



Critical Areas

BP-44

Department of Building and Planning

PROTECTION OF CRITICAL AREAS was mandated by Washington State's Growth Management Act law. Spokane County adopted critical area policies in the Comprehensive Plan, and in June 2008, adopted an updated Critical Areas Ordinance (CAO). This ordinance limits land uses or development and establishes review procedures for four critical areas: *Wetlands*, *Fish and Wildlife Habitat*, *Geological Hazards*, and *Critical Aquifer Recharge Areas*.

WETLANDS — involve a combination of water, soil type, and wetland vegetation. Wetlands have a variety of appearances ranging from open water to a field with wetland vegetation. There are four different types of wetlands that can only be determined by the vegetation, soil and hydrology. A wetlands specialist can conduct a site analysis to determine the wetland category. Wetlands also have an associated buffer depending on the wetland category as follows:

- Category 1 wetland: 250-foot buffer
- Category 2 wetland: 200-foot buffer
- Category 3 wetland: 150-foot buffer
- Category 4 wetland: 50-foot buffer

Wetland buffers are not to be disturbed and must remain in native vegetation. If wetlands are disturbed or damaged, a wetland mitigation plan developed by a qualified wetland specialist is necessary and requires restoration and/or creation of new wetlands at greater than a 1:1 ratio, along with a 5-year financial performance bond to guarantee that the new wetland improvements become established.

FISH AND WILDLIFE HABITAT — involves priority wildlife species and habitats and includes 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. This Plan is reviewed by the Washington State Department of Fish and Wildlife who advises Spokane County as to its adequacy. Riparian Habitat adjacent to the flowing water of rivers, streams and creeks has the following associated buffers:

- Type S Water, Shorelines of the State: 250-foot buffer
- Type F Water, Fish: 100-foot buffer
- Type NP Water, Non-Fish Perennial: 75-foot buffer
- Type NS Water, Non-Fish Seasonal: 25-foot buffer

These habitat buffers are to remain in native vegetative, and are allowed very limited uses.

GEOLOGICAL HAZARDS — typically involve property with 30% or greater slopes or property with soil characteristics that have severe potential for erosion or landslides. Development and land uses can be limited in these areas and may require a Geo-Hazard Mitigation Plan prepared by a qualified landslide or erosion specialist (typically a civil engineer).

CRITICAL AQUIFER RECHARGE AREAS — are designated and protected to maintain recharge and quality of potable ground water. Aquifers including the Spokane Rathdrum Aquifer, Little Spokane River Aquifer and many others are the primary source of domestic water throughout Spokane County. Critical aquifer recharge areas are designated according to their susceptibility to contamination as high, medium and low susceptibility. Uses and activities that have a potential to pollute or interfere with recharge of aquifers are regulated or in some cases prohibited in critical aquifer recharge areas. Uses and activities that are regulated to protect critical aquifer recharge areas include but are not limited to dairy farming, chemical handling and storage, wastewater disposal systems, landfills and mining.

“HOW WAS I SUPPOSED TO KNOW?”— is a common reaction to notification of critical area problems or violations. Because of the technical nature of identifying these critical areas many property owners may not realize they have one or more type of critical areas on or adjacent to their property. Additionally, many may not be aware of these regulations, which need to be considered before making changes to their property.

Spokane County can assist in identifying and understanding these regulations. During permit review, projects are evaluated for compliance with the standards for critical areas. Anyone who is thinking about developing or changing the physical aspects of their property should CALL FIRST, before it becomes necessary to correct a problem. Contact Spokane County Department of Building and Planning at (509) 477-3675 for assistance before starting design work, developing, grading, or changing your property within the unincorporated portion of Spokane County. This includes any development in the water, next to water/marshes/wet areas, in areas covered by native vegetation, steep slopes, and areas that show land movement (landslides) or erosion.

The Spokane County Critical Areas Ordinance can be purchased at the Spokane County Department of Building and Planning in the Public Works Building at 1026 West Broadway Avenue, next to the Spokane County Courthouse. The Ordinance is also available on-line on our website at www.spokanecounty.org/bp.

For more information or an appointment contact:

Spokane County

Department of Building and Planning

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Please note that while every effort is made to assure the accuracy of the information contained in this brochure it is not warranted for accuracy. This document is not intended to address all aspects or regulatory requirements for a project and should serve as a starting point for your investigation. For detailed information on a particular project, permit, or code requirement refer directly to applicable file and/or code/regulatory documents or contact the appropriate division or staff.