

July 26, 1995

Introduced By: Christopher Vance

Proposed No.: 95-700

ORDINANCE NO. **12122**

AN ORDINANCE related to zoning, amending the definition of wetland to be consistent with that of the state's Growth Management Act, amending Ordinance 10870, Section 323; and amending K.C.C. 21A.06.1415.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 323 as amended, and K.C.C. 21A.06.1415

are each hereby amended to read as follows:

Wetlands. Wetlands: those areas in King County which are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas(~~-~~), or other artificial features intentionally created to mitigate conversions of wetlands pursuant to wetlands mitigation banking. Wetlands do not include artificial features created from non-wetland areas including, but not limited to irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Where the vegetation has been removed or substantially altered, a wetland shall be determined by the presence or evidence of hydric or organic soil, as well as by other documentation, such as aerial photographs, of the previous existence of wetland vegetation. When the areas of any wetlands are hydrologically connected to each other, they shall be added together to determine which of the following categories of wetlands apply:

A. Class 1 wetlands, only including wetlands assigned the Unique/Outstanding #1 rating in the 1983 King County Wetlands Inventory or which meet any of the following criteria:

1 1. are wetlands which have present species listed by the federal or state government
2 as endangered or threatened or outstanding actual habitat for those species;

3 2. are wetlands which have 40% to 60% permanent open water in dispersed patches
4 with two or more classes of vegetation;

5 3. are wetlands equal to or greater than ten acres in size and have three or more
6 classes of vegetation, one of which is submerged vegetation in permanent open water; or

7 4. are wetlands which have present plant associations of infrequent occurrence;

8 B. Class 2 wetlands, only including wetlands assigned the Significant #2 rating in the
9 1983 King County Wetlands Inventory or which meet any of the following criteria:

10 1. are wetlands greater than one acre in size;

11 2. are wetlands equal to or less than one acre in size and have three or more classes
12 of vegetation;

13 3. are wetlands which:

14 a. are located within an area designated "urban" in the King County
15 Comprehensive Plan;

16 b. are equal to or less than one acre but larger than 2,500 square feet; and

17 c. have three or more classes of vegetation;

18 4. are forested wetlands equal to or less than one acre but larger than 2,500 square
19 feet; or

20 5. are wetlands which have present heron rookeries or raptor nesting trees; and

21 C. Class 3 wetlands, only including wetlands assigned the Lesser Concern #3 rating
22 in the 1983 King County Wetlands Inventory or which meet any of the following criteria:

23 1. are wetlands equal to or less than one acre in size and have two or fewer classes
24 of vegetation; or

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2. are wetlands which:

a. are located within an area designated "urban" in the King County

Comprehensive Plan;

b. are equal to or less than one acre but larger than 2,500 square feet; and

c. have two or fewer classes of vegetation.

INTRODUCED AND READ for the first time this 8th day of

January, 1996.

PASSED by a vote of 10 to 0 this 29th day of January,
1996.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

[Signature]
Chair

ATTEST:

[Signature]
Clerk of the Council

APPROVED this 7th day of February, 1996.

[Signature]
King County Executive

Attachments: none