



THE CRITICAL AREAS ORDINANCE
as applied to
URBAN PROPERTIES IN UNINCORPORATED KING COUNTY

The regulations described in this fact sheet are effective as of January 1, 2005.

CRITICAL AREA PROTECTIONS

On October 25, 2004, the Metropolitan King County Council approved changes to King County regulations that protect critical areas. These regulations limit development in hazard areas, such as on steep slopes or flood zones, and protect environmentally sensitive areas, such as wetlands and streams. In environmentally sensitive areas, natural buffers are crucial for maintaining water temperature, water quality and habitat. Trees and other natural land cover keep water cool and filter pollutants, which is important for the people, animals and fish that depend on these waters. Science shows that critical areas suffer when properties adjacent to them are developed.

Wetland Categories: King County has adopted the Washington State Department of Ecology’s Wetland Rating System for Western Washington. This rating system is used to determine a wetland’s category and, in turn, the associated buffers. The rating system manual is available on line at <http://www.ecy.wa.gov/pubs/0406025.pdf>.

Wetland Buffers: The following table summarizes the range of buffer widths for specific categories of wetlands in urban unincorporated King County.

Wetland Category		Urban Buffer Widths
Category I:	Category I wetlands are those that 1) represent a unique or rare wetland type; or 2) are more sensitive to disturbance than most wetlands; or 3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or 4) provide a high level of function.	125 to 215 feet
Category II:	Category II wetlands are difficult (though not impossible) to replace and provide high levels of function.	100 to 200 feet

Wetland Category		Urban Buffer Widths
Category III:	Category III wetlands are 1) wetlands with a moderate level of function (scores between 30 - 50 points) and 2) interdunal wetlands between 0.1 and 1 acre in size. Wetlands scoring between 30-50 points generally have been disturbed in some way, and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.	75 to 125 feet
Category IV:	Category IV wetlands have the lowest level of function (scores less than 30 points) and are often heavily disturbed. These are wetlands that can be replaced and, in some cases, improved.	50 feet

King County may also increase wetland buffers by 50 feet for wetlands with high or moderate wildlife habitat scores, if the wetland is within 300 feet of a Washington Department of Fish and Wildlife (WDFW) priority habitat. The increase is not required if there is a vegetated corridor between the wetland and the priority habitat.

Conversely, the County may decrease the wetland buffer by 25 feet if the applicant takes steps to reduce the impacts of the development on the wetland. Examples include: directing lights away from the wetland, noise screens, and restoring native plants in the buffer.

Aquatic Areas and Aquatic Area Buffers: King County has adopted a new classification system for streams and other water bodies. The classification system is based on the classification adopted by the Washington State Legislature for application to forest practices. The following table summarizes the different classifications and the buffer widths for each type of aquatic area:

Aquatic Area Types <i>(Includes creeks, streams, lakes, rivers and shorelines)</i>	Urban Buffer Widths
S Waters: Aquatic areas inventoried as shorelines of the state, including segments of streams with mean annual flow greater than 20 cubic ft./second, lakes greater than 20 acres, and marine shorelines.	115 feet
F Waters: All segments of aquatic areas that are not Type S and that contain fish or fish habitat, including waters used by fish hatcheries.	115 feet
S or F Waters: Urban basins designated as "high" on the adopted basin conditions map.	165 feet

Aquatic Area Types <i>(Includes creeks, streams, lakes, rivers and shorelines)</i>	Urban Buffer Widths
N Waters: All segments of aquatic areas that are not Type S or F waters and that are physically connected by an above-ground channel system, stream or wetland to Type S or F waters.	65 feet
O Waters: All segments of aquatic areas that are not Type S, F or N and are not physically connected by an above-ground channel system, stream or wetland to type S or F waters	25 feet

Allowed Alterations: Critical area regulations generally restrict or put conditions on development adjacent to or within critical areas. Allowed uses depend on the type of critical area. Given that there are so many different situations, citizens should refer to the "allowed alterations" table within the Critical Areas Ordinance. The table defines which alterations and activities would be allowed. The table can be found in Section 137 of Ordinance 15051, a copy of which is available on line at <http://www.metrokc.gov/ddes/cao/>.

Channel Migration Zones: River channels naturally change course or migrate over time. Buildings, houses and other development located within these areas are at risk of damage or destruction. Migrating rivers are also important for fish and wildlife, particularly for salmon. The gravel and vegetation that falls into rivers as they migrate creates spawning areas and provides nutrients.

King County restricts development within the migration path of some rivers in order to protect the public health, safety and value of private property and to provide important fish habitat.

Channel migration zones are already mapped for the following King County Rivers:

- Lower Tolt;
- Lower Raging;
- Middle Green;
- Three forks of the Snoqualmie River. Mapping is underway for the following King County rivers and should be complete by December 2005:
 - Cedar
 - White
 - South Fork Skykomish

Critical Aquifer Recharge Areas: Critical aquifer recharge areas occur where surface and rain waters soak into the ground to replenish aquifers. Aquifers provide drinkable water supplies, which are often brought to the surface by wells. Critical aquifer recharge areas include sole source aquifers, and also areas around municipal wells. These water supplies are at risk from pollution and reduced water levels. Soil type and geological characteristics help determine the level of risk. Critical aquifer recharge areas are divided into three categories based on the type of soils, whether there are aquifers or well-head protection areas at risk, and whether the area is on an island. The areas are identified on a map that was adopted as part of the ordinance.

The Critical Areas Ordinance limits land uses and development activities that pose the greatest risk to critical aquifer recharge areas. For example, new hazardous liquid transmission pipelines, golf courses, cemeteries, and wrecking yards are not allowed in Category I areas. New underground storage tanks are allowed in all aquifer recharge areas only if they have appropriate protection to prevent leaks. On-site septic systems on parcels less than one acre in any critical aquifer recharge area must meet specific design standards. In Category III areas, testing is required for saltwater intrusion when new wells are installed within 200 feet of the shoreline.

Hazard Areas: King County regulates a variety of hazard areas to protect public health and safety. Hazard areas include: coal mines, erosion-prone areas, landslide-prone areas, seismic areas subject to severe risk of earthquake damage, steep slopes and volcanic hazard areas. Development is generally not prohibited in hazard areas, but may be limited to certain times of the year or to certain kinds of activities. For example, in erosion hazard areas, clearing is generally allowed only from April 1 to October 1. In seismic hazard areas, appropriate engineering studies may be required.

Wildlife Habitat Conservation Areas: State, federal and local laws and the King County Comprehensive Plan require the protection of many different animal and plant species. In the urban area, the ordinance establishes specific standards to protect the breeding sites of seven animal species (see insert). If other protected species are identified during project review, appropriate protection standards will be developed based on state and federal agency recommendations.

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| <p>Species – breeding site protection in urban areas</p> <ul style="list-style-type: none">• bald eagle• great blue heron• osprey• spotted owl• northern goshawk• peregrine falcon• marbled murrelet |
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Mitigation Requirements: Development that is permitted within a critical area or buffer may have an adverse impact on the critical area. Mitigation requirements vary depending, in part, on the critical area and whether the activity was done with a permit or done illegally. Specific mitigation standards have been adopted for aquatic areas and for wetlands.

Storm Water Controls: King County's Surface Water Design Manual provides drainage requirements for new construction and additions. Drainage review to evaluate and deal with stormwater impacts is required for proposals that add 2,000 square feet or more of impervious surface, or clear more than 7,000 square feet.

There are several types of drainage review, each with different requirements depending on the scope and size of the project and the potential for impact on the surface water system at large. Based on the results of the drainage review, flow control and water quality treatment facilities may be required. In other circumstances best management

practices, such as appropriate placement of splash blocks or appropriate location of roof downspout runoff, may be all that is required.

Most individual single-family residential projects will be covered under *Small Project Drainage Review*. This publication is written in simple easy to understand language to make this process easier. The current version of this publication is available at King County offices, and online at: <http://dnr.metrokc.gov/wlr/dss/swdmapdx.htm>.

TO LEARN MORE

To learn more, access the following Web site:

<http://www.metrokc.gov/ddes/cao>