



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

November 30, 2010

### Ordinance 16985

**Proposed No.** 2009-0609.3

**Sponsors** Hague and Phillips

1 AN ORDINANCE relating to adopting the shoreline master  
2 program, amending Ordinance 263, Article 2, Section 1, as  
3 amended, and K.C.C. 20.12.010, Ordinance 3692, Section  
4 2, and K.C.C. 20.12.200, Ordinance 13147, Section 19, as  
5 amended, and K.C.C. 20.18.030, Ordinance 13147, Section  
6 20, as amended, and K.C.C. 20.18.040, Ordinance 13147,  
7 Section 21, as amended, and K.C.C. 20.18.050, Ordinance  
8 3688, Section 813, and K.C.C. 25.32.130, Ordinance  
9 13687, Section 3, and K.C.C. 25.32.140, Ordinance 13687,  
10 Section 4, and K.C.C. 25.32.150, Ordinance 13687, Section  
11 7, and K.C.C. 25.32.180, Ordinance 3688 Ch. 2 (part), as  
12 amended, and K.C.C. 25.08.010, Ordinance 3688, Section  
13 104, and K.C.C. 25.04.040, Ordinance 3688, Section 215,  
14 and K.C.C. 25.08.160, Ordinance 3688, Section 105, as  
15 amended, and K.C.C. 25.04.050, Ordinance 3688, Section  
16 303, and K.C.C. 25.12.030, Ordinance 3688, Section 302,  
17 and K.C.C. 25.12.020, Ordinance 3688, Section 305, and  
18 K.C.C. 25.12.050, Ordinance 3688, Section 506, as  
19 amended, and K.C.C. 25.20.060, Ordinance 3688, Section

20 415, and K.C.C. 25.16.200, Ordinance 3688, Section 413,  
21 as amended, and K.C.C. 25.16.180, Ordinance 3688,  
22 Section 409(4), as amended, and K.C.C. 25.16.120,  
23 Ordinance 3688, Section 414, as amended, and K.C.C.  
24 25.16.190, Ordinance 3688, Section 410, as amended, and  
25 K.C.C. 25.16.150, Ordinance 3688, Section 411, and  
26 K.C.C. 25.16.160, Ordinance 3688, Section 408, and  
27 K.C.C. 25.16.080, Ordinance 3688, Section 801, and  
28 K.C.C. 25.32.010, Ordinance 3688, Section 802, and  
29 K.C.C. 25.32.020, Ordinance 3688 Section 806, and K.C.C.  
30 25.32.060, Ordinance 3688, Section 810, and K.C.C.  
31 25.32.100, Ordinance 3688, Section 208, and K.C.C.  
32 25.08.090, Ordinance 3688, Section 209, and K.C.C.  
33 25.08.100, Ordinance 5734, Section 1, and K.C.C.  
34 25.08.175, Ordinance 3688, Section 218, and K.C.C.  
35 25.08.190, Ordinance 3688, Section 220, and K.C.C.  
36 25.08.210, Ordinance 3688, Section 222, and K.C.C.  
37 25.08.230, Ordinance 3688, Section 224, and K.C.C.  
38 25.08.250, Ordinance 3688, Section 228, and K.C.C.  
39 25.08.290, Ordinance 3688, Section 234, and K.C.C.  
40 25.08.370, Ordinance 3688, Section 201, and K.C.C.  
41 25.08.020, Ordinance 3688, Section 237, and K.C.C.  
42 25.08.400, Ordinance 3688, Section 247, and K.C.C.

43 25.08.460, Ordinance 3688, Section 251, and K.C.C.  
44 25.08.480, Ordinance 3688, Section 248, and K.C.C.  
45 25.08.470, Ordinance 3688, Section 246, and K.C.C.  
46 25.08.490, Ordinance 3688, Section 249, and K.C.C.  
47 25.08.510, Ordinance 3688, Section 255, and K.C.C.  
48 25.08.570, Ordinance 3688, Section 257, and K.C.C.  
49 25.08.590, Ordinance 3688, Section 258, and K.C.C.  
50 25.08.600, Ordinance 13130, Section 3, as amended, and  
51 K.C.C. 21A.32.045, Ordinance 3688, Section 804, as  
52 amended, and K.C.C. 25.32.040, Ordinance 3688, Section  
53 805, and K.C.C. 25.32.050, Ordinance 10870, Section 631,  
54 and K.C.C. 21A.50.030, Ordinance 15051, Section 137,  
55 and K.C.C. 21A.24.045, Ordinance 15051, Section 139,  
56 and K.C.C. 21A.24.055 and Ordinance 10870, Section 454,  
57 as amended, and K.C.C. 21A.24.070, creating a new  
58 chapter in K.C.C. Title 21A, adding new sections to  
59 K.C.C. Title 21A, decodifying Ordinance 11622, Section 1,  
60 and K.C.C. 7.02.010, Ordinance 11622, Section 1, and  
61 K.C.C. 23.02.020 and repealing Ordinance 3688, Section  
62 102, and K.C.C. 25.04.020, Ordinance 11622, Section 1,  
63 and K.C.C. 25.04.025, Ordinance 3688, Section 106, and  
64 K.C.C. 25.04.060, Ordinance 12196, Section 58, as  
65 amended, and K.C.C. 25.08.015, Ordinance 3699, Section

66 203, and K.C.C. 25.08.040, Ordinance 3688, Section 204,  
67 and K.C.C. 25.08.050, Ordinance 3688, Section 205, and  
68 K.C.C. 25.08.060, Ordinance 3688, Section 206, and  
69 K.C.C. 25.08.070, Ordinance 3688, Section 207, and  
70 K.C.C. 25.08.080, Ordinance 3688, Section 210, and  
71 K.C.C. 25.08.110, Ordinance 3688, Section 211, and  
72 K.C.C. 25.08.120, Ordinance 3688, Section 212, and  
73 K.C.C. 25.08.130, Ordinance 3688, Section 213, and  
74 K.C.C. 25.08.140, Ordinance 13687, Section 1, as  
75 amended, and K.C.C. 25.08.150, Ordinance 3688, Section  
76 216, and K.C.C. 25.08.170, Ordinance 3688, Section 217,  
77 and K.C.C. 25.08.180, Ordinance 5734, Section 1, and  
78 K.C.C. 25.08.185, Ordinance 3688, Section 221, and  
79 K.C.C. 25.08.220, Ordinance 3688, Section 223, and  
80 K.C.C. 25.08.240, Ordinance 3688, Section 225, and  
81 K.C.C. 25.08.260, Ordinance 3688, Section 227, and  
82 K.C.C. 25.08.280, Ordinance 5734, Section 1, and K.C.C.  
83 25.08.285, Ordinance 4222, Section 2, and K.C.C.  
84 25.08.300, Ordinance 3688, Section 229, and K.C.C.  
85 25.08.310, Ordinance 3688, Section 230, and K.C.C.  
86 25.08.320, Ordinance 3688, Section 231, and K.C.C.  
87 25.08.330, Ordinance 3688, Section 232, and K.C.C.  
88 25.08.340, Ordinance 3688, Section 235, and K.C.C.

89 25.08.360, Ordinance 3688, Section 236, and K.C.C.  
90 25.08.380, Ordinance 3688, Section 238, and K.C.C.  
91 25.08.390, Ordinance 3688, Section 239, and K.C.C.  
92 25.08.410, Ordinance 3688, Section 240, and K.C.C.  
93 25.08.420, Ordinance 3688, Section 241, and K.C.C.  
94 25.08.430, Ordinance 3688, Section 243, and K.C.C.  
95 25.08.450, Ordinance 3688, Section 252, and K.C.C.  
96 25.08.500, Ordinance 3688, Section 244, and K.C.C.  
97 25.08.530, Ordinance 3688, Section 245, and K.C.C.  
98 25.08.540, Ordinance 3688, Section 253, and K.C.C.  
99 25.08.550, Ordinance 3688, Section 254, and K.C.C.  
100 25.08.560, Ordinance 5734, Section 1, and K.C.C.  
101 25.08.565, Ordinance 3688, Section 256, and K.C.C.  
102 25.08.580, Ordinance 12750, Section 1, and K.C.C.  
103 25.08.604, Ordinance 3688, Section 259, and K.C.C.  
104 25.08.610, Ordinance 3688, Section 304, and K.C.C.  
105 25.12.040, Ordinance 3688, Section 401, and K.C.C.  
106 25.16.010, Ordinance 3688, Section 402, and K.C.C.  
107 25.16.020, Ordinance 3688, Section 403, as amended, and  
108 K.C.C. 25.16.030, Ordinance 3688, Section 404, and  
109 K.C.C. 25.16.040, Ordinance 3688, Section 405, and  
110 K.C.C. 25.16.050, Ordinance 3688, Section 406, and  
111 K.C.C. 25.16.060, Ordinance 3688, Section 407, and

112 K.C.C. 25.16.070, Ordinance 3688, Section 409(1), as  
113 amended, and K.C.C. 25.16.090, Ordinance 3688, Section  
114 409(2), as amended, and K.C.C. 25.16.100, Ordinance  
115 3688, Section 409(3), and K.C.C. 25.16.110, Ordinance  
116 3688, Section 409(5), and K.C.C. 25.16.130, Ordinance  
117 3688, Section 409(6), as amended, and K.C.C. 25.16.140,  
118 Ordinance 3688, Section 412, and K.C.C. 25.16.170,  
119 Ordinance 3688, Section 501, and K.C.C. 25.20.010,  
120 Ordinance 3688, Section 502, and K.C.C. 25.20.020,  
121 Ordinance 3688, Section 503, as amended, and K.C.C.  
122 25.20.030, Ordinance 3688, Section 504, and K.C.C.  
123 25.20.040, Ordinance 3688, Section 505, and K.C.C.  
124 25.20.050, Ordinance 3688, Section 507, and K.C.C.  
125 25.20.070, Ordinance 3688, Section 508, and K.C.C.  
126 25.20.080, Ordinance 3688, Section 509, as amended, and  
127 K.C.C. 25.20.090, Ordinance 3688, Section 510, as  
128 amended, and K.C.C. 25.20.100, Ordinance 3688, Section  
129 511, and K.C.C. 25.20.110, Ordinance 3688, Section 512,  
130 and K.C.C. 25.20.120, Ordinance 3688, Section 513, and  
131 K.C.C. 25.20.130, Ordinance 3688, Section 514, as  
132 amended, and K.C.C. 25.20.140, Ordinance 3688, Section  
133 515, and K.C.C. 25.20.150, Ordinance 3688, Section 601,  
134 and K.C.C. 25.24.010, Ordinance 3688, Section 602, and

135 K.C.C. 25.24.020, Ordinance 3688, Section 603, as  
136 amended, and K.C.C. 25.24.030, Ordinance 3688, Section  
137 604, and K.C.C. 25.24.040, Ordinance 3688, Section 605,  
138 and K.C.C. 25.24.050, Ordinance 3688, Section 606, and  
139 K.C.C. 25.24.060, Ordinance 3688, Section 607, and  
140 K.C.C. 25.24.070, Ordinance 3688, Section 608, as  
141 amended, and K.C.C. 25.24.080, Ordinance 3688, Section  
142 609, as amended, and K.C.C. 25.24.090, Ordinance 3688,  
143 Section 610, as amended, and K.C.C. 25.24.100, Ordinance  
144 3688, Section 611, and K.C.C. 25.24.110, Ordinance 3688,  
145 Section 612, and K.C.C. 25.24.120, Ordinance 3688,  
146 Section 613, as amended, and K.C.C. 25.24.130, Ordinance  
147 3688, Section 614, as amended, and K.C.C. 25.24.140,  
148 Ordinance 3688, Section 615, and K.C.C. 25.24.150,  
149 Ordinance 3688, Section 701, and K.C.C. 25.28.010,  
150 Ordinance 3688, Section 702, and K.C.C. 25.28.020,  
151 Ordinance 3688, Section 703, as amended, and K.C.C.  
152 25.28.030, Ordinance 3688, Section 704, and K.C.C.  
153 25.28.040, Ordinance 3688, Section 703, as amended, and  
154 K.C.C. 25.28.050, Ordinance 3688, Section 706, and  
155 K.C.C. 25.28.060, Ordinance 3688, Section 707, and  
156 K.C.C. 25.28.070, Ordinance 3688, Section 708, as  
157 amended, and K.C.C. 25.28.080, Ordinance 3688, Section

158 709, as amended, and K.C.C. 25.28.090, Ordinance 3688,  
159 Section 710, as amended, and K.C.C. 25.28.100, Ordinance  
160 3688, Section 711, and K.C.C. 25.28.110, Ordinance 3688,  
161 Section 712, and K.C.C. 25.28.120, Ordinance 3688,  
162 Section 713, and K.C.C. 25.28.130, Ordinance 3688,  
163 Section 714, as amended, and K.C.C. 25.28.140, Ordinance  
164 3688, Section 715, and K.C.C. 25.28.150, Ordinance 3688,  
165 Section 808, as amended, and K.C.C. 25.32.080, Ordinance  
166 3688, Section 809, as amended, and K.C.C. 25.32.090,  
167 Ordinance 3688, Section 811, and K.C.C. 25.32.110,  
168 Ordinance 3688, Section 812, and K.C.C. 25.32.120,  
169 Ordinance 13687, Section 5, and K.C.C. 25.32.160, and  
170 Ordinance 13687, Section 6, and K.C.C. 25.32.170.

171 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

172 SECTION 1. Findings. For the purposes of effective land use planning and  
173 regulation, the King County council makes the following legislative findings:

174 A. King County has adopted the 2008 King County Comprehensive Plan to meet  
175 the requirements of the Washington State Growth Management Act ("GMA");

176 B. The King County Code authorizes a review of the Comprehensive Plan and  
177 generally only allows substantive amendments to the Comprehensive Plan once every  
178 four years. The King County Code authorizes an adoption or amendment of the King  
179 County Shoreline Master Program outside of the four year update cycle.

180 C. The GMA requires that the Comprehensive Plan and development regulations  
181 be subject to continuing review and evaluation by the county;

182 D. The King County Shoreline Master Program was originally adopted by the  
183 King County Council in 1977 and has not been significantly updated since. In the  
184 intervening years, King County has seen significant population growth and development  
185 that has affected King County's shorelines. In 2003, the Washington state Department of  
186 Ecology amended its guidelines governing the contents of Shoreline Master Programs. In  
187 2003, the Washington state Legislature amended the Shoreline Management Act to  
188 require King County to update its Shoreline Master Program by December 1, 2009.

189 Beginning in January 2007, King County conducted extensive public outreach as part of  
190 the process to update the Shoreline Master Program and collected relevant technical  
191 information and analysis to support the update. King County's Shoreline Master Program  
192 is consistent with the Shoreline Management Act and Department of Ecology guidelines.

193 E. The GMA requires that King County adopt development regulations to be  
194 consistent with and implement the Comprehensive Plan;

195 F. The changes to zoning in this ordinance are needed to maintain conformity  
196 with the King County Comprehensive Plan, as required by the GMA, or to address new  
197 issues identified since the zoning code was adopted. As such, they bear a substantial  
198 relationship to, and are necessary for, the public health, safety and general welfare of  
199 King County and its residents; and

200 G. In accordance with K.C.C. 20.18.030, in 2012, the Comprehensive Plan will  
201 be subject to a substantive review to ensure continued compliance with the GMA. This  
202 will be first opportunity to comprehensively examine the implementation of land use and

203 shoreline management polices and development regulations, and in a coordinated fashion,  
204 to evaluate and address situations in which a parcel or parcels present multiple important  
205 and potentially competing GMA and Shoreline Management Act values or goals. Such  
206 situations may be presented by parcels that are zoned for intense land use, but also have  
207 an ecologically valuable shoreline. As part of the 2012 Comprehensive Plan update, the  
208 county will study those specific parcels in order to determine if there are actual conflicts  
209 between a parcel's zoning and shoreline designation and make modifications as  
210 appropriate.

211 SECTION 2. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.  
212 20.12.010, are each hereby amended to read as follows:

213 A. Under the King County Charter, the state Constitution and the Washington  
214 state Growth Management Act, chapter 36.70A RCW, the 1994 King County  
215 Comprehensive Plan is adopted and declared to be the Comprehensive Plan for King  
216 County until amended, repealed or superseded. King County performed its first  
217 comprehensive four-cycle review of the Comprehensive Plan. As a result of the review,  
218 King County amended the 1994 Comprehensive Plan through passage of the King  
219 County Comprehensive Plan 2000. King County performed its second comprehensive  
220 four-cycle review of the Comprehensive Plan in 2004. As a result of the review, King  
221 County amended the 2000 Comprehensive Plan through passage of the King County  
222 Comprehensive Plan 2004. The Comprehensive Plan shall be the principal planning  
223 document for the orderly physical development of the county and shall be used to guide  
224 subarea plans, functional plans, provision of public facilities and services, review of

225 proposed incorporations and annexations, development regulations and land development  
226 decisions.

227           B. The amendments to the 1994 King County Comprehensive Plan contained in  
228 Appendix A to Ordinance 12061 (King County Comprehensive Plan 1995 amendments)  
229 are hereby adopted.

230           C. The amendments to the 1994 King County Comprehensive Plan contained in  
231 Attachment A to Ordinance 12170 are hereby adopted to comply with the Central Puget  
232 Sound Growth Management Hearings Board Decision and Order in Vashon-Maury  
233 Island, et. al. v. King County, Case No. 95-3-0008.

234           D. The Vashon Town Plan contained in Attachment 1 to Ordinance 12395 is  
235 adopted as a subarea plan of the King County Comprehensive Plan and, as such,  
236 constitutes official county policy for the geographic area of unincorporated King County  
237 defined in the plan and amends the 1994 King County Comprehensive Plan Land Use  
238 Map.

239           E. The amendments to the 1994 King County Comprehensive Plan contained in  
240 Appendix A to Ordinance 12501 are hereby adopted to comply with the Order of the  
241 Central Puget Sound Growth Management Hearings Board in Copac-Preston Mill, Inc., et  
242 al, v. King County, Case No. 96-3-0013 as amendments to the King County  
243 Comprehensive Plan.

244           F. The amendments to the 1994 King County Comprehensive Plan contained in  
245 Appendix A to Ordinance 12531 (King County Comprehensive Plan 1996 amendments)  
246 are hereby adopted as amendments to the King County Comprehensive Plan.

247 G. The Black Diamond Urban Growth Area contained in Appendix A to  
248 Ordinance 12533 is hereby adopted as an amendment to the King County Comprehensive  
249 Plan.

250 H. The 1994 King County Comprehensive Plan and Comprehensive Plan Land  
251 Use Map are amended to include the area shown in Appendix A of Ordinance 12535 as  
252 Rural City Urban Growth Area. The language from Section 1D of Ordinance 12535 shall  
253 be placed on Comprehensive Plan Land Use Map page #32 with a reference marker on  
254 the area affected by Ordinance 12535.

255 I. The amendments to the 1994 King County Comprehensive Plan contained in  
256 Appendix A to Ordinance 12536 (1997 Transportation Need Report) are hereby adopted  
257 as amendments to the King County Comprehensive Plan.

258 J. The amendments to the 1994 King County Comprehensive Plan contained in  
259 Appendix A to Ordinance 12927 (King County Comprehensive Plan 1997 amendments)  
260 are hereby adopted as amendments to the King County Comprehensive Plan.

261 K. The amendments to the 1994 King County Comprehensive Plan contained in  
262 the 1998 Transportation Needs Report, contained in Appendices A and B to Ordinance  
263 12931 and in the supporting text, are hereby adopted as amendments to the King County  
264 Comprehensive Plan.

265 L. The amendments to the 1994 King County Comprehensive Plan contained in  
266 Appendix A to Ordinance 13273 (King County Comprehensive Plan 1998 amendments)  
267 are hereby adopted as amendments to the King County Comprehensive Plan.

268 M. The 1999 Transportation Needs Report contained in Attachment A to  
269 Ordinance 13339 is hereby adopted as an amendment to the 1994 King County

270 Comprehensive Plan, Technical Appendix C, and the amendments to the 1994 King  
271 County Comprehensive Plan contained in Attachment B to Ordinance 13339 are hereby  
272 adopted as amendments to the King County Comprehensive Plan.

273 N. The amendments to the 1994 King County Comprehensive Plan contained in  
274 Attachment A to Ordinance 13672 (King County Comprehensive Plan 1999  
275 amendments) are hereby adopted as amendments to the King County Comprehensive  
276 Plan.

277 O. The 2000 Transportation Needs Report contained in Attachment A to  
278 Ordinance 13674 is hereby adopted as an amendment to the 1994 King County  
279 Comprehensive Plan, Technical Appendix C.

280 P. The Fall City Subarea Plan contained in Attachment A to Ordinance 13875 is  
281 adopted as a subarea plan of the King County Comprehensive Plan and, as such,  
282 constitutes official county policy for the geographic area of unincorporated King County  
283 defined in the plan. The Fall City Subarea Plan amends the 1994 King County  
284 Comprehensive Plan land use map by revising the Rural Town boundaries of Fall City.

285 Q. The amendments to the King County Comprehensive Plan contained in  
286 Attachment A to Ordinance 13875 are hereby adopted as amendments to the King  
287 County Comprehensive Plan.

288 R. The Fall City area zoning amendments contained in Attachment A to  
289 Ordinance 13875 are adopted as the zoning control for those portions of unincorporated  
290 King County defined in the attachment. Existing property-specific development  
291 standards (p-suffix conditions) on parcels affected by Attachment A to Ordinance 13875  
292 do not change except as specifically provided in Attachment A to Ordinance 13875.

293 S. The amendments to the 1994 King County Comprehensive Plan Land Use  
294 Map contained in Attachment A to Ordinance 13987 are hereby adopted to comply with  
295 the Central Puget Sound Growth Management Hearings Board Decision and Order on  
296 Supreme Court Remand in *Vashon-Maury Island, et. al. v. King County*, Case No. 95-3-  
297 0008 (Bear Creek Portion).

298 T. The 2001 transportation needs report contained in Attachment A to Ordinance  
299 14010 is hereby adopted as an amendment to the 1994 King County Comprehensive Plan,  
300 technical appendix C.

301 U. The amendments to the 1994 King County Comprehensive Plan contained in  
302 Attachments A, B and C to Ordinance 14044 (King County Comprehensive Plan 2000)  
303 are hereby adopted as amendments to the King County Comprehensive Plan. Attachment  
304 A to Ordinance 14044 amends the policies, text and maps of the Comprehensive Plan.  
305 Amendments to the policies are shown with deleted language struck out and new  
306 language underlined. The text and maps in Attachment A to Ordinance 14044 replace the  
307 previous text and maps in the Comprehensive Plan. Attachment B to Ordinance 14044  
308 contains technical appendix A (capital facilities), which replaces technical appendix A to  
309 the King County Comprehensive Plan, technical appendix C (transportation), which  
310 replaces technical appendix C to the King County Comprehensive Plan, and technical  
311 appendix M (public participation), which is a new technical appendix that describes the  
312 public participation process for the King County Comprehensive Plan 2000. Attachment  
313 C to Ordinance 14044 includes amendments to the King County Comprehensive Plan  
314 Land Use Map. The land use amendments contained in Attachment C to Ordinance

315 14044 are adopted as the official land use designations for those portions of  
316 unincorporated King County defined in Attachment C to Ordinance 14044.

317 V. The Snoqualmie Urban Growth Area Subarea Plan contained in Attachment A  
318 to Ordinance 14117 is adopted as a subarea plan of the King County Comprehensive Plan  
319 and, as such, constitutes official county policy for the geographic area of unincorporated  
320 King County defined in the plan. Attachment B to Ordinance 14117 amends the King  
321 County Comprehensive Plan 2000 land use map by revising the Urban Growth Area for  
322 the City of Snoqualmie. Attachment C to Ordinance 14117 amends the policies of the  
323 Comprehensive Plan.

324 W. The Snoqualmie Urban Growth Area Subarea Plan area zoning amendments  
325 in Attachment D to Ordinance 14117 are adopted as the zoning control for those portions  
326 of unincorporated King County defined in the attachment. Existing property-specific  
327 development standards (p-suffix conditions) on parcels affected by Attachment D to  
328 Ordinance 14117 do not change

329 X. The amendments to the King County Comprehensive Plan 2000 contained in  
330 Attachment B to Ordinance 14156 are hereby adopted as amendments to the King County  
331 Comprehensive Plan.

332 Y. The amendments to the King County Comprehensive Plan 2000 contained in  
333 Attachment A to Ordinance 14185 are hereby adopted as amendments to the King  
334 County Comprehensive Plan in order to comply with the order of the Central Puget  
335 Sound Growth Management Hearings Board in *Green Valley et al, v. King County*,  
336 CPSGMHB Case No. 98-3-0008c, Final Decision and Order (1998) and the order of the

337 Washington Supreme Court in *King County v. Central Puget Sound Growth Management*  
338 *Hearings Board*, 142 Wn.2d 543, 14 P.3d 133 (2000).

339           Z. The amendments to the King County Comprehensive Plan 2000 contained in  
340 Attachment A to Ordinance 14241 (King County Comprehensive Plan 2001  
341 Amendments) are hereby adopted as amendments to the King County Comprehensive  
342 Plan.

343           AA. The amendment to the King County Comprehensive Plan 2000 contained in  
344 Attachment A to Ordinance 14286 is hereby adopted as an amendment to the King  
345 County Comprehensive Plan in order to comply with the Central Puget Sound Growth  
346 Management Hearings Board's Final Decision and Order in *Forster Woods Homeowners'*  
347 *Association and Friends and Neighbors of Forster Woods, et al. v. King County*, Case  
348 No. 01-3-0008c (Forster Woods), dated November 6, 2001.

349           BB. The amendments to the King County Comprehensive Plan 2000 contained in  
350 Attachment A to Ordinance 14448 (King County Comprehensive Plan 2002  
351 Amendments) are hereby adopted as amendments to the King County Comprehensive  
352 Plan.

353           CC. The amendments to the King County Comprehensive Plan 2000 contained in  
354 Attachment A to Ordinance 14775 (King County Comprehensive Plan 2003  
355 Amendments) are hereby adopted as amendments to the King County Comprehensive  
356 Plan.

357           DD. The amendments to the King County Comprehensive Plan 2000 contained in  
358 Attachments A, B, C, D and E to Ordinance 15028 (King County Comprehensive Plan  
359 2004) are hereby adopted as amendments to the King County Comprehensive Plan.

360 Attachment A, Part I, to Ordinance 15028 amends the policies, text and maps of the  
361 Comprehensive Plan. Attachment A, Part II, to Ordinance 15028 includes amendments  
362 to the King County Comprehensive Plan Land Use Map. The land use amendments  
363 contained in Attachment A, Part II, to Ordinance 15028 are adopted as the official land  
364 use designations for those portions of unincorporated King County defined in Attachment  
365 A, Part II, to Ordinance 15028. Attachment B to Ordinance 15028 contains Technical  
366 Appendix A (Capital Facilities), which replaces technical appendix A to the King County  
367 Comprehensive Plan. Attachment C to Ordinance 15028 contains Technical Appendix B  
368 (Housing), which replaces Technical Appendix B to the King County Comprehensive  
369 Plan. Attachment D to Ordinance 15028 contains Technical Appendix C  
370 (Transportation), which replaces Technical Appendix C to the King County  
371 Comprehensive Plan 2000. Attachment E to Ordinance 15028 contains Technical  
372 Appendix D (Growth Targets and the Urban Growth Area 2004).

373 EE. The 2004 transportation needs report contained in Attachment A to  
374 Ordinance 15077 is hereby adopted as an amendment to the 2004 King County  
375 Comprehensive Plan, technical appendix C.

376 FF. The amendments to the King County Comprehensive Plan 2004 contained in  
377 Attachment A to Ordinance 15244 (King County Comprehensive Plan 2005  
378 Amendments) are hereby adopted as amendments to the King County Comprehensive  
379 Plan.

380 GG. Attachment A to Ordinance 15326, which is the King County  
381 Comprehensive Plan Sammamish Agricultural Production District Subarea Plan dated  
382 November 7, 2005, is hereby adopted as an amendment to the 2004 King County

383 Comprehensive Plan, as amended, in order to comply with the Central Puget Sound  
384 Growth Management Hearings Board's Final Decision and Order in *Maxine Keesling v.*  
385 *King County*, Case No. 04-3-0024 (Keesling III), dated May 31, 2005.

386 HH. The amendments to the King County Comprehensive Plan 2004 contained in  
387 Attachments A, B, C and D to Ordinance 15607 are hereby adopted as amendments to the  
388 King County Comprehensive Plan. Attachment A to Ordinance 15607 (Amendment to  
389 the King County Comprehensive Plan 2004) amends the policies and maps of the King  
390 County Comprehensive Plan. Attachment B to Ordinance 15607 contains technical  
391 appendix O (Regional Trail Needs Report). Attachment C to Ordinance 15607 amends  
392 King County Comprehensive Plan, Technical Appendix C (Transportation), by replacing  
393 the transportation needs report. Attachment D to Ordinance 15607 amends King County  
394 Comprehensive Plan, Technical Appendix C (Transportation), by replacing the arterial  
395 functional classification map.

396 II. Attachment A to Ordinance 15772, which is the King County Comprehensive  
397 Plan Juanita Firs Subarea Plan, dated February 20, 2007, is hereby adopted as an  
398 amendment to the King County Comprehensive Plan as amended.

399 JJ. The amendments to the King County Comprehensive Plan 2004 contained in  
400 Attachments A, B, C, D, E and F to Ordinance 16263 are hereby adopted as amendments  
401 to the King County Comprehensive Plan. Attachment A to Ordinance 16263 amends the  
402 policies, text and maps of the Comprehensive Plan and amends King County  
403 Comprehensive Plan Land Use Zoning. The land use amendments contained in  
404 Attachment B to Ordinance 16263 contain((s)) Technical Appendix A (Capital  
405 Facilities), which replaces Technical Appendix A to the King County Comprehensive

406 Plan 2004. Attachment C to Ordinance 16263 contains Technical Appendix B (Housing),  
407 which replaces Technical Appendix B to the King County Comprehensive Plan 2004.  
408 Attachment D to Ordinance 16263 contains Technical Appendix C (Transportation),  
409 which replaces Technical Appendix C to the King County Comprehensive Plan 2004.  
410 Attachment E to Ordinance 16263 contains the transportation needs report, which  
411 replaces the transportation needs report in Technical Appendix C to the King County  
412 Comprehensive Plan 2004. Attachment F to Ordinance 16263 contains Technical  
413 Appendix D (Growth Targets and the Urban Growth Area 2008).

414       KK. The amendments to the 2008 King County Comprehensive Plan, contained  
415 in Attachments A, B and C to Ordinance 16949 are hereby adopted as amendments to the  
416 King County Comprehensive Plan. Attachment A to Ordinance 16949 is Technical and  
417 Editorial Corrections, dated March 1, 2010. Attachment B to Ordinance 16949 is the  
418 King County Issaquah Highlands Area Zoning Study, dated September 13, 2010.  
419 Attachments A and B to Ordinance 16949 amend policies, text and maps of the  
420 Comprehensive Plan and amend King County Comprehensive Plan Land Use Zoning.  
421 The land use amendments contained in Attachment B to Ordinance 16949 are adopted as  
422 the official land use designations for those portions of unincorporated King County  
423 defined in Attachment B to Ordinance 16949. Attachment C to Ordinance 16949 is the  
424 2010 update of the Transportation Needs Report and amends the 2008 King County  
425 Comprehensive Plan, Technical Appendix C.

426       LL. The amendments to the King County Comprehensive Plan 2008 contained in  
427 Attachment A to this ordinance are hereby adopted as amendments to the King County  
428 Comprehensive Plan. Attachment A to this ordinance amends the policies and goals of

429 the King County Shoreline Master Program, consistent with chapter 90.58 RCW and  
430 chapter 173-26 WAC, and adds a new chapter 5 to the King County Comprehensive Plan.

431 SECTION 3. Ordinance 3692, Section 2, and K.C.C. 20.12.200 are each hereby  
432 amended to read as follows:

433 The ~~((policies, objectives and goals of the shorelines management master~~  
434 ~~program, are adopted as an addendum to the Comprehensive Plan for King County. As~~  
435 ~~an addendum to the comprehensive plan, such policy statement)) King County shoreline~~  
436 master program consists of the following elements:

437 A. The King County shoreline management goals and policies in chapter 5 of the  
438 King County Comprehensive Plan. The shoreline management goals and policies  
439 constitute((s)) the official policy of King County regarding areas of the county subject to  
440 shoreline management jurisdiction under RCW chapter 90.58; and

441 B. The King County Code sections identified in section 4 of this ordinance.

442 NEW SECTION. SECTION 4. There is hereby added a new section to K.C.C.  
443 chapter 20.12 to read as follows:

444 The following King County Code sections in effect as of the effective date of this  
445 ordinance are adopted as land use and development regulations within the shoreline  
446 jurisdiction:

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

448 1. K.C.C. 20.18.040;

449 2. K.C.C. 20.18.050;

450 3. K.C.C. 25.32.130, as recodified by this ordinance;

451 4. K.C.C. 25.32.140, as recodified by this ordinance;

- 452           5. K.C.C. 25.32.150, as recodified by this ordinance; and
- 453           6. K.C.C. 25.32.180, as recodified by this ordinance.
- 454           B. The following sections within K.C.C. Title 21A:
- 455           1. K.C.C. 21A.06.358;
- 456           2. K.C.C. 25.08.090, as recodified by this ordinance;
- 457           3. K.C.C. 25.08.100, as recodified by this ordinance;
- 458           4. K.C.C. 25.08.175, as recodified by this ordinance;
- 459           5. K.C.C. 25.08.190, as recodified by this ordinance;
- 460           6. K.C.C. 25.08.210, as recodified by this ordinance;
- 461           7. K.C.C. 25.08.230, as recodified by this ordinance;
- 462           8. K.C.C. 25.08.250, as recodified by this ordinance;
- 463           9. K.C.C. 25.08.290, as recodified by this ordinance;
- 464           10. K.C.C. 25.08.090, as recodified by this ordinance
- 465           11. Section 81 of this ordinance;
- 466           12. Section 82 of this ordinance;
- 467           13. K.C.C. 25.08.370, as recodified by this ordinance;
- 468           14. K.C.C. 25.08.020, as recodified by this ordinance;
- 469           15. K.C.C. 25.08.400, as recodified by this ordinance;
- 470           16. Section 89 of this ordinance;
- 471           17. K.C.C. 25.08.460, as recodified by this ordinance;
- 472           18. Section 92 of this ordinance;
- 473           19. K.C.C. 25.08.480, as recodified by this ordinance;
- 474           20. K.C.C. 25.08.470, as recodified by this ordinance;

- 475           21. K.C.C. 25.08.490, as recodified by this ordinance;
- 476           22. K.C.C. 25.08.510, as recodified by this ordinance;
- 477           23. K.C.C. 25.08.570, as recodified by this ordinance;
- 478           24. K.C.C. 25.08.590, as recodified by this ordinance;
- 479           25. Section 105 of this ordinance;
- 480           26. Section 106 of this ordinance;
- 481           27. K.C.C. 25.08.600, as recodified by this ordinance;
- 482           28. K.C.C. 21A.24.045;
- 483           29. K.C.C. 21A.24.051;
- 484           30. K.C.C. 21A.24.055;
- 485           31. K.C.C. 21A.24.070A., D. and E.;
- 486           32. K.C.C. 21A.24.125;
- 487           33. K.C.C. 21A.24.130;
- 488           34. K.C.C. 21A.24.133;
- 489           35. K.C.C. 21A.24.200;
- 490           36. K.C.C. 21A.24.210;
- 491           37. K.C.C. 21A.24.220;
- 492           38. K.C.C. 21A.24.240;
- 493           39. K.C.C. 21A.24.250;
- 494           40. K.C.C. 21A.24.260;
- 495           41. K.C.C. 21A.24.275;
- 496           42. K.C.C. 21A.24.280;
- 497           43. K.C.C. 21A.24.290;

- 498           44. K.C.C. 21A.24.300;  
499           45. K.C.C. 21A.24.310;  
500           46. K.C.C. 21A.24.316;  
501           47. K.C.C. 21A.24.325;  
502           48. K.C.C. 21A.24.335;  
503           49. K.C.C. 21A.24.340;  
504           50. K.C.C. 21A.24.358;  
505           51. K.C.C. 21A.24.365;  
506           52. K.C.C. 21A.24.380;  
507           53. K.C.C. 21A.24.382;  
508           54. K.C.C. 21A.24.386;  
509           55. K.C.C. 21A.24.388;  
510           56. K.C.C. 21A.32.045;  
511           57. K.C.C. 21A.50.030;  
512           58. K.C.C. 21A.06.182;  
513           59. K.C.C. 21A.06.825; and  
514           60. K.C.C. chapter 21A.\_\_(the new chapter created by section 16 of this  
515 ordinance).

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

520            SECTION 5. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030  
521 are each hereby amended to read as follows:

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

528            1. Emergencies;

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

531            3. The initial adoption of a subarea plan, which may amend the urban growth  
532 area boundary only to redesignate land within a joint planning area; or

533            4. ~~((The adoption or amendment of a shoreline master program under chapter~~  
534 ~~90.58 RCW; or~~

535            5.)) An amendment of the capital facilities element of the Comprehensive Plan  
536 that occurs in conjunction with the adoption of the county budget.

537            B. Every year the Comprehensive Plan may be amended to address technical  
538 updates and corrections and to consider amendments that do not require substantive  
539 changes to policy language or changes to the urban growth area boundary, except as  
540 permitted in subsection B.5., 10. and 12. of this section. This review may be referred to  
541 as the annual cycle. The Comprehensive Plan, including subarea plans, may be amended  
542 in the annual cycle only to consider the following:

- 543 1. Technical amendments to policy, text, ~~((or))~~ maps or shoreline designations;
- 544 2. The annual capital improvement plan;
- 545 3. The transportation needs report;
- 546 4. School capital facility plans;
- 547 5. Changes required to implement an amendment to a joint  
548 interlocal/development agreement in existence on January 1, 2008, between King  
549 County, another local government and one or more private parties, only if the amendment  
550 to the joint interlocal/development agreement includes a provision to alter the urban  
551 growth area boundary to add areas to the urban growth area, requires that an area four  
552 times the area that is added to the urban growth area be permanently designated as park  
553 or open space and requires the transfer of development rights on terms as provided in the  
554 amendment;
- 555 6. Changes required by existing Comprehensive Plan policies;
- 556 7. Changes to the technical appendices and any amendments required thereby;
- 557 8. Comprehensive updates of subarea plans initiated by motion;
- 558 9. Changes required by amendments to the countywide planning policies or  
559 state law;
- 560 10. Redesignation proposals under the four-to-one program as provided for in  
561 this chapter;
- 562 11. Amendments necessary for the conservation of threatened and endangered  
563 species; and

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

567           C. Every fourth year beginning in 2000, the county shall complete a  
568 comprehensive review of the Comprehensive Plan in order to update it as appropriate and  
569 to ensure continued compliance with the GMA. This review may provide for a  
570 cumulative analysis of the twenty-year plan based upon official population growth  
571 forecasts, benchmarks and other relevant data in order to consider substantive changes to  
572 policy language and changes to the urban growth area (UGA). This comprehensive  
573 review shall begin one year in advance of the transmittal and may be referred to as the  
574 four-year cycle. The urban growth area boundaries shall be reviewed in the context of  
575 the four-year cycle and in accordance with countywide planning policy FW-1 and RCW  
576 36.70A.130. If the county determines that the purposes of the Comprehensive Plan are  
577 not being achieved as evidenced by official population growth forecasts, benchmarks,  
578 trends and other relevant data, substantive changes to the Comprehensive Plan may also  
579 be considered on even calendar years. This determination shall be authorized by motion.  
580 The motion shall specify the scope of the even-year amendment, and identify that the  
581 resources necessary to accomplish the work are available. An analysis of the motion's  
582 fiscal impact shall be provided to the council before to adoption. The executive shall  
583 determine if additional funds are necessary to complete the even-year amendment, and  
584 may transmit an ordinance requesting the appropriation of supplemental funds.

585           D. The executive shall seek public comment on the comprehensive plan and any  
586 proposed comprehensive plan amendments in accordance with the procedures in K.C.C.

587 20.18.160 before making a recommendation, in addition to conducting the public review  
588 and comment procedures required by SEPA. The public, including unincorporated area  
589 councils, shall be afforded at least one official opportunity to record public comment  
590 before to the transmittal of a recommendation by the executive to the council. County-  
591 sponsored councils and commissions may submit written position statements that shall be  
592 considered by the executive before transmittal and by the council before adoption, if they  
593 are received in a timely manner. The executive's recommendations for changes to  
594 policies, text((;)) and maps shall include the elements listed in comprehensive plan policy  
595 RP-307 and analysis of their financial costs and public benefits, any of which may be  
596 included in environmental review documents. Proposed amendments to the  
597 comprehensive plan shall be accompanied by any development regulations or  
598 amendments to development regulations, including area zoning, necessary to implement  
599 the proposed amendments.

600        SECTION 6. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040  
601 are each hereby amended to read as follows:

602        A. Site-specific land use map or shoreline master program map amendments may  
603 be considered annually or during the four year review cycle, depending on the degree of  
604 change proposed.

605        B. The following categories of site-specific land use map or shoreline master  
606 program map amendments may be initiated by either the county or a property owner for  
607 consideration in the annual review cycle:

608           1. Amendments that do not require substantive change to comprehensive plan  
609 policy language and that do not alter the urban growth area boundary, except to correct  
610 mapping errors; and

611           2. Four-to-one-proposals.

612           C. The following categories of site-specific land use map and shoreline master  
613 program map amendments may be initiated by either the county or a property owner for  
614 consideration in four-year review cycle:

615           1. ~~((a))~~ Amendments that could be considered in the annual review cycle;

616           2. ~~((a))~~ Amendments that require substantive change to comprehensive plan  
617 policy language; and

618           3. ~~((a))~~ Amendments to the urban growth area boundary.

619           SECTION 7. Ordinance 13147, Section 21, as amended, and K.C.C. 20.18.050  
620 are each hereby amended to read as follows:

621           A. Site-specific land use map and shoreline master program map amendments are  
622 legislative actions that may only be initiated by property owner application, by council  
623 motion~~((=))~~ or by executive proposal. All site-specific land use map and shoreline master  
624 program map amendments must be evaluated by the hearing examiner before adoption by  
625 the council in accordance with this chapter.

626           1. If initiated by council motion, the motion shall refer the proposed site-  
627 specific land use map or shoreline master program map amendment to the department of  
628 development and environmental services for preparation of a recommendation to the  
629 hearing examiner. The motion shall also identify the resources and the work program  
630 required to provide the same level of review accorded to applicant-generated

631 amendments. An analysis of the motion's fiscal impact shall be provided to the council  
632 before adoption. If the executive determines that additional funds are necessary to  
633 complete the work program, the executive may transmit an ordinance requesting the  
634 appropriation of supplemental funds((-));

635           2. If initiated by executive proposal, the proposal shall refer the proposed site-  
636 specific land use map or shoreline master program map amendment to the department of  
637 development and environmental services for preparation of a recommendation to the  
638 hearing examiner((-)); and

639           3. If initiated by property owner application, the property owner shall submit a  
640 docketed request for a site-specific land use map or shoreline master program map  
641 amendment. Upon receipt of a docketed request for a site-specific land use map or  
642 shoreline master program map amendment, the request shall be referred to the department  
643 of development and environmental services for preparation of a recommendation to the  
644 hearing examiner.

645           B. All proposed site-specific land use map or shoreline master program map  
646 amendments, whether initiated by property owner application, by council motion((-)) or  
647 by executive proposal shall include the following:

- 648           1. Name and address of the owner(((s))) or owners of record;
- 649           2. Description of the proposed amendment;
- 650           3. Property description, including parcel number, property street address and  
651 nearest cross street;
- 652           4. County assessor's map outlining the subject property; and
- 653           5. Related or previous permit activity.

654 C. Upon initiation of a site specific land use map or shoreline master program  
655 map amendment, an initial review conference will be scheduled by the department of  
656 development and environmental services. The owner or owners of record of the property  
657 shall be notified of and invited to attend the initial review conference. At the initial  
658 review conference, the department will review the proposed amendment's consistency  
659 with applicable county policies or regulatory enactments including specific reference to  
660 comprehensive plan policies, countywide planning policies and state Growth  
661 Management Act requirements. The proposed amendment will be classified ((~~pursuant~~  
662 ~~to~~) in accordance with K.C.C. 20.18.040 and this information either will be provided at  
663 the initial review conference or in writing to the owner or owners of record within thirty  
664 days after the initial review conference.

665 D. If a proposed site-specific land use map or shoreline master program map  
666 amendment is initiated by property owner application, the property owner shall,  
667 following the initial review conference, submit the completed application including an  
668 application fee and an environmental checklist to the department of development and  
669 environmental services to proceed with review of the proposed amendment.

670 E. If a proposed site-specific land use map or shoreline master program map  
671 amendment is initiated by council motion, following the initial review conference, the  
672 council shall submit an environmental checklist to the department of development and  
673 environmental services to proceed with review of the proposed amendment.

674 F. If a proposed site-specific land use map or shoreline master program map  
675 amendment is initiated by executive proposal, following the initial review conference, the

676 executive shall submit an environmental checklist to the department of development and  
677 environmental services to proceed with review of the proposed amendment.

678 G. Following the submittal of the information required by subsections D., E. or  
679 F., the department of development and environmental services shall submit a report  
680 including an executive recommendation on the proposed amendment to the hearing  
681 examiner within one hundred twenty days. The department of development and  
682 environmental services shall provide notice of a public hearing and notice of threshold  
683 determination (~~((pursuant to))~~ in accordance with K.C.C. 20.20.060 F., G. and H. The  
684 hearing will be conducted by the hearing examiner (~~((pursuant to))~~ in accordance with  
685 K.C.C. 20.24.400. Following the public hearing, the hearing examiner shall prepare a  
686 report and recommendation on the proposed amendment (~~((pursuant to))~~ in accordance  
687 with K.C.C. 20.24.400. A compilation of all completed reports will be considered by the  
688 council (~~((pursuant to))~~ in accordance with K.C.C. 20.18.070.

689 H. A property-owner-initiated for a site-specific land use map or shoreline master  
690 program map amendment may be accompanied by an application for a zone  
691 reclassification to implement the proposed amendment, in which case administrative  
692 review of the two applications shall be consolidated to the extent practical consistent with  
693 this ordinance and K.C.C. chapter 20.20. The council's consideration of a site-specific  
694 land use map or shoreline master program map amendment is a legislative decision which  
695 will be determined before and separate from their consideration of a zone reclassification  
696 which is a quasi-judicial decision. If a zone reclassification is not proposed in  
697 conjunction with an application for a site-specific land use map or shoreline master  
698 program map amendment and the amendment is adopted, the property shall be given

699 potential zoning. A zone reclassification (~~((pursuant to))~~) in accordance with K.C.C.  
700 20.20.020 will be required in order to implement the potential zoning.

701 I. Site-specific land use map or shoreline master program map amendments for  
702 which a completed recommendation by the hearing examiner has been submitted to the  
703 council by January 15 will be considered concurrently with the annual amendment to the  
704 comprehensive plan. Site specific land use map or shoreline master program map  
705 amendments for which a recommendation has not been issued by the hearing examiner  
706 by January 15 will be included in the next appropriate review cycle following issuance of  
707 the examiner's recommendation.

708 J.1. No amendment to a land use designation or shoreline environment  
709 designation for a property may be initiated unless at least three years have elapsed since  
710 council adoption or review of the current designation for the property. This time limit  
711 may be waived by the executive or the council if the proponent establishes that there  
712 exists either an obvious technical error or a change in circumstances justifying the need  
713 for the amendment.

714 ~~((1-))~~ 2. A waiver by the executive shall be considered after the proponent has  
715 submitted a docket request in accordance with K.C.C. 20.18.140. The executive shall  
716 render a waiver decision within forty-five days of receiving a docket request and shall  
717 mail a copy of this decision to the proponent.

718 ~~((2-))~~ 3. A waiver by the council shall be considered by motion.

719 K. A shoreline master program map amendment and redesignation must meet the  
720 requirements of K.C.C. 25.32.130, 25.32.140 and 25.32.150, as recodified by this  
721 ordinance, and the Washington state Shoreline Master Program Guidelines, chapter 173-

722 26 WAC. A shoreline master program map amendment and redesignation must be  
723 approved by the Washington state Department of Ecology.

724 SECTION 8. K.C.C. 25.32.130, as amended by this ordinance, is recodified as a  
725 new section in K.C.C. chapter 20.18.

726 SECTION 9. Ordinance 3688, Section 813, as amended, and K.C.C. 25.32.130  
727 are each hereby amended to read as follows:

728 A. Shoreline environments designated by the master program may be  
729 ~~((redesignated by the county council upon finding that such a redesignation will be~~  
730 ~~consistent with the standards in K.C.C. 25.32.180. A shorelines redesignation may be~~  
731 ~~initiated by an applicant or by motion of the council)) considered for redesignation during~~  
732 the four-year review cycle.

733 B. A redesignation ~~((initiated by an applicant shall be made on forms and~~  
734 ~~processed in a manner prescribed in K.C.C. 25.32.140. A redesignation initiated by the~~  
735 ~~council)) shall follow the process in K.C.C. ~~((25.32.150.~~~~

736 C. ~~The fee which shall accompany an application for a shoreline redesignation~~  
737 ~~shall be as adopted by ordinance.~~

738 D. ~~The departmental report and recommendation regarding an application or a~~  
739 ~~site specific redesignation initiated by council motion shall be forwarded to the hearing~~  
740 ~~examiner for consideration together with all relevant testimony at a public hearing to be~~  
741 ~~held consistent with the procedures for a zone reclassification as provided in K.C.C.~~  
742 ~~chapter 20.24)) 20.18.050.~~

743 SECTION 10. K.C.C. 25.32.140, as amended by this ordinance, is recodified as a  
744 new section in K.C.C. chapter 20.18.

745            SECTION 11. Ordinance 13687, Section 3, and K.C.C. 25.32.140 are each  
746 hereby amended to read as follows:

747            A. A shoreline redesignation initiated by an applicant(~~(, as described in K.C.C.~~  
748 ~~25.32.130B, must follow the procedures in K.C.C. chapters 20.20 and 20.24 for~~  
749 ~~shorelines redesignations and)) must include the following information in addition to the~~  
750 requirements in K.C.C. (~~(chapter 20.20))~~ 20.18.050:

- 751            1. Applicant information, including signature, telephone number and address;
- 752            2. The applicant's interest in the property, such as owner, buyer or consultant;
- 753            3. Property owner concurrence, including signature, telephone number and  
754 address;
- 755            4. (~~(A property description, including parcel number, property street address and~~  
756 ~~nearest cross street;~~
- 757            ~~5. A county assessor's map outlining the subject property;~~
- 758            ~~6. Related or previous permit activity;~~
- 759            ~~7. A description of the proposed shorelines redesignation;~~
- 760            8.)) A mitigation plan providing for significant enhancement of the first one  
761 hundred feet adjacent to the shoreline and improved habitat for species declared as  
762 endangered or threatened under the Endangered Species Act, to the extent that the  
763 impacts of development can be determined at the time of the proposed shoreline  
764 redesignation(~~(-)~~); and  
765            (~~(9-))~~ 5. A discussion of how the proposed shorelines redesignation meets the  
766 criteria in K.C.C. 25.32.180, as recodified by this ordinance.

767 B. The examiner shall make a recommendation to the council based on the  
768 criteria for review in K.C.C. 25.32.180, as recodified by this ordinance.

769 SECTION 12. K.C.C. 25.32.150, as amended by this ordinance, is recodified as a  
770 new section in K.C.C. chapter 20.18.

771 SECTION 13. Ordinance 13687, Section 4, and K.C.C. 25.32.150 are each  
772 hereby amended to read as follows:

773 A. A council motion initiating a shoreline((s)) redesignation(~~(, as described in~~  
774 ~~K.C.C. 25.32.130B))~~) must be accompanied by the ~~((following))~~ information required to  
775 be provided in K.C.C. 25.32.140, as recodified by this ordinance, in addition to the  
776 requirements in K.C.C. 20.18.050(~~(:~~

777 ~~1. A description of the shoreline reach and a property description, including~~  
778 ~~parcel numbers, property street addresses and nearest cross streets, for all properties that~~  
779 ~~the shoreline runs through or is adjacent to;~~

780 ~~2. A county assessor's map outlining the subject property or properties; and~~

781 ~~3. A description of the proposed shorelines redesignation)).~~

782 B. ~~((If the motion proposes site-specific redesignation, as "site" is defined in~~  
783 ~~K.C.C. Title 21A, the redesignation shall be referred to the hearing examiner for~~  
784 ~~consideration following the procedures of K.C.C. 25.32.140 for consideration of~~  
785 ~~redesignation application. Any other redesignation proposal initiated by motion shall be~~  
786 ~~referred to the executive for consideration as to whether the redesignation is appropriate~~  
787 ~~for review as part of the annual or four-year Comprehensive Plan update, or should~~  
788 ~~proceed independent of the annual or four year update process, such as through a subarea~~  
789 ~~planning process.~~

790           E.)) A motion initiating a site-specific shoreline redesignation must identify the  
791 resources and the work program required to provide the same level of review accorded to  
792 an applicant-generated shoreline((s)) redesignation. Before adoption of the motion, the  
793 executive shall have the opportunity to provide an analysis of the motion's fiscal impact.  
794 If the executive determines that additional funds are necessary to complete the work  
795 program, the executive may transmit an ordinance requesting the appropriation of  
796 supplemental funds. The council may consider the supplemental appropriation ordinance  
797 concurrently with the proposed motion referring the shoreline((s)) redesignation proposal  
798 to the examiner.

799           ~~((D. A site-specific redesignation initiated by motion shall follow the procedures  
800 in K.C.C. chapters 20.20 and 20.24 for shorelines redesignations with regard to the  
801 information to be provided and the notice and hearing processes, and shall meet the  
802 submittal requirements of K.C.C. 25.32.140.))~~ C. The examiner shall make a  
803 recommendation to the council on the proposed site-specific shoreline redesignation  
804 based on the criteria for review in K.C.C. 25.32.180, as recodified by this ordinance.

805           SECTION 14. K.C.C 25.32.180, as amended by this ordinance, is recodified as a  
806 new section in K.C.C. chapter 20.24.

807           SECTION 15. Ordinance 13687, Section 7, and K.C.C. 25.32.180 are each  
808 hereby amended to read as follows:

809           A shoreline((s)) redesignation referred to the hearing examiner for a public  
810 hearing shall be reviewed based upon the ~~((requirements of))~~ King County  
811 Comprehensive Plan ~~((policies NE-308 and I-202))~~, state and county shorelines  
812 management goals and objectives and the following additional standards:

813 A. The proposed change shall implement((s)) and support((s));

814 1. ~~((t))~~The goals of the ~~((e))~~Comprehensive ~~((p))~~Plan~~((r))~~;

815 2. ~~((t))~~The goals, policies and objectives of the state Shorelines Management  
816 Act ~~((and))~~;

817 3. ~~((t))~~The county's shoreline((s)) master program; and

818 4. ~~((t))~~The designation criteria of the proposed shoreline environment  
819 designation ~~((requested))~~;

820 B. The impacts of development allowed by the proposed change ~~((will))~~ shall not  
821 permanently impair any habitat critical to endangered or threatened species~~((r))~~;

822 C. The impacts of development allowed by the proposed change ~~((are))~~ shall  
823 adequately ~~((addressed))~~ address in a mitigation plan providing significant enhancement  
824 of the first one hundred feet adjacent to the stream and improved habitat for species  
825 declared as endangered or threatened under the Endangered Species Act, to the extent  
826 those impacts may be determinable at the time of the shorelines redesignation. A full  
827 mitigation plan shall accompany each application, as provided in K.C.C. 25.32.140, as  
828 recodified by this ordinance, and K.C.C. 25.32.150, as recodified by this ordinance; and

829 D. If greater intensity of development would be allowed as a result of the  
830 shoreline((s)) redesignation, the proposal shall utilize clustering or a multi-story design to  
831 pursue minimum densities while minimizing lot coverage adjacent to the shoreline((s))  
832 setback area.

833 SECTION 16. There is hereby established a new chapter in K.C.C. Title 21A.

834 This new chapter shall contain section 17 of this ordinance, K.C.C. 25.08.010, as

835 recodified by this ordinance, K.C.C. 25.04.040, as recodified by this ordinance, section

836 24 of this ordinance, K.C.C. 25.04.050, as recodified by this ordinance, K.C.C.  
837 25.12.030, as recodified by this ordinance, K.C.C. 25.12.020, as recodified by this  
838 ordinance, K.C.C. 25.12.050, as recodified by this ordinance, section 129 of this  
839 ordinance, section 30 of this ordinance, section 31 of this ordinance, section 32 of this  
840 ordinance, section 33 of this ordinance, K.C.C. 25.20.060, as recodified by this  
841 ordinance, section 36 of this ordinance, K.C.C. 25.16.200, as recodified by this  
842 ordinance, section 39 of this ordinance, K.C.C. 25.16.180, as recodified by this  
843 ordinance, K.C.C. 25.16.120, as recodified by this ordinance, K.C.C. 25.16.190, as  
844 recodified by this ordinance, section 131 of this ordinance, section 46 of this ordinance,  
845 section 47 of this ordinance, K.C.C. 25.16.150, as recodified by this ordinance, section 50  
846 of this ordinance, section 51 of this ordinance, K.C.C. 25.16.160, as recodified by this  
847 ordinance, K.C.C. 25.16.080, as recodified by this ordinance, section 56 of this  
848 ordinance, K.C.C. 25.32.010, as recodified by this ordinance, K.C.C. 25.32.020, as  
849 recodified by this ordinance, K.C.C. 25.32.060, as recodified by this ordinance, and  
850 K.C.C. 25.32.100, as recodified by this ordinance.

851 NEW SECTION. SECTION 17. The King County shoreline master program  
852 elements are established in K.C.C. 20.12.200.

853 SECTION 18. K.C.C. 25.08.010 is hereby recodified as a new section in the new  
854 chapter established in section 16 of this ordinance.

855 SECTION 19. Ordinance 3688, chapter 2 (part), as amended, and K.C.C.  
856 25.08.010 are each hereby amended to read as follows:

857 ~~((Unless otherwise defined in this chapter, t))~~The definitions ~~((contained))~~ in  
858 ~~((title 21A (the zoning code) RCW Chapter))~~ K.C.C. chapter 21A.06, chapter 90.58 RCW

859 and (~~WAC 173-14 shall~~) chapter 173-26 WAC apply within the shoreline jurisdiction.

860 The definitions in chapter 90.58 RCW and chapter 173-26 WAC apply if there is a

861 conflict with the definitions in K.C.C. chapter 21A.06. In addition, the following

862 definitions apply to this chapter unless the context clearly requires otherwise:

863 A. "Development" means any development as defined in chapter 90.58 RCW.

864 B. "Shoreline mixed use" means shoreline development that contains a water-

865 dependent use combined with a water related, water enjoyment or a non-water-oriented

866 use in a single building or on a single site in an integrated development proposal. Water

867 dependent uses must comprise a significant portion of the floor area or site area in a

868 shoreline mixed use development.

869 SECTION 20. K.C.C. 25.04.040 is hereby recodified as a new section in the new

870 chapter established in section 16 of this ordinance.

871 SECTION 21. Ordinance 3688, Section 104, and K.C.C. 25.04.040 are each

872 hereby amended to read as follows:

873 This (~~title~~) chapter is exempted from the rule of strict construction and shall be

874 liberally construed to give full effect to the objectives and purposes for which it was

875 enacted.

876 SECTION 22. K.C.C. 25.04.050 is hereby recodified as a new section in the new

877 chapter established in section 16 of this ordinance.

878 SECTION 23. Ordinance 3688, Section 105, as amended, and K.C.C. 25.04.050

879 are each hereby amended to read as follows:

880           ~~((A. When provisions of this chapter conflict with the sensitive areas code,~~  
881           ~~K.C.C. Chapter 21A.54, that which provides more protection to the sensitive area shall~~  
882           ~~apply.~~

883           ~~B. King County shall issue no permit prior to approval pursuant to this title and~~  
884           ~~shall take no action contrary to t))The goals, policies((, objectives)) and regulations of the~~  
885           ~~King County shoreline ((management)) master program ((when property under the~~  
886           ~~jurisdiction of the Shoreline Management Act is involved in a request for a decision in~~  
887           ~~any of the following programs:~~

- 888           ~~1. Building permit;~~
- 889           ~~2. Right of way construction permit;~~
- 890           ~~3. Short subdivision;~~
- 891           ~~4. Grading permit;~~
- 892           ~~5. Site plan approval;~~
- 893           ~~6. Access permit;~~
- 894           ~~7. Trail permit;~~
- 895           ~~8. State flood control zone permit;~~
- 896           ~~9. Zoning variance;~~
- 897           ~~10. Conditional use permit;~~
- 898           ~~11. Comprehensive plan amendment or addition;~~
- 899           ~~12. Zone reclassification;~~
- 900           ~~13. Special use permit;~~
- 901           ~~14. Urban planned development approval;~~
- 902           ~~15. Subdivision approval.~~

903           ~~16. Mobile home park permit;~~  
904           ~~17. Mobile home permit; and~~  
905           ~~18. Recreational vehicle park permit;~~  
906           ~~19. Commercial site development permit))~~ must be met before issuing any  
907 permits or approvals on land within the shoreline jurisdiction.

908           SECTION 24. K.C.C. 25.12.030, as amended by this ordinance, is hereby  
909 recodified as a new section in the new chapter established in section 16 of this ordinance.

910           SECTION 25. Ordinance 3688, Section 303, and K.C.C. 25.12.030 are each  
911 hereby amended to read as follows:

912           ~~((Each environment designation shall))~~ A. The King County shoreline  
913 jurisdiction consists of:

914           ~~((A. The entire water body from its centerline or point, including all water below~~  
915 ~~the surface;~~

916           ~~B. The associated wetlands, provided, in those cases where a floodplain or other~~  
917 ~~severe biophysical limitation to development does not cover the entire associated~~  
918 ~~wetland, one environment designation may be placed on the floodplain portion of the~~  
919 ~~wetland or the portion of the wetland with severe biophysical limitations and another on~~  
920 ~~the remaining portion of the wetland;~~

921           ~~C. In shoreline areas where severe biophysical constraints such as flood plains,~~  
922 ~~steep slopes, slide hazard areas and/or marshes, bogs or swamps do not cover the entire~~  
923 ~~associated wetland, proposed development in the remaining area may be permitted~~  
924 ~~consistent with the character of the surrounding land use, the physical capabilities of the~~  
925 ~~associated wetland and applicable county land use plans and policies))~~ 1. All water areas

926 of the state, as defined in RCW 90.58.030, including reservoirs and associated wetlands,  
927 together with the lands underlying them, except for:

928 a. lakes smaller than twenty acres and their associated wetlands; and

929 b. segments of rivers and streams and their associated wetlands where the  
930 mean annual flow is less than twenty cubic feet per second; and

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

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

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

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

942 C. The King County shoreline jurisdiction is shown on a map adopted in chapter  
943 5 of the King County Comprehensive Plan. If there is a discrepancy between the map  
944 and the criteria established in subsection A. of this section, the criteria shall constitute the  
945 official King County shoreline jurisdiction.

946 SECTION 26. K.C.C. 25.12.020, as amended by this ordinance, is hereby  
947 recodified as a new section in the new chapter established in section 16 of this ordinance.

948            SECTION 27. Ordinance 3688, Section 302, and K.C.C. 25.12.020 are each  
949 hereby amended to read as follows:

950            A. In order to accomplish the ~~((purpose of this title, environmental))~~ goals,  
951 policies and regulations of the King County shoreline master program, the following  
952 shoreline environment designations have been established ~~((to be known as follows))~~:

953            ~~((A.))~~ 1. ~~((Natural environment))~~ High Intensity shoreline;

954            ~~((B.))~~ 2. ~~((Conservancy environment))~~ Residential shoreline;

955            ~~((C.))~~ 3. Rural ~~((environment))~~ shoreline;

956            ~~((D.))~~ 4. ~~((Urban environment))~~ Conservancy shoreline;

957            5. Resource shoreline;

958            6. Forestry shoreline;

959            7. Natural shoreline; and

960            8. Aquatic.

961            B. The shoreline environment designations are included on a map in chapter 5 of  
962 the King County Comprehensive Plan. If there is a discrepancy between the map and the  
963 criteria established in chapter 5 of the King County Comprehensive Plan for shoreline  
964 environment designations, the criteria shall constitute the official King County shoreline  
965 environment designation. Any parcel of land included within the shoreline jurisdiction  
966 without a shoreline environment designation shall be considered within the Conservancy  
967 environment.

968            C. The purpose of each shoreline environment designation is defined as follows:

969            1. The purpose of the High Intensity shoreline is to provide for high intensity  
970 water-oriented commercial and industrial uses;

971           2. The purpose of the Residential shoreline is to accommodate residential and  
972 commercial uses on a scale appropriate with urban residential zones;

973           3. The purpose of the Rural shoreline is to accommodate land uses normally  
974 associated with rural area levels of development while providing appropriate public  
975 access and recreational uses to the maximum extent practicable;

976           4. The purpose of the Conservancy shoreline is to conserve areas that are a high  
977 priority for restoration, include valuable historic properties or provide recreational  
978 opportunities;

979           5. The purpose of the Resource shoreline is to allow for mining and agricultural  
980 uses on lands that are designated under the Growth Management Act as agricultural land  
981 of long term commercial significance or mineral resource lands;

982           6. The purpose of the Forestry shoreline is to allow for forestry uses;

983           7. The purpose of the Natural shoreline is to protect those shoreline areas that  
984 are relatively free of human influence or have high ecological quality. This designation  
985 allows only very low intensity uses in order to maintain the existing high levels of  
986 ecological process and function; and

987           8. The Aquatic environment is to protect, restore and manage the unique  
988 characteristics and resources of the areas waterward of the ordinary high water mark.

989           SECTION 28. K.C.C. 25.12.050, as amended by this ordinance, is hereby  
990 recodified as a new section in the new chapter established in section 16 of this ordinance.

991           SECTION 29. Ordinance 3688, Section 305, and K.C.C. 25.12.050 are each  
992 hereby amended to read as follows:

993 A. ~~((Boundaries indicated as following streets, highways, roads and bridges shall~~  
994 ~~be deemed to follow the centerline of such facilities unless otherwise specified.~~

995 B. ~~Boundaries indicated as following railroad lines and transmission lines shall~~  
996 ~~be deemed to follow the centerline of such rights of way or easements unless otherwise~~  
997 ~~specified.~~

998 C.) Where different ~~((environmental))~~ environment designations have been  
999 given to a tributary and the main stream at the point of confluence, the ~~((environmental))~~  
1000 environment designation given to the main stream shall extend for a distance of two  
1001 hundred feet up the tributary.

1002 ~~((D.))~~ B. In case of uncertainty as to a wetland or environment boundary, the  
1003 director shall determine its exact location ~~((pursuant to the criteria of WAC 173-22-055~~  
1004 ~~and))~~ in accordance with RCW 90.58.030 and ~~((the provisions of))~~ this chapter.

1005 NEW SECTION. SECTION 30. A. Shoreline use is an activity that is allowed  
1006 within a specific shoreline environment. Shoreline uses are identified in section 31 of  
1007 this ordinance.

1008 B. Shoreline modification is construction of a physical element such as a  
1009 bulkhead, groin, berm, jetty, breakwater, dredging, filling, vegetation removal or  
1010 alteration or application of chemicals that changes the natural or existing shoreline  
1011 conditions. Shoreline modifications are identified in section 39 of this ordinance.

1012 C. King County shall ensure that uses and modifications within the shoreline  
1013 jurisdiction do not cause a net loss of shoreline ecological functions and comply with the  
1014 sequencing requirements under section 129 of this ordinance.

1015            NEW SECTION. SECTION 31. A. The shoreline use table in this section  
1016 determines whether a specific use is allowed within each of the shoreline environments.  
1017 The shoreline environment is located on the vertical column and the specific use is  
1018 located on the horizontal row of the table. The specific uses are grouped by the shoreline  
1019 use categories in WAC 173-26-241. The specific uses are defined by those uses in  
1020 K.C.C. chapter 21A.08. The table should be interpreted as follows:

1021            1. If the cell is blank in the box at the intersection of the column and the row,  
1022 the use is prohibited in that shoreline environment;

1023            2. If the letter "P" appears in the box at the intersection of the column and the  
1024 row, the use may be allowed within the shoreline environment;

1025            3. If the letter "C" appears in the box at the intersection of the column and the  
1026 row, the use may be allowed within the shoreline environment subject to the shoreline  
1027 conditional use review procedures specified in K.C.C. 25.32.050, as recodified by this  
1028 ordinance.

1029            4. If a number appears in the box at the intersection of the column and the row,  
1030 the use may be allowed subject to the appropriate review process in this section, the  
1031 general requirements of this chapter and the specific development conditions indicated  
1032 with the corresponding number in subsection C. of this section. If more than one number  
1033 appears after a letter, all numbers apply.

1034            5. If more than one letter-number combination appears in the box at the  
1035 intersection of the column and the row, the use is allowed in accordance with each letter-  
1036 number combination.

1037           6. A shoreline use may be allowed in the aquatic environment only if that  
 1038 shoreline use is allowed in the adjacent shoreland environment.

1039           7. This section does not authorize a land use that is not allowed by the  
 1040 underlying zoning, but may add additional restrictions or conditions or prohibit specific  
 1041 land uses within the shoreline jurisdiction. When there is a conflict between the  
 1042 permitted land uses in K.C.C. chapter 21A.08 and shoreline uses in this section,  
 1043 preference for shoreline uses shall first be given to water-dependent uses, then to water  
 1044 related uses and finally to water enjoyment uses. All uses in the shoreline jurisdiction  
 1045 must comply with all relevant county code provisions and with the King County  
 1046 Shoreline Master Program.

1047           **B. Shoreline uses**

<b>KEY P</b> - Permitted Use. <b>C</b> - Shoreline Conditional Use.	H	I	RE	RU	CO	RE	FO	NA	AQ
	I	N	SI	RA	NS	SO	RE	TU	UA
<b>Blank</b> - Prohibited. Shoreline uses are allowed only if the underlying zoning allows the use. Shoreline uses are allowed in the aquatic environment only if the adjacent upland environment allows the use	G	T	DE	L	ER	UR	ST	RA	TI
	H	E	NT		V	A	C	E	R
	N	I	A		N	C			
	S	L			Y				
	I								
	T								
	Y								
<b>Agriculture</b>									

Agriculture (K.C.C. 21A.08.090)		P	P	P	P	P	P1	
<b>Aquaculture</b>								
Aquaculture (fish and wildlife management, K.C.C. 21A.08.090)	P2	P2	P2	P2	P2	P2	P2	P2
<b>Boating Facilities</b>								
Marinas (K.C.C. 21A.08.040)	C3	C3	C3					C3
<b>Commercial Development</b>								
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						
<b>Government Services</b>								
Government services except commuter parking lot, utility facility and private stormwater management	P9	P9	P9	P9	P9	P9	P9	C10

facility (K.C.C. 21A.08.060)								
<b>Forest Practices</b>								
Forestry (K.C.C. 21A.08.090)		P11	P11	P11	P11	P11	C11	
<b>Industry</b>								
Manufacturing (K.C.C. 21A.08.080)	P12							
<b>In-stream structural uses</b>								
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	P14	P14	P14	P14	P14	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.								C16

21A.08.090)								
<b>Mining</b>								
Mineral uses (K.C.C. 21A.08.090)					C17	C17		C17
<b>Recreational Development</b>								
Recreational/cultural except for marinas and docks and piers (K.C.C. 21A.08.040)	P18	P19	P19	P20		P19	P21	C
<b>Residential Development</b>								
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

<b>Transportation and parking</b>								
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)								
<b>Utilities</b>								
Utility facility (K.C.C. 21A.08.060)	P26	P26	P26	P26	P26	P26	P26	C26
<b>Regional land uses</b>								
Regional uses except hydroelectric generation facility, wastewater treatment facility and municipal water production (K.C.C. 21A.08.100)	P30							

1048 C. Development conditions:

1049 1. Only low intensity agriculture is allowed in the Natural environment.

1050 2.a. The supporting infrastructure for aquaculture may be located landward of

1051 the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

1052           b. The aquaculture operation must meet the standards in section 32 of this  
1053 ordinance.

1054           c. In aquatic areas adjacent to the residential shoreline environment, net pen  
1055 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
1056 high water mark of this environment, unless the department allows a specific lesser  
1057 distance that it determines is appropriate based upon a visual impact analysis. Other  
1058 types of floating culture facilities may be located within one thousand five hundred feet  
1059 of the ordinary high water mark if supported by a visual impact analysis.

1060           d. In aquatic areas adjacent to the rural shoreline environment, net pen  
1061 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
1062 high water mark of this environment, unless the department allows a specific lesser  
1063 distance that it determines is appropriate based upon a visual impact analysis.

1064           e. In the natural shoreline environment and aquatic areas adjacent to the natural  
1065 shoreline environment, limited to aquaculture activities that do not require structures,  
1066 facilities or mechanized harvest practices and that will not alter the natural character of  
1067 the site or alter natural systems or features.

1068           3.a. New marinas are not allowed along the east shore of Maury Island, from  
1069 Piner Point to Point Robinson.

1070           b. Marinas must meet the standards in section 33 of this ordinance.

1071           4. Water dependent general services land uses in K.C.C. 21A.08.050 are  
1072 allowed. Non-water dependent general services land uses in K.C.C. 21A.08.050 are only  
1073 allowed on sites that are not contiguous with the ordinary high water mark or on sites that  
1074 do not have an easement that provides direct access to the water.

1075           5.a. Water-dependent general services land uses in K.C.C. 21A.08.050 are  
1076 allowed.

1077           b. Non-water-dependent general services land uses in K.C.C. 21A.08.050 are  
1078 only allowed as part of a shoreline mixed-use development that includes water-dependent  
1079 uses.

1080           c. Non-water-oriented general services land uses must provide a significant  
1081 public benefit by helping to achieve one or more of the following shoreline master  
1082 program goals:

1083           i. economic development for uses that are water-dependent;

1084           ii. public access;

1085           iii. water-oriented recreation;

1086           iv. multimodal transportation circulation;

1087           v. conservation of critical areas, scenic vistas, aesthetics or fish and wildlife  
1088 habitat; or

1089           vi. preservation of historic properties.

1090           6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed.

1091 Water-related business services uses are only allowed as part of a shoreline mixed-use  
1092 development and only if they support a water-dependent use. The water-related business  
1093 services uses must comprise less than one-half of the square footage of the structures or  
1094 the portion of the site within the shoreline jurisdiction.

1095           7.a. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

1096           b. Non-water-dependent retail uses in K.C.C. 21A.08.050 are only allowed as  
1097 part of a shoreline mixed-use development if the non-water-dependent retail use supports

1098 a water-dependent use. Non-water-dependent uses must comprise less than one-half of  
1099 the square footage of the structures or the portion of the site within the shoreline  
1100 jurisdiction.

1101 c. Non-water-oriented retail uses must provide a significant public benefit by  
1102 helping to achieve one or more of the following shoreline master program goals:

1103 i. economic development for uses that are water-dependent;

1104 ii. public access;

1105 iii. water-oriented recreation;

1106 iv. multimodal transportation circulation;

1107 v. conservation of critical areas, scenic vistas, aesthetics or fish and wildlife  
1108 habitat; and

1109 vi. preservation of historic properties.

1110 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. Non-water-  
1111 dependent retail uses in K.C.C. 21A.08.050 are only allowed if the retail use provides a  
1112 significant public benefit by helping to achieve one or more of the following shoreline  
1113 master program goals:

1114 a. economic development for uses that are water-dependent;

1115 b. public access;

1116 c. water-oriented recreation;

1117 d. multimodal transportation circulation;

1118 e. conservation of critical areas, scenic vistas, aesthetics or fish and wildlife  
1119 habitat; and

1120 f. preservation of historic properties.

1121 9.a. Water-dependent government services in K.C.C. 21A.08.060 are allowed.

1122 b. Non-water-dependent government services in K.C.C. 21A.08.060 are only  
1123 allowed as part of a shoreline mixed-use development if the non-water-dependent  
1124 government use supports a water-dependent use. Non-water-dependent uses must  
1125 comprise less than one-half of the square footage of the structures or the portion of the  
1126 site within the shoreline jurisdiction. Only low-intensity water-dependent government  
1127 services are allowed in the Natural environment.

1128 10. The following standards apply to government services uses within the  
1129 Aquatic environment:

1130 a. Stormwater and sewage outfalls are allowed if upland treatment and  
1131 infiltration to groundwater, streams or wetlands is not feasible and there is no impact on  
1132 critical saltwater habitats, salmon migratory habitat and the nearshore zone. However,  
1133 stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve,  
1134 except from Piner Point to Point Robinson;

1135 b. Water intakes shall not be located near fish spawning, migratory or rearing  
1136 areas. Water intakes must adhere to Washington state Department of Fish and Wildlife  
1137 fish screening criteria. To the maximum extent practical, intakes should be placed at  
1138 least thirty feet below the ordinary high water mark;

1139 c. Desalinization facilities shall not be located near fish spawning, migratory or  
1140 rearing areas. Intakes should generally be placed deeper than thirty feet below the  
1141 ordinary high water mark and must adhere to Washington state Department Fish and  
1142 Wildlife fish screening criteria. Discharge of desalination wastewater or concentrated  
1143 mineral is not allowed in the Maury Island Aquatic Reserve, except that outside the Inner

1144 and Outer Harbormaster Harbor, discharge may be considered if there is no impact on  
1145 critical saltwater habitats, salmon migratory habitat and the nearshore zone;

1146 d. Cable crossings for telecommunications and power lines shall:

1147 (1) be routed around or drilled below aquatic critical habitat or species;

1148 (2) be installed in sites free of vegetation, as determined by physical or video  
1149 seabed survey;

1150 (3) be buried, preferably using directional drilling, from the uplands to  
1151 waterward of the deepest documented occurrence of native aquatic vegetation; and

1152 (4) use the best available technology;

1153 e. Oil, gas, water and other pipelines shall meet the same standards as cable  
1154 crossings and in addition:

1155 (1) pipelines must be directionally drilled to depths of seventy feet or one half  
1156 mile from the ordinary high water mark; and

1157 (2) use the best available technology for operation and maintenance;

1158 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or  
1159 within the Aquatic environment adjacent to the Conservancy and Natural shorelines.

1160 11. Only low intensity forestry is allowed in the Natural environment and all  
1161 forestry must meet the standards in K.C.C. 25.20.060, as recodified by this ordinance.

1162 12. Manufacturing uses in the shoreline environment must give preference first  
1163 to water-dependent manufacturing uses and second to water-related manufacturing uses:

1164 a. Non-water-oriented manufacturing uses are allowed only:

1165 (1) as part of a shoreline mixed-use development that includes a water-  
1166 dependent use, but only if the water-dependent use comprises over fifty percent of the  
1167 floor area or portion of the site within the shoreline jurisdiction;

1168 (2) on sites where navigability is severely limited; or

1169 (3) on sites that are not contiguous with the ordinary high water mark or on  
1170 sites that do not have an easement that provides direct access to the water; and

1171 (4) all non-water-oriented manufacturing uses must also provide a significant  
1172 public benefit, such as ecological restoration, environmental clean-up, historic  
1173 preservation or water-dependent public education;

1174 b. public access is required for all manufacturing uses unless it would result in  
1175 a public safety risk or is incompatible with the use;

1176 c. shall be located, designed and constructed in a manner that ensures that there  
1177 are no significant adverse impacts to other shoreline resources and values.

1178 d. restoration is required for all new manufacturing uses;

1179 e. boat repair facilities are not permitted within the Maury Island Aquatic

1180 Reserve, except as follows:

1181 (1) engine repair or maintenance conducted within the engine space without  
1182 vessel haul-out;

1183 (2) topside cleaning, detailing and bright work;

1184 (3) electronics servicing and maintenance;

1185 (4) marine sanitation device servicing and maintenance that does not require  
1186 haul-out;

1187 (5) vessel rigging; and

1188           (6) minor repairs or modifications to the vessel's superstructure and hull  
1189 above the waterline that do not exceed twenty-five percent of the vessel's surface area  
1190 above the waterline.

1191           13. The water-dependent in-stream portion of a hydroelectric generation facility,  
1192 wastewater treatment facility and municipal water production are allowed, including the  
1193 upland supporting infrastructure, and shall provide for the protection and preservation, of  
1194 ecosystem-wide processes, ecological functions, and cultural resources, including, but not  
1195 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,  
1196 hydrogeological processes, and natural scenic vistas.

1197           14. New in-stream portions of utility facilities may be located within the  
1198 shoreline jurisdiction if:

1199           a. there is no feasible alternate location;

1200           b. provision is made to protect and preserve ecosystem-wide processes,  
1201 ecological functions, and cultural resources, including, but not limited to, fish and fish  
1202 passage, wildlife and water resources, shoreline critical areas, hydrogeological processes,  
1203 and natural scenic vistas; and

1204           c. the use complies with the standards in K.C.C. 25.16.160, as recodified by  
1205 this ordinance.

1206           15. Limited to in-stream infrastructure, such as bridges, and must consider the  
1207 priorities of the King County Shoreline Protection and Restoration Plan when designing  
1208 in-stream transportation facilities. In-stream structures shall provide for the protection  
1209 and preservation, of ecosystem-wide processes, ecological functions, and cultural

1210 resources, including, but not limited to, fish and fish passage, wildlife and water  
1211 resources, shoreline critical areas, hydrogeological processes, and natural scenic vistas.  
1212           16. Limited to hatchery and fish preserves.  
1213           17. Mineral uses:  
1214           a. must meet the standards in K.C.C. Chapter 21A.22;  
1215           b. must be dependent upon a shoreline location;  
1216           c. must avoid and mitigate adverse impacts to the shoreline environment  
1217 during the course of mining and reclamation to achieve no net loss of shoreline ecological  
1218 function. In determining whether there will be no net loss of shoreline ecological  
1219 function, the evaluation may be based on the final reclamation required for the site.  
1220 Preference shall be given to mining proposals that result in the creation, restoration, or  
1221 enhancement of habitat for priority species;  
1222           d. must provide for reclamation of disturbed shoreline areas to achieve  
1223 appropriate ecological functions consistent with the setting;  
1224           e. may be allowed within the active channel of a river only as follows:  
1225           i. removal of specified quantities of sand and gravel or other materials at  
1226 specific locations will not adversely affect the natural processes of gravel transportation  
1227 for the river system as a whole;  
1228           ii. the mining and any associated permitted activities will not have significant  
1229 adverse impacts to habitat for priority species nor cause a net loss of ecological functions  
1230 of the shoreline; and  
1231           iii. if no review has been previously conducted under this subsection C.17.e.,  
1232 prior to renewing, extending or reauthorizing gravel bar and other in-channel mining

1233 operations in locations where they have previously been conducted, the department shall  
1234 require compliance with this subsection C.17.e. If there has been prior review, the  
1235 department shall review previous determinations comparable to the requirements of this  
1236 section C.17.e. to ensure compliance with this subsection under current site conditions;  
1237 and

1238 f. Must comply with K.C.C. 25.16.190, as recodified by this ordinance.

1239 18. Only water-dependent recreational uses are allowed, except for public parks  
1240 and trails, in the High Intensity environment and must meet the standards in section 36 of  
1241 this ordinance for public access and K.C.C. 25.16.200, as recodified by this ordinance,  
1242 for recreation.

1243 19. Water-dependent and water-enjoyment recreational uses are allowed in the  
1244 Residential, Rural and Forestry environments and must meet the standards in section 36  
1245 of this ordinance for public access and K.C.C. 25.16.200, as recodified by this ordinance,  
1246 for recreation.

1247 20. In the Conservancy environment, only the following recreation uses are  
1248 allowed and must meet the standards in section 36 of this ordinance for public access and  
1249 K.C.C. 25.16.200, as recodified by this ordinance, for recreation:

1250 a. parks; and

1251 b. trails.

1252 21. In the Natural environment, only passive and low-impact recreational uses  
1253 are allowed.

1254 22. Single detached dwelling units must be located outside of the aquatic area  
1255 buffer and set back from the ordinary high water mark to the maximum extent practical.

1256           23. Only allowed as part of a water-dependent shoreline mixed-use development  
1257 where water-dependent uses comprise more than half of the square footage of the  
1258 structures on the portion of the site within the shoreline jurisdiction.

1259           24. Residential accessory uses must meet the following standards:

1260           a. docks, piers, moorage, buoys, floats or launching facilities must meet the  
1261 standards in K.C.C. 25.16.120, as recodified by this ordinance;

1262           b. residential accessory structures located within the aquatic area buffer shall  
1263 be limited to a total footprint of one-hundred fifty square feet; and

1264           c. accessory structures shall be sited to preserve visual access to the shoreline  
1265 to the maximum extent practical.

1266           25. New highway and street construction is allowed only if there is no feasible  
1267 alternate location. Only low-intensity transportation infrastructure is allowed in the  
1268 Natural environment.

1269           26. Utility facilities are subject to the standards in K.C.C. 25.16.160, as  
1270 recodified by this ordinance.

1271           27. Only bed and breakfast guesthouses.

1272           28. Only in a marina.

1273           29. Transportation facilities are subject to the standards in section 56 of this  
1274 ordinance.

1275           30. Only solid waste transfer stations and subject to K.C.C. 25.16.160, as  
1276 recodified by this ordinance.

1277            NEW SECTION. SECTION 32. An applicant for an aquaculture facility must  
1278 use the sequential measures in section 129 of this ordinance. The following standards  
1279 apply to aquaculture:

1280            A. Unless the applicant demonstrates that the substrate modification will result in  
1281 an increase in habitat diversity, aquaculture that involves little or no substrate  
1282 modification shall be given preference over aquaculture that involves substantial  
1283 substrate modification and the degree of proposed substrate modification shall be limited  
1284 to the maximum extent practical.

1285            B. The installation of submerged structures, intertidal structures and floating  
1286 structures shall be limited to the maximum extent practical.

1287            C. Aquaculture proposals that involve substantial substrate modification or  
1288 sedimentation through dredging, trenching, digging, mechanical clam harvesting or other  
1289 similar mechanisms, shall not be permitted in areas where the proposal would adversely  
1290 impact critical saltwater habitats.

1291            D. Aquaculture activities that after implementation of mitigation measures would  
1292 have a significant adverse impact on natural, dynamic shoreline processes or that would  
1293 result in a net loss of shoreline ecological functions shall be prohibited.

1294            E. Aquaculture should not be located in areas that will result in significant  
1295 conflicts with navigation or other water-dependent uses.

1296            F. Aquaculture facilities shall be designed, located and managed to prevent the  
1297 spread of diseases to native aquatic life or the spread of new nonnative species.

1298            G. Aquaculture practices shall be designed to minimize use of artificial chemical  
1299 substances and shall use chemical compounds that are least persistent and have the least

