

CRITICAL AREAS - OPTIONS FOR COUNCIL CONSIDERATION

1. * Critical Areas regulated in SMP <u>with</u> changes to Floodplain regulations in shorelines	2. Critical Areas regulated in SMP <u>without</u> changes to Floodplain regulations in shorelines
<p>Where shorelines are also wetlands (e.g. Phantom Lake), substantive and procedural shoreline regulations and Critical Areas regulations both apply, and the most restrictive standards control (generally larger setbacks of the CAO – see LUC 20.25E.065.B.2.e).</p>	<p>On Phantom Lake (where shorelines are also designated as wetlands), shoreline development regulated through substantive CAO requirements, and only the procedural requirements of SMP apply for permitting purposes (strategy to remove regulatory layer)</p>
<p>Areas of Special Flood Hazard (i.e. floodplain) – allows expansion of existing single-family homes and new single-family homes (including full replacement (i.e. teardowns) without demonstrating that Reasonable Use trigger has been met. Development is subject to performance standards and Critical Areas Land Use Permit when development is proposed within the floodplain.</p>	<p>Areas of Special Flood Hazard (i.e. floodplain) - development may occur only in a limited number of circumstances. New residential development is permitted only through the Reasonable Use provisions when there is no feasible alternative to developing within the floodplain. Implements Comprehensive Plan Policy EN-40.</p>
<p><u>Applicability:</u> All properties within shoreline jurisdiction with regulated critical areas including streams, wetlands, geologic hazard areas, habitat associated with species of local importance, areas of special flood hazard.</p>	
<p><u>When Required:</u> When new development, reconstruction, replacement or expansion is proposed</p>	
<p><u>Alternatives to Requirement:</u> Prescriptive requirements provide clear “safe harbor.” With the exception of floodplains, departure from prescriptive regulations permitted under some circumstances and with science-based analysis (Shoreline Special Report).</p>	

* Option recommended by the Planning Commission in the 2013 SMP Update