

May 29, 1996

Introduced By: Christopher Vance

mohm/kn

Proposed No.: 96-346

ORDINANCE NO. 12380

AN ORDINANCE related to building and construction standards; re-establishing standards relative to the location and installation of individual mobile homes and factory-built commercial structures and coaches; amending clearing standards; amending Ordinance 12016, Section 3 and K.C.C. 16.82.150; amending Ordinance 12196, Section XX, and adding new sections to K.C.C. 16.04, each as is codified.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

PREAMBLE:

1. Sections one through six of this ordinance re-adopt placement standards for individual mobile homes, their accessory structures, factory built commercial structures and coaches.

2. These standards were formerly contained in Title 21, and in the adoption of Title 21A, were inadvertently left out. These standards are now being added to Title 16 (Building and Construction Standards) for clarity and ease of use by applicants.

3. Section seven of this ordinance amends the clearing standards contained in Title 16.

4. Ordinance 12015, implementing the Bear Creek Basin Plan, updated standards for land clearing within the basin. These new standards are, in most cases, less restrictive than those in the Bear Creek Community Plan but are deemed adequate to protect habitat and property in the Bear Creek basin and are also easier to administer.

5. SEPA review was conducted as part of adoption of Ordinance 12015 on October 30, 1995.

6. Ordinance 12016, extending clearing and drainage standards adopted for the Bear Creek basin to the remainder of the Bear Creek Community Plan area outside of the Bear Creek basin, was intended to make standards in the area consistent, easier to administer and easier for the public to understand.

7. Ordinance 12016 inadvertently removed the Bear Creek Basin Plan standards the council adopted in Ordinance 12015 for the portions of the Bear Creek Basin outside of the Bear Creek Community Planning Area.

8. The technical correction in section seven of this ordinance is necessary to readopt those standards which the council adopted in Ordinance 12015 for the entire Bear Creek Basin.

NEW SECTION. SECTION 1. There is hereby added to K.C.C. 16.04 a new section to read as follows:

1 Individual Mobile Homes - purpose and applicability. A. The purpose of this  
 2 section is to establish standards for the location, review and and installation of mobile  
 3 homes (and accessory structures) as well as factory built commercial structures and  
 4 coaches.

5 B. These standards shall apply to all mobile homes (and accessory structures) or  
 6 factory built commercial structures and coaches to be installed after the effective date of  
 7 this ordinance.

8 NEW SECTION. SECTION 2. There is hereby added to K.C.C. 16.04 a new  
 9 section to read as follows:

10 Individual Mobile Homes - location. A mobile home with an insignia of approval  
 11 by the Washington State Department of Labor and Industries (DLI) or the U.S.  
 12 Department of Housing and Urban Development (HUD) may locate on any legal lot on  
 13 which a dwelling unit is permitted by Title 21A and within any legally approved mobile  
 14 home park. However, a mobile home without such insignia shall not be relocated to or  
 15 within King County except as provided in subsection 3B of this ordinance.

16 NEW SECTION. SECTION 3. There is hereby added to K.C.C. 16.04 a new  
 17 section to read as follows:

18 Individual Mobile Homes - standards. All mobile homes shall comply with  
 19 following requirements:

20 A. "Insignia" mobile homes. Mobile homes approved by DLI or HUD shall have  
 21 the appropriate insignia indicating such approval affixed to the unit, in accordance with  
 22 the provisions of RCW 43.22.

23 B. "Noninsignia" mobile homes. Mobile homes without an insignia of approval  
 24 pursuant to subsection A are subject to the following provisions:

25 1. Mobile homes currently located within King County may remain in their current  
 26 location. However, prior to the relocation of such mobile home to another portion of King  
 27 County, the owner shall provide evidence that the mobile home was located within King  
 28 County before the January 21, 1980 effective date of Ordinance 4681. A "noninsignia"  
 29 mobile home currently located outside of King County may be relocated to King County  
 30 only when subject to forced relocation pursuant to RCW 59.21.105.

1 2. Prior to installing a noninsignia mobile home, the mobile home shall be  
2 inspected and approved by the department of development and environmental services.  
3 The inspection shall review consistency with the following liveability standards, but shall  
4 not be considered a warranty that the mobile home is safe or livable:

5 a. the unit must have safe, operable heating facilities.

6 b. the unit must be equipped with a water closet, lavatory, bathtub or shower, and  
7 kitchen sink; be provided with hot and cold running water; and all facilities shall be  
8 installed and maintained in a safe and sanitary condition.

9 c. the structure must be weather protected so as to provide shelter for the  
10 occupants against the elements and to exclude dampness.

11 d. all openable windows and doors must be in operable condition to provide for  
12 adequate natural ventilation and emergency exit.

13 e. at least one operable smoke detector shall be installed within the unit.

14 f. the unit shall be structurally sound with no apparent unsafe condition in floors,  
15 walls, ceilings and roofs.

16 g. the unit must be well maintained, free of debris and infestation of insects,  
17 vermin or rodents.

18 C. All mobile homes are subject to the following installation requirements:

19 1. Support systems and stabilizing devices shall be designed and installed in  
20 accordance with the provisions of WAC 296-150B-200.

21 2. Electrical connections shall be inspected and approved by the Washington State  
22 Department of Labor and Industries.

23 3. Mobile homes supported on piers shall be fully skirted.

24 4. Mobile homes located outside of a mobile home park shall be subject to the  
25 setback and lot coverage provisions of the zone in which located.

26 D. Accessory structures.

27 1. Accessory structures shall be subject to the provisions of the Uniform Building  
28 Code as adopted in King County and a building permit shall be required before  
29 construction or installation.

1           2. Separation between accessory structures and other structures shall be as set  
2 forth in K.C.C. 21A.14.170 or .180. However, if the accessory structure is a carport  
3 constructed of combustible materials, the carport roof area shall not extend over or  
4 otherwise cover any bedroom windows and no other accessory structures other than decks,  
5 porches, stairs or ramps shall be permitted under the carport roof area.

6           NEW SECTION. SECTION 4. There is hereby added to K.C.C. 16.04 a new  
7 section to read as follows:

8           Individual Mobile Homes - required permits and application content.

9           A. Installation of a mobile home shall require the approval of a mobile home permit  
10 by the department of development and environmental services pursuant to the permit  
11 process and procedures for type 1 permits outlined in K.C.C. Title 20.XX. The permit  
12 shall expire one year after date of issuance. A permit may be renewed for a maximum of  
13 one year upon request of the applicant, provided such requests are made within fifteen days  
14 of the date of expiration of the original permit. Mobile homes shall not be permanently  
15 occupied for more than forty-five days prior to issuance of a certificate of occupancy by the  
16 department of development and environmental services.

17           B. The following must be submitted with an application for a mobile home permit,  
18 except that when the mobile home is to be located in an approved mobile home park,  
19 subsections 1d, 1e, 1h, 1i, and 3 shall not apply:

20           1. Two copies of a site plan drawn to scale, showing:

21           a. North arrow and scale,

22           b. Location and dimensions of all property lines or leased areas, and easements,

23           c. Proposed location of mobile home and/or accessory structure(s) on the site or  
24 space,

25           d. Distances from the mobile home and accessory structure(s) to property lines,

26           e. Approximate surface elevation at each corner of the site,

27           f. Location of parking spaces,

28           g. Name or number of street on which site or space is located,

29           h. Location of septic tank and drainfield, if sewers are not available,

30           i. Location of well or other water source, if public water supply is not available;

- 1           2. A description of the mobile home, including:
- 2           a. Model number,
- 3           b. Washington State and/or H.U.D. ID number,
- 4           c. Name of manufacturer and year of manufacture;
- 5           3. Two copies of plans showing proposed foundation system, if more than
- 6 one-fourth of the floor area of the mobile home, as measured from the bottom of the main
- 7 frame members, will be more than three feet above the existing ground level, or when any
- 8 supporting piers exceed sixty inches in height;
- 9           4. A State Contractors or Mobile Home Dealers Registration Card, or photocopy of
- 10 same and Certified Manufactured Home Installers number.

11           C. An accessory structure in excess of 120 square feet of floor or roof area shall

12 require the approval of a building permit by the department of development and

13 environmental services pursuant to the permit process and procedures for type 1 permits

14 outlined in K.C.C. Title 20.XX. An application for a building permit for an accessory

15 structure shall include site plans drawn consistent with the provisions of subsection B-1. If

16 an application for a building permit for an accessory structure is submitted together with an

17 application for a mobile home permit and if the accessory structure is less than 600 square

18 feet in area, the fee for the accessory structure shall be waived.

19           NEW SECTION. SECTION 5. There is hereby added to K.C.C. 16.04 a new

20 section to read as follows:

21           Factory built commercial structures and coaches - standards.

22           A. Factory-built commercial structures and coaches shall be located, installed and

23 used in the same manner as conventional commercial structures, except to the extent that

24 construction standards are regulated by the Washington State Department of Labor and

25 Industries or the U.S. Department of Housing and Urban Development.

26           B. Factory-built commercial structures and commercial coaches shall be installed

27 subject to the following:

28           1. A building permit must be obtained for any factory-built commercial structure

29 or commercial coach pursuant to the permit process and procedures for type 1 permits

30 outlined in K.C.C. Title 20.XX.

1           2. The following criteria must be satisfied for the permanent installation of a  
2 factory-built commercial structure or commercial coach before a building permit can be  
3 issued:

4           a. The appropriate insignia of the Washington State Department of Labor and  
5 Industries of the U.S. Department of Housing and Urban Development must be affixed to  
6 the unit. If the unit is lacking the appropriate insignia it must satisfy the structural,  
7 mechanical, electrical and plumbing requirements of the Uniform Building, Mechanical  
8 and other applicable codes as adopted in King County for conventional commercial  
9 structures.

10           b. The foundation, entry/exit stairs or ramps, and all accessory structures shall be  
11 designed and installed in accordance with the provisions of the Uniform Building Code as  
12 adopted in King County.

13           c. Occupancy of the structure shall not be permitted before inspection and  
14 approval.

15           3. The temporary installation of factory-built commercial structures  
16 and commercial coaches may be permitted for a period not to exceed one year. The  
17 support system recommended by the manufacturer, or designed by a professional structural  
18 engineer registered by the state, may be substituted for a foundation designed in  
19 accordance with the provisions of the Uniform Building Code as adopted in King County,  
20 subject to the approval of the department of development and environmental services.

21           SECTION 6. Ordinance 12196, Section 11 and K.C.C. 20.XX are each hereby  
22 amended to read as follows:

23           Application Requirements. A. The department shall not commence review of any  
24 application set forth in this chapter until the applicant has submitted the materials and fees  
25 specified for complete applications. Applications for land use permits requiring Type 1, 2,  
26 3; or 4 decisions shall be considered complete as of the date of submittal upon  
27 determination by the department that the materials submitted meet the requirements of this  
28 Section. Except as provided in Subsection B of this Section, all land use permit  
29 applications described in Exhibit 20.XXX shall include the following:

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

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

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

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

14           c. the form designating who the applicant is submitted to the department prior to  
15 permit approval;

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

20           4. A current Certificate of Water Availability, if required by Chapter 13.24  
21 K.C.C.;

22           5. A fire district receipt pursuant to Title 17 K.C.C., if required by Chapter  
23 21A.40 K.C.C.;

24           6. A site plan, prepared in a form prescribed by the Director;

25           7. Proof that the lot or lots are recognized as separate lots pursuant to the  
26 provisions of K.C.C. 19.04, if required by K.C.C. 21A.24.090;

27           8. A sensitive areas affidavit if required by Chapter 21A.24 K.C.C.;

28           9. A completed environmental checklist, if required by Chapter 20.44 K.C.C.,  
29 County Environmental Procedures;

1 10. Payment of any development permit review fees, excluding impact fees  
2 collectible pursuant to Title 27 K.C.C., Development Permit Fees;

3 11. A list of any permits or decisions applicable to the development proposal that  
4 have been obtained prior to filing the application or that are pending before the County or  
5 any other governmental entity;

6 12. Certificate of transportation concurrency from the Department of Public Works,  
7 if required by Chapter 14.70 K.C.C.;

8 13. Certificate of future connection from the appropriate purveyor for lots located  
9 within the Urban Growth area which are proposed to be served by onsite or community  
10 sewage system and or group B water systems or private well, if required by K.C.C.  
11 13.24.136-140;

12 14. Documentation required by the code requirements set forth in the Surface  
13 Water Design Manual adopted pursuant to Chapter 9.04 K.C.C.;

14 15. Current assessor's maps and a list of tax parcels to which public notice must be  
15 given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4 decision;  
16 ((and))

17 16. Legal description of the site((-));

18 17. Variances obtained or required under Title 21A to the extent known at the date  
19 of application((-)); and

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

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



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

3 1. Clearing and grading permit, see K.C.C. 16.82.060.

4 2. Construction permits, K.C.C.16.04.052.

5 3. Mobile home permits, K.C.C. 16.04.XXX.

6 C. The Director may specify the requirements of the site plan required to be  
7 submitted for various permits and may waive any of the specific submittal requirements  
8 listed herein that are determined to be unnecessary for review of an application.

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

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

13 SECTION 7. Ordinance 12016, Section 3 and K.C.C. 16.82.150 are each hereby  
14 amended to read as follows:

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

17 1. The Sensitive Areas Code, K.C.C. 21A.24, and its adopted  
18 administrative rules;

19 2. P-suffix conditions within adopted community plans;

20 3. Critical drainage area designations identified by adopted  
21 administrative rule.

22 4. Wildlife habitat corridors pursuant to 21A.14.

23 B. Where conflicts exist between standards in subsection A, the most  
24 restrictive shall apply.

25 C. Within areas placed into tracts or conservation easements for wildlife  
26 habitat corridors pursuant to 21A.14 or corridors pursuant to 21A.14 or P-suffix conditions,  
27 the following uses are allowed:

28 1. Timber harvest in accordance with a timber harvest management  
29 plan and clearing permit approved by the department of development and environmental  
30 services or a successor agency;

1                   2.       Passive recreation uses and related facilities, including pedestrian  
2 and bicycle trails, nature viewing areas, fishing and camping areas, and other similar uses  
3 that do not require permanent structures, provided that cleared areas and/or areas of  
4 compacted soils associated with these uses and facilities do not exceed eight percent of the  
5 area of the tract or easement. Within wildlife habitat corridors, trail widths shall be the  
6 minimum allowed under adopted trail standards and no other recreation uses shall be  
7 permitted in the 150 foot minimum width of the corridor;

8                   3.       Utilities and utility easements, including surface water facilities,  
9 provided that such uses are within or adjacent to existing road or utility easements  
10 whenever possible. Existing or multiple utility uses within established easements shall be  
11 allowed within the 150 foot minimum width of the corridor. Development of new utility  
12 corridors shall be allowed only when multiple uses of existing easements are not feasible  
13 and are sited and use county-approved best management practices to minimize disturbance  
14 to the corridor; and

15                   4.       Removal of dangerous and or damaged trees.

16                   D.       For all new residential construction and residential subdivision in RA (Rural  
17 Area) zoned areas in the Issaquah Creek basin:

18                   1.       Clearing shall be limited to a maximum of 35% of lot or plat area  
19 unless a greater amount has been cleared prior to the effective date of Ordinance 11886  
20 (July 31, 1995), except under conditions specified in paragraphs D5 and D6 below.

21                   2.       For subdivisions and short subdivisions, portions of the plat that are  
22 not designated for clearing shall be retained in one or more open space tracts, with all  
23 developable lots sited on the portions of the plat that may be cleared. For purposes of this  
24 subsection, the portion of the plat that may be cleared is identified as 35% of plat area or  
25 the amount that was cleared prior to the effective date of Ordinance 11886 (July 31, 1995),  
26 whichever is greater. Sensitive areas designated under K.C.C. Title 21 shall be recorded  
27 separately from tracts mandated by this regulation, but may be counted towards meeting  
28 these requirements. Tracts mandated by this regulation may be retained by the subdivider,  
29 conveyed to residents of the subdivision, or conveyed to a third party. Open space tracts

1 shall be shown on all property maps and shall be protected by covenants, approved by the  
2 county, that restrict their uses to the following:

3 a. Passive recreation uses and related facilities, including  
4 pedestrian and bicycle trails, nature viewing areas, fishing and camping areas, and other  
5 similar uses that do not require permanent structures, provided that cleared areas and/or  
6 areas of compacted soils associated with these uses and facilities do not exceed eight  
7 percent of the area of the open space tract.

8 b. Utilities and utility easements, including surface water  
9 facilities, provided that, whenever possible, such uses are within or adjacent to existing  
10 road or utility easements.

11 c. Timber harvest, provided that it is accomplished in  
12 accordance with a timber harvest management plan and clearing permit that have been  
13 approved by the department of development and environmental services. That department  
14 shall prepare administrative rules regarding the review and approval of timber harvest  
15 management plans in consultation with the surface water management division of the  
16 department of public works before approving any permits for timber harvest after the  
17 effective date of Ordinance 11886 (July 31, 1995).

18 d. For sensitive areas designated under K.C.C. Title 21 that are  
19 not within areas designated for clearing in the plat, uses shall be limited to  
20 those specified in K.C.C. 21A.24. Aside from approved timber harvest activities and  
21 removal of dangerous and/or diseased trees, all trees within open space tracts at the time of  
22 subdivision application shall be retained. All open space tracts established pursuant to this  
23 regulation shall be clearly marked with at least one sign per buildable lot adjoining the tract  
24 indicating that the tract is permanent, dedicated open space.

25 3. For individual lots, the clearing limits shall be applied at the time of  
26 building permit application unless the lot is within a subdivision that has been approved  
27 with other conditions to meet the standard established in paragraph D2. In cases where  
28 conditions are applied to the subdivision, individual lots shall be exempt from the clearing  
29 restrictions in paragraph D1. The uses and restrictions on the uncleared portions of  
30 individual lots shall be those specified in paragraph D2. Sensitive areas designated under

1 K.C.C. Title 21 may be counted towards meeting requirements on individual lots. On lots  
2 greater than or equal to 20,000 square feet, the restrictions in paragraph D1 shall apply. On  
3 lots smaller than 20,000 square feet, up to 7,000 square feet may be cleared.

4 4. Clearing required for the construction of infrastructure to serve any  
5 lots 1.25 acres or smaller in size shall not be counted towards the 35% maximum clearing  
6 standard established in paragraph D1.

7 5. Clearing shall be limited to a maximum of 60% of the lot or plat  
8 area if the permit applicant commits to constructing onsite retention/detention and water  
9 quality facilities to the standards of the King County Surface Water Design Manual and the  
10 Issaquah Creek Basin and Nonpoint Action Plan.

11 6. The subdivision or permitting of building on parcels that are cleared  
12 after the effective date of Ordinance 11886 (July 31, 1995) shall be subject to conditions  
13 requiring the restoration of trees and understory vegetation on at least 65% of the plat or  
14 lot, or at least 40% if the applicant chooses the conditions of paragraph D5. A restoration  
15 plan shall be required of permit applicants, and shall be subject to the approval of the  
16 department of development and environmental services. That department shall prepare  
17 administrative rules regarding the review and approval of restoration plans in consultation  
18 with the surface water management division of the department of public works before  
19 approving subdivision or building permits for parcels cleared after the effective date of  
20 Ordinance 11886 (July 31, 1995). The administrative rules shall also specify when a  
21 restoration plan will be deemed sufficient to forego the six (6) year moratorium on  
22 permitting authorized in K.C.C. 16.82.140.

23 7. Public uses, including schools, churches, fire stations, parks,  
24 libraries, hospitals and roads, shall be exempt from the requirements of paragraphs D1  
25 through D6.

26 8. In no case shall the amount of clearing and site disturbance exceed  
27 that allowable in the regulations and conditions specified in paragraphs A1 and A2 of this  
28 section.

1 E. In the RA (Rural Area) zoned areas in either the Bear Creek Basin or the  
2 Bear Creek Community Planning Area:

3 1. Clearing shall be limited to a maximum of 35% of lot or plat area or  
4 the amount cleared prior to the effective date of Ordinance 12015 (November 19, 1995)  
5 whichever is greater, except under conditions specified in K.C.C. 16.82.150E.5.

6 2. For subdivisions and short subdivisions, portions of the plat that are  
7 not designated for clearing shall be retained in one or more open space tracts, with all  
8 developable lots sited on the portions of the plat that may be cleared. For purposes of this  
9 subsection, the portion of the plat that may be cleared is identified as 35% of plat area or  
10 the amount that was cleared prior to the effective date of Ordinance 12015 (November 19,  
11 1995), whichever is greater. Sensitive areas designated under K.C.C. Title 21 shall be  
12 recorded separately from tracts mandated by this regulation, but may be counted towards  
13 meeting these requirements. Tracts mandated by this regulation may be retained by the  
14 subdivider, conveyed to residents of the subdivision, or conveyed to a third party. Open  
15 space tracts shall be shown on all property maps and shall be protected by covenants,  
16 approved by the county, that restrict their uses to the following:

17 a. Passive recreation uses and related facilities, including  
18 pedestrian and bicycle trails, nature viewing areas, fishing and camping areas, and other  
19 similar uses that do not require permanent structures, provided that cleared areas and/or  
20 areas of compacted soils associated with these uses and facilities do not exceed eight  
21 percent of the area of the open space tract.

22 b. Utilities and utility easements, including surface water  
23 facilities, provided that, whenever possible, such uses are within or adjacent to existing  
24 road or utility easements.

25 c. Timber harvest, provided that it is accomplished in  
26 accordance with a timber harvest management plan and clearing permit that have been  
27 approved by the department of development and environmental services. That department  
28 shall prepare administrative rules regarding the review and approval of timber harvest  
29 management plans in consultation with the surface water management division of the

1 department of public works before approving any permits for timber harvest after the  
2 effective date of Ordinance 12015 (November 19, 1995).

3 d. For sensitive areas designated under K.C.C. Title 21A that  
4 are not within areas designated for clearing in the plat, uses shall be limited to those  
5 specified in K.C.C. 21A.24. Aside from approved timber harvest activities and removal of  
6 dangerous and/or diseased trees, all trees within open space tracts at the time of subdivision  
7 application shall be retained. All open space tracts established pursuant to this regulation  
8 shall be clearly marked with at least one sign per buildable lot adjoining the tract indicating  
9 that the tract is permanent, dedicated open space.

10 3. For individual lots, the clearing limits shall be applied at the time of  
11 building permit application unless the lot is within a subdivision that has been approved  
12 with other conditions to meet the standard established in paragraph E2. In cases where  
13 conditions are applied to the subdivision, individual lots shall be exempt from the clearing  
14 restrictions in paragraph E1. The uses and restrictions on the uncleared portions of  
15 individual lots shall be those specified in paragraph E2. Sensitive areas designated under  
16 K.C.C. Title 21A may be counted towards meeting requirements on individual lots. On  
17 lots greater than or equal to 20,000 square feet, the restrictions in paragraph E1 shall apply.  
18 On lots smaller than 20,000 square feet, up to 7,000 square feet may be cleared.

19 4. Clearing required for the construction of infrastructure to serve any  
20 lots 1.25 acres or smaller in size shall not be counted towards the 35% maximum clearing  
21 standard established in paragraph E1.

22 5. Clearing shall be limited to a maximum of 60% of the lot or plat  
23 area if the permit applicant commits to constructing on-site retention/detention facilities in  
24 accordance with the On-Site Detention Standards set forth in Recommendation BW-2 of  
25 the adopted Bear Creek Basin Plan or superseding standards that may be contained in an  
26 update of the King County Surface Water Design Manual.

27 6. The subdivision or permitting of building on parcels that are cleared  
28 after the effective date of this ordinance shall be subject to conditions requiring the  
29 restoration of trees and understory vegetation on at least 65% of the plat or lot, or at least

1 40% if the applicant chooses the conditions of paragraph E5. A restoration plan shall be  
2 required of permit applicants, and shall be subject to the approval of the Department of  
3 development and environmental services. That department shall prepare administrative  
4 rules regarding the review and approval of restoration plans in consultation with the  
5 surface water management division of the department of public works before approving  
6 subdivision or building permits for parcels cleared after the effective date of Ordinance  
7 12015 (November 19, 1995). The administrative rules shall also specify when a restoration  
8 plan will be deemed sufficient to forego the six (6) year moratorium on permitting  
9 authorized in K.C.C. 16.82.140.

10 7. Clearing standards for Urban Planned Developments and Mineral  
11 zoned properties will be determined through their own designated review processes.

12 8. The requirements of paragraphs E1 through E6 shall be waived by  
13 the director for proposed projects that meet the following conditions:

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

15 (1) Government services listed in K.C.C. 21A.08.060.

16 (2) Educational services listed in K.C.C. 21A.08.050.

17 (3) Parks as listed in K.C.C. 21A.08.040 when located

18 adjacent to an existing or proposed school.

19 (4) Libraries listed in K.C.C. 21A.08.040, and

20 (5) Road projects;

21 b. The project site shall not be located in a designated Regionally  
22 Significant Resource Area except for utility corridors that can demonstrate no feasible  
23 alternative;

24 c. The project shall clear the minimum necessary to accommodate the  
25 proposed use;

26 d. The project shall meet the on-site detention standard provisions in  
27 paragraph E5; and

28 e. The modification or waiver shall not exempt the project from any  
29 other code provisions which may apply.

1 The director's decision may be appealed to the zoning and subdivision examiner pursuant  
2 to K.C.C. 20.24, provided that any such appeal must be consolidated with an appeal, if any,  
3 heard by the examiner on the merits of the proposed project.

4 9. Construction projects can be a significant contributor of pollution to streams  
5 and wetlands. Therefore, from October 1 through March 31:

6 a. The director may restrict or prohibit clearing, grading and  
7 construction during this period in Regionally Significant Resource Areas to protect  
8 sensitive habitat from damage caused by sedimentation.

9 b. Clearing and grading other than maintenance and repair of erosion  
10 and sediment control facilities will be allowed only if there is installation and maintenance  
11 of a temporary erosion and sedimentation control plan approved by the director. Alternate  
12 best management practices may be approved or required on-site by the inspector.

13 c. If, during the course of construction, silt-laden runoff exceeding  
14 standards in the King County Surface Water Design Manual leaves the construction site or  
15 if erosion and sediment control measures shown in the approved plan are not maintained, a  
16 notice of violation shall be issued.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20

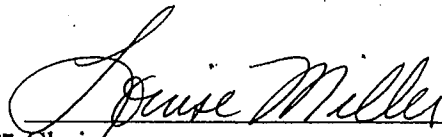
d. If the erosion and sediment control problem defined in the violation is not adequately repaired within 24 hours of the notice of violation, then a notice and order may be issued by the inspector to install adequate erosion and sediment control measures to stop silt-laden runoff from leaving the site. The notice and order may also require the contractor to discontinue any further clearing or grading, except for erosion and sediment control maintenance and repair, until the following March 31.

INTRODUCED AND READ for the first time this 15<sup>th</sup> day of

April, 1996.

PASSED by a vote of 11 to 0 this 15<sup>th</sup> day of July, 1996.

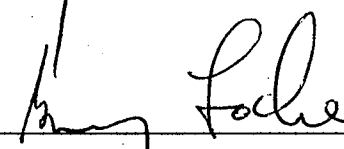
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
VICE Chair

ATTEST:

  
Clerk of the Council

APPROVED this 25<sup>th</sup> day of July, 1996.

  
King County Executive

Attachments: None