



Planning & Economic Development

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CRITICAL AREAS

WHAT ARE CRITICAL AREAS?

A Critical Area is a natural resource or hazard area that requires designation and protection under the Washington State *Growth Management Act*. Critical Areas are wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. Regulations and procedures related to Critical Areas are intended to protect the environment, life, and property from harm and degradation.

Critical Areas are defined within *Poulsbo Municipal Code (PMC) Chapter 16.20*. Please refer to this code section for more in-depth information on Critical Areas.

HOW DO I DETERMINE IF MY PROPERTY CONTAINS A CRITICAL AREA?

The first step is to review the [critical area maps](#) provided by the Planning and Economic Development (PED) Department. However, the location and extent of all mapped critical areas shown on the maps are approximate and shall be used as a general guide only for the assistance of property owners and city administrators. 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 *PMC Chapter 16.20* shall govern.

The type, extent and boundaries of all critical areas shall be determined in the field by a qualified specialist according to the requirements of *PMC Chapter 16.20*.

WHAT IF I BELIEVE THE 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 PED Department.

CAN I DISTURB CRITICAL AREAS?

No, *unless* the action meets one of the identified exemptions in [PMC 16.20.120](#) or you are issued approval by the city.

ARE SHORELINES CONSIDERED CRITICAL AREAS?

No. The shoreline jurisdiction includes Liberty Bay, Dogfish Creek Estuary, and those areas extending 200 feet landward from the ordinary high water mark. Wetlands located outside of the shoreline jurisdiction are regulated by the provisions of *PMC Chapter 16.20*. Wetlands located within the city's shoreline jurisdiction are regulated by the city's shoreline master program ([PMC Chapter 16.08](#)).

WHAT IF I HAVE AN EXISTING BUILDING?

Existing development containing a critical area which was lawfully constructed, approved or established prior to the effective date of *PMC Chapter 16.20*, but which does not conform to present regulations or standards, may continue per [PMC 16.20.125](#).

WHEN IS A CRITICAL AREAS PERMIT REQUIRED?

Any development proposal that includes a critical area or its buffer, or is within 300 feet of a critical area, is subject to review under the provisions of *PMC Chapter 16.20*. Development means all structures, alteration or modifications of the natural landscape above and below ground, on a particular site.

WHAT IS A CRITICAL AREAS PERMIT?

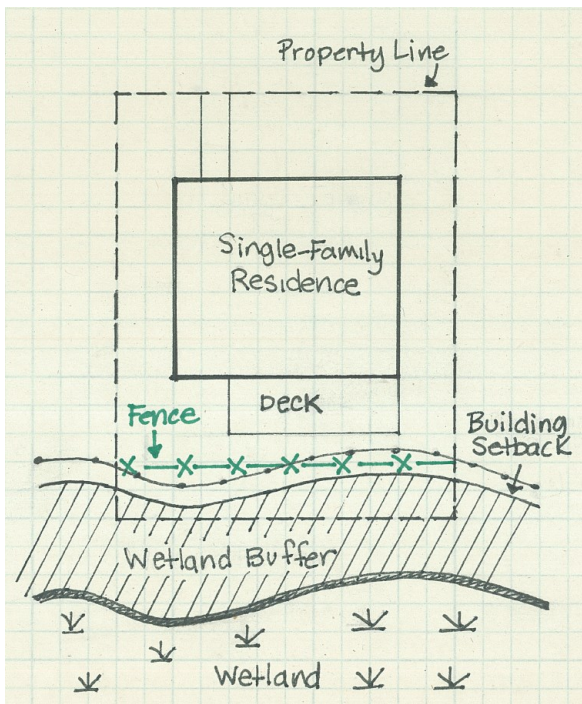
A [critical area](#) permit is a [type II](#) land use permit that is associated with uses and activities proposed in critical areas, buffers or building setbacks. A type II permit is an administrative decision by staff.

The first step in the permitting process is to submit for a pre-application conference. Pre-application conferences are intended to acquaint City staff and other agencies with a proposed development and to generally advise the applicant of applicable regulations and policies impacting the proposal. See the [Pre-Application Conference Handout](#) and [Application Form](#) for more information. Application fees can be found on the PED website.

WHEN IS A CRITICAL AREAS STUDY REQUIRED?

Special reports shall be submitted by the applicant and approved by the PED Director when required by PMC Chapter 16.20 for the protection of a critical area, its buffer and building setback. Refer to specific critical area protection standards for when special reports are required.

The city shall retain a consulting specialist(s) who shall review all special reports for critical areas, and ensure their compliance with this chapter. This peer review will be at the cost of the applicant.



Example of a single-family residential lot with a wetland buffer on the property. As shown on the sketch, the wetland feature is off-site, but the buffer extends onto the subject property where improvements are generally not permitted. A 15 foot building setback from the buffer is also shown. Limited improvements, such as fencing, are allowed within the building setback.

Disclaimer: this handout should not be used as a substitute for codes and regulations. The applicant/property owner is responsible for compliance with all code and rule requirements, whether or not described here. Please see the City of Poulsbo Municipal Code for complete text and requirements.

