



**Legislative Department
Seattle City Council
Memorandum**

Date: January 17, 2014

To: Mike O'Brien, Chair
Tim Burgess, Vice Chair
Nick Licata, Member
Sally Clark, Alternate
Planning Land Use and Sustainability (PLUS) Committee

From: Ketil Freeman, Council Central Staff

Subject: Council Bill (C.B.) 117913 – Clean-up Legislation for Regulations for Environmentally Critical Areas and Flood Prone Areas

Background

Jurisdictions planning under the Growth Management Act are required to have a Critical Areas Ordinance (CAO) that is based on the best available science.¹ Generally, CAOs are intended to protect environmentally sensitive areas and the public health and safety by limiting development in areas that provide ecological function for fish and wildlife or areas that are geologically hazardous. Seattle's CAO is codified in Chapter 25.09 of the Seattle Municipal Code (SMC). Critical areas include:

- Geologic Hazard Areas and Steep Slope Areas – these areas include landslide-prone areas, liquefaction-prone areas, and areas with slopes with an incline greater than 40%;
- Flood-prone Areas;
- Wetlands;
- Fish and Wildlife Habitat Conservation Areas – these areas include certain areas mapped or designated by the Washington Department of Fish and Wildlife (WDFW), corridors connecting designated priority habitat and species areas or habitat areas for species of local importance, riparian corridors, and shoreline habitat; and
- Abandoned Land Fills.

In addition to the development regulations in the CAO, development in the floodplain is regulated by SMC Ch. 25.06, Floodplain Development.

C.B. 117913 makes minor clarifications and corrects errors in CAO and floodplain development regulations that have been identified by the Department of Planning and Development, citizens, and the regulated community. Additionally, C.B. 117913 makes some more substantive changes, such as establishing criteria for DPD to review exceptions to CAO development standards for public projects.

This memorandum sets out a schedule for review of the legislation.

Schedule for Committee Review

- January 24, 2014 – Initial Briefing and Discussion
- March 4, 2014 – Public Hearing at Regularly Scheduled PLUS Committee Meeting
- March 18, 2014 – Briefing, Discussion and Possible Vote

¹ R.C.W. 36.70A.172.