

**2025 King County Comprehensive Plan
Critical Areas Ordinance
Local Services and Land Use Committee Recommended Version**

**Summary of Changes
October 31, 2025**

Proposed Ordinance 2024-0408.2

1. King County Comprehensive Plan Policies

- a) Removes a policy allowing alterations of Category IV wetlands under 2,500 sf and not part of a wetland complex.
- b) Adds a new policy exploring implementation of a Voluntary Stewardship Program within the Snoqualmie Valley Agricultural Production District.
- c) Adds a new policy regarding the use of adaptive management techniques for critical areas within or adjacent to agricultural activities; and adds narrative about Voluntary Stewardship Programs.
- d) Adds a new policy recognizing Indigenous Knowledge as an important aspect in the development of county regulations, projects, and programs.
- e) Adds a new policy to consider species and habitats of cultural importance to federally recognized Indian tribes in planning, development review, and capital projects.

2. Definitions

- a) Revises definitions for: buffer, critical aquifer recharge area, critical areas, coal mine hazard area, farm field access drive, fish habitat, hazard tree, landslide hazard area, mitigation, salmonid, stream, volcanic hazard area, wetland, wetland functions,
- b) Adds a definition for: critical freshwater habitat, debris flow, ecological professional, fish and wildlife habitat conservation area, geologically hazardous areas, geological professional, grazing area buffer, notice of map amendment, revegetation, riparian area, special flood hazard area, species of local importance, tsunami hazard area, wetland values, wildlife lighting.

3. Chapter Purpose

- a) Revises a purpose statement related to application information at time of permit application submittal to protect critical areas.
- b) Adds a purpose statement on providing development standards, application requirements and review processes for administration.

4. Critical Areas Allowed Alterations

- a) Adds moderate channel migration hazard areas and tsunami hazard areas in the list of critical areas where all alterations are allowed with conditions.
- b) Identifies allowed alterations for alluvial fan hazard areas.
- c) Provides information describing how to interpret the alterations table.
- d) Maintenance or repair of existing structures.
 - i. Adds restrictions in steep slope hazard areas limiting work to areas where the hazard poses little to no risk of injury and the risk of landsliding and slope instability is low.
 - ii. Adds restrictions in alluvial fan hazard areas and severe channel migration hazard areas limiting work to: 1) existing primary structures where the footprint is not increased, and

there is no substantial improvement, as defined in the K.C.C.; and 2) existing accessory structures where the expansion will not make the total footprint of all existing structures more than 1,000 square feet, there is no expansion of the footprint towards the alluvial fan hazard area unless the applicant demonstrates that the location is less subject to risk and has less impact on the critical area.

- e) Expansion of existing structures:
 - i. Continues to prohibit the alteration in a landslide hazard area over 40% slope, or steep slope hazard area, and their buffers.
 - ii. Allows in severe channel migration hazard areas and alluvial fan hazard areas with limitations under the same conditions as maintenance or repair.
 - iii. Allows in a wetland, wetland buffer, aquatic area, riparian area, wildlife habitat network, and wildlife habitat conservation area, subject to conditions such as being on an existing impervious surface, lawn or landscaping area, farm field, or grazed area, and with limitations on original establishment, location, revegetation and/or footprint expansion.
- f) Replacement of existing structures:
 - i. Allows in a landslide hazard area over 40% slope, or steep slope hazard area, and their buffers for existing legally established structures in areas where the hazard poses little to no risk of injury, and the risk of landsliding or slope instability is low.
 - ii. Prohibits in alluvial fan hazard areas and severe channel migration hazard areas.
 - iii. Allows in a wetland, wetland buffer, aquatic area, riparian area, wildlife habitat network, and wildlife habitat conservation area, subject to conditions such as being on an existing footprint or having the least impact on the critical area, not expanding the footprint of all structures and impervious surfaces, on an existing impervious area, lawn or landscaped area, farm field, or grazed area, and including revegetation.
- g) Updates the allowance for construction, maintenance, or repair of a pier or dock for wetlands to only allowing the alteration in a Category II, III, or IV wetland or buffer to provide access to an aquatic area, prohibits the alteration in salmonid spawning areas, and prohibiting hazardous substances.
- h) Allows grading in alluvial fans and overlapping critical areas to address emergency work.
- i) Allows slope stabilization for government projects in accordance with the regional road construction and maintenance guidelines in all critical areas.
- j) Removes a clearing allowance in severe channel migration hazard areas in the urban area.
- k) Prohibits the cutting of firewood in wetlands, aquatic areas, steep slope hazard areas, wetland buffers, riparian areas, severe channel migration hazard areas, or trees containing an active nest. Where allowed, limits the cutting of firewood for personal use only and with a forest management plan.
- l) Allows construction of new flood protection facilities in alluvial fan hazard areas for projects that protect certain structures from bank erosion or government projects subject to conditions.
- m) Limits construction of new utility corridors or utility facility, construction or maintenance of hydroelectric generation facilities, and new residential utility distribution lines in alluvial fan hazard areas when no other alternative location with less impact is available and subject to conditions on widths, location, construction techniques, and other conditions.
- n) Allows construction of instream structures or instream work for projects that provide net ecological benefit and sponsored by an Indian Tribe, government, nonprofit, or higher education institution.
- o) Prohibits new roads in unimproved right-of-way in all critical areas.

- p) Prohibits new on-site sewage disposal system or wells in landslide hazard areas over 40% slope, steep slope hazard areas, alluvial fan hazard areas, and their buffers.
- 5. Repeals rural stewardship plans and associated code allowances.
 - 6. Landslide hazard areas:
 - a) Allows buffer reductions and waiving of a geological critical area report for single detached residences where it is determined that protection is adequate.
 - b) Establishes conditions for when the risk of damage is minimized with factors of safety for static and seismic conditions.
 - c) Requires alterations to comply with a geological critical areas report.
 - 7. Steep slope hazard areas: Establishes conditions for when the risk of damage is minimized with factors of safety for static and seismic conditions.
 - 8. Alluvial fan hazard areas:
 - a) Establishes alluvial fan hazard areas as a new critical area. Alluvial fans occur where streams flowing down a steep gradient meet a flatter floodplain and naturally deposit sediment. Alluvial fans are most often found in rural King County where tributary streams meet a flat valley floor.
 - b) Establishes potential requirements for a buffer from an alluvial fan hazard area to eliminate or minimize risk of damage or injury.
 - c) Requires a geological critical area report in or within 50 feet of an alluvial fan.
 - d) Establishes development standards related to sedimentation or inundation, vegetation removal, minimizes disturbances, and not increases sediment management activities or other instream work affecting fish.
 - 9. Tsunami hazard areas:
 - a) Establishes tsunami hazard areas as a new critical area with associated development standards. Most tsunami hazards in UKC are found on Vashon-Maury Island and in the Lower Duwamish River.
 - b) Requires new and substantially improved residential buildings to be designed to protect from inundation and debris.
 - c) Requires new buildings to be located on portions of a property that are not in a tsunami hazard area if feasible.
 - d) Requires critical facilities to be located outside a tsunami hazard area if feasible. If allowed, requires critical facilities to be designed to minimize risk.
 - 10. Critical aquifer recharge areas:
 - a) When a map amendment occurs, requires a notice of map amendment to be sent to the property owner, applicant, and county assessor.
 - b) Requires appropriate measures be installed if saltwater intrusion is likely to occur to a well.
 - 11. Wetlands:
 - a) Increases buffer widths for Category IV wetlands and certain types of Category I wetlands, including high conservation value, estuarine wetlands, and coastal lagoons.
 - b) Reclassifies moderate-intensity active recreation, open space, and passive recreation uses to moderate or low impact.

- c) Limits the reclassification of high impact land uses to moderate impact land uses to only dwelling units, mixed-use, daycares and social services in the urban growth area.
- d) Classifies the land use impact of telecommunication towers and associated equipment, railroads, highways, and forest service roads.
- a) Removes numeric width minimums for wetland buffer averaging, and instead restricts averaging widths to no less than 75% of the required width.
- b) Requires revegetation for buffer averaging and for high-to-moderate impact wetland buffer reductions if native vegetation does not exist.
- c) Prohibits buffer averaging from being combined with other reductions or modifications.
- e) Where necessary, revises wetland mitigation ratios to be consistent with Department of Ecology guidance, including impacts to wetland buffers, direct impacts to wetlands, indirect impacts to wetlands, temporary impacts, off-site mitigation when outside of the same hydrologic unit as the impacted wetland, off-site mitigation with different characteristics than the impacted wetland, or sites with listed species.
- f) Removes an allowance for reduced mitigation ratios.
- g) Establishes ratios when using wetland mitigation banks.
- h) Removes an alteration allowance for filling of category IV wetlands less than 2,500 square feet.

12. Aquatic areas and riparian areas:

- a) Revises the description of aquatic area types to match state law.
- b) Revises the threshold for fish habitat by removing an allowance to exclude areas upstream of a human made barrier and prescribes the presence of fish and certain stream characteristics as fish habitat.
- c) Renames aquatic area buffers to riparian areas and designates riparian areas a critical area.
- d) Increases riparian area widths for all adjacent aquatic area types by between 25 and 65 feet. Under the proposed CAO update, riparian area widths for Type S and Type F waters would increase to 180 feet within urban unincorporated areas and to 200 feet outside the urban unincorporated area. The proposed riparian area width for Type N streams would be 100 feet and for Type O would be 50 feet throughout unincorporated King County.
- e) Requires that riparian area widths include and be measured from the severe channel migration zones where they've been mapped.
- f) Clarifies that riparian areas extend from all directions when an aquatic area enters or exits is in an underground conveyance system.
- g) Limits riparian area widths that overlap a steep slope hazard area or landslide hazard area to no more than twice the width of the riparian area.
- h) If an aquatic area is in an alluvial fan, requires the riparian area width to also include the alluvial fan hazard area.
- i) Limits riparian area averaging to no less than 75% of the standard width and revises criteria.
- d) Prohibits buffer averaging from being combined with other reductions or modifications.
- e) Requires mitigation for riparian areas to be through restoration or creation.
- f) Requires the placement of large wood to minimize recreational hazards in project design.
- g) Revises mitigation purposes for riparian areas.
- h) Increases mitigation ratios for aquatic areas and riparian areas within ½ mile of the alteration area and riparian areas more than ½ mile from the alteration area.
- i) Increases mitigation ratios for illegal alterations.
- i) Removes an allowance for reduced mitigation ratios.

- j) Creates alternative mitigation requirements with reduced ratios for proposals that include primary or secondary actions, such as removing fish passage barriers, installing large wood, or increasing the mitigation area.

13. Agricultural Activities

- a) Adds standards for commercial agriculture and continuous existence for existing agriculture for the purposes of applying the critical area regulations.
- b) Where allowed, clarifies that various agricultural activities must be on a site where agriculture is the primary activity.
- c) Limits the expansion/conversion of existing commercial agricultural activities and allows the establishment of new agricultural activities by: requiring sites to have agriculture as the primary activity on the site, requiring farm management plans, requiring application of applicable best management practices, prohibiting alterations in critical areas cleared under certain forest practices permit, aquatic areas and wetlands that are not grazed or tilled wet meadow, and wetland buffers and riparian areas with predominantly native plants that are not agricultural crops.
- d) Where allowed, increases baseline protections for new or expanded grazing areas in critical areas:
 - i. With a farm management plan: increases new or expanded grazing area buffers (which is the area in which livestock is excluded) from 25 feet to 40 feet for type S and F aquatic areas and category I, II, or III wetlands; adds grazing area buffers of 35 feet for Type N aquatic areas and 20 feet for category IV wetlands; clarifies that grazed wet meadows have no grazing area buffers.
 - ii. Allows modifications to grazing area buffers with a farm management plan.
 - iii. Requires grazing area buffers to include diverse, mature vegetation.
 - iv. Without a farm management plan: maintains the 50-foot buffers for type S, F, and N aquatic areas and category I, II, and III wetlands; adds grazing area buffers of 25 feet for category IV wetland; clarifies that grazed wet meadows have no grazing area buffer; and removes an allowance for a reduced buffer of 25-feet where existing mature vegetation exists.
- e) For livestock manure storage facilities, livestock heavy use areas, and farm pads:
 - i. Requires the site to have horticulture or livestock grazing activities.
 - ii. Allows these alterations on existing grazed or tilled land or impervious surfaces in critical areas where no other area of the site is feasible; prohibits these alterations in areas with critical areas cleared under certain forest practices permit, aquatic areas and wetlands that are not grazed or tilled wet meadow, and wetland buffers and riparian areas with predominantly native plants that are not agricultural crops; requires these alterations to be as close to the edge of a critical area as possible; requires farm management plans; and requires application of applicable best management practices.
 - iii. Without a farm management plan, prohibits manure storage on tilled wet meadows.
 - iv. For farm field access drives:
 - 1. Narrows clearing and grading exemptions to sites zoned A, in the farmland preservation program, or APD and subject to conditions on width, impervious surface, best management practices, limited location alternatives, dispersion requirements, and other permits.
 - 2. Allows alterations in critical areas on sites with horticulture or grazing livestock use in the A zone, enrolled in the farmland preservation, or APD, and subject to

conditions on width, size, best management practices, limited location alternatives, dispersion requirements, and other permits .

- f) Allows maintenance of agricultural waterways in alluvial fan hazard areas.
- g) Requires a farm management plan for maintenance of agricultural waterways
- h) Limits nonresidential buildings to sites qualifying as horticulture or grazing livestock use, and in riparian area or wetland buffers, only in grazed or tilled wet meadows, and subject to limitations.
- i) Improves code language structure for increased clarification, consistency, and predictability for reviewers and applicants.

14. Critical Area Alteration Exceptions

- a) Prohibits critical area alteration exceptions and reasonable use exceptions in alluvial fans and severe channel migration hazard areas in addition to flood hazard areas.
- a) Splits critical area alteration exceptions into two types: private development and public agency/utilities.
- b) Prohibits nonlinear critical alteration exceptions in a fish spawning area.
- c) Clarifies that both critical area alteration exceptions and reasonable use exceptions are processed as shoreline variances when a development proposal is in the shoreline jurisdiction.
- d) Clarifies that avoidance and mitigation sequencing must be applied to a development proposal.
- e) Adds a provision that exceptions shall not be approved if the inability of the applicant to derive economic use of the property is the result of actions by the current or prior property owner.

15. Critical Area Disclosure

- a) Removes a provision requiring an applicant to declare when they have been found in violation of K.C.C. 21A.24 for another property.
- b) Requires applicants to disclose critical areas and the largest potential buffer on the site.

16. Critical Area Designations

- a) States that the department may require supporting critical area reports as part of the critical area designation process.
- b) Removes a 120-day department processing timeline, which are addressed in K.C.C. Title 20.
- c) Limits the applicability of written determinations when new or additional information, such as unpermitted alterations, revised methods for classification, or new mapping, invalidates a determination.

17. Critical Area Review

- a) Revises the scope of department review for critical area reviews, including the boundaries of critical area buffers and setbacks that apply, compliance with other standards and regulations of the chapter, whether existing critical area determinations are effective, and whether mitigation measures for impacts to buffers comply with code.
- b) Requires critical area review in an alluvial fan hazard area and steep slope hazard area for projects that result in additional loads on foundation.
- c) Clarifies the appeal process for critical area review when other permit applications are being processed by the department.

18. Report Requirements

- b) Creates two types of critical area reports, ecological and geological, and identifies which report applies to which critical areas.
- c) Allows the department to modify or limit the scope of a critical area report if information is not needed to evaluate the proposal.
- d) Adds analysis, investigation, site conditions, site plan, mitigation and monitoring plans, and other requirements for critical area reports.

19. Avoidance and Mitigation Sequencing

- a) Clarifies that avoidance and mitigation sequencing is required for all development proposals that are in or affect a critical area or buffer.
- b) Modifies language to match state law on sequencing requirements.

20. Critical Area Mitigation

- a) Revises criteria for mitigation to occur only after avoidance and mitigation sequencing is applied, achieves no net loss, prevents risk from hazards, and does not create impacts to other critical areas functions.
- b) Prioritizes on-site mitigation over off-site mitigation, with conditions for when off-site mitigation could occur.
- c) Clarifies that the department may require safeguards, terms, or conditions to ensure no net loss of functions.
- d) Adds an extension of the monitoring period by at least 2 years where mitigation is not performing.
- e) Adds criteria for when off-site mitigation may be approved, including addressing limiting factors or identified needs in a conservation or resource plan.

21. Critical Area Revegetation

- a) Establishes the use of climate-adaptive plants in critical area projects.
- b) Establishes critical area revegetation requirements, including requiring equal or better ecological function compared to existing conditions, replicating the structure and function of historic natural plant communities, using only native or climate-adaptive plants, prioritizing the use of native plants first, restoring soil and hydrologic functions when necessary, allowing modification to planting plans based on site-specific conditions.

22. Notice on Title: Establishes circumstances when a notice on title can be removed or amended.

23. Critical Area Tracts: requires offsite mitigation to be placed in a tract or perpetual conservation easement.

24. Critical Area Setbacks: Decreases setbacks to 10 feet.

25. Grading Permit Exemptions, Not Described Elsewhere

- a) Removes an allowance for up to 5 feet of excavation and 2,000 sf of impervious surface for drilling and testing in critical area report or monitoring or data collection in all critical areas.
- b) Removes an allowance for cutting of firewood for personal use with a forest management plan or rural stewardship plan in wetlands, wetland buffers, aquatic areas, and riparian areas.
- c) Removes an allowance for clearing in a ditch that are used by non-salmonid fish.

- d) Remove an allowance for the maintenance activities on roads, driveways, bridges or culverts that use herbicides or hazardous substances.
- e) Restricts maintenance of culverts used by non-salmonid fish without a farm management plan to sediment and debris removal and nearby stabilization.
- f) Revises the conditions for habitat creation or enhancement projects to match the critical area alteration requirements.

26. Shoreline Master Program

- a) Adopts new code sections pertaining to revegetation, alluvial fan hazard area development standards, and tsunami hazard area development standards into the County's Shoreline Master Program.
- b) Adds report requirements for habitat and natural systems enhancement projects in the shoreline jurisdiction.
- c) Moves a requirement from the critical areas alteration section (K.C.C. 21A.24.045) into the shoreline code (K.C.C. 21A.24.210) regarding when a shoreline variance is required for expansion of residences.
- d) Updates the shoreline development standards to those standards in effect of the date of the ordinance adoption.

27. Public Benefit Rating System (PBRs) program

- a) Reduces the minimum size requirement for the rural open space category from 10 acres to 5 acres.
- b) Clarifies that farm management plans for livestock must meet the criteria in K.C.C. 21A.24.045 in addition to those in K.C.C. 21A.24.051.
- c) Removes the rural stewardship land category.

28. State Environmental Policy Act (SEPA)

- a) Updates standards to exclude certain types of proposals, consistent with state law exemptions.
- b) Adds an exemption for any fill or excavation necessary for the construction of a project that is otherwise exempt from SEPA, consistent with state law.
- c) Updates the exemption threshold for fill or excavation that is done to correct a code violation to the standard exemption for any fill or excavation.

29. Other

- a) Adds a requirement to update the farm management plan public rule.
- b) Adds a requirement to maintain an inventory of farm management plans.