Critical Areas Ordinance Code Update

Planning Commission Briefing

February 5, 2026

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Community Development

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WHY UPDATE?

- Per the Growth Management Act (GMA), a review and update is required every 10 years.
- City Code must be reviewed again best available science (BAS) to ensure “no net loss” of functions and values.
- BAS is primarily driven by state agency guidance (previously more grass roots review)
- Due December 31, 2025
- Scheduled for consideration Q2 2026 for expanded outreach.

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WHAT IS COVERED?

Multiple natural features:

- Wetlands
- Streams/Fish and Wildlife Habitat Areas
- Steep and Unstable Slopes
- Flood Hazard Areas
- Critical Aquifer Recharge Areas (CARAs)

Wetland and Stream protections get the most attention due to impacts on development potential.

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UPDATE PROCESS

- City contracted with an environmental consultant (Farallon/Grette)- **April 2025**
- Project team reviewed current code against current BAS to determine gaps – **June 2025**
- Based on gap analysis, team prepares draft code amendments – **Fall 2025**
- Public outreach to stakeholder groups, developers and the community – **Q1 2026**
- Planning Commission and Council consideration – **Q1/Q2 2026**

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WETLANDS

- They come in types based upon quality and habitat.
- **Category I.** Estuaries, bogs, priority plant or fish species, large systems.
- **Category II.** Variety of habitat but often connected to streams or other wetland systems.
- **Category III**. Most common. Smaller in size but isolated, often single habitat like deciduous trees (e.g. alders)
- **Category IV.** Isolated, very small, low habitat such as grassy areas, brush.

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WETLANDS

Protections for wetland feature itself but also areas around each (buffers).

Wetland Features

- Impacting a wetland requires analysis and mitigation and depending on the size, approval from federal agencies (Army Corp).
- On-site mitigation is preferred but off-site is also an option (wetland banking)
- Development usually avoids impacting wetlands due to process and cost.

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WETLANDS

The function and values of the wetland is protected through buffers.

Wetland Buffers

- Buffers are areas to be undisturbed by development with a wide range of widths based on category and intensity of proposed use.
- Based on site-specific analysis, mitigation is allowed through buffer averaging, buffer restoration and buffer reductions.
- Setbacks from the buffer are also required for structures (15 feet).

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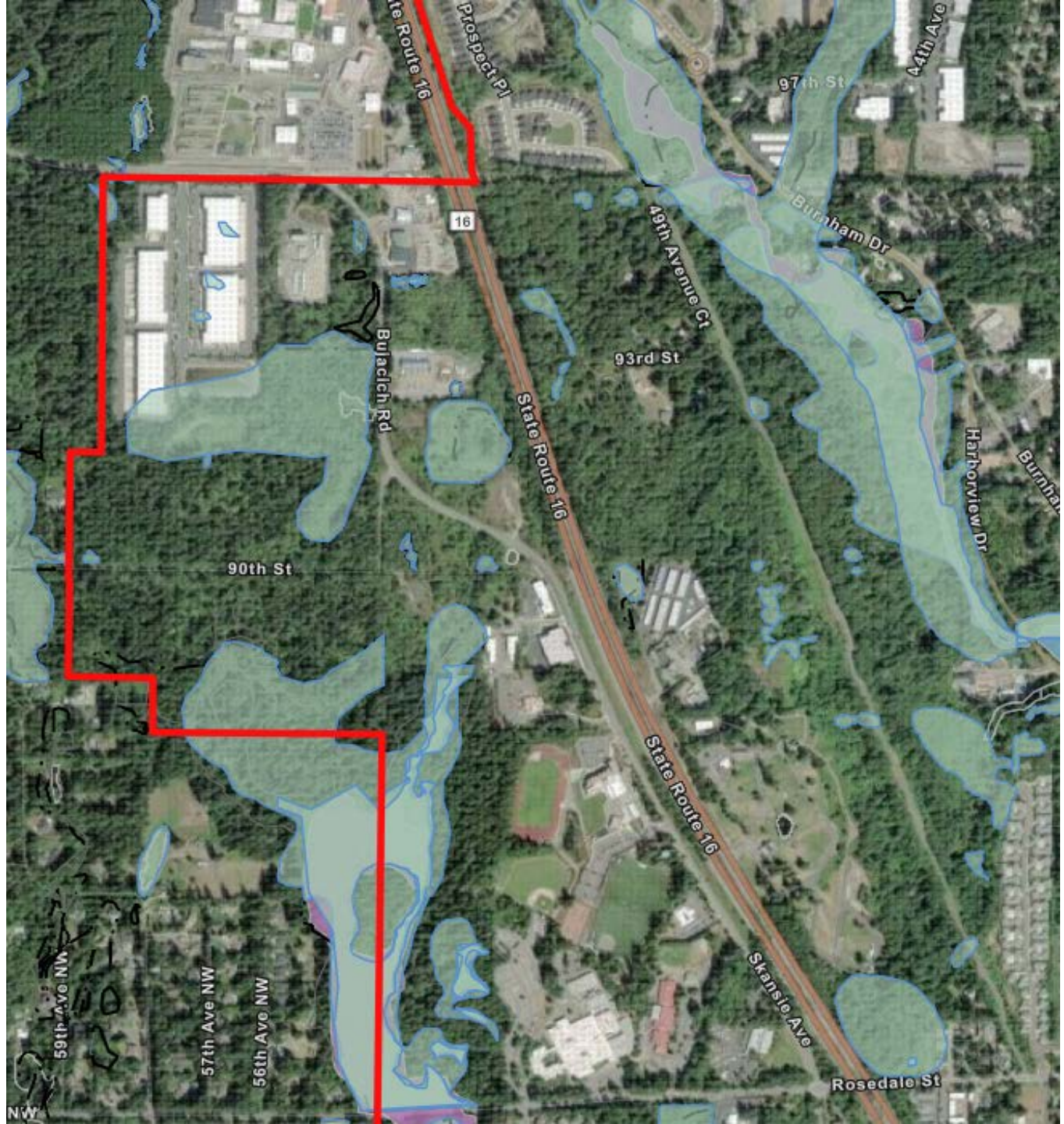

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WETLANDS

Proposed revisions based on BAS.

Wetland Type	Existing	Draft
Category 1 Wetlands Buffers		
Wetlands of High Conservation Value	125 - 250	250
Bogs	125 - 250	250
Forested	50 - 300	100 - 300
Estuarine and wetlands in coastal lagoons	100 - 200	200
Not meeting any of the above characteristics	50 - 100	150 - 300
Category II Wetlands Buffers		
Estuarine and wetlands in coastal lagoons	75 - 150	150
Not meeting above characteristics	50 - 100	100 - 225
Category III Wetlands Buffers		
Score for all three basic functions is 16 - 19 points**	75 - 150	75 - 150
Category IV Wetlands Buffers		
Score for all three basic functions is 9 - 15 points	25 - 50	25 - 50

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STREAMS

Protections again based on stream type broken into segments (DNR Mapping).

- **Type 1 (Type S)** – Shorelines of the state. Lakes and year-round, fish-bearing often directly connected to the shoreline.
- **Type 2 and 3 (Type F)** – Large streams, year-round and fish-bearing.
- **Type 4 (Type Np)**- Smaller, year-round without fish habitat.
- **Type 5 (Type Ns)** – Intermittent streams without fish habitat.

Any work within the stream banks is regulated by WA Fish and Wildlife.

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STREAMS

Like wetlands streams are protected by buffer areas.

- Buffer widths range depending on the stream type.
- With site-specific analysis to maintain “no net-loss”, mitigation opportunities similar to wetlands are available.
- Buffer averaging, buffer restoration and buffer reductions and reasonable use exceptions are examples.
- Also, like wetlands, a 15-foot building setback is also required.

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FPARS Stream Typing (DNR)

- Type S
- Type F
- Type N, Np, Ns
- U, unknown
- X, non-typed per WAC 222-16

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STREAMS

Proposed buffer widths based on BAS.

Critical Area Buffers	Existing	Draft
Stream/Riparian Management Zone Buffers		
Type 1/S	200	200
Type 2/F	100	150
Type 3/F	50	150
Type 4/Np	25	100
Type Ns	N/A	100

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HILLSIDES AND BLUFFS

Development on or near slopes is also covered.

Development must either:

- Be located the same distance away from the slope as the vertical height of the bluff, or
- Submit a geotechnical report from a certified engineer with mitigation measures to reduce this distance (common).

A 10-foot building setback is also required.

Similar geotechnical reports are required is within a seismic hazard area.

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FLOOD HAZARD AREAS

- FEMA-driven to protect public and private property.
- Areas established by Flood Insurance Administration (Flood Insurance Rate Map).
- Requires development with flood hazard areas to meet construction standards of GHMC 18.10.
- These standards are consistent with federal requirements and best management practices.

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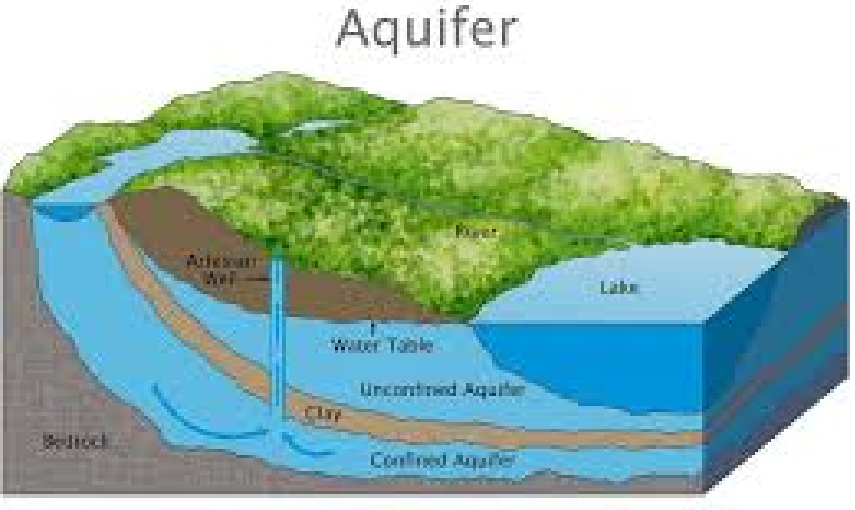

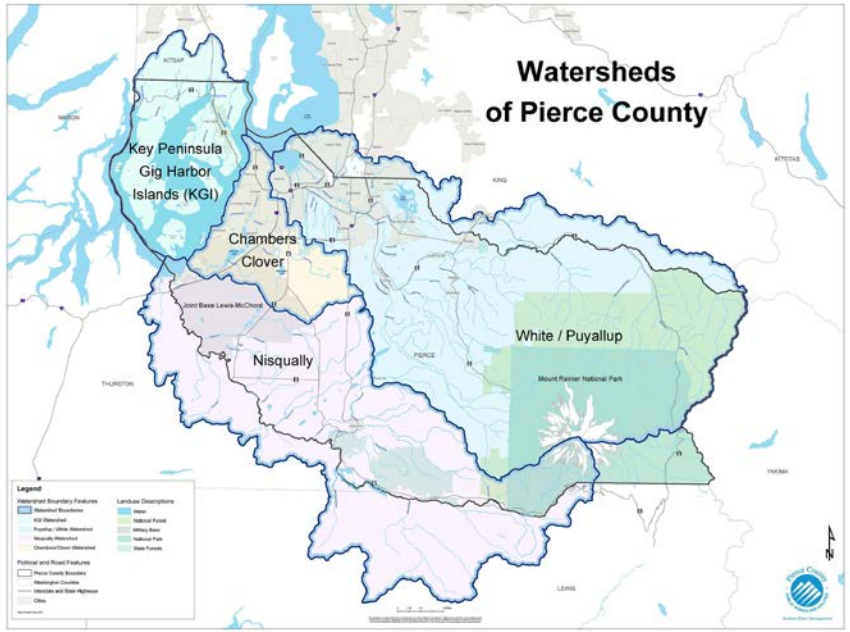

CRITICAL AQUIFER RECHARGE AREAS

- Intended to protect aquifers from contamination from land uses.
- Includes mapped aquifers but also wellhead radii.
- Requires uses handling or processing hazardous or solid waste to prepare a Hydrogeologic Assessment prior to development.
- Assessment contains mitigation measures in case of emergency.

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OTHER REVISIONS

- Revised language to better reflect definitions and process.
- Improved consistency with DOE requirements and rating system.
- Improved clarity on mitigation sequencing.

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DO WANT TO KNOW MORE?

Online Information

Planning

- https://www.gigharborwa.gov/676/Community-Development

Harbor Atlas

- https://experience.arcgis.com/experience/f156ffee424443528faa849f35846bad

Contact

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