



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**November 19, 2001**

**Ordinance 14259**

**Proposed No.** 2001-0485.3

**Sponsors** Miller and Phillips

1 AN ORDINANCE relating to preserving and protecting  
2 equestrian community trails in equestrian communities,  
3 implementing code changes recommended by the  
4 equestrian trails task force; amending Ordinance 1488,  
5 Section 6, as amended, and K.C.C. 16.82.050, Ordinance  
6 9614, Section 103, as amended, and K.C.C. 16.82.150,  
7 Ordinance 10511, Section 7, as amended, and K.C.C.  
8 20.36.100, Ordinance 10870, Section 364, as amended, and  
9 K.C.C. 21A.14.040, Ordinance 14045, Section 37, and  
10 K.C.C. 21A.14.360, Ordinance 14045, Section 38, and  
11 K.C.C. 21A.14.370, Ordinance 14045, Section 39, and  
12 K.C.C. 21A.14.380 and Ordinance 14045, Section 40, and  
13 K.C.C. 21A.14.390, adding a new section to K.C.C. chapter  
14 7.16, adding a new section to K.C.C. chapter 20.36, adding  
15 new sections to K.C.C. chapter 21A.14, adding a new  
16 section K.C.C. chapter 16.82 and repealing Ordinance

17 14045, Sections 41, and K.C.C. 21A.14.400 and Ordinance

18 14045, Section 42.

19

20 PREAMBLE:

21 In 1984, King County in its Comprehensive Plan made a policy choice to  
22 designate and protect its Rural and Resource Areas, building on the work of  
23 Farmlands Preservation Program which began protecting farmlands as early as  
24 1979. With the adoption of the state Growth Management Act in 1990, protection  
25 of these areas was mandated in all high growth counties, and the county  
26 reaffirmed its previous policies in adopting its GMA Comprehensive Plan in  
27 1995.

28 King County also has a long tradition of developing incentive programs to support  
29 typical Rural Area activities. Existing programs that pursue these objectives  
30 include the Public Benefit Rating System, current use taxation of resource and  
31 open space lands, and transfers of development credits from rural to urban areas.  
32 Extensive programs for the preservation of open space for public use, and the  
33 development of a one-hundred-seventy-mile regional trail system have also been  
34 pursued.

35 This ordinance furthers the public's interest in being able to safely access the  
36 regional system by taking steps to preserve the extensive system of smaller  
37 community trails that provide access to the regional trails, particularly those used  
38 for walking and riding horses on trails in the Rural and Resource Areas. This  
39 ordinance furthers the county's efforts to preserve these trails.

40 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

41 SECTION 1. Findings.

42 A. The metropolitan King County council finds that under Ordinance 12196, the  
43 requirements for environmental analysis, protections and mitigation measures in this code  
44 chapter, as amended by this ordinance, provide adequate analysis of and mitigation for the  
45 specific adverse environmental impacts to which the requirements apply.

46 B. The 2000 Comprehensive Plan defined a rural equestrian community trail as  
47 an existing trail within the Equestrian Community that has historically been used by the  
48 public for riding horses, and that may also have historically been used by or is suitable  
49 for use by other non-motorized trail users. The Equestrian Community areas are mapped  
50 in the King County Comprehensive Plan, and the Plan contains several policies  
51 supporting the preservation of existing trails.

52 C. The metropolitan King County council in the 2000 Comprehensive Plan  
53 adopted policies and established a task force to promote the preservation of equestrian  
54 communities in King County as a valuable element of rural character and lifestyle. The  
55 task force has completed its work and reported back to the Council with  
56 recommendations to refine the trail preservation incentive program and King County  
57 Code provisions to provide further support for these trails, as provided for in this  
58 ordinance.

59 NEW SECTION. SECTION 2. A new section is added to K.C.C. chapter 7.16 to  
60 read as follows:

61 It is the policy of King County to accept the voluntary grant of trail easements for  
62 preservation or replacement of rural community equestrian trails that meet the

63 specifications for such trails set out in K.C.C. chapter 21A.14. Such grants may be  
64 accepted in conjunction with a development proposal or as a separate transaction when  
65 offered by the property owner. The offerings of such grants shall be strictly voluntary.  
66 No county employee shall ever state or suggest to an applicant or his or her representative  
67 that the development proposal is or may be contingent on the voluntary offering of the  
68 grant.

69 SECTION 3. Ordinance 1488, Section 6, as amended, and K.C.C. 16.82.050 are  
70 each hereby amended to read as follows:

71 **Clearing and grading permit required – ~~((E))~~exceptions. ~~((A-))~~** No person shall  
72 do any clearing or grading without first having obtained a clearing and grading permit from  
73 the director except for the following:

74 ~~((1-))~~ A. An on site excavation or fill for basements and footings of a building,  
75 retaining wall, parking lot, or other structure authorized by a valid building permit. This  
76 shall not exempt any fill made with the material from such excavation nor exempt any  
77 excavation having an unsupported height greater than five feet after the completion of such  
78 structure;

79 ~~((2-))~~ B. The depositing or covering of any garbage, rubbish or other material at  
80 any solid waste facility operated by King County;

81 ~~((3-))~~ C. Maintenance of existing driveways or private access roads within their  
82 existing road prisms, provided that the performance and restoration requirements of this  
83 chapter are met and best management practices are utilized to protect water quality.

84 ~~((4-))~~ D. Any grading within a publicly owned road right-of-way;

- 85            ~~((5.))~~ E. Clearing or grading by a public agency for the following routine  
86 maintenance activities:
- 87            ~~((a.))~~ 1. Roadside ditch cleaning provided the ditch does not contain salmonids;  
88            ~~((b.))~~ 2. Pavement maintenance;  
89            ~~((c.))~~ 3. Normal grading of gravel shoulders;  
90            ~~((d.))~~ 4. Maintenance of culverts;  
91            ~~((e.))~~ 5. Maintenance of flood control or other approved surface water  
92 management facilities;
- 93            ~~((f. Routine clearing within trail or road rights of way or easements.))~~ 6.  
94 Routine clearing within road right-of-way;
- 95            ~~((6.))~~ F. Any clearing or grading for roads within a preliminary or finally  
96 approved residential plat which has been approved by the director and for which a financial  
97 guarantee has been posted;
- 98            ~~((7.))~~ G. Maintenance or reconstruction of the facilities of a common carrier by a  
99 rail in interstate commerce within its existing right-of-way; provided restoration is  
100 consistent with ~~((the requirements of Section))~~ K.C.C. 16.82.110; provided that this  
101 exception does not apply if the clearing or grading is within a sensitive area as regulated in  
102 K.C.C. ~~((C))~~ chapter 21A.24~~((-))~~;
- 103            ~~((8.))~~ H. Cemetery graves; provided that this exception does not apply except for  
104 routine maintenance if the clearing or grading is within a sensitive area as regulated in  
105 K.C.C. ~~((C))~~ chapter 21A.24;
- 106            ~~((9.))~~ I. Clearing or grading within a preliminarily or finally approved residential  
107 plat not involving any excavation exceeding five feet in vertical depth or any fill exceeding

108 three feet in vertical depth, regardless of the amount of material to be removed; provided  
109 that this exception does not apply if the clearing or grading is within a sensitive area as  
110 regulated in K.C.C. ~~((€))~~chapter 21A.24 or an area placed into tracts or easements pursuant  
111 to K.C.C. 21A.12.030. This exception does not apply within an area placed into tracts or  
112 easements for a wildlife habitat corridor pursuant to K.C.C. chapter 21A.14 unless the  
113 proposed activity is otherwise exempt under K.C.C. chapter 21A.24;

114 ~~((40.))~~ J. Excavation less than five feet in vertical depth not involving more than  
115 one hundred cubic yards of earth or other material on a single site; provided that the  
116 exception does not apply if the clearing or grading is within a sensitive area as regulated in  
117 K.C.C. ~~((€))~~chapter 21A.24 or an area placed into tracts or easements pursuant to K.C.C.  
118 21A.12.030. This exception does not apply within an area placed into tracts or easements  
119 for a wildlife habitat corridor pursuant to K.C.C. chapter 21A.14 unless the proposed  
120 activity is otherwise exempt under K.C.C. chapter 21A.24;

121 ~~((41.))~~ K. Fill less than three feet in vertical depth not involving more than one  
122 hundred cubic yards of earth or other material on a single site; provided that the exception  
123 does not apply if the clearing or grading is within a sensitive area as regulated in K.C.C.  
124 ~~((€))~~chapter 21A.24 or an area placed into tracts or easements pursuant to K.C.C.  
125 21A.12.030. This exception does not apply within an area placed into tracts or easements  
126 for a wildlife habitat corridor pursuant to K.C.C. chapter 21A.14 unless the proposed  
127 activity is otherwise exempt under K.C.C. chapter 21A.24;

128 ~~((42.))~~ L. Minor stream restoration projects for fish habitat enhancement by a  
129 public agency, utility or tribe as set out in K.C.C. chapter 21A.24~~((:))~~;

130           ~~((13-))~~ M. Clearing or grading for construction of livestock manure storage  
131 facilities or associated nonpoint source pollution facilities designed to the standards of and  
132 approved in a conservation plan by the King County conservation district, and constructed  
133 and maintained to those standards or livestock flood sanctuaries constructed and  
134 maintained to the standards approved by the Soil Conservation Service and conservation  
135 district and the best management practices approved by King County~~((-))~~;

136           ~~((14-))~~ N. Clearing and grading, performed as Class I, II, III or IV Special forest  
137 practice in the F (Forestry) zone, that is conducted in accordance with ~~((RCW))~~ chapter  
138 76.09 RCW and ~~((WAC))~~ chapter 222 WAC~~((-))~~;

139           ~~((15-))~~ O. Any clearing or grading which has been approved by the director as  
140 part of a Commercial Site Development permit and for which a financial guarantee has  
141 been posted~~((-))~~;

142           ~~((16-))~~ P. Clearing outside of sensitive areas and buffers as regulated in K.C.C.  
143 ~~((€))~~chapter 21A.24 unless the development proposal site is within an area subject to  
144 clearing restrictions contained in: K.C.C. 16.82.150, wildlife habitat corridors pursuant to  
145 K.C.C. chapter 21A.14, critical drainage areas established by administrative rule or  
146 property-specific development standards pursuant to K.C.C. chapter 21A.38~~((-))~~;

147           ~~((17-))~~ Q. Within sensitive areas, as regulated in K.C.C. ~~((€))~~chapter 21A.24, the  
148 following activities are exempt from the clearing requirements of this chapter and no  
149 permit shall be required~~((;-))~~;

150           ~~((a-))~~ L. Normal and routine maintenance of existing lawns and landscaping  
151 subject to the limitations on the use of pesticides in sensitive areas as set out in K.C.C.  
152 ~~((€))~~chapter 21A.24.

153           ~~((b.))~~ 2. Permitted agricultural uses; provided the clearing is consistent with the  
154 agricultural exemptions in sensitive areas as regulated in K.C.C. ~~((C))~~chapter 21A.24.

155           ~~((c.))~~ 3. Emergency tree removal to prevent imminent danger or hazard to  
156 persons or property.

157           ~~((d.))~~ 4. Normal and routine horticultural activities associated with commercial  
158 orchards, nurseries, or Christmas tree farms in existence on ~~((the effective date of~~  
159 ~~Ordinance 9614 (November 27, 1990)))~~ November 27, 1990, subject to the limitations on  
160 the use of pesticides in sensitive areas as set out in K.C.C. ~~((C))~~chapter 21A.24. This does  
161 not include clearing or grading in order to develop or expand such activities.

162           ~~((e.))~~ 5. Normal and routine maintenance of existing public parks trail easements  
163 dedicated in accordance with K.C.C. 21A.14.360 through 21A.14.390, and private and  
164 public golf courses. This does not include clearing or grading in order to develop or  
165 expand such activities in sensitive areas. For the purpose of this subsection, a park is  
166 defined as: any real property managed for public use which has been previously  
167 maintained as a park or has been developed as a park pursuant to a properly issued permit.

168           ~~((f.))~~ 6. Removal of noxious weeds from steep slope hazard areas and the buffers  
169 of streams and wetlands subject to the limitations on the use of pesticides in sensitive areas  
170 as set out in K.C.C. ~~((C))~~chapter 21A.24.

171           ~~((g.))~~ 7. Pruning and limbing of vegetation for maintenance of above ground  
172 electrical and telecommunication facilities; provided that the clearing is consistent with the  
173 electric, natural gas, cable communication and telephone utility exemption in sensitive  
174 areas as regulated in K.C.C. Chapter 21A.24.



175            ~~((h-))~~ 8. Class II, III and IV Special forest practices outside of areas zoned F  
176 provided they occur on parcels that meet all of the following criteria for long term forestry:

177            ~~((1))~~ a. The parcel is enrolled under the current use taxation program as  
178 timber land pursuant to ~~((RCW))~~ chapter 84.34 RCW or as forest land pursuant to  
179 ~~((RCW))~~ chapter 84.33 RCW;

180            ~~((2))~~ b. A long term management plan is approved for the parcel by the  
181 Washington Department of Natural Resources;

182            ~~((3))~~ c. The parcel is located within areas designated rural or agricultural by  
183 the King County Comprehensive Plan or applicable community plan;

184            ~~((4))~~ d. The parcel is located outside of expansion areas for incorporated  
185 rural cities or rural towns and neighborhoods as designated in King County  
186 Comprehensive Plan or applicable community plans,

187            ~~((5))~~ e. The parcel equals or exceeds 5 acres in size; ~~((and))~~

188            ~~((8-))~~ R. Clearing within seismic hazard area, except on slopes greater than  
189 ~~((15))~~ fifteen percent and subject to clearing restrictions contained in: K.C.C. 16.82.150,  
190 wildlife habitat corridors pursuant to K.C.C. chapter 21A.14, critical drainage areas  
191 established by administrative rule or property-specific development standards pursuant to  
192 K.C.C. chapter 21A.38; and provided the site contains no other sensitive area  
193 features~~((;))~~; and

194            ~~((9-))~~ S. Clearing within coal mine hazard area, subject to clearing restrictions  
195 contained in: K.C.C. 16.82.150, wildlife habitat corridors pursuant to K.C.C. chapter  
196 21A.14, critical drainage areas established by administrative rule or property-specific

197 development standards pursuant to K.C.C. chapter 21A.38; and provided the site contains  
198 no other sensitive areas features.

199 ~~((B. TEMPORARY PERMITS. The director shall have the authority to issue~~  
200 ~~temporary permits for excavations, processing, quarrying and mining, and removal of~~  
201 ~~sand, gravel, rock and other natural deposits, together with the necessary buildings,~~  
202 ~~apparatus or appurtenances incident thereto for specific jobs on application for highway,~~  
203 ~~road, street, airport construction, flood control and other public works projects. In~~  
204 ~~conjunction with such operations, allied uses such as, but not limited to, rock crushers,~~  
205 ~~concrete batching plants and asphalt batching plants may be authorized by this temporary~~  
206 ~~permit. The director shall also have the authority to issue temporary permits for the~~  
207 ~~removal of existing stockpiles of previously mined material for the reclamation of land to~~  
208 ~~its best use, consistent with the underlying zoning.~~

209 ~~The department of development and environmental services shall consider the~~  
210 ~~effect of the proposed operation on the county road system and any effect it may have on~~  
211 ~~surface or groundwater drainage and flood control, and shall make such~~  
212 ~~recommendations as are necessary to protect the public interest in this regard.~~

213 ~~The department of development and environmental services shall also consider~~  
214 ~~the effect of the proposed operation on the current and future land use in the area affected~~  
215 ~~by the proposed operation and shall condition permits as necessary to protect the public~~  
216 ~~interest in this regard. Temporary permits are good for the life of the contract of the~~  
217 ~~specific job but must be reviewed annually. Each temporary permit site shall be fully~~  
218 ~~restored during the term of the temporary permit, unless the site is subsequently~~  
219 ~~designated with a M zone classification, or included in an unclassified use permit.~~

220           Development proposals will be subject to two levels of review standards based  
221 on occupancy types—critical facilities and standard structures. The review standards for  
222 critical facilities will be based on larger earthquake reoccurrence intervals than the  
223 earthquakes considered for standard occupancy structures. The review standards will be  
224 set forth in the administrative rules.)) T. Normal and routine maintenance of trail  
225 easements dedicated in accordance with K.C.C. 21A.14.360 through 21A.14.390.

226           NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 16.82 a  
227 new section to read as follows:

228           **Temporary permits.** The director shall have the authority to issue temporary  
229 permits for excavations, processing, quarrying and mining, and removal of sand, gravel,  
230 rock and other natural deposits, together with the necessary buildings, apparatus or  
231 appurtenances incident thereto for specific jobs on application for highway, road, street,  
232 airport construction, flood control and other public works projects. In conjunction with  
233 such operations, allied uses such as, but not limited to, rock crushers, concrete-batching  
234 plants and asphalt-batching plants may be authorized by this temporary permit. The  
235 director shall also have the authority to issue temporary permits for the removal of  
236 existing stockpiles of previously mined material for the reclamation of land to its best  
237 use, consistent with the underlying zoning.

238           A. The department of development and environmental services shall consider the  
239 effect of the proposed operation on the county road system and any effect it may have on  
240 surface or groundwater drainage and flood control, and shall make such  
241 recommendations as are necessary to protect the public interest in this regard.

242 B. The department of development and environmental services shall also  
243 consider the effect of the proposed operation on the current and future land use in the area  
244 affected by the proposed operation and shall condition permits as necessary to protect the  
245 public interest in this regard. Temporary permits are good for the life of the contract of  
246 the specific job but must be reviewed annually. Each temporary permit site shall be fully  
247 restored during the term of the temporary permit, unless the site is subsequently  
248 designated with an M zone classification, or included in an unclassified use permit.

249 C. Development proposals will be subject to two levels of review standards based  
250 on occupancy types, critical facilities and standard structures. The review standards for  
251 critical facilities will be based on larger earthquake reoccurrence intervals than the  
252 earthquakes considered for standard occupancy structures. The review standards will be  
253 set forth in the administrative rules.

254 SECTION 5. Ordinance 9614, Section 103, as amended, and K.C.C. 16.82.150  
255 are each hereby amended to read as follows:

256 **Clearing standards.** A. For clearing and grading permits issued under this  
257 chapter, the current clearing standards contained in this section and in the following  
258 regulations shall apply:

- 259 1. The Sensitive Areas Code, K.C.C. chapter 21A.24, and its adopted  
260 administrative rules;
- 261 2. Property-specific development standards pursuant to K.C.C. chapter 21A.38;
- 262 3. Critical drainage area designations identified by adopted administrative rule;
- 263 and
- 264 4. Wildlife habitat corridors pursuant to K.C.C. chapter 21A.14.

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

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

275 2. Passive recreation uses and related facilities, including pedestrian, equestrian  
276 community and bicycle trails, nature viewing areas, fishing and camping areas, and other  
277 similar uses that do not require permanent structures, if either cleared areas or areas of  
278 compacted soils, or both, associated with these uses and facilities do not exceed eight  
279 percent of the area of the tract or easement. Within wildlife habitat corridors, trail widths  
280 shall be the minimum allowed under adopted trail standards and no other recreation uses  
281 shall be permitted in the one hundred fifty foot minimum width of the corridor;

282 3. Utilities and utility easements, including surface water facilities, if the uses  
283 are within or adjacent to existing road or utility easements whenever possible. Within  
284 wildlife habitat corridors, existing or multiple utility uses within established easements  
285 shall be allowed within the one hundred fifty foot minimum width of the corridor.

286 Development of new utility corridors shall be allowed within wildlife habitat corridors  
287 only when multiple uses of existing easements are not feasible and the utility corridors

288 are sited and developed using county-approved best management practices to minimize  
289 disturbance; and

290 4. Removal of either dangerous trees or damaged trees, or both.

291 C. For the RA (Rural Area) zoned areas in either the Bear Creek basin, the  
292 Issaquah Creek basin, the Soos Creek basin, the May Creek basin, the East Sammamish  
293 Community Planning Area or the Bear Creek Community Planning Area:

294 1. Clearing shall be limited to a maximum of thirty-five percent of the lot or plat  
295 area or the amount legally cleared prior to the effective date of any clearing regulations in  
296 effect at the time of the clearing, whichever is greater, except under conditions specified  
297 in a. through ((e)) f. of this subsection C.1:

298 a. clearing shall be limited to a maximum of sixty percent of the lot or plat area  
299 if the approved permit requires flow control and water quality facilities in accordance  
300 with standards set forth in the applicable adopted basin plan and the King County Surface  
301 Water Design Manual;

302 b. in the Soos Creek basin, clearing shall be limited to a maximum of eighty  
303 percent of the lot or plat area, except in designated Regionally Significant Resource  
304 Areas where clearing shall be limited to a maximum of sixty-five percent of the lot or plat  
305 area. Buffers for all sensitive areas designated under K.C.C. Title 21A and sensitive  
306 areas except for submerged lands may be counted towards meeting the requirement.  
307 Building permits for single-family residential building on individual lots shall be exempt  
308 from the clearing limit in the Soos Creek basin;

309 c. clearing required for the construction of access, utilities and septic systems  
310 to serve any lots (~~(1.25)~~) one and one-quarter acres or smaller in size shall not be counted  
311 towards the thirty-five percent maximum clearing standard;

312 d. on individual lots smaller than twenty thousand square feet, up to seven  
313 thousand square feet may be cleared; (~~and~~)

314 e. clearing standards for Urban Planned Developments and Mineral zoned properties  
315 will be determined through their own designated review processes; and

316 f. clearing to provide for the relocation of equestrian community trails.

317 2. For subdivisions and short subdivisions, portions of the plat that are required  
318 to remain uncleared shall be retained in one or more open space tracts, with all  
319 developable lots sited on the portions of the plat approved to be cleared. Sensitive areas  
320 designated under K.C.C. Title 21A shall be recorded separately from tracts mandated by  
321 this regulation, but may be counted towards meeting these requirements. Tracts  
322 mandated by this regulation may be retained by the subdivider, conveyed to residents of  
323 the subdivision, or conveyed to a third party. Open space tracts shall be shown on all  
324 property maps and shall be protected by covenants, approved by the county, that restrict  
325 their uses to those listed in subsection B of this section. All open space tracts established  
326 pursuant to this regulation shall be clearly marked with at least one sign per buildable lot  
327 adjoining the tract indicating that the tract is permanent, dedicated open space.

328 3. For individual lots, the clearing limits shall be applied at the time of building  
329 permit application unless the lot is within a subdivision that has been approved with other  
330 conditions to meet the standard established in subsection C.2 of this section. In cases  
331 where conditions are applied to the subdivision, individual lots shall be exempt from the

332 clearing restrictions in subsection C.1 of this section. The uses and restrictions on the  
333 uncleared portions of individual lots shall be those specified in subsection B of this  
334 section. Sensitive areas designated under K.C.C. Title 21A may be counted towards  
335 meeting requirements on individual lots.

336 4. The subdivision or permitting of building on parcels that are cleared in  
337 violation of the regulations in effect at the time of the clearing shall be subject to  
338 conditions requiring the restoration of trees and understory vegetation on at least sixty-  
339 five percent of the plat or lot, or, where applicable, on the percentage of the site that was  
340 to remain uncleared under subsection C.1 of this section. A restoration plan shall be  
341 required of permit applicants, and shall be subject to the approval of the department of  
342 development and environmental services. That department shall prepare administrative  
343 rules regarding the review and approval of restoration plans in consultation with the  
344 department of natural resources before approving subdivision or building permits for  
345 parcels cleared in violation of applicable clearing regulations. The administrative rules  
346 shall also specify when a restoration plan will be deemed sufficient to forego the six-year  
347 moratorium on permitting authorized in K.C.C. 16.82.140.

348 5. In the Bear Creek basin, the Bear Creek community planning area and the  
349 May Creek basin, the requirements of subsection C.1 through 4 of this section shall be  
350 modified or waived by the director for proposed projects that meet the following  
351 conditions:

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

353 (1) government services listed in K.C.C. 21A.08.060,

354 (2) educational services listed in K.C.C. 21A.08.050,



355 (3) parks as listed in K.C.C. 21A.08.040 when located adjacent to an existing  
356 or proposed school,

357 (4) libraries listed in K.C.C. 21A.08.040, and

358 (5) road projects;

359 b. the project site shall not be located in a designated regionally significant  
360 resource area except for utility corridors that can demonstrate no feasible alternative;

361 c. the project shall clear the minimum necessary to accommodate the proposed  
362 use which includes all the allowed ballfields, playfields, other facilities, and spaces  
363 proposed by the public agency to carry out its public function; and

364 d. the project shall meet the on-site flow control and water quality standards  
365 set forth in the applicable adopted basin plan and the Surface Water Design Manual.

366 The modification or waiver shall not exempt the project from any other code  
367 provisions which may apply. The director's decision may be appealed to the zoning and  
368 subdivision examiner pursuant to K.C.C. chapter 20.24, but any such an appeal must be  
369 consolidated with an appeal, if any, heard by the examiner on the merits of the proposed  
370 project.

371 6. In the Issaquah Creek basin, the Soos Creek basin and the East Sammamish  
372 Community Planning Area, the following standards shall apply:

373 a. in the regionally significant resource areas, except for utility corridors that  
374 can demonstrate no feasible alternative, [subsection] C.1 through 4 of this section apply;  
375 and

376           b. in areas outside of the regionally significant resources areas, projects that  
377 consist of one or more of the uses identified in subsection C.5a.(1) to (4) of this section  
378 shall be exempt from subsection C.1 through 4 of this section.

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

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

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

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

391           c. proposed erosion and sedimentation control measures.

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

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

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

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

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

411           a. routine maintenance and necessary repair of erosion and sediment control  
412 facilities;

413           b. routine maintenance of public facilities or existing utility structures as  
414 provided by K.C.C. 21A.24.050B;

415           c. activities where there is one hundred percent infiltration of surface water  
416 runoff within the site in approved and installed erosion and sedimentation control  
417 facilities;

418           d. typical landscaping activities of existing single family residences that do not  
419 require a permit;

420           e. class I, II III and IV Special forest practices;

421           f. mineral extraction activities on sites with approved permits; and

422 g. public agency response to emergencies that threaten the public health, safety  
423 and welfare.

424 SECTION 6. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100 are  
425 each hereby amended to read as follows:

426 **Criteria for approval - public benefit rating system for open space land =**  
427 **rating system – bonus system – super bonus system.**

428 A. ~~((Rating system.))~~ To be eligible for open space classification under the  
429 public benefit rating system, property must contain one or more priority open space  
430 resources. These resources are ranked as high priority, medium priority and low priority  
431 resources and are based on the adopted King County Open Space Plan referenced in  
432 K.C.C. 20.12.380. High priority resources receive five points each, medium priority  
433 resources receive three points each and low priority resources receive one point each.  
434 Property can receive a maximum of thirty points from no more than six open space  
435 priority resources. In addition, bonus points and super bonus points may be awarded  
436 pursuant to K.C.C. 20.36.100B and ~~((K.C.C. 20.36.100))~~C and a property can achieve a  
437 maximum of fifty-two points through the rating system and the bonus system. Portions  
438 of property may also qualify for open space designation. Complete definitions of each  
439 resource, sources and eligibility standards are fully described in the summary report  
440 adopted by reference by K.C.C. 20.36.150. The department of natural resources shall  
441 have administrative authority to interpret issues relating to the priority resource  
442 definitions and eligibility standards outlined in the summary report.

443 1. High priority resources - five points each.

444 a. Active or passive recreation area.

- 445           b. Property under option for purchase as park, recreation, open space land or  
446 CIP mitigation site.
- 447           c. Aquifer protection area.
- 448           d. Shoreline: "Conservancy" environment.
- 449           e. Scenic resource, viewpoint or view corridor.
- 450           f. Surface water quality buffer area.
- 451           g. Open space close to urban or growth area.
- 452           h. Significant plant, wildlife or salmonid habitat area.
- 453           i. Significant aquatic ecosystem.
- 454           j. Historic landmark/archaeological site: designated site.
- 455           k. Trail linkage.
- 456           l. Urban or growth area open space.
- 457           m. Farm and agricultural conservation land.
- 458           n. Forest stewardship land.
- 459           o. Equestrian-pedestrian trail linkage.
- 460           2. Medium priority resources - three points each.
- 461           a. Public land or right-of-way buffer.
- 462           b. Special native plant site.
- 463           c. Natural shoreline environment.
- 464           d. Geological feature.
- 465           e. Eligible historic landmark or archaeological site.
- 466           f. Buffer to designated historic landmark/archaeological site.
- 467           g. Special animal site.

- 468           3. Low priority resource - one point.
- 469           a. Buffer to eligible historic/archaeological site.
- 470           B. (~~Bonus System~~) Property qualifying in the specific high, medium or low
- 471 priority categories may receive up to twenty-two bonus points if the following additional
- 472 qualifications are met:
- 473           1. Resource restoration - five points.
- 474           2. Bonus surface water quality buffer - three or five points.
- 475           3. Contiguous parcels under separate ownership - two points.
- 476           4. Conservation or Historic Preservation Easement in perpetuity - five points.
- 477           5. Bonus public access points.
- 478           a. Unlimited public access - five points.
- 479           b. Limited public access - sensitive area - five points.
- 480           c. Limited public access - three points.
- 481           C. (~~Super bonus system~~) Property with at least one high priority resource and
- 482 which allows unlimited public access, or limited public access if due to resource
- 483 sensitivity, and which conveys a conservation, historic preservation, or trail easement in
- 484 perpetuity, in a form approved by the county, shall be automatically eligible for current
- 485 use value at (~~10%~~) ten percent of market value.

486           NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 20.36 a

487 new section to read as follows:

488           **Equestrian trail linkage.** Equestrian trail linkages and uses are eligible for

489 participation in the public benefit rating system if the land meets the criteria in this

490 section.

491           A. For the purposes of this section, "equestrian trail linkage" means land either  
492 used as a public or rural off road trail linkage for equestrian, pedestrian or other  
493 nonmotorized uses or providing a link from a public right of way to a trail system, or  
494 both.

495           B. The owner shall provide a trail easement to an appropriate public or private  
496 entity, acceptable to King County as to form. Such an easement must be recorded with  
497 the county records and elections division. A person may not use a motorized vehicle on  
498 trails receiving tax reductions as an equestrian trail linkage except in the case of medical  
499 or police emergencies.

500           C. To be eligible as equestrian trail linkage, property must be used as a public  
501 trail linkage which remains in private ownership. The amount of land used for the trail  
502 linkage may be less than minimum size prescribed in any other category. In addition to  
503 the area covered by the easement, adjacent pasture land, the land occupied by a barn or  
504 stables, and any corral or paddock may be included as well as land necessary to provide a  
505 buffer from the trail to other non-equestrian uses or land which contributes to the  
506 aesthetics of the trail, such as forest. Land set aside and marked for off road parking for  
507 trail users may also be included. Private roads or driveways that are open to the public  
508 for this purpose may also qualify, but sidewalks do not qualify under this category.  
509 Fencing and gates are not allowed in the trail easement area except those that are parallel  
510 to the trail or linkage.

511           D. Public access is required only on those portions of the property that contain  
512 the trail. Time of use restrictions may be imposed and other reasonable restrictions may  
513 be permissible.

514 E. Properties enrolling under this category are entitled to a ninety percent  
515 reduction as public access will be provided and protected through granting of an  
516 easement. The reduction shall apply to all portions of the property qualifying, not just the  
517 area described in the easement.

518 SECTION 8. Ordinance 10870, Section 364, as amended, and K.C.C.

519 21A.14.040 are each hereby amended to read as follows:

520 **Lot segregations – clustered development.** If residential lot clustering is  
521 proposed, the following provisions shall be met:

522 A. In the R zones, any designated open space tract resulting from lot clustering  
523 shall not be altered or disturbed except as specified on recorded documents creating the  
524 open space. Open spaces may be retained under ownership by the subdivider, conveyed  
525 to residents of the development, or conveyed to a third party. If access to the open space  
526 is provided, the access shall be located in a separate tract;

527 B. In the RA zone:

528 1. No more than eight lots of less than two and one-half acres shall be allowed  
529 in a cluster;

530 2. No more than eight lots of less than two and one-half acres shall be served by  
531 a single cul-de-sac street;

532 3. Clusters containing two or more lots of less than two and one-half acres,  
533 whether in the same or adjacent developments, shall be separated from similar clusters by  
534 at least one hundred twenty feet;



535 4. The overall amount, and the individual degree of clustering shall be limited to  
536 a level that can be adequately served by rural facilities and services, including, but not  
537 limited to, on-site sewage disposal systems and rural roadways;

538 5. A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,  
539 shall be provided along the frontage of all public roads. The planting materials shall  
540 consist of species that are native to the Puget Sound region. Preservation of existing  
541 healthy vegetation is encouraged and may be used to augment new plantings to meet the  
542 requirements of this section;

543 6. Except as provided in subsection B.7 of this section, open space tracts created  
544 by clustering in the RA zone shall be designated as permanent open space. Acceptable  
545 uses within open space tracts are passive recreation, with no development of active  
546 recreational facilities, ~~((and))~~ natural-surface pedestrian and equestrian foot trails and  
547 passive recreational facilities; ~~((and))~~

548 7. In the RA zone a resource land tract may be created through a cluster  
549 development in lieu of an open space tract. The resource land tract may be used as a  
550 working forest or farm if the following provisions are met:

551 a. Appropriateness of the tract for forestry or agriculture has been determined  
552 by the King County department of natural resources;

553 b. The subdivider shall prepare a forest management plan, which must be  
554 reviewed and approved by the King County department of natural resources, or a farm  
555 management (conservation) plan, if such is required pursuant to K.C.C. chapter 21A.30,  
556 which must be developed by the King Conservation District. The criteria for  
557 management of a resource land tract established through a cluster development in the RA

558 zone shall be set forth in a ~~((P))~~public ~~((R))~~rule. The criteria must assure that forestry or  
559 farming will remain as a sustainable use of the resource land tract and that structures  
560 supportive of forestry and agriculture may be allowed in the resource land tract. The  
561 criteria must also set impervious surface limitations and identify the type of buildings or  
562 structures that will be allowed within the resource land tract;

563 c. The recorded plat or short plat shall designate the resource land tract as a  
564 working forest or farm;

565 d. Resource land tracts that are conveyed to residents of the development shall  
566 be retained in undivided interest by the residents of the subdivision or short subdivision;

567 e. A homeowners association shall be established to assure implementation of  
568 the forest management plan or farm management (conservation) plan if the resource land  
569 tract is retained in undivided interest by the residents of the subdivision or short  
570 subdivision;

571 f. The subdivider shall file a notice with the King County records and elections  
572 division. The required contents and form of the notice shall be set forth in a ~~((P))~~public  
573 ~~((R))~~rule. The notice shall inform the property owner or owners that the resource land  
574 tract is designated as a working forest or farm, which must be managed in accordance  
575 with the provisions established in the approved forest management plan or farm  
576 management (conservation) plan;

577 g. The subdivider shall provide to the department proof of the approval of the  
578 forest management plan or farm management (conservation) plan and the filing of the  
579 notice required in subsection B.7.f of this section before recording of the final plat or  
580 short plat; ~~((and))~~

581 h. The notice shall run with the land; and

582 i. Natural-surface pedestrian and equestrian foot trails, passive recreation, and  
583 passive recreational facilities, with no development of active recreational facilities, are  
584 allowed uses in resource tracts; and

585 8. For purposes of this section, passive recreational facilities include trail access  
586 points, small-scale parking areas and restroom facilities.

587 SECTION 9. Ordinance 14045, Section 37, as amended, and K.C.C. 21A.14.360  
588 are each hereby amended to read as follows:

589 **Rural equestrian community trails – general applicability.**

590 A. The county may accept the voluntary ~~((dedication))~~ grant of an easement~~((s or~~  
591 ~~other form of protection of))~~ for a rural equestrian community trails consistent with ~~((the~~  
592 ~~provisions of))~~ K.C.C. 21A.14.350 through ~~((K.C.C.))~~ 21A.14.390 from any development  
593 when such development contains any existing historically established rural equestrian  
594 community trail, and when located in the RA, A or F zones and within an equestrian  
595 community designated by the King County Comprehensive Plan. The residents or  
596 tenants of the development shall be provided access to any such trail provided hereunder  
597 for use consistent with the function of the trail. The area of any such trail provided  
598 hereunder shall be counted as part of the site for purposes of density and floor area  
599 calculations ~~((and any existing trail protected pursuant to this ordinance shall not be~~  
600 ~~subject to the clearing limitations of the grading code so long as it is retained in its~~  
601 ~~current location))~~. The application of this section shall not reduce the allowed density  
602 within a residential subdivision or short subdivision. The county may also accept the  
603 voluntary grant of an easement for a rural equestrian community trail consistent with

604 K.C.C. 21A.14.350 through 21A.14.390 when there is no development proposed for the  
605 property.

606 B. The rural equestrian community trails provisions apply to ~~((the following~~  
607 ~~development proposals))~~ any property ~~((when))~~ located in the RA, A or F zones and  
608 within an equestrian community designated by the King County Comprehensive Plan(~~(:~~

609 ~~1. Residential development including subdivisions and short subdivisions.~~

610 ~~2. Development proposals for park/recreation, amusement/entertainment and~~  
611 ~~cultural uses denoted in the permitted use table in K.C.C. 21A.08.040.~~

612 ~~3. Development proposals for general services uses denoted in the permitted use~~  
613 ~~table in K.C.C. 21A.08.050 except those conducted as home occupations or otherwise~~  
614 ~~accessory to residential uses)).~~

615 NEW SECTION 10. There is hereby added to K.C.C. chapter 21A.14 a new  
616 section to read as follows:

617 **Rural equestrian community trails – notification.** A. The department shall  
618 notify every applicant for a plat, short plat, boundary line adjustment, clearing and  
619 grading permit, conditional use permit, building permit for new construction or additions  
620 to existing structures, or zone reclassification in the RA, A or F zones and within an  
621 equestrian community designated by the King County Comprehensive Plan of the  
622 opportunity to voluntarily grant an easement for a rural equestrian community trail in  
623 accordance with this ordinance.

624 B. The department shall notify the department of natural resources and parks of  
625 every application for a plat, short plat, boundary line adjustment, clearing and grading  
626 permit, conditional use permit, building permit for new construction or additions to

627 existing structures, or zone reclassification in the RA, A or F zones and within an  
628 equestrian community designated by the King County Comprehensive Plan.

629 SECTION 11. Ordinance 14045, Section 38, and K.C.C. 21A.14.370 are each  
630 hereby amended to read as follows:

631 **Rural equestrian community trails – authority.**

632 ~~((A.))~~ The county shall accept a voluntary ~~((dedication,))~~ grant of easement ~~((or~~  
633 ~~other form of protection))~~ for the preservation or relocation of a rural equestrian  
634 community trail in the RA, A or F zone within the Equestrian Community area  
635 designated in the King County Comprehensive Plan whenever:

636 A. ~~((t))~~The department of natural resources and parks makes a ~~((project-specific))~~  
637 determination in writing that:

638 1. The equestrian community trail is listed or mapped on an inventory of  
639 equestrian community trails maintained by the King County parks and recreation  
640 department. The department shall field verify the presence of a trail where an inventory  
641 indicates the general location of a trail that has not yet been field verified;

642 2. The equestrian community trail connects to ~~((trails on other properties or to))~~  
643 a state, county or other ~~((publicly maintained))~~ trail open to the public;

644 3. The equestrian community trail, following a site inspection by the department  
645 of natural resources and parks, is reasonably fit for use as a rural equestrian community  
646 trail;

647 4. If the equestrian community trail traverses or impacts an environmentally  
648 sensitive area, it can be modified to meet code requirements for trails in sensitive areas;  
649 and

650            ~~((4:))~~ 5. Permanent protection or relocation of an equestrian community trail can  
651 be accomplished without interference with ~~((the proposed use))~~ allowed uses and  
652 development of the subject property, and the site can be developed without interference  
653 with the trail and allows for future owners of the property to access historically existing  
654 or public trails in the vicinity of the site.

655            B. ~~((The form of protection shall address limitations on uses of the trail based on  
656 the historically established uses:~~

657            C. ~~Any determination by the department regarding the acceptance or non-  
658 acceptance of dedication or other protection of a rural equestrian community trail under  
659 this chapter may be appealed to the hearing examiner consistent with the appeal process  
660 for the underlying permit, in accordance with K.C.C. 20.20.020.))~~ If the trail is proposed  
661 to be granted as part of a mitigation package for a development proposal, the department  
662 of development and environmental services determines and reports to the department of  
663 natural resources that permanent protection or relocation of an equestrian community trail  
664 can be accomplished without interference with the proposed use and development of the  
665 subject property, and the site can be developed without interference with the trail and in a  
666 manner that allows future owners of the property to access historically existing or public  
667 trails in the vicinity that are linked to the subject site. The department of development  
668 and environmental services shall report its findings in writing.

669            SECTION 12. Ordinance 14045, Section 39, as amended, and K.C.C.  
670 21A.14.380 are each hereby amended to read as follows:

671            **Rural equestrian community trails – location and design standards.** The  
672 following design standards apply to rural equestrian community trails provided pursuant

673 to this chapter located within the RA, A or F zones and within the equestrian community  
674 designated by the King County Comprehensive Plan.

675           A. An on-site rural equestrian community trail should be retained at its existing  
676 location unless that location impairs the use of the property as intended by the applicant.  
677 A rural equestrian trail being retained in the existing location pursuant to an easement  
678 shall not be required to be improved as a condition of accepting the easement. The trail  
679 may be relocated to another location within the street right-of-way or to another corridor  
680 separate from a street right-of-way, provided that whatever alternative is used preserves  
681 the same connections as the original trail to an existing public park or trail in the vicinity  
682 of the subject property. The preferred place for a relocated trail is out of the right-of-way  
683 or separated from the paved surface and road shoulder by a berm, ditch or other  
684 separation. Trails may only be relocated to a street right-of-way when meeting the  
685 standards in subsection E of this section. The trail location shall be preserved by  
686 appropriate easements or dedications.

687           B. Corridors for trails located outside a street right-of-way shall be ten feet wide,  
688 or six feet wide if the trail will be located along a property line and additional corridor  
689 space can reasonably be expected to be preserved on the abutting property and the  
690 corridor is not encumbered by any structures adjacent to the corridor.

691           C. If permitted by K.C.C. chapter 21A.24, an easement protecting an existing or  
692 relocated rural equestrian community trail may be located in a designated sensitive area  
693 buffer. ~~((If the rural equestrian community trail is located in a delineated sensitive area  
694 tract no separate trail corridor is required provided the trail itself is maintained in a safe  
695 condition and kept free of obstructions.))~~

696 D. Rural equestrian community trails that are not located within street rights-of-  
697 way, should be natural, visually and functionally unobtrusive, and as low-impact as  
698 possible.

699 E. Relocated or new rural equestrian community trails within public or private  
700 road rights-of-way shall be designed consistent with adopted King County Road  
701 Standards (KCRS, Section 3.11), as supplemented by the following standards:

702 1. The trail shall be located to provide access to a local equestrian travel  
703 corridor through the project site and adjacent properties, as determined by the King  
704 County department of transportation in cooperation with the local equestrian community.

705 2. The preferred design is a trail separated from the paved roadway by a berm,  
706 ditch, tree cover or other natural obstacle; the center of the trail tread shall be at least  
707 eight feet of horizontal distance from the paved roadway edge.

708 3. When a separated trail cannot be provided, a soft-surfaced ninety-six inch-  
709 wide roadway shoulder path shall be installed on all roads other than local access streets,  
710 where a forty-eight inches shoulder path shall be sufficient.

711 4. All trails shall have an all-weather tread of thirty-six to forty-eight inches.

712 5. The roadway shall include appropriate surface treatment to reduce slippage at  
713 roadway/trail crossings.

714 6. Appropriate signs shall be provided to indicate the location of street crossings  
715 for trails, with emphasis on arterials and subcollector street.

716 F. Relocated or new rural equestrian community trails not located in a right-of-  
717 way shall be designed to the King County Road Standards, KCRS, Section 3.11.A.2.



718            SECTION 13. Ordinance 14045, Section 40, and K.C.C. 21A.14.390 are each  
719 hereby amended to read as follows:

720            **Rural equestrian community trails – maintenance and operation.** A. Once a  
721 trail easement has been ~~((dedicated or otherwise protected as provided by))~~ granted to the  
722 county as provided by this chapter, it shall remain free from structural obstructions or  
723 other permanent or temporary obstacles. A rural equestrian community trails shall be  
724 open to the public for recreational use by equestrians ~~((trail users. If a permitted activity~~  
725 ~~such as clearing, grading or construction will block an established trail for more than five~~  
726 ~~consecutive days, a temporary, well marked detour route shall be provided, if feasible.~~

727            B. ~~When the trail is created by a form of protection other than public dedication~~  
728 ~~or location within public street right of way, trail ownership shall be held by the owner of~~  
729 ~~the property being developed, or in an undivided interest by each owner of a lot within~~  
730 ~~the development, or by an incorporated homeowner's association, or other legal entity~~  
731 ~~which assures the ownership, maintenance and protection of the trail.~~

732            C.)) and pedestrians. Equestrian and pedestrian use does not include use by motor  
733 vehicles, bicycles, roller skates, skateboards or other mechanized modes of  
734 transportation. However, the department of natural resources and parks may authorize  
735 use by motor vehicles in limited circumstances, such as for maintenance, emergencies or  
736 trail crossings.

737            B. The trail easement shall set forth the ((R))responsibility for trail maintenance  
738 ~~((shall be determined by the department and provided for in the deed, easement or other~~  
739 ~~protection instrument entered into by the property owner. This subsection is not intended~~  
740 ~~to create a responsibility to maintain the trail beyond what is required by this title)).~~

741 Trails within dedicated street rights-of-way shall be maintained by the department of  
742 transportation or its successor agency. Trails within easements granted to King County  
743 ~~((or on land that has been transferred in fee simple ownership to King County))~~ shall be  
744 maintained by the department of natural resources and parks ~~((and recreation))~~. ~~((Any~~  
745 ~~owner or county agency))~~ The county may contract with a local user group or parks  
746 district for maintenance of the trail.

747 ~~((D.))~~ C. ~~((If the trail is established by a form of protection other than dedication,~~  
748 ~~the time and manner of use of the trail shall be subject to such conditions as the county~~  
749 ~~and the subject property owner may agree. The trail corridor and the conditions related to~~  
750 ~~it shall be recorded on all documents of title of record for all affected lots.))~~ Trails  
751 established under this section are subject to the rules and enforcement measures for use of  
752 facilities for King County parks in K.C.C. chapter 7.12.

753 D. An easement governing the use and operation of a rural equestrian community  
754 trail being granted under this ordinance shall be granted by the property owner to the  
755 county. In preparing the easement, the department of natural resources and parks is  
756 authorized to negotiate the terms of the easement on matters such as the allowed use of  
757 the easement, whether the easement includes indemnification requirements, the  
758 maintenance of the easement, the relocation of the easement, and whether the easement is  
759 permanent or for a term of years, depending on the value of the property as a rural  
760 equestrian community trail. The easement shall be consistent with this ordinance.

761 NEW SECTION. SECTION 14. There is hereby added to K.C.C. chapter  
762 21A.14 a new section to read as follows:

763           **Rural equestrian community trails - annual report.** The executive shall report  
764 to the council annually by July 31 on the implementation of the rural equestrian  
765 community trail incentives and regulations adopted by this ordinance. The report shall  
766 include the following information:

- 767           A. Miles of community trail and acreage accepted in the equestrian-pedestrian
- 768 trail linkage category of the public benefit rating system program;
- 769           B. Status of field verification and mapping of community trails;
- 770           C. Regulatory issues and proposed amendments;
- 771           D. Implementation issues;
- 772           E. Response from equestrian user groups/landowners and citizens;
- 773           F. Status of agreements with other jurisdictions or private individuals/groups
- 774 concerning operations and maintenance;
- 775           G. Map of verified trails and non-verified trails;
- 776           H. Costs associated with trail maintenance and improvements; and
- 777           I. Other relevant information pertaining to the incentive and regulatory program.

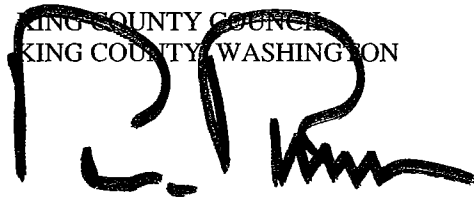
778           SECTION 15. Ordinance 14045, Section 41, and K.C.C. 21A.14.400 are each  
779 hereby repealed.

780

SECTION 16. Ordinance 14045, Section 42 is hereby repealed.

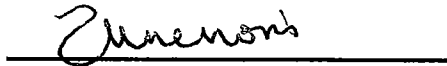
Ordinance 14259 was introduced on 10/1/01 and passed by the Metropolitan King County Council on 11/19/01, by the following vote:

Yes: 11 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Phillips, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Mr. Gossett and Ms. Hague  
No: 2 - Mr. Thomas and Mr. Irons  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON  


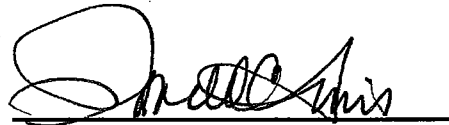
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 30 day of November, 2001.







Ron Sims, County Executive

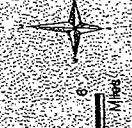
**Attachments**      A. Equestrian Communities 2000 - Dated February 2001

February 2001

# Equestrian Communities 2000

-  Equestrian Communities
-  Incorporated Areas
-  Muckleshoot Indian Reservation
-  Urban Growth Area Line

Source: King County Department of Development and Environmental Services  
This map is intended for planning purposes only and is not guaranteed to show accurate measurements.



King County

0 1 2 3 4 5 6 Miles

# 14259

The maps in the King County Comprehensive Plan and its technical appendices are produced with a computer geographic information system. They are reduced in size but available at a larger scale.