



Burien

Washington, USA

Critical Area Review Application

400 SW 152nd Street, Suite 300 Burien, WA 98166
 Phone: (206) 241-4647 • FAX: (206) 248-5539
 www.burienwa.gov

File Number

APPLICANT INFORMATION		
Name:	Company:	Daytime Phone:
Mailing Address:		E-Mail:
Contact person:	E-Mail:	Daytime Phone:
Property owner:		Daytime Phone:
Mailing Address:		E-Mail:

PROJECT INFORMATION		
Site Address:	Parcel Number:	
Zoning District:	Comprehensive Plan designation:	
Number of Acres:	Number of Lots:	Number of Units:
Legal description of property:		
Affected critical areas: <input type="checkbox"/> Wetlands <input type="checkbox"/> Streams <input type="checkbox"/> Critical Aquifer <input type="checkbox"/> Landslide Hazard Area <input type="checkbox"/> Fish & Wildlife		
Description of proposal (attach additional sheets if necessary):		

SIGNATURE

I, _____, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate _____ to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional Engineers and other Consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Date: _____

Signature: _____

Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for other important information. The checklist(s) must be submitted with the application and the required submittals.

WHAT IS A CRITICAL AREA?

For the purpose of this handout, a critical area is any land defined or mapped as an erosion hazard area, landslide hazard area, critical aquifer recharge areas, wetlands and protected fish and wildlife habitat. Streams, seismic hazard areas and flood hazard areas are also considered critical areas. If your property contains or is near a stream, seismic hazard area or flood hazard area, contact the Dept. of Community Development for process and development requirements.

HOW DO I DETERMINE IF MY PROPERTY IS IN OR NEAR A CRITICAL AREA?

The first step is to review the critical area/environmentally sensitive area map at the Dept. of Community Development. The critical area/environmentally sensitive area maps were prepared in about 1990, using generalized information. Hence, the critical areas map is not 100% accurate. Therefore, even if your property is not within a mapped critical area, there may be critical areas on or near your property. Regardless of whether a critical area is shown on the critical areas map, the actual presence or absence of the features defined in this code as critical areas shall govern.

WHAT IF I BELIEVE THAT THE CITY'S MAPS ARE INCORRECT?

If you believe that the mapping is incorrect, you may hire a qualified professional to prepare a written report evaluating the actual conditions on your property to determine whether the definition of a specific critical area is met. For more information on this process, please contact the Dept. of Community Development.

WHEN IS A CRITICAL AREA REVIEW REQUIRED?

A Critical Area Review is required for any alteration, construction, development or activity within a critical area (except a seismic hazard area) or its buffer. An alteration is defined in BMC 19.10.020 as: "Any human activity which results or is likely to result in an impact upon the existing condition of a critical area. Alterations include, but are not limited to, grading, filling, dredging, draining, channelizing, applying herbicides or pesticides or any hazardous substance, discharging pollutants except storm water, grazing domestic animals, paving, constructing, applying gravel, modifying for surface water management purposes, cutting, pruning, topping, trimming, relocating or removing vegetation or any other human activity which results or is likely to result in an impact to existent vegetation, hydrology, wildlife or wildlife habitat. Alterations do not include walking, fishing or any other passive recreation or other similar activities."

WHAT IS A CRITICAL AREA REVIEW?

The City of Burien uses the Critical Area Review process to evaluate a proposal's effect on critical areas. The purpose of this review is to protect the natural environment and protect public health and safety. In addition to project plans, a Critical Area Study is also required. A Critical Area Review is processed as an administrative decision. However, the review process for development on an undeveloped lot in a landslide hazard area is a Type 1 Land Use Review.

WHAT IS A TYPE 1 LAND USE REVIEW?

Type 1 Land Use Review involves a decision by the Community Development Director following issuance of a public notice, consideration of written public comments and review of a written staff recommendation (BMC 19.65.065). The Director's decision can be appealed to the City's Hearing Examiner.

PRE-APPLICATION MEETING

A pre-application meeting with the Project Review Team is required for all Critical Area Reviews. Pre-application meetings are generally held on the 2nd and 4th Thursday mornings of each month. To set up a pre-application meeting, submit a Pre-Application Meeting Request with the Dept. of Community Development, along with the required information, at least a week before the meeting. The Project Review Team consists of staff from the City Departments of Community Development (Planning and Building), and Public Works, along with staff from the appropriate water, sewer and fire districts. The purpose of the pre-application meeting is to provide the applicant with a preliminary list of issues, code requirements and application requirements.

WHEN IS A CRITICAL AREA STUDY REQUIRED?

A written critical area study is required for all Critical Area Reviews.

The Community Development Director may limit the scope of the critical area study, or may waive the critical area study (**but not the Critical Area Review**) if all of the following criteria are met:

1. There will be no alteration of the critical area or its buffer;
2. The proposal will not have an impact on the critical area in a manner contrary to the purposes and requirements of this chapter; and
3. The proposal is consistent with other City of Burien applicable regulations and standards.

WHAT IS THE PURPOSE OF A CRITICAL AREA STUDY?

The purpose of the critical area study is to provide the decision maker on your permit application with the information needed to assess the impacts and risks associated with your proposal, and to impose any needed measures to mitigate those impacts and risks. A good critical area study will:

1. Adequately evaluate the proposal and all probable impacts and risks related to the critical area;
2. Recommend appropriate measures to comply with the provisions of the Critical Areas chapter of the Zoning Code (BMC Chapter 19.40); and,
3. Recommend appropriate measures to mitigate any adverse environmental impacts of the proposal.

WHO CAN PREPARE A CRITICAL AREA STUDY?

A critical area study must be prepared by a person with experience and training in the scientific discipline appropriate for the relevant critical area subject.

WHAT IS REQUIRED TO BE INCLUDED IN A CRITICAL AREA STUDY?

See the attached submittal checklist for the minimum required information in a critical area study. The professional who is preparing the study may recommend that additional information be included.



PLEASE RETURN THIS CHECKLIST WITH YOUR APPLICATION

The following is a list of materials and plans which must be submitted in order to have a complete application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Department of Community Development if you have questions. Please do not turn in your application until all materials which apply to your proposal have been checked off.

Pre-Application Meeting	REQUIRED	PROVIDED
A pre-application meeting with a planner is required within the six months immediately prior to submittal (see separate pre-application meeting handout).	X	

Application	REQUIRED	PROVIDED
Set up an application submittal appointment with the planner who performed the pre-app.	X	
A completed and signed Critical Area Review Application Form.	X	

Fees	REQUIRED	PROVIDED
A check payable to the City of Burien for applicable filing fees and engineering deposits (see separate fee schedule).	X	

SEPA Environmental Checklist (5 copies)	REQUIRED	PROVIDED
Five (5) paper copies and one (1) electronic copy of a completed and signed SEPA Environmental Checklist (no signature required for electronic copy). An electronic version of the checklist can be found at www.burienwa.gov .		

Survey, Site Plans and Building Elevations (5 copies)	REQUIRED	PROVIDED
Five (5) copies of dimensioned plans, drawn at 1" = 20' or a comparable scale, and one set reduced to 8½" x 11" size. For sites in or within 100 feet of a landslide hazard area, plans and specifications <u>must be prepared by a licensed architect or licensed professional engineer</u>	X	
1. 8-1/2" x 11" reductions of all plans.	X	
2. Property survey showing property dimensions and any existing structures which are proposed to remain on the property and names of adjacent rights-of-way.		
3. Existing streams, lakes, and shorelines, fire hydrants, utility lines (including location of nearest utility poles and fire hydrants), structures, rockeries, roadways and other relevant man-made or natural features.		
4. Location and description of the fish and wildlife habitat conservation areas on the subject property, as well as potential fish and wildlife habitat conservation areas within 200 feet of the subject property, and the location of any observed evidence of use by a listed species.		

	REQUIRED	PROVIDED
5. Vegetation Management and Landscaping Plan: The following shall be shown on the plan:		
a. All existing vegetation and an indication of which vegetation will be removed. The location, size and species of all evergreen trees over 8" and deciduous trees over 12" in diameter shall be indicated by survey. The dripline and trunk locations should be accurately depicted.		
b. All City requirements relating to protection, maintenance and planting of vegetation shall be incorporated.		
c. Proposed clearing limits shall be identified for the project and any areas where vegetation in a critical area or its buffer is proposed to be disturbed.		
d. Proposed mitigating measures to prevent erosion and protect the critical area, its buffer and other properties from hazards and adverse impacts.		
e. Proposed landscaping; size, species, location and distance apart.		
6. Existing and finished grades at 5-foot contours.		
7. The accurate location and boundaries of critical areas and their required buffers on or within 100 feet of the site (TO BE SHOWN ON ALL PLANS). <u>Steep Slopes</u> : delineate the top and toe of the slope and slope buffer <u>Wetlands</u> : delineate the wetland edge and buffer <u>Streams</u> : delineate the ordinary high water mark of the stream and stream buffer <u>Data Requirements</u> : Provide a table with GPS points showing the critical area delineation spaced no more than 30 feet apart, using decimal degrees and/or northing and easting in linear feet. Data should be horizontally referenced in the North American Datum 1983 (HARN).		
8. Location and dimensions of proposed structure(s), parking areas (include degree of angle for parking stall design), driveways and roadways.		
9. Calculations for proposed lot area, density, setbacks, building coverage, impervious surface coverage, building height, gross floor area and parking.		
10. Location and size of proposed utility lines, together with a letter of water and/or sewer availability.		
11. Name, location and dimensions of, and existing and proposed improvements in rights-of-way and easements. Existing improvements in existing rights-of-way and easements must also be indicated.		
12. For multifamily residential, location and dimensions of common and private recreation space.		
13. Dimensioned building elevations drawn at 1/8" = 1' or a comparable scale showing at least two facades.		
14. For proposals in or within 100 feet of a landslide hazard area: A footing and foundation plan prepared by a licensed professional engineer incorporating the recommendations contained in the critical area study.		
15. For applications involving a landslide hazard area, an affidavit in a form approved by the City attorney, releasing the city from all liability pursuant to BMC 19.40.290.4.E. The affidavit shall be recorded with King County.		

Drainage Plans (5 copies)	REQUIRED	PROVIDED
One (1) original and four (4) copies of a permanent and complete stormwater control plan and drainage report prepared by a licensed professional engineer complying with the City of Burien's adopted Storm Water Design Manual. The plan shall include but not be limited to the following items as appropriate: curbs, gutters, inlets, catch basins, tightlines, retention and detention facilities, stabilized outfalls, and subterranean water.	X	

Critical Area Study (5 copies)	REQUIRED	PROVIDED
One (1) original and Four (4) copies of a critical area study containing the following information:		
1. The dates, names, and qualifications of the person preparing the study and documentation of any fieldwork performed on the site.		
2. Identification and characterization of all critical areas, water bodies, and buffers adjacent to the proposed project area or potentially impacted by the proposed project.		
3. A statement specifying the accuracy of the study, and assumptions used in the study.		
4. A determination of the degree of hazard and risk from the proposal both on the site and on surrounding properties.		
5. An assessment of the probable cumulative impacts to critical areas, their buffers and other properties resulting from the proposal.		
6. A description of reasonable efforts made to apply mitigation sequencing to avoid, minimize, and mitigate impacts to critical areas.		
7. Plans for adequate mitigation to offset any impacts.		
8. Recommendations for maintenance, short-term and long-term monitoring, contingency plans and bonding measures.		
9. A written statement from the expert(s) that prepared the critical area study, that he/she has reviewed the project plans and specifications, and that his/her recommendations and design criteria have been fully incorporated into the project documents.		
10. Any other technical information required by the Director.		

Landslide or Erosion Hazard Areas		
FOR A PROPOSAL FOR ALTERATION IN OR WITHIN 50 FEET OF AN EROSION HAZARD AREA OR LANDSLIDE HAZARD AREA INCLUDE THE FOLLOWING ADDITIONAL INFORMATION IN THE CRITICAL AREA STUDY:		
	REQUIRED	PROVIDED
1. An analysis of how the proposed construction techniques and designs minimize disruption of existing topography and existing vegetation, including:		
a. An analysis explaining why the construction season should or should not be limited.		
b. An analysis of the type of foundation that should be used.		
c. An analysis of whether excavations should be dug by hand or hand-held machinery.		
d. An analysis of how impervious surface is minimized.		
e. An analysis of whether under-structure parking and multi-level structures are feasible.		

2. A description of how the face of cuts and fills are adequately prepared and maintained to control against erosion and instability.		
3. A description of how bluffs will be adequately protected against surface erosion.		
4. An analysis of how the proposal will be located and designed to minimize slope disturbance, minimize removal of vegetation, and retain open space.		
5. An analysis of how proposed vehicular access will be located in the least sensitive area of the site.		
6. An analysis of why the proposed development will not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site.		
7. An analysis of how the proposed development will be consistent with the general purposes of the Critical Area Chapter and the public interest.		
8. An analysis of why there is no feasible alternative that would have less impact on the critical area.		
9. Any other technical information required by the Director.		
FOR A PROPOSAL WITH A LANDSLIDE HAZARD BUFFER OF 0' TO 25' INCLUDE THE FOLLOWING ADDITIONAL INFORMATION IN THE CRITICAL AREA STUDY:		
	REQUIRED	PROVIDED
1. An analysis of how the proposal will maintain long-term stability of the landslide hazard area.		
2. Any appropriate mitigating measures needed to mitigate impacts of the buffer reduction.		
3. An assessment of any increased risk that could result from the buffer reduction.		

Fish and Wildlife Habitat Areas		
FOR A PROPOSAL FOR ALTERATION OF A FISH AND WILDLIFE HABITAT INCLUDE THE FOLLOWING ADDITIONAL INFORMATION IN THE CRITICAL AREA STUDY:		
	REQUIRED	PROVIDED
1. An analysis of how the proposed development activities will affect the fish and wildlife habitat conservation areas and listed species.		
2. The Habitat Management Plan should also address the following mitigation measures:		
a. Demonstrate the reduction or limitation of development activities within the fish and wildlife habitat conservation areas.		
b. Demonstrate the use of low impact development techniques or clustering of development on the subject property to locate structures in a manner that preserves and minimizes adverse effects to habitat areas.		
c. An analysis explaining why the construction season should or should not be limited.		
d. An analysis of the need for preservation or retention of habitat and vegetation on the subject property in contiguous blocks or with connection to other habitats that have a primary association with listed species.		
e. An analysis that a buffer around the fish and wildlife habitat conservation areas is needed or not needed.		

f. An analysis that access to the fish and wildlife habitat conservation areas and buffer should or should not be limited.		
g. An analysis of the need for the creation or restoration of habitat area for the listed species.		

Wetland Areas		
FOR A PROPOSAL FOR ALTERATION OF A WETLAND OR ITS BUFFER INCLUDE THE FOLLOWING ADDITIONAL INFORMATION IN THE CRITICAL AREA STUDY:		
	REQUIRED	PROVIDED
1. An analysis of how the proposal will not adversely affect: 1) water quality; 2) fish, wildlife, or their habitat; or 3) drainage and/or storm water detention capability.		
2. An analysis of how the proposal will not lead to unstable earth conditions or create an erosion hazard or contribute to scouring actions.		
3. An analysis of how the proposal will not be materially detrimental to any other property or the City as a whole.		
4. An analysis of how the proposal will not have any adverse effects on any other critical areas.		
5. A mitigation plan that achieves no net loss of wetland function or value.		