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Introduced By:

Proposed No.:

96-279

ORDINANCE NO. **13190**

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AN ORDINANCE relating to surface water requirements and drainage review; repealing Ordinance 11886, Section 4 and K.C.C. 20.14.060; and Ordinance 12015, Section 5 and K.C.C. 20.14.030; and amending Ordinance 931, Section 10, as amended, and K.C.C. 13.08.090; Ordinance 1488, Sections 7 and 11 as amended, and K.C.C. 16.82.060 and 16.82.100; Ordinance 3688, Section 403, 503, 506, 603, all as amended, Section 703 and K.C.C. 25.16.030, 25.20.030, 25.20.060, 25.24.030 and 25.28.030; Ordinance 6422, as amended, and K.C.C. 20.12.350; Ordinance 7837, as amended, and K.C.C. 20.12.320; Ordinance 8846, as amended, and K.C.C. 20.12.170; Ordinance 9110, as amended, and K.C.C. 20.12.345; Ordinance 9499, as amended, and K.C.C. 20.12.440; Ordinance 9543, Section 2, as amended, and K.C.C. 19.26.020; Ordinance 9544, Sections 3, as amended, and K.C.C. 19.36.045; Ordinance 10197, Sections 1 and 3, as amended, and K.C.C. 20.12.270; Ordinance 10238, Sections 1, and K.C.C.20.14.020; Ordinance 10293, Sections 1,2,6,7 and 9, as amended, and K.C.C.20.14.025; Ordinance 10513, Section 1, as amended, and K.C.C.20.14.030; Ordinance 10703, Section 2, as amended, and K.C.C.20.12.210; Ordinance 10847, as amended, and K.C.C.20.12.340; Ordinance 10870, Sections 165, 333, 351, 454, 475, 478, 480, 481, 484 and 597, as amended, Sections 342 and 354, and K.C.C.21A.06.625, 21A.08.060, 21A.12.050, 21A.12.140, 21A.12.170, 21A.24.070, 21A.24.280, 21A.24.310, 21A.24.330, 21A.24.340, 21A.24.370, 21A.24.480, 21A.24.481, 21A.24.484 and 21A.40.030; Ordinance 11017, Section 3, as amended, and K.C.C. 19.33.030; Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040; Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050; Ordinance 11616, Section 12, and K.C.C. 13.24.136; Ordinance 11621, Section 70, as amended, and K.C.C. 21A.24.075; Ordinance 11622, Sections 3 and 12,

and K.C.C. 16.04.052 and 25.32.014; Ordinance 11886, Section 1, and K.C.C. 20.14.060.

PREAMBLE:

King County adopted the 1990 Surface Water Design Manual, as amended, to control surface water runoff as required in, and to implement, K.C.C. chapter 9.04.

The King County council required the surface water management division to conduct an on-going program to evaluate the effectiveness of the adopted requirements in meeting the purposes of K.C.C. chapter 9.04.

The King County council revised water resource and fish and wildlife habitat policies in the 1994 King County Comprehensive Plan.

The state of Washington adopted the Puget Sound Water Quality Management Plan as the comprehensive conservation and management plan for the Puget Sound estuary, as required under section 302 of the Clean Water Act for all designated estuaries of national significance. The plan requires local governments to adopt minimum requirements for stormwater controls.

5. The changes to the King County Code contained in this ordinance are needed to update the adopted requirements to be consistent with the purposes of the Surface Water Management Code, K.C.C. Title 9, the King County Comprehensive Plan and the Puget Sound Water Quality Management Plan. As such they bear a substantial relationship to, and are necessary for, the public health, safety and general welfare of King County and its residents.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 931, Section 10, as amended, and K.C.C. 13.08.090 are each hereby amended to read as follows:

Installation and alteration. A. Sewage disposal systems shall be constructed, installed or repaired only by a sewage disposal system installer, certificated as provided in this chapter, except that a resident owner, or intended resident owner may personally construct, install or repair a system for his own single family residence, provided he constructs not more than one system in any one calendar year.

1 B. Construction, installation or repair of sewage disposal systems shall be such as to  
 2 accommodate all sewage from the buildings and premises to be served, and in accordance  
 3 with this chapter and the rules and regulations of the director of public health adopted  
 4 pursuant to the ordinance codified herein. No down-spout or footing drain shall be directly or  
 5 indirectly connected to a sewage disposal system(~~(, and s)~~)- except when on-site systems are  
 6 no longer used for sewage disposal upon connection to public sewers. Down-spouts must be  
 7 connected directly to the drainfield unless the septic tank is cleaned out prior to connection.  
 8 Sewage disposal systems shall be so constructed and installed that surface water or ground  
 9 water will not interfere with the operation of such system.

10 SECTION 2. Ordinance 11616, Section 12, and K.C.C. 13.24.136 are each hereby  
 11 amended to read as follows:

12 Sewage disposal systems in the ((L))urban ((G))growth ((A))area. All development  
 13 in the ((L))urban ((G))growth ((A))area shall be served by public sewers. Alternative  
 14 sewage systems shall be permitted on an interim basis, only as follows:

15 A. For individual lots in the ((F))full ((S))service ((A))area or ((S))service  
 16 ((P))planning ((A))area, the director of the department of development and environmental  
 17 services may authorize individual on-site sewage systems given the following findings:

18 1. The applicant has submitted a certificate of sewer availability from the most  
 19 logical sewer purveyor accompanied by a letter which demonstrates to the satisfaction of the  
 20 director that the requirement to receive sewer service from the purveyor is unreasonable or  
 21 infeasible at the time of construction(~~(, and)~~);

22 2. The applicant has received approval for an on-site sewage system design from the  
 23 Seattle-King County department of public health in accordance with the rules and regulations  
 24 of the King County board of health, K.C.C. Title 13(~~(, and)~~);

25 3. The applicant has provided a Certificate of Future Connection from the  
 26 appropriate purveyor which certifies that an irrevocable agreement has been entered into with  
 27 the purveyor providing that the property shall be connected to public sewers upon availability

1 of such sewers and that the property owner shall pay all costs of connection to the sewer and  
2 connection of the roof drainage to the abandoned on-site sewage drainfield (to septic tank  
3 only if completely cleaned out prior to connection). This certificate shall stipulate that the  
4 applicant and his grantees agree to participate in and not protest the formation of a Utility  
5 Local Improvement District (ULID) or Local Improvement District (LID) or utility purveyor  
6 project which is designed to provide public sewer services to the property. This certificate  
7 shall be recorded in the real property records of King County and shall be a permanent  
8 condition on the property running with the land until such time as the costs for connection are  
9 fully paid to the purveyor; ~~((and))~~

10 4. the abandoned on-site sewage system shall be connected to receive all rooftop runoff  
11 once the property is connected to the public sewer; and

12 ~~((4))~~5. Application of the standards of this title would otherwise preclude  
13 reasonable use of the property.

14 B. For subdivisions and short subdivisions in the ~~((S))~~service ~~((P))~~planning ~~((A))~~areas  
15 only, the director of the department of development and environmental services may  
16 authorize community on-site systems given the following findings:

17 1. The applicant has submitted a certificate of sewer availability from the most  
18 logical sewer purveyor accompanied by a letter which demonstrates to the satisfaction of the  
19 director that the requirement to receive sewer service from the purveyor is unreasonable or  
20 infeasible at the time of construction~~((, and))~~;

21 2. The applicant has received an approved pre~~((-))~~application for a community on-  
22 site sewage disposal system from the Seattle-King County department of public health in  
23 accordance with the rules and regulations of the King County board of health, K.C.C. Title  
24 13, State board of health chapter 246-272 WAC~~((, and))~~;

25 3. The applicant has provided a certificate that the system will be managed by the  
26 purveyor or other authorized public agency as defined by RCW 39.24.020~~((, and))~~;

1           4. The sanitary sewage collection system within the subdivision or short subdivision  
2 necessary to connect the subdivision or short subdivision to the public sewers including  
3 collection lines to each building site or lot((,)) shall be installed to the specifications of the  
4 appropriate provider of sewer service and shall be a condition of preliminary approval((,));  
5 and

6           5. The applicant has provided a Certificate of Future Connection from the  
7 appropriate purveyor which certifies that an irrevocable agreement has been entered into with  
8 the purveyor for the property owner to pay all known and projected costs of connection. This  
9 certificate shall stipulate that the applicant and his grantees agree to participate in and not  
10 protest the formation of a Utility Local Improvement (ULID) or Local Improvement District  
11 (LID) utility purveyor project which is designed to provide public utility services to the  
12 property. This certificate shall be noticed on the title of the property and shall be a permanent  
13 condition on the property until such time as the costs for connection are fully paid to the  
14 purveyor.

15           SECTION 3: Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060 are  
16 each hereby amended to read as follows:

17           Permit requirements. Except as exempted in ((Section)) K.C.C. 16.82.050, no person  
18 shall do any clearing or grading without first obtaining a clearing and grading permit from the  
19 director. A separate permit shall be required for each site and may cover both excavations  
20 and fills.

21           A. ((APPLICATION))Application. To obtain a permit, the applicant shall first file  
22 an application therefor in writing on a form furnished for that purpose. The director shall  
23 prescribe the form by which application is made. No application shall be accepted unless it is  
24 completed consistent with the requirements of this chapter, and the permit process and  
25 procedures chapter of K.C.C. Title 20((,20)). In addition to the requirements of K.C.C.  
26 20.20.040, every application shall:

- 1           1. Identify and describe the work to be covered by the permit for which application
- 2 is made;
- 3           2. Describe the land on which the proposed work is to be done, by lot, block, tract
- 4 and house and street address, or similar description that will readily identify and definitely
- 5 locate the proposed site;
- 6           3. Identify and describe those sensitive areas on or adjacent to the site;
- 7           4. Indicate the estimated quantities of work involved;
- 8           5. Identify any clearing restrictions contained in K.C.C. 16.82.150, wildlife habitat
- 9 corridors pursuant to K.C.C. chapter 21A.14, critical drainage areas established by
- 10 administrative rule or property-specific development standards pursuant to K.C.C. chapter
- 11 21A.38;
- 12           6. Be accompanied by plans and specifications as required in subsections B. and C.;
- 13           7. Designate who the applicant is, on a form prescribed by the department, except
- 14 that the application may be accepted and reviewed without meeting this requirement when
- 15 a public agency or public or private utility is applying for a permit for property on which
- 16 the agency or utility does not own an easement or right-of-way and the following three
- 17 requirements are met:
- 18           a. the name of the agency or public or private utility is shown on the application
- 19 as the applicant;
- 20           b. the agency or public or private utility includes in the complete application an
- 21 affidavit declaring that notice of the pending application has been given to all owners of
- 22 property to which the application applies, on a form provided by the department; and
- 23           c. the form designating the applicant is submitted to the department prior to
- 24 permit issuance; and
- 25           8. Give such other information as may be required by the director.
- 26           B. ~~((PLANS AND SPECIFICATIONS))~~Plans and specifications. When required by
- 27 the director, each application for a grading permit shall be accompanied by six sets of plans

1 and specifications and other supporting data as may be required. The plans and specifications  
 2 shall be prepared and signed by a civil engineer or landscape architect registered to practice  
 3 in the state of Washington when required by the director; provided, ~~((he))~~ the director may  
 4 require additional studies prepared by a qualified soils specialist. If the plans and  
 5 specifications are returned as a result of permit denial or any other reason, they shall be  
 6 returned to the applicant.

7 C. ~~((INFORMATION ON PLANS AND IN SPECIFICATIONS))~~ Information on  
 8 plans and specifications. Plans shall be drawn to an engineer's scale upon substantial paper or  
 9 cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed  
 10 and show in detail that they will conform to the provisions of this chapter and all other  
 11 relevant laws, rules, regulations and standards. The first sheet of each set of plans shall give  
 12 the location of the work and the name and address of the owner and the person by whom they  
 13 were prepared. The plans shall include the following minimum information:

- 14 1. General vicinity of the proposed site;
- 15 2. Property limits and accurate contours of existing ground and details of terrain and  
 16 area drainage;
- 17 3. Limiting dimensions, elevations or finished contours to be achieved by the  
 18 grading, and proposed drainage channels and related construction;
- 19 4. Location of all proposed cleared areas;
- 20 5. ~~((1))~~ Location of any open space tracts or conservation easements if required  
 21 pursuant to:
  - 22 \_\_\_ (a) K.C.C. 16.82.150,
  - 23 (b) K.C.C. chapter 21A.14,
  - 24 (c) critical drainage areas, or
  - 25 (d) property-specific development standards pursuant to K.C.C. chapter 21A.38;
  - 26 ~~((and))~~

1           6. calculations of the total area proposed cleared on a site as a percentage of the total site  
2 area;

3           ~~((5))~~7.. Detailed plans of all surface and subsurface drainage devices, walls,  
4 cribbing, dams, berms, settling ponds and other protective devices to be constructed with or  
5 as a part of the proposed work, together with the maps showing the drainage area and the  
6 estimated runoff of the area served by any drains;

7           8. A determination of whether drainage review applies to the project pursuant to  
8 K.C.C. chapter 9.04, and, if applicable, all drainage plans and documentation consistent  
9 with King County Surface Water Design Manual requirements;

10           ~~((6))~~9. Location of any buildings or structures on the property where the work is to  
11 be performed and the location of any buildings or structures on land of adjacent owners  
12 which are within fifty feet of the property or which may be affected by the proposed grading  
13 operations;

14           ~~((7))~~10. Landscape and rehabilitation plan as required by ~~((Section))~~ K.C.C.  
15 16.82.110;

16           ~~((8))~~11. Other information as may be required by the director; and

17           ~~((9))~~12. If the clearing or grading is proposed to take place in or adjacent to a  
18 sensitive area as regulated in K.C.C. chapter 21A.24, provide information as required by that  
19 chapter.

20           D. ~~((GRANTING OF PERMITS))~~Granting of permits. 1. The director shall  
21 determine if the proposed grading will adversely affect the character of the site for present  
22 lawful uses or with the future development of the site and adjacent properties for building or  
23 other purposes as indicated by the comprehensive plan, the shoreline master program(~~((,))~~) and  
24 the zoning code.

25           2. After an application has been filed and reviewed, the director shall also ascertain  
26 whether such grading work complies with the other provisions of this chapter. If the  
27 application and plans so comply, or if they are corrected or amended so as to comply, the



1 director may issue to the applicant a grading permit. A grading permit shall be valid for the  
2 number of days stated in the permit but in no case shall the period be more than two years;  
3 provided, that when operating conditions have been met, the permit may be renewed every  
4 two years, or less if a shorter approval and/or renewal period is specified by the director.

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

7 4. Upon approval of the application and issuance of the grading permit, no work  
8 shall be done that is not provided for in the permit. The director is authorized to inspect the  
9 premises at any reasonable time to determine if the work is in accordance with the permit  
10 application and plans.

11 5. The permits from the director shall be required regardless of any permits issued  
12 by any other department of county government or any other governmental agency who may  
13 be interested in certain aspects of the proposed work. Where work for which a permit is  
14 required by this chapter is started or proceeded with prior to obtaining the permit, the violator  
15 shall be subject to such civil penalties as provided in K.C.C.((C))chapter 23.04. However,  
16 the payment of such civil penalties shall not relieve any persons from fully complying with  
17 the requirements of this chapter in the execution of the work nor from any other penalties  
18 prescribed thereon.

19 SECTION 4. Ordinance 1488, Section 11, as amended, and K.C.C. 16.82.100 are  
20 hereby amended as follows:

21 Operating conditions and standards of performance.

22 A. Any activity that will clear, grade or otherwise disturb the site, whether  
23 requiring a clearing or grading permit or not, shall provide erosion and sediment control  
24 (ESC) that prevents, to the maximum extent possible, the transport of sediment from the  
25 site to drainage facilities, water resources and adjacent properties. Erosion and sediment  
26 controls shall be applied as specified by the temporary ESC measures and performance  
27 criteria and implementation requirements in the King County erosion and sediment control

1 standards. Activities performed as Class I, II, III or IV Special forest practices shall apply  
 2 erosion and sediment controls in accordance with chapter 76.09 RCW and Title 222 WAC.

3 B. Cuts and fills shall conform to the following provisions ~~((of this section))~~  
 4 unless otherwise approved by the director.

5 ~~((A))~~ 1. ~~((SLOPE))~~ Slope. No slope of cut and fill surfaces shall be steeper than is  
 6 safe for the intended use and shall not exceed two horizontal to one vertical, unless otherwise  
 7 approved by the director.

8 ~~((B))~~ 2. ~~((EROSION CONTROL))~~ Erosion control. All disturbed areas including  
 9 faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance  
 10 with subsection A. This control may consist of effective planting. The protection for these  
 11 areas shall be installed as soon as practical and prior to bond release. Where areas are not  
 12 subject to erosion, as determined by the director, such protection may be omitted.

13 ~~((C))~~ 3. ~~((PREPARATION OF GROUND))~~ Preparation of ground. The ground  
 14 surface shall be prepared receive fill by removing unsuitable material such as concrete slabs,  
 15 tree stumps, brush and car bodies.

16 ~~((D))~~ 4. ~~((FILL MATERIAL))~~ Fill material. Except in an approved sanitary landfill,  
 17 only earth materials which have no rock or similar irreducible material with a maximum  
 18 dimension greater than eighteen inches shall be used.

19 ~~((E))~~ 5. ~~((DRAINAGE))~~ Drainage. Provisions shall be made to:

20 ~~((1))~~ a. ~~((P))~~ prevent any surface water or seepage from damaging the cut face of  
 21 any excavations or the sloping face of a fill;

22 ~~((2))~~ b. ~~((C))~~ carry any surface waters that are or might be concentrated as a result  
 23 of a fill or excavation to a natural watercourse, or by other means approved by the department  
 24 of public works(;

25 3. Prevent any sediment from leaving the site)).

26 ~~((F))~~ 6. ~~((BENCH/TERRACE))~~ Bench/terrace. Benches, if required, at least ten feet  
 27 in width shall be back-sloped and shall be established at not more than twenty-five feet

1 vertical intervals to control surface drainage and debris. Swales or ditches on benches shall  
2 have a maximum gradient of five percent.

3 ~~((G))~~ 7. ~~((ACCESS ROADS - MAINTENANCE))~~ Access roads - maintenance.  
4 Access roads to grading sites shall be maintained and located to the satisfaction of the King  
5 County department of public works to minimize problems of dust, mud and traffic  
6 circulation.

7 ~~((H))~~ 8. ~~((ACCESS ROADS - GATE))~~ Access roads - gate. Access roads to  
8 grading sites shall be controlled by a gate when required by the director.

9 ~~((I))~~ 9. ~~((WARNING SIGNS))~~ Warning signs. Signs warning of hazardous  
10 conditions, if such exist, shall be affixed at locations as required by the director.

11 ~~((J))~~ 10. ~~((FENCING))~~ Fencing. Fencing, where required by the director, to protect  
12 life, limb and property, shall be installed with lockable gates which must be closed and  
13 locked when not working the site. The fence must be no less than five feet in height and the  
14 fence material shall have no horizontal opening larger than two inches.

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

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

21 Slopes and setbacks shall be determined by the director.

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

26 ~~((1))~~ a. ~~((F))~~ the depth of the excavations must not be less than two feet measured  
27 below the low-water mark.

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

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

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

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

11           ((M)) 13. ((HOURS OF OPERATION))Hours of operation. Hours of operation,  
12 unless otherwise authorized by the director, shall be between seven a.m. and seven p.m.

13           SECTION 5. Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150 are  
14 hereby amended as follows:

15           Clearing standards. A. For clearing and grading permits issued under this chapter,  
16 the current clearing standards contained in this section and in the following regulations  
17 shall apply:

- 18           1. The Sensitive Areas Code, K.C.C. chapter 21A.24, and its adopted
- 19           administrative rules;
- 20           2. Property-specific development standards pursuant to K.C.C. chapter 21A.38;
- 21           3. Critical drainage area designations identified by adopted administrative rule;
- 22           and
- 23           4. Wildlife habitat corridors pursuant to K.C.C. chapter 21A.14.

24           B. Within sensitive areas designated pursuant to K.C.C. chapter 21A.24, uses shall  
25 be limited to those specified in that chapter. Within any other areas subject to clearing  
26 restrictions referenced or contained in this section, the following uses are allowed under a  
27 clearing permit:

1           1. Timber harvest in accordance with a timber harvest management plan and  
 2 clearing permit approved by the department of development and environmental services or  
 3 a successor agency. That department shall promulgate administrative rules specifying the  
 4 contents of, and the submittal requirements and approval criteria for, timber harvest  
 5 management plans in consultation with the department of natural resources prior to any  
 6 permit approvals for timber harvest within these tracts or easements;

7           2. Passive recreation uses and related facilities, including pedestrian and bicycle  
 8 trails, nature viewing areas, fishing and camping areas, and other similar uses that do not  
 9 require permanent structures, provided that cleared areas and/or areas of compacted soils  
 10 associated with these uses and facilities do not exceed eight percent of the area of the tract  
 11 or easement. Within wildlife habitat corridors, trail widths shall be the minimum allowed  
 12 under adopted trail standards and no other recreation uses shall be permitted in the  
 13 ~~((150))~~one hundred fifty foot minimum width of the corridor;

14           3. Utilities and utility easements, including surface water facilities, provided that  
 15 such uses are within or adjacent to existing road or utility easements whenever possible.  
 16 Within wildlife habitat corridors, existing or multiple utility uses within established  
 17 easements shall be allowed within the ~~((150))~~one hundred fifty foot minimum width of the  
 18 corridor. Development of new utility corridors shall be allowed within wildlife habitat  
 19 corridors only when multiple uses of existing easements are not feasible and the utility  
 20 corridors are sited and developed using county-approved best management practices to  
 21 minimize disturbance; and

22           4. Removal of dangerous and or damaged trees.

23           C. For the RA (Rural Area) zoned areas in either the Bear Creek Basin, Issaquah  
 24 Creek basin, the Soos Creek basin, the May Creek basin, the East Sammamish Community  
 25 Planning Area or the Bear Creek Community Planning Area:

26           1. Clearing shall be limited to a maximum of ~~((35))~~thirty-five percent of the lot or  
 27 plat area or the amount legally cleared prior to the effective date of any clearing regulations

1 in effect at the time of the clearing, whichever is greater, except under conditions specified  
2 below:

3 a. Clearing shall be limited to a maximum of ~~((60))~~ sixty percent of the lot or plat  
4 area if the approved permit requires flow control and water quality facilities in accordance  
5 with standards set forth in the applicable adopted basin plan and the King County Surface  
6 Water Design Manual;

7 b. In the Soos Creek basin, clearing shall be limited to a maximum of ~~((80))~~ eighty  
8 percent of the lot or plat area, except in designated Regionally Significant Resource Areas  
9 where clearing shall be limited to a maximum of ~~((65))~~ sixty-five percent of the lot or plat  
10 area. Buffers for all sensitive areas designated under K.C.C. Title 21A and sensitive areas  
11 except for submerged lands may be counted towards meeting the requirement. Building  
12 permits for single-family residential building on individual lots shall be exempt from the  
13 clearing limit in the Soos Creek basin;

14 c. Clearing required for the construction of access, utilities and septic systems to  
15 serve any lots 1.25 acres or smaller in size shall not be counted towards the ~~((35))~~ thirty-  
16 five percent maximum clearing standard;

17 d. On individual lots smaller than ~~((20,000))~~ twenty thousand square feet, up to  
18 ~~((7,000))~~ seven thousand square feet may be cleared; and

19 e. Clearing standards for Urban Planned Developments and Mineral zoned  
20 properties will be determined through their own designated review processes.

21 2. For subdivisions and short subdivisions, portions of the plat that are required to  
22 remain uncleared shall be retained in one or more open space tracts, with all developable  
23 lots sited on the portions of the plat approved to be cleared. Sensitive areas designated  
24 under K.C.C. Title 21A shall be recorded separately from tracts mandated by this  
25 regulation, but may be counted towards meeting these requirements. Tracts mandated by  
26 this regulation may be retained by the subdivider, conveyed to residents of the subdivision,  
27 or conveyed to a third party. Open space tracts shall be shown on all property maps and

1 shall be protected by covenants, approved by the county, that restrict their uses to those  
2 listed in K.C.C. 16.82.150B. All open space tracts established pursuant to this regulation  
3 shall be clearly marked with at least one sign per buildable lot adjoining the tract indicating  
4 that the tract is permanent, dedicated open space.

5 3. For individual lots, the clearing limits shall be applied at the time of building  
6 permit application unless the lot is within a subdivision that has been approved with other  
7 conditions to meet the standard established in paragraph C2. In cases where conditions are  
8 applied to the subdivision, individual lots shall be exempt from the clearing restrictions in  
9 paragraph C1. The uses and restrictions on the uncleared portions of individual lots shall  
10 be those specified in K.C.C. 16.82.150B. Sensitive areas designated under K.C.C. Title  
11 21A may be counted towards meeting requirements on individual lots.

12 4. The subdivision or permitting of building on parcels that are cleared in violation  
13 of the regulations in effect at the time of the clearing shall be subject to conditions  
14 requiring the restoration of trees and understory vegetation on at least ~~((65))~~ sixty-five  
15 percent of the plat or lot, or, where applicable, on the percentage of the site that was to  
16 remain uncleared under paragraph C1. A restoration plan shall be required of permit  
17 applicants, and shall be subject to the approval of the department of development and  
18 environmental services. That department shall prepare administrative rules regarding the  
19 review and approval of restoration plans in consultation with the department of natural  
20 resources before approving subdivision or building permits for parcels cleared in violation  
21 of applicable clearing regulations. The administrative rules shall also specify when a  
22 restoration plan will be deemed sufficient to forego the six year moratorium on permitting  
23 authorized in K.C.C. 16.82.140.

24 5. In the Bear Creek basin and the Bear Creek Community Planning Area, the  
25 requirements of paragraphs C1 through C4 shall be modified or waived by the director for  
26 proposed projects that meet the following conditions:

27 a. The project shall consist of one or more of the following uses:

- 1                   1. Government services listed in K.C.C. 21A.08.060,
- 2                   2. Educational services listed in K.C.C. 21A.08.050,
- 3                   3. Parks as listed in K.C.C. 21A.08.040 when located adjacent to an
- 4 existing or proposed school,
- 5                   4. Libraries listed in K.C.C. 21A.08.040, and
- 6                   5. Road projects;
- 7                   b. The project site shall not be located in a designated ((R))regionally
- 8 ((S))significant ((R))resource ((A))area except for utility corridors that can demonstrate no
- 9 feasible alternative;
- 10                  c. The project shall clear the minimum necessary to accommodate the proposed
- 11 use which includes all the allowed ballfields, playfields, other facilities, and spaces
- 12 proposed by the public agency to carry out its public function; and
- 13                  d. The project shall meet the on-site flow control and water quality standards set
- 14 forth in the applicable adopted basin plan and the Surface Water Design Manual.

15                  The modification or waiver shall not exempt the project from any other code

16 provisions which may apply. The director's decision may be appealed to the zoning and

17 subdivision examiner pursuant to K.C.C. chapter 20.24, provided that any such appeal

18 must be consolidated with an appeal, if any, heard by the examiner on the merits of the

19 proposed project.

20                  6. In the Issaquah Creek basin, the Soos Creek basin and the East Sammamish

21 Community Planning Area, the following standards shall apply:

- 22                  a. In the ((R))regionally ((S))significant ((R))resource ((A))areas, except for utility
- 23 corridors that can demonstrate no feasible alternative, the requirements of paragraphs C1
- 24 through C4 shall apply; and
- 25                  b. In areas outside of the ((R))regionally ((S))significant ((R))resource ((A))areas,
- 26 projects that consist of one or more of the uses identified in C5(a)(1) to (4) shall be exempt
- 27 from the requirements of paragraphs C1 through C4.



1 D. Construction projects can be a significant contributor of pollution to streams and  
2 wetlands. Therefore, from October 1 through March 31, in the Bear Creek Community  
3 Planning Area, the Northshore Community Planning Area, the East Sammamish  
4 Community Planning Area and the Soos Creek and Hylebos Creek basins:

5 1. Clearing and grading shall only be permitted if shown to the satisfaction of the  
6 director that silt-laden runoff exceeding standards in the King County Surface Water  
7 Design Manual will be prevented from leaving the construction site through a combination  
8 of the following:

9 a. site conditions including vegetative coverage, slope, soil type and proximity to  
10 receiving waters;

11 b. limitations on activities and the extent of disturbed areas; and

12 2. The director shall set forth in writing the basis for approval or denial of clearing  
13 or grading during this period.

14 3. Clearing and grading will be allowed only if there is installation and  
15 maintenance of an erosion and sedimentation control plan approved by the department  
16 which shall define any limits on clearing and grading or specific erosion and sediment  
17 control measures required during this period. Alternate best management practices may be  
18 approved or required on-site by the inspector.

19 4. If, during the course of construction, silt-laden runoff exceeding standards in  
20 the King County Surface Water Design Manual leaves the construction site or if clearing  
21 and grading limits or erosion and sediment control measures shown in the approved plan  
22 are not maintained, a notice of violation shall be issued.

23 5. If the erosion and sediment control problem defined in the violation is not  
24 adequately repaired within ~~((24))~~twenty-four hours of the notice of violation, then a notice  
25 and order may be issued by the inspector to install adequate erosion and sediment control  
26 measures to stop silt-laden runoff from leaving the site. The notice and order may also  
27 require the contractor to discontinue any further clearing or grading, except for erosion and

1 sediment control maintenance and repair, until the following March 31.

2 6. The following activities are exempt from the seasonal clearing and grading  
3 requirements of this subsection:

4 a. Routine maintenance and necessary repair of erosion and sediment control  
5 facilities;

6 b. Routine maintenance of public facilities or existing utility structures as  
7 provided by K.C.C. 21A.24.050B;

8 c. Activities where there is ~~((100))~~ one hundred percent infiltration of surface  
9 water runoff within the site in approved and installed erosion and sedimentation control  
10 facilities;

11 d. Typical landscaping activities of existing single family residences that do not  
12 require a permit;

13 e. Class I, II III and IV Special forest practices;

14 f. Mineral extraction activities on sites with approved permits; and

15 g. Public agency response to emergencies that threaten the public health, safety  
16 and welfare.

17 SECTION 6. Ordinance 10238, Section 1, and K.C.C. 20.14.020 are each hereby  
18 amended to read as follows:

19 Soos Creek Basin Plan. The Soos Creek Basin Plan, dated June 7, 1990, Attachment  
20 A to Ordinance 10238, as amended by Appendix A of Ordinance 13190, is adopted ~~((as a~~  
21 ~~functional plan))~~ to implement~~((ing))~~ surface water management and environmental policies  
22 of the King County Comprehensive Plan with the exception of those policies pertaining to  
23 density restrictions and clearing provisions which are set out in the adopted Soos Creek  
24 Community Plan Update and the updated Tahoma/Raven Heights Community Plan  
25 Amendment. ~~((As an amplification and augmentation of the King County Comprehensive))~~  
26 The Soos Creek Basin Plan~~((, it))~~ constitutes official county policy with regard to surface

1 water management in the Soos Creek Basin and designates regionally significant resource  
 2 areas and locally significant resource areas in the basin

3 SECTION 7. Ordinance 10293, Sections 1,2,6,7, and 9, as amended, and K.C.C.  
 4 20.14.025 are each hereby amended to read as follows:

5 Covington Master Drainage Plan. A. Adopted. The Covington Master Drainage  
 6 Plan dated January 1992, ~~((and attached as))~~ Attachment A to Ordinance 10293, as amended  
 7 by Appendix B of Ordinance 13190, is hereby adopted, augmenting and amplifying county  
 8 policy established in the Soos Creek Basin Plan with regard to surface water management  
 9 within the boundaries of the Covington Master Drainage Plan area as designated by  
 10 Ordinance 9772.

11 B. Special drainage conditions authorized. The ~~((surface water management))~~ water  
 12 and land resources division is hereby authorized to revise the ~~((1990))~~ King County Surface  
 13 Water Design Manual to include a new appendix with the following special drainage  
 14 provisions for development to be applied in the Covington Master Drainage Plan area:

15 1. Development proposals in the Covington Master Drainage Plan area ~~((shall have~~  
 16 ~~the option))~~ are encouraged to submit plans for ~~((regional or subregional))~~ shared surface  
 17 water management facilities, as defined in the Covington Master Drainage Plan under  
 18 regional or subregional surface water management facilities, that treat and dispose of the  
 19 runoff from more than one development. ~~(( provided that the proposed regional or~~  
 20 ~~subregional))~~ These shared surface water management facilities shall provide the same level  
 21 of control and treatment of surface water as required by the ~~((1990))~~ King County Surface  
 22 Water Design Manual and relevant sections of this section. ~~((Developers that propose to use~~  
 23 ~~the regional or subregional facilities shall submit plans with facility design and agreements~~  
 24 ~~with adjacent landowners for the construction and operation of these facilities. The design~~  
 25 ~~and construction of such facilities shall be reviewed and approved by King County. King~~  
 26 ~~County will assume the maintenance of regional and subregional facilities upon satisfactory~~  
 27 ~~completion of a final inspection by the county and release of all performance bonds.))~~

1           2. Development in the Covington Master Drainage Plan area that proposes to  
 2 infiltrate stormwater generated by the project (~~((as authorized in core requirement three of the  
 3 1990 King County Surface Water Design Manual) must submit a plan which addresses off-  
 4 site analysis (core requirement two of the 1990 King County Surface Water Design Manual)  
 5 and includes:~~

6           ~~\_\_\_\_\_ a. an identification of))~~ must submit a plan which includes an amendment to the  
 7 off-site analysis pursuant to K.C.C. 9.04.050 identifying the location of domestic water  
 8 supply wells within a one mile radius of the proposed infiltration facilities, and, if any wells  
 9 are present, provides:

10           ~~((b))~~ a. an assessment of human health risks from infiltration, and

11           ~~((c))~~ b. recommendations for appropriate measures to mitigate identified health  
 12 risks.

13           The plan shall be reviewed and approved by King County.

14           3. Development proposed in the areas with glacial till (Alderwood) soils identified  
 15 on Attachment 2 to Ordinance 10293 shall be required to (~~(provide stormwater detention of  
 16 four acre inches of detention storage volume per impervious acre developed))~~ meet level two  
 17 flow control when required to provide flow control under the Surface Water Design Manual.

18           ~~((4. Development proposed in the areas designated on Attachment C to Ordinance  
 19 10293 shall submit a detailed subbasin drainage analysis demonstrating that the stormwater  
 20 generated by development does not discharge directly or indirectly to Little Soos Creek. The  
 21 plans shall be reviewed and approved by King County.))~~

22           ~~((5))~~ 4. All new commercial and industrial development in the Covington Master  
 23 Drainage Plan Area shall be required to submit a plan identifying the appropriate source  
 24 controls and best management practices in accordance with K.C.C. chapter 9.12. The plan  
 25 shall be reviewed and approved by King County.

26           ~~((6))~~ 5. All commercial and industrial development proposals shall submit plans for  
 27 secondary spill containment for all electrical and mechanical equipment mounted on rooftops

1 and plans showing the use of relatively inert materials (i.e., vinyl) for roofing and gutter  
 2 materials. The plan shall be reviewed and approved by King County.

3 ((7)) 6. Developments proposed in the Covington Master Drainage Plan area within  
 4 one hundred feet of the edge of Jenkins Creek 25 or Soos Creek 77 wetlands shall have  
 5 wetland buffers established using a sliding scale of buffer width defined as follows:

7	Buffer Composition	Buffer Width
8	<u>% Forest</u>	<u>Feet</u>
9	100	50
10	80	60
11	60	70
12	40	80
13	20	90
14	0	100

15 Forests are defined as the area covered by trees greater than four inches diameter at breast  
 16 height and twenty feet in height.

17 ((8)) 7. Developments in the Covington Master Drainage Plan Area within one  
 18 hundred feet of the ordinary high water mark of Jenkins and Little Soos Creeks shall be  
 19 required to re-establish native vegetation in stream buffers where native vegetation has been  
 20 destroyed or disturbed. A plan for revegetation shall be reviewed and approved by King  
 21 County. Planting shall be complete before issuance of an occupancy permit for the  
 22 development. If the department of development and environmental services determines that  
 23 the season is  
 24 inappropriate for planting, the occupancy permit can be granted, provided a bond is  
 25 established for the costs of revegetation.

26 ((9)) 8. New stream or wetland crossings by roads or utilities within the Master  
 27 Drainage Plan area shall not be permitted unless no practical alternative exists. Plans will be

1 submitted to King County for review and approval. The adverse environmental effects of  
2 new crossings shall be mitigated in accordance with SEPA requirements.

3 ~~((10. Surface water management facilities for developments or redevelopments with  
4 greater than 5,000 square feet of impervious which propose to infiltrate storm water shall be  
5 required to have lined wetpond and biofiltration swale treatment prior to infiltration.  
6 Developments of less than three single family residences are exempt from this requirement))~~.

7 ((11)) 9. New developments within one hundred feet of the ordinary high water  
8 mark of Jenkins and Little Soos Creek shall be required to submit plans to restrict access to  
9 the streams and their buffers using fences, barriers and other means consistent with the  
10 recommendations of the Sensitive Areas Ordinance fencing committee. The plan will be  
11 reviewed and approved by King County.

12 ~~((12. Erosion and sedimentation controls shall be required for all building sites  
13 within the Covington Master Drainage Plan area including single family building sites.  
14 Approved erosion and sedimentation control plans shall be required before initiating  
15 construction and an additional site inspection by the department of development and  
16 environmental services is required at the time of site preparation.))~~

17 C. Conditions authorized. The ~~((surface water management))~~ water and land  
18 resources division is hereby authorized to attach such conditions of approval to any  
19 development as may be necessary to achieve the state standards for fecal coliform and copper  
20 loading, as set out in the Covington Master Drainage Plan~~((, and the flood flow standard  
21 established in the Soos Creek Basin Plan, are met))~~.

22 ~~((D. Conditions North of SR 18. For the portion of the Covington Master Drainage  
23 Plan lying north of SR 18, applications for development approval submitted between March  
24 31, 1993 and September 30, 1993 shall be conditioned as necessary to preclude clearing of  
25 land for or construction of infrastructure or structures prior to completion of the retrofit  
26 facilities which are necessary to reduce copper loadings in Little Soos Creek, those retrofit~~

1 ~~facilities being referred to in the Covington Master Drainage Plan as Kentwood High School,~~  
 2 ~~Mattson Junior High School, and Emerald Downs Subdivision.~~

3 ~~\_\_\_\_\_ E. Severability. Should any section, subsection, paragraph, sentence, clause or~~  
 4 ~~phrase of Ordinance 10293 be declared unconstitutional or invalid for any reason, such~~  
 5 ~~decision shall not affect the validity of the remaining portion of this section.))~~

6 SECTION 8. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030 are  
 7 each hereby amended to read as follows:

8 Bear Creek Basin Plan. The Bear Creek Basin Plan, dated July 1990, as amended by  
 9 ~~((the Utilities Committee on July 2, 1992 as shown in))~~ Attachment A to Ordinance 10513,  
 10 ~~((and as further amended by the Growth Management, Housing and Environment Committee~~  
 11 ~~on September 6, 1995 as shown in))~~ Appendix B to Ordinance 12015 ~~((Proposed Ordinance~~  
 12 ~~92-614))~~ and Appendix C of Ordinance 13190, is adopted ~~((as a functional plan that))~~ to  
 13 implement~~((s))~~ the surface water management and environmental policies of the King County  
 14 Comprehensive Plan. The Bear Creek Basin Plan constitutes official county policy with  
 15 regard to surface water management in the Bear Creek Basin and designates ~~((R))~~regionally  
 16 ~~((S))~~significant ~~((R))~~resource ~~((A))~~areas and ~~((L))~~locally ~~((S))~~significant ~~((R))~~resource  
 17 ~~((A))~~areas depicted in the Bear Creek Basin Plan. Pursuant to policy NE-307 of the 1994  
 18 King County Comprehensive Plan the King County executive shall study the standards of  
 19 protection needed for ~~((R))~~regionally ~~((S))~~significant ~~((R))~~resource ~~((A))~~areas and  
 20 ~~((L))~~locally ~~((S))~~significant ~~((R))~~resource ~~((A))~~areas and report the findings and  
 21 recommendations to the council in 1995. Based on the report, the ~~((M))~~metropolitan King  
 22 County ~~((C))~~council will review and may revise the ~~((R))~~regionally ~~((S))~~significant  
 23 ~~((R))~~resource ~~((A))~~areas and ~~((L))~~locally ~~((S))~~significant ~~((R))~~resource ~~((A))~~areas designated  
 24 in the Bear Creek Basin Plan.

25 ~~((The requirements for drainage facilities in the Bear Creek Basin Plan shall supersede~~  
 26 ~~requirements in the King County Surface Water Management Design Manual unless~~  
 27 ~~specifically superseded in an update of the manual. References in the Bear Creek Basin Plan~~

1 ~~and documents and tables included therein to "steep slope" or "community plan" standards~~  
 2 ~~are to be governed by the "stream protection" standards.1\*)~~

3 SECTION 9. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040 are  
 4 each hereby amended to read as follows:

5 Hylebos Creek and Lower Puget Sound Basin Plan. The executive Proposed Hylebos  
 6 Creek and Lower Puget Sound Basin Plan, dated July 1991, Attachment A as amended in  
 7 Attachment B to Ordinance 11087 and by Appendix D of Ordinance 13190, is adopted ~~((as a~~  
 8 ~~functional plan))~~ to implement~~((ing))~~ surface water management and environmental policies  
 9 of the King County Comprehensive Plan. ~~((As an amplification and augmentation of the~~  
 10 ~~King County Comprehensive))~~ The executive Proposed Hylebos Creek and Lower Puget  
 11 Sound Basin Plan~~((, it))~~ constitutes official county policy with regard to surface water  
 12 management in the Hylebos Creek and Lower Puget Sound Basins and designates regionally  
 13 significant resource areas and locally significant resource areas in the basins.

14 SECTION 10. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050 are  
 15 each hereby amended to read as follows:

16 East Lake Sammamish Basin Plan and Non~~((P))~~point Action Plan. The East Lake  
 17 Sammamish Basin Plan and Non~~((P))~~point Action Plan consisting of Volume 1, dated May  
 18 11, 1992 and Volume 2 dated December 1992 as shown in Attachment A to Ordinance  
 19 11111, as amended in Attachment B to Ordinance 11111 and by Appendix E of Ordinance  
 20 13190, is adopted ~~((as a functional plan that))~~ to implement~~((s))~~ the surface water management  
 21 and environmental policies of the King County Comprehensive Plan. ~~((As an amplification~~  
 22 ~~and augmentation of the King County Comprehensive))~~ The East Lake Sammamish Basin  
 23 Plan and Non-Point Action Plan~~((, it))~~ constitutes official county policy with regard to  
 24 surface water management in the East Lake Sammamish Basin and designates regionally  
 25 significant resource areas and locally significant resource areas in the basin.

26 SECTION 11. Ordinance 11886, Sections 1 and 4, and K.C.C. 20.14.060 are each  
 27 hereby amended to read as follows:



1           (~~Watershed Management Committee - Proposed~~) Issaquah Creek Basin and  
 2 Nonpoint Action Plan. ((A.)) The Watershed Management Committee - Proposed Issaquah  
 3 Creek Basin and Nonpoint Action Plan, as shown in Attachment A to Ordinance 11886 and  
 4 amended in Attachment B to Ordinance 11886 and Appendix F of Ordinance 13190, is  
 5 adopted to implement the surface water management and environmental policies of the King  
 6 County Comprehensive Plan. The Watershed Management Committee - Proposed Issaquah  
 7 Creek Basin Plan and Nonpoint Action Plan constitutes official county policy with regard to  
 8 surface water management in the Issaquah Creek basin and designates regionally significant  
 9 resource areas and locally significant resource areas in the basin. Pursuant to policy NE-307  
 10 of the 1994 King County Comprehensive Plan the King County executive shall study the  
 11 standards of protection needed for regionally significant resource areas and locally significant  
 12 resource areas and report the findings and recommendations to the council in 1995. Based on  
 13 the report, the ((M))metropolitan King County Council will review and may revise the  
 14 regionally significant resource areas and locally significant resource areas designated in the  
 15 Issaquah Creek Basin Plan.

16           (~~B. The requirements for drainage facilities in the Watershed Management Committee -  
 17 Proposed Issaquah Creek Basin and Nonpoint Action Plan shall supersede requirements in  
 18 the King County Surface Water Management Design Manual unless they are specifically  
 19 superseded in an update of the manual.~~)

20           SECTION 12. Ordinance 12809, Section 1, and K.C.C. 20.14.070 are each hereby  
 21 amended to read as follows:

22           Lower Cedar River Basin Plan and Nonpoint Pollution Action Plan. A. The Watershed  
 23 Management Committee - Proposed Lower Cedar River Basin and Nonpoint Pollution  
 24 Action Plan, as shown in Attachment A and as amended in Attachment B to Ordinance  
 25 12809\* and Appendix G of Ordinance 13190, is adopted to implement the surface water  
 26 management and environmental policies of the King County Comprehensive Plan, provided,  
 27 however, the following conditions shall apply:

1 1. The executive shall transmit within thirty days from the council's adoption of the  
2 Lower Cedar River Basin and Nonpoint Pollution Action Plan, legislation which establishes a  
3 detailed work plan and any necessary code changes to implement the forest incentive  
4 program elements described in Chapter 4; and

5 2. The executive shall transmit to the council for review by the utilities & natural  
6 resources committee with sixty days of the council's adoption of the Lower Cedar River  
7 Basin and Nonpoint Pollution Action Plan, the base line data and the methodology for  
8 monitoring and evaluating the progress of the forest incentive program in the Cedar River  
9 Basin consistent with the indicators outlined in Chapter 4, and shall thereafter submit annual  
10 progress reports to the council consistent with that established methodology; and

11 3. The executive shall transmit to the council for review by the utilities & natural  
12 resources committee within sixty days of the council's adoption of the Lower Cedar River  
13 Basin and Nonpoint Pollution Action Plan, criteria for prioritizing future surface water CIP  
14 and bond program projects, and the process for early review by the Cedar River Council of  
15 projects proposed for funding in the Cedar River Basin.

16 The Watershed Management Committee - Proposed Lower Cedar River Basin and  
17 Nonpoint Pollution Action Plan constitutes official county policy with regard to surface water  
18 management in the Cedar River basin and designates ((R))regionally ((S))significant  
19 ((R))resource ((A))areas and locally significant resource areas in the basin.

20 ~~((B. The water quality and flow control requirements in the Watershed Management  
21 Committee Proposed Lower Cedar River Basin and Nonpoint Pollution Action Plan shall  
22 supersede requirements in the King County Surface Water Design Manual unless they are  
23 specifically superseded in an update of the manual.))~~

24 SECTION 13. Ordinance 12196, Section 11, and K.C.C. 20.20.040 are each hereby  
25 amended to read as follows:

26 Application requirements. A. The department shall not commence review of any  
27 application set forth in this chapter until the applicant has submitted the materials and fees

1 specified for complete applications. Applications for land use permits requiring Type 1, 2,  
2 3, or 4 decisions shall be considered complete as of the date of submittal upon  
3 determination by the department that the materials submitted meet the requirements of this  
4 section. Except as provided in subsection B of this section, all land use permit applications  
5 described in K.C.C. 20.20.020 Exhibit A shall include the following:

6 1. An application form provided by the department and completed by the  
7 applicant that allows the applicant to file a single application form for all land use permits  
8 requested by the applicant for the development proposal at the time the application is filed;

9 2. Designation of who the applicant is, except that this designation shall not be  
10 required as part of a complete application for purposes of this section when a public agency  
11 or public or private utility is applying for a permit for property on which the agency or  
12 utility does not own an easement or right-of-way and the following three requirements are  
13 met:

14 a. the name of the agency or private or public utility is shown on the application  
15 as the applicant;

16 b. the agency or private or public utility includes in the complete application an  
17 affidavit declaring that notice of the pending application has been given to all owners of  
18 property to which the application applies, on a form provided by the department; and

19 c. the form designating who the applicant is is submitted to the department prior  
20 to permit approval;

21 3. A Certificate of Sewer Availability or site percolation data with preliminary  
22 approval by the Seattle-King County department of public health; or for schools located in  
23 rural areas, a letter indicating compliance with the tightline sewer provisions in the zoning  
24 code, as required by K.C.C. chapter 13.08 or K.C.C. chapter 13.24;

25 4. A current Certificate of Water Availability, if required by K.C.C. chapter  
26 13.24;

- 1           5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C. chapter  
2           21A.40;
- 3           6. A site plan, prepared in a form prescribed by the director;
- 4           7. Proof that the lot or lots are recognized as separate lots pursuant to the  
5           provisions of K.C.C. chapter 19.04, if required by K.C.C. 21A.24.090;
- 6           8. A sensitive areas affidavit if required by K.C.C. chapter 21A.24;
- 7           9. A completed environmental checklist, if required by K.C.C. chapter 20.44,  
8           County Environmental Procedures;
- 9           10. Payment of any development permit review fees, excluding impact fees  
10           collectible pursuant to K.C.C. Title 27, Development Permit Fees;
- 11           11. A list of any permits or decisions applicable to the development proposal that  
12           have been obtained prior to filing the application or that are pending before the county or  
13           any other governmental entity;
- 14           12. Certificate of transportation concurrency from the department of public  
15           works, if required by K.C.C. chapter 14.70;
- 16           13. Certificate of future connection from the appropriate purveyor for lots located  
17           within the ((U))urban ((G))growth ((A))area which are proposed to be served by on-site or  
18           community sewage system and/or group B water systems or private well, if required by  
19           K.C.C. 13.24.136((-)) through 13.24.140;
- 20           14. ((D)) A determination if drainage review applies to the project pursuant to  
21           K.C.C. chapter 9.04, and, if applicable, all drainage plans and documentation required by  
22           ((the code requirements set forth in)) the Surface Water Design Manual adopted pursuant  
23           to K.C.C. chapter 9.04;
- 24           15. Current assessor's maps and a list of tax parcels to which public notice must  
25           be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4  
26           decision;
- 27           16. Legal description of the site;

1 17. Variances obtained or required under K.C.C. Title 21A to the extent known at  
2 the date of application; and

3 18. For commercial site development permits only, a phasing plan and a time  
4 schedule, if the site is intended to be developed in phases or if all building permits will not  
5 be submitted within three years.

6 A permit application is complete for purposes of this section when it meets the  
7 procedural submission requirements of the department and is sufficient for continued  
8 processing even though additional information may be required or project modifications  
9 may be undertaken subsequently. The determination of completeness shall not preclude  
10 the department from requesting additional information or studies either at the time of  
11 notice of completeness or subsequently if new or additional information is required or  
12 substantial changes in the proposed action occur, as determined by the department.

13 B. Additional complete application requirements for the following land use  
14 permits are set forth in the following sections of the King County Code:

- 15 1. Clearing and grading permit, (~~(see)~~) K.C.C. 16.82.060.
- 16 ~~((1))~~2. Construction permits, K.C.C. 16.04.052.
- 17 ~~((2))~~3.. Mobile home permits, K.C.C. 16.04.093.

18 C. The director may specify the requirements of the site plan required to be  
19 submitted for various permits and may waive any of the specific submittal requirements  
20 listed herein that are determined to be unnecessary for review of an application.

21 D. The applicant shall attest by written oath to the accuracy of all information  
22 submitted for an application.

23 E. Applications shall be accompanied by the payment of the applicable filing  
24 fees, if any, as established by K.C.C. Title 27.

25 SECTION 14. Ordinance 10870, Section 165, as amended, and K.C.C. 21A.06.625  
26 are each hereby amended to read as follows:

1 Impervious surface. Impervious surface: For purposes of this title, impervious  
 2 surface shall mean any non((-))vertical surface artificially covered or hardened so as to  
 3 prevent or impede the percolation of water into the soil mantle at natural infiltration rates  
 4 including, but not limited to, roofs ~~((tops excepting eaves))~~, swimming pools, ~~((paved or~~  
 5 ~~graveled roads))~~ areas which are paved, graveled or made of packed or oiled earthen  
 6 materials such as roads, walkways or parking areas and excluding landscaping, surface water  
 7 ((retention/detention)) flow control and water quality treatment facilities, access easements  
 8 serving neighborhood property ((,)) and driveways to the extent that they extend beyond the  
 9 street setback due to location within an access panhandle or due to the application of King  
 10 County Code requirements to site features over which the applicant has no control.

11 SECTION 15. Ordinance 10870, Section 333, and K.C.C. 21A.08.060 are each  
 12 hereby amended to read as follows:

K.C.C. 21A.08.060		RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL					
A. GOVERNMENT/ BUSINESS SERVICE LAND USES		Z O N E	A G R I C U L T U R E	F O R E S T A L	M I N E R A L	R U R A L	U R B A N R E S I D E N T I A L	U R B A N R E S I D E N T I A L	U R B A N R E S I D E N T I A L	N E I G H B O R H O O D	B U S I N E S S	C O M M E R C I A L	R E T A I L O R Y	O F F I C E	I N D U S T R I A L
			U R E	A L	A L	A L	U R B A N R E S I D E N T I A L	U R B A N R E S I D E N T I A L	U R B A N R E S I D E N T I A L	U R B A N R E S I D E N T I A L	H O O D	Y	Y	A L	A L
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I(30)		
<b>GOVERNMENT SERVICES:</b>															
*	Public agency or utility office				P3 C5	P3 C	P3 C	P3 C	P4	P	P	P	P	P	P16
*	Public agency or utility yard				P27	P27	P27	P27				P			P
*	Public agency archives										P	P	P		P
921	Court									P4	P	P	P		
9221	Police Facility									P	P	P	P		
9224	Fire Facility				C6	C6	C6	C6	P	P	P	P	P		
*	Utility Facility	P7 C	P7 C	P7	P7 C28	P29 C28	P29 C28	P29 C28	P	P	P	P	P		
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P18	P18	P18	P18	P31	P31	P31	P31	P		
<b>BUSINESS SERVICES:</b>															
15-17	Construction and Trade												P9	P	P
*	Individual Transportation and Taxi									P25	P	P10	P		
421	Trucking and Courier Service									P11	P12	P13	P		
*	Warehousing, (1). and Wholesale Trade														P
*	Self-service Storage							C14		P	P	P	P		



1           b. ~~((A))~~any buildings from which fire-fighting equipment emerges onto a street  
2 shall maintain a distance of ~~((35))~~ thirty-five feet from such street;

3           c. ~~((N))~~no outdoor storage; and

4           d. ~~((E))~~excluded from the RA-10 and RA-20 zones unless it is demonstrated  
5 that no feasible alternative location is possible.

6           7. Limited to "storefront" police offices. Such offices shall not have:

7           a. ~~((H))~~holding cells,

8           b. ~~((S))~~suspect interview rooms (except in the NB zone), or

9           c. ~~((L))~~long-term storage of stolen properties.

10           8. ~~((Except in commercial/industrial zones or when participating in an  
11 approved shared facility drainage plan, such facilities shall be located on the same lot that  
12 they are designed to serve except in subdivisions that set aside a separate tract for such  
13 facilities. In commercial/industrial zones or shared facilities, such facilities which are not  
14 located on the lot they are designed to serve shall be located on a lot with the same or more  
15 intensive zoning designation.))~~ Private stormwater management facilities serving  
16 development proposals located on commercial/industrial zoned lands shall also be located  
17 on commercial/industrial lands, unless participating in an approved shared facility drainage  
18 plan. Such facilities serving development within an area designated "urban" in the King  
19 County Comprehensive Plan shall only be located in the urban area.

20           9. No outdoor storage of materials.

21           10. Limited to office uses.

22           11. Limited to self-service household moving truck or trailer rental accessory to a  
23 gasoline service station.

24           12. Limited to self-service household moving truck or trailer rental accessory to a  
25 gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

26           13. Limited to SIC Industry No. 4215-Courier Services, except by air.



1           14. Accessory to an apartment development of at least ((12)) twelve units  
2 provided:

3           a. the gross floor area in self service storage shall not exceed the total gross  
4 floor area of the apartment dwellings on the site;

5           b. all outdoor lights shall be deflected, shaded and focused away from all  
6 adjoining property;

7           c. the use of the facility shall be limited to dead storage of household goods;

8           d. no servicing or repair of motor vehicles, boats, trailers, lawn mowers or  
9 similar equipment;

10           e. no outdoor storage or storage of flammable liquids, highly combustible or  
11 explosive materials or hazardous chemicals;

12           f. no residential occupancy of the storage units;

13           g. no business activity other than the rental of storage units; and

14           h. a resident director shall be required on the site and shall be responsible for  
15 maintaining the operation of the facility in conformance with the conditions of approval.

16           15. Limited to products produced on-site.

17           16. Only as an accessory use to another permitted use.

18           17. No outdoor storage.

19           18. Only as an accessory use to a public agency or utility yard, or to a transfer  
20 station.

21           19. Limited to commuter parking facilities for users of transit, carpools or ride-  
22 share programs, provided:

23           a. ((F))they are located on existing parking lots for churches, schools, or other  
24 permitted nonresidential uses which have excess capacity available during commuting  
25 hours; and

26           b. ((F))the site is adjacent to a designated arterial that has been improved to a  
27 standard acceptable to the department of public works.

1 20. No tow-in lots for damaged, abandoned or otherwise impounded vehicles.

2 21. No dismantling or salvage of damaged, abandoned or otherwise impounded  
3 vehicles.

4 22. Storage limited to accessory storage of commodities sold at retail on the  
5 premises or materials used in the fabrication of commodities sold on the premises.

6 23. Limited to emergency medical evacuation sites in conjunction with police,  
7 fire or health service facility.

8 24. Allowed as accessory to an allowed use.

9 25. Limited to private road ambulance services with no outside storage of  
10 vehicles.

11 26. Limited to ~~((2))~~two acres or less.

12 27. a. Utility yards only on sites with utility district offices; or

13 b. public agency yards are limited to material storage for road maintenance  
14 facilities.

15 28. Limited to bulk gas storage tanks which pipe to individual residences but  
16 excluding liquified natural gas storage tanks.

17 29. Excluding bulk gas storage tanks.

18 30. For I-zoned sites located outside the urban growth area designated by the  
19 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
20 industrial uses as set forth in K.C.C. ~~((C))~~chapter21A.12.

21 31. Vactor waste treatment, storage and disposal shall be limited  
22 to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be  
23 stored in tanks (or other covered structures), as well as enclosed buildings.

24 SECTION 16. Ordinance 10870, Section 342 and K.C.C. 21A.12.050 are each  
25 hereby amended as follows:

26 Measurement methods. The following provisions shall be used to determine  
27 compliance with this title:

1           A.     Street setbacks shall be measured from the existing edge of a street right-of-  
2 way or temporary turnaround, except as provided by K.C.C. 21A.12.150;

3           B.     Lot widths shall be measured by scaling a circle of the applicable diameter  
4 within the boundaries of the lot, provided that an access easement shall not be included  
5 within the circle;

6           C.     Building height shall be measured from the average finished grade to the  
7 highest point of the roof. The average finished grade shall be determined by first  
8 delineating the smallest square or rectangle which can enclose the building and then  
9 averaging the elevations taken at the midpoint of each side of the square or rectangle,  
10 provided that the measured elevations do not include berms;

11          D.     Lot area shall be the total horizontal land area contained within the  
12 boundaries of a lot; and

13          E.     Impervious surface calculations shall not include areas of turf, landscaping,  
14 natural vegetation, or surface water (~~(retention/detention))~~ flow control or water quality  
15 treatment facilities.

16           SECTION 17. Ordinance 10870, Section 351 and K.C.C. 21A.12.140 are each  
17 hereby amended as follows:

18           Setbacks - From regional utility corridors. A. In subdivisions and short  
19 subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

20           B.     In other types of land development permits, easements shall be used to  
21 delineate such corridors.

22           C.     All buildings and structures shall maintain a minimum distance of five feet  
23 from property or easement lines delineating the boundary of regional utility corridors,  
24 except for utility structures necessary to the operation of the utility corridor or when  
25 structures are allowed by mutual agreement in the utility corridor.

26           SECTION 18. Ordinance 10870, Section 354 and K.C.C. 21A.12.170 are each  
27 hereby amended as follows:

1           Setbacks - projections allowed. Projections may extend into required setbacks as  
2 follows:

3           A. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or  
4 similar structures may project into any setback, provided such projections are:

- 5                 1. Limited to two per facade;  
6                 2. Not wider than ~~((10))~~ten feet; and  
7                 3. Not more than ~~((24))~~twenty-four inches into an interior setback or ~~((30))~~thirty  
8 inches into a street setback;

9           B. Uncovered porches and decks which exceed ~~((18))~~eighteen inches above the  
10 finished grade may project:

- 11                 1. Eighteen inches into interior setbacks, and  
12                 2. Five feet into the street setback;

13           C. Uncovered porches and decks not exceeding ~~((18))~~eighteen inches above the  
14 finished grade may project to the property line;

15           D. Eaves may not project more than:

- 16                 1. Eighteen inches into an interior setback,  
17                 2. Twenty-four inches into a street setback, or  
18                 3. Eighteen inches across a lot line in a zero-lot-line development; ~~((and ))~~

19           E. Fences with a height of six feet or less may project into any setback, provided  
20 that the sight distance requirements of K.C.C. 21A.12.210 are maintained~~((,))~~; and

21           F. Stormwater conveyance and control facilities, both above and below ground,  
22 provided such projections are:

- 23                 1. Consistent with setback, easement and access requirements specified in the  
24 Surface Water Design Manual, or  
25                 2. In the absence of said specifications, not within five feet of the property line.

26           SECTION 19. Ordinance 10870, Section 454, as amended, and K.C.C. 21A.24.070  
27 are each hereby amended to read as follows:

1           Exceptions. A. If the application of this chapter would prohibit a development  
2 proposal by a public agency and utility, the agency or utility may apply for an exception  
3 pursuant to this subsection:

4           1. The public agency or utility shall apply to the department and shall make  
5 available to the department other related project documents such as permit applications to  
6 other agencies, special studies and SEPA documents.

7           2. The department shall review the application based on the following criteria:

8           a. there is no other practical alternative to the proposed development with less  
9 impact on the sensitive area; and

10           b. the proposal minimizes the impact on sensitive areas.

11           3. The department shall process exceptions, provide public notice, and provide  
12 opportunity for the public to request a public hearing, and provide an appeal process  
13 consistent with the provisions of K.C.C. 20.20.

14           4. This exception shall not allow the use of the following sensitive areas for  
15 regional (~~retention/detention~~) stormwater management facilities except where there is a  
16 clear showing that the facility will protect public health and safety or repair damaged  
17 natural resources:

18           a. class 1 streams or buffers;

19           b. class 1 wetlands or buffers with plant associations of infrequent occurrence;

20 or

21           c. class 1 or 2 wetlands or buffers which provide critical or outstanding habitat  
22 for herons, raptors or state or federal designated endangered or threatened species unless  
23 clearly demonstrated by the applicant that there will be no impact on such habitat.

24           B. If the application of this chapter would deny all reasonable use of the property, the  
25 applicant may apply for an exception pursuant to this subsection:  
26

1           1. The applicant may apply for a reasonable use exception without first having applied  
2 for a variance if the requested exception includes relief from standards for which a variance  
3 cannot be granted pursuant to the provisions of K.C.C. chapter 21A.44. The applicant shall  
4 apply to the department, and the department shall make a final decision based on the  
5 following criteria:

6           a. the application of this chapter would deny all reasonable use of the property;  
7           b. there is no other reasonable use with less impact on the sensitive area;  
8           c. the proposed development does not pose an unreasonable threat to the public  
9 health, safety or welfare on or off the development proposal site and is consistent with the  
10 general purposes of this chapter and the public interest; and

11           d. any alterations permitted to the sensitive area shall be the minimum necessary  
12 to allow for reasonable use of the property; and any authorized alteration of a sensitive area  
13 under this subsection shall be subject to conditions established by the department including,  
14 but not limited to, mitigation under an approved mitigation plan.

15           ~~(((Editor's Note: The following paragraphs were adopted by Ordinance 10870 as  
16 amended by 11621; repeating a portion of K.C.C. 21A.24.070 as then stated.) The  
17 applicant may apply for a reasonable use exception without first having applied for a  
18 variance if the requested exception includes relief from standards for which a variance  
19 cannot be granted pursuant to the provisions of K.C.C. 21A.44;~~

20           ~~2. The examiner shall review the application in consultation with the prosecuting  
21 attorney and shall conduct a public hearing pursuant to the provisions of K.C.C. 20.24.080.  
22 The examiner shall make a final decision based on the following criteria:~~

- 1 ~~a. the application of this chapter would deny all reasonable use of the~~
- 2 ~~property;~~
- 3 ~~b. there is no other reasonable use with less impact on the sensitive area;~~
- 4 ~~c. the proposed development does not pose an unreasonable threat to the~~
- 5 ~~public health, safety or welfare on or off the development proposal site and is consistent with~~
- 6 ~~the general purposes of this chapter and the public interest; and~~
- 7 ~~d. any alterations permitted to the sensitive area shall be the minimum~~
- 8 ~~necessary to allow for reasonable use of the property; and ))~~

9           SECTION 20. Ordinance 11621, Section 70, as amended, and K.C.C. 21A.24.075 are  
 10 each hereby amended to read as follows:

11           Modification or waiver of sensitive area requirements - urban lots. The purpose of  
 12 this section is to provide an alternative to the variance, and exception processes for minor  
 13 development. A further purpose of this section is to minimize impacts to sensitive areas by  
 14 allowing minor modifications of the zoning code which allow single family residences on  
 15 existing, legal urban lots without requiring a variance or exception. The director shall have  
 16 the discretion to modify or waive some or all of the requirements of this title, including  
 17 mitigation requirements, pertaining to class 3 wetlands, class 3 streams, and their  
 18 associated buffers or building setback areas in accordance with the provisions of this  
 19 section.

20           A. An applicant may request a modification or waiver of sensitive area  
 21 requirements pursuant to this section provided the lot or lots are located in an ((L))urban  
 22 ((A))area designated in the King County ((C))Comprehensive ((P))Plan; and

23           B. The applicant for the modification or waiver of sensitive area requirements  
 24 shall submit any sensitive area special studies following a pre((-))application review

1 meeting as required under K.C.C. 21A.24.110 as well as such other documents((,))or  
2 studies, as requested by the director.

3 C. The director may grant a modification or waiver of sensitive area  
4 requirements provided:

5 1. The proposal is the minimum necessary to accommodate the building footprint  
6 and access. In no case, however, shall the building footprint exceed 5000 square feet,  
7 including access,

8 2. Access is located so as to have the least impact on the sensitive area and its  
9 buffer,

10 3. The proposal preserves the functions and values of wetlands and streams to the  
11 maximum extent possible,

12 4. Adverse impacts resulting from alterations of steep slopes are minimized,

13 5. The proposal includes on-site mitigation to the maximum extent possible,

14 6. The proposal will not significantly affect drainage capabilities, flood potential,  
15 and steep slopes and landslide hazards either on neighboring properties or on the proposal  
16 itself; and

17 7. The proposal first develops non((-))sensitive area land, then the sensitive area  
18 buffer before the sensitive area itself is developed.

19 The director may require on-site or off-site mitigation measures to compensate for  
20 the loss of the functions and values of the sensitive areas and may impose mitigating  
21 conditions to the modification or waiver in order to meet the standards of this subsection C.

22 D. Where a modification or waiver of sensitive area requirements under this  
23 section is proposed, the director shall give written mailed notice of the proposed  
24 modification or waiver to all owners of property located within three hundred feet of any  
25 boundary of the subject property and to the water and land resources division and shall  
26 allow fifteen calendar days for comment before making a decision. The decision of the  
27 director regarding the modification or waiver shall be mailed to the applicant and to any



1 other person who requests a copy. The decision shall state the reasons for denial or any  
 2 required mitigation or other conditions imposed. The decision of the director regarding the  
 3 modification or waiver may be appealed per K.C.C. 21A.24.030.

4 E. This section shall not apply to the following steep slope hazard areas:

- 5 1. ~~((S))~~ steep slope hazard areas that are unmitigatable landslide hazard areas; and
- 6 2. ~~((S))~~ steep slope hazard areas of slope greater than ~~((70%))~~ seventy percent  
 7 where either the lot or slope are abutting and above a Class 1 or 2 wetland stream, and  
 8 associated buffer, or an open stormwater conveyance system.

9 SECTION 21. Ordinance 10870, Section 478, as amended, and K.C.C. 21A.24.310  
 10 are each hereby amended to read as follows:

11 Steep slope hazard areas: Development standards and permitted alterations. A  
 12 development proposal on a site containing a steep slope hazard area shall meet the  
 13 following requirements:

14 A. A minimum buffer of ~~((50))~~ fifty feet shall be established from the top, toe  
 15 and along all sides of any slope ~~((40%))~~ forty percent or steeper. The buffer shall be  
 16 extended as required to mitigate a landslide or erosion hazard or as otherwise necessary to  
 17 protect the public health, safety and welfare. The buffer may be reduced to a minimum of  
 18 ten feet if, based on a special study, King County determines that the reduction will  
 19 adequately protect the proposed development and the sensitive area. The buffer may only  
 20 be reduced to twenty-five feet in the case of erosion hazard areas. For single family  
 21 residential building permits only, King County may waive the special study requirement  
 22 and authorize buffer reductions, pursuant to ~~((section))~~ K.C.C. 21A.24.075 ~~((of this~~  
 23 ~~ordinance))~~ or if King County determines that the reduction will adequately protect the  
 24 proposed development and the sensitive area;

25 B. Unless otherwise provided herein or as part of an approved alteration,  
 26 removal of any vegetation from a steep slope hazard area or buffer shall be prohibited,  
 27 except for limited removal of vegetation necessary for surveying purposes and for the

1 removal of hazard trees determined to be unsafe according to tree selection rules  
2 promulgated pursuant to this chapter. Notice to King County shall be provided prior to any  
3 vegetation removal permitted by this subsection;

4 C. Vegetation on steep slopes within steep slope hazard areas or their buffers  
5 which has been damaged by human activity or infested by noxious weeds may be replaced  
6 with vegetation native to King County pursuant to a vegetation management plan approved  
7 by King County. The use of hazardous substances, pesticides and fertilizers in steep slope  
8 hazard areas and their buffers may be prohibited by King County;

9 D. Alterations to steep slope hazard areas and buffers may be allowed only as  
10 follows:

11 1. Approved surface water conveyances, as specified in the Surface Water  
12 Design Manual, may be allowed on steep slopes if they are installed in a manner to  
13 minimize disturbance to the slope and vegetation;

14 2. Public and private trails may be allowed on steep slopes as approved by the  
15 county. Under no circumstances shall trails be constructed of concrete, asphalt or other  
16 impervious surfaces which will contribute to surface water run-off, unless such  
17 construction is necessary for soil stabilization or soil erosion prevention or unless the trail  
18 system is specifically designed and intended to be accessible to handicapped persons.  
19 Additional requirements for trail construction may be set forth in administrative rules;

20 3. Utility corridors may be allowed on steep slopes if a special study shows that  
21 such alteration will not subject the area to the risk of landslide or erosion;

22 4. Limited trimming and pruning of vegetation may be allowed on steep slopes  
23 pursuant to an approved vegetation management plan for the creation and maintenance of  
24 views if the soils are not disturbed and the activity is subject to administrative rules;

25 5. Approved mining and quarrying activities may be allowed; and

26 6. Stabilization of sites where erosion or landsliding threaten public or private  
27 structures, utilities, roads, driveways or trails, or where erosion and landsliding threatens

1 any lake, stream, wetland or shoreline. Stabilization work shall be performed in a manner  
2 which causes the least possible disturbance to the slope and its vegetative cover; and

3 7. Reconstruction, remodeling(~~(,)~~) or replacement of an existing structure upon  
4 another portion of an existing impervious surface which was established pursuant to King  
5 County laws and regulations may be allowed provided:

- 6 a. if within the buffer, the structure is located no closer to the steep slope than
- 7 the existing structure,
- 8 b. the existing impervious surface within the buffer or steep slope is not
- 9 expanded as a result of the reconstruction or replacement.

10 E. Point discharges from surface water facilities onto or upstream from steep  
11 slope hazard areas that are also erosion hazard areas shall be prohibited except as follows:

- 12 1. Conveyed via continuous storm pipe downslope to a point where there are no
- 13 erosion hazard areas downstream from the discharge;
- 14 2. Discharged at flow durations matching predeveloped conditions, with
- 15 adequate energy dissipation, into existing channels that previously conveyed stormwater
- 16 runoff in the predevelopment state; or
- 17 3. Dispersed discharge upslope of the steep slope onto a low-gradient
- 18 undisturbed buffer demonstrated to be adequate to infiltrate all surface and stormwater
- 19 runoff.

20 ~~(E,)~~ F. The following are exempt from the provisions of this section:

- 21 1. Slopes which are ~~((40%))~~ forty percent or steeper with a vertical elevation
- 22 change of up to 20 feet if no adverse impact will result from the exemption based on King
- 23 County's review of and concurrence with a soils report prepared by a geologist or
- 24 geotechnical engineer; and
- 25 2. The approved regrading of any slope which was created through previous legal
- 26 grading activities. Any slope which remains ~~((40%))~~ forty percent or steeper following
- 27 site development shall be subject to all requirements for steep slopes.

1            SECTION 22. Ordinance 10870, section 480, as amended, and K.C.C. 21A.24.330  
2 are hereby amended as follows:

3            Wetlands: permitted alterations. Alterations to wetlands and buffers may be  
4 allowed pursuant to ((~~section~~)) K.C.C. 21A.24.075 or as follows:

5            A.        Alterations may be permitted if King County determines, based upon its  
6 review of special studies completed by qualified professionals, that:

7                    1.        The wetland does not serve any of the valuable functions of wetlands  
8 identified in K.C.C. 21A.06.1415 including, but not limited to, biologic and hydrologic  
9 functions; or

10                    2.        The proposed development will:

11                            a.        protect, restore or enhance the wildlife habitat, natural drainage or other  
12 valuable functions of the wetland resulting in a net improvement to the functions of the  
13 wetland system;

14                            b.        develop a plan for its design, implementation, maintenance and monitoring  
15 prepared by a civil engineer and a qualified biologist;

16                            c.        perform the restoration or enhancement under the direction of a qualified  
17 biologist; and

18                            d.        will otherwise be consistent with the purposes of this chapter.

19            B.        To establish the conditions in subsection A., detailed studies may be  
20 required as part of the special study on habitat value, hydrology, erosion and deposition  
21 and/or water quality. Such detailed studies shall include specific recommendations for  
22 mitigation which may be required as a condition of any development proposal approval.  
23 The recommendations may include, but are not limited to, construction techniques or  
24 design, drainage or density specifications;

25            C.        If a wetland is in a flood hazard area, the applicant shall notify affected  
26 communities and native tribes of proposed alterations prior to any alteration and submit  
27 evidence of such notification to the Federal Insurance Administration;

1 D. There shall be no introduction of any plant or wildlife which is not  
2 indigenous to King County into any wetland or buffer unless authorized by a state or  
3 federal permit or approval;

4 E. Utilities may be allowed in wetland buffers if:

- 5 1. King County determines that no practical alternative location is available; and
- 6 2. The utility corridor meets any additional requirements set forth in  
7 administrative rules including, but not limited to, requirements for installation, replacement  
8 of vegetation and maintenance;

9 F. Sewer utility corridors may be allowed in wetland buffers only if:

- 10 1. The applicant demonstrates that sewer lines are necessary for gravity flow;
- 11 2. The corridor is not located in a wetland or buffer used by species listed as  
12 endangered or threatened by the state or federal government or containing critical or  
13 outstanding actual habitat for those species or heron rookeries or raptor nesting trees;
- 14 3. The corridor alignment including, but not limited to, any allowed maintenance  
15 roads follows a path beyond a distance equal to (~~(75%)~~) seventy-five percent of the buffer  
16 width from the wetland edge;
- 17 4. Corridor construction and maintenance protects the wetland and buffer and is  
18 aligned to avoid cutting trees greater than (~~(12)~~) twelve inches in diameter at breast height,  
19 when possible, and pesticides, herbicides and other hazardous substances are not used;
- 20 5. An additional, contiguous and undisturbed buffer, equal in width to the  
21 proposed corridor including any allowed maintenance roads, is provided to protect the  
22 wetland;
- 23 6. The corridor is revegetated with appropriate vegetation native to King County  
24 at pre(~~(-)~~)construction densities or greater immediately upon completion of construction or  
25 as soon thereafter as possible, and the sewer utility ensures that such vegetation survives;
- 26 7. Any additional corridor access for maintenance is provided, to the extent  
27 possible, at specific points rather than by a parallel road; and

1           8. The width of any necessary parallel road providing access for maintenance is  
2 as small as possible, but not greater than ~~((15))~~ fifteen feet, the road is maintained without  
3 the use of herbicides, pesticides or other hazardous substances and the location of the road  
4 is contiguous to the utility corridor on the side away from the wetland;

5           G. Joint use of an approved sewer utility corridor by other utilities may be  
6 allowed.

7           H. The following surface water management activities and facilities may be  
8 allowed in wetland or their buffers only as follows:

9           1. Surface water discharge to a wetland from a ~~((detention))~~ flow control or water  
10 quality treatment facility, ~~((pre-settlement))~~ sediment pond or other surface water  
11 management activity or facility may be allowed if the discharge does not increase the rate  
12 of flow, change the plant composition in a forested wetland or decrease the water quality of  
13 the wetland;

14           2. A class 1, 2 or 3 wetland or buffer may be used for a regional  
15 ~~((retention/detention))~~ flow control facility if:

16           a. a public agency and utility exception is granted pursuant to K.C.C.  
17 21A.24.070;

18           b. all requirements of the Surface Water Design Manual are met;

19           c. the use will not alter the rating or the factors used in rating the wetland;

20           d. the proposal is in compliance with the latest adopted findings of the Puget  
21 Sound Wetlands Research Project; and

22           e. there are no significant adverse impacts to the wetland;

23           3. Isolated class 3 wetlands and buffers which are grazed wet meadows may be  
24 used as a ~~((retention/detention))~~ flow control facility if:

25           a. pre((-) settlement ~~((pond))~~ or water quality treatment is required ~~((providing~~  
26 ~~that))~~ prior to flow into the wetland, and

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b. they are not part of, or immediately adjacent to, an LSRA, RSRA or a designated (~~riparian~~) wildlife habitat corridor and all requirements of the Surface Water Design Manual are met; and

4. Use of a wetland buffer for a surface water management activity or facility, other than a (~~retention/detention~~) flow control or water quality treatment facility, such as an energy dissipater and associated pipes, may be allowed only if the applicant demonstrates, to the satisfaction of King County, that:

- a. no practicable alternative exists; and
- b. the functions of the buffer or the wetland are not adversely affected;

I. Public and private trails may be allowed in wetland buffers only upon adoption of administrative rules consistent with the following:

1. The trail surface shall not be made of impervious materials, except that public multi-purpose trails such as the Burke-Gilman Trail may be made of impervious materials if they meet all other requirements including water quality; and

2. Buffers shall be expanded, where possible, equal to the width of the trail corridor including disturbed areas;

J. A dock, pier, moorage, float or launch facility may be allowed, subject to the provisions of K.C.C. Title 25, if:

1. The existing and zoned density around the wetland is three dwelling units per acre or more;

2. At least (~~75%~~) seventy-five percent of the lots around the wetland have been built upon and no significant buffer or wetland vegetation remains on these lots; and

3. Open water is a significant component of the wetland;

K. Alterations to isolated wetlands may be allowed only as follows:

1. On sites of less than (~~20~~) twenty acres in size, one isolated wetland may be altered by relocating its functions into a new wetland on the site pursuant to an approved mitigation plan;

1           2. On sites ((20)) twenty acres or greater in size, up to three isolated wetlands  
2 may be altered by combining their functions into one or more replacement wetlands on the  
3 site pursuant to an approved mitigation plan; and

4           3. Whenever an isolated wetland is altered pursuant to this subsection, the  
5 replacement wetland shall include enhancement for wildlife habitat;

6           L. One additional agricultural building or associated residence may be allowed  
7 within the wetland buffer on a grazed wet meadow if all hydrologic storage is replaced on  
8 the site;

9           M. Subject to a clearing and grading permit issued pursuant to K.C.C. chapter  
10 16.82, the cutting of up to one cord of firewood may be permitted in buffers of five acres or  
11 larger in any year if the overall function of the buffer is not adversely affected. Removal of  
12 brush may also be permitted for the purpose of enhancing tree growth if the area of  
13 removal is limited to the diameter of the tree canopy at the time of planting; and

14           N. Wetland road crossings may be allowed if:

- 15           1. King County determines that no alternative access is practical;
- 16           2. All crossings minimize impact to the wetland and provide mitigation for  
17 unavoidable impacts through restoration, enhancement or replacement of disturbed areas;
- 18           3. Crossings do not change the overall wetland hydrology;
- 19           4. Crossings do not diminish the flood storage capacity of the wetland; and
- 20           5. All crossings are constructed during summer low water periods.

21           O. Reconstruction, remodeling, or replacement of an existing structure upon  
22 another portion of an existing impervious surface which was established pursuant to King  
23 County laws and regulations may be allowed provided:

- 24           1. If within the buffer, the structure is located no closer to the wetland than the  
25 existing structure,
- 26           2. The existing impervious surface within the buffer or wetland is not expanded  
27 as a result of the reconstruction or replacement.



1 P. Wetland enhancement or restoration not associated with any other  
2 development proposal may be allowed if accomplished according to a plan for its design,  
3 implementation, maintenance and monitoring prepared by a civil engineer and a qualified  
4 biologist and carried out under the direction of a qualified biologist. Restoration or  
5 enhancement must result in a net improvement to the functions of the wetland system; and

6 Q. A minor wetland restoration project for fish habitat enhancement may be  
7 allowed if:

- 8 1. The restoration is sponsored by a public agency with a mandate to do such  
9 work;
- 10 2. The restoration is not associated with mitigation of a specific development  
11 proposal;
- 12 3. The restoration is limited to revegetation of wetlands and their buffers and  
13 other specific fish and wildlife habitat improvements that result in a net improvement to  
14 the functions of the wetland system;
- 15 4. The restoration only involves the use of hand labor and light equipment, or the  
16 use of helicopters and cranes which deliver supplies to the project site provided that they  
17 have no contact with sensitive areas or their buffers; and
- 18 5. The restoration is performed under the direction of a qualified biologist.

19 SECTION 23. Ordinance 10870, section 481, as amended, and K.C.C. 21A.24.340  
20 are hereby amended as follows:

21 Wetlands: Mitigation requirements. A. Restoration shall be required when a  
22 wetland or its buffer is altered in violation of law or without any specific permission or  
23 approval by King County. The following minimum requirements shall be met for the  
24 restoration of a wetland:

- 25 1. The original wetland configuration shall be replicated including its depth,  
26 width, length and gradient at the original location;
- 27 2. The original soil type and configuration shall be replicated;

1           3. The wetland edge and buffer configuration shall be restored to its original  
2 condition;

3           4. The wetland, edge and buffer shall be replanted with vegetation native to King  
4 County which replicates the original vegetation in species, sizes and densities; and

5           5. The original wetland functions shall be restored including, but not limited to,  
6 hydrologic and biologic functions.

7           B. The requirements in subsection A. may be modified if the applicant  
8 demonstrates that greater wetland functions can otherwise be obtained.

9           C. Replacement shall be required when a buffer is altered pursuant to an  
10 approved development proposal or a wetland is used for a regional (~~retention/detention~~)  
11 flow control facility or other approved use. The requirements for the restoration of  
12 wetlands shall be met by replacement wetlands.

13           D. Enhancement may be allowed when a wetland or buffer will be altered  
14 pursuant to a development proposal, but the wetland's biologic and/or hydrologic functions  
15 will be improved. Minimum requirements for enhancement shall be established in  
16 administrative rules.

17           E. All alterations of wetlands shall be replaced or enhanced on the site or  
18 within the same drainage basin using the following formulas: class 1 and 2 wetlands on a  
19 2:1 basis and class 3 wetlands on a 1:1 basis with equivalent or greater biologic functions  
20 including, but not limited to, habitat functions and with equivalent hydrologic functions  
21 including, but not limited to, storage capacity.

22           F. Replacement or enhancement off the site may be allowed if the applicant  
23 demonstrates to the satisfaction of King County that the off-site location is in the same  
24 drainage sub-basin as the original wetland and that greater biologic and hydrologic  
25 functions will be achieved. The formulas in subsection E. shall apply to replacement and  
26 enhancement off the site.

1 G. Surface water management or flood control alterations including, but not  
2 limited to, wetponds shall not constitute replacement or enhancement unless other  
3 functions are simultaneously improved.

4 H. Mitigation sites should be located to alleviate wildlife habitat fragmentation.

5 SECTION 24. Ordinance 10870, section 484, as amended, and K.C.C. 21A.24.370  
6 are hereby amended as follows:

7 Streams: Permitted alterations. Alterations to streams and buffers may be allowed  
8 pursuant to ((~~section~~)) K.C.C. 21A.24.075 or as follows:

9 A. Alterations may only be permitted if based upon a special study;

10 B. The applicant shall notify affected communities and native tribes of  
11 proposed alterations prior to any alteration if a stream is in a flood hazard area and shall  
12 submit evidence of such notification to the Federal Insurance Administration;

13 C. There shall be no introduction of any plant or wildlife which is not  
14 indigenous to King County into any stream or buffer unless authorized by a state or federal  
15 permit or approval;

16 D. Utilities may be allowed in stream buffers if:

17 1. No practical alternative location is available;

18 2. The utility corridor meets any additional requirements set forth in  
19 administrative rules including, but not limited to, requirements for installation, replacement  
20 of vegetation and maintenance;

21 3. The requirements for sewer utility corridors in K.C.C. 21A.24.330 shall also  
22 apply to streams; and

23 4. Joint use of an approved sewer utility corridor by other utilities may be  
24 allowed.

25 E. The following surface water management activities and facilities may be  
26 allowed in stream buffers as follows:

1           1. Surface water discharge to a stream from a (~~(detention)~~) flow control or water  
2 quality treatment facility, (~~(pre-settlement)~~) sediment pond or other surface water  
3 management activity or facility may be allowed if the discharge is in compliance with the  
4 Surface Water Design Manual;

5           2. A class 2 stream or buffer may be used for a regional (~~(retention/detention)~~)  
6 stormwater management facility if:

7           a. a public agency and utility exception is granted pursuant to K.C.C.  
8 21A.24.070;

9           b. all requirements of the Surface Water Design Manual are met;

10          c. the use will not alter the rating or the factors used in rating the stream;

11          d. there are no significant adverse impacts to the stream; and

12          3. A class 3 stream or buffer may be used as a regional (~~(retention/detention)~~)  
13 stormwater management facility if the alteration will have no lasting adverse impact on any  
14 stream and all requirements of the Surface Water Design Manual are met;

15          F. Except as provided in subsection G, public and private trails may be  
16 allowed in stream buffers only upon adoption of administrative rules consistent with the  
17 following:

18           1. The trail surface shall not be made of impervious materials, except that public  
19 multi-purpose trails such as the Burke-Gilman Trail may be made of impervious materials  
20 if they meet all other requirements including water quality; and

21           2. Buffers shall be expanded, where possible, equal to the width of the trail  
22 corridor including disturbed areas;

23          G. Stream crossings may be allowed and may encroach on the otherwise  
24 required stream buffer if:

25           1. All crossings use bridges or other construction techniques which do not  
26 disturb the stream bed or bank, except that bottomless culverts or other appropriate  
27 methods demonstrated to provide fisheries protection may be used for class 2 or 3 streams

1 if the applicant demonstrates that such methods and their implementation will pose no  
2 harm to the stream or inhibit migration of fish;

3 2. All crossings are constructed during the summer low flow and are timed to  
4 avoid stream disturbance during periods when use is critical to salmonids;

5 3. Crossings do not occur over salmonid spawning areas unless King County  
6 determines that no other possible crossing site exists;

7 4. Bridge piers or abutments are not placed within the FEMA floodway or the  
8 ordinary high water mark;

9 5. Crossings do not diminish the flood-carrying capacity of the stream;

10 6. Underground utility crossings are laterally drilled and located at a depth of  
11 four feet below the maximum depth of scour for the base flood predicted by a civil  
12 engineer licensed by the ((S))state of Washington. Temporary bore pits to perform such  
13 crossings may be permitted within the stream buffer established in ((section)) K.C.C.  
14 21A.24.360. Crossing of Class 3 streams when dry may be made with open cuts; and

15 7. Crossings are minimized and serve multiple purposes and properties whenever  
16 possible;

17 H. Stream relocations may be allowed only for:

18 1. Class 2 streams as part of a public road project for which a public agency and  
19 utility exception is granted pursuant to K.C.C. 21A.24.050; and

20 2. Class 3 streams for the purpose of enhancing resources in the stream if:

21 a. appropriate floodplain protection measures are used; and

22 b. the relocation occurs on the site, except that relocation off the site may be  
23 allowed if the applicant demonstrates that any on-site relocation is impracticable, the  
24 applicant provides all necessary easements and waivers from affected property owners and  
25 the off-site location is in the same drainage sub((-))basin as the original stream;

26 I. For any relocation allowed by this section, the applicant shall demonstrate,  
27 based on information provided by a civil engineer and a qualified biologist, that:

- 1 1. The equivalent base flood storage volume and function will be maintained;
- 2 2. There will be no adverse impact to local groundwater;
- 3 3. There will be no increase in velocity;
- 4 4. There will be no interbasin transfer of water;
- 5 5. There will be no increase in the sediment load;
- 6 6. Requirements set out in the mitigation plan are met;
- 7 7. The relocation conforms to other applicable laws; and
- 8 8. All work will be carried out under the direct supervision of a qualified
- 9 biologist;

10 J. A stream channel may be stabilized if:

11 1. Movement of the stream channel threatens existing residential or commercial  
12 structures, public facilities or improvements, unique natural resources or the only existing  
13 access to property; and

14 2. The stabilization is done in compliance with the requirements of K.C.C.  
15 21A.24.230 through 21A.24.270 and administrative rules promulgated pursuant to this  
16 chapter;

17 K. Stream enhancement not associated with any other development proposal  
18 may be allowed if accomplished according to a plan for its design, implementation,  
19 maintenance and monitoring prepared by a civil engineer and a qualified biologist and  
20 carried out under the direction of a qualified biologist;

21 L. A minor stream restoration project for fish habitat enhancement may be  
22 allowed if:

23 1. The restoration is sponsored by a public agency with a mandate to do such  
24 work;

25 2. The restoration is unassociated with mitigation of a specific development  
26 proposal;

1           3. The restoration is limited to placement of rock weirs, log controls, spawning  
2 gravel and other specific salmonid habitat improvements;

3           4. The restoration only involves the use of hand labor and light equipment; or the  
4 use of helicopters and cranes which deliver supplies to the project site provided that they  
5 have no contact with sensitive areas or their buffers; and

6           5. The restoration is performed under the direction of a qualified biologist;

7           M. Roadside and agricultural drainage ditches which carry streams with  
8 salmonids may be maintained through use of best management practices developed in  
9 consultation with relevant county, state and federal agencies. These practices shall be  
10 adopted as administrative rules; ((and))

11           N. Subject to a clearing and grading permit issued pursuant to K.C.C. chapter  
12 16.82, the cutting of up to one cord of firewood may be permitted in buffers of five acres or  
13 larger in any year if the overall function of the buffer is not adversely affected. Removal of  
14 brush may also be permitted for the purpose of enhancing tree growth if the area of  
15 removal is limited to the diameter of the tree canopy at the time of planting.

16           O. Reconstruction, remodeling, or replacement of an existing structure upon  
17 another portion of an existing impervious surface which was established pursuant to King  
18 County laws and regulations may be allowed provided:

19           1. If within the buffer, the structure is located no closer to the stream than the  
20 existing structure,

21           2. The existing impervious surface within the buffer or stream is not expanded as  
22 a result of the reconstruction or replacement.

23           SECTION 25. Ordinance 3688, Section 403, as amended, and K.C.C. 25.16.030 are  
24 each hereby amended to read as follows:

25           General requirements. A. Nonwater related development and residential  
26 development shall not be permitted waterward of the ordinary high water mark.

1 B. Except in those cases when the height requirements of the underlying zones  
2 are more restrictive, no structure shall exceed a height of thirty-five feet above average grade  
3 level. This requirement may be modified if the view of a substantial number of residences  
4 will not be obstructed, if permitted by the applicable provisions of the underlying zoning, and  
5 if the proposed development is agricultural, water related or water dependent.

6 C. All development shall be required to comply with K.C.C. chapter 9.04 to  
7 control runoff and to provide adequate surface water ((retention)) and erosion and  
8 sediment((ation facilities)) control during the construction period.

9 D. Development shall maintain the first fifty feet of property abutting a natural  
10 environment as required open space.

11 E. Parking facilities except parking facilities associated with detached single-  
12 family and agricultural development shall conform to the following minimum conditions:

13 1. Parking areas serving a water related or a nonwater related use must be  
14 located beneath or upland of the development which the parking area serves.

15 2. Any outdoor parking area perimeter, excluding entrances and exits, must be  
16 maintained as a planting area with a minimum width of five feet.

17 3. One live tree with a minimum height of four feet shall be required for each  
18 thirty linear feet of planting area.

19 4. One live shrub of one-gallon container size or larger for each sixty linear  
20 inches of planting area shall be required.

21 5. Additional perimeter and interior landscaping of parking areas may be  
22 required, at the discretion of the director, when it is necessary to screen parking areas or when  
23 large parking areas are proposed.

24 F. ~~((Collection facilities to control and separate contaminants))~~ Water quality  
25 treatment in compliance with K.C.C. chapter 9.04 shall be required where stormwater runoff  
26 ~~((from impervious surfaces))~~ would degrade or add to the pollution of recipient waters or  
27 adjacent properties.



1 G. The regulations of this chapter have been categorized in a number of sections;  
2 regardless of the categorization of the various regulations, all development must comply with  
3 all applicable regulations.

4 H. Development proposed in shorelines of the state shall maintain setbacks,  
5 provide easements or otherwise develop the site to permit a trail to be constructed or public  
6 access to continue where:

- 7 1. There is a proposed trail in the King County trail system; or
- 8 2. Part of the site is presently being used and has historically been used for  
9 public access.

10 I. Along shorelines of the state on Lake Sammamish, no building shall be  
11 placed on lands below thirty-two and one-half feet mean sea level.

12 J. The regulations of this chapter are in addition to other adopted ordinances and  
13 rules. Where conflicts exist, that which provides more protection to sensitive area shall  
14 apply; except that water dependent uses shall adhere to the applicable regulations and policies  
15 of the King County Shoreline Master Program.

16 SECTION 26. Ordinance 3688, Section 503, as amended, and K.C.C. 25.20.030 are  
17 each hereby amended to read as follows:

18 General requirements. A. Nonwater related and residential development shall not be  
19 permitted waterward of the ordinary high water mark.

20 B. Except in those cases when the height requirements of the underlying zone are  
21 more restrictive, no structure shall exceed a height of thirty-five feet above average grade  
22 level. This requirement may be modified if the view of a substantial number of residences  
23 will not be obstructed, if permitted by the applicable provisions of the underlying zoning((,))  
24 and if the proposed development is agricultural or water dependent.

25 C. All development shall be required to comply with K.C.C. chapter 9.04 to  
26 control runoff and to provide adequate surface water ((retention)) and erosion and  
27 sediment((ation facilities)) control during the construction period.

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D. Development shall maintain the first fifty feet of property abutting a natural environment as required open space.

E. Parking facilities except parking facilities associated with detached single-family and agricultural development shall retain existing vegetation or be planted in conformance with the landscape standards enumerated in the general requirements ~~(((Section)))~~ K.C.C. 25.16.030 of the urban environment.

F. ~~(((Collection facilities to control and separate contaminants)))~~ Water quality treatment in compliance with K.C.C. chapter 9.04 shall be required where stormwater runoff ~~(((from impervious surfaces)))~~ would materially degrade or add to the pollution of recipient waters or adjacent properties.

G. The regulations of this chapter have been categorized in a number of sections; regardless of the categorization of the various regulations, all development must comply with all applicable regulations.

H. Development proposed in shorelines of the state shall maintain setbacks, provide easements or otherwise develop the site to permit a trail to be constructed or public access to continue where:

- 1. There is a proposed trail in the King County trail system; or
- 2. Part of the site is presently being used and has historically been used for public access.

I. Along shorelines of the state on Lake Sammamish, no building shall be placed on lands below thirty-two and one-half feet mean sea level.

J. The regulations of this chapter are in addition to other adopted ordinances and rules. Where conflicts exist, that which provides more protection to the sensitive area shall apply; except that water dependent uses shall adhere to the applicable regulations and policies of the King County Shoreline Master Program.

SECTION 27. Ordinance 3688, Section 506, as amended, and K.C.C. 25.20.060 are each hereby amended to read as follows:

1 Forest practices. Forest practices may be permitted in the rural environment  
2 provided:

3 A. Forest practices (see ((R.C.W.)) chapter 76.09 RCW) within shorelines  
4 require a shoreline conditional use permit when occurring outside of the lands classified F in  
5 the King County zoning code. Forest practices within shorelines on lands classified F in the  
6 King County zoning code shall require a shoreline conditional use permit when shorelines of  
7 statewide significance are involved or the forest practices would potentially impact:

- 8 1. ((g))Geological hazards which could damage public resources;
- 9 2. ((s))State threatened or endangered species;
- 10 3. ((e))Critical wildlife habitat;
- 11 4. ((s))Streams which could create instability of the drainage or affect  
12 temperature or sediment delivery to other streams resulting in damage to public resources;
- 13 5. ((i))Identified critical areas of watersheds supplying fish hatcheries, artificial  
14 rearing areas, domestic or municipal water systems;
- 15 6. ((a))Areas having archeological or cultural significance;
- 16 7. ((a))Areas with a high potential of soil erosion.

17 B. Buffers. On all forest practices requiring a shoreline conditional use permit, a  
18 minimum buffer of 100 feet from either the ordinary high water mark or the edge of the  
19 FEMA floodway, whichever is greater, shall be established. The buffer shall be extended as  
20 necessary pursuant to the sensitive areas code to protect critical fish habitat for spawning or  
21 rearing; to alleviate surface water runoff problems; to protect habitat for endangered,  
22 threatened, sensitive or monitor species listed by the federal government or the ((S))State of  
23 Washington; to control erosion hazards or for other reasons set out in K.C.C. chapter 21A.24.  
24 Along shorelines outside of lands classified F, there shall be no harvest of timber within the  
25 buffer except for necessary roads and crossings. Along shorelines within the lands classified  
26 F where a conditional use permit is required, timber harvest within the buffer is permitted so

1 long as the functions of the buffer are not damaged and the applicant submits a harvest plan  
2 for review and approval.

3 C. All culverts shall be (~~adequate in size and design to carry the maximum~~  
4 ~~anticipated flow,)) designed to comply with K.C.C. chapter 9.04 and shall be kept clear of  
5 obstructions. The minimum size for culverts shall be fifteen inches in diameter.~~

6 D. Culverts installed in streams used by fish shall meet all requirements set by  
7 the ((S))state Department((s)) of Fish((eries)) and Wildlife and K.C.C. chapter 9.04.

8 E. Roads and landings shall not be constructed within shoreline areas except  
9 when necessary to:

- 10 1. Cross streams;
- 11 2. Avoid road construction on unstable soils or on steep slopes when such  
12 construction would be more harmful than a shoreline location;
- 13 3. Perform water course improvement work only after approval of the ((S))state  
14 Department((s)) of Fish((eries)) and Wildlife.

15 F. Roads shall minimize cut and fill.

16 G. Where roadside material is potentially unstable or erodible, it shall be  
17 stabilized by use of seeding, compacting, riprapping, benching((s)) or other suitable means.

18 H. Cut slopes shall not exceed:

19 (X to Y) 1/4 to 1 in rock

20 3/4 to 1 in stable soils

21 1-1/2 to 1 in unstable soils

22 I. Side cast and embankment fill slopes shall not exceed:

23 (X to Y) 1-1/3 to 1 in broken rock and stable soils

24 1-1/2 to 1 in unstable soils

25 J. Running surface widths should be kept to a minimum, with not more than  
26 twenty-six feet for two-lane roads and not more than fourteen feet for single lane roads.

27 K. Embankment fills shall:

1. Be constructed and compacted in layers no more than two feet thick;
  2. Consist of inorganic material with no buried slash or debris beneath the running surface;
  3. Not encroach upon a one-hundred-year floodplain so as to reduce its storage capacity or disturb riparian vegetation.
- L. Where side cast would encroach upon a one-hundred-year floodplain, end haul construction is required.
- M. Waterway crossings shall be constructed with minimum disturbance to banks and existing channels.
- N. Any soil or debris accidentally placed in the channel during bridge construction shall be removed by approved methods. All exposed soils shall be stabilized.
- O. All bridges shall be high enough to pass all anticipated debris and high water flows.
- P. Where aggregate earthen materials are used for paving or accumulate on bridges, sufficient curbs shall be installed to contain the surface material.
- Q. Each stringer bridge shall have one secured end and one end free to swing.
- R. When active use of a logging road is discontinued, it shall be left in such condition to provide adequate drainage and soil stability.
- S. Equipment used for transportation, storage or application of chemicals shall be maintained in leakproof condition. If there is evidence of chemical leakage, the further use of such equipment must be suspended until the deficiency has been satisfactorily corrected.
- T. Materials treated with penta, creosote((r)) or other chemicals shall be dried completely before use in any lake or stream.

SECTION 28. Ordinance 3688, Section 603, as amended, and K.C.C. 25.24.030 are each hereby amended to read as follows:

1 General requirements. A. Nonwater related, water related and residential  
2 development shall not be permitted waterward of the ordinary high water mark.

3 B. Except in those cases when the height requirements of the underlying zone are  
4 more restrictive, no structure except agricultural structures may exceed a height of thirty-five  
5 feet above average grade level.

6 C. All development shall be required to comply with K.C.C. chapter 9.04 to  
7 control runoff and to provide adequate surface water ((retention)) and erosion and  
8 sediment((ation facilities)) control during the construction period.

9 D. Development shall maintain the first fifty feet of property abutting a natural  
10 environment as required open space.

11 E. Parking facilities except parking facilities associated with detached single-  
12 family and agricultural development shall maintain a shoreline setback of one hundred feet  
13 from the ordinary high water mark and retain existing vegetation or be planted in  
14 conformance with the landscape standards enumerated in the general requirements  
15 (((Section)) K.C.C. 25.16.030) of the urban environment.

16 F. ~~(((Collection facilities to control and separate contaminants)))~~ Water quality  
17 treatment in compliance with K.C.C. chapter 9.04 shall be required where stormwater runoff  
18 ~~(((from impervious surfaces)))~~ would materially degrade or add to the pollution of recipient  
19 waters or adjacent properties.

20 G. The regulations of this chapter have been categorized in a number of sections;  
21 regardless of the categorization of the various regulations, all development must comply with  
22 all applicable regulations.

23 H. Development proposed in shorelines of the state shall maintain setbacks,  
24 provide easements or otherwise develop the site to permit a trail to be constructed or public  
25 access to continue where:

- 26 1. There is a proposed trail in the King County trail system; or

1           2. Part of the site is presently being used and has historically been used for  
2 public access.

3           I. Along shorelines of the state on Lake Sammamish, no building shall be  
4 placed on lands below thirty-two and one-half feet mean sea level.

5           J. The regulations of this chapter are in addition to other adopted ordinances and  
6 rules. Where conflicts exist, that which provides more protection to a sensitive area shall  
7 apply; provided except that water dependent uses shall adhere to the applicable regulations  
8 and policies of the King County Shoreline Master Program and shall comply with other  
9 ordinances and rules to the greatest extent feasible.

10           SECTION 29. Ordinance 3688, Section 703, and K.C.C. 25.28.030 are each hereby  
11 amended to read as follows:

12           General requirements. A. Nonwater related, water related and residential  
13 development shall not be permitted waterward of the ordinary high water mark.

14           B. No structure shall exceed a height of thirty feet.

15           C. All development shall be required to comply with K.C.C. chapter 9.04 to  
16 control runoff and to provide adequate surface water (~~((retention))~~) and erosion and  
17 sediment(~~((ation facilities))~~) control during the construction period.

18           D. (~~((Collection facilities to control and separate contaminants))~~)Water quality  
19 treatment in compliance with K.C.C. chapter 9.04 shall be required where stormwater runoff  
20 (~~((from impervious surfaces))~~) would materially degrade or add to the pollution of recipient  
21 waters or adjacent properties.

22           E. Parking areas must maintain a shoreline setback of two hundred feet from the  
23 ordinary high water mark and retain existing vegetation or be planted to conform to the  
24 landscape standards enumerated in the general requirements (~~((Section))~~) K.C.C. 25.16.030  
25 of the urban environment.

26           SECTION 30. The amendments to property-specific development conditions  
27 attached to this ordinance as Appendix H are adopted as official zoning control ~~control~~ for

1 those portions of unincorporated King County defined therein and amend, pursuant to K.C.C.  
2 20.12.050, Appendix A of Ordinance 12824. Existing property-specific development  
3 conditions adopted pursuant to Appendix A of Ordinance 12824 are retained by this  
4 ordinance except as specifically amended by Appendix H of this ordinance.

5 SECTION 31. The metropolitan King County council finds that pursuant to Ordinance  
6 12196, the requirements for environmental analysis, protection and mitigation measures in  
7 K.C.C. 21A. 12 and 21A.24, as amended by this ordinance, provide adequate analysis of  
8 and mitigation for the specific adverse environmental impacts to which the requirements,  
9 apply.

10 SECTION 32. The effective date of Ordinance 13190 shall be the first day of  
11 the month occurring at least ten weeks (seventy days) after the date of approval.



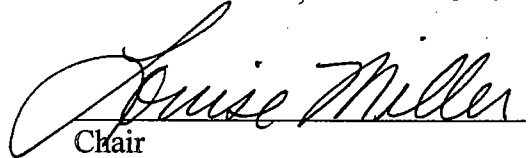
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SECTION 33. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decisions shall not affect the validity of the remaining portion of this ordinance.

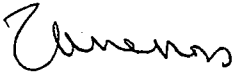
INTRODUCED AND READ for the first time this 18<sup>th</sup> day of March, 1996.

PASSED by a vote of 12 to 0 this 1<sup>ST</sup> day of June,  
1998.

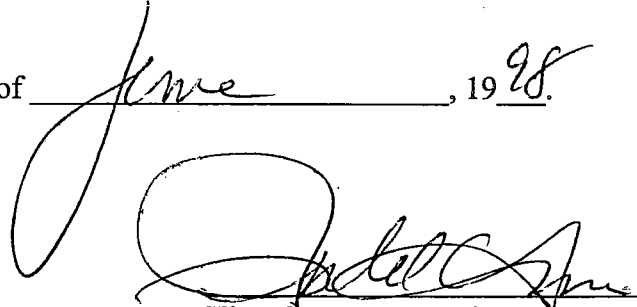
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Chair

ATTEST:

  
Clerk of the Council

APPROVED this 12 day of June, 1998.

  
King County Executive

- Attachments: Appendix A: Amendments to Soos Creek Basin Plan
- Appendix B: Amendments to Covington Master Drainage Plan
- Appendix C: Amendments to Bear Creek Basin Plan
- Appendix D: Amendments to Hylebos Creek and Lower Puget Sound Basin Plan
- Appendix E: Amendments to East Lake Sammamish Basin Plan
- Appendix F: Amendments to Issaquah Creek Basin Plan
- Appendix G: Amendments to Cedar River Basin Plan
- Appendix H: Amendments to Appendix A of Ordinance 12824: Property-Specific Development Conditions

**Appendix A to Ordinance \_\_\_\_\_  
AMENDMENTS TO SOOS CREEK BASIN PLAN**

**Soos Creek Basin Plan Amendment  
Attachment 1**

**Adopted Revisions to Plan Recommendations**

New methods have been adopted by King County as the runoff control requirements for development since the adoption of the Soos Creek Basin Plan. These methods are detailed in the Surface Water Design Manual. The table below identifies the new standards that provide the equivalent level of protection as the recommendations in the Basin Plan (except when noted in the amended standard). These new standards are to be used in place of the original recommendations. See the original Basin Plan language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
<b>Basin Plan Recommendation</b>	<b>Previously Adopted Basin Plan Standard</b>	<b>Amended Standard<sup>a</sup></b>
BW-2: Onsite Detention Standards - General Basinwide Standard	Match pre-developed 2- and 10-year peak flows (SBUH 24-hr) <sup>b</sup>	Level 1 Flow Control (KCRTS) <sup>c d</sup> - Match pre-developed 2- and 10-year peak flow rates
BW-2a: Onsite Detention Standards - Reduced Detention Standard. (Also referred to as AS3, AS8, & AS14)	Match pre-developed 2-year peak flows (SBUH 24-hr) except where flooding problems are expected.	Level 1 Flow Control (KCRTS) unless project meets direct discharge requirements for the lakes designated as major receiving bodies into which the subcatchment drains.
BW-2b: Onsite Detention Standards - Little Soos Standard. (Also referred to as AS6)	Match pre-developed 2-, 10- and 100-year peak flows (SBUH 24-hr)	Level 1 Flow Control (KCRTS)
BW-2c: Onsite Detention Standards - Soosette Increased Detention Standard. (Also referred to as AS18)	Release all flows up to the 100-year peak flow at 70% of the pre-developed 2-year peak flow (SBUH 24-hr)	Level 2 Flow Control (KCRTS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-2d: Onsite Detention Standards - Covington Center Standard. (Also referred to as AS5)	No subdivision or non-single-family construction permits until Master Drainage Plan (MDP) adopted. Covington MDP adopted in 1992.	Meet Covington MDP conditions in KCC 20.14.025.
CW-5: Infiltration - High Densities	Industrial, Commercial and Multifamily 1) cannot infiltrate runoff, 2) must line stormwater facilities, and 3) requires biofiltration or pretreatment prior to discharge	Meet the following conditions: - Groundwater protection requirements for infiltration and lining in Design Manual - Water Quality Controls: Core Requirement #8
CW-5: Infiltration - Low Densities	Residential must infiltrate where feasible and comply with Special Requirement #5	Meet the following conditions: - Infiltration required for roof drainage in appropriate soils - Groundwater protection requirements for all infiltration Note: previous standard applied to all residential development

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the King County Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method.

<sup>c</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>d</sup> An HSPF continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.

**Appendix B to Ordinance \_\_\_\_\_  
AMENDMENTS TO COVINGTON MASTER DRAINAGE PLAN**

**Covington Master Drainage Plan Amendment  
Attachment 1**

**Adopted Revisions to Plan Recommendations**

Since the adoption of Covington Master Drainage Plan (MDP), the state has revised the water quality standards for toxic metals. The MDP was developed to address, among other issues, measured violations of the old copper standards. Plan recommendations for standards and retrofits designed to address total copper loadings to streams have different results on dissolved copper loadings (the new water quality standard). Monitoring studies were conducted to define dissolved copper concentrations in stormwater runoff, groundwater and streams within in the MDP area. Based on the monitoring results, the table below identifies the new recommendations for standards and projects that will provide the level of protection needed to meet the MDP's stated goals. These new recommendations are to be used in place of the original recommendations. See the Original MDP language for details on the standard.

In addition, new methods have been adopted by King County as the runoff control requirements for development since the adoption of the Covington MDP. These methods are detailed in the Surface Water Design Manual. The table below also identifies the new standards that provide the equivalent level of protection as the recommendations in the MDP. These new standards are to be used in place of the original recommendations. See the Original MDP language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

<b>Adopted Revisions to Apply in Place of Master Drainage Plan Recommendations</b>		
<b>MDP Recommendation</b>	<b>Previously Adopted Master Drainage Plan Standard</b>	<b>Amended Replacement Standard<sup>a</sup></b>
SW-1: System Configuration - subbasin drainage analysis	All development in area designated in Figure V-4 (Attachment C, Ordinance 10293) shall: - reduce copper loadings by constructing lower density development than allowed; - provide a groundwater study which proves flows from site do not migrate to Little Soos Creek; or - runoff from site is conveyed to a location where surface or groundwater flow is away from Little Soos Creek.	Repealed - no additional requirements in the designated area.

<b>Adopted Revisions to Apply in Place of Master Drainage Plan Recommendations</b>		
<b>MDP Recommendation</b>	<b>Previously Adopted Master Drainage Plan Standard</b>	<b>Amended Replacement Standard<sup>a</sup></b>
SW-2: Surface Water Facilities - Infiltration: Pretreatment	Infiltration from development or redevelopment with greater than 5000 ft <sup>2</sup> of impervious surface requires lined wetpond and bioswale treatment prior to infiltration.	Infiltration from development or redevelopment with greater than 5000 ft <sup>2</sup> of impervious surface shall meet groundwater protection requirements for infiltration and lining in the Design Manual.
SW-2: Surface Water Facilities - Infiltration: Water Supply Wells	Development proposals must identify domestic water supply wells within 1 mile and assess human health risk from infiltration and implement appropriate mitigation measures.	Developments shall submit an offsite analysis (Core Requirement #2) that identifies the location of domestic water supply wells within a 1 mile radius of proposed infiltration facilities, and, if any wells are present, assess the human health risk and recommend appropriate measures to mitigate identified health risks.
SW-3: Surface Water Facilities - Surface Detention	All development in areas where infiltration to groundwater is not feasible (Attachment 2, Ordinance 10293) shall match predeveloped stream hydrographs by providing stormwater detention of four acre inches of detention storage volume per impervious acre developed (SBUH 24-hr) <sup>b</sup>	All development in areas where infiltration to groundwater is not feasible (Attachment 2, Ordinance 10293) shall apply the Level 2 Flow Control (KCRTS) <sup>c d</sup> - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows
SC-2 Commercial /Industrial Best Management Practices	Structural elements of the DOE Storm Water Management Manual BMP guidelines for commercial and industrial businesses are required, where appropriate, for new or redevelopment.	<ul style="list-style-type: none"> <li>- All commercial and industrial new and redevelopment shall meet Special Requirement #4: Source Controls; AND</li> <li>- Obtain and comply with permit from the National Pollution Discharge Elimination System (NPDES) Stormwater Permit program; OR</li> <li>- Implement specific required BMPs for activities covered in the Stormwater Pollution Control Manual</li> </ul>

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method.

<sup>c</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>d</sup> An HSPF continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.

**Bear Creek Basin Plan Amendment  
Attachment 1**

**Adopted Revisions to Plan Recommendations**

New methods have been adopted by King County as the runoff control requirements for development since the adoption of the Bear Creek Basin Plan. These methods are detailed in the Surface Water Design Manual. The table below identifies the new standards that provide the equivalent level of protection as the recommendations in the Basin Plan (except when noted in the amended standard). These new standards are to be used in place of the original recommendations. See the original Basin Plan language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-2: Onsite Detention Standards - General Basinwide Standard	Match pre-developed 2- and 10-year peak flows (SBUH 24-hr) <sup>b</sup>	Level 1 Flow Control (KCRTS) <sup>c d</sup> - Match pre-developed 2- and 10-year peak flow rates
BW-2: Onsite Detention Standards - Steep Slope Standard	Release the 2-year peak flow at 50% of the forested 2-year peak flow; the 10-year at the forested 2-year; and the 100-year at the forested 10 year (SBUH 24-hr) <i>NOTE: Ordinance adopting the basin plan deleted this standard</i>	Not applicable <i>NOTE: These areas may be subject to Landslide Hazard Drainage Area requirements (Design Manual Section 1.2.3.2)</i>
BW-2: Onsite Detention Standards - Stream Protection Standard	Release the 2-year peak flow at 50% of the pre-developed 2-year peak flow; the 10-year at the pre-developed 2-year; and the 100-year at the pre-developed 10 year (SBUH 24-hr) <i>NOTE: Ordinance adopting the basin plan revised standard as follows: Match pre-developed flow durations between 50% of the 2-year through the 50-year flows (continuous flow model or, when cannot, use SBUH 24-hr method stated above)</i>	Level 2 Flow Control (KCRTS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-2: Onsite Detention Standards - Master Plan Development Standard	Match pre-developed flow durations between 50% of the 2-year through the 50-year flows (continuous flow model)	Level 2 Flow Control (KCRTS)
BW-3: Clearing Limits	All development is limited on allowable clearing to between 10% and 25% of the project area <i>NOTE: Ordinance 12015 implementing basin plan revised standard as follows:</i> 1) <i>Applies only in rural zoned areas;</i> 2) <i>Area cleared is limited to 35%.</i>	All development in the rural zone can only clear up to 35% of the project area.
BW-3: Clearing Limits - Waiver	Waive limits if release all flows up to the 10-year peak at 70% of the pre-developed 2-year peak flow (SBUH 24-hr). Note: in Upper Bear Creek, waiver only allows clearing up to 65% <i>NOTE: Ordinance adopting the basin plan revised standard as follows:</i> 1) <i>Waiver applies only to urban zoned lands (except MPD area);</i> 2) <i>Rural small lots can exceed limits for septic drainfields without detention required</i> <i>Ordinance 12015 implementing basin plan further revised standard to allow waiver only up to 60% everywhere clearing limit is applied</i>	In areas with clearing limits, projects applying the Level 2 Flow Control (KCRTS) can clear up to 60%. <i>Note: small lots may exceed this limit for infrastructure necessary to service lot (including septic drainfields) without detention required</i>
BW-5: Hillside Drainage Restrictions	Site reviews are to minimize drainage impacts on potentially erodable soils <i>NOTE: Ordinance adopting the basin plan revised standard as follows:</i> <i>Drainage plans are to minimize impacts on potentially erodable soils through use of tightlines or comparable techniques</i>	- Meet K.C.C. 21A.24.310.E if applicable; AND - Meet outfall and conveyance requirements (CR #1 & CR #4) and conduct downstream analysis (CR #2) for adequate channel capacity and protection (see Design Manual Section 4.4.1) which may require Level 2 Flow Control (KCRTS) or tightlining. <i>NOTE: These areas may be subject to Landslide Hazard Drainage Area requirements (Design Manual Section 1.2.3.2)</i>

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
CW-5: Infiltration - High Densities	Industrial, Commercial and Multifamily 1) cannot infiltrate runoff, 2) must line stormwater facilities, and 3) requires biofiltration or pretreatment prior to discharge <i>NOTE: Ordinance adopting the basin plan revised standard as follows: 1) requires commercial land best management practices, 2) must identify location of and risk to water supply wells in offsite analysis, and 3) cannot infiltrate pipeline discharges and outdoor toxics storage areas</i>	Meet the following conditions: - Source Controls: Special Requirement #4 - Implement specific required BMPs for activities covered in the Stormwater Pollution Control Manual - Offsite analysis to include location of and risk to wells - Groundwater protection requirements for infiltration and lining in Design Manual - Water Quality Controls: Core Requirement #8
CW-5: Infiltration - Low Densities	Residential must infiltrate where feasible and comply with Special Requirement #5	- Infiltration required for roof drainage in appropriate soils - Groundwater protection requirements for infiltration facilities Note: previous standard applied to all residential development

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the King County Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method.

<sup>c</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>d</sup> An HSPF continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.



Appendix D to Ordinance  
 AMENDMENTS TO HYLEBOS CREEK AND LOWER PUGET SOUND BASIN PLAN

Hylebos Creek and Lower Puget Sound Basin Plan Amendment  
 Attachment 1

Adopted Revisions to Plan Recommendations

New methods have been adopted by King County as the runoff control requirements for development since the adoption of the Hylebos Creek and Lower Puget Sound Basin Plan. These methods are detailed in the Surface Water Design Manual. The table below identifies the new standards that provide the equivalent level of protection as the recommendations in the Basin Plan (except when noted in the amended standard). These new standards are to be used in place of the original recommendations. See the original Basin Plan language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

Adopted Revisions to Apply in Place of Basin Plan Recommendations		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-1: Basinwide Onsite Detention Standard	Match pre-developed 2- and 10-year peak flows (modified SBUH 7-day) <sup>b</sup>	Level 1 Flow Control (KCRTS) <sup>c d</sup> - Match pre-developed 2- and 10-year peak flow rates
BW-3: Stream Protection Onsite Detention Standard	Match pre-developed flow durations and peaks between 50% of the 2-year event through 50-year event, and match the 100-year peak flow by: 1) Use continuous model such as HSPF <sup>e</sup> ; or 2) Release the 100-year peak flow at 70% of the pre-developed 2-year flow (SBUH 24-hr) <i>NOTE: Ordinance adopting the basin plan revised standard 2) as follows: Release the 2-year peak flow at 50% of the pre-developed 2-year flow; the 10-year at the pre-developed 2-year, and the 100-year at the pre-developed 10-year (SBUH 24-hr)</i>	Level 2 Flow Control (KCRTS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-9: Seasonal Clearing and Grading Limits - Exemption	Exempt from October 1 to March 31 limits if: 1) infiltrate 100% of surface runoff; 2) approved erosion and sediment control plan, installed and maintained; and 3) disturbed soil areas left unworked for more than 12 hours covered. <i>NOTE: Ordinance adopting the basin plan revised standard as follows: Meet all Temporary Erosion and Sediment Control requirements best management practices (BMPs)</i>	Meet ESC requirements: Core Requirement (CR) #5 (including wet season requirements) and the following additional conditions: 1) no significant silt-laden runoff leaving the construction site, and 2) all BMPs are properly installed and maintained throughout the wet season
BW-10.2: Hillslope Development and Drainage Restrictions	Surface runoff flowing towards landslide hazard areas or slopes that are 40% or greater shall be conveyed down slope via continuous pipeline unless directed to stable receiving areas as determined by downstream analysis. <i>NOTE: Ordinance adopting the basin plan deleted this standard</i>	Not Applicable
BW-17.3: BMP Programs for Control of Nonpoint Source Pollutants - Commercial and Industrial Uses	Implement BMPs specific to the nature of activity involved.	Obtain and comply with permit from the National Pollution Discharge Elimination System (NPDES) Stormwater Permit program; OR Implement specific required BMPs for activities covered in the Stormwater Pollution Control Manual.
BW-17.5: BMP Programs for Control of Nonpoint Source Pollutants - Agricultural Uses	Implement BMPs specific to the nature of activity involved.	Implement and maintain a farm management plan approved by the King Conservation District; OR Implement specific required BMPs for activities covered in the Stormwater Pollution Control Manual.
BW-20: Stormwater Infiltration Limitations	Evaluate suitability of soils for infiltration. Runoff from new rural and low- to moderate-density land uses infiltrated to extent possible. Infiltration not allowed in high density areas of multifamily or commercial land uses. <i>NOTE: Ordinance adopting the basin plan revised standard as follows: Infiltration allowed in multifamily, commercial and industrial when commercial BMPs in place.</i>	Meet the following conditions: - Infiltration required in suitable soils per Design Manual. - Source Controls: Special Requirement #4 - Implement specific required BMPs for activities covered in the Stormwater Pollution Control Manual - Groundwater protection requirements for infiltration and lining in Design Manual - Water Quality Controls: CR #8

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
NS-1: Reduced Onsite Detention	Direct discharge into Puget Sound without detention allowed after appropriate water quality treatment	- Meet CR #8 requirements. - Direct discharge allowed when criteria for direct discharge exemption in CR #3 is met.

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the King County Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method modified by King County to use a seven day rainfall distribution pattern to replace the Soil Conservation Service (SCS) Type 1a distribution (see Design Manual Reference Section).

<sup>c</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>d</sup> An HSPF continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.

<sup>e</sup> Hydrologic Simulation Program-Fortran continuous flow simulation model.

**East Lake Sammamish Basin Plan Amendment  
Attachment 1**

**Adopted Revisions to Plan Recommendations**

New methods have been adopted by King County as the runoff control requirements for development since the adoption of the East Lake Sammamish Basin Plan. These methods are detailed in the Surface Water Design Manual. The table below identifies the new standards that provide the equivalent level of protection as the recommendations in the Basin Plan (except when noted in the amended standard). These new standards are to be used in place of the original recommendations. See the original Basin Plan language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-1: Basinwide Onsite Detention Standard	Match pre-developed 2- and 10-year peak flows (modified SBUH 7-day) <sup>b</sup>	Level 1 Flow Control (KCRTS) <sup>c d</sup> - Match pre-developed 2- and 10-year peak flow rates
BW-2: Stream Protection Onsite Detention Standard	Match pre-developed flow durations between 50% of the 2-year event through 50-year event, and match the 100-year peak flow by either using: 1) Use continuous model such as HSPF <sup>e</sup> ; or 2) Release the 2-year peak flow at 50% of the pre-developed 2-year flow; the 10-year at the pre-developed 2-year, and the 100-year at the predeveloped 10-year (SBUH 24-hr)	Level 2 Flow Control (KCRTS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows
BW-3.A.4: Ravine Protection Standard	Retain all runoff onsite to maximum extent feasible	Infiltration of runoff required in granular soils per Design Manual Section 5.4. Downspout infiltration required in granular soils and in allowable soil conditions when feasible to fit trench lengths onsite. If infiltration not feasible, downspout dispersion trenches required when minimum flow paths can be met onsite or into adjacent open space.
BW-3.A.5: Ravine Protection Standard - Pipeline Areas	Surface runoff that leaves the site shall be conveyed down western slope of basin via continuous pipeline.	Meet conveyance requirements for tightlines in Core Requirement #4 (CR #4).

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-3.A.6: Ravine Protection Standard - Water Quality	Meet goals of Lake Sammamish Water Quality plan - water quality requirements met by infiltration or other methods of on-site retention, if feasible	Sensitive Lake Treatment Standard (CR #8).
BW-3.A.7: Ravine Protection Standard - Pipeline Discharges	Discharge must be non-erosive (direct to lake or stable from discharge to lake)	Meet outfall and conveyance requirements (CR #1 & CR #4) and conduct downstream analysis (CR #2) for adequate channel capacity and protection.
BW-3.A.9: Ravine Protection Standard - Alternative Standard	Meet BW-2 when not required to build or connect to a pipeline and cannot achieve 100% infiltration.	Meet Level 2 Flow Control (KCRTS) when not required to build or connect to a pipeline and cannot achieve 100% infiltration.
BW-3.B.3: Relationship to Other Drainage Codes - Variances	Variance not needed for pipeline discharges that are not at the natural location (CR #1).	Adjustment required to review proposal but applicant to request and receive fee waiver per Design Manual Section 1.4.3.
BW-5: Wetland Management Area Protection - Detention Standards (refer to T-2, PL-2, MH-5 & LJ-3)	Meet BW-2 Stream Protection Standard if in wetland subbasin	Meet Level 2 Flow Control (KCRTS) if in wetland subbasin.
BW-5: Wetland Management Area Protection - Infiltration (refer to I-2)	Infiltrate all runoff up to and including the 25-year event	Infiltration of runoff required in granular soils per Design Manual up to and including the post-developed 25-year peak flow rate (KCRTS). Downspout infiltration required in granular soils and in allowable soil conditions when feasible to fit trench lengths onsite. If infiltration not feasible, downspout dispersion trenches required if minimum flow paths can be met onsite or into adjacent open space.
BW-9: Water-Quality Design Standards	Use the most effective combination of soil infiltration, wet R/D ponds, constructed wetland treatment, biofilters, alum treatment of stormwater ponds, and dry ponds with biofilters until new requirements are developed for the basin.	Sensitive Lake Treatment Standard (CR #8).
BW-26: Seasonal Clearing and Grading Limits - Waiver	Waive October 1 to March 31 limits outside of Wetland Management Areas and the Pine and Beaver Lake watersheds if: 1) no significant silt-laden runoff leaves the construction site; and 2) approved erosion and sediment control plan, installed and maintained	Waive limits if Department of Development and Environmental Services (DDES) determines that implementation of ESC requirements (CR #5) will not result in significant silt-laden runoff leaving the construction site and are properly installed and maintained throughout the limit period.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
PH-2; MH-2: Baseflow Maintenance	Evaluate suitability of soils for infiltration. Runoff from new impervious surfaces retained onsite to maximum extent feasible. Limit impervious surface to 35% coverage on all non-infiltrative soils. For subdivisions and short subdivisions with non-infiltrative soils; 25% of development shall remain undisturbed and set aside as NPGE.	<ul style="list-style-type: none"> <li>- Infiltration of runoff required in granular soils per Design Manual Section 4.5. Downspout infiltration required in granular soils and in allowable soil conditions when feasible to fit trench lengths onsite. If infiltration not feasible, downspout dispersion trenches required if flow paths can be met onsite or into adjacent open space.</li> <li>- For non infiltrative areas of development, impervious surface limited to 35% coverage.</li> <li>- For subdivisions and short subdivisions with non-infiltrative soils; 25% of development shall remain undisturbed and set aside per K.C.C. 21A.24.130</li> </ul>
PH-3; MH-3: Reduced Onsite Detention	Direct discharge into Lake Sammamish without detention allowed after appropriate water quality treatment	<ul style="list-style-type: none"> <li>- Meet CR #8 requirements.</li> <li>- Direct discharge allowed when criteria for direct discharge exemption in CR #3 is met.</li> </ul>
LJ-4: Protection of Laughing Jacobs Lake Floodplain	Floodplain analysis required if development within 10 vertical feet of ordinary high water mark.	Floodplain/Floodway Delineation (Special Requirement #2) required if development within 10 vertical feet of ordinary high water mark.
LJ-6: Ravine-Top Clearing and Drainage Standards	Meet appropriate detention standard and convey discharge via tightline to base of ravine. Discharge to stream with adequate energy dissipation.	- Meet conveyance requirements for tightlines, outfall and conveyance in CR #4.
CP-58; CP-59: Pine Lake Phosphorus Control	All known, available and reasonable methods of prevention, control, and treatment for phosphorus control. Current standards are: 1) infiltration to and including the 25-year event, 2) where soils unsuitable, swale or constructed wetland combined with sand filter, or 3) updated Design Manual requirement for phosphorus control	Sensitive Lake Treatment Standard (CR #8).
BLMP: Beaver Lake Phosphorus Control	All known and reasonable treatment for phosphorus control to achieve 80% reduction in total phosphorus (above background levels).	Beaver Lake Management Plan requirements per Special Requirement #1 and K.C.C. 9.08.120.B

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the King County Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method modified by King County to use a seven day rainfall distribution pattern to replace the Soil Conservation Service (SCS) Type 1a distribution (see Design Manual Reference Section).

<sup>c</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>d</sup> An HSPF continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.

<sup>e</sup> Hydrologic Simulation Program-Fortran continuous flow simulation model.

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Appendix F to Ordinance  
**AMENDMENTS TO ISSAQUAH CREEK BASIN PLAN**

**Issaquah Creek Basin Plan Amendment  
 Attachment 1**

**Adopted Revisions to Plan Recommendations**

New methods have been adopted by King County as the runoff control requirements for development since the adoption of the Issaquah Creek Basin Plan. These methods are detailed in the Surface Water Design Manual. . The table below identifies the new standards that provide the equivalent level of protection as the recommendations in the Basin Plan (except when noted in the amended standard). These new standards are to be used in place of the original recommendations. See the original Basin Plan language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-1: Flow Reduction On-Site Retention/ Detention Standard	1) Match pre-developed 2- and 10-year peak flows (modified SBUH 7-day) <sup>b</sup> ; 2) Release the 2-year peak flow at 50% of the pre-developed 2-year flow; the 10-year at the pre-developed 2-year, and the 100-year at the predeveloped 10-year (SBUH 24-hr); or 3) Use continuous model such as HSPF <sup>c</sup>	Level 1 Flow Control (KCRS) <sup>d e</sup> - Match pre-developed 2- and 10-year peak flow rates
BW-2: Erosion Protection On-Site Retention/Detention Standard (refer to UI-1, MI-1, MD-1, NF-3,	Match pre-developed flow durations between 50% of the 2-year event through 50-year event, and match the 100-year peak flow by either using: 1) Use continuous model such as HSPF; or 2) Release the 2-year peak flow at 50% of the pre-developed 2-year flow; the 10-year at the pre-developed 2-year, and the 100-year at the predeveloped 10-year (SBUH 24-hr)	Level 2 Flow Control (KCRS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
<b>Basin Plan Recommendation</b>	<b>Previously Adopted Basin Plan Standard</b>	<b>Amended Standard<sup>a</sup></b>
BW-19: Water Quality Treatment Design Standards	Meet the lake protection water quality treatment requirement for 50% phosphorous removal by either using: 1) Wetpond or combined detention/wetpond with a permanent pool volume equal to 4.5 times the volume of runoff from the mean annual storm - $VB/VR = 4.5$ (Rational Method) <sup>f</sup> ; 2) Onsite forest retention 60% or greater and one of the following: biofiltration swale, filter strip, wetpond or combined detention/wetpond with $VB/VR = 3.0$ ; 3) Biofiltration swale, filter strip, or wetpond with $VB/VR = 3.0$ followed by a sand filter (variance required); or 4) Soil infiltration of water quality design storm when soils meet set criteria. (variance required).	Sensitive Lake Treatment Standard - Core Requirement # 8 (CR #8)
UI-2: Standards and Performance Goals - MDP Requirements	All development requiring a Master Drainage Plan (MDP) shall meet specified requirements in the recommendation	Recommendation applies as stated per Special Requirement #1.
EF-2 & NF-2: Factors for Evaluation of Master Planned Developments - MDP Requirements	All development requiring a MDP shall meet specified requirements in the recommendation	Recommendation applies as stated per Special Requirement #1.
NF-3: Wetland 7 Management Area Protection - Detention Standards	Meet BW-2 Stream Protection Standard if in wetland subbasin	Meet Level 2 Flow Control (KCRTS) if in wetland subbasin.
NF-3: Wetland Management Area Protection - Infiltration	Maximize infiltration potential of all conveyance, detention, and discharge facilities through perforated conveyance pipes and discharge dispersal into undisturbed vegetation	Infiltration required in suitable soils per Design Manual. Downspout dispersal, infiltration or perforated stubout design required where feasible. Discharge in dispersal trenches where possible. Conveyance systems designed as perforated pipe systems where above seasonal water table.
T-2: Site Development Requirements - Pipeline Areas	All development requiring a MDP shall convey any discharges down the steep reaches of Cougar and Squak Mountains to the valley floor via continuous pipeline.	Meet conveyance requirements for tightlines in CR #4. Meet outfall and conveyance requirements (CR #1 & CR #4) and conduct downstream analysis (CR #2) from pipeline outfall for adequate channel capacity and protection.



<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
T-2: Site Development Requirements - Erosion and Sediment Control	A stringent erosion and sediment control plan should be initiated to minimize construction-related erosion	Meet all wet season requirements prior to commencing construction (CR#5). Note: seasonal clearing limits may be applicable on some portions of the site.
T-2: Site Development Requirements - MDP Approval	Any MDP approval shall be contingent on completion of downstream flood control and drainage project deemed essential by SWM and the City of Issaquah	Recommendation applies as stated per Special Requirement #1.

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the King County Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method modified by King County to use a seven day rainfall distribution pattern to replace the Soil Conservation Service (SCS) Type 1a distribution (see Design Manual Reference Section).

<sup>c</sup> Hydrologic Simulation Program-Fortran continuous flow simulation model.

<sup>d</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>e</sup> An HSPF continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.

<sup>f</sup> Rational hydrologic method as applied in the King County Surface Water Design Manual.

**Cedar River Basin Plan Amendment  
Attachment 1**

**Adopted Revisions to Plan Recommendations**

New methods have been adopted by King County as the runoff control requirements for development since the adoption of the Cedar River Basin Plan. These methods are detailed in the Surface Water Design Manual. The table below identifies the new standards that provide the equivalent level of protection as the recommendations in the Basin Plan (except when noted in the amended standard). These new standards are to be used in place of the original recommendations. See the original Basin Plan language for details on the standard and the conditions for when it is applied; but apply the amended standard using the normal application methods detailed in the Design Manual including safety factors and thresholds unless specifically directed otherwise in this table.

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-3.3: Wetland Management Area Protection - Detention Standards (refer to M6, P2-P5 & P7)	Meet Level 2 or Level 3 R/D if in wetland subbasin (see BW-19)	Meet Level 2 or Level 3 Flow Control (KCRTS) if in wetland subbasin (see BW-19)
BW-3.4: Wetland Management Area Protection - Roof Downspout Infiltration	Infiltrate roof downspouts where practical	Downspout infiltration required in granular soils and in allowable soil conditions per Design Manual Section 5.4 when feasible to fit trench lengths onsite.
BW-12.1: Water-Quality Treatment Standards - Basic Treatment Areas	Apply water quality treatment BMPs having a goal of 80 % removal of total suspended solids (TSS)	Basic Water Quality Standard - Core Requirement #8 (CR #8) - 80% average annual removal of total suspended solids (TSS)
BW-12.2a: Water-Quality Treatment Standards - Spagnum Bog Wetland Treatment Areas	Apply spagnum bog protection BMPs having a goal of protecting bogs by controlling nutrients, alkalinity and pH	Spagnum Bog Protection Standard (CR #8) - total phosphorus reduction 50%, total nitrate+nitrite reduction 40%, pH below 6.5 and alkalinity below 10 mg/L.
BW-12.2b: Water-Quality Treatment Standards - Sensitive Lake Treatment Areas	Apply lake protection BMPs having a goal of 50% annual average total phosphorous removal	Sensitive Lake Protection Standard (CR #8) - 50% average annual removal of total phosphorous
BW-12.2a: Water-Quality Treatment Standards - RSRA Stream Reaches	Apply stream protection BMPs having a goal of 50% reduction of total zinc	Resource Stream Protection Standard (CR #8) - 50% reduction of total zinc

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-17: Aquifer Protection and Base Flow Maintenance (Sections 2 & 3)	Protect aquifer recharge and stream base flows by infiltration runoff whenever feasible; protect aquifer water quality by reducing introduction of pollutants into drainage waters.	Meet the following conditions: - Infiltration required in suitable soils per Design Manual (see BW-21) - Source Controls: Special Requirement #4 : Implement specific required BMPs for activities covered in the Stormwater Pollution Control Manual - Groundwater protection requirements for infiltration and lining in Design Manual - Water Quality Controls: CR #8
BW-19a: Retention/ Detention Standards - Level 0	In identified areas Level 1 R/D can be waived if a regional facility has capacity or direct discharge is possible <i>Note: Ordinance adopting the basin plan revised the standard as follows: waiver allowed only when it will not result in aggravation or creation of a significant drainage or water quality problem</i>	In identified areas, projects may qualify for the Discretionary Exemption for Infill Projects or the Direct Discharge Exemption in CR #3: Flow Control
BW-19b: Retention/ Detention Standards - Level 1: 2/10 Peak Flow Frequency	Match pre-developed 2- and 10-year peak flows by using either: 1) KCRTS; or 2) modified SBUH 7-day method <sup>b</sup>	Level 1 Flow Control (KCRTS) <sup>c d</sup> - Match pre-developed 2- and 10-year peak flow rates
BW-19c: Retention/ Detention Standards - Level 2: Peak Flow Duration Control	Match pre-developed flow durations between 50% of the 2-year event through 50-year event by either using: 1) KCRTS; or 2) Release the 2-year peak flow at 50% of the pre-developed 2-year flow; the 10-year at the pre-developed 2-year, and the 100-year at the pre-developed 10-year (SBUH 24-hr)	Level 2 Flow Control (KCRTS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows
BW-19c: Retention/ Detention Standards - Level 3: Lake and Wetland Peak Stage Frequency and Duration	Match pre-developed flow durations between 50% of the 2-year event through 50-year event, and match the 100-year peak flow by either using: 1) KCRTS; or 2) Release the 2-year peak flow at 50% of the pre-developed 2-year flow; the 10-year at the pre-developed 2-year, and the 100-year at the pre-developed 10-year (SBUH 24-hr; safety factor 40%)	Level 3 Flow Control (KCRTS) - Match pre-developed flow durations between 50% of the 2-year through the 50-year flows and release the post-developed 100-year flow at the pre-developed 100-year rate
BW-19d: Retention/ Detention Standards - Level 4: Special Requirements	Runoff will be designed to achieve specific goals such as pre-disturbance streamflow characteristics	Projects in these catchments shall be subject to Large Site Drainage Review (Design Manual Section 1.1.2.4)

<b>Adopted Revisions to Apply in Place of Basin Plan Recommendations</b>		
Basin Plan Recommendation	Previously Adopted Basin Plan Standard	Amended Standard <sup>a</sup>
BW-20.1: Ravine Protection Standard - On-Site Retention	Retain all runoff onsite to maximum extent feasible	Infiltration of runoff required in granular soils per Design Manual Section 5.4. Downspout infiltration required in granular soils and in allowable soil conditions when feasible to fit trench lengths onsite. If infiltration not feasible, downspout dispersion trenches required when minimum flow paths can be met onsite or into adjacent open space.
BW-20.2: Ravine Protection Standard - Pipeline Areas	1) Surface runoff that leaves the site shall be conveyed downslope to the valley floor via continuous pipeline, if feasible. 2) Discharge that is not direct to the Cedar River shall meet Level 1 Peak Flow Control 3) Discharge must be non-erosive (direct to lake or stable from discharge to lake)	- Meet conveyance requirements for tightlines in CR #4, if feasible. - If pipeline does not discharge directly to Cedar River, apply Level 1 Flow Control (KCRTS), meet outfall and conveyance requirements (CR #1 & CR #4) and conduct downstream analysis (CR #2) for adequate channel capacity and protection (see Design Manual Section 4.4.1). <i>NOTE: These areas may be subject to Landslide Hazard Drainage Area requirements (Design Manual Section 1.2.3.2)</i>
BW-20.3: Ravine Protection Standard - Enhanced R/D	Meet Level 2 Peak Flow Duration Control when not required to build or connect to a pipeline and cannot achieve 100% infiltration.	- Meet Level 2 Flow Control (KCRTS) when not required to build or connect to a pipeline and cannot achieve 100% infiltration - Meet K.C.C. 21A.24.310.E if applicable
BW-20: Relationship to Other Drainage Codes - Variances	Variance not needed for pipeline discharges that are not at the natural location (CR #1).	Adjustment required to review proposal but applicant to request and receive fee waiver per Design Manual Section 1.4.3.
BW-21: Infiltration as a Stormwater Mitigation Treatment	Project designs shall maximize the use of on-site stormwater retention and infiltration	- Infiltration required in suitable soils per Design Manual Section 5.4. Downspout infiltration required in granular soils and in allowable soil conditions when feasible to fit trench lengths onsite. Downspout dispersion or infiltrated stubouts where infiltration not possible. Discharge in dispersal trenches when possible. Conveyance systems designed as perforated pipe systems where above seasonal water table.

<sup>a</sup> These standards are to be applied to development scenarios when required by and as implemented through the King County Surface Water Design Manual.

<sup>b</sup> Santa Barbara Urban Hydrograph hydrologic method modified by King County to use a seven day rainfall distribution pattern to replace the Soil Conservation Service (SCS) Type 1a distribution (see Design Manual Reference Section).

<sup>c</sup> King County Runoff Time Series hydrologic method adopted in the King County Surface Water Design Manual.

<sup>d</sup> A Hydrologic Simulation Program-Fortran (HSPF) continuous hydrologic model with regionalized parameters listed in the King County Surface Water Design Manual may be substituted for KCRTS.

1 AMENDMENT TO APPENDIX A OF ORDINANCE 12824; Property-Specific  
2 Development Conditions.

3  
4 On Pages NC-1 through NC-13, amend NC-P1: Suffix Conditions for Properties within the  
5 Master Plan Development Overlay District as follows:

6  
7 1. For land within the designated potential village development sites:

8  
9 Development of this property shall be limited to that allowed under the provisions of the  
10 Growth Reserve 2.5 Acre (GR-2.5) zone (KCC 21.21) PROVIDED that, village  
11 development as part of an overall master plan may be approved subject to the review,  
12 process, and criteria outlined below.

13  
14 2. For land within the master plan development overlay district but outside the designated  
15 potential village development sites:

16  
17 Development of this property shall be limited to that allowed under the provision of the  
18 Growth Reserve 2.5 Acre (GR-2.5) zone (KCC 21.21) PROVIDED that, village  
19 development as part of an overall master plan may be approved subject to the review,  
20 process, and criteria outlined in below.

21  
22 If King County approves an overall master plan for village development in the Cougar  
23 Mountain subarea and this property is not included within the boundaries of such a master  
24 plan, then the owners of this property may apply for a reclassification.

25  
26 Approval of any such reclassification application shall be based on its consistency with  
27 applicable County plans and policies, its compatibility with the land uses of the approved  
28 master plan, and the availability of public facilities to the site.

29  
30 Cougar Mountain MPD Approval Process and Criteria for Master Plan Development  
31 within the Cougar Mountain Subarea (Source: Newcastle Community Plan, p. 141-153)

32  
33 SECTION 1. Eligibility for Village Development.

34  
35 An application for approval of a master plan for village development within the Cougar  
36 Mountain subarea of the Newcastle planning area may be accepted by the Department of  
37 Development and Environmental Services, hereafter called the Department, (DDES) and

1 processed pursuant to the provisions of this chapter if the parcel of land meets the land  
2 ownership requirements of Section 3 below and if it is in an area which has been  
3 designated as appropriate for a master plan development in the adopted Newcastle  
4 Community Plan and meets the locational criteria contained in that Plan.

5  
6 SECTION 2. Size and Area Requirements.

7  
8 A. A tract of land for which a master plan development is approved must meet the size and  
9 area criteria contained in the adopted Newcastle Community Plan.

10  
11 B. The size requirements referred to in this section may be met by the assembly of smaller  
12 contiguous parcels as provided in Section 3 below.

13  
14 C. A tract for which a master plan development is approved must contain all the land  
15 within the outermost boundaries of the development.

16  
17 SECTION 3. Land Ownership Requirements.

18  
19 A. All property owners within the proposed master plan development must execute an  
20 agreement approved by the Department and binding on their successors in interest, in  
21 which each owner agrees that once application is made for approval of a master plan  
22 development, the owner shall make no other application to King County for any land use  
23 approval or permit for property within the proposed master plan development until either  
24 the proposed master plan development is either approved or disapproved by the Council,  
25 except as authorized in Section ((16))15 below or until the application is withdrawn.

26  
27 B. The agreement specified in Section 3(A) shall designate an appropriate agent who shall  
28 have the authority to represent the owners and their successors in interest in the process of  
29 obtaining approval of the master plan development from King County and developing the  
30 property pursuant to any approval.

31  
32 C. A single legal entity shall be created prior to approval of a master plan development  
33 which shall have responsibility for compliance with all conditions of master plan  
34 development approval.

35  
36 D. In the event of disputes regarding a proposed master plan development application  
37 between owners of property within a proposed master plan development, King County  
38 shall have no responsibility to resolve such disputes and shall have the discretion to refuse  
39 to process or approve a disputed application until such owners agree among themselves  
40 upon a course of action with respect to such an application.

41  
42 SECTION 4. Application for Master Plan Development.

43  
44 The application for approval of a master plan development shall include the following:  
45

1 A. Proof of compliance with Sections 1 , 2, and 3 above.

2  
3 B. A plan and supporting data pursuant to Section 5 (C) below.

4  
5 C. An environmental checklist.

6  
7 D. A list of all permits and approvals required for the project, to the extent they can be  
8 identified.

9  
10 E. A fee to cover the cost of processing the master plan development proposal as  
11 established pursuant to Section ((17))16 below.

12  
13 SECTION 5. Review Process.

14  
15 An application for a master plan development on Cougar Mountain shall be processed  
16 pursuant to procedures for reclassification of property pursuant to K.C.C. Chapter 20.24  
17 and other applicable ordinances; provided, that the application shall be exempt from the  
18 provisions of K.C.C. 20.24.190. During this process proposal(s) will be reviewed to ensure  
19 they meet the criteria of the adopted Newcastle Community Plan. Affected citizens,  
20 jurisdictions and public agencies shall play an important part in this review. The process is  
21 outlined below.

22  
23 A. Prior to submittal of a formal application the applicant shall have the option of  
24 requesting an informal conference with representatives from the Department, other County  
25 departments, and affected cities. The Department shall be responsible for organizing such a  
26 conference. The purpose of this conference shall be to identify:

- 27 1. Permits or approvals which may be required.
- 28 2. Applicable regulations and standards.
- 29 3. Alternatives regarding size, layout, phasing and other aspects of the proposal.
- 30 4. Additional information which may be required.
- 31 5. Available information sources for environmental data.
- 32 6. Potential problems.

33 No binding commitments, either formal or informal, may be required of or given by any  
34 public agency or county department at such a conference.

35  
36 B. Village design shall be based upon site analysis and suitability studies. Cougar  
37 Mountain contains many areas not suitable for development. The number and size of  
38 villages as specified in the policies and guidelines in the adopted Newcastle Community  
39 Plan are maximum limits, not guaranteed commitments. The actual number, location and  
40 size of the villages as well as the internal design should be based on the constraints and  
41 opportunities of the land. Some land is characterized by multiple, severe constraints to  
42 development. Other lands are valuable in their undeveloped state for cultural, biological,  
43 hydrological, or aesthetic reasons. Development of some otherwise unconstrained lands  
44 may cause unacceptable off site hazards, damage or public costs. Only detailed site  
45 capability analyses will determine if the specified development limits can be achieved

1 without creating unacceptable levels of environmental damage, public costs, or hazard to  
2 human life.

3  
4 C. The applicant shall prepare and submit to the Department a plan and supporting data  
5 containing the following information and documents:

6 1. A narrative statement describing in detail the area in which a master plan development  
7 is proposed, including the total acreage and properties within five hundred (500) feet, the  
8 existing character and use of the site, the location of any sites or structures of historic  
9 significance as defined in K.C.C. 20.62, and current land use designations,

10 2. A detailed description of the proposed master plan development, including proposed  
11 uses, zoning classifications, residential densities, open space and recreational facilities,  
12 drainage facilities, utilities and other public service improvements, and any significant  
13 physical alterations to the land required by the development, including a description of  
14 methods that will be used to satisfy the criteria identified in sections 7 through ~~((14))~~<sup>13</sup>  
15 below,

16 3. An explanation of how the proposal would meet relevant criteria established by the  
17 Comprehensive Plan, the policies and design guidelines contained in the adopted  
18 Newcastle Community Plan, and other adopted King County plans and policies,

19 4. A list of anticipated capital improvement projects necessitated in whole or in part by  
20 the proposal, including off site improvements, their approximate cost, and an explanation  
21 of the proposed method of financing such projects and other information pursuant to  
22 section ~~((15 of this ordinance))~~<sup>14</sup>,

23 5. Maps showing the existing and proposed topography (five foot contours), sensitive  
24 areas, as defined in K.C.C. 21.04, existing and proposed zoning classifications, location of  
25 streets and utilities, open spaces, natural drainage systems, recreational facilities, and other  
26 improvements. A vicinity map showing existing access, zoning, recreational facilities, and  
27 open space shall also be provided,

28 6. A detailed description of existing conditions and potential impacts from project  
29 development to both the on site and downstream drainage system. Analysis shall be  
30 extended to the major receiving water body. The drainage analysis shall be supported by  
31 site and downstream field data. This information shall be of sufficient detail for the  
32 Department to determine the scope of required drainage studies which may include a full  
33 basin plan.

34 7. A detailed description of the proposed phasing of the development including the  
35 phasing of housing and public facilities and services, such as recreational facilities, and  
36 open spaces and drainage facilities, and an estimated development timetable.

37 8. A detailed explanation of the proposed methods of managing and maintaining required  
38 recreational facilities, open spaces, drainage facilities, and other public facilities or  
39 services,

40 9. Additional information as is necessary to evaluate the proposed master plan  
41 development for compliance with applicable state laws and County policies, including but  
42 not limited to the standards contained in the adopted Newcastle Community Plan and Area  
43 Zoning.  
44



1 D. King County is receptive to the development of an interlocal agreement between  
2 Bellevue, Issaquah, and King County. The Department will work with the affected cities to  
3 determine whether or not an interlocal agreement is appropriate. Such an agreement would  
4 establish the responsibilities of each jurisdiction and the process for reviewing master plan  
5 development proposals, including determining specific land uses and identifying  
6 conditions of development. It would also spell out utility service responsibilities and  
7 identify municipal annexation boundaries.

8  
9 E. The King County Executive shall determine the scope of required drainage studies. The  
10 studies shall take the form of site capability studies, drainage basin plans, or specific  
11 drainage studies covering one or more of the drainage basins where development is  
12 proposed. The on site and appropriate off site studies shall be prepared by the applicant and  
13 submitted prior to master plan development approval. The County Executive shall also  
14 determine the timing, management, and funding of basin or drainage plan implementation.  
15 The relationship between the drainage basin plans and other studies and any required  
16 project environmental impact statement shall also be addressed.

17  
18 F. The King County Executive shall determine whether or not an environmental impact  
19 statement (EIS) is required. If an EIS is necessary it will be paid for by the applicant, and  
20 the County shall select a consultant to prepare the project EIS from a list submitted by the  
21 applicant. If the County determines that there are no qualified consultants on the list, then  
22 additional names shall be submitted.

23  
24 The EIS shall evaluate at least two alternative development plans. This evaluation shall  
25 include an appraisal of the ability of the alternatives to meet the policies and guidelines  
26 contained in the adopted Newcastle Community Plan. Any required site capability,  
27 drainage studies, or basin plans shall be used as part of the technical background  
28 information in the EIS.

29  
30 G. Pursuant to K.C.C. 20.24.150, the Department shall prepare a report to the Zoning and  
31 Subdivision Examiner on the master plan development application. This report shall be  
32 based on any environmental review including an environmental impact statement and any  
33 drainage basin plans or other studies; input from affected cities, public agencies, and  
34 County departments; the adopted Newcastle Community Plan and other County plans and  
35 policies; and the development criteria contained in Sections 7 through ~~((14))~~13, below.

36  
37 H. The Zoning and Subdivision Hearing Examiner and County Council shall process an  
38 application for a master plan development pursuant to the procedures for reclassification of  
39 property contained in K.C.C. Chapter 20.24, other applicable ordinances, and the adopted  
40 Newcastle Community Plan; provided, that the application shall be exempt from the  
41 provisions of K.C.C. 20.24.190. This process shall include public hearings,  
42 recommendations, and final action.

43  
44 I. Master plan approval would be at least a two stage process. The first stage would be a  
45 general review of the overall master plan development of up to two villages on Cougar

1 Mountain. Depending upon proposed phasing and timing of development at each village  
2 site, one or more additional stages of review would be required to assign specific land use  
3 and zoning designations and conditions for the development of each village site and/or  
4 each phase of development. The review process for each stage of approval would be the  
5 same as the zone reclassification process.  
6

7 SECTION 6. Approved Master Plan Development  
8

9 A. An approved master plan development shall consist of the following:

- 10 1. A detailed land use map of the subject property depicting the uses authorized for the  
11 entire subject property,
- 12 2. At the applicant's option, one of the following two detailed zoning maps of the subject  
13 property depicting:
  - 14 a. Approved zoning classifications implementing the approved land uses on all or a  
15 portion of the subject property,
  - 16 b. Potential zoning classifications for all or a portion of the subject property to  
17 implement the approved land uses, as provided in K.C.C. 21.46.060; provided, the base  
18 zoning for any portions of the subject property designated with a potential zone is that  
19 approved by the adopted Newcastle Area Zoning guidelines,
- 20 3. Any conditions of approval.  
21

22 B. Final conditions of approval, including on site and off site improvements to be  
23 undertaken by the applicant, the approved plan, and data described in subsections 2, 4, 5, 7  
24 and 8 of Section 5(C) and Section 8(A) of this ordinance, shall be embodied in a  
25 concomitant agreement approved by the Department of Planning and Community  
26 Development and the King County Prosecuting Attorney, and thereafter executed by all  
27 property owners within the master plan development and by King County in recordable  
28 form and filed for recording with the King County Division of Records and Elections. Such  
29 an agreement shall bind the property owners and their successors in interest to develop  
30 their properties only in accordance with the final conditions of approval.  
31

32 C. The master plan development approval shall not become effective nor shall any  
33 development commence until the concomitant agreement has been recorded with the  
34 Division of Records and Elections. The agreement shall be recorded as a covenant to the  
35 properties identified in Section 6(B).  
36

37 SECTION 7. Development Criteria.  
38

39 In addition to compliance with K.C.C. 20.24.180, the approval, denial or imposition of  
40 conditions upon a master plan development shall be based upon the specific requirements,  
41 goals and policies identified in sections 8 through ~~((18))~~17 below and other applicable state  
42 and county statutes, regulations, plans and policies.  
43

44 SECTION 8. Housing Criteria.  
45

1 A. Housing for all income levels.

2  
3 1. "Low income" is an income level below eighty percent (80%) of the median income  
4 for King County. Ten percent (10%) of the total residential units shall be used as a target in  
5 providing housing in each master plan development affordable to persons of low income,

6 2. "Moderate income" is an income level between eighty percent (80%) and one hundred  
7 percent (100%) of the median income for King County. Ten percent (10%) of the total  
8 residential units shall be used as a target in providing housing in each master plan  
9 development affordable to persons of moderate income,

10 3. "Median income" is an income level between one hundred percent (100%) and one  
11 hundred twenty percent (120%) of the median income for King County. Ten percent (10%)  
12 of the total residential units shall be used as a target in providing housing in each master  
13 plan development affordable to persons of median income,

14 4. Median income for King County and affordable monthly housing payments based upon  
15 a percent of this income shall be determined annually by the Department of Planning and  
16 Community Development,

17 5. Housing required by this section shall contain a reasonable mix of units designed for  
18 senior citizens and families.

19  
20 B. A preliminary schedule for the phasing of the construction of the housing called for  
21 above shall be included with each master plan development application in order to assure  
22 that an adequate mix of housing is provided in all phases of development and that the  
23 required housing is dispersed throughout the development. A specific schedule shall be  
24 submitted with each phase pursuant to Section ((14))13 (B.6).

25  
26 C. No low income housing will be required in any phase unless publicly funded programs  
27 for such housing are available, provided that the developer may be required to set aside  
28 sufficient land for that purpose. Land may be required to be set aside for a period of up to  
29 five years at a value calculated as follows: the area of the set aside land multiplied times the  
30 average per square foot assessed value of the property in the phase for the year in which the  
31 phase is granted approval. Computations shall be based on King County Assessor  
32 information. If during that period, programs become available, the developer shall  
33 cooperate with the public agency for the development of such housing. If programs do not  
34 become available the land shall be released for other development consistent with the  
35 master plan development and the low income housing requirement will be reevaluated at  
36 the next phase.

37  
38 D. The master plan development will be reviewed to establish a minimum percentage for  
39 each housing income level. Criteria for establishing these minimums shall include County  
40 wide as well as community plan area population characteristics, market, and economic  
41 factors including but not limited to:

- 42  
43 1. Cost of construction and financing,  
44 2. Cost of existing housing,  
45 3. Housing types and sizes available,

- 1 4. Percentage population within each income level,
- 2 5. Employment opportunities,
- 3 6. Availability of publicly funded housing programs for low income persons,
- 4 7. Amount of existing assisted housing in the surrounding area,
- 5 8. Overall need County wide for low, moderate, and median income housing for senior
- 6 citizens and families.

7  
8 SECTION 9. Open Space and Recreational Criteria.

9  
10 A. Forty percent (40%) of the gross area of the overall master plan shall be used as a target  
11 in providing community open space. "Community open space" means land in the master  
12 plan development which is to be owned by the public or by an approved community or  
13 homeowners' organization at the option of the King County Department of Planning and  
14 Community Development, and preserved in perpetuity for the use of the public and/or  
15 residents of the master plan development.

16  
17 B. Open space requirements for residential developments contained in King County Code  
18 titles 19, 20 and 21 shall be waived within the master plan development; except that the  
19 open space requirements of K.C.C. Chapter 21.56 and K.C.C. 21.08.080 shall remain in  
20 effect for PUD's and for plats when using the lot averaging provisions. The open space  
21 required for UPD in K.C.C. Chapter 21.56 and for plats in K.C.C. when using the lot  
22 averaging provisions shall not be included in the calculation of community open space.

23  
24 C. The following areas shall be preserved as open space:

- 25 1. Unique, fragile, and valuable elements of the environment plus any necessary
- 26 protective buffer areas, such as prime wildlife habitats or natural drainage features,
- 27 2. Areas unsuitable for building due to natural hazards,
- 28 3. Agricultural and fisheries resources,
- 29 4. Physical and/or visual buffers within and between areas: of urban development; except
- 30 that private open space areas associated with residential dwellings shall not be included in
- 31 the calculation of the minimum community open space area,
- 32 5. Natural areas with significant educational, scientific, historic, or scenic values,
- 33 6. Outdoor recreation areas. Park and recreational facilities shall be provided by the
- 34 developer in accordance with current County standards (Ordinance 3813 and Motion 3527
- 35 and any applicable future amendments).
- 36 7. Perimeter buffering of the master plan development.
- 37 8. Existing and proposed trail corridors.
- 38 9. 80% of the land dedicated for school purposes.

39  
40  
41 D. The master plan development will be reviewed to establish a minimum percentage of  
42 open space and recreational area.

- 43 1. Criteria for establishing this minimum shall include the physical characteristics of the
- 44 site, the amount of recreational facilities and permanent open space in the surrounding
- 45

1 area, the existing and planned uses of adjacent land , and the types of uses proposed for  
2 open space areas.

3 2. High priority shall be given to preserving, maintaining and managing the existing  
4 natural drainage system by retaining significant drainage features including creeks,  
5 streams, lands and wetlands within the open space area with minimal encroachment by  
6 other open space uses.

7 3. Compatible multiple uses on such open space may be specifically authorized at the  
8 time of approval of the master plan development.

9 4. Preservation of open space for environmental and buffering needs in excess of the  
10 community open space target shall not relieve the master plan development from providing  
11 useable open space for active use.

12  
13 E. Open space shall be either dedicated to an appropriate governmental agency or held in  
14 perpetuity by an approved private organization with responsibility for maintenance and  
15 operation at the option of the Department.

16  
17 F. Any open space property which is planned for dedication, but is not dedicated promptly  
18 upon approval of the phase of the master plan development in which the property is  
19 located, shall be maintained by the applicant until dedicated, in accordance with an  
20 approved interim maintenance program. The applicant shall submit a proposed interim  
21 maintenance program for all such properties as part of the master plan development  
22 application.

23  
24 SECTION 10. Commercial/Industrial Criteria.

25  
26 A. The master plan development shall provide neighborhood business areas for the  
27 everyday shopping and service needs of the community, consistent with applicable King  
28 County policies.

29  
30 B. Mixed use buildings are encouraged in business areas.

31  
32 SECTION 11. Utilities, Energy and Public Services Criteria.

33  
34 A. The master plan development shall be responsible for all improvements and additions to  
35 public and private water and sewer facilities required as a result of the development,  
36 including off site facilities and improvements.

37  
38 B. The master plan development shall provide for adequate fire protection to the extent  
39 such need is created either wholly or partially as a result of the development. In the event  
40 adequate facilities are not available the developer shall have the option of dedicating sites,  
41 paying fees or using other means capable of providing for fire protection. Provision for  
42 adequate fire protection may include dedication of fire station sites, construction of fire  
43 stations, and purchase of new equipment.

44

1 C. The master plan development shall include energy efficient building types and efficient  
 2 energy consuming systems. The master plan development shall make use of renewable  
 3 energy resources and the provision of a choice of alternative fuel sources wherever possible  
 4 and economically feasible.

5  
 6 D. The master plan development shall provide for adequate schools to the extent such need  
 7 is created either totally or partially as a result of the development. In the event adequate  
 8 facilities are not available the developer shall have the option of dedicating sites, paying  
 9 fees or using other means capable of providing for school services. School site locations  
 10 and access shall be determined in conjunction with the appropriate district. Such sites shall  
 11 be provided with utility connections and shall be dedicated to the appropriate school  
 12 district.

13  
 14 E. Methods for financing public and private improvements referred to in this section shall  
 15 be identified and approved by King County pursuant to Section ~~((15))~~14.

16  
 17 SECTION 12. Transportation Criteria.

18  
 19 A. The master plan development shall provide:

20  
 21 1. External access streets, internal arterials and streets meeting current King County road  
 22 planning and improvement standards or as otherwise provided pursuant to K.C.C. Chapter  
 23 19.20.

24 2. Facilities or design considerations which encourage the use of alternative modes of  
 25 transportation, including but not limited to, transit, carpool, bicycle, pedestrian and  
 26 equestrian trail facilities.

27 3. All on site and off site road improvements necessary to mitigate the impacts of traffic  
 28 on existing public roads caused as a result of the development.

29  
 30 B. A transportation plan should be prepared by the applicant for the master plan  
 31 development and shall be reviewed and approved by the Department of Public Works prior  
 32 to issuance of any development or building permit for the first phase of an approved master  
 33 plan develop magnet. A transportation plan for each phase of development shall be  
 34 reviewed and approved before development of that phase begins, to assure compatibility  
 35 with the master transportation plan and adequacy of facilities, and compliance with current  
 36 King County standards. Care will be given to ensure the plans are compatible with  
 37 standards of the adjacent jurisdictions.

38  
 39 C. Methods for financing of on site and off site transportation improvements required  
 40 pursuant to this section shall be identified and approved by King County pursuant to  
 41 Section ~~((15 of this ordinance))~~14.

42  
 43 ~~((SECTION 13. Drainage Criteria.~~

44

1 ~~A. The master plan development shall provide an on and off site drainage facilities system~~  
2 ~~which meets the following criteria:~~

3  
4 ~~1. The existing natural drainage system shall be preserved, maintained, and managed to~~  
5 ~~the maximum feasible extent. Significant creeks, streams, lakes, wetlands, and supporting~~  
6 ~~vegetative buffers necessary to preserve the valuable functions of the natural drainage~~  
7 ~~system, shall be retained to the maximum feasible extent. Development, including roads~~  
8 ~~and utilities, within the natural drainage system shall be kept at an absolute minimum. Any~~  
9 ~~development proposed around these features shall require studies pursuant to K.C.C. 21.54~~  
10 ~~and Natural Features policies in the adopted Newcastle Community Plan. These studies~~  
11 ~~shall determine if development may be permitted and to determine appropriate setbacks~~  
12 ~~and other mitigating measures to protect the features if development is allowed.~~

13 ~~2. The system shall be designed to be compatible with applicable King County drainage~~  
14 ~~basin plans and systems including drainage basin plans required during the review of the~~  
15 ~~master plan development and any pre-existing basin plans. Care shall be given to ensure~~  
16 ~~the systems are compatible with those of adjacent jurisdictions.~~

17 ~~3. The system shall be designed and constructed so as to mitigate on site and off site~~  
18 ~~impacts from increased runoff, erosion, siltation, flooding and/or other impacts identified~~  
19 ~~in drainage studies or basin plans.~~

20  
21 ~~B. A comprehensive drainage study and plan addressing site and downstream conditions~~  
22 ~~for the master plan development shall be prepared by the applicant. The study and plan~~  
23 ~~shall be reviewed and approved by the Department of Public Works prior to issuance of~~  
24 ~~any development or building permit for the first phase of an approved master plan~~  
25 ~~development. A drainage plan for each phase of development shall be reviewed and~~  
26 ~~approved before development of that phase begins, to assure compatibility with the master~~  
27 ~~drainage plan, adequacy of facilities, and compliance with current King County standards.~~  
28 ~~Care will be given to ensure the plans are compatible with standards of the adjacent~~  
29 ~~jurisdictions.~~

30  
31 ~~C. Determination of whether the drainage system and drainage facilities shall be owned,~~  
32 ~~managed, maintained, and funded by the public, a private organization, or shared public~~  
33 ~~private responsibilities shall occur as part of master plan approval.~~

34  
35 ~~1. A manual shall be prepared by the applicant prescribing preservation, maintenance and~~  
36 ~~management procedures, practices and responsibilities for the existing natural drainage~~  
37 ~~system and any on site drainage facilities located within the master plan development.~~

38  
39 ~~D. Methods for financing of construction and maintenance of on site and off site drainage~~  
40 ~~improvements required pursuant to this section shall be identified and approved by King~~  
41 ~~County pursuant to Section 15 of this ordinance.))~~

42  
43 SECTION ((14))13. Phased Development.  
44

1 A. The term "phase" means a portion of a master plan development site which is the  
 2 subject of application for approval of one or more subdivisions, planned unit  
 3 developments, or site plans pursuant to K.C.C. sections 21.46.150 :200; provided, that  
 4 approval of a site plan in the master plan development shall be based on compliance with  
 5 the guidelines, performance standards, permitted uses, or other requirements imposed for  
 6 that phase at the time of master plan approval.

7  
 8 B. A master plan development may be developed in phases, provided:

- 9  
 10 1. An estimated time period for completion of all phases shall be provided as part of the  
 11 master plan application,  
 12 2. The development must be provided with adequate facilities and services at all phases of  
 13 development,  
 14 3. Initiation of new phases may be prohibited until conditions imposed on previous phases  
 15 have been met,  
 16 4. A detailed financial plan is submitted for each phase pursuant to Section ~~((15))~~14  
 17 below,  
 18 5. A general sequence of phases shall be required which will assure a mix of uses and  
 19 densities,  
 20 6. Prior to submission of development plans for each phase, the applicant shall consult  
 21 with the King County Housing and Community Development Division to determine the  
 22 specific number of low/moderate/median income housing units to be developed in the  
 23 proposed phase.

24  
 25 C. Additional conditions of approval may be imposed on each phase to obtain compliance  
 26 with current County requirements provided changes to the requirements in Sections 8 to  
 27 ~~((14))~~13 shall be reviewed pursuant to Section ~~((18))~~17.

28  
 29 SECTION ~~((15))~~14. Financial Plan for Capital Facilities.

30  
 31 A. A preliminary financial plan shall be submitted as part of the master plan development  
 32 application which addresses:

- 33  
 34 1. On site and off site capital facilities required as a result of the proposed master planned  
 35 development as identified in Sections 11(~~(,)~~) and 12(~~(, and 13)~~),  
 36 2. Capital facilities required by the master plan development that cannot be built  
 37 incrementally as part of each phase and those capital facilities required in conjunction with  
 38 the development of each phase.  
 39 3. Potential financing methods.  
 40 4. Areas within and outside of the designated master plan development area that will  
 41 benefit from the required facilities.  
 42 5. The master plan development's fair share of the costs for on and off site improvements.

43  
 44 B. A detailed financial plan shall be submitted as part of each proposed phase review. The  
 45 detailed financial plan shall identify the proposed methods for financing the required



1 capital facilities for the phase and a schedule for its implementation. Alternative methods  
2 shall be identified for those methods which are dependent on actions beyond the applicant's  
3 control.

4  
5 C. Approval of the master plan development is for land use purposes only and as such does  
6 not constitute prior County approvals or decisions or make provisions for capital facility  
7 programming for required off site or on site facilities.

8  
9 SECTION ((16))15. Combination With Other Applications.

10  
11 A. An application for a master plan development or an amendment thereto may be  
12 combined with applications for King County approval or related land development permits  
13 and approvals for the site which implement the master plan development, including but not  
14 limited to, subdivisions, planned unit developments, Local Service Area amendments,  
15 shoreline permits, flood control permits, and building permits.

16  
17 B. The following types of applications may be processed concurrently with an application  
18 for a master plan development: amendments to utility district comprehensive plans,  
19 franchises and sewerage general plan amendments. Amendments to such plans may  
20 encompass more property than that of the proposed master plan development if consistent  
21 with the adopted Newcastle Community Plan and other applicable adopted County plans  
22 and policies.

23  
24 SECTION ((17))16. Fee.

25  
26 A fee shall be paid by the applicant to finance the master plan review process in amounts to  
27 be determined by Department at the time of application. Such fee's shall equal the  
28 estimated cost of processing the master plan development application for all affected  
29 Executive County agencies. After receipt of an application for a master plan development,  
30 the Department shall consult with all affected Executive county agencies and shall  
31 establish a budget setting forth the estimated cost of reviewing the application. The  
32 applicant shall pay the budgeted amount, and at the applicant's option, payment may be  
33 made in regular installments during the review process. All County departments involved  
34 in the review process shall keep accurate records of their actual time and costs expended in  
35 reviewing the application. After the application has been approved or disapproved by the  
36 Council, the budgeted amount shall be adjusted to equal the actual cost of processing. The  
37 applicant shall thereupon pay any remaining deficit to King County, or the County shall  
38 thereupon refund any remaining surplus to the applicant.

39  
40 SECTION ((18))17. Master Plan Development Amendments.

41  
42 An approved master plan development, including any of the required elements thereof, the  
43 concomitant agreement, or any conditions of approval, may be amended or modified by the  
44 Council of King County at the request of King County, the applicant, or the applicant's  
45 successor in interest, if the Council finds, after notice and hearing undertaken in

1 accordance with procedures for reclassification of property pursuant to K.C.C. Chapter  
2 20.24 and other applicable ordinances, that conditions in the area have changed, that  
3 development as originally approved would be infeasible, or that the proposed amendment  
4 or modification would better promote the health, safety, or welfare of King County  
5 residents.

6  
7 SECTION ~~((19))~~18. Development Criteria not a Precedent.

8  
9 The Development Criteria of Sections 8 through ~~((18))~~17 are imposed on village  
10 development proposals within the Cougar Mountain Subarea. Nothing herein shall be  
11 construed as authorizing or encouraging the application of the requirements, goals, and  
12 policies of Sections 8 through ~~((18))~~17 to any other land use approval or permitting process  
13 in King County. The requirements, goals, and policies of Section 8 through ~~((18))~~17 shall  
14 not apply to zoning reclassifications, subdivision or short subdivision approvals, planned  
15 unit developments, large lot segregations , or other land use approvals or permits not part  
16 of the master plan developments within the villages master plan development overlay  
17 district.

18  
19 **Effect:** This amends the Newcastle Community Plan Development Condition to repeal a  
20 section replaced by equivalent drainage controls in the revised Design Manual.