



Legislation Text

File #: 2016-0400, **Version:** 3

AN ORDINANCE relating to roads and bridges; amending Ordinance 665, Section 1, as amended, and K.C.C. 14.04.010, Ordinance 665, Section 7, and K.C.C. 14.04.070, Resolution 25878 and K.C.C. 14.12.010, Ordinance 11426, Section 1, and K.C.C. 14.16.010, Ordinance 11426, Section 3, and K.C.C. 14.16.015, Ordinance 5701, Section 3, and K.C.C. 14.16.020, Ordinance 5701, Section 18, as amended, and K.C.C. 14.16.170, Ordinance 1969, Section 1, as amended, and K.C.C. 14.20.010, Ordinance 336, (part), as amended, and K.C.C. 14.20.020, Ordinance 129, Section 1 (part), as amended, and K.C.C. 14.40.010, Ordinance 129, Section 1 (part), and K.C.C. 14.40.015, Ordinance 2759, Section 2, as amended, and K.C.C. 14.40.020, Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060, Ordinance 15753, Section 1, as amended, and K.C.C. 14.42.005, Ordinance 11187, Section 1, as amended, and K.C.C. 14.42.010, Ordinance 8041, Section 4, as amended, and K.C.C. 14.42.030, Ordinance 8041, Section 5, as amended, and K.C.C. 14.42.040, Ordinance 8041, Section 7, as amended, and K.C.C. 14.42.060, Ordinance 15753, Section 10, and K.C.C. 14.42.075, Ordinance 1503, Section 1, as amended, and K.C.C. 14.48.010, Ordinance 1503, Section 2, as amended, and K.C.C. 14.48.020, Ordinance 1503, Section 4, as amended, and K.C.C. 14.48.040, Ordinance 3027, Section 2, as amended, and K.C.C. 14.52.020, Ordinance 32027, Section 4, and K.C.C. 14.52.040, Ordinance 3027, Section 7, and K.C.C. 14.52.070, Ordinance 11617,

Section 57, and K.C.C. 14.80.010, Ordinance 11617, Section 60, and K.C.C. 14.80.030, Ordinance 11617, Section 61, and K.C.C. 14.80.040, Ordinance 11617, Section 62, and K.C.C. 14.80.050, Ordinance 11617, Section 63, and K.C.C. 14.80.060, Ordinance 13019, Section 1 (part), and K.C.C. 14.85.010 and Ordinance 13019, Section 1 (part), as amended, and K.C.C. 14.85.020, adding new sections to K.C.C. chapter 14.40, adding new sections to K.C.C. chapter 4A.700, adding a new chapter to K.C.C. Title 14, recodifying K.C.C. 14.85.020 and repealing Ordinance 665, Section 2, and K.C.C. 14.04.020, Ordinance 665, Section 3, and K.C.C. 14.04.030, Ordinance 665, Section 4, and K.C.C. 14.04.040, Ordinance 665, Section 5, as amended, and K.C.C. 14.04.050, Ordinance 665, Section 6, and K.C.C. 14.04.060, Ordinance 665, Section 8, and K.C.C. 14.04.080, Ordinance 665, Section 9, and K.C.C. 14.04.090, Ordinance 665, Section 10, and K.C.C. 14.04.100, Resolution 27219 and K.C.C. 14.12.020, Ordinance 5701, Section 4, and K.C.C. 14.16.030, Ordinance 5701, Section 5, as amended, and K.C.C. 14.16.040, Ordinance 16744, Section 1, and K.C.C. 14.16.055, Ordinance 16744, Section 2, and K.C.C. 14.16.089, Ordinance 5701, Section 11, as amended, and K.C.C. 14.16.100, Resolution 22903 (part), as amended, and K.C.C. 14.24.010, Resolution 22903 (part), as amended, and K.C.C. 14.24.020, Ordinance 6254, Section 1, and K.C.C. 14.30.010, Resolution 9793, Paragraph 1, and K.C.C. 14.32.010, Resolution 9793, Paragraph 2, and K.C.C. 14.32.020, Resolution 9793, Paragraph 3(a) and (b), and K.C.C. 14.32.030, Resolution 9793, Paragraph 3(c), and K.C.C. 14.32.040, Resolution 9793, Paragraph 3(d), and K.C.C. 14.32.050, Resolution 9793, Paragraph 3(e), and K.C.C. 14.32.060, Resolution 9793, Paragraph 3(f), and K.C.C. 14.32.070,

Resolution 9793, Paragraph 3(g), and K.C.C. 14.32.080, Resolution 9793, Paragraph 4(a), and K.C.C. 14.32.090, Resolution 9793, Paragraph 4(c), and K.C.C. 14.32.100, Resolution 9793, Paragraph 4(d), and K.C.C. 14.32.110, Resolution 9793, Paragraph 4(e), and K.C.C. 14.32.120, Resolution 9793, Paragraph 4(f), and K.C.C. 14.32.130, Resolution 9793, Paragraph 5(a), and K.C.C. 14.32.140, Resolution 9793, Paragraph 5(b), and K.C.C. 14.32.150, Resolution 9793, Paragraph 5(c), and K.C.C. 14.32.160, Resolution 9793, Paragraph 5(d), and K.C.C. 14.32.170, Resolution 9793, Paragraph 6(a), and K.C.C. 14.32.180, Resolution 9793, Paragraph 6(b), and K.C.C. 14.32.190, Resolution 9793, Paragraph 7, and K.C.C. 14.32.200, Resolution 9793, Paragraph 9, and K.C.C. 14.32.210, Resolution 9793, part, as amended, and K.C.C. 14.32.220, Resolution 9793, Paragraph 10, and K.C.C. 14.32.230, Resolution 9793, Paragraph 11, and K.C.C. 14.32.240, Ordinance 10962, Sections 1 and 6, as amended, and K.C.C. 14.38.010, Ordinance 10962, Sections 2 and 5, as amended, and K.C.C. 14.38.020, Ordinance 14734, Section 3, and K.C.C. 14.38.025, Ordinance 10962, Sections 3 and 4, as amended, and K.C.C. 14.38.030, Ordinance 14734, Section 5, and K.C.C. 14.38.045, Ordinance 14734, Section 6, and K.C.C. 14.38.055, Ordinance 129, Section 3, as amended, and K.C.C. 14.40.030, Ordinance 129, Section 4, as amended, and K.C.C. 14.40.040, Ordinance 129, Section 5, as amended, and K.C.C. 14.40.050, Ordinance 2759, Section 1, and K.C.C. 14.40.060, Ordinance 8041, Section 3, as amended, and K.C.C. 14.42.020, Ordinance 8041, Section 6, as amended, and K.C.C. 14.42.050, Ordinance 8041, Section 8, as amended, and K.C.C. 14.42.070, Ordinance 13743, Section 4, and K.C.C. 14.45.020, Ordinance 1503, Section 3,

as amended, and K.C.C. 14.48.030, Ordinance 3027, Section 1, and K.C.C. 14.52.010, Ordinance 3027, Section 3, and K.C.C. 14.52.030, Ordinance 3027, Section 5, as amended, and K.C.C. 14.52.050, Ordinance 3027, Section 6, and K.C.C. 14.52.060, Ordinance 11617, Section 3, as amended, and K.C.C. 14.65.010, Ordinance 11617, Section 4, as amended, and K.C.C. 14.65.020, Ordinance 11617, Section 64, as amended, and K.C.C. 14.65.025, Ordinance 11617, Section 5, as amended, and K.C.C. 14.65.030, Ordinance 11617, Section 6, as amended, and K.C.C. 14.65.040, Ordinance 11617, Section 35, and K.C.C. 14.75.010, Ordinance 11617, Sections 36 through 41, and K.C.C. 14.75.020, Ordinance 11617, Section 42, and K.C.C. 14.75.030, Ordinance 11617, Section 43 and Attachment B, as amended, and K.C.C. 14.75.040, Ordinance 11617, Section 44, as amended, and K.C.C. 14.75.050, Ordinance 11617, Section 45, and K.C.C. 14.75.060, Ordinance 11617, Section 46, as amended, and K.C.C. 14.75.070, Ordinance 17190, Section 5, as amended, and K.C.C. 14.75.075, Ordinance 11617, Section 47, as amended, and K.C.C. 14.75.080, Ordinance 11617, Section 48, as amended, and K.C.C. 14.75.090, Ordinance 11617, Section 49, as amended, and K.C.C. 14.75.100, Ordinance 11617, Section 50, as amended, and K.C.C. 14.75.110, Ordinance 11617, Section 51, and K.C.C. 14.75.120, Ordinance 11617, Section 52, and K.C.C. 14.75.130, Ordinance 11617, Section 53, and K.C.C. 14.75.140, Ordinance 11617, Section 54, as amended, and K.C.C. 14.75.150, Ordinance 11617, Section 55, and K.C.C. 14.75.160, Ordinance 11617, Sections 58 and 59, and K.C.C. 14.80.020, Ordinance 13019, Section 1 (part), and K.C.C. 14.85.030 and Ordinance 13019, Section 1 (part), and K.C.C. 14.85.040.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Sections 2 through 44 of this ordinance should constitute a new chapter in K.C.C. Title 14.

NEW SECTION. SECTION 2. There is hereby added to the new chapter created in section x of this ordinance a new section to read as follows:

- A. The definitions in this chapter apply throughout this title.
- B. The definitions in RCW 36.75.010 apply to this title unless otherwise defined in this chapter.

NEW SECTION. SECTION 3. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Applicant" means a property owner or a public agency or public or private utility that owns a right of way or other easement or has been adjudicated the right to the easement under RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval.

NEW SECTION. SECTION 4. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Capital improvement program" or "CIP" means the expenditures and revenues programmed by King County for capital purposes for road improvements over the six-year period of the adopted CIP currently in effect.

NEW SECTION. SECTION 5. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Comprehensive Plan" means the adopted King County Comprehensive Plan.

NEW SECTION. SECTION 6. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Concurrency" means transportation facilities are in place at the time of development or that a financial

commitment is in place to complete within six years the improvements needed to maintain the county level of service standards, according to RCW 36.70A.070(6).

NEW SECTION. SECTION 7. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Concurrency status" means whether or not an area passes the concurrency test.

NEW SECTION. SECTION 8. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Concurrency test" means determining whether or not an area meets level of service standards as described in K.C.C. 14.70.220.

NEW SECTION. SECTION 9. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Concurrency test results map" means the map displaying which travel sheds are passing or failing the concurrency test for residential and commercial land uses.

NEW SECTION. SECTION 10. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"County property" means all county real property, including, but not limited to, recreational trails, county road rights-of-way and dedicated open space.

NEW SECTION. SECTION 11. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"County road engineer" means the county road engineer, as specified in RCW 36.75.010 and 36.80.010 or the county road engineer's authorized representative.

NEW SECTION. SECTION 12. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Curb" means a cement, concrete or asphaltic concrete raised structure designed to delineate the edge of

the roadway and to separate the vehicular portion of the roadway from that provided for pedestrians and to control surface drainage.

NEW SECTION. SECTION 13. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Custodial departments" means those county departments whose function is to manage and control county use of the rights-of-way or other county property.

NEW SECTION. SECTION 14. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Development" means specified changes in use designed or intended to permit a use of land that will contain more dwelling units or buildings than the existing use of the land, or to otherwise change the use of the land or buildings or improvements on the land in a manner that increases the amount of vehicle traffic generated by the existing use of the land and that requires a development permit from King County. This definition does not pertain to the rezoning of land or a grading permit.

NEW SECTION. SECTION 15. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Development application" means the request made to the department of permitting and environmental review, or its successor agency, for approval of a development.

NEW SECTION. SECTION 16. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Development approval" means an order, permit or other official action of the department of permitting and environmental review, or its successor agency, granting or granting with conditions an application for development.

NEW SECTION. SECTION 17. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Development engineer" means the department of permitting and environmental review employee responsible for the conditioning, review, inspection and approval of right-of-way use permits and road and drainage improvements constructed as part of development permits administered by the department of permitting and environmental review. The development engineer or the development engineer's designee shall be a professional civil engineer registered and licensed under the laws of the state of Washington.

NEW SECTION. SECTION 18. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Development units" means the number of dwelling units approved for residential development.

NEW SECTION. SECTION 19. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Financial commitment" consists of expenditures and revenues designated in an adopted CIP. The adopted CIP identifies all applicable and available revenue sources and forecasts these revenues through the six-year period with reasonable assurance that the funds will be available.

NEW SECTION. SECTION 20. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Highway Capacity Manual" means Special Report 209 of the Transportation Research Board of the National Research Council, as it exists on the effective date of this ordinance.

NEW SECTION. SECTION 21. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Intersection standards" means a standard by which King County evaluates intersections affected by new development to assure safe and efficient operation and that improvements to mitigate the adverse impacts of such developments are completed, in accordance with the state Environmental Policy Act, K.C.C. chapter 14.80, K.C.C. 20.44.080 and the King County Comprehensive Plan.

NEW SECTION. SECTION 22. There is hereby added to the new chapter created in section 1 of this

ordinance a new section to read as follows:

"Level of service standard" means the traffic standards that are adopted in the Comprehensive Plan.

NEW SECTION. SECTION 23. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Peak period" means the weekday afternoon period during which the greatest volume of traffic uses the road system.

NEW SECTION. SECTION 24. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Planting strip" means that portion of the right of way behind the curb line and between the curb line and the sidewalk or between the sidewalk and the right of way line used for the planting of trees, grass, shrubs or ground cover.

NEW SECTION. SECTION 25. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Reviewing agency" means the department of permitting and environmental review or its successor agency responsible for reviewing subdivisions and other developments within its jurisdiction.

NEW SECTION. SECTION 26. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Right of way" means land, property or property interest, such as an easement, usually in a strip, as well as bridges, trestles or other structures dedicated to or otherwise acquired by the county for public motor vehicle transportation purposes, including, but not limited to, roads, streets, avenues and alleys, whether or not opened, improved or maintained for public motor vehicle transportation purposes.

NEW SECTION. SECTION 27. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Right of way use agreement" means an agreement between the county and a wireless

telecommunications provider through which a site-specific and revocable privilege to use county right of way at a location identified in the agreement for wireless telecommunications facilities is granted and through which the terms and conditions for exercising the granted privilege to use the county right of way are set forth.

NEW SECTION. SECTION 28. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Road classification" means the classification of roadways based on the function and design of a specific road.

NEW SECTION. SECTION 29. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Rural Area" means the area outside the urban growth boundary line as defined in the Comprehensive Plan.

NEW SECTION. SECTION 30. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Rural Mobility Area" means one of the rural towns as defined by the Comprehensive Plan.

NEW SECTION. SECTION 31. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Rural Neighborhood Commercial Center" means the rural neighborhood commercial centers of Cottage Lake, Preston and Cumberland.

NEW SECTION. SECTION 32. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Rural Town" means an unincorporated town governed by King County as defined in the Comprehensive Plan.

NEW SECTION. SECTION 33. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Segment" means a designated portion of an arterial used in level of service standard calculation.

NEW SECTION. SECTION 34. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Sidewalk" means that property between the curb line and the adjacent property, set aside and intended for the use of pedestrians, improved by paving.

NEW SECTION. SECTION 35. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Road standards" means the adopted King County Road Design and Construction Standards.

NEW SECTION. SECTION 36. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Special use permit" means a permit for the use of county property issued under K.C.C. chapter 14.30.

NEW SECTION. SECTION 37. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Transportation facilities" means principal, minor and collector arterial roads and state highways, as well as associated sidewalks, bike lanes and other facilities supporting nonmotorized travel.

NEW SECTION. SECTION 38. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Travel shed" means a geographic area within which all development would be likely to use or be affected by traffic on arterials within the travel shed.

NEW SECTION. SECTION 39. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Travel time" means the time it takes a vehicle to travel from one specified point to another.

NEW SECTION. SECTION 40. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Travel time standard" means the level of service standard used to judge the performance of arterial road segments. The level of service standard is identified by ranges of average travel speed by road classification.

NEW SECTION. SECTION 41. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Urban Growth Area" means an area inside the urban growth boundary as defined in the King County Comprehensive Plan.

NEW SECTION. SECTION 42. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Wireless" means transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, microwave or satellite.

NEW SECTION. SECTION 43. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Wireless telecommunications facility" means the capital, equipment and property, including, but not limited to, the poles, pipes, mains, conduits, ducts, pedestals and electronic equipment within the right of way used for the purpose of transmitting, receiving, distributing, providing or offering wireless telecommunications.

NEW SECTION. SECTION 44. There is hereby added to the new chapter created in section 1 of this ordinance a new section to read as follows:

"Wireless telecommunications provider" means every person that owns, controls, operates or manages a wireless minor telecommunication facility within the county right of way for the purpose of offering wireless telecommunication services, meaning the transmission for hire of information in electronic or optical form, including, but not limited to, voice, video or data.

SECTION 45. Ordinance 665, Section 1, as amended, and K.C.C. 14.04.010 are each hereby amended to read as follows:

~~((The county executive has been advised by the director of transportation that the need exists for an official))~~ A. King County operates and maintains an extensive road~~((/street))~~ system. ~~((This system will show, by maps and/or exhibits, the roads/streets))~~

B. The department of transportation maintains a road system database that identifies the roads for which King County ~~((has maintenance responsibility))~~ is responsible. The department of transportation shall provide road index maps of the official county road system on the road services division's website annually following the county road administration board's annual validation of the data.

SECTION 46. The following are each hereby repealed:

- A. Ordinance 665, Section 2, and K.C.C. 14.04.020;
- B. Ordinance 665, Section 3, and K.C.C. 14.04.030;
- C. Ordinance 665, Section 4, and K.C.C. 14.04.040;
- D. Ordinance 665, Section 5, as amended, and K.C.C. 14.04.050; and
- E. Ordinance 665, Section 6, and K.C.C. 14.04.060.

SECTION 47. Ordinance 665, Section 7, and K.C.C. 14.04.070 are each hereby amended to read as follows:

All roads~~((/streets))~~ constructed by the Washington ~~((S))~~state Department of ~~((Highways))~~ Transportation in conjunction with~~((, and/))~~ or adjacent to~~((,))~~ an ~~((I))~~interstate ~~((H))~~highway, ~~((S))~~state ~~((P))~~primary or ~~((S))~~state ~~((E))~~limited ~~((A))~~access ~~((H))~~highway ~~((Interstate Highway, State Primary or State Limited Access Highway))~~ and used as access, exit, frontage road or service road and covered by a maintenance agreement between the Washington ~~((S))~~state Department of ~~((Highways))~~ Transportation and King County shall be considered a part of the King County road~~((/street))~~ system whether or not the state has relinquished any or all claims.

SECTION 48. The following sections are hereby repealed:

- A. Ordinance 665, Section 8, and K.C.C. 14.04.080;

B. Ordinance 665, Section 9, and K.C.C.14.04.090; and

C. Ordinance 665, Section 10, and K.C.C. 14.04.100.

SECTION 49. Resolution 25878 and K.C.C. 14.12.010 are each hereby amended to read as follows:

~~((The following policy is approved and adopted, and henceforth all road closure and load limit restrictions will be disseminated in accordance with this policy insofar as it is possible to do so:~~

~~A. A list of roads which will remain open and available for school bus use during thawing conditions will be supplied to each and every school district operating on county roads within King County. This will be accomplished during the month of September of each school year.~~

~~B. In the event road closures are required, the school district will be notified prior to one p.m. of the day preceding the road closures on school bus routes, to be effective the following day. If the morning pick-up of children is accomplished, the school district will be permitted to use these routes for the returning of the children to their normal bus stops.~~

~~C. School buses will be permitted to turn around at the intersection of a school bus route which is closed, and the open route with the minimum maneuvering possible on the closed road in the intersection area.~~

~~D. The county will establish the necessary communications with the school districts to provide the proper notification. The county engineer will initiate road closures and unless specified otherwise, closures shall be county wide.))~~ A. The council has determined when in order to prevent serious damage or destruction to a county road or bridge caused by rain, snow, climatic or other conditions, the county road engineer may close such a county road or bridge. In exercising the authority to close a county road or bridge, the county road engineer shall comply with the requirements of RCW 46.44.080.

B. The county road engineer may, in cases of emergency or a closure lasting less than twelve hours, temporarily close county roads and bridges by posting notices at each end of the closed portion and at all intersecting state highways and county roads and county roads and city streets.

C. It is unlawful for any person to operate a vehicle on any county road or bridge in violation of any closure under subsection A. or B. of this section, unless the driver is in possession of a limited special permit issued by the county road engineer, who is authorized to issue limited special use permits for the operation of school buses, emergency vehicles and motor trucks transporting perishable commodities or commodities necessary for the health and welfare of local residents during periods of the closures.

SECTION 50. Resolution 27219 and K.C.C. 14.12.020 are each hereby repealed.

SECTION 51. Ordinance 11426, Section 1, and K.C.C. 14.16.010 are each hereby amended to read as follows:

A. The council has determined when in order to prevent serious damage or destruction to a county road or bridge caused by rain, snow, climatic or other conditions, the county road engineer may limit weights of vehicles and prohibit or limit classes or types of vehicles on county roads or bridges, in accordance with RCW 46.44.080.

B. It is unlawful for any person to operate a vehicle on any county road or ~~((over any King County))~~ bridge when ~~((such))~~ the vehicle has a gross weight that is greater than the posted maximum weight for that county road or ~~((that))~~ bridge or the type or class of vehicle has been limited or prohibited from operating on the county road or bridge, unless the driver is in possession of a limited special permit issued by the county road engineer ~~((or designee))~~ for the safe use of ~~((such))~~ the county road or bridge.

C. Notice of ~~((closing of individual bridge to certain classes or))~~ limiting weights of vehicles or prohibiting or limiting classes or types of vehicles on a county road or bridge shall be:

~~((A.))~~ 1. Published ~~((in a local paper of general circulation,))~~ on King County department of transportation's website; and

~~((B.))~~ 2. Posted on signs at each end of ~~((subject))~~ the county road or bridge~~((, on or prior to the date of publication))~~. All signs shall be erected and maintained in accordance with RCW 36.86.040, ~~((RCW))~~

46.61.450 and ~~((RCW))~~ 47.36.030.

D. The road services division shall report to the council its Annual Bridge Report required by WAC 136-20-060 that establishes the ~~((M))~~maximum gross weights for vehicles operating on a ~~((over King C))~~county bridge~~((s shall be established by ordinance in accordance with RCW 36.75.270 and RCW 46.44.080.~~

~~The county road shall have the authority by administrative determination to immediately impose temporary gross weight limits on bridges based on the results of an engineering and traffic investigation. The traffic engineer shall have the authority to immediately erect and maintain official traffic control devices for temporary gross weight limits on bridges as directed by the county road engineer and in accordance with Chapter 46.90 RCW, WAC 308-330-265 and K.C.C. 46.04.010. The temporary gross weight limits on bridges shall be in effect for not longer than one year from the date of posting or until the weight limits are established by ordinance)) and any prohibition or limitation of certain classes or types of vehicles operating on a county bridge.~~

E. Annually the road services division shall report to the council all county roads that limit or prohibit classes or types of vehicles or limit the weight of vehicles that may operate on them.

F. The reports required by this section shall be in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the policy staff director and the lead staff for the transportation, environment and economy committee, or its successor.

G. The county road engineer may, in cases of emergency or a limitation or prohibition lasting less than twelve hours, temporarily limit weights of vehicles and prohibit or limit classes or types of vehicles operating on county roads or bridges by posting notices at each end of the closed portion and at all intersecting state highways and county roads and county roads and city streets.

SECTION 52. Ordinance 11426, Section 3, and K.C.C. 14.16.015 are each hereby amended to read as

follows:

The county road engineer (~~(or designee is authorized to)~~) may issue limited special permits for the safe use of load limited bridges by emergency vehicles and other vehicles exceeding the posted maximum weight as authorized by RCW 46.44.080.

SECTION 53. Ordinance 5701, Section 3, and K.C.C. 14.16.020 are each hereby amended to read as follows:

Those King County bridges that are posted with one legal load are done so (~~(pursuant to)~~) in accordance with the definitions and standards for maximum gross vehicle weight contained in ((RCW)) chapter 46.44 RCW, ((particularly)) specifically the vehicle weight table of RCW 46.44.041.

SECTION 54. The following sections are each hereby repealed:

- A. Ordinance 5701, Section 4, and K.C.C. 14.16.030;
- B. Ordinance 5701, Section 5, as amended, and K.C.C. 14.16.040;
- C. Ordinance 16744, Section 1 and K.C.C. 14.16.055;
- D. Ordinance 16744, Section 2, and K.C.C. 14.16.089; and
- E. Ordinance 5701, Section 11, as amended, and K.C.C. 14.16.100.

SECTION 55. Ordinance 5701, Section 18, as amended, and K.C.C. 14.16.170 are each hereby amended to read as follows:

A. The director of the department of transportation and the county sheriff are authorized to enforce the provisions of this chapter and any rules and regulations promulgated thereunder.

B. Any violation of this chapter is a traffic infraction and subject to a penalty of (~~(\$250)~~) two hundred fifty dollars.

SECTION 56. Ordinance 1969, Section 1, as amended, and K.C.C. 14.20.010 are each hereby amended to read as follows:

The (~~(1996)~~) current English edition of the Standard Specifications for Road, Bridge, and Municipal

Construction issued by the Washington ((S))state Department of Transportation and the American Public Works Association, Washington State Chapter, is adopted as the standard specifications for road, bridge and drainage construction in King County, except that the provisions of the ((1994)) 2014 edition shall continue in effect on those current projects advertised prior to November 1, ((1996)) 2014, for construction

SECTION 57. Ordinance 336, (part), as amended, and K.C.C. 14.20.020 are each hereby amended to read as follows:

The department of transportation ((will)) shall comply with the Soil Conservation Service Standards, Specifications and Contracting Procedures when working in conjunction with the federal government on a project requiring ((such)) compliance.

SECTION 58. The following are each hereby repealed:

- A. Resolution 22903 (part), as amended, and K.C.C. 14.24.010;
- B. Resolution 22903 (part), as amended, and K.C.C. 14.24.020;
- C. Ordinance 6452, Section 1 and K.C.C. 14.30.010;
- D. Resolution 9793, Paragraph 1, and K.C.C. 14.32.010;
- E. Resolution 9793, Paragraph 2, and K.C.C. 14.32.020;
- F. Resolution 9793, Paragraph 3(a) and (b), and K.C.C. 14.32.030;
- G. Resolution 9793, Paragraph 3(c), and K.C.C. 14.32.040;
- H. Resolution 9793, Paragraph 3(d), and K.C.C. 14.32.050;
- I. Resolution 9793, Paragraph 3(e), and K.C.C. 14.32.060;
- J. Resolution 9793, Paragraph 3(f), and K.C.C. 14.32.070;
- K. Resolution 9793, Paragraph 3(g), and K.C.C. 14.32.080;
- L. Resolution 9793, Paragraph 4(a), and K.C.C. 14.32.090;
- M. Resolution 9793, Paragraph 4(c), and K.C.C. 14.32.100;
- N. Resolution 9793, Paragraph 4(d), and K.C.C. 14.32.110;

- O. Resolution 9793, Paragraph 4(e), and K.C.C. 14.32.120;
- P. Resolution 9793, Paragraph 4(f), and K.C.C. 14.32.130;
- Q. Resolution 9793, Paragraph 5(a), and K.C.C. 14.32.140;
- R. Resolution 9793, Paragraph 5(b), and K.C.C. 14.32.150;
- S. Resolution 9793, Paragraph 5(c), and K.C.C. 14.32.160;
- T. Resolution 9793, Paragraph 5(d), and K.C.C. 14.32.170;
- U. Resolution 9793, Paragraph 6(a), and K.C.C. 14.32.180;
- V. Resolution 9793, Paragraph 6(b), and K.C.C. 14.32.190;
- W. Resolution 9793, Paragraph 7, and K.C.C. 14.32.200;
- X. Resolution 9793, Paragraph 9, and K.C.C. 14.32.210;
- Y. Resolution 9793, part, as amended, and K.C.C. 14.32.220;
- Z. Resolution 9793, Paragraph 10, and K.C.C. 14.32.230;
- AA. Resolution 9793, Paragraph 11, and K.C.C. 14.32.240;
- BB. Ordinance 10962, Sections 1 and 6, as amended, and K.C.C. 14.38.010;
- CC. Ordinance 10962, Sections 2 and 5, as amended, and K.C.C. 14.38.020;
- DD. Ordinance 14734, Section 3, and K.C.C. 14.38.025;
- EE. Ordinance 10962, Sections 3 and 4, as amended, and K.C.C. 14.38.030;
- FF. Ordinance 14734, Section 5, and K.C.C. 14.38.045; and
- GG. Ordinance 14734, Section 6, and K.C.C. 14.38.055.

SECTION 59. Ordinance 129, Section 1, as amended, and K.C.C. 14.40.010 are each hereby amended to read as follows:

~~((Petitions for the vacation of county roads may be granted by the council in accordance with the provisions of RCW Chapter 36.87 as amended by Chapter 185, Laws of 1969 First Extraordinary Session, except as provided herein, and King County shall receive compensation as provided for in this chapter.))~~

Proposed vacation of a county right of way may be initiated:

A. By the council, which by ordinance declares its intent to vacate and abandon a county right of way or portion thereof that is considered useless and directs the county road engineer to prepare a report on such vacation and abandonment; or

B. By a petition for vacation of a county right of way filed with the clerk of the council.

NEW SECTION. SECTION 60. There is hereby added to K.C.C. chapter 14.40 a new section to read as follows:

A. Property owners of the majority of the frontage on any county right of way or portion of the right of way they seek to vacate may petition the council to vacate and abandon the right of way or portion of the right of way by submitting a vacation petition to the clerk of the council.

B. The petition must include the name, address and land owned for each petitioner and set forth that the right of way is useless as part of the county road system and that the public will be benefited by its vacation. A county right of way may be considered useless if it is not necessary to serve an essential role in the public road network or if it would better serve the public interest in private ownership.

C. The petition must be signed by owners of a majority of the lineal footage of the right of way the petition seeks to vacate.

D. The petition shall be accompanied by:

1. Payment of the administrative fee in the amount specified in Section 63 of this ordinance; and
2. A legal description of the right of way proposed to be vacated and of the property owned by each petitioner, including the square footage of the area of vacation and a drawing, for both the area of right of way proposed to be vacated and the property adjacent to the proposed vacation owned by each petitioner. The county road engineer may require a drawing prepared by a surveyor licensed by the state of Washington.

E. After receipt of a petition and payment of the administrative fee, the clerk of the council shall transmit the petition to the county road engineer, who shall evaluate the proposed vacation for compliance with

requirements of this section.

NEW SECTION. SECTION 61. There is hereby added to K.C.C. chapter 14.40 a new section to read as follows:

A. Upon receipt of a petition, the county road engineer shall determine whether owners of the majority of the lineal footage of the frontage of the right of way proposed for vacation have signed the petition. If the county road engineer determines the signatories of the petition own less than the majority of the lineal footage of the frontage of the right of way proposed for vacation, the county road engineer shall notify the petitioners and the clerk of the council that the petition does not have sufficient signatories. The petitioners shall have thirty days from the date of that notice to supplement the petition by filing with the clerk of the council, with a copy to the county road engineer, a sufficient number of additional petition signatures to establish that a majority of owners of the lineal footage of the frontage of the right of way proposed for vacation support the petition. Failure to include the signature of a majority the owners of the lineal footage of the frontage of the right of way proposed for vacation is grounds for the county road engineer to report in writing to the council clerk that the petition is deficient. In that event, no further action will be taken on the petition and the county road engineer shall inform the petitioners of the determination.

B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if under subsection A. of this section the county road engineer determines that the petition is valid, then the county road engineer shall examine the right of way proposed to be vacated and abandoned and complete a report that complies with the requirements in RCW 36.87.040, including the county road engineer's opinion of whether the right of way should be vacated. The report should address:

1. Whether the county right of way should be vacated and abandoned;
2. Whether the county right of way is in use or has been in use;
3. The condition of the right of way;
4. Whether it is advisable to preserve all or a portion of the right of way for the county transportation

system of the future;

5. Whether the public will be benefited by the vacation of the county right of way;

6. The appraised value of the county right of way or portion thereof proposed for vacation as well as the county road engineer's recommendation for compensation to be determined in accordance with the factors listed in K.C.C. 14.40.020.A.;

7.a. Whether the proposed county right of way to be vacated serves as access to property abutting the county right of way that is the subject of the vacation request; and

b. a recommendation for requiring access easements for all abutting properties as a condition of granting the vacation;

8.a. Whether the proposed county right of way to be vacated contains utilities; and

b. a recommendation for retaining an easement for the construction, repair and maintenance of public utilities and services that are authorized at the time the ordinance is adopted or are physically located on a portion of the right of way being vacated;

9. Other matters that may be of interest, including any fees charged under section 62.B. of this ordinance;

10. Whether the proposed area to be vacated abuts a body of salt or fresh water as set forth in RCW 36.87.130;

11. A list of property owners whose property abuts the county right of way or any portion thereof proposed for vacation who are not petitioners; and

12. If not waived in accordance with section 62.C. of this ordinance, a list of all costs incurred in preparing the report.

C. Upon completion of the report by the county road engineer, the executive shall transmit the report, any petition and a proposed ordinance to the council. The hearing examiner is appointed by the council to conduct the public hearing of any proposed vacation of a county right of way.

NEW SECTION. SECTION 62. There is hereby added to K.C.C. chapter 14.40 a new section to read as follows:

A. Petitioners shall pay to the clerk of the council an administrative fee set forth in section 63 of this ordinance. No portion of the administrative fee shall be returned to petitioners.

B. In addition to the administrative fee required in subsection A. of this section, the county road engineer may charge petitioners additional fees for costs associated with the processing, investigation, determination of value, appraisals and the cost of the public hearing pertaining to the petition. The county road engineer shall provide petitioners with an estimate of these costs prior to the county road engineer preparing the report on the proposed vacation.

C. The director of the road services division has the discretion to waive all or a portion of any additional fee assessed under subsection B. of this section and required by this chapter. The waiver must be in writing and shall state a compelling need or public purpose that is served by the waiver.

NEW SECTION. SECTION 63. There is hereby added to K.C.C. chapter 4A.700 a new section to read as follows:

The fee that petitioners shall pay under section 62.A. of this ordinance is two-hundred dollars, plus any additional fees allowed under section 62.B. of this ordinance. All or a portion of the additional fees may be waived as provided under section 62.C. of this ordinance.

SECTION 64. Ordinance 129, Section 1 (part), as amended, and K.C.C. 14.40.015 are each hereby amended to read as follows:

A. The ~~((office of the))~~ hearing examiner shall hold a public hearing~~((s on vacations which have been recommended for approval by the department of transportation, and provide a recommendation to the council, as prescribed by RCW 36.87.060))~~ on the proposed ordinance and to consider the report of the county road engineer and to take testimony and evidence, relating to a proposed vacation of a county right of way or any portion thereof. The hearing examiner shall prepare a record of the proceedings and a recommendation to the

council concerning the proposed vacation in accordance with K.C.C. 20.22.060 and 20.22.220 and shall recommend the amount of compensation, if any.

~~B. ((In the event the report by the department of transportation recommends denial of the vacation petition, the following shall be the operating procedure:~~

~~1. The department of transportation shall transmit written notification to the petitioner, citing the rationale for the denial and indicating that the denial may be appealed to the office of the hearing examiner for hearing and recommendation to the council. The department of transportation shall file a copy of the notice of denial with the council clerk's office.~~

~~2. The notice of denial shall be final unless the petitioner files an appeal in accordance with K.C.C. 20.22.080.~~

~~3. Any appeal filed by a petitioner shall be processed by the office of the hearing examiner in the same manner as vacations recommended for approval.)) Notice of the public hearing required by subsection A. of this section shall be published at least once a week for two consecutive weeks preceding the date fixed for the hearing, in the official county newspaper. A copy of the notice shall be posted for at least twenty days preceding the date fixed for hearing at each termini of the county right of way or portion of a right of way proposed to be vacated or abandoned. A copy of the notice shall also be provided to petitioners.~~

C. At least fourteen days before the hearing to consider the proposed vacation, the county road engineer shall send a copy of the report to all petitioners and to persons whose property abuts the county right of way or any portion thereof proposed for vacation who are not petitioners.

SECTION 65. Ordinance 2759, Section 2, as amended, and K.C.C. 14.40.020 are each hereby amended to read as follows:

~~((The amount of compensation, if required in this chapter, shall be recommended by the zoning and subdivision examiner and shall be determined by the council according to the following criteria:~~

~~A. Vacation of all county roads included in Classes A, B and C, if granted, shall require compensation~~

~~at the full appraised value of the vacated road for Class A vacations; at seventy-five percent of the full appraised value for Class B vacations; and at fifty percent of full appraised value for class C vacations as of the effective date of the vacation, which amount, for the purposes of this chapter, may be determined from the records of the department of assessments; however, the zoning and subdivision examiner may propose and the council shall have the authority to accept real property of equal or greater value in lieu of cash compensation. The council shall have the authority to waive some or all of the compensation, except two hundred dollars administrative costs for processing the vacation of a county road, where the petitioner is providing an alternative road to the county of equal or greater value and said alternative will fulfill the public purposes of the previous transportation circulation plan.~~

~~B. Vacation of all county roads included in Class D, or those roads vacated by operation of law under the laws of 1889-1890 and affirmed by council action, if granted, shall require a two hundred dollar fee as compensation for the administrative costs of the vacation.~~

~~C. In the recommendation to the council pursuant to K.C.C. 20.22.060, the hearing examiner may recommend the acceptance of real property of equal or greater value in lieu of cash compensation, or may recommend the waiver of some or all of the compensation required by this section.~~

~~D. When a road is vacated for a governmental agency, compensation shall be in accordance with the classification of the road, except that some or all of the compensation may be waived at the discretion of the council.~~

~~E. The council may waive some or all of the compensation for any classification of road, if it determines that it would benefit King County to do so.))~~ A.1. Compensation may be required as a condition for the vacation of a county right of way. In determining the appropriate compensation, the council may consider as a factor the assessed land value of parcels adjacent to the county right of way proposed for vacation in addition to the factors listed in RCW 36.87.120.

2. The compensation determined to be paid shall be a condition precedent to the vacation of any

county road and shall be paid to King County within ninety days of receipt of the request for compensation.

B. The county road engineer or the hearing examiner may propose and the council may accept real property of equal or greater value in lieu of cash compensation.

C. Payment of compensation shall be made to the road services division and shall be credited to the county road operating fund.

D. For the purposes of chapter 36.87 RCW, all county right of ways shall be of one classification.

E. Upon meeting the terms and conditions included in the ordinance granting vacation, the county right of way or portion of the right of way shall be considered vacated.

SECTION 66. Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060 are each hereby amended to read as follows:

The examiner shall issue recommendations, in the following cases:

A. Proposals for establishment or modification of cable system rates under K.C.C. 6.27A.140;

B. ~~((Applications or appeals related to the v))~~ Vacation of county roads under K.C.C. chapter 14.40;

C. All Type 4 decisions under K.C.C. chapter 20.20;

D. Applications for public benefit rating system assessed valuation on open space land and current use assessment on timber lands under K.C.C. chapter 20.36, except as provided in K.C.C. 20.36.090;

E. Applications for agricultural land variances under K.C.C. 20.54.090, applications for rezones or subdivisions under K.C.C. 20.54.100.A., appeals of designations of agricultural land of county significance under K.C.C. 20.54.100.C. and applications to revise the boundaries of agricultural lands of county significance under K.C.C. 20.54.110.C.;

F. Appeals of decisions to designate or reject a nomination for designation for a landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter 20.62;

G. Creation of a lake or beach management district and a special assessment roll under chapter 36.61 RCW; and

H. Other applications or appeals that are prescribed by ordinance.

SECTION 67. The following are each hereby repealed:

A. Ordinance 129, Section 3, as amended, and K.C.C. 14.40.030;

B. Ordinance 129, Section 4, as amended, and K.C.C. 14.40.040;

C. Ordinance 129, Section 5, as amended, and K.C.C. 14.40.050; and

D. Ordinance 2759, Section 1, and K.C.C. 14.40.060.

SECTION 68. Ordinance 15753, Section 1, as amended, and K.C.C. 14.42.005 are each hereby amended to read as follows:

~~((A.))~~ Chapter 36.75 RCW authorizes the county to perform all acts necessary and proper for the administration of the county roads. County roads shall be established, laid out, constructed, altered, repaired, improved and maintained by the legislative authority of the county or by private individuals or corporations who are allowed to perform such work under an agreement with the county legislative authority. The work and improvements shall be done in accordance with ~~((adopted county))~~ the road standards under the supervision and direction of the county road engineer.

~~((B. The purpose of the King County Road Design and Construction Standards ("the standards") is to set forth specific, consistent and acceptable road design and construction elements for developers and other private parties constructing or modifying road or right-of-way facilities that require county licenses or permits and to establish uniform criteria to guide the county's own design and construction of new county roads or reconstruction of existing roads. The standards support the county's goals for achieving affordable housing, providing adequate facilities for development in an efficient manner, complying with storm water management and environmental and cultural resource policies, and balance these goals with the general safety and mobility needs of the traveling public.~~

~~C. The county requires standardization of road design elements when necessary for consistency and to ensure, so far as practicable, that motoring, bicycling, transit, equestrian and pedestrian public safety needs are~~

~~met. Considerations include safety, convenience, pleasant appearance, proper drainage, economical maintenance and cultural and environmental resource protection. The standards also provide requirements for the location and installation of utilities within the right-of-way.~~

~~D. The standards are intended to assist, but not substitute for, competent work by design professionals. The standards are not intended to unreasonably limit any economically maintained innovative or creative efforts or to lower impact development alternatives that could result in equivalent or improved safety, quality and maintainability.))~~

SECTION 69. Ordinance 11187, Section 1, as amended, and K.C.C. 14.42.010 are each hereby amended to read as follows:

A. ~~((("))~~King County Road Standards,~~((("2007))~~ 2016, incorporated ~~((herein))~~ as Attachment A to ~~((Ordinance 15753))~~ this ordinance, are hereby approved and adopted as the King County standards for road design and construction.

B. Consistent with the council's direction and intent in adopting ~~((these))~~ the road standards, the department of transportation is hereby authorized to develop public rules and make minor changes to the text and drawings in order to better implement the road standards and as needed to stay current with changing design and construction technology and methods.

SECTION 70. Ordinance 8041, Section 3, as amended, and K.C.C. 14.42.020 are each hereby repealed.

SECTION 71. Ordinance 8041, Section 4, as amended, and K.C.C. 14.42.030 are each hereby amended to read as follows:

A. The road standards approved and adopted under K.C.C. 14.42.010 apply prospectively to all newly constructed or modified road and right-of-way facilities, both public and private, within King County. The road standards apply to modifications of roadway features or existing facilities that are within the scope of reconstructions, required off-site road improvements for land developments or capital improvement projects

when so required by King County or to the extent they are expressly referred to in project plans and specifications. ~~((These))~~ The road standards are not intended to apply to resurfacing, restoration~~((;))~~ and rehabilitation projects as those terms are defined in the Washington state Department of Transportation Local Agency Guidelines Manual, as amended. The county road engineer may ~~((in his or her discretion))~~ consider the road standards as optional goals for the design and construction of resurfacing, restoration and rehabilitation projects.

B. The road standards shall apply to every ~~((new placement and every planned, nonemergency replacement of existing))~~ utility pole~~((s))~~ and other utility structure~~((s))~~ within the King County ~~((right of way))~~ right of way.

C. Construction shall be performed in accordance with the road standards and with due regard to public safety.

D. Where feasible, flow control best maintenance practices shall be applied as required in the Surface Water Design Manual.

E. The director of the department of transportation is authorized to enforce the provision of this chapter and any rules and regulations under this chapter in accordance with the enforcement and penalty provisions of K.C.C. Title 23.

SECTION 72. Ordinance 8041, Section 5, as amended, and K.C.C. 14.42.040 are each hereby amended to read as follows:

A. Any land development that impacts the service level, safety or operational efficiency of roads serving the land development or that is required by other ordinance to improve the roads shall improve those roads in accordance with ~~((these))~~ the road standards approved and adopted under K.C.C. 14.42.010. Offsite roadway improvements shall be based on an assessment of the impacts of the proposed land development by the reviewing agency.

B. Any land development abutting and impacting existing roads shall improve the frontage of those

roads in accordance with ~~((these))~~ the road standards. The extent of improvements shall be based on an assessment of the impacts of the proposed land development by the reviewing agency.

C. Any land development that contains internal roads shall construct or improve those roadways in accordance with ~~((these))~~ the road standards, unless otherwise specified in K.C.C. Title 21A.

D. For commercial developments, ~~((these))~~ the road standards shall apply unless otherwise determined by the development ~~((review))~~ engineer or as specified by K.C.C. Title 21A. ~~((These))~~ The road standards shall apply to commercial developments with public or dedicated rights-of-way or easements, unless otherwise determined by the development ~~((review))~~ engineer.

SECTION 73. Ordinance 8041, Section 6, as amended, and K.C.C. 14.42.050 are each hereby repealed.

SECTION 74. Ordinance 8041, Section 7, as amended, and K.C.C. 14.42.060 are each hereby amended to read as follows:

A. A road variance, approved by the county road engineer, is required for any design or construction deviation from ~~((these))~~ the road standards approved and adopted under K.C.C. 14.42.010. Detailed procedures for applicants requesting variances and appealing variance decisions are contained within a public rule that is available from the county road engineer or the reviewing agency.

B. Any variances from ~~((these))~~ the road standards may be granted by the county road engineer upon evidence that the variance is in the public interest and that requirements for safety, function, fire protection, transit needs, appearance and maintainability are fully met, based upon sound engineering and technical judgment.

C. Variance requests for subdivisions should be proposed at the preliminary plat stage and prior to any public hearing. All known variances must be approved prior to approval of the engineering plans for construction. It is the responsibility of the county road engineer to interpret the road standards. Any anticipated variances from these road standards that do not meet K.C.C. Title 17 shall also require concurrence by the fire marshal.

SECTION 75. Ordinance 8041, Section 8, as amended, and K.C.C. 14.42.070 are each hereby repealed.

SECTION 76. Ordinance 15753, Section 10, and K.C.C. 14.42.075 are each hereby amended to read as follows:

At the discretion of the county road engineer or development ~~((review))~~ engineer, any significant errors or omissions in the approved plans or information used as a basis for the approvals may constitute grounds for withdrawal of the approvals or stoppage of any or all permitted work, or both. It shall be the responsibility of the applicant, developer or contractor to show cause why the work should continue and to make such changes in plans that may be required by the county road engineer or development ~~((review))~~ engineer before the plans are reapproved.

SECTION 77. Ordinance 13734, Section 4 and K.C.C. 14.45.020 are each hereby repealed.

SECTION 78. Ordinance 1503, Section 1, as amended, and K.C.C. 14.48.010 are each hereby amended to read as follows:

The director of the road services division may identify and designate as snow emergency routes ~~((€))c~~ertain arterials and school bus routes in ~~((King))~~ the ~~((€))~~county.~~((, to be identified and so designated by the director of transportation, are declared snow emergency routes)).~~ ~~((Such))~~ The snow emergency routes shall be the first roads to be either sanded ~~((and/))~~ or cleared of snow, when weather safely allows.

SECTION 79. Ordinance 1503, Section 2, as amended, and K.C.C. 14.48.020 are each hereby amended to read as follows:

The director of ~~((transportation))~~ the road services division shall ~~((issue a news bulletin to all newspapers of general circulation serving King County,))~~ publish on the road services division website a listing of all ~~((such))~~ snow emergency routes in the ~~((King-€))~~county ~~((R))~~road ~~((S))~~system. ~~((Such))~~ The listing of snow emergency routes shall be ~~((prepared and a news bulletin issued within two weeks of January 29, 1973, and thereafter annually, prior to))~~ published before the second Monday in November in order to assist schools, emergency responders and others during inclement weather.

SECTION 80. Ordinance 1503, Section 3, as amended, and K.C.C. 14.48.030 are each hereby repealed.

SECTION 81. Ordinance 1503, Section 4, as amended, and K.C.C. 14.48.040 are each hereby amended to read as follows:

The director of ~~((transportation))~~ the road services division shall coordinate ~~((King County))~~ snow removal activities with federal, state, county and local jurisdictions located within or adjacent to King County for the purpose of continuity in clearing snow emergency routes.

SECTION 82. Ordinance 3027, Section 1, and K.C.C. 14.52.010 are each hereby repealed.

SECTION 83. Ordinance 3027, Section 2, as amended, and K.C.C. 14.52.020 are each hereby amended to read as follows:

A. Whenever a portion of any ~~((street or))~~ county road ~~((, including any boulevard, avenue, lane or place,))~~ is improved by a sidewalk ~~((thereon,))~~ and the sidewalk ~~((shall have))~~ has become unfit or unsafe for public travel, the ~~((department of transportation))~~ county road engineer may determine that the repair of that portion of sidewalk is necessary for the public safety and convenience.

B. ~~((If †))~~ The ~~((department does so find, the duty, burden and))~~ shall investigate the cause of the damage to the sidewalk. If the county road engineer determines the damage resulted from the actions of the abutting property owner or resulted from an instrumentality located on the abutting property, the county road engineer shall notify the abutting property owner that the expense of repair shall be the responsibility of the abutting property owner ~~((; provided))~~, except that the abutting property owner ~~((shall not be charged with))~~ is not responsible for any costs of repair in excess of twenty-five percent of the valuation of the abutting property, exclusive of improvements.

C. The notice required by subsection B. of this section should include an estimate of the cost of the sidewalk repair, a description of reasons that the county will be seeking to recover its repair costs from the abutting property owner and the maximum amount of repair costs the county will seek to recover from the abutting property owner. The notice may be delivered in person to the property owner, to the resident of the

property or by mail to the last known address of the owner. If the owner is unknown, a copy of the notice shall be posted in a conspicuous place on the portion of the road where the improvements are to be made.

D. After the county repairs or reconstructs the sidewalk segment, the county shall send a request to the abutting property owner for payment of the repair costs assessable against the property owner. If the abutting property owner does not remit the required payment for the repair costs within sixty days, the county shall assess the cost of the repairs assessable against the abutting property owner, which shall become a lien against the property if not paid.

SECTION 84. Ordinance 3027, Section 3, and K.C.C. 14.52.030 are each hereby repealed.

SECTION 85. Ordinance 32027, Section 4, and K.C.C. 14.52.040 are each hereby amended to read as follows:

~~.(Maintenance of planting strips including trees, shrubbery, grass or other ground cover shall be the responsibility of the abutting property owner. Should the director of transportation))~~ A. A person shall not place trees, shrubbery, structures or other objects in planting strips located within the right of way of any county road, unless authorized by a variance issued by the county road engineer.

B. A person owning property abutting county road right of way shall not allow trees, shrubbery, structures or other objects on the owner's property to retard the ability of the driving public to have adequate visibility of pedestrians, other vehicles using, entering or exiting the county road or block the visibility of county road signs and signals.

C. If the county road engineer finds that ((such)) the property abutting a county road is not being properly maintained as required in subsection B. of this section, a notice shall be ((forwarded)) sent to the property owner as provided in K.C.C. ((14.52.030)) 14.52.020, specifying a reasonable time within which ((such)) the maintenance shall be accomplished.

D. If the owner fails to ((proceed)) carry out the maintenance within the period in the notice, the department of transportation ((will have the maintenance performed, and the cost will be assessed against the

~~property owner as provided in K.C.C. 14.52.030)) shall seek all remedies, including, but not limited to, legal relief in equity or law.~~

SECTION 86. The following are each hereby repealed:

- A. Ordinance 3027, Section 5, as amended, and K.C.C. 14.52.050; and
- B. Ordinance 3027, Section 6, and K.C.C. 14.52.060.

SECTION 87. Ordinance 3027, Section 7, and K.C.C. 14.52.070 are each hereby amended to read as follows:

A ~~((R))resident((s))~~ whose property is substantially higher or lower in elevation than the ~~((street)) road~~ and who does not have ((street)) road access from one or more sides of ((their)) the resident's property may apply for an exemption from ((the provisions of Sections)) K.C.C. 14.52.040 ((and 14.52.050 of this chapter)). Exemptions may be granted by the county road engineer based upon standards ((which) that shall be established by the department of transportation.

SECTION 88. The following are each hereby repealed:

- A. Ordinance 11617, Section 3, as amended, and K.C.C. 14.65.010;
- B. Ordinance 11617, Section 4, as amended, and K.C.C. 14.65.020;
- C. Ordinance 11617, Section 64, as amended, and K.C.C. 14.65.025;
- D. Ordinance 11617, Section 5, as amended, and K.C.C. 14.65.030;
- E. Ordinance 11617, Section 6, as amended, and K.C.C. 14.65.040;

- F. Ordinance 11617, Section 35, and K.C.C. 14.75.010;
- G. Ordinance 11617, Sections 36 through 41, and K.C.C. 14.75.020;
- H. Ordinance 11617, Section 42, and K.C.C. 14.75.030;
- I. Ordinance 11617, Section 43 and Attachment B, as amended, and K.C.C. 14.75.040;
- J. Ordinance 11617, Section 44, as amended, and K.C.C. 14.75.050;

- K. Ordinance 11617, Section 45, and K.C.C. 14.75.060;
- L. Ordinance 11617, Section 46, as amended, and K.C.C. 14.75.070;
- M. Ordinance 17190, Section 5, as amended, and K.C.C. 14.75.075;
- N. Ordinance 11617, Section 47, as amended, and K.C.C. 14.75.080;
- O. Ordinance 11617, Section 48, as amended, and K.C.C. 14.75.090;
- P. Ordinance 11617, Section 49, as amended, and K.C.C. 14.75.100;
- Q. Ordinance 11617, Section 50, as amended, and K.C.C. 14.75.110;
- R. Ordinance 11617, Section 51, and K.C.C. 14.75.120;
- S. Ordinance 11617, Section 52, and K.C.C. 14.75.130;
- T. Ordinance 11617, Section 53, and K.C.C. 14.75.140;
- U. Ordinance 11617, Section 54, as amended, and K.C.C. 14.75.150; and
- V. Ordinance 11617, Section 55, and K.C.C. 14.75.160.

SECTION 89. Ordinance 11617, Section 57, and K.C.C. 14.80.010 are each hereby amended to read as follows:

A. This chapter is enacted (~~(pursuant to)~~) in accordance with the ~~((S))~~state Environmental Policy Act, K.C.C. chapter 20.44, (~~(and RCW)~~) chapter 58.17 RCW (~~((and))~~), the King County Charter as a home rule county(~~(,))~~) and Article 11, (~~((§))~~) Section 11 of the Washington ~~((S))~~state Constitution.

B. The purpose of this chapter is to:

1. Assure adequate levels of service, safety(~~(,))~~) and operating efficiency on the King County road system, at intersections serving and directly impacted by proposed new development;
 2. Establish standards for intersection operation and define the relationship between new developments on road intersection function;
 3. Identify development conditions to assure intersection capacity, safety and operational efficiency;
- and

4. Require that owners of new developments pay the proportionate costs of required intersection improvements.

SECTION 90. Ordinance 11617, Sections 58 and 59, and K.C.C. 14.80.020 are each hereby repealed.

SECTION 91. Ordinance 11617, Section 60, and K.C.C. 14.80.030 are each hereby amended to read as follows:

A. For the purposes of ~~((SEPA))~~ the state Environmental Policy Act and this ~~((chapter))~~ section, a significant adverse impact is defined as any traffic condition directly caused by proposed development that would reasonably result in one or more of the following conditions at the time any part of the development is completed and able to generate traffic:

~~((A-))~~ 1. A roadway intersection that provides access to a proposed development, ~~((and))~~ that will function at a level of service worse than "E"~~((s))~~ and that will carry thirty ~~((30))~~ or more added vehicles in any one-hour period as a direct impact of the proposed development, and that will be impacted by at least twenty ~~((20))~~ percent of the new traffic generated from the proposed development in that same one-hour period; or

~~((B-))~~ 2. A roadway intersection or approach lane where the ~~((director))~~ county road engineer determines that a hazard to safety could reasonably result.

B. The intersection standard for all intersections shall be "E" and calculated according to the most current version of the Highway Capacity Manual produced by the Transportation Research Board of the National Research Council.

SECTION 92. Ordinance 11617, Section 61, and K.C.C. 14.80.040 are each hereby amended to read as follows:

A. Based on the identification of ~~((I))~~ intersection ~~((S))~~ standards being exceeded using analytical techniques and information acceptable to the director of the department of transportation, the owner of a proposed development shall be required to provide improvements ~~((which))~~ that bring the intersection into

compliance with ~~((IS))~~ intersection standards, or that return ~~((it))~~ the intersection to its ~~((pre-project))~~ preproject condition, as may be required by the director. Approval to construct the proposed development shall not be granted until the owner has agreed to build or pay fair and equitable costs to build the improvements required by the director within the time schedule set by the director.

B. At the discretion of the director, and based on technical information regarding traffic conditions and expected traffic impacts, the county may require that the owner of a proposed development pay the full costs of required ~~((IS))~~ intersection standards improvements required under this title.

C. Administrative fees shall not be charged for intersection standards review, but the owner of a proposed development is responsible for the costs of any traffic study needed to determine traffic impacts and mitigation measures at intersections, as determined by the road services division.

SECTION 93. Ordinance 11617, Section 62, and K.C.C. 14.80.050 are each hereby amended to read as follows:

A. Nothing in this section shall prevent the county from entering into agreements with the ~~((WSDOT))~~ Washington state Department of Transportation or other local jurisdictions for the collection of fees and the mitigation of traffic on state highways or city arterials that may be caused by developments proposed in King County. The level of service standards used in such agreements shall be those of the county, the ~~((WSDOT,))~~ Washington state Department of Transportation or the local jurisdiction, or some combination of them, as provided in the agreement.

B. Nothing in this section shall prevent the continuation, modification~~((,))~~ or fulfillment of existing county agreements with the ~~((WSDOT))~~ Washington state Department of Transportation and local jurisdictions that were in force ~~((at))~~ January 9, 1995.

SECTION 94. Ordinance 11617, Section 63, and K.C.C. 14.80.060 are each hereby amended to read as follows:

The procedures ~~((set forth))~~ in this chapter do not limit the authority of King County to deny or to

approve with conditions the following:

A. Any zone reclassification request, based on its expected traffic impacts;

B. Any proposed development or zone reclassification if ~~((King County))~~ the department of transportation determines that a hazard to safety would result from its direct traffic impacts without roadway or intersection improvements, regardless of level of service standards; or

C. Any proposed development reviewed under the authority of the Washington ~~((S))~~state Environmental Policy Act.

SECTION 95. Ordinance 13019, Section 1 (part), and K.C.C. 14.85.010 are each hereby amended to read as follows:

~~((The King County council))~~ A. There is hereby ~~((establishes))~~ established a fee relating to the regional vector waste disposal plan. Effective January 1, 1998, all non~~((-))~~road services division entities using county-operated liquid and solid vector waste disposal facilities shall pay the ~~((service))~~ fee(s) ~~((set forth))~~ in ~~((the following schedule))~~ this section and K.C.C. 14.85.020, as recodified by this ordinance.

B. The fee shall be collected by the department of transportation road services division, which shall establish a procedure for collecting and depositing the fee in the road services division operating fund in accordance with RCW 43.09.220.

SECTION 96. K.C.C. 14.85.020 is recodified as a new section in K.C.C. chapter 4A.700.

SECTION 97. Ordinance 13019, Section 1 (part), as amended, and K.C.C. 14.85.020 are each hereby amended to read as follows:

Disposal fees for the use of county-operated regional stormwater decant facilities imposed under K.C.C. 14.85.010 shall be eighty-one dollars per entry for liquids and fifty-nine dollars per ton for solid vector waste material.

SECTION 98. The following are each hereby repealed:

A. Ordinance 13019, Section 1 (part), and K.C.C. 14.85.030; and

B. Ordinance 13019, Section 1 (part), and K.C.C. 14.85.040.