

Planning Commission Meeting August 23, 2023



**D**|**C**|**G** WATERSHED

Image Source: https://www.outdoorproject.com/unitedstates/washington/jewett-creek-watershed

# Goals for this meeting:

Provide background of the Critical Areas Update including project history

Provide an update on upcoming steps, anticipated amendments and status

#### Why update the Critical Areas Ordinance now?

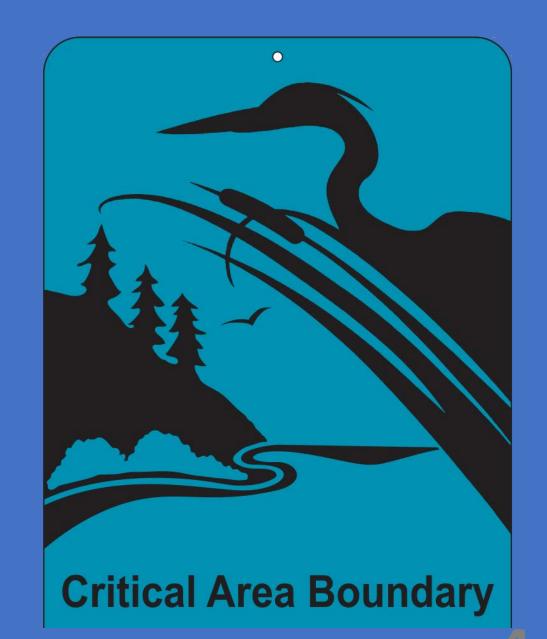
- As required by the Growth Management Act (RCW 36.70A.172) for all counties and cities to evaluate Best Available Science.
- Regular updates are required so City can remain in good standing for state funding.
- Last updated in 2012 and can now follow more closely in-step with recent Shoreline Master Program Update.
- Continues partially started work by a previous consultant in 2018.



Image Source: https://letstalk.mercergov.org/CAO/news\_feed/best-available-science

Critical Areas Defined Found within WSMC 18.10 & 15.28 1. Fish & Wildlife Habitat Conservation Areas

- Streams
- Heritage Trees
- 2. Geologically Hazardous Areas
- 3. Flood Hazard Areas
- 4. Wetlands
- 5. Critical Aquifer Recharge Areas



https://www.colegraphicsolutions.com/boundary-marker-signage/

#### **General Provisions**

- 1. Expand incidental exemptions
  - A. Maintenance of single family homes, vegetation trimming, enhancement
- Updated allowed uses section (developments that do not require critical areas review – so long as requirements are met).
- 3. Combine variance and reasonable use exception processes
  - A. final decision by hearing examiner.





#### **General Provisions**

- 1. Include a listing of available critical areas maps online.
- 2. Include more specific enforcement proceedings.
- 3. Extend reconstruction of a nonconforming structure (if damaged) to two years.
- 4. Updating mitigation sequencing language to be consistent with best available science.



Image Source: google maps



## Fish & Wildlife Habitat Areas

- 1. List Priority Habitats in lieu of specific species
- 2. Establish a new exemptions section for limited development flexibility
- 3. Move heritage tree regulations outside critical areas ordinance as these are not a state-defined critical areas



#### **Geologically Hazardous Areas**

- 1. Add WDNR map reference
- 2. Include other geologic events not otherwise defined
- 3. Allow a no practical alternative provision, so long as evaluated by stamp of a professional engineer or geologist
- 4. Establishes performance standards for erosion hazard areas
  - A. Drainage

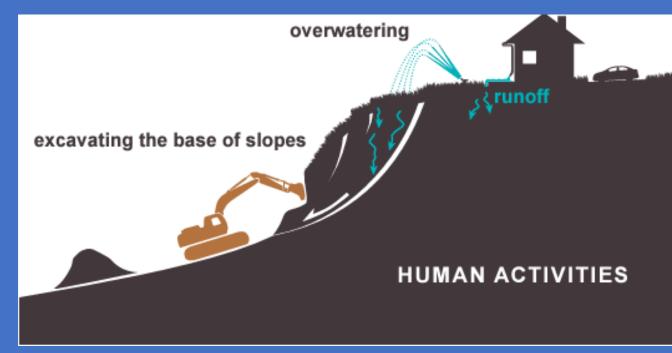


Image Source: wdnr.wa.gov



### **Frequently Flooded Areas**

- 1. Add Floodplain Habitat Assessment Endangered Species Act compliance
- 2. Minor revisions to WSMC 15.28
  - A. Floodway definition
  - B. Add special flood hazard areas

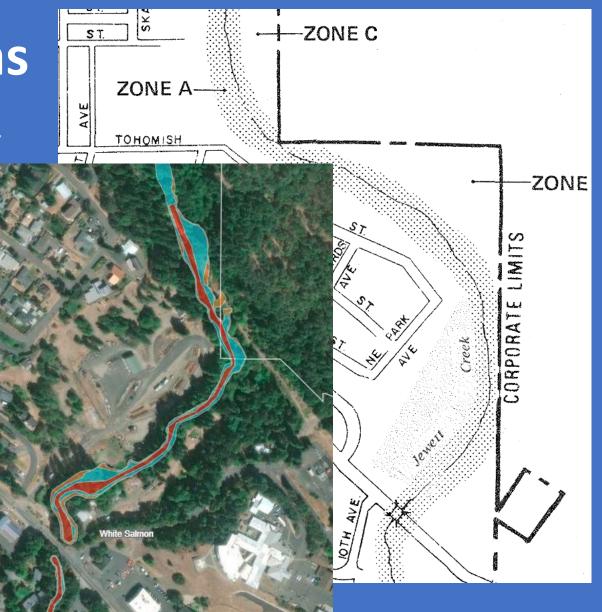


Image Source: FEMA.gov, https://map1.msc.fema.gov/firm?id=5303050005A

#### Wetlands

- 1. Add isolated buffer provision (buffers separated by public road or rail)
- 2. Update wetland buffer table shifted away from a land use intensity table
  - A. Add minimization measures
- 3. Add intrusions in buffer allowances



Image Source: https://www.mariaruthbooks.net/mariaruthbooks/2019/6/14/washingto n-lakes-lost-and-found

#### **Anticipated Timeline of Key Events**

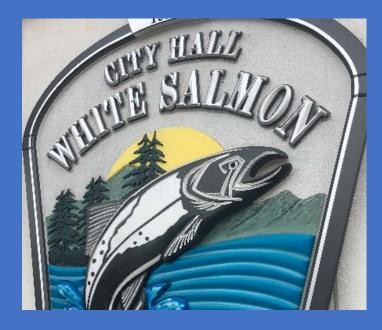
- City Planning Commission Meeting August 23, 2023
- City public comment period Late August Late September, 2023
- City public hearing September 13, 2023
- Respond to Public Comments October 2023
- Planning Commission Recommendation October 2023
- City Council adoption of the CAO Early November 2023

\*All dates are tentative



#### **Additional information**

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#### **Questions?**