

Critical Areas Ordinance

2015 Periodic Update

Introduction – May 21, 2015



What are critical areas?



Critical Aquifer
Recharge Areas

Landslide Hazards

Erosion Hazards

Seismic Hazards

Flood Hazards



What are critical areas?



Streams



Fish and Wildlife Habitat



Wetlands

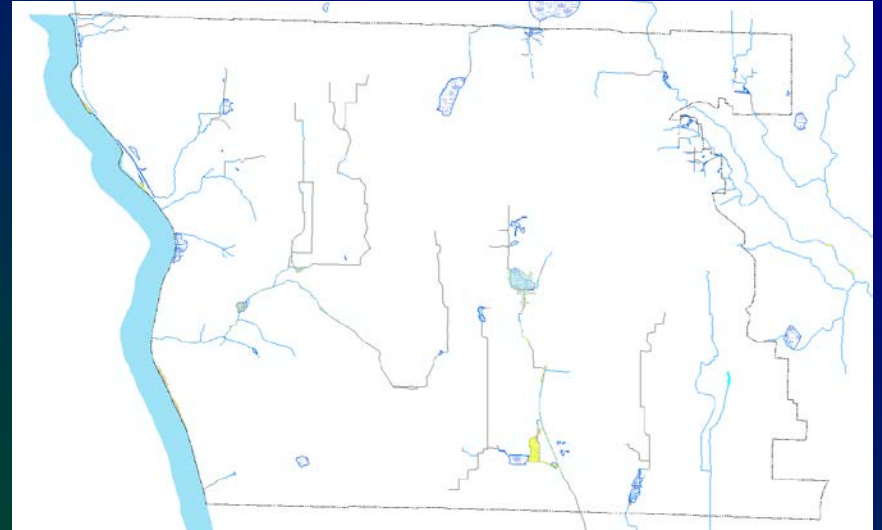


Where are critical areas?

Landslide Hazards



Streams, Wetlands, Flood



maps.shorelinewa.gov



Why regulate?

SAFETY



PROPERTY
VALUE



HABITAT

CLEAN AIR &
WATER

BEAUTY



FUTURE

...for the benefit and protection of our residents

- To protect the public health, safety, and welfare
- To allow for reasonable uses
- To maintain beneficial functions and values of critical areas such as:
 - water quality protection
 - fish and wildlife habitat
 - flooding reduction
 - erosion control
 - recreation
 - natural beauty
 - air quality protection
- To reduce cumulative adverse impacts
- and because the State Growth Management Act (GMA) requires it.

Structure of Critical Area Regulations

General Provisions – apply to all types of critical areas

- Purpose and Applicability
- Noticing and signage
- Exemptions
- Critical Area reports
- Qualified Professionals

CRITICAL AREA NOTICE
GRANTOR: **OWNER NAME(S)**
GRANTEE: CITY OF SHORELINE

Tax Parcel ID#: **000000-0000**
Address: **STREET ADDRESS, SHORELINE, WA**
Legal Description: **LOT X BLOCK X OF ??? PLAT ETC**

This property contains critical areas and/or critical area buffers, as defined in the City of Shoreline Municipal Code (SMC). The provisions of SMC Chapter 20.80 (and/or any successor regulations adopted by the City of Shoreline) apply to this property. Limitations may exist on actions in or affecting the critical areas or their buffers present on this property. For further information, please contact the City of Shoreline, Department of Planning and Development, 10000 1st Avenue, Shoreline, WA 98148. This notice shall run with the property and shall be subject to the written authorization by the City of



SEPA Not REQUIRED
except on lands
covered by water =
projects in Wetlands
and Streams



Structure of Critical Area Regulations

Critical Area – Specific

- Classify sensitivity or risk of critical area.
- Apply restrictions or buffers for protection
- Allow for modifications with mitigation.
- Require monitoring of mitigation to ensure success.



Types of Permits

- Building Permits
- Site Development Permits
- Reasonable Use Permits
- Tree Evaluation Form

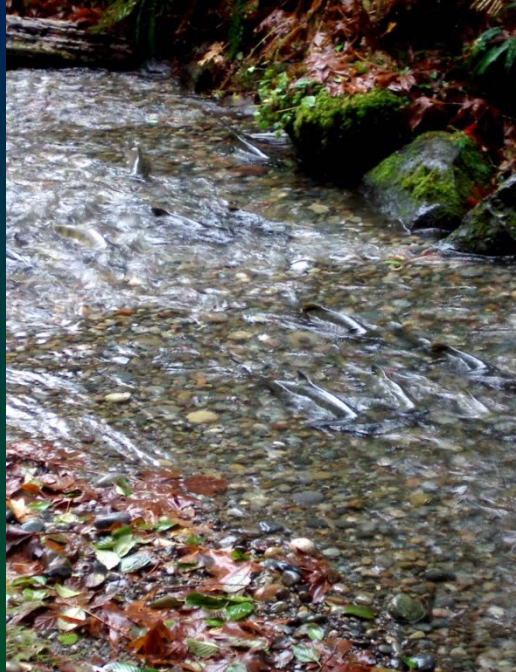
Minimum Required for Update

- Conduct meaningful public participation
- Bring standards into alignment with Best Available Science (BAS) as needed
- Meet State deadline for periodic update in order to remain eligible for state grant funding tied to GMA

Minimum Required Best Available Science (BAS)

Changes Needed:

- Geologic Hazards
- Fish and Wildlife Habitat
- Wetlands
- Streams



No BAS Changes:

- Flood Hazards (2012)
- Aquifer Recharge Areas (none in City)

Clarity and Predictability

- ✓ Add standards for critical area reports
- ✓ Clarify exemptions/allowed activities
- ✓ Improve standards for critical area review process
- ✓ Modify problematic and unclear code sections

Keep in Mind...

- Translating SCIENCE into REGULATION is not simple.
- BEST AVAILABLE SCIENCE does not address every situation or circumstance
- Must balance PRIVATE impacts with PUBLIC benefits

General Critical Area Provisions

- These provisions apply to all types of critical areas. Best practices and the State's model code adopted by neighboring jurisdictions in the region are being reviewed.
- Anticipated changes:
 - Improve general standards for critical area reports.
 - Change process for review of critical area reports and involvement of qualified third party reviewers.
 - Clarifying allowed activities and exemptions.
 - Update definitions related to critical areas.



Wetlands

- Best Available Science available from WA Department of Ecology (DOE) - synthesized in 2005 and updated in 2013.
- City adopted State recommended wetland rating system as part of the 2013 Shoreline Master Program (SMP).
- Anticipated changes:
 - Transfer wetlands regulations from SMP into Critical Areas chapter.
 - Change wetland rating standards consistent with DOE 2014 *Update of the Wetland Rating System for Western Washington*.
 - Clarify allowed activities and exemptions.

Geologic Hazard Areas

- Geotechnical engineering consultant hired to review Best Available Science (BAS) and recommend code changes.
- Anticipated changes:
 - Improve standards for critical area reports and hazards assessment.
 - Update definitions of geologic hazard types for consistency with BAS and to eliminate redundancy.
 - Clarify allowed activities and applicable exemptions.



Streams and Fish & Wildlife Habitat Conservation Areas

- Best Available Science is still being reviewed, to include the State Priority Habitat & Species Program.
- Anticipated changes:
 - Consider combining Streams with Fish & Wildlife Habitat section based on State model code provisions.
 - Update standards based on state recommendations. Including adoption of State Water Type Classification.
 - Clarify allowed activities and exemptions.
 - Improve standards for critical area reports.



Update Timeline

- **Public Participation meetings** – May 5th and 14th
- **Planning Commission** – tentative dates
 - May 21 – Introduction and Overview
 - **June 4 – Wetlands and Shoreline Master Program**
 - **June 18 – Geologic Hazard Areas**
 - July 2 – Streams and General Critical Area Provisions
 - July 16- Public Hearing and Recommendation
- **City Council review and adoption** – tentatively August to September 2015
- **Implementation** – tentatively starting September 2015



Questions or Comments?

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Information online at:
shorelinewa.gov/critical-areas

