

Kittitas County
Critical Areas
Ordinance (CAO)
Update

Joint CAC & TAC Meeting
June 2014

Introductions

The Bone Crusher



The Close Shaker

Really what they want is a hug.



The Limp, Dead Fish



The Misfire

Ok something is definitely off.



The Airball

Hey look a loco truck!!



Sweaty McSweaterson

It's like I've got a second pair of armpits!





Public Comment

The Basics

- What are critical areas?
- What does the Growth Management Act (GMA) require the County to do about them?
- What is Best Available Science (BAS)?
- How does the Critical Areas Ordinance (CAO) relate to the Shoreline Master Program (SMP)?

Critical Areas



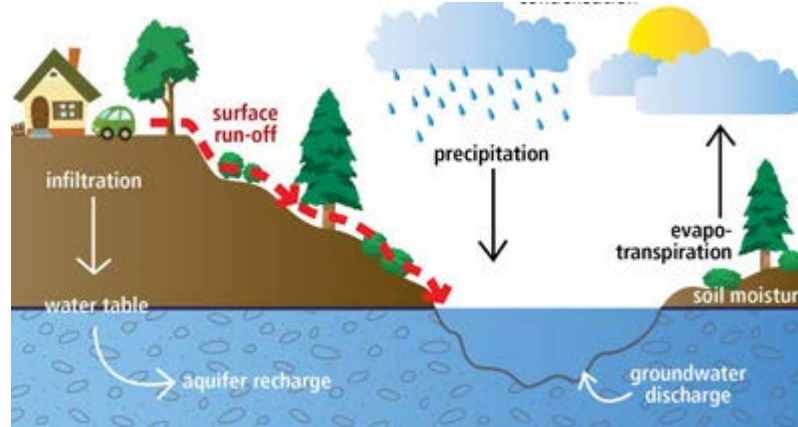
Frequently Flooded Areas



Wetlands



Fish & Wildlife Habitat
Conservation Areas



Critical Aquifer
Recharge Areas



Geologically
Hazardous Areas



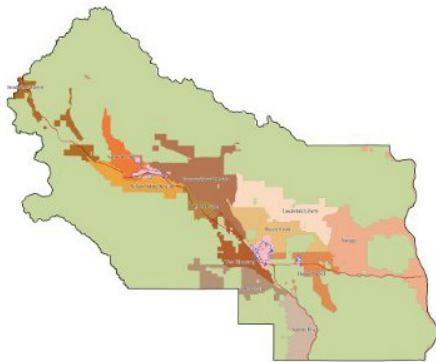
Protect Critical Area Functions and Values

WAC 365-190-080(1)



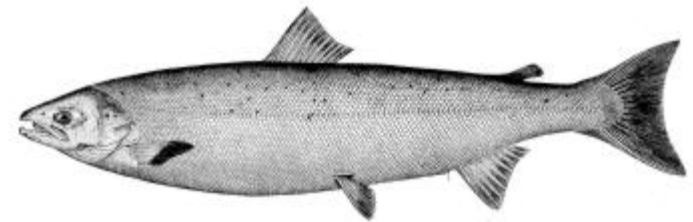
Use Best Available Science

WAC 365-190-080(2)



Consider Critical Area Conflicts When Making Decisions

WAC 365-196-485(4)



Give Special Consideration to Preservation and Enhancement of Anadromous Fisheries

WAC 365-196-485(3)(d)

What is "Best Available Science?"



Developed using a valid
scientific process

- ✓ Clear methods
- ✓ Logical conclusions
- ✓ Peer review

WAC 365-195-905

What isn't "Best Available Science?"



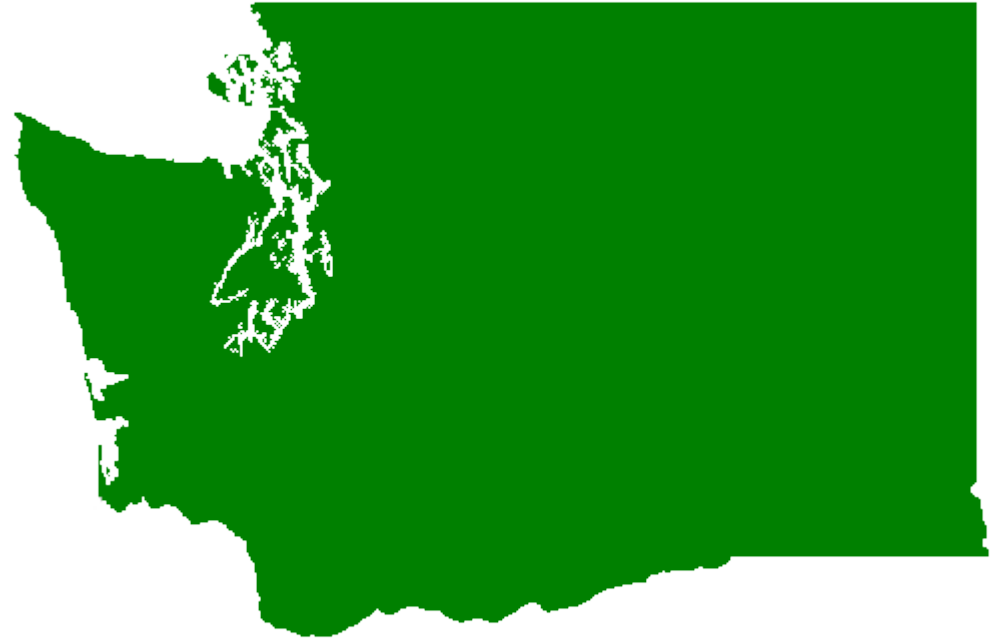
Does not include:

- ✓ Anecdotal information
- ✓ Non expert opinion
- ✓ Hearsay



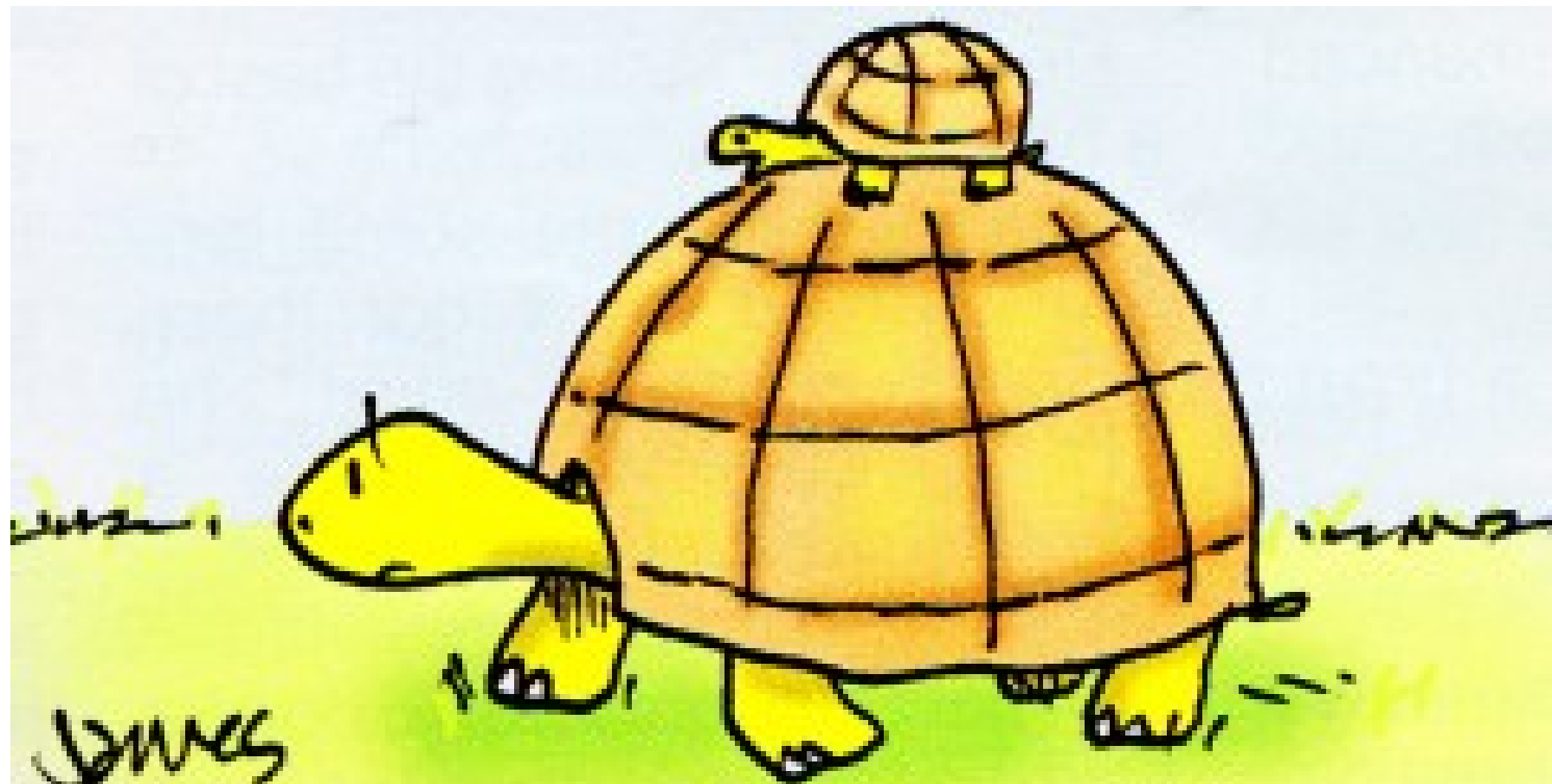
Shoreline Master Program

Critical Areas Ordinance



Status Update

- What has the County already done?
- What has the Technical Advisory Committee (TAC) already done?
- What is left to do?
- How can the Citizen Advisory Committee (CAC) help?

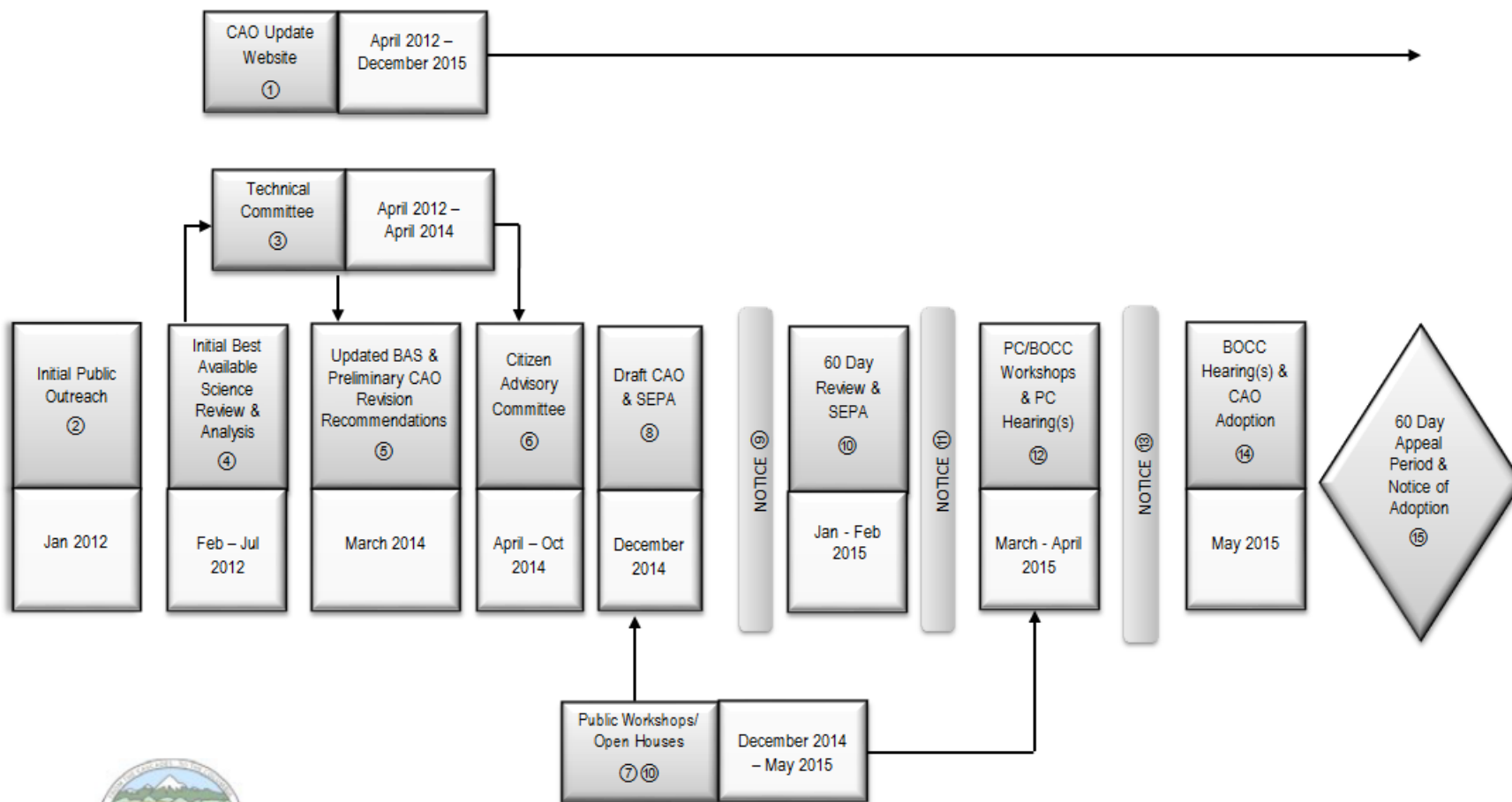


James
Estes

"Are we there yet?" "Are we there yet?"
"Are we there yet?"

Kittitas County Critical Areas Ordinance Update

Public Participation Process



TO DO LIST



Review BAS Report and Recommendations



Draft Proposed Regulations/Policies



Make Recommendations on Regulations/Policies



Environmental Review on Regulations/Policies



Adopt Updated Regulations/Policies



= CAC ROLE

Best Available Science Report

- What is in the report?
 - Critical area inventory and maps
 - Summary of relevant science
 - Recommendations for code update
- How will the report be used?
 - As scientific basis for code revisions
 - As evidence of compliance with BAS requirement
- Will there be opportunities to change the report?
 - New information meeting criteria
 - Errors



Policy Discussion

- What general critical areas policies does the County have now?
- How can/should we amend those policies?

Kittitas County

Comprehensive Plan



2.6. Critical Areas

As part of the growth management planning process, Kittitas County has adopted Critical Areas Policies. The following contain those policies. Kittitas County Code Title 17A, Critical Areas, contains development regulations which were adopted to implement these policies.

2.6.1. General Critical Areas Goals and Policies

GPO 2.79 Kittitas County will consider creating a wildfire protection policy tied to land use zoning that will protect both the private landowner and public lands from wildfire. When the use of forested lands is changed, the party doing the changing is responsible for providing a fire resistant buffer around the property.

GPO 2.80 Kittitas County will consider establishing a board to coordinate with the federal and State fish and wildlife agencies to provide local input into decisions about wildlife introduced into the area.

GPO 2.81 Kittitas County recognizes that local tax burden on private lands is increased when private land is changed to public ownership. Such charges should be discouraged.

Date: June 1, 2014

To: Citizen Advisory Committee (CAC)

From: Kristina Cerise, Van Ness Feldman

Re: Critical Areas Goals and Policies in the Kittitas

What the Law Requires

There are five critical areas that require protection under RCW 36.70A.030(5) and WAC 365-196-485(2):

- Wetlands.
- Areas with a critical recharging effect on aquifers used for potable water.
- Frequently flooded areas.
- Geologically hazardous areas.
- Fish and wildlife habitat conservation areas.

Counties are required to protect the function and value of critical areas using the best available science (WAC 365-190-080(2)). Counties are required to protect critical areas when expanding UGAs or making decisions on development proposals (WAC 365-196-485(4)(a)) and are encouraged to protect surface and groundwater resources through consideration to preservation or enhancement of aquifers.

Current Comprehensive Plan Goals, Policies and Strategies

Kittitas County's existing general critical areas goals and policies are consistent with current standards (see section above). The County's existing goals and policies applicable to all critical areas (Section 2.6) are:

- GPO 2.79 Kittitas County will consider creating zoning that will protect both the private land and public lands. When the use of forested lands is changed, the party doing the changing is responsible for providing a fire-resistant buffer around the property.
- GPO 2.80 Kittitas County will consider establishing a board to coordinate with the federal and State fish and wildlife agencies to provide local input into decisions about wildlife introduced into the area.
- GPO 2.81 Kittitas County recognizes that local tax burden on private lands is increased when private land is changed to public ownership. Such changes should be discouraged.

2.6. Critical Areas

~~As part of the growth management planning process, Kittitas County has adopted Critical Areas Policies. The following contain these policies. Kittitas County Code Title 17A, Critical Areas, contains development regulations which were adopted to implement these policies.~~

Pursuant to the requirements of the Growth Management Act (GMA), Kittitas County has adopted the following goals and policies applicable to critical areas located within the county, including:

- Wetlands
- Areas with a critical recharging effect on aquifers used for potable water
- Frequently flooded area
- Geologically hazardous areas
- Fish and wildlife habitat conservation areas

The regulations that implement these goals and policies are found in Kittitas County Code Title 17A.

2.6.1. General Critical Areas Goals and Policies

~~GPO 2.79 Kittitas County will consider creating a wildfire protection policy tied to land use zoning that will protect both the private landowner and public lands from wildfire. When the use of forested lands is changed, the party doing the changing is responsible for providing a fire-resistant buffer around the property.~~

~~GPO 2.80 Kittitas County will consider establishing a board to coordinate with the federal and State fish and wildlife agencies to provide local input into decisions about wildlife introduced into the area.~~

~~GPO 2.81 Kittitas County recognizes that local tax burden on private lands is increased when private land is changed to public ownership. Such changes should be discouraged.~~

~~GPO 2.79 Use best available science to regulate development in a manner that balances protection of property rights, and human health and safety with protection of critical area functions and values.~~

~~GPO 2.80 Minimize current and future land use incompatibilities in and around critical areas.~~

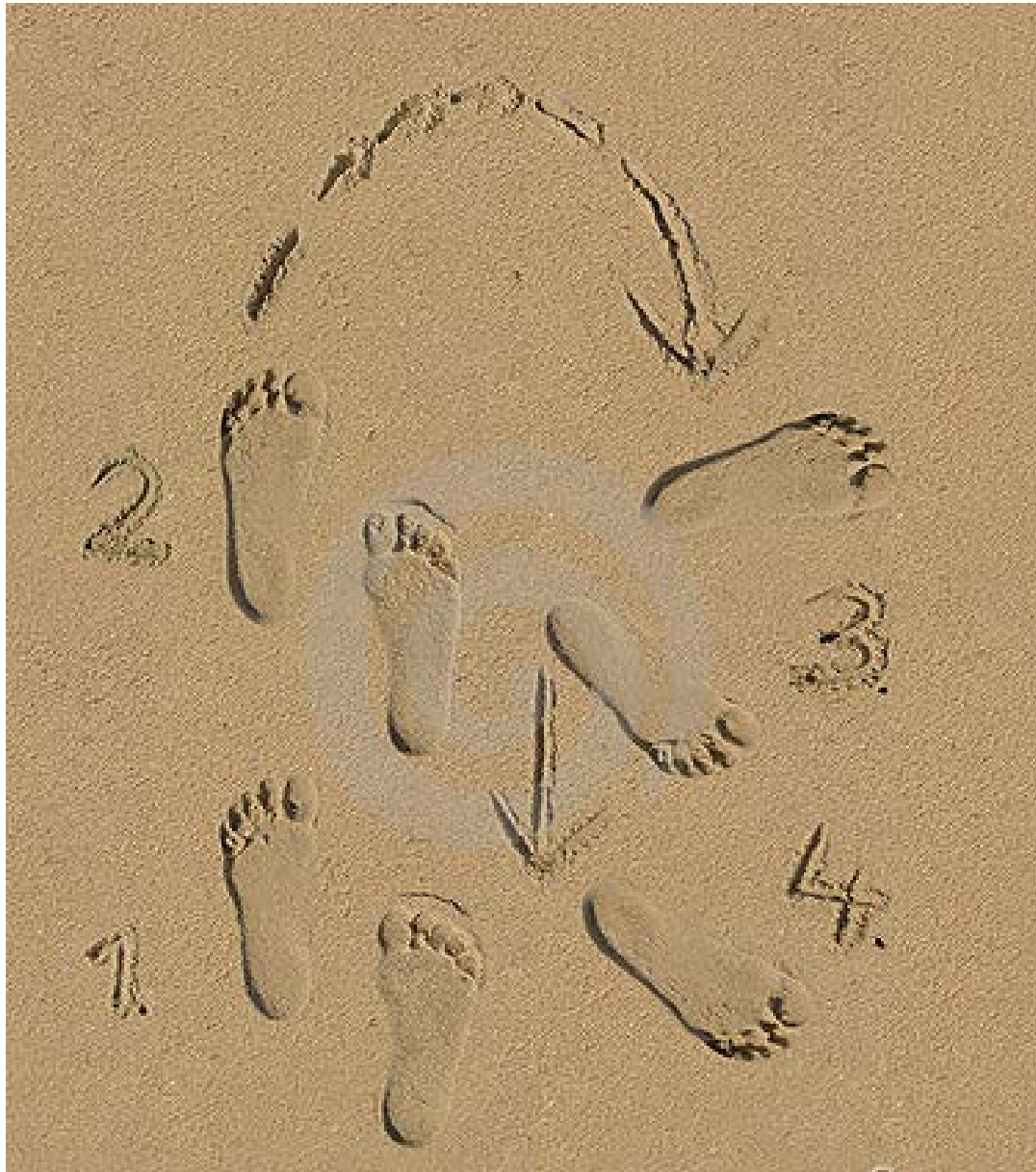
~~GPO 2.81 Evaluate opportunities to use nonregulatory measures, such as public education and transfer of development rights, to protect and enhance critical areas.~~

New Policies

GPO 2.79 Use best available science to regulate development in a manner that balances protection of property rights and human health and safety with protection of critical area functions and values.

GPO 2.80 Minimize current and future land use incompatibilities in and around critical areas.

GPO 2.81 Evaluate opportunities to use nonregulatory measures, such as public education and transfer of development rights, to protect and enhance critical areas.



Next
Steps