



Planning Commission

Critical Areas Ordinance, Amendments to OMC 18.32, 18.02.180, and 18.37.070

Agenda Date: 6/6/2016
Agenda Item Number: 6.D
File Number: 16-0672

Type: public hearing **Version:** 1 **Status:** Filed

Title

Critical Areas Ordinance, Amendments to OMC 18.32, 18.02.180, and 18.37.070

Recommended Action

Conduct a public hearing to receive comments on amendments to OMC 18.32 Critical Areas; 18.02.180 Definitions; and 18.37.070 Nonconforming Structures and Uses Within Critical Areas Buffers.

Report

Issue:

Whether to conduct a public hearing to receive comments on amendments to the Critical Areas Ordinance (CAO).

Staff Contact:

Linda Bentley, Senior Planner, Community Planning and Development, 360.753.8046

Presenter(s):

Linda Bentley, Senior Planner, Community Planning and Development, 360.753.8046
Ilon Logan, Project Manager, ESA-Environmental Science Associates

Background and Analysis:

In 1990, with passage of the Washington State Growth Management Act (GMA), comprehensive planning for critical areas became a requirement for cities. The Olympia Critical Areas Ordinance (CAO), found primarily in Olympia Municipal Code (OMC), Chapter 18.32, is the main set of development regulations that protects critical areas in the City of Olympia.

Other protections for critical areas include: Frequently flooded areas in OMC 16.70, marine and freshwater shorelines as defined by the Shoreline Management Act in OMC 14.08, and Storm and Surface Water Utilities in OMC 13.16.

There are two substantive statutory requirements to address as part of this CAO update:

Critical Areas Review for Best Available Science

The city hired ESA Associates to do a Best Available Science (BAS) review to ensure that our policies and development regulations are based on the most current science and best management practices for designating and protecting critical areas.

Anadromous Fish

Cities are required to give special consideration in their development regulations to preserve or enhance anadromous fish population and habitat. Anadromous fish, such as salmon, are those that spawn and rear in fresh water and mature in marine waters.

In addition to the changes for BAS, we also proposed amendments to some sections for clarity, better organization and stronger consistency with GMA requirements.

The following documents are attached for your review:

- “Redline” versions of OMC 18.32, 18.02.180 and 18.37.070 showing proposed amendments
- Memorandum from ESA providing an overview of their Gap Analysis and Best Available Science Consistency Review
- Matrix of BAS regulatory recommendations from ESA, including proposed City actions, to ensure the Critical Areas Ordinance is consistent with BAS

After adoption of the CAO amendments containing the statutory requirements, the City will review potential additional protections for locally important species and their habitats. Our consultant, ESA, will provide optional approaches to this task later this spring, and public meetings will be held this summer.

Neighborhood/Community Interests (if known):

None known for the required BAS amendments however staff, community members, and Council have expressed interest in the protection of locally important species and their associated habitat, such as the Great Blue Heron and Oregon white oak, which will commence this summer.

Financial Impact:

Updating the CAO to meet the statutory requirements is already a budgeted work item for the Community Planning and Development Department in 2016. Initial review of locally important species and habitats is also included; however, some approaches to this task may require additional resources.

Attachments:

“Redline” code sections
ESA Memo
ESA Matrix