((s)) and other utility structure((s))
 676 within the King County (~~right of way~~) right of way.

677 C. Construction shall be performed in accordance with the road standards and
 678 with due regard to public safety.

679 D. Where feasible, flow control best maintenance practices shall be applied as
 680 required in the Surface Water Design Manual.

681 E. The director of the department of transportation is authorized to enforce the
 682 provision of this chapter and any rules and regulations under this chapter in accordance
 683 with the enforcement and penalty provisions of K.C.C. Title 23.

684 SECTION 72. Ordinance 8041, Section 5, as amended, and K.C.C. 14.42.040 are
 685 each hereby amended to read as follows:

686 A. Any land development that impacts the service level, safety or operational
 687 efficiency of roads serving the land development or that is required by other ordinance to
 688 improve the roads shall improve those roads in accordance with (~~these~~) the road
 689 standards approved and adopted under K.C.C. 14.42.010. Offsite roadway improvements
 690 shall be based on an assessment of the impacts of the proposed land development by the
 691 reviewing agency.

692 B. Any land development abutting and impacting existing roads shall improve
 693 the frontage of those roads in accordance with (~~these~~) the road standards. The extent of

694 improvements shall be based on an assessment of the impacts of the proposed land
695 development by the reviewing agency.

696 C. Any land development that contains internal roads shall construct or improve
697 those roadways in accordance with ~~((these))~~ the road standards, unless otherwise
698 specified in K.C.C. Title 21A.

699 D. For commercial developments, ~~((these))~~ the road standards shall apply unless
700 otherwise determined by the development ~~((review))~~ engineer or as specified by K.C.C.
701 Title 21A. ~~((These))~~ The road standards shall apply to commercial developments with
702 public or dedicated rights-of-way or easements, unless otherwise determined by the
703 development ~~((review))~~ engineer.

704 SECTION 73. Ordinance 8041, Section 6, as amended, and K.C.C. 14.42.050 are
705 each hereby repealed.

706 SECTION 74. Ordinance 8041, Section 7, as amended, and K.C.C. 14.42.060 are
707 each hereby amended to read as follows:

708 A. A road variance, approved by the county road engineer, is required for any
709 design or construction deviation from ~~((these))~~ the road standards approved and adopted
710 under K.C.C. 14.42.010. Detailed procedures for applicants requesting variances and
711 appealing variance decisions are contained within a public rule that is available from the
712 county road engineer or the reviewing agency.

713 B. Any variances from ~~((these))~~ the road standards may be granted by the county
714 road engineer upon evidence that the variance is in the public interest and that
715 requirements for safety, function, fire protection, transit needs, appearance and
716 maintainability are fully met, based upon sound engineering and technical judgment.

717 C. Variance requests for subdivisions should be proposed at the preliminary plat
718 stage and prior to any public hearing. All known variances must be approved prior to
719 approval of the engineering plans for construction. It is the responsibility of the county
720 road engineer to interpret the road standards. Any anticipated variances from these road
721 standards that do not meet K.C.C. Title 17 shall also require concurrence by the fire
722 marshal.

723 SECTION 75. Ordinance 8041, Section 8, as amended, and K.C.C. 14.42.070 are
724 each hereby repealed.

725 SECTION 76. Ordinance 15753, Section 10, and K.C.C. 14.42.075 are each
726 hereby amended to read as follows:

727 At the discretion of the county road engineer or development ((~~review~~)) engineer,
728 any significant errors or omissions in the approved plans or information used as a basis
729 for the approvals may constitute grounds for withdrawal of the approvals or stoppage of
730 any or all permitted work, or both. It shall be the responsibility of the applicant,
731 developer or contractor to show cause why the work should continue and to make such
732 changes in plans that may be required by the county road engineer or development
733 ((~~review~~)) engineer before the plans are reapproved.

734 SECTION 77. Ordinance 13734, Section 4 and K.C.C. 14.45.020 are each hereby
735 repealed.

736 SECTION 78. Ordinance 1503, Section 1, as amended, and K.C.C. 14.48.010 are
737 each hereby amended to read as follows:

738 The director of the road services division may identify and designate as snow
739 emergency routes ((€)) certain arterials and school bus routes in ((~~King~~)) the

740 ~~((C))~~county.~~((, to be identified and so designated by the director of transportation, are~~
 741 ~~declared snow emergency routes))~~. ~~((Such))~~ The snow emergency routes shall be the first
 742 roads to be either sanded ~~((and/))~~ or cleared of snow, when weather safely allows.

743 SECTION 79. Ordinance 1503, Section 2, as amended, and K.C.C. 14.48.020 are
 744 each hereby amended to read as follows:

745 The director of ~~((transportation))~~ the road services division shall ~~((issue a news~~
 746 ~~bulletin to all newspapers of general circulation serving King County,))~~ publish on the
 747 road services division website a listing of all ~~((such))~~ snow emergency routes in the
 748 ~~((King C))~~county ~~((R))~~road ~~((S))~~system. ~~((Such))~~ The listing of snow emergency routes
 749 shall be ~~((prepared and a news bulletin issued within two weeks of January 29, 1973, and~~
 750 ~~thereafter annually, prior to))~~ published before the second Monday in November in order
 751 to assist schools, emergency responders and others during inclement weather.

752 SECTION 80. Ordinance 1503, Section 3, as amended, and K.C.C. 14.48.030 are
 753 each hereby repealed.

754 SECTION 81. Ordinance 1503, Section 4, as amended, and K.C.C. 14.48.040 are
 755 each hereby amended to read as follows:

756 The director of ~~((transportation))~~ the road services division shall coordinate
 757 ~~((King County))~~ snow removal activities with federal, state, county and local jurisdictions
 758 located within or adjacent to King County for the purpose of continuity in clearing snow
 759 emergency routes.

760 SECTION 82. Ordinance 3027, Section 1, and K.C.C. 14.52.010 are each hereby
 761 repealed.

762 SECTION 83. Ordinance 3027, Section 2, as amended, and K.C.C. 14.52.020 are
763 each hereby amended to read as follows:

764 A. Whenever a portion of any ~~((street or))~~ county road~~((, including any~~
765 ~~boulevard, avenue, lane or place,))~~ is improved by a sidewalk ~~((thereon,))~~ and the
766 sidewalk ~~((shall have))~~ has become unfit or unsafe for public travel, the ~~((department of~~
767 ~~transportation))~~ county road engineer may determine that the repair of that portion of
768 sidewalk is necessary for the public safety and convenience.

769 B. ~~((If †))~~The ~~((department does so find, the duty, burden and))~~ shall investigate
770 the cause of the damage to the sidewalk. If the county road engineer determines the
771 damage resulted from the actions of the abutting property owner or resulted from an
772 instrumentality located on the abutting property, the county road engineer shall notify the
773 abutting property owner that the expense of repair shall be the responsibility of the
774 abutting property owner~~((; provided))~~, except that the abutting property owner ~~((shall not~~
775 ~~be charged with))~~ is not responsible for any costs of repair in excess of twenty-five
776 percent of the valuation of the abutting property, exclusive of improvements.

777 C. The notice required by subsection B. of this section should include an estimate
778 of the cost of the sidewalk repair, a description of reasons that the county will be seeking
779 to recover its repair costs from the abutting property owner and the maximum amount of
780 repair costs the county will seek to recover from the abutting property owner. The notice
781 may be delivered in person to the property owner, to the resident of the property or by
782 mail to the last known address of the owner. If the owner is unknown, a copy of the
783 notice shall be posted in a conspicuous place on the portion of the road where the
784 improvements are to be made.

785 D. After the county repairs or reconstructs the sidewalk segment, the county shall
786 send a request to the abutting property owner for payment of the repair costs assessable
787 against the property owner. If the abutting property owner does not remit the required
788 payment for the repair costs within sixty days, the county shall assess the cost of the
789 repairs assessable against the abutting property owner, which shall become a lien against
790 the property if not paid.

791 SECTION 84. Ordinance 3027, Section 3, and K.C.C. 14.52.030 are each hereby
792 repealed.

793 SECTION 85. Ordinance 32027, Section 4, and K.C.C. 14.52.040 are each
794 hereby amended to read as follows:

795 ~~.(Maintenance of planting strips including trees, shrubbery, grass or other ground~~
796 ~~cover shall be the responsibility of the abutting property owner. Should the director of~~
797 ~~transportation)) A. A person shall not place trees, shrubbery, structures or other objects
798 in planting strips located within the right of way of any county road, unless authorized by
799 a variance issued by the county road engineer.~~

800 B. A person owning property abutting county road right of way shall not allow
801 trees, shrubbery, structures or other objects on the owner's property to retard the ability of
802 the driving public to have adequate visibility of pedestrians, other vehicles using, entering
803 or exiting the county road or block the visibility of county road signs and signals.

804 C. If the county road engineer finds that ((such)) the property abutting a county
805 road is not being properly maintained as required in subsection B. of this section, a notice
806 shall be ((forwarded)) sent to the property owner as provided in K.C.C. ((14.52.030))

807 14.52.020, specifying a reasonable time within which ~~((such))~~ the maintenance shall be
 808 accomplished.

809 D. If the owner fails to ~~((proceed))~~ carry out the maintenance within the period in
 810 the notice, the department of transportation ~~((will have the maintenance performed, and~~
 811 ~~the cost will be assessed against the property owner as provided in K.C.C. 14.52.030))~~
 812 shall seek all remedies, including, but not limited to, legal relief in equity or law.

813 SECTION 86. The following are each hereby repealed:

814 A. Ordinance 3027, Section 5, as amended, and K.C.C. 14.52.050; and

815 B. Ordinance 3027, Section 6, and K.C.C. 14.52.060.

816 SECTION 87. Ordinance 3027, Section 7, and K.C.C. 14.52.070 are each hereby
 817 amended to read as follows:

818 A ~~((R))~~resident~~((s))~~ whose property is substantially higher or lower in elevation
 819 than the ~~((street))~~ road and who does not have ~~((street))~~ road access from one or more
 820 sides of ~~((their))~~ the resident's property may apply for an exemption from ~~((the provisions~~
 821 ~~of Sections))~~ K.C.C. 14.52.040 ~~((and 14.52.050 of this chapter))~~. Exemptions may be
 822 granted by the county road engineer based upon standards ~~((which))~~ that shall be
 823 established by the department of transportation.

824 SECTION 88. The following are each hereby repealed:

825 A. Ordinance 11617, Section 3, as amended, and K.C.C. 14.65.010;

826 B. Ordinance 11617, Section 4, as amended, and K.C.C. 14.65.020;

827 C. Ordinance 11617, Section 64, as amended, and K.C.C. 14.65.025;

828 D. Ordinance 11617, Section 5, as amended, and K.C.C. 14.65.030;

829 E. Ordinance 11617, Section 6, as amended, and K.C.C. 14.65.040;

830

831 F. Ordinance 11617, Section 35, and K.C.C. 14.75.010;

832 G. Ordinance 11617, Sections 36 through 41, and K.C.C. 14.75.020;

833 H. Ordinance 11617, Section 42, and K.C.C. 14.75.030;

834 I. Ordinance 11617, Section 43 and Attachment B, as amended, and K.C.C.
835 14.75.040;

836 J. Ordinance 11617, Section 44, as amended, and K.C.C. 14.75.050;

837 K. Ordinance 11617, Section 45, and K.C.C. 14.75.060;

838 L. Ordinance 11617, Section 46, as amended, and K.C.C. 14.75.070;

839 M. Ordinance 17190, Section 5, as amended, and K.C.C. 14.75.075;

840 N. Ordinance 11617, Section 47, as amended, and K.C.C. 14.75.080;

841 O. Ordinance 11617, Section 48, as amended, and K.C.C. 14.75.090;

842 P. Ordinance 11617, Section 49, as amended, and K.C.C. 14.75.100;

843 Q. Ordinance 11617, Section 50, as amended, and K.C.C. 14.75.110;

844 R. Ordinance 11617, Section 51, and K.C.C. 14.75.120;

845 S. Ordinance 11617, Section 52, and K.C.C. 14.75.130;

846 T. Ordinance 11617, Section 53, and K.C.C. 14.75.140;

847 U. Ordinance 11617, Section 54, as amended, and K.C.C. 14.75.150; and

848 V. Ordinance 11617, Section 55, and K.C.C. 14.75.160.

849 SECTION 89. Ordinance 11617, Section 57, and K.C.C. 14.80.010 are each
850 hereby amended to read as follows:

851 A. This chapter is enacted (~~(pursuant to)~~) in accordance with the (~~(S)~~)state
852 Environmental Policy Act, K.C.C. chapter 20.44, (~~(and RCW)~~) chapter 58.17 RCW

853 ~~((and))~~, the King County Charter as a home rule county~~((;))~~ and Article 11, ~~((§))~~ Section
854 11 of the Washington ~~((§))~~state Constitution.

855 B. The purpose of this chapter is to:

856 1. Assure adequate levels of service, safety~~((;))~~ and operating efficiency on the
857 King County road system, at intersections serving and directly impacted by proposed new
858 development;

859 2. Establish standards for intersection operation and define the relationship
860 between new developments on road intersection function;

861 3. Identify development conditions to assure intersection capacity, safety and
862 operational efficiency; and

863 4. Require that owners of new developments pay the proportionate costs of
864 required intersection improvements.

865 SECTION 90. Ordinance 11617, Sections 58 and 59, and K.C.C. 14.80.020 are
866 each hereby repealed.

867 SECTION 91. Ordinance 11617, Section 60, and K.C.C. 14.80.030 are each
868 hereby amended to read as follows:

869 A. For the purposes of ~~((SEPA))~~ the state Environmental Policy Act and this
870 ~~((chapter))~~ section, a significant adverse impact is defined as any traffic condition
871 directly caused by proposed development that would reasonably result in one or more of
872 the following conditions at the time any part of the development is completed and able to
873 generate traffic:

874 ~~((A-))~~ 1. A roadway intersection that provides access to a proposed
875 development, ~~((and))~~ that will function at a level of service worse than "E"~~((;))~~ and that

876 will carry thirty (~~(30)~~) or more added vehicles in any one-hour period as a direct impact
 877 of the proposed development, and that will be impacted by at least twenty (~~(20)~~) percent
 878 of the new traffic generated from the proposed development in that same one-hour
 879 period; or

880 ~~(B-)~~ 2. A roadway intersection or approach lane where the (~~(director)~~) county
 881 road engineer determines that a hazard to safety could reasonably result.

882 B. The intersection standard for all intersections shall be "E" and calculated
 883 according to the most current version of the Highway Capacity Manual produced by the
 884 Transportation Research Board of the National Research Council.

885 SECTION 92. Ordinance 11617, Section 61, and K.C.C. 14.80.040 are each
 886 hereby amended to read as follows:

887 A. Based on the identification of (~~(I)~~)intersection (~~(S)~~)standards being exceeded
 888 using analytical techniques and information acceptable to the director of the department
 889 of transportation, the owner of a proposed development shall be required to provide
 890 improvements (~~(which)~~) that bring the intersection into compliance with (~~(IS)~~)
 891 intersection standards, or that return (~~(it)~~) the intersection to its (~~(pre-project)~~) preproject
 892 condition, as may be required by the director. Approval to construct the proposed
 893 development shall not be granted until the owner has agreed to build or pay fair and
 894 equitable costs to build the improvements required by the director within the time
 895 schedule set by the director.

896 B. At the discretion of the director, and based on technical information regarding
 897 traffic conditions and expected traffic impacts, the county may require that the owner of a

898 proposed development pay the full costs of required ~~((IS-))~~ intersection standards
899 improvements required under this title.

900 C. Administrative fees shall not be charged for intersection standards review, but
901 the owner of a proposed development is responsible for the costs of any traffic study
902 needed to determine traffic impacts and mitigation measures at intersections, as
903 determined by the road services division.

904 SECTION 93. Ordinance 11617, Section 62, and K.C.C. 14.80.050 are each
905 hereby amended to read as follows:

906 A. Nothing in this section shall prevent the county from entering into agreements
907 with the ~~((WSDOT))~~ Washington state Department of Transportation or other local
908 jurisdictions for the collection of fees and the mitigation of traffic on state highways or
909 city arterials that may be caused by developments proposed in King County. The level of
910 service standards used in such agreements shall be those of the county, the ~~((WSDOT,))~~
911 Washington state Department of Transportation or the local jurisdiction, or some
912 combination of them, as provided in the agreement.

913 B. Nothing in this section shall prevent the continuation, modification~~((;))~~ or
914 fulfillment of existing county agreements with the ~~((WSDOT))~~ Washington state
915 Department of Transportation and local jurisdictions that were in force ~~((at))~~ January 9,
916 1995.

917 SECTION 94. Ordinance 11617, Section 63, and K.C.C. 14.80.060 are each
918 hereby amended to read as follows:

919 The procedures ~~((set forth))~~ in this chapter do not limit the authority of King
920 County to deny or to approve with conditions the following:

921 A. Any zone reclassification request, based on its expected traffic impacts;
922 B. Any proposed development or zone reclassification if ~~((King County))~~ the
923 department of transportation determines that a hazard to safety would result from its
924 direct traffic impacts without roadway or intersection improvements, regardless of level
925 of service standards; or

926 C. Any proposed development reviewed under the authority of the Washington
927 ~~((S))~~state Environmental Policy Act.

928 SECTION 95. Ordinance 13019, Section 1 (part), and K.C.C. 14.85.010 are each
929 hereby amended to read as follows:

930 ~~((The King County council))~~ A. There is hereby ((establishes)) established a fee
931 relating to the regional vector waste disposal plan. Effective January 1, 1998, all non(~~-~~
932 ~~))road services division entities using county-operated liquid and solid vector waste~~
933 disposal facilities shall pay the ~~((service))~~ fee~~((s))~~ ~~((set forth))~~ in ~~((the following~~
934 ~~schedule))~~ this section and K.C.C. 14.85.020, as recodified by this ordinance.

935 B. The fee shall be collected by the department of transportation road services
936 division, which shall establish a procedure for collecting and depositing the fee in the
937 road services division operating fund in accordance with RCW 43.09.220.

938 SECTION 96. K.C.C. 14.85.020 is recodified as a new section in K.C.C. chapter
939 4A.700.

940 SECTION 97. Ordinance 13019, Section 1 (part), as amended, and K.C.C.
941 14.85.020 are each hereby amended to read as follows:

942 Disposal fees for the use of county-operated regional stormwater decant facilities
943 imposed under K.C.C. 14.85.010 shall be eighty-one dollars per entry for liquids and
944 fifty-nine dollars per ton for solid vactor waste material.

945 SECTION 98. The following are each hereby repealed:

946 A. Ordinance 13019, Section 1 (part), and K.C.C. 14.85.030; and

947 B. Ordinance 13019, Section 1 (part), and K.C.C. 14.85.040."

948

949 On Attachment A, delete pages 1-1, 1-2, 1-16 and 1-18 and insert revised pages 1-1, 1-2,
950 1-16 and 1-18 dated November 7, 2016.

951

952 **Effect: Provides technical and procedural clarifications and includes revised pages**
953 **of Attachment A to make a technical correction and to modify the respective**
954 **definitions of "Public Road/Street" and "Unmaintained Road."**