

# Critical Areas Ordinance Update

## Info Session

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August 7, 2025



### Reasonable Accommodation

For alternate formats, interpreters, or reasonable modification requests please phone at least 48 hours in advance [425-452-6800](tel:425-452-6800) (voice) or email [servicefirst@bellevuewa.gov](mailto:servicefirst@bellevuewa.gov). For complaints regarding modifications, contact the City of Bellevue ADA, Title VI, and Equal Opportunity Officer at [ADATitleVI@bellevuewa.gov](mailto:ADATitleVI@bellevuewa.gov).



City of Bellevue

# Agenda



## Introductions

Welcome from the City

Team introductions

Ground rules

## Project Description

Background

Update process

## Project Details

Best Available Science

Gap analysis

Key Draft Code Components

## Project Timeline

Public Engagement

Local Adoption

## Q&A



# What Are Critical Areas

## State Definition:

### *RCW 36.70A.030(11)*

Five types of critical areas defined:

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

## Local Definition:

### *Part 20.25H Critical Areas Overlay District*

Those areas in the City that are:

- Streams
- Wetlands
- Geologically hazardous areas
- Species of Local Importance
- Frequently flooded areas
- NOTE: Critical aquifer recharge areas (CARAs) are not currently included



# Project Background

## Purpose of the Critical Areas Update

- Previous update performed in 2016 with minor update in 2018
- State Law/Growth Management Act (RCW 36.70A.060 and RCW 36.70A.170)
  - **DEADLINE OF DECEMBER 31, 2025**
- Policy Alignment
  - Puget Sound Regional Council Vision 2050
  - King County Countywide Planning Policies
  - City Comprehensive Plan Policies
- Ensure use of Best Available Science (RCW 36.70A.172)
- Policies are contained in the Climate and Environment Element of the Comprehensive Plan
- Regulations are located in the City's Land Use Code (Part 20.25H, Critical Areas Overlay District)



# Update Process

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# Best Available Science

**WAC 365-190-080(2)** requires that Counties and cities must include the best available science when designating critical areas and when developing policies and regulations that protect critical areas.

**WAC 365-195-905** establishes criteria for what constitutes best available science

Must give special consideration of anadromous fisheries and are encouraged to protect both surface and groundwater resources.



# No Net Loss

**WAC 365-190-080(1)** Counties and cities must protect critical areas. Counties and cities required or opting to plan under the act must consider the definitions and guidelines in this chapter when designating critical areas and when preparing development regulations that protect all functions and values of critical areas to ensure no net loss of ecological functions and values.



# Gap Analysis

## Key Areas

Designation and Dimensional Standards (LUC 20.25H.025–20.25H.045)

Use and Development (LUC 20.25H.050–20.25H.065)

Streams (LUC 20.25H.075–20.25H.090)

Wetlands (LUC 20.25H.095–20.25H.110)

Geologic Hazard Areas (LUC 20.25H.120–20.25H.145)

Species of Local Importance (LUC 20.25H.150–20.25H.170)

Frequently Flooded Areas (LUC 20.25H.175–20.25H.180)

Critical Aquifer Recharge Areas





# Key Proposed LUCA Components

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- Developed vs. Undeveloped Site
- Structure Setbacks from buffers
- Stream Management
- Wetland Buffers
- Steep Slopes
- Development Density/Intensity Factor
- Reasonable Use Exception



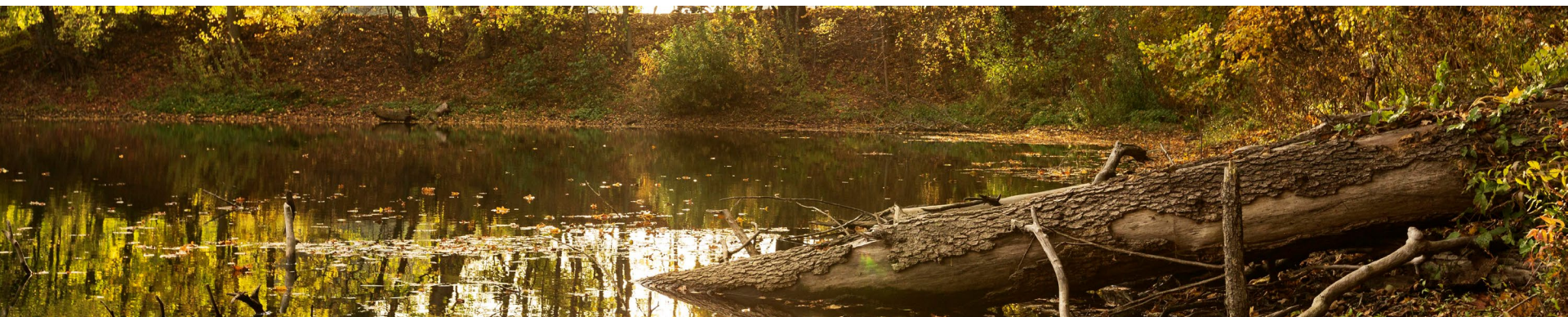
# Developed vs Undeveloped Site

## *Current Code:*

- Buffers and setbacks dependent on whether site considered “developed” or “undeveloped”
- Creates additional code complexity

## *Draft Code:*

- Apply one buffer standard
- Include provisions for how to treat expansion of existing structure
- Add incentives for modifying buffers in limited circumstances
- Retain buffer averaging



# Buffer Setbacks

## *Current Code:*

- Structure setback from buffers dependent on:
  - Critical area categorization
  - Developed or undeveloped
- Range depending on criteria



## *Draft Code:*

- Simplifies to one standard 20-foot setback

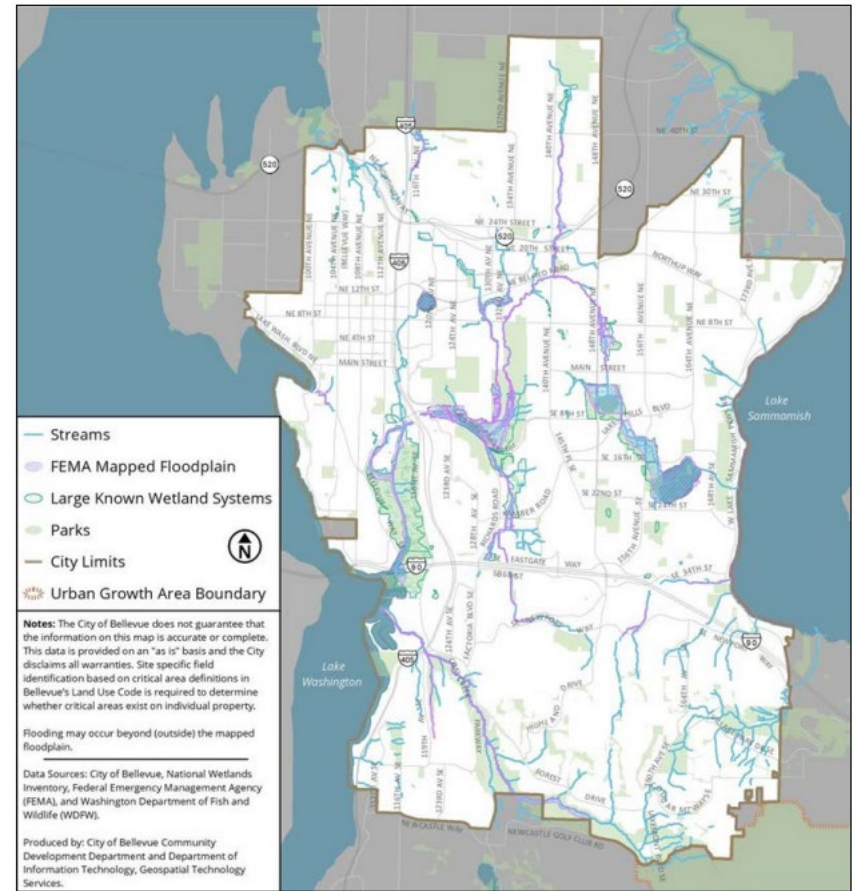
## **Options:**

- **Jurisdictions commonly use 10, 15, or 20 feet as a standard structure setback.**

# Stream Management

## *Draft Code:*

- Maintains existing stream typing system
- Uses OHWM in place of top-of-bank
- Added protections for streams adjacent to slopes
- Performance-based approach when proposing stream daylighting
  - Could expand to
    - Meandering streams
    - Streams in hardened channels
- Currently reviewing additional opportunities for reduction for degraded buffers with improvements





# Wetland Buffers

*Draft Code:*

*For consistency with Ecology*

- Update habitat scores
- Added vegetated buffer standards
- Added habitat corridor requirements for wetlands with a high habitat score
- Added language on mitigation timing
- Added language on mitigation ratios



# Steep Slopes

## *Draft Code:*

- Added geologic hazard critical area buffer exemption for manmade slopes
- Added criteria for when a geologic hazard area buffer may be reduced
- Added pathway for landslide or steep slope hazard area to be modified through a development proposal in such a way as to remove or reduce the hazard that may continue to be regulated



# Development Density/Intensity Factor

## *Draft Code:*

- Removes this code section

## *Options:*

- Calculate yield based on gross square footage
- Lot coverage limitation when critical areas are present



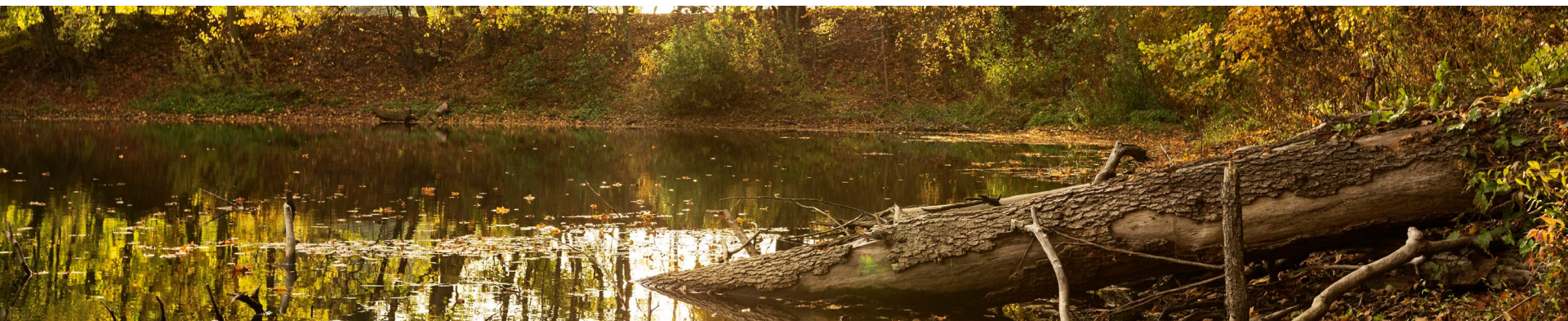


# Reasonable Use Exception (RUE)

The City may approve limited use and disturbance of a critical area and/or critical area buffer when no other use constitutes a reasonable alternative

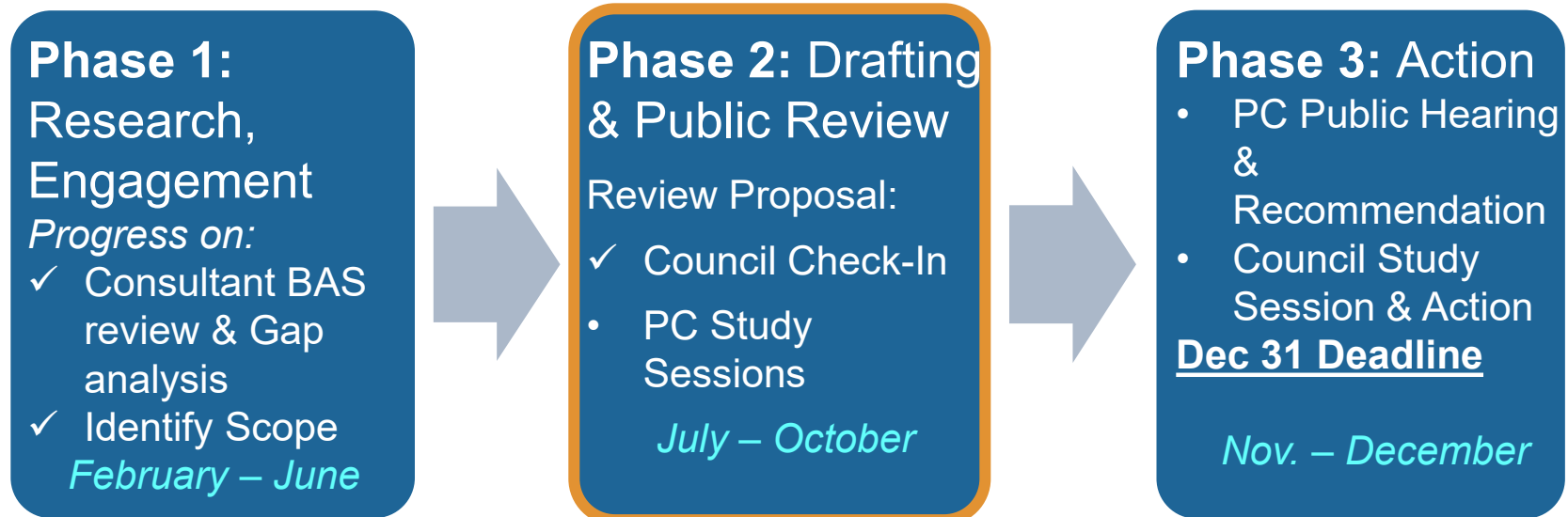
Draft Code:

- Simplifies requirements generally
- Permits up to two dwelling units as an RUE
- Streamlines maximum limits of disturbance





# Next Steps



Technical Analysis

Public Workshops

Information Sessions

Engagement  
Sessions



April



June 16



July 7



Aug 7





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