

# Chapter 14.24

## CRITICAL AREAS ORDINANCE\*

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9     \* Prior legislation: Ordinances 17938 (Attech. F.), 18069 Appx. A, R20020135, O20020007, O20030020, O20040011  
 10    and O20070009.

- 11    **14.24.010**   **Introduction. [\(No Change\)](#)**
- 12    **14.24.020**   **Title and purpose. [\(No Change\)](#)**
- 13    **14.24.030**   **Authority. [\(No Change\)](#)**
- 14    **14.24.040**   **Applicability, jurisdiction and coordination. [\(No Change\)](#)**
- 15    **14.24.050**   **Resource information and maps. [\(No Change\)](#)**
- 16    **14.24.060**   **Authorizations required. [\(No Change\)](#)**

17    **14.24.070**   **Activities allowed without standard review.**

18    The following developments, land use activities and associated uses are allowed without standard critical  
 19    areas review; provided, that they are consistent with other applicable provisions of this Chapter and other  
 20    chapters of the Skagit County Code—[Some of the activities listed within this section may, however, require a](#)  
 21    [floodplain development permit if within the special flood hazard area \(SFHA\), and therefore require a Habitat](#)  
 22    [Impact Assessment pursuant to SCC 14.34.220. All ~~such~~ activities that do not require standard critical areas](#)  
 23    [review](#) shall be carried out in ways that cause the least impact to critical areas and their buffers. If any damage  
 24    is caused to a critical area or buffer in connection with such activity, the critical area and its buffer must be  
 25    restored to the extent feasible. To be allowed without standard review does not give permission to destroy a  
 26    critical area or ignore risk. Proponents of such activities shall be responsible for notifying the Administrative  
 27    Official if any damage occurs and shall provide all necessary restoration or mitigation.

- 28    (1) Emergencies That Threaten the Public Health, Safety and Welfare. An “emergency” is an unanticipated  
 29    and imminent threat to the public health or safety or to the environment which requires immediate action  
 30    within a period of time too short to allow full compliance with this Chapter. Emergency actions that  
 31    create an impact to a critical area or its buffer shall use reasonable methods that can address the  
 32    emergency but also that have the least possible impact to the critical area or its buffer. The responsible  
 33    party shall restore the critical area and buffer after the emergency to the extent feasible. The person or  
 34    agency undertaking such action shall notify the Administrative Official within 1 working day or as soon  
 35    as practical following commencement of the emergency activity. Following such notification, the  
 36    Administrative Official shall determine if the action taken was within the scope of the emergency actions  
 37    allowed in this Subsection. If the Administrative Official determines that the action taken or any part of  
 38    the action taken was beyond the scope of allowed emergency actions, then the enforcement provisions of  
 39    Chapter 14.44 SCC (Enforcement/Penalties) shall apply.
- 40    (2) Existing activities defined as ongoing agriculture on designated agricultural land, including related  
 41    development and activities which do not result in expansion into a critical area or its buffer and which do

1 not result in significant adverse impacts to a critical area or its buffer; provided, that such activities  
2 comply with the provisions of SCC 14.24.120.

3 New development and/or expansion of existing agricultural operations shall comply with both the  
4 substantive and procedural provisions of this Chapter. Existing and ongoing agricultural activities that  
5 result in significant adverse impacts to a critical area or its buffer shall not be allowed without standard  
6 review under this Chapter.

- 7 (3) Normal and routine maintenance or repair of existing structures, utilities, sewage disposal systems,  
8 potable water systems, drainage facilities, detention/retention ponds, or public and private roads and  
9 driveways associated with pre-existing residential or commercial development, provided any maintenance  
10 or repair activities shall use best management practices (BMP) with the least amount of potential impact  
11 to the critical areas and any impact to a critical area or its buffer shall be restored after the maintenance to  
12 the extent feasible.
- 13 (4) Normal maintenance, repair, or operation of existing structures, facilities, and improved areas accessory  
14 to a single-family residential use, provided any maintenance or repair activities shall use reasonable  
15 methods with the least amount of potential impact to the critical areas and any impact to a critical area or  
16 its buffer shall be restored after the maintenance to the extent feasible. This allowance shall not be  
17 construed as applying to agricultural activities undertaken outside of the Agriculture-NRL zoning district.
- 18 (5) Modification of an existing single-family residence that does not change the use from residential, does not  
19 expand the building footprint and does not adversely impact critical areas or their buffers.
- 20 (6) Modification of an existing structure other than a single-family residence which does not expand the  
21 building footprint, alter the use or increase septic effluent, pursuant to the requirements of the  
22 nonconforming use and structure provisions in Chapter 14.16 SCC, and does not adversely impact critical  
23 areas or their buffers.
- 24 (7) Provided the requirements of SCC 14.24.120(4)(d) are met for ongoing agriculture, the lawful operation  
25 and maintenance of public and private diking and drainage systems which protect life and property along  
26 the Skagit and Samish Rivers and tidal estuaries in Skagit County. This exemption shall apply to the  
27 existing structures and design prism of levees, dikes, and artificial watercourses and the following  
28 subflood control zones: Britt Slough SFCZ, Dunbar SFCZ 40 feet landward of the landward toe of the  
29 structure or facility and 40 feet waterward of the waterward toe of the structure, measured horizontally  
30 from the face of the levee, dike or bank of the artificial drainage structure toward the ordinary high water  
31 mark. The exempt area for operation and maintenance may be managed to meet federal standards for  
32 funding assistance established by the United States Army Corps of Engineers under Public Law 84-99 or  
33 other laws and regulations adopted to guide the diking and drainage functions. This exemption shall not  
34 apply to public or private activities which expand the levee, dike or drain beyond its design characteristics  
35 at the time of adoption of this Critical Areas Ordinance, and activities which expand or create new  
36 facilities shall not be exempt (Ordinance No. 17456).
- 37 (8) Education and scientific research activities which do not adversely impact critical areas or their buffers.
- 38 (9) Site investigation work necessary for land use applications such as surveys, soil logs and other related  
39 activities which does not adversely impact critical areas or their buffers. In every case, critical areas  
40 impacts shall be minimized and disturbed areas shall be immediately restored.
- 41 (10) Activities adjacent to artificial watercourses which are constructed and actively maintained for irrigation  
42 and drainage; provided, that any activity shall comply with Chapter 77.55 RCW by securing written  
43 approval from the State Department of Fish and Wildlife; and provided further, that the activity must also  
44 comply with all applicable State and local drainage, erosion and sedimentation control requirements for  
45 water quality. The operator shall notify the Administrative Official in writing regarding the location and  
46 nature of anticipated activities a minimum of 14 days prior to commencing any such activity. Such  
47 notification shall be a condition for allowance of this activity without standard review. This allowance  
48 only applies to activities not subject to SCC 14.24.120(4)(d).

- 1 (11) Maintenance activities such as mowing and normal pruning; provided, that such maintenance activities  
2 are limited to existing landscaping improvements and do not expand into critical areas or associated  
3 buffers, do not expose soils, do not alter topography, do not destroy or clear native vegetation, and do not  
4 diminish water quality or quantity. This allowance shall not be construed as applying to agricultural  
5 activities undertaken outside the Agriculture-NRL zoning district.  
6 (12) Fish, wildlife, wetland and/or riparian enhancement activities not required as mitigation; provided, that  
7 the project is approved by the U.S. Department of Fish and Wildlife, U.S. Army Corps of Engineers, the  
8 Washington State Department of Fish and Wildlife or the Washington State Department of Ecology. (Ord.  
9 O20080014 (part))

10 **14.24.080 Standard critical areas review and site assessment procedures. (No Change)**

11 **14.24.090 Protected critical areas (PCA) requirements. (No Change)**

12 **14.24.100 Critical areas determination and conditions of approval. (No Change)**

13 **14.24.110 County regulation of forest practices for the protection of critical areas. (No Change)**

14 **14.24.120 Ongoing agriculture. (No Change)**

15 **14.24.130 Hazard tree removal. (No Change)**

16 **14.24.140 Variances.**

- 17 (1) If the strict application of this Chapter is found to deprive the subject property of rights and privileges  
18 enjoyed by other properties in the vicinity, due to special circumstances applicable to the subject property,  
19 including size, shape, and topography, a critical areas variance may be authorized as provided in Chapter  
20 14.10 SCC; provided however, that those surrounding properties that have been developed under  
21 regulations in effect prior to the effective date of the ordinance codified in this Chapter shall not be the  
22 sole basis for the granting of the variance.  
23 (a) Standard buffer widths may be reduced by more than 25% but not more than 50% through an  
24 administrative variance. The administrative variance shall be processed as a Level I application  
25 pursuant to SCC 14.06.110.  
26 (b) Standard buffer widths may be reduced by more than 50% through a Hearing Examiner variance. The  
27 Hearing Examiner variance shall be processed as a Level II application pursuant to SCC 14.06.120.  
28 (2) The Approving Authority shall ensure the opportunity for public comment, including that from  
29 appropriate Federal, State, and Tribal natural resource agencies, to ensure the use of best available science  
30 before deciding on variance requests and shall develop and maintain a public record on each variance  
31 request which includes all findings, assessments and public comments. Such record shall be made  
32 available to the public before the variance decision is made.  
33 (3) Variances to the setback and buffer requirements of this Chapter may only be issued by the Approving  
34 Authority following review of the requirements listed in Subsections (3)(a) through (h) of this Section.  
35 The Approving Authority shall make a finding for each of the requirements.  
36 (a) The issuance of a zoning variance by itself will not provide sufficient relief to avoid the need for  
37 a variance to the dimensional setback and other requirements for the critical areas regulated by  
38 this Chapter; and  
39 (b) Preparation of a site assessment and mitigation plan by a qualified professional pursuant to the  
40 requirements of SCC 14.24.080 and all other applicable sections of this Chapter. The site  
41 assessment and mitigation plan shall be prepared utilizing best available science; and

- 1 (c) The conclusions of the site assessment must utilize best available science to support a  
2 modification of the dimensional requirements of this Chapter; and  
3 (d) The site assessment and mitigation plan demonstrate that the proposed project allows for  
4 development of the subject parcel with the least impact on critical areas while providing a  
5 reasonable use of the property; and  
6 (e) The reasons set forth in the application justify the granting of the variance, and the variance is  
7 the minimum variance that will make possible the reasonable use of the land, building or  
8 structure; and  
9 (f) The granting of the variance will be consistent with the general purpose and intent of this  
10 Chapter, and will not create significant adverse impacts to the associated critical areas or  
11 otherwise be detrimental to the public welfare; provided, that if the proposal is within the special  
12 flood hazard area (SFHA), the applicant must demonstrate that the proposal is not likely to  
13 adversely affect species protected under the Endangered Species Act, or their habitat; and  
14 (g) The inability of the applicant to meet the dimensional standards is not the result of actions by the  
15 current or previous owner in subdividing the property or adjusting a boundary line after the  
16 effective date of the ordinance codified in this Chapter; and  
17 (h) The granting of the variance is justified to cure a special circumstance and not simply for the  
18 economic convenience of the applicant.  
19 (4) In granting any variance, the Approving Authority shall prescribe such conditions and safeguards as are  
20 necessary to secure adequate protection of critical areas from adverse impacts and to ensure that impacts  
21 to critical areas or their buffers are mitigated to the extent feasible utilizing best available science. The  
22 Approving Authority shall consider and incorporate, as appropriate, recommendations from Federal, State  
23 and Tribal resource agencies.  
24 (5) The Approving Authority shall maintain a record of all decisions made on requests for variances. Such  
25 record shall include the basis and rationale for any such decision as well as any comments provided by  
26 Federal, State or Tribal natural resource agencies. Such record shall be made available to the public upon  
27 request.  
28 (6) A variance shall expire if the use or activity for which it is granted is not commenced within three years  
29 of final approval by the Approving Authority. Knowledge of the expiration date is the responsibility of  
30 the applicant.  
31 (7) Appeals of the Approving Authority decisions on variance requests shall be made pursuant to the  
32 provisions of Chapter 14.06 SCC. (Ord. O20080014 (part))  
33

34 | **14.24.150 Reasonable use exception.** (No Change)  
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36 | **14.24.160 Public notice and records.** (No Change)  
37

38 | **14.24.170 Incentives.** (No Change)  
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40 | **14.24.200 Wetlands designations.** (No Change)  
41

42 | **14.24.210 Wetlands classification.** (No Change)  
43

44 | **14.24.220 Wetlands site assessment requirements.** (No Change)  
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46 | **14.24.230 Wetland protection standards.** (No Change)  
47

48 | **14.24.240 Wetland performance-based buffer alternatives and mitigation standards.** (No Change)

- 1  
2 **14.24.250 Wetland alternative compensation projects. [\(No Change\)](#)**
- 3 **14.24.300 Aquifer recharge areas intent. [\(No Change\)](#)**
- 4 **14.24.310 Aquifer recharge areas designations. [\(No Change\)](#)**
- 5 **14.24.320 Aquifer recharge areas prohibited activities. [\(No Change\)](#)**
- 6 **14.24.330 Aquifer recharge areas site assessment requirements. [\(No Change\)](#)**
- 7 **14.24.340 Aquifer recharge areas impact mitigation. [\(No Change\)](#)**
- 8 **14.24.350 Flow-sensitive basins. [\(No Change\)](#)**
- 9 **14.24.360 Flow-sensitive basin water withdrawal mitigation. [\(No Change\)](#)**
- 10 **14.24.370 Delineation of flow-sensitive basins. [\(No Change\)](#)**
- 11 **14.24.400 Geologically hazardous areas designations. [\(No Change\)](#)**
- 12 **14.24.410 Geologically hazardous areas known or suspected risk. [\(No Change\)](#)**
- 13 **14.24.420 Geologically hazardous areas site assessment requirements. [\(No Change\)](#)**
- 14 **14.24.430 Geologically hazardous area mitigation standards. [\(No Change\)](#)**
- 15 **14.24.500 Fish and wildlife habitat conservation area designations. [\(No Change\)](#)**
- 16 **14.24.510 Fish and wildlife habitat conservation area water type classification. [\(No Change\)](#)**

17 **14.24.520 Fish and wildlife habitat conservation area site assessment requirements.**

18 Any project within 200 feet of fish and wildlife habitat conservation area [outside the special flood hazard](#)  
19 [area \(SFHA\) -or within the Protected Review Area as defined in SCC 14.34.055](#) requires a fish and wildlife  
20 HCA site assessment. In addition to the requirements of SCC 14.24.080, the following shall be included in the  
21 site assessment:

- 22 (1) Functions and values analysis, which includes but is not limited to a discussion of water quality/quantity  
23 and fish and wildlife habitat; and
- 24 (2) An analysis of the riparian buffer areas above the ordinary high water mark including:  
25 (a) Recruitment of large woody debris (LWD) to the stream;  
26 (b) Shade;  
27 (c) Bank integrity (root reinforcement);  
28 (d) Runoff filtration;  
29 (e) Wildlife habitat.
- 30 (3) Bald eagle habitats shall be protected pursuant to the Washington State Bald Eagle Protection Rules  
31 (WAC 232-12-292), as revised; a cooperative habitat management plan shall be developed in  
32 coordination with the Department of Fish and Wildlife whenever activities that alter habitat are proposed  
33 near a verified nest territory or communal roost.
- 34 (4) All other fish and wildlife habitat conservation areas, including habitats and species of local importance,  
35 shall be protected on a case-by-case basis by means of a habitat management plan based on the



1 Washington State Priority Habitat and Species (PHS) program, as set forth in the site assessment  
2 requirements in SCC 14.24.080 and this Section.  
3 (Ord. 17938 Atch. F (part), 2000)

4 **14.24.530 Fish and wildlife habitat conservation area protection standards.** (No Change)

5 **14.24.540 Fish and wildlife habitat conservation area performance-based buffer alternatives and**  
6 **mitigation standards.**

7 (1) Buffer Width Increasing. The Administrative Official may require the standard buffer width to be  
8 increased or to establish a nonriparian buffer, when such buffers are necessary for 1 of the following:

- 9 (a) To protect priority fish or wildlife using the HCA.  
10 (b) To provide connectivity when a Type S or F water body is located within 300 feet of:  
11 (i) Another Type S or F water body; or  
12 (ii) A fish and wildlife HCA; or  
13 (iii) A Category I, II or III wetland;

14 The increased buffer distance may be limited to those areas that provide connectivity or are necessary  
15 to protect habitat functions. Increasing the buffer widths will only be done where necessary to preserve  
16 the structure, function and value of the habitat.

17 (2) Buffer Width Averaging. Buffer width averaging allows limited reductions of buffer width in specified  
18 locations, while requiring increases in others. Averaging of required buffer widths shall be allowed only  
19 where the applicant demonstrates to the Administrative Official that all of the following criteria are met:

- 20 (a) Averaging is necessary to accomplish the purpose of the proposal and no reasonable alternative is  
21 available; and  
22 (b) The habitat contains variations in sensitivity due to existing physical characteristics; and  
23 (c) Averaging will not adversely impact the functions and values of fish and wildlife conservation areas;  
24 and  
25 (d) Averaging meets performance standards for protecting fish species; and  
26 (e) The total area contained within the buffer after averaging is no less than that contained within the  
27 standard buffer prior to averaging; and  
28 (f) The buffer width shall not be reduced below 75% of the standard buffer width.

29 (3) Buffer Width Decreasing. Buffers may be reduced when buffer reduction impacts are mitigated and result  
30 in equal or greater protection of the HCA functions and values. Prior to considering buffer reductions, the  
31 applicant shall demonstrate application of mitigation sequencing as required in SCC 14.24.080. In all  
32 circumstances where a substantial portion of the remaining buffer is degraded, the buffer reduction plan  
33 shall include replanting with native vegetation in the degraded portions of the remaining buffer area and  
34 shall include a 5-year monitoring and maintenance plan.

35 (4) Buffer Width Variance. Standard buffer widths may be reduced by more than 25% through a variance  
36 pursuant to SCC 14.24.140.

37 (5) Allowed Uses in HCAs or Buffers. The following activities may be permitted within fish and wildlife  
38 HCAs, provided the activities ~~but shall~~ comply with SCC 14.24.080 ~~and~~, 14.24.520, and 14.34, where  
39 applicable.

- 40 (a) Roads, Bridges and Utilities. Road, bridge and utility construction may be permitted across an HCA  
41 and/or its buffer under the following conditions:  
42 (i) It is demonstrated to the Administrative Official that there are no alternative routes that can be  
43 reasonably used to achieve the proposed development; and  
44 (ii) The activity will have minimum adverse impact to the fish and wildlife HCA; and  
45 (iii) The activity will not significantly degrade surface or groundwater; and  
46 (iv) The intrusion into the fish and wildlife HCA and its buffers is fully mitigated.

- 1 (b) Docks. Docks designed to facilitate low-impact uses, such as education and/or private,  
2 noncommercial recreation, may be permitted within fish and wildlife HCAs under the following  
3 conditions:  
4 (i) The activity will have minimum adverse impact to the fish and wildlife HCA; and  
5 (ii) The activity will not significantly degrade surface or groundwater; and  
6 (iii) The intrusion into the fish and wildlife HCA and its buffers is fully mitigated; and  
7 (iv) The activity shall be consistent with the provisions of Chapter 14.26 SCC.
- 8 (c) Bulkheads. Bulkheads designed to protect existing single-family residences may be permitted within  
9 fish and wildlife HCAs under the following conditions:  
10 (i) The activity will have minimum adverse impact to the fish and wildlife HCA; and  
11 (ii) The activity will not significantly degrade surface or groundwater; and  
12 (iii) The intrusion into the fish and wildlife HCA shall be fully mitigated; and  
13 (iv) The activity shall be consistent with the provisions of Chapter 14.26 SCC.
- 14 (d) Limited park or recreational access to an HCA or its required buffer; provided, that all of the  
15 following are satisfied:  
16 (i) The access is part of a public park or a recreational resort development that is dependent on the  
17 access for its location and recreational function; and  
18 (ii) The access is limited to the minimum necessary to accomplish the recreational function; and  
19 (iii) The access and the balance of the development are consistent with other requirements of SCC  
20 Title 14; and  
21 (iv) The proponent obtains written approval from the County for the limited access and associated  
22 mitigation.
- 23 (e) Low-impact uses and activities which are consistent with the purpose and function of the buffer and  
24 do not detract from its integrity may be permitted within the buffer depending on the sensitivity of  
25 the habitat involved; provided, that such activity shall not result in a decrease in riparian functions  
26 and values and shall not prevent or inhibit the buffer's recovery to at least pre-altered condition or  
27 function. Examples of uses and activities which may be permitted in appropriate cases, as long as the  
28 activity does not retard the overall recovery of the buffer, include removal of noxious vegetation,  
29 pedestrian trails and viewing platforms less than 200 square feet in size which may be covered but  
30 not enclosed.
- 31 (f) Stormwater discharges shall be controlled and treated in accordance with the Stormwater  
32 Management Manual for Western Washington, Department of Ecology publication Nos. 0510029  
33 through 05-10-033.
- 34 (g) To allow for greater flexibility in a development proposal, an applicant has the opportunity to remove  
35 timber within the standard buffer widths shown above if the applicant's mitigation measures  
36 incorporate all of the performance standards based upon water type listed in the table below. In  
37 conformance with professional standards used by the Washington Department of Natural Resources  
38 for forest practices in sensitive areas, all removal of timber within HCA buffers shall be subject to  
39 conditioning specified by the Administrative Official in conjunction with an on-site technical team  
40 review in which participation by representatives of the proponent, Ecology, WDFW, WDNR and  
41 natural resource representatives of affected Indian tribes is solicited.
- 42 The intent of this Section is to provide an additional opportunity for an applicant to propose some  
43 level of timber removal within the riparian habitat zone, as long as it can be demonstrated that the  
44 function of the buffer can be maintained at the levels described below. If the buffer, in its current  
45 state, cannot meet these standards, then the Administrative Official will not be able to give its  
46 approval for any activity which would inhibit recovery of or degrade the current buffer.
- 47 The current performance of a given buffer area is compared to its potential performance as rated  
48 by the Soil Conservation Service, Soil Survey of Skagit County, 1989. In consultation with a



1 representative from the Natural Resource Conservation Service, Soil Conservation District or  
 2 professional forester, the applicant will determine the capability of the site for woodland  
 3 management, using the most suitable tree species according to the soil survey, and establish the stand  
 4 characteristics that would be expected from a mature stand of those species established on site:

5 If the current stand can exceed the riparian protection that could be expected based on site  
 6 potential, then additional activity may be allowed provided the following performance standards can  
 7 be met. For Type S streams, an alternative method may be utilized to allow limited timber harvest  
 8 within the outer 100 feet of a buffer:

**PERFORMANCE-BASED RIPARIAN STANDARDS\***

*(These standards must be exceeded before additional activity can be permitted within the riparian zone.)*

<b>Watertyp e</b>	<b>Performance Standards</b>
Type S	Maintain 95% of total LWD recruitment expected to enter the stream from a mature stand; and Maintain 85% of the trees which are greater than 24 inches DBH within 100 feet of stream; and Maintain an average of 75% canopy cover (based on canopy densitometer readings at stream edge).  The applicant may further request some limited timber harvest of up to 30% of the merchantable timber within the outer 100 feet of any 200-foot required buffer provided the harvest: (a) Does not reduce the LWD and canopy requirements; and (b) The applicant will increase the total buffer size by 50 feet to mitigate for the limited timber harvest in the required buffer to provide additional wildlife habitat. The additional 50-foot buffer shall retain a minimum of 50% of the total number of trees with 25% of the total trees left having a diameter at breast height (DBH—4-1/2 feet) greater than 12 inches; and (c) No more than 50% of the dominant trees in the outer 100 feet may be harvested.
Type F	Maintain 85% of total LWD recruitment expected to enter the stream from a mature stand; and Maintain 85% of the trees which are greater than 18 inches DBH within 100 feet of stream; and Maintain an average of 75% canopy cover (based on canopy densitometer readings at stream edge).
Types Np and Ns	Maintain 50% of total LWD recruitment expected to enter the stream from a mature stand; and Maintain 85% of the trees which are greater than 24 inches DBH within 50 feet of stream; and Maintain an average of 75% canopy cover (based on canopy densitometer readings at stream edge).

9 \* Note: Applicants electing to employ performance-based mitigation in accordance with the above matrix  
 10 shall include appropriate analysis and justification in their site assessment/habitat management plan.

11 (Ord. O20080014 (part))

- 1 **14.24.600 Frequently flooded areas designations. [\(No Change\)](#)**
- 2 **14.24.610 Frequently flooded areas initial project review. [\(No Change\)](#)**
- 3 **14.24.620 Frequently flooded areas development requirements. [\(No Change\)](#)**
- 4 **14.24.630 Frequently flooded areas protection standards.**
- 5 (1) All development shall conform to the provisions of Chapter 14.34 SCC and the International Building
- 6 Code, which contain structural safeguards to reduce risk to human life, health and property from flooding.
- 7 (2) Any use or development shall not alter the normal movement of surface water in a manner that would
- 8 cause the unnatural diversion of floodwater to otherwise flood-free areas. (Ord. O20080014 (part))
- 9 **[\(3\) The applicant shall demonstrate that the development is not likely to adversely affect species protected](#)**
- 10 **[under the Endangered Species Act, consistent with the provisions of SCC 14.34 and this chapter.](#)**
- 11 **14.24.700 Compliance tracking. [\(No Change\)](#)**
- 12 **14.24.710 Fees. [\(No Change\)](#)**
- 13 **14.24.720 Administrative Official. [\(No Change\)](#)**
- 14 **14.24.730 Appeals from the Administrative Official. [\(No Change\)](#)**
- 15 **14.24.740 Interdisciplinary team. [\(No Change\)](#)**
- 16