



King County

Permitting Division

Department of Local Services
35030 SE Douglas Street, Suite 210
Snoqualmie, WA 98065-9266

206-296-6600 TTY Relay: 711

www.kingcounty.gov/permits

Notice of SEPA Non-Project Threshold Determination of Non- Significance

Proponent: King County

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Project Location: The update to King County's floodplain development regulations will impact numerous areas across the unincorporated area that are impacted by flooding, including coastal flooding.

Project Description: Proposed Ordinance 2020-0045 – Floodplain Development Regulations Update. This is a non-project action identified in Proposed Ordinance 2020-0045 related to updates to King County's floodplain development regulations to meet the federal and state minimum standards. The proposed ordinance would update floodplain development regulations in King County Code Title 21A to be consistent with federal regulations in 44 Code of Federal Regulations (CFR) Section 60.3 and state regulations in Revised Code of Washington 86.16.041. Under federal law, the County is already required to enforce to the higher federal standard even if the provisions are not adopted in the County Code and these changes therefore ensures that the Code language is consistent with the County practices. The updates also clarify inconsistencies, provide technical changes, and provide administrative changes. The ordinance includes the following regulatory changes:

- New and revised regulations for agricultural and accessory buildings;
- Prohibiting new water wells in the FEMA floodway;
- Removing a noncompliant exemption from compensatory storage requirements;
- Updating definitions to match those in 44 CFR 59.1;
- New variance criteria for floodplain development; and
- Clarifying language to help permit applicants better understand the code requirements.

Amendments to the Proposed Ordinance are being considered by the Council. The amendments will consider the following changes:

- Removal of elevation and dry floodproofing exception for agricultural buildings;
- Addition of a new floodplain variance process for agricultural buildings;
- Establishment of variances to floodplain development regulations as Type 2 land use decisions and agricultural building variances as Type 1 land use decisions;
- Requirement that lots less than one-half acre to meet floodplain variance criteria in order to receive a floodplain variance;
- Clarification that zoning variances and critical area alteration exceptions may not be used for variances/exceptions to the floodplain code;
- Consistent use of terminology and clarification of definitions;
- Changes requested by FEMA after transmittal of the ordinance;
- Requirement that new farm pads locate as far away from property lines as possible, as long as all other requirements were also met; and
- Technical and clarifying changes to match executive intent and/or existing practice

Additional information about the proposal can be found here:

<https://www.kingcounty.gov/depts/local-services/permits/public-notices.aspx>

SEPA Threshold Determination: Determination of Non-Significance issued June 10, 2020.

Comment/Appeal Procedure:

This Determination of Non-significance (DNS) is issued under Washington Administrative Code (WAC) 197-11-340. The Permitting Division has determined after review of the proposed legislation, an environmental checklist and associated documents, that existing State of Washington and King County regulations and codes are sufficient to address potential impacts associated with the proposed legislation. Therefore, An Environmental Impact Statement (EIS) is not required. The issuance of this DNS does NOT constitute approval or adoption of the subject legislation.

Public Comments:

You may comment on this DNS by submitting comments to address or email below. Comments must be received no later than **4:00 pm on July 6, 2020**. The King County Council will not act until after the comment period.

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The DNS is for a non-project action. There is no administrative appeal to the King County Hearing Examiner.

Public Hearing:

A public hearing on proposed Ordinance No. 2020-0045 is scheduled before the Metropolitan King County Council on the **7th day of July, 2020 at 1:00 p.m.**. The public hearing is planned to either be held at the King County Courthouse, 516 3rd Avenue, Room 1001, Seattle, Washington; or the hearing may be required to be held remotely to comply with the Washington State Governor's Declaration 20-28, as amended, regarding the Open Public Meetings Act.. Information on the public hearing and how to submit public comment can be found at this website:

https://www.kingcounty.gov/council/committees/full_council.aspx.

If you have any questions regarding this threshold determination or the proposed legislation, please contact the Project Contact or SEPA Official at the phone number or e-mail listed above. Note: To request this information in alternative formats for people with disabilities please call 206-296-6600 or TTY Relay: 711.