

Changes to wetland regulations

King County is changing its system for rating wetlands and its development standards for wetlands and wetland buffers in unincorporated parts of the county.

Wetlands that are on or near your property may affect where and how you can develop the property. The Washington State Growth Management Act requires us to treat wetlands and their buffers as critical areas, to protect the environment and promote public health and safety.

Wetland soils support unique, fragile, or valuable habitat. We restrict development in areas next to wetlands, called wetland buffers, in order to protect the adjacent wetlands.



Wetland rating system

King County's critical areas regulations include the wetland rating system, a standardized way to classify wetlands that's based on the best available science for evaluating a site's ability to provide habitat, water quality, and flood storage functions.

This system classifies wetlands into one of four categories, with Category I being the most sensitive to harm from development. The ratings are then used to decide what development standards to apply to each wetland, including the size of the buffer needed to protect it.

Why King County is changing its wetland rating system

In 2019, King County finished a state-required review and update of its shoreline development and wetlands regulations. Part of the reason for this was to keep county shoreline regulations in line with state laws and guidelines.

This latest update to King County's wetland regulations makes our laws consistent with other jurisdictions in western Washington and with guidance from the Washington State Department of Ecology.

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What has changed in King County laws

Wetland buffer standards in the King County Code (Chapter 21A.24) now reflect the habitat scores used in the new rating system. The greatest change is to the **wetland category and buffer tables** (King County Code 21A.24.325). “Natural heritage wetlands” are now called “wetlands of high conservation value.” Buffer calculations have been consolidated into one table for all of unincorporated King County rather than having different wetland standards for properties inside the Urban Growth Area and properties outside the Urban Growth Area. We’ve also removed the variable buffer sizes for Category I and Category II wetlands with moderate habitat scores.

The following standards have been changed to reflect both the new wetland rating system and the Department of Ecology’s guidance.

- **Revised categories of impact intensity** for adjacent land uses, used to determine buffer widths and potential buffer reductions:
 - **High impact** – Commercial, industrial, and institutional uses, non-residential uses on sites zoned for residential use, all sites in the Urban Growth Area, all residential uses on sites zoned for more than one dwelling unit per acre, and high-intensity active recreation
 - **Moderate impact** – Residential sites zoned for up to one dwelling unit per acre, residential sites in the rural area, agriculture, commercial agriculture without an approved farm management plan, utility corridors shared by several utilities, and moderate-intensity recreation
 - **Low impact** – Passive recreation, forestry, and commercial agricultural uses with an approved farm management plan, and utility corridors with no roads or little vegetation maintenance
- **Buffer reduction during buffer averaging is now limited to a maximum width of reduction**, and there are new requirements for protecting and prioritizing averaged areas.
- **Buffer reduction options have been established for high-impact sites.** Sites that also have high or moderate habitat scores may have their buffer widths reduced to the moderate impact level if minimization measures are taken AND a 100-foot vegetated corridor is provided. High-impact sites with low habitat scores may have their buffer widths reduced to those of moderate-impact sites if minimization measures are taken.

Continued

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When the changes take effect

New development proposals on properties that have not vested¹ to previous regulations will need to follow the new regulations starting on the dates below:

- December 26, 2019 for wetlands outside of the shoreline jurisdiction
- February 14, 2020 for wetlands within the shoreline jurisdiction

Critical Areas Designation

A Critical Areas Designation (CAD) provides a property owner with confirmation of approximate locations of critical areas and the associated buffers on all or part of a parcel including classification of any wetlands. They are required for development proposals where an on-site sewage disposal system and/or drinking water well are proposed. They may also be used to determine the presence of critical areas as part of a real estate transaction, development planning, or in preparation for subdividing or altering parcel boundaries. When completed, the CAD including a site map is documented and provided to the applicant. King County Permitting will honor the CAD for a period of five years from the date issued with the following limitations:

- **The new wetland rating system** will be used for CADs applied for or issued on or after December 26, 2019 for sites outside the shoreline jurisdiction, or those CADs applied for or issued on or after February 14, 2020 for sites within the shoreline jurisdiction.
- **The old rating system** will be used for CADs approved before December 26, 2019 for sites outside the shoreline jurisdiction, or those CADs applied for or issued before February 14, 2020 within the shoreline jurisdiction.
- CADs approved using the old rating system cannot be extended beyond five years from their date of issuance.
- CADs outside the shoreline jurisdiction with an application date before December 26, 2019 that are still in review as of December 26, 2019, or CADs within shoreline jurisdiction with an application date before February 14, 2020 and that are still in review as of February 14, 2020, require use of the new rating system.
- Additional wetlands and/or wetland buffers not included in an approved CAD issued under the old rating system (either because they are discovered during a later permit application review or because they are outside the CAD's evaluation area), will be subject to the new wetland rating system. All non-wetland and non-vested elements of a development proposal will be required to meet current applicable regulations.

¹ A development proposal is vested when a **complete development permit application is received** before the effective date of the new regulations.

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Learn more

Washington State Department of Ecology

- [Washington State Wetland Rating System for Western Washington](https://fortress.wa.gov/ecy/publications/documents/1406029.pdf) (2014 update)
<https://fortress.wa.gov/ecy/publications/documents/1406029.pdf>
- [Wetland Guidance for Critical Areas Ordinance Updates, Western Washington version](https://fortress.wa.gov/ecy/publications/documents/1606001.pdf) (June 2016)
<https://fortress.wa.gov/ecy/publications/documents/1606001.pdf>

King County

- [2019 Shoreline Master Plan and Critical Areas Ordinance Update \(Ordinance 19034\)](https://mkcclegisearch.kingcounty.gov/View.ashx?M=F&ID=7966061&GUID=69AF22E1-74F8-4A42-B684-745128829B4E)
<https://mkcclegisearch.kingcounty.gov/View.ashx?M=F&ID=7966061&GUID=69AF22E1-74F8-4A42-B684-745128829B4E>
- [King County Code Title 21A](https://www.kingcounty.gov/council/legislation/kc_code/24_30_Title_21A.aspx)
https://www.kingcounty.gov/council/legislation/kc_code/24_30_Title_21A.aspx
- Critical Areas Designation [information](#)
- Critical Areas Designation application available on MyBuildingPermit.com

Contact us

For more information about wetland regulations in unincorporated King County, contact the Department of Local Services, Permitting Division at 206-296-6600 or email DPERWebInquiries@KingCounty.gov.

[Permit Center hours and location](#)

