

1 January 7, 1977

Introduced by: BERNICE STERN

77-61

2
3
4 ORDINANCE NO. 3108

5 AN ORDINANCE relating to the administration of grading permits;
6 providing for coordination of grading permit processing with Shore-
7 line Management permit processing when appropriate; eliminating re-
8 dundant fee requirements; amending Ordinance 1488 Sections 3,4,5,
9 6,7,8,9,11,12, and K.C.C. 16.82.020, 16.82.030, 16.82.040, 16.82.050,
10 16.82.060, 16.82.070, 16.82.080, 16.82.100, 16.82.110, repealing
11 Ordinance 1488 Section 13 and K.C.C. 16.82.120 and substituting a
12 new section therefore and repealing Ordinance 1488 Section 14 and
13 K.C.C. 16.82.130.

14 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

15 SECTION 1. Ordinance 1488, Section 5 and K.C.C. 16.82.020 are

16 amended to read as follows:

17 Definitions. Certain words and phrases used in this chapter, unless
18 otherwise clearly indicated by their context, shall mean as follows:

19 (1) "Bench" is a relatively level step excavated or constructed on the
20 face of a graded slope surface for drainage and maintenance purposes.

21 (2) "Berm" is a mound or raised area used for the purpose of screening
22 a site or operation.

23 (3) "Civil Engineer" means a professional engineer registered in the state
24 of Washington to practice in the field of civil works.

25 (4) "Compaction" is the densification of a fill by mechanical means.

26 (5) "Director" means the director or the authorized agent of (~~Building-~~
27 ~~division,-department of community and environmental development,-land use~~
28 ~~management-division,-)~~ the department of planning and community (~~(and-~~
29 ~~environmental)~~ development (~~(,-and department of public works)~~).

30 (6) "Earth material" is any rock, natural soil or any combination thereof.

31 (7) "Erosion" is the wearing away of the ground surface as the result
of the movement of wind, water and/or ice.

(8) "Excavation" is the mechanical removal of earth material.

1 (9) "Fill" is a deposit of earth material placed by ((artificial)) mechanical
2 means.

3 (10) "Grade" means the elevation of the ground surface.

4 (a) "Existing grade" is the grade prior to grading.

5 (b) "Rough grade" is the stage at which the grade approximately
6 conforms to the approved plan as required in Section 16.82.060.

7 (c) "Finish grade" is the final grade of the site which conforms
8 to the approved plan as required in Section 16.82.060.

9 (11) "Grading" is any excavating or filling or combination thereof.

10 (12) "Grading permit" means a permit required by this ordinance in-
11 cluding temporary permits.

12 (13) "Reclamation" means the final grading and land restoration of a site.

13 ~~((13))~~ (14) "Remote area" means a rural area on which a grading site
14 (used primarily as the source of materials for the construction or maintenance of
15 access) is not visible from any highway, county road, or any public street
16 or highway, or, if visible, it is more than one mile away from the point on
17 such road from which it is visible.

18 ~~((14) "Shorelands" means land between the normal high water mark and
19 the line of navigable waters.))~~

20 (15) "Shorelines" means those lands defined as shorelines in the
21 ~~((applicable))~~ state shorelines management ~~((or protection legislation))~~
22 act of 1971.

23 (16) "Site" is any lot or parcel of land or contiguous combination thereof
24 where projects covered by this chapter are performed or permitted except where
25 a public street or way may intervene.

26 (17) "Slope" is an inclined ground surface, the inclination of which is
27 expressed as a ratio of horizontal distance to vertical distance.

28 (18) "Soil Engineer" means a civil engineer experienced and knowledgeable
29 in the practice of soil engineering.

30 (19) "Structure" is that which is built or constructed, an edifice or
31 building of any kind, or any piece of work artificially built up or composed

1 of parts joined together in some definite manner.

2 (20) "Terrace" is a relatively level step excavated or constructed on
3 the face of a graded slope surface for drainage and maintenance purposes.

4 (21) "Tidelands" means that portion of the land which is covered and un-
5 covered by the ebb and flood tide.

6 SECTION 2. Ordinance 1488 Section 4 and K.C.C. 16.82.030 are amended
7 to read as follows:

8 Administration. The director (~~(of building division, department of~~
9 ~~community and environmental development)~~) is authorized to enforce the
10 provisions of this chapter.

11 (1) Inspections. The director (~~(of building division, department~~
12 ~~of community and environmental development, and his authorized representative~~
13 ~~are)~~) is authorized to make such inspections and take such actions as may be re-
14 quired to enforce the provisions of this chapter.

15 (2) RIGHT OF ENTRY. Whenever necessary to make an inspection to enforce
16 any of the provisions of this chapter, or whenever the director (~~(of building-~~
17 ~~division, department of community and environmental development, or his authorized~~
18 ~~representatives)~~) has reasonable cause to believe that any land, building, struc-
19 ture, premises, or portion thereof is being used in violation of this chapter, the
20 director (~~(of building division, department of community and environmental-~~
21 ~~development, or his authorized representative)~~) may enter such land, building
22 structure, premises, or portion thereof at all reasonable times to inspect the same or
23 perform any duty imposed upon the director (~~(of building division, depart-~~
24 ~~ment of community and environmental development)~~), by this chapter; pro-
25 vided that (a) if such building, land, structure, premises, or portion thereof
26 be occupied, he shall first present proper credentials and demand entry; and
27 (b) if such land, building, structure, premises, or portion thereof be un-
28 occupied, he shall first make a reasonable effort to locate the owner or other
29 persons having charge or control of the land, building, structure, premises,
30 or portion thereof and demand entry.

31 No owner or occupant or any other person having charge, care or control

1 of any building, land, structure, premises, or portion thereof shall fail or
2 neglect, after proper demand, to promptly permit entry thereon by the
3 director (~~of building division, department of community and environmental~~
4 ~~development or his authorized representative~~) for the purposes of inspection
5 and examination pursuant to this chapter. Any person violating this sub-
6 section is guilty of a misdemeanor.

7 SECTION 3. Ordinance 1488 Section 4 and K.C.C. 16.82.040 are amended
8 to read as follows:

9 Hazards. Whenever the director (~~of building division, department of--~~
10 ~~community and environmental development,~~) determines that an existing
11 excavation or embankment or fill has become a hazard to life and limb, or
12 endangers property, adversely affects the safety, use or stability of a public
13 way or drainage channel, the owner of the property upon which the excavation
14 or fill is located, or other person or agent in control of said property, upon
15 receipt of notice in writing from the director (~~of building division, depart-~~
16 ~~ment of community and environmental development~~) shall within the period
17 specified therein, repair or eliminate such excavation or embankment or fill
18 so as to eliminate the hazard and be in conformance with the requirements
19 of this chapter.

20 SECTION 4. Ordinance 1488 Section 6 and K.C.C. 16.82.050 are amended
21 to read as follows:

22 Permit required - Exceptions. (1) No person shall do any grading without
23 first having obtained a grading permit from the director (~~of building division,~~
24 ~~department of community and environmental development~~) except for the
25 following:

26 (a) An excavation or fill (~~below finished grade~~) for basements and
27 footings of a building, retaining wall, parking lot or other structure authorized by
28 a valid building permit. This shall not exempt any fill made with the material
29 from such excavation nor exempt any excavation having an unsupported
30 height greater than five feet after the completion of such structure:

31 (b) The depositing or covering of any garbage, rubbish or

1 other material at any dump operated by King County;

2 (c) Any grading in remote areas by an owner or holder of a
3 possessory interest in land for the primary purpose of construction or main-
4 tenance of access to or on such landowner property;

5 (d) Any grading within a publicly owned right-of-way;

6 (e) Any grading for roads within a preliminary or finally
7 approved residential plat which has been approved by the director of the
8 department of public works and for which a bond has been posted;

9 (f) Maintenance or reconstruction of the facilities of a common
10 carrier by rail in interstate commerce within its existing right-of-way provided
11 restoration is consistent with the requirements of ~~((the Ord))~~ section 9 of ~~((the~~
12 ~~King County zoning code))~~ this Ordinance;

13 (g) Cemetary graves;

14 (h) Grading within a preliminary or finally approved residential
15 plat not involving any excavation exceeding five feet in vertical depth or any
16 fill exceeding three feet in vertical depth regardless of the amount of material
17 to be removed;

18 (i) Excavation less than five feet in vertical depth not involving
19 more than five hundred cubic yards of earth or other material on a single
20 site;

21 (j) Fill less than three feet in vertical depth not involving
22 more than five hundred cubic yards of earth or other material on a single
23 site.

24 (2) TEMPORARY PERMITS. The director ~~((of building division, depart-~~
25 ~~ment of community and environmental development;))~~ shall have the authority
26 to issue temporary permits for excavations, processing, quarrying and mining,
27 and removal of black soil, peat, sand, gravel, rock and other natural deposits,
28 together with the necessary buildings, apparatus or appurtenances incident there-
29 to for specific jobs on application ~~((of a governmental agency covering))~~ for high-
30 way, road, street, airport construction, flood control and other public works pro-
31 jects. In conjunction with such operations, allied uses such as, but not limited

1 to, rock crushers, concrete batching plants and asphalt batching plants may
 2 be authorized by this temporary permit. Provided, however, that before any
 3 such permit shall be issued, the application shall be referred to ~~((the land-~~
 4 ~~use management division, department of community and environmental develop-~~
 5 ~~ment, and))~~ the department of public works for their review and recommendations.

6 The department of public works shall consider the effect of the proposed
 7 operation on the county road system and any effect it may have on flood control
 8 and ~~the~~ department of public works shall make such recommendations as are
 9 necessary to protect the public interest in this regard.

10 ~~((The land-use management division, department of community and~~
 11 ~~environmental development))~~ The division of building and land development
 12 shall consider the effect of the proposed operation on the current and future
 13 land use in the area affected by the proposed operation and shall make such
 14 recommendations as are necessary to protect the public interest in this regard.

15 When issuing the permit, the director ~~((the building division, department-~~
 16 ~~of community and environmental development))~~ shall require compliance with
 17 the provisions of this chapter, the recommendations of ~~((the land use manage-~~
 18 ~~ment division, department of community and environmental development and-))~~
 19 the division of building and land development and the department of public works;
 20 and shall be responsible for the enforcement of the provisions of the permit.

21 This temporary permit is good for the life of the contract of the specific job but
 22 must be renewed annually ~~((but is not to exceed one year))~~.

23 SECTION 5. Ordinance 1488 Section 7 and K.C.C. 16.82.060 are amended
 24 to read as follows:

25 Permit requirements. Except as exempted in Section 16.82.050 no person
 26 shall do any grading without first obtaining a grading permit from the director
 27 ~~((of building division, department of community and environmental develop-~~
 28 ~~ment))~~. A separate permit shall be required for each site and may cover both
 29 excavations and fills.

30 (1) APPLICATION. To obtain a permit the applicant shall first file an
 31 application therefore in writing on a form furnished for that purpose. The Director

1 shall prescribe the form by which application is made. No application shall be
2 accepted unless it is completed consistent with the requirements of this chapter.

3 Every application shall:

4 (a) Identify and describe the work to be covered by the permit
5 for which application is made;

6 (b) Describe the land on which the proposed work is to be
7 done, by lot, block, tract and house and street address, or similar descrip-
8 tion that will readily identify and definitely locate the proposed site;

9 (c) Indicate the estimated quantities of work involved;

10 (d) Be accompanied by plans and specifications as required
11 in subsection (2) and (3);

12 (e) Be signed by the (~~permittee~~) property owner or his authorized
13 agent who may be required to submit evidence to indicate such authority;

14 (f) Give such other information as (~~reasonably~~) may be required by
15 the director (~~of building division, department of community and environmental~~
16 ~~development~~).

17 (2) PLANS AND SPECIFICATIONS. When required by the director (~~of~~
18 ~~building division, department of community and environmental development~~)
19 each application for a grading permit shall be accompanied by (~~six~~) five sets of
20 plans and specifications and other supporting data as may be required. The plans
21 and specifications shall be prepared and signed by a registered civil engineer
22 licensed to practice in the state of Washington when required by the director
23 (~~of building division, department of community and environmental develop-~~
24 ~~ment~~).

25 (3) INFORMATION ON PLANS AND IN SPECIFICATIONS. Plans shall be
26 drawn to an engineer's scale upon substantial paper or cloth and shall be of suffi-
27 cient clarity to indicate the nature and extent of the work proposed and show in
28 detail that they will conform to the provisions of this chapter and all other
29 relevant laws, ordinances, rules and regulations. The first sheet of each
30 set of plans shall give the location of the work and the name and address of
31 the owner and the person by whom they were prepared. The plans shall

1 include the following minimum information:

- 2 (a) General vicinity of the proposed site;
- 3 (b) Property limits and accurate contours of existing ground
- 4 and details of terrain and area drainage;
- 5 (c) Limiting dimensions, elevations or finished contours to
- 6 be achieved by the grading, and proposed drainage channels and related
- 7 construction;
- 8 (d) Detailed plans of all surface and subsurface drainage devices,
- 9 walls, cribbing, dams, berms, settling ponds and other protective devices
- 10 to be constructed with or as a part of the proposed work, together with the
- 11 maps showing the drainage area and the estimated runoff of the area served
- 12 by any drains;
- 13 (e) Location of any buildings or structures on the property
- 14 where the work is to be performed and the location of any buildings or
- 15 structures on land of adjacent owners which are within fifty feet of the property
- 16 or which may be affected by the proposed grading operation.
- 17 (f) Landscape and rehabilitation plan as required by Section 9 of this
- 18 Ordinance.
- 19 (g) Other information as may be required by the director.

20 (4) REFERRAL OF APPLICATIONS. Applications for grading permits

21 shall be referred (~~(to the director of land use management division, depart-~~

22 ~~ment of community and environmental development, and)) to the ((director,))~~

23 department of public works. The director (~~(of land use management division,~~

24 ~~department of community and environmental development)) shall determine if~~

25 the proposed grading will adversely affect the character of the site for present

26 lawful uses or with the future development of the site and adjacent properties

27 for building or other purposes as indicated by the comprehensive plan, the

28 Shoreline Master Program and the zoning code (~~(resolutions))~~. The ((director,))

29 department of public works, shall determine the effect of the intended grading

30 upon the public and private property as it pertains to: drainage, traffic

31 and public roads. The ((~~director of land use management division, depart-~~

1 ~~ment-of-community-and-environmental-development,-and-the-director,-)~~
2 department of public works, shall report ((their)) findings to the director
3 ~~((of-building-division,-department-of-community-and-environmental-develop-~~
4 ~~ment))~~.

5 (5) GRANTING OF PERMITS. After an application has been filed and
6 reviewed, the director ~~((of-building-division,-department-of-community~~
7 ~~and-environmental-development))~~ shall ascertain whether such grading
8 work complies with the other provisions of this chapter. If the application
9 and plans so comply, or if they are corrected or amended so as to comply,
10 the director ~~((of-building-division,-department-of-community-and-environmental~~
11 ~~development-shall))~~ may issue to the applicant a grading permit ~~((including-a-per-~~
12 ~~mit-platecard))~~. A grading permit shall be valid for the number of days stated in
13 the permit but in no case shall the period be more than one year, provided
14 that when operating conditions have been met, the permit shall be renewable
15 on a yearly basis.

16 No grading permit shall be issued until approved by federal, state and
17 local agencies having jurisdiction by laws or regulations.

18 Upon approval of the application and issuance of the grading permit,
19 no work shall be done that is not provided for in the permit. The director
20 ~~((of-building-division,-department-of-community-and-environmental-develop-~~
21 ~~ment))~~ is authorized to inspect the premises at any reasonable time to
22 determine if the work is in accordance with the permit application and plans.

23 The permits from the director ~~((building-division,-department-of-community-~~
24 ~~and-environmental-development))~~ shall be required regardless of any permits
25 issued by any other department of county government or any other govern-
26 mental agency who may be interested in certain aspects of the proposed work.
27 Where work for which a permit is required by this chapter is started or pro-
28 ceeded with prior to obtaining the permit, the violator shall be subject to
29 such civil penalties as ((herein)) provided in ((this-chapter)) Ordinance No. 2909.
30 However, the payment of such civil penalties shall not relieve any persons from
31 fully complying with the requirements of this chapter in the execution of the work

1 nor from any other penalties prescribed thereon.

2 SECTION 6. Ordinance 1488 Section 8 and K.C.C. 16.82.070 are amended
3 to read as follows.

4 Plan review and permit fees. A fee shall be paid to the director
5 (~~(of building, department of community and environmental development)~~),
6 for the costs of investigation, inspection and regulation pursuant to the
7 following schedule: (EXCEPTION: Fee shall not be required of other King
8 County departments.)

9 (1) PLAN REVIEW FEES:

10	500 to 5,000 cubic yards	\$ 50.00
11	5,000 to 10,000 cubic yards	((100:00)) <u>150.00</u>
12	10,000 to 50,000 cubic yards	((200:00)) <u>250.00</u>
13	50,000 to 100,000 cubic yards	((300:00)) <u>350.00</u>
14	100,000 to 500,000 cubic yards	((500:00)) <u>450.00</u>
15	over 500,00 cubic yards	((600:00)) <u>650.00</u>

16 Plan check fee for gravel pits, land fills, cutting, filling, dumping, quarrying
17 and mining operations, based on contour maps for the entire project shall be
18 paid only once. The above plan review fee shall not be required when the grad-
19 ing permit is to be issued for the operation of facility authorized by an unclassified
20 use permit.

21 These fees include any fees which may be required for environmental review
22 pursuant to the State Environmental Policy Act except in those cases when an
23 environmental impact statement is required.

24 (2) ANNUAL OPERATING PERMIT FEES - GENERAL:

25	500 to 5,000 cubic yards (0-10 acres)	\$ 50.00
26	5,000 to 10,000 cubic yards (0-10 acres)	100.00
27	10,000 to 25,000 cubic yards (0-10 acres)	200.00
28	25,000 to 50,000 cubic yards (0-10 acres)	300.00
29	Over 50,000 cubic yards (0-10 acres)	400.00

30 Plus ten dollars per acre for each acre over ten acres up to one
31 hundred acres.

1 Plus five dollars per acre for each acre over one hundred acres up to
2 five hundred acres.

3 Plus two dollars per acre for each acre over five hundred acres.

4 Acreage covered includes all lands which has been disturbed and not re-
5 habilitated pursuant to this chapter, including stockpiles and working area
6 such as plant sites. Those areas covered under the grading permit which
7 have been rehabilitated shall not be included in calculating annual operating
8 fees.

9 (3) ANNUAL OPERATING PERMIT FEES - PLATS, AREAS UNDER ONE-HALF
10 ACRE:

11 (a) For approved preliminary and final plats (~~and areas of~~
12 ~~no more than one-half acre~~)).

13 Five dollars per lot - minimum fee of twenty-five dollars. (Plan review
14 fees not required.)

15 (b) For areas under one-half acre in size the fee is twenty-
16 five dollars provided:

17 (i) No more than 3,000 cubic yards of material are moved;

18 (ii) This twenty-five dollar fee shall include the cost of
19 environmental review as required by the State Environmental Policy Act,
20 except in those cases when an environmental impact statement is required;

21 (iii) No plan review fee is required

22 SECTION 7. Ordinance 1488 Section 9 and K.C.C. 16.82.080 are amended
23 to read as follows:

24 Bonds required. Prior to obtaining a permit the permittee shall first post
25 with the director (~~of building division, department of community and environmental~~
26 ~~development a surety or~~) a cash operation bond and a cash or a surety reclamation
27 bond. All surety bonds shall be executed by the owner or permittee and a corpo-
28 rate surety authorized to do business in this state as a surety. ((The bond)) All
29 bonds shall be on an approved form and shall include penalty provisions for failure
30 to comply with the conditions of the permit. Bonds may be waived on projects of
31 less than one thousand cubic yards. (EXCEPTION: Bond shall not be required

1 of other King County Departments).

2 (1) RECLAMATION BOND. The permittee shall post a surety bond or cash
3 bond in an amount sufficient to cover the cost of conformance with the conditions
4 of the permit, including corrective work necessary to provide adequate drainage
5 and to remove and eliminate geological hazards. Any reclamation bonds posted
6 with the state of Washington, Department of Natural Resources, for surface
7 mining permits may be applied on the surety bond requirements insofar
8 as they pertain to the reclamation provisions of this chapter.

9 (2) OPERATION BOND. In addition to the reclamation bond, a cash
10 operating bond shall accompany the operating permit and may be used at
11 the discretion of the director (~~of building division, department of community~~
12 ~~and environmental development~~) to correct deficiencies affecting public
13 health, safety and welfare, including effects on water quality. The amount of the
14 cash operation bond shall be determined by the director (~~of building division,~~
15 ~~department of community and environmental development, but shall not be in ex-~~
16 ~~cess of one thousand dollars~~). The cash operation bond shall be maintained at
17 the full value established by the director at all times during the life of the permit.

18 (3) CONDITIONS. Every bond shall obligate the permittee to the following
19 conditions:

20 (a) Compliance with all of the provisions of the King County
21 code, applicable laws and ordinances;

22 (b) Compliance with all of the terms and conditions of the
23 permit for excavation or fill to the satisfaction of the director (~~of building~~
24 ~~division, department of community and environmental development~~).

25 (c) Completion of the protective work contemplated under the
26 permit within the time limit specified in the permit. The director (~~of building~~
27 ~~division, department of community and environmental development,~~) may,
28 for sufficient cause, extend the time specified in the permit, but no such
29 extension shall release the surety upon the bond.

30 (4) FAILURE TO COMPLETE PROTECTIVE WORK AND/OR LAND REHABILI-
31 TATION. In the event of failure to comply with all the conditions and terms of

1 the permit, the director (~~(of building division, department of community and~~
 2 ~~environmental development)~~) shall notify the permittee and the surety in
 3 writing, and failing to obtain response within ten days from the receipt
 4 of notification may order the work required by the permit to be completed
 5 to his satisfaction or perform all necessary corrective work to eliminate
 6 hazards caused by not completing the work. The surety executing such
 7 bond or deposit shall continue to be firmly bound, up to the limits of the
 8 bond, under a continuing obligation for the payment of all necessary costs
 9 and expenses that may be incurred or expended by the governing agency
 10 in causing any and all such required work to be done. In the case of a
 11 cash deposit, the deposit or any unused portion thereof shall be refunded
 12 to the permittee. In no event shall the liability of the surety exceed the
 13 amount stated in its bond regardless of the number of years the bond shall
 14 remain in force.

15 SECTION 8. Ordinance 1488 Section 11 and K.C.C. 16.82.100 are amended
 16 to read as follows:

17 Operating conditions and standards of performance. Cuts and fills shall
 18 conform to the provisions of this section unless otherwise (~~(recommended in a~~
 19 ~~soil engineering and/or engineering geology report)~~) approved by the director
 20 (~~(of building division, department of community and environmental develop-~~
 21 ~~ment)~~).

22 (1) SLOPE. No slope of cut and fill surfaces shall be steeper than is safe
 23 for the intended use and shall not exceed two horizontal to one vertical unless
 24 otherwise (~~(recommended in a report)~~) approved by the director (~~(of building-~~
 25 ~~division, department of community and environmental development)~~).

26 (2) EROSION CONTROL. All disturbed areas including faces of cuts
 27 and fill slopes shall be prepared and maintained to control erosion. This
 28 control may consist of effective planting. The protection for these areas
 29 shall be installed as soon as practical and prior to bond release (~~(final approval)~~).
 30 Where areas are not subject to erosion, as determined by the director (~~(of build-~~
 31 ~~ing division, department of community and environmental development)~~), such

1 protection may be omitted.

2 (3) PREPARATION OF GROUND. The ground surface shall be prepared
3 to receive fill by removing unsuitable material such as concrete slabs,
4 tree stumps, brush and car bodies.

5 (4) FILL MATERIAL. Except in an approved sanitary landfill, only earth
6 materials which ~~((have no more than minor amounts of organic substances~~
7 ~~and))~~ have no rock or similar irreducible material with a maximum dimension
8 greater than eighteen inches shall be used.

9 (5) DRAINAGE. Provisions shall be made to:

10 (a) Prevent any surface water or seepage from damaging the
11 cut face of any excavations or the sloping face of a fill;

12 (b) Carry any surface waters that are or might be concentrated
13 as a result of a fill or excavation to a natural water course, or by other means
14 approved by the ~~((director,))~~ department of public works;

15 (c) Prevent any sediment from leaving the site.

16 (6) BENCH/TERRACE. Benches, if required, at least ten feet in width shall be
17 back sloped and shall be established at not more than twenty-five feet vertical
18 intervals to control surface drainage and debris. Swales or ditches on
19 benches shall have a maximum gradient of five percent.

20 (7) ACCESS ROADS MAINTENANCE. Access roads to grading sites
21 shall be maintained and located to the satisfaction of the King County
22 Department of Public Works to minimize problems of dust, mud and traffic
23 circulation.

24 (8) ACCESS ROADS GATE. Access roads to grading sites shall be con-
25 trolled by a gate when required by the director ~~((of building division, de-~~
26 ~~partment of community and environmental development))~~.

27 (9) WARNING SIGNS. Signs warning of hazardous conditions, if such
28 exist, shall be affixed at locations as required by the director ~~((of building~~
29 ~~division, department of community and environmental development))~~.

30 (10) FENCING. Fencing, where required by the director ~~((of building~~
31 ~~division, department of community and environmental development))~~ to

1 protect life, limb and property, shall be installed with lockable gates which
2 must be closed and locked when not working the site. The fence must be no
3 less than five feet in height and the fence material shall have no horizontal
4 opening larger than two inches.

5 ~~((H) SCREENING.--Whenever property developed for the mining or
6 quarrying of minerals or materials has a common property line with res-
7 identially developed property, there shall be installed and maintained or
8 cultivated, if natural flora exists, a view-obscuring planting screen not
9 less than ten feet in width and in such planting strip shall be evergreen
10 shrubs, bushes or trees which shall be maintained at a height of not less
11 than six feet and the planting screen shall be planted according to accepted
12 practice in good soil, irrigated as necessary and maintained in good conditions
13 at all times.--Such a view-obscuring planting screen herein required shall
14 be installed as a yard improvement at or before the time mining or quarry-
15 ing operations commence or within a reasonable time thereafter given due
16 consideration to planting conditions.))~~

17 ~~((12))~~ (11) SETBACKS. The tops and the toes of cut and fill slopes shall
18 be set back from property boundaries as far as necessary for safety of the
19 adjacent properties and to prevent damage resulting from water runoff or
20 erosion of the slopes.

21 The tops and the toes of cut and fill slopes shall be set back from
22 structures as far as is necessary for adequacy of foundation support and to
23 prevent damage as a result of water runoff or erosion of the slopes.

24 ~~((Unless otherwise recommended in the approved soil engineering and/
25 or engineering geology report and shown on the approved grading plan,
26 setbacks shall be no less than shown in Table No. 1.))~~

27 Slopes and setbacks shall be determined by the director.

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29
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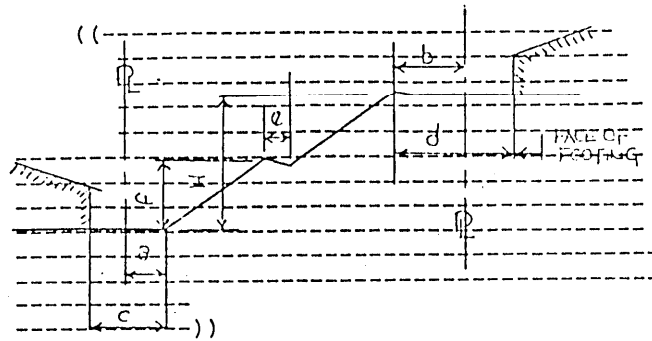


TABLE-NO-1

REQUIRED SETBACKS						
H (feet)	a	b	c	d	e	F
0-10'	3'	3'	3'	5'	NA	NA
10-30'	7 1/2'	10'	10'	10'	10'	25'
OVER-30'	15'	10'	10'	10'	16'	25'

((43)) (12) EXCAVATIONS TO WATER-PRODUCING DEPTH. All excavations must either be made to a water-producing depth or grade to permit natural drainage. The excavations made to a water-producing depth shall be reclaimed in the following manner:

(a) The depth of the excavations must not be less than two feet measured below the low-water mark.

(b) All banks shall be sloped to the water line no steeper than three feet horizontal to one foot vertical.

1 (c) All banks shall be sloped from the low-water line into
 2 the pond or lake with a minimum slope of three feet horizontal to one foot
 3 vertical to a distance of at least twenty-five feet.

4 (d) In no event shall the term water-producing depth as herein
 5 used be construed to allow stagnant or standing water to collect or remain
 6 in the excavation.

7 (e) The intent of this provision is to allow reclamation of the
 8 land which will result in the establishment of a lake of sufficient area and
 9 depth of water to be useful for residential or recreational purposes.

10 ~~((14))~~ (13) HOURS OF OPERATION. Hours of operation, unless otherwise
 11 authorized by the director ~~((of building division, department of community
 12 and environmental development,))~~ shall be between seven a.m. and seven
 13 p.m.

14 ~~((15) ZONING PROVISIONS--All operations, conditions and standards
 15 of performance shall be subject to the limitations or permitted uses in the
 16 QM classification, Sections 21-42-030 through 21-42-110 and land rehabilitation
 17 provision, Section 21-42-120 of the King County Zoning Code, Resolution
 18 25789-))~~

19 SECTION 9. Ordinance 1488 Section 12 and K.C.C. 16.82.110 are
 20 amended to read as follows:

21 Land restoration. (1) Upon the exhaustion of minerals or materials
 22 or upon the permanent abandonment of the quarrying or mining operation,
 23 all nonconforming buildings, structures, apparatus or appurtenances
 24 accessory to the quarrying and mining operation shall be removed or other-
 25 wise dismantled to the satisfaction of the director ~~((of building division,
 26 department of community and environmental development))~~. This require-
 27 ment shall not require land restoration on projects completed prior to
 28 January 1, 1971 except those covered under previously existing zoning
 29 requirements.

30 ~~((a))~~ (2) Final grades shall ~~((reflect))~~ be such so as to encourage
 31 the uses permitted within the underlying zone classification.

1 ((b)) (3) Grading or back filling shall be made with nonnoxious,
2 nonflammable, noncombustible and nonputrescible solids.

3 ((c)) (4) Such graded or back filled areas, except for roads, shall
4 be sodded or surfaced with soil of a quality at least equal to the topsoil of
5 the land area immediately surrounding, and to a depth of at least four inches
6 or a depth of that of the topsoil of land areas immediately surrounding if
7 less than four inches.

8 ((d)) (5) Such topsoil as required by paragraph (4) above shall
9 be planted with trees, shrubs, legumes or grasses and said flora shall be
10 selected as to be indigenous to the surrounding area.

11 ((e)) (6) Graded or back filled areas shall be reclaimed in a
12 manner which will not allow water to collect and permit stagnant water
13 to remain. Suitable drainage systems approved by the department of
14 public works shall be constructed or installed if natural drainage is not
15 possible.

16 ((f)) (7) Waste or soil piles shall be leveled and the area treated
17 as to sodding or surfacing and planting as required in subdivisions (4)
18 and (5) of this subsection.

19 ~~((2) Underground mining operations shall not be left in a condition
20 as to be or become hazardous. Mine shafts, air courses, inclines, or
21 horizontal workings temporarily unused or deserted shall be blocked by
22 solid bulkheads constructed and maintained so as to deny access. A locked
23 manway or door may be installed as part of the bulkhead. Where shafts,
24 air courses, inclines, or horizontal workings are to be permanently
25 abandoned in accordance with good mining practice, the collar or portal
26 to such workings shall be completely blocked by permanent bulkheads
27 constructed of concrete and/or steel or by causing the collapse of solid
28 rock at such collar or portal in such manner as to permanently fill the open-
29 ings with rock of sufficient size to prohibit the reopening of said workings
30 by natural movement of the collapsed rock by gravity down inclined workings.))~~

31 SECTION 10. Ordinance 1488 Section 13 and K.C.C. 16.82.120 are

1 hereby repealed and the following substituted:

2 Shorelines.

3 (1) Any fill placed upon land adjacent to or beneath any stream or water
4 body shall be contained and placed so as to prevent adverse effect upon other
5 lands.

6 (2) No permit required by this chapter shall be issued for grading upon
7 the shorelines until approved by the appropriate federal, state and local authority.

8 (3) For grading which requires a shoreline management substantial develop-
9 ment permit, the conditions of the shoreline management substantial development
10 permit shall be incorporated into the conditions of any permit issued pursuant
11 to this chapter and shall be subject to the inspection and enforcement procedures
12 authorized by this chapter.

13 SECTION 11. Ordinance 1488 Section 14 and K.C.C. 16.82.130 are each
14 repealed.

15 INTRODUCED AND READ for the first time this 24th day
16 of January, 1977.

17 PASSED at a regular meeting of the King' County Council this 14th day
18 of March, 1977.

19 KING COUNTY COUNCIL
20 KING COUNTY, WASHINGTON

Thilo Lowry
21 Chairman

22 ATTEST:

23 William Hammond
Clerk of the Council

24
25 APPROVED this 15th day of March, 1977.

26
27 [Signature]
King County Executive