

2009 CRITICAL AREA PROGRAM UPDATE

SRA#09-14

AMENDMENTS TO INCLUDE PROPOSED REGULATIONS:

AMENDING THE LOT CONSOLIDATION AND RECONFIGURATION REGULATIONS.

		<u>POTENTIAL FOR FISCAL IMPACT</u>	<u>PLANNING COMMISSION ACTION</u>
1	COMMENT		
	A new Regulation was approved by the Critical Area Commission on May 5, 2010, and became effective September 6, 2010. This regulation clarifies the applicability of the lot consolidation and reconfiguration regulations in a manner that is essential to include in our Program updated. Through this amendment, these lot consolidation and reconfiguration regulations are not applicable to existing lots or parcels that are currently conforming to the requirements of the Critical Area Program. Planning staff strongly recommends that this amendment be included in the update as it is a positive amendment for so many property owners and will result in a lesser fiscal impact.	None.	
	RECOMMENDED REVISION	STATE LAW REFERENCE	REVISED COUNTY BILL PAGE REFERENCE
	D. THESE PROVISIONS DO NOT APPLY TO A CONFORMING PARCEL OR LOT.	27.01.02.08	pg. 4
	1. "CONFORMING" MEANS A PARCEL OR LOT THAT MEETS ALL CRITICAL AREA REQUIREMENTS.	27.01.02.08	pg. 4
	2. "CONFORMING" DOES NOT INCLUDE A PARCEL OR LOT:	27.01.02.08	pg. 4
	I. FOR WHICH A CRITICAL AREA VARIANCE IS SOUGHT OR HAS BEEN ISSUED, OR	27.01.02.08	pg. 4
	II. THAT IS IN THE RESOURCE CONSERVATION ZONE AND IS LESS THAN 20 ACRES.	27.01.02.08	pg. 4
2	COMMENT		
	The lot consolidation and reconfiguration regulations include information regarding the Critical Area Commission's right to appeal. This information was included in the original draft of the update. However, on the advice of the County Attorney's Office, this provision should not be included.	None	
	RECOMMENDED REVISION	STATE LAW REFERENCE	REVISED COUNTY BILL PAGE REFERENCE
	Delete Section 19.III.E	27.01.02.08	8
3	COMMENT		
	The General Site Design Standards of Section 44 describe an environmental features analysis as being required by the Forest Conservation Ordinance and Critical Area Program. However, the intent is require this analysis to show consistency with these environmental programs.	None.	
	RECOMMENDED REVISION	STATE LAW REFERENCE	REVISED COUNTY BILL PAGE REFERENCE
	Site Design and Environmental Features Analysis. The characteristics of the development site shall be detailed in an analysis, which may include the following, as appropriate: site context and history; geology, soil and topography; vegetation, fauna, and ecology (including the known location of any threatened or endangered species); visual features and their context; past and present use of the site; existing structures, and road networks. Other features and information may be included in the site analysis, and may be required during plan review; [a]At A minimum, [the] AN environmental features analysis AND/OR ASSESSMENT CONTAINING THE INFORMATION NECESSARY TO DEMONSTRATE CONSISTENCY WITH [required-per] the Forest Conservation Ordinance AND THE CRITICAL AREA PROGRAM is to be provided with the preliminary subdivision plan application.	None. Recommended by County Attorney's Office.	pg. 9