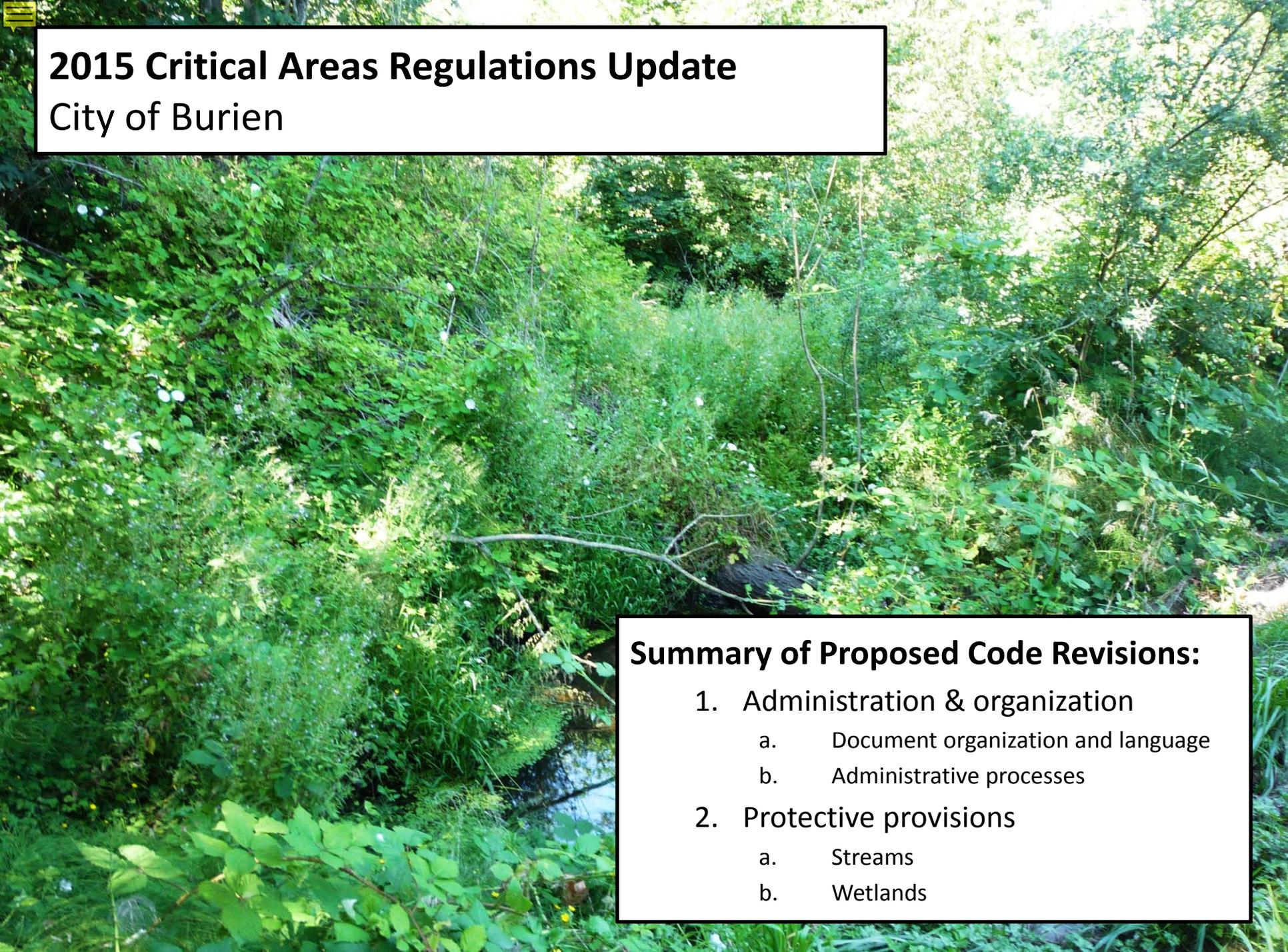




2015 Critical Areas Regulations Update
City of Burien

Planning Commission Meeting

April 22, 2015



2015 Critical Areas Regulations Update

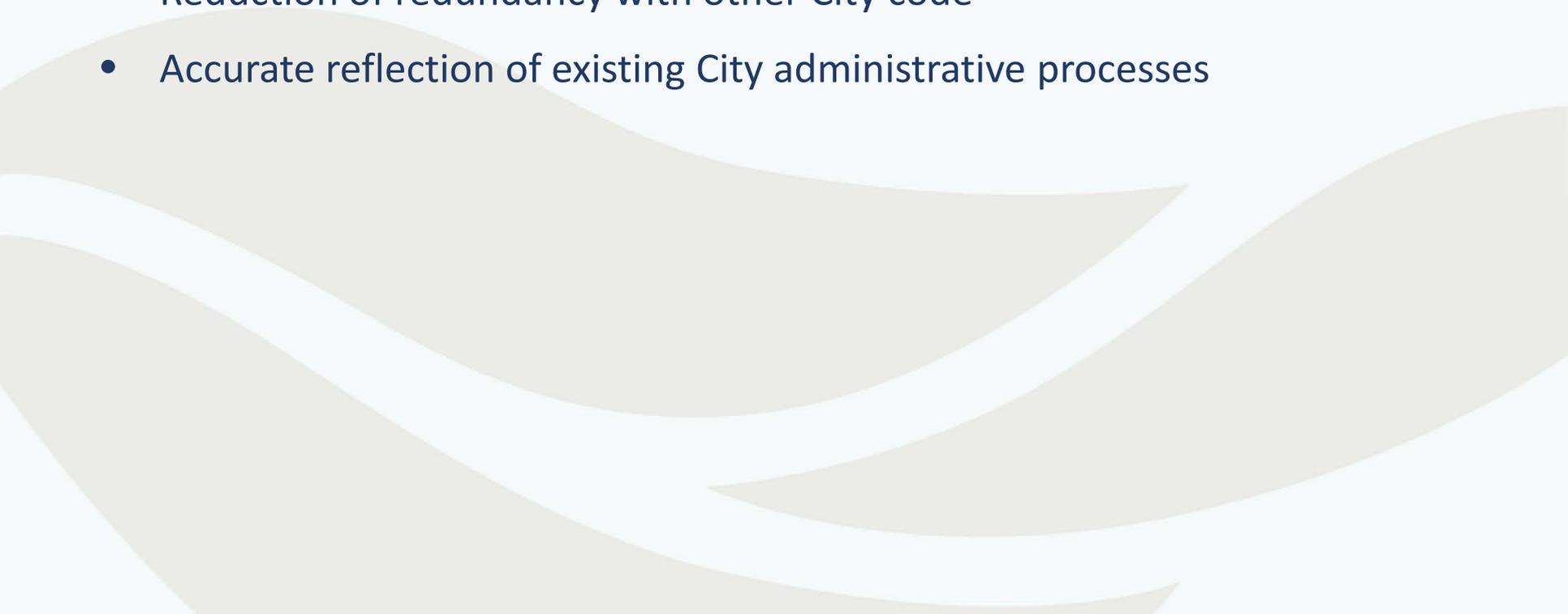
City of Burien

Summary of Proposed Code Revisions:

1. Administration & organization
 - a. Document organization and language
 - b. Administrative processes
2. Protective provisions
 - a. Streams
 - b. Wetlands

Administration & Organization

Objectives:

- Clarity and usability of document
 - Internal consistency
 - Reduction of redundancy with other City code
 - Accurate reflection of existing City administrative processes
- 



Document organization and language (*E, O*)

- Section headers (*e.g. 27*)
- Consistent terminology: “provisions,” “development standards,” “performance standards” (*e.g. 19, 65*)
- Clear critical area descriptions
 - User Guide 19.40.010 (*3*)
 - Geologically Hazardous Areas (*57*)
- Reordering of General Critical Area Requirements 19.40.160 - .230 (*20*)
- Internal references, e.g. to general requirements (*e.g. 17*)
- References to other City code
 - **Mitigation requirements**
 - **Frequently flooded areas**



Administrative processes (CA)

- Purposes and Administrative Provisions 19.40.010 - .070
 - Exemptions and exceptions (12)
- Critical Area Review, Study, Determination 19.40.090 -0.150
 - Qualified professionals (16)
- General Critical Area Requirements 19.40.160 - .230
 - **Mitigation requirements**
 - Bonds (26)
- Designation and purpose sections – individual critical areas
 - **Frequently flooded areas**
 - Streams/Fish and Wildlife Habitat Conservation Areas (99)



Mitigation requirements 19.40.170 (21, 22)

- **Existing:** Director may require mitigation, maintenance, and monitoring
- **Revised:**
 - Require mitigation of all adverse impacts
 - Follow mitigation sequence:
 - Avoid
 - Minimize
 - Rectify
 - Reduce/eliminate
 - Compensate
 - Monitor
 - Require mitigation plan, including maintenance and monitoring
 - Mitigate tree impacts per BMC 19.25 Tree Retention and Landscaping



Frequently flooded areas 19.40.240 - .260 (28 - 53)

- **Existing:**
 - Flood hazard areas with separate provisions for flood fringe, zero-rise floodway, FEMA floodway
- **Revised:**
 - Purpose is to prevent flood hazards AND protect floodplain functions and values
 - Require habitat assessment
 - Refer to BMC 15.55 Flood Damage Prevention

Protective Provisions

Objectives:

- Protection of critical area functions and values
 - Alignment with best available science → agency guidance
- 

Streams 19.40.340 - .370

- Permanent water typing system (WAC 222-16-030) *(84)*
 - **Existing:** Type 1, 2, 3, 4
 - **Revised:** Type S, F, Np, Ns
- Revised buffer table *(87)*

Existing		Revised	
Water type	Buffer (ft)	Water type	Buffer range (ft)
1	125	S	Regulated under SMP
2	100	F	100 - 165
3	50	Np	50 - 65
4	25	Ns	50 - 65

- Buffers may be reduced to 25 feet with buffer enhancement *(90, 91)*



Wetlands 19.40.300 - .330

- Revised definition and classification system (Ecology 2014) *(61 - 64)*
 - Existing:** Category 1, 2, 3, 4
 - Revised:** Category I, II, III, IV
- Revised mitigation ratios *(81)*
 - Existing:** Category 1 and 2 = 3:1 (creation or restoration to impact)
Category 3 and 4 = 2:1 (creation or restoration to impact)
 - Revised:**

Category of Impacted Wetland	Creation or Re-establishment	Rehabilitation	Enhancement
I: total score	4:1	8:1	16:1
I: mature forested	6:1	12:1	24:1
II	3:1	6:1	12:1
III	2:1	4:1	8:1
IV	1.5:1	3:1	6:1

Wetlands 19.40.300 - .330

- More explicit buffer provisions
 - Buffer reduction limited to 75% (72)
 - Limits to stormwater management facilities in buffers (74)
 - Certain alterations (outfalls, bioswales, trails) limited to outer 25% of buffer (74, 75)
- Revised buffer widths: two options (68; *wetland buffer options memo*)
 - Buffers should consider wetland category + habitat score and/or proposed land use intensity
 - Both options offer more flexibility and sensitivity to existing conditions
 - Existing buffers:

Category	Buffer (ft)
1	200
2	100
3	50
4	30



Wetland buffers: Option A (recommended)

- Ecology's most current guidance (2014)
- For small cities: Assumes moderate-to-high land use intensity
- Buffer widths + required impact-minimizing measures
 - Direct/locate lights and noise away from wetland
 - BMPs to control runoff, dust
 - Connection to offsite habitats through replanting
- **Buffer range: 40 – 225 ft**

Category	Buffer if wetland scores: (ft)			
	3-4 habitat points	5 habitat points	6-7 habitat points	8-9 habitat points
I	75	add 30	add 90	add 150
II	75	add 30	add 90	add 150
III	60	add 45	add 105	add 165
IV	40			

Wetland buffers: Option B

- Aligns with SMP wetland buffers
- Considers habitat score + land use intensity
- Most flexible + most complex
- **Buffer range: 25 - 300**

Category	Habitat Score	Land Use Intensity		
		Low	Moderate	High
I or II	8-9	150	225	300
I or II	5-7	75	110	150
I or II	3-4	50	75	100
III	5-7	75	110	150
III	3-4	40	60	80
IV	N/A	25	40	50

Wetland buffers: Considerations

Option A

- Buffers based on existing wetland conditions
- Emphasis: habitat
- Provides incentive for impact minimization measures
- Consistent with most recent Ecology guidance
- May be narrower than Option B

Option B

- Buffers based on existing wetland conditions
- Emphasis: habitat and land use
- No credit for impact minimization measures
- Consistent with SMP
- May be wider than Option A

A photograph of a lush green landscape. In the foreground, there are tall, green grasses and some white flowers. The middle ground is filled with dense green foliage and trees. The background shows a clear blue sky with a few wispy clouds. A white rectangular box with a black border is centered in the image, containing the text "Thank you for your attention!".

Thank you for your attention!