

Chapter 21A-24  
Rules and Regulations of the  
Department of Development and Environmental Services

Sensitive Areas: Alterations Within Channel Migration Areas

Effective Date: June 14, 1999

Document No. \_\_\_\_\_

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**21A-24-275 Definitions.**

A. Channel migration area. "Channel migration area" means those areas subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion, and shifts in location of stream channels, as shown on King County's Channel Migration Hazard maps.

B. Department. "Department" means the King County Department of Development and Environmental Services.

**21A-24-276 Authority and Purpose.** A. The proposed rules are authorized pursuant to K.C.C. 2.98 and K.C.C. 21A.24.275. It is the purpose of these rules to implement the provisions of K.C.C. 21A.24.275 requiring promulgation of public rules to delineate permissible alterations within "channel relocation and stream meander areas" as defined in K.C.C. 21A.06.182.

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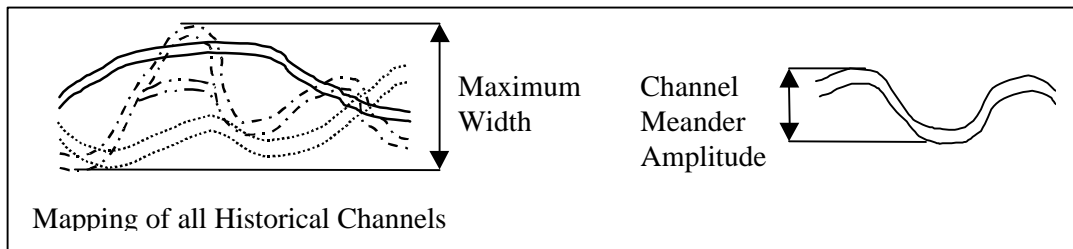
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B. For the purposes of these rules, channel relocation and stream meander areas will hereinafter be referred to as "channel migration areas."

**21A-24-277 Designation and classification of channel migration areas.**

A. Channel migration areas shall be based upon King County's channel migration area maps as adopted as administrative rules and determined as follows:

1. The channel migration area shall be a corridor that includes the present channel and is as wide as the maximum width occupied by all historical channels. For the purposes of these rules, the historical period shall include the period during which records of channel location were kept;



2. When the current active channel is near the edge of the mapped historical meander belt, the corridor shall be extended the distance equal to the median amplitude of all historical channel meanders measured outward from the current active channel;

3. When a natural geologic feature will affect the predicted migration, the corridor width shall be modified to consider such natural constraints; and

4. When structures such as arterial roads or flood hazard reduction facilities are likely to be protected from future bank erosion due to existing programs for public maintenance, the corridor width may be modified to the boundaries of such structures.

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B. Channel migration area shall be designated as follows:

1. A channel migration area shall be designated as severe hazard when it lies within the area of the channel's probable migration over the next one hundred years as measured for fifty years in either direction from the edge of the existing channel; and

2. A channel migration area shall be designated as moderate hazard when it lies between the area designated as severe and the boundaries of the channel migration area.

C. Pursuant to this rule, the attached Channel Migration Area maps are hereby adopted for portions of the following river systems:

1. Tolt - river mile 1 to river mile 6;

2. Snoqualmie:

a. Middle Fork - river mile 40 to river mile 50;

b. North Fork - river mile 0 to river mile 3; and

c. South Fork - river mile 0 to river mile 2;

3. Raging - river mile 1 to river mile 9; and

4. Green - river mile 25 to river mile 46.

D. Special studies to determine channel migration area boundaries on a specific property may be submitted to the department if there is an apparent discrepancy between the determination or designation of channel migration areas pursuant to this section and the Channel Migration Area maps adopted pursuant to this section.

**21A-24-278 Alterations within channel migration areas.**

Alterations shall be allowed within channel migration areas only as follows:

A. Within moderate hazard channel migration areas only the following may be allowed:

1. maintenance, repair, structural modification of or addition to any existing critical facility or building used as a place of employment or, place of public assembly

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provided that there shall be no increase of the building footprint of the existing structure.

2. maintenance, repair, structural modification of or addition to existing structures other than those described in A.1 provided that the structure's footprint is not expanded towards any source of channel migration hazard, unless the applicant can demonstrate to the satisfaction of the department that such location is the one least subject to risk.

3. new primary dwelling units, accessory dwelling units or accessory living quarters, and required infrastructure, provided that:

a. the structure is located on a separate lot in existence before February 16, 1995;

b. no feasible alternative location outside of the channel migration area is available on-site; and

c. the structure and supporting infrastructure is located the farthest practical distance from the migrating channel, unless the applicant can show that an alternative location is:

(1) the least subject to risk; or

(2) within the outer third of the moderate hazard as measured perpendicular to the channel.

4. new accessory structures; other than those described in subsection A.3, or those used as critical facilities or used as places of employment or public assembly; provided that:

a. no feasible alternative location is available on-site; and

b. the structure is located the farthest practical distance from the migrating channel.

5. the subdivision of property, provided that:

a. all resulting lots shall contain 5,000 square feet or more of buildable land outside of the channel migration area;

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b. access to all resulting lots does not cross the channel migration area; and

c. all infrastructure is located outside the channel migration area except that the septic system may be placed in the moderate hazard if:

(1) no feasible alternative location is available on-site;

(2) the reserve track is located outside the channel migration area; and

(3) it is located the farthest practical distance from the migrating channel.

B. Within severe hazard channel migration areas, only the following may be allowed:

1. maintenance, repair, structural modification of or addition to any existing critical facility or building used as a place of employment, place of public assembly or dwelling unit, accessory dwelling unit or accessory living quarters provided that:

a. there is no increase of the footprint of any existing structure; and

b. the maintenance, repair, structural modification or addition does not qualify as a substantial improvement as set forth in K.C.C. 21A.06.1270, unless:

(1) conducted to comply with regulations pertaining to health, sanitation, building or fire safety, or

(2) the structure is identified as a historic place.

2. maintenance, repair, structural modification of or addition to existing accessory structures other than those described in subsection B.1 provided that:

a. any additions to the footprint will not make the total footprint of all such existing accessory structures more than 1,000 square feet, and

b. the footprint is not expanded towards any source of channel migration hazard, unless the applicant can show that such location is least subject to risk.

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3. maintenance or repair of existing flood hazard reduction facilities, roadways, on-site sewage disposal facilities or water supply wells and increases to the depth of existing water supply wells when necessary to capture water supplies.

4. new accessory structures, excluding on-site sewage disposal facilities, water supply wells, or those used as critical facilities or buildings used as a place of employment, place of public assembly or dwelling unit, accessory dwelling unit or accessory living quarters, provided that:

a. no feasible alternative location is available on-site;

b. the structure is located where it is least subject to risk;

c. the structures shall not house animals or hazardous substances; and

d. the total footprint of all accessory structures within the severe channel migration area will not exceed 1,000 square feet or two percent of the severe channel migration area on the site, whichever is greater.

5. new livestock flood sanctuaries constructed to the standards approved by the Natural Resources Conservation Service and the King Conservation District and the best management practices approved by King County, provided that:

a. no feasible alternative location is available on-site; and

b. the structure is located where it is least subject to risk.

6. enhancement and restoration projects, including structures demonstrated as necessary for the project, permitted pursuant to K.C.C. 21A.24.

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**21A-24-279 Bank stabilization.** A. Bank stabilization (and other actions to prevent bank erosion) within channel migration areas shall be limited to the protection of:

1. structures, public roadways, flood hazard reduction facilities or sole access routes in existence before February 16, 1995; or

2. new primary dwelling units permitted pursuant to subsection 21A-24-278.A.3 of this rule provided that:

a. the site is adjacent to or abutted by properties on both sides containing structures, sole access routes or legal bank stabilization in existence before February 16, 1995. The structures, sole access routes or bank stabilization must be located no more than 600 feet apart as measured parallel to the migrating channel; and

b. the dwelling unit is located no closer to the stream or river bank than existing dwelling units on abutting or adjacent properties.

B. All stabilization projects shall be consistent with King County's *Guidelines for Bank Stabilization Projects (June 1993)* and use bioengineering alternatives whenever possible. Other methods may be proposed if the applicant demonstrates to the satisfaction of the department that the methods provide equivalent structural stabilization and environmental function.

**21A-24-280 Conformance with other provisions of the code.**

Permitted alterations shall be subject to all applicable permits or approvals and to mitigation requirements set forth in chapter in K.C.C. 21A.24.

**21A-24-281 Additional notice on title.** When an alteration is proposed within any channel migration area, the following notice shall be filed with the records and elections division as an attachment to the notice on title required pursuant to K.C.C. 21A.24.170:

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"NOTICE"

"This property is in a channel migration area. Based on historical data, the channel or stream is expected to migrate and change locations over time, possibly undercutting or eroding portions of this property. Any structures within the channel migration area may be at risk from the migrating channel and could be damaged or destroyed unless moved. Relocation of structures shall be at the owners' expense. Bank stabilization or other protective measures to prevent undercutting or bank erosion within the channel migration areas shall be prohibited unless undertaken in full compliance with administrative rules authorized pursuant to K.C.C. 21A.24.275."

**21A-24-282 Severability.** If a provision of the rules contained herein or its applicability to any person or circumstance is held invalid, the remainder of the provisions of these rules or the application of the provision to other persons or circumstances shall not be affected.