

# Critical Areas

Definition, Protection & Best Practices

Brochure#36



KITSAP COUNTY

**Department of Community Development (DCD)**

Your partner in building safe, resilient, sustainable Kitsap County communities

## Overview

Critical Areas are often difficult to identify and can require review from a technical expert. Though Kitsap County provides [critical area maps](#), which are a helpful resource (but not always exact), many critical areas in Kitsap County remain unmapped. It is important to consult with DCD prior to design or development to avoid expensive corrections.

This includes any development:

- in or next to water,
- next to wet areas, even if periodically wet, that may impact critical habitat and species,
- on or next to moderate or greater slopes,
- located on an aquifer,
- In an area mapped within a floodplain, or
- In an area that shows land movement, slide, or erosion.

Photo by Eli Owens



# WHAT IS A CRITICAL AREA?

Critical areas are lands with natural features that support certain unique, fragile, or valuable resource areas.

Lands designated by Kitsap County as critical include:

- Wetlands
- Fish and Wildlife Habitat Conservation Areas
- Streams
- Geologically Hazardous Areas
- Frequently Flooded Areas
- Critical Aquifer Recharge Areas

Critical area maps are available at the back of this brochure under, [Helpful Links](#).

*All maps are for informational purposes only and are an indication of potential critical areas.*



The **Critical Areas Ordinance (CAO)**, Kitsap County Code Title 19, is intended to protect critical areas and is mandated by the Washington State's Growth Management Act. This Ordinance is periodically reviewed and updated with best available science, as required by law. The CAO limits and conditions land uses or development and establishes review procedures, buffer requirements, and mitigation requirements.

The Kitsap County Code (KCC) protects critical areas and their buffers in order to protect public health, safety, and welfare.

**Buffers are areas adjacent to critical areas which are also restricted from development.**

When development is proposed near water, wetlands, slopes, streams, or wildlife habitat, an applicant may be required to provide additional information from a qualified or licensed professional. DCD is unable, by law, to recommend consultants or professionals.

## Wetlands



Photo by Angela Hanners

Wetlands involve a combination of saturated soils, soil types, and water-oriented plants, that can be naturally occurring and even man-made. They have a variety of appearances ranging from a marsh with sedges to a field without exposed water. They can be periodic and subject to seasonal influences.

There are four different categories of wetlands that can only be determined by the vegetation, soil type, hydrology, or saturated soils. A site investigation conducted by a wetlands specialist, hired by the applicant, can determine if and where there are wetlands on the property, and if so, categorize the type of wetland that is present.

In addition to a 15-ft building setback (ie, a 'no-build' setback), wetland buffers can vary, ranging from 25 to 300 ft, depending on:

- wetland category (I, II, III, or IV),
- land use intensity, or
- functions, such as habitat and water quality

**Wetland buffers are not to be disturbed and should maintain no net loss of ecological function. If disturbed or altered, mitigation is required. Mitigation can be complex and expensive.**

If a proposed development is found to be within an identified wetland, a **Wetland Delineation and Mitigation Report** will be required. A **Single-Family Wetland Certification** may be submitted in lieu of a full report for single family projects if the project is outside of all wetland buffers.

## Fish and Wildlife Habitat Conservation Areas & Streams

Fish and Wildlife Conservation Areas involve priority species and habitats and also include riparian habitats along flowing rivers and streams.

Development in these areas may require a **Habitat Management Plan**, prepared by a qualified biologist, that identifies how development impacts to wildlife or habitat are going to be mitigated.



Photo by Geoff Clayton



The riparian habitats found along streams and creeks have buffers from 50 to 150 ft, and is dependent on a stream classification.

Depending on water-body flow and size, portions of larger freshwater rivers, streams and lakes, as well as marine shorelines and wetlands (eg, saltwater estuaries) are also regulated under the **Shoreline Master**

**Program (SMP, Title 22 Kitsap County Code)**. Shoreline buffers range from 50 to 200 ft.

**Buffers are to remain in natural vegetative cover which can limit development and uses.**

In addition, structures and impervious surfaces must be kept outside the 15-ft building setback that extends beyond the buffer.



Photo by Eli Owens

## Geologically Hazardous Areas

Geologically hazardous areas are places highly susceptible to erosion, landslides, earthquakes or other geological events—depending on slope, soil type, geological material and hydrological conditions.

The most hazardous of these areas are typically found along the marine shoreline, stream valleys, and steep slopes.

Three types of geologically hazardous areas are identified as:

- Erosion
- Landslide, or
- Seismic areas

These hazard areas are identified as being one of two categories—“high” or “moderate” geologic hazard:

- High geologic hazards include areas with slopes greater than/equal to 30 percent
- Moderate geologic hazards include slopes ranging from 15 to under 30 percent

**Geologically hazardous areas have protective buffers; no clearing or grading is allowed within the buffer or critical area.**





Photo by Eli Owens

## Geologically Hazardous Area Buffers

A *minimum native vegetation buffer* from the toe of a slope to 25 ft beyond the top of the slope is required.

In areas of ***moderate geological hazard*** the setbacks may be reduced to 40 ft (15 ft beyond the 25-ft non-clearing buffer).

In areas of ***high geologic hazard***, the minimum building and impervious setback from the top of a slope must be equal to one and one-third times the vertical height of the slope, or 15 ft beyond the non-clearing buffer, whichever is greater.

Development within a geologically hazardous area will require a **Geologic Assessment** completed by a geologist or geotechnical engineer, depending on scope of review.

## Frequently Flooded Areas

In contrast to other areas around Puget Sound, Kitsap County does not have a major river system and the County does not experience the scale of flooding as some neighboring counties.

However, frequently flooded areas in Kitsap County are typically located on coastal areas and along streams and wetlands. Flood zones are subject to inundation by a depth, velocity, intensity, and frequency of flood waters during major storm events.

Development proposed within frequently flooded areas must mitigate for flood hazards and conform to the provisions of *ICC 14.02A – Flood Damage Prevention* and [Kitsap County Code Title 15](#). These development standards are also reviewed and updated for compliance as part of the [Federal Emergency Management Agency \(FEMA\)](#) and National Flood Insurance Program.

Photo by Kitsap Sun





## **Critical Aquifer Recharge Areas**

Potable water is an essential life-sustaining element. The majority of Kitsap County drinking water comes from groundwater supplies in aquifers. Regulated development is very important for shallow and deep water aquifer recharge.

As defined in Kitsap County Code chapter 19.150.210, a critical aquifer recharge area means those areas with a critical recharging effect on aquifers used for potable water, and is vulnerable to contamination or reduced recharge.

Critical aquifer recharge areas are broken into two categories.

**Category I** critical aquifer recharge areas are those areas where the potential for certain land use activities to negatively impact groundwater is high.

Specified land uses are prohibited within Category I areas, unless a waiver is granted, which requires a **Hydrogeological Report**.

**Category II** critical aquifer recharge areas provide recharge water sources that currently or potentially will become potable water supplies and are vulnerable to contamination based on the type of land use activity. They may also require a **Hydrogeological Report**.

Kitsap County has a [Critical Aquifer Recharge Area Map](#) for reference.

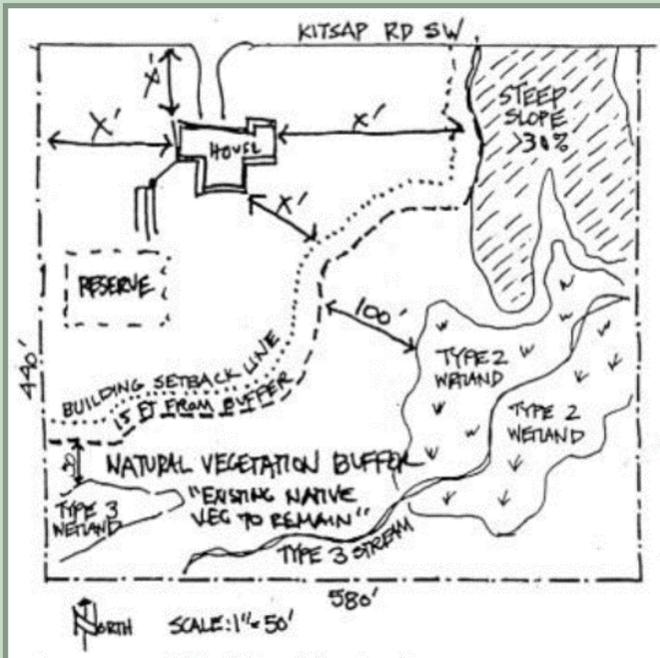
## Protecting Critical Areas

The CAO emphasizes a sequence of steps during site development to protect critical areas.

These include:

- avoiding impacts to critical areas on the property
- minimizing impacts to critical areas that cannot be avoided as a result of development, and
- and mitigating for the impacts which may occur to critical areas on the site.

A proposed site plan must show all known critical areas, buffers, and proposed structure setbacks. For more information, check out our [DCD Building Site Plan—Submission Guidelines and Information](#) brochure.



## **Helpful Links**

**Live Chat and Staff Appointments** - [Contact Us \(kitsapgov.com\)](https://www.kitsapgov.com)

**Parcel Search** - [Parcel Search \(kitsapgov.com\)](https://www.kitsapgov.com)

**Critical Area Maps** - [https://www.kitsapgov.com/dcd/DCD%20GIS%20Maps/Critical\\_Areas.pdf](https://www.kitsapgov.com/dcd/DCD%20GIS%20Maps/Critical_Areas.pdf)

**Kitsap County Code** - [Kitsap County Code \(codepublishing.com\)](https://www.kitsapgov.com)

**Shoreline Master Program** - [https://www.kitsapgov.com/dcd/Pages/SMP\\_review.aspx](https://www.kitsapgov.com/dcd/Pages/SMP_review.aspx)

**Fish & Wildlife** - <https://wdfw.wa.gov/species-habitats/at-risk/phs/maps>

**Fish & Wildlife HPA** - <https://wdfw.wa.gov/licenses/environmental/hpa>

**FEMA** - <https://www.fema.gov/flood-maps>

**WA State Growth Management Act** - [GMA Laws and Rules - Washington State Department of Commerce](https://www.wa.gov/growth-management)



**Kitsap County Department of Community Development**

614 Division Street, MS-36, Port Orchard, WA 98366-4682

[www.kitsapgov.com/dcd](https://www.kitsapgov.com/dcd); Email/[help@kitsap1.com](mailto:help@kitsap1.com); Phone/(360) 337-5777; Fax (360) 337-4925



## CONTACT INFORMATION

### **Kitsap County:**

Kitsap1 Helpline: 360-337-5777

Email: [help@kitsap1.com](mailto:help@kitsap1.com)

Website: [www.kitsapgov.com/DCD](http://www.kitsapgov.com/DCD)



**Kitsap County Department of Community Development**

614 Division Street, MS-36, Port Orchard, WA 98366-4682