

**Summary of Proposed Ordinance Updating
King County’s Critical Areas Regulations, 2024**

This summary fulfills Washington State Growth Management Act (GMA) and King County Code (K.C.C.) 20.18.100 requirements for a “plain language summary.”

As required by the GMA, King County is reviewing and updating the policies and regulations used to protect public health and safety by limiting development in hazard areas, including steep slopes and flood zones, and to protect environmentally critical areas, including wetlands and streams. Regulations in King County Code that protect critical areas are often referred to as the Critical Areas Ordinance (CAO) and are required by state law to reflect the latest best available science (BAS).

Ordinance Section	King County Code Section	Current Code	Proposed Change	Intent/Rationale
1	n/a	n/a	Findings	Provides context for the proposed regulatory changes in the ordinance.
2	K.C.C. 16.82.051	Specifies activities that are allowed to be done without obtaining a clearing and grading permit.	(1) Adds clarifying language about which definitions apply to this section and how the exceptions in the table are interpreted when there are multiple conditions that apply to a given activity. (2) Adds alluvial fan hazard areas to the clearing and grading exemption table. (3) Combines the landslide hazard area and steep slope hazard area columns. (4) Combines seismic and volcanic hazard areas columns and adds tsunami hazard areas to same column. (5) Adds "NP 13" to newly merged "seismic, volcanic, and tsunami hazard areas" column. (6) Moves "Construction of farm field access drive" and "Maintenance of farm field access drive" activities to Agriculture section of table. (7) Adds "management" to term "farm plan". (8) Updates condition 16 regarding applicability of farm field access roads. Removes condition 16 from applicability to manure storage facilities and applies condition 17. (9) Technical corrections	(1) Provides clarity on whether multiple conditions, or just one condition, need to be met for a given activity. (2) Separates alluvial fan hazard areas from landslide hazard areas because area-specific standards based on BAS were developed as part of this update. (3) Consolidates areas into one column because identical standards apply to them. (4) Consolidates areas into one column because identical standards apply to them. (5) Condition 13 is also appropriate for these specific areas. (6) Re-organizes activities by topic, improving usability. (7) Revised to use term "farm management plan" for consistency and to align with term used in Farm Management Plan public rule. (8) Add clarity by providing more precise standards. (9) Formatting and grammatical corrections.
3	K.C.C. 20.12.200	Lists the portions of the King County Comprehensive Plan and King County Code that constitute the County's Shoreline Master Program.	Removes K.C.C. 21A.24.055 from the list.	K.C.C. 21A.24.055 is proposed to be repealed in this ordinance.
4	K.C.C. 20.36.100	Sets definitions, eligibility, and standards for the County's Public Benefit Rating System program.	(1) Removes the opportunity to obtain Public Benefit Rating System points for implementing a rural stewardship plan.	(1) The section of code allowing rural stewardship plans (K.C.C. 21A.24.055) is proposed to be repealed in this ordinance.

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			<p>(2) Changes term "salmonid" to "fish". (3) Changes term "significance" to "importance". (4) Removes reference to the rural stewardship plan. (5) Technical corrections</p>	<p>(2) Amendments are proposed throughout the code to change "salmonid" to "fish", where appropriate, to be consistent with King County's current protection of all fish species listed by the Washington Dept. of Fish and Wildlife (WDFW), the Washington Department of Natural Resources (WA DNR) and King County species of local importance, not just salmonids. (3) Amendments are proposed throughout the code to change phrase "species of local significance" to "species of local importance", consistent with King County Comprehensive Plan terminology. (4) References to rural stewardship plan are proposed to be removed as code section allowing rural stewardship plans (K.C.C. 21A.24.055) is proposed to be repealed in this ordinance. (5) Corrections made to formatting and grammar.</p>
5	K.C.C. 20.44.040	Lists categorical exemptions to SEPA review.	<p>(1) Adds alluvial fan hazard areas to the list of areas in which limited fill and excavation is exempt. (2) Removes aquatic areas and wetlands to the list of areas in which limited fill and excavation is exempt.</p>	<p>(1) Alluvial fan hazard areas are a type of landslide hazard area according to WAC 365-190-120, but they are regulated as a separate type of geologically hazardous area in the K.C.C. By naming them in this section, the proposed code keeps the same intent and standards as existing code. (2) Aquatic areas and wetlands are proposed for removal to maintain alignment with WAC 197-11-800, the state code that describes what local governments must regulate.</p>
6	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Active nest."	There are existing critical area code standards regarding active nests, but no definition of this term.
7	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Alluvial fan."	There are existing and proposed code standards regulating alluvial fans, but no definition of this term.
8	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Alluvial fan hazard area."	There are proposed code standards regulating alluvial fans, but no definition of this term.
9	K.C.C. 21A.06.072C	Defines "Aquatic areas "	Clarifies what is included in the definition, which includes piped areas.	Clarifies that aquatic areas do not cease to be jurisdictional where they are diverted underground.

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10	K.C.C. 21A.06.122	Defines "Buffer"	Updates definition of "buffer".	Streamlines definition and uses fewer words to express the same meaning as the existing definition.
11	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Climate-smart plants."	Climate change impacts are making native plants vulnerable to disease and die-offs. King County is proposing to expand the list of allowable plant species for use in restoration and mitigation projects to improve the success rate of wetland restoration and mitigation work and to improve wetland resilience in the face of climate change. King County will produce a technical report in the second quarter of 2025 that lists King County Department. of Natural Resources and Parks' (DNRP) approved "climate-smart plants" for inclusion in permitted projects.
12	K.C.C. 21A.06.200	Defines "Coal mine hazard area"	Updates definition to specify the locations where this definition applies and provides examples.	Updated to align with WAC 365-190-030(12) - Definition of mine hazard area.
13	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Commercial production of agriculture products."	New definition of Commercial agriculture is proposed to be added to clarify which operations may receive certain allowances intended only for commercial operations (and not, for example, hobby farms). This definition formalizes existing internal guidance developed by DLS Permitting and the DNRP Agriculture and Forestry Team.
14	K.C.C. 21A.06.254	Defines "Critical area"	Reorders listed critical areas.	The list of critical areas in the definition is proposed to be reordered to align with the organization in Chapter 365-190 WAC to make it clear that all of the critical areas in the WAC are addressed by this definition.
15	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Critical freshwater habitat."	Adds a definition for this term, which is used in proposed new code provisions.
16	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Debris flow."	Adds a definition for this term, which is used in existing and proposed code provisions.
17	K.C.C. 21A.06.XXX	n/a	Adds a new section to K.C.C. Chapter 21A.06 with a definition of "Ecological professional."	Consolidates and clarifies terms used in the existing code, including "qualified biologist," "ecologist," and "qualified wetland professional." One term,

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				"ecological professional," replacing these, is now proposed for consistency.
18	K.C.C. 21A.06.415	Defines "Erosion hazard area"	Updates definition to note that erosion hazard areas are a type of geologic hazard area and to make technical updates.	Clarifies language to reflect existing intent. <ul style="list-style-type: none"> The definition is updated to clarify the relationship between erosion hazard areas and geologic hazard areas. The USDA Natural Resource Conversation Service agency name is updated to reflect its current name.
19	K.C.C. 21A.06.451	Defines "Farm field access drive"	Updates definition to describe more specifically what a farm field drive access is.	The definition is proposed to be updated to align with BAS and intends to reduce risk of unmitigated riparian area impacts by limiting what and where a farm field access drive is.
20	K.C.C. 21A.06.XXX	n/a	Adds a definition for "Fish and wildlife habitat conversation areas."	Added to mirror the terminology used in Chapter 365-190 WAC, which sets the guidelines for classifying critical areas.
21	K.C.C. 21A.06.XXX	n/a	Adds definition for "Geologically hazardous area."	Added to mirror the terminology used in Chapter 365-190 WAC, which sets the guidelines for classifying critical areas.
22	K.C.C. 21A.06.XXX	n/a	Adds definition for "Geological professional".	Added to explain the relationship between the terms "geotechnical engineer" and "geologist", which are currently used and defined in existing code.
23	K.C.C. 21A.06.XXX	n/a	Adds definition for "grazing area buffer."	The existing K.C.C. uses the word "buffer" ambiguously, sometimes meaning critical area buffers, sometimes meaning grazing area buffers. This definition is proposed to be added to define grazing area buffers. Additionally, code standards are proposed to be clarified to say which apply to critical area buffers or riparian areas and which apply to grazing areas.
24	K.C.C. 21A.06.1331	n/a	Re-orders section.	Reorganized to reflect alphabetical ordering for clarity and readability.
25	K.C.C. 21A.06.1331	Defines "Tree, hazard".	Updates term to be "Hazard tree."	"Tree, hazard" changed to "Hazard tree" to make it easier to find in the code and to be consistent with the existing naming convention of "Significant tree".
26	K.C.C. 21A.06.750	Defines "Mitigation".	Adds that mitigation sequencing is required.	Clarified to reflect that mitigation sequencing is also required both by the critical area code and SEPA, as well as to mirror the Department of Ecology definition of compensatory mitigation. The additions also align better with the SEPA definition

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				of mitigation in WAC 197-11-768, which incorporates mitigation sequencing.
27	K.C.C. 21A.06.XXX	n/a	Adds definition for "Notice of map amendment."	Added to complement proposed code standards that provide a pathway to document when a critical area has been reclassified or declassified. An example of this would be: If a site-specific study determines that a site mapped as being within a Category I Critical Aquifer Recharge Area (CARA) is actually within a different type of CARA, or not within a CARA at all, a notice of map amendment would memorialize this and provide an applicant with documentation of the changed CARA designation.
28	K.C.C. 21A.06.XXX	n/a	Adds definition for "revegetation."	Clarifies what is meant when this term is used in code, which is that the ground must not be left bare after an alteration to protect from erosion.
29	K.C.C. 21A.06.XXX	n/a	Adds definition for "Riparian area."	Added to define areas previously called aquatic area buffers; this term was updated to reflect the terminology recommended by guidance document from WDFW.
30	K.C.C. 21A.06.1015	Defines "Salmonid".	Clarifies that salmonids are fish native to the Puget Sound region, and updates the list of salmonid species listed.	Clarifies how to determine what "native" salmonids are by listing the applicable geography (i.e. the Puget Sound region). The specific species included in the definition are proposed to be updated accordingly.
31	K.C.C. 21A.06.XXX	n/a	Adds definition for "Special flood hazard area."	There are existing regulations for special flood hazard areas, but no definition of this term.
32	K.C.C. 21A.06.XXX	n/a	Adds definition for "Species of local importance."	There are existing regulations for species of local importance, but no definition of this term.
33	K.C.C. 21A.06.1240	Defines "Stream".	(1) Adds language to clarify that subordinate phrases refer to artificial channels only. (2) Changes use of "salmonid" to "fish." (3) Expands definition to include artificial channels used to convey a wetland that occurred naturally before construction of the artificial channel.	(1) Adds language to clarify existing intent. (2) Amendments are proposed throughout the code to change "salmonid" to "fish," where appropriate, to be consistent with King County's current protection of all fish species listed by WDFW, WA DNR and King County species of local importance, not just salmonids. (3) Removes potential area of confusion in code; the term is proposed to be

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				updated to address scenarios where wetlands have been converted to streams through past practices. This code change would clarify that those areas function and are classified as streams now and are not considered a wholly artificial channel.
34	K.C.C. 21A.06.XXX	n/a	Adds definition for "Tsunami hazard area."	The CAO Update scope included adding standards for tsunami hazard areas, identified by BAS as needing protection. This definition is added to make clear where protective standards should apply and is responsive to changes made to WAC 365-190-030 since the County's last CAO update.
35	K.C.C. 21A.06.1370	Defines "Volcanic hazard area".	(1) Notes that Volcanic hazard areas are types of Geologically hazardous areas. (2) Adds additional descriptions of what is included in a Volcanic hazard area, such as areas subject to pyroclastic flows, lava flows, debris avalanche, or an inundation by debris flows.	Language expanded for consistency with WAC 365-190-030 and WAC 365-190-120(8)(a).
36	K.C.C. 21A.06.1405	Defines "Wetland functions".	Updates definition to provide a different description and examples of wetland functions.	Revised definition for consistency with relevant state guidance in Wetlands in Washington State Volume 1.
37	K.C.C. 21A.06.XXX	n/a	Adds definition for "Wetland values."	Added for clarity. Current code uses the term "wetland functions and values." "Wetland functions" is defined, but "wetland values" was not.
38	K.C.C. 21A.06.XXX	n/a	Adds definition for "Wildlife lighting."	There are existing regulations for wildlife lighting, but no definition of this term.
39	K.C.C. 21A.24.010	States purpose of chapter 21A.24 K.C.C.	(1) Adds subtypes of critical areas (e.g., tsunamis, alluvial fan hazards). (2) Adds clarifying language, as used throughout the chapter, to state that avoidance and minimization measures are prioritized first before going straight to compensatory mitigation. (3) Technical corrections.	(1) - (2) Updated to ensure internal consistency within the CAO. (3) Formatting and grammatical corrections.
40	K.C.C. 21A.24.020	States applicability of chapter 21A.24 K.C.C.	Adds language stating that if an area contains more than one critical area or natural resource land use designation, all designations apply.	Provided for consistency with WAC 365-190-040(7) and (7)(a), the state codes that describe what local governments must regulate.

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41	K.C.C. 21A.24.045.A, B, and C.	Lists allowed alterations for the different types of critical areas.	<ul style="list-style-type: none"> (1) Adds new subtypes of critical areas designated in the CAO to the section, noting which alterations are allowed for which types of critical areas. (2) Moved some rows in the table to group similar activities together. (3) Alluvial fan hazard area column added to table, with BAS-informed conditions added for each activity. (4) Updated some allowed alterations and conditions. 	<ul style="list-style-type: none"> (1) Ensures clarity regarding the standards that apply to each critical area subtype. (2) Improves reader ability to find the relevant allowed alteration by grouping similar activities together. (3) Adds standards for the Alluvial fan hazard area subtype. (4) Maintains internal consistency.
41	K.C.C. 21A.24.045.D	Lists conditions for each of allowed alterations.	<ul style="list-style-type: none"> (1) Adds Alluvial fan hazard area to condition language where appropriate. (2) Updates allowance for expansion or replacement of existing structure to be in a critical area, buffer, or critical area setback, not just grazed wet meadows or critical area setbacks. (3) Provides more specific conditions under which tree and vegetation clearing for the purposes of wildfire preparedness is allowed. (4) Clarifies conditions under which construction or maintenance of farm field access drives is allowed. (5) Expands the construction of a new trail allowance to allow impervious materials for public trails constructed for access by persons with disabilities. Limits the construction of a new trail allowance to allow private trails to be a maximum of three feet wide. Requires that trail routes minimize impacts to riparian areas and wildlife habitat networks. Limits the methods by which trails may be maintained in aquatic areas, riparian areas, or wetlands or their buffers. (6) Expands the types of organizations that may do construction of new instream structure or instream work. (7) Allows use of climate-smart plants for revegetation where native vegetation is allowed. (8) Adds conditions for 1) construction of driveway or private access road, 2) 	<ul style="list-style-type: none"> (1) Added Alluvial fan hazard area standards specific to these areas instead of regulating them the same way as landslide hazard areas to provide critical area-appropriate standards. (2) "Grazed wet meadows" is proposed to be replaced with "critical area" to reflect that this is an existing allowed alteration for all critical areas, as shown in the allowed alterations table and to align with current practice. (3) Tree and vegetation clearing for the purposes of wildfire preparedness updated to provide more specific conditions than "best management practices," as used in existing code. Updated, more specific conditions provide clarity to code users and align standards with policy intent. (4) Farm field access drive conditions are proposed to be updated as part of Riparian BAS review to reduce ambiguity about where this condition applies as well as limit how/when the County allows an unmitigated impact to riparian areas and other critical areas. (5) New trail conditions updated to acknowledge that public trails are commonly located in riparian areas for water access, visual enjoyment, and connection to other recreational amenities. These conditions were also updated to acknowledges the County's

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			<p>construction of a bridge or culvert as part of a driveway or private access road, and 3) grading when proposed in an alluvial fan hazard area.</p> <p>(9) Changes references to "aquatic area buffers" to "riparian areas."</p> <p>(10) Removes reference to rural stewardship plans.</p> <p>(11) Removes Condition 2.</p> <p>(12) Removes Condition 14.</p> <p>(13) Technical corrections.</p>	<p>responsibility to provide equitable access in addition to protecting critical areas. Private trail limit applied for clarity and consistency with shoreline code. Public trails do not have a specific limit.</p> <p>(6) Expanding the types of organizations allowed to conduct instream work was expanded to facilitate restoration work that will result in a gain in ecological function.</p> <p>(7) Allowing the use of climate-smart plants for site restoration and mitigation encourages the long-term success of these projects.</p> <p>(8) Adding conditions for construction within alluvial fan hazard areas establishes a permitting pathway for emergency work in alluvial fan hazard areas and sets standards to protect ecological functions and values. Currently, there is no permitting pathway for this type of work, meaning that property owners cannot legally do this work and the impacts of any work done in violation of code go unmitigated.</p> <p>(9) Amendments are proposed throughout the code to change term or reference to "aquatic area buffers" to "riparian areas," where appropriate, consistent with current terminology.</p> <p>(10) References to rural stewardship plan are proposed to be removed as code section allowing rural stewardship plans (K.C.C. 21A.24.055) is proposed to be repealed in this ordinance.</p> <p>(11) Condition 2 is proposed for removal because it is an obsolete provision held over from the Sensitive Area Ordinance from the early 1990s, before there were much more protective requirements in both the CAO and the SMP. At the time, it was intended to provide better protection along some shoreline/lakefront properties before we had aquatic area</p>

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				<p>buffers along lakes. Current buffer requirements require much more protections now.</p> <p>(12) Condition 14 is proposed for removal because now that riparian areas extend beyond the edge severe CMZs (rather than overlapping with severe CMZs), a change made to better align with BAS, this condition describes an area that no longer exists under the proposed code.</p> <p>(13) Correcting formatting and grammatical errors.</p>
42	K.C.C. 21A.24.051	Agricultural activities development standards.	Technical changes regarding alterations and/or expansion within critical areas for agricultural activity uses with an approved farm management plan.	Changes to remove redundancy, improve clarity, and make consistent use of current terminology. Reorders existing content for more logical flow. Existing intent is retained.
43	K.C.C. 21A.24.061	Public rules for rural stewardship and farm management plans.	<p>(1) Removes references to rural stewardship plans.</p> <p>(2) Technical corrections.</p>	<p>(1) References to rural stewardship plan are proposed to be removed as code section allowing rural stewardship plans (K.C.C. 21A.24.055) is proposed to be repealed in this ordinance.</p> <p>(2) Correcting formatting and grammatical errors.</p>
44	K.C.C. 21A.24.070	Sets standards for Critical Area Alteration Exceptions and Reasonable Use Exceptions.	<p>(1) Technical corrections.</p> <p>(2) Clarifies that reasonable use exceptions are not allowed within alluvial fan hazard areas and severe channel hazard migration hazard areas.</p> <p>(3) Clarifies that a reasonable use exception cannot be obtained if the inability of the applicant to derive reasonable use of the property is the result of actions by the current or prior property owner.</p>	<p>(1) Updated wording to clarify existing intent.</p> <p>(2) Updated wording to clarify existing intent.</p> <p>(3) Aligns code with case law and ensures the code functions as intended.</p>
45	K.C.C. 21A.24.090	Sets requirements for the disclosure of critical areas by permit applicants.	Requires applicants for permits and critical area designations to disclose the presence of critical areas and buffers on the development proposal site.	Clarifies that the applicant is the party responsible for providing complete, accurate information about critical areas on a given property.
46	K.C.C. 21A.24.500	Sets critical area designation standards.	Reordered to be located after the code section on requirements for the disclosure of critical areas by permit applicants.	Improves code usability by grouping similar topics together, keeping related information in one place.
47	K.C.C. 21A.24.500	Sets critical area designation standards.	(1) States that critical area designations (CADs) apply only to areas of the	(1) Clarifies that just because a portion of a parcel is not addressed by a CAD does not mean that the County has

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			<p>parcel identified and approved by the department and not elsewhere.</p> <p>(2) Updates applicability of written determination to only critical areas, not critical area buffers.</p> <p>(3) Removes section describing appeal procedures.</p>	<p>verified that critical areas are not present on that portion.</p> <p>(2) Clarifies that the CAD determination applies to the existence, location, and classification of critical areas on a site. Existing code was unclear whether buffers were part of CAD determination. Because buffer widths are defined in code relative to the scope of a development proposal, and may be altered with a development proposal, and a CAD is not associated with a development proposal, this avoids the code conflicts that could occur if buffer locations were vested prior to review of a development proposal.</p> <p>(3) CADs are now a Type 1 decision in K.C.C. 20.20.020; so, the appeal period and process for a CAD is provided under Land Use Petition Act (LUPA), and this section is no longer needed to explain the appeal process.</p>
48	K.C.C. 21A.24.100	Sets critical area review standards.	<p>(1) Provides examples of how off-site critical area information may be obtained.</p> <p>(2) Adds cross-references to code and streamlines code language.</p> <p>(3) Adds explanation of how appeals of critical areas reviews function.</p>	<p>(1) Improves code usability by helping users to understand how to meet code requirements.</p> <p>(2) Supports internal consistency of code and reduces unnecessary wordiness.</p> <p>(3) Because critical area reviews can be a component of either a development proposal or a critical area designation, this section proposes to clarify that the critical area review is part of the appeal of the underlying approval.</p>
49	K.C.C. 21A.24.110	Sets critical area report standards.	<p>(1) Updates document version of Regional Guidance for Floodplain Habitat Assessment and Mitigation, FEMA Region X referenced in code.</p> <p>(2) Clarifies that the impacts that must be avoided, minimized, and mitigated are to critical areas and associated buffers.</p>	<p>(1) Updates document version to be the current, correct version.</p> <p>(2) Requires mitigation sequencing in accordance with state law.</p>
50	K.C.C. 21A.24.XXX	n/a	Establishes criteria for geological critical area reports.	Provides clearer, more explicit requirements for reports, reducing the risk of important information being omitted

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				from reports because the requirements were unclear.
51	K.C.C. 21A.24.XXX	n/a	Establishes criteria for ecological critical area reports.	Provides clearer, more explicit requirements for reports, reducing the risk of important information being omitted from reports because the requirements were unclear.
52	K.C.C. 21A.24.130	Mitigation requirements for adverse impacts to critical areas	(1) Adds that no net loss of ecological function must be achieved by mitigation. (2) Removes requirements for critical area reports.	(1) Updated to align with current version of WAC 365-196-830. (2) Requirements for critical area reports are proposed to be moved to Sections 50 and 51 and expanded.
53	K.C.C. 21A.24.133	Offsite mitigation standards	Replaces reference to a DNRP program to allow payment of a fee in lieu of providing mitigation on site with the King County mitigation reserve program.	Clarifying update; instead of describing the program, the code proposes to name it.
54	K.C.C. 21A.24.170	Requirements for Notice of Title on properties which mitigation has been established.	(1) Adds the requirement for approved wetland buffers or riparian area averaging information to be included on notices on title. (2) Sets standards by which the department may remove or amend information on notices on title.	(1) Added to allow prospective property buyers to know if the buffers or riparian areas have been modified from their standard application, as it affects where they may be able to alter the property. (2) This section is proposed provide a process for landowners to amend or update an existing notice on title.
55	K.C.C. 21A.24.180	Criteria for establishing critical area tracts	(1) Adds Riparian areas, alluvial fan hazard areas that are one acre or more in size, and wildlife habitat networks to the list of areas that must be protected by critical area tracts. (2) Requires off-site critical area mitigation areas to either be placed in a critical areas tract or perpetual conservation easement.	(1) Riparian areas are proposed to be added to reflect the update in terminology to "riparian area" from "aquatic area buffer," which were already included in this list. Alluvial fan hazard areas are proposed to be added to reflect that they are defined as a type of Geologically Hazardous Area now, and no longer under the umbrella of Landslide Hazard Areas, which were already included in this list. Given their unsuitability for new buildable lots, they should be included in this list of areas that should be kept in a tract. Wildlife habitat networks are proposed to be added to match current practice and existing intent. (2) Ensures long-term protection of mitigation and provides options for protecting off-site mitigation areas that reflect their varying circumstances, e.g., ownership by private individual,

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56	K.C.C. 21A.24.200	Establishes building setbacks from critical area buffers.	(1) Changes the term "building setback" to "critical area setback." (2) Specifies that uncovered decks within critical area setback may only be less than 18 inches above grade.	conservation group, public property etc. (1) Updating the term to "critical area setback" reduces the risk of confusion with the setbacks required by zoning standards in K.C.C. Chapter 21A.12, to which different standards apply. (2) Uncovered deck standard proposed to be revised for consistency with zoning requirements regarding encroachment into setbacks, and to allow for additional area to build and maintain "uncovered decks less than eighteen inches." Low decks function more like a patio (already allowed by subsection D. of this section) but high decks typically require a construction/ maintenance perimeter like a house would.
57	K.C.C. 21A.24.205	Establishes standards for coal mine hazard areas.	Updates terminology to specify that a geological critical area report is basis on which the department classifies coal mines.	Technical change to use consistent terminology throughout code.
58	K.C.C. 21A.24.275	Establishes standards for channel migration zones.	Replaces term "aquatic area buffer" with "riparian area."	Technical change to use consistent terminology throughout code.
59	K.C.C. 21A.24.280	Establishes standards for landslide hazard areas.	(1) Updates terminology to specify that a geological critical area report is needed to determine the size of a required buffer. (2) Adds option for the department to waive the requirement for a geological critical area report for single detached dwelling units.	(1) Technical change to use consistent terminology throughout code. (2) The option to waive a geological critical area report would align the code with current practice and provide clarity on department authority to alter buffers without requiring a report when it can conclude the alteration will provide adequate protection without a report as a relief to property owners.
60	K.C.C. 21A.24.290	Establishes standards for seismic hazard areas.	(1) Updates terminology to specify that a geological critical area report is needed to verify that a site does not meet the definition of a seismic hazard area. (2) Updates section to apply to mapped seismic hazard areas.	(1) Technical change to use consistent terminology throughout code. (2) Corrects logic error in code, which previously said that alterations to seismic hazard areas could be approved if site-specific study showed that the site was not located in a seismic hazard area. Updates section to clarify distinction between mapped seismic hazard areas, and areas

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61	K.C.C. 21A.24.XXX	n/a	Adds standards for alluvial fan hazard areas (AFHA).	confirmed to qualify as seismic hazard areas after site-specific investigation. Adds new section on AFHAs to enable regulation to protect public health and safety as required by WAC 365-196-830. AFHAs are currently regulated under the umbrella of landslide hazard areas; the new standards are proposed to be modeled on the format of other geologically hazard area code sections and are tailored to the specific risks of AFHAs, using the best available science.
62	K.C.C. 21A.24.XXX	n/a	Adds standards for tsunami hazard areas.	Tsunami hazard area standards are proposed to be added code in order to align with changes made to WAC 365-190-030 since the County's last CAO update. The proposed tsunami hazard area standards incorporate the Department of Commerce guidance by promoting an avoidance-first approach and by requiring development to be outside of harm's way if feasible, before it can be allowed in the tsunami hazard area. Tsunamis arrive unpredictably and can be extremely forceful, and engineering is limited in its ability to mitigate harm. Therefore, local governments typically regulate by promoting avoidance as the first and preferred option. New critical facilities also are required to take an avoidance first approach, but these have the added requirement of being designed to minimize risk and danger to public health and safety. These types of facilities are required to meet a higher standard because of their unique role in providing services.
63	K.C.C. 21A.24.310	Establishes standards for steep slope hazard areas.	(1) Updates terminology to specify that a geological critical area report is needed to determine buffer size. (2) Clarifies that this code section applies to associated buffers, not just steep slope hazard areas.	(1) Technical change to use consistent terminology throughout code. (2) Maintains internal consistency with K.C.C. 21A.24.045, which lists allowed alterations to steep slope hazard areas and buffers, and with internal practice.
64	K.C.C. 21A.24.311	Adopts King County's Critical Aquifer Recharge Area map.	Adds that the CARA map is superseded by approved notices of map amendments prepared according to K.C.C. 21A.24.312.	Because the adopted CARA map is not updated after the issuance of every notice of map amendment (which are based on

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				field-verified information), this code proposed update clarifies that the latest available information on CARAs be used, incorporating notices of map amendment. This ensures the latest, most accurate available information is used on the official adopted map.
65	K.C.C. 21A.24.312	Establishes processes for classifying, reclassifying, and declassifying areas on CARA maps if a site-specific study concludes a different classification is appropriate for the site.	Adds a provision requiring that a notice of map amendment for the affected parcels be sent by DNRP to the property owner.	Ensures that reclassification information is conveyed to the correct parties, so that the latest, most accurate available information is used.
66	K.C.C. 21A.24.313	Describes the categorization of CARAs.	Replaces the term "an island that is surrounded by saltwater" with "Vashon-Maury Island."	Clarifies the geography that is intended to be addressed in this code section.
67	K.C.C. 21A.24.316	Establishes development standards for CARAs.	<ul style="list-style-type: none"> (1) Updates WAC sections cited by the code. (2) Updates the name of "public health – Seattle & King County." (3) Replaces the term "an island that is surrounded by saltwater" with "Vashon-Maury Island." 	<ul style="list-style-type: none"> (1) WAC sections cited in this K.C.C. section have been recodified; this code update cites the correct WAC sections. (2) Updated to use the current, correct agency name. (3) Clarifies the geography that is intended to be addressed in this code section.
68	K.C.C. 21A.24.318	Sets standards for how wetlands are delineated and typed.	Updated to refer to a more recent version of the relevant state Department of Ecology publication.	Updated to use the current, correct publication for determining wetland delineation and type.
69	K.C.C. 21A.24.325	Sets standards for determining the correct buffer size for wetlands.	<ul style="list-style-type: none"> (1) Updates buffer sizes. (2) Adds railroads and highways as examples of high impact uses, for the purpose of determining wetland buffer size. (3) Adds forest service roads and roads associated with moderate impacts as examples of medium impact uses, for the purpose of determining wetland buffer size. (4) Clarifies that buffer averaging cannot be combined with other buffer reductions or modifications. (5) Limits the distance a buffer is extended when it overlaps with a steep slope hazard area or landslide hazard area. (6) Updates the standards that apply when a buffer is transected by a roadway. 	<ul style="list-style-type: none"> (1) – (3) Buffer sizes and impact of land uses have been updated to include the best available science. (4) Clarifies that code flexibilities cannot be combined in a way that would allow for a potential loss of ecological function. (5) Resolves the potential issue of having an extremely large extended buffer where a wetland was below a large slope, which would trigger the need for a critical areas alteration exception in order to develop. This would add a great deal of process without improving environmental outcomes. This proposed change removes potential procedural hurdles for areas distant from wetlands while maintaining ecological protection. (6) Provides clarity consistent with existing intent.

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70	K.C.C. 21A.24.335	Development standards for proposals and alterations for sites with wetlands and associated buffers present.	<ul style="list-style-type: none"> (1) Adds climate smart plants to approved list for mitigation or restoration projects. (2) Removes alteration allowance for category IV wetlands less than 2,500 square feet. 	<ul style="list-style-type: none"> (1) Climate change impacts are making native plants vulnerable to disease and die-offs. King County is expanding the list of allowable plant species for use in restoration and mitigation projects to improve the success rate of wetland restoration and mitigation work and to improve wetland resilience in the face of climate change. King County will produce a technical report in early 2024 that lists DNRP's approved "climate-smart plants" for inclusion in permitted projects. (2) BAS is clear that small wetlands especially in urban areas are important. The research indicates that a broader approach to protecting wildlife such as mammals, birds, and amphibians is needed, as buffers alone may not prevent the populations of many species from declining. Wetlands located in urban areas are generally less common and are more impacted by adjacent light and noise pollution, often contain non-native and invasive plant species, and lack intact vegetated corridors or habitat patches connecting adjacent habitat. Conserving wetland habitats, habitat patches, and vegetated corridors networks in urban areas and throughout the watershed is critical for certain species and provides refuge from drought and increasing temperatures due to climate change.
71	K.C.C. 21A.24.340	Wetland mitigation ratios	<ul style="list-style-type: none"> (1) Updates wetland impact mitigation ratios. (2) Adds table for mitigation ratios for temporary impacts to wetlands. (3) Updates and adds details to the standards that apply to off-site compensatory mitigation. 	<ul style="list-style-type: none"> (1) – (2) Updated to match Department of Ecology mitigation guidance. (3) Proposed changes provide predictability and transparency for how mitigation bank and in-lieu fee credits are calculated, consistent with Department of Ecology guidance.
72	K.C.C. 21A.24.355	Aquatic area typing	<ul style="list-style-type: none"> (1) Adds classification criteria Type F waters. 	<ul style="list-style-type: none"> (1) Provides more clarity and specificity about how Type F waters are classified.

Ordinance Section	King County Code Section	Current Code	Proposed Change	Intent/Rationale
			<ul style="list-style-type: none"> (2) Clarifies definition of above ground and channeled water system for type N waters. (3) Removes subsection "C" regarding "human made barriers." (4) Technical corrections. 	<ul style="list-style-type: none"> (2) For Type N waters, the 'above ground' part of the definition previously caused confusion among applicants, who would be led to think that if the channel were in a culvert (which is underground) that it wouldn't qualify as a type N. This was not the intent of the definition. Thus the 'above ground' part is proposed for deletion as it didn't help and clarified that type N can be piped. (3) This language was out of date. It did not match how the co-managers (WDFW and Indian Tribes) interpret fish habitat or state level fish passage requirements. The language does not match BAS as to what is fish habitat and is instead based on a financial rationale as a reason to not do something. In addition, it does not match the County's fish passage program classification of fish habitat. (4) Correcting formatting and grammatical errors.
73	K.C.C. 21A.24.358	Riparian areas measurement methods and process	<ul style="list-style-type: none"> (1) Changes references to "aquatic area buffers" to "riparian areas." (2) Clarifies that riparian areas are measured from the ordinary high water mark of the adjacent aquatic area. (3) Updated to provide Channel Migration Zones with riparian area coverage for extended protection as a critical area. (4) Clarifies method of measurement of riparian areas in steep slope and landslide hazard areas. (5) Limits the riparian area size when the buffer includes landslide or steep slope hazard areas. (6) Clarifies that a riparian area from an aquatic area outside of the fan doesn't extend all the way across the fan. (7) Clarifies that aquatic area jurisdiction doesn't end where it goes underground, and that the riparian areas are not only measured from 	<ul style="list-style-type: none"> (1) Amendments are proposed throughout the code to change term or reference to "aquatic area buffers" to "riparian areas," where appropriate, consistent with current terminology. (2) Since the term "aquatic area buffer" is being changed to "riparian area," this language is being added clarify how and where riparian areas are measured in relation to aquatic areas. (3) This provides clarification, as prior language could be read two different ways. The code now matches 2004 BAS documentation and intent as well as more closely aligns with current riparian BAS. (4) Resolves the potential issue of having an extremely large extended riparian area where an aquatic area was below a large slope, which would trigger the need for a critical areas alteration exception. This would add a great deal of process without improving

Ordinance Section	King County Code Section	Current Code	Proposed Change	Intent/Rationale
			<p>above-ground portions but also extend all the way around the pipe entrance, not just laterally.</p> <p>(8) Converts aquatic area type and corresponding riparian area width to a table.</p> <p>(9) Updates riparian area widths for applicable aquatic area types inside and outside the Urban Growth Area.</p> <p>(10) Removes specific reference to Bear Creek drainage basin.</p> <p>(11) Added analogous riparian area averaging section.</p> <p>(12) Clarifies how riparian area averaging must be implemented spatially.</p>	<p>environmental outcomes. This change removes potential procedural hurdles for areas distant from riparian areas while maintaining ecological protection.</p> <p>(5) This resolves the potential problem of having a riparian area that is located below a large slope having an extremely large extended buffer, consistent with management direction. Also see K.C.C. 21A.24.325.</p> <p>(6) This is informed by BAS review for alluvial fans, to establish development standards including requirements for overlapping critical area buffers. New conditions on AFHAs are proposed to be added to enable new regulation to protect public health and safety as required by WAC 365-196-830.</p> <p>(7) These changes bring the code into alignment with current practice.</p> <p>(8) Converted to a table for ease of use by applicants and reviewers.</p> <p>(9) The proposed riparian area widths are based on the Best Available Science (BAS) together with policy direction to fulfill the GMA goal that development be encouraged in urban areas. BAS recommends that riparian area widths be based on the average maximum height of the tallest dominant trees that are 200 years or more in age. While trees of this age range in height, depending on the tree species, BAS review determined 200 feet to be a suitable width for riparian area protections.</p> <p>(10) Now that the riparian area width is proposed to be 100 feet for all Type N aquatic areas, this standard specifying a 100-foot buffer for the Bear Creek drainage basin is redundant.</p> <p>(11) Added to preserve the flexibility provided in existing code that allows aquatic area buffer averaging.</p>

Ordinance Section	King County Code Section	Current Code	Proposed Change	Intent/Rationale
74	K.C.C. 21A.24.365	Development standards for proposals and alterations for sites with aquatic areas and riparian areas present	<ul style="list-style-type: none"> (1) Changes references to "aquatic area buffers" to "riparian areas." (2) Clarifies that hazard trees that are topped or pushed over are not to be removed from riparian areas. (3) Allows use of climate-smart plants for revegetation where native vegetation is allowed. (4) Updates term "woody debris" to "large wood." 	<p>(12) Adds measures to ensure internal code consistency and prevent net loss of ecological functions and values.</p> <ul style="list-style-type: none"> (1) Amendments are proposed throughout the code to change term or reference to "aquatic area buffers" to "riparian areas," where appropriate, consistent with current terminology. (2) Keeping large wood in riparian areas is consistent with BAS and support ecological function. (3) Allowing the use of climate-smart plants for site restoration and mitigation encourages the long-term success of these projects. (4) Amendments are proposed throughout the code to change term or reference to "woody debris" to "large wood," where appropriate, consistent with current terminology.
75	K.C.C. 21A.24.380	Riparian area mitigation ratios	<ul style="list-style-type: none"> (1) Replaces "geomorphic and habitat processes and functions" with specific examples and adds other clarifying wording changes. (2) Adds provision to allow alternatives to on-site riparian area mitigation under certain conditions. 	<ul style="list-style-type: none"> (1) Clarifies existing intent by using more accessible language. (2) Provides flexibility in achieving riparian area compensatory mitigation requirements by providing reduced area-based ratios paired with required primary or secondary actions. The additional actions help to offset the lower area-based mitigation requirements since the actions are known to directly benefit riparian and aquatic area functions.
76	K.C.C. 21A.24.382	Development standards for proposals and alterations for sites with wildlife habitat conservation areas present	Corrects numbering error and removes duplicative language.	Technical and clarifying changes consistent with existing intent.
77	K.C.C. 21A.24.388	Wildlife habitat conservation area mitigation ratios	Increases mitigation ratio for illegal alterations made within a wildlife habitat network from 1:1 to 1.5:1.	The ratio is proposed to be increased to reduce the risk that mitigation will be insufficient to provide no net loss of ecological function.
78	K.C.C. 21A.25.100	Shoreline use allowances within each shoreline environment	<ul style="list-style-type: none"> (1) Technical corrections (2) Changes references to "aquatic area buffers" to "riparian areas." 	<ul style="list-style-type: none"> (1) Corrects various grammatical, formatting, and errors. (2) Amendments are proposed throughout the code to change term or reference to "aquatic area buffers" to "riparian areas," where appropriate, consistent with current terminology.

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79	K.C.C. 21A.25.110	Development regulations for aquaculture facilities in shoreline environments	(1) Adds "critical freshwater" term, where applicable, alongside "critical saltwater" term. (2) Technical corrections. (3) Adds "Indian" to tribes.	(1) Update aligns with Shoreline Management Act (SMA) guidance. (2) Corrects various grammatical, formatting, and errors. (3) Updates to use current terminology.
80	K.C.C. 21A.25.150	Recreational development standards within shoreline environments	(1) Adds "critical freshwater" term, where applicable, alongside "critical saltwater" term. (2) Technical corrections.	(1) Update aligns with SMA guidance. (2) Various grammatical, formatting, and existing code errors.
81	K.C.C. 21A.25.160	Shoreline modifications allowed within shoreline environments	(1) Adds "critical freshwater" term, where applicable, alongside "critical saltwater" term. (2) Technical corrections (3) Updates term "woody debris" to "large wood."	(1) Update aligns with SMA guidance. (2) Corrects various grammatical, formatting, and errors. (3) Amendments are proposed throughout the code to change term or reference to "woody debris" to "large wood", where appropriate, consistent with current terminology.
82	K.C.C. 21A.25.210	Regulations for expansion of dwelling units or residential accessory structure within the shoreline jurisdiction	(1) Technical corrections. (2) Removes reference to the rural stewardship plan.	(1) Updated wording to clarify existing intent. (2) References to rural stewardship plan are proposed to be removed as code section allowing rural stewardship plans (K.C.C. 21A.24.055) is proposed to be repealed in this ordinance.
83	K.C.C. 21A.30.045	Farm management plan requirements	(1) Changes references to "aquatic area buffers" to "riparian areas." (2) Changes term "salmonid" to "fish." (3) Updates standards for grazing area buffer including diverse, mature vegetation for type S and F aquatic areas category I, II, or III wetlands except grazed wet meadows from 25 feet or 40 feet, which can be modified by the livestock management component of a farm management plan. (4) Updates the term "buffer" to "grazing area buffer." (5) Adds a standard for grazing area buffers including diverse, mature vegetation of 35 feet for type N aquatic areas, which can be modified by the livestock management component of a farm management plan.	(1) Amendments are proposed throughout the code to change term or reference to "aquatic area buffers" to "riparian areas," where appropriate, consistent with current terminology. (2) Amendments are proposed throughout the code to change "salmonid" to "fish," where appropriate, to be consistent with King County's current protection of all fish species listed by WDFW, WA DNR and King County species of local importance, not just salmonids. (3) The existing code uses the term "buffer" ambiguously; the term "grazing area buffer" is proposed to be used where the code sets standards for the distance from a feature that grazing is excluded. This is different from critical

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			<p>(6) Adds a standard for grazing area buffers including diverse, mature vegetation of 20 feet for category IV wetlands other than grazed wet meadows, which can be modified by the livestock management component of a farm management plan.</p> <p>(7) Adds provision stating that properties operating subject to an existing livestock management farm plan have met the standards in this section.</p>	<p>area buffers, in which additional restrictions apply.</p> <p>(4) – (6) Increased grazing area buffer width provides greater protection of wetland buffer and riparian area functions while limiting the reduction of the amount of farmable lands.</p> <p>(7) Clarifies when the proposed standards in this section would apply.</p>
84	K.C.C. 21A.30.060	Animal regulations – Livestock management standards	<p>(1) Adds type N waters to aquatic area types to which livestock access standards apply.</p> <p>(2) Adds category IV wetlands to the wetland categories to which grazing area buffer standards apply.</p> <p>(3) Updates the term "vegetative buffer" to "grazing area buffer."</p> <p>(4) Clarifies that properties with existing fencing installed at distances other than those specified in this section for which livestock management farm plans have been developed are considered compliant if approved fencing is present for all type S and F aquatic areas.</p>	<p>(1) Type N waters flow into fish bearing streams and are proposed to be added to provide greater protection of riparian area functions while limiting the reduction of the amount of farmable land.</p> <p>(2) Category IV wetlands should be protected similarly to other wetland types from the impacts of livestock due to their importance for wildlife and water quality, although they are proposed to have a smaller grazing area buffer than the other categories.</p> <p>(3) The existing code uses the term "buffer" ambiguously; the term "grazing area buffer" is proposed to be used where the code sets standards for the distance from a feature that grazing is excluded. This is different from critical area buffers, in which additional restrictions apply.</p> <p>(4) Establishes when the proposed standards in this section would apply.</p>
85	K.C.C. 21A.50.035		<p>(1) Updates code cross-reference.</p> <p>(2) Changes references to "aquatic area buffers" to "riparian areas."</p>	<p>(1) Technical change.</p> <p>(2) Amendments are proposed throughout the code to change term or reference to "aquatic area buffers" to "riparian areas," where appropriate, consistent with current terminology.</p>
86	K.C.C. 21A.24.055 K.C.C. 21A.24.072 K.C.C. 21A.24.137 K.C.C. 21A.24.140 K.C.C. 21A.24.314 K.C.C. 21A.24.342	<p>(1) Rural stewardship plans</p> <p>(2) Alterations exception-alternative</p> <p>(3) Mitigation reserves program</p> <p>(4) Financial guarantees</p> <p>(5) WA state underground tank provisions</p> <p>(6) Wetlands – modify mitigation ratios</p>	Repealed.	<p>(1) The County is not currently approving or administering rural stewardship plans. Some code flexibilities offered by Rural Stewardship Plans, such as buffer averaging, are still available in the proposed code.</p>

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	K.C.C. 21A.24.550	(7) Consolidated site review SFR		<p>(2) This section is duplicative to other sections in the code and pertains to processes that are addressed in K.C.C. Chapter 20.20 land use application procedures.</p> <p>(3) This section is proposed to be incorporated with K.C.C. 21A.24.133.</p> <p>(4) Requirements for financial guarantees have been expanded in K.C.C. 21A.24.130, making this section unnecessary.</p> <p>(5) Proposed for removal because this section is more appropriate as a finding rather than codified. This section has been added as a finding in this ordinance.</p> <p>(6) During BAS wetland review, it was determined that the requirements of this section did not meet no net loss requirements.</p> <p>(7) This section is rarely, if ever used, and there are no resources to implement it. There is a risk that administration of these procedures could cause a lack of clarity regarding vesting.</p>
87	n/a	n/a	Adopts portions of the ordinance and its attachments as amendments to the Comprehensive Plan and Shoreline Master Program (SMP).	Establishes the various elements of amendments to the proposed 2024 update to the Comprehensive Plan as proposed in this ordinance.
88	K.C.C. 20.12.010	Codifies adoption of the 2024 Comprehensive Plan.	Reflects amendments to the 2024 Comprehensive Plan.	Reflects adoption of updates to the 2024 Comprehensive Plan as proposed in this ordinance.
89	n/a	n/a	Directs the executive to submit ordinance sections that are part of the SMP to the Department of Ecology.	These elements of this proposed ordinance amend elements of the SMP as adopted in K.C.C. 20.12.200. As such, these amendments are required to be reviewed and approved by the Department of Ecology.
90	n/a	n/a	Notes that ordinance sections that are part of the King County shoreline master program take effect within the shoreline jurisdiction fourteen days after the state Department of Ecology provides written	These elements of this proposed ordinance amend elements of the Shoreline Master Program as adopted in K.C.C. 20.12.200. As such, these amendments are required to be reviewed

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			notice of final action stating that the proposal is approved.	and approved by the Department of Ecology.
91	n/a	n/a	Standard King County severability language.	Added to clarify that if part of the ordinance were found to be invalid, there remaining portion of the ordinance would not be affected.