

ORDINANCE NO. 1841

AN ORDINANCE approving categorical determinations of environmental significance pursuant to Sections 9 and 15 of King County Ordinance No. 1700 and the State Environmental Policy Act.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. CLASSES WITHOUT SIGNIFICANT ENVIRONMENTAL SIGNIFICANCE. Pursuant to Sections 9 and 15 of King County Ordinance 1700, King County has considered the environmental impact of the following classes of action and determined that such classes of action are not major actions with a potential for significant effect on the quality of the environment under the circumstances and conditions described herein. Therefore, the following classes of action do not require a further determination of environmental significance, the preparation of an impact statement, or the preparation of a declaration of no significant impact:

(a) Class 1: Existing Impact Statement or Determination, or its equivalent. Class 1 consists of the following actions:

(i) Actions for which an adequate environmental impact statement or its equivalent has previously been prepared, for another stage of decision-making, by a county department or by a non-county agency pursuant to the National Environmental Policy Act of 1969 or the State Environmental Policy Act of 1971;

1 (ii) Actions related geographically or as logical
2 parts in a chain of contemplated actions for which an adequate
3 environmental impact statement has previously been prepared by
4 a county department or by a non-county agency;

5 (iii) Actions within a program for which an adequate
6 environmental impact statement has previously been prepared by
7 a county department or by a non-county agency;

8 (iv) Actions for which a determination of no environmental
9 significance has previously been made by a county department
10 and a declaration of no significant impact prepared:

11 PROVIDED, That in the case of all Class 1 actions, the
12 responsible official must determine that there has been no
13 substantial change in the scope of the proposed action or in the
14 anticipated environmental impact.

15 (b) Class 2: Existing Facilities. Class 2 consists of
16 actions involving the inspection, repair, maintenance or minor
17 alteration of existing public or private structures, utility,
18 telephone and transit facilities or mechanical equipment,
19 involving no material expansions or changes of use beyond that
20 previously existing, including but not limited to:

21 (i) Resurfacing or maintenance of existing paved
22 streets, sidewalks and pathways, provided that in the case of
23 the streets such resurfacing will not result in the addition
24 of a new lane;

25 (ii) Inspection, repair or maintenance of sewers, mains,
26 pipes, telephone and power under ground wires, utility substations,
27 tunnels, treatment plants, pumping and regulator stations and
28 related facilities;

1 (iii) Inspection, repair or maintenance of local bus
2 stops, loading zones and pullout lanes, overhead wires, public
3 transit stations, shelters, access facilities, transit signs and
4 signals;

5 (iv) Inspection, repair or maintenance of existing
6 railroad facilities such as road beds, tracks, bridges and signals
7 on railroad rights of way;

8 (v) Inspection, repair or maintenance for flood control
9 or passage of fish such as emergency flood protection actions and
10 debris removal from stream channels.

11 (c) Class 3: New Construction of Small Structures and
12 Other Minor Development. Class 3 consists of actions involving
13 the construction and location of single small structures or
14 facilities, not in conjunction with the building of two or more
15 such units, and other minor development including but not
16 limited to:

17 (i) Single family residences, duplexes, and small
18 apartments (4 units and less);

19 (ii) Barns, loafing sheds or similar agricultural
20 structures;

21 (iii) Small offices, recreation, service and storage
22 buildings designed for an occupant load of 25 persons or less
23 and with less than 2500 square feet of floor area;

24 (iv) Grading or filling consisting of the excavation
25 for basements, footings, etc. associated with Class 3 structures
26 and developments and other grading or filling of 500 cubic yards
27 or less of earth material which is not associated with a Class
28 3 structure or development;

1 (v) Accessory structures including garages, guest houses,
2 car-ports, patios, fences, and recreational facilities;

3 (vi) Local bus stops, loading zones and pullout lanes,
4 shelters, access facilities;

5 (vii) Commercial signs, transit and traffic signs and
6 signals;

7 (viii) Minor road and street improvements such as
8 channelization and elimination of sight restrictions at
9 intersections, street lighting, guardrail and barricade
10 installation, installation of catch basins and culverts;

11 (ix) Installation of hydrological measuring devices;

12 (x) Minor construction of water, sewage, electrical,
13 telephone, gas and other utility facilities to serve Class 3
14 structures and other development, including but not limited to
15 extensions, upgrades, connections, and support facilities;

16 (xi) Demolition of buildings and structures;

17 (d) Class 4: Land Use Decisions. Class 4 consists of
18 actions involving minor alterations in land use or minor
19 temporary uses of land having short-term effects on the
20 environment, including but not limited to:

21 (i) Variances based on special circumstances applicable
22 to subject property such as size, slope, topography, location
23 or surroundings and not resulting in any change in land use or
24 density;

25 (ii) Classification of land for current use taxation
26 pursuant to RCW Chapter 84.34, as amended;

1 (iii) Short subdivision approvals, i.e. the approval
2 of a division of land into four or less lots, tracts, parcels,
3 sites or subdivisions for the purpose of sale or lease pursuant
4 to RCW 58.17.060 and King County Code, Chapter 19.26;

5 (iv) Extensions of plats, planned unit developments, and
6 zoning reclassifications where there has been no material adverse
7 environmental change in the originally proposed action;

8 (v) Vacation and abandonment of county roads pursuant
9 to RCW Chapter 36.87.

10 (e) Class 5: Information Collection and Dissemination;
11 and Research. Class 5 consists of actions involving basic data
12 collection, planning, research, and resource evaluation
13 activities. These may be for strictly information gathering
14 purposes, or as a part of a study leading to an action which the
15 county has not yet approved, adopted or funded. This class
16 includes the engagement of consultants to furnish planning,
17 design and related services for proposed county projects.

18 (f) Class 6: Inspections and Enforcement. Class 6
19 consists of inspection activities to check for the performance,
20 quality, health or safety of a structure or construction thereof
21 and enforcement actions taken to obtain conformance with local or
22 state law or regulations, including but not limited to:

23 (i) Inspection of structures and facilities, including
24 schools, and related enforcement actions for compliance with
25 building and health regulations;

26 (ii) Inspection of food service establishments, mobile
27 home parks, swimming pools and related enforcement actions for
28 compliance with health regulations;

29 (iii) Police patrol and traffic law enforcement.
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1 (g) Class 7: Regulatory Actions for the Protection
2 of Health and the Environment. Class 7 consists of regulatory
3 actions taken by county departments, as authorized by state or
4 local law, to assure the maintenance, restoration, enhancement
5 or protection of the public health and the environment, including
6 but not limited to:

7 (i) Emergency disinfection procedures, routine rat
8 control activities;

9 (ii) Enforcement actions to obtain restoration of land
10 and structures in compliance with state and local laws for the
11 protection of the environment, such as State Shoreline
12 Management Act, local grading regulations.

13 (h) Class 8: Business and Other Regulatory Licenses.
14 Class 8 consists of actions involving the licensing of business
15 and related activities, including but not limited to:

16 (i) Licenses for amusement devices and entertainment,
17 carnivals, dances, music machines, theatres;

18 (ii) Permits and certificates for charitable and
19 religious solicitation, and licenses for private security
20 services, taxicab and other vehicles for hire;

21 (iii) Licenses for massage parlors, second-hand dealers,
22 pawnbrokers, junk dealers, close-out sales;

23 (iv) Licenses for sale or display of fireworks between
24 June 28th and July 5th;

25 (v) Licenses or permits for food services, meat
26 distribution, dairy products;

27 (vi) Animal control licenses.
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1 (i) Class 9: General Administration and Operation;
 2 Personnel Actions. Class 9 consists of actions involving the
 3 county's procurement of general supplies and services, assessment
 4 and collections of taxes, borrowing of funds, review and payment
 5 of claims, personnel actions (e.g. hiring, terminations,
 6 appointments, promotions, allocations of positions, reductions in
 7 force), departmental coordination of plans and actions, and the
 8 budgeting for such general administrative and operational actions.

9 (j) Class 10: Review and Comment Actions. Class 10
 10 consists of actions in which a county department or division
 11 reviews and comments on the plans, budgets, grant requests,
 12 environmental impact statements, projects and other actions
 13 proposed by county departments, non-county agencies and the
 14 public: Provided, that this class shall not include review and
 15 comment on actions for which the reviewing and commenting de-
 16 partment or division also makes a substantive decision on the
 17 action for the county.

18 SECTION 2. LOCATIONS WHERE CERTAIN CLASS DETERMIN-
 19 ATIONS NOT APPLICABLE. The actions in Classes 3(i), (ii), (iii),
 20 (iv), (v), (vi), (viii), (x) and (xi) and 4(iii) and (v) shall be
 21 excluded when the project or activity is located in a geographic
 22 area with a sensitive or unique environment, defined as follows:

23 (i) "Shorelines of the state" as defined in the
 24 Shoreline Management Act, RCW 90.58;

25 (ii) Areas where slope, soil or other natural charac-
 26 teristics indicate severe limitations in accommodating man-made
 27 structures or other modifications. These areas, which are
 28 generally delineated on the Natural Determinant Maps, King
 29 County Department of Community and Environmental Development,
 30 are defined in the following references (as they now exist or are
 31 hereinafter updated):
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- 1 (1) "Soil Survey, King County Area, Washington", USDA,
2 Soil Conservation Service, 1971 (maps & associated
3 technical report);
- 4 (2) "Geology & Groundwater Resources of King County",
5 Water Supply Bulletins No. 20 (1963 and No. 28 1964),
6 DWR-Olympia;
- 7 (3) U.S. Geological Survey (USGS) 7-1/2 minute series
8 quadrangles and other topographic maps having com-
9 parable or better accuracy;
- 10 (4) Flood Plain Profiles, available in the Hydraulics
11 Division, King County Department of Public Works;
- 12 (5) State Department of Natural Resources, "Slide and
13 Slippage Records of Washington";
- 14 (6) Related Source Documents.

15 The following areas are included in this subsection:

- 16 A. Steep slopes which consist of all lands over
17 25% slope (reference 3 above) and those lands
18 under 25% slope which represent a potential
19 hazard by reasons of soil erosion or landslide
20 as defined below, and associated sedimentation,
21 together with related ravines and narrow benches
22 located within or immediately adjacent to these
23 slope areas;
- 24 B. Areas having soils subject to severe or very
25 severe erosion hazard (as described in reference
26 1 above);
- 27 C. Areas having soils subject to severe or very
28 severe slippage (landslide) hazard (as described
29 in reference 1 above) and/or geologic soils
30 mapped as potential landslide hazard areas (as
31 described in reference 2 above) and in areas of
32 known occurrences of slides (as described in
33 reference 5 above);

- 1 D. Areas having soils with high shrink-swell
2 potential (as identified in Table 2 of reference
3 1 above);
- 4 E. The "100 year Flood Plains" delineated by the
5 Army Corps of Engineers and/or the King County
6 Department of Public Works, Hydraulics Division,
7 and defined as areas of overflow from riverbanks,
8 according to the probability of one percent chance
9 of being exceeded each year (as identified in
10 reference 4 above);
- 11 F. Areas "subject to flooding" such as in the
12 Sammamish River Valley and in the lower valley
13 of the Green River where levees provide a high
14 degree of flood protection but also prevent pre-
15 cipitation in the immediate watershed from
16 draining into the river; in severe situations,
17 flood controls are inadequate and inundation
18 occurs (as identified in reference 4 above);
- 19 G. Areas of "Wetlands" or "Poorly Drained Soils"
20 in flat terraces adjacent to small streams and/or
21 poorly drained depressional soils (as identified
22 under "Drainage" in Table 3 of reference 1 above
23 as subject to "Flood Hazard") and the Buckley
24 soils characterizing the Enumclaw Plateau between
25 the Green and White Rivers (as identified in
26 reference 1 above);

27 (iii) Any other area hereafter designated by the county
28 council as sensitive or unique and precisely mapped for the
29 purposes of the classes of action described herein.
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1 SECTION 3. COMPLIANCE WITH APPLICABLE LAW. The actions in
 2 each of the classes described herein shall be excluded from the
 3 class where the project or activity does not comply with all
 4 known and applicable federal, state and local laws and regu-
 5 lations relating to: (a) zoning; (b) special historical,
 6 recreational or cultural districts; (c) protection against air,
 7 water and noise pollution; (d) the protection of lakes, rivers,
 8 streams, flood plains, marine water and other shorelines;
 9 (e) public health standards.

10 SECTION 4. SEVERABILITY. If any provision of this ordin-
 11 ance or its application to any person or circumstance is de-
 12 clared unconstitutional or invalid for any reason, such decision
 13 shall not affect the validity of the remaining portions of this
 14 ordinance.

15 INTRODUCED AND READ for the first time this 1st day of
 16 October, 1973.

17 PASSED this 5th day of November, 1973.

18 KING COUNTY COUNCIL
 19 KING COUNTY, WASHINGTON

20 John T. O'Brien
 21 Chairman

22 ATTEST:

23
 24 Janet G. Quinn
 25 ACTING Clerk of the Council

26 APPROVED this 8th day of November, 1973.

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 28 Robert D. Spellman
 29 King County Executive