

# **Chapter 10: Critical Areas Element**





# **CHAPTER 10 CRITICAL AREAS PROTECTION**



## **INTRODUCTION**

Much has happened since 1994 with regulations intended to protect our critical natural areas including a 1995 GMA amendment requiring counties and cities to include the best available science in developing policies and development regulations to protect the functions and values of critical areas. This chapter contains a basic description of the City of Lake Stevens natural environment, its current condition, and recommendations for its protection and enhancement. It also discusses current policies and regulations in effect to protect the local environment and recommends updates. As part of the integrated SEPA/GMA approach to this update, this section also discusses how critical areas protection factors into the other elements of the Plan.

Chapter 2 presents a good overall description of the City's natural environment. The City and its environs are characterized by plateaus and steep ravines, wetlands, significant creek corridors, three drainage basins and Lake Stevens. The lake itself is the most prominent environmental feature and is sensitive to the effects caused by urban development. A drainage district has had responsibility for water quality in the lake for several years, working jointly with the City and County.

There remain significant habitat and green spaces in the City. Most recent housing developments have been required to dedicate Native Growth Protection Areas (NGPA) and other buffers around critical areas to assist in preserving their quality. The City also has tree retention regulations and innovative subdivision design regulations to protect these areas. The City also maintains a Shoreline Master Program that requires land use and environmental protections along the vast shoreline of Lake Stevens.

The City will adopt an updated Critical Areas Ordinance, which will contain provisions for "Best Available Science", a requirement of GMA. The City will update its critical areas regulations using the Best Available Science Document prepared for the City by URS Consultants reflecting the unique environmental conditions in Lake Stevens.



## **GOALS AND POLICIES**

### **GOAL 10.1: PROTECT THE NATURAL ENVIRONMENT AND CONSERVE ALL CRITICAL AREAS, INCLUDING WETLANDS, SHORELINES, CREEKS/STREAMS, GEOLOGICAL HAZARD AREAS AND WILDLIFE HABITATS.**

#### Policies

- 10.1.1 Update critical areas regulations which reflect the Best Available Science (BAS) pursuant to the GMA. These regulations must protect the functions and values of these areas and not unduly reduce property rights by requiring greater protection measures which offer diminishing beneficial returns.
- 10.1.2 Ensure compatibility of land uses with topography, geology, soil suitability, surface water, ground water, frequently flooded areas wetlands, climate, and vegetation and wildlife.
- 10.1.3 Prevent a net loss of ecological functions and values. Require mitigation for impacts from new development within critical areas.
- 10.1.4 Encourage flexibility in design, development such as Conservation Design to utilize cluster development to conserve open space and protect critical areas.
- 10.1.5 Promote and encourage sustainable development through efficient land use, green building design, and water conservation.
- 10.1.6 Encourage and support local community programs to enhance natural resources.
- 10.1.7 The City of Lake Stevens should protect native plant communities by encouraging management and control of non-native invasive plants, including aquatic plants. Environmentally sound methods of vegetation control should be used to control noxious weeds.
- 10.1.8 Incorporate the use of innovative design provisions allowing design of new development to take advantage of such standards as Low Impact Development surface water techniques that employ inventive proposals ensuring the same or better critical area protection.



**GOAL 10.2: PROTECT HABITAT AREAS FOR FISH AND WILDLIFE.**

Policies

- 10.2.1 Recognize the value of maintaining corridors for fish and wildlife and consider appropriate means of protecting significant corridors.
- 10.2.2 Protect Lake Stevens' priority habitats, habitats of local importance, and listed species habitats.
- 10.2.3 Support actions that protect other non-listed threatened species from becoming listed and endangered.

**GOAL 10.3: PROVIDE FOR LONG-TERM PROTECTION AND NO NET LOSS OF WETLAND ECOLOGICAL FUNCTIONS AND VALUES.**

Policies

- 10.3.1 Protect existing wetlands from the impacts of new development to the greatest extent possible.
- 10.3.2 Protect functions and values of wetlands.
- 10.3.3 Protect existing wetlands with size greater than one acre that are valuable for wildlife habitat or are not artificially created from non-wetland sites (drainage ditches, grass-lined swales, detention ponds, landscape amenities, etc).
- 10.3.4 Require wetland buffers and building setbacks around regulated wetlands to preserve vital wetland functions and values.
- 10.3.5 Require mitigation for any activity, which alters regulated wetlands and their buffers.
- 10.3.6 Support wetlands protection through non-regulatory approaches such as the adoption-a-wetland conservation program and low impact development.
- 10.3.7 Work with the land trust and other similar organizations to protect wetlands and other critical areas.



**GOAL 10.4: ENHANCE THE QUALITY OF SURFACE WATER.**

Policies

- 10.4.1 Protect water quality from the adverse impacts associated with erosion and sedimentation.
- 10.4.2 Protect water resources, including surface water, groundwater and critical aquifer recharge areas.
- 10.4.3 Protect the water quality of the City’s creeks and its lake.
- 10.4.4 Require the use of drainage, erosion and sediment control practices for all construction or development activities.
- 10.4.5 Protect and preserve vegetation located along creek/stream corridors.
- 10.4.6 Provide buffers for new development along creeks and streams.
- 10.4.7 Consider creating a new staff position – “Watershed Seward” to inventory and educate the public on the importance of preserving the surface waters.

**GOAL 10.5: DECREASE POTENTIAL FOR FLOODING FROM STORM WATER RUNOFF.**

Policies

- 10.5.1 Promote retention of storm water. Encourage regional stormwater treatment solutions.
- 10.5.2 Preserve natural drainage courses.
- 10.5.3 Minimize adverse storm water impacts generated by the removal of vegetation and alteration of landforms.
- 10.5.4 Adopt and encourage incentive programs for new development to use best management practices such as reduction of impervious surfaces and provisions for filtering pollutants.
- 10.5.5 Encourage and support the retention of natural open spaces or land uses, which maintain hydrologic function and are at low risk to property damage from floodwaters within frequently flooded areas.



**GOAL 10.6: IMPLEMENT THE STATE SHORELINES MANAGEMENT ACT ALONG SHORELINES OF STATEWIDE SIGNIFICANCE IN THE CURRENT ON ULTIMATE CITY LIMITS OF LAKE STEVENS.**

Policies

- 10.6.1 Protect Shorelines by limiting uses and activities, which are incompatible with the shoreline environment.
- 10.6.2 New development within shoreline jurisdiction shall meet the policy requirements adopted within the City Shoreline Master Program.
- 10.6.3 Maintain native riparian vegetation encouraging the use of native species for landscaping and mitigation along rivers, creeks/streams and wetlands and discourage the use of invasive plants that threaten native vegetative communities.
- 10.6.4 Encourage shoreline dependent economic activities along City shorelines that will enhance the economic viability near commercial centers.
- 10.6.5 Promote development of diverse, convenient recreational opportunities along public shorelines within the City that are consistent with the character and physical limitations of the land.
- 10.6.6 Extend the Waterfront Residential Zone to shoreline areas as they annex to the City.
- 10.6.7 Encourage development of pedestrian access along the shoreline where practical.
- 10.6.8 Require developers to indicate how they plan to preserve shore vegetation and control erosion.
- 10.6.9 Encourage cluster development wherever feasible to maximize use of the shorelines by residents, maximizing both on-site and off-site aesthetic appeal, and minimizing disruption of the natural shorelines.
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**GOAL 10.7: PROMOTE POLICIES AND DEVELOPMENT STANDARDS THAT MINIMIZE THE THREAT OF FLOODING.**

Policies

10.7.1 Protect natural drainage systems associated with floodways, floodplains or other areas subject to flooding.

10.7.2 Emphasize flood prevention and damage reduction.

**GOAL 10.8: LOCATE DEVELOPMENT WITHIN THE MOST GEOLOGICALLY SUITABLE AND NATURALLY STABLE PORTIONS OF A DEVELOPMENT.**

Policies

10.8.1 Classify and designate areas on which development should be prohibited, conditioned, or otherwise controlled because of danger from geologic hazards.

10.8.2 Require geotechnical studies and special engineering or design as necessary for new developments in potential geologically hazardous areas.

10.8.3 Encourage cluster development for new residential development in areas of geologic hazards.