

Text in black is as proposed in 3/8 draft. Strikeout/underline are proposed revisions to provide clarity of intent and reorganization.

3. UGA Alternative Buffer Widths. In limited circumstances within Urban Growth Areas (UGAs) as described in ~~this subsections (a) and (b) below~~, the UGA A alternative B buffer W widths in Table 19.300.315(A) may be used as the ~~starting~~ standard buffer width for the proposed development, ~~without first having to undergo a formal buffer reduction process as described in subsection 19.300.315(A)(4) below. In these cases, any necessary buffer decreases will use the alternative buffer width as the starting, standard buffer width.~~ The use of UGA Alternative Buffer Widths will ~~not only~~ be allowed in conjunction without a Habitat Management Plan (HMP) that meets the requirements of KCC 19.700.720 and demonstrates from a qualified habitat biologist proving that all of the applicable conditions in this subsection below are met. In these limited circumstances, any additional necessary buffer decreases will use the alternative buffer width as the standard buffer width:

a. ~~For New~~ multi-family and redevelopment for multi-family, commercial or institutional activities. The UGA Alternative Buffer Width may be utilized for new multi-family development or redevelopment for multi-family, commercial or institutional activities when all of the following are met: ~~restoration or redevelopment within Urban Growth Areas, the Alternative Buffer Widths may be utilized when:~~

- ~~i.~~ The existing buffer has function-limited vegetation or predominantly invasive vegetation;
- ~~ii.~~ The proposal provides a HMP which demonstrates greater riparian function will be provided than currently exists;
- ~~iii.~~ ii. The proposal will not significantly increase the threat of erosion, flooding, slope stability or other hazards on the site or on adjacent properties; and
- ~~iii.~~ Existing development within the UGA Alternative Buffer is legally established ;and The current buffer conditions are not the result of a willful code violation.
- ~~iv.~~ The proposal complies with all other local and state regulations.

If utilizing a previously developed site, the exemption criteria provided in Section 19.100.125(D) and standards for existing development in Section 19.100.130(A)(2) shall apply, such that no new development activity may further intrude into the UGA Alternative Buffer Width or critical area.

b. ~~For use of the Alternative Buffer Widths, Ecosystem~~ restoration projects. Ecosystem restoration projects are those actions that manipulate the physical, chemical or biological characteristics of a site with the goal of returning natural or historic functions. Restoration requires more than vegetative buffer enhancement and can include, but is not limited to, daylighting of a piped stream, re-meandering of a channelized stream, or re-establishment of a habitat corridor through removal of existing barriers. The Director shall determine, in consultation with affected agencies and tribes as necessary, whether a restoration project will qualify for the Alternative Buffer Width. The use of the UGA Alternative Buffer Width may be in conjunction with any use allowed in the zone.

- ~~c. For use of the Alternative Buffer widths, redevelopment projects are limited to changes in uses or replacement of structures that:~~
- ~~i. Result in no increases in impervious surface within the Alternative Buffer width;~~
  - ~~ii. Result in no new structures closer to the critical area than existing structures; and~~
  - ~~iii. Meet the Flood Hazard Area development standards in Title 15 KCC.~~