



CITY OF EVERETT
Community, Planning and
Economic Development

TO: Planning Commission
FROM: David Tyler, Planning staff
DATE: December 7, 2018
SUBJECT: Critical Areas Code Update (EMC 19.37)

Background: Critical area regulations place development restrictions on properties containing streams, wetlands, springs, steep slopes and other features. These regulations are more restrictive than basic zoning standards addressing issues such as setbacks and lot coverage. The City currently has two sets of critical area regulations:

1. EMC Chapter 19.33.D, Article VII, which applies to critical area features located within Everett's shoreline jurisdiction;
2. EMC Chapter 19.37, which applies to all portions of the city located outside of shoreline jurisdiction.

Critical area regulations in the Shoreline Master Program were adopted in 2002.

Proposed Changes: The City is preparing revisions to both the critical area regulations and Shoreline Master Program (SMP). One of the goals of this work is to merge the two sets of critical area regulations into a single code that will apply citywide. This will involve removing the regulations from the SMP and inserting a reference to Chapter 19.37. All critical area regulations will be consolidated to Chapter 19.37. Other changes will include:

- Streamlining of the regulations in order to eliminate redundancy and inconsistencies.
- Codify two Planning Director Interpretations addressing federally protected threatened and endangered species.
- Incorporate the latest guidance on wetland buffers from the Washington State Department of Ecology.
- Consolidate critical area report requirements into one location. Currently, these requirements are spread throughout the chapter.

➔ Please note staff will not be recommending major substantive changes to critical area policies or standards.

Next Steps:

1/15/2019 – Planning Commission briefing. Draft code language to be provided
2/19/2019 – Planning Commission public hearing on critical areas code revision
3/19/2019 – Planning Commission action/decision



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