

1 (a) Multifamily development is prohibited in the
2 conservancy environment, except that the clustering of dwelling
3 units into multifamily development may be permitted to avoid
4 development of sensitive or hazardous area such as marshes,
5 swamps, bogs, floodplains, or steep or unstable slopes;
6 provided, that the density standards enumerated in
7 Section 25.24.100 shall not be exceeded. This provision is not
8 intended to promote intensive development in the conservancy
9 environment. The intent of this provision is to permit
10 development which would have less adverse impact on sensitive or
11 hazardous areas than traditional lot by lot development.

12 (b) Single-family residential development may be permitted
13 in the conservancy environment subject to the general require-
14 ments of this chapter and the single-family provisions
15 (Sections 25.16.090 through 25.16.140) of the urban environment;
16 provided, single-family development shall maintain a shoreline
17 setback of fifty feet from the ordinary high water mark or from
18 the upland edge of the floodway or from the edge of areas of
19 steep slopes, slide hazard or unstable soils, whichever is
20 greater. A farmhouse permitted under Section 21.54.050 shall be
21 exempt from the setback requirements of this section.

22 (c) Any pier, moorage, float or launching facility
23 permitted accessory to single-family development or common use
24 facility accessory to subdivision, short subdivision or planned
25 unit development in the conservancy environment shall be subject
26 to the pier, moorage, float and launching facility provisions
27 (Sections 25.16.090 through 25.16.140) of the urban
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ORDINANCE NO. **5061**

AN ORDINANCE allowing the issuance of permits for the replacement of existing farmhouses located within floodways, adding a new section to Resolution 27589 and K.C.C. 21.04; amending Ordinance 3952, Section 4, K.C.C. 21.54.050; Ordinance 3688, Section 409(2), K.C.C. 25.16.100; and Ordinance 3688, Section 609, K.C.C. 25.24.090.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings.

The Council finds that:

1. It is the policy of King County to preserve and protect agricultural land in the county and to encourage continued agricultural use of that land.

2. A significant portion of the land in King County used for agricultural purposes is located within floodways.

3. The continued agricultural use of land located in floodways will be encouraged if those persons using the land for agricultural purposes may continue to reside thereon.

4. To insure that the agricultural use of land in floodways will continue, residents of such land should be allowed, under certain conditions, to replace single-family dwellings thereon.

NEW SECTION. SECTION 2. There is added to Resolution 27589 and to K.C.C. 21.04 a new section to read as follows:

Farmhouse. "Farmhouse" means a one-family dwelling which is the primary dwelling on a building site on farmland, as defined in Section 26.04.020 (8).

SECTION 3. Ordinance 3952, Section 4, and K.C.C. 21.54.050 are each amended to read as follows:

1 Limitation on uses in floodway. The following shall not be
2 permitted as a new use or new structure or development in a known
3 floodway;

4 (a) Any structure, development or grading which is
5 prohibited in the floodway fringe;

6 (b) Any permanent building or structure designed to be
7 used year-round for human habitation, commerce, employment or
8 public assembly; provided that construction or relocation of a
9 farmhouse or improvements to an existing farmhouse may be
10 permitted under the following conditions:

11 (1). There must be no site outside the floodway where
12 a replacement farmhouse can reasonably be located.

13 (2) A farmhouse, whether newly constructed or
14 relocated, must be a replacement of an existing farmhouse on
15 the same farmsite.

16 (3) The elevation of the lowest floor, including
17 basement, if any, of the farmhouse shall be one foot higher
18 than the elevation of the one-hundred-year flood.

19 (4). New and replacement water supply systems, if any,
20 shall be designed to minimize or eliminate infiltration of
21 flood waters into the system.

22 (5) New and replacement sanitary sewer systems for
23 replacement farmhouses may be located within the flood plain
24 if designed and located to minimize or eliminate infiltration
25 of flood waters into the system and discharge from the systems
26 into the flood waters.

27 (6) All other utilities and connections to public
28 utilities shall be designed, constructed, and located to
29 minimize or eliminate damage.

30 (7) The farmhouse being replaced shall be removed
31 from the floodway in its entirety, including the foundation
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1 to assure that only one farmhouse is located in the floodway.

2 The permit shall specify a date for completion of the above work.

3 (c) Any structure or grading which would cause water to
4 be diverted from the established floodway, cause erosion,
5 obstruct the natural flow of water, increase the potential for
6 turbidity or pollution, materially reduce the carrying capacity
7 of the floodway or raise the elevation of the one-hundred-year
8 flood;

9 (d) During the flood season, the construction or storage
10 of any object or material which would be subject to flotation
11 and movement: provided, that the following may be permitted
12 when permitted in the underlying use classification and when
13 the objectives of this chapter are secured by the attachment
14 of conditions:

15 (1) Dwellings, and structures or building relating to
16 commerce, employment or public assembly which are seasonal in
17 nature and either mobile or readily disassembled; and are
18 removed from the floodway during the flood season,

19 (2) Agriculture, forestry and open recreation uses
20 such as campgrounds, parks, golf courses, gun clubs, tennis
21 clubs, swimming clubs, boat launching, riding clubs, transient
22 amusement activities, racetracks, and airstrips, provided that
23 all permanent or year-round buildings are either located outside
24 the floodway or, if located in the floodway, can be floodproofed
25 with negligible obstruction, diversion and loss of carrying
26 capacity,

1 (3) The storage of equipment, machinery and building
2 material during the period from May 1st to September 15th,

3 (4) The primary processing of forest and agricultural
4 products and the mining and processing of natural materials,
5 provided portable equipment and machinery are used and the
6 storage of products and equipment are limited to the nonflood
7 season.

8 (e) Any alteration in the river or stream channel without
9 notifying adjacent communities. (Ord. 3852, Section 4, 1978:
10 Ord. 1527, Section 5, 1973).

11 SECTION 4. Ordinance 3688, Section 409(2) and
12 K.C.C. 25.16.100 are each amended to read as follows:

13 Residential Development -- Single-Family. Single-family
14 residential development may be permitted in the urban
15 environment subject to the general requirements
16 (Section 25.16.030) of this chapter, provided:

17 (a) Single-family development is permitted in the
18 underlying zone classification;

19 (b) Single-family development, including floating homes,
20 shall not be permitted waterward of the ordinary high water
21 mark;

22 (c) Single-family development shall maintain a shoreline
23 setback of twenty feet from either the ordinary high water mark
24 of from the upland edge of the floodway or from the upland edge
25 of areas of steep slope, slide hazard or unstable soils,
26 whichever is greater. (Ord. 3688, Section 409(2), 1978).

27 (d) A farmhouse permitted under Section 21.54.050 shall
28 be exempt from the setback requirements of this section.

29 SECTION 5. Ordinance 3688, Section 609 and K.C.C. 25.24.090
30 are each amended to read as follows: