



CITY OF
Vancouver
WASHINGTON

Critical Areas Ordinance

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Agenda

- Background
- Where We Are At
- Riparian Areas
- White Oak Habitat
- Wetland Buffers
- Geologic Hazard Areas
- Next Steps / Public Comment Period





Where We Are At

- Draft Ordinance of CAO ready to issue for public comment
 - Purpose of today's workshop to get comments on draft language / identify issues
- 45-day comment period to begin June 27
 - Fish and Wildlife Habitat Conservation Areas (Riparian Areas)
 - Wetland Buffers
 - White Oak Preservation
 - Geologic hazard areas



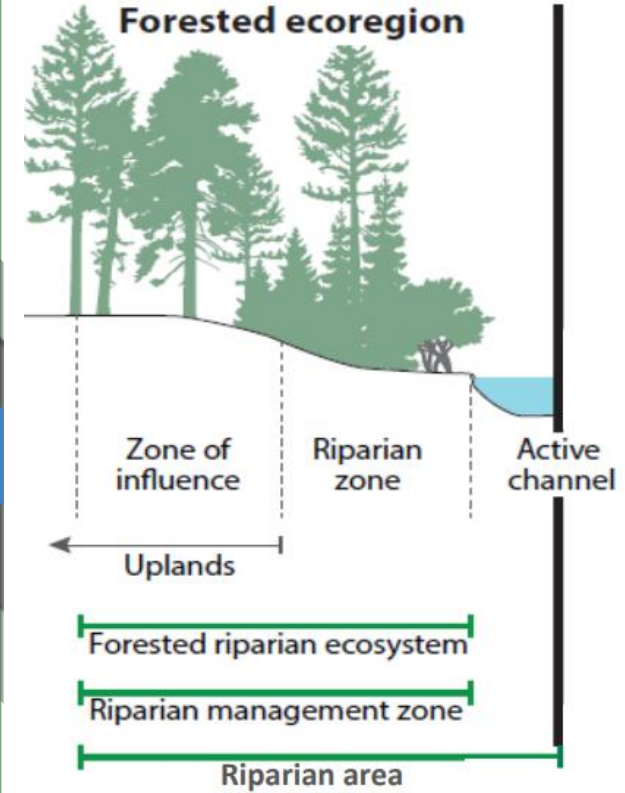
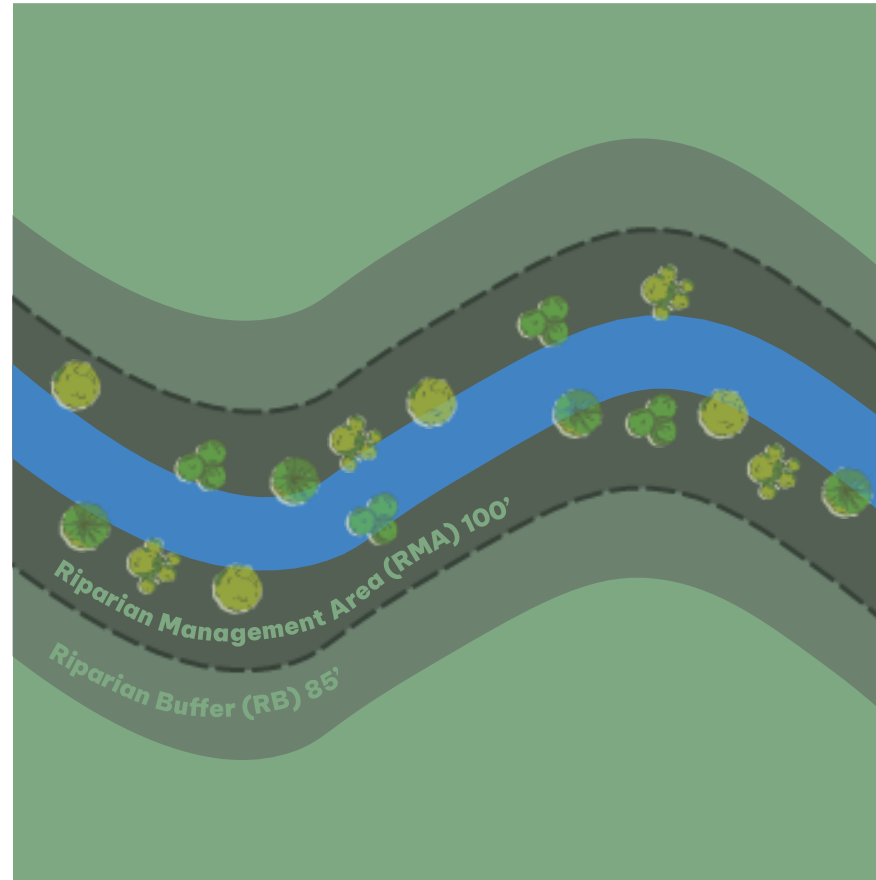
Background

- **GMA requires all Cities and Counties to designate and protect *Critical Areas using Best Available Science (BAS)* (RCW 36.70A.172)**
- **“No Net Loss of ecological functions”**
 - When impacts cannot be avoided, new activities must replace lost function and values through compensatory mitigation
- **Critical areas include:**
 - Wetlands
 - Fish and Wildlife Habitat Conservation Areas (FWHCAs)
 - Critical Aquifer Recharge Areas (CARAs)
 - Frequently Flooded Areas
 - Geologically Hazardous Areas
- **Ordinance last updated in 2019**



Riparian Areas

- Based on new Site Potential Tree Height (SPTH) Best Available Science
 - Protects downstream water quality, habitat functions of riparian areas
 - SPTH is based on the height of a mature tree
- Development restricted in:
 - Riparian Management Area (100')
 - Land adjacent to a stream or lake
 - Riparian Buffer (85')
 - Extends outwards from the edge of the RMA



White Oak Preservation

- WDFW Guidance on White Oak Habitat adopted by reference
- Mitigation sequence for no-net loss of function: avoid, minimize, compensate.
- Must comply with WDFW guidance in Critical Areas report
 - Evaluate habitat functions, provide expected protection and mitigation for impacted oaks on site.
 - Temporal mitigation (enhancement): 1:1 to 10:1
 - Permanent mitigation (replanting): 50: 1 to 250: 1
 - Must provide alternative site configurations before off-site mitigation occurs.



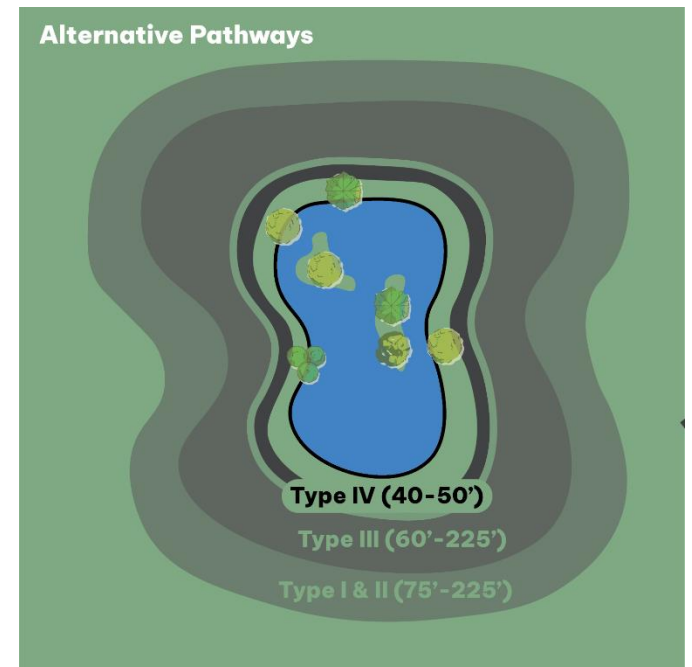
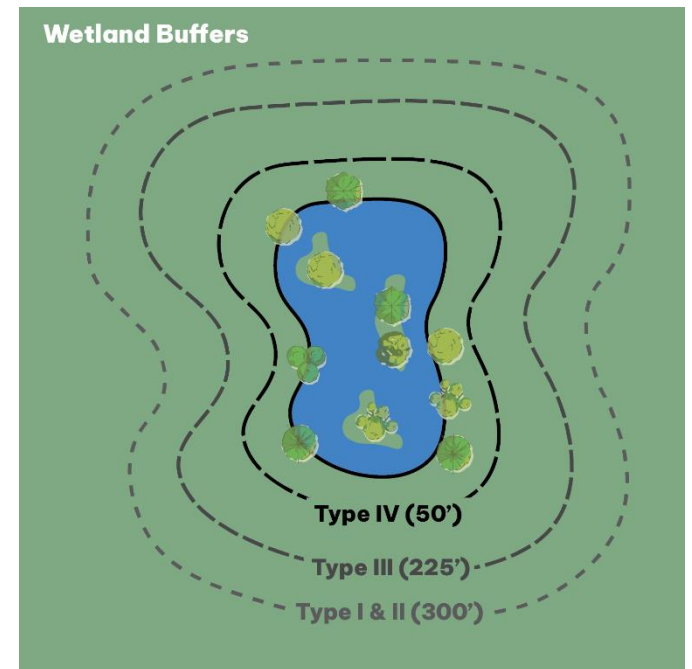
Wetlands

- Recommending most stringent buffer requirements (Ecology option 3)
- Flexibility through alternative pathways approach
 - Achieved by detailed assessment of habitat score and implementation of habitat corridor

	Option 1: Measured by Wetland Category and Habitat Score	Option 2: Measured by Wetland Category and Adjacent Land Use	Option 3: Measured by Wetland Category Only
Pros	Provides most flexibility for widths and averaging	Requires less review time, less expense for applicants	Provides the greatest protection, least review time & applicant expense.
Cons	Requires most review time for City, higher cost for applicants	Provides less specific buffering options and decreased flexibility for applicant than Option 1	Provides no options and no flexibility, more requests for variances.

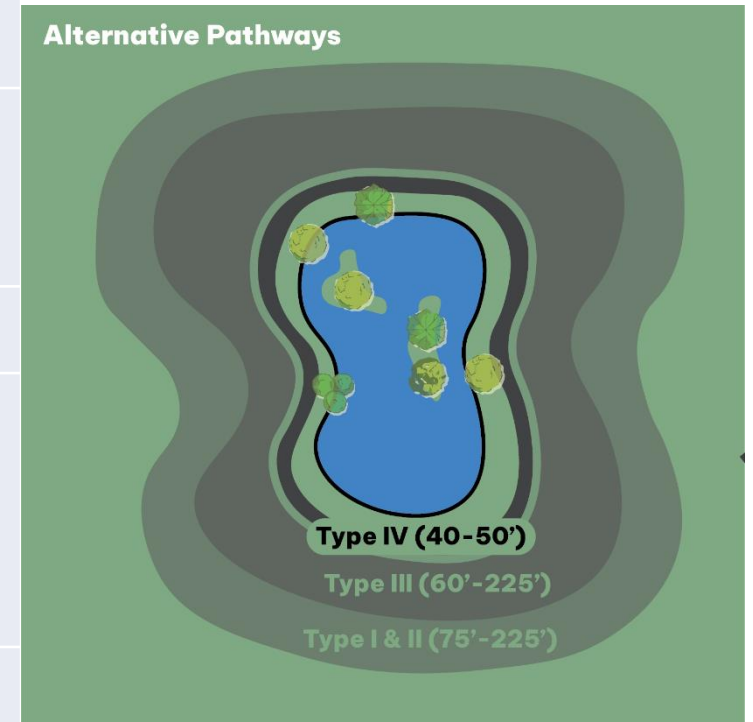
Wetland Buffers

- Buffer widths based on wetland category
 - Type I & II : (Greatest ecological function) 300'
 - Type III: (Most common): 225'
 - Type IV: (Lowest ecological function): 50'
- Option for two alternative pathways
 - Applicant must demonstrate impacts cannot be avoided through alternative site designs
 - Allows for reduction in buffer widths if applicant can demonstrate low habitat scores or provide habitat corridor as mitigation
 - Criteria for habitat corridor specified in draft code



Alternative Pathways

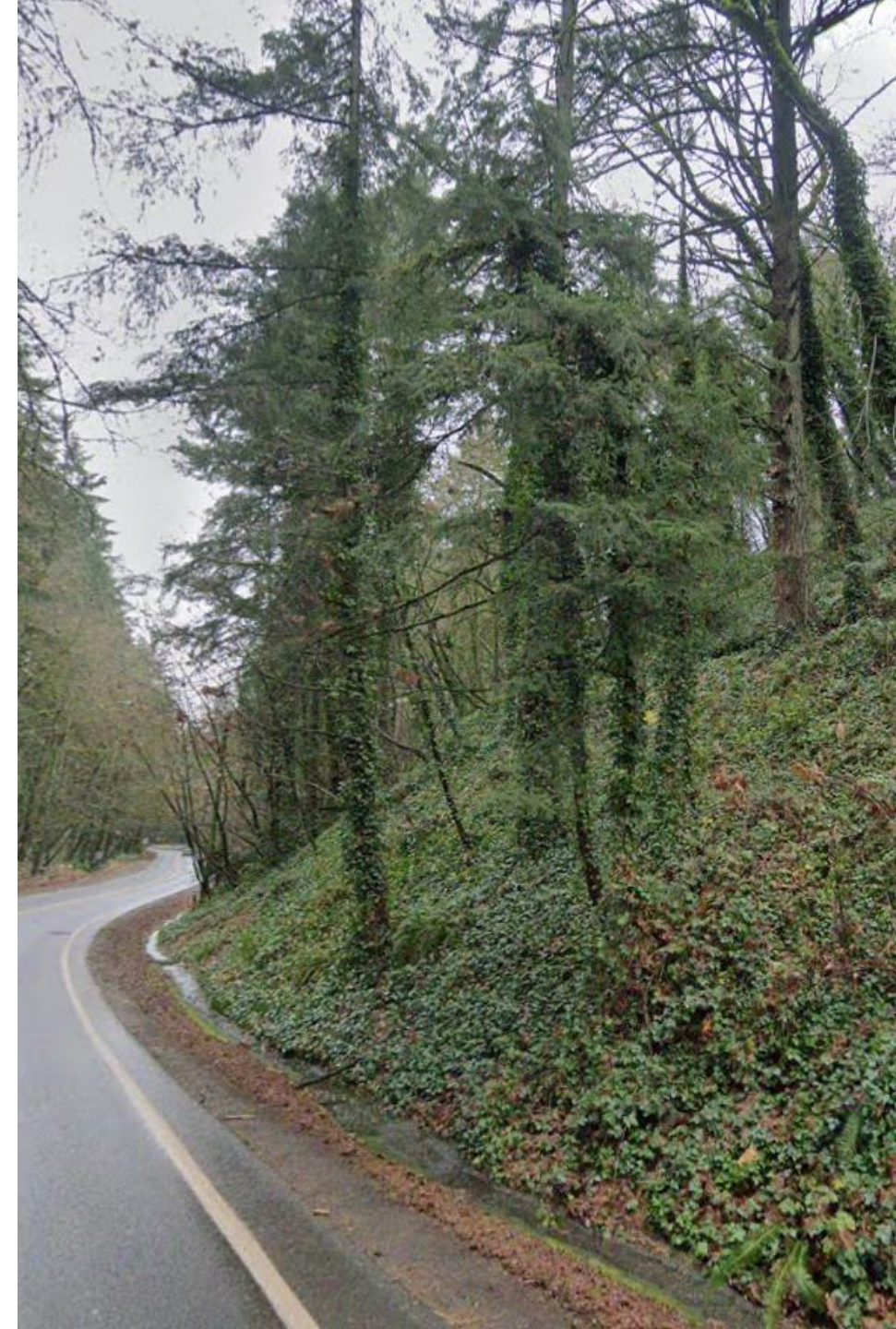
Category of Wetland	Habitat Score 3 to 5 Points	Habitat Score 6 to 7 Points	Habitat Score of 8 to 9 Points	Buffer width Based on Special Characteristics
Category I: Bogs and Wetlands of High Conservation Value	NA	NA	^a 225'	^a 190', ^b 250'
Category I: Forested	^a 75', ^b 100'	^a 110', ^b 150'	^a 225'	NA
Category I or II: Based on rating of wetland functions (and not listed above)	^a 75', ^b 100'	^a 110', ^b 150'	^a 225'	NA
Category III: All types	^a 60', ^b 80'	^a 110', ^b 150'	^a 225'	NA
Category IV: All Types	^a 40'	^a 40'	^a 40'	NA



a: with habitat corridor, b: without

Geologic Hazard Areas

- Types regulated under CAO:
 - **Landslide** - Areas susceptible to landslides due to geologic, topographic, hydrological factors
 - Now defined as greater than 15% (in some circumstances), increased from 25%.
 - Seismic
 - Liquefaction – low density soils with shallow water table
 - Ground shaking amplification
 - Fault Rupture hazard – 100' within known or USGS mapped faults
 - Erosion hazard
 - Soil erosion hazard
 - Bank erosion hazard- areas along lakes, rivers, streams susceptible to erosion
- Setback Requirements
 - **Landslide hazard:** 2 times the slope height or amount approved in Critical Areas Report (applies to top and bottom of slope)
 - **Fault rupture:** 50', or 100' when critical facilities present
 - **All others:** distance recommended in Critical Areas report by qualified geotechnical engineer.



Response to Questions from PC / CC December Work Sessions

- Accurate mapping of wetlands by category is not available
- Actual extent of wetlands and habitat areas are determined when site specific information is submitted through the regular permitting / development review process
 - Critical areas regulations are then applied based on field-delineated critical area boundaries.
- Regulatory takings prevent circumstances where properties entirely covered by Critical Areas would otherwise have no development potential.
- Department of Fish and Wildlife Riparian Guidance includes impacts of climate change.
 - Human-made alterations to riparian areas and streams have caused streams and waterbodies to increase in temperature and, consequently,
 - Will reduce conditions for native fish distribution and viability throughout the Pacific Northwest

Summary of Planning Commission Work Session (6/25)

- Commissioners wanted to get a better understanding of buffers as an environmental protection / mitigation measure for wetlands
 - As a best management practice, buffering high quality wetlands from adjacent land uses is one of the most impactful protection measures. The closer development is to a wetland, the more measures and impacts are generally needed to ensure no net loss
- Commissioners asked to get mapping of priority white oak habitat range within the City
 - Maps developed in response, included in attachment E of the packet materials.
- Commissioners wanted to ensure protection of Critical Areas doesn't significantly conflict with concurrent goals of adding more housing
 - Providing flexibility where it makes sense to allow housing, while ensuring no net loss

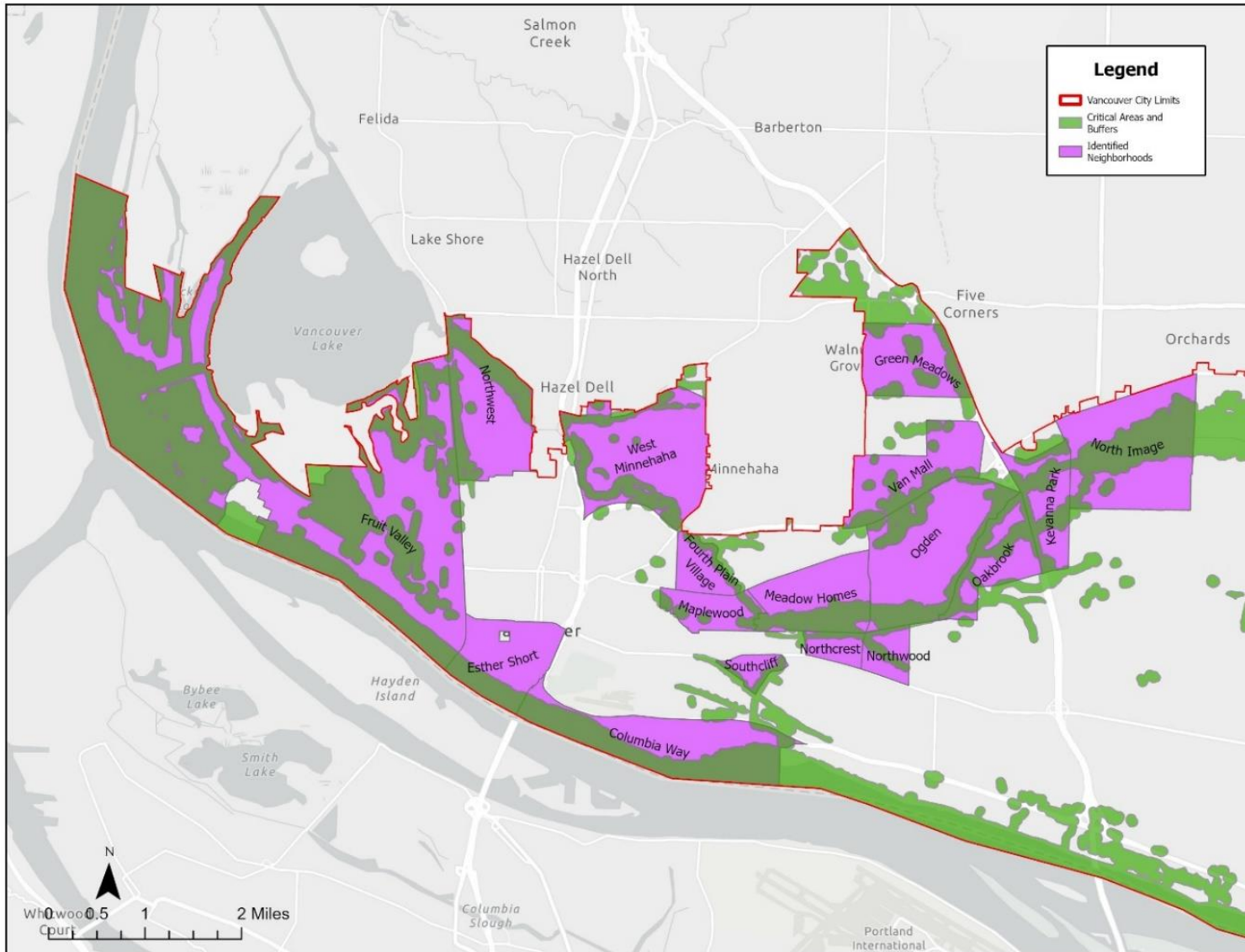


Next Steps

- 45-day public comment period starts on June 27
- Will return in September with proposed changes to ordinance based on input received during comment period



Additional Planned Engagement



- Neighborhood associations in the City with a high Equity Index score and occurrence of Critical Areas
- Engage on code language with WA Depart of Natural Resources, Dept of Fish and Wildlife, Dept of Health, Clark County Public Health, Clark Conservation District
- Participants of Our Vancouver Climate community working group invited to engage / review draft.



Questions?

