SUBMIT TO:
City of Vancouver
Community & Economic Development
415 W. 6th ST
Vancouver, WA 98660
www.cityofvancouver.us

Critical Areas Permit Application

Types II, III and IV for permits in conjunction with other land use applications

Check the type or types of critical areas this proposal would impact

☐ Fish and Wildlife Habitat Conservation Area (VMC 20.740.110)

☐ Frequently Flooded Area (VMC 20.740.120)

☐ Geologic Hazard Area (VMC 20.740.130)

☐ Wetland (VMC 20.740.140)

Property Owner _____ Telephone (____) _____
(Print Name)

Mailing Address _____
(Number, Street, City, State, Zip)

Applicant _____ Telephone (____) _____
(Print Name)

Mailing Address _____
(Number, Street, City, State, Zip)

Relationship to Owner _____

Property address or side of fronting street and distances and direction from nearest cross street _____

_____

Zoning district _____ Qtr. sec., township, range _____ Tax serial number(s) _____

Legal description: Lot(s) _____ Block(s) _____ Plat name _____

☐ Check here if metes and bounds description and attach narrative to application

Provide a brief description of the proposal _____

_____

_____

_____

_____

Sewage disposal: ☐ Septic ☐ Public Water source: ☐ Private well ☐ Public

I/we understand that per VMC 20.210.090 if it is determined the application is not complete, the City shall immediately reject and return the application and identify in writing what is needed to make the application counter complete.

I/we agree that City staff may enter upon the subject property at any reasonable time to consider the merits of the application, to take photographs and to post public notices.

Signature of Property Owner _____ Date _____

Signature of Applicant _____ Date _____

Signature of Counter Person _____ Date _____

Statement of Professional Qualifications

Only qualified professionals may prepare Critical Areas Reports.

VMC 20.150.040(B) defines *Qualified Professional* as:

A person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4).

A. Urban Forestry. Qualified professionals in urban forestry must have academic and field experience that makes them competent in urban forestry. This may include arborists certified by the International Society of Arboriculture, or foresters certified by the Society of American Foresters. Qualified professionals in urban forestry must possess the ability to evaluate the health and hazard potential of existing trees, and the ability to prescribe appropriate measures necessary for the preservation of trees during land development.

B. Critical Areas. Qualified professionals in critical areas must have obtained a BS or BA or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology, or a related field, and two years of related work experience. In addition:

1. A qualified professional for frequently flooded areas or a geologic hazard must be a registered professional engineer, geologist, engineering geologist, or hydrogeologist licensed in the State of Washington with experience in the analyses required for the relevant hazard(s).

2. A qualified professional for wetlands must have a minimum of five years experience in wetland science including experience preparing wetland reports for review by regulatory agencies.

I certify that:

☐ I prepared the Critical Areas Report; and

☐ I am a *Qualified Professional* as defined by VMC 20.150.040(B) for the following critical area(s):

- ☐ Fish and Wildlife Habitat Conservation Areas (VMC 20.740.110)
- ☐ Frequently Flooded Areas (VMC 20.740.120)
- ☐ Geologic Hazard Areas (VMC 20.740.130)
- ☐ Wetlands (VMC 20.740.140)

Qualifications _____

_____

_____

_____

Signature _____

Print Name _____

E-mail Address _____

Telephone (____) _____

Mailing Address _____
(Number, Street, City, State, Zip)

_____

_____

Minimum Critical Areas Application Submittal Requirements

Applications for Critical Areas Permits shall be filed with Community Development. An applicant for a Critical Areas Permit shall submit the requisite fee, a completed application form provided for that purpose by Community Development and 10 copies of the information required below unless otherwise specified. Additional copies may be required as specified in the pre-application conference report. A Critical Areas permit application shall include the information listed below on separate sheets or combined. Drawings shall be on sheets no larger than 24 by 36 inches and at a scale of 1 inch = 50 feet or larger (e.g., 1 inch = 30 feet). Proposals shall be reviewed and approved, approved with conditions, or denied based on the proposal's ability to comply with approval criteria in 20.740.060.

A. ☐ Required fee

B. ☐ Completed application form

C. ☐ **10** sets of plans, or the number specified in the pre-application conference report

D. ☐ A Critical Areas Report prepared by a qualified professional addressing all items on pages 3 and 4 of this application (20.740.050 Submittal Requirements)

E. Existing conditions plan including the following information

1. ☐ A vicinity map showing streets and access points; pedestrian and bicycle pathways; transit stops; and utility locations within a given radius of the site
2. ☐ The site size, dimensions and orientation relative to north
3. ☐ The location, name and dimensions of public and private streets adjoining the site
4. ☐ The location of existing structures and other improvements on the site, including driveways, parking, loading, pedestrian and bicycle paths, passive or active recreation facilities or open space, and utilities

5 ☐ Elevation of the site at 2-foot contour intervals for grades zero to 10%, and at 5-foot contour intervals for grades more than 10%

6. ☐ The approximate location and description of individual trees that have a diameter of 6 inches or more measured 4 feet above grade at the base of the tree and other information necessary to comply with Chapter 20.770. The plan may show clusters of such trees rather than individual trees when trees are near one another.

F. Site plan drawn at the same scale as the existing conditions plan. The site plan shall show all proposed improvements including but not limited to the following, as applicable.

1. ☐ The proposed site, its dimensions and area
2. ☐ Abutting properties or, if abutting properties extend more than 100 feet from the site, the portion of abutting properties within about 100 feet of the site, and the approximate location of structures and uses on abutting property or portion of abutting property
3. The location and dimensions of proposed development, including the following:
   a. ☐ Streets and other rights of way and public or private access easements on and adjoining the site
   b. ☐ Vehicle, pedestrian and bicycle access, parking and circulation areas
   c. ☐ Active or passive recreation or open space features
   d. ☐ Underground utilities
   e. ☐ Existing structures to be retained
   f. ☐ Proposed structures on the site, including signs, fences, etc., and their distance from property lines
   g. ☐ The location and type of proposed outdoor lighting and existing lighting to be retained
   h. ☐ Any areas to be disturbed, including vegetation

G. ☐ Mitigation plan, if required

H. ☐ One set of all plans identified above reduced to 8 1/2 by 11"

I. ☐ Archaeological pre-determination report, if required

J. ☐ SEPA checklist, if required

K. ☐ A copy of the complete pre-application report summary

L. ☐ Additional information specified in the pre-application report summary

M. ☐ Current Clark County Assessor map(s) showing the property(ies) within a 500-foot radius of the site

N. ☐ Two sets of mailing labels with the names and addresses of owners of all properties within a 500-foot radius of the site, certified as accurate by the Clark County Assessor. For non-owner occupied properties, provide mailing labels addressed to "Occupant" as can be determined from available Clark County Assessor records.

Minimum Critical Areas Report Submittal Requirements

In addition to minimum application requirements, applications for a Critical Areas permit must be accompanied by a report containing the information in VMC 20.740.050 outlined below. Required maps and drawings shall be on sheets no larger than 24 by 36 inches and at a scale of 1 inch = 50 feet or larger (e.g., 1 inch = 30 feet). The applicant shall submit 8 copies of the report. Additional copies may be required as specified in the pre-application conference report. Proposals shall be reviewed and approved, approved with conditions, or denied based on the proposal's ability to comply with approval criteria in 20.740.060.

The applicant may consult with the Planning Official prior to or during preparation of the Critical Areas Report to obtain City approval of modifications to the required contents of the report where, in the judgment of a qualified professional, more or less information is required to adequately address the potential impacts to any critical areas or buffers and the required mitigation. The Planning Official may also initiate a modification to the required report contents by requiring either additional or less information, when determined to be necessary to the review of the proposed activity in accordance with this Chapter.

A. Report preparation data

- ☐ 1. Names of person(s) preparing report
- ☐ 2. Qualifications of person(s) preparing report
- ☐ 3. Dates report prepared
- ☐ 4. Documentation of any fieldwork performed on the site

B. ☐ Copy of the site plan that includes the following

- 1. ☐ A map to scale depicting critical areas, buffers, the development proposal and any areas to be cleared
- 2. ☐ Proposed stormwater management and sediment control plan for the development including a description of any impacts to drainage alterations

C. ☐ Identification and scientific characterization of all critical areas and buffers

D. ☐ An assessment of the probable impacts to critical areas and buffers and risk of injury or property damage including permanent, temporary, temporal, and indirect impacts resulting from development of the site and the operation of the proposed development

E. A written response to each of the approval criteria in VMC 20.740.060

- 1. ☐ Avoid Impacts. The Applicant shall first seek to avoid all impacts that degrade the functions and values of (a) critical area(s). This may necessitate a redesign of the proposal
- 2. ☐ Minimize Impacts. Where avoidance is not feasible, the applicant shall minimize the impact of the activity and mitigate to the extent necessary to achieve the activity's purpose and the purpose of this ordinance. The applicant shall seek to minimize the fragmentation of the resource to the greatest extent possible.
- 3. ☐ Compensatory Mitigation. The applicant shall compensate for the unavoidable impacts by replacing each of the affected functions to the extent feasible. The compensatory mitigation shall be designed to achieve the functions as soon as practicable. Compensatory mitigation shall be in-kind and on-site, when feasible, and sufficient to maintain the functions of the critical area, and to prevent risk from a hazard posed by a critical area to a development or by a development to a critical area
- 4. ☐ No Net Loss. The proposal protects the critical area functions and values and results in no net loss of critical area functions and values
- 5. ☐ Consistency with General Purposes. The proposal is consistent with the general purposes of VMC 20.740 Critical Areas Protection and does not pose a significant threat to the public health, safety, or welfare on or off the development proposal site
- 6. ☐ Performance Standards. The proposal meets the specific performance standards of Fish and Wildlife Habitat Conservation Areas VMC 20.740.110, Frequently Flooded Areas VMC 20.740.120, Geologic Hazard Areas VMC 20.740.130, and Wetlands VMC 20.740.140, as applicable

F. Plans for adequate mitigation, as needed, to offset any impacts, in accordance with VMC.740.050(F)

1. ☐ Detailed construction plan that includes descriptions of mitigation proposed such as the following
   a. ☐ Proposed construction sequence, timing and duration
   b. ☐ Grading and excavation details
   c. ☐ Erosion and sediment control features
   d. ☐ A planting plan specifying plant species, quantities, locations, size, spacing, and density
   e. ☐ Measures to protect and maintain plants until established
2. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the mitigation project and for assessing a completed project.
   a. ☐ A protocol shall be included outlining the schedule for site monitoring, and how the monitoring data will be evaluated to determine if the performance standards are being met.
   b. ☐ The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

G. ☐ Additional information required for the specific critical areas and buffers as specified in VMC 20.740.110 Fish and Wildlife Habitat Conservation Areas (see page 6 of this application), VMC 20.740.120 Frequently Flooded Areas (page 7), VMC 20.740.130 Geologic Hazard Areas (pages 8-9), and VMC 20.740.140 Wetlands (page 10)

H. ☐ Other Reports or Studies. Unless otherwise provided, a Critical Areas Report may be supplemented by or composed, in whole or in part, of any reports or studies required by other laws and regulations or previously prepared for and applicable to the development proposal site, as approved by the Planning Official, provided the site conditions shall not have changed since the earlier report or study was completed.

Fish and Wildlife Habitat Conservation Areas
Additional Critical Areas Report Requirements

A. ☐ Critical Areas Report for a Riparian Management Area or Riparian Buffer shall include evaluation of the habitat functions using the Clark County Habitat Conservation Ordinance Riparian Habitat Field Rating Form or another habitat evaluation tool approved by the Washington Department of Fish and Wildlife.

B. If the clearing or development activity is in the Riparian Management Area, the Critical Areas Report shall contain the following information, if applicable, in addition to the general Critical Areas Report requirements of VMC 20.740.050:

1. ☐ How the clearing or development activity constitutes a water-dependent, water-related or water-enjoyment use
2. ☐ How the clearing or development activity cannot feasibly be located on the site outside of the Riparian Management Area
3. ☐ How the proposal meets the Riparian Management Area width averaging standard (VMC 20.740.110(C)(2)(c))
4. ☐ How the proposal will not adversely affect the connectivity of habitat functions

Frequently Flooded Areas
Additional Critical Areas Report Requirements

A. In addition to the Critical Areas Report requirements in VMC 20.740.050, the following information shall be submitted

1. ☐ Base (100-year) flood elevation in relation to mean sea level. When base flood elevation has not been provided or is not available from an authoritative source, it shall be generated by the applicant.
2. ☐ Elevation in relation to mean sea level, of the lowest floor (including basement) of all existing and proposed structures
3. ☐ Elevation in relation to mean sea level to which any structure's lowest floor (including basement) is raised to be at least 1' above the base flood elevation
4. ☐ Description of strategies taken to avoid, minimize, and mitigate unavoidable impacts to public safety
5. ☐ Certification, documentation, and demonstration by a qualified professional of how the applicable standards of VMC 20.740.120(C) will be met. To support the "no rise" analyses required in VMC 20.740.120(C)(1), the documentation required in the most recently updated or amended FEMA Region 10 publication, Floodplain Management: A Local Floodplain Administrator's Guide to the National Flood Insurance Program shall be submitted.

Geologic Hazard Areas
Additional Critical Areas Report Requirements

In addition to the requirements of VMC 20.740.050, the following are Critical Areas Report requirements for development proposals in geologic hazard areas. These requirements may be adjusted as appropriate by the Planning Official.

A Critical Areas Report is not required for placement or replacement of roads, sidewalks, and trails where there are no structures, gas, electric, cable, fiber optic cable, stormwater, sewer, or water facilities in areas with only ground shaking or liquefaction hazards.

A. ☐ Identification of the site and project area (defined at VMC 20.150), topography in 1' contours (or other increment at the discretion of the Planning Official), gas, electric, cable, fiber optic cable, telephone, sewer, water, and stormwater management facilities, wells, on-site septic systems, dikes, levees, and existing structures on the site plan required by VMC 20.740.050

B. ☐ Detailed review of field investigations, published data and references, data and conclusions from past geologic studies or investigations, site-specific measurements, tests, investigations, or studies, and the methods of data analysis and calculations that support the results, conclusions, and recommendations

C. ☐ Field investigation and evaluation of the areas on site for liquefaction or dynamic settlement, ground shaking amplification, fault rupture, and soil erosion hazards; and on or within 100' of the site for landslide and bank erosion hazards

D. ☐ A description of the surface and subsurface geology, hydrology, drainage patterns, soils, and vegetation on site for liquefaction or dynamic settlement, ground shaking amplification, fault rupture, and soil erosion hazards; and on or within 100' of the site for landslide and bank erosion hazards

E. ☐ Identification of the hazard area indicators that were found (if any) on site for liquefaction or dynamic settlement, ground shaking amplification, fault rupture, and soil erosion hazards; and on or within 100' of the site for landslide and bank erosion hazards

F. ☐ Conclusion as to whether there is a geologic hazard area on site or for landslide and bank erosion hazards on or within 100' of the site

G. If a liquefaction, dynamic settlement, ground shaking amplification, fault rupture, or soil erosion hazard is found to exist on site or if a landslide or bank erosion hazard is found to exist on or within 100' of the site:

1. Label and show on the site plan required by VMC 20.740.050:
   a. ☐ The location(s), extent, and type(s) of geologic hazard area(s) identified
   b. ☐ The location(s) and extent of any area(s) that must be left undisturbed to protect the proposed development from damage or destruction and to protect the hazard area(s) from the impacts of the proposed development
   c. ☐ The boundaries of the area that may be disturbed
   d. ☐ The dimension of the closest distance(s) between the geologic hazard area(s) and the project area
   e. ☐ The dimension of the closest distance(s) (See VMC 20.170.030(C) between any non-disturbance area (VMC 20.740.130(B)(7)(a)(2)) and the project area
2. ☐ For bank erosion hazard areas, show these areas, boundaries, and dimensions based upon natural processes and, if applicable, proposed bank stabilization measures
3. ☐ Analysis of the erosion processes on site for soil erosion hazard areas and on or within 100' of the site for bank erosion hazard areas
4. Evaluation of the impact of the geologic hazard area(s) on the proposed development, other properties, and other critical areas
   a. ☐ For landslide hazard areas, the impact of the run-out hazard of landslide debris from both upslope and downslope shall be included in the evaluation.
   b. ☐ For bank erosion hazard areas, evaluation of impacts on other properties shall include properties both upstream and downstream of the subject property
5. ☐ Evaluation of the impact of the proposed development on the geologic hazard area(s).
6. ☐ Assessments and conclusions regarding geologic hazard(s) for both existing and proposed (post-development) site conditions. The ultimate build-out scenarios must be considered and addressed in cases such as land division and master planning where build-out is not scheduled to occur as a direct or immediate result of project approval.

7. Written discussion of
   a. ☐ The risk of damage or destruction from the geologic hazard(s) with respect to human health and safety; infrastructure; the proposed development; other properties (both upstream and downstream for bank erosion hazard areas); and other critical areas
   b. ☐ Whether and to what degree the proposed development would increase the risk from the geologic hazard(s), such as the occurrence of a landslide or the rate of regression
8. Recommendations for mitigation of impacts to protect:
   a. ☐ Human health and safety
   b. ☐ Infrastructure
   c. ☐ The proposed development
   d. ☐ Other properties (both upstream and downstream for bank erosion hazard areas
   e. ☐ Other critical areas
   f. ☐ The hazard area during construction and for the anticipated life of the proposed development. The ultimate build-out scenarios must be considered and addressed in cases such as land division and master planning where build-out is not scheduled to occur as a direct or immediate result of project approval
9. ☐ A demonstration of how the standards of VMC 20.740.130(C) applicable to each geologic hazard area will be met

Wetlands
Additional Critical Areas Report Requirements

A critical area report for wetlands shall be prepared according to the *Washington State Wetland Identification and Delineation Manual* (1997, or as revised by Ecology) and the Hruby, 2004, *Washington State Wetlands Rating System for Western Washington*, Ecology publication #04-06-025 (or as revised by Ecology). The critical area report shall contain an analysis of the wetlands including the following site- and proposal-related information:

A. A written assessment, data sheets and accompanying maps of any wetlands or buffers on the site including the following information:

1. ☐ Hydrogeomorphic (HGM) classification
2. ☐ Wetland category
3. ☐ Wetland delineation and required buffers
4. ☐ Existing wetland acreage
5. ☐ Vegetative, faunal, and hydrologic characteristics
6. ☐ Soil types and substrate conditions
7. ☐ Topographic elevations, at 1' contours
8. ☐ A discussion of the water sources supplying the wetland and documentation of hydrologic regime (locations of inlet and outlet features, water depths throughout the wetland, evidence of recharge or discharge, evidence of water depths throughout the year – drift lines, algal layers, moss lines, and sediment deposits)

B. ☐ Functional evaluation for the wetland and buffer using Ecology's most current approved method and including the reference of the method and all data sheets

C. Proposed mitigation, if needed, including a written description and accompanying maps of the mitigation area, including the following information

1. ☐ Existing and proposed wetland acreage
2. ☐ Existing and proposed vegetative and faunal conditions
3. ☐ Surface and subsurface hydrological conditions of existing and proposed wetlands and hydrologically associated wetlands including an analysis of existing hydrologic regime and proposed hydrologic regime for enhanced, created, or restored mitigation areas
4. ☐ Relationship to lakes, streams and rivers in the watershed
5. ☐ Soil type and substrate conditions
6. ☐ Topographic elevations, at 1' contours
7. ☐ Required wetland buffers including existing and proposed vegetation