

Critical Areas Ordinance Update

Study Session

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November 12, 2025





Direction for Council Consideration:

Consider directing staff to finalize the LUCA Ordinance for action before the December 31 deadline



Agenda



Update Process



Council Initiation & Scope



Engagement Summary



Planning Commission Recommendation



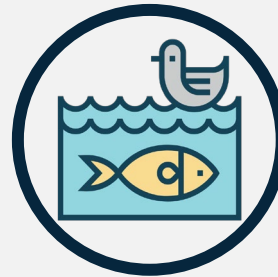
What are Critical Areas Regulations?

Growth Management Act requires designation and protection of five Critical Areas:

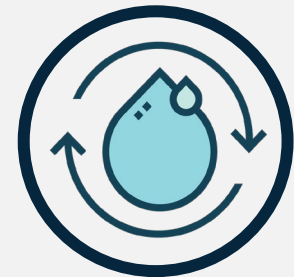
Conserve the functions of:



Wetlands

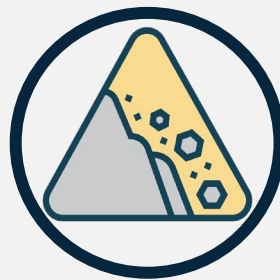


**Fish & Wildlife Habitat
Conservation Areas**



**Critical Aquifer
Recharge Areas**

Protect the public from:




Geological Hazards



Flood Hazard Areas

CAO Update Process

- 1 Policy Directive**
Periodic review of CAO required under Growth Management Act
- 2 Best Available Science**
Document scientific sources that inform CAO
- 3 Gap Analysis**
Identify regulations that need updates based on science/changes to law

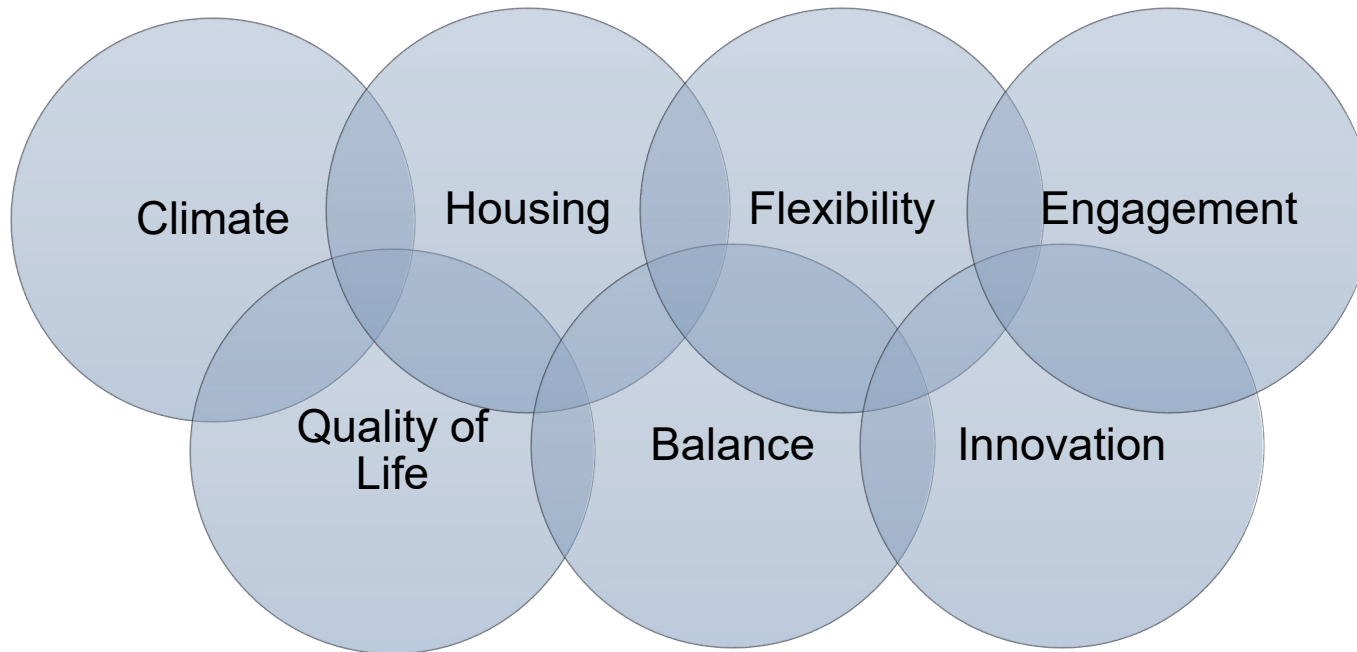


Proposed LUCA
Draft LUCA for public review

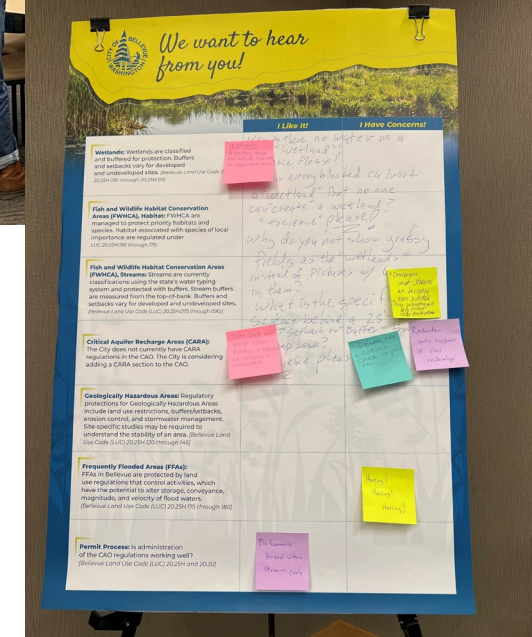
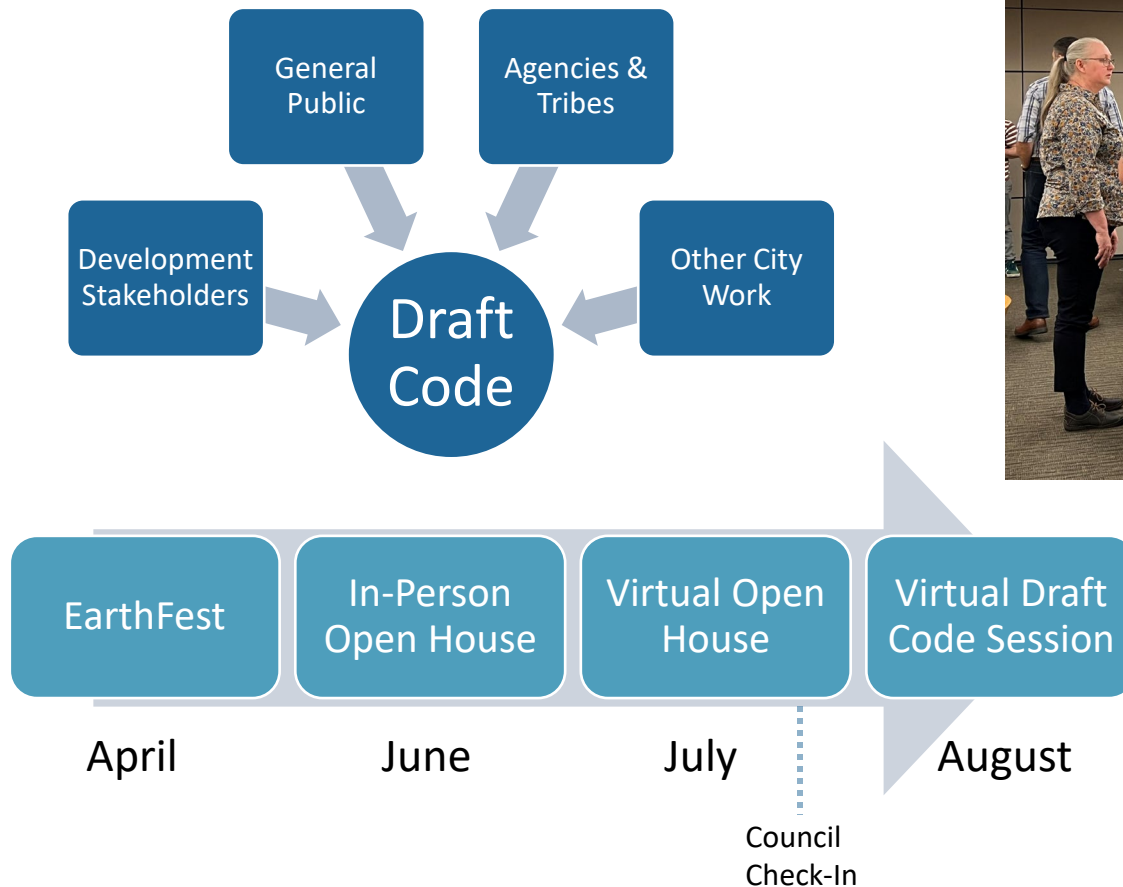


City Council Initiation

Key Themes from February 25 Initiation:



2025 Engagement Summary



Key Components

Planning Commission Recommendation



Development Flexibilities

Removes:

- Density/intensity calculation in LUC 20.25H.045
- Lot coverage reduction for parcels in the CAO
- Restriction on middle housing
- Complexity in buffer setbacks
 - Streamlined to one standard
 - Adds protrusion allowances into setback



Streams & Wetlands

Streams

- Increases to some stream buffers
- Added flexibility for degraded and piped stream segments
 - Buffer reductions
 - Buffer averaging

Wetlands

- Aligns habitat scores with state standards
- Adds mitigation timing and ratio language
- Adds pathway for potential fill of small Cat. IV wetlands



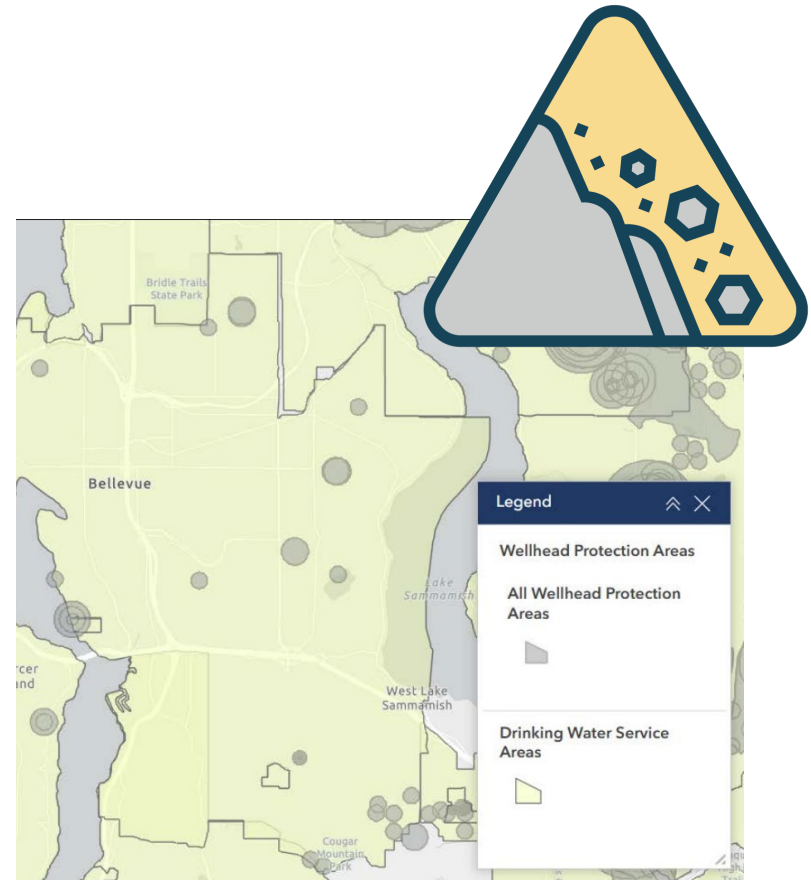
Geohazards & CARAs

Geohazards

- Manmade slope exemption
- Minor work exemption
 - Landscaping, uncovered decks, building overhangs, etc.

Critical Aquifer Recharge Areas

- New section to address wellhead protection areas
- Implements BMPs and stormwater infiltration requirements



Innovative Mitigation



Mercer Slough fish ladder

- Allows a path for innovative mitigation projects subject to certain requirements:
 - Applicant must document why alternative approach is warranted
 - Site may utilize the edge of existing improvements
 - Compensatory mitigation must be provided equal to functions and values of standard buffer
 - Mitigation must be located in watershed

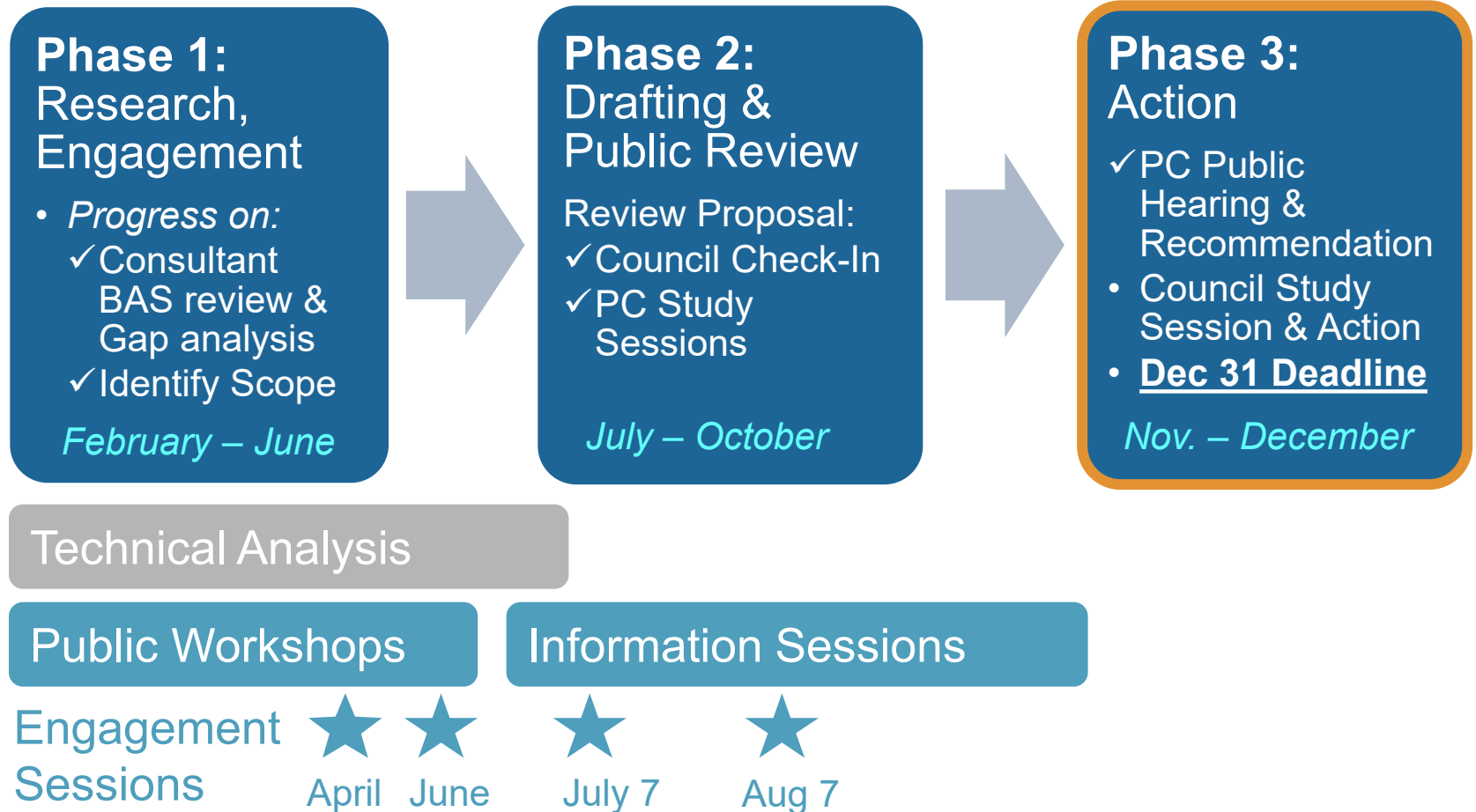
Planning Commission Recommendation



- Study Sessions on April 23 (written only), May 28, June 25, July 23, and September 24
- Public hearing and recommendation on October 22
- Recommends **adoption without modification**



Next Steps





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