

1 ..title

2 AN ORDINANCE relating to adopting the shoreline master  
3 program, amending Ordinance 263, Article 2, Section 1, as  
4 amended, and K.C.C. 20.12.010, Ordinance 3692, Section 2, and  
5 K.C.C. 20.12.200, Ordinance 13147, Section 19, as amended, and  
6 K.C.C. 20.18.030, Ordinance 13147, Section 20, as amended, and  
7 K.C.C. 20.18.040, Ordinance 13147, Section 21, as amended, and  
8 K.C.C. 20.18.050, Ordinance 3688, Section 813, and K.C.C.  
9 25.32.130, Ordinance 13687, Section 3, and K.C.C. 25.32.140,  
10 Ordinance 13687, Section 4, and K.C.C. 25.32.150, Ordinance  
11 13687, Section 7, and K.C.C. 25.32.180, Ordinance 3688 Ch. 2  
12 (part), as amended, and K.C.C. 25.08.010, Ordinance 3688,  
13 Section 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 amended,  
15 and K.C.C. 25.04.050, Ordinance 3688, Section 303, and K.C.C.  
16 25.12.030, Ordinance 3688, Section 302, and K.C.C. 25.12.020,  
17 Ordinance 3688, Section 305, and K.C.C. 25.12.050, Ordinance  
18 3688, Section 506, as amended, and K.C.C. 25.20.060, Ordinance  
19 3688, Section 415, and K.C.C. 25.16.200, Ordinance 3688, Section  
20 413, as amended, and K.C.C. 25.16.180, Ordinance 3688, Section  
21 409(4), as amended, and K.C.C. 25.16.120, Ordinance 3688,  
22 Section 414, as amended, and K.C.C. 25.16.190, Ordinance 3688,  
23 Section 410, as amended, and K.C.C. 25.16.150, Ordinance 3688,

24 Section 411, and K.C.C. 25.16.160, Ordinance 3688, Section 408,  
25 and K.C.C. 25.16.080, Ordinance 3688, Section 801, and K.C.C.  
26 25.32.010, Ordinance 3688, Section 802, and K.C.C. 25.32.020,  
27 Ordinance 3688 Section 806, and K.C.C. 25.32.060, Ordinance  
28 3688, Section 810, and K.C.C. 25.32.100, Ordinance 3688, Section  
29 208, and K.C.C. 25.08.090, Ordinance 3688, Section 209, and  
30 K.C.C. 25.08.100, Ordinance 5734, Section 1, and K.C.C.  
31 25.08.175, Ordinance 3688, Section 218, and K.C.C. 25.08.190,  
32 Ordinance 3688, Section 220, and K.C.C. 25.08.210, Ordinance  
33 3688, Section 222, and K.C.C. 25.08.230, Ordinance 3688, Section  
34 224, and K.C.C. 25.08.250, Ordinance 3688, Section 228, and  
35 K.C.C. 25.08.290, Ordinance 3688, Section 234, and K.C.C.  
36 25.08.370, Ordinance 3688, Section 201, and K.C.C. 25.08.020,  
37 Ordinance 3688, Section 237, and K.C.C. 25.08.400, Ordinance  
38 3688, Section 247, and K.C.C. 25.08.460, Ordinance 3688, Section  
39 251, and K.C.C. 25.08.480, Ordinance 3688, Section 248, and  
40 K.C.C. 25.08.470, Ordinance 3688, Section 246, and K.C.C.  
41 25.08.490, Ordinance 3688, Section 249, and K.C.C. 25.08.510,  
42 Ordinance 3688, Section 255, and K.C.C. 25.08.570, Ordinance  
43 3688, Section 257, and K.C.C. 25.08.590, Ordinance 3688, Section  
44 258, and K.C.C. 25.08.600, Ordinance 13130, Section 3, and  
45 K.C.C. 21A.32.045, Ordinance 3688, Section 804, as amended,  
46 and K.C.C. 25.32.040, Ordinance 3688, Section 805, and K.C.C.

47 25.32.050, Ordinance 10870, Section 631, and K.C.C. 21A.50.030,  
48 Ordinance 11622, Section 1, and K.C.C. 7.02.010, Ordinance  
49 11622, Section 1, and K.C.C. 23.02.020, Ordinance 15051, Section  
50 137, and K.C.C. 21A.24.045, Ordinance 15051, Section 139, and  
51 K.C.C. 21A.24.055 and Ordinance 10870, Section 454, as  
52 amended, and K.C.C. 21A.24.070, creating a new chapter in  
53 K.C.C. Title 21A, adding new sections to K.C.C. Title 21A and ,  
54 and repealing Ordinance 3688, Section 102, and K.C.C. 25.04.020,  
55 Ordinance 11622, Section 1, and K.C.C. 25.04.025, Ordinance  
56 11622, Section 1, and K.C.C. 7.02.010, Ordinance 11622, Section  
57 1, and K.C.C. 23.02.020, Ordinance 3688, Section 106, and K.C.C.  
58 25.04.060, Ordinance 12196, Section 58, as amended, and K.C.C.  
59 25.08.015, Ordinance 3699, Section 203, and K.C.C. 25.08.040,  
60 Ordinance 3688, Section 204, and K.C.C. 25.08.050, Ordinance  
61 3688, Section 205, and K.C.C. 25.08.060, Ordinance 3688, Section  
62 206, and K.C.C. 25.08.070, Ordinance 3688, Section 207, and  
63 K.C.C. 25.08.080, Ordinance 3688, Section 210, and K.C.C.  
64 25.08.110, Ordinance 3688, Section 211, and K.C.C. 25.08.120,  
65 Ordinance 3688, Section 212, and K.C.C. 25.08.130, Ordinance  
66 3688, Section 213, and K.C.C. 25.08.140, Ordinance 13687,  
67 Section 1, as amended, and K.C.C. 25.08.150, Ordinance 3688,  
68 Section 216, and K.C.C. 25.08.170, Ordinance 3688, Section 217,  
69 and K.C.C. 25.08.180, Ordinance 5734, Section 1, and K.C.C.

70 25.08.185, Ordinance 3688, Section 221, and K.C.C. 25.08.220,  
71 Ordinance 3688, Section 223, and K.C.C. 25.08.240, Ordinance  
72 3688, Section 225, and K.C.C. 25.08.260, Ordinance 3688, Section  
73 227, and K.C.C. 25.08.280, Ordinance 5734, Section 1, and K.C.C.  
74 25.08.285, Ordinance 4222, Section 2, and K.C.C. 25.08.300,  
75 Ordinance 3688, Section 229, and K.C.C. 25.08.310, Ordinance  
76 3688, Section 230, and K.C.C. 25.08.320, Ordinance 3688, Section  
77 231, and K.C.C. 25.08.330, Ordinance 3688, Section 232, and  
78 K.C.C. 25.08.340, Ordinance 3688, Section 235, and K.C.C.  
79 25.08.360, Ordinance 3688, Section 236, and K.C.C. 25.08.380,  
80 Ordinance 3688, Section 238, and K.C.C. 25.08.390, Ordinance  
81 3688, Section 239, and K.C.C. 25.08.410, Ordinance 3688, Section  
82 240, and K.C.C. 25.08.420, Ordinance 3688, Section 241, and  
83 K.C.C. 25.08.430, Ordinance 3688, Section 243, and K.C.C.  
84 25.08.450, Ordinance 3688, Section 252, and K.C.C. 25.08.500,  
85 Ordinance 3688, Section 244, and K.C.C. 25.08.530, Ordinance  
86 3688, Section 245, and K.C.C. 25.08.540, Ordinance 3688, Section  
87 253, and K.C.C. 25.08.550, Ordinance 3688, Section 254, and  
88 K.C.C. 25.08.560, Ordinance 5734, Section 1, and K.C.C.  
89 25.08.565, Ordinance 3688, Section 256, and K.C.C. 25.08.580,  
90 Ordinance 12750, Section 1, and K.C.C. 25.08.604, Ordinance  
91 3688, Section 259, and K.C.C. 25.08.610, Ordinance 3688, Section  
92 304, and K.C.C. 25.12.040, Ordinance 3688, Section 401, and

93 K.C.C. 25.16.010, Ordinance 3688, Section 402, and K.C.C.  
94 25.16.020, Ordinance 3688, Section 403, as amended, and K.C.C.  
95 25.16.030, Ordinance 3688, Section 404, and K.C.C. 25.16.040,  
96 Ordinance 3688, Section 405, and K.C.C. 25.16.050, Ordinance  
97 3688, Section 406, and K.C.C. 25.16.060, Ordinance 3688, Section  
98 407, and K.C.C. 25.16.070, Ordinance 3688, Section 409(1), as  
99 amended, and K.C.C. 25.16.090, Ordinance 3688, Section 409(2), as  
100 amended, and K.C.C. 25.16.100, Ordinance 3688, Section 409(3),  
101 and K.C.C. 25.16.110, Ordinance 3688, Section 409(5), and K.C.C.  
102 25.16.130, Ordinance 3688, Section 409(6), as amended, and  
103 K.C.C. 25.16.140, Ordinance 3688, Section 412, and K.C.C.  
104 25.16.170, Ordinance 3688, Section 501, and K.C.C. 25.20.010,  
105 Ordinance 3688, Section 502, and K.C.C. 25.20.020, Ordinance  
106 3688, Section 503, as amended, and K.C.C. 25.20.030, Ordinance  
107 3688, Section 504, and K.C.C. 25.20.040, Ordinance 3688, Section  
108 505, and K.C.C. 25.20.050, Ordinance 3688, Section 507, and  
109 K.C.C. 25.20.070, Ordinance 3688, Section 508, and K.C.C.  
110 25.20.080, Ordinance 3688, Section 509, as amended, and K.C.C.  
111 25.20.090, Ordinance 3688, Section 510, as amended, and K.C.C.  
112 25.20.100, Ordinance 3688, Section 511, and K.C.C. 25.20.110,  
113 Ordinance 3688, Section 512, and K.C.C. 25.20.120, Ordinance  
114 3688, Section 513, and K.C.C. 25.20.130, Ordinance 3688, Section  
115 514, as amended, and K.C.C. 25.20.140, Ordinance 3688, Section

116 515, and K.C.C. 25.20.150, Ordinance 3688, Section 601, and  
117 K.C.C. 25.24.010, Ordinance 3688, Section 602, and K.C.C.  
118 25.24.020, Ordinance 3688, Section 603, as amended, and K.C.C.  
119 25.24.030, Ordinance 3688, Section 604, and K.C.C. 25.24.040,  
120 Ordinance 3688, Section 605, and K.C.C. 25.24.050, Ordinance  
121 3688, Section 606, and K.C.C. 25.24.060, Ordinance 3688, Section  
122 607, and K.C.C. 25.24.070, Ordinance 3688, Section 608, as  
123 amended, and K.C.C. 25.24.080, Ordinance 3688, Section 609, as  
124 amended, and K.C.C. 25.24.090, Ordinance 3688, Section 610, as  
125 amended, and K.C.C. 25.24.100, Ordinance 3688, Section 611, and  
126 K.C.C. 25.24.110, Ordinance 3688, Section 612, and K.C.C.  
127 25.24.120, Ordinance 3688, Section 613, as amended, and K.C.C.  
128 25.24.130, Ordinance 3688, Section 614, as amended, and K.C.C.  
129 25.24.140, Ordinance 3688, Section 615, and K.C.C. 25.24.150,  
130 Ordinance 3688, Section 701, and K.C.C. 25.28.010, Ordinance  
131 3688, Section 702, and K.C.C. 25.28.020, Ordinance 3688, Section  
132 703, as amended, and K.C.C. 25.28.030, Ordinance 3688, Section  
133 704, and K.C.C. 25.28.040, Ordinance 3688, Section 703, as  
134 amended, and K.C.C. 25.28.050, Ordinance 3688, Section 706, and  
135 K.C.C. 25.28.060, Ordinance 3688, Section 707, and K.C.C.  
136 25.28.070, Ordinance 3688, Section 708, as amended, and K.C.C.  
137 25.28.080, Ordinance 3688, Section 709, as amended, and K.C.C.  
138 25.28.090, Ordinance 3688, Section 710, as amended, and K.C.C.

139 25.28.100, Ordinance 3688, Section 711, and K.C.C. 25.28.110,  
140 Ordinance 3688, Section 712, and K.C.C. 25.28.120, Ordinance  
141 3688, Section 713, and K.C.C. 25.28.130, Ordinance 3688, Section  
142 714, as amended, and K.C.C. 25.28.140, Ordinance 3688, Section  
143 715, and K.C.C. 25.28.150, Ordinance 3688, Section 808, as  
144 amended, and K.C.C. 25.32.080, Ordinance 3688, Section 809, as  
145 amended, and K.C.C. 25.32.090, Ordinance 3688, Section 811, and  
146 K.C.C. 25.32.110, Ordinance 3688, Section 812, and K.C.C.  
147 25.32.120, Ordinance 13687, Section 5, and K.C.C. 25.32.160, and  
148 Ordinance 13687, Section 6, and K.C.C. 25.32.170.

149 ..body

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

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

154 B. The King County Code authorizes a review of the Comprehensive Plan and generally  
155 only allows substantive amendments to the Comprehensive Plan once every four years. This  
156 King County Comprehensive Plan 2009. The King County Code authorizes an adoption or  
157 amendment of the King County Shoreline Master Program outside of the four year update cycle;

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

160 D. The King County Shoreline Master Program was originally adopted by the King  
161 County Council in 1977 and has not been significantly updated since. In the intervening years,

162 King County has seen significant population growth and development that has affected King  
163 County's shorelines. In 2003, the Washington state Department of Ecology amended its  
164 guidelines governing the contents of Shoreline Master Programs. In 2003, the Washington state  
165 Legislature amended the Shoreline Management Act to require King County to update its  
166 Shoreline Master Program by December 1, 2009. Beginning in January 2007, King County  
167 conducted extensive public outreach as part of the process to update the Shoreline Master  
168 Program and collected relevant technical information and analysis to support the update. King  
169 County's Shoreline Master Program is consistent with the requirements of the Shoreline  
170 Management Act and Department of Ecology guidelines.

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

173 E. The changes to zoning contained in this ordinance are needed to maintain conformity  
174 with the King County Comprehensive Plan, as required by the GMA, or to address new issues  
175 identified since the zoning code was adopted. As such, they bear a substantial relationship to,  
176 and are necessary for, the public health, safety and general welfare of King County and its  
177 residents.

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

180 A. Under the King County Charter, the state Constitution and the Washington state  
181 Growth Management Act, chapter 36.70A RCW, the 1994 King County Comprehensive Plan is  
182 adopted and declared to be the Comprehensive Plan for King County until amended, repealed or  
183 superseded. King County performed its first comprehensive four-cycle review of the  
184 Comprehensive Plan. As a result of the review, King County amended the 1994 Comprehensive



185 Plan through passage of the King County Comprehensive Plan 2000. King County performed its  
186 second comprehensive four-cycle review of the Comprehensive Plan in 2004. As a result of the  
187 review, King County amended the 2000 Comprehensive Plan through passage of the King  
188 County Comprehensive Plan 2004. The Comprehensive Plan shall be the principal planning  
189 document for the orderly physical development of the county and shall be used to guide subarea  
190 plans, functional plans, provision of public facilities and services, review of proposed  
191 incorporations and annexations, development regulations and land development decisions.

192 B. The amendments to the 1994 King County Comprehensive Plan contained in  
193 Appendix A to Ordinance 12061 (King County Comprehensive Plan 1995 amendments) are  
194 hereby adopted.

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

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

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

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

210 G. The Black Diamond Urban Growth Area contained in Appendix A to Ordinance  
211 12533 is hereby adopted as an amendment to the King County Comprehensive Plan.

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

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

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

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

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

229 M. The 1999 Transportation Needs Report contained in Attachment A to Ordinance  
230 13339 is hereby adopted as an amendment to the 1994 King County Comprehensive Plan,  
231 Technical Appendix C, and the amendments to the 1994 King County Comprehensive Plan  
232 contained in Attachment B to Ordinance 13339 are hereby adopted as amendments to the King  
233 County Comprehensive Plan.

234 N. The amendments to the 1994 King County Comprehensive Plan contained in  
235 Attachment A to Ordinance 13672 (King County Comprehensive Plan 1999 amendments) are  
236 hereby adopted as amendments to the King County Comprehensive Plan.

237 O. The 2000 Transportation Needs Report contained in Attachment A to this Ordinance  
238 13674 is hereby adopted as an amendment to the 1994 King County Comprehensive Plan,  
239 Technical Appendix C.

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

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

247 R. The Fall City area zoning amendments contained in Attachment A to Ordinance  
248 13875 are adopted as the zoning control for those portions of unincorporated King County  
249 defined in the attachment. Existing property-specific development standards (p-suffix  
250 conditions) on parcels affected by Attachment A to Ordinance 13875 do not change except as  
251 specifically provided in Attachment A to Ordinance 13875.

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

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

260 U. The amendments to the 1994 King County Comprehensive Plan contained in  
261 Attachments A, B and C to Ordinance 14044 (King County Comprehensive Plan 2000) are  
262 hereby adopted as amendments to the King County Comprehensive Plan. Attachment A to  
263 Ordinance 14044 amends the policies, text and maps of the Comprehensive Plan. Amendments  
264 to the policies are shown with deleted language struck out and new language underlined. The  
265 text and maps in Attachment A to Ordinance 14044 replace the previous text and maps in the  
266 Comprehensive Plan. Attachment B to Ordinance 14044 contains technical appendix A (capital  
267 facilities), which replaces technical appendix A to the King County Comprehensive Plan,  
268 technical appendix C (transportation), which replaces technical appendix C to the King County  
269 Comprehensive Plan, and technical appendix M (public participation), which is a new technical  
270 appendix that describes the public participation process for the King County Comprehensive  
271 Plan 2000. Attachment C to Ordinance 14044 includes amendments to the King County  
272 Comprehensive Plan Land Use Map. The land use amendments contained in Attachment C to  
273 Ordinance 14044 are adopted as the official land use designations for those portions of  
274 unincorporated King County defined in Attachment C to Ordinance 14044.

275 V. The Snoqualmie Urban Growth Area Subarea Plan contained in Attachment A to  
276 Ordinance 14117 is adopted as a subarea plan of the King County Comprehensive Plan and, as  
277 such, constitutes official county policy for the geographic area of unincorporated King County  
278 defined in the plan. Attachment B to Ordinance 14117 amends the King County Comprehensive  
279 Plan 2000 land use map by revising the Urban Growth Area for the City of Snoqualmie.  
280 Attachment C to Ordinance 14117 amends the policies of the Comprehensive Plan.

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

286 X. The amendments to the King County Comprehensive Plan 2000 contained in  
287 Attachment B to Ordinance 14156 are hereby adopted as amendments to the King County  
288 Comprehensive Plan.

289 Y. The amendments to the King County Comprehensive Plan 2000 contained in  
290 Attachment A to Ordinance 14185 are hereby adopted as amendments to the King County  
291 Comprehensive Plan in order to comply with the order of the Central Puget Sound Growth  
292 Management Hearings Board in *Green Valley et al, v. King County*, CPSGMHB Case No. 98-3-  
293 0008c, Final Decision and Order (1998) and the order of the Washington Supreme Court in *King*  
294 *County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543, 14 P.3d  
295 133 (2000).

296           Z. The amendments to the King County Comprehensive Plan 2000 contained in  
297 Attachment A to Ordinance 14241 (King County Comprehensive Plan 2001 Amendments) are  
298 hereby adopted as amendments to the King County Comprehensive Plan.

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

305           BB. The amendments to the King County Comprehensive Plan 2000 contained in  
306 Attachment A to Ordinance 14448 (King County Comprehensive Plan 2002 Amendments) are  
307 hereby adopted as amendments to the King County Comprehensive Plan.

308           CC. The amendments to the King County Comprehensive Plan 2000 contained in  
309 Attachment A to Ordinance 14775 (King County Comprehensive Plan 2003 Amendments) are  
310 hereby adopted as amendments to the King County Comprehensive Plan.

311           DD. The amendments to the King County Comprehensive Plan 2000 contained in  
312 Attachments A, B, C, D and E to Ordinance 15028 (King County Comprehensive Plan 2004) are  
313 hereby adopted as amendments to the King County Comprehensive Plan. Attachment A, Part I,  
314 to Ordinance 15028 amends the policies, text and maps of the Comprehensive Plan. Attachment  
315 A, Part II, to Ordinance 15028 includes amendments to the King County Comprehensive Plan  
316 Land Use Map. The land use amendments contained in Attachment A, Part II, to Ordinance  
317 15028 are adopted as the official land use designations for those portions of unincorporated King  
318 County defined in Attachment A, Part II, to Ordinance 15028. Attachment B to Ordinance

319 15028 contains Technical Appendix A (Capital Facilities), which replaces technical appendix A  
320 to the King County Comprehensive Plan. Attachment C to Ordinance 15028 contains Technical  
321 Appendix B (Housing), which replaces Technical Appendix B to the King County  
322 Comprehensive Plan. Attachment D to Ordinance 15028 contains Technical Appendix C  
323 (Transportation), which replaces Technical Appendix C to the King County Comprehensive Plan  
324 2000. Attachment E to Ordinance 15028 contains Technical Appendix D (Growth Targets and  
325 the Urban Growth Area 2004).

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

329 FF. The amendments to the King County Comprehensive Plan 2004 contained in  
330 Attachment A to Ordinance 15244 (King County Comprehensive Plan 2005 Amendments) are  
331 hereby adopted as amendments to the King County Comprehensive Plan.

332 GG. Attachment A to Ordinance 15326, which is the King County Comprehensive Plan  
333 Sammamish Agricultural Production District Subarea Plan dated November 7, 2005, is hereby  
334 adopted as an amendment to the 2004 King County Comprehensive Plan, as amended, in order to  
335 comply with the Central Puget Sound Growth Management Hearings Board's Final Decision and  
336 Order in *Maxine Keesling v. King County*, Case No. 04-3-0024 (Keesling III), dated May 31,  
337 2005.

338 HH. The amendments to the King County Comprehensive Plan 2004 contained in  
339 Attachments A, B, C and D to Ordinance 15607 are hereby adopted as amendments to the King  
340 County Comprehensive Plan. Attachment A to Ordinance 15607 (Amendment to the King  
341 County Comprehensive Plan 2004) amends the policies and maps of the King County

342 Comprehensive Plan. Attachment B to Ordinance 15607 contains technical appendix O  
343 (Regional Trail Needs Report). Attachment C to Ordinance 15607 amends King County  
344 Comprehensive Plan, Technical Appendix C (Transportation), by replacing the transportation  
345 needs report. Attachment D to Ordinance 15607 amends King County Comprehensive Plan,  
346 Technical Appendix C (Transportation), by replacing the arterial functional classification map.

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

350 JJ. The amendments to the King County Comprehensive Plan 2004 contained in  
351 Attachments A, B, C, D, E and F to this ordinance are hereby adopted as amendments to the  
352 King County Comprehensive Plan. Attachment A to this ordinance amends the policies, text and  
353 maps of the Comprehensive Plan and amends King County Comprehensive Plan Land Use  
354 Zoning. The land use amendments contained in Attachment B to this ordinance contains Technical  
355 Appendix A (Capital Facilities), which replaces Technical Appendix A to the King County  
356 Comprehensive Plan 2004. Attachment C to this ordinance contains Technical Appendix B  
357 (Housing), which replaces Technical Appendix B to the King County Comprehensive Plan 2004.  
358 Comprehensive Plan Land Use Zoning. The land use amendments contained in Attachment A to  
359 this ordinance are adopted as the official land use designations for those portions of  
360 unincorporated King County defined in Attachment A to this ordinance. Attachment D to this  
361 ordinance contains Technical Appendix C (Transportation), which replaces Technical Appendix  
362 C to the King County Comprehensive Plan 2004. Attachment E to this ordinance contains the  
363 transportation needs report, which replaces the transportation needs report in Technical



364 Appendix C to the King County Comprehensive Plan 2004. Attachment F to this ordinance  
365 contains Technical Appendix D (Growth Targets and the Urban Growth Area 2008).

366 KK. The amendments to the King County Comprehensive Plan 2008 contained in  
367 Attachment A to this ordinance are hereby adopted as amendments to the King County  
368 Comprehensive Plan. Attachment A to this ordinance amends the policies and goals of the King  
369 County Shoreline Master Program, consistent with the requirements of RCW chapter 90.58 and  
370 WAC chapter 173-26, and adds a new chapter 5 to the King County Comprehensive Plan.

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

373 The ~~((policies, objectives and goals of the shorelines management master program,\*\* are~~  
374 ~~adopted as an addendum to the Comprehensive Plan for King County. As an addendum to the~~  
375 ~~comprehensive plan, such policy statement.)) King County shoreline master program consists of  
376 the following two elements:~~

377 A. The King County shoreline management goals and policies contained in chapter five  
378 of the King County Comprehensive Plan. The shoreline management goals and policies  
379 constitute((s)) the official policy of King County regarding areas of the county subject to  
380 shoreline management jurisdiction under RCW chapter 90.58; and

381 B. The shoreline regulations specified in Section 2 of this ordinance.

382 NEW SECTION. SECTION 4. There is hereby added a new section to K.C.C. chapter  
383 20.12 to read as follows:

384 The following King County code sections in effect as of the effective date of this  
385 ordinance are adopted as land use and development regulations within the shoreline jurisdiction:

386 A. The following sections within King County Code Title 16, Building and Construction  
387 Standards:

- 388 1. K.C.C. 16.82.150 – Clearing standards for individual lots in the rural zone; and
- 389 2. K.C.C. 16.82.152 – Clearing standards for subdivisions and short subdivisions in the  
390 rural residential zone.

391 B. The following sections within King County Code Title 21A, Zoning:

- 392 1. K.C.C. 21A.06.358 – Aquatic area;
- 393 2. K.C.C. 25.08.090, as recodified by this ordinance – Breakwater;
- 394 3. K.C.C. 25.08.100, as recodified by this ordinance – Bulkhead;
- 395 4. K.C.C. 25.08.175, as recodified by this ordinance – Dredging;
- 396 5. K.C.C. 25.08.190, as recodified by this ordinance – Environment, shoreline;
- 397 6. K.C.C. 25.08.210, as recodified by this ordinance – Float;
- 398 7. K.C.C. 25.08.230, as recodified by this ordinance – Groin;
- 399 8. K.C.C. 25.08.250, as recodified by this ordinance – Jetty;
- 400 9. K.C.C. 25.08.290, as recodified by this ordinance – Master program, shoreline;
- 401 10. K.C.C. 25.08.090, as recodified by this ordinance
- 402 11. Section 87 of this ordinance – Navigability or navigable;
- 403 12. Section 88 of this ordinance – Nearshore;
- 404 13. K.C.C. 25.08.370, as recodified by this ordinance – Pier or dock;
- 405 14. K.C.C. 25.08.020, as recodified by this ordinance – Public access;
- 406 15. K.C.C. 25.08.400, as recodified by this ordinance – Redesignation;
- 407 16. Section 95 of this ordinance – Shorelands;
- 408 17. K.C.C. 25.08.460, as recodified by this ordinance – Shoreline conditional use;

- 409 18. Section 98 of this ordinance – Shoreline jurisdiction;
- 410 19. K.C.C. 25.08.480, as recodified by this ordinance – Shoreline stabilization;
- 411 20. K.C.C. 25.08.470, as recodified by this ordinance – Shoreline variance;
- 412 21. K.C.C. 25.08.490, as recodified by this ordinance – Shorelines;
- 413 22. K.C.C. 25.08.510, as recodified by this ordinance – Shorelines of statewide  
414 significance;
- 415 23. K.C.C. 25.08.570, as recodified by this ordinance – Substantial development;
- 416 24. K.C.C. 25.08.590, as recodified by this ordinance – Water dependent use;
- 417 25. Section 111 of this ordinance – Water enjoyment use;
- 418 26. Section 112 of this ordinance – Water oriented use;
- 419 27. K.C.C. 25.08.600, as recodified by this ordinance – Water related use;
- 420 28. K.C.C. 21A.24.045 - Allowed alterations;
- 421 29. K.C.C. 21A.24.051 - Agricultural activity development standards;
- 422 30. K.C.C. 21A.24.055 - Rural stewardship plans;
- 423 31. K.C.C. 21A.24.070A., D., and E. - Alteration exceptions (excludes reasonable use);
- 424 32. K.C.C. 21A.24.125 - Avoiding impacts;
- 425 33. K.C.C. 21A.24.130 - Mitigation and monitoring;
- 426 34. K.C.C. 21A.24.133 - Off-site mitigation;
- 427 35. K.C.C. 21A.24.200 - Building setbacks;
- 428 36. K.C.C. 21A.24.210 - Coal Mine Hazard Area development standards;
- 429 37. K.C.C. 21A.24.220 - Erosion Hazard Area development standards;
- 430 38. K.C.C. 21A.24.240 - Zero rise flood fringe development standards;
- 431 39. K.C.C. 21A.24.250 - Zero rise floodway development standards;

- 432 40. K.C.C. 21A.24.260 - FEMA floodway development standards;
- 433 41. K.C.C. 21A.24.275 - Channel migration zone development standards;
- 434 42. K.C.C. 21A.24.280 - Landslide Hazard Area development standards;
- 435 43. K.C.C. 21A.24.290 - Seismic Hazard Area development standards;
- 436 44. K.C.C. 21A.24.300 - Volcanic Hazard Area development standards;
- 437 45. K.C.C. 21A.24.310 - Steep Slope Hazard Area development standards;
- 438 46. K.C.C. 21A.24.316 - Critical Aquifer Recharge Area development standards;
- 439 47. K.C.C. 21A.24.325 - Wetland buffers;
- 440 48. K.C.C. 21A.24.335 - Wetland development standards;
- 441 49. K.C.C. 21A.24.340 - Wetland mitigation requirements;
- 442 50. K.C.C. 21A.24.358 - Aquatic area buffers;
- 443 51. K.C.C. 21A.24.365 - Aquatic area development standards;
- 444 52. K.C.C. 21A.24.380 - Aquatic area mitigation requirements;
- 445 53. K.C.C. 21A.24.382 - Wildlife habitat conservation area development standards;
- 446 54. K.C.C. 21A.24.386 - Wildlife habitat network development standards;
- 447 55. K.C.C. 21A.24.388 - Wildlife habitat network mitigation requirements;
- 448 56. K.C.C. 21A.32.045 – Non-conformance – re-establishment of a discontinued non-
- 449 conforming use;
- 450 57. K.C.C. 21A.50.030 – Violations defined; and
- 451 58. K.C.C. chapter 21A.\_\_\_ (the new chapter created by section 16 of this ordinance).
- 452 C. Subsequent amendments to the land use and development regulations included in
- 453 subsections A and B of this section must be approved by the Washington State department of

454 ecology before they become land use and development regulations within the shoreline  
455 jurisdiction.

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

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

463 1. Emergencies;

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

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

468 4. ~~The adoption or amendment of a shoreline master program under chapter 90.58 RCW;~~  
469 ~~or~~

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

472 B. Every year the Comprehensive Plan may be amended to address technical updates and  
473 corrections and to consider amendments that do not require substantive changes to policy  
474 language or changes to the urban growth area boundary, except as permitted in subsection B.5,  
475 10 and 12 of this section. This review may be referred to as the annual cycle. The

476 Comprehensive Plan, including subarea plans, may be amended in the annual cycle only to  
477 consider the following:

- 478 1. Technical amendments to policy, text, ((~~or~~)) maps or shoreline designations;
- 479 2. The annual capital improvement plan;
- 480 3. The transportation needs report;
- 481 4. School capital facility plans;
- 482 5. Changes required to implement an amendment to a joint interlocal/development  
483 agreement in existence on January 1, 2008, between King County, another local government and one  
484 or more private parties, only if the amendment to the joint interlocal/development agreement includes  
485 a provision to alter the urban growth area boundary to add areas to the urban growth area, requires  
486 that an area four times the area that is added to the urban growth area be permanently designated as  
487 park or open space and requires the transfer of development rights on terms as provided in the  
488 amendment;
- 489 6. Changes required by existing Comprehensive Plan policies;
- 490 7. Changes to the technical appendices and any amendments required thereby;
- 491 8. Comprehensive updates of subarea plans initiated by motion;
- 492 9. Changes required by amendments to the countywide planning policies or state law;
- 493 10. Redesignation proposals under the four-to-one program as provided for in this  
494 chapter;
- 495 11. Amendments necessary for the conservation of threatened and endangered species;
- 496 and
- 497 12. Site-specific comprehensive land use map amendments that do not require  
498 substantive change to comprehensive plan policy language and that do not alter the urban growth  
499 area boundary, except to correct mapping errors.

500 C. Every fourth year beginning in 2000, the county shall complete a comprehensive  
501 review of the Comprehensive Plan in order to update it as appropriate and to ensure continued  
502 compliance with the GMA. This review may provide for a cumulative analysis of the twenty-year  
503 plan based upon official population growth forecasts, benchmarks and other relevant data in order  
504 to consider substantive changes to policy language and changes to the urban growth area (UGA).  
505 This comprehensive review shall begin one year in advance of the transmittal and may be referred  
506 to as the four-year cycle. The urban growth area boundaries shall be reviewed in the context of the  
507 four-year cycle and in accordance with countywide planning policy FW-1 and RCW 36.70A.130.  
508 If the county determines that the purposes of the Comprehensive Plan are not being achieved as  
509 evidenced by official population growth forecasts, benchmarks, trends and other relevant data,  
510 substantive changes to the Comprehensive Plan may also be considered on even calendar years.  
511 This determination shall be authorized by motion. The motion shall specify the scope of the even-  
512 year amendment, and identify that the resources necessary to accomplish the work are available.  
513 An analysis of the motion's fiscal impact shall be provided to the council before to adoption. The  
514 executive shall determine if additional funds are necessary to complete the even-year amendment,  
515 and may transmit an ordinance requesting the appropriation of supplemental funds.

516 D. The executive shall seek public comment on the comprehensive plan and any  
517 proposed comprehensive plan amendments in accordance with the procedures in K.C.C.  
518 20.18.160 before making a recommendation, in addition to conducting the public review and  
519 comment procedures required by SEPA. The public, including unincorporated area councils,  
520 shall be afforded at least one official opportunity to record public comment before to the  
521 transmittal of a recommendation by the executive to the council. County-sponsored councils and  
522 commissions may submit written position statements that shall be considered by the executive

523 before transmittal and by the council before adoption, if they are received in a timely manner.  
524 The executive's recommendations for changes to policies, text, and maps shall include the  
525 elements listed in comprehensive plan policy RP-307 and analysis of their financial costs and  
526 public benefits, any of which may be included in environmental review documents. Proposed  
527 amendments to the comprehensive plan shall be accompanied by any development regulations or  
528 amendments to development regulations, including area zoning, necessary to implement the  
529 proposed amendments.

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

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

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

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

541 2. Four-to-one-proposals.

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

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



546 2. ((a))Amendments that require substantive change to comprehensive plan policy  
547 language; and

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

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

551 A. Site-specific land use map and shoreline master program map amendments are  
552 legislative actions that may only be initiated by property owner application, by council motion,  
553 or by executive proposal. All site-specific land use map and shoreline master program map  
554 amendments must be evaluated by the hearing examiner before adoption by the council in  
555 accordance with this chapter.

556 1. If initiated by council motion, the motion shall refer the proposed site-specific land  
557 use map or shoreline master program map amendment to the department of development and  
558 environmental services for preparation of a recommendation to the hearing examiner. The  
559 motion shall also identify the resources and the work program required to provide the same level  
560 of review accorded to applicant-generated amendments. An analysis of the motion's fiscal  
561 impact shall be provided to the council before adoption. If the executive determines that  
562 additional funds are necessary to complete the work program, the executive may transmit an  
563 ordinance requesting the appropriation of supplemental funds((-));

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

567 3. If initiated by property owner application, the property owner shall submit a  
568 docketed request for a site-specific land use map or shoreline master program map amendment.

569 Upon receipt of a docketed request for a site-specific land use map or shoreline master program  
570 map amendment, the request shall be referred to the department of development and  
571 environmental services for preparation of a recommendation to the hearing examiner.

572 B. All proposed site-specific land use map or shoreline master program map  
573 amendments, whether initiated by property owner application, by council motion, or by  
574 executive proposal shall include the following:

- 575 1. Name and address of the owner(s) of record;
- 576 2. Description of the proposed amendment;
- 577 3. Property description, including parcel number, property street address and nearest  
578 cross street;
- 579 4. County assessor's map outlining the subject property; and
- 580 5. Related or previous permit activity.

581 C. Upon initiation of a site specific land use map or shoreline master program map  
582 amendment, an initial review conference will be scheduled by the department of development  
583 and environmental services. The owner or owners of record of the property shall be notified of  
584 and invited to attend the initial review conference. At the initial review conference, the  
585 department will review the proposed amendment's consistency with applicable county policies  
586 or regulatory enactments including specific reference to comprehensive plan policies,  
587 countywide planning policies and state Growth Management Act requirements. The proposed  
588 amendment will be classified pursuant to K.C.C. 20.18.040 and this information either will be  
589 provided at the initial review conference or in writing to the owner or owners of record within  
590 thirty days.

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

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

600 F. If a proposed site-specific land use map or shoreline master program map amendment  
601 is initiated by executive proposal, following the initial review conference, the executive shall  
602 submit an environmental checklist to the department of development and environmental services  
603 to proceed with review of the proposed amendment.

604 G. Following the submittal of the information required by subsections D, E or F, the  
605 department of development and environmental services shall submit a report including an  
606 executive recommendation on the proposed amendment to the hearing examiner within one  
607 hundred twenty days. The department of development and environmental services shall provide  
608 notice of a public hearing and notice of threshold determination pursuant to K.C.C. 20.20.060 F,  
609 G and H. The hearing will be conducted by the hearing examiner pursuant to K.C.C. 20.24.400.  
610 Following the public hearing, the hearing examiner shall prepare a report and recommendation  
611 on the proposed amendment pursuant to K.C.C. 20.24.400. A compilation of all completed  
612 reports will be considered by the council pursuant to K.C.C. 20.18.070.

613 H. A property-owner-initiated for a site-specific land use map or shoreline master  
614 program map amendment may be accompanied by an application for a zone reclassification to  
615 implement the proposed amendment, in which case administrative review of the two applications  
616 shall be consolidated to the extent practical consistent with this ordinance and K.C.C. chapter  
617 20.20. The council's consideration of a site-specific land use map or shoreline master program  
618 map amendment is a legislative decision which will be determined before and separate from their  
619 consideration of a zone reclassification which is a quasi-judicial decision. If a zone  
620 reclassification is not proposed in conjunction with an application for a site-specific land use  
621 map or shoreline master program map amendment and the amendment is adopted, the property  
622 shall be given potential zoning. A zone reclassification pursuant to K.C.C. 20.20.020 will be  
623 required in order to implement the potential zoning.

624 I. Site-specific land use map or shoreline master program map amendments for which a  
625 completed recommendation by the hearing examiner has been submitted to the council by  
626 January 15 will be considered concurrently with the annual amendment to the comprehensive  
627 plan. Site specific land use map or shoreline master program map amendments for which a  
628 recommendation has not been issued by the hearing examiner by January 15 will be included in  
629 the next appropriate review cycle following issuance of the examiner's recommendation.

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

635 1. A waiver by the executive shall be considered after the proponent has submitted a  
636 docket request in accordance with K.C.C. 20.18.140. The executive shall render a waiver  
637 decision within forty-five days of receiving a docket request and shall mail a copy of this  
638 decision to the proponent((-)); and

639 2. A waiver by the council shall be considered by motion.

640 K. A shoreline master program map amendment and redesignation must meet the  
641 requirements of K.C.C. 25.32.130 through 25.32.150, as recodified by this ordinance, and the  
642 Washington state Shoreline Master Program Guidelines, chapter 173-26 WAC. A shoreline master  
643 program map amendment and redesignation must be approved by the Washington state  
644 Department of Ecology.

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

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

649 A. Shoreline environments designated by the master program may be considered for  
650 redesignat((ed))ion ((by the county council upon finding that such a redesignation will be  
651 consistent with the standards in K.C.C. 25.32.180. A shorelines redesignation may be initiated  
652 by an applicant or by motion of the council.)) during the four-year review cycle.

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

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

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

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

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

666 A. A shoreline redesignation initiated by an applicant(~~(, as described in K.C.C.~~  
667 ~~25.32.130B, must follow the procedures in K.C.C. chapters 20.20 and 20.24 for shorelines~~  
668 ~~redesignations and~~)) must include the following information in addition to the requirements in  
669 K.C.C. (~~(chapter 20.20)~~) 20.18.050:

- 670 1. Applicant information, including signature, telephone number and address;
- 671 2. The applicant's interest in the property, such as owner, buyer or consultant;
- 672 3. Property owner concurrence, including signature, telephone number and address;
- 673 4. (~~(A property description, including parcel number, property street address and~~  
674 ~~nearest cross street;~~
- 675 ~~5. A county assessor's map outlining the subject property;~~
- 676 ~~6. Related or previous permit activity;~~
- 677 ~~7. A description of the proposed shorelines redesignation;~~
- 678 ~~8.))~~ A mitigation plan providing for significant enhancement of the first one hundred  
679 feet adjacent to the shoreline and improved habitat for species declared as endangered or

680 threatened under the Endangered Species Act, to the extent that the impacts of development can  
681 be determined at the time of the proposed shoreline redesignation~~((-)); and~~

682 ~~((9-))~~ 5. A discussion of how the proposed shorelines redesignation meets the criteria in  
683 K.C.C. 25.32.180 as recodified by this ordinance.

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

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

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

690 A. A council motion initiating a shoreline~~((s))~~ redesignation~~((, as described in K.C.C.~~  
691 ~~25.32.130B))~~) must be accompanied by the information to be provided in K.C.C. 25.32.140, as  
692 recodified by this ordinance ~~((following information))~~ in addition to the requirements in K.C.C.  
693 20.18.050~~((:~~

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

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

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

699 B. ~~((If the motion proposes site specific redesignation, as "site" is defined in K.C.C.~~  
700 ~~Title 21A, the redesignation shall be referred to the hearing examiner for consideration following~~  
701 ~~the procedures of K.C.C. 25.32.140 for consideration of redesignation application. Any other~~  
702 ~~redesignation proposal initiated by motion shall be referred to the executive for consideration as~~

703 ~~to whether the redesignation is appropriate for review as part of the annual or four year~~  
704 ~~Comprehensive Plan update, or should proceed independent of the annual or four year update~~  
705 ~~process, such as through a subarea planning process.~~

706        ~~€))~~ A motion initiating a site-specific shoreline redesignation must identify the  
707 resources and the work program required to provide the same level of review accorded to an  
708 applicant-generated shoreline((s)) redesignation. Before adoption of the motion, the executive  
709 shall have the opportunity to provide an analysis of the motion’s fiscal impact. If the executive  
710 determines that additional funds are necessary to complete the work program, the executive may  
711 transmit an ordinance requesting the appropriation of supplemental funds. The council may  
712 consider the supplemental appropriation ordinance concurrently with the proposed motion  
713 referring the shoreline((s)) redesignation proposal to the examiner.

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

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

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

723        A shoreline((s)) redesignation referred to the hearing examiner for a public hearing shall  
724 be reviewed based upon the requirements of the King County Comprehensive Plan ~~((policies~~



725 ~~NE 308 and I 202~~), state and county shorelines management goals and objectives, and the  
726 following additional standards:

727 A. The proposed change shall implement((s)) and support((s)) the goals of the  
728 comprehensive plan, the goals, policies and objectives of the state Shorelines Management Act,  
729 ~~((and))~~ the county's shoreline((s)) master program, and the designation criteria of the shoreline  
730 environment designation requested(~~(;)~~).

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

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

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

743 SECTION 16. There is hereby established a new chapter in K.C.C. Title 21A. This new  
744 chapter shall contain section 17, K.C.C. 25.08.010, as recodified in section 16 and amended in  
745 section 19, K.C.C. 25.04.040, as recodified in section 20 and amended in section 21, K.C.C.  
746 25.08.160, as recodified in section 22 and amended in section 23, section 24, K.C.C. 25.04.050,  
747 as recodified in section 25 and amended in section 26, K.C.C. 25.12.030, as recodified in section

748 27 and amended in section 28, K.C.C. 25.12.020, as recodified in section 29 and amended in  
749 section 30, K.C.C. 25.12.050, as recodified in section 31 and amended in section 32, section 33,  
750 section 34, section 35, section 36, section 37, K.C.C. 25.20.060, as recodified in section 38 and  
751 amended in section 39, section 40, K.C.C. 25.16.200, as recodified in section 41 and amended in  
752 section 42, section 43, section 44, K.C.C. 25.16.180, as recodified in section 45 and amended in  
753 section 46, K.C.C. 25.16.120, as recodified in section 47 and amended in section 48, K.C.C.  
754 25.16.190, as recodified in section 49 and amended in section 50, section 51, section 52, section  
755 53, K.C.C. 25.16.150, as recodified in section 54 and amended in section 55, section 56, section  
756 57, K.C.C. 25.16.160, as recodified in section 58 and amended in section 59, K.C.C. 25.16.080,  
757 as recodified in section 60 and amended in section 61, K.C.C. 25.32.010, as recodified in section  
758 62 and amended in section 63, K.C.C. 25.32.020, as recodified in section 64 and amended in  
759 section 65, K.C.C. 25.32.060, as recodified in section 66 and amended in section 67 and K.C.C.  
760 25.32.100, as recodified in section 68 and amended in section 69.

761 NEW SECTION. SECTION 17. There is hereby added a new section in the new chapter  
762 established in section 16 of this ordinance to read as follows:

763 The King County shoreline master program elements are established in K.C.C.  
764 20.12.200.

765 SECTION 18. K.C.C. 25.08.010, as amended by this ordinance, is hereby recodified as a  
766 new section in the new chapter established in section 16 of this ordinance.

767 SECTION 19. Ordinance 3688 Ch. 2 (part), as amended, and K.C.C. 25.08.010 are each  
768 hereby amended to read as follows:

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

771 173-((14))26 WAC shall apply within the shoreline jurisdiction. The definitions in chapter 90.58  
772 RCW and chapter 173-26 WAC shall apply if there is a conflict with the definitions contained in  
773 K.C.C. chapter 21A.06.

774 SECTION 20. K.C.C. 25.04.040, as amended by this ordinance, is hereby recodified as a  
775 new section in the new chapter established in section 16 of this ordinance.

776 SECTION 21. Ordinance 3688, Section 104, and K.C.C. 25.04.040 are each hereby  
777 amended to read as follows:

778 This ~~((title))~~ chapter is exempted from the rule of strict construction and shall be liberally  
779 construed to give full effect to the objectives and purposes for which it was enacted.

780 SECTION 22. K.C.C. 25.08.160, as amended by this ordinance, is hereby recodified as a  
781 new section in the new chapter established in section 16 of this ordinance.

782 SECTION 23. Ordinance 3688, Section 215, and K.C.C. 25.08.160 are each hereby  
783 amended to read as follows:

784 ~~(("))Development((" means))~~: for purposes of this chapter, any development as defined in  
785 RCW Chapter 90.58 as now or hereafter amended.

786 NEW SECTION. SECTION 24. There is hereby added a new section in the new chapter  
787 established in section 16 of this ordinance to read as follows:

788 Mixed use: for purposes of this chapter, shoreline development that contains a water-  
789 dependent use combined with a water-related, water-enjoyment or a non water-oriented use in a  
790 single building or on a single site in an integrated development proposal. Water dependent uses  
791 must comprise a significant portion of the floor area or site area in a mixed use development.

792 SECTION 25. K.C.C. 25.04.050, as amended by this ordinance, is hereby recodified as a  
793 new section in the new chapter established in section 16 of this ordinance.

794            SECTION 26. Ordinance 3688, Section 105, as amended, and K.C.C. 25.04.050 are each  
795 hereby amended to read as follows:

796            ~~((A. When provisions of this chapter conflict with the sensitive areas code, K.C.C. Chapter  
797 21A.54, that which provides more protection to the sensitive area shall apply.~~

798            ~~B. King County shall issue no permit prior to approval pursuant to this title and shall take  
799 no action contrary to the)) The goals, policies, ((objectives)) and regulations of the King County  
800 shoreline ((management)) master program must be met prior to issuing any permits or approvals  
801 on land within the shoreline jurisdiction ((when property under the jurisdiction of the Shoreline  
802 Management Act is involved in a request for a decision in any of the following programs:~~

- 803            ~~1. Building permit;~~
- 804            ~~2. Right of way construction permit;~~
- 805            ~~3. Short subdivision;~~
- 806            ~~4. Grading permit;~~
- 807            ~~5. Site plan approval;~~
- 808            ~~6. Access permit;~~
- 809            ~~7. Trail permit;~~
- 810            ~~8. State flood control zone permit;~~
- 811            ~~9. Zoning variance;~~
- 812            ~~10. Conditional use permit;~~
- 813            ~~11. Comprehensive plan amendment or addition;~~
- 814            ~~12. Zone reclassification;~~
- 815            ~~13. Special use permit;~~
- 816            ~~14. Urban planned development approval;~~

- 817           ~~15. Subdivision approval.~~  
818           ~~16. Mobile home park permit;~~  
819           ~~17. Mobile home permit; and~~  
820           ~~18. Recreational vehicle park permit;~~  
821           ~~19. Commercial site development permit)).~~

822           SECTION 27. K.C.C. 25.12.030, as amended by this ordinance, is hereby recodified as a  
823 new section in the new chapter established in section 16 of this ordinance.

824           SECTION 28. Ordinance 3688, Section 303, and K.C.C. 25.12.030 are each hereby  
825 amended to read as follows:

826           ~~((Each environment designation))~~ A. The King County shoreline jurisdiction shall  
827 consist of:

828           ~~((A-))~~ 1. The entire water body waterward from the ordinary high water mark from its  
829 centerline or point, including all water below the surface. The shoreline jurisdiction includes:

830           a. All marine waterbodies;

831           b. Lakes greater than 20 acres; and

832           c. Rivers and streams with a minimum of twenty cubic feet per second mean annual  
833 flow; and

834           ~~((B-))~~ 2. The shorelands that extend landward for two hundred feet from the ordinary  
835 high water mark of the waterbodies identified in subsection A.1 of this section, and:

836           1. ((a))Associated wetlands~~((, provided, in those cases where a floodplain or other severe~~  
837 ~~biophysical limitation to development does not cover the entire associated wetland, one~~

838 ~~environment designation may be placed on the floodplain portion of the wetland or the portion of~~

839 ~~the wetland with severe biophysical limitations and another on the remaining portion of the~~  
840 ~~wetland;));~~

841 2. River deltas; and

842 3. One hundred year floodplains.

843 ~~((C. In shoreline areas where severe biophysical constraints such as flood plains, steep~~  
844 ~~slopes, slide hazard areas and/or marshes, bogs or swamps do not cover the entire associated~~  
845 ~~wetland, proposed development in the remaining area may be permitted consistent with the~~  
846 ~~character of the surrounding land use, the physical capabilities of the associated wetland and~~  
847 ~~applicable county land use plans and policies)) B. The shoreline jurisdiction does not include~~

848 tribal reservation lands and lands held in trust by the federal government for tribes. Nothing in  
849 the King County Shoreline Master Program or action taken under that program shall affect any  
850 treaty right to which the United States is a party.

851 C. The King County shoreline jurisdiction is shown on a map adopted in chapter five of  
852 the King County Comprehensive Plan. If there is a discrepancy between the map and the criteria  
853 established in subsection A of this section, the criteria shall constitute the official King County  
854 shoreline jurisdiction.

855 SECTION 29. K.C.C. 25.12.020, as amended by this ordinance, is hereby recodified as a  
856 new section in the new chapter established in section 16 of this ordinance.

857 SECTION 30. Ordinance 3688, Section 302, and K.C.C. 25.12.020 are each hereby  
858 amended to read as follows:

859 A. In order to accomplish the ((purpose of this title)) goals, policies, and regulations of  
860 the King County shoreline master program, the following shoreline environment((at))  
861 designations have been established ((to be known as follows)):

- 862 ((A)) 1. ((Natural)) High Intensity shoreline ((environment));
- 863 ((B)) 2. ((Conservancy)) Residential shoreline ((environment));
- 864 ((C)) 3. Rural shoreline ((environment));
- 865 ((D)) 4. ((Urban)) Conservancy shoreline ((environment));
- 866 5. Resource shoreline;
- 867 6. Forestry shoreline;
- 868 7. Natural shoreline; and
- 869 8. Aquatic.

870 B. The shoreline environment designations are included on a map contained within  
871 chapter five of the King County Comprehensive Plan. If there is a discrepancy between the map  
872 and the criteria established in chapter five of the King County Comprehensive Plan for shoreline  
873 environment designations, the criteria shall constitute the official King County shoreline  
874 environment designation. Any parcel of land included within the shoreline jurisdiction without a  
875 shoreline environment designation shall be considered within the Conservancy environment.

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

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

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

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

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

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

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

890 7. The purpose of the Natural shoreline is to protect those shoreline areas that are  
891 relatively free of human influence and are of high ecological quality. This designation allows  
892 only very low intensity uses in order to maintain the existing high levels of ecological process  
893 and function; and

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

896 SECTION 31. K.C.C. 25.12.050, as amended by this ordinance, is hereby recodified as a  
897 new section in the new chapter established in section 16 of this ordinance.

898 SECTION 32. Ordinance 3688, Section 305, and K.C.C. 25.12.050 are each hereby  
899 amended to read as follows:

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

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

904 C.)) Where different environment((a)) designations have been given to a tributary and  
905 the main stream at the point of confluence, the environment((a)) designation given to the main  
906 stream shall extend for a distance of two hundred feet up the tributary.



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

910            NEW SECTION. SECTION 33. There is hereby added a new section in the new chapter  
911 established in section 16 of this ordinance to read as follows:

912            A. Shoreline use is an activity that is allowed within a specific shoreline environment. A  
913 shoreline use is allowed on a site only if the underlying zoning allows that use on that site.  
914 Shoreline uses are identified in section 35 of this ordinance.

915            B. Shoreline modification is construction of a physical element such as a bulkhead,  
916 groin, berm, jetty, breakwater, dredging, filling, vegetation removal or alteration, or application  
917 of chemicals that changes the natural or existing shoreline conditions. Shoreline modifications  
918 are identified in section 44 of this ordinance.

919            C. King County shall ensure that uses and modifications within the shoreline jurisdiction  
920 do not cause a net loss of shoreline ecological functions and processes.

921            NEW SECTION. SECTION 34. There is hereby added a new section in the new chapter  
922 established in section 16 of this ordinance to read as follows:

923            The shoreline use table in section 35 of this ordinance determines whether a specific use  
924 is allowed within each of the shoreline environments. The shoreline environment is located on  
925 the vertical column and the specific use is located on the horizontal row of the table. The  
926 specific uses are grouped by the shoreline use categories in WAC 173-26-241. The specific uses  
927 are defined by those uses in K.C.C. chapter 21A.08. The table should be interpreted as follows:

928            A. If the cell is blank in the box at the intersection of the column and the row, the use is  
929 not allowed in that shoreline environment.

930 B. If the letter "P" appears in the box at the intersection of the column and the row, the  
931 use may be allowed within the shoreline environment only if the underlying zoning allows the  
932 use.

933 C. If the letter "C" appears in the box at the intersection of the column and the row, the  
934 use may be allowed within the shoreline environment subject to the shoreline conditional use  
935 review procedures specified in section 120 of this ordinance, and only if the underlying zoning  
936 allows the use.

937 D. If the letters "NP" appears in the box at the intersection of the column and the row,  
938 the use may not be allowed within the shoreline environment, even as a shoreline conditional use  
939 or with a shoreline variance.

940 E. If a number appears in the box at the intersection of the column and the row, the use  
941 may be allowed subject to the appropriate review process in this section, the specific  
942 development conditions indicated with the corresponding number immediately following the  
943 table are satisfied, and only if the underlying zoning allows the use. If more than one number  
944 appears at the intersection of the column and row, both numbers apply.

945 F. If more than one letter-number combination appears in the box at the intersection of  
946 the column and the row, the use is allowed within that shoreline environment subject to different  
947 sets of limitations or conditions depending on the review process indicated by the letter, the  
948 specific development conditions indicated in the development condition with the corresponding  
949 number immediately following the table, and only if the underlying zoning allows the use.

950 NEW SECTION. SECTION 35. There is hereby added a new section in the new chapter  
951 established in section 16 of this ordinance to read as follows:

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

959 **Shoreline uses.**

<b>KEY</b>	H	R	R	C	R	F	N	A
<b>P</b> - Permitted Use	I	E	U	O	E	O	A	Q
<b>C</b> – Shoreline Conditional Use	G	S	R	N	S	R	T	U
<b>NP</b> – Not Permitted	H	I	A	S	O	E	U	A
Shoreline uses are allowed only if the underlying zoning allows the use.		D	L	E	U	S	R	T
	I	E		R	R	T	A	I
	N	N		V	C	R	L	C
	T	T		A	E	Y		
	E	I		N				
	N	A		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	NP			NP	C3
<b>Commercial Development</b>								
General services (K.C.C. 21A.08.050)	P4	P5	P5				NP	
Business services, except SIC Industry No. 1611, automotive parking and off-street required parking lot (K.C.C. 21A.08.060)	P6						NP	
Retail (K.C.C. 21A.08.070)	P7	P8					NP	
<b>Government Services</b>								
Government services except commuter parking lot, utility facility and private stormwater management facility (K.C.C. 21A.08.060)	P9	P9	P9	P9	P9	P9	P9	C10
<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			NP			NP	

<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	NP	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. 21A.08.090)								C16
<b>Mining</b>								
Mineral uses (K.C.C. 21A.08.090)					C17	C17	NP	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	NP
Townhouse, apartment, mobile home park, cottage housing (K.C.C. 21A.08.030)	P23	P			P		NP	NP

Group residences (K.C.C. 21A.08.030)	P23	P					NP	NP
Accessory uses (K.C.C. 21A.08.030)	P24	P24	P24	P24	P24	C22 and 24	C22 and 24	NP
Temporary lodging (K.C.C. 21A.08.030)	P23	P27	P27	C27	C27		NP	NP
<b>Transportation and parking</b>								
Commuter parking lot (K.C.C. 21A.08.060)							NP	NP
Automotive parking (K.C.C. 21A.08.060)							NP	NP
Off-street required parking lot (K.C.C. 21A.08.060)							NP	NP
<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)				NP			NP	

960

B. Development conditions:

961

1. Only low intensity agriculture is allowed in the Natural environment and must assure

962

there is no net loss of ecological functions.

963           2.a. The supporting infrastructure for aquaculture may be located landward of the  
964 aquaculture operation, subject to the limitations of K.C.C. Title 21A.

965           b. The aquaculture operation must meet the standards in section 36 of this ordinance.

966           c. In the shoreline residential designation, proposals containing net pen facilities shall  
967 be located no closer than one thousand five hundred feet from the ordinary high water mark of  
968 this environment, unless the department allows a specific lesser distance that it determines is  
969 appropriate based upon a visual impact analysis. Other types of floating culture facilities may be  
970 located within one thousand five hundred feet of the ordinary high water mark if supported by a  
971 visual impact analysis.

972           d. In the rural shoreline designation, proposals containing net pen facilities shall be  
973 located no closer than one thousand five hundred feet from the ordinary high water mark of this  
974 environment, unless the department allows a specific lesser distance that it determines is  
975 appropriate based upon a visual impact analysis.

976           e. In the natural shoreline environment, limited to aquaculture activities that do not  
977 require structures, facilities or mechanized harvest practices and that will not result in the  
978 alteration of natural systems or features.

979           3. Marinas must meet the standards in section 37 of this ordinance.

980           4. General services land uses in K.C.C. 21A.08.050 are nonwater-oriented uses and are  
981 only allowed in the High Intensity environment on sites that are not contiguous with the ordinary  
982 high water mark or on sites that do not have an easement that provides direct access to the water.

983           5. General services land uses in K.C.C. 21A.08.050 are nonwater-oriented uses and  
984 may only be allowed in the Residential environment and Rural environment as part of a mixed-

985 use development that includes water dependent uses or that help achieve one or more of the  
986 following shoreline element goals:

- 987 a. economic development for uses that are water-dependent;
- 988 b. public access;
- 989 c. water-oriented recreation;
- 990 d. multimodal transportation circulation;
- 991 e. conservation of critical areas, scenic vistas, aesthetics or fish and wildlife habitat; or
- 992 f. preservation of historic properties;

993 6. Only water-related business services uses are allowed as part of a shoreline mixed-  
994 use development and only if they support a water dependent use. The water-related business  
995 services uses must comprise less than half of the square footage of the structures or the portion of  
996 the site within the shoreline jurisdiction.

997 7. Retail uses are only allowed in the High Intensity environment as part of a shoreline  
998 mixed-use development and the retail use supports the water-dependent use. The non-water-  
999 dependent retail use must comprise less than half of the square footage of the structures or the  
1000 portion of the site within the shoreline jurisdiction.

1001 8. Retail uses in K.C.C. 21A.08.050 are generally nonwater-oriented uses and may be  
1002 allowed in the Residential environment to help achieve any of the following shoreline element  
1003 goals:

- 1004 a. economic development for uses that are water-dependent;
- 1005 b. public access;
- 1006 c. water-oriented recreation;
- 1007 d. multimodal transportation circulation;



- 1008 e. conservation of critical areas, scenic vistas, aesthetics or fish and wildlife habitat; or
- 1009 f. preservation of historic properties.

1010 9. Only the water-dependent portion of a utility facility or private stormwater  
1011 management facility is permitted. Only low-intensity government services are allowed in the  
1012 Natural environment.

1013 10. The following standards apply to government services uses within the Aquatic  
1014 environment:

1015 a. Stormwater and sewage outfalls within the Maury Island Aquatic Reserve are not  
1016 allowed. Stormwater and sewage outfall may be allowed along the area from Piner Point to  
1017 Point Robinson on Maury Island and within other Aquatic environments if upland treatment and  
1018 infiltration to groundwater, streams or wetlands is not feasible and there is no impact on eelgrass,  
1019 herring holding area, salmon migratory habitat and the nearshore zone;

1020 b. Water intakes shall not be located near fish spawning, migratory, or rearing areas.  
1021 Water intakes must adhere to Washington Department Fish and Wildlife fish screening criteria,  
1022 and to the maximum extent practical, intakes should be placed at least thirty feet below the  
1023 ordinary high water mark;

1024 c. Desalinization facilities shall not be located near fish spawning, migratory, or  
1025 rearing areas. Intakes should generally be placed deeper than thirty feet below the ordinary high  
1026 water mark and must adhere to Washington Department Fish and Wildlife fish screening criteria.  
1027 Discharge of desalination wastewater or concentrated mineral is not allowed in the Maury Island  
1028 Aquatic Reserve, except that outside the Inner and Outer Harbormaster Harbor, discharge may  
1029 be considered if there is no impact on eelgrass, herring holding area, salmon migratory habitat  
1030 and the nearshore zone;

- 1031 d. Cable crossings for telecommunications and power lines shall:
- 1032 (1) be routed around or drilled below aquatic critical habitat or species;
- 1033 (2) be installed in sites free of vegetation, as determined by physical or video seabed
- 1034 survey;
- 1035 (3) be buried, preferably using directional drilling, from the uplands to waterward of
- 1036 the deepest documented occurrence of native aquatic vegetation; and
- 1037 (4) use the best available technology;
- 1038 e. Oil, gas, water, and other pipelines shall meet the same standards as cable crossings
- 1039 and in addition:
- 1040 (1) pipelines must be directionally drilled to depths of seventy feet or one half mile
- 1041 from the ordinary high water mark; and
- 1042 (2) use the best available technology for operation and maintenance;
- 1043 f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or within the
- 1044 Aquatic environment adjacent to the Conservancy and Natural shorelines.
- 1045 11. Only low intensity forestry is allowed in the Natural environment and all forestry
- 1046 must meet the standards in section 39 of this ordinance.
- 1047 12. Manufacturing uses in the shoreline environment must give preference first to
- 1048 water-dependent manufacturing uses and second to water-related manufacturing uses:
- 1049 a. Nonwater-oriented manufacturing uses are allowed only:
- 1050 (1) as part of a mixed-use development that includes a water-dependent use provided
- 1051 the water-dependent use comprises over fifty percent of the floor area or portion of the site
- 1052 within the shoreline jurisdiction; or
- 1053 (2) on sites where navigability is severely limited; or

1054 (3) on sites that are not contiguous with the ordinary high water mark or on sites that  
1055 do not have an easement that provides direct access to the water; and

1056 (4) all non-water oriented manufacturing uses must also provide a significant public  
1057 benefit such as ecological restoration, environmental clean-up, historic preservation, or water-  
1058 dependent public education;

1059 b. public access is required for all manufacturing uses unless it would result in a  
1060 public safety risk or is incompatible with the use;

1061 c. restoration is required for all new manufacturing uses;

1062 d. boat repair facilities are not permitted within the Maury Island Aquatic Reserve,  
1063 however the following is allowed:

1064 (1) engine repair or maintenance conducted within the engine space without vessel  
1065 haul-out;

1066 (2) topside cleaning, detailing and bright work;

1067 (3) electronics servicing and maintenance;

1068 (4) marine sanitation device servicing and maintenance that does not require haul-  
1069 out;

1070 (5) vessel rigging; and

1071 (6) minor repairs or modifications to the vessel's superstructure and hull above the  
1072 waterline which do not exceed twenty-five percent of the vessel's surface area above the  
1073 waterline.

1074 13. The water-dependent in-stream portion of a hydroelectric generation facility,  
1075 wastewater treatment facility, and municipal water production are allowed, including the upland  
1076 supporting infrastructure.

1077 14. New in-stream portions of utility facilities may be located within the shoreline  
1078 jurisdiction if there is no feasible alternate location and must comply with the standards in  
1079 section 59 of this ordinance.

1080 15. Limited to in-stream infrastructure, such as bridges, and must consider the priorities  
1081 of the King County ((s))Shoreline Protection and Restoration Plan when designing in-stream  
1082 transportation facilities.

1083 16. Limited to hatchery and fish preserves.

1084 17. Mineral uses must meet the standards in K.C.C. 21A.24.280.

1085 18. Only water-dependent recreational uses are allowed, except for public parks and  
1086 trails, in the High Intensity environment and must meet the standards in section 40 for public  
1087 access and section 42 for recreation.

1088 19. Water-dependent and water-enjoyment recreational uses are allowed in the  
1089 Residential, Rural and Forestry environments and must meet the standards in section 40 for  
1090 public access and 40 for recreation.

1091 20. In the Conservancy environment, only the following recreation uses are allowed and  
1092 must meet the standards in section 40 for public access and 42 for recreation:

1093 a. parks; and

1094 b. trails.

1095 21. In the Natural environment, only passive and low-impact recreational uses are  
1096 allowed.

1097 22. Single detached dwelling units must be located outside of the aquatic area buffer  
1098 and set back from the ordinary high water mark to the maximum extent practical.

1099           23. Only allowed as part of a water-dependent mixed-use development where the  
1100 water-dependent uses comprise more than half of the square footage of the structures on the  
1101 portion of the site within the shoreline jurisdiction.

1102           24. Residential accessory uses must meet the following standards:

1103           a. docks, piers, moorage, buoys, floats or launching facilities must meet the standards  
1104 in section 48 of this ordinance;

1105           b. residential accessory structures located within the aquatic area buffer shall be  
1106 limited to a total footprint of one-hundred fifty square feet; and

1107           c. accessory structures shall be sited to preserve visual access to the shoreline to the  
1108 maximum extent practical.

1109           25. New highway and street construction is allowed only if there is no feasible alternate  
1110 location. Only low-intensity transportation infrastructure is allowed in the Natural environment.

1111           26. Utility facilities are subject to the standards in section 59 of this ordinance.

1112           27. Only bed and breakfast guesthouses.

1113           NEW SECTION. SECTION 36. There is hereby added a new section in the new chapter  
1114 established in section 16 of this ordinance to read as follows:

1115           An applicant for an aquaculture facility must use the sequential measures for avoiding  
1116 impacts to critical areas and critical areas buffers contained in K.C.C. 21A.24.125. The  
1117 following standards apply to aquaculture:

1118           A. Unless the applicant demonstrates that the substrate modification will result in an  
1119 increase in habitat diversity, aquaculture that involves little or no substrate modification shall be  
1120 given preference over aquaculture that involves substantial substrate modification and the degree  
1121 of proposed substrate modification shall be limited to the maximum extent practical.

1122           B. The installation of submerged structures, intertidal structures, and floating structures  
1123 shall be limited to the maximum extent practical.

1124           C. Aquaculture proposals that involve substantial substrate modification or sedimentation  
1125 through dredging, trenching, digging, mechanical clam harvesting, or other similar mechanisms,  
1126 shall not be permitted in areas where the proposal would adversely impact existing kelp beds or  
1127 other macroalgae, eelgrass beds or critical saltwater habitats.

1128           D. Aquaculture activities that after implementation of mitigation measures would have a  
1129 significant adverse impact on natural, dynamic shoreline processes or that would result in a net  
1130 loss of shoreline ecological functions, shall be prohibited.

1131           E. Aquaculture should not be located in areas that will result in significant conflicts with  
1132 navigation or other water-dependent uses.

1133           F. Aquaculture facilities shall be designed, located and managed to prevent the spread of  
1134 diseases to native aquatic life or the spread of new nonnative species.

1135           G. Aquaculture practices shall be designed to minimize use of artificial chemical  
1136 substances and shall use chemical compounds that are least persistent and have the least impact  
1137 on plants and animals. Herbicides and pesticides shall be used only in conformance with state  
1138 and federal standard and to the minimum extent needed for the health of the aquaculture activity.

1139           H. Commercial salmon net pen facilities shall not be located in King County waters.  
1140 These do not include subsistence salmon net pen facilities operated by tribes with treaty fishing  
1141 rights or the limited penned cultivation of wild salmon stocks during a limited portion of their  
1142 lifecycle to enhance restoration of native stocks or when implemented as mitigation for a  
1143 development activity, but only when such activities involve minimal supplemental feeding and  
1144 limited use of chemicals or antibiotics as provided in subsection G of this section.

1145 I. If uncertainty exists regarding potential impacts of a proposed aquaculture activity and  
1146 for all experimental aquaculture activities, unless otherwise provided for, the department may  
1147 require baseline and periodic operational monitoring by a county-approved consultant, at the  
1148 applicant's expense, and shall continue until adequate information is available to determine the  
1149 success of the project and the magnitude of any probable significant adverse environmental  
1150 impacts. Permits for such activities shall include specific performance measures and provisions  
1151 for adjustment or termination of the project at any time if monitoring indicates significant,  
1152 adverse environmental impacts that cannot be adequately mitigated.

1153 J. Aquaculture developments approved on an experimental basis shall not exceed five  
1154 acres in area, except land-based projects and anchorage for floating systems, and three years in  
1155 duration. The department may issue a new permit to continue an experimental project as many  
1156 times as it determines is necessary and appropriate.

1157 K. The department may require aquaculture operations to carry liability insurance in an  
1158 amount commensurate with the risk of injury or damage to any person or property as a result of  
1159 the project. Insurance requirements shall not be required to duplicate requirements of other  
1160 agencies.

1161 L. If aquaculture activities are authorized to use public facilities, such as boat launches or  
1162 docks, King County may require the applicant to pay a portion of the cost of maintenance and  
1163 any required improvements commensurate with the use of those facilities.

1164 M. New aquatic species that are not previously cultivated in Washington State shall not  
1165 be introduced into King County saltwaters or freshwaters without prior written approval of the  
1166 Director of the Washington state Department of Fish and Wildlife and the Director of the

1167 Washington Department of Health. This prohibition does not apply to Pacific, Olympia,  
1168 Kumomoto, Belon or Virginica oysters; Manila, Butter, or Littleneck clams; or Geoduck clams.

1169 N. Unless otherwise provided in the shoreline permit issued by the department, repeated  
1170 introduction of an approved organism in the same location shall require approval by the county  
1171 only at the time the initial aquaculture use permit is issued. Introduction, for purposes of this  
1172 section, shall mean the placing of any aquatic organism in any area within the waters of King  
1173 County regardless of whether it is a native or resident organism within the county and regardless  
1174 of whether it is being transferred from within or without the waters of King County.

1175 O. For aquaculture projects, over-water structures shall be allowed only if necessary for  
1176 the immediate and regular operation of the facility. Over-water structures shall be limited to the,  
1177 storage of necessary tools and apparatus in containers of not more than three feet in height, as  
1178 measured from the surface of the raft or dock.

1179 P. Except for the sorting or culling of the cultured organism after harvest and the  
1180 washing or removal of surface materials or organisms prior to or after harvest, no processing of  
1181 any aquaculture product shall occur in or over the water unless specifically approved by permit.  
1182 All other processing and processing facilities shall be located landward of the ordinary high  
1183 water mark.

1184 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict compliance  
1185 with all applicable governmental waste disposal standards, including but not limited to the  
1186 Federal Clean Water Act, Section 401, and the Washington State Water Pollution Control Act,  
1187 RCW Chapter 90.48. No garbage, wastes or debris shall be allowed to accumulate at the site of  
1188 any aquaculture operation.



1189 R. Unless approved in writing by the National Marine Fisheries Service or the U.S. Fish  
1190 and Wildlife Service, predator control shall not involve the killing or harassment of birds or  
1191 mammals. Approved controls include, but are not limited to, double netting for seals, overhead  
1192 netting for birds, and three-foot high fencing or netting for otters. The use of other non-lethal,  
1193 non-abusive predator control measures shall be contingent upon receipt of written approval from  
1194 the National Marine Fisheries Service or the U.S. Fish and Wildlife Service, as required.

1195 S. Fish net pens and rafts shall meet the following criteria in addition to the other  
1196 applicable regulations of this section:

1197 1. Fish net pens shall not be located in inner Quartermaster Harbor, consistent with the  
1198 recommendations in the Washington Department of Natural Resources Maury Island  
1199 Environmental Aquatic Reserve Final Management Plan (October 29, 2004);

1200 2. Fish net pens shall meet, at a minimum, state approved administrative guidelines for  
1201 the management of net pen cultures. In the event there is a conflict in requirements, the more  
1202 restrictive requirement shall prevail;

1203 3. Fish net pens shall not occupy more than two surface acres of water area, excluding  
1204 booming and anchoring requirements. Anchors that minimize disturbance to substrate, such as  
1205 helical anchors, shall be employed. Such operations shall not use chemicals or antibiotics;

1206 4. Aquaculture proposals that include new or added net pens or rafts shall not be  
1207 located closer than one nautical mile to any other aquaculture facility that includes net pens or  
1208 rafts. The department may authorize a lesser distance if the applicant demonstrates to the  
1209 satisfaction of the department that the proposal will be consistent with the environmental and  
1210 aesthetic policies and objectives of this chapter and the Shoreline Master Program. The applicant

1211 shall demonstrate to the satisfaction of the department that the cumulative impacts of existing  
1212 and proposed operations would not be contrary to the policies and regulations of this Program;

1213           5. Net cleaning activities shall be conducted on a frequent enough basis so as not to  
1214 violate state water quality standards. When feasible, the cleaning of nets and other apparatus  
1215 shall be accomplished by air drying, spray washing, or hand washing; and

1216           6. In the event of a significant fish kill at the site of a net pen facility, the fin fish  
1217 aquaculture operator shall submit a timely report to Public Health - Seattle-King County,  
1218 Environmental Health Division and the department stating the cause of death and shall detail  
1219 remedial actions to be implemented to prevent reoccurrence.

1220           T. All floating and submerged aquaculture structures and facilities in navigable waters  
1221 shall be marked in accordance with U.S. Coast Guard requirements.

1222           U. The rights of treaty tribes to aquatic resources within their usual and accustomed areas  
1223 shall be addressed through direct coordination between the applicant and the affected tribes  
1224 through the permit review process.

1225           V. Aquaculture structures and equipment shall be of sound construction and shall be so  
1226 maintained. Abandoned or unsafe structures and equipment shall be removed or repaired  
1227 promptly by the owner. Where any structure might constitute a potential hazard to the public in  
1228 the future, the department shall require the posting of a bond commensurate with the cost of  
1229 removal or repair. The department may abate an abandoned or unsafe structure pursuant to the  
1230 provisions of K.C.C. Title 23.

1231           NEW SECTION. SECTION 37. There is hereby added a new section in the new chapter  
1232 established in section 16 of this ordinance to read as follows:

1233           Public boat launching facilities or marinas must meet the following standards:

1234           A. The traffic generated by such a facility must be safely and conveniently handled by  
1235 the streets serving the proposed facility.

1236           B. The facility must provide adequate parking in accordance with K.C.C. chapter  
1237 21A.18.

1238           C. No live-aboards are allowed.

1239           D. The marina must be limited to day moorage only.

1240           E. The marina must be sited to protect the rights of navigation.

1241           F. The marina must be equipped with pumpout facilities.

1242           G. The marina must have provisions available for cleanup of accidental spills of  
1243 contaminants.

1244           H. Marinas and boat ramps must be located where their development will not interrupt  
1245 littoral currents, at the ends of drift cells and away from erosional pocket beaches.

1246           I. Lighting shall be maintained to avoid creating shading for aquatic predator species and  
1247 other impacts to upland wildlife.

1248           SECTION 38. K.C.C. 25.20.060, as amended by this ordinance, is hereby recodified as a  
1249 new section in the new chapter established in section 16 of this ordinance.

1250           SECTION 39. Ordinance 3688, Section 506, as amended, and K.C.C. 25.20.060, are  
1251 each hereby amended to read as follows:

1252           ~~((Forest practices may be permitted in the rural environment provided:))~~\_A. Forest  
1253 practices ~~((see chapter 76.09 RCW) within shorelines require a shoreline conditional use permit~~  
1254 ~~when occurring outside of the lands classified F in the King County zoning code. Forest practices~~  
1255 ~~within shorelines on lands classified F in the King County zoning code shall require a shoreline~~

1256 ~~conditional use permit when~~) within shorelines of statewide significance (~~(are involved or the~~  
1257 ~~forest practices would potentially impact)~~) shall meet the following conditions:

1258 1. ~~((Geological hazards which could damage public resources;~~

1259 2. ~~State threatened or endangered species;~~

1260 3. ~~Critical wildlife habitat;~~

1261 4. ~~Streams which could create instability of the drainage or affect temperature or~~

1262 ~~sediment delivery to other streams resulting in damage to public resources;~~

1263 5. ~~Identified critical areas of watersheds supplying fish hatcheries, artificial rearing areas,~~

1264 ~~domestic or municipal water systems;~~

1265 6. ~~Areas having archeological or cultural significance;~~

1266 7. ~~Areas with a high potential of soil erosion.))~~ Only selective commercial timber harvest

1267 is allowed, except other timber harvesting methods may be permitted where the topography, soil

1268 conditions or silviculture practices necessary for forest regeneration render selective commercial

1269 timber harvests ecologically detrimental;

1270 2. No more than thirty percent of the merchantable trees may be harvested in any ten

1271 year period of time; and

1272 3. Clear cutting of timber that is necessary for the preparation of land for other uses

1273 authorized by the King County shoreline master program may be permitted so long as limited to

1274 the maximum extent practical.

1275 B. ~~((Buffers. On all forest practices requiring a shoreline conditional use permit, a~~

1276 ~~minimum buffer of 100 feet from either the ordinary high water mark or the edge of the FEMA~~

1277 ~~floodway, whichever is greater, shall be established. The buffer shall be extended as necessary~~

1278 ~~pursuant to the sensitive areas code to protect critical fish habitat for spawning or rearing; to~~

1279 ~~alleviate surface water runoff problems; to protect habitat for endangered, threatened, sensitive~~  
1280 ~~or monitor species listed by the federal government or the state of Washington; to control erosion~~  
1281 ~~hazards or for other reasons set out in K.C.C. chapter 21A.24. Along shorelines outside of lands~~  
1282 ~~classified F, there shall be no harvest of timber within the buffer except for necessary roads and~~  
1283 ~~crossings. Along shorelines within the lands classified F where a conditional use permit is~~  
1284 ~~required, timber harvest within the buffer is permitted so long as the functions of the buffer are~~  
1285 ~~not damaged and the applicant submits a harvest plan for review and approval.)) Forest practices  
1286 in the Natural environment are only allowed to enhance forest health.~~

1287 C. Forest practices within shoreline environments must comply with the Forest Practices  
1288 Rules in WAC 222 and the revised Forest Practices Board Manual except:

1289 1. The small forest landowner forestry riparian easement program established in chapter  
1290 222-21 WAC does not apply within shorelines; and

1291 2. Roads crossing wetlands and aquatic areas within shorelines shall not exceed  
1292 fourteen feet in width for single lane roads and twenty-six feet in width for two-lane roads, plus  
1293 any additional width needed for curves or safety conditions.

1294 ~~((C))D. ((All culverts shall be designed to comply with K.C.C. chapter 9.04 and shall be~~  
1295 ~~kept clear of obstructions. The minimum size for culverts shall be fifteen inches in diameter.))~~

1296 Forest practices in the Natural environment must be low intensity and are allowed only to  
1297 promote forest health.

1298 ~~((D. Culverts installed in streams used by fish shall meet all requirements set by the state~~  
1299 ~~Department of Fish and Wildlife and K.C.C. chapter 9.04.~~

1300 ~~E. Roads and landings shall not be constructed within shoreline areas~~  
1301 ~~except when necessary to:~~

1302           1. ~~Cross streams;~~

1303           2. ~~Avoid road construction on unstable soils or on steep slopes when such construction~~

1304 ~~would be more harmful than a shoreline location;~~

1305           3. ~~Perform water course improvement work only after approval of the state Department~~

1306 ~~of Fish and Wildlife.~~

1307           F. ~~Roads shall minimize cut and fill.~~

1308           G. ~~Where roadside material is potentially unstable or erodible, it shall be stabilized by~~

1309 ~~use of seeding, compacting, riprapping, benching or other suitable means.~~

1310           H. ~~Cut slopes shall not exceed:~~

1311           ~~(X to Y) 1/4 to 1 in rock~~

1312           ~~3/4 to 1 in stable soils~~

1313           ~~1-1/2 to 1 in unstable soils~~

1314           I. ~~Side cast and embankment fill slopes shall not exceed:~~

1315           ~~(X to Y) 1-1/3 to 1 in broken rock and stable soils~~

1316           ~~1-1/2 to 1 in unstable soils~~

1317           J. ~~Running surface widths should be kept to a minimum, with not more than twenty six~~

1318 ~~feet for two-lane roads and not more than fourteen feet for single lane roads.~~

1319           K. ~~Embankment fills shall:~~

1320           1. ~~Be constructed and compacted in layers no more than two feet thick;~~

1321           2. ~~Consist of inorganic material with no buried slash or debris beneath the running~~

1322 ~~surface;~~

1323           3. ~~Not encroach upon a one-hundred-year floodplain so as to reduce its storage capacity~~

1324 ~~or disturb riparian vegetation.~~

1325 ~~L. Where side cast would encroach upon a one hundred year floodplain, end haul~~  
1326 ~~construction is required.~~

1327 ~~M. Waterway crossings shall be constructed with minimum disturbance to banks and~~  
1328 ~~existing channels.~~

1329 ~~N. Any soil or debris accidentally placed in the channel during bridge construction shall~~  
1330 ~~be removed by approved methods. All exposed soils shall be stabilized.~~

1331 ~~O. All bridges shall be high enough to pass all anticipated debris and high water flows.~~

1332 ~~P. Where aggregate earthen materials are used for paving or accumulate on bridges,~~  
1333 ~~sufficient curbs shall be installed to contain the surface material.~~

1334 ~~Q. Each stringer bridge shall have one secured end and one end free to swing.~~

1335 ~~R. When active use of a logging road is discontinued, it shall be left in such condition to~~  
1336 ~~provide adequate drainage and soil stability.~~

1337 ~~S. Equipment used for transportation, storage or application of chemicals shall be~~  
1338 ~~maintained in leakproof condition. If there is evidence of chemical leakage, the further use of~~  
1339 ~~such equipment must be suspended until the deficiency has been satisfactorily corrected.~~

1340 ~~T. Materials treated with penta, creosote or other chemicals shall be dried completely~~  
1341 ~~before use in any lake or stream.))~~

1342 NEW SECTION. SECTION 40. There is hereby added a new section in the new chapter  
1343 established in section 16 of this ordinance to read as follows:

1344 Public pedestrian and bicycle pathways shall be located in accordance with the shoreline  
1345 public access plan and as follows:

1346 A. Public access shall be required for attached residential developments, new  
1347 subdivisions of more than four lots, on publicly owned land, including, but not limited to land

1348 owned by public agencies and public utilities, marinas and as part of publicly financed shoreline  
1349 stabilization projects, and shall:

1350 1. Connect to other public and private public access and recreation facilities on adjacent  
1351 parcels whenever feasible;

1352 2. Be sited to assure public safety is considered;

1353 3. Be open to the general public; and

1354 4. Assure there is no net loss of ecological functions.

1355 B. Public pedestrian and bicycle pathways and recreation areas constructed as part of a  
1356 private development proposal should enhance access and enjoyment of the shoreline and provide  
1357 features in scale with the development such as, but not limited to:

1358 1. View points;

1359 2. Places to congregate in proportion to the scale of the development;

1360 3. Benches and picnic tables;

1361 4. Pathways; and

1362 5. Connections to other public and private public access and recreation facilities.

1363 C. Private access from single detached residences to the shoreline shall:

1364 1. Not exceed three feet in width;

1365 2. Be constructed of pervious materials, such as wood chips;

1366 3. Avoid removal of significant trees and other woody vegetation to the maximum  
1367 extent practical; and

1368 4. Avoid a location that is parallel to the shoreline to the maximum extent practical.

1369 SECTION 41. K.C.C. 25.16.200, as amended by this ordinance, is hereby recodified as a  
1370 new section in the new chapter established in section 16 of this ordinance.



1371            SECTION 42. Ordinance 3688, Section 415, and K.C.C. 25.16.200, are each hereby  
1372 amended to read as follows:

1373            Recreational development (~~((may be permitted in the urban environment subject to the~~  
1374 ~~general requirements (Section 25.16.030) of this chapter, and provided))~~ must meet the following  
1375 standards:

1376            A. The recreational development (~~((is))~~ must be permitted in the underlying zone.

1377            B. Recreational uses in the Natural environment must be water-oriented.

1378            ~~((B))~~C. Swimming areas shall be separated from boat launch areas and marinas, to the  
1379 maximum extent practical.

1380            ~~((C))~~D. The development of underwater sites for sport diving shall not:

1381            1. Take place at depths of greater than eighty feet;

1382            2. Constitute a navigational hazard; and

1383            3. Be located in areas where the normal waterborne traffic would constitute a hazard to  
1384 those people who may use such a site.

1385            ~~((D))~~E. The construction of swimming facilities, docks, piers, moorages, buoys, floats,  
1386 and launching facilities below the ordinary high water mark shall be governed by the regulations  
1387 relating to docks, piers, ~~((and))~~ moorage, buoys, floats, or launching facility construction in ~~((the~~  
1388 ~~commercial development))~~ section 48 ~~((Section 25.16.070))~~ of this ~~((chapter))~~ ordinance.

1389            ~~((E))~~F. Public boat launching facilities or marinas (~~((may be developed, provided:~~

1390            1. ~~The traffic generated by such a facility can be safely and conveniently handled by the~~  
1391 ~~streets serving the proposed facility;~~

1392            2. ~~The facility will not be located on a Class I beach;))~~ shall be governed by section 37 of  
1393 this ordinance.

1394           ~~((F))~~G. ~~((Upland facilities constructed in conjunction with a recreational development~~  
1395 ~~shall be setback and/or sited to avoid contamination of the shorelines of the state.))~~ Campgrounds  
1396 in the Natural environment shall meet the following conditions:

1397           1. Campsite shall be located outside the shoreline jurisdiction if possible, and if not, be  
1398 located outside of critical areas buffers;

1399           2. Restrooms and parking shall be located outside the shoreline jurisdiction; and

1400           3. Minimum removal of vegetation to the maximum extent practical.

1401           ~~((G. All service facilities within and associated with marinas shall have provisions to~~  
1402 ~~prevent and control contaminants from entering the water. Provisions shall be available for~~  
1403 ~~cleanup of accidental spills of contaminants.~~

1404           ~~H. Marina facilities shall be prohibited on Class I beaches or where their development~~  
1405 ~~would interrupt littoral currents and starve Class I beaches.~~

1406           ~~I. Public pedestrian and bicycle pathways shall be permitted adjacent to water bodies.))~~

1407           ~~((J.))~~ H. Public contact with unique and fragile areas shall be permitted where it is  
1408 possible without destroying the natural character of the area.

1409           ~~((K.))~~ I. Water viewing, nature study, recording and viewing shall be accommodated by  
1410 open space, platforms, benches or shelter, consistent with public safety and security.

1411           J. Public recreation shall be provided on ~~((C))~~county-owned lands consistent with this  
1412 chapter unless the director determines public recreation is not compatible with other uses on the  
1413 site or will create a public safety risk.

1414           NEW SECTION. SECTION 43. There is hereby added a new section in the new chapter  
1415 established in section 16 of this ordinance to read as follows:

1416           The shoreline modification table in section 44 of this ordinance determines whether a  
1417 specific shoreline modification is allowed within each of the shoreline environments. The  
1418 shoreline environment is located on the vertical column and the specific use is located on the  
1419 horizontal row of the table. The specific modifications are grouped by the shoreline  
1420 modification categories in WAC 173-26-231. The table should be interpreted as follows:

1421           A. If the cell is blank in the box at the intersection of the column and the row, the  
1422 modification is not allowed in that shoreline environment.

1423           B. If the letter "P" appears in the box at the intersection of the column and the row, the  
1424 modification may be allowed within the shoreline environment only if the underlying zoning  
1425 allows the modification.

1426           C. If the letter "C" appears in the box at the intersection of the column and the row, the  
1427 modification may be allowed within the shoreline environment subject to the shoreline  
1428 conditional use review procedures specified in section 120 of this ordinance, and only if the  
1429 underlying zoning allows the modification.

1430           D. If a number appears in the box at the intersection of the column and the row, the  
1431 modification may be allowed subject to the appropriate review process indicated in this section,  
1432 the specific development conditions indicated with the corresponding number immediately  
1433 following the table, and only if the underlying zoning allows the modification. If more than one  
1434 number appears at the intersection of the column and row, both numbers apply.

1435           E. If more than one letter-number combination appears in the box at the intersection of  
1436 the column and the row, the modification is allowed within that shoreline environment subject to  
1437 different sets of limitations or conditions depending on the review process indicated by the letter,  
1438 the specific development conditions indicated in the development condition with the

1439 corresponding number immediately following the table, and only if the underlying zoning allows  
 1440 the modification.

1441 NEW SECTION. SECTION 44. There is hereby added a new section in the new chapter  
 1442 established in section 16 of this ordinance to read as follows:

1443 A. This section may not authorize a shoreline modification that is not allowed by the  
 1444 underlying zoning, but may add additional restrictions or conditions or prohibit specific  
 1445 modifications within the shoreline jurisdiction. All shoreline modifications in the shoreline  
 1446 jurisdiction must comply with all relevant county code provisions and with the King County  
 1447 Shoreline Master Program.

1448 **Shoreline modifications.**

<b>KEY</b>	H	R	R	C	R	F	N	A
<b>P</b> - Permitted Modification	I	E	U	O	E	O	A	Q
<b>C</b> – Shoreline Conditional Use	G	S	R	N	S	R	T	U
Required	H	I	A	S	O	E	U	A
		D	L	E	U	S	R	T
	I	E		R	R	T	A	I
Shoreline modifications are allowed	N	N		V	C	R	L	C
only if the underlying zoning allows	T	T		A	E	Y		
the modification.	E	I		N				
	N	A		C				
	S	L		Y				
	I							
	T							
	Y							
<b>Shoreline stabilization</b>								

Shoreline stabilization, not including flood protection facilities	P1	P1	P1	C1	P1	C1		
Flood protection facilities	P2	P2	P2	P2	P2			P2
<b>Piers and docks</b>								
Docks, piers, moorage, buoys, floats or launching facilities	P3	P3	P3	C3	C3	C3	C3	C3
<b>Fill</b>								
Filling	P4 C4	P4 C4	P4 C4	P4 C4	P4 C4	C4	C4	C4
<b>Breakwaters, jetties, groins, and weirs</b>								
Breakwaters, jetties, groins and weirs	C5	C5	C5	C5	C5	C5	C5	C5
<b>Beach and dunes management</b>								
Not applicable in King County								
<b>Dredging and dredge material disposal</b>								
Excavation, dredging, dredge material disposal	P4 and C4	P4 and C4	P4 and C4	P4 and C4	P4 and C4	C4	C4	C4
<b>Shoreline habitat and natural systems enhancement projects</b>								
Habitat and natural systems enhancement projects	P6	P6	P6	P6	P6	P6	P6	P6

1450           1. New shoreline stabilization, including bulkheads, must meet the standards in section  
1451 46 of this ordinance;

1452           2. Flood protection facilities must be consistent with the standards in K.C.C. chapter  
1453 21A.24, the King County Flood Hazard Management Plan adopted January 16, 2007 and the  
1454 Integrated Stream Protection Guidelines (Washington departments of Fish and Wildlife,  
1455 Ecology, and Transportation, 2003).

1456           3. Docks, piers, moorage, buoys, floats or launching facilities must meet the standards  
1457 in section 48 of this ordinance;

1458           4. Excavation, dredging and filling must meet the standards in section 50 of this  
1459 ordinance. Fill placed waterward of the ordinary high water mark for any use except ecological  
1460 restoration or for the maintenance and repair of flood protection facilities requires a conditional  
1461 use permit. Disposal of dredged material within shorelands or wetlands within a channel  
1462 migration zone requires a conditional use permit;

1463           5. Breakwaters, jetties, groins and weirs are only allowed where necessary to support  
1464 water dependent uses, public access, approved shoreline stabilization, or other public uses, as  
1465 determined by the director. Groins are only allowed as part of a restoration project sponsored or  
1466 cosponsored by a public agency that has natural resource management as a primary function.  
1467 The mitigation sequencing of shoreline policy S-613 must be followed prior to approval of a  
1468 breakwater, jetty, groin or weir;

1469           6. Shoreline habitat and natural systems enhancement projects may include shoreline  
1470 modifications of vegetation, removal of non-native or invasive plants, shoreline stabilization,  
1471 including the installation of large woody debris, dredging and filling provided the primary  
1472 purpose is clearly restoration of the natural character and ecological functions of the shoreline.

1473 Mitigation actions identified through biological assessments required by the National Marine  
1474 Fisheries Services and applied to flood hazard mitigation projects may include shoreline  
1475 modifications of vegetation, removal of non-native or invasive plants, shoreline stabilization,  
1476 including the installation of large woody debris, dredging and filling.

1477 SECTION 45. K.C.C. 25.16.180, as amended by this ordinance, is hereby recodified as a  
1478 new section in the new chapter established in section 16 of this ordinance.

1479 SECTION 46. Ordinance 3688, Section 413, as amended, and K.C.C. 25.16.180, are  
1480 each hereby amended to read as follows:

1481 A. Shoreline stabilization shall not be considered an outright use and shall be permitted  
1482 only when it is demonstrated that shoreline protection is necessary for the protection of existing  
1483 legally established primary structures, new or existing non-water-dependent development, new or  
1484 existing water-dependent development or projects restoring ecological functions or remediating  
1485 hazardous substance discharges. Vegetation, berms, bioengineering techniques and other non-  
1486 structural alternatives that preserve the natural character of the shore shall be preferred over riprap,  
1487 concrete revetments, bulkheads, breakwaters and other structural stabilization. Riprap using rock  
1488 or other natural materials shall be preferred over concrete revetments, bulkheads, breakwaters and  
1489 other structural stabilization. Lesser impacting measures should be used before impacting  
1490 measures.

1491 B. Structural shoreline (~~(protection)~~) stabilization may be permitted (~~(in the urban~~  
1492 environment)) subject to the standards in this chapter(~~(, provided)~~) as follows:

1493 1. A geotechnical analysis demonstrates that erosion from waves or currents is  
1494 imminently threatening or that damage is expected to occur within three years if the structural  
1495 shoreline stabilization is not constructed;

1496           2. The erosion is not caused by upland conditions;  
1497           3. The proposed structural shoreline protection will provide greater protection than  
1498 feasible, non structural alternatives such as slope drainage systems, vegetative growth stabilization,  
1499 gravel berms and beach nourishment;

1500           4. The proposal is the minimum necessary to protect existing legally established primary  
1501 structures, new or existing non-water-dependent development, new or existing water-dependent  
1502 development or projects restoring ecological functions or remediating hazardous substance  
1503 discharges; and

1504           5. Adequate mitigation measures will be provided to maintain existing shoreline  
1505 processes and critical fish and wildlife habitat and ensure no net loss or function of intertidal or  
1506 riparian habitat.

1507           ~~((A.))~~ C. Shoreline ~~((protection))~~ stabilization to replace existing shoreline ~~((protection))~~  
1508 stabilization shall be placed ~~((along the same alignment as the shoreline protection it is replacing,))~~  
1509 landward of the existing shoreline stabilization, but may be placed waterward directly abutting the  
1510 old structure only in cases where removal of the old structure would result in ~~((construction~~  
1511 problems)) greater impact on ecological functions. In critical saltwater habitats, existing shoreline  
1512 stabilization shall not be allowed to remain in place if the existing shoreline stabilization is  
1513 resulting in the loss of ecological functions. Adequate mitigation measures that maintain existing  
1514 shoreline processes and critical fish and wildlife habitat must be provided that ensures no net loss  
1515 or function of intertidal or riparian habitat~~((;))~~.

1516           ~~((B. On lots where the abutting lots on both sides have legally established bulkheads, a~~  
1517 bulkhead may be installed no further waterward than the bulkheads on the abutting lots, provided  
1518 that the horizontal distance between existing bulkheads on adjoining lots does not exceed



1519 ~~one hundred feet. The manager may, upon review, permit a bulkhead to connect two directly~~  
1520 ~~adjoining bulkheads, for a distance up to one hundred fifty feet. In making such a determination~~  
1521 ~~the manager shall consider the amount of inter-tidal land/or water bottom to be covered, the~~  
1522 ~~existence of fish or shellfish resources thereon, and whether the proposed use or structure could be~~  
1523 ~~accommodated by other configurations of bulkhead which would result in less loss of shoreland,~~  
1524 ~~tideland, or water bottom;~~

1525 ~~C. In order for a proposed bulkhead to qualify for the RCW 90.58.030(3)(e)(iii)~~  
1526 ~~exemption from the shoreline permit requirements and to insure that such bulkheads will be~~  
1527 ~~consistent with this program as required by RCW 90.58.141(1), the Building and Land~~  
1528 ~~Development Division shall review the proposed design as it relates to local physical conditions~~  
1529 ~~and the King County shoreline master program and must find that:~~

1530 ~~1. Erosion from waves or currents is imminently threatening a legally established~~  
1531 ~~residence or one or more substantial accessory structures, and~~

1532 ~~2. The proposed bulkhead is more consistent with the King County shoreline master~~  
1533 ~~program in protecting the site and adjoining shorelines than feasible, non-structural alternatives~~  
1534 ~~such as slope drainage systems, vegetative growth stabilization, gravel berms and beach~~  
1535 ~~nourishment, are not feasible or will not adequately protect a legally established residence or~~  
1536 ~~substantial accessory structure, and~~

1537 ~~3. The proposed bulkhead is located landward of the ordinary high water mark or it~~  
1538 ~~connects to adjacent, legally established bulkheads as in subsection B. above, and~~

1539 ~~4. The maximum height of the proposed bulkhead is no more than one foot above the~~  
1540 ~~elevation of extreme high water on tidal waters as determined by the National Ocean Survey~~  
1541 ~~published by the National Oceanic and Atmospheric Administration or four feet in height on lakes;~~

1542 ~~D. Shoreline protection shall not be considered an outright permitted use and shall be~~  
1543 ~~permitted only when it has been demonstrated that shoreline protection is necessary for the~~  
1544 ~~protection of existing legally established structures and public improvements or the preservation of~~  
1545 ~~important agricultural lands as designated by the Office of Agriculture.))~~

1546 D. The maximum height of the proposed shoreline stabilization is no more than one foot  
1547 above the elevation of extreme high water on tidal waters as determined by the National Ocean  
1548 Survey published by the National Oceanic and Atmospheric Administration or four feet in height  
1549 on lakes.

1550 E. Shoreline stabilization is prohibited along feeder bluffs, salmonid habitat and eelgrass  
1551 beds unless a geotechnical report demonstrates an imminent danger to a legally established  
1552 structure or public improvement. If allowed, shoreline stabilization along feeder bluffs,  
1553 salmonid habitat and eelgrass beds must be designed to have the least impact on these resources.

1554 ~~((E.))~~ F. Shoreline ~~((protection))~~ stabilization shall ~~((not have))~~ minimize the adverse  
1555 impact on the property of others to the maximum extent practical.

1556 ~~((F.))~~ G. Shoreline ~~((protection))~~ stabilization shall not be used to create new lands ((;  
1557 except that groins may be used to create a public Class I beach if they comply with all other  
1558 conditions of this section)).

1559 ~~((G.))~~ H. Shoreline ~~((protection))~~ stabilization shall not ~~((significantly))~~ interfere with  
1560 ~~((normal))~~ surface ~~((and/))~~ or subsurface drainage into the water body.

1561 ~~((H.))~~ I. Automobile bodies or other junk or waste material which may release  
1562 undesirable material shall not be used for shoreline ~~((protection))~~ stabilization.

1563 ~~((I.))~~ J. Shoreline ~~((protection))~~ stabilization shall be designed so as not to constitute a  
1564 hazard to navigation and to not substantially interfere with visual access to the water.

1565            ~~((J.))~~ K. Shoreline ~~((protection))~~ stabilization shall be designed so as not to create a need  
1566 for shoreline ~~((protection))~~ stabilization elsewhere.

1567            ~~((K. Bulkheads on Class I beaches shall be located no farther waterward than the bluff or  
1568 bank line;~~

1569            ~~L. Bulkheads must be approved by the Washington State Department of Fisheries;~~

1570            ~~M. Bulkheads shall be constructed using an approved filter cloth or other suitable means to  
1571 allow passage of surface and groundwater without internal erosion of fine material;~~

1572            ~~N. Groins are permitted only as part of a professionally designed community or public  
1573 beach management program.))~~

1574            L. Shoreline stabilization shall comply with the Integrated Stream Protection Guidelines  
1575 (Washington departments of Fish and Wildlife, Ecology, and Transportation, 2003) and shall be  
1576 designed to allow for appropriate public access to the shoreline.

1577            M. The department shall provide a notice to applicants for new development on Vashon  
1578 and Maury Island that their development may be impacted by sea level rise and recommend that  
1579 the applicant voluntarily consider setting the development back further than required by this Title  
1580 to provide for future sea level rise.

1581            SECTION 47. K.C.C. 25.16.120, as amended by this ordinance, is hereby recodified as a  
1582 new section in the new chapter established in section 16 of this ordinance.

1583            SECTION 48. Ordinance 3688, Section 409(4), as amended, and K.C.C. 25.16.120 are  
1584 each hereby amended to read as follows:

1585            A. Any dock, pier, moorage, buoy, float or launching facility authorized by ~~((K.C.C.~~  
1586 ~~25.16.090 through 25.16.140))~~ this chapter shall be subject to the following conditions:

1587 A. ~~((No structure may be located nor extend further waterward of the ordinary high~~  
1588 ~~water mark than one fourth the total distance from the shoreline associated with the structure to~~  
1589 ~~the opposite shoreline. This total distance shall be measured from the point where the authorized~~  
1590 ~~structure abuts the ordinary high water mark to the nearest opposite high water mark as measured~~  
1591 ~~along a straight line; provided, when the structure does not abut the ordinary high water mark,~~  
1592 ~~the distance from one ordinary high water mark to the opposite ordinary high water mark shall be~~  
1593 ~~measured along the shortest straight line passing through the center of that structure which~~  
1594 ~~commences from the property associated with such a structure.)) Docks, piers, moorage, buoys,  
1595 floats or launching facilities are allowed only for water dependent uses or for public access.~~

1596 B. Any dock, pier, moorage, buoy, float or launching facility proposal on marine waters  
1597 must include an evaluation of the nearshore environment and the potential impact of the facility  
1598 on that environment;

1599 C. In the High Intensity, Residential, Rural and Conservancy environments, the  
1600 following standards apply:

1601 1. Only joint use boat lift, dock, pier, moorage, buoys, float or launching facilities are  
1602 allowed for subdivisions or short subdivisions or for multi-unit dwelling unit development  
1603 proposals;

1604 2. Only one boat lift, dock, pier, moorage, buoy, float or launching facility may be  
1605 allowed for each single detached residential lot and only if the applicant demonstrates there is no  
1606 feasible practical alternative; and

1607 3. Only one boat lift, dock, pier, moorage, buoy, float or launching facility is allowed  
1608 for each commercial or industrial use.

1609 D. In the Conservancy environment, a boat lift, dock, pier, moorage, float or launching  
1610 facility for a commercial or manufacturing use must be located at least two hundred fifty feet  
1611 from another dock or pier. ;

1612 E. In the Resource and Forestry Shoreline Environments, a boat lift, dock, pier, moorage,  
1613 float or launching facility is only permitted as an accessory use to a residential use or to support a  
1614 resource or forestry use;

1615 F. In the Natural environment, a boat lift, dock, pier, moorage, buoy, float or launching  
1616 facility is prohibited;

1617 G. In freshwater lakes:

1618 1. The only structures permitted in the first thirty feet waterward of the ordinary high  
1619 water mark are piers and ramps. All floats and ells must be at least thirty feet waterward of the  
1620 ordinary high water mark;

1621 2. No skirting is allowed on any structure;

1622 3. Surface coverage (includes all overwater portions of the moorage structure):

1623 a. Moorage facilities serving only one residential waterfront lot shall not exceed four  
1624 hundred eighty square feet;

1625 b. Moorage facilities serving two residential waterfront lots shall not exceed seven  
1626 hundred square feet;

1627 c. Moorage facilities serving three or more residential waterfront lots shall not exceed  
1628 one thousand square feet;

1629 4. On lakes with anadromous salmon:

1630 a. docks with configurations that do not include any or all of the following elements  
1631 shall be subject to the overall length and square footage limitations of this section and no portion  
1632 of the dock shall exceed four feet in width, unless allowed in this subsection;

1633 b. Piers shall not exceed four feet wide and shall be fully grated;

1634 c. Ramps shall not exceed three feet wide and shall be fully grated;

1635 d.i. Ells are allowed only over water with depths of nine feet or greater at the landward  
1636 end of the ell;

1637 ii. Ells may be up to six feet wide by twenty feet long with a two-foot-wide strip of  
1638 grating down the center; or

1639 iii. Ells may be up to six feet wide by twenty-six feet long with grating over the  
1640 entire ell;

1641 d.i. Floats are allowed only over water with depths of ten feet or greater at the  
1642 landward end of the float; and

1643 ii. Floats may be up to six feet wide by twenty feet long, with a two-foot-wide strip  
1644 of grating down the center; and

1645 e. In no case may any moorage facility extend more than one hundred fifty feet  
1646 waterward of the ordinary high water mark.

1647 5.a. In freshwater lakes with anadromous salmon, the first (nearest shore) piling shall  
1648 be steel, four-inch piling and at least eighteen feet waterward of the ordinary high water mark.  
1649 Piling sets beyond the first are not required to be steel, shall be spaced at least eighteen feet apart  
1650 and shall not be greater than twelve inches in diameter.

1651 b. Piles shall not be treated with pentachlorophenol, creosote, CCA or comparably  
1652 toxic compounds. If ACZA pilings are proposed, the applicant will meet all of the Best

1653 Management Practices, including a post-treatment procedure, as outlined in the amended Best  
1654 Management Practices of the Western Wood Preservers.

1655 c. Steel piles will be installed using approved sound attenuation measures.

1656 6.a. Existing habitat features (e.g., large and small woody debris, substrate material,  
1657 etc.) shall be retained and new or expanded moorage facilities placed to avoid disturbance of  
1658 such features.

1659 b. Invasive weeds (e.g., milfoil) may be removed as provided in K.C.C. chapter  
1660 21A.24.

1661 c. In order to mitigate the impacts of new or expanded moorage facilities, the  
1662 applicant shall plant emergent vegetation (if site-appropriate) and a buffer of vegetation a  
1663 minimum of ten feet wide along the entire length of the lot immediately landward of ordinary  
1664 high water mark. Planting shall consist of native shrubs and trees and, when possible, emergent  
1665 vegetation. At least five native trees will be included in a planting plan containing one or more  
1666 evergreen trees and two or more trees that like wet roots (e.g., willow species). Such planting  
1667 shall be monitored for a period of five years consistent with a monitoring plan approved pursuant  
1668 to K.C.C. chapter 21A.24. This subsection is not intended to prevent reasonable access through  
1669 the shoreline critical area buffer to the shoreline, or to prevent beach use of the shoreline critical  
1670 area.

1671 7.a. Except as otherwise provided in G.7.b. of this section, private moorage or other  
1672 structures waterward of the ordinary high water mark, including attached structures, shall not be  
1673 located closer than twelve feet to any adjacent property line except when a mutual agreement of  
1674 adjoining property owners is recorded with the King County Records and Elections Division.

1675 b. G.7.a of this section does not apply to boat lifts or portions of boat lifts that do not  
1676 exceed thirty inches in height measured from ordinary high water mark.

1677 8. Proposals to repair existing, legally established moorage facilities that do not meet  
1678 the requirements of subsection F.1 of this section are subject to the following. A proposal  
1679 includes any and all actions proposed within a twelve month period:

1680 a. For the following proposals, the applicant shall perform one of the improvements  
1681 listed in G.8.g of this section:

1682 i. Proposals to replace more than fifty percent of the decking and the above-water  
1683 decking substructure (e.g., stringers) within the first thirty feet waterward of the ordinary high  
1684 water mark, or of the existing access ramp, whichever is less;

1685 ii. Proposals to replace more than fifty percent of the decking and decking  
1686 substructure of the entire moorage; or

1687 iii. Proposals involving the combination of either G.8.a.i. or ii of this section with a  
1688 proposal to replace three or more existing piles but less than fifty percent of the existing piles.

1689 b. If the proposal requires the need for partial compliance, the applicant may choose  
1690 one of the following improvements. The improvement shall be completed with the original  
1691 proposal:

1692 i. Reduce the width of that portion of the facility within the first thirty feet waterward  
1693 of the ordinary high water mark, or of any access ramp to no more than four feet wide; or

1694 ii. Fully grate the affected portion of the facility; or

1695 iii. Remove skirting from the entire facility; or

1696 iv. Remove existing piles from the first eighteen feet of the facility; or



1697                    v. Enhance the shoreline aquatic area or wetland buffer to meet the shoreline  
1698 plantings requirements of G.6.c of this section.

1699                    c. Proposals involving replacement of moorage piles shall require full compliance of  
1700 replacement moorage piles with the development standards of subsection G.5 of this section.

1701                    d. Proposals involving replacement of more than fifty percent of the structural piles  
1702 of the moorage facility shall be considered a new moorage facility and shall comply with the  
1703 provisions of subsection G.1 of this section.

1704                    9. Proposals to repair existing legally established moorage facilities where the nature  
1705 of the repair is not described in subsection G.8 of this section shall be considered minor repairs  
1706 and are permitted, consistent with any applicable standards of this Title, Title 16 and any other  
1707 applicable codes or regulations.

1708                    H. On marine waters, moorage facilities shall be consistent with United States Army  
1709 Corps of Engineers Regional General Permit RGP-6 issued February 14, 2005 and revised July  
1710 9, 2007.

1711                    I. Only joint use boat lift, dock, pier, moorage, buoys, float or launching facilities are  
1712 allowed for subdivisions or short subdivisions or for multi-unit dwelling unit development  
1713 proposals

1714                    ~~((B))~~ J. No covered boat lift, dock, pier, covered moorage, covered float, or other  
1715 covered structure is permitted waterward of the ordinary high water mark, except that  
1716 submerged, free-standing mechanical boat lifts associated with ~~((single family))~~ single detached  
1717 residential docks or piers and recreational watercraft, that are located outside the Maury Island  
1718 Environmental Aquatic Reserve, may be covered with a canopy, provided:

- 1719 1. No canopy shall be more than ~~((25))~~ twenty-five feet in length or wider than ~~((15))~~  
1720 fifteen feet;
- 1721 2. No portion of the canopy shall exceed a height of ~~((40))~~ ten feet above the Ordinary  
1722 High Water Line ~~((OHWL))~~);
- 1723 3. The canopy shall at no time have any side partly or wholly enclosed;
- 1724 4. The highest portion of the canopy shall be located below the topographical grade of  
1725 existing homes on surrounding properties;
- 1726 5. Canopies shall be made out of canvas or other such non-toxic materials;
- 1727 6. Canopies shall be of a ~~((solid color and should be of a shade which is non-obtrusive))~~  
1728 translucent material to allow light transmission;
- 1729 7. The canopy shall be included in the square footage calculations for docks and piers,  
1730 as enumerated in ~~((K.C.C. 25.16.140E))~~ United States Army Corps of Engineers General Permit  
1731 RGP-3 issued March 7, 2005 and the United States Army Corps of Engineers General Permit  
1732 RGP-6 issued February 14, 2005; and
- 1733 8. Only one boat lift canopy per ~~((single family))~~ single detached residence shall be  
1734 allowed.
- 1735 ~~((C. No pier, moorage, float, or overwater structure or device shall be located closer than~~  
1736 fifteen feet from the side property line extended, except that such structures may abut property  
1737 lines for the common use of adjacent property owners when mutually agreed to by the property  
1738 owners in a contract recorded with the King County division of records and elections, a copy of  
1739 which must accompany an application for a building permit or a shoreline permit; such joint use  
1740 piers may be permitted up to twice the surface area allowed by this title.

1741 ~~D. All piers, moorages, floats or other such structures shall float at all times on the~~  
1742 ~~surface of the water or shall be of open pile construction, provided no portion of the structure~~  
1743 ~~shall, during the course of the normal fluctuations of the elevation of the water body, protrude~~  
1744 ~~more than five feet above the surface of the water, except as provided in subsection B2.~~

1745 ~~E. No pier, including finger pier, moorage, float, or overwater structure or device shall~~  
1746 ~~be wider than fifty percent of the lot with which it is associated.~~

1747 ~~F.))~~ K. No dwelling unit may be constructed on a dock or pier. A water related or water  
1748 enjoyment use may be allowed on a dock, pier or other over-water structure only as part of a  
1749 mixed-use development and only if accessory to and in support of a water-dependent use;

1750 L. Buoys shall meet the following conditions:

1751 1. Buoys shall not impede navigation;

1752 2. The use of buoys for moorage of recreational and commercial vessels is preferred  
1753 over pilings or float structures;

1754 3. Buoys shall be located and managed in a manner that minimizes impacts to eelgrass  
1755 and other aquatic vegetation;

1756 4. Preference should be given mid-line float or all-rope line systems that have the least  
1757 impact on marine vegetation;

1758 5. New buoys that would result in a closure of local shellfish beds for future harvest  
1759 shall be prohibited; and

1760 6. No more than four buoys per acre are allowed.

1761 SECTION 49. K.C.C. 25.16.190, as amended by this ordinance, is hereby recodified as a  
1762 new section in the new chapter established in section 16 of this ordinance.

1763            SECTION 50. Ordinance 3688, Section 414, as amended, and K.C.C. 25.16.190, are  
1764 each hereby amended to read as follows:

1765            Excavation, dredging, dredge material disposal and filling may be permitted (~~(in the urban~~  
1766 ~~environment, only as part of an approved overall development plan not as an independent activity~~  
1767 ~~provided)) only as follows:~~

1768            A. Any fill or excavation (~~(regardless of size,))~~ landward of the ordinary high water mark  
1769 shall be subject to the provisions of K.C.C. chapter 16.82((-100)) and K.C.C. chapter 21A.24(;;).

1770            B. (~~(Landfill))~~ Fill may be permitted below the ordinary high water mark only:

1771            1. (~~(w))~~When necessary (~~(for the operation of))~~ to support a water dependent (~~(or water~~  
1772 ~~related)) use(;;);~~

1773            2. To provide for public access;

1774            3. (~~(or w))~~When necessary to mitigate conditions (~~(which))~~ that endanger public safety,  
1775 including flood risk reduction projects;

1776            4. To allow for cleanup and disposal of contaminated sediments as part of an interagency  
1777 environmental cleanup plan;

1778            5. To allow for the disposal of dredged material considered suitable under, and conducted  
1779 in accordance with, the dredged material management program of the Washington Department of  
1780 Natural Resources;

1781            6. For expansion or alteration of transportation or utility facilities currently located on the  
1782 shoreline and then only upon demonstration that alternatives to fill are not feasible; or

1783            7. As part of mitigation actions, environmental restoration projects and habitat  
1784 enhancement projects.

1785 C. ~~((Landfill))~~ Fill or excavations shall be permitted only when technical information  
1786 demonstrates water circulation, littoral drift, aquatic life and water quality will not be  
1787 substantially impaired and that the fill or excavation will not obstruct the flow of the ordinary  
1788 high water, floodwaters or cutoff or isolate hydrologic features from each other(;).

1789 ~~((D. Landfill or disposal of dredged material shall be prohibited within the floodway;~~

1790 E. ~~Wetlands such as marshes, swamps, and bogs shall not be disturbed or altered through~~  
1791 ~~excavation, filling, dredging, or disposal of dredged material unless the manager determines that~~  
1792 ~~either:~~

1793 1. ~~The wetland does not serve any of the valuable functions of wetlands identified in~~  
1794 ~~K.C.C. 20.12.080 and U.S. Army Corps of Engineers 33 CFR 320.4(b), including but not limited~~  
1795 ~~to wildlife habitat and natural drainage functions, or~~

1796 2. ~~The proposed development would preserve or enhance the wildlife habitat, natural~~  
1797 ~~drainage, and/or other valuable functions of wetlands as discussed in K.C.C. 20.12.080 or U.S.~~  
1798 ~~Army Corps of Engineers 33 CFR 320.4(b) and would be consistent with the purposes of this Title;~~

1799 F. ~~Class I beaches shall not be covered by landfill except for approved beach feeding~~  
1800 ~~programs;~~

1801 G. ~~Excavations on beaches shall include precautions to prevent the migration of fine grain~~  
1802 ~~sediments, disturbed by the excavation, onto adjacent beach areas and excavations on beaches shall~~  
1803 ~~be backfilled promptly using material of similar composition and similar or more coarse grain size;~~

1804 H. ~~No refuse disposal sites, solid waste disposal sites, or sanitary fills of putrescible or~~  
1805 ~~non-putrescible material shall be permitted within the shorelines of the state;))~~

1806 ~~((H.))~~ D. ~~((Excavation or dredging))~~ Dredging and dredged material disposal below the  
1807 ordinary high water mark shall be permitted only:

1808 1. When necessary for the operation of a water dependent (~~(or water related)~~) use(~~(;~~  
1809 ~~or~~);

1810 2. When necessary to mitigate conditions (~~(which)~~) that endanger public safety or  
1811 fisheries resources(~~(;~~~~or~~);

1812 3. As part of and necessary to roadside or agricultural ditch maintenance that is  
1813 performed consistent with best management practices promulgated through administrative rules  
1814 pursuant to the (~~(sensitive)~~) critical areas provisions of K.C.C. chapter 21A.24 and if:

1815 a. the maintenance does not involve any expansion of the ditch beyond its previously  
1816 excavated size. This limitation shall not restrict the county's ability to require mitigation,  
1817 pursuant to K.C.C. chapter 21A.24, or other applicable laws;

1818 b. the ditch was not constructed or created in violation of law;

1819 c. the maintenance is accomplished with the least amount of disturbance to the stream  
1820 or ditch as possible;

1821 d. the maintenance occurs during the summer low flow period and is timed to avoid  
1822 disturbance to the stream or ditch during periods critical to salmonids; and

1823 e. the maintenance complies with standards designed to protect salmonids and  
1824 salmonid habitat, consistent with K.C.C. chapter 21A.24; provided, that this paragraph shall not  
1825 be construed to permit the mining or quarrying of any substance below the ordinary high water  
1826 mark;

1827 4. For establishing, maintaining, expanding, relocating or reconfiguring navigation  
1828 channels and basins when necessary to assure safe and efficient accommodation of existing  
1829 navigation uses when:

1830 a. significant ecological impacts are minimized;

1831 b. mitigation is provided;  
1832 c. maintained to the existing authorized location, depth and width; and  
1833 5. For restoration projects when:  
1834 a. the site where the fill is placed is located waterward of the ordinary high water mark;  
1835 and  
1836 b. the project is associated with a habitat project under the Model Toxics Control Act or  
1837 the Comprehensive Environmental Response, Compensation, and Liability Act; or  
1838 c. any habitat enhancement or restoration project; and  
1839 6. For flood risk reduction projects conducted in accordance with Policy RCM-3 of the  
1840 King County Flood Hazard Management Plan.  
1841 E. Dredging is not allowed waterward of the ordinary high water mark for the primary  
1842 purpose of obtaining fill material or creating a new marina.  
1843 ~~((F.))~~ F. Disposal of dredged material shall be done only in approved deep water disposal  
1844 sites or approved ~~((contain))~~ upland disposal sites and is not allowed within wetlands or channel  
1845 migration zones~~((;))~~.  
1846 ~~((K.))~~ G. Stockpiling of dredged material in or under water is prohibited~~((;))~~.  
1847 ~~((L. Maintenance dredging not requiring a shoreline permit(s) shall conform to the~~  
1848 ~~requirements of this section;~~  
1849 ~~M. Dredging shall be timed so that it does not interfere with aquatic life;~~  
1850 ~~N. The county may impose reasonable conditions on dredging or disposal operations~~  
1851 ~~including but not limited to working seasons and provisions of buffer strips, including retention or~~  
1852 ~~replacement of existing vegetation, dikes, and settling basins to protect the public safety and shore~~  
1853 ~~users' lawful interests from unnecessary adverse impact;))~~

1854            ~~((Q:))~~ H. In order to insure that operations involving dredged material disposal and  
1855 maintenance dredging are consistent with ~~((this program))~~ the King County shoreline master  
1856 program as required by RCW 90.58.140(1), no dredging may commence ~~((on))~~ in any shoreline  
1857 environment without the responsible person having first obtained either a substantial  
1858 development permit or a statement of exemption.~~((; PROVIDED, that no))~~ A statement of  
1859 exemption or shoreline permit is not required ~~((for))~~ prior to emergency dredging needed to  
1860 protect property from imminent damage by the elements~~((;)),~~ if statement of exemption or  
1861 substantial development permit is subsequently obtained following the procedures in K.C.C.  
1862 16.82.065.

1863            ~~((P. Operation and maintenance of any existing system of ditches, canals, or drains, or~~  
1864 ~~construction of irrigation reservoirs, for agricultural purposes are exempt from the shoreline permit~~  
1865 ~~requirement.))~~

1866            NEW SECTION. SECTION 51. There is hereby added a new section in the new chapter  
1867 established in section 16 of this ordinance to read as follows:

1868            The expansion of a dwelling unit or residential accessory structure located in the  
1869 shoreline jurisdiction, if allowed under K.C.C. 21A.24.045, is subject to the following:

1870            A. In the Conservancy, Resource, Forestry or Natural shoreline environments, a  
1871 shoreline conditional use permit is required;

1872            B. If the proposed expansion will result in a total cumulative expansion of the dwelling  
1873 unit and accessory structures of more than one thousand square feet, a shoreline variance is  
1874 required; and

1875            C. If the site has an approved rural stewardship plan under K.C.C. 21A.24.055, the  
1876 expansion is not allowed.



1877            NEW SECTION. SECTION 52. There is hereby added a new section in the new chapter  
1878 established in section 16 of this ordinance to read as follows:

1879            The shoreline dimensions table in section 53 of this ordinance establishes the shoreline  
1880 standards within each of the shoreline environments. The shoreline environment is located on  
1881 the vertical column and the density and dimensions standard is located on the horizontal row of  
1882 the table. The table should be interpreted as follows:

1883            A. If the cell is blank in the box at the intersection of the column and the row, the  
1884 standards are the same as for the underlying zoning.

1885            B. If the cell has a number in the box at the intersection of the column and the row, that  
1886 number is the density or dimension standard for that shoreline environment.

1887            C. If the cell has a parenthetical number in the box at the intersection of the column and  
1888 the row, that parenthetical number identifies specific conditions immediately following the table  
1889 that are related to the density and dimension standard for that environment.

1890            NEW SECTION. SECTION 53. There is hereby added a new section in the new chapter  
1891 established in section 16 of this ordinance to read as follows:

1892            A. The dimensions enumerated in this section apply to any lot that has buildable  
1893 area within the shoreline jurisdiction. Buildable area means that the area of the lot, exclusive of  
1894 any setbacks, upon which a structure may be constructed. If there is a conflict between the  
1895 dimension standards in this section and K.C.C. chapter 21A.12, the more restrictive shall apply.

1896            **Shoreline dimensions.**

	H I G H I N T E N S I T Y	R E S I D E N T I A L	R U R A L	C O N S E R V A N C Y	R E S O U R C E	F O R E S T R Y	N A T U R A L	A Q U A T I C
<b>Standards</b>								
Base height	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	30 feet (1)	35 feet (1)
Minimum lot area			5 acres (2)	5 acres (2)	10 acres	80 acres	80 acres	
Minimum lot width		50 feet	100 feet	150 feet	150 feet	150 feet	330 feet	

1897 B. Development conditions.

1898 1. This height can be exceeded consistent with the base height for the zone only if the  
1899 structure will not obstruct the view of a substantial number of residences on areas adjoining the  
1900 shoreline or if overriding considerations of the public interest will be served, and only for:

1901 a. agricultural buildings;

1902                   b. water-dependent uses and water-related uses; and  
1903                   c. regional light rail transit support structures, but no more than is reasonably  
1904 necessary to address the engineering, operational, environmental issues at the location of the  
1905 structure;

1906                   2. The minimum lot areas may be reduced as follows:

1907                   a. to no less than 10,000 square feet or the minimum lot areas for the zone, which ever  
1908 is greater, through lot averaging; and

1909                   b. to no less than 8,000 square feet, or the minimum lot areas for the zone, whichever  
1910 is greater, through cluster development as provided in K.C.C. chapter 21A.14 when public access  
1911 is provided.

1912                   SECTION 54. K.C.C. 25.16.150, as amended by this ordinance, is hereby recodified as a  
1913 new section in the new chapter established in section 16 of this ordinance.

1914                   SECTION 55. Ordinance 3688, Section 410, as amended, and K.C.C. 25.16.150 are each  
1915 hereby amended to read as follows:

1916                   A. Any existing lot that does not comply with the density and dimensions standards of  
1917 K.C.C. chapter 21A.12 or section 53 of this ordinance and that is located wholly or partially  
1918 within the shorelines of the state shall be subject to the following provisions:

1919                   1. If the adjoining property is not under the same ownership as such lot, then the lot  
1920 shall be considered a separate building site((-)); and

1921                   2. If the adjoining property is under the same ownership as such lot, then the lot shall  
1922 not be considered a separate building site until the lot is combined with adjoining property under  
1923 the same ownership in such a way as to comply with the density and dimensions standards of  
1924 K.C.C. chapter 21A.12.

1925           B. Submerged land within the boundaries of any waterfront parcel shall not be used to  
1926 compute lot area, lot dimensions, yards, (~~open~~) recreation space or other similar required  
1927 conditions of land subdivision or development, except, where specifically authorized by  
1928 ordinance, such lands may be used in area computations as an incentive to encourage common  
1929 open space waterfront areas.

1930           C. All newly created lots wholly or partially within the shoreline shall be of uniform size  
1931 and dimension, whenever possible.

1932           D. Subdivision of more than four lots shall provide an improved and maintained pedestrian  
1933 easement to the shoreline that is of sufficient width to ensure usable access for all residents. The  
1934 public access to the shoreline shall be in conformance with the standards in section 40 of this  
1935 ordinance.

1936           E. Subdivisions should be designed to locate structures outside the shoreline jurisdiction  
1937 whenever feasible. When lots are located within the shoreline jurisdiction, the size and shape of  
1938 the lots should allow for the construction of residential units that do not require shoreline  
1939 stabilization.

1940           NEW SECTION. SECTION 56. There is hereby added a new section in the new chapter  
1941 established in section 16 of this ordinance to read as follows:

1942           Historic properties include historic buildings, sites, objects, districts and landscapes,  
1943 prehistoric and historic archaeological resources, and traditional cultural places. Development  
1944 within shoreline environments shall protect historic properties as follows:

1945           A. Known historic properties:

1946           1. Known historic properties are inventoried by the Historic Preservation Program and  
1947 are subject to the procedures delineated in K.C.C. 20.62.150, which require the director to inform

1948 the Historic Preservation Officer regarding the affects of development proposals on inventoried  
1949 properties. Disturbance of known archaeological sites is also subject to state regulations,  
1950 including chapter 27.44 RCW, chapter 27.53 RCW, and chapter 68.80 RCW;

1951           2. If a known archaeological site or traditional cultural place is affected by a  
1952 development proposal, the Historic Preservation Officer shall inform and consult with the  
1953 Washington State Department of Archaeology and Historic Preservation and any concerned  
1954 Native American tribes. To the extent feasible, the Historic Preservation Officer shall coordinate  
1955 county and state required permitting and compliance procedures and requirements to avoid  
1956 substantial duplication of effort by permit applicants. The department shall require a site  
1957 inspection or evaluation by a professional archaeologist in coordination with any concern Native  
1958 tribes; and

1959           3. In considering shoreline permits or shoreline exemptions, the department may attach  
1960 conditions to provide sufficient time for the Historic Preservation Officer to consult with the  
1961 Washington State Department of Archaeology and Historic Preservation and any concerned  
1962 Native American tribes, and to ensure that historic properties are properly protected, or for  
1963 appropriate agencies to contact property owners regarding purchase or other long-term  
1964 stewardship and protection arrangements. Provision for the protection and preservation of  
1965 historic properties shall be incorporated in permits and exemptions to the maximum extent  
1966 practical.

1967           B. Inadvertent Discovery:

1968           1. Consistent with the definitions and requirements contained in chapter 27.44 RCW,  
1969 chapter 27.53 RCW, and chapter 68.80 RCW, and with the intent of K.C.C .chapter 20.62,  
1970 whenever potentially significant historic properties, or archaeological artifacts, are discovered in

1971 the process of development on shorelines, work on that portion of the development site shall be  
1972 stopped immediately and the find reported as soon as possible to the director;

1973           2. The director shall notify the Historic Preservation Officer, and if an archaeological  
1974 site or artifacts have been discovered, the Washington State Department of Archaeology and  
1975 Historic Preservation, any concerned Native American tribes and other appropriate agencies.  
1976 The director shall require that a historic property assessment be conducted immediately by a  
1977 professional archaeologist, ethnographer or historic preservation professional, as applicable, in  
1978 consultation with the Historic Preservation Officer, to determine the significance of the  
1979 discovery and the extent of damage that may have occurred to the resource. The historic  
1980 property assessment shall be distributed to the Historic Preservation Officer, and, if an  
1981 archaeological site, archaeological artifacts or a traditional cultural place have been discovered,  
1982 the Washington State Department of Archaeology and Historic Preservation, and any concerned  
1983 Native American tribes for a fifteen-day review period or, in the case of inadvertent discovery of  
1984 human remains, a thirty-day review period to determine the significance of the discovery. If the  
1985 historic property has been determined not to be significant by the above listed agencies or  
1986 governments, or if the above listed agencies or governments have failed to respond within the  
1987 applicable review period following receipt of the historic property assessment, such stopped  
1988 work may resume; and

1989           3. Upon receipt of a positive determination of a property's significance, or if available  
1990 information suggests that a negative determination is erroneous, the director or the Historic  
1991 Preservation Officer may require that a historic property management plan be prepared by a  
1992 qualified professional archaeologist or other appropriate professional if such action is reasonable

1993 and necessary to implement related program objectives and is consistent with the intent of King  
1994 County policies and codes protecting historic properties.

1995 C. Public Access:

1996 1. If a private or publicly owned historic property is identified, public access shall be  
1997 encouraged as appropriate for purposes of public education, provided that:

1998 a. the type or level of public access is consistent with the long term protection of both  
1999 historic resource values and shoreline ecological functions; and

2000 b. an access management plan is developed in accordance with development site- and  
2001 resource-specific conditions in consultation with the Historic Preservation Officer, and, if an  
2002 archaeological site, archaeological artifacts or a traditional cultural place have been discovered,  
2003 the Washington State Department of Archaeology and Historic Preservation, any concerned  
2004 Native American tribes or other agencies, as appropriate, to address physical protection of the  
2005 resource, hours of operation, interpretive or directional signage, lighting, pedestrian access or  
2006 traffic and parking, as appropriate; and

2007 2. For archaeological sites and traditional cultural places, the Historic Preservation  
2008 Program, the Washington State Department of Archaeology and Historic Preservation, any  
2009 concerned Native tribes or other agencies, as appropriate, shall approve access measures prior to  
2010 provision of public access to a site.

2011 NEW SECTION. SECTION 57. There is hereby added a new section in the new chapter  
2012 established in section 16 of this ordinance to read as follows:

2013 Parking facilities except parking facilities associated with single detached dwelling units  
2014 shall meet the following standards:

2015 1. Parking areas serving a water related, water enjoyment or a nonwater-oriented use  
2016 must be located beneath or upland of the development which the parking area serves, except for  
2017 utility facilities;

2018 2. The design of parking facilities must use low-impact designs, such as porous  
2019 concrete and vegetated swales; and

2020 3. In the Natural environment, parking areas shall be located at least two hundred feet  
2021 from the ordinary high water mark.

2022 SECTION 58. K.C.C. 25.16.160, as amended by this ordinance, is hereby recodified as a  
2023 new section in the new chapter established in section 16 of this ordinance.

2024 SECTION 59. Ordinance 3688, Section 411, and K.C.C. 25.16.160, are each hereby  
2025 amended to read as follows:

2026 ~~((Utility))~~ New utility facilities and repair and replacement of existing utility facilities may  
2027 be permitted ~~((in the urban environment))~~ subject to the general requirements ~~((section (Section~~  
2028 ~~25.16.030)))~~ of this chapter, provided:

2029 A. ~~((U))~~ New utility and transmission facilities shall, to the maximum extent practical:

2030 1. Avoid disturbance of unique and fragile areas;

2031 2. Avoid disturbance of wildlife spawning, nesting and rearing areas;

2032 3. Overhead utility facilities shall not be permitted in public parks, monuments, scenic  
2033 recreation or historic areas;

2034 4. Avoid changing groundwater patterns and hyporheic flows that support streams and  
2035 wetlands;

2036 5. Not be located within the Natural shoreline unless the utility is low-intensity; and



2037            6. Avoid locating new utility and transmission facilities in tidelands or in or adjacent to  
2038 the Maury Island aquatic reserve.

2039            B. ~~((U))~~ New utility distribution and transmission facilities shall be designed so as to:

2040            1. Be located outside the shoreline jurisdiction where feasible;

2041            2. Be located within existing rights of way and utility corridors where feasible;

2042            ~~((1-))~~ 3. Minimize visual impact;

2043            ~~((2-))~~ 4. Harmonize with or enhance the surroundings;

2044            ~~((3-))~~ 5. Not create a need for shoreline protection; and

2045            ~~((4-))~~ 6. Utilize to the ~~((greatest extent possible))~~ maximum extent practical natural  
2046 screening.

2047            C. The construction, repair, replacement and maintenance of utility facilities shall be  
2048 done in such a way so as to:

2049            1. Maximize the preservation of natural beauty and the conservation of resources;

2050            2. Minimize scarring of the landscape;

2051            3. Minimize siltation and erosion;

2052            4. Protect trees, shrubs, grasses, natural features and topsoil from drainage; and

2053            5. Avoid disruption of critical aquatic and wildlife stages.

2054            D. Rehabilitation of areas disturbed by the construction, ~~((and/))~~ repair, replacement or  
2055 maintenance of utility facilities shall:

2056            1. Be accomplished as rapidly as possible to minimize soil erosion and to maintain  
2057 plant and wildlife habitats; and

2058            2. Utilize plantings compatible with the native vegetation.

2059 E. Solid waste transfer stations shall not be permitted within ~~((the shorelines of the state))~~  
2060 any shoreline jurisdiction except the High Intensity.

2061 F. Utility production and processing facilities, such as power plants and sewage treatment  
2062 plants are not allowed within the shoreline jurisdiction.

2063 SECTION 60. K.C.C. 25.16.080, as amended by this ordinance, is hereby recodified as a  
2064 new section in the new chapter established in section 16 of this ordinance.

2065 SECTION 61. Ordinance 3688, Section 408, and K.C.C. 25.16.080, are each hereby  
2066 amended to read as follows:

2067 Signs may be permitted ~~((in the urban environment))~~ subject to the provisions ~~((of the~~  
2068 ~~underlying zoning))~~ in K.C.C. chapter 21A.20, provided:

2069 A. ~~((No sign which is not constructed parallel to and flush against the side of a building~~  
2070 ~~shall be permitted which is more than seventy two inches in height as measured from the average~~  
2071 ~~grade level.~~

2072 B. ~~Signs painted upon or constructed parallel to and flush against the side of a building~~  
2073 ~~shall not extend beyond the wall or above the roof line against which they are constructed.~~

2074 C. ~~Signs shall be stationary, nonblinking and nonrevolving.~~

2075 D. ~~Signs shall have no auxiliary projections or attachments.~~

2076 E. ~~Signs shall not be erected nor maintained upon trees, or drawn or painted upon rocks or~~  
2077 ~~other natural features.~~

2078 F. ~~Artificial lighting of signs shall be directed away from adjacent properties and the~~  
2079 ~~water.~~

2080           G.) Signs waterward of the ordinary high water mark shall be permitted only to the  
2081 extent necessary for the operation of a permitted overwater development (~~(provided n)~~). No such  
2082 sign shall be larger than five square feet.

2083           B. In the Rural environment, signs may not exceed fifty square feet.

2084           C. In the Conservancy environment, signs are not allowed except for:

2085                 1. Signs of not more than twenty-five square feet within public parks or trails; and

2086                 2. Signs permitted under K.C.C. chapter 21A.20 for single detached dwelling units.

2087           D. In the Resource and Natural environments, signs are allowed only allowed as follows:

2088                 1. Signs of not more than twenty-five square feet within public parks or trails; and

2089                 2. Signs permitted under K.C.C. chapter 21A.20 for single detached dwelling units.

2090           E. Signs to protect public safety or prevent trespass may be allowed and should be limited  
2091 in size and number to the maximum extent practical.

2092           NEW SECTION. SECTION 62. There is hereby added a new section in the new chapter  
2093 established in section 16 of this ordinance to read as follows:

2094           A. Transportation facilities, including, but not limited to, streets, alleys, highways,  
2095 railroads, and regional light rail transit are permitted in all shoreline environments.

2096           B. Within street or alley rights-of-way, uses shall be limited to street purposes as defined  
2097 by law.

2098           C. Within railroad and regional light rail transit rights-of-way, allowed uses shall be  
2099 limited to tracks, signals or other operating devices, movement of rolling stock, utility lines and  
2100 equipment, and facilities accessory to and used directly for the delivery and distribution of  
2101 services to abutting property.

2102           D. New transportation facilities shall, to the maximum extent practical:

- 2103 1. Be located outside of the shoreline jurisdiction;
- 2104 2. Avoid disturbance of unique and fragile areas;
- 2105 3. Avoid disturbance of wildlife spawning, nesting and rearing areas; and
- 2106 4. Avoid changing groundwater patterns and hyporheic flows that support streams and
- 2107 wetlands;
- 2108 5. Not create a need for shoreline protection; and
- 2109 6. Use natural screening.

2110 SECTION 63. K.C.C. 25.32.010, as amended by this ordinance, is recodified as a new

2111 section in the new chapter established in section 16 of this ordinance.

2112 SECTION 64. Ordinance 3688, Section 801, and K.C.C. 25.32.010 are each hereby

2113 amended to read as follows:

2114 A. No development shall be undertaken by any person (~~((on the shorelines of the state))~~)

2115 within the shoreline jurisdiction unless such development is consistent with the (~~((policy))~~)

2116 policies of (~~((Section 2 of the Shoreline Management Act of 1971, and, after adoption and~~

2117 ~~approval, the guidelines and regulations of the Washington State Department of Ecology))~~) RCW

2118 90.58.020, chapter 173-26 WAC and the King County shoreline master program.

2119 B. (~~((No))~~) A substantial development permit shall be (~~((undertaken by any person on the~~

2120 ~~shorelines of the state without first obtaining a substantial development permit from the director;~~

2121 ~~provided, that such a permit shall not be required for the development excepted))~~ required for all

2122 proposed uses and modifications unless the proposal is specifically exempt from the definition of

2123 substantial development in RCW 90.58.030 (~~((and for developments))~~) and WAC 173-27-040 or is

2124 exempted by RCW 90.58.140(~~((9) and (10))~~). (~~((C. Any person claiming exception from the~~

2125 ~~permit requirements of this chapter as a result of the exemptions described in subsection B. of~~

2126 ~~this section may make an application to the director for such an exemption in the manner~~  
2127 ~~prescribed by the director. Development within the shorelines of the state which does not require~~  
2128 ~~a permit shall conform to the master program. Conditions requiring such conformance may be~~  
2129 ~~imposed prior to granting exemption from the permit requirement.)) If a proposal is exempt~~  
2130 ~~from the definition of substantial development, a written statement of exemption is required for~~  
2131 ~~any proposed uses and modifications if:~~

2132 1. WAC 173-27-050 applies; or

2133 2. The proposed use or modification will occur at or below the ordinary high water  
2134 mark, except for the maintenance of agricultural drainage that is not used by salmonids.

2135 C. Whether or not a written statement of exemption is required, all permits issued for  
2136 development activities within the shoreline jurisdiction shall include a record of review  
2137 indicating compliance with the shoreline master program and regulations.

2138 D. As necessary to assure consistency of the project with the shoreline master program  
2139 and this chapter, the department may attach conditions of approval to substantial development  
2140 permit or the statement of exemption or to the approval of a development proposal that does not  
2141 require either.

2142 E. The department may issue programmatic statement of exemptions as follows:

2143 1. For any activity for which a statement of exemption is required:

2144 a. That is repetitive and part of a maintenance program or other similar program;

2145 b. That has the same or similar identifiable impacts, as determined by the department,

2146 each time the activity is repeated at all sites covered by the programmatic statement of

2147 exemption; and

2148 c. For which standard conditions suitable to any and all sites can be developed and  
2149 implemented;

2150 2. The department shall uniformly apply conditions to each activity authorized under  
2151 the programmatic statement of exemption at all locations covered by the statement of exemption.  
2152 The department may require that the applicant develop and propose such uniformly applicable  
2153 conditions as part of the statement of exemption application and may approve, modify or reject  
2154 any of the applicant's proposed conditions. The department shall not issue a programmatic  
2155 statement of exemption until applicable conditions are developed and approved;

2156 3. Activities authorized under a programmatic statement of exemption shall be subject  
2157 to inspection by the department. The applicant may be required to notify the department each  
2158 time work subject to the programmatic statement of exemption is undertaken for the department  
2159 to schedule inspections. In addition, the department may require the applicant to submit periodic  
2160 status reports. The frequency, method and contents of the notifications and reports shall be  
2161 specified as conditions to the programmatic statement of exemption;

2162 4. The department may require revisions, impose new conditions or otherwise modify  
2163 the programmatic statement of exemption or withdraw the programmatic statement of exemption  
2164 and require that the applicant apply for a standard statement of exemption, if the department  
2165 determines that the:

2166 a. Programmatic statement of exemption or activities authorized under the statement  
2167 of exemption no longer comply with law;

2168 b. Programmatic statement of exemption does not provide adequate regulation of the  
2169 activity;

2170 c. Statement of exemption conditions or the manner in which the conditions are  
2171 implemented are not adequate to protect against the impacts resulting from the activity; or

2172 d. The site requires site-specific regulation; and

2173 5. If an activity covered by a programmatic statement of exemption also requires other  
2174 county, state and federal approvals, to the extent feasible, the department shall attempt to  
2175 incorporate conditions that comply with those other approvals into the programmatic statement  
2176 of exemption.

2177 SECTION 65. K.C.C. 25.32.020, as amended by this ordinance, is recodified as a new  
2178 section in the new chapter established in section 16 of this ordinance.

2179 SECTION 66. Ordinance 3688, Section 802, and K.C.C. 25.32.020 are each hereby  
2180 amended to read as follows:

2181 In the case of development subject to the permit requirements of this ~~((title))~~ chapter,  
2182 King County shall not issue any other permit for such development until such time as approval  
2183 has been granted pursuant to this ~~((title))~~ chapter. Any development subsequently authorized by  
2184 King County shall be subject to the same terms and conditions which apply to the development  
2185 authorized pursuant to this ~~((title))~~ chapter.

2186 SECTION 67. K.C.C. 25.32.060 , as amended by this ordinance, is recodified as a new  
2187 section in the new chapter established in section 16 of this ordinance.

2188 SECTION 68. Ordinance 3688 Section 806, and K.C.C. 25.32.060 are each hereby  
2189 amended to read as follows:

2190 ~~((A. Applications for substantial development or building permits to modify a~~  
2191 ~~nonconforming use or development may be approved only if:~~

2192 ~~1. The modifications will make the use or development less nonconforming; or~~

2193           2. ~~The modifications will not make the use or development more nonconforming.~~

2194           B. ~~A use or development, not conforming to existing regulations, which is destroyed,~~  
2195 ~~deteriorated, or damaged more than fifty percent of its fair market value at present or at the time~~  
2196 ~~of its destruction by fire, explosion, or other casualty or act of God, may be reconstructed only~~  
2197 ~~insofar as it is consistent with existing regulations.~~

2198           C.) The review of applications for the ((~~modification~~)) expansion or replacement of a  
2199 nonconforming use or development shall be ((~~subject to the guidelines enumerated~~)) in  
2200 accordance with K.C.C. 21A.32 (General Provisions-Nonconformance, Temporary Uses, and  
2201 Re-Use of Facilities).

2202           SECTION 69. K.C.C. 25.32.100, as amended by this ordinance, is recodified as a new  
2203 section in the new chapter established in section 16 of this ordinance.

2204           SECTION 70. Ordinance 3688, Section 810, and K.C.C. 25.32.100 are each hereby  
2205 amended to read as follows:

2206           A. Appeals from the final decision of the county with regard to shoreline management  
2207 shall be governed solely by the provisions of RCW 90.58.180.

2208           B. The effective date of King County's decision shall be the date of filing with the  
2209 Department of Ecology as defined in RCW 90.58.140.

2210           C. When a hearing and decision has occurred ((~~pursuant to Section 25.32.080~~)) and the  
2211 examiner's recommendation with regard to disposition of a proposed development pursuant to  
2212 Titles 20 and 21A of this code requires King County council action, the final decision of the  
2213 county pursuant to this title shall be effective on the date of filing as defined in RCW 90.58.140  
2214 for the purposes of appeal as provided in RCW 90.50.140. However, no development may occur



2215 until the King County council has taken final action on the examiner's recommendation required  
2216 by Titles 20 ~~((and/or))~~ and 21A of this code.

2217 SECTION 71. K.C.C. 25.08.090, as amended by this ordinance, is recodified as a new  
2218 section in K.C.C. chapter 21A.06.

2219 SECTION 72. Ordinance 3688, Section 208, and K.C.C. 25.08.090 are each hereby  
2220 amended to read as follows:

2221 ~~(("))Breakwater((--means))~~; an off-shore structure either floating or not which may or  
2222 may not be connected to the shore, such structure being designated to absorb ~~((and/))~~or reflect  
2223 back into the water body the energy of the waves.

2224 SECTION 73. K.C.C. 25.08.100, as amended by this ordinance, is recodified as a new  
2225 section in K.C.C. chapter 21A.06.

2226 SECTION 74. Ordinance 3688, Section 209, and K.C.C. 25.08.100 are each hereby  
2227 amended to read as follows:

2228 ~~(("))Bulkhead((--means))~~; a solid or open pile wall of rock, concrete, steel or timber or  
2229 other materials or a combination of these materials erected generally parallel to and near the  
2230 ordinary high water mark for the purpose of protecting ~~((adjacent wetlands and))~~ uplands from  
2231 waves or currents.

2232 SECTION 75. K.C.C. 25.08.175, as amended by this ordinance, is hereby recodified as a  
2233 new section in K.C.C. chapter 21A.06.

2234 SECTION 76. Ordinance 5734, Section 1, and K.C.C. 25.08.175 are each hereby  
2235 amended to read as follows:

2236 ~~(("))Dredging((--is))~~; the removal, displacement, ~~((and/))~~or disposal of unconsolidated  
2237 earth material such as sand, silt, gravel, or other ~~((submerged))~~ materials, from ~~((the bottom of))~~

2238 water bodies, ditches, or natural wetlands, whether during submerged conditions or dry  
2239 conditions; maintenance dredging and ~~((of))~~ support activities are included in this definition.

2240 SECTION 77. K.C.C. 25.08.190, as amended by this ordinance, is hereby recodified as a  
2241 new section in K.C.C. chapter 21A.06.

2242 SECTION 78. Ordinance 3688, Section 218, and K.C.C. 25.08.190 are each hereby  
2243 amended to read as follows:

2244 ~~(("))Environment(((" or "master program environment" or "shoreline environment"~~  
2245 ~~means))~~, shoreline: the categories of shorelines ~~((of the state))~~ and shorelands established by the  
2246 King County shoreline ~~((management))~~ master program to differentiate between areas whose  
2247 features imply differing objectives regarding their use and future development.

2248 SECTION 79. K.C.C. 25.08.210, as amended by this ordinance, is hereby recodified as a  
2249 new section in K.C.C. chapter 21A.06.

2250 SECTION 80. Ordinance 3688, Section 220, and K.C.C. 25.08.210 are each hereby  
2251 amended to read as follows:

2252 ~~(("))Float(((" means))~~: a structure or device ~~((which))~~ that is not a breakwater and ~~((which))~~ that is  
2253 moored, anchored, or otherwise secured in the waters of King County and ~~((which))~~ is not  
2254 connected to the shoreline.

2255 SECTION 81. K.C.C. 25.08.230, as amended by this ordinance, is hereby recodified as a  
2256 new section in K.C.C. chapter 21A.06.

2257 SECTION 82. Ordinance 3688, Section 222, and K.C.C. 25.08.230 are each hereby  
2258 amended to read as follows:

2259            (~~"~~)Groyne(~~" means~~): a barrier type structure extending from the backshore into the  
2260 water across the beach. The purpose of a groyne is to interrupt sediment movement along the  
2261 shore.

2262            SECTION 83. K.C.C. 25.08.250, as amended by this ordinance, is hereby recodified as a  
2263 new section in K.C.C. chapter 21A.06.

2264            SECTION 84. Ordinance 3688, Section 224, and K.C.C. 25.08.250 are each hereby  
2265 amended to read as follows:

2266            (~~"~~)Jetty(~~" means a~~): an artificial barrier used to change the natural littoral drift to  
2267 protect inlet entrances from clogging by excess sediment.

2268            SECTION 85. K.C.C. 25.08.290, as amended by this ordinance, is hereby recodified as a  
2269 new section in K.C.C. chapter 21A.06.

2270            SECTION 86. Ordinance 3688, Section 228, and K.C.C. 25.08.290 are each hereby  
2271 amended to read as follows:

2272            (~~"~~)Master program(~~" means~~), shoreline: the comprehensive shoreline use plan for King  
2273 County consisting of:

2274            A. The (~~use regulations and procedures contained in this title; and~~) King County  
2275 shoreline management goals and policies that guide environmental designations, shoreline  
2276 protection, shoreline use and shoreline modifications; and

2277            B. The (~~goals, objectives and policies of the King County shoreline management master~~  
2278 ~~program which are contained in a separate document and adopted by ordinance.~~) development  
2279 regulations identified in section 4 of this ordinance.

2280            NEW SECTION. SECTION 87. There is hereby added to K.C.C. chapter 21A.06 a new  
2281 section to read as follows:

2282 Navigability or navigable: the capability of susceptibility of a body of water of having  
2283 been or being used for the transport of useful commerce. The state of Washington considers all  
2284 bodies of water meandered by government surveyors as navigable unless otherwise declared by a  
2285 court.

2286 NEW SECTION. SECTION 88. There is hereby added to K.C.C. chapter 21A.06 a new  
2287 section to read as follows:

2288 Nearshore: the area beginning at the crest of coastal bluffs and extending seaward  
2289 through the marine photics zone, and to the head of tide in coastal rivers and streams. Nearshore  
2290 includes estuaries.

2291 SECTION 89. K.C.C. 25.08.370, as amended by this ordinance, is hereby recodified as a  
2292 new section in K.C.C. chapter 21A.06.

2293 SECTION 90. Ordinance 3688, Section 234, and K.C.C. 25.08.370 are each hereby  
2294 amended to read as follows:

2295 ~~((“Pier((“ or ((“))dock((“ means))):~~ a structure built in or over, or floating upon the  
2296 water extending from the shore, which may be used as a landing place ~~((for marine transport or))~~  
2297 for air or water craft or recreational activities.

2298 SECTION 91. K.C.C. 25.08.020, as amended by this ordinance, is hereby recodified as a  
2299 new section in K.C.C. chapter 21A.06.

2300 SECTION 92. Ordinance 3688, Section 201, and K.C.C. 25.08.020 are each hereby  
2301 amended to read as follows:

2302 ~~((A. ))Public ((A))access:((.“Public access” means actual unobstructed access available~~  
2303 ~~to)) the ability of the general public ~~((from land to the ordinary high water mark or to the wetland~~~~

2304 ~~directly abutting the ordinary high water mark))~~ to reach, touch and enjoy the water's edge from  
2305 adjacent locations.

2306 ~~((B. Limited Public Access. "Limited public access" means:~~

2307 ~~1. Actual physical access from land to the ordinary high water mark or to the wetland~~  
2308 ~~directly abutting the ordinary high water mark, such access being limited to specific groups of~~  
2309 ~~people or to certain regularly prescribed times; or~~

2310 ~~2. Visual access available to the general public to the shoreline and adjacent waterbody,~~  
2311 ~~such access being specifically provided for in the development of the site.))~~

2312 SECTION 93. K.C.C. 25.08.400, as amended by this ordinance, is hereby recodified as a  
2313 new section in K.C.C. chapter 21A.06.

2314 SECTION 94. Ordinance 3688, Section 237, and K.C.C. 25.08.400 are each hereby  
2315 amended to read as follows:

2316 ~~(("~~Redesignation~~"))~~~~(("~~means~~"))~~: a change in the shoreline environment designation by the  
2317 procedures provided in ~~((Chapter 25.32 of this title))~~ K.C.C. chapter 20.18.

2318 NEW SECTION. SECTION 95. There is hereby added to K.C.C. chapter 21A.06 a new  
2319 section to read as follows:

2320 Shorelands: areas landward of the ordinary high water mark along shorelines extending  
2321 landward two hundred feet, and also including:

2322 A. The one hundred year floodplain.

2323 B. All associated wetlands.

2324 C. All river deltas.

2325 SECTION 96. K.C.C. 25.08.460, as amended by this ordinance, is hereby recodified as a  
2326 new section in K.C.C. chapter 21A.06.

2327            SECTION 97. Ordinance 3688, Section 247, and K.C.C. 25.08.460 are each hereby  
2328 amended to read as follows:

2329            (("))Shoreline ((management)) conditional use((" or "shoreline conditional use" means));  
2330 a shoreline use ((specifically designated as a shoreline conditional use in the shoreline  
2331 management master program)) that is allowed only if it meets the criteria established in section  
2332 120 of this ordinance and is subject to conditions of approval.

2333            NEW SECTION. SECTION 98. There is hereby added to K.C.C. chapter 21A.06 a new  
2334 section to read as follows:

2335            Shoreline jurisdiction: shorelines and shorelands in unincorporated King County.

2336            SECTION 99. K.C.C. 25.08.480, as amended by this ordinance, is hereby recodified as a  
2337 new section in K.C.C. chapter 21A.06.

2338            SECTION 100. Ordinance 3688, Section 251, and K.C.C. 25.08.480 are each hereby  
2339 amended to read as follows:

2340            (("))Shoreline ((~~protection~~ " means)) stabilization: a structure or device, including but not  
2341 limited to breakwaters, bulkheads, jetties, groins and riprap, which is placed so as to prevent  
2342 erosion or to alter the normal currents, wave actions or other natural forces or actions of a  
2343 waterbody. Shoreline stabilization does not include flood protection facilities.

2344            SECTION 101. K.C.C. 25.08.470, as amended by this ordinance, is hereby recodified as  
2345 a new section in K.C.C. chapter 21A.06.

2346            SECTION 102. Ordinance 3688, Section 248, and K.C.C. 25.08.470 are each hereby  
2347 amended to read as follows:

2348            (("))Shoreline ((management)) variance((" means)); an adjustment in the application of  
2349 the regulations of the shoreline management master program consistent with WAC 173-27-170.

2350            SECTION 103. K.C.C. 25.08.490, as amended by this ordinance, is hereby recodified as  
2351 a new section in K.C.C. chapter 21A.06.

2352            SECTION 104. Ordinance 3688, Section 246, and K.C.C. 25.08.490 are each hereby  
2353 amended to read as follows:

2354            ~~((“))Shorelines((“ means))~~; all ~~((of the water areas within the unincorporated portion of~~  
2355 ~~King County, including reservoirs, and their associated wetlands together with the lands underlying~~  
2356 ~~them; except:~~

2357            ~~A. Shorelines on segments of streams upstream of a point where the mean annual flow is~~  
2358 ~~twenty cubic feet per second or less and the wetlands associated with such upstream segments;~~

2359            ~~B. Shorelines on lakes less than twenty acres in size and wetlands associated with such~~  
2360 ~~lakes)) marine shoreline, lakes greater than 20 acres, and rivers and streams with a minimum of~~  
2361 ~~twenty cubic feet per second mean annual flow.~~

2362            SECTION 105. K.C.C. 25.08.510, as amended by this ordinance, is hereby recodified as  
2363 a new section in K.C.C. chapter 21A.06.

2364            SECTION 106. Ordinance 3688, Section 249, and K.C.C. 25.08.510 are each hereby  
2365 amended to read as follows:

2366            ~~((“))Shorelines of statewide significance((“ means))~~; those shorelines described in RCW  
2367 90.58.030(2)(e) ~~((which))~~ that are within the unincorporated portion of King County.

2368            SECTION 107. K.C.C. 25.08.570, as amended by this ordinance, is hereby recodified as  
2369 a new section in K.C.C. chapter 21A.06.

2370            SECTION 108. Ordinance 3688, Section 255, and K.C.C. 25.08.570 are each hereby  
2371 amended to read as follows:

2372            (~~"~~)Substantial development(~~(" means)~~): any development (~~(which)~~) that requires a  
2373 shoreline management substantial development permit, as defined in RCW 90.58.030(3)(e) as  
2374 now or hereafter amended.

2375            SECTION 109. K.C.C. 25.08.590, as amended by this ordinance, is hereby recodified as  
2376 a new section in K.C.C. chapter 21A.06.

2377            SECTION 110. Ordinance 3688, Section 257, and K.C.C. 25.08.590 are each hereby  
2378 amended to read as follows:

2379            (~~"~~)Water dependent use(~~(" or "water dependent development" means)~~): a (~~(principal)~~)  
2380 use or portion of a use which (~~(can only)~~) cannot exist (~~(where the landwater interface provides~~  
2381 biological or physical conditions necessary for the use)) in a location that is not adjacent to the  
2382 water and which is dependent on the water by reason of the intrinsic nature of its operations.

2383            NEW SECTION. SECTION 111. There is hereby added to K.C.C. chapter 21A.06 a new  
2384 section to read as follows:

2385            Water enjoyment use: a recreational use or other use that facilitates public access to the  
2386 shoreline as a primary characteristic of the use; or a use that provides for recreational use or  
2387 aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic  
2388 of the use and which through location, design, and operation ensures the public's ability to enjoy  
2389 the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment  
2390 use, the use must be open to the general public and the shoreline-oriented space within the  
2391 project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.

2392            NEW SECTION. SECTION 112. There is hereby added to K.C.C. chapter 21A.06 a new  
2393 section to read as follows:



2394 Water-oriented use: a use that is water-dependent, water-related, or water-enjoyment, or a  
2395 combination of such uses.

2396 SECTION 113. K.C.C. 25.08.600, as amended by this ordinance, is hereby recodified as  
2397 a new section in K.C.C. chapter 21A.06.

2398 SECTION 114. Ordinance 3688, Section 258, and K.C.C. 25.08.600 are each hereby  
2399 amended to read as follows:

2400 (~~("~~)Water related use(~~" or "water related development" means~~)): a (~~(principal)~~) use or  
2401 portion of a use which is not intrinsically dependent on a waterfront location (~~((abutting the~~  
2402 ~~ordinary high water mark but which))~~ but whose economic viability is dependent upon a waterfront  
2403 location because:

2404 A. (~~(Promotes the public's enjoyment of or access to the water)~~) The use has a functional  
2405 requirement for a waterfront location such as the arrival or shipment of materials by water or the  
2406 need for large quantities of water; or

2407 B. (~~(Gains a cost savings or revenue differentiating advantage, which is not associated~~  
2408 ~~with land rents or costs, from being located within the shorelines of the state that could not be~~  
2409 ~~obtained at an upland location; such uses include but are not limited to residential development,~~  
2410 ~~boat sales or restaurants))~~ The use provides a necessary service supportive of the water-  
2411 dependent uses and the proximity of the use to its customers makes its services less expensive or  
2412 more convenient, or both.

2413 NEW SECTION. SECTION 115. There is hereby added a new section to K.C.C.  
2414 chapter 21A.08 to read as follows:

2415 The permitted land uses allowed in this chapter are allowed within the shoreline  
2416 jurisdiction except as amended by section 35 of this ordinance.

2417            NEW SECTION. SECTION 116. There is hereby added a new section to K.C.C.  
2418 chapter 21A.12 to read as follows:

2419            The density and dimensions established in this chapter apply within the shoreline  
2420 jurisdiction except as inconsistent with section 53 of this ordinance.

2421            SECTION 117. Ordinance 13130, Section 3, and K.C.C. 21A.32.045 are each hereby  
2422 amended to read as follows:

2423            A nonconforming use (~~((which))~~) that has been discontinued or a nonconforming structure  
2424 or site improvement (~~((which))~~) that has been damaged or destroyed, may be re-established or  
2425 reconstructed if:

2426            A. The nonconforming use, structure, or site improvement (~~((which))~~) that previously  
2427 existed (~~((is))~~) shall not be expanded(~~((;))~~).

2428            B. A new nonconformance (~~((is))~~) shall not be created(~~((; and))~~).

2429            C.1. The use has not been discontinued for more than twelve months prior to its re-  
2430 establishment, or the nonconforming structure or site improvement ((is)) has been reconstructed  
2431 pursuant to a complete permit application submitted to the department within twelve months of  
2432 the occurrence of damage or destruction; or

2433            2. If the use has been discontinued more than twelve months or the permit application is  
2434 submitted over twelve months following the occurrence of the damage or destruction, the applicant  
2435 affirmatively demonstrates to the department that there was no intent to abandon the use.

2436 Documentation may include, but is not limited to, requests for approvals necessary to reestablish  
2437 the use or reconstruct the structure submitted to appropriate county, state and federal agencies  
2438 within twelve months after the use was discontinued or the structure was damaged or destroyed. A  
2439 statement from the property owner that merely states that there is no intent to abandon is not

2440 sufficient documentation without a showing of additional actions taken by the property owner to  
2441 reestablish the use or structure.

2442 D. A nonconforming use, structure or site improvement located within the shoreline  
2443 jurisdiction that is damaged or destroyed more than fifty percent of its fair market value at  
2444 present or at the time of its destruction may be reconstructed only insofar as it is consistent with  
2445 existing regulations.

2446 SECTION 118. K.C.C. 25.32.040, as amended by this ordinance, is recodified as a new  
2447 section in K.C.C. chapter 21A.44.

2448 SECTION 119. Ordinance 3688, Section 804, as amended, and K.C.C. 25.32.040 are  
2449 each hereby amended to read as follows:

2450 A. ~~((The director is authorized to grant a variance from the performance standards of this~~  
2451 ~~master program only under the conditions enumerated WAC 173-14-150 (Review Criteria for~~  
2452 ~~Variancees).)) A shoreline variance shall be granted by the county from the bulk, dimensional or  
2453 performance standards set forth in section 53 of this ordinance only if the applicant demonstrates  
2454 that:~~

2455 1. The review criteria of WAC 173-27-170 have been met;

2456 2. The shoreline variance does not permit a use that is specifically prohibited in the  
2457 environmental designation; and

2458 3. Views from nearby roads and public areas are protected.

2459 B. A variance from county zoning code requirements shall not be construed to mean a  
2460 variance from shoreline master program use regulations and vice versa.

2461 C. ~~((Shoreline variancees may not be used to permit a use that is specifically prohibited in~~  
2462 ~~an environment designation.~~

2463           D.)) The burden of proving that a proposed variance meets these conditions shall be on  
2464 the applicant; absence of such proof shall be grounds for denial of the application.

2465           ~~((E.—The fee which shall accompany an application for a shoreline variance shall be as  
2466 adopted by ordinance.))~~

2467           SECTION 120. K.C.C. 25.32.050, as amended by this ordinance, is recodified as a new  
2468 section in K.C.C. chapter 21A.44.

2469           SECTION 121. Ordinance 3688, Section 805, and K.C.C. 25.32.050 are each hereby  
2470 amended to read as follows:

2471           A. ~~((The director is authorized to issue))~~ A shoreline conditional use ~~((permits))~~ shall be  
2472 granted by the department for conditional uses identified in section 35 and section 44 of this  
2473 ordinance as shoreline conditional uses only ~~((under the following circumstances))~~ if the  
2474 applicant demonstrates that:

2475           1. ~~((The development must be compatible with uses which are permitted within the  
2476 master program environment in which the development is proposed.))~~ The review criteria of  
2477 WAC 173-27-160 has been met; and

2478           2. ~~((The use will cause no unreasonable adverse effects on the shoreline or surrounding  
2479 properties and uses.~~

2480           3.)) The use will promote or not interfere with public use of surface waters.

2481           ~~((4. The development of the site will not be contrary to the policies of the master  
2482 program.))~~

2483           B. A shoreline conditional use may be granted by the department for uses not identified  
2484 as conditional uses in section 35 and section 44 of this ordinance only if the applicant  
2485 demonstrates that:

- 2486           1. The criteria in subsection A of this section have been met;  
2487           2. The use is not specifically prohibited in the shoreline environment;  
2488           3. The use clearly requires specific site location on the shoreline not provided for under  
2489 the master program; and  
2490           4. Extraordinary circumstances preclude reasonable use of the property in a manner  
2491 consistent with the use regulations of the new chapter created in section 16 of this ordinance.

2492           C. The burden of proving that a proposed shoreline conditional use meets the criteria  
2493 enumerated in ~~((subsection A. of))~~ this section shall be on the applicant. Absence of such proof  
2494 shall be grounds for denial of the application~~((; provided, however, that the director is authorized~~  
2495 ~~to determine and impose, on a case-by-case basis, those conditions and standards which may be~~  
2496 ~~required to enable any proposed shoreline conditional use to satisfy the criteria established in~~  
2497 ~~subsection A. of this section))~~.

2498           SECTION 122. Ordinance 10870, Section 631, and K.C.C. 21A.50.030 are each hereby  
2499 amended to read as follows:

2500           No building permit or land use approval in conflict with the provisions of this title shall  
2501 be issued. Structures or uses which do not conform to this title, except legal nonconformances  
2502 specified in K.C.C. 21A.32 and approved variances, are violations subject to the enforcement,  
2503 penalty and abatement provisions of Title 23, including but not limited to:

- 2504           A. Establishing a use not permitted in the zone in which it is located;  
2505           B. Constructing, expanding or placing a structure in violation of setback, height and  
2506 other dimensional standards in this title;  
2507           C. Establishing a permitted use without complying with applicable development  
2508 standards set forth in other titles, ordinances, rules or other laws, including but not limited to,

2509 road construction, surface water management, the Fire Code, and rules of the department of  
2510 public health;

2511 D. Failing to carry out or observe conditions of land use or permit approval, including  
2512 contract development standards;

2513 E. Failing to secure required land use or permit approval prior to establishing a permitted  
2514 use; ~~((and))~~

2515 F. Failing to maintain site improvements, such as landscaping, parking or drainage  
2516 control facilities as required by this code or other King County ordinances; and

2517 G. Undertaking any development within the shoreline jurisdiction without first obtaining  
2518 a substantial development permit, statement of exemption, or an exempt activity that is not in  
2519 compliance with the policy of RCW 90.58.020. chapter 173-26 WAC and the King County  
2520 shoreline master program.

2521 SECTION 123. Ordinance 11622, Section 1, and K.C.C. 7.02.010 are each hereby  
2522 amended to read as follows:

2523 Ordinance 11622 and K.C.C. Titles 7 (Parks and Recreation)~~((;))~~ and 23 (Enforcement)~~((;~~  
2524 ~~and 25 (Shorelines)))~~ are adopted as development regulations pursuant to RCW 36.70A (Growth  
2525 Management Act).

2526 SECTION 124. Ordinance 11622, Section 1, and K.C.C. 23.02.020 are each hereby  
2527 amended to read as follows:

2528 Ordinance 11622 and K.C.C. Titles 7 (Parks and Recreation)~~((,))~~ and 23 (Enforcement)~~((;~~  
2529 ~~and 25 (Shorelines)))~~ are adopted as development regulations pursuant to chapter 36.70A RCW  
2530 (Growth Management Act).

2531            NEW SECTION. SECTION 125. There is hereby added a new section to K.C.C.  
2532 chapter 21A.06 to read as follows:

2533            Regional light rail transit: A public rail transit line that operates at grade level, above  
2534 grade level, or in a tunnel and that provides high capacity, regional transit service owned or  
2535 operated by a regional transit authority authorized under Chapter 81.112 RCW. A regional light  
2536 rail transit system may be designed to share a street right-of-way although it may also use a  
2537 separate right-of-way.

2538            SECTION 126. Ordinance 15051, Section 86, and K.C.C. 21A06.942 are each hereby  
2539 amended to read as follows:

2540            Public road right-of-way structure: the existing, maintained, improved road right-of-way,  
2541 regional light rail transit or railroad prism and the roadway drainage features including ditches  
2542 and the associated surface water conveyance system, flow control and water quality treatment  
2543 facilities and other structures that are ancillary to those facilities including catch-basins, access  
2544 holes and culverts.

2545            SECTION 127. Ordinance 15051, Section 137, and K.C.C. 21A.24.045 are each hereby  
2546 amended to read as follows:

2547            A. Within the following seven critical areas and their buffers all alterations are allowed if  
2548 the alteration complies with the development standards, impact avoidance and mitigation  
2549 requirements and other applicable requirements established in this chapter:

- 2550            1. Critical aquifer recharge area,
- 2551            2. Coal mine hazard area;
- 2552            3. Erosion hazard area;
- 2553            4. Flood hazard area except in the severe channel migration hazard area;

2554 5. Landslide hazard area under forty percent slope;  
 2555 6. Seismic hazard area; and  
 2556 7. Volcanic hazard areas.

2557 B. Within the following seven critical areas and their buffers, unless allowed as an  
 2558 alteration exception under K.C.C. 21A.24.070, only the alterations on the table in subsection C.  
 2559 of this section are allowed if the alteration complies with conditions in subsection D. of this  
 2560 section and the development standards, impact avoidance and mitigation requirements and other  
 2561 applicable requirements established in this chapter:

2562 1. Severe channel migration hazard area;  
 2563 2. Landslide hazard area over forty percent slope;  
 2564 3. Steep slope hazard area;  
 2565 4. Wetland;  
 2566 5. Aquatic area;  
 2567 6. Wildlife habitat conservation area; and  
 2568 7. Wildlife habitat network.

2569 C. In the following table where an activity is included in more than one activity category,  
 2570 the numbered conditions applicable to the most specific description of the activity governs.  
 2571 Where more than one numbered condition appears for a listed activity, each of the relevant  
 2572 conditions specified for that activity within the given critical area applies. For alterations  
 2573 involving more than one critical area, compliance with the conditions applicable to each critical  
 2574 area is required.

<p><b>KEY</b></p> <p>Letter "A" in a cell means alteration is allowed</p>
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L	O	S	A	W	B	A	B	C	W	A
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<p>A number in a cell means the corresponding numbered condition in subsection D. applies</p> <p>"Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network</p>	<p>A V N E D R S L 40% I D A E N D H A B Z U A F R F D E R R D</p>	<p>T N E D E P B U N S F L F O E P R E H A Z A Z A R R D</p>	<p>E U T F L F A E N R D A N N D D D A Z A Z A R R D</p>	<p>Q U U F A F T E I R C A A N R D E A S E A A V N E D R E N</p>	<p>I N L D D N E E T W O R K A A I O N</p>
<b>ACTIVITY</b>					
<b>Structures</b>					
Construction of new single detached dwelling unit			A 1	A 2	
<u>Construction of a new tree-supported structure</u>			<u>A 63</u>	<u>A 63</u>	<u>A 63</u>
Construction of nonresidential structure			A 3	A 3	A 3, 4
Maintenance or repair of existing structure	A 5	A	A	A	A 4
Expansion or replacement of existing structure	A 5, 7	A 5, 7	A 7, 8	A 6, 7, 8	A 4, 7
Interior remodeling	A	A	A	A	A
Construction of new dock or pier			A 9	A 9, 10, 11	
Maintenance, repair or replacement of dock or pier			A 12	A 10, 11	A 4
<b>Grading</b>					

Grading		A 13		A 14	A 4, 14
Construction of new slope stabilization	A 15	A 15	A 15	A 15	A 4, 15
Maintenance of existing slope stabilization	A 16	A 13	A 17	A 16, 17	A 4
Mineral extraction	A	A			
<b>Clearing</b>					
Clearing	A 18	A 18, 19	A 18, 20	A 14, 18, 20	A 4, 14, 18, 20
Cutting firewood		A 21	A 21	A 21	A 4, 21
Removal of vegetation for fire safety	A22	A22	A 22	A 22	A 4, 22
Removal of noxious weeds or invasive vegetation	A 23	A 23	A 23	A 23	A 4, 23
<b>Forest Practices</b>					
Nonconversion Class IV-G forest practice	A 24	A 24	A 24	A 24	A 24, 25
Class I, II, III, IV-S forest practice	A	A	A	A	A
<b>Roads</b>					
Construction of new public road right-of-way structure on unimproved right-of-way			A 26	A 26	
Construction of new road in a plat			A26	A26	
Maintenance of public road right-of-way structure	A 16	A 16	A 16	A 16	A 16, 27
Expansion beyond public road right-of-way structure	A	A	A 26	A 26	
Repair, replacement or modification within the roadway	A 16	A 16	A 16	A 16	A 16, 27
Construction of driveway or private access road	A 28	A 28	A 28	A 28	A 28
Construction of farm field access drive	A 29	A 29	A 29	A 29	A 29
Maintenance of driveway, private access road, farm field access drive or parking lot	A	A	A 17	A 17	A 17, 27

Construction of a bridge or culvert as part of a driveway or private access road	A 39	A 39	A 39	A 39	A 39
<b>Bridges or culverts</b>					
Maintenance or repair of bridge or culvert	A 16, 17	A 16, 17	A 16, 17	A 16, 17	A 16, 17, 27
Replacement of bridge or culvert	A 16	A 16	A 16	A 16, 30	A 16, 27
Expansion of bridge or culvert	A 16, 17	A 16, 17	A 16, 17, 31	A 16, 17, 31	A 4
<b>Utilities and other infrastructure</b>					
Construction of new utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34	A 32, 34	A 27, 32, 35
Construction of a new residential utility service distribution line	A 32, 33	A 32, 33	A 32, 60	A 32, 60	A 27, 32, 60
Maintenance, repair or replacement of utility corridor or utility facility	A 32, 33	A 32, 33	A 32, 34, 36	A 32, 34, 36	A 4, 32, 37
Maintenance or repair of existing well	A 37	A 37	A 37	A 37	A 4, 37
Maintenance or repair of on-site sewage disposal system	A	A	A	A 37	A 4
Construction of new surface water conveyance system	A 32, 33	A 32, 33	A 32, 38	A 32, 38	A 4
Maintenance, repair or replacement of existing surface water conveyance system	A 33	A 33	A 16, 32, 38	A 16, 40, 41	A 4, 37
Construction of new surface water flow control or surface water quality treatment facility			A 32	A 32	A 4, 32
Maintenance or repair of existing surface water flow control or surface water quality treatment facility	A 16	A 16	A 16	A 16	A 4
Construction of new flood protection facility			A 42	A 42	A 27, 42
Maintenance, repair or replacement of flood protection facility	A 33, 43	A 33, 43	A 43	A 43	A 27, 43

Flood risk reduction gravel removal	A 61	A 61	A 61	A 61	A 61
Construction of new instream structure or instream work	A 16	A 16	A 16	A 16, 44, 45	A 4, 16, 44, 45
Maintenance or repair of existing instream structure	A 16	A	A	A	A 4
<b>Recreation</b>					
Construction of new trail	A 46	A 46	A 47	A 47	A 4, 47
Maintenance of outdoor public park facility, trail or publicly improved recreation area	A 48	A 48	A 48	A 48	A 4, 48
<b>Habitat, education and science projects</b>					
Habitat restoration or enhancement project	A 49	A 49	A 49	A 49	A 4, 49
Scientific sampling for salmonids			A 50	A 50	A 50
Drilling and testing for critical areas report	A 51	A 51	A 51, 52	A 51, 52	A 4
Environmental education project	A 62	A 62	A 62	A 62	A 62
<b>Agriculture</b>					
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops and related activity	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Grazing livestock	A 53	A 53	A 53, 54	A 53, 54	A 53, 54
Construction or maintenance of livestock manure storage facility			A 53, 54, 55	A 53, 54, 55, 56	A 53, 54
Construction or maintenance of livestock flood sanctuary			A	A 56	
Construction of agricultural drainage			A 57	A 57	A 4, 57
Maintenance of agricultural drainage	A 23, 58	A 23, 58	A 23, 53, 54, 58	A 23, 53, 54, 58	A 4, 23, 53, 54, 58
Construction or maintenance of farm pond, fish pond or livestock watering pond	A 53	A 53	A 53, 54	A 53, 54	A 53, 54

Other					
Excavation of cemetery graves in established and approved cemetery	A	A	A	A	A
Maintenance of cemetery graves	A	A	A	A	A
Maintenance of lawn, landscaping or garden for personal consumption	A 59	A 59	A 59	A 59	A 59
Maintenance of golf course	A 17	A 17	A 17	A 17	A 4, 17

2575 D. The following alteration conditions apply:

2576 1. Limited to farm residences in grazed or tilled wet meadows and subject to the  
2577 limitations of subsection D.3. of this section.

2578 2. Allowed in a buffer of a lake that is twenty acres or larger on a lot that was created  
2579 before January 1, 2005, if:

2580 a. at least seventy-five percent of the lots abutting the shoreline of the lake or seventy-  
2581 five percent of the lake frontage, whichever constitutes the most developable lake frontage, has  
2582 existing density of four dwelling units per acre or more;

2583 b. the development proposal, including mitigation required by this chapter, will have  
2584 the least adverse impact on the critical area;

2585 c. existing native vegetation within the critical area buffer will remain undisturbed  
2586 except as necessary to accommodate the development proposal and required building setbacks;

2587 d. access is located to have the least adverse impact on the critical area and critical  
2588 area buffer;

2589 e. the alteration is the minimum necessary to accommodate the development proposal  
2590 and in no case in excess of a development footprint of five thousand square feet;

2591 f. the alteration does not exceed the residential development setbacks required under  
2592 K.C.C. chapter 25.04 and in no circumstances shall the alteration be allowed closer than:

2593 (1) twenty-five feet of the ordinary high water mark of a lake shoreline designated  
2594 urban under K.C.C. chapter 25.16;

2595 (2) fifty feet of the ordinary high water mark of a lake shoreline designated rural  
2596 under K.C.C. chapter 25.20 or conservancy under K.C.C. chapter 25.24; or

2597 (3) one hundred feet of the ordinary high water mark of a lake shoreline designated  
2598 natural under K.C.C. chapter 25.28; and

2599 g. to the maximum extent practical, alterations are mitigated on the development  
2600 proposal site by enhancing or restoring remaining critical area buffers.

2601 3. Limited to nonresidential farm-structures in grazed or tilled wet meadows or buffers  
2602 of wetlands or aquatic areas where:

2603 a. the site is predominantly used for the practice of agriculture;

2604 b. the structure is in compliance with an approved farm management plan in  
2605 accordance with K.C.C. 21A.24.051;

2606 c. the structure is either:

2607 (1) on or adjacent to existing nonresidential impervious surface areas, additional  
2608 impervious surface area is not created waterward of any existing impervious surface areas and  
2609 the area was not used for crop production;

2610 (2) higher in elevation and no closer to the critical area than its existing position; or

2611 (3) at a location away from existing impervious surface areas that is determined to be  
2612 the optimum site in the farm management plan;

2613 d. all best management practices associated with the structure specified in the farm  
2614 management plan are installed and maintained;

2615 e. installation of fencing in accordance with K.C.C. chapter 21A.30 does not require  
2616 the development of a farm management plan if required best management practices are followed  
2617 and the installation does not require clearing of critical areas or their buffers; and

2618 f. in a severe channel migration hazard area portion of an aquatic buffer only if:

2619 (1) there is no feasible alternative location on-site;

2620 (2) the structure is located where it is least subject to risk from channel migration;

2621 (3) the structure is not used to house animals or store hazardous substances; ~~((and))~~

2622 (4) the total footprint of all accessory structures within the severe channel migration  
2623 hazard area will not exceed the greater of one thousand square feet or two percent of the severe  
2624 channel migration hazard area on the site; and

2625 (4) in the shoreline jurisdiction, any structures will not interfere with the natural  
2626 hydrologic and geomorphic processes of channel migration.

2627 4. Allowed if no clearing, external construction or other disturbance in a wildlife habitat  
2628 conservation area occurs during breeding seasons established under K.C.C. 21A.24.382.

2629 5. Allowed for structures when:

2630 a. the landslide hazard poses little or no risk of injury;

2631 b. the risk of landsliding is low; and

2632 c. there is not an expansion of the structure.

2633 6. Within a severe channel migration hazard area allowed for:

2634 a. existing legally established primary structures if:

2635 (1) there is not an increase of the footprint of any existing structure; and

2636 (2) there is not a substantial improvement as defined in K.C.C. 21A.06.1270; ~~((and))~~

2637 b. existing legally established accessory structures if:

2638 (1) additions to the footprint will not make the total footprint of all existing structures  
2639 more than one-thousand square feet; and

2640 (2) there is not an expansion of the footprint towards any source of channel migration  
2641 hazard, unless the applicant demonstrates that the location is less subject to risk and has less  
2642 impact on the critical area; and

2643 c. in the shoreline jurisdiction, any structures will not interfere with the natural  
2644 hydrologic and geomorphic processes of channel migration.

2645 7. Allowed only in grazed wet meadows or the buffer or building setback outside a  
2646 severe channel migration hazard area if:

2647 a. the expansion or replacement does not increase the footprint of a nonresidential  
2648 structure;

2649 b.(1) for a legally established dwelling unit, the expansion or replacement, including  
2650 any expansion of a legally established accessory structure or impervious surfaces allowed under  
2651 this subsection B.7.b., does not increase the footprint of the dwelling unit and all other structures  
2652 by more than one thousand square feet, not including any expansion of a drainfield made  
2653 necessary by the expansion of structures. To the maximum extent practical, the replacement or  
2654 expansion of a drainfield in the buffer should be located within areas of existing lawn or  
2655 landscaping, unless another location will have a lesser impact on the critical area and its buffer;

2656 (2) for a structure accessory to a dwelling unit, the expansion or replacement is  
2657 located on or adjacent to existing impervious surface areas and does not result in a cumulative  
2658 increase in the footprint of the accessory structure and the dwelling unit by more than one  
2659 thousand square feet; (~~and~~)

2660 (3) the location of the expansion has the least adverse impact on the critical area; and



2661 (4) a comparable area of degraded buffer area shall be enhanced through removal of  
2662 nonnative plants and replacement with native vegetation pursuant to an approved landscaping plan;

2663 c. the structure was not established as the result of an alteration exception, variance,  
2664 buffer averaging or reasonable use exception; and

2665 d. to the maximum extent practical, the expansion or replacement is not located closer  
2666 to the critical area or within the relic of a channel that can be connected to an aquatic area.

2667 8. Allowed upon another portion of an existing impervious surface outside a severe  
2668 channel migration hazard area if:

2669 a. the structure is not located closer to the critical area; ~~((and))~~

2670 b. the existing impervious surface within the critical area or buffer is not expanded;

2671 and

2672 c. the degraded buffer area is enhanced through removal of nonnative plants and  
2673 replacement with native vegetation pursuant to an approved landscaping plan.

2674 9. Limited to piers or seasonal floating docks in a category II, III or IV wetland or its  
2675 buffer or along a lake shoreline or its buffer where:

2676 a. ~~((the existing and zoned density of all properties abutting the entire lake shoreline~~  
2677 ~~averages three dwelling units per acre or more;~~

2678 ~~b. at least seventy five percent of the lots abutting the shoreline or seventy five~~  
2679 ~~percent of the lake frontage, whichever constitutes the most lake frontage, has been developed~~  
2680 ~~with dwelling units;~~

2681 e-)) b. the vegetation where the alteration is proposed does not consist of dominant  
2682 native wetland herbaceous or woody vegetation six feet in width or greater and the lack of this  
2683 vegetation is not the result of any violation of law;

2684            ~~((b-))~~ c. the wetland or lake shoreline is not a salmonid spawning area; ~~((and))~~  
2685            ~~((e-))~~ d. hazardous substances or toxic materials are not used; and  
2686            e. if located on a freshwater lake, the pier or dock conforms to the standards for docks  
2687 under section 48 this ordinance.

2688            10. Allowed on type N or O aquatic areas if hazardous substances or toxic materials are  
2689 not used.

2690            11. Allowed on type S or F aquatic areas outside of the severe channel migration hazard  
2691 area if in compliance with ~~((K.C.C. Title 25))~~ section 48 this ordinance.

2692            12. When located on a lake, must be in compliance with ~~((K.C.C. Title 25))~~ section 48  
2693 this ordinance.

2694            13. Limited to regrading and stabilizing of a slope formed as a result of a legal grading  
2695 activity.

2696            14. The following are allowed in the severe channel migration hazard area if conducted  
2697 more than one~~((-))~~hundred and sixty-five feet from the ordinary high water mark in the rural area  
2698 and one-hundred and fifteen feet from the ordinary high water mark in the urban area and if in  
2699 the shoreline jurisdiction, any clearing or grading will not interfere with the natural hydrologic  
2700 and geomorphic processes of channel migration:

2701            a. grading of up to fifty cubic yards on lot less than five acres; and

2702            b. clearing of up to one-thousand square feet or up to a cumulative thirty-five percent  
2703 of the severe channel migration hazard area.

2704            15. Only where erosion or landsliding threatens a structure, utility facility, roadway,  
2705 driveway, public trails, aquatic area or wetland if, to the maximum extent practical, stabilization  
2706 work does not disturb the slope and its vegetative cover and any associated critical areas.

2707 16. Allowed when performed by, at the direction of or authorized by a government  
2708 agency in accordance with regional road maintenance guidelines.

2709 17. Allowed when not performed under the direction of a government agency only if:

2710 a. the maintenance or expansion does not involve the use of herbicides, hazardous  
2711 substances, sealants or other liquid oily substances in aquatic areas, wetlands or their buffers; and

2712 b. when maintenance, expansion or replacement of bridges or culverts involves water  
2713 used by salmonids:

2714 (1) the work is in compliance with ditch standards in public rule; and

2715 (2) the maintenance of culverts is limited to removal of sediment and debris from the  
2716 culvert and its inlet, invert and outlet and the stabilization of the disturbed or damaged bank or  
2717 channel immediately adjacent to the culvert and shall not involve the excavation of a new  
2718 sediment trap adjacent to the inlet.

2719 18. Allowed for the removal of hazard trees and vegetation as necessary for surveying  
2720 or testing purposes.

2721 19. The limited trimming and pruning of vegetation for the making and maintenance of  
2722 view corridors or habitat enhancement under a vegetation management plan approved by the  
2723 department, if the soils are not disturbed and the activity will not adversely affect the long term  
2724 slope stability or water quality or cause erosion. The vegetation management plan shall use  
2725 native species with adequate root strength to add stability to a steep slope.

2726 20. Harvesting of plants and plant materials, such as plugs, stakes, seeds or fruits, for  
2727 restoration and enhancement projects is allowed.

2728 21. Cutting of firewood is subject to the following:

2729 a. within a wildlife habitat conservation area, cutting firewood is not allowed;

2730           b. within a wildlife network, cutting shall be in accordance with a management plan  
2731 approved under K.C.C. 21A.24.386 by this ordinance; and

2732           c. within a critical area buffer, cutting shall be for personal use and in accordance with  
2733 an approved forest management plan or rural stewardship plan.

2734           22. Allowed only in buffers if in accordance with best management practices approved  
2735 by the King County fire marshal.

2736           23. Allowed as follows:

2737           a. if conducted in accordance with an approved forest management plan, farm  
2738 management plan, or rural stewardship plan; or

2739           b. without an approved forest management plan, farm management plan or rural  
2740 stewardship plan, only if:

2741           (1) removal is undertaken with hand labor, including hand-held mechanical tools,  
2742 unless the King County noxious weed control board otherwise prescribes the use of riding  
2743 mowers, light mechanical cultivating equipment or herbicides or biological control methods;

2744           (2) the area is stabilized to avoid regrowth or regeneration of noxious weeds;

2745           (3) the cleared area is revegetated with native vegetation and stabilized against  
2746 erosion; and

2747           (4) herbicide use is in accordance with federal and state law;

2748           24. Only if in accordance with chapter 76.09 RCW and Title 222 WAC and:

2749           a. a forest management plan is approved for the site by the King County department of  
2750 natural resources and parks; and

2751           b. the property owner provides a notice of intent in accordance with RCW 76.09.060  
2752 that the site will not be converted to nonforestry uses within six years.

2753 25. Only if in compliance with published Washington state Department of Fish and  
2754 Wildlife and Washington state Department of Natural Resources Management standards for the  
2755 species. If there are no published Washington state standards, only if in compliance with  
2756 management standards determined by the county to be consistent with best available science.

2757 26. Allowed only if:

2758 a. there is not another feasible location with less adverse impact on the critical area  
2759 and its buffer;

2760 b. the corridor is not located over habitat used for salmonid rearing or spawning or by  
2761 a species listed as endangered or threatened by the state or federal government unless the  
2762 department determines that there is no other feasible crossing site.

2763 c. the corridor width is minimized to the maximum extent practical;

2764 d. the construction occurs during approved periods for instream work;

2765 e. the corridor will not change or diminish the overall aquatic area flow peaks,  
2766 duration or volume or the flood storage capacity; and

2767 f. no new public right-of-way is established within a severe channel migration hazard  
2768 area.

2769 27. To the maximum extent practical, during breeding season established under K.C.C.  
2770 21A.24.382, land clearing machinery such as bulldozers, graders or other heavy equipment are  
2771 not operated within a wildlife habitat conservation area.

2772 28. Allowed only if:

2773 a. an alternative access is not available;

2774 b. impact to the critical area is minimized to the maximum extent practical including  
2775 the use of walls to limit the amount of cut and fill necessary;

- 2776 c. the risk associated with landslide and erosion is minimized;
- 2777 d. access is located where it is least subject to risk from channel migration; and
- 2778 e. construction occurs during approved periods for instream work.
- 2779 29. Only if in compliance with a farm management plan in accordance with K.C.C.
- 2780 21A.24.051.
- 2781 30. Allowed only if:
- 2782 a. the replacement is made fish passable in accordance with the most recent
- 2783 Washington state Department of Fish and Wildlife manuals or with the National Marine and
- 2784 Fisheries Services guidelines for federally listed salmonid species; and
- 2785 b. the site is restored with appropriate native vegetation.
- 2786 31. Allowed if necessary to bring the bridge or culvert up to current standards and if:
- 2787 a. there is not another feasible alternative available with less impact on the aquatic
- 2788 area and its buffer; and
- 2789 b. to the maximum extent practical, the bridge or culvert is located to minimize
- 2790 impacts to the aquatic area and its buffer's.
- 2791 32. Allowed in an existing roadway if conducted consistent with the regional road
- 2792 maintenance guidelines.
- 2793 33. Allowed outside the roadway if:
- 2794 a. the alterations will not subject the critical area to an increased risk of landslide or
- 2795 erosion;
- 2796 b. vegetation removal is the minimum necessary to locate the utility or construct the
- 2797 corridor; and

2798 c. significant risk of personal injury is eliminated or minimized in the landslide hazard  
2799 area.

2800 34. Limited to the pipelines, cables, wires and support structures of utility facilities  
2801 within utility corridors if:

2802 a. there is no alternative location with less adverse impact on the critical area and  
2803 critical area buffer;

2804 b. new utility corridors meet the all of the following to the maximum extent practical:

2805 (1) are not located over habitat used for salmonid rearing or spawning or by a species  
2806 listed as endangered or threatened by the state or federal government unless the department  
2807 determines that there is no other feasible crossing site;

2808 (2) the mean annual flow rate is less than twenty cubic feet per second; and

2809 (3) paralleling the channel or following a down-valley route near the channel is  
2810 avoided;

2811 c. to the maximum extent practical utility corridors are located so that:

2812 (1) the width is the minimized;

2813 (2) the removal of trees greater than twelve inches diameter at breast height is  
2814 minimized;

2815 (3) an additional, contiguous and undisturbed critical area buffer, equal in area to the  
2816 disturbed critical area buffer area including any allowed maintenance roads, is provided to  
2817 protect the critical area;

2818 d. to the maximum extent practical, access for maintenance is at limited access points  
2819 into the critical area buffer rather than by a parallel maintenance road. If a parallel maintenance  
2820 road is necessary the following standards are met:

2821 (1) to the maximum extent practical the width of the maintenance road is minimized  
2822 and in no event greater than fifteen feet; and

2823 (2) the location of the maintenance road is contiguous to the utility corridor on the  
2824 side of the utility corridor farthest from the critical area;

2825 e. the utility corridor or facility will not adversely impact the overall critical area  
2826 hydrology or diminish flood storage capacity;

2827 f. the construction occurs during approved periods for instream work;

2828 g. the utility corridor serves multiple purposes and properties to the maximum extent  
2829 practical;

2830 h. bridges or other construction techniques that do not disturb the critical areas are  
2831 used to the maximum extent practical;

2832 i. bored, drilled or other trenchless crossing is laterally constructed at least four feet  
2833 below the maximum depth of scour for the base flood;

2834 j. bridge piers or abutments for bridge crossing are not placed within the FEMA  
2835 floodway or the ordinary high water mark;

2836 k. open trenching is only used during low flow periods or only within aquatic areas  
2837 when they are dry. The department may approve open trenching of type S or F aquatic areas  
2838 only if there is not a feasible alternative and equivalent or greater environmental protection can  
2839 be achieved; and

2840 l. minor communication facilities may collocate on existing utility facilities if:

2841 (1) no new transmission support structure is required; and

2842 (2) equipment cabinets are located on the transmission support structure.

2843 35. Allowed only for new utility facilities in existing utility corridors.



2844 36. Allowed for private individual utility service connections on site or to public  
2845 utilities if the disturbed area is not expanded and no hazardous substances, pesticides or  
2846 fertilizers are applied.

2847 37. Allowed if the disturbed area is not expanded, clearing is limited to the maximum  
2848 extent practical and no hazardous substances, pesticides or fertilizers are applied.

2849 38. Allowed if:

2850 a. conveying the surface water into the wetland or aquatic area buffer and discharging  
2851 into the wetland or aquatic area buffer or at the wetland or aquatic area edge has less adverse  
2852 impact upon the wetland or aquatic area or wetland or aquatic area buffer than if the surface  
2853 water were discharged at the buffer's edge and allowed to naturally drain through the buffer;

2854 b. the volume of discharge is minimized through application of low impact  
2855 development and water quality measures identified in the King County Surface Water Design  
2856 Manual;

2857 c. the conveyance and outfall are installed with hand equipment where feasible;

2858 d. the outfall shall include bioengineering techniques where feasible; and

2859 e. the outfall is designed to minimize adverse impacts to critical areas.

2860 39. Allowed only if:

2861 a. there is no feasible alternative with less impact on the critical area and its buffer;

2862 b. to the maximum extent practical, the bridge or culvert is located to minimize  
2863 impacts to the critical area and its buffer;

2864 c. the bridge or culvert is not located over habitat used for salmonid rearing or  
2865 spawning unless there is no other feasible crossing site;

2866 d. construction occurs during approved periods for in-stream work; and

2867 e. bridge piers or abutments for bridge crossings are not placed within the FEMA  
2868 floodway, severe channel migration hazard area or waterward of the ordinary high water mark.

2869 40. Allowed for an open, vegetated stormwater management conveyance system and  
2870 outfall structure that simulates natural conditions if:

2871 a. fish habitat features necessary for feeding, cover and reproduction are included  
2872 when appropriate;

2873 b. vegetation is maintained and added adjacent to all open channels and ponds, if  
2874 necessary to prevent erosion, filter out sediments or shade the water; and

2875 c. bioengineering techniques are used to the maximum extent practical.

2876 41. Allowed for a closed, tightlined conveyance system and outfall structure if:

2877 a. necessary to avoid erosion of slopes; and

2878 b. bioengineering techniques are used to the maximum extent practical.

2879 42. Allowed in a severe channel migration hazard area or an aquatic area buffer to  
2880 prevent bank erosion only:

2881 a. if consistent with the Integrated Streambank Protection Guidelines (Washington  
2882 State Aquatic Habitat Guidelines Program, 2002) and if bioengineering techniques are used to  
2883 the maximum extent practical, unless the applicant demonstrates that other methods provide  
2884 equivalent structural stabilization and environmental function;

2885 b. based on a critical areas report, the department determines that the new flood  
2886 protection facility will not cause significant impacts to upstream or downstream properties; and

2887 c. to prevent bank erosion for the protection of:

2888 (1) public roadways;

2889 (2) sole access routes in existence before February 16, 1995;

2890 (3) new primary dwelling units, accessory dwelling units or accessory living quarters  
2891 and residential accessory structures located outside the severe channel migration hazard area if:

2892 (a) the site is adjacent to or abutted by properties on both sides containing buildings  
2893 or sole access routes protected by legal bank stabilization in existence before February 16, 1995.  
2894 The buildings, sole access routes or bank stabilization must be located no more than six hundred  
2895 feet apart as measured parallel to the migrating channel; and

2896 (b) the new primary dwelling units, accessory dwelling units, accessory living  
2897 quarters or residential accessory structures are located no closer to the aquatic area than existing  
2898 primary dwelling units, accessory dwelling units, accessory living quarters or residential  
2899 accessory structures on abutting or adjacent properties; or

2900 (4) existing primary dwelling units, accessory dwelling units, accessory living  
2901 quarters or residential accessory structures if:

2902 (a) the structure was in existence before the adoption date of a King County  
2903 Channel Migration Zone hazard map that applies to that channel, if such a map exists;

2904 (b) the structure is in imminent danger, as determined by a geologist, engineering  
2905 geologist or geotechnical engineer;

2906 (c) the applicant has demonstrated that the existing structure is at risk, and the  
2907 structure and supporting infrastructure cannot be relocated on the lot further from the source of  
2908 channel migration; and

2909 (d) nonstructural measures are not feasible.

2910 43. Applies to lawfully established existing structures if:

2911 a. the height of the facility is not increased, unless the facility is being replaced in a  
2912 new alignment that is landward of the previous alignment and enhances aquatic area habitat and  
2913 process;

2914 b. the linear length of the facility is not increased, unless the facility is being replaced  
2915 in a new alignment that is landward of the previous alignment and enhances aquatic area habitat  
2916 and process;

2917 c. the footprint of the facility is not expanded waterward;

2918 d. consistent with the Integrated Streambank Protection Guidelines (Washington State  
2919 Aquatic Habitat Guidelines Program, 2002) and bioengineering techniques are used to the  
2920 maximum extent practical;

2921 e. the site is restored with appropriate native vegetation and erosion protection  
2922 materials; and

2923 f. based on a critical areas report, the department determines that the maintenance,  
2924 repair, replacement or construction will not cause significant impacts to upstream or downstream  
2925 properties.

2926 44. Allowed in type N and O aquatic areas if done in least impacting way at least  
2927 impacting time of year, in conformance with applicable best management practices, and all  
2928 affected instream and buffer features are restored.

2929 45. Allowed in a type S or F water when such work is:

2930 a. included as part of a project to evaluate, restore or improve habitat, and

2931 b. sponsored or cosponsored by a public agency that has natural resource management  
2932 as a function or by a federally recognized tribe.

2933           46. Allowed as long as the trail is not constructed of impervious surfaces that will  
2934 contribute to surface water run-off, unless the construction is necessary for soil stabilization or  
2935 soil erosion prevention or unless the trail system is specifically designed and intended to be  
2936 accessible to handicapped persons.

2937           47. Not allowed in a wildlife habitat conservation area. Otherwise, allowed in the  
2938 buffer or for crossing a category II, III or IV wetland or a type F, N or O aquatic area, if:

2939           a. the trail surface is made of pervious materials, except that public multipurpose trails  
2940 may be made of impervious materials if they meet all the requirements in K.C.C. chapter 9.12.

2941 A trail that crosses a wetland or aquatic area shall be constructed as a raised boardwalk or bridge;

2942           b. to the maximum extent practical, buffers are expanded equal to the width of the trail  
2943 corridor including disturbed areas;

2944           c. there is not another feasible location with less adverse impact on the critical area  
2945 and its buffer;

2946           d. the trail is not located over habitat used for salmonid rearing or spawning or by a  
2947 species listed as endangered or threatened by the state or federal government unless the  
2948 department determines that there is no other feasible crossing site;

2949           e. the trail width is minimized to the maximum extent practical;

2950           f. the construction occurs during approved periods for instream work; and

2951           g. the trail corridor will not change or diminish the overall aquatic area flow peaks,  
2952 duration or volume or the flood storage capacity.

2953           h. the trail may be located across a critical area buffer for access to a viewing platform  
2954 or to a permitted dock or pier;

2955           i. A private viewing platform may be allowed if it is:

2956 (1) located upland from the wetland edge or the ordinary high water mark of an  
2957 aquatic area;

2958 (2) located where it will not be detrimental to the functions of the wetland or aquatic  
2959 area and will have the least adverse environmental impact on the critical area or its buffer;

2960 (3) limited to fifty square feet in size;

2961 (4) constructed of materials that are non-toxic; and

2962 (5) on footings located outside of the wetland or aquatic area.

2963 48. Only if the maintenance:

2964 a. does not involve the use of herbicides or other hazardous substances except for the  
2965 removal of noxious weeds or invasive vegetation;

2966 b. when salmonids are present, the maintenance is in compliance with ditch standards  
2967 in public rule; and

2968 c. does not involve any expansion of the roadway, lawn, landscaping, ditch, culvert,  
2969 engineered slope or other improved area being maintained.

2970 49. Limited to alterations to restore habitat forming processes or directly restore habitat  
2971 function and value, including access for construction, as follows:

2972 a. projects sponsored or cosponsored by a public agency that has natural resource  
2973 management as a primary function or by a federally recognized tribe;

2974 b. restoration and enhancement plans prepared by a qualified biologist; or

2975 c. conducted in accordance with an approved forest management plan, farm  
2976 management plan or rural stewardship plan.

2977           50. Allowed in accordance with a scientific sampling permit issued by Washington  
2978 state Department of Fish and Wildlife or an incidental take permit issued under Section 10 of the  
2979 Endangered Species Act.

2980           51. Allowed for the minimal clearing and grading, including site access, necessary to  
2981 prepare critical area reports.

2982           52. The following are allowed if associated spoils are contained:

2983           a. data collection and research if carried out to the maximum extent practical by  
2984 nonmechanical or hand-held equipment;

2985           b. survey monument placement;

2986           c. site exploration and gage installation if performed in accordance with state-  
2987 approved sampling protocols and accomplished to the maximum extent practical by hand-held  
2988 equipment and; or similar work associated with an incidental take permit issued under Section 10  
2989 or consultation under Section 7 of the Endangered Species Act.

2990           53. Limited to activities in continuous existence since January 1, 2005, with no  
2991 expansion within the critical area or critical area buffer. "Continuous existence" includes  
2992 cyclical operations and managed periods of soil restoration, enhancement or other fallow states  
2993 associated with these horticultural and agricultural activities.

2994           54. Allowed for expansion of existing or new agricultural activities where:

2995           a. the site is predominantly involved in the practice of agriculture;

2996           b. there is no expansion into an area that:

2997           (1) has been cleared under a class I, II, III, IV-S or nonconversion IV-G forest

2998 practice permit; or

2999 (2) is more than ten thousand square feet with tree cover at a uniform density more  
3000 than ninety trees per acre and with the predominant mainstream diameter of the trees at least four  
3001 inches diameter at breast height, not including areas that are actively managed as agricultural  
3002 crops for pulpwood, Christmas trees or ornamental nursery stock;

3003 c. the activities are in compliance with an approved farm management plan in  
3004 accordance with K.C.C. 21A.24.051; and

3005 d. all best management practices associated with the activities specified in the farm  
3006 management plan are installed and maintained.

3007 55. Only allowed in grazed or tilled wet meadows or their buffers if:

3008 a. the facilities are designed to the standards of an approved farm management plan in  
3009 accordance K.C.C. 21A.24.051 or an approved livestock management plan in accordance with  
3010 K.C.C. chapter 21A.30;

3011 b. there is not a feasible alternative location available on the site; and

3012 c. the facilities are located close to the outside edge of the buffer to the maximum  
3013 extent practical.

3014 56. Allowed in a severe channel migration hazard area portion of an aquatic area buffer  
3015 if:

3016 a. the facilities are designed to the standards in an approved farm management plan in  
3017 accordance with K.C.C. 21A.24.051;

3018 b. there is not a feasible alternative location available on the site; ~~((and))~~

3019 c. the structure is located where it is least subject to risk from channel migration; and

3020 d. in the shoreline jurisdiction, any structures will not interfere with the natural  
3021 hydrologic and geomorphic processes of channel migration.



3022           57. Allowed for new agricultural drainage in compliance with an approved farm  
3023 management plan in accordance with K.C.C. 21A.24.051 and all best management practices  
3024 associated with the activities specified in the farm management plan are installed and  
3025 maintained.

3026           58. If the agricultural drainage is used by salmonids, maintenance shall be in  
3027 compliance with an approved farm management plan in accordance with K.C.C. 21A.24.051.

3028           59. Allowed within existing landscaped areas or other previously disturbed areas.

3029           60. Allowed for residential utility service distribution lines to residential dwellings,  
3030 including, but not limited to, well water conveyance, septic system conveyance, water service,  
3031 sewer service, natural gas, electrical, cable and telephone, if:

3032           a. there is no alternative location with less adverse impact on the critical area or the  
3033 critical area buffer;

3034           b. the residential utility service distribution lines meet the all of the following, to the  
3035 maximum extent practical:

3036           (1) are not located over habitat used for salmonid rearing or spawning or by a species  
3037 listed as endangered or threatened by the state or federal government unless the department  
3038 determines that there is no other feasible crossing site;

3039           (2) not located over a type S aquatic area;

3040           (3) paralleling the channel or following a down-valley route near the channel is  
3041 avoided;

3042           (4) the width of clearing is minimized;

3043           (5) the removal of trees greater than twelve inches diameter at breast height is  
3044 minimized;

3045 (6) an additional, contiguous and undisturbed critical area buffer, equal in area to the  
3046 disturbed critical area buffer area is provided to protect the critical area;

3047 (7) access for maintenance is at limited access points into the critical area buffer.

3048 (8) the construction occurs during approved periods for instream work;

3049 (9) bored, drilled or other trenchless crossing is encouraged, and shall be laterally  
3050 constructed at least four feet below the maximum depth of scour for the base flood; and

3051 (10) open trenching across Type O or Type N aquatic areas is only used during low  
3052 flow periods or only within aquatic areas when they are dry.

3053 61. Allowed if sponsored or cosponsored by the countywide flood control zone district  
3054 and the department determines that the project and its location:

3055 a. is the best flood risk reduction alternative practicable;

3056 b. is part of a comprehensive, long-term flood management strategy;

3057 c. is consistent with the King County Flood Hazard Management Plan policies;

3058 d. will have the least adverse impact on the ecological functions of the critical area or  
3059 its buffer, including habitat for fish and wildlife that are identified for protection in the King  
3060 County Comprehensive Plan; and

3061 e. has been subject to public notice in accordance with K.C.C. 20.44.060.

3062 62.a. Not allowed in wildlife habitat conservation areas;

3063 b. Only allowed if:

3064 (1) the project is sponsored or cosponsored by a public agency whose primary  
3065 function deals with natural resources management;

3066 (2) the project is located on public land or on land that is owned by a non-profit  
3067 agency whose primary function deals with natural resources management;

3068 (3) there is not a feasible alternative location available on the site with less impact to  
3069 the critical area or its associated buffer;

3070 (4) the aquatic area or wetland is not for salmonid rearing or spawning;

3071 (5) the project minimizes the footprint of structures and the number of access points  
3072 to any critical areas; and

3073 (6) the project meets the following design criteria:

3074 (A) to the maximum extent practical size of platform shall not exceed one hundred  
3075 square feet;

3076 (B) all construction materials for any structures, including the platform, pilings,  
3077 exterior and interior walls and roof, are constructed of nontoxic material, such as nontreated  
3078 wood, vinyl-coated wood, nongalvanized steel, plastic, plastic wood, fiberglass or cured concrete  
3079 that the department determines will not have an adverse impact on water quality;

3080 (C) the exterior of any structures are sufficiently camouflaged using netting or  
3081 equivalent to avoid any visual deterrent for wildlife species to the maximum extent practical.  
3082 The camouflage shall be maintained to retain concealment effectiveness;

3083 (D) structures shall be located outside of the wetland or aquatic area landward of  
3084 the Ordinary High Water Mark or open water component (if applicable) to the maximum extent  
3085 practical on the site;

3086 (E) construction occurs during approved periods for work inside the Ordinary High  
3087 Water Mark;

3088 (F) construction associated with bird blinds shall not occur from March 1 through  
3089 August 31, in order to avoid disturbance to birds during the breeding, nesting, and rearing  
3090 seasons;

3091 (G) to the maximum extent practical, provide accessibility for persons with physical  
3092 disabilities in accordance with the International Building Code;

3093 (H) trail access is designed in accordance with public rules adopted by the  
3094 department;

3095 (I) existing native vegetation within the critical area will remain undisturbed except  
3096 as necessary to accommodate the proposal. Only minimal hand clearing of vegetation is  
3097 allowed; and

3098 (J) disturbed bare ground areas around the structure must be replanted with native  
3099 vegetation approved by the department.

3100 63. Only structures wholly or partially supported by a tree and used as accessory living  
3101 quarters or for play and similar uses described in K.C.C. 16.02.240.1, subject to the following:

3102 a. not allowed in wildlife habitat conservation areas or severe channel migration  
3103 hazard areas;

3104 b. the structure's floor area shall not exceed two hundred square feet, excluding a  
3105 narrow access stairway or landing leading to the structure;

3106 c. the structure shall be located as far from the critical area as practical, but in no case  
3107 closer than seventy-five feet from the critical area;

3108 d. only one tree-supported structure within critical area buffer is allowed on a lot;

3109 e. all construction materials for the structure, including the platform, pilings, exterior  
3110 and interior walls and roof, shall be constructed of non-toxic material, such as non-treated wood,  
3111 vinyl-coated wood, non-galvanized steel, plastic, plastic wood, fiberglass, or cured concrete that  
3112 the department determines will not have an adverse impact on water quality;

3113 f. to the maximum extent practical, the exterior of the structure shall be camouflaged  
3114 with natural wood and earth tone colors to limit visual impacts to wildlife and visibility from the  
3115 critical area. The camouflage shall be maintained to retain concealment effectiveness;

3116 g. the structure must not adversely impact the long-term health and viability of the tree  
3117 and this review should include but not be limited to the following criteria:

3118 (1) the quantity of supporting anchors and connection points to attach the tree house  
3119 to the tree shall be the minimum necessary to adequately support the structure;

3120 (2) the attachments shall be constructed using the best available tree anchor bolt  
3121 technology; and

3122 (3) an ISA Certified Arborist shall evaluate the tree proposed for placement of the  
3123 tree house and shall submit a report discussing how the tree's long-term health and viability will  
3124 not be negatively impacted by the tree house or associated infrastructure;

3125 h. exterior lighting shall meet the following criteria:

3126 (1) limited to the minimum quantity of lights necessary to meet the building code  
3127 requirements to allow for safe exiting of the structure and stairway, and

3128 (2) exterior lights shall be fully shielded and shall direct light downward, in an  
3129 attempt to minimize impacts to the nighttime environment;

3130 i. unless otherwise approved by the department, all external construction shall be  
3131 limited to September 1 through March 1 in order to avoid disturbance to wildlife species during  
3132 typical breeding, nesting, and rearing seasons;

3133 j. trail access to the structure shall be designed in accordance with trail standards  
3134 under subsection D.47 of this section;

3135 k. to the maximum extent practical, existing native vegetation shall be left  
3136 undisturbed. Only minimal hand clearing of vegetation is allowed; and

3137 l. vegetated areas within the critical area buffer that are temporarily impacted by  
3138 construction of the structure shall be restored by planting native vegetation according to a  
3139 vegetation management plan approved by the department.

3140 SECTION 128. Ordinance 15051, Section 139, and K.C.C. 21A.24.055 are each hereby  
3141 amended to read as follows:

3142 A. On a site zoned RA, the department may approve a modification of the minimum  
3143 buffer widths for aquatic areas, wetlands and wildlife habitat conservation areas and maximum  
3144 clearing restrictions through a rural stewardship plan for single family detached residential  
3145 development in accordance with this section.

3146 B. The property owner or applicant shall develop the rural stewardship plan as part of a  
3147 rural stewardship program offered or approved by King County and has the option of  
3148 incorporating appropriate components of a county-approved farm management or a county-  
3149 approved forest stewardship plan.

3150 C. In its evaluation of any proposed modification of the minimum buffer widths for  
3151 aquatic areas, wetlands and wildlife habitat conservation areas and maximum clearing  
3152 restrictions, the department shall consider the following factors:

3153 1. The existing condition of the drainage basin or marine shoreline as designated on the  
3154 Basin and Shoreline Conditions Map;

3155 2. The existing condition of wetland and aquatic area buffers;

3156           3. The existing condition of wetland functions based on the adopted Washington State  
3157 Wetland Rating System for Western Washington, Washington state department of ecology  
3158 publication number 04-06-025, published August 2004;

3159           4. The location of the site in the drainage basin;

3160           5. The percentage of impervious surfaces and clearing on the site; and

3161           6. Any existing development on the site that was approved as a result of a variance or  
3162 alteration exception that allowed development within a critical area or critical area buffer. If the  
3163 existing development was approved through a variance or alteration exception, the rural  
3164 stewardship plan shall demonstrate that the plan will result in enhancing the functions and values  
3165 of critical areas located on the site as if the development approved through the variance or  
3166 alteration exception had not occurred.

3167           D. A rural stewardship plan does not modify the requirement for permits for activities  
3168 covered by the rural stewardship plan.

3169           E. Modifications of critical area buffers shall be based on the following prioritized goals:

3170           1. To avoid impacts to critical areas and, if applicable, to the shoreline jurisdiction to  
3171 the maximum extent practical;

3172           2. To avoid impacts to the higher quality wetland or aquatic area or the more protected  
3173 fish or wildlife species, if there is a potential to affect more than one category of wetland or  
3174 aquatic area or more than one species of native fish or wildlife;

3175           3. To maintain or enhance the natural hydrologic systems on the site to the maximum  
3176 extent practical;

3177           4. To maintain, restore or enhance native vegetation;

3178 5. To maintain, restore or enhance the function and value of critical areas or critical  
3179 area buffers located on the site;

3180 6. To minimize habitat fragmentation and enhance corridors between wetlands, riparian  
3181 corridors, wildlife habitat conservation areas and other priority habitats;

3182 7. To minimize the impacts of development over time by implementing best  
3183 management practices and meeting performance standards during the life of the development;  
3184 and

3185 8. To monitor the effectiveness of the stewardship practices and implement additional  
3186 practices through adaptive management to maintain, restore or enhance critical area functions  
3187 when necessary.

3188 F. If a part or all of the site is located within the shoreline jurisdiction, the rural  
3189 stewardship plan shall:

3190 1. Consider and be consistent with the goals of the Shoreline Management Act and the  
3191 policies of the King County Shoreline Master Program;

3192 2. Consider the priorities of the King County Shoreline Protection and Restoration Plan;  
3193 and

3194 3. Ensure no net loss of ecological processes and functions.

3195 G. A rural stewardship plan may include, but is not limited to, the following elements:

3196 1. Critical areas designation under K.C.C. 21A.24.500;

3197 2. Identification of structures, cleared and forested areas and other significant features  
3198 on the site;

3199 3. Location of wetlands and aquatic areas and their buffers, and wildlife habitat;



3200 4. Analysis of impacts of planned changes to any existing structures, for other changes  
3201 to the site that involve clearing or grading or for new development;

3202 5. Site-specific best management practices that mitigate impacts of development and  
3203 that protect and enhance the ecological values and functions of the site;

3204 6. A schedule for implementation of the elements of the rural stewardship plan; and

3205 7. A plan for monitoring the effectiveness of measures approved under the rural  
3206 stewardship plan and to modify if adverse impacts occur.

3207 ~~((G.))~~ H. A rural stewardship plan may be developed as part of a program offered or  
3208 approved by King County and shall include a site inspection by the county to verify that the plan  
3209 is reasonably likely to accomplish the goals in subsection E. of this section to protect water  
3210 quality, reduce flooding and erosion, maintain, restore or enhance the function and value of  
3211 critical areas and their buffers and maintain or enhance native vegetation on the site of this  
3212 section.

3213 ~~((H.))~~ I. A property owner who completes a rural stewardship plan that is approved by  
3214 the county may be eligible for tax benefits under the public benefit rating system in accordance  
3215 with K.C.C. 20.36.100.

3216 ~~((I.))~~ J. If a property owner withdraws from the rural stewardship plan, in addition to any  
3217 applicable penalties under the public benefit rating system, the following apply:

3218 1. Mitigation is required for any structures constructed in critical area buffers under the  
3219 rural stewardship plan; and

3220 2. The property owner shall apply for buffer averaging or an alteration exception, as  
3221 appropriate, to permit any structure or use that has been established under the rural stewardship  
3222 plan and that would not otherwise be permitted under this chapter.

3223           ~~((J))~~ K. A rural stewardship plan is not effective until approved by the county. Before  
3224 approval, the county may conduct a site inspection, which may be through a program offered or  
3225 approved by King County, to verify that the plan is reasonably likely to accomplish the goals in  
3226 subsection E. of this section.

3227           ~~((K))~~ L. Once approved, activities carried out in compliance with the approved rural  
3228 stewardship plan shall be deemed in compliance with this chapter. In the event of a potential  
3229 code enforcement action, the department of development and environmental services shall first  
3230 inform the department of natural resources and parks of the activity. Prior to taking code  
3231 enforcement action, the department of development and environmental services shall consult  
3232 with the department of natural resources and parks to determine whether the activity is consistent  
3233 with the rural stewardship plan.

3234           SECTION 129. Ordinance 10870, Section 454, as amended, and K.C.C. 21A.24.070 are  
3235 each hereby amended to read as follows:

3236           A. The director may approve alterations to critical areas, critical area buffers and critical  
3237 area setbacks not otherwise allowed by this chapter as follows:

3238           1. ~~((F))~~ Except as otherwise provided in subsection A.2 of this section, for linear  
3239 alterations, the director may approve alterations to critical areas, critical area buffers and critical  
3240 area setbacks only when all of the following criteria are met:

3241           a. there is no feasible alternative to the development proposal with less adverse impact  
3242 on the critical area;

3243           b. the proposal minimizes the adverse impact on critical areas to the maximum extent  
3244 practical;

3245 c. the approval does not require the modification of a critical area development  
3246 standard established by this chapter;

3247 d. the development proposal does not pose an unreasonable threat to the public health,  
3248 safety or welfare on or off the development proposal site and is consistent with the general  
3249 purposes of this chapter and the public interest;

3250 e. the linear alteration:

3251 (1) connects to or is an alteration to a public roadway, regional light rail transit line,  
3252 public trail, a utility corridor or utility facility or other public infrastructure owned or operated by  
3253 a public utility; or

3254 (2) is required to overcome limitations due to gravity; (~~and~~)

3255 2. If the linear alteration involves the siting of a regional light rail transit facility, the  
3256 director may approve alterations to critical areas, critical area buffers and critical area setbacks  
3257 not otherwise allowed by this chapter, if the regional light rail transit authority demonstrates to  
3258 the satisfaction of the director that it has conducted an environmental review and concluded that  
3259 there is not another feasible location with less adverse impact on the critical area and its buffer;  
3260 and

3261 3. For nonlinear alterations the director may approve alterations to critical areas except  
3262 wetlands, unless otherwise allowed under subsection A.2.h. of this section, aquatic areas and  
3263 wildlife habitat conservation areas, and alterations to critical area buffers and critical area  
3264 setbacks, when all of the following criteria are met:

3265 a. there is no feasible alternative to the development proposal with less adverse impact  
3266 on the critical area;

3267 b. the alteration is the minimum necessary to accommodate the development proposal;

3268 c. the approval does not require the modification of a critical area development  
3269 standard established by this chapter;

3270 d. the development proposal does not pose an unreasonable threat to the public health,  
3271 safety or welfare on or off the development proposal site and is consistent with the general  
3272 purposes of this chapter and the public interest;

3273 e. for dwelling units, no more than five thousand square feet or ten percent of the site,  
3274 whichever is greater, may be disturbed by structures, building setbacks or other land alteration,  
3275 including grading, utility installations and landscaping, but not including the area used for a  
3276 driveway or for an on-site sewage disposal system;

3277 f. to the maximum extent possible, access is located to have the least adverse impact  
3278 on the critical area and critical area buffer;

3279 g. the critical area is not used as a salmonid spawning area; and

3280 h. the director may approve an alteration in a category II, III and IV wetland for  
3281 development of a public school facility.

3282 B. The director may approve alterations to critical areas, critical area buffers and critical  
3283 area setbacks if the application of this chapter would deny all reasonable use of the property((-))  
3284 as follows:

3285 1. If the critical area, critical area buffer, or critical area setback is outside of the  
3286 shoreline jurisdiction, ((F))the applicant may apply for a reasonable use exception pursuant to  
3287 this subsection without first having applied for an alteration exception under this section if the  
3288 requested reasonable use exception includes relief from development standards for which an  
3289 alteration exception cannot be granted pursuant to the provisions of this section. The director  
3290 shall determine that all of the following criteria are met:

- 3291 a. there is no other reasonable use with less adverse impact on the critical area;
- 3292 b. the development proposal does not pose an unreasonable threat to the public health,
- 3293 safety or welfare on or off the development proposal site and is consistent with the general
- 3294 purposes of this chapter and the public interest;
- 3295 c. any authorized alteration to the critical area or critical area buffer is the minimum
- 3296 necessary to allow for reasonable use of the property; and
- 3297 d. for dwelling units, no more than five thousand square feet or ten percent of the site,
- 3298 whichever is greater, may be disturbed by structures, building setbacks or other land alteration,
- 3299 including grading, utility installations and landscaping but not including the area used for a
- 3300 driveway or for an on-site sewage disposal system; and

3301 2. If the critical area, critical area buffer, or critical area setback is located within the

3302 shoreline jurisdiction, the request for a reasonable use exception shall be considered a request for

3303 a shoreline variance under K.C.C. 25.32.040 (as recodified and amended by this ordinance).

3304 C. For the purpose of this section, "linear" alteration means infrastructure that supports

3305 development, that is linear in nature and includes public and private roadways, public trails,

3306 private driveways, railroads, regional light rail transit, utility corridors and utility facilities.

3307 D. Alteration exceptions approved under this section shall meet the mitigation

3308 requirements of this chapter.

3309 E. An applicant for an alteration exception shall submit a critical area report, as required

3310 by K.C.C. 21A.24.110.

3311 SECTION 130. Ordinance 11621, Section 75, as amended, and K.C.C. 21A.24.275 are

3312 each hereby amended to read as follows:

3313           The following development standards apply to development proposal and alterations on  
3314 sites within channel migration zones that have been mapped and adopted by public rule:

3315           A. The development standards that apply to the aquatic area buffers in K.C.C. 21A.24.365  
3316 also apply to the severe channel migration zone and the portion of the moderate channel migration  
3317 zone that is within the aquatic area buffer. The more-restrictive standards apply where there is a  
3318 conflict;

3319           B. Only the alterations identified in K.C.C. 21A.24.045 are allowed within a severe  
3320 channel migration hazard area;

3321           C. The following standards apply to development proposals and alterations within the  
3322 moderate channel migration hazard area:

3323           1. Maintenance, repair or expansion of any use or structure is allowed if the existing  
3324 structure's footprint is not expanded towards any source of channel migration hazard, unless the  
3325 applicant can demonstrate that the location is the least subject to risk;

3326           2. New primary dwelling units, accessory dwelling units or accessory living quarters, and  
3327 required infrastructure, are allowed if:

3328           a. the structure is located on a separate lot in existence on or before February 16, 1995;

3329           b. a feasible alternative location outside of the channel migration hazard area is not  
3330 available on-site; and

3331           c. to the maximum extent practical, the structure and supporting infrastructure is located  
3332 the farthest distance from any source of channel migration hazard, unless the applicant can  
3333 demonstrate that an alternative location is:

3334           (1) the least subject to risk; or

3335 (2) within the outer third of the moderate channel migration hazard area as measured  
3336 perpendicular to the channel;

3337 3. New accessory structures are allowed if:

3338 a. a feasible alternative location is not available on-site; and

3339 b. to the maximum extent practical, the structure is located the farthest distance from the  
3340 migrating channel; and

3341 4. The subdivision of property is allowed within the portion of a moderate channel  
3342 migration hazard area located outside an aquatic area buffer if:

3343 a. All lots contain five-thousand square feet or more of buildable land outside of the  
3344 moderate channel migration hazard area;

3345 b. Access to all lots does not cross the moderate channel migration hazard area; and

3346 c. All infrastructure is located outside the moderate channel migration hazard area  
3347 except that an on-site septic system is allowed in the moderate channel migration hazard area if:

3348 (1) a feasible alternative location is not available on-site; and

3349 (2) to the maximum extent practical, the septic system is located the farthest distance  
3350 from the migrating channel; and

3351 D. In the shoreline jurisdiction, any development proposals or alterations will not  
3352 interfere with the natural hydrologic and geomorphic processes of channel migration.

3353 SECTION 131. Ordinance 15051, Section 185, as amended, and K.C.C. 21A.24.325 are  
3354 each hereby amended to read as follows:

3355 Except as otherwise provided in this section, buffers shall be provided from the wetland  
3356 edge as follows:

3357 A. In the Urban Growth Area, buffers for wetlands shall be established in accordance  
3358 with the following standards:

3359 1. The standard buffer widths of the following table shall apply unless modified in  
3360 accordance with subsection A.2, A.3, C. or D. of this section:

<b>WETLAND CATEGORY AND CHARACTERISTICS</b>	<b>BUFFER</b>
<b>Category I</b>	
Natural Heritage Wetlands	215 feet
Bog	215 feet
Estuarine	175 feet
Coastal Lagoon	175 feet
Habitat score from 31 to 36 points	225 feet
Habitat score from 20 to 30 points	150 feet plus 7.5 feet for each habitat score point above 20 points
Category I wetlands not meeting any of the criteria above	125 feet
<b>Category II</b>	
Estuarine	135 feet
Habitat score from 31 to 36 points	200 feet



<b>WETLAND CATEGORY AND CHARACTERISTICS</b>	<b>BUFFER</b>
Habitat score from 20 to 30 points	125 feet plus 7.5 feet for each habitat score point above 20 points
Category II wetlands not meeting any of the criteria above	100 feet
<b>Category III</b>	
Habitat score from 20 to 28 points	125 feet
Category III wetlands not meeting any of the criteria above	75 feet
<b>Category IV</b>	50 feet

3361           2. If a Category I or II wetland with habitat score greater than twenty points is located  
3362 within three hundred feet of a priority habitat area as defined by the Washington state  
3363 Department of Fish and Wildlife, the buffer established by subsection A.1. of this section shall  
3364 be increased by fifty feet unless:

3365           a.(i) the applicant provides relatively undisturbed vegetated corridor at least one  
3366 hundred feet wide between the wetland and all priority habitat areas located within three hundred  
3367 feet of the wetland. The corridor shall be protected for the entire distance between the wetland  
3368 and the priority habitat through a conservation easement, native growth protection easement or  
3369 the equivalent; and

3370           (ii) the applicable mitigation measures in subsection A.3.b. of this section are  
3371 provided; or

3372           b. the wetland is a freshwater or deep freshwater wetland; and

3373 3. Buffers calculated in accordance with subsection A.1. and A.2. of this section shall  
3374 be reduced as follows:

3375 a. Buffers for all categories of wetlands shall be reduced by twenty-five feet if the  
3376 applicant implements all applicable mitigation measures identified in subsection A.3.b. of this  
3377 section, or if the applicant proposes alternate mitigation to reduce the impacts of the  
3378 development and the department determines the alternative provides equivalent mitigation.

3379 b. The following mitigation measures may be used by an applicant to obtain a reduced  
3380 buffer width under subsection A.1. of this section:

<b>Disturbance</b>	<b>Measures to minimize impacts</b>	<b>Activities that may cause the disturbance</b>
Lights	Direct lights away from wetland	Parking lots, warehouses, manufacturing, high density residential
Noise	Place activity that generates noise away from the wetland.	manufacturing, high density residential
Toxic runoff	Route all new untreated runoff away from wetland, or Covenants limiting use of pesticides within 150 ft of wetland, or Implement integrated pest management program	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping

Change in water regime	Infiltrate or treat, detain and disperse into buffer new runoff from impervious surfaces using low impact development measures identified in the King County Surface Water Design Manual	Any impermeable surface, lawns, tilling
Pets and Human disturbance	Privacy fencing or landscaping to delineate buffer edge and to discourage disturbance of wildlife by humans and pets	Residential areas
Dust	BMP's for dust	Tilled fields
Degraded buffer condition	Nonnative plants to be removed and replaced with native vegetation per an approved landscaping plan to be bonded and monitored for a three year period after completion to assure at least 80% survival of plantings	All activities potentially requiring buffers

3381 B. For a wetland located outside the Urban Growth Area:

3382 1. The buffers shown on the following table apply unless modified in accordance with

3383 subsections C. and D. of this section:

WETLAND CATEGORY AND CHARACTERISTICS	INTENSITY OF IMPACT OF ADJACENT LAND USE		
	HIGH IMPACT	MODERATE IMPACT	LOW IMPACT
<b>Category I</b>			
Category I wetlands not meeting any of the criteria below	100 feet	75 feet	50 feet
Natural Heritage Wetlands	250 feet	190 feet	125 feet
Bog	250 feet	190 feet	125 feet
Estuarine	200 feet	150 feet	100 feet
Coastal Lagoon	200 feet	150 feet	100 feet
Habitat score from 31 to 36 points	300 feet	225 feet	150 feet
Habitat score from 20 to 30 points	150 feet plus 15 feet for each habitat point above 20	110 feet plus 11.5 feet for each habitat point above 20	75 feet plus 7.5 feet for each habitat point above 20
<b>Category II</b>			
Category II wetlands not meeting any of the criteria below	100 feet	75 feet	50 feet
Estuarine	150 feet	110 feet	75 feet

WETLAND CATEGORY AND CHARACTERISTICS	INTENSITY OF IMPACT OF ADJACENT LAND USE		
	HIGH IMPACT	MODERATE IMPACT	LOW IMPACT
Interdunal	150 feet	110 feet	75 feet
Habitat score from 31 to 36 points	300 feet	225 feet	150 feet
Habitat score from 20 to 30 points	150 feet plus 15 feet for each habitat point above 20	110 feet plus 11.5 feet for each habitat point above 20	75 feet plus 7.5 feet for each habitat point above 20
<b>Category III</b>			
Category III wetlands not meeting any of the criteria below	80 feet	60 feet	40 feet
Habitat score from 20 to 28 points	150 feet	110 feet	75 feet
<b>Category IV</b>	50 feet	40 feet	25 feet

3384 2. For purposes of this subsection B., unless the director determines a lesser level of  
3385 impact is appropriate based on information provided by the applicant, the intensity of impact of  
3386 the adjacent land use is determined as follows:

- 3387 a. high impact includes:
- 3388 (1) sites zoned commercial or industrial;
- 3389 (2) commercial or industrial use on a site regardless of the zoning designation;

3390 (3) nonresidential use on a site zoned for residential use;

3391 (4) active recreation use on a site regardless of zoning;

3392 b. moderate impact includes:

3393 (1) residential uses on sites zoned rural residential;

3394 (2) residential use on a site zoned agriculture or forestry; or

3395 (3) agricultural uses without an approved farm management plan; and

3396 c. low impact includes:

3397 (1) forestry use on a site regardless of zoning designation;

3398 (2) passive recreation uses, such as trails, nature viewing areas, fishing and camping  
3399 areas, and other similar uses that do not require permanent structures, on a site regardless of  
3400 zoning; or

3401 (3) agricultural uses carried out in accordance with an approved farm management  
3402 plan.

3403 C. The department may approve a modification of the minimum buffer width required by  
3404 this section by averaging the buffer width if:

3405 1. The department determines that:

3406 a. the ecological structure and function of the buffer after averaging is equivalent to or  
3407 greater than the structure and function before averaging; or

3408 b. averaging includes the corridors of a wetland complex; and

3409 2. The resulting buffer meets the following standards:

3410 a. the total area of the buffer after averaging is equivalent to or greater than the area of  
3411 the buffer before averaging;

3412 b. the additional buffer is contiguous with the standard buffer; and

3413 c. if the buffer width averaging allows a structure or landscaped area to intrude into  
3414 the area that was buffer area before averaging, the resulting landscaped area shall extend no more  
3415 than fifteen feet from the edge of the structure's footprint toward the reduced buffer.

3416 D. Wetland buffer widths shall also be subject to modifications under the following  
3417 special circumstances:

3418 1. For wetlands containing documented habitat for endangered, threatened or species of  
3419 local importance, the following shall apply:

3420 a. the department shall establish the appropriate buffer, based on a habitat assessment,  
3421 to ensure that the buffer provides adequate protection for the sensitive species; and

3422 b. the department may apply the buffer increase rules in subsection A.2. of this section,  
3423 the buffer reduction rules in subsection A.3. of this section, and the buffer averaging rules in  
3424 subsection C. of this section;

3425 2. For a wetland buffer that includes a steep slope hazard area or landslide hazard area,  
3426 the buffer width is the greater of the buffer width required by the wetland's category in this  
3427 section or twenty-five feet beyond the top of the hazard area; and

3428 3. For a wetland complex located outside the Urban Growth Area established by the  
3429 King County Comprehensive Plan or located within the Urban Growth Area in a basin  
3430 designated as "high" on the Basin and Shoreline Conditions Map, which is included as  
3431 Attachment A to Ordinance 15051, the buffer width is determined as follows:

3432 a. the buffer width for each individual wetland in the complex is the same width as the  
3433 buffer width required for the category of wetland;

3434           b. if the buffer of a wetland within the complex does not touch or overlap with at least  
3435 one other wetland buffer in the complex, a corridor is required from the buffer of that wetland to  
3436 one other wetland buffer in the complex considering the following factors:

3437           (1) the corridor is designed to support maintaining viable wildlife species that are  
3438 commonly recognized to exclusively or partially use wetlands and wetland buffers during a  
3439 critical life cycle stage, such as breeding, rearing, or feeding;

3440           (2) the corridor minimizes fragmentation of the wetlands;

3441           (3) higher category wetlands are connected through corridors before lower category  
3442 wetlands; and

3443           (4) the corridor width is a least twenty-five percent of the length of the corridor, but  
3444 no less than twenty-five feet in width; and

3445           (5) shorter corridors are preferred over longer corridors;

3446           c. wetlands in a complex that are connected by an aquatic area that flows between the  
3447 wetlands are not required to be connected through a corridor;

3448           d. the department may exclude a wetland from the wetland complex if the applicant  
3449 demonstrates that the wetland is unlikely to provide habitat for wildlife species that are  
3450 commonly recognized to exclusively or partially use wetlands and wetland buffers during a  
3451 critical life cycle stage, such as breeding, rearing or feeding; and

3452           e. the alterations allowed in a wetland buffer in K.C.C. 21A.24.045 are allowed in  
3453 corridors subject to the same conditions and requirements as wetland buffers as long as the  
3454 alteration is designed so as not to disrupt wildlife movement through the corridor; and



3455 4. Where a legally established roadway transects a wetland buffer, the department may  
3456 approve a modification of the minimum required buffer width to the edge of the roadway if the  
3457 part of the buffer on the other side of the roadway sought to be reduced:

3458 a. does not provide additional protection of the proposed development or the wetland;

3459 and

3460 b. provides insignificant biological, geological or hydrological buffer functions relating  
3461 to the other portion of the buffer adjacent to the wetland.

3462 5. If the site has an approved rural stewardship plan under K.C.C. 21A.24.055, the  
3463 buffer widths shall be established under the rural stewardship plan and shall not exceed the  
3464 standard for a low impact land use, unless the department of natural resources and parks  
3465 determines that a larger buffer is necessary to achieve no net loss of wetland ecological function.

3466 E. The department may approve a modification to the buffers established in subsections  
3467 A. and B. of this section if the wetland was created or its characterization was upgraded as part  
3468 of a voluntary enhancement or restoration project.

3469 F. If the site is located within the shoreline jurisdiction, the department shall determine  
3470 that a proposal to reduce wetland buffers under this section will result in no net loss of shoreline  
3471 ecological function.

3472 SECTION 132. Ordinance xxx, Section xxx, as amended, and K.C.C. 21A.24.358 are  
3473 each hereby amended to read as follows:

3474 A. Aquatic area buffers shall be measured as follows:

3475 1. From the ordinary high water mark or from the top of bank if the ordinary high water  
3476 mark cannot be identified;

3477           2. If the aquatic area is located within a mapped severe channel migration area, the  
3478 aquatic area buffer width shall be the greater of the aquatic area buffer width as measured  
3479 consistent with subsection A.1. of this section or the outer edge of the severe channel migration  
3480 area; or

3481           3. If the aquatic area buffer includes a steep slope hazard area or landslide hazard area,  
3482 the aquatic area buffer width is the greater of either the aquatic area buffer in this section or  
3483 twenty-five feet beyond the top of the hazard area.

3484           B. Within the Urban Growth Area, aquatic area buffers shall be as follows:

3485           1. A type S or F aquatic area buffer is one-hundred-fifteen-feet;

3486           2. A type S or F aquatic area buffer in a basin or shoreline designated as "high" on the  
3487 Basin and Shoreline Conditions Map is one-hundred-sixty-five-feet;

3488           3. A type N aquatic area buffer is sixty-five-feet; and

3489           4. A type O aquatic area buffer is twenty-five-feet.

3490           C. Outside the Urban Growth Area, aquatic area buffers shall be as follows:

3491           1. A type S or F aquatic area buffer is one-hundred-sixty-five-feet;

3492           2. A type N aquatic area buffer is sixty-five-feet; and

3493           3. A type O aquatic area buffer is twenty-five-feet.

3494           D. Within the Bear Creek drainage basin a type N aquatic area buffer in a designated  
3495 regionally significant resource area is one-hundred-feet.

3496           E. The department may approve a modification of buffer widths if:

3497           1.a. The department determines that through buffer averaging the ecological structure  
3498 and function of the resulting buffer is equivalent to or greater than the structure and function  
3499 before averaging and meets the following standards:

3500                    ~~((a-))~~ i. The total area of the buffer is not reduced;  
3501                    ~~((b-))~~ ii. The buffer area is contiguous; and  
3502                    ~~((c-))~~ iii. Averaging does not result in the reduction of the minimum buffer for the  
3503 buffer area waterward of the top of the associated steep slopes or for a severe channel migration  
3504 hazard area;

3505                    ~~((2-))~~ b. The applicant demonstrates that the buffer cannot provide certain functions  
3506 because of soils, geology or topography, provided that the department shall establish buffers  
3507 which protect the remaining ecological functions that the buffer can provide;

3508                    ~~((3-))~~ c. The site is zoned RA and is subject to an approved rural stewardship plan. In  
3509 modifying the buffers, the department shall consider factors such as, the basin and shoreline  
3510 condition, the location of the site within the basin and shoreline, the buffer condition and the  
3511 amount of clearing;

3512                    ~~((4-))~~ d. A legally established roadway transects an aquatic area buffer, the roadway  
3513 edge closest to aquatic area shall be the extent of the buffer, if the part of the buffer on the other  
3514 side of the roadway provides insignificant biological or hydrological function in relation to the  
3515 portion of the buffer adjacent to the aquatic area; ~~((and))~~ or

3516                    ~~((5-))~~ e. The aquatic area is created or its type is changed as a result of enhancement or  
3517 restoration projects that are not mitigation for a development proposal or alteration; and

3518                    2. If the site is located within the shoreline jurisdiction, that no loss of shoreline  
3519 ecological function will result when considering projects that combine reduced buffers and  
3520 habitat restoration.

3521                    SECTION 133. Ordinance 3688, Section 102, and K.C.C. 25.04.020 are each hereby  
3522 repealed.

3523            SECTION 134. Ordinance 11622, Section 1, and K.C.C. 25.04.025 are each hereby  
3524 repealed.

3525            SECTION 135. Ordinance 11622, Section 1, and K.C.C. 7.02.010 are each hereby  
3526 repealed.

3527            SECTION 136. Ordinance 11622, Section 1, and K.C.C. 23.02.020 are each hereby  
3528 repealed.

3529            SECTION 137. Ordinance 3688, Section 106, and K.C.C. 25.04.060 are each hereby  
3530 repealed.

3531            SECTION 138. Ordinance 12196, Section 58, as amended, and K.C.C. 25.08.015 are  
3532 each hereby repealed.

3533            SECTION 139. Ordinance 3699, Section 203, and K.C.C. 25.08.040 are each hereby  
3534 repealed.

3535            SECTION 140. Ordinance 3688, Section 204, and K.C.C. 25.08.050 are each hereby  
3536 repealed.

3537            SECTION 141. Ordinance 3688, Section 205, and K.C.C. 25.08.060 are each hereby  
3538 repealed.

3539            SECTION 142. Ordinance 3688, Section 206, and K.C.C. 25.08.070 are each hereby  
3540 repealed.

3541            SECTION 143. Ordinance 3688, Section 207, and K.C.C. 25.08.080 are each hereby  
3542 repealed.

3543            SECTION 144. Ordinance 3688, Section 210, and K.C.C. 25.08.110 are each hereby  
3544 repealed.

3545            SECTION 145. Ordinance 3688, Section 211, and K.C.C. 25.08.120 are each hereby  
3546 repealed.

3547            SECTION 146. Ordinance 3688, Section 212, and K.C.C. 25.08.130 are each hereby  
3548 repealed.

3549            SECTION 147. Ordinance 3688, Section 213, and K.C.C. 25.08.140 are each hereby  
3550 repealed.

3551            SECTION 148. Ordinance 13687, Section 1, as amended, and K.C.C. 25.08.150 are each  
3552 hereby repealed.

3553            SECTION 149. Ordinance 3688, Section 216, and K.C.C. 25.08.170 are each hereby  
3554 repealed.

3555            SECTION 150. Ordinance 3688, Section 217, and K.C.C. 25.08.180 are each hereby  
3556 repealed.

3557            SECTION 151. Ordinance 5734, Section 1, and K.C.C. 25.08.185 are each hereby  
3558 repealed.

3559            SECTION 152. Ordinance 3688, Section 221, and K.C.C. 25.08.220 are each hereby  
3560 repealed.

3561            SECTION 153. Ordinance 3688, Section 223, and K.C.C. 25.08.240 are each hereby  
3562 repealed.

3563            SECTION 154. Ordinance 3688, Section 225, and K.C.C. 25.08.260 are each hereby  
3564 repealed.

3565            SECTION 155. Ordinance 3688, Section 227, and K.C.C. 25.08.280 are each hereby  
3566 repealed.

3567            SECTION 156. Ordinance 5734, Section 1, and K.C.C. 25.08.285 are each hereby  
3568 repealed.

3569            SECTION 157. Ordinance 4222, Section 2, and K.C.C. 25.08.300 are each hereby  
3570 repealed.

3571            SECTION 158. Ordinance 3688, Section 229, and K.C.C. 25.08.310 are each hereby  
3572 repealed.

3573            SECTION 159. Ordinance 3688, Section 230, and K.C.C. 25.08.320 are each hereby  
3574 repealed.

3575            SECTION 160. Ordinance 3688, Section 231, and K.C.C. 25.08.330 are each hereby  
3576 repealed.

3577            SECTION 161. Ordinance 3688, Section 232, and K.C.C. 25.08.340 are each hereby  
3578 repealed.

3579            SECTION 162. Ordinance 3688, Section 235, and K.C.C. 25.08.360 are each hereby  
3580 repealed.

3581            SECTION 163. Ordinance 3688, Section 236, and K.C.C. 25.08.380 are each hereby  
3582 repealed.

3583            SECTION 164. Ordinance 3688, Section 238, and K.C.C. 25.08.390 are each hereby  
3584 repealed.

3585            SECTION 165. Ordinance 3688, Section 239, and K.C.C. 25.08.410 are each hereby  
3586 repealed.

3587            SECTION 166. Ordinance 3688, Section 240, and K.C.C. 25.08.420 are each hereby  
3588 repealed.

3589            SECTION 167. Ordinance 3688, Section 241, and K.C.C. 25.08.430 are each hereby  
3590 repealed.

3591            SECTION 168. Ordinance 3688, Section 243, and K.C.C. 25.08.450 are each hereby  
3592 repealed.

3593            SECTION 169. Ordinance 3688, Section 252, and K.C.C. 25.08.500 are each hereby  
3594 repealed.

3595            SECTION 170. Ordinance 3688, Section 244, and K.C.C. 25.08.530 are each hereby  
3596 amended.

3597            SECTION 171. Ordinance 3688, Section 245, and K.C.C. 25.08.540 are each hereby  
3598 repealed.

3599            SECTION 172. Ordinance 3688, Section 253, and K.C.C. 25.08.550 are each hereby  
3600 repealed.

3601            SECTION 173. Ordinance 3688, Section 254, and K.C.C. 25.08.560 are each hereby  
3602 repealed.

3603            SECTION 174. Ordinance 5734, Section 1, and K.C.C. 25.08.565 are each hereby  
3604 repealed.

3605            SECTION 175. Ordinance 3688, Section 256, and K.C.C. 25.08.580 are each hereby  
3606 repealed.

3607            SECTION 176. Ordinance 12750, Section 1, and K.C.C. 25.08.604 are each hereby  
3608 repealed.

3609            SECTION 177. Ordinance 3688, Section 259, and K.C.C. 25.08.610 are each hereby  
3610 repealed.

3611            SECTION 178. Ordinance 3688, Section 304, and K.C.C. 25.12.040 are each hereby  
3612 repealed.

3613            SECTION 179. Ordinance 3688, Section 401, and K.C.C. 25.16.010 are each hereby  
3614 repealed.

3615            SECTION 180. Ordinance 3688, Section 402, and K.C.C. 25.16.020 are each hereby  
3616 repealed.

3617            SECTION 181. Ordinance 3688, Section 403, as amended, and K.C.C. 25.16.030 are each  
3618 hereby repealed.

3619            SECTION 182. Ordinance 3688, Section 404, and K.C.C. 25.16.040 are each hereby  
3620 repealed.

3621            SECTION 183. Ordinance 3688, Section 405, and K.C.C. 25.16.050 are each hereby  
3622 repealed.

3623            SECTION 184. Ordinance 3688, Section 406, and K.C.C. 25.16.060 are each hereby  
3624 repealed.

3625            SECTION 185. Ordinance 3688, Section 407, and K.C.C. 25.16.070 are each hereby  
3626 repealed.

3627            SECTION 186. Ordinance 3688, Section 409(1), as amended, and K.C.C. 25.16.090 are  
3628 each hereby repealed.

3629            SECTION 187. Ordinance 3688, Section 409(2), as amended, and K.C.C. 25.16.100 are  
3630 each hereby repealed.

3631            SECTION 188. Ordinance 3688, Section 409(3), and K.C.C. 25.16.110 are each hereby  
3632 repealed.



3633            SECTION 189. Ordinance 3688, Section 409(5), and K.C.C. 25.16.130 are each hereby  
3634 repealed.

3635            SECTION 190. Ordinance 3688, Section 409(6), as amended, and K.C.C. 25.16.140 are  
3636 each hereby repealed.

3637            SECTION 191. Ordinance 3688, Section 412, and K.C.C. 25.16.170 are each hereby  
3638 repealed.

3639            SECTION 192. Ordinance 3688, Section 501, and K.C.C. 25.20.010 are each hereby  
3640 repealed.

3641            SECTION 193. Ordinance 3688, Section 502, and K.C.C. 25.20.020 are each hereby  
3642 repealed.

3643            SECTION 194. Ordinance 3688, Section 503, as amended, and K.C.C. 25.20.030 are each  
3644 hereby repealed.

3645            SECTION 195. Ordinance 3688, Section 504, and K.C.C. 25.20.040 are each hereby  
3646 repealed.

3647            SECTION 196. Ordinance 3688, Section 505, and K.C.C. 25.20.050 are each hereby  
3648 repealed.

3649            SECTION 197. Ordinance 3688, Section 507, and K.C.C. 25.20.070 are each hereby  
3650 repealed.

3651            SECTION 198. Ordinance 3688, Section 508, and K.C.C. 25.20.080 are each hereby  
3652 repealed.

3653            SECTION 199. Ordinance 3688, Section 509, as amended, and K.C.C. 25.20.090 are each  
3654 hereby repealed.

3655            SECTION 200. Ordinance 3688, Section 510, as amended, and K.C.C. 25.20.100 are each  
3656 hereby repealed.

3657            SECTION 201. Ordinance 3688, Section 511, and K.C.C. 25.20.110 are each hereby  
3658 repealed.

3659            SECTION 202. Ordinance 3688, Section 512, and K.C.C. 25.20.120 are each hereby  
3660 repealed.

3661            SECTION 203. Ordinance 3688, Section 513, and K.C.C. 25.20.130 are each hereby  
3662 repealed.

3663            SECTION 204. Ordinance 3688, Section 514, as amended, and K.C.C. 25.20.140 are each  
3664 hereby repealed.

3665            SECTION 205. Ordinance 3688, Section 515, and K.C.C. 25.20.150 are each hereby  
3666 repealed.

3667            SECTION 206. Ordinance 3688, Section 601, and K.C.C. 25.24.010 are each hereby  
3668 repealed.

3669            SECTION 207. Ordinance 3688, Section 602, and K.C.C. 25.24.020 are each hereby  
3670 repealed.

3671            SECTION 208. Ordinance 3688, Section 603, as amended, and K.C.C. 25.24.030 are each  
3672 hereby repealed.

3673            SECTION 209. Ordinance 3688, Section 604, and K.C.C. 25.24.040 are each hereby  
3674 repealed.

3675            SECTION 210. Ordinance 3688, Section 605, and K.C.C. 25.24.050 are each hereby  
3676 repealed.

3677            SECTION 211. Ordinance 3688, Section 606, and K.C.C. 25.24.060 are each hereby  
3678 repealed.

3679            SECTION 212. Ordinance 3688, Section 607, and K.C.C. 25.24.070 are each hereby  
3680 repealed.

3681            SECTION 213. Ordinance 3688, Section 608, as amended, and K.C.C. 25.24.080 are each  
3682 hereby repealed.

3683            SECTION 214. Ordinance 3688, Section 609, as amended, and K.C.C. 25.24.090 are each  
3684 hereby repealed.

3685            SECTION 215. Ordinance 3688, Section 610, as amended, and K.C.C. 25.24.100 are each  
3686 hereby repealed.

3687            SECTION 216. Ordinance 3688, Section 611, and K.C.C. 25.24.110 are each hereby  
3688 repealed.

3689            SECTION 217. Ordinance 3688, Section 612, and K.C.C. 25.24.120 are each hereby  
3690 repealed.

3691            SECTION 218. Ordinance 3688, Section 613, as amended, and K.C.C. 25.24.130 are each  
3692 hereby repealed.

3693            SECTION 219. Ordinance 3688, Section 614, as amended, and K.C.C. 25.24.140 are each  
3694 hereby repealed.

3695            SECTION 220. Ordinance 3688, Section 615, and K.C.C. 25.24.150 are each hereby  
3696 repealed.

3697            SECTION 221. Ordinance 3688, Section 701, and K.C.C. 25.28.010 are each hereby  
3698 repealed.

3699            SECTION 222. Ordinance 3688, Section 702, and K.C.C. 25.28.020 are each hereby  
3700 repealed.

3701            SECTION 223. Ordinance 3688, Section 703, as amended, and K.C.C. 25.28.030 are each  
3702 hereby repealed.

3703            SECTION 224. Ordinance 3688, Section 704, and K.C.C. 25.28.040 are each hereby  
3704 repealed.

3705            SECTION 225. Ordinance 3688, Section 703, as amended, and K.C.C. 25.28.050 are each  
3706 hereby repealed.

3707            SECTION 226. Ordinance 3688, Section 706, and K.C.C. 25.28.060 are each hereby  
3708 repealed.

3709            SECTION 227. Ordinance 3688, Section 707, and K.C.C. 25.28.070 are each hereby  
3710 repealed.

3711            SECTION 228. Ordinance 3688, Section 708, as amended, and K.C.C. 25.28.080 are each  
3712 hereby repealed.

3713            SECTION 229. Ordinance 3688, Section 709, as amended, and K.C.C. 25.28.090 are each  
3714 hereby repealed.

3715            SECTION 230. Ordinance 3688, Section 710, as amended, and K.C.C. 25.28.100 are each  
3716 hereby repealed.

3717            SECTION 231. Ordinance 3688, Section 711, and K.C.C. 25.28.110 are each hereby  
3718 repealed.

3719            SECTION 232. Ordinance 3688, Section 712, and K.C.C. 25.28.120 are each hereby  
3720 repealed.

3721           SECTION 233. Ordinance 3688, Section 713, and K.C.C. 25.28.130 are each hereby  
3722 repealed.

3723           SECTION 234. Ordinance 3688, Section 714, as amended, and K.C.C. 25.28.140 are each  
3724 hereby repealed.

3725           SECTION 235. Ordinance 3688, Section 715, and K.C.C. 25.28.150 are each hereby  
3726 repealed.

3727           SECTION 236. Ordinance 3688, Section 808, as amended, and K.C.C. 25.32.080 are  
3728 each hereby repealed.

3729           SECTION 237. Ordinance 3688, Section 809, as amended, and K.C.C. 25.32.090 are  
3730 each hereby repealed.

3731           SECTION 238. Ordinance 3688, Section 811, and K.C.C. 25.32.110 are each hereby  
3732 repealed.

3733           SECTION 239. Ordinance 3688, Section 812, and K.C.C. 25.32.120 are each hereby  
3734 repealed.

3735           SECTION 240. Ordinance 13687, Section 5, and K.C.C. 25.32.160 are each hereby  
3736 repealed.

3737           SECTION 241. Ordinance 13687, Section 6, and K.C.C. 25.32.170 are each hereby  
3738 repealed.

3739           SECTION 242. Pursuant to K.C.C. 20.44.080, the metropolitan King County council  
3740 finds that the requirements for environmental analysis, protections and mitigation measures in  
3741 the chapters of K.C.C. Title 21A amended by this ordinance, provide adequate analysis of and  
3742 mitigation for the specific adverse environmental impacts to which the requirements apply.

3743            SECTION 243. If any provision of this ordinance or its application to any person or  
3744            circumstance is held invalid, the remainder of the ordinance or the application of the provision to  
3745            other persons or circumstances is not affected.

3746            Attachments: A. King County Comprehensive Plan 2008, Chapter 5 – Shoreline Master  
3747            Program (March 2009).