

1 July 6, 1989(2)
0386H:SM:mls

INTRODUCED BY: Sullivan

2 PROPOSED NO. 89 - 545

3 ORDINANCE NO. **9103**

4 AN ORDINANCE relating to categorical
5 exemptions under the State Environmental
6 Policy Act setting lower thresholds for minor
7 new construction exemptions; amending
Ordinance 8236, Section 2 and K.C.C.
20.44.040.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1. Ordinance 8236, Section 2 and K.C.C. 20.44.040 is
10 hereby amended to read as follows:

11 Categorical exemptions and threshold determinations. A. King
12 County adopts the standards and procedures specified in WAC
13 197-11-300 through 197-11-390 and 197-11-800 through 197-11-890
14 for determining categorical exemptions and making threshold
15 determinations subject to the following:

16 1. The determination of whether a proposal is categorically
17 exempt shall be made by the county department that serves as lead
18 agency for such proposal.

19 2. Sensitive area maps adopted by K.C.C. 21.54.130 are
20 designated as maps of environmentally sensitive areas for purposes
21 of WAC 197-11-908. The following categorical exemptions shall not
22 apply should the proposal site be within areas designated as
23 environmentally sensitive pursuant to the sensitive area maps and
24 K.C.C. 21.54.070: WAC 197-11-800 (6)(a).

25 (~~3. The exemption standards for minor new construction~~
26 ~~contained in WAC 197-11-800(1)(e) are adopted except that filling,~~
27 ~~excavation and other grading which is both no greater than 500~~
28 ~~cubic yards and which is less than five feet of excavation and~~
29 ~~less than three feet of fill shall be exempt pursuant to WAC~~
30 ~~197-11-800(1)(e)(v).))~~

31 B. The mitigated DNS provision of WAC 197-11-350 shall be
32 enforced as follows:

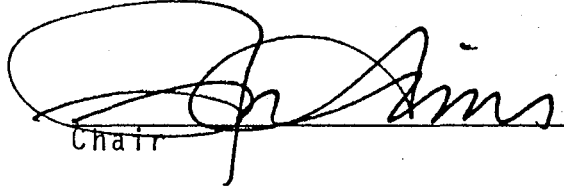
1 1. If the department issues a mitigated DNS, conditions
2 requiring compliance with the mitigation measures which were
3 specified in the application and environmental checklist shall be
4 deemed conditions of any decision or recommendation of approval of
5 the action.

6 2. If at any time the proposed mitigation measures are
7 withdrawn or substantially changed, the responsible official shall
8 review the threshold determination and, if necessary, may withdraw
9 the mitigated DNS and issue a DS.

10 INTRODUCED AND READ for the first time this 10th day
11 of July, 1989.

12 PASSED this 21st day of August, 1989

13 KING COUNTY COUNCIL
14 KING COUNTY, WASHINGTON

15 
16 Chair

17 ATTEST:

18 
19 Deputy Clerk of the Council

20 APPROVED this 31st day of August, 1989

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22 King County Executive

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