

**CITY COUNCIL MEETING
AGENDA**

**March 18, 2026
7:00 PM
Civic Center**

The Granite Falls City Council will hold its meeting in person. A Zoom link may be requested by contacting the City Clerk at darla.wilkins@ci.granite-falls.wa.us, no later than 3:00 p.m. on the day of the meeting. Virtual access is provided for listening purposes only. Public comment will not be accepted via Zoom. City residents who wish to provide a comment may email the City Clerk with their name, address, and the message they would like read into the record.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. ROLL CALL**
- 4. CONSENT AGENDA**
 - 4.a. AB 048-2026 Approval of March 4, 2026 Minutes**
 - 4.b. AB 049-2026 Approval of March 18, 2026 Claims Checks #416063 through 416099 and One EFT totaling \$335,537.05**
 - 4.c. AB 050-2026 Approval of February 16, 2026 through February 28, 2026 Payroll Claims Checks #416012 through 416014 and Twenty-Eight EFT's totaling \$153,212.73**
- 5. STAFF REPORTS**
 - 5.a. Passports**
 - 5.b. Planning**
 - 5.c. City Clerk**
 - 5.d. Public Works**
 - 5.e. Police**
- 6. PUBLIC COMMENTS/RECOGNITION OF VISITORS-NON-ACTION ITEMS**

(The public is encouraged to submit written comments prior to the meeting by emailing them directly to the city clerk at: darla.wilkins@ci.granite-falls.wa.us; and should be submitted no later than 5PM. Public comment speakers can sign up prior to the meeting, or wait for the public comment section of the meeting to be open by the presiding officer. Individual comments shall be limited to three minutes. Group comments shall be limited to five minutes).

7. NEW BUSINESS

- 7.a. AB 051-2026 Public Hearing - 7:10 PM or soon after,
For Consideration of Adoption of Ordinance 1072-2026, Critical Area Regulations
Update, Granite Falls Municipal Code 19.07.020**
- 7.b. AB 052-2026 Consideration to Approve Resolution No. 2026-05 Adoption of the
City of Granite Falls Personnel Policies and Procedures / Employee Handbook**
- 7.c. AB 053-2026 E-Bike and E-Scooter Regulatory Framework Discussion for
Municipal Code Development**
- 7.d. AB 054-2026 Approval of Salary Commission Appointments**
- 7.e. AB 055-2026 Consideration to Approve Resolution No. 2026-06 Surplus of Public
Works Fleet**

8. CURRENT BUSINESS

9. MAYOR'S COMMENT (5 MINUTES)

10. COUNCIL COMMENTS (15 MINUTES)

11. CITY MANAGER (5 MINUTES)

12. ADJOURNMENT

The City of Granite Falls strives to provide access and services to all members of the public.



CITY COUNCIL AGENDA BILL

Subject: 4.a.

Originating Dept.: City Clerk

Action Recommended: Approval of Consent Agenda

Approval(s): City Clerk

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. 03-04-2026 Minutes
-

Budgeted Amount: N/A

BARS Code: N/A

Summary Statement:

The city council minutes are the official action taken and direction given at the meetings of the city council. Any councilmember may remove item(s) from the consent agenda for discussion and the item(s) would be voted on separately from the other consent agenda items.

Background:

N/A

Recommended Motion:

- 1) Motion to approve the minutes as shown. This can be accomplished as part of the motion to approve the consent agenda.
- 2) Motion to amend the [state date] minutes and approve the minutes as amended.



CITY COUNCIL MEETING MINUTES

**March 4, 2026
7:00 PM
Civic Center**

City Council	Mayor/Councilmember Matthew Hartman Mayor Pro Tem/Councilmember David Griggs Councilmember Steven Glenn Councilmember Tom FitzGerald Councilmember Bruce Straughn
City Staff	City Clerk Darla Wilkins City Manager Jeff Balentine Deputy City Manager Brent Kirk Public Works Director Charles White Planning Director Amy Hess
Consultants	Consultant Police Chief Tom Dalton Consultant City Attorney Emily Guildner

1. CALL TO ORDER

Mayor Pro Tem David Griggs called the City Council Meeting to order at 7:00 p.m.

2. FLAG SALUTE

Mayor Pro Tem David Griggs led the Council, Staff and Audience in the Pledge of Allegiance to the flag.

3. ROLL CALL

City Clerk Darla Wilkins verbally called out the Council's names and took note of the meeting attendance.

MOTION:	Motion to excuse Councilmembers Glenn and Hartman due to illness and recovery.
MOVER:	City Councilmember Bruce Straughn
SECONDER:	City Councilmember Tom FitzGerald
AYES:	City Councilmember Tom FitzGerald, Mayor Pro Tem/City Councilmember David Griggs, City Councilmember Bruce Straughn
NAYS:	None
RESULT:	Passed

4. CONSENT AGENDA

MOTION:	Motion to approve the consent agenda.
MOVER:	City Councilmember Bruce Straughn
SECONDER:	City Councilmember Tom FitzGerald
AYES:	City Councilmember Tom FitzGerald, Mayor Pro Tem/City Councilmember David Griggs, City Councilmember Bruce Straughn
NAYS:	None
RESULT:	Passed

4.a. AB 038-2026 Approval of February 18, 2026 Minutes

4.b. AB 039-2026 Approval of March 4, 2026 Claims Checks #416015 through 416062 totaling \$137,147.06

4.c. AB 040-2026 Approval of February 1, 2026 through February 15, 2026 Payroll Claims Checks consisting of Twenty-Two EFT's totaling \$95,647.02

5. STAFF REPORTS

5.a. Passports

City Manager Jeff Balentine gave a financial update on the passport office. He also closed out the month of February and everything is tracking where it should be.

5.b. Planning

Planning Director Amy Hess commented on the following:

- Two new pre-application meetings were submitted
- Moonbird Farms
 - First review comments issued
 - SEPA Determination will be issued soon
 - Hearing to be expected mid-late April

5.c. City Clerk

City Clerk Darla Wilkins had no comments.

5.d. Public Works

Public Works Director Charles White commented on the following:

- Flush valve issue
- The Stormwater Annual Report has been submitted to the Dept. of Ecology
- Torch down materials received for crosswalk replacement
- Sign up messaging info sent out with utility bills - used this notification process for tonight's council meeting

5.e. Police

Consultant Police Chief Tom Dalton commented on the following:

- Thanked American Legion for hosting last night's recognitions of:
 - Deputy Megan Nunemaker (Deputy of the Year - Granite Falls)
 - Francis Hall (Firefighter/Paramedic of the Year - Granite Falls)

6. PUBLIC COMMENTS/RECOGNITION OF VISITORS-NON-ACTION ITEMS

Carol Panagos, on behalf of the Granite Falls Community Coalition, Granite Falls, provided comments.

Robert Gallagher, Granite Falls, provided comments.

7. NEW BUSINESS

7.a. AB 041-2026 Capitol Path Update

Capitol Path Consulting, the City's contracted lobbyist, provided the Council with the following updates:

Kyla Shkerich provided the City Council with a state update which included discussion on the following slides:

- State and Federal Advocacy Goals for 2026
- State Legislative Updates
 - General Update
 - Spending Reductions & Savings
 - Reserves & Fund Shifts
 - Revenue Debate: Millionaires Tax
 - Potential Success (next steps)

John Culton provided the Council with a federal update which included discussion on the following slides:

- FY26 Appropriations Funding Award
Project: City of Granite Falls Burn Rd Wastewater Lift Station Rehabilitation
- Federal Project Update
Water and Sewer Upgrade Project
- Advocacy Timeline & Next Steps
- 2026 Potential Grant Projects
- Legion Park Plaza Veteran's Memorial
- Water & Wastewater Infrastructure
- Regional Sports Complex
- Community Center Redevelopment
- Playground Equipment Replacement
- School Resource Officer Program
- Park & Ride Facility Relocation
- Electric Vehicle Charging Infrastructure
- Monthly Grants Matrix

7.b. AB 042-2026 UW Student Mid-term Presentation on Hazard Mitigation Plan

The 2025-2026 Livable City Program (LCY) with the University of Washington is partnering with the City of Granite Falls to support development of the City's Hazard Mitigation Plan. The students gave an in-person presentation of their progress so far in this mid-quarter presentation, which includes the Initial Conditions Report (ICR).

The following slides were discussed in detail:

- Overview
- Land Use, Transportation, and Natural Resources
- Infrastructure and Public Works
- Economic Development and Housing
- Public, Health, and Cultural Facilities
- Project Roadmap and Q+A

There was further discussion regarding how the City's plan works with the County Plan and exploring how the City's water source coming from a rain-based source rather than a snow-pack source might be impacted in the future. The students agreed to explore this further and incorporate into the plan as appropriate.

7.c. AB 043-2026 Discussion - Update SB 6002 - Driver Privacy Protections and ALPR Program Compliance

This agenda item was moved to the Council Special Meeting of March 11, 2026.

7.d. AB 044-2026 Discussion - City Council Size Expansion Options

This agenda item was moved to the Council Special Meeting of March 11, 2026.

7.e. AB 045-2026 Consideration to Reactivate the Salary Commission and Review the City Council Compensation

City Manager Jeff Balentine gave an overview of the City's Salary Commission, including its statutory role and current status, and requests direction to reactivate it in 2026 for reviewing Council compensation.

The following is the list of slides discussed in this presentation:

- Salary Commission Review

- Why Have a Salary Commission?
- Granite Falls Current Ordinance (2022)
- Key Differences: Ordinance vs. RCW
- Current Commission Status
- Reactivating the Commission
- Commission Authority
- Current 2026 Compensation
- Comparable City Council Salaries
- Cost of Living Since 2022
- Equity and Accessibility
- Staff Support for Commission
- Proposed Timeline
- After Commission Files Recommendation
- Effective Date Requirements
- Next Steps: Council Action
- Questions & Discussion

This item will be brought back to Council for action.

7.f. AB 046-2026 Legion Park – Proposed Park Layouts, Monument Design, and Feature Options (Discussion Only)

This agenda item was moved to the Council Special Meeting of March 11, 2026.

8. CURRENT BUSINESS

None.

9. MAYOR'S COMMENT (5 MINUTES)

Mayor Pro Tem David Griggs commented on the following:

- Thanked the Legion for putting together the awards for the firefighter and law enforcement of the year
 - Deputy Nunemaker is also in the National level competition

10. COUNCIL COMMENTS (15 MINUTES)

Councilmember Tom FitzGerald commented on the following:

- Included in the Granite Falls notification thread and received his first notification today

- Congratulated EMT Francis Hall, and Deputy Megan Nunemaker for winning their Awards

Councilmember Bruce Straughn had no comments.

11. CITY MANAGER (5 MINUTES)

City Manager Jeff Balentine commented on the following:

- Bridge #102 County voted to donate the bridge (based on certain criteria)
- Replacement bridge project
- School levies - passed
- Fire Dist. #22 Bond - passed
- Legislative session
- AI Regulation Policy
- Snohomish County Roadwork
- Snohomish County Childcare Expansion

12. ADJOURNMENT

With no further business to come before the Council, the meeting was adjourned at 8:06 p.m.

City Clerk Darla Wilkins, MMC

Mayor Matthew Hartman



CITY COUNCIL AGENDA BILL

Subject: 4.b.

Originating Dept.: City Manager

Action Recommended: Approval of the Consent Agenda

Approval(s): City Manager
Finance

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s): None

Budgeted Amount: \$335,537.05

BARS Code: 001 Current Expense = \$50,972.91

101 Streets = \$8,857.21

303 Cif / Streets = \$3,867.43

401 Water = \$36,248.18

402 Cif / Water = \$16,227.87

403 Sewer = \$51,859.18

404 Cif / Sewer = \$134,813.47

Summary Statement:

March 18, 2026 Claims are for the time period of March 5, 2026 through March 18, 2026.

Background:

N/A

Recommended Motion:

- 1) Motion to pay the claims as presented. This can be accomplished as part of the motion to approve the consent agenda.
- 2) Motion to amend the [state date] claims and approve the minutes as amended.



CITY COUNCIL AGENDA BILL

Subject: 4.c.

Originating Dept.: City Manager

Action Recommended: Approval of the Consent Agenda

Approval(s): Finance
City Manager

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s): None

Budgeted Amount: \$153,212.73

BARS Code: 001 Current Expense = \$65,245.55

101 Streets = \$13,389.44

401 Water = \$25,004.13

403 Sewer = \$43,015.00

405 Storm Drainage = \$6,558.61

Summary Statement:

Payroll Claims Checks and EFT's are for the time period of February 16, 2026 through February 28, 2026.

Background:

N/A

Recommended Motion:

- 1) Motion to approve the payroll claims as presented. This can be accomplished as part of the motion to approve the Consent Agenda.
- 2) Motion to amend the [state date] claims and approve the minutes as amended.



CITY OF
GRANITE FALLS

CITY COUNCIL AGENDA BILL

Subject: 5.a.

Originating Dept.: City Council

Action Recommended:

Approval(s):

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. COGF Passport PnL

Budgeted Amount:

BARS Code:

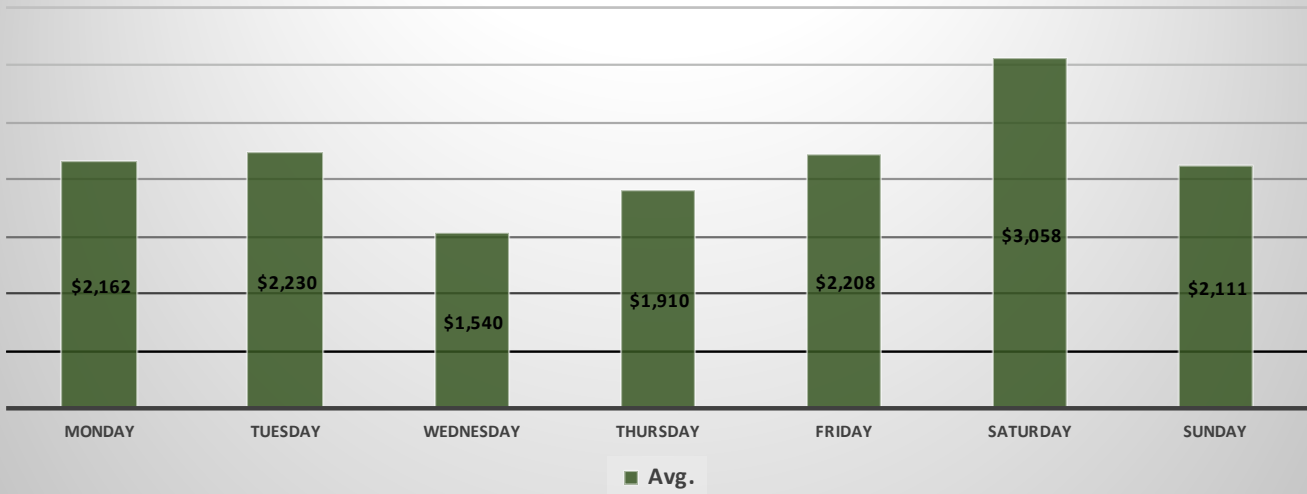
Summary Statement:

Background:

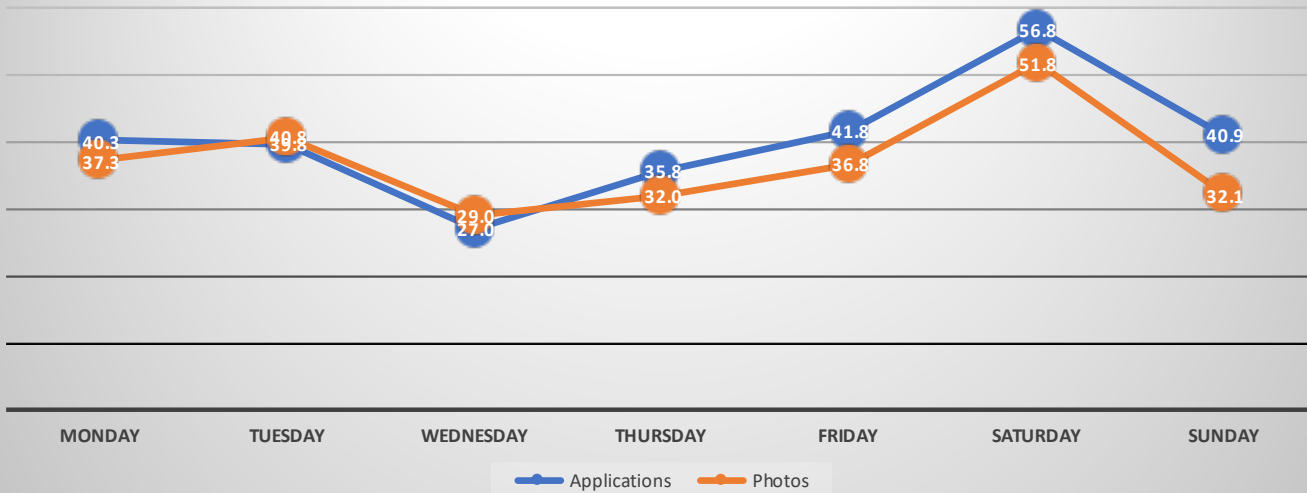
Recommended Motion:

As of March 8, 2026

30-day Statistics By Day



30-day Application & Photo Processing By Weekday



	Revenue since 6-6-2022	Revenue YTD 2026	Gross Margin YTD 2026	
Total Revenue (since 6-6-2022)	\$ 1,232,352.35	\$ 139,922.80	\$ 78,730.87	
30-day Annualized Revenue Trend	\$ 762,266.00		56.3%	
	Gross Margin	% Sales	Tracking v Budget	Revenue Change v prior year
Total Gross Margin (since 6-6-2022)	\$ 547,169.43	44.4%	\$ 8,418.67	\$ (41,388.24)
30-day Annual Projected Gross Margin	\$ 428,907.00	56.3%	7.0%	-22.8%
		# Processed	Last 30 day Avg. per day	Break Even
Total Passport Applications Processed		38,227	40.9	15.7
Total Passport Photos Taken		35,002	37.4	14.4



**CITY OF
GRANITE FALLS**

CITY COUNCIL AGENDA BILL

Subject: 5.b.

Originating Dept.: Planning Department

Action Recommended:

Approval(s):

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

- 1. 03.18.2026 Planning Staff Report

Budgeted Amount:

BARS Code:

Summary Statement:

Background:

Recommended Motion:



CITY COUNCIL STAFF REPORT

To: Mayor and City Council

From: Amy Hess, Planning Director

Department: Planning and Community Development

Date: March 18, 2026

Subject: Planning Department Update

1. UPDATES

Review of Pre-applications and land use applications continues.

Staff continues to work with SmartGov on permitting software build-out. The tentative “Go-Live” date is April 21, with training for all staff expected to occur late March. Joey is assisting with testing and validating the system.

2. DEVELOPMENT ACTIVITY

The first round of review has been completed on the Pilchuck Crossing (34-unit condos Quarry/100th St) and Moonbird Farms (37-lot subdivision Derosier Property) projects. Pilchuck Crossing requires some revisions. A SEPA Determination of Non-significance was issued March 10 for Moonbird Farms, with meetings before Planning Commission and Hearing Examiner expected in April.

3. PERMITS ISSUED

Applicant Name	Address	Type of Work
CM Heating	710 Poplar Lane	Furnace Replacement

4. LONG-RANGE PLANNING

Staff has drafted proposed changes to the “Change of Use” section of Title 19 for Planning Commission review April 14. This relates to buildings such as the old Rite Aid that have been

vacated for a period of time, governing what improvements or upgrades may be needed in order to re-occupy the site.

Amendments to the non-conforming uses and structures code are also being proposed at the upcoming meetings to address continuation of non-conforming uses and future uses of non-conforming structures.

5. POLICY AND PROCESS IMPROVEMENTS

Staff has identified inconsistencies with permit fees/processing, so an interim process has been established to ensure that any permits that are submitted between now and when SmartGov goes live are processed consistently with accurate fees collected.

6. UPCOMING PRIORITIES

Staff's top priority is the implementation of SmartGov and processing of Land Use applications. I will also be focusing on moving the department to the old City Hall and improving customer service experience there.

Once SmartGov is live, staff will shift focus to other items identified on the 2026 work plan previously provided. If there are any sections of code that you feel should be prioritized, please share those with me.

7. SUMMARY

Staff focus has shifted to current development project review, while continuing to focus on building out SmartGov, training new staff, and relocating the department.



CITY COUNCIL AGENDA BILL

Subject: 5.c.

Originating Dept.: City Clerk

Action Recommended: N/A - Information Only **Approval(s):** City Clerk

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. 03-18-2026 City Clerk Report
-

Budgeted Amount: N/A

BARS Code: N/A

Summary Statement:

City Clerk Report for March 18, 2026

Background:

Attached, please find the City Clerk Report for the March 18, 2026 City Council packet. I will not be attending this meeting as myself and Deputy City Clerk Carole Williams will be attending the Washington Municipal Clerk's Annual Conference in Kennewick, WA.

Recommended Motion:

N/A - Informational Only

**City Clerk Staff Report
March 18, 2026**

Business Licenses (Inside City):

Polyquest, LLC
509 E. Stanley St.
Granite Falls, WA 98252-8445
Business license application is for: Compost manufacturing

Snohomish County Fire District 17
20217 Gun Club Rd.
Granite Falls, WA 98252-8916
Business license application is for: Fire department

Evergreen Vista Landscape LLC
9912 Hawkins Ave.
Granite Falls, WA 98252-8832
Business license application is for: Landscaping

Archimede Technical Services LLC
509 Hemming Way
Granite Falls, WA 98252-8432
Business license application is for: Aerospace consulting services

Del Cid Construction LLC
206 W. Galena St. #A
Granite Falls, WA 98252-8767
Business license application is for: Construction

Granite Falls Soapworks LLC
17801 Juniper St.
Granite Falls, WA 98252-8019
Business license application is for: Soap making, online sales, all other health and personal care retailers (Shopify Only)

Business Licenses (Outside City):

Monte Cristo Espresso LLC
8416 SR 92
Granite Falls, WA 98252-9719
Business license application is for: Coffee shop

Schulte Construction (Schulte Design Build LLC)
1429 NW 151st St., Ste. 1
Seattle, WA 98107-5117
Business license application is for: General contracting for residential remodeling & new construction

Guardian Operations LLC
4020 Auburn Way N.
Auburn, WA 98002-1315
Business license application is for: Residential roof replacement, roof repair, roof and gutter cleaning and roof maintenance

-OVER-

Northern Comfort LLC
525 N West Ave.
Arlington, WA 98223-1250
Business license application is for: Heating and cooling repair and install

Airgenie NW (Airgenie LLC)
9639A Firdale Ave.
Edmonds, WA 98020-6519
Business license application is for: Air duct cleaning, air quality control

Maverick Services LLC
21220 119th St. NE OFC
Granite Falls, WA 98252-8579
Business license application is for: Building materials

Endeavor Heating and Cooling LLC
21502 52nd Ave. W.
Mountlake Terrace, WA 98043-3007
Business license application is for: Heating, ventilation and A/C, HVAC

Moxie Pest Control (Moxie Services (Seattle) LLC)
16130 Woodinville Redmond RD. NE, Ste. 1
Woodinville, WA 98072-6231
Business license application is for: Pest control

NW Utility Services, LLC
228 Frontage Rd. S., Ste. A
Pacific, WA 98047-1018
Business license application is for: Powerline construction

Sata RV Services (Anderson RV Repair and Inspection, LLC)
5919 Scherrer Rd.
Granite Falls, WA 98252-9403
Business license application is for: Mobile RV repair and inspection services

Rebath North Seattle (Pacific Horizon Bathrooms LLC)
11033 7th Ave. SE
Everett, WA 98208-4022
Business license application is for: Contractor, construction, remodeling

Emerald Empire Remodeling LLC
19312 132nd St. SE
Monroe, WA 98272-7876
Business license application is for: Home renovation, construction estimates, contractor, construction

Teddy/Miller Developments, LLC
16313-88th St. SE OFC
Snohomish, WA 98290-6151
Business license application is for: General construction, plumbing, HVAC

Misc. Clerk Information:

- ✚ Deputy City Clerk Carole Williams and myself will be out March 16th-20th attending the WMCA Conference in Kennewick



CITY OF
GRANITE FALLS

CITY COUNCIL AGENDA BILL

Subject: 5.d.

Originating Dept.: Public Works

Action Recommended:

Approval(s):

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. PublicWorksStaffReport 3-18-2026

Budgeted Amount:

BARS Code:

Summary Statement:

Background:

Recommended Motion:

Public Works Staff Report

March 18, 2026

STREETS

Welwest Construction completed the parking stalls at City Hall and along the 100 block of Cascade Avenue. Center striping on Cascade Avenue was also completed the same day. This work represents the final outstanding item for the project. Staff and the contractor will conduct a walkthrough and measure quantities to assist in preparing the final progress estimate.

Staff received 11 bids in response to the crack seal project that was solicited through MRSC. The bids and contractor qualifications are currently under review. Following this review, the bid tabulation will be sent to TIB for approval to award the project.

STORM

Final review of the Kentucky/Indiana LID project has been completed. The final stamped plan set, specifications, and updated project information have been submitted to Ecology for review. The review is not expected to begin until after the Council approves the Critical Areas Ordinance.

The annual results template for stormwater E. coli monitoring at Lake Gardner was uploaded to Ecology's Environmental Information Management System (EIM). An average of less than 126 CFU/100 mL is generally considered safe for recreational use, including swimming, while levels above 235 CFU/100 mL typically trigger a public health advisory. Lake Gardner's 2025 average was 6.59 CFU/100 mL.

SEWER

Public Works is troubleshooting the new flush valve for Pump No. 2 at the Suncrest Lift Station. As mentioned during the March 4 meeting, the mechanism responsible for closing the valve is activating prematurely. This results in a shortened flushing cycle in the wet well, which can lead to mat buildup.

Public Works also responded to a report of a sewer backup at a residence in the 500 block of South Kentucky Avenue. Following the response, the sewer main in the street was inspected for blockages, and none were observed. Staff worked with the homeowner to confirm that the issue originated from the private side sewer on the property.

WATER

The 2025 Annual Summary Report has been submitted to the Department of Health. This report pertains to backflow assembly testing compliance. Granite Falls reported that 85% of all known assemblies within the water system were tested in 2025.



CITY OF
GRANITE FALLS

CITY COUNCIL AGENDA BILL

Subject: 5.e.

Originating Dept.: Consultant Police Chief

Action Recommended:

Approval(s):

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s): None

Budgeted Amount:

BARS Code:

Summary Statement:

Police Chief will give a verbal update at the City Council meeting

Background:

Recommended Motion:



CITY COUNCIL AGENDA BILL

Subject: 7.a.

Originating Dept.: Planning Department

Action Recommended: Adopt Ordinance No. 1072-2026, amending Title 19.07.020 of the Granite Falls Municipal Code.

Approval(s): Planning Attorney

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. City Council Staff Report
2. Attachments A-F
3. Attachment G - Sno Co Critical Areas Map
4. DRAFT ORD 1072-2026 GFMC 19.07

Budgeted Amount:

BARS Code:

Summary Statement:

The City of Granite Falls is amending GFMC 19.07.020, Critical Areas Regulations to comply with applicable state law and to reflect Best Available Science (BAS). A Best Available Science document has been prepared by Herrera, which is included as Attachment B. This update also fulfills the City's Comprehensive Plan consistency requirements as mandated by the Growth Management Act.

Background:

The City of Granite Falls is amending GFMC 19.07.020, Critical Areas Regulations to comply with applicable state law and to reflect Best Available Science (BAS). A Best Available Science document has been prepared by Herrera, which is included as Attachment B.

A SEPA Determination of Nonsignificance was issued on February 4, 2026, with a 14-day public comment period which ended on February 18, 2026 with no public comments

received.

The proposed code amendments were sent to the Department of Commerce on January 30, 2026, and Commerce completed its review on February 24, 2026 with no comments. A Planning Commission Study Session was held on February 10, 2026, and a City Council Work Session was held on February 11, 2026.

Comments were received from Washington Department of Natural Resources on February 6, 2026; and from Washington Department of Fish and Wildlife on February 17, 2026. These comments were reviewed and incorporated as appropriate.

Recommended Motion:

Move to adopt Ordinance No. 1072-2026, an Ordinance of the City of Granite Falls, Washington, amending Title 19.07.020 of the Granite Falls Municipal Code as proposed.

Move to adopt Ordinance No. 1072-2026, an Ordinance of the City of Granite Falls, Washington, amending Title 19.07.020 of the Granite Falls Municipal Code, with the following revisions: _____.

City Council Staff Report

Subject: Proposed Amendments to GFMC 19.07.020, Critical areas regulations

Date of Staff Report: March 11, 2026

Date of Meeting: March 18, 2026

Consultant Contacts: Anisa Thaci, AICP and Wayne Carlson, FAICP, LEED, AP
AHBL, Contract City Planners

Jeff Parsons, PHD, PE
Herrera Environmental Consultants

Summary

The City of Granite Falls is amending GFMC 19.07.020, Critical Areas Regulations to comply with applicable state law and to reflect Best Available Science (BAS). A Best Available Science document has been prepared by Herrera, which is included as Attachment B.

A SEPA Determination of Nonsignificance was issued on February 4, 2026, with a 14-day public comment period which ended on February 18, 2026 (Attachment C).

The proposed code amendments were sent to the Department of Commerce on January 30, 2026, and Commerce completed its review on February 24, 2026. A Planning Commission Study Session was held on February 10, 2026, and a City Council Study Session was held on February 11, 2026. Comments were received from Washington Department of Natural Resources (DNR) on February 6, 2026; from the Department of Ecology on February 12, 2026; and from Washington Department of Fish and Wildlife on February 17, 2026. See attachments D-F.

Below is a summary of proposed amendments, which are shown in their entirety in Attachment A.

Suggested Amendments

- General edits
 - Proposed revisions throughout to include best available science references.
 - Proposed revisions throughout to ensure that the appropriate person is responsible for the approval or determination of compliance (such as

requiring that adequate landslide hazard area buffers are determined by a licensed geotechnical engineer, rather than the city designated official).

- GFMC 19.07.020(A)(2) - Definitions
 - Proposed adding definitions for clarity and consistency with best available science, including:
 - “Best available science”
 - “Channel migration hazard area”
 - “Fish habitat”
 - “Functions”
 - “Values”
 - Proposed revising existing definitions for clarity and consistency with best available science, including:
 - “Fish and wildlife habitat conservation areas”
 - “Geologic hazard areas”
- GFMC 17.07.020(C) – Exemptions
 - Required that the expansion of existing exempt uses are subject to review and compliance with Chapter 19.07 GFMC. Existing exempt uses include agricultural activities, artificially created wetlands and water conveyance systems, existing roads, and emergency activities.
- GFMC 19.07.020(D) – Reasonable Use Exception
 - Proposed language clarifying that reasonable use exceptions require a Type II review. The required permit type is not changing; however, the existing code section does not specify the permit type for a reasonable use exception (GFMC 19.07.020(D)(2)).
 - Proposed adding limits, such as not allowing for a reasonable use exception in the case that the inability to derive reasonable economic use is the result of the applicant’s actions or in the case that the city can demonstrate that the applicant had knowledge of existing conditions prior to the applicant’s acquisition of the subject property (GFMC 19.07.020(D)(3)(e) and (f)).
- GFMC 19.07.020(I)(3) – Geologically Hazardous Areas
 - Proposed adding channel migration hazards as a designated geologically hazardous area (GFMC 19.07.020(I)(3)(a)(iv)).
 - Proposed language that exempts the construction of wood frame structures less than 5,000 square feet and all prefabricated structures less than 2,000 square feet located within seismic hazard areas from being required to provide a geotechnical report. However, these structures require a

geotechnical report when located within a landslide hazard area (GFMC 19.07.020(I)(3)(c)(viii)).

- GFMC 19.07.020(I)(4) – Landslide Hazard Areas
 - Proposed language to clarify the minimum reduced buffer allowed for a landslide hazard area. The proposed minimum buffer is 10 feet, as compared to the existing code which did not specify a minimum buffer (GFMC 19.07.020(I)(4)(b)).
 - Proposed language to require that the edge of the buffer be clearly staked, flagged, and fenced prior to any site clearing or construction (GFMC 19.07.020(I)(4)(b)).
 - Proposed language that assurances be required for the applicant and the qualified scientific professional. Assurances can include:
 - A letter from the applicant/owner, stating its understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard; or
 - A legally enforceable agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the city of Granite Falls, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Granite Falls for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal (GFMC 19.07.020(I)(4)(b)).
- GFMC 19.07.020(I)(6) – Seismic Hazard Areas
 - Proposed additional language to clarify requirements for seismic hazard areas, including specific content requirements for the geotechnical report.
- GFMC 19.07.020(I)(7) – Channel Migration Hazard Areas
 - Proposed standards for channel migration hazard areas.
 - Proposed language to require that the edge of the buffer be clearly staked, flagged, and fenced prior to any site clearing or construction (GFMC 19.07.020(I)(7)(c)).
 - Proposed language that assurances be required for the applicant and the qualified scientific professional. Assurances can include:

- A letter from the applicant/owner, stating its understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard; or
 - A legally enforceable agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the city of Granite Falls, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Granite Falls for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal (GFMC 19.07.020(l)(7)(d)).
- GFMC 19.07.020(J)(2) – Wetlands
 - Proposed updated buffers for wetlands, based on Department of Ecology recommended buffer widths depending on whether minimization measures are utilized (GFMC 19.07.020(J)(2)(c)(i)).
 - Proposed additional minimization measures listed in Table 3.
 - Proposed revisions to mitigation ratio requirements, and added ratio requirements for rehabilitation and preservation in Table 4 (GFMC 19.07.020(J)(2)(e)(iii)).
 - Proposed a new subsection allowing for the use of wetland mitigation banks in certain circumstances for wetlands (GFMC 19.07.020(J)(2)(h)).
- GFMC 19.07.020(J)(5) – Fish and Wildlife Habitat Buffer Areas
 - Proposed revised stream buffer widths for fish and wildlife habitat areas to require that the site potential tree height is utilized, or 150 feet, whichever is less (GFMC 19.07.020(J)(5)(a)(i)).
- GFMC 19.07.020(J)(7) – Fish and Wildlife Mitigation Standards, Criteria and Plan Requirements
 - Proposed additional language for the requirements for mitigation for fish and wildlife habitat areas, including the preference for off-site mitigation within the same watershed (as opposed to on-site mitigation) when the results can achieve greater benefits or functions than on-site mitigation, or would restore or enhance functions that are limiting or important to the health of the watershed (GFMC 19.07.020(J)(7)(a)(ii)).

- Proposed a new subsection to allow for mitigation banks in certain circumstances for fish and wildlife habitat areas (GFMC 19.07.020(J)(7)(b)).
- GFMC 19.07.020(10) – Aquifer Recharge Areas
 - Proposed new language stating that certain uses are prohibited within a sole source aquifer recharge area (GFMC 19.07.020(10)(b)).
 - Proposed a new subsection which clarifies when a Hydrogeologic Assessment is required (GFMC 19.07.020(10)(c)).
 - Proposed revisions to the requirements for the contents of a Hydrogeologic Assessment for clarity (GFMC 19.07.020(10)(d)).
- GFMC 19.07.020(11) – Flood Hazard Areas
 - Proposed additional language to reference GFMC 19.07.035, Flood damage prevention to ensure compliance with both sections.

Items for Discussion

- Staff will be available to discuss any of the proposed code changes.

Attachments

- A. Proposed Amendments to GFMC 19.07.020
- B. Best Available Science, prepared by Herrera, dated December 2025
- C. SEPA Determination of Nonsignificance issued February 4, 2026
- D. Comment Letter from Washington Department of Natural Resources (DNR) dated February 6, 2026
- E. Comment Letter from the Department of Ecology dated February 12, 2026
- F. Comment Letter from Washington Department of Fish and Wildlife dated February 17, 2026
- G. Snohomish County Critical Areas Map of Granite Falls

19.07.020 Critical areas regulations.

(A) General Provisions – Definitions.

(1) Purpose and Intent. The purpose of this critical areas section is to identify environmentally critical areas and to protect these areas without violating any citizen's constitutional rights. Landslide, erosion, and seismic hazards, wetlands, aquifer recharge areas, [fish and wildlife habitat conservation areas](#), ~~critical habitats~~ and flood hazard areas constitute critical areas that are of special concern to Granite Falls. The city finds that these critical areas perform a variety of valuable and beneficial biological and physical functions that benefit the city and its residents; certain critical areas may also pose a threat to human safety or to public and private property. By limiting development and alteration of these critical areas, this chapter seeks to:

- (a) Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to flooding, erosion, volcanic eruptions, landslides, seismic events, or steep slope failures;
- (b) Protect unique, fragile and valuable elements of the environment, including wildlife and its habitat;
- (c) Mitigate unavoidable impacts to environmentally critical areas by regulating alterations in and adjacent to critical areas;
- (d) Prevent cumulative adverse environmental impacts to water quality and wetlands;
- (e) Meet the requirements of the Washington Growth Management Act with regard to the protection of critical area lands;
- (f) Coordinate environmental review and permitting of proposals to avoid duplication and delay;
- (g) Assure that best available sciences are incorporated into the following regulations. In order to accomplish this, best available sciences were reviewed in the process of developing the critical areas regulations and used to establish its components.

[\(2\) Compliance with the provisions of the Chapter does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required. The applicant is responsible for complying with these requirements, apart from the process established in this Title. Where applicable, the designated official will encourage use of information such as permit applications to other agencies or special studies](#)

[prepared in response to other regulatory requirements to support required documentation submitted for critical areas review.](#)

(23) Definitions.

“Alteration” means any human-induced activity that changes the existing condition of a critical area. Alterations include but are not limited to: grading; filling; dredging; draining; channelizing; clearing or removing vegetation; discharging pollutants; paving; construction; demolition; or any other human activity that changes the existing landforms, vegetation, hydrology, wildlife, or wildlife habitat of a critical area.

“Anadromous fish” means species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to fresh water rivers and streams to procreate.

“Applicant” means the person, party, firm, corporation, or other entity that proposes any activity that could affect a critical area.

“Aquifer” means a saturated geologic formation that will yield a sufficient quantity of water to serve as a private or public water supply.

“Aquifer recharge areas” means areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute significantly to the replenishment of potable ground water. Aquifer recharge areas are classified as follows:

(a) “High significance aquifer recharge areas” means areas with slopes of less than 15 percent that are underlain by coarse alluvium or sand and gravel.

(b) “Moderate significance aquifer recharge areas” means:

(i) Areas with slopes of less than 15 percent that are underlain by fine alluvium, silt, clay, glacial till, or deposits from the Electron Mudflow; and

(ii) Areas with slopes of 15 percent to 30 percent that are underlain by sand and gravel.

(c) “Low significance aquifer recharge areas” means:

(i) Areas with slopes of 15 percent to 30 percent that are underlain by silt, clay, or glacial till; and

(ii) Areas with slopes greater than 30 percent.

"Base flood" means a flood having a one percent chance of being equaled or exceeded in any given year; also referred to as the "100-year flood."

"Best available science" means current scientific information derived from a valid scientific process as defined by WAC 365-195-900 through WAC 365-195-925 and applied to the process for designating, protecting, or restoring critical areas.

"Bog/fen" means a unique type of wetland dominated by mosses at the surface and that form peat soils. Bogs form in areas where the climate allows the accumulation of peat to exceed its decomposition. The water regime in bogs is dominated by precipitation rather than surface inflow. The plant community is specialized to survive in the nutrient-poor and highly acidic conditions typical of bog systems.

~~wetland with limited drainage generally characterized by extensive peat deposits and acidic waters with a pH of 5 or less for bogs and 5.5 or greater for fens. Vegetation includes sedges, sphagnum moss, shrubs and trees.~~

"Buffer" or "buffer area" means a naturally vegetated and undisturbed or revegetated zone surrounding a critical area that protects the critical area from adverse impacts to its integrity and value, or is an integral part of the resource's ecosystem.

"Channel Migration Hazard Area, Moderate" means a portion of the channel migration zone that lies between the severe channel migration hazard area and the outer boundaries of the channel migration zone.

"Channel Migration Hazard Area, Severe" means a portion of the channel migration zone that includes the present channel. ~~The total width of the severe channel migration hazard area equals one hundred years times the average annual channel migration rate as determined by evidence of active stream channel migration movement over the past one hundred years, plus the present channel width.~~ in which there is a higher level of channel migration hazard due to a high likelihood of continued, progressive bank erosion, rapid shifting of channel location, or other imminent channel changes.

"Channel migration zone (CMZ)" means the lateral extent of likely movement along a stream or river during the next one hundred years as determined by evidence of active stream channel migration movement over the past one hundred years. The channel migration zone shall be designated as shown on future Snohomish County's channel migration zone maps, and as amended.

~~"City" means the city of Granite Falls.~~

"City clerk" means the city clerk of the city of Granite Falls.

“Clearing” means the removal of timber, brush, grass, ground cover, or other vegetative matter from a site that exposes the earth’s surface of the site or any actions that disturb the existing ground surface.

“Critical areas” includes wetlands, critical habitat areas, moderate and high erosion hazard areas, high seismic hazard areas, moderate and high landslide hazard areas, moderate and high volcanic hazard areas, aquifer recharge areas of moderate and high significance, and flood hazard areas.

“Critical geologic hazard areas” means lands or areas subject to high or severe risks of geologic hazard.

“Critical habitat” means those habitat areas which meet any of the following criteria:

- (a) The documented presence of species listed by the federal government or state of Washington as endangered or threatened;
- (b) Those streams identified as “shorelines of the state” under the city of Granite Falls’ shoreline master program; and
- (c) Those wetlands identified as Class I wetlands, as defined in this chapter.

“Development right” means any specific right to use real property which inures to an owner of real property through the common law, statutory law of real property, the United States and Washington Constitutions and as further defined and delineated herein.

“Epicenter” means the location on the surface of the earth directly above the place where an earthquake originates.

“Erosion” means a process whereby wind, rain, water, and other natural agents mobilize and transport soil particles.

“Erosion hazard areas” means those lands susceptible to the wearing away of their surface by water, wind or gravitational creep. Erosion hazard areas are classified as low, moderate or high risk based on slope inclination and soil types as identified by the U.S. Department of [Natural Resources Agriculture Soil Conservation Service Soil Survey](#) ([SCS NRCS](#)):

- (a) “Low risk” means all sites classified with soil types designated by [SCS NRCS](#) as having no or slight erosion hazard.
- (b) “Moderate risk” means all sites classified with soil types designated as moderate hazard.

(c) "High risk" means all sites classified with soil types designated as severe or very severe erosion hazard.

"Existing and ongoing agriculture" means those activities conducted on lands defined in RCW [84.34.020\(2\)](#), and those existing activities involved in the production of crops or livestock. Activities may include the operation and maintenance of farm and stock ponds or drainage ditches; operation and maintenance of existing ditches or irrigation systems; changes from one type of agricultural activity to another agricultural activity; and normal maintenance, repair, and operation of existing serviceable structures, facilities, or improved areas. Activities which bring a nonagricultural area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted to a nonagricultural use or has lain idle for more than five years.

"Facultative wetland plants" means plants that occur usually (estimated probability greater than 67 percent to 99 percent) in wetlands, but also occur (estimated probability one percent to 33 percent) in nonwetlands.

"Fish and wildlife habitat conservation areas" means land managed to maintain populations of species in suitable habitats within their natural geographic distribution so that the habitat available is sufficient to support viable populations over the long term and isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean not degrading or reducing populations or habitats so that they are no longer viable over the long term. Fish and wildlife habitat conservation areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

["Fish habitat" or "habitat that supports fish life" means habitat, which is used by fish life at any life stage at any time of the year including potential habitat likely to be used by fish life, which could reasonably be recovered by restoration or management and includes off-channel habitat.](#)

"Flood hazard areas" means those areas subject to inundation by the base flood. These areas consist of the following components, as determined by the city:

(a) "Floodplain" means the total area subject to inundation by the base flood.

(b) "Flood fringe" means that portion of the floodplain outside the floodway which is generally covered by flood waters during the base flood. It is generally associated with standing water rather than rapidly flowing water.

(c) "Floodway" means the channel of the stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot.

"Forested wetland" means a regulated wetland with at least 30 percent of the surface area covered by woody vegetation greater than 20 feet in height and four inches diameter at breast height (-dbh).

"Functions" means the products, physical and biological conditions, and environmental qualities of an ecosystem that result from interactions among ecosystem processes and ecosystem structures. Ecosystem functions include, but are not limited to, sequestered carbon, attenuated peak streamflows, aquifer water level, reduced pollutant concentrations in surface and ground waters, cool summer in-stream water temperatures, and fish and wildlife habitats.

"Geologic hazard areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, as designated by (WAC 365-190-120(1)), are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. ~~lands or areas characterized by geologic, hydrologic, and topographic conditions that render them susceptible to potentially significant or severe risk of landslides, erosion, or volcanic or seismic activity.~~

"Grading" means any excavating, filling, clearing, leveling, or contouring of the ground surface by human or mechanical means.

"Ground water" means all water found beneath the ground surface, including slow-moving subsurface water present in aquifers and recharge areas.

"Growing season" means the portion of the year when soil temperatures at 19.7 inches below the surface are higher than biological zero (five degrees Celsius), approximately March 15th to October 15th.

"Hazard tree" is considered a threat to life, property, or public safety. Due to their high habitat value, hazard tree removal shall not adversely affect ecosystem functions to the extent practicable, encourage the creation of snags (Priority Habitat features) rather than complete tree removal, involve an avoidance and minimization of damage to remaining trees and vegetation, and require a qualified arborist to evaluate requests for hazard tree removal.

"Hazardous substance(s)" means any liquid, solid, gas or sludge, including any materials, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics of hazardous waste; and including waste oil and petroleum products.

“Hazardous substance processing or handling” means the use, storage, manufacture or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container.

“Hazardous waste” means all dangerous waste and extremely hazardous waste as designated pursuant to Chapter [70.105](#) RCW and Chapter [173-303](#) WAC.

(a) “Dangerous waste” means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

- (i) Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or
- (ii) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means;

(b) “Extremely hazardous waste” means any waste which:

- (i) Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of humans or wildlife; and
- (ii) Is disposed of at a disposal site in such quantities as would present an extreme hazard to humans or the environment.

“Hazardous waste treatment and storage facility” means a facility that treats and stores hazardous waste and is authorized pursuant to Chapter [70.105](#) RCW and Chapter [173-303](#) WAC. It includes all contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of hazardous waste.

“Hydric soils” means a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of hydrophytic vegetation. Hydric soils occur in areas having positive indicators of hydrophilic action.

“Hydrophyte” means any plant growing in water or on a substrate that is at least periodically deficient in oxygen during some part of the growing season, from approximately March 15th to October 15th, as a result of excessive water content.

“Hydrophytic vegetation” means any plant growing in water or on a substrate that is at least periodically deficient in oxygen during some part of the growing season as a result of excessive water content. A site may be considered to have hydrophytic vegetation when more than 50 percent of the dominant plant species on the site are obligate or facultative wetland plants.

“Impervious surface” means any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted rock, compacted sand, limerock or clay.

“Lahars” means mudflows and debris flows originating from the slopes of a volcano.

“Landslide” means episodic downslope movement of a mass of soil or rock.

“Landslide hazard areas” means areas that, due to a combination of slope inclination, relative soil permeability and hydrologic factors, are susceptible to varying risks of land sliding. Landslide hazards are classified as Classes I through III based on the degree of risk as follows:

(a) Class I/high risk: Areas of greater than 30 percent slope with soils designated by [SCS-NRCS](#) as moderate, severe or very severe erosion hazard.

(b) Class II/moderate risk: Areas of 15 percent to 30 percent slopes with soils designated by the [SCS-NRCS](#) as moderate or severe erosion hazard.

(c) Class III/low risk: Areas with slopes less than 15 percent.

“Liquefaction” means a process by which a water-saturated granular (sandy) soil layer loses strength because of ground shaking commonly caused by an earthquake.

“Lot slope” means a measurement by which the average slope of the lot is calculated as a percentage. The lowest elevation of the lot is subtracted from the highest elevation, and the resulting number is divided by the horizontal distance between these two points. The resulting product is multiplied by 100.

[“Low Impact Development \(LID\)” is a stormwater and land use management strategy that strives to mimic natural hydrologic conditions by emphasizing the pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration.](#)

“Magnitude” means a quantity characteristic of the total energy released by an earthquake. Commonly, earthquakes are recorded with magnitudes from zero to eight.

“Mitigation” means avoiding, minimizing, reducing, rectifying, eliminating, or compensating for adverse impacts.

“Monitoring and Adaptive Management” means the process of monitoring and improving permits, regulations, and programs to ensure the protection of critical areas”

“Native vegetation” means plant species that are indigenous and naturalized to the Granite Falls region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds.

“No Net Loss of Critical Areas” means the actions taken to achieve and ensure no overall reduction in existing ecosystem functions and values or the natural systems constituting the protected critical areas. This may involve fully offsetting any unavoidable impacts to critical area functions and values pursuant to the Growth Management Act, WAC 365-196-830 ‘Protection of critical areas,’ or as amended.

“Noxious weed” means any plant which, when established, is highly destructive, competitive, or difficult to control by cultural or chemical practices. The state noxious weed list in Chapter [16-750 WAC](#) is the officially adopted list of noxious weeds by the State Noxious Weed Control Board.

“Obligate wetland plants” means plants that occur almost always (estimated probability greater than 99 percent) in wetlands under natural conditions, but which may also occur rarely (estimated probability less than one percent) in nonwetlands.

“Open space land” mean:

(a) Any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or

(b) Any land area, the preservation of which in its present use would:

(i) Conserve and enhance natural or scenic resources, or

(ii) protect streams or water supply, or

(iii) Promote conservation of soils or wetlands, or

(iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space, or

(v) Enhance recreation opportunities, or

(vi) Preserve historic sites, or

(vii) Preserve visual quality along highway, road, and street corridors or scenic vistas, or

(viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification; or (

c) Any land meeting the definition of farm and agricultural conservation land as outlined in RCW 84.34.020.

“Priority Habitat” means a habitat type with unique or significant value to many species. An area identified and mapped as priority habitat has one or more of the following attributes: comparatively high fish and wildlife density, comparatively high fish and wildlife species diversity, important fish and wildlife breeding habitat, important fish and wildlife seasonal ranges, important fish and wildlife movement corridors, limited availability, high vulnerability to habitat alteration, and unique or dependent species.

“Priority Species” means fish and wildlife species requiring protective measures and/or management actions to ensure their survival. A species identified and mapped as a priority species fits one or more of the following criteria: State-listed candidate species, vulnerable aggregation, and species of recreational, commercial, and/or Tribal importance.

“Qualified professional or consultant” means a person with experience, training and expertise that are appropriate for the relevant sensitive area subject in accordance with WAC [365-195-905](#)(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, soil science, engineering, environmental studies, fisheries, geology, geomorphology or a related field and related work experience and meet the following criteria:

(a) A qualified professional for wetlands must have a degree in biology, ecology, soil science, botany or a closely related field and a minimum of five years of professional experience in wetland identification and assessment in the Pacific Northwest.

(b) A qualified professional for geologically hazardous areas must be a professional engineering geologist or geotechnical engineer, licensed by the state of Washington.

(c) A qualified professional for fish and wildlife conservation areas must have a degree in wildlife biology, zoology, ecology, fisheries, or a closely related field and a minimum of two years of professional experience.

(d) A “qualified professional for sensitive aquifer recharge areas” means a Washington State licensed hydro-geomorphologist, geologist, engineer or other

scientist with a minimum of two years of professional experience in preparing hydrogeologic assessments in Washington.

“Receiving parcel” means a parcel of land on which a development right is used.

“Recessional outwash geologic unit” means sand and gravel materials deposited by melt water streams from receding glaciers.

“Seismic hazard areas” means areas that, due to a combination of soil and ground water conditions, are subject to severe risk of ground shaking, subsidence, or liquefaction of soils during earthquakes. These areas are typically underlain by soft or loose saturated soils, have a shallow ground water table and are typically located on the floors of river valleys.

“Sending parcel” means a parcel of land from which a development right has been severed, in accordance with this chapter.

“Sever” means the removal or separation of some specified right or use from the “bundle of rights” possessed by an owner of real property. The term connotes a removal or separation in perpetuity as distinguished from a restriction or limitation which may be overridden, deleted or subject to a time limitation.

“Slope” means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

“Streams”. Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended. Streams are called Type S, Type F, Type Np, and Type Ns.

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity, or pollutants during development, construction, or restoration.

“Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.

[“Values” means the cultural, social, economic, and ecological benefits attributed to ecosystem functions.](#)

[“Watershed Plan” means a plan developed by federal, tribal, state, and/or local government agencies and/or appropriate non-governmental organizations, in consultation with relevant stakeholders, for the specific goal of aquatic resource restoration, establishment, enhancement, and preservation. A watershed plan addresses](#)

[aquatic resource conditions in the watershed, multiple stakeholder interests, and land uses. Watershed plans may also identify priority sites for aquatic resource restoration and protection. Examples of watershed plans include special area management plans, advance identification programs, and wetland management plans](#)

“Wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

(B) Applicability.

(1) Prior to fulfilling the requirements of this title, Granite Falls shall not grant any approval or permission to alter the condition of ~~any land, water or vegetation, critical area or critical area buffer~~, or to construct or alter any structure or improvement including, but not limited to, the following:

- (a) Building permit.
- (b) Conditional use permit.
- (c) Shoreline substantial development permit.
- (d) Shoreline variance.
- (e) Short subdivision.
- (f) Subdivision.
- (g) Variance.
- (h) Rezone.
- (i) Any other adopted permit or required approval not expressly exempted by this chapter.

(2) Granite Falls shall perform a critical areas review for any Granite Falls permit approval requested for a proposal on a site which includes or is adjacent to one or more critical areas [or critical area buffers](#) unless otherwise provided in this chapter. As part of all applications, Granite Falls shall verify the information submitted by the applicant to:

- (a) Confirm the nature and type of the critical areas [or critical area buffer](#) and evaluate any required critical areas study.
- (b) Determine whether the development proposal is consistent with this chapter.
- (c) Determine whether any proposed alterations to critical areas are necessary.
- (d) Determine if the mitigation plans proposed by the applicant are sufficient to protect the public health, safety and welfare consistent with the goals, purposes, objectives and requirements of this chapter.

(C) Exemptions. The following activities shall be exempt from the provisions of this chapter:

(1) Agricultural Activities. Existing and ongoing agricultural activities, provided no alteration of flood storage capacity or conveyance occurs. [Any expansion of existing and ongoing agricultural activities is subject to review and compliance with this chapter.](#)

(2) Damaged Structures. Remodeling of structures in existence on the effective date hereof. When such structures are damaged by fire, explosion, or other unforeseen circumstances, they may be reconstructed or replaced within one year; provided, that the new construction or related activity does not further intrude into a critical area or established buffer and is subject to flood hazard areas reconstruction restrictions.

(3) Artificially Created Wetlands [and water conveyance systems](#). Activities involving [modifications to](#) artificially created wetlands or [water conveyance systems that were not created to convey a stream or portion of stream that existed prior to development](#) ~~streams intentionally created from nonwetland sites,~~ including, but not limited to, grass-lined swales, irrigation and drainage ditches, detention facilities, and landscape features, except wetlands, streams, ~~or~~ swales, [or additional features](#) that provide critical habitat for ~~anadromous~~ fish, and artificial ~~features~~ [wetlands](#) created as part of a mitigation requirement, [which do not qualify for exemption.](#)

(4) Existing Roads. Maintenance, operation and reconstruction of existing roads, streets, utilities and associated structures, [acknowledging that activities which expand impacts are not exempt and must comply with the provisions of this chapter.](#)

(5) Emergency Activities. Emergency activities necessary to prevent an immediate threat to public health, safety, or property. [If emergency activities impact critical areas or their buffers, mitigation is required to ensure no net loss of ecological functions and values.](#)

(a) The designated official or designee shall confirm the presence of an emergency and shall determine if mitigation will be required to protect or repair the damaged critical area.

(b) Alterations in response to emergencies that create an impact on a critical area or its buffer shall use reasonable methods to address the emergency. In addition, those actions must have the least possible impact to the critical area and/or its buffer.

(c) The person or agency undertaking the action shall initiate a restoration plan within one year of the date of the emergency and it shall be fully restored within a timely manner. Any impacts to the critical area and buffers resulting from the emergency action shall be mitigated in accordance with the critical area report and the mitigation plan prepared in accordance with this chapter and as approved by the designated official or designee.

(D) Reasonable Use Exception.

(1) Allowing Exception. If the application of this chapter would deny all reasonable use of the property, development may be allowed which is consistent with the general purposes of this chapter and the public interest.

(2) Application for Exception. An application for a critical areas reasonable use exception shall be filed with the city clerk and shall be ~~heard by~~ reviewed by the designated official as a Type II Review ~~the hearing examiner~~. The ~~hearing examiner~~ designated official shall issue a final decision on an application for a reasonable use exception.

(3) Determination – Conditions. In order to approve a reasonable use exception, the hearing examiner must determine that:

(a) Application of this chapter would deny all reasonable use of the property; and

(b) There is no other reasonable use with less impact on the critical area; and

(c) The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site; and

(d) Any alterations permitted to these critical areas shall be the minimum necessary to allow for reasonable use of the property.

(e) The inability to derive reasonable economic use is not the result of the applicant's actions or that of a previous property owner, including, but not limited to, segregating or dividing the property in a manner that created an undevelopable

condition, or exacerbating an existing condition to such a degree that reasonable economic use is no longer possible under the terms of this chapter.

(f) No reasonable use application shall be approved if the city can demonstrate, by a preponderance of the evidence, that the applicant had actual or constructive knowledge of existing conditions, at any time prior to the applicant's acquisition of the subject property, that would significantly lessen the applicant's distinct, investment-backed expectations in acquiring the subject property.

(4) Alterations. Any authorized alteration of a critical area under this section shall be subject to conditions established by the city of Granite Falls and shall require mitigation under an approved mitigation plan.

(E) Relationship to Other Regulations.

(1) These critical areas regulations shall apply as an overlay and in addition to zoning, land use and other regulations established by the city. In the event of any conflict between these regulations and any other regulations of the city, the regulations that provide greater protection to environmentally critical areas shall apply.

(2) Areas characterized by particular critical areas may also be subject to other regulations established by this chapter due to overlap or multiple functions of some critical resources or critical areas. Wetlands, for example, may be defined and regulated according to the wetland and habitat provisions of this chapter. In the event of any conflict between regulations for any particular critical areas in this chapter, the regulations which provide greater protection to environmentally critical areas shall apply.

(F) Variances. Variances from the standards of this chapter may be authorized by the hearing examiner in accordance with the procedures set forth in GFMC [19.04C.055](#). In granting such a variance, hearing examiner shall find:

(1) Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, or the size or nature of the critical area, the strict application of this title would deprive the property owner of reasonable use of their property;

(2) The granting of the variance is the minimum necessary to accommodate the development proposal and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated, or contrary to the goals and purposes of this chapter.

(3) If a variance application for stream buffers is merged with a pending shoreline development permit application, the applicant shall pay the city a single fee equal to the amount of the shoreline permit; and

(4) No variance from stream buffers shall be granted which is inconsistent with the policies of the Shoreline Management Act of the state of Washington and the city's shoreline master program of the city of Granite Falls; and

(5) Best available science, as set forth in this section, shall be taken into consideration in the granting of a buffer width variance.

(G) Other General Requirements.

(1) A record of notice shall be placed on the title of any property subject to these critical areas regulations in the development review process.

(2) A notice shall be provided to any adjacent property that may be impacted by critical areas buffers as required in this chapter.

(3) The City's critical area maps are not exhaustive and additional critical areas may exist on a site that are not mapped. It is the responsibility of the property owner to confirm the presence of any potential critical areas and to identify all critical areas.

(H) Critical Area Determinations.

(1) Special Studies Required.

(a) When an applicant submits an application for any alteration proposal, the application shall indicate whether any environmentally critical area or buffer is located on the site. The designated official shall visit the subject property and review the information submitted by the applicant along with any other available information. If the designated official determines that the site potentially includes, is adjacent to, or could have probable significant adverse impacts to critical areas and their buffers, the designated official shall notify the applicant that a special study(ies) is required. Any decision to require a critical area study pursuant to this chapter may be appealed to the hearing examiner upon filing a notice of appeal with the city clerk within 10 working days after the date of the designated official's decision.

(2) Waivers from Study Requirements. The designated official may waive the requirement for a special study if there is substantial proof showing that:

(a) There will be no alteration of the critical areas or required buffer; and

(b) The alteration proposal will not impact the critical areas and their buffers in a manner contrary to the purpose, intent and requirements of this chapter; and

(c) The minimum standards required by this chapter are met.

(3) Exceptions to Study Requirements. No special study is required for the following alteration proposals:

(a) Alterations that are exempt from the provisions of this chapter as set forth in subsection (C) of this section; and

(b) A residential building permit for a lot that was subject to a previous special study of critical areas; provided, that the previous special study adequately identified the impacts associated with the current alteration proposal.

(4) Contents of Special Study.

(a) Best available science shall be used in the special study and the Washington Department of Fish and Wildlife PHS database shall be consulted in the preparation of the study.

(b) Wetlands Special Study. Required wetland studies shall be conducted by a qualified wetlands biologist.

(i) A map, of a scale no smaller than one inch equals 200 feet, and five-foot contours of the surveyed wetland boundary as determined by following the methods described in the ~~“[approved federal wetland delineation manual, the most current version of the “Washington State Wetland Rating System for Western Washington,” and applicable regional supplements.](#) Washington State Wetlands Identification and Delineation Manual” (Publication No. 96-94), March 1997.~~

(ii) The site plan for the proposed activity at the same scale as the wetland map, showing the extent of the proposed activity in relationship to the surveyed wetland.

(iii) A written analysis of the existing wetland type/classification including existing vegetation, soils, and hydrology (source of water in the system, relative water quality, seasonality of presence of water, if applicable). The existing wetland shall be classified according to subsection (1)(2) of this section. The written analysis must also classify wetlands according to the adopted Ecology’s “Washington State [Wetland Rating System for Western Washington \(Ecology Publication #23-06-009\)](#) ~~Wetland Rating System for Western Washington – 2014 Update” (Ecology Publication No. 04-06-025), October 2014, or as revised.~~ All date forms must be submitted for review.

(c) Landslide Hazard Special Study. Required landslide hazard studies shall be prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering.

(i) A contour map of the proposed site, at a scale no smaller than one inch equals 100 feet and five-foot contours. The site and the extent of the critical landslide hazard area as determined by the criteria in subsection (J)(3) of this section shall be clearly delineated.

(ii) A discussion of surface and subsurface geologic conditions of the site.

(iii) Review of site history regarding landslides.

(iv) A description of how the proposed development will or will not impact each of the following on the subject area and adjoining property:

A. Slope stability;

B. Drainage;

C. Springs or seeps or any other surface water;

D. Existing vegetation.

(v) Recommended surface water management controls during construction.

(d) Critical Erosion Hazard Area Special Studies. Required critical erosion hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

(i) A map, of a scale no smaller than one inch equals 200 feet, of the site and the extent of the critical erosion hazard area as determined by the criteria in subsection (J)(4) of this section.

(ii) Review site history regarding erosion.

(iii) Identification of surface water management, erosion, and sediment controls appropriate to the site and proposal.

(e) Seismic Hazard Area Special Studies. Required critical seismic hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

(i) A map, of a scale no smaller than one inch equals 200 feet, and five-foot contours, of the site and the extent of the seismic hazard area as determined by the criteria in subsection (J)(5) of this section.

(ii) Discussion of the potential impacts from the proposed development, and specific measures designed to mitigate any potential adverse impacts of the proposal.

(f) Critical Habitat Special Studies.

(i) Required critical habitat studies shall be prepared by a qualified biologist with expertise in wildlife habitats.

(ii) A map of a scale no smaller than one inch equals 200 feet of the site and the extent of the critical habitat area as determined by the criteria in subsection (J)(6) of this section.

(g) Aquifer Recharge Area Special Studies.

(i) Required critical aquifer recharge area studies shall be prepared by a geologist or individual with experience preparing hydrogeologic assessments.

(ii) A map of a scale no smaller than one inch equals 200 feet of the site and the extent of the high significance aquifer recharge area as determined by the criteria in subsection (J)(13) of this section.

(I) Critical Areas Classifications.

(1) Scope. To promote consistent application of the standards and requirements of this title, critical areas within the city shall be rated and classified according to their characteristics, function and value, and/or their sensitivity to disturbance.

(2) Wetlands Classification and Delineation. Wetlands shall be designated Category I, Category II, Category III and Category IV, according to Ecology's [Wetland Rating System for Western Washington \(Ecology Publication #23-06-009\)](#) ~~“Washington State Wetland Rating System for Western Washington – 2014” (Ecology Publication No. 04-06-025), October 2014, or as revised~~. Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done by a qualified wetland professional in accordance with the approved federal wetland delineation manual, the most current version of the “Washington State Wetland Rating System for Western Washington,” and applicable regional supplements.

(3) Geologically Hazardous Areas.

(a) Designation. The following are considered geologically hazardous areas and shall not be altered except as otherwise provided by this chapter:

(i) Slopes of 40 percent or greater;

(ii) Landslide hazard areas;

(iii) Seismic hazard areas;

(iv) Erosion hazard areas when associated with other environmentally sensitive areas;

(iv) Channel migration hazard

~~(v) Other areas which the city has reason to believe are geologically hazardous.~~

(b) Protective Requirements.

(i) Development proposals on properties which are designated as or which the city has reason to believe are geologically hazardous areas shall have a standard buffer of 25 feet from the top, toe and sides of such areas, or as specified in subsections (l)(4) and (l)(7).

(ii) The setback buffer requirement listed in subsection (l)(3)(b)(i) of this section may be increased by the city when necessary to protect public health, safety and welfare, based upon information contained in a geotechnical report or for other reasons related to the geologically hazardous conditions of the lot.

(iii) The setback buffers required by this subsection shall be maintained in native vegetation to provide additional soil stability and erosion control. If the buffer area has been cleared, it shall be replanted with native vegetation.

(c) Permitted Alterations. Unless associated with another environmentally sensitive area, the designated official may allow alterations of an area identified as a geologically hazardous area or the standard buffers listed in subsection (l)(3)(b) of this section if he/she approves a geotechnical report which demonstrates that:

(i) The proposed development will not create a hazard to the subject property, surrounding properties, or rights-of-way, erosion or sedimentation to off-site properties or bodies of water;

(ii) The proposal addresses the existing geological constraints of the site, including an assessment of soils and hydrology;

(iii) The proposed method of construction will reduce erosion potential, landslide and seismic hazard potential, and will improve or not adversely affect the stability of slopes;

(iv) The proposal uses construction techniques which minimize disruption of existing topography and natural vegetation;

(v) The proposal is consistent with the purposes and provisions of this chapter;

(vi) The proposal mitigates all impacts identified in the geotechnical report; and

(vii) All (utilities and access roads or driveways to and within the site are located so as to require the minimum amount of modifications to slopes, vegetation or geologically hazardous areas.

(d) Additional Requirements. As part of any approval of development on or adjacent to geologically hazardous areas or within the standard buffers required by subsection (1)(3)(b) of this section, the city may require:

(i) An environmentally critical area protective covenant or tract for the area approved for alteration or any geologically hazardous area not approved for alteration;

(ii) The presence of the geotechnical consultant on the site to supervise during clearing, grading, filling and construction activities which may affect geologically hazardous areas, and provide the city with certification that the construction is in compliance with his/her recommendations and has met with his/her approval, and other relevant information concerning the geologically hazardous conditions of the site;

(iii) Vegetation and other soil-stabilizing structures or materials be retained or provided.

(34) Landslide Hazard Areas. Development proposals on sites containing Class I and Class II landslide hazards shall meet the following requirements:

(a) Essential public facilities shall not be sited within a geologically hazardous area or its buffers.

(b) Buffer Requirement. A buffer shall be established from all edges of landslide hazard areas. The size of the buffer shall be determined by ~~the city designated official~~ a geotechnical engineer licensed by the state of Washington to eliminate or minimize the risk of property damage, death, or injury resulting from landslides caused in whole or part by the development, based upon review of and concurrence with a landslide hazard special study. The buffer shall be equal to the height of the slope or 50 feet, whichever is greater. The buffer may be reduced to a minimum of 10 feet when a qualified professional demonstrates to the city designated official's satisfaction that the reduction will adequately protect the proposed development,

adjacent developments, and uses and the subject critical area. The buffer may be increased where the city designated official determines a larger buffer is necessary to prevent risk of damage to proposed and existing development. The edge of the buffer shall be clearly staked, flagged, and fenced prior to any site clearing or construction. Field marking shall be shown on the construction plans and shall remain in place, in functional condition, for the duration of construction.

(c) Alterations. Alterations of a landslide hazard area and/or buffer may only occur for activities for which a hazards analysis is submitted and certifies that:

- (i) The development will not increase surface water discharge or sedimentation to adjacent properties beyond predevelopment conditions;
- (ii) The development will not decrease slope stability on adjacent properties; and
- (iii) Such alterations will not adversely impact other critical areas.

(d) Impervious Surface Ratio. An impervious surface ratio is a measurement of the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted sand, rock, compacted rock, limerock or clay. The maximum impervious surface ratios for Class I and Class II landslide hazard areas are set forth in Table 3 of this subsection.

(e) Native Vegetation. Native vegetation is plant species that are indigenous and naturalized to the Granite Falls region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds. The minimum percentage of native vegetation that must be retained on sites including Class I or Class II landslide hazard areas is set forth in Table 4 of this section.

Table 4

Impervious Surface and Native Vegetation Requirements for Landslide Hazard Areas

Landslide Hazard Class	Maximum Impervious Surface Ratio	Minimum Percentage of Native Vegetation Retained
Class II	0.30	65%
Class I	0.20	75%

(f) Development Design.

(i) Structures and improvements shall be clustered to retain as much open space as possible and to preserve the natural topographic features of the site.

(ii) Structures and improvements shall conform to the natural contour of the slope.

(iii) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.

(iv) The use of retaining walls which allow the maintenance of existing natural slope area is preferred over graded artificial slopes.

(g) Additional Standards for Class I Landslide Hazards.

(i) Alteration of Class I landslide hazard areas is permitted only if the development proposal can be designed so that the landslide hazard to the project and the adjacent property is eliminated or mitigated and the development proposal on that site is certified as safe by a geotechnical engineer licensed in the state of Washington.

(ii) Development or alteration shall be prohibited on parcels with a lot slope of greater than 40 percent.

(h) Assurances required of the applicant and the qualified scientific professional for landslide hazard areas may at the discretion of the designated official include:

(i) A letter from the applicant, or the owner of the property if not the applicant, stating its understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard; or

(ii) A legally enforceable agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the city of Granite Falls, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Granite Falls for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal.

(45) Erosion Hazard Areas. Alteration of a site containing a critical erosion hazard area shall meet the following requirements:

- (a) All alteration proposals shall submit an erosion control plan consistent with this section prior to receiving approval.
- (b) Clearing on erosion hazard areas is allowed from April 1st to November 1st only.
- (c) Only that clearing necessary to install temporary sedimentation and erosion control measures shall occur prior to clearing for roadways or utilities.
- (d) Clearing limits for roads, water, wastewater, and stormwater utilities, and temporary erosion control facilities shall be marked in the field and approved by designated official prior to any alteration of existing native vegetation.
- (e) The authorized clearing for roads and utilities shall be the minimum necessary to accomplish project-specific engineering designs and shall remain within approved rights-of-way.
- (f) All trees and understory shall be retained on lots or parcels; provided, that understory damaged during approved clearing operations may be pruned or replaced.

~~(5) Seismic Hazard Areas. Development proposals on sites containing mapped seismic hazard areas may make alterations to a seismic hazard area only when the applicant demonstrates and the designated official concludes that:~~

~~(a) Evaluation of site-specific subsurface conditions shows that the site is not located in a seismic hazard area; or~~

~~(b) Mitigation is implemented which renders the proposed development as safe as if it were not located in a seismic hazard area, as certified by a geotechnical engineer licensed by the state of Washington.~~

(6) Seismic Hazard Areas.

(a) For all nonexempt activities, except the construction of wood frame structures less than 5,000 square feet and all prefabricated structures less than 2,000 square feet, proposed within seismic hazard areas, a geotechnical report prepared by a professional engineer, geologist, or engineering geologist licensed by the state of Washington with expertise in geotechnical engineering shall be submitted.

(b) The geotechnical report shall address the existing geologic, topographic and hydrologic conditions on a site, including an evaluation of the ability of the soil and

structure to withstand the anticipated earthquake ground shaking and subsequent effects.

(c) The geotechnical report shall include a discussion of the mitigation measures which can be taken to reduce seismic risks associated with the underlying surficial geology.

(d) The geotechnical report shall include an evaluation of the effectiveness of the proposed mitigation measures as certified by a geotechnical engineer licensed by the state of Washington.

(e) The development proposal may be approved, approved with conditions, or denied based on the City's evaluation of the ability of the proposed mitigation measures to reduce seismic risks associated with the underlying surficial geology.

(f) The development may be approved subject to additional review of the architectural and structural drawings by the building official for conformance with the geotechnical report and recommendations.

(g) Should an applicant question the presence of seismic hazard areas on-site, the applicant may submit a geotechnical assessment sufficient to demonstrate to the building official's satisfaction, that the site is not located in a seismic hazard area. If the building official determines that the site is not in a seismic hazard area, the provisions of this section may be waived.

(7) Channel Migration Hazard Areas. Activities on sites containing channel migration hazard areas shall meet the following requirements:

(a) Sites within the 100-year floodplain of the North Fork Stillaguamish River or the Pilchuck River, shall have a minimum 50-foot buffer from the channel migration zone. The floodways for the North Fork Stillaguamish River and the Pilchuck River are as mapped by FEMA on map 53061C0755F, dated June 19, 2020 shall be used as a surrogate for the severe channel migration zone. If the floodway is mapped differently in the future by FEMA, the map with the largest area mapped as floodway shall be used as a surrogate for the channel migration zone.

(b) For sites located within the 100-year floodplain of the North Fork Stillaguamish River or the Pilchuck River, applicants shall identify the channel migration zone on the site plan, as delineated by a licensed engineer or qualified professional with geomorphology or related training.

(c) The edge of the buffer shall be clearly staked, flagged, and fenced prior to any site clearing or construction. Field marking shall be shown on the construction plans and shall remain in place, in functional condition, for the duration of construction.

(d) Assurances required of the applicant and the qualified scientific professional for channel migration hazards may at the discretion of the designated official include:

(i) A letter from the applicant, or the owner of the property if not the applicant, stating its understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard; or

(ii) A legally enforceable agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the city of Granite Falls, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Granite Falls for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal.

(48) Fish and Wildlife Habitat Conservation Areas Classification. Fish and wildlife habitat conservation areas shall be classified as critical ~~or secondary according to the criteria in this section~~ areas. ~~Critical habitats~~ Fish and Wildlife Habitat Conservation Areas are those habitat areas which meet any of the following criteria:

(a) The documented presence of species listed by the federal government, ~~state of Washington~~ and the Washington State Department of Fish and Wildlife priority species and habitats (PHS) database as endangered, threatened, sensitive or critical.

(b) Those streams identified as "shorelines of the state" under the city's shoreline master program.

~~(c) Those wetlands identified as Category I wetlands, as defined in this chapter.~~

~~(5) Aquifer Recharge Classification. Aquifer recharge areas are classified as high, moderate, or low significance aquifer recharge areas according to the following criteria:~~

~~(a) High Significance Aquifer Recharge Areas. High significance aquifer recharge areas are areas with slopes of less than 15 percent that are underlain by coarse alluvium or sand and gravel.~~

~~(b) Moderate Significance Aquifer Recharge Areas. Moderate significance aquifer recharge areas are:~~

~~(i) Areas with slopes of less than 15 percent that are underlain by fine alluvium, silt, clay, glacial till, or deposits from the Electron Mudflow; and~~

~~(ii) Areas with slopes of 15 percent to 30 percent that are underlain by sand and gravel.~~

~~(c) Low Significance Aquifer Recharge Areas. Low significance aquifer recharge areas are:~~

~~(i) Areas with slopes of 15 percent to 30 percent that are underlain by silt, clay, or glacial till; and~~

~~(ii) Areas with slopes greater than 30 percent. Low significance aquifer recharge areas are not designated critical areas and are exempt from critical areas review requirements.~~

(69) Flood Hazard Classification. Flood hazard areas consist of the following components, as determined by the city:

(a) Floodplain. The total area subject to inundation by the base flood.

(b) Flood Fringe. That portion of the floodplain outside the floodway which is generally covered by flood waters during the base flood. It is generally associated with standing water rather than rapidly flowing water.

(c) Floodway. The channel of the stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot.

(j) Performance Standards for Critical Areas.

(1) General Requirements. All boundaries of critical areas established by the requirements of this chapter shall be clearly marked prior to any construction activities. All wetland and habitat buffers shall be permanently signed prior to final approval.

(2) Wetlands.

(a) Allowed Activities within Wetlands. The following uses shall be allowed within a wetland, provided they are conducted using best management practices:

(i) Outdoor recreational activities, including fishing, bird watching, hiking, swimming, and canoeing.

(ii) The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops.

(iii) Existing and ongoing agricultural activities, as defined in this chapter.

(iv) The maintenance of drainage ditches.

(v) Nature Trails. Trails in wetlands or buffers should be limited to permeable surfaces no more than five feet in width for pedestrian use only. Trails should be located only in the outer 25 percent of a wetland buffer, and should be located to avoid removal of significant trees (over 18 inches diameter).

(vi) Utility lines.

(b) Allowed Activities within Wetland Buffers. In addition to those activities allowed in subsection (J)(2)(a) of this section, the following activities are allowed within wetland buffers; provided, that buffer impacts are minimized and that disturbed areas are immediately restored:

(i) Normal maintenance and repair of existing serviceable structures or improved areas. Maintenance and repair does not include modifications that change the character, scope or size of the original structure or improved area.

(ii) Vegetation-lined swales or other vegetated low impact facilities designed for stormwater management; provided, that they are placed within the outer 25 percent of the buffer of Category ~~III~~IV wetlands only.

(c) Required Buffers.

(i) Buffer Requirements. The standard buffer widths in Table 1 shall be required for wetlands based on the [wetland category, the level of impacts from adjacent land uses, and the functions or special characteristics of the wetland](#)~~class of wetland as outlined in subsection (J)(2) of this section~~. The city may allow buffer averaging as set forth in subsection (J)(2)(c)(iv) of this section. [The standard buffers in Table 1 below are required when the minimization measures listed in Table 3 are not implemented.](#)

Table 1

Wetland Buffer Width Requirements Without Minimization Measures

Wetland Category	Habitat			Required Buffer Width based on special characteristics
	Habitat score 3-5 (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	
Category I or II: Based on rating of wetland functions (and not listed below) Category I	100	150	300	N/A 150 feet

Wetland Buffer Width Requirements Without Minimization Measures

Wetland Category	Habitat score 3-5 points (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	Required Buffer Width based on special characteristics
<u>Category I: Bogs and Wetlands of High Conservation Value</u>	N/A	N/A	300	250-75 feet
<u>Category I: Forested</u>	100	150	300	N/A-60 feet
<u>Category III: All types</u>	80	150	300	N/A-40 feet
<u>Category IV</u>			50	50 50 N/A

(ii) Buffer Requirements. The buffer widths in Table 2 shall be required for wetlands based on the wetland category, the level of impacts from adjacent land uses, and the functions or special characteristics of the wetland. The city may allow buffer averaging as set forth in subsection (j)(2)(c)(iv) of this section. The standard buffers in Table 2 below are required when a habitat corridor and the minimization measures listed in Table 3 are implemented.

Table 2

Wetland Buffer Width Requirements With Minimization Measures

Wetland Category	Habitat score 3-5 points (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	Required Buffer Width based on special characteristics
<u>Category I or II: Based on rating of wetland functions (and not listed below)</u>	75	110	225	N/A
<u>Category I: Bogs and Wetlands of High Conservation Value</u>	N/A	N/A	225	190
<u>Category I: Forested</u>	75	110	225	N/A

Wetland Buffer Width Requirements With Minimization Measures

<u>Wetland Category</u>	<u>Habitat score 3-5 points (corridor not required)</u>	<u>Habitat score 6-7 points</u>	<u>Habitat score 8-9 points</u>	<u>Required Buffer Width based on special characteristics</u>
<u>Category III: All types</u>	<u>60</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category IV: All types</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>N/A</u>

A. The buffers in Table 2 above can only be utilized for wetlands that score 6 points or more for habitat function if all of the following criteria are met.

a. A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and:

i. A legally protected, relatively undisturbed and vegetated area; or

ii. An area that is the site of a Watershed Project identified within, and fully consistent with, a Watershed Plan as defined by RCW 89-08-460; or

iii. An area where development is prohibited according to the provisions of the shoreline master program; or

iv. An area with equivalent habitat quality that has conservation status in perpetuity, in consultation with WDFW.

b. The corridor is permanently protected for the entire distance between the wetland and the shoreline or legally protected area by a conservation easement, deed restriction, or other legal site protection mechanisms.

c. Presence or absence of the shoreline or Priority Habitat must be confirmed by a qualified biologist or shoreline Administrator.

d. The minimization measures in Table 3 are implemented, as applicable, to minimize the impacts of the adjacent land uses.

B. For wetlands that score 5 or fewer habitat points, only the measures in Table 3 are required for the use of the buffers in Table 2.

C. If an applicant does not apply the mitigation measures in Table 3 or is unable to provide a protected corridor, then the buffers in Table 1 shall be used.

D. The buffer widths in Tables 1 and 2 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, degraded, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer must either be planted to create the appropriate native plant community or be widened to ensure that the buffer provides adequate functions to protect the wetland.

(iii) Removal of Vegetation within the Buffer. Removal or alteration of existing vegetation in the buffer areas shall be prohibited except as provided for in subsections (j)(2)(a) and (j)(8) of this section. Any disturbance of the buffer area shall be replanted with a diverse plant community of native vegetation appropriate for the site and approved by the designated official.

(iv) Increased Wetland Buffer Area Width. Buffer widths shall be increased on a case-by-case basis as determined by the designated official when a larger buffer is necessary to protect wetland functions and values. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of the wetland. The documentation must include but not be limited to the following criteria:

A. The wetland is used by a plant or animal species listed by the federal government or the state as endangered, threatened, candidate, sensitive, monitored or documented priority species or habitats, or essential or outstanding habitat for those species or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or

B. The adjacent land is susceptible to severe erosion, and erosion-control measures will not effectively prevent adverse wetland impacts; or

C. The adjacent land has minimal vegetative cover or slopes greater than 30 percent.

Table 23

Required Measures to Minimize Impacts to Wetlands

(Measures are required, where applicable to a specific proposal.)

Type of Disturbance	Required Measures to Minimize Impact
Lights	<ul style="list-style-type: none"> • Direct lights down and away from the wetland. • Only use lighting where necessary for public safety and keep lights off when not needed. • Use motion-activated lights. • Use full cut-off filters to cover light bulbs and direct light only where needed. • Limit use of blue-white colored lights in favor of red-amber hues. • Use lower-intensity LED lighting. • Dim light to the lowest acceptable intensity.
Noise	<ul style="list-style-type: none"> • Orient noise-generating activities away from wetland edge. • Plant a strip of dense shrub vegetation adjacent to wetland buffer.
Toxic runoff	<ul style="list-style-type: none"> • Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered. • Establish covenants limiting use of pesticides and herbicides within 150 feet of wetland buffer. • Apply integrated pest management.

Type of Disturbance	Required Measures to Minimize Impact
Stormwater runoff	<ul style="list-style-type: none"> • Retrofit stormwater detention and treatment for roads and existing adjacent development. • Prevent channelized flow from lawns that directly enters the buffer. • Infiltrate or treat, detain, and disperse new runoff from impervious surfaces and lawns.
Change in water regime	<ul style="list-style-type: none"> • Apply appropriate stormwater management to infiltrate, treat, detain, and disperse runoff appropriately and only into outer edge of buffer, if allowed.
Pets and human activity	<ul style="list-style-type: none"> • Use privacy split rail fencing or plant dense native vegetation to delineate buffer edge and to discourage entry into buffer by humans and pets. • Place wetland and buffer in a NGPA or tract. • Signs shall be posted along the buffer boundary at a minimum rate of one every 100 lineal feet or one per lot, whichever is closer. • When platting new subdivisions, locate greenbelts, stormwater facilities, and other

Type of Disturbance	Required Measures to Minimize Impact
	lower-intensity uses adjacent to wetland buffers.
Dust	<ul style="list-style-type: none"> • Use best management practices to control dust.
Disruption of corridors or connections	<ul style="list-style-type: none"> • Maintain connections to off-site areas that are undisturbed. • Restore corridors or connections to off-site habitats by replanting.

(iv) Buffer Averaging. Buffer averaging to improve wetland protection may be permitted when all of the following conditions are met:

A. The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a “dual-rated” wetland with a Category I area adjacent to a lower-rated area.

B. The buffer is increased adjacent to the higher-functioning area of habitat or more-sensitive portion of the wetland and decreased adjacent to the lower-functioning or less-sensitive portion as demonstrated by a critical areas report from a qualified wetland professional.

C. The total area of the buffer after averaging is equal to the area required without averaging.

D. The buffer at its narrowest point is never less than either 75 percent of the required width or 75 feet for Category I and II, 50 feet for Category III, and 25 feet for Category IV, whichever is greater.

(vi) Measurement of Wetland Buffers. All buffers shall be measured perpendicular from the wetland boundary as surveyed in the field. The buffer for a wetland created, restored, or enhanced as compensation for approved wetland alterations shall be the same as the buffer required for the target category of the created, restored, or enhanced wetland. Only fully vegetated buffers will be considered. Existing lawns, walkways, driveways, and other

mowed or paved areas will not be considered to be buffers or included in buffer area calculations.

(d) Wetland Mitigation and Restoration.

(i) Mitigation. All adverse impacts to wetlands shall be mitigated to the extent feasible and reasonable. Mitigation actions by an applicant or property owner shall occur in the following preferred sequence:

- A. Avoiding the impact altogether by not taking certain actions or parts of actions;
- B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- C. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- D. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- E. Compensating for the impact by replacing or providing substitute resources or environments; and/or
- F. Monitoring the impact and taking appropriate corrective measures.

(e) Monitoring Program and Contingency Plan. A monitoring program shall be implemented by the applicant to determine the success of the mitigation project and any necessary corrective actions. This program shall determine if the original goals and objectives are being met.

(i) A contingency plan shall be established for indemnity in the event that the mitigation project is inadequate or fails. In addition to the bonding requirements in the development guidelines for public works standards, the applicant shall submit a performance and maintenance bond or other acceptable security device for financial guarantee(s). These devices are required to ensure the applicant's compliance with terms of the mitigation agreement. The amount of the performance and maintenance bond shall equal 150 percent of the cost of the mitigation project for a minimum of five years. The bond may be reduced in proportion to work successfully completed over the period of the bond if performance standards are meeting or exceeding goals. The bonding period shall coincide with the monitoring period.

(ii) Monitoring programs prepared to comply with this section shall reflect the following guidelines:

A. Scientific procedures shall be used to establish the success or failure of the project.

B. For vegetation determinations, permanent sampling points shall be established.

C. Vegetative success shall, at a minimum, equal 80 percent survival of planted trees and shrubs and 80 percent cover of desirable understory or emergent plant species at the end of the required monitoring period or the performance standards set forth in the mitigation plan. Additional standards for vegetative success, including, but not limited to, minimum survival standards following the first growing season, may be required after consideration of a report prepared by a qualified consultant.

D. For hydrology determinations, permanent sampling points or wells shall be established.

E. Hydrology success shall, at a minimum, show 14 consecutive days of saturation to the surface during the growing season or the performance standard set forth in the mitigation plan.

F. Monitoring reports on the current status of the mitigation project shall be submitted to the city.

G. The reports are to be prepared by a qualified consultant and reviewed by the city or a consultant retained by the city and should include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, as applicable, and shall be produced on the following schedule: at the time of construction; 30 days after planting; early in the growing season of the first year; at the end of the growing season of the first year; twice during the second year; and annually thereafter.

H. Monitoring programs shall be established for a minimum of five years.

I. If necessary, failures in the mitigation project shall be corrected.

J. Dead or undesirable vegetation shall be replaced with appropriate plantings.

K. Damage caused by erosion, settling, or other geomorphological processes shall be repaired.

L. The mitigation project shall be redesigned (if necessary) and the new design shall be implemented and monitored.

(iii) Mitigation Ratios.

A. Equivalent Areas. Where wetland alterations are permitted by the city, the applicant shall create or enhance wetland areas to compensate for wetland losses. Equivalent areas shall be determined according to acreage, function, type, location, timing factors and projected success of restoration or creation.

B. Acreage Replacement Ratio. When creating or enhancing wetlands, the following acreage replacement ratios shall be used where the first number specifies the acreage of replacement wetlands and the second number specifies the acreage of wetlands altered:

Table 3-4

Acreage Replacement Ratio

Wetland Type	Wetland Creation Replacement Ratio (Area)	Rehabilitation	Preservation	Wetland Enhancement Ratio (Area)
Category I	6 :1	<u>8</u> :1	<u>16</u> :1	<u>16</u> :1 15 :1
Category II	3:1	<u>6</u> :1	<u>12</u> :1	<u>12</u> :1 10 :1
Category III	2:1	<u>4</u> :1	<u>8</u> :1	<u>8</u> :1 6 :1
Category IV	<u>1.5</u> :1 1.5 :1	<u>3</u> :1	<u>6</u> :1	<u>6</u> :1 4 :1

Note: Ratios for creation, rehabilitation, preservation, and enhancement may be reduced when combined with 1:1 replacement through creation or re-establishment. See Table 1a, Wetland Mitigation in Washington State - Part 1: Agency Policies and Guidance - Version 2, (Ecology Publication #21-06-003, Olympia, WA, April 2021 or as revised).

(f) Increased Replacement Ratios. The designated official may increase the ratios under the following circumstances:

(i) Uncertainty exists as to the probable success of the proposed restoration or creation;

(ii) A significant period of time will elapse between impact and replication of wetland functions;

(iii) Proposed mitigation will result in a lower category wetland or reduced functions relative to the wetland being impacted;

(iv) The impact was an unauthorized impact; or

(v) Where mitigation is to occur off site.

(g) Restoration. Restoration is required when a wetland or its buffer has been altered in violation of this title. The following minimum performance standards shall be met for the restoration of a wetland; provided, that if it can be demonstrated by the applicant that greater functional and habitat values can be obtained, these standards may be modified:

(i) The original wetland configuration should be replicated including depth, width, and length at the original location;

(ii) The original soil types and configuration shall be replicated;

(iii) The wetland and buffer areas shall be replanted with native vegetation which replicates the original in species, sizes and densities; and

(iv) The original functional values shall be restored, including water quality and wildlife habitat functions.

(h) Wetland Mitigation Banks.

Wetland mitigation banks are a site where wetlands are restored, created, enhanced or, in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

(i) Credits from a wetland bank may be approved for use as compensation for unavoidable impacts to wetlands when:

(a) The bank is certified under Chapter 173-700 WAC;

(b) The community-designated official determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and

(c) The proposed use of credits is consistent with the terms and conditions of the bank's certification.

(2ii) Replacement ratios for projects using bank credits shall be consistent with the terms and conditions of the bank's certification.

(3iii) Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.

~~(3) Landslide Hazard Areas. Development proposals on sites containing Class I and Class II landslide hazards shall meet the following requirements:~~

~~(a) Essential public facilities shall not be sited within a geologically hazardous area or its buffers.~~

~~(b) Buffer Requirement. A buffer shall be established from all edges of landslide hazard areas. The size of the buffer shall be determined by the city designated official to eliminate or minimize the risk of property damage, death, or injury resulting from landslides caused in whole or part by the development, based upon review of and concurrence with a landslide hazard special study. The buffer shall be equal to the height of the slope or 50 feet, whichever is greater. The buffer may be reduced when a qualified professional demonstrates to the city designated official's satisfaction that the reduction will adequately protect the proposed development, adjacent developments, and uses and the subject critical area. The buffer may be increased where the city designated official determines a larger buffer is necessary to prevent risk of damage to proposed and existing development.~~

~~(c) Alterations. Alterations of a landslide hazard area and/or buffer may only occur for activities for which a hazards analysis is submitted and certifies that:~~

~~(i) The development will not increase surface water discharge or sedimentation to adjacent properties beyond predevelopment conditions;~~

~~(ii) The development will not decrease slope stability on adjacent properties;
and~~

~~(iii) Such alterations will not adversely impact other critical areas.~~

~~(d) Impervious Surface Ratio. An impervious surface ratio is a measurement of the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted sand, rock, compacted rock, limerock or~~

clay. The maximum impervious surface ratios for Class I and Class II landslide hazard areas are set forth in Table 3 of this subsection.

(e) Native Vegetation. Native vegetation is plant species that are indigenous and naturalized to the Granite Falls region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds. The minimum percentage of native vegetation that must be retained on sites including Class I or Class II landslide hazard areas is set forth in Table 4 of this section.

Table 4
Impervious Surface and Native Vegetation Requirements for Landslide Hazard Areas

Landslide Hazard Class	Maximum Impervious Surface Ratio	Minimum Percentage of Native Vegetation Retained
Class II	0.30	65%
Class I	0.20	75%

(f) Development Design:

(i) Structures and improvements shall be clustered to retain as much open space as possible and to preserve the natural topographic features of the site.

(ii) Structures and improvements shall conform to the natural contour of the slope.

(iii) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.

(iv) The use of retaining walls which allow the maintenance of existing natural slope area is preferred over graded artificial slopes.

(g) Additional Standards for Class I Landslide Hazards:

(i) Alteration of Class I landslide hazard areas is permitted only if the development proposal can be designed so that the landslide hazard to the project and the adjacent property is eliminated or mitigated and the development proposal on that site is certified as safe by a geotechnical engineer licensed in the state of Washington.

~~(ii) Development or alteration shall be prohibited on parcels with a lot slope of greater than 40 percent.~~

~~(4) Erosion Hazard Areas. Alteration of a site containing a critical erosion hazard area shall meet the following requirements:~~

~~(a) All alteration proposals shall submit an erosion control plan consistent with this section prior to receiving approval.~~

~~(b) Clearing on erosion hazard areas is allowed from April 1st to November 1st only.~~

~~(c) Only that clearing necessary to install temporary sedimentation and erosion control measures shall occur prior to clearing for roadways or utilities.~~

~~(d) Clearing limits for roads, water, wastewater, and stormwater utilities, and temporary erosion control facilities shall be marked in the field and approved by designated official prior to any alteration of existing native vegetation.~~

~~(e) The authorized clearing for roads and utilities shall be the minimum necessary to accomplish project-specific engineering designs and shall remain within approved rights-of-way.~~

~~(f) All trees and understory shall be retained on lots or parcels; provided, that understory damaged during approved clearing operations may be pruned or replaced.~~

~~(5) Seismic Hazard Areas. Development proposals on sites containing mapped seismic hazard areas may make alterations to a seismic hazard area only when the applicant demonstrates and the designated official concludes that:~~

~~(a) Evaluation of site-specific subsurface conditions shows that the site is not located in a seismic hazard area; or~~

~~(b) Mitigation is implemented which renders the proposed development as safe as if it were not located in a seismic hazard area, as certified by a [geotechnical](#) professional engineer licensed by the state of Washington.~~

~~(6) Critical Habitat Areas.~~

~~(a) All development sites containing wetlands shall conform to the wetland development performance standards set forth in subsection (j)(2) of this section.~~

(b) All development sites adjacent to the South Fork of the Stillaguamish or Pilchuck Rivers shall retain a 150-foot buffer of native vegetation measured from the ordinary high water mark of the river.

(c) Where nonfish species have been classified as endangered or threatened by the federal government or Department of Wildlife, the applicant shall provide a special study identifying the required habitat and recommending appropriate buffers based on the ~~state~~ [Washington Department of Fish and Wildlife's Priority Habitats and Species \(PHS\) program list and mapping resources](#) ~~Department of Wildlife priority habitat and species management recommendations.~~

(d) For all fish and wildlife habitat areas that have been classified as endangered or threatened by the federal government, the applicant will provide a special study identifying the specified habitat based on the Department of Fish and Wildlife's (DFW) priority habitats and species program.

(e) For all fish and wildlife that have been identified as "sensitive," the applicant will identify the species and note its presence in the SEPA documents and critical areas study.

(74) Classification of Fish and Wildlife Habitat [Conservation](#) Areas.

(a) Streams. Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended.

(i) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as "shorelines of the state" under Chapter [90.58](#) RCW and the rules promulgated pursuant thereto.

(ii) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by the ~~salmonid~~ fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by ~~salmonid~~ fish. A provisional presumption of ~~salmonid~~ fish use may be refuted at the discretion of the designated official where any of the following conditions are met:

A. It is demonstrated to the satisfaction of the city that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;

B. It is demonstrated to the satisfaction of the city that the stream segment in question has confirmed, long-term, naturally occurring water quality parameters incapable of supporting salmonid fish;

C. Sufficient information about geomorphic region is available to support departure from the characteristics described above for the presumption of salmonid fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;

D. The Washington State Department of Fish and Wildlife has issued a hydraulic project approval pursuant to RCW [77.55.100](#), which includes a determination that the stream segment in question is not used by salmonid fish;

E. No salmonid fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13, Guidelines for Determining Fish Use for the Purpose of Typing Waters under WAC [222-16-031](#); provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.

(iii) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purposes of clarification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the city.

(iv) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall and that are not located downstream from any Type Np stream segment.

[\(b\) State priority habitats and areas associated with state priority species defined and listed by the Washington Department of Fish and Wildlife in the Priority Habitats and Species List, most recently updated edition.](#)

(85) Fish and Wildlife Habitat Buffer Areas.

(a) The establishment of buffer areas shall be required for regulated activities in or adjacent to habitat areas. Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions and values of the affected habitat. Activities within buffers should not result in any net loss of the functions and values associated with streams and their buffers.

(i) ~~The following buffer widths are established:~~

Table 5-
Fish and Wildlife Habitat Buffer Widths

Streams	Buffer	
Type S	150 feet	
Pilchuck River		
Stillaguamish River		
Type F	100 feet	
Drainage from Lake Gardner below dam		
Type Np	75 feet	
To be identified by applicant		
Type Ns	50 feet	
To be identified by applicant		

(i) Fish and wildlife habitat buffers shall be the site potential tree height, as depicted on the Washington Department of Fish and Wildlife (WDFW) Site-Potential Tree Height (SPTH) Mapping Tool, or 150 feet, whichever is less.

(ii) Federal, State and Local Habitats and Species.

A. Except for waters subject to subsection (j)(8)(a) of this section, and bald eagles subject to subsection (j)(8)(a)(ii)(B) of this section, the establishment of buffer areas may be required for regulated activities in or adjacent to federal, state and local species and habitat areas as designated pursuant to this section. Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions and values of the affected habitat. Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby. Buffers shall be determined by the department based on information in the biological/habitat report, supplemented by its own investigations, the intensity and design of the proposed use, and adjacent uses and activities. Buffers are not intended to be established or to

function independently of the habitat they are established to protect. Buffers shall be measured from the edge of the habitat area.

B. Bald eagle habitat shall be protected pursuant to the [federal Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act](#) ~~Washington State Bald Eagle Protection Rules (WAC 232-12-292).~~

(b) Where existing buffer area plantings provide minimal vegetative cover and cannot provide the minimum water quality or habitat functions, buffer enhancement shall be required. Where buffer enhancement is required, a plan shall be prepared that includes plant densities that are not less than five feet on center for shrubs and 10 feet on center for trees. Monitoring and maintenance of plants shall be required in accordance with this section. Existing buffer vegetation is considered "inadequate" and will require enhancement through additional native plantings and removal of nonnative plants when:

- (i) Nonnative or invasive plant species provide the dominate cover;
- (ii) Vegetation is lacking due to disturbance and stream resources could be adversely affected; or
- (iii) Enhancement planting in the buffer could significantly improve buffer functions. If, according to the buffer enhancement plan, additional buffer mitigation is not sufficient to protect the habitat, the city shall require larger buffers where it is necessary to protect habitat functions based on site-specific characteristics.

(c) Measurement of Buffers.

- (i) Stream Buffers. All buffers shall be measured from the ordinary high water mark as identified in the field or, if that cannot be determined, from the top of the bank. In braided channels and alluvial fans, the ordinary high water mark or top of bank shall be determined so as to include the entire stream feature;
- (ii) Combination Buffers. Any stream adjoined by a wetland or other adjacent habitat area shall have the buffer which applies to the wetland or other habitat area unless the stream buffer requirements are more expansive.

(d) Buffer widths may be modified by averaging buffer widths as set forth herein:

- (i) Buffer width averaging shall be allowed only where the applicant demonstrates to the designated official that the average will not impair or reduce habitat, water quality purification and enhancement, stormwater detention, ground water recharge, shoreline protection and erosion protection

and other functions of the stream and buffer, that the lower intensity land uses would be located adjacent to areas where the buffer width is reduced, and that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.

(ii) Notwithstanding the reductions permitted in subsection (J)(8)(d)(i) of this section, buffer widths shall not be reduced by more than 25 percent of the required buffer.

(e) The buffer width stated in subsection (J)(8)(a)(i) of this section shall be increased in the following circumstances:

(i) When the adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse habitat impacts; or

(ii) When the standard buffer has minimal or degraded vegetative cover that cannot be improved through enhancement; or

(iii) When the minimum buffer for a habitat extends into an area with a slope of greater than 25 percent, the buffer shall be the greater of:

A. The minimum buffer for that particular habitat; or

B. Twenty-five feet beyond the point where the slope becomes 25 percent or less.

(f) The designated official may authorize the following low impact uses and activities, provided they are consistent with the purpose and function of the habitat buffer ~~and~~, do not detract from its integrity, and are determined by a qualified scientific professional to have no detrimental impact. The uses and activities may be permitted within the buffer depending on the sensitivity of the habitat involved. To the extent reasonably practicable, examples of uses and activities which may be permitted in appropriate cases include pedestrian trails, viewing platforms, interpretive signage, utility easements and the installation of underground utilities pursuant to best management practices. Uses permitted within the buffer shall be located in the outer 25 percent of the buffer.

(g) Trails and Open Space. For walkways and trails, associated open space in critical buffers located on public property or on private property where easements or agreements have been granted for such purposes, all of the following criteria shall be met:

(i) The trail, walkway and associated open space shall be consistent with the comprehensive parks, recreation, and open space master plan. The city may

allow private trails as a part of the ~~approval~~-site plan, subdivision or other land use permit approvals.

(ii) Trails and walkways shall be located in the outer 25 percent of the buffer, i.e., the portion of the buffer that is farther away from the critical area. Exceptions to this requirement may be made for:

A. Trail segments connecting to existing trails where an alternative alignment is not practical.

B. Public access points to water bodies spaced periodically along the trail.

(iii) Enhancement of the buffer area is required where trails are located in the buffer. Where enhancement of the buffer area adjacent to a trail is not feasible due to existing high quality vegetation, additional buffer area or other mitigation may be required.

(iv) Trail widths shall be a maximum width of 10 feet. Trails shall be constructed of permeable materials; provided, that impervious materials may be allowed if pavement is required for handicapped or emergency access, or safety, or is a designated nonmotorized transportation route or makes a connection to an already dedicated trail, or reduces potential for other environmental impacts.

(h) Allowed Activity – Utilities in Streams. New utility lines and facilities may be permitted to cross water bodies in accordance with an approved supplemental stream/lake study if they comply with the following criteria:

(i) Fish and wildlife habitat areas shall be avoided to the maximum extent possible; and

(ii) The utility is designed consistent with one or more of the following methods:

A. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone of the water body and channel migration zone; or

B. The utilities shall cross at an angle greater than 60 degrees to the centerline of the channel in streams perpendicular to the channel centerline; or

C. Crossings shall be contained within the footprint of an existing road or utility crossing; and

(iii) New utility routes shall avoid paralleling the stream or following a down-valley course near the channel; and

(iv) The utility installation shall not increase or decrease the natural rate of shore migration or channel migration; and

(v) Seasonal work windows are determined and made a condition of approval; and

(vi) Mitigation criteria of this section are met.

(i) Stormwater management facilities, such as biofiltration swales, may be located within the outer 25 percent of buffers only if they will have no negative effect on the functions and purpose the buffers serve for the fish and wildlife habitat areas, as determined by a qualified scientific professional. Stormwater detention ponds shall not be allowed in fish and wildlife habitat areas or their required buffers.

(j) For subdivisions and short subdivisions, the applicable wetland and associated buffer requirements for any development or redevelopment of uses specifically identified in, and approved as part of, the original subdivision or short subdivision application shall be those requirements in effect at the time that the complete subdivision application was filed; provided, that for subdivisions this provision shall be limited to final plats reviewed and approved under Chapter 19.05 GFMC or as amended at the time of final plat approval. However, at the discretion of the designated official a buffer enhancement plan may be required in accordance with subsection (j)(8)(b)(iii) of this section if the wetland or buffer has become degraded or is currently not functioning or if the wetland and/or buffer may be negatively affected by the proposed new development.

(k) Minor additions or alterations such as decks and small additions less than 120 square feet, interior remodels, or tenant improvements which have no impact on the habitat or buffer shall be exempt from the buffer enhancement requirements.

~~(l) Required buffers shall not deny all reasonable use of property. A variance from buffer width requirements may be granted by the hearing examiner upon a showing by the applicant that:~~

~~(i) There are special circumstances applicable to the subject property or to the intended use such as shape, topography, location or surroundings that do not apply generally to other properties and which support the granting of a variance from the buffer width requirements; and~~

~~(ii) Such buffer width variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated property but which because of special circumstances is denied to the property in question; and~~

~~(iii) The granting of such buffer width variance will not be materially detrimental to the public welfare or injurious to the property or improvement; and~~

~~(iv) The granting of the buffer width variance will not materially affect the subject habitat area; and~~

~~(v) If a variance application for stream buffers is merged with a pending shoreline development permit application, the applicant shall pay the city a single fee equal to the amount of the shoreline permit; and~~

~~(vi) No variance from stream buffers shall be granted which is inconsistent with the policies of the Shoreline Management Act of the state of Washington and the city's shoreline master program of the city of Granite Falls; and~~

~~(vii) Best available science, as set forth in this section, shall be taken into consideration in the granting of a buffer width variance.~~

(96) Fish and Wildlife Habitat Alteration and Mitigation. After careful consideration of the potential impacts and a determination that impacts are unavoidable, unavoidable impacts to streams, associated fish buffers and wildlife habitat not exempt under this section, granted a variance under this section, or meeting the criteria for a reasonable use exemption shall be mitigated as follows:

(a) Adverse impacts to habitat functions and values shall be mitigated to achieve no net loss of ecological functions and values to the extent feasible and reasonable. Mitigation actions by an applicant or property owner shall occur in the following preferred mitigation sequence sequencing outlined below and as stated in WAC 197-11-768:

(i) Avoiding the impact altogether by not taking a certain action or parts of actions;

(ii) Minimizing impacts by limiting the degree of magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

(iii) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

(iv) Reducing or eliminating the impact over time by preservation and maintenance operations;

(v) Compensating for the impact by replacing or providing substitute resources or environments;

(vi) Monitoring the impact and taking appropriate corrective measures in accordance with this section.

(b) Where impacts cannot be avoided, the applicant or property owner shall implement other appropriate mitigation actions in compliance with the intent, standards and criteria of this section. In an individual case, these actions may include consideration of alternative site plans and layouts, reductions in the density or scope of the proposal, and implementation of the performance standards listed in this section.

(c) Alteration of habitat and their buffers may be permitted by the designated official subject to the following standards:

(i) Type S Streams. Alterations of Type S streams shall be avoided, subject to the reasonable use provisions of this chapter and conformance with the city of Granite Falls shoreline management master program. Access to the shoreline will be permitted for water-dependent and water-oriented uses subject to the mitigation sequence referred to in subsections (j)(9)(a) and (b) of this section;

(ii) Type F, Np and Ns Streams. Alterations of Type F, Np and Ns streams may be permitted; provided, that the applicant mitigates adverse impacts consistent with the performance standards and other requirements of this chapter; and provided, that no overall net loss will occur in stream functions and fish habitat;

(iii) Relocation of a stream may occur only when it is part of an approved mitigation or rehabilitation plan, and will result in equal or better habitat and water quality, and will not diminish the flow capacity of the stream.

(107) Fish and Wildlife Mitigation Standards, Criteria and Plan Requirements.

(a) Location and Timing of Mitigation.

(i) Mitigation shall be provided on site, except where on-site mitigation is not scientifically feasible or practical due to physical features of the property. The burden of proof shall be on the applicant to demonstrate that mitigation cannot be provided on site.

(ii) When mitigation cannot be provided on site, mitigation shall be provided in the immediate vicinity of and within the same watershed as the permitted activity on property owned and controlled by the applicant, where practical and beneficial to the fish and wildlife habitat resources. When possible, this means within the same watershed as the location of the proposed project.

(iii) In-kind mitigation, as defined in this section, shall be provided except when the applicant demonstrates and the designated official concurs that in-kind mitigation is infeasible and the greater functional and habitat value can be achieved through out-of-kind mitigation, as defined in this section.

(iv) Only when it is determined by the designated official that subsections (J)(10)(a)(i), (ii) and (iii) of this section are inappropriate or impractical shall off-site out-of-kind mitigation be considered.

(v) Any agreed-upon proposal shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule has been approved by the designated official.

(b) Wetland Mitigation Banks. Wetland mitigation banks are a site where wetlands are restored, created, enhanced or, in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

(i) Credits from a wetland bank may be approved for use as compensation for unavoidable impacts to wetlands when:

(A) The bank is certified under Chapter 173-700 WAC;

(B) The designated official determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and

(C) The proposed use of credits is consistent with the terms and conditions of the bank's certification.

(ii) Replacement ratios for projects using bank credits shall be consistent with the terms and conditions of the bank's certification.

(iii) Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.

~~(418)~~ Fish and Wildlife Habitat Performance Standards and Incentives.

(a) The habitat performance standards and criteria contained in this section shall be incorporated into plans submitted for regulated activities. It is recognized that in specific situations, all the listed standards may not apply or be feasible to implement or individual standards may conflict, in which case the standard(s) most protective of the environment shall apply.

- (i) Consider habitat in site planning and design;
- (ii) Locate buildings and structures in a manner that preserves and minimizes adverse impacts to important habitat areas;
- (iii) Integrate retained habitat into open space and landscaping;
- (iv) Where possible, consolidate habitat and vegetated open space in contiguous blocks;
- (v) Locate habitat contiguous to other habitat areas, open space or landscaped areas to contribute to a continuous system or corridor that provides connections to adjacent habitat areas and allows movement of wildlife;
- (vi) Use native species in any landscaping of disturbed or undeveloped areas and in any enhancement of habitat or buffers;
- (vii) Emphasize heterogeneity and structural diversity of vegetation in landscaping, and food-producing plants beneficial to wildlife and fish;
- (viii) Remove and control any noxious or undesirable species of plants and animals;
- (ix) Preserve significant trees and snags, preferably in groups, consistent with achieving the objectives of these standards;
- (x) Buffers shall be surveyed, staked, and fenced with erosion control and/or clearing limits fencing prior to any construction work, including grading and clearing, that may take place on the site; and
- (xi) Temporary and erosion sedimentation controls, pursuant to an approved plan, shall be implemented during construction.

(b) A landscape plan shall be submitted consistent with the requirements, goals, and standards of this chapter. The plan shall reflect the report prepared pursuant to this section.

(c) As an incentive to encourage preservation of secondary and tertiary habitat, as those terms are defined in this chapter, the net amount of landscaping required by the city of Granite Falls may be reduced by one-quarter acre for each one acre of secondary or tertiary habitat and buffer preserved on the site; however, that amount cannot exceed 50 percent of the amount of required landscaping. The reduction shall be calculated on the basis of square feet of habitat preserved or enhanced and square feet of landscaping required. Habitat and habitat buffer that is enhanced by

the applicant may also qualify for this reduction. Preservation of secondary or tertiary habitat shall be assured by the execution of an easement or other protective device acceptable to the city of Granite Falls.

(129) Fish and Wildlife Habitat Monitoring Program and Contingency Plan.

(a) A monitoring program shall be implemented to determine the success of the mitigation project and any necessary corrective actions. This program shall determine if the original goals and objectives are being met.

(b) A contingency plan shall be established for compensation in the event that the mitigation project is inadequate or fails. A performance, monitoring, and maintenance bond or other acceptable security device is required to ensure the applicant's compliance with the terms of the mitigation agreement. The amount of the performance, monitoring, and maintenance bond shall equal 125 percent of the cost of the mitigation project for a period of five years; provided, that the designated official may agree to reduce the bond in phases, in proportion to work successfully completed over the period of the bond. Failure to complete any required performance, monitoring, and maintenance shall result in forfeiture of the guarantee. Applicants who have previously defaulted will no longer be allowed to post a bond for performance, monitoring, and maintenance but will instead be required to submit an assignment of bank account to the city of Granite Falls for two times the cost of the mitigation project.

(c) The monitoring program shall consist of the following:

(i) During monitoring, best available scientific procedures shall be used as the method of establishing the success or failure of the project;

(ii) For vegetation determinations, permanent sampling points shall be established;

(iii) For measurement purposes, vegetative success shall equal 80 percent survival of planted trees and shrubs and 80 percent cover of desirable understory or emergent species;

(iv) Monitoring reports shall be submitted on the current status of the mitigation project to the designated official. The reports shall be prepared by a qualified scientific professional and reviewed by the city, shall to the extent applicable include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, and shall be produced on the following schedule:

A. At time of construction;

- B. Thirty days after planting;
- C. Early in the growing season of the first year;
- D. End of the growing season of first year;
- E. Twice the second year; and
- F. Annually thereafter;

(v) Monitoring shall occur three, four or five growing seasons, depending on the complexity of the fish and wildlife habitat system. The monitoring period will be determined by the designated official and specified in writing prior to the implementation of the site plan;

(vi) The applicant shall, if necessary, correct for failures in the mitigation project;

(vii) The applicant shall replace dead or undesirable vegetation with appropriate plantings based on the approved planting plan or this section;

(viii) The applicant shall repair damage caused by erosion, settling, or other geomorphological processes;

(ix) Correction procedures shall be approved by a qualified scientific professional and the designated official; and

(x) In the event of failure of the mitigation project, the applicant shall redesign the project and implement the new design.

~~(1310)~~ Aquifer Recharge Areas.

(a) The following regulations for aquifer recharge areas are consistent with the Department of Ecology's critical aquifer recharge areas (CARAs) guidance.

[\(b\) Low significance aquifer recharge areas are not designated critical areas and are exempt from critical areas review requirements.](#)

~~(bc) Requirement for Hydrogeologic Assessment.~~ The following uses of land shall ~~require a hydrogeologic assessment of the proposed site~~ be prohibited if the site is located within a sole source aquifer recharge area as mapped by Snohomish County or a wellhead protection area mapped by Washington State Department of Health ~~high significance aquifer recharge area:~~

- (i) Hazardous substance processing or handling;

- (ii) Hazardous waste treatment and storage facility;
- (iii) Disposal of on-site sewage for subdivisions, short plats, and commercial and industrial sites;
- (iv) Feedlots;
- (v) Landfills;
- (vi) Sludge land application sites over 40 acres or with an annual application rate of greater than two dry tons of sludge per acre.

(c) Requirement for Hydrogeologic Assessment.

(i) A hydrogeologic assessment may be required by the designated official for projects that may pose significant potential risk for groundwater contamination within a ~~high significance~~ sole source aquifer recharge area as mapped by Snohomish County or a wellhead protection area mapped by Washington State Department of Health.

(ii) If an applicant wishes to request a change in the CARA classification of one or more parcels, a hydrogeologic assessment is required. This request shall require the applicant to submit an application for code amendment to amend the CARA map. The assessment must include sufficient geologic and/or groundwater flow information to justify a change in CARA classification. Requests to change the CARA classification will be evaluated by the City at the expense of the applicant. The City's evaluation may entail further model runs or hydrogeologic analysis. If the challenge is successful, the hydrogeologic critical areas assessment will be incorporated into the City's surface geologic mapping and an updated CARA map adopted by City Council as part of the code amendment process.

(e) Contents of the Hydrogeologic Assessment.

(i) The hydrogeologic assessment shall be submitted and stamped by a licensed professional hydrogeologist ~~firm with experience in preparing hydrogeologic assessments.~~

(ii) The hydrogeologic assessment must show that the use does not pose a threat to ~~any~~the aquifer system and that the proposed use will not cause contaminants to enter ~~any~~the aquifer used for water supply.

(iii) Uses requiring a hydrogeologic assessment may be conditioned or denied based upon the city's evaluation of the hydrogeologic assessment. Any project denied a permit based on the city's evaluation shall receive a written

explanation of the reason(s) for the denial and an explanation of the measures required, if any, to comply with these regulations.

(ef) The hydrogeologic assessment shall include but is not limited to:

- (i) Information sources;
- (ii) Geologic setting;
- (iii) Background water quality;
- (iv) Location and depth to perched water tables;
- (v) Recharge potential of the facility site;
- (vi) Ground water flow direction and gradient;
- (vii) Currently available data on wells within 1,000 feet of the site;
- (viii) Currently available data on springs within 1,000 feet of the site;
- (ix) Surface water location and recharge potential;
- (x) Discussion of the effects of the proposed project on the ground water resource;
- (xi) Other information as may be required by the city;
- (xii) All wellhead zones shall be protected if classified as a sole-source aquifer.

(eg) Impervious Surfaces. Uses located within high significance aquifer recharge areas and that are not required to submit a hydrogeologic assessment shall minimize the extent of impervious surfaces on the site.

(1411) Flood Hazard Areas. Development sites within flood hazard areas shall conform to the requirements of the Snohomish County shorelines master program, ~~and to~~ the requirements of subsection (l)(6) of this section, and the requirements of Section 19.07.035. The requirements for developments in flood hazard areas shall be consistent with the FEMA requirements for the National Flood Hazard Insurance Program. [Ord. 960 § 14 (Exh. M), 2018; Ord. 925 § 2 (Exh. A), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 904 § 29, 2015; Ord. 862 § 52, 2013; Ord. 740 § 1 (Exh. A), 2007.]

Appendix A

Best Available Science Resources: Wetlands

Appendix A

Best Available Science Resources: Wetlands

Identification and Delineation

1. Anderson, P.S., S. Meyer, P. Olson, and E. Stockdale. 2016. Determining the Ordinary High Water Mark for Shoreline Management Act Compliance in Washington State. Shorelands and Environmental Assistance Program Washington State Department of Ecology Olympia, Washington. Publication No. 16-06-029.
2. Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1.
3. U.S. Army Corps of Engineers. 2010. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region. Version 2. Wetlands Regulatory Assistance Program. May 2010. ERDC/EL TR-10-3. Available at: <https://usace.contentdm.oclc.org/utills/getfile/collection/p266001coll1/id/7646>.
4. U.S. Army Corps of Engineers, Seattle District. 2011. Electronic Permit Guidebook. Available at: <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/Wetlands.aspx>.
5. U.S. Fish and Wildlife Service. 2025. National Wetlands Inventory website. Available at: <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>.
6. Washington Department of Ecology. 1997. Washington State Wetlands Identification and Delineation Manual. Publication No. 96-94.

Classification

1. Cowardin, L.M., Carter, V., Golet, F.C., and La Roe, E.T. 1979. Classification of Wetlands and Deepwater Habitats of the United States. Office of Biological Services, U.S. Fish and Wildlife Service, U.S. Department of the Interior. FWS/OBS-79/31. 103pp.

Rating System

1. Hruba, T. and Yahnke, A. 2023. Washington State Wetland Rating System for Western Washington: 2014 Update, Version 2.0. Washington Department of Ecology. Publication No. 23-06-009.

Function Assessment

1. Cooke Scientific Services. February 2000. Wetland and Buffer Functions Semi-Quantitative Assessment Methodology (SAM).

2. Washington Department of Ecology. 2022. Wetland Guidance for Critical Areas Ordinance (CAO) Updates: Western and Eastern Washington. Shorelands and Environmental Assistance Program. Olympia, Washington October 2022, Publication No. 22-06-014.
3. Washington State Department of Transportation. June 2000. Wetland Functions Characterization Tool For Linear Projects. Wetland Strategic Plan Implementation Project.

Mitigation

1. Hruby, T. 2012. Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington. Ecology Publication No. 10-06-011. Available at: <<https://fortress.wa.gov/ecy/publications/publications/1006011.pdf>>.
2. Hruby, T., K. Harper, and S. Stanley. 2009. Selecting Wetland Mitigation Sites Using a Watershed Approach. Washington State Department of Ecology Publication No. 09-06-032. Olympia, Washington. Available at: <<https://apps.ecology.wa.gov/publications/SummaryPages/0906032.html>>
3. Interagency Review Team. 2022. Bank Use Plan: Using Credits from Wetland Mitigation Banks: Guidance to Permit Applicants on Submittal Contents for Bank Use Plans.
4. National Resource Council. 2001. Compensating for Wetland Losses Under the Clean Water Act. The National Academies Press. Washington, DC.
5. U.S. Army Corps of Engineers and U.S. Environmental Protection Agency. 2008. Compensatory Mitigation for Losses of Aquatic Resources. Final Rule. Federal Register 73(70): 19594-19705.
6. Washington State Department of Ecology (Ecology). 2012. Guidance on In-Lieu Fee Mitigation. Ecology Publication No. 12-06-012. Available at: <<https://fortress.wa.gov/ecy/publications/publications/1206012.pdf>>.
7. Washington State Department of Ecology (Ecology), U.S. Army Corps of Engineers (USACE), and Washington Department of Fish and Wildlife (WDFW). 2012. Advance Permittee-Responsible Mitigation. Ecology Publication No. 12-06-015. Available at: <<https://fortress.wa.gov/ecy/publications/publications/1206015.pdf>>.
8. Washington State Department of Ecology (Ecology), U.S. Army Corps of Engineers (Corps), and U.S. Environmental Protection Agency (EPA). 2021. Wetland Mitigation in Washington State—Part 1: Agency Policies and Guidance (Version 2). Ecology Publication No. 21-06-003. April. Available at: <<https://apps.ecology.wa.gov/publications/documents/2106003.pdf>>
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Buffers

1. Hruby, T. 2013. Update on Wetland Buffers: The State of the Science, Final Report, October 2013. Washington State Department of Ecology Publication No. 13-06-11. Available at: <<https://fortress.wa.gov/ecy/publications/SummaryPages/1306011.html>>.

2. Johnson, A.W., and D. Ryba. 1992. A Literature Review of Recommended Buffer Widths to Maintain Various Functions of Stream Riparian Areas. King County Surface Water Management Division, Seattle, Washington.
3. Mayer, P.M., S.K. Reynolds, M.D. McCutchen, and T.J. Canfield. 2006. Riparian Buffer Width, Vegetative Cover, and Nitrogen Removal Effectiveness: A Review of Current Science and Regulations. EPA/600/R-05/118. Cincinnati, Ohio, U.S. Environmental Protection Agency, 2006.
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5. Semlitsch, R. and J. B. Jensen. 2001. Core Habitat, Not Buffer Zone. National Wetlands Newsletter July.
6. Washington Department of Ecology. 2022. Wetland Guidance for Critical Areas Ordinance (CAO) Updates: Western and Eastern Washington. Shorelands and Environmental Assistance Program. Olympia, Washington October 2022, Publication No. 22-06-014.

General Wetland Resources

1. Granger, T., T. Hruby, A. McMillan, D. Peters, J. Rubey, D. Sheldon, S. Stanley, E. Stockdale. April 2005. Wetlands in Washington State - Volume 2: Guidance for Protecting and Managing Wetlands.
2. King County. 2025. Soil with Capability Class and Hydrologic Group. Available at: <https://www5.kingcounty.gov/sdc?Layer=soil_capability_area>.
3. Mitsch, W.J. and Gosselink, J.G. 2000. Wetlands. 3rd ed. Van Nostrand Reinhold, New York.
4. NRCS. 2025. Web Soil Survey website. Available at: <<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>>.
5. Sheldon, D., T. Hruby, P. Johnson, K. Harper, A. McMillan, T. Granger, S. Stanley, and E. Stockdale. 2005. Wetlands in Washington State - Volume 1: A Synthesis of the Science. Washington State Department of Ecology. Publication No. 05-06-006. Olympia, Washington.
6. Washington State Department of Ecology. Publication No. 05-06-008. Olympia, Washington.

Appendix B

Best Available Science Resources: Critical Aquifer Recharge Areas

Appendix B

Best Available Science Resources: Critical Aquifer Recharge Areas

1. Snohomish County. 2025. PDS Map Portal: Aquifer Layers.
2. NRCS. 2025. Web Soil Survey website. Available at:
<<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>>.
3. Washington Department of Ecology. 2021. Critical Aquifer Recharge Areas – Guidance Document. Publication No. 05-10-028. Revised March 2021.

Appendix C

Best Available Science Resources: Frequently Flooded Areas

Appendix C

Best Available Science Resources: Frequently Flooded Areas

Classification

1. Federal Emergency Management Agency. 2020. Flood Insurance Rate Map. Snohomish County and Incorporated Areas. Panel 755 of 1575. Map Number 53061C0755F. June 19, 2020.

Guidance

1. Federal Emergency Management Agency. 2002. CRS Credit for Higher Regulatory Standards. Indianapolis, Indiana.
2. Federal Emergency Management Agency. 2009. National Floodplain Insurance Program Floodplain Management Guidebook. FEMA – Region 10. Bothell, Washington.
3. Federal Emergency Management Agency. 2013. National Floodplain Insurance Program Community Rating System Coordinator’s Manual. FIA-15/2013. Indianapolis, Indiana.
4. Federal Emergency Management Agency. 2013. Model Ordinance for Floodplain Management under the National Flood Insurance Program and the Endangered Species Act. FEMA - Region 10. Bothell, Washington.
5. Washington State Department of Ecology. 2025. Guidance to Local Governments on Frequently Flooded Area Updates in CAOs. Shorelands and Environmental Assistance Program. Olympia, Washington.
6. Washington State Department of Ecology. 2019. Comprehensive planning for flood hazard management: A guidebook. Publication No. 21-06-019.

Appendix D

Best Available Science Resources: Geologically Hazardous Areas

Appendix D

Best Available Science Resources: Geologically Hazardous Areas

Erosion Hazard Areas

1. Snohomish County. 2025. Natural Hazard Viewer.

Landslide Hazard Areas

1. Snohomish County. 2025. Natural Hazard Viewer.

Geologic Maps

1. Dragovich, J.D., S.P. Mavor, M.L. Anderson, S.A. Mahan, J.H. MacDonald Jr., J.H. Tepper, D.T. Smith, B.A. Stoker, C.J. Koger, R. Cakir, S.A. DuFrane, S.P. Scott, and B.P. Justman. 2016. Geologic Map of the Granite Falls 7.5-minute Quadrangle, Snohomish County, Washington. Washington Division of Geology and Earth Resources Map Series 2016-03.

Seismic Hazard Areas

1. Palmer, S.P. S.L. Magsino, E.L. Bilderback, J.L. Poelstra, D.S. Folger, and R.A. Niggemann. 2004. Liquefaction Susceptibility Map of Snohomish County, Washington. Washington Division of Geology and Earth Resources. Open File Report 2004-20.

Appendix E

Best Available Science Resources: Fish and Wildlife Habitat Conservation Areas

Appendix E

Best Available Science Resources: Fish and Wildlife Habitat Conservation Areas

Species Classification

1. Cullinan, T. 2001. Important Bird Areas of Washington. Audubon Washington.
2. Washington Department of Natural Resources. 1997. Endangered, Threatened and Sensitive Vascular Plants of Washington with Working Lists of Rare Non-vascular Species. Washington Natural Heritage Program.

Species Guidance

1. Almack, J. 1995. Washington Grizzly Bear and Gray Wolf Research Project 1981-1995. Vols. 1-6
2. Corkran, C.C. and C. Thoms. 1996. Amphibians of Oregon, Washington and British Columbia. Canada: Lone Pine Publishing.
3. Eschmeyer, W.N. and E.S. Herald. 1983. A Field Guide to Pacific Coast Fishes: North America. Boston: Houston Mifflin Company.
4. Knight, K. 2009. Land Use Planning for Salmon, Steelhead and Trout. Washington Department of Fish and Wildlife. Olympia, Washington.
5. Larson, E.M., Rodrick, E., and Milner, R, editors. 1995. Management Recommendations for Washington's Priority Species, volume I: Invertebrates.
6. Leonard, W.P., H.A. Brown, L.C. Jones, K.R. McAllister, and R.M. Storm. 1993. Seattle Audubon Society The Trailside Series: Amphibians of Washington and Oregon. Seattle Audubon Society.
7. Lusch, Ed. 1985. Comprehensive Guide to Western Gamefish. Portland: Frank Amato Publications.
8. Morgan, J.T. 1998. Annotated Bibliography for Washington's Priority Habitats: Freshwater Wetlands and Fresh Deepwater. Washington Department of Fish and Wildlife.
9. National Marine Fisheries Service. 2008. Anadromous Salmonid Passage Facility Design. NMFS, Northwest Region. Portland, Oregon.
10. Pollard, W.R., G.F. Hartman, C. Groot, and P. Edgell. 1997. Field Identification of Coastal Juvenile Salmonids. Harbour Publishing.
11. Rodrick, E. and Milner, R., editors. 1991. Management Recommendations for Washington's Priority Habitats and Species. Wildlife Management, Fish Management, and Habitat Management Divisions, Washington Department of Fish and Wildlife.

12. Sibley, David Allen. 2000. *The National Audubon Society: The Sibley Guide to Birds*. New York: Alfred A. Knopf.
13. Stebbins, Robert C. 1966. *The Peterson Field Guide Series: A Field Guide to Western Reptiles and Amphibians*. Boston: Houston Mifflin Company.
14. Washington State Department of Fish and Wildlife. 2009. *Landscape Planning for Washington's Wildlife: Managing for Biodiversity in Developing Areas*. Olympia, Washington.
15. Whitaker, John O. Jr. 1980. *The Audubon Society Field Guide to North American Mammals*. Alfred A. Knopf, Incorporated.

Naturally Occurring Ponds (Under 20 Acres)

1. Morgan, J.T. 1998. *Annotated Bibliography for Washington's Priority Habitats: Freshwater Wetlands and Fresh Deepwater*. Washington Department of Fish and Wildlife.

Streams and Rivers

1. Barnard, R. J., J. Johnson, P. Brooks, K. M. Bates, B. Heiner, J. P. Klavas, D.C. Ponder, P.D. Smith, and P. D. Powers. 2013. *Water Crossings Design Guidelines*. WDFW, Olympia.
2. Bolton, S. and Shellberg, J. 2001. *White Paper: Ecological Issues in Floodplains and Riparian Corridors*. Center for Streamside Studies, University of Washington. 150 pp.
3. Cramer, M.L. 2012. *Stream Habitat Restoration Guidelines*. Co-published by the Washington Departments of Fish and Wildlife, Natural Resources, Transportation and Ecology, Washington State Recreation and Conservation Office, Puget Sound Partnership, and the U.S. Fish and Wildlife Service. Olympia, Washington.
4. Knutson, K.L. and Naef, V.L. 1997. *Management Recommendations for Washington's Priority Habitats: Riparian*. Washington Department of Fish and Wildlife.
5. Kusler, J.A. 2011. *Assessing the Natural and Beneficial Functions of Floodplains: Issues and Approaches; Future Directions*. Prepared for the Association of State Wetland Managers, Inc. Berne, New York. October 18, 2011.
6. May, C.W. 2003. *Stream-riparian Ecosystems in Puget Sound Lowland Eco-region: A Review of Best Available Science*. Watershed Ecology LLC.
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9. Rentz, T., A. Windrope, K. Folkerts, and J. Azerrad. 2020. *Riparian Ecosystems, Volume 2: Management Recommendations*. Washington Department of Fish and Wildlife. December.
10. Washington Department of Fish and Wildlife. 2023. *Riparian Management Zone Checklist for Critical Areas Ordinances*. April.

11. Washington Department of Fish and Wildlife. 2025. Guidelines for Determining Site Potential Tree Height from Field Measurements. Washington Department of Fish and Wildlife, Olympia, Washington.
12. Washington, State of. WAC 222-16-030 defines water types and a water typing system.

Water, Including Lakes, Ponds, Streams, and Rivers Where Fish Have Been Released

1. Local governments should consult with the local tribal entities and the Washington Department of Fish and Wildlife for the latest finfish release information.

Northwest Indian Fisheries Commission
6730 Martin Way East
Olympia, Washington 98512
(360) 438-1180

Washington Department of Fish and Wildlife, Fish Program
600 Capital Way North
Olympia, Washington 98501-1091
(360) 902-2700

Stillaguamish Tribe of Indians
3322 236th Street Northeast
Arlington, Washington 98223
(360) 652-7362

The Tulalip Tribes
6406 Marine Drive
Tulalip, Washington 98271
(360) 716-4000

2. Morgan, J.T. 1998. Annotated Bibliography for Washington's Priority Habitats: Freshwater Wetlands and Fresh Deepwater. Washington Department of Fish and Wildlife.

Appendix F

Priority Habitats

Appendix F

Priority Habitats

State Listed Habitat

As of October 2025, the state list of priority habitats that may be within the Granite Falls area include:

- Herbaceous balds
- Freshwater wetlands and fresh deepwater
- Instream habitat
- Old growth / mature forest
- West side prairie
- Riparian
- Rural natural open space
- Snags and logs
- Talus

ATTACHMENT C



NOTICE OF PROPOSED CODE AMENDMENTS AND DETERMINATION OF NONSIGNIFICANCE (DNS)

NOTICE IS HEREBY GIVEN that the City of Granite Falls is in the process of adopting code amendments to Granite Falls Municipal Code (GFMC) 19.07.020, Critical Areas Regulations:

PROJECT NAME/FILE NUMBER: Granite Falls Critical Areas Ordinance Amendments

APPLICANT/PROPONENT: City of Granite Falls

LEAD AGENCY: City of Granite Falls

PROJECT LOCATION: Citywide (Non-project action)

PROJECT DESCRIPTION: The proposed non-project action is for amendments to the Granite Falls Municipal Code (GFMC) 19.07.020, Critical Areas Regulations. Several updates have been made to align with current best available science. Proposed amendments include revising the following sections: GFMC 19.07.020.A.2 to add definitions, GFMC 19.07.020.D to add additional standards for reasonable use exceptions, GFMC 19.07.020.I to include channel migration hazards as a geologically hazardous area, GFMC 19.07.020.J to revise buffer width and replacement ratio requirements for wetlands and to revise buffer width requirements for fish and wildlife habitat areas, to provide standards for off-site mitigation by purchasing mitigation bank credits in GFMC 19.07.020 (J)(7), and various sections throughout the code to reference most recent best available science.

LIST OF REQUIRED ACTIONS: Recommendation by Planning Commission with final adoption of an ordinance by City Council.

ENVIRONMENTAL DOCUMENTS PREPARED: SEPA DNS and Environmental Checklist

SEPA DETERMINATION/ISSUANCE DATE: February 4, 2026

END OF COMMENT PERIOD: February 18, 2026

SEPA THRESHOLD DETERMINATION: The City has determined that this proposal would not have a probable and unavoidable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after reviewing a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

RESPONSIBLE OFFICIAL: Brent Kirk, Deputy City Manager – brent.kirk@ci.granite-falls.wa.us

PHONE NUMBER: (360) 691-6441

MAILING ADDRESS: PO Box 1440, Granite Falls, WA 98252

PUBLIC COMMENT AND APPEALS: Upon publication of the issuance of the SEPA determination, there is a 14-day comment / appeal period. The deadline for public comment and appeals is 4:00 pm, February 18, 2026. Interested parties may view the project file at Granite Falls City Hall (215 South Granite Avenue) Monday-Friday 8 am to 5 pm. The appeals must be in written form and contain a concise statement of the matter being appealed. A fee is required per the City's Fee resolution. All comments or appeals are to be directed to City Hall, Attn: Responsible Official to the mailing address above.

SIGNATURE: *Brent Kirk*

DATE: 1/30/2026

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ATTACHMENT D

From: [Sears, Tricia \(DNR\)](#)
To: [Anisa Thaci](#)
Cc: [Sears, Tricia \(DNR\)](#); [Aken, Jeff \(COM\)](#); [DNR RE SEPACENTER](#)
Subject: [EXTERNAL] Granite Fall's Critical Areas Ordinance Amendments (2026-S-11470): WGS comments
Date: Friday, February 6, 2026 5:30:21 PM

Hello Anisa,

In keeping with the interagency correspondence principles, I am providing you with comments on Granite Fall's Critical Areas Ordinance Amendments (2026-S-11470).

For this proposal submitted via Planview, I looked at the proposal and focused on areas related to WGS work. Of note, but not limited to, I look for language around the geologically hazardous areas, mineral resource lands, mining, climate change, and natural hazards mitigation plans.

Specifically in this proposal, I reviewed the 20250130 Critical Areas Checklist, 2026 Granite Falls CAO Amendments DNS 013026, 20260130 GFMC 19.07 Code Amendments.pdf, and 20260130 Draft BAS.

Kudos to you for making changes to the critical areas ordinance!

From the CAO Checklist

"GFMC 19.07.020(A)(2) has been updated to include a revised definition for geologically hazardous areas in accordance with RCW 36.70A.030(20) and WAC 365-190-120(1)." The checklist looks fine.

2026 Granite Falls CAO Amendments DNS 013026

"...Several updates have been made to align with current best available science. Proposed amendments include revising the following sections: GFMC 19.07.020.A.2 to add definitions, GFMC 19.07.020.D to add additional standards for reasonable use exceptions, GFMC 19.07.020.I to include channel migration hazards as a geologically hazardous area..." This document looks fine.

20260130 GFMC 19.07 Code Amendments.pdf

On page 1, "Landslide, erosion, and seismic hazards, wetlands, aquifer recharge areas, critical habitats and flood hazard areas constitute critical areas that are of special concern to Granite Falls."

On page 3, there is a proposed definition of best available science. Good to see that.

On page 3, "Critical areas" includes wetlands, critical habitat areas, moderate and high erosion hazard areas, high seismic hazard areas, moderate and high landslide hazard areas, moderate and high volcanic hazard areas, aquifer recharge areas of moderate and high significance, and flood hazard areas."

On page 3, "Critical geologic hazard areas" means lands or areas subject to high or severe risks of geologic hazard." It's interesting to see there is a definition of critical geologic hazard area and one of geologic hazard areas. It seems that the code uses geologic hazard areas most commonly, as opposed to using the term critical geologic hazard areas.

On page 4, definitions of erosion and erosion hazard areas. Good.

On page 6, “Geologic hazard areas” means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, as designated by (WAC 365-190-120(1)), are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. lands or areas characterized by geologic, hydrologic, and topographic conditions that render them susceptible to potentially significant or severe risk of landslides, erosion, or volcanic or seismic activity.” To identify a different between this definition and critical geologic hazard areas, does this definition include low, moderate, and high areas while the critical geologic hazard areas only have high areas?

On page 8-9, definitions of landslide, landslide hazard areas, and liquefaction. Good.

On page 9-10, definition of qualified consultant. “(b) A qualified professional for geologically hazardous areas must be a professional engineering geologist or geotechnical engineer, licensed by the state of Washington.” Excellent.

On page 17, under Geologically Hazardous Areas, there are five hazards identified and designated, with the new proposed addition of channel migration hazard. This provision also lists, erosion, seismic, landslides, and slopes of 40 percent or greater. Note that on page 1, erosion, landslide, and seismic hazards are listed as critical areas of special concern. Suggest adding slopes of 40 percent or greater and change migration hazard. That way the code provisions align.

On page 18, that is an interesting new provision, “(viii) The construction of wood frame structures less than 5,000 square feet and all prefabricated structures less than 2,000 square feet located within seismic hazard areas do not require a geotechnical report. These structures shall require a geotechnical report when located within a landslide hazard area.” It shows up again a bit later in the Geologically Hazardous Areas provisions.

Also on page 18, good to see subsection d with the additional requirements.

On page 21-22, good to see the seismic hazard provisions.

There are no provisions requiring the applicant/property owner record to title the type and location of geologically hazardous areas on the property. There is no provision for temporary or permanent marking on the site, with fences, signs, or other materials. There is no factor of safety requirement. There is no requirement about mitigation, maintenance, monitoring, or bonds/financial surety.

Overall, the code provisions are thoughtful and decently detailed. But the provisions, as noted above, lack many topics that are commonly found in other jurisdictions codes. Suggest reviewing other jurisdictions codes for comparison.

20260130 Draft BAS

Appendix D is the Geologically Hazardous Areas section.

Suggest adding the Washington Geologic Information Portal as a resource, [Geologic Information Portal | Department of Natural Resources](#).

The Snohomish Natural Hazard Viewer is listed. Does the viewer contain the information in this report and data set (included in our Geologic Information Portal), [Landslide inventory of portions of Snohomish County, Washington](#).

Below, I include our usual language for this and future endeavors.

Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in current or future work, be it in your comprehensive plan, development code, and SMP updates, and in your work in general:

- Consider adding a reference to the definition of geologically hazardous areas, WAC 365-190-120, in other areas besides the CAO. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands.
- Consider adding in other areas besides the CAO. If you have not checked our interactive database, the Washington Geologic Information Portal, lately, you may wish to do so. [Geologic Information Portal | WA - DNR](#)
- If you have not checked out our Geologic Planning page, you may wish to do so. [Geologic Planning | WA - DNR](#)

Thank you for considering our comments. If you have any questions or need additional information, please contact me. For your convenience, if there are no concerns or follow-up discussion, you may consider these comments to be final as of the 60-day comment deadline of 3/31/26.

Have a great day!

Tricia

Tricia R. Sears (she/her/hers)

Geologic Planning Liaison

Washington Geological Survey (WGS)

Washington Department of Natural Resources (DNR)

Cell: 360-628-2867 | Email: tricia.sears@dnr.wa.gov

ATTACHMENT E

1 bog/fen” means a wetland with limited drainage generally characterized by extensive peat deposits and acidic waters with a pH of 5 or less for bogs and 5.5 or greater for fens. Vegetation includes sedges, sphagnum moss, shrubs and trees.

“Buffer” or “buffer area” means a naturally vegetated and undisturbed or revegetated zone surrounding a critical area that protects the critical area from adverse impacts to its integrity and value, or is an integral part of the resource’s ecosystem.

“Channel Migration Hazard Area, Moderate” means a portion of the channel migration zone, as shown on Snohomish County’s channel migration zone maps, that lies between the severe channel migration hazard area and the outer boundaries of the channel migration zone.

“Channel Migration Hazard Area, Severe” means a portion of the channel migration zone, as shown on Snohomish County’s channel migration zone maps, that include the present channel. The total width of the severe channel migration hazard area equals one hundred years times the average annual channel migration rate, plus the present channel width.

“Channel migration zone (CMZ)” means the lateral extent of likely movement along a stream or river during the next one hundred years as determined by evidence of active stream channel migration movement over the past one hundred years.

“City” means the city of Granite Falls.

“City clerk” means the city clerk of the city of Granite Falls.

“Clearing” means the removal of timber, brush, grass, ground cover, or other vegetative matter from a site that exposes the earth’s surface of the site or any actions that disturb the existing ground surface.

“Critical areas” includes wetlands, critical habitat areas, moderate and high erosion hazard areas, high seismic hazard areas, moderate and high landslide hazard areas, moderate and high volcanic hazard areas, aquifer recharge areas of moderate and high significance, and flood hazard areas.


“Critical geologic hazard areas” means lands or areas subject to high or severe risks of geologic hazard.

“Critical habitat” means those habitat areas which meet any of the following criteria:

- (a) The documented presence of species listed by the federal government or state of Washington as endangered or threatened;

Summary of Comments on Microsoft Word - 20260130_DRAFT Proposed GFMC 19.07_REVISED

Page: 3

 Number: 1 Author: Emily Atkins Subject: Comment on Text Date: 2/4/2026 11:50:41 AM

Consider updating definition to align with our Wetlands in Washington State Vol 2 document:

"A unique type of wetland dominated by mosses at the surface and that form peat soils. Bogs form in areas where the climate allows the accumulation of peat to exceed its decomposition. The water regime in bogs is dominated by precipitation rather than surface inflow. The plant community is specialized to survive in the nutrient-poor and highly acidic conditions typical of bog systems."

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity, or pollutants during development, construction, or restoration.

“Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.


“Values” means the cultural, social, economic, and ecological benefits attributed to ecosystem functions.

“Wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

1b) Applicability.

(1) Prior to fulfilling the requirements of this title, Granite Falls shall not grant any approval or permission to alter the condition of any land, water or vegetation, or to construct or alter any structure or improvement including, but not limited to, the following:

- (a) Building permit.
- (b) Conditional use permit.
- (c) Shoreline substantial development permit.
- (d) Shoreline variance.
- (e) Short subdivision.
- (f) Subdivision.
- (g) Variance.

 You might consider including some mention of relationship of your chapter to other regulations. We have some example language you might consider:

"Compliance with the provisions of the Title does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Shoreline Permits, HPA permits, Army Corps of Engineers Section 404 permits, Ecology Section 401 permits, NPDES permits). The applicant is responsible for complying with these requirements, apart from the process established in this Title. Where applicable, the Designated official will encourage use of information such as permit applications to other agencies or special studies prepared in response to other regulatory requirements to support required documentation submitted for critical areas review."

"Compliance with the provisions of the Title does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Shoreline Permits, HPA permits, Army Corps of Engineers Section 404 permits, Ecology Section 401 permits, NPDES permits). The applicant is responsible for complying with these requirements, apart from the process established in this Title. Where applicable, the Designated official will encourage use of information such as permit applications to other agencies or special studies prepared in response to other regulatory requirements to support required documentation submitted for critical areas review."

(h) Rezone.

(i) Any other adopted permit or required approval not expressly exempted by this chapter.

(2) Granite Falls shall perform a critical areas review for any Granite Falls permit approval requested for a proposal on a site which includes or is adjacent to one or more critical areas unless otherwise provided in this chapter. As part of all applications, Granite Falls shall verify the information submitted by the applicant to:

(a) Confirm the nature and type of the critical areas and evaluate any required critical areas study.

(b) Determine whether the development proposal is consistent with this chapter.

(c) Determine whether any proposed alterations to critical areas are necessary.

(d) Determine if the mitigation plans proposed by the applicant are sufficient to protect the public health, safety and welfare consistent with the goals, purposes, objectives and requirements of this chapter.

(C) Exemptions. The following activities shall be exempt from the provisions of this chapter:

(1) Agricultural Activities. Existing and ongoing agricultural activities, provided no alteration of flood storage capacity or conveyance occurs.


(2) Damaged Structures. Remodeling of structures in existence on the effective date hereof. When such structures are damaged by fire, explosion, or other unforeseen circumstances, they may be reconstructed or replaced within one year; provided, that the new construction or related activity does not further intrude into a critical area or established buffer and is subject to flood hazard areas reconstruction restrictions.

(3) Artificially Created Wetlands. Activities involving artificially created wetlands or streams intentionally created from nonwetland sites, including, but not limited to, grass-lined swales, irrigation and drainage ditches, detention facilities, and landscape features, except wetlands, streams, or swales that provide critical habitat for anadromous fish, and artificial wetlands created as part of a mitigation requirement, which do not qualify for exemption.

(4) Existing Roads. Maintenance, operation and reconstruction of existing roads, streets, utilities and associated structures.

1) Emergency Activities. Emergency activities necessary to prevent an immediate threat to public health, safety, or property.

Number: 1 Author: eatk461 Subject: Comment on Text Date: 2/5/2026 10:20:06 AM

 You might consider expanding on emergency activities exemptions. The exemption for emergencies should not eliminate the need for later mitigation to offset the impacts of emergency activity. Once the immediate threat has been addressed, any adverse impacts on critical areas should be minimized and mitigated.

Ecology also recommends including a time limit for restoration, rehabilitation, or replacement of a critical area damaged or altered by emergency activities; for example, the restoration must be initiated within one year of the date of the emergency and completed in a timely manner.

these regulations and any other regulations of the city, the regulations that provide greater protection to environmentally critical areas shall apply.

(2) Areas characterized by particular critical areas may also be subject to other regulations established by this chapter due to overlap or multiple functions of some critical resources or critical areas. Wetlands, for example, may be defined and regulated according to the wetland and habitat provisions of this chapter. In the event of any conflict between regulations for any particular critical areas in this chapter, the regulations which provide greater protection to environmentally critical areas shall apply.

(F) Variances. Variances from the standards of this chapter may be authorized by the hearing examiner in accordance with the procedures set forth in GFMC [19.04C.055](#). In granting such a variance, hearing examiner shall find:

(1) Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, or the size or nature of the critical area, the strict application of this title would deprive the property owner of reasonable use of their property;

(2) The granting of the variance is the minimum necessary to accommodate the development proposal and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated, or contrary to the goals and purposes of this chapter.

15) Other General Requirements.

(1) A record of notice shall be placed on the title of any property subject to these critical areas regulations in the development review process.


(2) A notice shall be provided to any adjacent property that may be impacted by critical areas buffers as required in this chapter.

(H) Critical Area Determinations.

(1) Special Studies Required.

(a) When an applicant submits an application for any alteration proposal, the application shall indicate whether any environmentally critical area or buffer is located on the site. The designated official shall visit the subject property and review the information submitted by the applicant along with any other available information. If the designated official determines that the site potentially includes, is adjacent to, or could have probable significant adverse impacts to critical areas, the designated official shall notify the applicant that a special study(ies) is required. Any decision to require a critical area study pursuant to this chapter may be appealed to

Number: 1 Author: eatk461 Subject: Comment on Text Date: 2/5/2026 10:17:34 AM

 Some critical area maps may not reflect conditions on the site. You might consider including some mention of that somewhere in your chapter. Example language you might consider:

"The presence of critical areas on a parcel triggers the requirements of this chapter, regardless of whether or not a critical area or buffer is depicted on an official map."

the hearing examiner upon filing a notice of appeal with the city clerk within 10 working days after the date of the designated official's decision.

(2) Waivers from Study Requirements. The designated official may waive the requirement for a special study if there is substantial proof showing that:

- (a) There will be no alteration of the critical areas or required buffer; and
- (b) The alteration proposal will not impact the critical areas in a manner contrary to the purpose, intent and requirements of this chapter; and
- (c) The minimum standards required by this chapter are met.

(3) Exceptions to Study Requirements. No special study is required for the following alteration proposals:

- (a) Alterations that are exempt from the provisions of this chapter as set forth in subsection (C) of this section; and
- (b) A residential building permit for a lot that was subject to a previous special study of critical areas; provided, that the previous special study adequately identified the impacts associated with the current alteration proposal.

(4) Contents of Special Study.

- (a) Best available science shall be used in the special study and the Washington Department of Fish and Wildlife PHS database shall be consulted in the preparation of the study.
- (b) Wetlands Special Study. Required wetland studies shall be conducted by a qualified wetlands biologist.

- (i) A map, of a scale no smaller than one inch equals 200 feet, and five-foot contours of the surveyed wetland boundary as determined by following the methods described in the Washington State Wetlands Identification and Delineation Manual" (Publication No. 96-94), March 1997, and as revised.

- (ii) The site plan for the proposed activity at the same scale as the wetland map, showing the extent of the proposed activity in relationship to the surveyed wetland.

- (iii) A written analysis of the existing wetland type/classification including existing vegetation, soils, and hydrology (source of water in the system, relative water quality, seasonality of presence of water, if applicable). The existing

Number: 1 Author: Emily Atkins Subject: Comment on Text Date: 2/5/2026 10:35:50 AM

Please remove all references to the Washington State Delineation manual as it is no longer supported. Identification of wetlands and delineation of their boundaries pursuant to this Chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the [City or County] meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this Chapter.

(iii) Identification of surface water management, erosion, and sediment controls appropriate to the site and proposal.

(e) Seismic Hazard Area Special Studies. Required critical seismic hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

(i) A map, of a scale no smaller than one inch equals 200 feet, and five-foot contours, of the site and the extent of the seismic hazard area as determined by the criteria in subsection (J)(5) of this section.

(ii) Discussion of the potential impacts from the proposed development, and specific measures designed to mitigate any potential adverse impacts of the proposal.

(f) Critical Habitat Special Studies.

(i) Required critical habitat studies shall be prepared by a qualified biologist with expertise in wildlife habitats.

(ii) A map of a scale no smaller than one inch equals 200 feet of the site and the extent of the critical habitat area as determined by the criteria in subsection (J)(6) of this section.

(g) Aquifer Recharge Area Special Studies.

(i) Required critical aquifer recharge area studies shall be prepared by a geologist or individual with experience preparing hydrogeologic assessments.

(ii) A map of a scale no smaller than one inch equals 200 feet of the site and the extent of the high significance aquifer recharge area as determined by the criteria in subsection (J)(13) of this section.

(l) Critical Areas Classifications.

(1) Scope. To promote consistent application of the standards and requirements of this title, critical areas within the city shall be rated and classified according to their characteristics, function and value, and/or their sensitivity to disturbance.

(2) Wetlands Classification and Delineation. Wetlands shall be designated Category I, Category II, Category III and Category IV, according to Ecology's [Wetland Rating System for Western Washington \(Ecology Publication #23-06-009\)](#) ["Washington State Wetland Rating System for Western Washington – 2014" \(Ecology Publication No. 04-06-025\), October 2014](#) ¹ [as revised](#). Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done by a qualified wetland professional in accordance



(1) General Requirements. All boundaries of critical areas established by the requirements of this chapter shall be clearly marked prior to any construction activities. All wetland and habitat buffers shall be permanently signed prior to final approval.

(2) Wetlands.

(a) Allowed Activities within Wetlands. The following uses shall be allowed within a wetland, provided they are conducted using best management practices:

- (i) Outdoor recreational activities, including fishing, bird watching, hiking, swimming, and canoeing.
- (ii) The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops.
- (iii) Existing and ongoing agricultural activities, as defined in this chapter.
- (iv) The maintenance of drainage ditches.
- (v) Nature Trails. Trails in wetlands or buffers should be limited to permeable surfaces no more than five feet in width for pedestrian use only. Trails should be located only in the outer 25 percent of a wetland buffer, and should be located to avoid removal of significant trees (over 18 inches diameter).
- (vi) Utility lines.

(b) Allowed Activities within Wetland Buffers. In addition to those activities allowed in subsection (1)(2)(a) of this section, the following activities are allowed within wetland buffers; provided, that buffer impacts are minimized and that disturbed areas are immediately restored:

- (i) Normal maintenance and repair of existing serviceable structures or improved areas. Maintenance and repair does not include modifications that change the character, scope or size of the original structure or improved area.
- (ii) Vegetation-lined swales or other vegetated low impact facilities designed for stormwater management; provided, that they are placed within the outer 25 percent of the buffer of Category III wetlands only.

(c) Required Buffers.

- (i) Buffer Requirements. The standard buffer widths in Table 1 shall be required for wetlands based on the wetland category, the level of impacts from adjacent land uses, and the functions or special characteristics of the wetland class of

 Number: 1 Author: eatk461 Subject: Comment on Text Date: 2/12/2026 1:50:25 PM

Is it possible to have this be Category IV wetlands? Category III wetlands will have higher functions and values that would be beneficial to protect. Consider allowing for Category IV instead.

wetland as outlined in subsection (j)(2) of this section. The city may allow buffer averaging as set forth in subsection (j)(2)(c)(iv) of this section. The standard buffers in Table 1 below are required when the minimization measures listed in Table 3 are not implemented.

Table 1


Wetland Buffer Width Requirements Without Minimization Measures

Wetland Category	Habitat score 3-5 points (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	Required Buffer Width based on special characteristics
Category I or II: Based on rating of wetland functions (and not listed below) Category I	100	150	300	N/A 150 feet
Category I: Bogs and Wetlands of High Conservation Value Category II	N/A	N/A	300	250 75 feet
Category I: Forested Category III	100	150	300	N/A 60 feet
Category III: All types Category IV	80	150	300	N/A 40 feet
Category IV	50	50	50	N/A

1) Buffer Requirements. The buffer widths in Table 2 shall be required for wetlands based on the wetland category, the level of impacts from adjacent land uses, and the functions or special characteristics of the wetland. The city may allow buffer averaging as set forth in subsection (j)(2)(c)(iv) of this section. The standard buffers in Table 2 below are required when a habitat corridor and the minimization measures listed in Table 3 are implemented.

Table 2

Number: 1 Author: eatk461 Subject: Comment on Text Date: 2/5/2026 10:44:15 AM

 You might consider including the buffer quality requirements. Our guidance assumes the buffer is well vegetated as appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

1 Wetland Buffer Width Requirements With Minimization Measures

Wetland Category	Habitat score 3-5 points (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	Required Buffer Width based on special characteristics
<u>Category I or II: Based on rating of wetland functions (and not listed below)</u>	<u>75</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category I: Bogs and Wetlands of High Conservation Value</u>	<u>N/A</u>	<u>N/A</u>	<u>225</u>	<u>190</u>
<u>Category I: Forested</u>	<u>75</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category III: All types</u>	<u>60</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category IV: All types</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>N/A</u>

(iii) Removal of Vegetation within the Buffer. Removal or alteration of existing vegetation in the buffer areas shall be prohibited except as provided for in subsections (J)(2)(a) and (J)(8) of this section. Any disturbance of the buffer area shall be replanted with a diverse plant community of native vegetation appropriate for the site and approved by the designated official.

(iv) Increased Wetland Buffer Area Width. Buffer widths shall be increased on a case-by-case basis as determined by the designated official when a larger buffer is necessary to protect wetland functions and values. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of the wetland. The documentation must include but not be limited to the following criteria:

A. The wetland is used by a plant or animal species listed by the federal government or the state as endangered, threatened, candidate, sensitive, monitored or documented priority species or habitats, or essential or outstanding habitat for those species or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or

B. The adjacent land is susceptible to severe erosion, and erosion-control measures will not effectively prevent adverse wetland impacts; or

Number: 1 Author: eatk461 Subject: Comment on Text Date: 2/12/2026 1:59:35 PM

In our guidance we also have the requirement to use the habitat corridor in combination with the the minimization measures in order to use the smaller buffer widths listed here. Please consider the language from our CAO guidance on page C-5 which goes over the conditions for using the buffer width options for option 1 (which appears to be what is used here).

J. Dead or undesirable vegetation shall be replaced with appropriate plantings.

K. Damage caused by erosion, settling, or other geomorphological processes shall be repaired.

L. The mitigation project shall be redesigned (if necessary) and the new design shall be implemented and monitored.

(iii) Mitigation Ratios.

A. Equivalent Areas. Where wetland alterations are permitted by the city, the applicant shall create or enhance wetland areas to compensate for wetland losses. Equivalent areas shall be determined according to acreage, function, type, location, timing factors and projected success of restoration or creation.

B. Acreage Replacement Ratio. When creating or enhancing wetlands, the following acreage replacement ratios shall be used where the first number specifies the acreage of replacement wetlands and the second number specifies the acreage of wetlands altered:

Table 3-4

1 Acreage Replacement Ratio

Wetland Type	Wetland Creation Replacement Ratio (Area)	Rehabilitation	Preservation	Wetland Enhancement Ratio (Area)
Category I	6:1	12:1	24:1	24:1 15:1
Category II	3:1	6:1	12:1	12:1 10:1
Category III	2:1	4:1	8:1	8:1 6:1
Category IV	1.5:1 1.5:1	3:1	6:1	6:1 4:1

Note: Ratios for creation, rehabilitation, preservation, and enhancement may be reduced when combined with 1:1 replacement through creation or re-establishment. See Table 1a, Wetland Mitigation in Washington State - Part 1: Agency Policies and Guidance - Version 2, (Ecology Publication #21-06-003, Olympia, WA, April 2021 or as revised).

(f) Increased Replacement Ratios. The designated official may increase the ratios under the following circumstances:

 Number: 1 Author: eatk461 Subject: Comment on Text Date: 2/12/2026 2:05:05 PM

Your ratios appear to be mostly consistent with our mitigation ratios from the Wetland CAO Guidance. We would like to note that your category I ratios are larger than our guidance. Please see our guidance document for the ratios we recommend there in Appendix E.

Also if you have any special characteristic wetlands we would highly recommend including their ratios here as well (example: forested) which may have higher ratios.

ATTACHMENT F



State of Washington
Department of Fish and Wildlife, Region 4
Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

February 17, 2026

City of Granite Falls
Anisa Thaci, Consulting Planner
215 S. Granite Avenue
Granite Falls, WA 98252

RE: RE: Submittal ID 2026-S-11470, WDFW’s Comments for Granite Falls’ amendments to the Critical Area Ordinance

Dear Ms. Thaci,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on Granite Falls’ draft Critical Area Ordinance (CAO) amendments as part of the current periodic update. Within the State of Washington’s land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provides input into the implications of land use decisions.

We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions.

Table 1. Recommended changes to the proposed code language.

Code Section	Code Language (with WDFW suggestions in red)	WDFW Comment
19.07.020 Critical areas regulations Page 1	(A)(1)...Landslide, erosion, and seismic hazards, wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas , critical habitats and flood hazard areas constitute critical areas that are of special concern to Granite Falls.	Jurisdictions are required to address five types of critical areas in their regulations, as outlined in WAC 365-196-830 . We recommend revising this section to explicitly list Fish and Wildlife Habitat Conservation Areas (FWHCAs) to ensure consistency with state terminology.
19.07.020 Critical areas regulations (2) Definitions Page 3	“Critical habitat” means those habitat areas which meet any of the following criteria: (a) The documented presence of species listed by the federal government or state of Washington as endangered or threatened;	It is unclear what ‘critical habitat’ references in comparison to general critical areas. All critical areas should receive specific protection provisions within this chapter, whether they are considered ‘habitats’ or fall into a different category of critical area type. If the

	(b) Those streams identified as “shorelines of the state” under the city of Granite Falls’ shoreline master program; and (c) Those wetlands identified as Class I wetlands, as defined in this chapter.	adjacent habitats are already identified as ‘critical areas,’ it is unclear the use of further specifying ‘critical habitat.’
19.07.020 Critical areas regulations (2) Definitions Page 5	“Fish and wildlife habitat conservation areas”	This draft removes the definition for Fish and Wildlife Habitat Conservation Areas (FWHCAs) that is found in WAC 365-190-130 and replaces it with an alternate definition. We recommend keeping the original language for consistency with state language.
19.07.020 Critical areas regulations (2) Definitions Page 5	"Functions " means the products, physical and biological conditions, and environmental qualities of an ecosystem that result from interactions among ecosystem processes and ecosystem structures. Ecosystem functions include, but are not limited to, sequestered carbon, attenuated peak streamflows, aquifer water level, reduced pollutant concentrations in surface and ground waters, cool summer in-stream water temperatures, and fish and wildlife habitats.	We recommend ecosystem functions (and values) be defined using the definition found in WAC 365-196-210 (14) (and WAC 365-196-210 (15)).
19.07.020 Critical areas regulations (2) Definitions Page 6	“Hazard tree” is considered a threat to life, property, or public safety. Due to their high habitat value, hazard tree removal shall not adversely affect ecosystem functions to the extent practicable, encourage the creation of snags (Priority Habitat features) rather than complete tree removal, involve an avoidance and minimization of damage to remaining trees and vegetation, and require a qualified arborist to evaluate requests for hazard tree removal.	If not defined elsewhere, we recommend including a ‘Hazard Tree’ definition within this chapter.
19.07.020 Critical areas regulations (2) Definitions Page 8	“Low Impact Development (LID)” is a stormwater and land use management strategy that strives to mimic natural hydrologic conditions by emphasizing the pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration.	We suggest incorporating a definition for LID.
19.07.020 Critical areas regulations (2) Definitions Page 8	“Monitoring and Adaptive Management” means the process of monitoring and improving permits, regulations, and programs to ensure the protection of critical areas.	This definition comes from the Department of Commerce. Jurisdictions are encouraged to design a Monitoring and Adaptive Management program to: <ul style="list-style-type: none"> - Collect information on CAO effectiveness, - Evaluate the potential for exemptions and variances to cumulatively affect critical area functions across your jurisdiction, and - Improve permit implementation. See Commerce's Critical Areas Handbook , Chapter 7.

<p>19.07.020 Critical areas regulations (2) Definitions Page 8</p>	<p>“No Net Loss of Critical Areas” refers to the actions taken to achieve and ensure no overall reduction in existing ecosystem functions and values or the natural systems constituting the protected critical areas. This may involve fully offsetting any unavoidable impacts to critical area functions and values pursuant to the Growth Management Act, WAC 365-196-830 ‘Protection of critical areas,’ or as amended.</p>	<p>All regulated activities must achieve no net loss of ecological functions and values to critical areas through application of the mitigation sequence, consistent with state requirements in WAC 365-196-830, WAC 365-190-080, and WAC 197-11-768. No net loss is a core state requirement for critical area protection. Clearly defining and incorporating it into this chapter helps ensure the code aligns with state requirements and applies a consistent protection standard to all projects.</p>
<p>19.07.020 Critical areas regulations (2) Definitions Page 8</p>	<p>"Open space land" means (a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or (b) any land area, the preservation of which in its present use would (i) conserve and enhance natural or scenic resources, or (ii) protect streams or water supply, or...</p>	<p>We recommend incorporating the definition found in RCW 84.34.020 for open space land within this section, as these spaces are mentioned throughout this chapter.</p>
<p>19.07.020 Critical areas regulations (2) Definitions Page 8</p>	<p>“Priority Habitat” means a habitat type with unique or significant value to many species. An area identified and mapped as priority habitat has one or more of the following attributes: comparatively high fish and wildlife density, comparatively high fish and wildlife species diversity, important fish and wildlife breeding habitat, important fish and wildlife seasonal ranges, important fish and wildlife movement corridors, limited availability, high vulnerability to habitat alteration, and unique or dependent species.</p>	<p>We’d recommend that the adjacent definition for ‘Priority Habitat’ be added here, taken from WDFW’s Priority Habitats and Species List. Priority <i>habitats</i> and <i>species</i> are two distinct concepts that are represented through WDFW’s Priority Habitats and Species Program (PHS). The Washington Administrative Code (WAC) refers to PHS in sections dealing with CAOs, Shoreline Master Programs (SMPs), and the Essential Facilities Siting Evaluation Council. The state supreme court has held that PHS is a valid source of best available science for the Growth Management Act.</p>
<p>19.07.020 Critical areas regulations (2) Definitions Page 8</p>	<p>“Priority Species” are fish and wildlife species requiring protective measures and/or management actions to ensure their survival. A species identified and mapped as a priority species fits one or more of the following criteria: State-listed candidate species, vulnerable aggregation, and species of recreational, commercial, and/or Tribal importance.</p>	<p>See comment above.</p>
<p>19.07.020 Critical areas regulations (2) Definitions Page 9</p>	<p>“Riparian management zone” (RMZ) means the area that has the potential to provide full riparian functions. In many forested regions of the state, this area occurs within one 200-year site-potential tree height measured from the edge of the stream channel. In situations where a CMZ is present, this occurs within one site potential tree height measured from the edges</p>	<p>We suggest adding ‘Riparian Management Zone’ as its own definition to replace outdated ‘stream buffer’ terminology. This is especially important when considering RMZs as a type of critical area and not buffers to critical areas. For further related management recommendations, see WDFW’s Riparian Ecosystems, Volume 2: Management Recommendations.</p>

	of the CMZ. In non-forest zones, the RMZ is defined by the greater of the outermost point of the riparian vegetative community or the pollution removal function, at 100 feet.	
19.07.020 Critical areas regulations (2) Definitions Page 10	“Values” means the cultural, social, economic, and ecological benefits attributed to ecosystem functions.	See comments for “Functions” above.
19.07.020 Critical areas regulations (2) Definitions Page 10	“Watershed Plan” means a plan developed by federal, tribal, state, and/or local government agencies and/or appropriate non-governmental organizations, in consultation with relevant stakeholders, for the specific goal of aquatic resource restoration, establishment, enhancement, and preservation. A watershed plan addresses aquatic resource conditions in the watershed, multiple stakeholder interests, and land uses. Watershed plans may also identify priority sites for aquatic resource restoration and protection. Examples of watershed plans include special area management plans, advance identification programs, and wetland management plans.	Including a definition for “Watershed Plan” provides clarity when referencing locally or regionally adopted plans that guide aquatic resource restoration and protection. It helps ensure consistency in implementation, supports landscape-scale planning, and allows jurisdictions to align CAO decisions, such as mitigation, restoration priorities, and buffer considerations, with established, stakeholder-informed watershed efforts. This definition also acknowledges the role of collaborative, science-based planning in achieving long-term ecological outcomes.
19.07.020 Critical areas regulations (B) Applicability Page 10	(1) Prior to fulfilling the requirements of this title, Granite Falls shall not grant any approval or permission to alter the condition of any critical area or critical area buffer land, water or vegetation , or to construct or alter any structure or improvement including, but not limited to, the following:	We recommend aligning the language in this chapter with the specific statutory terms (<i>critical areas and their buffers</i>) rather than broader phrases like “land, water, and vegetation.” Using the defined regulatory designations improves clarity, supports consistent implementation, and is more readily defensible if the code is challenged, since it ties requirements directly to GMA-recognized protection framework.
19.07.020 Critical areas regulations (B) Applicability Page 11	(2) Granite Falls shall perform a critical areas review for any Granite Falls permit approval requested for a proposal on a site which includes or is adjacent to one or more critical areas or critical area buffers unless otherwise provided in this chapter. As part of all applications, Granite Falls shall verify the information submitted by the applicant to: (a) Confirm the nature and type of the critical areas or critical area buffer and evaluate any required critical areas study.	We recommend incorporating the need to identify and consider critical area <i>buffers</i> adjacent to any project that contains critical areas.
19.07.020 Critical areas regulations (C) Exemptions	(1) Agricultural Activities. Existing and ongoing agricultural activities, provided no alteration of flood storage capacity or conveyance occurs. Any expansion of existing and ongoing	WAC 365-196-830 states, “(c) Local governments shall not broadly exempt agricultural activities from their critical areas regulations.”

Page 11	agricultural activities is subject to review and compliance with this chapter.	We recommend the adjacent addition to align this section with state requirements. Typically, existing and ongoing agricultural activities are allowed, but expansion, new clearing, drainage modification, or new structures within critical areas or buffers shall be regulated to achieve no net loss of ecological functions and values, consistent with this chapter.
19.07.020 Critical areas regulations (C) Exemptions Page 11	(3) Artificially Created Wetlands and water conveyance systems. Activities involving modifications to artificially created wetlands or water conveyance systems that were not created to convey a stream of portion of stream that existed prior to development streams intentionally created from nonwetland sites including, but not limited to, grass-lined swales, irrigation and drainage ditches, detention facilities, and landscape features, except wetlands, streams, or swales, or additional features that provide critical habitat for anadromous fish, and artificial features wetlands created as part of a mitigation requirement, which do not qualify for exemption.	Wetlands and artificial water conveyance structures are two separate designations. Our suggested edits in this section account for the need to identify both designations. Additionally, state language requires the protection of all resident fish and does not limit protection measures to anadromous resident fish species. Because natural hydrology within Granite Falls has been significantly altered, many existing ditches follow historic or natural flow paths and may function as important extensions of aquatic habitat. In some cases, these conveyances can support incidental or seasonal use by anadromous or resident fish, particularly during high-flow events. All watercourses connected to fish-bearing waters should be evaluated for appropriate protective measures. If a constructed irrigation or drainage ditch unintentionally supports fish, a fish exclusion device should be installed before the waterway can qualify under this exemption. Please contact Torren Valdez with WDFW (Torren.Valdez@dfw.wa.gov) for further information or to schedule a site visit for the installation of a fish exclusion device. Whatcom County provides cases in which ditches or other artificial watercourses should be considered streams in 16.16.710 2 by stating, "Ditches or other artificial watercourses are considered streams for the purposes of this chapter when: a. Used to convey natural streams existing prior to human alteration; and/or b. Waterway is used by anadromous or resident salmonid or other resident fish populations; or c. Flows directly into shellfish habitat conservation areas."
19.07.020 Critical areas regulations (C) Exemptions Page 11	(4) Existing Roads. Maintenance, operation and reconstruction of existing roads, streets, utilities and associated structures, acknowledging that activities which expand impacts are not exempt and must comply with the provisions of this chapter.	We recommend including, either at the start of the exemptions section or within each subsection, a statement clarifying that any activities expanding impacts into critical areas or their buffers are not exempt and must comply with all provisions of this chapter to achieve no net loss of functions and values.

	(5) Emergency Activities. Emergency activities necessary to prevent an immediate threat to public health, safety, or property. If emergency activities impact critical areas or their buffers, mitigation is required to ensure no net loss of ecological functions and values.	Additionally, all impacts, even if occurring under emergency circumstances, must be mitigated to achieve no net loss of critical area functions and values.
19.07.020 Critical areas regulations Page 13	(F) Variances-	We recommend deleting the variances section because it provides minimal guidance on when variances are appropriate and may allow for avoidable impacts to critical areas, given that a reasonable use provision already exists to address situations where strict compliance would result in undue hardship.
19.07.020 Critical areas regulations Page 13	(H) Critical Area Determinations.	We recommend including ‘critical areas and their buffers ’ throughout this section to ensure applicants are required to include critical area buffer information within critical area reports.
19.07.020 Critical areas regulations (H) Critical Area Determinations. Page 14	(4) Contents of Special Study. Mitigation Sequence.	As per WAC 197-11-768 , the mitigation sequence must be used when impacts to any critical area are proposed. We recommend adding a section earlier in this chapter that clearly describes the mitigation sequence and its required steps and applies those requirements consistently across all critical area types. Limiting the mitigation sequence provisions to Fish and Wildlife Habitat Alteration and Mitigation, as shown on page 44, may create inconsistent application. Establishing a chapter-wide mitigation sequence standard would improve clarity and ensure uniform compliance with state standards. This section should also specify what the applicant must demonstrate to comply with avoidance of impacts before moving to other steps within the mitigation sequence. Language may include: To demonstrate that avoidance has been adequately assessed, the applicant must, at a minimum, address the following considerations where applicable: <ul style="list-style-type: none"> (A) Alternative building locations on the property; (B) Adjustments to the project footprint and orientation; (C) Modification of non-critical area setbacks, where feasible, as a first option before encroaching into critical areas or their buffers; (D) Multi-story design or alternate building design.
19.07.020 Critical areas regulations (H) Critical Area Determinations.	(4) Contents of Special Study. (f) Critical Habitat Fish and Wildlife Habitat Conservation Area Special Studies.	As mentioned before, we strongly recommend aligning language within this chapter with state language that designates the five types of critical areas that require protection measures, including Fish and Wildlife Habitat Conservation Areas (FWHCAs).

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19.07.020 Critical areas regulations (I) Critical Areas Classifications. Page 22	(8) Fish and Wildlife Habitat Conservation Areas (FWHCAs) Classification. Fish and wildlife habitat conservation areas shall be classified as critical or secondary according to the criteria in this section areas . Critical habitats FWHCAs are those habitat areas which meet any of the following criteria: (a) The documented presence of species listed by the federal government, state of Washington and the Washington State Department of Fish and Wildlife priority species and habitats (PHS) database as endangered, threatened, sensitive or critical. (b) Those streams identified as “shorelines of the state” under the city’s shoreline master program. (c) Those wetlands identified as Category I wetlands, as defined in this chapter.	Critical areas listed under the FWHCA designation must be fully protected as critical areas, ensuring that there is no net loss of ecological values and functions within these areas. Please review WAC 365-190-130 and incorporate all FWHCA’s required for protection that exist within Granite Falls. Wetlands should be designated as their own separate category of critical area. We also recommend including ‘Riparian Management Zones’ and ‘Wildlife Habitat Corridors’ as distinct types of critical areas under the FWHCA designation. It is also unclear who is referenced by stating ‘state of Washington.’
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 36	(3) Critical Habitat Areas	Again, Critical Habitat Areas should either be deleted or combined with FWHCAs.
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 37	(4) Classification of Fish and Wildlife Habitat Conservation Areas . (a) Streams. Streams shall be classified according to the stream type system as provided in WAC 222-16-030, Stream Classification System, as amended.	We do not recommend utilizing DNR’s Forest Practice stream typing system as a mechanism to help establish RMZ widths based on fish use. However, stream typing can be useful for other purposes, such as identifying fish passage requirements, informing culvert design, and supporting more detailed watershed-scale analyses.
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 37	(4) Classification of Fish and Wildlife Habitat Conservation Areas ... (ii) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by the salmonid fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by salmonid fish. A provisional presumption of salmonid fish use may be refuted at the discretion of the designated	As mentioned above, state language requires the protection of all resident fish and does not limit protection measures to strictly anadromous resident fish species. Additionally, please review WAC 365-190-130 , which outlines the types of FWHCAs that require specific protection standards. We recommend stating the types of FWHCAs that require protection at the beginning of this section. See how the City of Anacortes organizes this section as an example (FWHCA section).

	official where any of the following conditions are met:	
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 37	(4) Classification of Fish and Wildlife Habitat Conservation Areas... State priority habitats and areas associated with state priority species defined and listed by the Washington Department of Fish and Wildlife in the Priority Habitats and Species List, most recently updated edition. Priority habitats and species can be identified by consulting WDFW’s PHS mapping information (https://geodataservices.wdfw.wa.gov/hp/phs/)	In addition to the types of FWHCAs outlined in WAC 365-190-130 , we recommend directly incorporating WDFW’s PHS list and mapping information by reference. The state supreme court has held that PHS is a valid source of best available science for the Growth Management Act.
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 37	(4) Classification of Fish and Wildlife Habitat Conservation Areas... Wildlife Habitat Corridors	We also recommend designating wildlife habitat corridors here. WAC 365-196-335 states, “Each county or city planning under the [growth management] act must identify open space corridors within and between urban growth areas. They must include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030 .” If a method for identifying wildlife habitat corridors has not yet been established, the resources below may be helpful: - Renton has a 4-3-110 URBAN SEPARATOR OVERLAY that provides regulations (such as permanent low-density) in order to provide for open space corridors in designated areas. The city of Sammamish (21.03.020 Environmentally Critical Areas) and the city of Duvall (14.42.350 - Fish and wildlife habitat conservation areas—Habitat corridors) have specific sections detailing developmental standards in wildlife habitat corridor areas as well. - We strongly recommend using the Integrating Wildlife Habitat Connectivity Into Local Government Planning guidance to establish clear development standards within these areas. This could include limiting zoning densities, incentivizing the transfer or purchase of development rights, requiring open space connectivity within all new development, and incorporating wildlife underpasses or similar structures into applicable road and culvert projects. - See also page 72-82 of WDFW’s Washington Habitat Connectivity Action Plan and mapping resource .
19.07.020 Critical areas regulations	(4) Classification of Fish and Wildlife Habitat Conservation Areas...	WDFW’s current best available science standards and management recommendations outline the need to replace ‘stream buffer’ terminology with ‘Riparian

<p>(J) Performance Standards for Critical Areas Page 37</p>	<p>Riparian Management Zones</p>	<p>Management Zone’ or RMZ for short. ‘Stream buffer’ implies that the area is comparable to a setback from development. In contrast, RMZ reflects the scientific understanding that these areas are critical areas in their own right, providing essential functions such as water quality protection, shading, bank stability, large woody debris recruitment, and wildlife habitat. Using RMZ language clarifies that these areas are not simply buffers but functioning ecological zones that require protection afforded to other critical area types.</p>
<p>19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 39</p>	<p>(5) Fish and Wildlife Habitat Buffer Areas Riparian Management Zones.</p> <p>(i) Fish and wildlife habitat buffers shall be Riparian Management Zones (RMZs) are a type of critical area under the FWHCA designation that consists of the area needed to provide full riparian ecosystem functions for bank stability, shade, pollution removal, contribution of detrital nutrients, and recruitment of large woody debris. The width of the RMZ is the height of the tallest dominant 200-year Site Potential Tree Height (SPTH₂₀₀) or 100 feet, whichever is greater. †The site potential tree height, as depicted on the Washington Department of Fish and Wildlife (WDFW) Site Potential Tree Height (SPTH) Mapping Tool, or 150 feet, whichever is less can also be determined via site assessment and delineation using WDFW’s Guidelines for Determining Site Potential Tree Height from Field Measurements (2025) as amended.</p>	<p>We appreciate the inclusion of WDFW’s current best available science standards and management recommendations in this section, however, the draft language proposes to align with our mapping standards, which might not allow for the full SPTH width to be achieved in instances where the SPTH is greater than 150 feet.</p> <p>Our BAS shows that RMZs should be delineated using the SPTH₂₀₀ methodology that takes into consideration site-specific information to determine appropriate protection widths.</p>
<p>19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 40</p>	<p>(c) Measurement of Buffers RMZs.</p> <p>(i) Stream Buffers RMZs. All RMZs buffers shall be measured from the outer edge of the channel migration zone (CMZ). If no CMZ is present, buffers shall be measured from the ordinary high water mark as identified in the field or, if that cannot be determined, from the top of the bank. In braided channels and alluvial fans, the ordinary high water mark or top of bank shall be determined so as to include the entire stream feature;</p> <p>(ii) Combination Buffers /RMZs. For any stream adjoined by a wetland or other adjacent habitat area, the required buffer or RMZ shall be the greater of either the RMZ or the buffer which applies to the wetland or other habitat</p>	<p>CMZs are critical for maintaining the dynamic processes that support riparian ecosystems. Without addressing CMZs, this section may fail to fully protect the functional riparian areas that naturally shift over time. We encourage the city to delineate riparian management zones (RMZs) from the edge of the CMZ if present.</p> <p>For further information, please see the WA Department of Ecology’s (DOE) informational webpage as well as WDFW’s Riparian Ecosystems, Volume 2: Management Recommendations.</p>

	area unless the stream buffer requirements are more expansive.	
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 40	(d) Buffer widths may be modified by averaging buffer widths as set forth herein:	RMZ widths are established based on the specific ecological functions they are intended to maintain. These functions are directly dependent on the width, continuity, and quality of riparian vegetation. Any reduction in RMZ width could result in a measurable loss of habitat function and ecological integrity. That said, limited RMZ averaging may be consistent with no net loss standards if it is confined to areas that no longer provide ecological function, such as existing impervious surfaces. In all cases, no portion of any RMZ should be reduced below 100 feet, as this is the minimum width necessary to sustain the pollution removal function identified in WDFW’s BAS. If ‘stream buffer’ terminology is replaced by ‘riparian management zone,’ protected as a type of critical area and no longer a buffer to a critical area, then this section will not apply to RMZs. We also suggest that Low Impact Development be mandatory within and adjacent to streams. See Department of Ecology LID guidance .
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 43	(l) Required buffers shall not deny all reasonable use of property. A variance from buffer width requirements may be granted by the hearing examiner upon a showing by the applicant that:	We recommend deleting this section because it duplicates reasonable use allowances that are already established earlier in the chapter and applicable chapter-wide.
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 44	(6) Fish and Wildlife Habitat Alteration and Mitigation. (a) Adverse impacts to habitat functions and values shall be mitigated to achieve no net loss of ecological functions and values to the extent feasible and reasonable . Mitigation actions by an applicant or property owner shall occur in the following preferred mitigation sequence (WAC 197-11-768) :	See WDFW’s comments associated with (H) Critical Area Determinations Page 14 above. The mitigation sequence should apply chapter-wide. Additionally, all critical areas are subject to the no net loss standard, and code language should avoid vague mitigation criteria that may not align with state requirements.
19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Page 45	(7) Fish and Wildlife Mitigation Standards, Criteria and Plan Requirements. (ii) ...Off-site mitigation within the same watershed will be preferred to on-site mitigation when the results can achieve greater benefits or functions than on-site mitigation, or would restore or enhance functions that are	The preference for on-site, in-kind mitigation should also be explicitly stated within the FWHCA section. Fish-bearing streams depend on intact, site-specific ecological functions and values (including shading, large wood recruitment, filtration, and habitat connectivity) that occur at the impact location. These functions are inherently localized and cannot be fully replicated off-

	<p>limiting or important to the health of the watershed.</p> <p>(iii) In-kind mitigation, as defined in this section, shall be provided except when the applicant demonstrates and the designated official concurs that in-kind mitigation is infeasible and the greater functional and habitat value can be achieved through out-of-kind mitigation, as defined in this section.</p>	<p>site, as aquatic species rely on distributed watershed processes for survival and recovery.</p> <p>While off-site mitigation or mitigation banking may provide ecological benefits in some circumstances, it often does not replace the localized functions necessary to support fish populations at a watershed scale. Allowing off-site mitigation as a primary option may also create unintended incentives for project design that accepts degradation of on-site habitat, relying instead on compensatory actions elsewhere. Code provisions should therefore prioritize on-site, in-kind mitigation except where it is demonstrated to be infeasible.</p> <p>Please review WAC 220-660-080 4. b. for guidance that specifies WDFW’s requirements. For more information, please review the document State of Washington Alternative Mitigation Policy Guidance For Aquatic Permitting Requirements from the Departments of Ecology and Fish and Wildlife.</p>
<p>19.07.020 Critical areas regulations (J) Performance Standards for Critical Areas Pages 47-48</p>	<p>(8) Fish and Wildlife Habitat Performance Standards and Incentives.</p> <p>(c) As an incentive to encourage preservation of secondary and tertiary habitat, as those terms are defined in this chapter, the net amount of landscaping required by the city of Granite Falls may be reduced by one quarter acre for each one acre of secondary or tertiary habitat and buffer preserved on the site; however, that amount cannot exceed 50 percent of the amount of required landscaping. The reduction shall be calculated on the basis of square feet of habitat preserved or enhanced and square feet of landscaping required. Habitat and habitat buffer that is enhanced by the applicant may also qualify for this reduction. Preservation of secondary or tertiary habitat shall be assured by the execution of an easement or other protective device acceptable to the city of Granite Falls.</p>	<p>All critical areas must be protected to meet the standards of no net loss of ecological functions and values. We strongly recommend deleting sections within this chapter that relate to secondary and tertiary habitats for FWHCAs.</p>

Thank you for taking the time to consider our recommendations to better reflect the best available science for fish and wildlife habitats and ecosystems. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you throughout this periodic update cycle. If you have any questions or need our technical assistance or resources at any time during this process, please don’t hesitate to contact me or the Regional Land Use Lead, Morgan Krueger (morgan.krueger@dfw.wa.gov).

Sincerely,



Marcus Reaves, Regional Habitat Program Manager (Marcus.Reaves@dfw.wa.gov)

CC:

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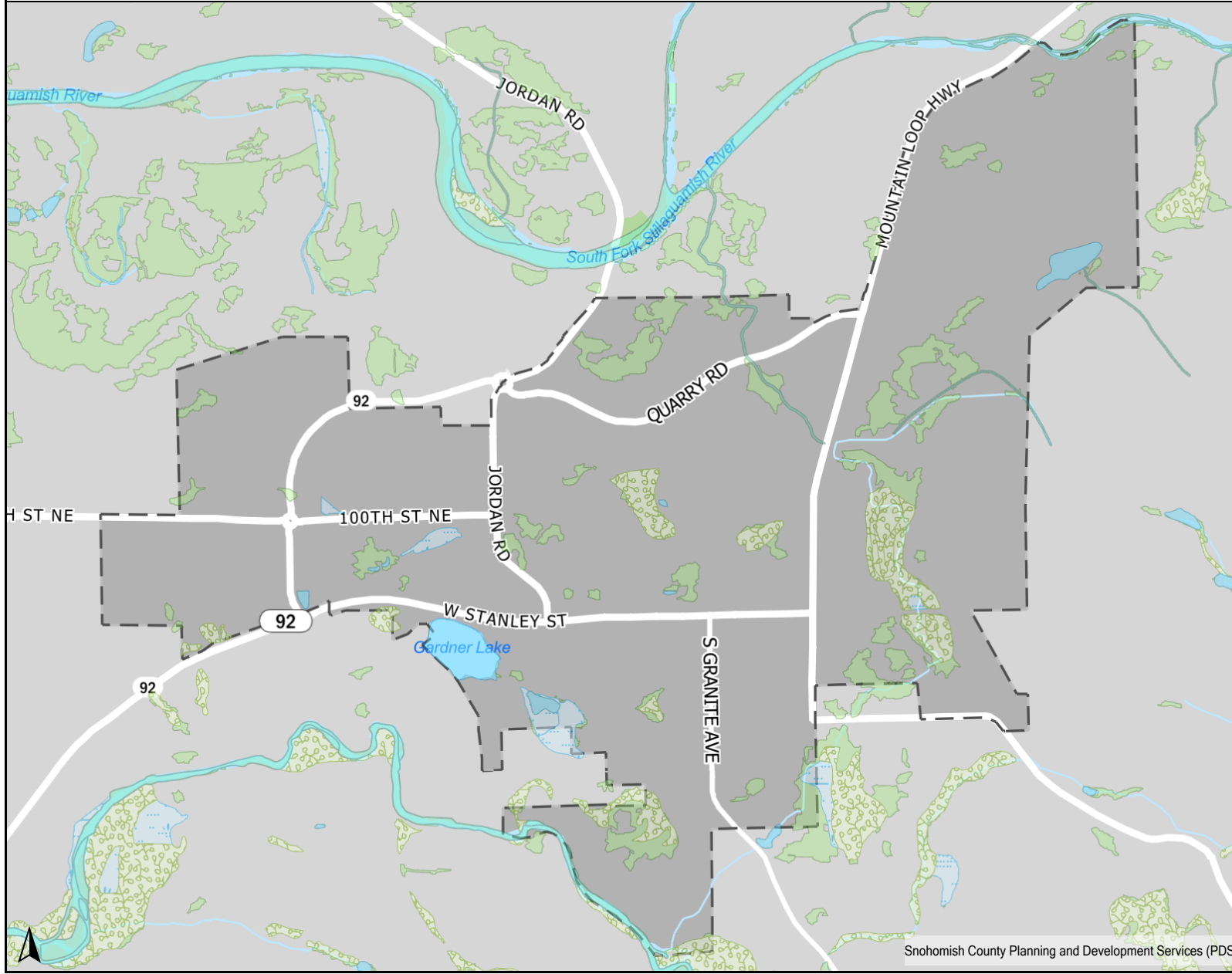
Region 4 Central District planning inbox (R4CPlanning@dfw.wa.gov)

Jeff Aken, WA Department of Commerce (Jeff.Aken@commerce.wa.gov)



GF Critical Areas Map

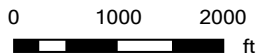
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Legend

Critical Areas

- Wetlands and Hydric Soils
 - Estuarine and Marine Deepwater
 - Estuarine and Marine Wetland
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Riverine



Scale 1 : 32914

All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data.

Snohomish County Planning and Development Services (PDS)

**CITY OF GRANITE FALLS
ORDINANCE NO. 1072-2026**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRANITE FALLS,
WASHINGTON, AMENDING SECTION 19.07.020; UPDATING AND CLARIFYING THE
CITY'S CRITICAL AREAS REGULATIONS FOR CONSISTENCY WITH BEST AVAILABLE
SCIENCE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Granite Falls is desirous of maintaining its Municipal Code such that it provides increased transparency and accountability for its residents, businesses owners, and members of the construction industry doing business within its jurisdictional boundaries; and

WHEREAS, consistent with RCW 36.70A.130(1)(a), the City of Granite Falls has taken legislative action to review, and if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of Chapter 36.70A RCW within the deadlines in subsections (4) and (5) of section .130.

WHEREAS, the City Council finds that periodic amendments to Section 19.07.020 are necessary to ensure clarity, internal consistency, legal compliance, and effective administration of GFMC Titel 19 Unified Development Code; and

WHEREAS, the proposed Section 19.07.020 amendments are intended to update and refine development standards, definitions, procedures, and administrative provisions to better reflect current planning practices, state law, and local policy objectives; and

WHEREAS, the City has reviewed the proposed amendments for consistency with the Granite Falls Comprehensive Plan and applicable state law, and finds that the amendments are consistent with and further the goals and policies of the Comprehensive Plan; and

WHEREAS, the City has notified the Washington State Department of Commerce of the City's intent to adopt the proposed amendments set forth in this ordinance; and

WHEREAS, public notice in accordance with state law and Granite Falls Municipal Code was provided for all public hearings, notifying the general public of their opportunity to provide public input concerning the proposed amendments, and public testimony and written comments were considered; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments at its January 24, 2026 meeting. No members of the public were present; and

WHEREAS, the Planning Commission made a recommendation to City Council to accept the proposed amendments as prepared by staff and the consultant; and

WHEREAS, the City Council has considered the staff report, Planning Commission recommendation, public testimony, and the entire record before it; and

WHEREAS, the City Council finds that adoption of the Section 19.07.020 amendments is in the best interest of the public health, safety, and welfare of the residents of Granite Falls and will promote orderly growth and development within the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS DO ORDAIN AS FOLLOWS:

Section 1. Findings. The above recitals are hereby adopted by reference as legislative findings in support of this ordinance.

Section 2. Amendment of Section 19.07.020 GFMC. Section 19.07.020 of the Granite Falls Municipal Code is hereby amended to provide in its entirety as follows:

19.07.020 Critical areas regulations.

(A) General Provisions – Definitions.

(1) Purpose and Intent. The purpose of this critical areas section is to identify environmentally critical areas and to protect these areas without violating any citizen’s constitutional rights. Landslide, erosion, and seismic hazards, wetlands, aquifer recharge areas, [fish and wildlife habitat conservation areas](#), ~~critical habitats~~ and flood hazard areas constitute critical areas that are of special concern to Granite Falls. The city finds that these critical areas perform a variety of valuable and beneficial biological and physical functions that benefit the city and its residents; certain critical areas may also pose a threat to human safety or to public and private property. By limiting development and alteration of these critical areas, this chapter seeks to:

- (a) Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to flooding, erosion, volcanic eruptions, landslides, seismic events, or steep slope failures;

- (b) Protect unique, fragile and valuable elements of the environment, including wildlife and its habitat;
- (c) Mitigate unavoidable impacts to environmentally critical areas by regulating alterations in and adjacent to critical areas;
- (d) Prevent cumulative adverse environmental impacts to water quality and wetlands;
- (e) Meet the requirements of the Washington Growth Management Act with regard to the protection of critical area lands;
- (f) Coordinate environmental review and permitting of proposals to avoid duplication and delay;
- (g) Assure that best available sciences are incorporated into the following regulations. In order to accomplish this, best available sciences were reviewed in the process of developing the critical areas regulations and used to establish its components.

[\(2\) Compliance with the provisions of the Chapter does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required. The applicant is responsible for complying with these requirements, apart from the process established in this Title. Where applicable, the designated official will encourage use of information such as permit applications to other agencies or special studies prepared in response to other regulatory requirements to support required documentation submitted for critical areas review.](#)

~~(23)~~ Definitions.

“Alteration” means any human-induced activity that changes the existing condition of a critical area. Alterations include but are not limited to: grading; filling; dredging; draining; channelizing; clearing or removing vegetation; discharging pollutants; paving; construction; demolition; or any other human activity that changes the existing landforms, vegetation, hydrology, wildlife, or wildlife habitat of a critical area.

“Anadromous fish” means species, such as salmon, which are born in fresh water, spend a large part of their lives in the sea, and return to fresh water rivers and streams to procreate.

“Applicant” means the person, party, firm, corporation, or other entity that proposes any activity that could affect a critical area.

“Aquifer” means a saturated geologic formation that will yield a sufficient quantity of water to serve as a private or public water supply.

“Aquifer recharge areas” means areas where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of ground water resources or contribute significantly to the replenishment of potable ground water. Aquifer recharge areas are classified as follows:

- (a) “High significance aquifer recharge areas” means areas with slopes of less than 15 percent that are underlain by coarse alluvium or sand and gravel.
- (b) “Moderate significance aquifer recharge areas” means:
 - (i) Areas with slopes of less than 15 percent that are underlain by fine alluvium, silt, clay, glacial till, or deposits from the Electron Mudflow; and
 - (ii) Areas with slopes of 15 percent to 30 percent that are underlain by sand and gravel.
- (c) “Low significance aquifer recharge areas” means:
 - (i) Areas with slopes of 15 percent to 30 percent that are underlain by silt, clay, or glacial till; and
 - (ii) Areas with slopes greater than 30 percent.

“Base flood” means a flood having a one percent chance of being equaled or exceeded in any given year; also referred to as the “100-year flood.”

[“Best available science” means current scientific information derived from a valid scientific process as defined by WAC 365-195-900 through WAC 365-195-925 and applied to the process for designating, protecting, or restoring critical areas.](#)

“Bog/fen” means [a unique type of wetland dominated by mosses at the surface and that form peat soils. Bogs form in areas where the climate allows the accumulation of peat to exceed its decomposition. The water regime in bogs is dominated by precipitation rather than surface inflow. The plant community is specialized to survive in the nutrient-poor and highly acidic conditions typical of bog systems.](#)

~~wetland with limited drainage generally characterized by extensive peat deposits and acidic waters with a pH of 5 or less for bogs and 5.5 or greater for fens. Vegetation includes sedges, sphagnum moss, shrubs and trees.~~

“Buffer” or “buffer area” means a naturally vegetated and undisturbed or revegetated zone surrounding a critical area that protects the critical area from adverse impacts to its integrity and value, or is an integral part of the resource’s ecosystem.

“Channel Migration Hazard Area, Moderate” means a portion of the channel migration zone that lies between the severe channel migration hazard area and the outer boundaries of the channel migration zone.

“Channel Migration Hazard Area, Severe” means a portion of the channel migration zone that includes the present channel. ~~The total width of the severe channel migration hazard area equals one hundred years times the average annual channel migration rate as determined by evidence of active stream channel migration movement over the past one hundred years, plus the present channel width.~~ in which there is a higher level of channel migration hazard due to a high likelihood of continued, progressive bank erosion, rapid shifting of channel location, or other imminent channel changes.

“Channel migration zone (CMZ)” means the lateral extent of likely movement along a stream or river during the next one hundred years as determined by evidence of active stream channel migration movement over the past one hundred years. The channel migration zone shall be designated as shown on future Snohomish County’s channel migration zone maps, and as amended.

~~“City” means the city of Granite Falls.~~

“City clerk” means the city clerk of the city of Granite Falls.

“Clearing” means the removal of timber, brush, grass, ground cover, or other vegetative matter from a site that exposes the earth’s surface of the site or any actions that disturb the existing ground surface.

“Critical areas” includes wetlands, critical habitat areas, moderate and high erosion hazard areas, high seismic hazard areas, moderate and high landslide hazard areas, moderate and high volcanic hazard areas, aquifer recharge areas of moderate and high significance, and flood hazard areas.

“Critical geologic hazard areas” means lands or areas subject to high or severe risks of geologic hazard.

“Critical habitat” means those habitat areas which meet any of the following criteria:

- (a) The documented presence of species listed by the federal government or state of Washington as endangered or threatened;
- (b) Those streams identified as “shorelines of the state” under the city of Granite Falls’ shoreline master program; and
- (c) Those wetlands identified as Class I wetlands, as defined in this chapter.

“Development right” means any specific right to use real property which inures to an owner of real property through the common law, statutory law of real property, the United States and Washington Constitutions and as further defined and delineated herein.

“Epicenter” means the location on the surface of the earth directly above the place where an earthquake originates.

“Erosion” means a process whereby wind, rain, water, and other natural agents mobilize and transport soil particles.

“Erosion hazard areas” means those lands susceptible to the wearing away of their surface by water, wind or gravitational creep. Erosion hazard areas are classified as low, moderate or high risk based on slope inclination and soil types as identified by the U.S. Department of [Natural Resources Agriculture Soil Conservation Service Soil Survey \(SCS NRCS\)](#):

- (a) “Low risk” means all sites classified with soil types designated by [SCS NRCS](#) as having no or slight erosion hazard.
- (b) “Moderate risk” means all sites classified with soil types designated as moderate hazard.
- (c) “High risk” means all sites classified with soil types designated as severe or very severe erosion hazard.

“Existing and ongoing agriculture” means those activities conducted on lands defined in RCW [84.34.020\(2\)](#), and those existing activities involved in the production of crops or livestock. Activities may include the operation and maintenance of farm and stock ponds or drainage ditches; operation and maintenance of existing ditches or irrigation systems; changes from one type of agricultural activity to another agricultural activity; and normal maintenance, repair, and operation of existing serviceable structures, facilities, or improved areas. Activities which bring a

nonagricultural area into agricultural use are not part of an ongoing operation. An operation ceases to be ongoing when the area on which it is conducted is converted to a nonagricultural use or has lain idle for more than five years.

“Facultative wetland plants” means plants that occur usually (estimated probability greater than 67 percent to 99 percent) in wetlands, but also occur (estimated probability one percent to 33 percent) in nonwetlands.

“Fish and wildlife habitat conservation areas” means land managed to maintain populations of species in suitable habitats within their natural geographic distribution so that the habitat available is sufficient to support viable populations over the long term and isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean not degrading or reducing populations or habitats so that they are no longer viable over the long term. Fish and wildlife habitat conservation areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

["Fish habitat" or "habitat that supports fish life" means habitat, which is used by fish life at any life stage at any time of the year including potential habitat likely to be used by fish life, which could reasonably be recovered by restoration or management and includes off-channel habitat.](#)

“Flood hazard areas” means those areas subject to inundation by the base flood. These areas consist of the following components, as determined by the city:

(a) “Floodplain” means the total area subject to inundation by the base flood.

(b) “Flood fringe” means that portion of the floodplain outside the floodway which is generally covered by flood waters during the base flood. It is generally associated with standing water rather than rapidly flowing water.

(c) “Floodway” means the channel of the stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot.

“Forested wetland” means a regulated wetland with at least 30 percent of the surface area covered by woody vegetation greater than 20 feet in height and four inches [diameter at breast height \(-dbh\).](#)

["Functions" means the products, physical and biological conditions, and environmental qualities of an ecosystem that result from interactions among ecosystem processes and ecosystem structures. Ecosystem functions include, but](#)

are not limited to, sequestered carbon, attenuated peak streamflows, aquifer water level, reduced pollutant concentrations in surface and ground waters, cool summer in-stream water temperatures, and fish and wildlife habitats.

“Geologic hazard areas” means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, as designated by (WAC 365-190-120(1)), are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. ~~lands or areas characterized by geologic, hydrologic, and topographic conditions that render them susceptible to potentially significant or severe risk of landslides, erosion, or volcanic or seismic activity.~~

“Grading” means any excavating, filling, clearing, leveling, or contouring of the ground surface by human or mechanical means.

“Ground water” means all water found beneath the ground surface, including slow-moving subsurface water present in aquifers and recharge areas.

“Growing season” means the portion of the year when soil temperatures at 19.7 inches below the surface are higher than biological zero (five degrees Celsius), approximately March 15th to October 15th.

“Hazard tree” is a tree considered a threat to life, property, or public safety. Due to their high habitat value, hazard tree removal shall not adversely affect ecosystem functions to the extent practicable, encourage the creation of snags (Priority Habitat features) rather than complete tree removal, involve an avoidance and minimization of damage to remaining trees and vegetation, and require a qualified arborist to evaluate requests for hazard tree removal.

“Hazardous substance(s)” means any liquid, solid, gas or sludge, including any materials, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics of hazardous waste; and including waste oil and petroleum products.

“Hazardous substance processing or handling” means the use, storage, manufacture or other land use activity involving hazardous substances, but does not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container.

“Hazardous waste” means all dangerous waste and extremely hazardous waste as designated pursuant to Chapter [70.105](#) RCW and Chapter [173-303](#) WAC.

(a) “Dangerous waste” means any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or

containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes:

(i) Have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or

(ii) Are corrosive, explosive, flammable, or may generate pressure through decomposition or other means;

(b) “Extremely hazardous waste” means any waste which:

(i) Will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may be concentrated by living organisms through a food chain or may affect the genetic makeup of humans or wildlife; and

(ii) Is disposed of at a disposal site in such quantities as would present an extreme hazard to humans or the environment.

“Hazardous waste treatment and storage facility” means a facility that treats and stores hazardous waste and is authorized pursuant to Chapter [70.105](#) RCW and Chapter [173-303](#) WAC. It includes all contiguous land and structures used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of hazardous waste.

“Hydric soils” means a soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of hydrophytic vegetation. Hydric soils occur in areas having positive indicators of hydrophilic action.

“Hydrophyte” means any plant growing in water or on a substrate that is at least periodically deficient in oxygen during some part of the growing season, from approximately March 15th to October 15th, as a result of excessive water content.

“Hydrophytic vegetation” means any plant growing in water or on a substrate that is at least periodically deficient in oxygen during some part of the growing season as a result of excessive water content. A site may be considered to have hydrophytic vegetation when more than 50 percent of the dominant plant species on the site are obligate or facultative wetland plants.

“Impervious surface” means any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted rock, compacted sand, limerock or clay.

“Lahars” means mudflows and debris flows originating from the slopes of a volcano.

“Landslide” means episodic downslope movement of a mass of soil or rock.

“Landslide hazard areas” means areas that, due to a combination of slope inclination, relative soil permeability and hydrologic factors, are susceptible to varying risks of land sliding. Landslide hazards are classified as Classes I through III based on the degree of risk as follows:

- (a) Class I/high risk: Areas of greater than 30 percent slope with soils designated by [SES-NRCS](#) as moderate, severe or very severe erosion hazard.
- (b) Class II/moderate risk: Areas of 15 percent to 30 percent slopes with soils designated by the [SES-NRCS](#) as moderate or severe erosion hazard.
- (c) Class III/low risk: Areas with slopes less than 15 percent.

“Liquefaction” means a process by which a water-saturated granular (sandy) soil layer loses strength because of ground shaking commonly caused by an earthquake.

“Lot slope” means a measurement by which the average slope of the lot is calculated as a percentage. The lowest elevation of the lot is subtracted from the highest elevation, and the resulting number is divided by the horizontal distance between these two points. The resulting product is multiplied by 100.

[“Low Impact Development \(LID\)” is a stormwater and land use management strategy that strives to mimic natural hydrologic conditions by emphasizing the pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration.](#)

“Magnitude” means a quantity characteristic of the total energy released by an earthquake. Commonly, earthquakes are recorded with magnitudes from zero to eight.

“Mitigation” means avoiding, minimizing, reducing, rectifying, eliminating, or compensating for adverse impacts.

“Monitoring and Adaptive Management” means the process of monitoring and improving permits, regulations, and programs to ensure the protection of critical areas”

“Native vegetation” means plant species that are indigenous and naturalized to the Granite Falls region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds.

“No Net Loss of Critical Areas” means the actions taken to achieve and ensure no overall reduction in existing ecosystem functions and values or the natural systems constituting the protected critical areas. This may involve fully offsetting any unavoidable impacts to critical area functions and values pursuant to the Growth Management Act, WAC 365-196-830 ‘Protection of critical areas,’ or as amended.

“Noxious weed” means any plant which, when established, is highly destructive, competitive, or difficult to control by cultural or chemical practices. The state noxious weed list in Chapter [16-750 WAC](#) is the officially adopted list of noxious weeds by the State Noxious Weed Control Board.

“Obligate wetland plants” means plants that occur almost always (estimated probability greater than 99 percent) in wetlands under natural conditions, but which may also occur rarely (estimated probability less than one percent) in nonwetlands.

“Open space land” mean:

(a) Any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or

(b) Any land area, the preservation of which in its present use would:

(i) Conserve and enhance natural or scenic resources, or

(ii) protect streams or water supply, or

(iii) Promote conservation of soils or wetlands, or

(iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space, or

(v) Enhance recreation opportunities, or

(vi) Preserve historic sites, or

(vii) Preserve visual quality along highway, road, and street corridors or scenic vistas, or

(viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification; or (

c) Any land meeting the definition of farm and agricultural conservation land as outlined in RCW 84.34.020.

“Priority Habitat” means a habitat type with unique or significant value to many species. An area identified and mapped as priority habitat has one or more of the following attributes: comparatively high fish and wildlife density, comparatively high fish and wildlife species diversity, important fish and wildlife breeding habitat, important fish and wildlife seasonal ranges, important fish and wildlife movement corridors, limited availability, high vulnerability to habitat alteration, and unique or dependent species.

“Priority Species” means fish and wildlife species requiring protective measures and/or management actions to ensure their survival. A species identified and mapped as a priority species fits one or more of the following criteria: State-listed candidate species, vulnerable aggregation, and species of recreational, commercial, and/or Tribal importance.

“Qualified professional or consultant” means a person with experience, training and expertise that are appropriate for the relevant sensitive area subject in accordance with WAC [365-195-905](#)(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, soil science, engineering, environmental studies, fisheries, geology, geomorphology or a related field and related work experience and meet the following criteria:

(a) A qualified professional for wetlands must have a degree in biology, ecology, soil science, botany or a closely related field and a minimum of five years of professional experience in wetland identification and assessment in the Pacific Northwest.

(b) A qualified professional for geologically hazardous areas must be a professional engineering geologist or geotechnical engineer, licensed by the state of Washington.

(c) A qualified professional for fish and wildlife conservation areas must have a degree in wildlife biology, zoology, ecology, fisheries, or a closely related field and a minimum of two years of professional experience.

(d) A “qualified professional for sensitive aquifer recharge areas” means a Washington State licensed hydro-geomorphologist, geologist, engineer or other scientist with a minimum of two years of professional experience in preparing hydrogeologic assessments in Washington.

“Receiving parcel” means a parcel of land on which a development right is used.

“Recessional outwash geologic unit” means sand and gravel materials deposited by melt water streams from receding glaciers.

“Seismic hazard areas” means areas that, due to a combination of soil and ground water conditions, are subject to severe risk of ground shaking, subsidence, or liquefaction of soils during earthquakes. These areas are typically underlain by soft or loose saturated soils, have a shallow ground water table and are typically located on the floors of river valleys.

“Sending parcel” means a parcel of land from which a development right has been severed, in accordance with this chapter.

“Sever” means the removal or separation of some specified right or use from the “bundle of rights” possessed by an owner of real property. The term connotes a removal or separation in perpetuity as distinguished from a restriction or limitation which may be overridden, deleted or subject to a time limitation.

“Slope” means an inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance.

“Streams”. Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended. Streams are called Type S, Type F, Type Np, and Type Ns.

“Temporary erosion control” means on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity, or pollutants during development, construction, or restoration.

“Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas, communications and sanitary sewers.

“Values” means the cultural, social, economic, and ecological benefits attributed to ecosystem functions.

[“Watershed Plan” means a plan developed by federal, tribal, state, and/or local government agencies and/or appropriate non-governmental organizations, in consultation with relevant stakeholders, for the specific goal of aquatic resource restoration, establishment, enhancement, and preservation. A watershed plan addresses aquatic resource conditions in the watershed, multiple stakeholder interests, and land uses. Watershed plans may also identify priority sites for aquatic resource restoration and protection. Examples of watershed plans include special area management plans, advance identification programs, and wetland management plans](#)

“Wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

(B) Applicability.

(1) Prior to fulfilling the requirements of this title, Granite Falls shall not grant any approval or permission to alter the condition of ~~any land, water or vegetation~~, critical area or critical area buffer, or to construct or alter any structure or improvement including, but not limited to, the following:

- (a) Building permit.
- (b) Conditional use permit.
- (c) Shoreline substantial development permit.
- (d) Shoreline variance.
- (e) Short subdivision.
- (f) Subdivision.
- (g) Variance.

(h) Rezone.

(i) Any other adopted permit or required approval not expressly exempted by this chapter.

(2) Granite Falls shall perform a critical areas review for any Granite Falls permit approval requested for a proposal on a site which includes or is adjacent to one or more critical areas [or critical area buffers](#) unless otherwise provided in this chapter. As part of all applications, Granite Falls shall verify the information submitted by the applicant to:

(a) Confirm the nature and type of the critical areas [or critical area buffer](#) and evaluate any required critical areas study.

(b) Determine whether the development proposal is consistent with this chapter.

(c) Determine whether any proposed alterations to critical areas are necessary.

(d) Determine if the mitigation plans proposed by the applicant are sufficient to protect the public health, safety and welfare consistent with the goals, purposes, objectives and requirements of this chapter.

(C) Exemptions. The following activities shall be exempt from the provisions of this chapter:

(1) Agricultural Activities. Existing and ongoing agricultural activities, provided no alteration of flood storage capacity or conveyance occurs. [Any expansion of existing and ongoing agricultural activities is subject to review and compliance with this chapter.](#)

(2) Damaged Structures. Remodeling of structures in existence on the effective date hereof. When such structures are damaged by fire, explosion, or other unforeseen circumstances, they may be reconstructed or replaced within one year; provided, that the new construction or related activity does not further intrude into a critical area or established buffer and is subject to flood hazard areas reconstruction restrictions.

(3) Artificially Created Wetlands [and water conveyance systems](#). Activities involving [modifications to](#) artificially created wetlands or [water conveyance systems that were not created to convey a stream or portion of stream that existed prior to development](#) ~~streams intentionally created from nonwetland sites,~~ including, but not limited to, grass-lined swales, irrigation and drainage ditches, detention facilities, and landscape features, except wetlands, streams, ~~or~~ swales, [or additional features](#) that

provide critical habitat for ~~anadromous~~ fish, and artificial ~~features~~wetlands created as part of a mitigation requirement, which do not qualify for exemption.

(4) Existing Roads. Maintenance, operation and reconstruction of existing roads, streets, utilities and associated structures, acknowledging that activities which expand impacts are not exempt and must comply with the provisions of this chapter.

(5) Emergency Activities. Emergency activities necessary to prevent an immediate threat to public health, safety, or property. If emergency activities impact critical areas or their buffers, mitigation is required to ensure no net loss of ecological functions and values.

(a) The designated official or designee shall confirm the presence of an emergency and shall determine if mitigation will be required to protect or repair the damaged critical area.

(b) Alterations in response to emergencies that create an impact on a critical area or its buffer shall use reasonable methods to address the emergency. In addition, those actions must have the least possible impact to the critical area and/or its buffer.

(c) The person or agency undertaking the action shall initiate a restoration plan within one year of the date of the emergency and it shall be fully restored within a timely manner. Any impacts to the critical area and buffers resulting from the emergency action shall be mitigated in accordance with the critical area report and the mitigation plan prepared in accordance with this chapter and as approved by the designated official or designee.

(D) Reasonable Use Exception.

(1) Allowing Exception. If the application of this chapter would deny all reasonable use of the property, development may be allowed which is consistent with the general purposes of this chapter and the public interest.

(2) Application for Exception. An application for a critical areas reasonable use exception shall be filed with the city clerk and shall be ~~heard by~~ reviewed by the designated official as a Type II Review ~~the hearing examiner~~. The ~~hearing examiner~~ designated official shall issue a final decision on an application for a reasonable use exception.

(3) Determination – Conditions. In order to approve a reasonable use exception, the hearing examiner must determine that:

(a) Application of this chapter would deny all reasonable use of the property; and

(b) There is no other reasonable use with less impact on the critical area; and

(c) The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site; and

(d) Any alterations permitted to these critical areas shall be the minimum necessary to allow for reasonable use of the property.

(e) The inability to derive reasonable economic use is not the result of the applicant's actions or that of a previous property owner, including, but not limited to, segregating or dividing the property in a manner that created an undevelopable condition, or exacerbating an existing condition to such a degree that reasonable economic use is no longer possible under the terms of this chapter.

(f) No reasonable use application shall be approved if the city can demonstrate, by a preponderance of the evidence, that the applicant had actual or constructive knowledge of existing conditions, at any time prior to the applicant's acquisition of the subject property, that would significantly lessen the applicant's distinct, investment-backed expectations in acquiring the subject property.

(4) Alterations. Any authorized alteration of a critical area under this section shall be subject to conditions established by the city of Granite Falls and shall require mitigation under an approved mitigation plan.

(E) Relationship to Other Regulations.

(1) These critical areas regulations shall apply as an overlay and in addition to zoning, land use and other regulations established by the city. In the event of any conflict between these regulations and any other regulations of the city, the regulations that provide greater protection to environmentally critical areas shall apply.

(2) Areas characterized by particular critical areas may also be subject to other regulations established by this chapter due to overlap or multiple functions of some critical resources or critical areas. Wetlands, for example, may be defined and regulated according to the wetland and habitat provisions of this chapter. In the event of any conflict between regulations for any particular critical areas in this chapter, the

regulations which provide greater protection to environmentally critical areas shall apply.

(F) Variances. Variances from the standards of this chapter may be authorized by the hearing examiner in accordance with the procedures set forth in GFMC [19.04C.055](#). In granting such a variance, hearing examiner shall find:

(1) Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, or the size or nature of the critical area, the strict application of this title would deprive the property owner of reasonable use of their property;

(2) The granting of the variance is the minimum necessary to accommodate the development proposal and will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated, or contrary to the goals and purposes of this chapter.

[\(3\) If a variance application for stream buffers is merged with a pending shoreline development permit application, the applicant shall pay the city a single fee equal to the amount of the shoreline permit; and](#)

[\(4\) No variance from stream buffers shall be granted which is inconsistent with the policies of the Shoreline Management Act of the state of Washington and the city's shoreline master program of the city of Granite Falls; and](#)

[\(5\) Best available science, as set forth in this section, shall be taken into consideration in the granting of a buffer width variance.](#)

(G) Other General Requirements.

(1) A record of notice shall be placed on the title of any property subject to these critical areas regulations in the development review process.

(2) A notice shall be provided to any adjacent property that may be impacted by critical areas buffers as required in this chapter.

[\(3\) The City's critical area maps are not exhaustive and additional critical areas may exist on a site that are not mapped. It is the responsibility of the property owner to confirm the presence of any potential critical areas and to identify all critical areas.](#)

(H) Critical Area Determinations.

(1) Special Studies Required.

(a) When an applicant submits an application for any alteration proposal, the application shall indicate whether any environmentally critical area or buffer is located on the site. The designated official shall visit the subject property and review the information submitted by the applicant along with any other available information. If the designated official determines that the site potentially includes, is adjacent to, or could have probable significant adverse impacts to critical areas [and their buffers](#), the designated official shall notify the applicant that a special study(ies) is required. Any decision to require a critical area study pursuant to this chapter may be appealed to the hearing examiner upon filing a notice of appeal with the city clerk within 10 working days after the date of the designated official's decision.

(2) Waivers from Study Requirements. The designated official may waive the requirement for a special study if there is substantial proof showing that:

(a) There will be no alteration of the critical areas or required buffer; and

(b) The alteration proposal will not impact the critical areas [and their buffers](#) in a manner contrary to the purpose, intent and requirements of this chapter; and

(c) The minimum standards required by this chapter are met.

(3) Exceptions to Study Requirements. No special study is required for the following alteration proposals:

(a) Alterations that are exempt from the provisions of this chapter as set forth in subsection (C) of this section; and

(b) A residential building permit for a lot that was subject to a previous special study of critical areas; provided, that the previous special study adequately identified the impacts associated with the current alteration proposal.

(4) Contents of Special Study.

(a) Best available science shall be used in the special study and the Washington Department of Fish and Wildlife PHS database shall be consulted in the preparation of the study.

(b) Wetlands Special Study. Required wetland studies shall be conducted by a qualified wetlands biologist.

(i) A map, of a scale no smaller than one inch equals 200 feet, and five-foot contours of the surveyed wetland boundary as determined by following the

methods described in the [“approved federal wetland delineation manual, the most current version of the “Washington State Wetland Rating System for Western Washington,” and applicable regional supplements.](#) ~~Washington State Wetlands Identification and Delineation Manual” (Publication No. 96-94), March 1997.~~

(ii) The site plan for the proposed activity at the same scale as the wetland map, showing the extent of the proposed activity in relationship to the surveyed wetland.

(iii) A written analysis of the existing wetland type/classification including existing vegetation, soils, and hydrology (source of water in the system, relative water quality, seasonality of presence of water, if applicable). The existing wetland shall be classified according to subsection (I)(2) of this section. The written analysis must also classify wetlands according to the adopted Ecology’s [“Washington State Wetland Rating System for Western Washington \(Ecology Publication #23-06-009\)](#) ~~Wetland Rating System for Western Washington – 2014 Update” (Ecology Publication No. 04-06-025), October 2014, or as revised.~~ All data forms must be submitted for review.

(c) Landslide Hazard Special Study. Required landslide hazard studies shall be prepared by a professional engineer licensed by the state of Washington with expertise in geotechnical engineering.

(i) A contour map of the proposed site, at a scale no smaller than one inch equals 100 feet and five-foot contours. The site and the extent of the critical landslide hazard area as determined by the criteria in subsection (J)(3) of this section shall be clearly delineated.

(ii) A discussion of surface and subsurface geologic conditions of the site.

(iii) Review of site history regarding landslides.

(iv) A description of how the proposed development will or will not impact each of the following on the subject area and adjoining property:

- A. Slope stability;
- B. Drainage;
- C. Springs or seeps or any other surface water;
- D. Existing vegetation.

(v) Recommended surface water management controls during construction.

(d) Critical Erosion Hazard Area Special Studies. Required critical erosion hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

(i) A map, of a scale no smaller than one inch equals 200 feet, of the site and the extent of the critical erosion hazard area as determined by the criteria in subsection (J)(4) of this section.

(ii) Review site history regarding erosion.

(iii) Identification of surface water management, erosion, and sediment controls appropriate to the site and proposal.

(e) Seismic Hazard Area Special Studies. Required critical seismic hazard studies shall be prepared by a professional engineer licensed by the state of Washington.

(i) A map, of a scale no smaller than one inch equals 200 feet, and five-foot contours, of the site and the extent of the seismic hazard area as determined by the criteria in subsection (J)(5) of this section.

(ii) Discussion of the potential impacts from the proposed development, and specific measures designed to mitigate any potential adverse impacts of the proposal.

(f) Critical Habitat Special Studies.

(i) Required critical habitat studies shall be prepared by a qualified biologist with expertise in wildlife habitats.

(ii) A map of a scale no smaller than one inch equals 200 feet of the site and the extent of the critical habitat area as determined by the criteria in subsection (J)(6) of this section.

(g) Aquifer Recharge Area Special Studies.

(i) Required critical aquifer recharge area studies shall be prepared by a geologist or individual with experience preparing hydrogeologic assessments.

(ii) A map of a scale no smaller than one inch equals 200 feet of the site and the extent of the high significance aquifer recharge area as determined by the criteria in subsection (J)(13) of this section.

(I) Critical Areas Classifications.

(1) Scope. To promote consistent application of the standards and requirements of this title, critical areas within the city shall be rated and classified according to their characteristics, function and value, and/or their sensitivity to disturbance.

(2) Wetlands Classification and Delineation. Wetlands shall be designated Category I, Category II, Category III and Category IV, according to Ecology's [Wetland Rating System for Western Washington \(Ecology Publication #23-06-009\)](#) ~~“Washington State Wetland Rating System for Western Washington – 2014” (Ecology Publication No. 04-06-025), October 2014, or as revised.~~ Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done by a qualified wetland professional in accordance with the approved federal wetland delineation manual, the most current version of the “Washington State Wetland Rating System for Western Washington,” and applicable regional supplements.

(3) Geologically Hazardous Areas.

(a) Designation. The following are considered geologically hazardous areas and shall not be altered except as otherwise provided by this chapter:

(i) Slopes of 40 percent or greater;

(ii) Landslide hazard areas;

(iii) Seismic hazard areas;

(iv) Erosion hazard areas when associated with other environmentally sensitive areas;

[\(iv\) Channel migration hazard](#)

~~(v) Other areas which the city has reason to believe are geologically hazardous.~~

(b) Protective Requirements.

(i) Development proposals on properties which are designated as or which the city has reason to believe are geologically hazardous areas shall have a

standard buffer of 25 feet from the top, toe and sides of such areas, [or as specified in subsections \(I\)\(4\) and \(I\)\(7\)](#).

(ii) The setback buffer requirement listed in subsection (I)(3)(b)(i) of this section may be increased by the city when necessary to protect public health, safety and welfare, based upon information contained in a geotechnical report or for other reasons related to the geologically hazardous conditions of the lot.

(iii) The setback buffers required by this subsection shall be maintained in native vegetation to provide additional soil stability and erosion control. If the buffer area has been cleared, it shall be replanted with native vegetation.

(c) Permitted Alterations. Unless associated with another environmentally sensitive area, the designated official may allow alterations of an area identified as a geologically hazardous area or the standard buffers listed in subsection (I)(3)(b) of this section if he/she approves a geotechnical report which demonstrates that:

(i) The proposed development will not create a hazard to the subject property, surrounding properties, or rights-of-way, erosion or sedimentation to off-site properties or bodies of water;

(ii) The proposal addresses the existing geological constraints of the site, including an assessment of soils and hydrology;

(iii) The proposed method of construction will reduce erosion potential, landslide and seismic hazard potential, and will improve or not adversely affect the stability of slopes;

(iv) The proposal uses construction techniques which minimize disruption of existing topography and natural vegetation;

(v) The proposal is consistent with the purposes and provisions of this chapter;

(vi) The proposal mitigates all impacts identified in the geotechnical report; and

(vii) All (utilities and access roads or driveways to and within the site are located so as to require the minimum amount of modifications to slopes, vegetation or geologically hazardous areas.

(d) Additional Requirements. As part of any approval of development on or adjacent to geologically hazardous areas or within the standard buffers required by subsection (l)(3)(b) of this section, the city may require:

(i) An environmentally critical area protective covenant or tract for the area approved for alteration or any geologically hazardous area not approved for alteration;

(ii) The presence of the geotechnical consultant on the site to supervise during clearing, grading, filling and construction activities which may affect geologically hazardous areas, and provide the city with certification that the construction is in compliance with his/her recommendations and has met with his/her approval, and other relevant information concerning the geologically hazardous conditions of the site;

(iii) Vegetation and other soil-stabilizing structures or materials be retained or provided.

(34) Landslide Hazard Areas. Development proposals on sites containing Class I and Class II landslide hazards shall meet the following requirements:

(a) Essential public facilities shall not be sited within a geologically hazardous area or its buffers.

(b) Buffer Requirement. A buffer shall be established from all edges of landslide hazard areas. The size of the buffer shall be determined by ~~the city designated official~~ a geotechnical engineer licensed by the state of Washington to eliminate or minimize the risk of property damage, death, or injury resulting from landslides caused in whole or part by the development, based upon review of and concurrence with a landslide hazard special study. The buffer shall be equal to the height of the slope or 50 feet, whichever is greater. The buffer may be reduced to a minimum of 10 feet when a qualified professional demonstrates to the city designated official's satisfaction that the reduction will adequately protect the proposed development, adjacent developments, and uses and the subject critical area. The buffer may be increased where the city designated official determines a larger buffer is necessary to prevent risk of damage to proposed and existing development. The edge of the buffer shall be clearly staked, flagged, and fenced prior to any site clearing or construction. Field marking shall be shown on the construction plans and shall remain in place, in functional condition, for the duration of construction.

(c) Alterations. Alterations of a landslide hazard area and/or buffer may only occur for activities for which a hazards analysis is submitted and certifies that:

- (i) The development will not increase surface water discharge or sedimentation to adjacent properties beyond predevelopment conditions;
- (ii) The development will not decrease slope stability on adjacent properties; and
- (iii) Such alterations will not adversely impact other critical areas.

(d) **Impervious Surface Ratio.** An impervious surface ratio is a measurement of the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted sand, rock, compacted rock, limerock or clay. The maximum impervious surface ratios for Class I and Class II landslide hazard areas are set forth in Table 3 of this subsection.

(e) **Native Vegetation.** Native vegetation is plant species that are indigenous and naturalized to the Granite Falls region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds. The minimum percentage of native vegetation that must be retained on sites including Class I or Class II landslide hazard areas is set forth in Table 4 of this section.

Table 4
Impervious Surface and Native Vegetation Requirements for Landslide Hazard Areas

Landslide Hazard Class	Maximum Impervious Surface Ratio	Minimum Percentage of Native Vegetation Retained
Class II	0.30	65%
Class I	0.20	75%

(f) **Development Design.**

- (i) Structures and improvements shall be clustered to retain as much open space as possible and to preserve the natural topographic features of the site.

(ii) Structures and improvements shall conform to the natural contour of the slope.

(iii) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.

(iv) The use of retaining walls which allow the maintenance of existing natural slope area is preferred over graded artificial slopes.

(g) Additional Standards for Class I Landslide Hazards.

(i) Alteration of Class I landslide hazard areas is permitted only if the development proposal can be designed so that the landslide hazard to the project and the adjacent property is eliminated or mitigated and the development proposal on that site is certified as safe by a geotechnical engineer licensed in the state of Washington.

(ii) Development or alteration shall be prohibited on parcels with a lot slope of greater than 40 percent.

(h) Assurances required of the applicant and the qualified scientific professional for landslide hazard areas may at the discretion of the designated official include:

(i) A letter from the applicant, or the owner of the property if not the applicant, stating its understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard; or

(ii) A legally enforceable agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the city of Granite Falls, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Granite Falls for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal.

(45) Erosion Hazard Areas. Alteration of a site containing a critical erosion hazard area shall meet the following requirements:

- (a) All alteration proposals shall submit an erosion control plan consistent with this section prior to receiving approval.
- (b) Clearing on erosion hazard areas is allowed from April 1st to November 1st only.
- (c) Only that clearing necessary to install temporary sedimentation and erosion control measures shall occur prior to clearing for roadways or utilities.
- (d) Clearing limits for roads, water, wastewater, and stormwater utilities, and temporary erosion control facilities shall be marked in the field and approved by designated official prior to any alteration of existing native vegetation.
- (e) The authorized clearing for roads and utilities shall be the minimum necessary to accomplish project-specific engineering designs and shall remain within approved rights-of-way.
- (f) All trees and understory shall be retained on lots or parcels; provided, that understory damaged during approved clearing operations may be pruned or replaced.

~~(5) Seismic Hazard Areas. Development proposals on sites containing mapped seismic hazard areas may make alterations to a seismic hazard area only when the applicant demonstrates and the designated official concludes that:~~

~~(a) Evaluation of site-specific subsurface conditions shows that the site is not located in a seismic hazard area; or~~

~~(b) Mitigation is implemented which renders the proposed development as safe as if it were not located in a seismic hazard area, as certified by a geotechnical engineer licensed by the state of Washington.~~

(6) Seismic Hazard Areas.

(a) For all nonexempt activities, except the construction of wood frame structures less than 5,000 square feet and all prefabricated structures less than 2,000 square feet, proposed within seismic hazard areas, a geotechnical report prepared by a professional engineer, geologist, or engineering geologist licensed by the state of Washington with expertise in geotechnical engineering shall be submitted.

(b) The geotechnical report shall address the existing geologic, topographic and hydrologic conditions on a site, including an evaluation of the ability of the soil

and structure to withstand the anticipated earthquake ground shaking and subsequent effects.

(c) The geotechnical report shall include a discussion of the mitigation measures which can be taken to reduce seismic risks associated with the underlying surficial geology.

(d) The geotechnical report shall include an evaluation of the effectiveness of the proposed mitigation measures as certified by a geotechnical engineer licensed by the state of Washington.

(e) The development proposal may be approved, approved with conditions, or denied based on the City's evaluation of the ability of the proposed mitigation measures to reduce seismic risks associated with the underlying surficial geology.

(f) The development may be approved subject to additional review of the architectural and structural drawings by the building official for conformance with the geotechnical report and recommendations.

(g) Should an applicant question the presence of seismic hazard areas on-site, the applicant may submit a geotechnical assessment sufficient to demonstrate to the building official's satisfaction, that the site is not located in a seismic hazard area. If the building official determines that the site is not in a seismic hazard area, the provisions of this section may be waived.

(7) Channel Migration Hazard Areas. Activities on sites containing channel migration hazard areas shall meet the following requirements:

(a) Sites within the 100-year floodplain of the North Fork Stillaguamish River or the Pilchuck River, shall have a minimum 50-foot buffer from the channel migration zone. The floodways for the North Fork Stillaguamish River and the Pilchuck River are as mapped by FEMA on map 53061C0755F, dated June 19, 2020 shall be used as a surrogate for the severe channel migration zone. If the floodway is mapped differently in the future by FEMA, the map with the largest area mapped as floodway shall be used as a surrogate for the channel migration zone.

(b) For sites located within the 100-year floodplain of the North Fork Stillaguamish River or the Pilchuck River, applicants shall identify the channel migration zone on the site plan, as delineated by a licensed engineer or qualified professional with geomorphology or related training.

(c) The edge of the buffer shall be clearly staked, flagged, and fenced prior to any site clearing or construction. Field marking shall be shown on the construction plans and shall remain in place, in functional condition, for the duration of construction.

(d) Assurances required of the applicant and the qualified scientific professional for channel migration hazards may at the discretion of the designated official include:

(i) A letter from the applicant, or the owner of the property if not the applicant, stating its understanding and acceptance of any risk of injury or damage associated with development of the site and agreeing to notify any future purchasers of the site, portions of the site, or structures located on the site of the geologic hazard; or

(ii) A legally enforceable agreement, which shall be recorded as a covenant and noted on the face of the deed or plat, and executed in a form satisfactory to the city of Granite Falls, acknowledging that the site is located in a geologic hazard area; the risks associated with development of such site; and a waiver and release of any and all claims of the owner(s), their directors, employees, successors or assigns against the city of Granite Falls for any loss, damage or injury, whether direct or indirect, arising out of issuance of development permits for the proposal.

~~(48) Fish and Wildlife Habitat Conservation Areas Classification. Fish and wildlife habitat conservation areas shall be classified as critical ~~or secondary according to the criteria in this section~~ areas. ~~Critical habitats~~ Fish and Wildlife Habitat Conservation Areas are those habitat areas which meet any of the following criteria:~~

~~(a) The documented presence of species listed by the federal government, ~~state of Washington~~ and the Washington State Department of Fish and Wildlife priority species and habitats (PHS) database as endangered, threatened, sensitive or critical.~~

~~(b) Those streams identified as “shorelines of the state” under the city’s shoreline master program.~~

~~(c) Those wetlands identified as Category I wetlands, as defined in this chapter.~~

~~(5) Aquifer Recharge Classification. Aquifer recharge areas are classified as high, moderate, or low significance aquifer recharge areas according to the following criteria:~~

~~(a) High Significance Aquifer Recharge Areas. High significance aquifer recharge areas are areas with slopes of less than 15 percent that are underlain by coarse alluvium or sand and gravel.~~

~~(b) Moderate Significance Aquifer Recharge Areas. Moderate significance aquifer recharge areas are:~~

~~(i) Areas with slopes of less than 15 percent that are underlain by fine alluvium, silt, clay, glacial till, or deposits from the Electron Mudflow; and~~

~~(ii) Areas with slopes of 15 percent to 30 percent that are underlain by sand and gravel.~~

~~(c) Low Significance Aquifer Recharge Areas. Low significance aquifer recharge areas are:~~

~~(i) Areas with slopes of 15 percent to 30 percent that are underlain by silt, clay, or glacial till; and~~

~~(ii) Areas with slopes greater than 30 percent. Low significance aquifer recharge areas are not designated critical areas and are exempt from critical areas review requirements.~~

(69) Flood Hazard Classification. Flood hazard areas consist of the following components, as determined by the city:

(a) Floodplain. The total area subject to inundation by the base flood.

(b) Flood Fringe. That portion of the floodplain outside the floodway which is generally covered by flood waters during the base flood. It is generally associated with standing water rather than rapidly flowing water.

(c) Floodway. The channel of the stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot.

(J) Performance Standards for Critical Areas.

(1) General Requirements. All boundaries of critical areas established by the requirements of this chapter shall be clearly marked prior to any construction activities. All wetland and habitat buffers shall be permanently signed prior to final approval.

(2) Wetlands.

(a) Allowed Activities within Wetlands. The following uses shall be allowed within a wetland, provided they are conducted using best management practices:

- (i) Outdoor recreational activities, including fishing, bird watching, hiking, swimming, and canoeing.
- (ii) The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops.
- (iii) Existing and ongoing agricultural activities, as defined in this chapter.
- (iv) The maintenance of drainage ditches.
- (v) Nature Trails. Trails in wetlands or buffers should be limited to permeable surfaces no more than five feet in width for pedestrian use only. Trails should be located only in the outer 25 percent of a wetland buffer, and should be located to avoid removal of significant trees (over 18 inches diameter).
- (vi) Utility lines.

(b) Allowed Activities within Wetland Buffers. In addition to those activities allowed in subsection (J)(2)(a) of this section, the following activities are allowed within wetland buffers; provided, that buffer impacts are minimized and that disturbed areas are immediately restored:

- (i) Normal maintenance and repair of existing serviceable structures or improved areas. Maintenance and repair does not include modifications that change the character, scope or size of the original structure or improved area.
- (ii) Vegetation-lined swales or other vegetated low impact facilities designed for stormwater management; provided, that they are placed within the outer 25 percent of the buffer of Category ~~III~~IV wetlands only.

(c) Required Buffers.

- (i) Buffer Requirements. The standard buffer widths in Table 1 shall be required for wetlands based on the [wetland category, the level of impacts from adjacent land uses, and the functions or special characteristics of the wetland](#) ~~class of wetland as outlined in subsection (I)(2) of this section~~. The

city may allow buffer averaging as set forth in subsection (J)(2)(c)(iv) of this section. [The standard buffers in Table 1 below are required when the minimization measures listed in Table 3 are not implemented.](#)

Table 1

Wetland Buffer Width Requirements Without Minimization Measures

Wetland Category	Habitat score 3-5 points (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	Required Buffer Width based on special characteristics
Category I or II: Based on rating of wetland functions (and not listed below) Category I	100	150	300	N/A 150 feet
Category I: Bogs and Wetlands of High Conservation Value Category II	N/A	N/A	300	250 75 feet
Category I: Forested Category III	100	150	300	N/A 60 feet
Category III: All types Category IV	80	150	300	N/A 40 feet
Category IV		50	50	50 N/A

(ii) [Buffer Requirements.](#) The buffer widths in Table 2 shall be required for wetlands based on the wetland category, the level of impacts from adjacent land uses, and the functions or special characteristics of the wetland. The city may allow buffer averaging as set forth in subsection (J)(2)(c)(iv) of this section. [The standard buffers in Table 2 below are required when a habitat corridor and the minimization measures listed in Table 3 are implemented.](#)

Table 2

Wetland Buffer Width Requirements With Minimization Measures

Wetland Category	Habitat score 3-5 points (corridor not required)	Habitat score 6-7 points	Habitat score 8-9 points	Required Buffer Width based on special characteristics
<u>Category I or II: Based on rating of wetland functions (and not listed below)</u>	<u>75</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category I: Bogs and Wetlands of High Conservation Value</u>	<u>N/A</u>	<u>N/A</u>	<u>225</u>	<u>190</u>
<u>Category I: Forested</u>	<u>75</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category III: All types</u>	<u>60</u>	<u>110</u>	<u>225</u>	<u>N/A</u>
<u>Category IV: All types</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>N/A</u>

A. The buffers in Table 2 above can only be utilized for wetlands that score 6 points or more for habitat function if all of the following criteria are met.

a. A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and:

i. A legally protected, relatively undisturbed and vegetated area; or

ii. An area that is the site of a Watershed Project identified within, and fully consistent with, a Watershed Plan as defined by RCW 89-08-460; or

iii. An area where development is prohibited according to the provisions of the shoreline master program; or

iv. An area with equivalent habitat quality that has conservation status in perpetuity, in consultation with WDFW.

b. The corridor is permanently protected for the entire distance between the wetland and the shoreline or legally protected area by a conservation easement, deed restriction, or other legal site protection mechanisms.

c. Presence or absence of the shoreline or Priority Habitat must be confirmed by a qualified biologist or shoreline Administrator.

d. The minimization measures in Table 3 are implemented, as applicable, to minimize the impacts of the adjacent land uses.

B. For wetlands that score 5 or fewer habitat points, only the measures in Table 3 are required for the use of the buffers in Table 2.

C. If an applicant does not apply the mitigation measures in Table 3 or is unable to provide a protected corridor, then the buffers in Table 1 shall be used.

D. The buffer widths in Tables 1 and 2 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, degraded, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer must either be planted to create the appropriate native plant community or be widened to ensure that the buffer provides adequate functions to protect the wetland.

(iii) Removal of Vegetation within the Buffer. Removal or alteration of existing vegetation in the buffer areas shall be prohibited except as provided for in subsections (J)(2)(a) and (J)(8) of this section. Any disturbance of the buffer area shall be replanted with a diverse plant community of native vegetation appropriate for the site and approved by the designated official.

(iv) Increased Wetland Buffer Area Width. Buffer widths shall be increased on a case-by-case basis as determined by the designated official when a larger buffer is necessary to protect wetland functions and values. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of the wetland. The documentation must include but not be limited to the following criteria:

A. The wetland is used by a plant or animal species listed by the federal government or the state as endangered, threatened, candidate, sensitive, monitored or documented priority species or habitats, or essential or outstanding habitat for those species or has unusual

nesting or resting sites such as heron rookeries or raptor nesting trees;
or

B. The adjacent land is susceptible to severe erosion, and erosion-control measures will not effectively prevent adverse wetland impacts;
or

C. The adjacent land has minimal vegetative cover or slopes greater than 30 percent.

Table 23

Required Measures to Minimize Impacts to Wetlands

(Measures are required, where applicable to a specific proposal.)

Type of Disturbance	Required Measures to Minimize Impact
Lights	<ul style="list-style-type: none"> <li data-bbox="732 890 1102 1010">☐ Direct lights down and away from the wetland. <li data-bbox="732 1016 1102 1205">☐ Only use lighting where necessary for public safety and keep lights off when not needed. <li data-bbox="732 1211 1102 1287">☐ Use motion-activated lights. <li data-bbox="732 1293 1102 1444">☐ Use full cut-off filters to cover light bulbs and direct light only where needed. <li data-bbox="732 1451 1102 1570">☐ Limit use of blue-white colored lights in favor of red-amber hues. <li data-bbox="732 1577 1102 1652">☐ Use lower-intensity LED lighting. <li data-bbox="732 1659 1102 1734">☐ Dim light to the lowest acceptable intensity.
Noise	☐ Orient noise-generating activities

Type of Disturbance	Required Measures to Minimize Impact
	<p>away from wetland edge.</p> <p>? Plant a strip of dense shrub vegetation adjacent to wetland buffer.</p>
Toxic runoff	<p>? Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered.</p> <p>? Establish covenants limiting use of pesticides and herbicides within 150 feet of wetland buffer.</p> <p>? Apply integrated pest management.</p>
Stormwater runoff	<p>? Retrofit stormwater detention and treatment for roads and existing adjacent development.</p> <p>? Prevent channelized flow from lawns that directly enters the buffer.</p> <p>? Infiltrate or treat, detain, and disperse new runoff from impervious surfaces and lawns.</p>
Change in water regime	<p>? ♦-Apply appropriate stormwater management to</p>

Type of Disturbance	Required Measures to Minimize Impact
	infiltrate, treat, detain, and disperse runoff appropriately and only into outer edge of buffer, if allowed.
Pets and human activity	<p>☐ Use privacy split rail fencing or plant dense native vegetation to delineate buffer edge and to discourage entry into buffer by humans and pets.</p> <p>☐ Place wetland and buffer in a NGPA or tract.</p> <p>☐ Signs shall be posted along the buffer boundary at a minimum rate of one every 100 lineal feet or one per lot, whichever is closer.</p> <p>☐ When platting new subdivisions, locate greenbelts, stormwater facilities, and other lower-intensity uses adjacent to wetland buffers.</p>
Dust	☐ • Use best management practices to control dust.

Type of Disturbance	Required Measures to Minimize Impact
Disruption of corridors or connections	<input type="checkbox"/> • Maintain connections to off-site areas that are undisturbed.
	<input type="checkbox"/> • Restore corridors or connections to off-site habitats by replanting.

(iv) Buffer Averaging. Buffer averaging to improve wetland protection may be permitted when all of the following conditions are met:

A. The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a “dual-rated” wetland with a Category I area adjacent to a lower-rated area.

B. The buffer is increased adjacent to the higher-functioning area of habitat or more-sensitive portion of the wetland and decreased adjacent to the lower-functioning or less-sensitive portion as demonstrated by a critical areas report from a qualified wetland professional.

C. The total area of the buffer after averaging is equal to the area required without averaging.

D. The buffer at its narrowest point is never less than either 75 percent of the required width or 75 feet for Category I and II, 50 feet for Category III, and 25 feet for Category IV, whichever is greater.

(vi) Measurement of Wetland Buffers. All buffers shall be measured perpendicular from the wetland boundary as surveyed in the field. The buffer for a wetland created, restored, or enhanced as compensation for approved wetland alterations shall be the same as the buffer required for the target category of the created, restored, or enhanced wetland. Only fully vegetated buffers will be considered. Existing lawns, walkways, driveways, and other mowed or paved areas will not be considered to be buffers or included in buffer area calculations.

(d) Wetland Mitigation and Restoration.

(i) Mitigation. All adverse impacts to wetlands shall be mitigated to the extent feasible and reasonable. Mitigation actions by an applicant or property owner shall occur in the following preferred sequence:

- A. Avoiding the impact altogether by not taking certain actions or parts of actions;
- B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- C. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- D. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- E. Compensating for the impact by replacing or providing substitute resources or environments; and/or
- F. Monitoring the impact and taking appropriate corrective measures.

(e) Monitoring Program and Contingency Plan. A monitoring program shall be implemented by the applicant to determine the success of the mitigation project and any necessary corrective actions. This program shall determine if the original goals and objectives are being met.

(i) A contingency plan shall be established for indemnity in the event that the mitigation project is inadequate or fails. In addition to the bonding requirements in the development guidelines for public works standards, the applicant shall submit a performance and maintenance bond or other acceptable security device for financial guarantee(s). These devices are required to ensure the applicant's compliance with terms of the mitigation agreement. The amount of the performance and maintenance bond shall equal 150 percent of the cost of the mitigation project for a minimum of five years. The bond may be reduced in proportion to work successfully completed over the period of the bond if performance standards are meeting or exceeding goals. The bonding period shall coincide with the monitoring period.

(ii) Monitoring programs prepared to comply with this section shall reflect the following guidelines:

A. Scientific procedures shall be used to establish the success or failure of the project.

B. For vegetation determinations, permanent sampling points shall be established.

C. Vegetative success shall, at a minimum, equal 80 percent survival of planted trees and shrubs and 80 percent cover of desirable understory or emergent plant species at the end of the required monitoring period or the performance standards set forth in the mitigation plan.

Additional standards for vegetative success, including, but not limited to, minimum survival standards following the first growing season, may be required after consideration of a report prepared by a qualified consultant.

D. For hydrology determinations, permanent sampling points or wells shall be established.

E. Hydrology success shall, at a minimum, show 14 consecutive days of saturation to the surface during the growing season or the performance standard set forth in the mitigation plan.

F. Monitoring reports on the current status of the mitigation project shall be submitted to the city.

G. The reports are to be prepared by a qualified consultant and reviewed by the city or a consultant retained by the city and should include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, as applicable, and shall be produced on the following schedule: at the time of construction; 30 days after planting; early in the growing season of the first year; at the end of the growing season of the first year; twice during the second year; and annually thereafter.

H. Monitoring programs shall be established for a minimum of five years.

I. If necessary, failures in the mitigation project shall be corrected.

J. Dead or undesirable vegetation shall be replaced with appropriate plantings.

K. Damage caused by erosion, settling, or other geomorphological processes shall be repaired.

L. The mitigation project shall be redesigned (if necessary) and the new design shall be implemented and monitored.

(iii) Mitigation Ratios.

A. Equivalent Areas. Where wetland alterations are permitted by the city, the applicant shall create or enhance wetland areas to compensate for wetland losses. Equivalent areas shall be determined according to acreage, function, type, location, timing factors and projected success of restoration or creation.

B. Acreage Replacement Ratio. When creating or enhancing wetlands, the following acreage replacement ratios shall be used where the first number specifies the acreage of replacement wetlands and the second number specifies the acreage of wetlands altered:

Table 3-4

Acreage Replacement Ratio

Wetland Type	Wetland Creation Replacement Ratio (Area)	Rehabilitation	Preservation	Wetland Enhancement Ratio (Area)
Category I	6 :1	<u>8</u> :1	<u>16</u> :1	<u>16</u> :1 15 :1
Category II	3:1	<u>6</u> :1	<u>12</u> :1	<u>12</u> :1 10 :1
Category III	2:1	<u>4</u> :1	<u>8</u> :1	<u>8</u> :1 6 :1
Category IV	<u>1.5</u> :1 1.5 :1	<u>3</u> :1	<u>6</u> :1	<u>6</u> :1 4 :1

Note: Ratios for creation, rehabilitation, preservation, and enhancement may be reduced when combined with 1:1 replacement through creation or re-establishment. See Table 1a, Wetland Mitigation in Washington State - Part 1: Agency Policies and Guidance - Version 2, (Ecology Publication #21-06-003, Olympia, WA, April 2021 or as revised).

(f) Increased Replacement Ratios. The designated official may increase the ratios under the following circumstances:

- (i) Uncertainty exists as to the probable success of the proposed restoration or creation;
- (ii) A significant period of time will elapse between impact and replication of wetland functions;
- (iii) Proposed mitigation will result in a lower category wetland or reduced functions relative to the wetland being impacted;
- (iv) The impact was an unauthorized impact; or
- (v) Where mitigation is to occur off site.

(g) Restoration. Restoration is required when a wetland or its buffer has been altered in violation of this title. The following minimum performance standards shall be met for the restoration of a wetland; provided, that if it can be demonstrated by the applicant that greater functional and habitat values can be obtained, these standards may be modified:

- (i) The original wetland configuration should be replicated including depth, width, and length at the original location;
- (ii) The original soil types and configuration shall be replicated;
- (iii) The wetland and buffer areas shall be replanted with native vegetation which replicates the original in species, sizes and densities; and
- (iv) The original functional values shall be restored, including water quality and wildlife habitat functions.

(h) Wetland Mitigation Banks.

Wetland mitigation banks are a site where wetlands are restored, created, enhanced or, in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

(i) Credits from a wetland bank may be approved for use as compensation for unavoidable impacts to wetlands when:

(aA) The bank is certified under Chapter 173-700 WAC;

(bB) The ~~community~~ designated official determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and

(eC) The proposed use of credits is consistent with the terms and conditions of the bank's certification.

(2ii) Replacement ratios for projects using bank credits shall be consistent with the terms and conditions of the bank's certification.

(3iii) Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.

~~(3) Landslide Hazard Areas. Development proposals on sites containing Class I and Class II landslide hazards shall meet the following requirements:~~

~~(a) Essential public facilities shall not be sited within a geologically hazardous area or its buffers.~~

~~(b) Buffer Requirement. A buffer shall be established from all edges of landslide hazard areas. The size of the buffer shall be determined by the city designated official to eliminate or minimize the risk of property damage, death, or injury resulting from landslides caused in whole or part by the development, based upon review of and concurrence with a landslide hazard special study. The buffer shall be equal to the height of the slope or 50 feet, whichever is greater. The buffer may be reduced when a qualified professional demonstrates to the city designated official's satisfaction that the reduction will adequately protect the proposed development, adjacent developments, and uses and the subject critical area. The buffer may be increased where the city designated official determines a larger buffer is necessary to prevent risk of damage to proposed and existing development.~~

~~(c) Alterations. Alterations of a landslide hazard area and/or buffer may only occur for activities for which a hazards analysis is submitted and certifies that:~~

~~(i) The development will not increase surface water discharge or sedimentation to adjacent properties beyond predevelopment conditions;~~

(ii) The development will not decrease slope stability on adjacent properties; and

(iii) Such alterations will not adversely impact other critical areas:

(d) **Impervious Surface Ratio.** An impervious surface ratio is a measurement of the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces include, but are not limited to, roofs and streets, sidewalks and parking lots paved with asphalt, concrete, compacted sand, rock, compacted rock, limerock or clay. The maximum impervious surface ratios for Class I and Class II landslide hazard areas are set forth in Table 3 of this subsection:

(e) **Native Vegetation.** Native vegetation is plant species that are indigenous and naturalized to the Granite Falls region and which can be expected to naturally occur on a site. Native vegetation does not include noxious weeds. The minimum percentage of native vegetation that must be retained on sites including Class I or Class II landslide hazard areas is set forth in Table 4 of this section:

Table 4

Impervious Surface and Native Vegetation Requirements for Landslide Hazard Areas

Landslide Hazard Class	Maximum Impervious Surface Ratio	Minimum Percentage of Native Vegetation Retained
Class II	0.30	65%
Class I	0.20	75%

(f) **Development Design:**

(i) Structures and improvements shall be clustered to retain as much open space as possible and to preserve the natural topographic features of the site:

(ii) Structures and improvements shall conform to the natural contour of the slope:

(iii) Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation:

(iv) The use of retaining walls which allow the maintenance of existing natural slope area is preferred over graded artificial slopes:

(g) Additional Standards for Class I Landslide Hazards:

(i) Alteration of Class I Landslide hazard areas is permitted only if the development proposal can be designed so that the landslide hazard to the project and the adjacent property is eliminated or mitigated and the development proposal on that site is certified as safe by a geotechnical engineer licensed in the state of Washington:

(ii) Development or alteration shall be prohibited on parcels with a lot slope of greater than 40 percent:

(4) Erosion Hazard Areas. Alteration of a site containing a critical erosion hazard area shall meet the following requirements:

(a) All alteration proposals shall submit an erosion control plan consistent with this section prior to receiving approval:

(b) Clearing on erosion hazard areas is allowed from April 1st to November 1st only:

(c) Only that clearing necessary to install temporary sedimentation and erosion control measures shall occur prior to clearing for roadways or utilities:

(d) Clearing limits for roads, water, wastewater, and stormwater utilities, and temporary erosion control facilities shall be marked in the field and approved by designated official prior to any alteration of existing native vegetation:

(e) The authorized clearing for roads and utilities shall be the minimum necessary to accomplish project-specific engineering designs and shall remain within approved rights-of-way:

(f) All trees and understory shall be retained on lots or parcels; provided, that understory damaged during approved clearing operations may be pruned or replaced:

~~(5) Seismic Hazard Areas. Development proposals on sites containing mapped seismic hazard areas may make alterations to a seismic hazard area only when the applicant demonstrates and the designated official concludes that:~~

~~(a) Evaluation of site-specific subsurface conditions shows that the site is not located in a seismic hazard area; or~~

~~(b) Mitigation is implemented which renders the proposed development as safe as if it were not located in a seismic hazard area, as certified by a [geotechnical professional engineer licensed by the state of Washington](#).~~

(63) Critical Habitat Areas.

(a) All development sites containing wetlands shall conform to the wetland development performance standards set forth in subsection (J)(2) of this section.

(b) All development sites adjacent to the South Fork of the Stillaguamish or Pilchuck Rivers shall retain a 150-foot buffer of native vegetation measured from the ordinary high water mark of the river.

(c) Where nonfish species have been classified as endangered or threatened by the federal government or Department of Wildlife, the applicant shall provide a special study identifying the required habitat and recommending appropriate buffers based on the ~~state~~ [Washington Department of Fish and Wildlife's Priority Habitats and Species \(PHS\) program list and mapping resources](#) ~~Department of Wildlife priority habitat and species management recommendations~~.

(d) For all fish and wildlife habitat areas that have been classified as endangered or threatened by the federal government, the applicant will provide a special study identifying the specified habitat based on the Department of Fish and Wildlife's (DFW) priority habitats and species program.

(e) For all fish and wildlife that have been identified as "sensitive," the applicant will identify the species and note its presence in the SEPA documents and critical areas study.

(74) Classification of Fish and Wildlife Habitat [Conservation](#) -Areas.

(a) Streams. Streams shall be classified according to the stream type system as provided in WAC [222-16-030](#), Stream Classification System, as amended.

(i) Type S Stream. Those streams, within their ordinary high water mark, as inventoried as “shorelines of the state” under Chapter [90.58](#) RCW and the rules promulgated pursuant thereto.

(ii) Type F Stream. Those stream segments within the ordinary high water mark that are not Type S streams, and which are demonstrated or provisionally presumed to be used by the ~~salmonid~~ fish. Stream segments which have a width of two feet or greater at the ordinary high water mark and have a gradient of 16 percent or less for basins less than or equal to 50 acres in size, or have a gradient of 20 percent or less for basins greater than 50 acres in size, are provisionally presumed to be used by ~~salmonid~~ fish. A provisional presumption of ~~salmonid~~ fish use may be refuted at the discretion of the designated official where any of the following conditions are met:

A. It is demonstrated to the satisfaction of the city that the stream segment in question is upstream of a complete, permanent, natural fish passage barrier, above which no stream section exhibits perennial flow;

B. It is demonstrated to the satisfaction of the city that the stream segment in question has confirmed, long-term, naturally occurring water quality parameters incapable of supporting salmonid fish;

C. Sufficient information about geomorphic region is available to support departure from the characteristics described above for the presumption of salmonid fish use, as determined in consultation with the Washington Department of Fish and Wildlife, the Department of Ecology, affected tribes, or others;

D. The Washington State Department of Fish and Wildlife has issued a hydraulic project approval pursuant to RCW [77.55.100](#), which includes a determination that the stream segment in question is not used by salmonid fish;

E. No salmonid fish are discovered in the stream segment in question during a stream survey conducted according to the protocol provided in the Washington Forest Practices Board Manual, Section 13, Guidelines for Determining Fish Use for the Purpose of Typing Waters under WAC [222-16-031](#); provided, that no unnatural fish passage barriers have been present downstream of said stream segment over a period of at least two years.

(iii) Type Np Stream. Those stream segments within the ordinary high water mark that are perennial and are not Type S or Type F streams. However, for the purposes of clarification, Type Np streams include intermittent dry portions of the channel below the uppermost point of perennial flow. If the uppermost point of perennial flow cannot be identified with simple, nontechnical observations (see Washington Forest Practices Board Manual, Section 23), then said point shall be determined by a qualified professional selected or approved by the city.

(iv) Type Ns Stream. Those stream segments within the ordinary high water mark that are not Type S, Type F, or Type Np streams. These include seasonal streams in which surface flow is not present for at least some portion of a year of normal rainfall and that are not located downstream from any Type Np stream segment.

[\(b\) State priority habitats and areas associated with state priority species defined and listed by the Washington Department of Fish and Wildlife in the Priority Habitats and Species List, most recently updated edition.](#)

(85) Fish and Wildlife Habitat Buffer Areas.

(a) The establishment of buffer areas shall be required for regulated activities in or adjacent to habitat areas. Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions and values of the affected habitat. Activities within buffers should not result in any net loss of the functions and values associated with streams and their buffers.

(i) The following buffer widths are established:

Table 5

Fish and Wildlife Habitat Buffer Widths

Streams	Buffer	
Type S	150 feet	
Pitchuck River		
Stillaguamish River		
Type F	100 feet	
Drainage from Lake Gardner below dam		

Table 5-

Fish and Wildlife Habitat Buffer Widths

Streams	Buffer	
Type Np	75 feet	
To be identified by applicant		
Type Ns	50 feet	
To be identified by applicant		

(i) [Fish and wildlife habitat buffers shall be the site potential tree height, as depicted on the Washington Department of Fish and Wildlife \(WDFW\) Site-Potential Tree Height \(SPTH\) Mapping Tool, or 150 feet, whichever is less.](#)

(ii) Federal, State and Local Habitats and Species.

A. Except for waters subject to subsection (J)(8)(a) of this section, and bald eagles subject to subsection (J)(8)(a)(ii)(B) of this section, the establishment of buffer areas may be required for regulated activities in or adjacent to federal, state and local species and habitat areas as designated pursuant to this section. Buffers shall consist of an undisturbed area of native vegetation established to protect the integrity, functions and values of the affected habitat. Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby. Buffers shall be determined by the department based on information in the biological/habitat report, supplemented by its own investigations, the intensity and design of the proposed use, and adjacent uses and activities. Buffers are not intended to be established or to function independently of the habitat they are established to protect. Buffers shall be measured from the edge of the habitat area.

B. Bald eagle habitat shall be protected pursuant to the [federal Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act](#) ~~Washington State Bald Eagle Protection Rules (WAC 232-12-292)~~.

(b) Where existing buffer area plantings provide minimal vegetative cover and cannot provide the minimum water quality or habitat functions, buffer enhancement shall be required. Where buffer enhancement is required, a plan shall be prepared that includes plant densities that are not less than five feet on center for shrubs and 10 feet on center for trees. Monitoring and maintenance of plants shall be required in accordance with this section. Existing buffer

vegetation is considered “inadequate” and will require enhancement through additional native plantings and removal of nonnative plants when:

(i) Nonnative or invasive plant species provide the dominate cover;

(ii) Vegetation is lacking due to disturbance and stream resources could be adversely affected; or

(iii) Enhancement planting in the buffer could significantly improve buffer functions. If, according to the buffer enhancement plan, additional buffer mitigation is not sufficient to protect the habitat, the city shall require larger buffers where it is necessary to protect habitat functions based on site-specific characteristics.

(c) Measurement of Buffers.

(i) Stream Buffers. All buffers shall be measured from the ordinary high water mark as identified in the field or, if that cannot be determined, from the top of the bank. In braided channels and alluvial fans, the ordinary high water mark or top of bank shall be determined so as to include the entire stream feature;

(ii) Combination Buffers. Any stream adjoined by a wetland or other adjacent habitat area shall have the buffer which applies to the wetland or other habitat area unless the stream buffer requirements are more expansive.

(d) Buffer widths may be modified by averaging buffer widths as set forth herein:

(i) Buffer width averaging shall be allowed only where the applicant demonstrates to the designated official that the average will not impair or reduce habitat, water quality purification and enhancement, stormwater detention, ground water recharge, shoreline protection and erosion protection and other functions of the stream and buffer, that the lower intensity land uses would be located adjacent to areas where the buffer width is reduced, and that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.

(ii) Notwithstanding the reductions permitted in subsection (J)(8)(d)(i) of this section, buffer widths shall not be reduced by more than 25 percent of the required buffer.

(e) The buffer width stated in subsection (J)(8)(a)(i) of this section shall be increased in the following circumstances:

(i) When the adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse habitat impacts; or

(ii) When the standard buffer has minimal or degraded vegetative cover that cannot be improved through enhancement; or

(iii) When the minimum buffer for a habitat extends into an area with a slope of greater than 25 percent, the buffer shall be the greater of:

A. The minimum buffer for that particular habitat; or

B. Twenty-five feet beyond the point where the slope becomes 25 percent or less.

(f) The designated official may authorize the following low impact uses and activities, provided they are consistent with the purpose and function of the habitat buffer ~~and~~, do not detract from its integrity, and are determined by a qualified scientific professional to have no detrimental impact. The uses and activities may be permitted within the buffer depending on the sensitivity of the habitat involved. To the extent reasonably practicable, examples of uses and activities which may be permitted in appropriate cases include pedestrian trails, viewing platforms, interpretive signage, utility easements and the installation of underground utilities pursuant to best management practices. Uses permitted within the buffer shall be located in the outer 25 percent of the buffer.

(g) Trails and Open Space. For walkways and trails, associated open space in critical buffers located on public property or on private property where easements or agreements have been granted for such purposes, all of the following criteria shall be met:

(i) The trail, walkway and associated open space shall be consistent with the comprehensive parks, recreation, and open space master plan. The city may allow private trails as a part of the ~~approval~~ site plan, subdivision or other land use permit approvals.

(ii) Trails and walkways shall be located in the outer 25 percent of the buffer, i.e., the portion of the buffer that is farther away from the critical area. Exceptions to this requirement may be made for:

A. Trail segments connecting to existing trails where an alternative alignment is not practical.

B. Public access points to water bodies spaced periodically along the trail.

(iii) Enhancement of the buffer area is required where trails are located in the buffer. Where enhancement of the buffer area adjacent to a trail is not feasible due to existing high quality vegetation, additional buffer area or other mitigation may be required.

(iv) Trail widths shall be a maximum width of 10 feet. Trails shall be constructed of permeable materials; provided, that impervious materials may be allowed if pavement is required for handicapped or emergency access, or safety, or is a designated nonmotorized transportation route or makes a connection to an already dedicated trail, or reduces potential for other environmental impacts.

(h) Allowed Activity – Utilities in Streams. New utility lines and facilities may be permitted to cross water bodies in accordance with an approved supplemental stream/lake study if they comply with the following criteria:

(i) Fish and wildlife habitat areas shall be avoided to the maximum extent possible; and

(ii) The utility is designed consistent with one or more of the following methods:

A. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone of the water body and channel migration zone; or

B. The utilities shall cross at an angle greater than 60 degrees to the centerline of the channel in streams perpendicular to the channel centerline; or

C. Crossings shall be contained within the footprint of an existing road or utility crossing; and

(iii) New utility routes shall avoid paralleling the stream or following a down-valley course near the channel; and

(iv) The utility installation shall not increase or decrease the natural rate of shore migration or channel migration; and

(v) Seasonal work windows are determined and made a condition of approval; and

(vi) Mitigation criteria of this section are met.

(i) Stormwater management facilities, such as biofiltration swales, may be located within the outer 25 percent of buffers only if they will have no negative effect on the functions and purpose the buffers serve for the fish and wildlife habitat areas, [as determined by a qualified scientific professional](#). Stormwater detention ponds shall not be allowed in fish and wildlife habitat areas or their required buffers.

(j) For subdivisions and short subdivisions, the applicable wetland and associated buffer requirements for any development or redevelopment of uses specifically identified in, and approved as part of, the original subdivision or short subdivision application shall be those requirements in effect at the time that the complete subdivision application was filed; provided, that for subdivisions this provision shall be limited to final plats reviewed and approved under Chapter [19.05](#) GFMC or as amended at the time of final plat approval. However, at the discretion of the designated official a buffer enhancement plan may be required in accordance with subsection (J)(8)(b)(iii) of this section if the wetland or buffer has become degraded or is currently not functioning or if the wetland and/or buffer may be negatively affected by the proposed new development.

(k) Minor additions or alterations such as decks and small additions less than 120 square feet, interior remodels, or tenant improvements which have no impact on the habitat or buffer shall be exempt from the buffer enhancement requirements.

~~(l) Required buffers shall not deny all reasonable use of property. A variance from buffer width requirements may be granted by the hearing examiner upon a showing by the applicant that:~~

~~(i) There are special circumstances applicable to the subject property or to the intended use such as shape, topography, location or surroundings that do not apply generally to other properties and which support the granting of a variance from the buffer width requirements; and~~

~~(ii) Such buffer width variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other~~

similarly situated property but which because of special circumstances is denied to the property in question; and

(iii) The granting of such buffer width variance will not be materially detrimental to the public welfare or injurious to the property or improvement; and

(iv) The granting of the buffer width variance will not materially affect the subject habitat area; and

(v) If a variance application for stream buffers is merged with a pending shoreline development permit application, the applicant shall pay the city a single fee equal to the amount of the shoreline permit; and

(vi) No variance from stream buffers shall be granted which is inconsistent with the policies of the Shoreline Management Act of the state of Washington and the city's shoreline master program of the city of Granite Falls; and

(vii) Best available science, as set forth in this section, shall be taken into consideration in the granting of a buffer width variance.

(96) Fish and Wildlife Habitat Alteration and Mitigation. After careful consideration of the potential impacts and a determination that impacts are unavoidable, unavoidable impacts to streams, associated fish buffers and wildlife habitat not exempt under this section, granted a variance under this section, or meeting the criteria for a reasonable use exemption shall be mitigated as follows:

(a) Adverse impacts to habitat functions and values shall be mitigated to achieve no net loss of ecological functions and values to the extent feasible and reasonable. Mitigation actions by an applicant or property owner shall occur in the following preferred mitigation sequence sequencing outlined below and as stated in WAC 197-11-768:

(i) Avoiding the impact altogether by not taking a certain action or parts of actions;

(ii) Minimizing impacts by limiting the degree of magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

(iii) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

(iv) Reducing or eliminating the impact over time by preservation and maintenance operations;

(v) Compensating for the impact by replacing or providing substitute resources or environments;

(vi) Monitoring the impact and taking appropriate corrective measures in accordance with this section.

(b) Where impacts cannot be avoided, the applicant or property owner shall implement other appropriate mitigation actions in compliance with the intent, standards and criteria of this section. In an individual case, these actions may include consideration of alternative site plans and layouts, reductions in the density or scope of the proposal, and implementation of the performance standards listed in this section.

(c) Alteration of habitat and their buffers may be permitted by the designated official subject to the following standards:

(i) Type S Streams. Alterations of Type S streams shall be avoided, subject to the reasonable use provisions of this chapter and conformance with the city of Granite Falls shoreline management master program. Access to the shoreline will be permitted for water-dependent and water-oriented uses subject to the mitigation sequence referred to in subsections (J)(9)(a) and (b) of this section;

(ii) Type F, Np and Ns Streams. Alterations of Type F, Np and Ns streams may be permitted; provided, that the applicant mitigates adverse impacts consistent with the performance standards and other requirements of this chapter; and provided, that no overall net loss will occur in stream functions and fish habitat;

(iii) Relocation of a stream may occur only when it is part of an approved mitigation or rehabilitation plan, and will result in equal or better habitat and water quality, and will not diminish the flow capacity of the stream.

~~(107)~~ Fish and Wildlife Mitigation Standards, Criteria and Plan Requirements.

(a) Location and Timing of Mitigation.

(i) Mitigation shall be provided on site, except where on-site mitigation is not scientifically feasible or practical due to physical features of the property.

The burden of proof shall be on the applicant to demonstrate that mitigation cannot be provided on site.

(ii) When mitigation cannot be provided on site, mitigation shall be provided in the immediate vicinity of and within the same watershed as the permitted activity on property owned and controlled by the applicant, where practical and beneficial to the fish and wildlife habitat resources. When possible, this means within the same watershed as the location of the proposed project.

(iii) In-kind mitigation, as defined in this section, shall be provided except when the applicant demonstrates and the designated official concurs [that in-kind mitigation is infeasible and](#) the greater functional and habitat value can be achieved through out-of-kind mitigation, as defined in this section.

(iv) Only when it is determined by the designated official that subsections (J)(10)(a)(i), (ii) and (iii) of this section are inappropriate or impractical shall off-site out-of-kind mitigation be considered.

(v) Any agreed-upon proposal shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule has been approved by the designated official.

[\(b\) Wetland Mitigation Banks. Wetland mitigation banks are a site where wetlands are restored, created, enhanced or, in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.](#)

[\(i\) Credits from a wetland bank may be approved for use as compensation for unavoidable impacts to wetlands when:](#)

[\(A\) The bank is certified under Chapter 173-700 WAC;](#)

[\(B\) The designated official determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and](#)

[\(C\) The proposed use of credits is consistent with the terms and conditions of the bank's certification.](#)

[\(ii\) Replacement ratios for projects using bank credits shall be consistent with the terms and conditions of the bank's certification.](#)

[\(iii\) Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.](#)

(118) Fish and Wildlife Habitat Performance Standards and Incentives.

(a) The habitat performance standards and criteria contained in this section shall be incorporated into plans submitted for regulated activities. It is recognized that in specific situations, all the listed standards may not apply or be feasible to implement or individual standards may conflict, in which case the standard(s) most protective of the environment shall apply.

(i) Consider habitat in site planning and design;

(ii) Locate buildings and structures in a manner that preserves and minimizes adverse impacts to important habitat areas;

(iii) Integrate retained habitat into open space and landscaping;

(iv) Where possible, consolidate habitat and vegetated open space in contiguous blocks;

(v) Locate habitat contiguous to other habitat areas, open space or landscaped areas to contribute to a continuous system or corridor that provides connections to adjacent habitat areas and allows movement of wildlife;

(vi) Use native species in any landscaping of disturbed or undeveloped areas and in any enhancement of habitat or buffers;

(vii) Emphasize heterogeneity and structural diversity of vegetation in landscaping, and food-producing plants beneficial to wildlife and fish;

(viii) Remove and control any noxious or undesirable species of plants and animals;

(ix) Preserve significant trees and snags, preferably in groups, consistent with achieving the objectives of these standards;

(x) Buffers shall be surveyed, staked, and fenced with erosion control and/or clearing limits fencing prior to any construction work, including grading and clearing, that may take place on the site; and

(xi) Temporary and erosion sedimentation controls, pursuant to an approved plan, shall be implemented during construction.

(b) A landscape plan shall be submitted consistent with the requirements, goals, and standards of this chapter. The plan shall reflect the report prepared pursuant to this section.

(c) As an incentive to encourage preservation of secondary and tertiary habitat, as those terms are defined in this chapter, the net amount of landscaping required by the city of Granite Falls may be reduced by one-quarter acre for each one acre of secondary or tertiary habitat and buffer preserved on the site; however, that amount cannot exceed 50 percent of the amount of required landscaping. The reduction shall be calculated on the basis of square feet of habitat preserved or enhanced and square feet of landscaping required. Habitat and habitat buffer that is enhanced by the applicant may also qualify for this reduction. Preservation of secondary or tertiary habitat shall be assured by the execution of an easement or other protective device acceptable to the city of Granite Falls.

(129) Fish and Wildlife Habitat Monitoring Program and Contingency Plan.

(a) A monitoring program shall be implemented to determine the success of the mitigation project and any necessary corrective actions. This program shall determine if the original goals and objectives are being met.

(b) A contingency plan shall be established for compensation in the event that the mitigation project is inadequate or fails. A performance, monitoring, and maintenance bond or other acceptable security device is required to ensure the applicant's compliance with the terms of the mitigation agreement. The amount of the performance, monitoring, and maintenance bond shall equal 125 percent of the cost of the mitigation project for a period of five years; provided, that the designated official may agree to reduce the bond in phases, in proportion to work successfully completed over the period of the bond. Failure to complete any required performance, monitoring, and maintenance shall result in forfeiture of the guarantee. Applicants who have previously defaulted will no longer be allowed to post a bond for performance, monitoring, and maintenance but will instead be required to submit an assignment of bank account to the city of Granite Falls for two times the cost of the mitigation project.

(c) The monitoring program shall consist of the following:

(i) During monitoring, best available scientific procedures shall be used as the method of establishing the success or failure of the project;

(ii) For vegetation determinations, permanent sampling points shall be established;

(iii) For measurement purposes, vegetative success shall equal 80 percent survival of planted trees and shrubs and 80 percent cover of desirable understory or emergent species;

(iv) Monitoring reports shall be submitted on the current status of the mitigation project to the designated official. The reports shall be prepared by a qualified scientific professional and reviewed by the city, shall to the extent applicable include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, and shall be produced on the following schedule:

- A. At time of construction;
- B. Thirty days after planting;
- C. Early in the growing season of the first year;
- D. End of the growing season of first year;
- E. Twice the second year; and
- F. Annually thereafter;

(v) Monitoring shall occur three, four or five growing seasons, depending on the complexity of the fish and wildlife habitat system. The monitoring period will be determined by the designated official and specified in writing prior to the implementation of the site plan;

(vi) The applicant shall, if necessary, correct for failures in the mitigation project;

(vii) The applicant shall replace dead or undesirable vegetation with appropriate plantings based on the approved planting plan or this section;

(viii) The applicant shall repair damage caused by erosion, settling, or other geomorphological processes;

(ix) Correction procedures shall be approved by a qualified scientific professional and the designated official; and

(x) In the event of failure of the mitigation project, the applicant shall redesign the project and implement the new design.

(1310) Aquifer Recharge Areas.

(a) The following regulations for aquifer recharge areas are consistent with the Department of Ecology's critical aquifer recharge areas (CARAs) guidance.

(b) Low significance aquifer recharge areas are not designated critical areas and are exempt from critical areas review requirements.

~~(bc) Requirement for Hydrogeologic Assessment.~~ The following uses of land shall ~~require a hydrogeologic assessment of the proposed site~~ be prohibited if the site is located within a sole source aquifer recharge area as mapped by Snohomish County or a wellhead protection area mapped by Washington State Department of Health ~~high significance aquifer recharge area:~~

- (i) Hazardous substance processing or handling;
- (ii) Hazardous waste treatment and storage facility;
- (iii) Disposal of on-site sewage for subdivisions, short plats, and commercial and industrial sites;
- (iv) Feedlots;
- (v) Landfills;
- (vi) Sludge land application sites over 40 acres or with an annual application rate of greater than two dry tons of sludge per acre.

~~(cd)~~ Requirement for Hydrogeologic Assessment.

(i) A hydrogeologic assessment may be required by the designated official for projects that may pose significant potential risk for groundwater contamination within a ~~high significance~~ sole source aquifer recharge area as mapped by Snohomish County or a wellhead protection area mapped by Washington State Department of Health.

(ii) If an applicant wishes to request a change in the CARA classification of one or more parcels, a hydrogeologic assessment is required. This request shall require the applicant to submit an application for code amendment to amend the CARA map. The assessment must include sufficient geologic

and/or groundwater flow information to justify a change in CARA classification. Requests to change the CARA classification will be evaluated by the City at the expense of the applicant. The City's evaluation may entail further model runs or hydrogeologic analysis. If the challenge is successful, the hydrogeologic critical areas assessment will be incorporated into the City's surface geologic mapping and an updated CARA map adopted by City Council as part of the code amendment process.

(e) Contents of the Hydrogeologic Assessment.

(i) The hydrogeologic assessment shall be submitted and stamped by a licensed professional hydrogeologist ~~firm with experience in preparing hydrogeologic assessments.~~

(ii) The hydrogeologic assessment must show that the use does not pose a threat to any ~~the~~ aquifer system and that the proposed use will not cause contaminants to enter any ~~the~~ aquifer used for water supply.

(iii) Uses requiring a hydrogeologic assessment may be conditioned or denied based upon the city's evaluation of the hydrogeologic assessment. Any project denied a permit based on the city's evaluation shall receive a written explanation of the reason(s) for the denial and an explanation of the measures required, if any, to comply with these regulations.

(df) The hydrogeologic assessment shall include but is not limited to:

(i) Information sources;

(ii) Geologic setting;

(iii) Background water quality;

(iv) Location and depth to perched water tables;

(v) Recharge potential of the facility site;

(vi) Ground water flow direction and gradient;

(vii) Currently available data on wells within 1,000 feet of the site;

(viii) Currently available data on springs within 1,000 feet of the site;

(ix) Surface water location and recharge potential;

(x) Discussion of the effects of the proposed project on the ground water resource;

(xi) Other information as may be required by the city;

(xii) All wellhead zones shall be protected if classified as a sole-source aquifer.

(eg) Impervious Surfaces. Uses located within high significance aquifer recharge areas and that are not required to submit a hydrogeologic assessment shall minimize the extent of impervious surfaces on the site.

~~(14.11)~~ Flood Hazard Areas. Development sites within flood hazard areas shall conform to the requirements of the Snohomish County shorelines master program, ~~and to~~ the requirements of subsection (l)(6) of this section, ~~and the requirements of Section 19.07.035~~. The requirements for developments in flood hazard areas shall be consistent with the FEMA requirements for the National Flood Hazard Insurance Program. [Ord. 960 § 14 (Exh. M), 2018; Ord. 925 § 2 (Exh. A), 2017; Ord. 905 § 1 (Att. A), 2016; Ord. 904 § 29, 2015; Ord. 862 § 52, 2013; Ord. 740 § 1 (Exh. A), 2007.]

Section 3. Effective Date of Adoption. The Code Amendments adopted by the Ordinance shall become effective five days following publication of this Ordinance.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

PASSED this ____ day of _____, 2026, and signed in authentication of its passage this ____ day of _____, 2026.

Attest:

Darla Wilkins, MMC
City Clerk

Thom Graafstra, City Attorney
Emily Guildner, City Attorney

Date of Publication: _____

Effective Date: _____



CITY COUNCIL AGENDA BILL

Subject: 7.b.

Originating Dept.: City Council

Action Recommended: Approve
Resolution No.2026-05 - Adoption of the
City of Granite Falls Personnel Policies and
Procedures / Employee Handbook

Approval(s): City Manager
Attorney

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. Granite-Falls-Employee-Handbook
2. GFResolution 2026-05 Employee-
HandbookTG

Budgeted Amount: N/A

BARS Code: N/A

Summary Statement:

The City Manager and staff conducted a comprehensive review and revision of the City's personnel policies to align with current federal and Washington State employment law, reflect municipal human resources best practices, and address evolving workforce needs. The revised Handbook addresses the following areas:

- Employment policies, including equal employment opportunity, anti-discrimination, anti-harassment, and reasonable accommodation
- Compensation and hours of work, including wage administration, overtime, rest and meal breaks, and pay transparency
- Leave benefits, including paid sick leave (RCW 49.46.200), vacation, FMLA, Washington PFML, bereavement, and military leave
- Standards of conduct, including code of conduct, drug-free workplace, and technology use
- Safety and health, including workplace safety, injury reporting, PPE, and

- pregnancy accommodations
- Performance management, progressive discipline, and grievance procedures
- Separation from employment and administrative provisions

The Handbook complies with applicable federal and Washington State laws, including the Fair Labor Standards Act (FLSA), Washington Minimum Wage Act (RCW 49.46), Washington Paid Sick Leave Act (RCW 49.46.200), Washington Family and Medical Leave (RCW 49.58), Washington Law Against Discrimination (RCW 49.60), the Family and Medical Leave Act (FMLA), and the Americans with Disabilities Act (ADA).

Background:

KEY PROVISIONS OF RESOLUTION NO. 2026-05

- The Handbook does not constitute an employment contract and does not alter the "at-will" employment except as specified in a written employment contract or collective bargaining agreement.
- For employees represented by Teamsters Local Union No. 763, the Collective Bargaining Agreement governs all terms and conditions of employment; where any Handbook provision conflicts with the CBA, the CBA controls.
- The Resolution and Handbook supersede all prior resolutions, policies, and handbooks governing City personnel policies, except as provided by collective bargaining agreements, employment agreements, or applicable law.
- The City reserves the right to modify, revise, supplement, rescind, or deviate from any Handbook policy at any time, except as limited by collective bargaining agreements, employment agreements, or applicable law.

Recommended Motion:

1) I move to approve Resolution No. 2026-05, adopting the City of Granite Falls Personnel Policies and Procedures / Employee Handbook, effective March 18, 2026, as presented.

CITY OF GRANITE FALLS, WASHINGTON

PERSONNEL POLICIES AND PROCEDURES

EMPLOYEE HANDBOOK

Effective Date: TBD

Applies to: All City Employees

IMPORTANT NOTICE TO EMPLOYEES

THIS HANDBOOK IS NOT A CONTRACT. This Personnel Policies and Procedures/Employee Handbook does not constitute an employment contract and does not create any contractual rights, express or implied. Employment with the City of Granite Falls remains at-will unless otherwise specified in a written employment contract or collective bargaining agreement.

COLLECTIVE BARGAINING AGREEMENT PRECEDENCE. For employees represented by Teamsters Local Union No. 763 (Public Works and Wastewater Treatment employees), the Collective Bargaining Agreement (CBA) governs terms and conditions of employment. Where any provision in this handbook conflicts with the CBA, the CBA controls.

SUBJECT TO CHANGE. The City reserves the right to modify, revise, supplement, rescind, or deviate from any policy in this handbook at any time, with or without notice, except as may be limited by collective bargaining agreements or applicable law. Employees will be notified of significant changes through appropriate communication channels.

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SECTION 1: INTRODUCTION AND GENERAL PROVISIONS

1.1 Welcome Message

Welcome to the City of Granite Falls. We are pleased to have you as part of our team dedicated to serving the residents and businesses of our community. This handbook has been prepared to inform you of City policies, procedures, and benefits, and to establish consistent standards for all employees. We believe that every employee plays a vital role in our community's success, and we are committed to supporting you in your professional growth and well-being.

1.2 Purpose and Scope

This Personnel Policies and Procedures/Employee Handbook provides general information about the City's employment policies and practices. It applies to all City employees unless otherwise specified. Where a collective bargaining agreement covers employees, its terms supersede any conflicting provisions in this handbook.

This handbook applies to all full-time employees, all part-time employees, and temporary, term-limited, and casual employees where specified. Elected officials, independent contractors, and volunteers (covered by separate Volunteer Policy, Resolution 2010-07) are excluded from coverage under this handbook.

1.3 City Mission, Vision, and Values

Vision: Granite Falls is a community where residents are eager to return after work or travel, where neighbors support neighbors, the natural beauty of our environment is protected, education is celebrated, businesses flourish, citizens feel safe from crime, and where every citizen feels the responsibility and enjoys the opportunity to help in steering our common future.

Mission: The City of Granite Falls is dedicated to delivering exceptional municipal services, fostering community partnerships, and stewarding our natural environment to create a welcoming hometown where residents thrive, businesses prosper, and every citizen actively participates in shaping our shared future.

Values:

1. **STEWARDSHIP** – Responsible management of community resources, natural environment, and public trust
2. **PARTNERSHIP** – Collaborative engagement bringing together residents, businesses, and government
3. **EXCELLENCE** – Commitment to delivering the highest quality services and outcomes
4. **INTEGRITY** – Honest, ethical, and transparent conduct in all operations
5. **SAFETY** – Proactive protection of community well-being
6. **INCLUSIVITY** – Ensuring all community members feel welcomed and valued
7. **INNOVATION** – Embracing creative solutions and continuous improvement

1.4 At-Will Employment

Employment with the City of Granite Falls is at-will unless otherwise specified in a written employment contract or collective bargaining agreement. This means that either you or the City may terminate the employment relationship at any time, with or without cause, and with or without notice, subject to applicable laws and any civil service protections. No supervisor, manager, or City representative other than the City Manager has the authority to enter into any agreement for employment for any specified period or to make any agreement contrary to the at-will relationship.

At-will employment does not apply to employees covered by collective bargaining agreements, employees with written employment contracts, or employees covered by civil service rules where applicable.

1.5 Collective Bargaining Agreement Precedence

PUBLIC WORKS AND WASTEWATER TREATMENT EMPLOYEES (Teamsters Local 763): Employees covered by the collective bargaining agreement between the City and Public, Professional & Office-Clerical Employees and Drivers Local Union No. 763 are governed by that agreement for all terms and conditions of employment. The current CBA is effective January 1, 2025, through December 31, 2027.

Where the CBA addresses a subject differently from this handbook, the CBA controls for represented employees. For topics not addressed in the CBA, this handbook may apply. Represented employees are encouraged to consult their union representative and/or Human Resources with questions about applicable terms and conditions. The full text of the current CBA is available from Human Resources or Union representatives.

1.6 Superseding Authority of Laws and Regulations

All policies in this handbook are subject to and must comply with applicable federal, state, and local laws and regulations. If any provision in this handbook conflicts with applicable law, the law prevails. The City will make reasonable efforts to update this handbook to reflect changes in applicable laws.

Key Legal Authorities:

Federal law information: [U.S. Department of Labor](#)

Washington State employment law: [Washington State Department of Labor & Industries](#)

[Revised Code of Washington \(RCW\)](#)

[Washington Administrative Code \(WAC\)](#)

[Municipal Research and Services Center \(MRSC\)](#)

1.7 Definitions

Casual Employee: Any person hired to temporarily augment the workforce for a limited duration and hours as defined in applicable collective bargaining agreements or City policy.

City Manager: The chief administrative officer of the City.

Department Head: The administrative head of a City department.

Deputy City Manager: The deputy chief administrative officer of the City.

Exempt Employee: An employee classified as exempt from federal Fair Labor Standards Act (FLSA) and Washington Minimum Wage Act overtime requirements based on duties and salary level.

Family Member: For purposes of this handbook, “family member” includes the employee’s child (biological, adopted, foster, step, or a child for whom the employee stands in loco parentis), parent (biological, adoptive, step, or in loco parentis), spouse, registered domestic partner, grandparent, grandchild, sibling (including step-siblings and half-siblings), parent-in-law, grandparent-in-law, sibling-in-law, and the child, parent, grandparent, grandchild, and sibling of the employee’s spouse or registered domestic partner. This definition also includes any individual who regularly resides in the employee’s home with an expectation of care, or any individual whose close association with the employee is the equivalent of a family relationship and who depends on the employee for care. Where a specific leave type defines “family member” more narrowly or more broadly under applicable law, the legal definition for that leave type will control.

Full-Time Employee: An individual regularly scheduled to work at least 40 hours per week (or 30 hours per week/130 hours per month for alternative work schedules).

Non-Exempt Employee: An employee entitled to overtime pay under FLSA and Washington Minimum Wage Act.

Part-Time Employee: An individual regularly scheduled to work at least one-sixth of full-time hours as defined by the Public Employment Relations Commission (PERC).

Supervisor: An individual with authority to direct, assign, and review the work of other employees.

Temporary Employee: An individual hired for a specific project or time period with limited benefits eligibility.

SECTION 2: EMPLOYMENT POLICIES

2.1 Equal Employment Opportunity

The City of Granite Falls is an Equal Opportunity Employer committed to providing a workplace free from discrimination and harassment. The City provides equal employment opportunities to all employees and applicants without regard to race, color, creed, religion, national origin, citizenship or immigration status, sex, gender identity or gender expression, sexual orientation, age (40 and over), marital status, pregnancy, childbirth or related medical conditions, disability or use of a trained service animal, honorably discharged veteran or military status, genetic information, or any other characteristic protected by federal, state, or local law.

This policy applies to all employment decisions, including recruitment, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

Legal Authority: Title VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act, Americans with Disabilities Act, Washington Law Against Discrimination (RCW 49.60).

2.2 Anti-Discrimination Policy

The City prohibits discrimination against any employee or applicant on the basis of any protected characteristic. Employment decisions must be based on legitimate job-related factors such as qualifications, merit, and performance. Prohibited conduct includes making employment decisions based on protected characteristics, treating employees unfavorably due to protected status, denying reasonable accommodations without justification, and retaliating against employees who report discrimination.

Employees who believe they have experienced discrimination are encouraged to report immediately using the procedures in Section 8.5 (Grievance Procedures) or directly to their immediate supervisor, Human Resources (360-691-6441), the City Manager, the Washington State Human Rights Commission, or the Equal Employment Opportunity Commission.

2.3 Anti-Harassment and Sexual Harassment Policy

The City prohibits all forms of harassment, including sexual harassment, and will not tolerate harassment based on any protected characteristic. Sexual harassment includes unwelcome sexual advances or requests for sexual favors, unwelcome verbal or physical conduct of a sexual nature, and conduct that creates an intimidating, hostile, or offensive work environment.

General harassment includes verbal conduct such as epithets, derogatory comments, and slurs; physical conduct such as assault, unwanted touching, and blocking movement; visual conduct such as derogatory posters, cartoons, and drawings; and threats, intimidation, or hostile acts based on protected characteristics.

All employees have a duty to report harassment. Reports will be investigated promptly and thoroughly. The City will take appropriate corrective action, which may include discipline up to and including termination.

Legal Authority: Title VII, Washington Law Against Discrimination (RCW 49.60), Washington administrative regulations.

2.4 Anti-Retaliation Policy

The City strictly prohibits retaliation against any employee who reports discrimination, harassment, or violations of law or policy; participates in investigations of such reports; opposes practices believed to be discriminatory or harassing; files a complaint with a government agency; or exercises rights under employment laws. Retaliation includes any adverse action such as termination, demotion, discipline, harassment, or other unfavorable treatment taken in response to protected activity. Employees who believe they have experienced retaliation are encouraged to report immediately using the same reporting procedures as discrimination claims.

2.5 Reasonable Accommodation

The City will provide reasonable accommodations to qualified employees and applicants with disabilities, unless doing so would cause undue hardship. Employees may request accommodations through their supervisor or the Human Resources department. The accommodation process involves the employee submitting a request (verbal or written), the City engaging in an interactive process, medical documentation being requested as appropriate, a determination of effective reasonable accommodation, and implementation and monitoring of that accommodation.

The City will also reasonably accommodate employees' religious beliefs and practices unless doing so would cause undue hardship, including flexible scheduling for religious observances and modifications to dress codes for religious dress or grooming.

Legal Authority: Americans with Disabilities Act (ADA), ADA Amendments Act, Washington Law Against Discrimination (RCW 49.60).

2.6 Background Check Policy

The City may conduct background checks on employees and applicants as permitted by law and when job-related and consistent with business necessity. In accordance with Washington's Fair Chance Act (RCW 49.94), the City will not inquire about or consider an applicant's criminal history until it has determined that the applicant is otherwise qualified for the position, except where required or permitted by law. A conditional offer of employment will be made first, a background check conducted if applicable, adverse action process followed if necessary, and the applicant provided the opportunity to dispute findings. Some positions require ongoing background checks, clearances, or certifications, and employees will be notified of these requirements.

Legal Authority: Fair Credit Reporting Act (FCRA), Washington Fair Chance Act (RCW 49.94).

2.7 Immigration Law Compliance

The City complies with federal immigration laws, including Form I-9 employment eligibility verification requirements for all employees. The City prohibits discrimination based on citizenship status or national origin and will not use E-Verify except as required by law, will not threaten to report immigration status to coerce employees, and will not discriminate in hiring based on work authorization status among authorized workers.

Legal Authority: Immigration Reform and Control Act (IRCA), 8 U.S.C. § 1324b.

2.8 Employment Classifications

The City classifies employees as Casual, Full-Time, Part-Time, or Temporary as defined in Section 1.7. Classification under FLSA and the Washington Minimum Wage Act determines overtime eligibility. Exempt employees are paid on a salary basis, meet the minimum salary threshold, and perform exempt duties (executive, administrative, or professional) and are not eligible for overtime pay. Non-exempt employees are entitled to overtime pay at 1.5 times the regular rate for hours worked over 40 in a workweek.

Current Minimum Salary Thresholds (as of 2026): All employers, regardless of size, must pay exempt employees a minimum salary of \$1,541.70 per week (\$80,168.40 per year), which represents 2.25 times the state minimum wage. This threshold is adjusted annually. Current thresholds are available at the Washington State Department of Labor & Industries website.

2.9 Probationary Period

All newly hired employees serve a six-month probationary period during which they are considered on trial and may be dismissed at any time at the sole discretion of the City, provided the dismissal is not for protected Union activity or other unlawful reason. The probationary period allows the City to evaluate the employee's job performance and ability to perform assigned duties, dependability and attendance, interpersonal skills and ability to work with others, and adherence to City policies and procedures.

Dismissal during the probationary period is not subject to the grievance procedure, except as provided in collective bargaining agreements. The City Manager may extend the probationary period for up to an additional three months with written notice to the employee.

2.10 Personnel Files

The City maintains official personnel files containing employment-related documents, including job applications and resumes, performance evaluations, disciplinary records, leave records and requests, payroll and compensation records, training documentation, and employment agreements or contracts. Medical information is maintained separately from personnel files, with restricted access, as required by the ADA and other privacy laws.

Current and former employees have the right to inspect their personnel file, request copies of documents, and request correction of inaccurate information. To exercise these rights, employees submit a written request to Human Resources, and the City will schedule a review within 21 calendar days. The review is conducted in the presence of an HR representative, and copies will be provided upon request.

Personnel files are confidential, and access is limited to the employee, the employee's authorized representative (with written consent), City officials with a legitimate business need, and as required by law or court order.

Legal Authority: RCW 49.12.250 (Personnel File Inspection).

SECTION 3: COMPENSATION AND HOURS OF WORK

3.1 Wage and Salary Administration

The City strives to provide competitive compensation that attracts and retains qualified employees while maintaining fiscal responsibility to taxpayers. Employee compensation is established through collective bargaining agreements (for represented employees), position classification studies, market surveys and comparisons, budget appropriations, and City Council approval.

Employees are paid twice monthly. Hours worked from the 1st through the 15th of the month are paid on or before the 20th, and hours worked from the 16th through the end of the month are paid on or before the 5th of the following month. If payday falls on a weekend or holiday, payment will be made on the preceding business day (for Saturday/holiday) or the following Monday (for Sunday). Union employees are referred to the applicable CBA (Teamsters Local 763 CBA, Appendix A) for specific wage schedules and step progressions.

3.2 Minimum Wage

All employees will be paid at least the current Washington State minimum wage, or any higher amount required by local ordinance. The Washington State minimum wage is adjusted annually for inflation on January 1.

As of January 1, 2026: \$17.13/hour. Current rate information is available at the Washington State Department of Labor & Industries website.

Legal Authority: Washington Minimum Wage Act (RCW 49.46).

3.3 Pay Transparency

In compliance with Washington's Equal Pay and Opportunities Act (RCW 49.58), all job postings will include the wage scale or salary range for the position, a general description of the benefits offered, and any other compensation, such as bonuses or incentives. Employees have the right to request the wage scale or salary range for their current position and to discuss their wages with other employees. The City prohibits retaliation against employees who inquire about wage information, disclose their own wages, or discuss wages with coworkers.

3.4 Overtime Policy

Non-exempt employees are entitled to overtime pay at one and one-half (1.5) times the regular rate for all hours worked over 40 in a workweek as established by federal FLSA standards, as well as any additional provisions specified in collective bargaining agreements. Exempt employees are not entitled to overtime pay but may be eligible for compensatory time or management time off as specified in collective bargaining agreements or employment contracts.

All overtime work must be authorized in advance by a supervisor, except in emergency situations. Overtime is calculated based on hours actually worked. Whether paid leave (vacation, sick leave, holidays) counts as hours worked for overtime calculation purposes is determined by the applicable collective bargaining agreement for represented employees and will be treated the same for non-represented employees.

Legal Authority: Fair Labor Standards Act (FLSA), Washington Minimum Wage Act (RCW 49.46).

3.5 Compensatory Time (Non-Exempt Employees)

Non-exempt employees may, upon their request and with supervisor approval, take compensatory time off in lieu of cash overtime payment. Compensatory time accrues at a rate of 1.5 hours for each hour of overtime worked. Compensatory time must be used within 60 days of accrual (or 180 days with City Manager approval), taken in minimum increments of one-half day, is subject to operational needs and supervisor approval, and cannot be carried over into the following calendar year. Unused compensatory time will be paid out in cash at the employee's current regular rate if not used within the allowed timeframe or at the end of the calendar year.

Union Employees: See CBA Article 4.5 for additional provisions.

3.6 Hours of Work

The normal work week generally consists of five consecutive eight-hour days followed by two consecutive days off. Actual work schedules are determined by the City Manager or department head based on operational needs. Alternative work schedules (such as 4/10 or 9/80 schedules) may be implemented by mutual agreement between employer and employee, and any disputes will be resolved through the grievance procedure.

Regular starting times will not be changed without five calendar days' written notice unless mutually agreed. Employees whose schedules are changed without proper notice may be entitled to premium pay under the CBA.

Union Employees: See CBA Article 4.1 for additional provisions.

3.7 Rest and Meal Breaks

Employees receive a paid 10-minute rest break for every four hours worked, scheduled as close to the midpoint of each four-hour period as possible. An employee will not be required to work more than three hours without a rest break. An additional 10-minute break is provided at 10 hours into the shift when working overtime.

Employees working shifts longer than five hours receive an unpaid 30-minute meal break, taken no later than five hours after the start of the shift and scheduled approximately mid-shift. The employee must be completely relieved of duties during the meal break.

Nursing mothers will be provided with reasonable, unpaid break time and a private location (other than a restroom) to express breast milk for children up to age two.

Legal Authority: Washington Industrial Welfare Act (WAC 296-126-092), Break Time for Nursing Mothers Act.

3.8 Timekeeping Requirements

All employees must accurately record time worked using the City's designated timekeeping system. Non-exempt employees must record actual hours worked and overtime hours worked. Exempt employees must record leave time taken and significant absences from work. Falsifying time records is grounds for disciplinary action up to and including termination.

Employees are responsible for recording time daily, submitting timesheets by the deadline, reporting errors immediately, and not working “off the clock.” Supervisors are responsible for reviewing and approving timesheets, ensuring accuracy, and addressing discrepancies promptly.

3.9 Payment of Wages

Direct deposit is strongly encouraged, and electronic payment methods may be required. Pay stubs will show current leave balances, including vacation, sick leave, and compensatory time.

Upon separation from employment, employees will receive final pay, including all wages earned through the last day worked, accrued vacation leave (up to the maximum payout limit), and any other earned compensation. Final pay will be issued within the timeframe required by Washington State law (generally the next regular payday or within a specific number of days).

The City will only make deductions from wages as required by law (taxes, garnishments, etc.), authorized in writing by the employee, or for the correction of payroll errors with notice. Employees who discover errors are encouraged to notify HR/Payroll immediately; overpayments will be recovered through future payroll deductions, and underpayments will be corrected as soon as possible.

Legal Authority: RCW 49.48 (Wages and Payments), RCW 49.52 (Wage Rebates).

3.10 Business Expense Reimbursement

Employees will be reimbursed for reasonable business expenses incurred in the performance of City duties. Expenses over \$100 and travel expenses require supervisor approval in advance. Employees must submit itemized, original receipts for all expenses, document the business purpose, and submit reimbursement requests within 30 days.

Personal vehicle use for City business is reimbursed at the current IRS standard mileage rate. Overnight travel requires advance approval and must comply with the City travel policy.

Reference: Resolution 2009-03 (Travel Policy) – available from Human Resources.

3.11 Management Time Off (Exempt Employees)

Exempt employees are not entitled to overtime compensation but may receive management time off to recognize sustained periods of effort beyond normal work hours. Eligible exempt employees in designated positions receive an annual allotment of management time-off days as determined by the City Manager or the Municipal Code. Management time off must be used in minimum increments of one-half day (4 hours), requires advance approval by the City Manager, must be used by the end of the calendar year (no carryover), cannot be converted to cash under any circumstances, and is forfeited if not used by year-end or upon separation.

Reference: For union-represented employees, see applicable CBA provisions. Exempt employees, see Resolution No. 2019-04.

SECTION 4: LEAVE BENEFITS

4.1 Paid Sick Leave

All employees accrue paid sick leave in accordance with Washington’s Paid Sick Leave Act. Full-time employees accrue 8 hours per month, and part-time and casual employees accrue 1 hour for every 40 hours worked. Accrual begins on the first day of employment, and the maximum accrual is 720 hours.

Authorized uses of paid sick leave include the employee’s own mental or physical illness, injury, health condition, or medical care (including preventive care); care for a family member with a mental or physical illness, injury, health condition, or medical care; workplace or child’s school/daycare closure for health-related reasons; absence related to domestic violence, sexual assault, or stalking (for legal, medical, counseling, relocation, or safety planning purposes); and preparation for or participation in judicial or administrative immigration proceedings involving the employee or the employee’s family member.

Documentation may be required for absences exceeding three consecutive days. Employees eligible for State Industrial Insurance may use sick leave to supplement workers’ compensation payments as described in Section 4.9.

Upon reaching maximum accrual or separation from employment (except separation for cause), eligible employees may cash out 50% of their unused sick leave balance.

Legal Authority: Washington Paid Sick Leave Act (RCW 49.46.200-.210).

Union Employees: See CBA Article 8.1 for additional provisions.

4.2 Vacation Leave

Full-time employees accrue vacation leave according to the following schedule:

Years of Service	Hours/Month	Annual Hours
Years 1–5	9	108
Years 6–10	12	144
Years 11–20	16	192
Years 21+	17.5	210

Part-time employees accrue vacation on a pro-rated basis. Vacation may be used after completing six months of employment, taken in minimum increments of one-half day (4 hours) or at the supervisor's discretion. Scheduling requires an advanced request and supervisor approval and is subject to operational needs. Requests submitted by March 1st are scheduled by seniority within the department; requests after March 1st are scheduled by date received. Vacations exceeding three consecutive weeks require City Manager approval. The maximum vacation accrual is 240 hours.

The City encourages all employees to use their vacation time regularly to promote a healthy work-life balance. Taking time away from work helps employees recharge, reduce stress, and sustain productivity and overall well-being. Supervisors are encouraged to work with their teams to ensure that vacation requests are accommodated whenever operationally feasible.

Employees may request cash out of accrued vacation (below the 240-hour maximum) for any payroll period. Upon termination or retirement, employees receive a payout of accrued vacation, up to a maximum of 240 hours, at the most recent regular rate. This payout is not applicable to probationary employees.

Union Employees: See CBA Article 7 for additional provisions.

4.3 Holiday Pay

Full-time employees receive the following observed paid holidays:

1. New Year's Day – January 1
2. Martin Luther King Jr. Day – 3rd Monday of January
3. Presidents' Day – 3rd Monday of February
4. Memorial Day – Last Monday of May
5. Juneteenth – June 19
6. Independence Day – July 4
7. Labor Day – 1st Monday of September
8. Veterans Day – November 11
9. Thanksgiving Day – 4th Thursday of November
10. Day After Thanksgiving
11. Christmas Day – December 25
12. Two (2) Floating Holidays – At the employee's discretion

When a holiday falls on Sunday, it is observed the following Monday; when a holiday falls on Saturday, it is observed the preceding Friday. Full-time employees receive 8 hours at the regular rate for each holiday. Employees on alternative work schedules receive hours equal to their regular shift length. Part-time employees receive pro-rated holiday pay based on scheduled hours.

Employees required to work on a holiday receive holiday pay (8 hours at the regular rate) plus premium pay (1.5 times the regular rate for hours worked), with a minimum call-in of 4 hours. To be eligible for holiday pay, employees must work their regularly scheduled day before and after the holiday, unless on approved vacation, sick leave, or other paid leave.

Floating Holidays: Floating holidays must be used within the calendar year in which they are earned and do not roll over into the following calendar year. Unused floating holidays are forfeited at the end of the calendar year. However, if an employee separates from employment with earned and unused floating holidays remaining, those hours will be paid out at the employee's regular rate.

Union Employees: See CBA Article 6 for additional provisions and part-time employee holiday pay rules.

4.4 Family and Medical Leave (FMLA)

Employees who have worked for the City at least 12 months and have worked at least 1,250 hours in the 12 months preceding leave are eligible for up to 12 weeks of unpaid, job-protected leave per 12-month period for the birth or adoption/foster placement of a child, care for a spouse, child, or parent with a

serious health condition, the employee’s own serious health condition, or qualifying military family leave (exigency or caregiver).

During FMLA leave, health insurance continues on the same terms as active employees. Vacation and sick leave do not accrue during unpaid leave. The employee is entitled to job restoration to the same or equivalent position upon return. Employees must provide 30 days’ advance notice when leave is foreseeable, or notice as soon as practicable when unforeseeable. Medical certification may be required for serious health conditions. Employees may use accrued sick leave and/or vacation during FMLA leave at their discretion.

Legal Authority: Family and Medical Leave Act (29 U.S.C. § 2601).

Union Employees: See CBA Article 8.5 for additional provisions.

4.5 Washington Paid Family and Medical Leave (PFML)

Washington State’s Paid Family and Medical Leave program provides partial wage replacement for eligible employees. Benefits include up to 12 weeks for family leave (bonding, family care), up to 12 weeks for medical leave (own serious health condition), up to 16 weeks combined if both apply, and up to 18 weeks for pregnancy complications. Premium payments are shared between the City and the employee as established by state law. Employees apply directly through the Employment Security Department.

PFML runs concurrently with unpaid FMLA, where both apply, and employees may supplement PFML benefits with accrued sick leave or vacation. Employees are also entitled to PFML bereavement leave for the loss of a child for whom the employee would have qualified for bonding leave.

Legal Authority: RCW 50A.04.

Union Employees: See CBA Article 8.5 for supplementation provisions.

4.6 Bereavement Leave

Employees are entitled to five (5) days of paid bereavement leave upon the death of a family member. For purposes of this section, covered family members include the employee’s spouse, registered domestic partner, or significant other; child (including loss of pregnancy); parent, stepparent, or parent-in-law; grandparent or grandchild; sibling, stepsibling, or sibling-in-law; and the same relatives of the employee’s spouse or registered domestic partner (including the spouse’s parents, grandparents, grandchildren, and siblings).

Employees may also use accrued sick leave for up to two (2) additional days for the death of a spouse, child, parent, or significant other. Employees may use accrued sick leave or vacation for the death of other family members, household members, or friends.

Union Employees: See CBA Article 8.2 for specific provisions.

4.7 Jury Duty and Witness Leave

Employees will be provided a leave of absence for jury service when summoned. Notice and verification of service must be provided in advance to the supervisor. The City may provide paid leave for jury duty as specified in collective bargaining agreements or at the City Manager’s discretion. Employees released

from jury duty with two or more hours remaining in their shift are expected to contact the supervisor for instructions.

Employees who are subpoenaed to appear as a witness in a proceeding that relates to their City employment will receive paid leave for the duration of the required appearance. Employees subpoenaed in personal matters unrelated to City employment may use accrued vacation or unpaid leave.

Legal Authority: RCW 2.36.165 (Jury Service).

Union Employees: See CBA Article 8.3.

4.8 Military Leave

The Uniformed Services Employment and Reemployment Rights Act (USERRA) provides job protection and reemployment rights for military service. Washington State provides additional paid military leave, including up to 21 days per year with pay for National Guard or Reserve duty, and unpaid leave with USERRA protections for active duty. Employees are asked to provide advance notice to the employer when possible. During military leave, health insurance continues (employee pays premiums), reemployment rights are protected upon return, and seniority credit is given for time on military leave.

Legal Authority: USERRA (38 U.S.C. § 4301-4335), RCW 38.40.060.

4.9 Workers' Compensation Leave

All employees are covered by Washington State workers' compensation for work-related injuries and illnesses. Work-related injuries and illnesses must be reported immediately to the supervisor and Human Resources. Employees eligible for time loss payments from L&I may use full sick leave for the first 3 waiting days, use sick leave to supplement time loss payments (the difference between regular pay and L&I payment), and have their sick leave bank credited if L&I reimburses for waiting days.

The City will make reasonable efforts to provide modified duty for employees with work-related restrictions. Employees who file L&I claims must reimburse the City if overpaid.

Legal Authority: Title 51 RCW (Industrial Insurance).

Union Employees: See CBA Article 8.1.2 for calculation of sick leave supplement.

4.10 Domestic Violence Leave

Employees who are victims (or whose family members are victims) of domestic violence, sexual assault, or stalking are entitled to reasonable leave to seek legal or law enforcement assistance, seek medical treatment, obtain services from a domestic violence shelter or program, obtain mental health counseling, and participate in safety planning or relocation. Employees may use accrued sick leave, vacation, or unpaid leave. Documentation may be required but will be kept confidential.

Legal Authority: RCW 49.76 (Domestic Violence Leave Act).

Resources: Washington State Domestic Violence Hotline: 1-800-562-6025.

4.11 Volunteer Firefighter and Civil Air Patrol Leave

Volunteer firefighters, reserve officers, and Civil Air Patrol members are entitled to unpaid leave to respond to emergencies. Employees are asked to provide as much advance notice as possible.

Legal Authority: RCW 49.12.460.

4.12 Leave of Absence (Unpaid)

Leaves of absence up to 90 days (including disability leaves after sick leave exhaustion) may be granted at the City's discretion. To apply, employees submit a written request to the supervisor stating the reason and requested duration; the City Manager reviews and approves or denies the request. Unpaid leave does not include benefits, does not constitute a break in service, and no benefits or seniority accrue during the leave.

If the leave is for medical reasons, the City may require medical certification, an examination by a City-selected physician, and a fitness-for-duty certification before the employee's return.

Union Employees: See CBA Article 8.4.

SECTION 5: HEALTH, WELFARE, AND RETIREMENT BENEFITS

5.1 Medical Insurance

Full-time employees and regular part-time employees who work a minimum of 70 compensable hours per month (and for part-time employees, have been employed at least 5 calendar months with 70+ hours per month in 5 consecutive months) are eligible for medical insurance. The City pays 100% of the employee and dependent(s) premium for Washington Teamster Plans (or equivalent coverage), including Medical Plan A, Dental Plan A, Vision Plan A, Life Plan A, Time Loss Plan E, and Domestic Partner Coverage. The 9-month disability waiver cost is shared 50% by the City and 50% by the employee through payroll deduction.

Upon separation, employees may be eligible for COBRA continuation coverage (18–36 months) or state continuation coverage. Information will be provided at separation.

Legal Authority: COBRA (29 U.S.C. § 1161), RCW 48.21.075 (state continuation).

Union Employees: See CBA Article 9.1 for details on the specific plan and eligibility.

5.2 Retirement Plans

Eligible employees participate in the appropriate Washington State retirement system based on position and hire date. Available plans include PERS Plan 2 (defined benefit plan) and PERS Plan 3 (combination defined benefit and defined contribution). Employees pay the required contribution rate set by state law, and the City makes required employer contributions as established by the Department of Retirement Systems. Benefits vest according to state retirement system rules (typically 5–10 years). Regular wages and salary are reportable compensation; annual leave cash-outs and termination leave payouts are not reportable to DRS for PERS 2/3.

Legal Authority: RCW 41.40 (PERS).

5.3 Western Conference of Teamsters Pension (Union Employees)

Employees represented by Teamsters Local 763 participate in the Western Conference of Teamsters Pension Trust Fund. The contribution rate is \$1.00 per compensable hour through pre-tax payroll deduction, with a probationary rate of \$0.10/hour during the first 90 days or probationary period. The City remits contributions to the Trust Fund by the 20th of each month for the previous month's hours. Trust Fund documents and summary plan descriptions are available from the Union or Human Resources.

Reference: CBA Article 9.2 for complete details.

5.4 Deferred Compensation

Employees may participate in voluntary deferred compensation plans (such as 457 plans) if offered by the City, with contributions made through payroll deduction on a pre-tax or post-tax basis. Contact Human Resources for available plans and enrollment information.

5.5 Life Insurance

Life insurance is provided as part of the medical benefits package for eligible employees in the amounts specified in the benefit plan documents. Employees are responsible for maintaining current beneficiary designations.

Union Employees: Life Plan A per CBA Article 9.1.

5.6 Disability Insurance

Washington Paid Family and Medical Leave provides some short-term disability coverage. A 9-month disability waiver is available with costs shared 50% by the employee and 50% by the employer. Workers' compensation covers work-related injuries and illnesses.

Union Employees: See CBA Article 9.1 for disability waiver details.

5.7 Unemployment Insurance

All employees are covered by Washington State unemployment insurance. Claims are filed directly with the Employment Security Department.

5.8 Social Security and Medicare

All employees participate in Social Security and Medicare as required by federal law through mandatory payroll deductions (FICA/Medicare taxes).

5.9 Employee Assistance Program (EAP)

Confidential counseling and referral services are available for employees and family members dealing with personal or work-related problems. Contact information is available from Human Resources.

SECTION 6: STANDARDS OF CONDUCT

6.1 Code of Conduct

All City employees are expected to act with integrity by conducting themselves honestly and ethically in all professional activities; serve the public by putting public interest ahead of personal interest; follow all applicable laws, regulations, and City policies; maintain professionalism by treating all individuals with respect and courtesy; avoid conflicts of interest where personal interests could conflict with City duties; protect confidential information and use it only for authorized purposes; and use City property and equipment only for authorized purposes.

6.2 Attendance and Punctuality

Employees are expected to report to work on time and as scheduled, remain at work for the entire shift except for breaks and meals, return from breaks and meals on time, and be ready to work at the start time. When an absence is necessary, employees must notify their supervisor as early as possible, preferably before the scheduled start time. Employees are expected to call personally, as text or email may not be sufficient. Employees must provide the reason for absence and expected return date, and update the supervisor if circumstances change. Extended absences may require medical documentation, and patterns of excessive absenteeism or tardiness may result in disciplinary action.

Union Employees: See CBA for specific provisions.

6.3 Dress Code and Personal Appearance

Employees must maintain a professional appearance appropriate to their position and work environment. Some positions require specific safety attire or uniforms, and the City will provide the required safety equipment and clothing. The City will reasonably accommodate religious dress and grooming practices unless doing so would cause undue hardship. Employees are expected to maintain appropriate standards of cleanliness and grooming.

Union Employees: See CBA Article 10.3 for clothing allowances and requirements.

6.4 Workplace Conduct

Employees must treat coworkers, supervisors, and the public with respect; communicate professionally and courteously; cooperate with others to accomplish work; follow supervisory direction; and maintain appropriate workplace relationships. Prohibited conduct includes harassment, discrimination, or retaliation; violence, threats, or intimidation; insubordination or refusal to follow lawful directions; theft or dishonesty; falsification of records; unauthorized use or disclosure of confidential information; working under the influence of alcohol or drugs; and conduct that disrupts the workplace or damages the City's reputation.

6.5 Use of City Property and Equipment

City property and equipment are to be used only for official City business and authorized personal use as permitted by policy. Employees are responsible for the proper care and maintenance of assigned equipment. Limited personal use of City equipment (phone, internet, email) may be permitted if it does not interfere with work duties, does not incur additional costs to the City, does not violate laws or

policies, and complies with the technology use policy. All City property must be returned upon separation from employment.

Union Employees: See CBA Article 10.3 for equipment and clothing provisions.

6.6 Technology and Social Media Use

Use of City computers, networks, email, and the internet must comply with all policies and applicable laws. Technology resources are provided primarily for business purposes, with limited personal use allowed within guidelines. Employees will have no expectation of privacy when using City technology, and the City may monitor usage.

Employees will protect login credentials, will not share passwords, will lock their workstation when away, will report security incidents immediately, and will not access unauthorized systems or data. Email communications will maintain a professional tone and content, are subject to public records disclosure, and will be used for authorized business purposes.

Regarding social media, employees will not claim to represent City views on personal accounts, will not disclose confidential City information, and will comply with all policies even when using personal accounts. The City may maintain official social media accounts. Misuse of technology resources may result in disciplinary action.

6.7 Confidentiality and Public Records

The City is subject to the Washington Public Records Act (RCW 42.56). Employees must properly create and maintain records, respond to public records requests as directed, and not destroy or conceal records improperly. Employees must protect confidential information, including personnel records, legal matters and attorney-client communications, law enforcement sensitive information, personal identifying information (PII), medical information, and proprietary business information. Personal information must be protected in accordance with the data breach notification law (RCW 19.255.010) and other privacy requirements. Records are maintained according to Washington State retention schedules.

Legal Authority: Public Records Act (RCW 42.56), Data Breach Notification (RCW 19.255.010).

6.8 Outside Employment

Employees must disclose outside employment that could create conflicts of interest, affect job performance, or compete with City services. Some positions may require approval for outside employment. Outside employment must not interfere with City duties or performance, create actual or apparent conflicts of interest, use City resources, equipment, or information, compete with City services, or violate City policies or ethics rules. Employees must notify their supervisor of changes in outside employment.

6.9 Gifts and Gratuities

Employees may not accept gifts, gratuities, or favors from individuals or organizations that do business with the City, seek to do business with the City, or seek to influence City decisions. Exceptions include nominal gifts of minimal value (under \$50) that do not create an appearance of impropriety, gifts given to the City rather than to an individual employee, and awards for professional achievement. Offers of

significant gifts must be reported to the supervisor or City Manager. All employees must comply with the Washington Ethics in Public Service Act (RCW 42.52) and City ethics policies.

6.10 Political Activity

Employees are permitted to register and vote, express political opinions as private citizens, attend political events on their own time, contribute to campaigns, and campaign for candidates on their own time. Employees are prohibited from using City time, resources, or facilities for political purposes; using official authority or influence to affect elections; coercing political activity by subordinates; wearing campaign materials while on duty; or displaying political materials on City property.

Legal Authority: RCW 42.17A (Campaign Finance and Lobbying), Hatch Act (for federally funded positions).

6.11 Drug-Free and Alcohol-Free Workplace

The City maintains a drug-free and alcohol-free workplace. Use, possession, or distribution of illegal drugs on City time or property is prohibited, as is reporting to work under the influence of alcohol or drugs and alcohol consumption during work hours (except at authorized City events). Employees taking prescription or over-the-counter medications that may impair their ability to perform the job safely must notify their supervisor. Some positions may require drug and alcohol testing as permitted by law. Employees with substance abuse problems are encouraged to seek help through EAP or other resources before conduct problems arise.

6.12 Workplace Violence Prevention

The City has zero tolerance for workplace violence, threats, intimidation, or harassment. Prohibited conduct includes physical violence or assault, threats of violence, intimidation or bullying, aggressive or hostile behavior, and harassment. All threats or violent behavior must be reported immediately to a supervisor, Human Resources, or the City Manager. Employees in immediate danger are directed to call 911. Employee assistance programs are available for employees experiencing personal difficulties.

Legal Authority: WISHA violence prevention requirements.

SECTION 7: SAFETY AND HEALTH

7.1 Workplace Safety Policy

The City is committed to providing a safe and healthy work environment for all employees, visitors, and the public. Employees are responsible for following safety rules and procedures, using required personal protective equipment (PPE), reporting unsafe conditions or practices immediately, participating in required safety training, and reporting injuries and near-misses. Supervisors are responsible for ensuring safe working conditions, providing necessary safety training and equipment, enforcing safety rules, and investigating incidents and near-misses.

Legal Authority: Washington Industrial Safety and Health Act (WISHA), WAC 296.

7.2 Injury and Illness Reporting

All work-related injuries and illnesses must be reported immediately to a supervisor, regardless of severity. In the event of an injury or illness, employees are directed to seek medical attention if needed (by calling 911 for emergencies), report to the supervisor immediately, complete the incident report form, provide copies to Human Resources, and follow workers' compensation procedures, if applicable. Employees are also encouraged to report near-miss incidents to prevent future injuries. The City prohibits retaliation against employees who report injuries, illnesses, or safety concerns.

7.3 Personal Protective Equipment (PPE)

The City provides required PPE at no cost to employees, including hard hats, safety glasses, gloves, hearing protection, respirators, high-visibility clothing, and other equipment as required. Employees are responsible for using PPE as required, maintaining it in good condition, reporting damaged or inadequate PPE, and completing fit testing as required. The City provides training on the proper use and care of PPE.

Union Employees: See CBA Article 10.3 for footwear and clothing allowances.

7.4 Emergency Procedures

The City has established emergency response procedures for fire, earthquake, severe weather, hazardous materials, workplace violence, and medical emergencies. Employees are expected to familiarize themselves with evacuation routes and assembly points, participate in emergency drills, follow emergency procedures, account for themselves at the assembly point, and not re-enter the building until authorized. Emergency notification systems are in place to notify employees of critical situations. Essential services are maintained during emergencies per continuity plans.

7.5 Ergonomics and Workplace Conditions

The City will provide ergonomically appropriate workstations and equipment to reduce the risk of repetitive strain injuries. Employees experiencing discomfort are encouraged to contact a supervisor or Human Resources about workstation assessments, equipment adjustments, and ergonomic equipment. Ergonomics training is provided for employees at risk of repetitive strain injuries.

7.6 Lactation Accommodation

The City provides reasonable unpaid break time for employees to express breast milk for nursing children up to age two. A private location (other than a restroom) is provided with a chair and surface for the pump, an electrical outlet, and privacy (a door with a lock or other measures). Break time is provided as needed, typically every 2–3 hours for 15–20 minutes, and employees are expected to coordinate break times with supervisors to ensure adequate coverage.

Legal Authority: Break Time for Nursing Mothers Act (29 U.S.C. § 207(r)), RCW 43.10.005.

7.7 Workplace Accommodations for Pregnancy

Washington law requires reasonable accommodations for pregnancy-related conditions, including more frequent breaks, seating, limits on lifting, and temporary transfer to less strenuous work. Employees may request accommodation by contacting their supervisor or Human Resources.

Legal Authority: RCW 49.60.215.

SECTION 8: PERFORMANCE MANAGEMENT AND DISCIPLINE

8.1 Performance Standards

All employees are expected to perform their duties competently and professionally, meet established performance standards, follow policies and procedures, maintain satisfactory attendance, and work cooperatively with others. Specific performance expectations are outlined in position job descriptions and supplemented by supervisor direction. Employees are encouraged to pursue training and development opportunities to enhance their professional capabilities.

8.2 Performance Evaluation Process

Employees receive regular performance evaluations according to established schedules, typically annually. Evaluation criteria include job performance and quality of work, achievement of goals and objectives, professional behavior and interpersonal skills, adherence to policies and procedures, and attendance and reliability.

Evaluations include discussion of strengths and areas for improvement, professional development goals, training needs and opportunities, and career development. Performance evaluations are documented and maintained in personnel files. Employees may provide input and self-assessment as part of the evaluation process.

8.3 Training and Development

The City provides required training, including new-employee orientation, safety training, job-specific technical training, regulatory compliance training, and harassment prevention training. The City also supports employee development through additional training opportunities, educational assistance (subject to availability), conferences and workshops, and professional certifications. Attendance at mandatory training during work hours is compensated as hours worked. Employees must maintain certifications required for their positions, and the City pays the costs of those certifications.

Union Employees: See CBA Article 10.5 for training provisions and Section A.3 for skill incentive pay.

8.4 Progressive Discipline Policy

The City believes in corrective discipline designed to help employees improve performance and conduct. The purpose of progressive discipline is to identify performance or conduct problems, provide the opportunity for improvement, establish clear expectations, document issues and responses, and apply consistent standards. The progressive steps are as follows:

1. **Verbal Coaching/Counseling** – Informal discussion of performance or conduct issues
2. **Written Warning** – Formal documentation of problems and expectations
3. **Suspension** – Unpaid time off for serious or repeated violations
4. **Termination** – Separation from employment for continued problems or serious misconduct

These steps are not always sequential; serious misconduct may result in suspension or immediate termination without prior warning. Discipline must be for just cause for post-probationary employees

and as required by the CBA. Written warnings remain valid for progressive discipline for nine months from the date of occurrence.

Union Employees: See CBA Articles 11 and 12 for specific discipline and grievance procedures, including timelines for issuing discipline, notice requirements, union representation rights, and due process protections.

8.5 Grievance Procedures

Employees are encouraged to first attempt informal resolution of workplace concerns with their immediate supervisor. If informal resolution is unsuccessful, non-union employees may file a formal written grievance to the immediate supervisor within 30 days of the incident (Step 1), appeal to the Department Head within 10 days if not resolved at Step 1 (Step 2), and make a final appeal to the City Manager within 10 days if not resolved at Step 2 (Step 3).

Union employees must follow the grievance procedure specified in the collective bargaining agreement (CBA Article 12). Employees covered by civil service rules have additional appeal rights through the Civil Service Commission.

The City prohibits retaliation against employees who file good-faith grievances or participate in grievance investigations. Claims of discrimination based on protected characteristics may be filed with the Washington State Human Rights Commission or the Equal Employment Opportunity Commission.

8.6 Union Representation Rights

Union-represented employees have the right to Union representation during investigatory interviews that they reasonably believe may result in discipline (Weingarten Rights). When an employee requests Union representation, the City will honor the request and allow a reasonable time for the representative to arrive, postpone the interview if the steward is unavailable, and allow the employee to consult with the representative.

Union Employees: See CBA Article 11.4 for steward availability requirements.

SECTION 9: GRIEVANCE AND APPEAL PROCEDURES

9.1 Internal Grievance Procedure (Non-Union Employees)

This procedure applies to non-represented employees for the resolution of workplace disputes regarding the application or interpretation of policies, working conditions, treatment by supervisors or coworkers, and other employment-related concerns. It does not apply to discrimination claims (which use EEOC/WSHRC processes), matters covered by the collective bargaining agreement, probationary employee terminations, or policy changes.

Employees are encouraged to first discuss concerns with the immediate supervisor within 15 days of the incident as an informal resolution step. If informal resolution is unsuccessful, the formal grievance process is as follows:

Step 1 – Written Grievance to Supervisor: Submit within 30 calendar days of the incident (or when the employee reasonably became aware of the incident). The grievance must be in writing and include the date, a description of the issue, the policy allegedly violated, and the remedy sought. The supervisor responds in writing within 7 calendar days.

Step 2 – Appeal to the Department Head: Submit within 10 calendar days of the Step 1 response, including the Step 1 grievance and response. The Department Head investigates and responds in writing within 7 calendar days.

Step 3 – Appeal to City Manager: Submit within 10 calendar days of the Step 2 response, including all prior grievance materials. The City Manager reviews, may conduct additional investigation, and issues a final decision within 14 calendar days. The City Manager's decision is final.

All timeframes are in calendar days. If a deadline falls on a weekend or holiday, it is extended to the next business day. An employee may be accompanied by a representative of their choice for support. Filing a grievance will not adversely affect employment status.

9.2 Union Grievance and Arbitration (Represented Employees)

Employees covered by a collective bargaining agreement must use the grievance procedures specified in that agreement. Teamsters, Local 763 members follow the process in CBA Article 12, which includes Step 1 (written grievance within 15 days), Step 2 (Teamster/Employer Panel, optional), Step 3 (Mediation, optional), and Step 4 (Binding arbitration). Union stewards are available to assist with the grievance process per CBA Article 2.3. The CBA grievance procedure is the exclusive remedy for matters covered by the CBA.

9.3 Civil Service Appeals

Employees covered by civil service rules have appeal rights to the Civil Service Commission for disciplinary actions, terminations, demotions, and other adverse employment actions. Employees may choose either the contractual grievance procedure or the Civil Service Commission appeal; if both are filed regarding the same issue, the Civil Service appeal must be withdrawn before the grievance can proceed. Contact Human Resources for Civil Service Commission procedures and forms.

SECTION 10: SEPARATION FROM EMPLOYMENT

10.1 Types of Separation

Separation from employment may occur through resignation (voluntary separation initiated by the employee), retirement (voluntary separation to begin retirement benefits), layoff (involuntary separation due to lack of work, lack of funds, or reorganization), or termination (involuntary separation based on performance, conduct, or policy violations). An employee who fails to report to work for three consecutive scheduled workdays without notice may be deemed to have voluntarily resigned through job abandonment.

10.2 Resignation Notice

Employees are requested to provide at least two weeks' written notice of resignation to their immediate supervisor and the City Manager, stating the last day of work. Providing a brief reason is optional. The City may accept a resignation earlier than the stated date or may require the employee to work through the notice period. Departing employees may be asked to participate in an exit interview.

10.3 Layoff and Recall

Layoff and recall procedures for Teamsters Local 763 members are governed by CBA Article 3, including layoff by classification and seniority, bumping rights, recall rights (most senior first), and notice requirements. For non-union employees, the City will provide advance notice of layoff when possible, and recall rights and procedures are determined by City policy and operational needs. The City may consider alternatives to layoffs, including furloughs, reduced hours, or voluntary separation incentives.

10.4 Termination

Post-probationary employees may be terminated. Grounds for termination may include, but are not limited to, unsatisfactory job performance after an opportunity to improve, violation of City policies, misconduct or unethical behavior, insubordination, theft or dishonesty, falsification of records, harassment or discrimination, violence or threats, working under the influence of drugs or alcohol, or excessive absenteeism.

See Section 8.4 (Progressive Discipline) and applicable CBA provisions for notice requirements.

Union Employees: See CBA Article 11 for procedures on discharge and suspension.

10.5 Exit Process

All City property must be returned upon separation, including keys and access cards, laptop, tablet, phone, or other equipment, tools and safety equipment, uniforms and clothing, City vehicle (if assigned), credit cards, and documents and files.

The final paycheck will be issued within the timeframe required by Washington law: for resignations, on the next regular payday; for terminations, within one pay period or as specified by law.

Accrued leave payouts upon separation include vacation (paid up to the maximum payout limit of up to 240 vacation hours for most employees), sick leave (50% paid up to the maximum payout limit of up to

720 sick hours for most employees), compensatory time (paid at the current rate), and floating holidays (paid if earned and unused). Management time off for exempt employees is not paid out.

Benefits information provided at separation includes a COBRA election notice mailed within 14 days, information about continuing health coverage, retirement account information, and unemployment insurance information.

10.6 References and Employment Verification

Only Human Resources or the City Manager is authorized to provide employment references. Information provided will include dates of employment, position(s) held, final salary (if authorized in writing by the employee), and eligibility for rehire (if applicable). All employment verification requests are directed to Human Resources. Supervisors and coworkers may provide personal references, but must clarify they are speaking personally, not on behalf of the City.

SECTION 11: ADMINISTRATIVE PROVISIONS

11.1 Handbook Administration

Human Resources is responsible for maintaining the current handbook, distributing it to employees, providing training on policies, updating the handbook as needed, and tracking acknowledgments. The City Manager has the authority to interpret policies and make exceptions in individual cases.

11.2 Policy Changes and Updates

The City reserves the right to modify, revise, supplement, rescind, or deviate from any policy at any time. Employees will be notified of significant changes through email announcement, staff meetings, posted notices, or updated handbook distribution. Changes affecting terms and conditions of employment for union-represented employees require bargaining where applicable. The handbook is automatically updated to comply with changes in federal, state, and local law.

11.3 Annual Review

The handbook is reviewed annually to ensure compliance with current laws, consistency with City practices, accuracy of information, and currency of references and links. Update sources include changes in federal and state employment law, court decisions and administrative rulings, collective bargaining agreements, City Council resolutions and ordinances, and best practices recommendations.

11.4 Questions and Interpretation

For questions regarding this handbook, employees may contact Human Resources at 360-691-6441, by email at jeff.balentine@ci.granite-falls.wa.us, or in person at City Hall. Human Resources provides guidance on policy interpretation, the City Manager makes the final determination, and legal counsel is consulted as needed. Union employees are encouraged to contact their Union representative for questions about CBA provisions.

11.5 Superseding Documents and Policies

The order of precedence for governing authority is as follows: (1) Federal and state law; (2) Collective bargaining agreements (for covered employees); (3) Individual employment contracts; (4) City ordinances and resolutions; (5) This handbook; (6) Department-specific policies and procedures.

The following policies are maintained as separate documents and referenced in this handbook: Volunteer Policy (Resolution 2010-07), Investment Policy (Resolution 2015-05), Electronic Funds Transfer Policy, Claims Payment Prior to Council Approval (Resolution 2017-07), Travel Policy (Resolution 2009-03), and the Collective Bargaining Agreement – Teamsters Local 763. Copies are available from Human Resources.

11.6 Severability

If any provision of this handbook is found to be invalid or unenforceable, the remaining provisions remain in full force and effect.

11.7 Distribution and Acknowledgment

New employees receive the handbook during orientation, with an explanation of key policies. All employees must sign the acknowledgment form confirming receipt of the handbook, responsibility for reading and understanding the policies, agreement to comply with the policies, understanding of at-will employment, and understanding that the handbook is not a contract. See Appendix C for the Acknowledgment Form. Signed forms are maintained in personnel files.

APPENDIX A: KEY CONTACT INFORMATION AND RESOURCES

City of Granite Falls Contacts

Human Resources / City Manager

- Phone: 360-691-6441
- Email: jeff.balentine@ci.granite-falls.wa.us

City Hall

- Address: PO Box 1440, Granite Falls, WA 98252
- Phone: 360-691-6441
- Website: <https://www.ci.granite-falls.wa.us>

Union Representation (Teamsters Local 763)

Teamsters Local 763

- Phone: 206-441-0763
- Website: <https://www.teamsters763.org>
- Shop Steward: Contact HR for current steward information

Government Agencies and Resources

Washington State Department of Labor & Industries (L&I)

- Website: <https://www.lni.wa.gov>
- Phone: 1-800-547-8367

U.S. Department of Labor

- Website: <https://www.dol.gov>

Equal Employment Opportunity Commission (EEOC)

- Website: <https://www.eeoc.gov>
- Phone: 1-800-669-4000

Washington State Human Rights Commission

- Website: <https://www.hum.wa.gov>
- Phone: 1-800-233-3247

Washington State Employment Security Department

- Website: <https://esd.wa.gov>
- Paid Family and Medical Leave: <https://paidleave.wa.gov>

Washington State Department of Retirement Systems

- Website: <https://www.drs.wa.gov>
- Phone: 1-800-547-6657

Public Employment Relations Commission (PERC)

- Website: <https://perc.wa.gov>
- Phone: 360-570-7300

Washington State Ethics Board

- Website: <https://ethics.wa.gov>
- Phone: 360-664-0871

Municipal Research and Services Center (MRSC)

- Website: <https://mrsc.org>

Legal Resources

- Revised Code of Washington (RCW): <https://app.leg.wa.gov/rcw>
- Washington Administrative Code (WAC): <https://app.leg.wa.gov/wac>

APPENDIX B: REQUIRED FEDERAL AND STATE NOTICES

The following notices are required by law to be provided to employees. Current versions of these notices are posted on City bulletin boards and available from Human Resources:

1. Equal Employment Opportunity is the Law (EEOC)
2. Employee Rights Under the Family and Medical Leave Act (FMLA)
3. Employee Polygraph Protection Act
4. Fair Labor Standards Act (FLSA) Minimum Wage Poster
5. Job Safety and Health: It's the Law (OSHA/WISHA)
6. Washington State Minimum Wage Notice
7. Washington Paid Sick Leave Notice
8. Washington Paid Family and Medical Leave Notice
9. Your Rights Under USERRA (Military Leave)
10. Workers' Compensation Notice
11. Unemployment Insurance Notice
12. Crime Victims' Rights Notice
13. Human Trafficking Notice
14. Wage Complaint Notice

APPENDIX C: EMPLOYEE ACKNOWLEDGMENT FORM

CITY OF GRANITE FALLS PERSONNEL POLICIES AND PROCEDURES / EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I acknowledge that I have received a copy of the City of Granite Falls Personnel Policies and Procedures / Employee Handbook, effective: TBD. I understand that it is my responsibility to read, understand, and comply with all policies contained in this handbook.

I understand and agree that:

1. This handbook is NOT an employment contract and does not create any contractual rights, express or implied.
2. My employment with the City of Granite Falls is at-will, meaning the City or I may terminate the employment relationship at any time, with or without cause, and with or without notice, except as may be limited by a collective bargaining agreement, a written employment contract, or applicable law.
3. For employees covered by a collective bargaining agreement, the CBA controls over this handbook in the event of any conflict.
4. The City reserves the right to modify, revise, supplement, rescind, or deviate from any policy in this handbook at any time, with or without notice.
5. I am responsible for knowing and complying with all policies, and any violation may result in disciplinary action up to and including termination.
6. If I have questions about any policy, I will contact Human Resources or my supervisor for clarification.
7. I have received information about how to access the Collective Bargaining Agreement (if applicable), Volunteer Policy, Investment Policy, Electronic Funds Transfer Policy, Travel Policy, and other referenced City policies.

Employee Name (Print): _____

Employee Signature: _____

Date: _____

Department: _____

Position: _____

Please sign and return this form to Human Resources. A copy will be placed in your personnel file.

**CITY OF GRANITE FALLS
RESOLUTION NO. 2026-05**

**A RESOLUTION ADOPTING THE CITY OF GRANITE FALLS PERSONNEL POLICIES AND
PROCEDURES/EMPLOYEE HANDBOOK**

WHEREAS, the City of Granite Falls is committed to establishing and maintaining clear, consistent, and legally compliant personnel policies and procedures for all City employees; and

WHEREAS, the City's personnel policies must comply with applicable federal and Washington State laws and regulations, including but not limited to the Fair Labor Standards Act (FLSA), Washington Minimum Wage Act (RCW 49.46), Washington Paid Sick Leave Act (RCW 49.46.200), Washington Family and Medical Leave (RCW 49.58), Washington Law Against Discrimination (RCW 49.60), the Family and Medical Leave Act (FMLA), and the Americans with Disabilities Act (ADA); and

WHEREAS, the City Manager and staff have conducted a comprehensive review and revision of the City's personnel policies to ensure compliance with current law, reflect best practices in municipal human resources management, and promote a safe, equitable, and productive work environment; and

WHEREAS, the revised Personnel Policies and Procedures/Employee Handbook addresses employment policies, compensation and hours of work, leave benefits, employee conduct and ethics, workplace health and safety, separation from employment, grievance procedures, and other matters essential to the effective administration of City personnel; and

WHEREAS, the Handbook does not constitute an employment contract and does not alter the at-will employment relationship except as otherwise specified in a written employment contract or collective bargaining agreement; and

WHEREAS, for employees represented by Teamsters Local Union No. 763, the Collective Bargaining Agreement governs all terms and conditions of employment, and where any provision in the Handbook conflicts with the CBA, the CBA controls; and

WHEREAS, the City Council finds that adoption of the revised Personnel Policies and Procedures/Employee Handbook is in the best interest of the City and its employees.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, AS FOLLOWS:

Section 1: Adoption of Personnel Policies and Procedures/Employee Handbook.

The Granite Falls City Council hereby adopts the City of Granite Falls Personnel Policies and Procedures Employee Handbook Effective Date March 18, 2026 (the “Handbook”), attached hereto and incorporated by reference, as the official personnel policies governing all City employees, subject to applicable law, applicable collective bargaining agreements and written employment contracts.

Section 2: Supersession.

This Resolution and the Handbook adopted herein supersede all prior resolutions, policies, and handbooks governing City personnel policies and procedures to the extent of any conflict, except as otherwise provided by collective bargaining agreements, written employment agreements or applicable law.

Section 3: Authority to Amend.

The City reserves the right to modify, revise, supplement, rescind, or deviate from any policy in the Handbook at any time, with or without notice, except as may be limited by collective bargaining agreements, written employment agreements or applicable law. Significant changes will be communicated to employees through appropriate channels and shall not require adoption of a new resolution unless directed by the City Council.

Section 4: Effective Date.

This Resolution shall take effect and be in force on and after March 18, 2026.

Section 5: Severability

If any section, subsection, or provision of this Resolution or the Handbook is found to be invalid or unconstitutional, such determination shall not affect the validity of the remaining portions of the Resolution or the Handbook, which shall remain in full force and effect.

Section 10: Conflicts

In the event of any conflict between this Resolution and any other City ordinance, resolution, or policy, the provisions that are most favorable to the City

and most consistent with Federal and Washington State law, and the Municipal Code shall control.

PASSED by the City Council this ____ day of March, 2026.

APPROVED by the Mayor this ____ day of March, 2026.

CITY OF GRANITE FALLS _____
Matthew Hartman, Mayor

Attest:

Darla Wilkins, MMC, City Clerk

Approved as to form:

Thomas H. Graafstra, City Attorney
Emily Guildner, City Attorney



CITY COUNCIL AGENDA BILL

Subject: 7.c.

Originating Dept.: City Manager

Action Recommended: Direct staff to draft an Ordinance incorporating the recommendations presented for introduction and first reading at the April 1, 2026, Regular City Council Meeting.

Approval(s): City Manager

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. COGF ebike-escooter discussion

Budgeted Amount: N/A

BARS Code: N/A

Summary Statement:

Granite Falls is experiencing increased use of electric-assisted bicycles (e-bikes) and motorized foot scooters (e-scooters) on city streets, sidewalks, and trails. The current municipal code does not specifically address these devices. Without local regulations, the City defaults to state law, leaving significant gaps—particularly regarding sidewalk use, helmet requirements, parking, and trail access in city parks.

Staff conducted a regulatory analysis of the RCW, WAC, and MRSC guidance to identify where state law provides adequate coverage and where Granite Falls should adopt its own provisions. State law classifies e-bikes into three classes (RCW 46.04.169) and defines motorized foot scooters (RCW 46.04.336). RCW 46.61.710 and RCW 46.61.715 grant local jurisdictions broad authority to regulate these devices on local facilities, properties, and rights-of-way. State restrictions do not preempt local preference.

Staff recommends the following local provisions where state law gaps exist:

- Prohibit all e-bikes/e-scooters in the downtown commercial zone; allow Class 1/2

at 6 mph on other sidewalks.

- Require helmets for all riders under 18 years old on e-bikes and e-scooters within city limits.
- Allow Class 1/2 on paved city trails at 10 mph max; prohibit all classes on natural surface trails.
- Prohibit blocking ADA access, crosswalks, and building entrances; authorize 72-hour impoundment.
- Require city-issued permit for commercial Shared Programs; tie insurance/ID requirements to RCW 46.61.715.
- Adopt RCW Definitions: Three-class e-bike system (RCW 46.04.169) and motorized foot scooter definition (RCW 46.04.336) by reference.

This approach is consistent with actions taken by comparable Washington cities.

Background:

Proposed Timeline:

- March 18 — Council receives staff presentation and regulatory analysis
- March 19–31 — Staff drafts Ordinance; legal review
- April 1 — First reading of Ordinance at Regular Council Meeting
- April 15 — Public hearing and potential adoption

Recommended Motion:

1) I move to direct staff to draft an Ordinance regulating the operation of electric-assisted bicycles and motorized foot scooters within the City of Granite Falls, consistent with the staff recommendations presented at the March 18, 2026, Regular Council Meeting, for introduction and first reading at the April 1, 2026, Regular City Council Meeting.

CITY OF GRANITE FALLS

E-Bike & E-Scooter Regulatory Framework

Staff Recommendations for Municipal Code Development

Presented to the City Council

Regular Meeting — March 18, 2026

Jeff Balentine, City Manager

Agenda

- 1 Why This Matters Now
- 2 Washington State RCW Framework
- 3 E-Bikes — Where Can They Operate?
- 4 E-Scooter Statutory Framework
- 5 WAC Rules for State and Public Lands
- 6 Local Government Authority
- 7 What Other Cities Are Doing
- 8 Gaps Requiring Local Code
- 9 Staff Recommendations
- 10 Proposed Ordinance Language
- 11 Next Steps and Requested Action

Why This Matters Now

1 Million+ e-bikes sold nationally in 2023

ESSB 6110 pending — will reshape definitions

Granite Falls is seeing increased e-bike and e-scooter use on city streets, sidewalks, and trails. Current municipal code does not specifically address these devices.

Without local regulations, the city defaults to state law — which leaves significant gaps, particularly around sidewalk use for Class 1 and 2 e-bikes, helmet requirements, parking, and trail access in city parks.

Staff has conducted a thorough regulatory analysis of the RCW, WAC, and MRSC guidance to identify where state law provides adequate coverage and where Granite Falls should adopt its own code.

Source: [MRSC E-Bikes and E-Scooters \(June 2025\)](#)

E-Bike Classification (RCW 46.04.169)

CLASS 1	CLASS 2	CLASS 3
<p>Pedal-assist only Motor ceases at 20 mph No throttle</p>	<p>Throttle-capable Motor ceases at 20 mph No pedaling required</p>	<p>Pedal-assist only Motor ceases at 28 mph Speedometer required</p>

All classes: Max 750W | Two or three wheels | Saddle + pedals | Defined as “bicycles” (RCW 46.04.071)

Key State Provisions:

- No driver’s license required for any class (RCW 46.20.500)
- Under-16 riders prohibited from Class 3 only
- No vehicle registration required
- Labeling required: class, top speed, wattage (RCW 46.37.690)
- Tampering to change speed capability prohibited unless label replaced

Source: [RCW 46.04.169](#), [RCW 46.37.690](#)

Where Can They Operate? (RCW 46.61.710)

	Roads	Bike Lanes	Shared-Use Paths	Sidewalks	Natural Trails
Class 1	YES	YES	YES	Local rules	Local auth.
Class 2	YES	YES	YES	Local rules	Local auth.
Class 3	YES	YES	NO*	NO*	Local auth.
E-Scooter	YES	YES	YES	NO*	Local auth.

** Unless no safe alternative exists, or authorized by local ordinance*

- State law grants local jurisdictions authority to restrict or expand access for all classes. For shared-use paths crossing boundaries, local regulation must be consistent along the entire path to be enforceable.

No state helmet requirement.

E-bike riders “shall comply with all laws and regulations related to the use of bicycle helmets” (RCW 46.37.530) — but Washington has no statewide bicycle helmet mandate.

Source: [RCW 46.61.710](#), [RCW 46.37.530](#)

E-Scooter (Motorized Foot Scooter) Framework

Definition (RCW 46.04.336):

Device with 2-3 wheels, handlebars, floorboard for standing, powered by electric motor or ICE, max 20 mph.

Operator Rules (RCW 46.20.500):

- No license required
- Under-16 prohibited unless local jurisdiction provides otherwise
- Max 15 mph on roadways and bike lanes
- Sidewalk use only if authorized by local jurisdiction
- Reflectors required for operation after sunset / before sunrise

Key Local Authority (RCW 46.61.715):

- Determine if and where shared scooters may operate
- Levy reasonable fees and taxes on scooter share programs
- Require ADA-compliant staging on sidewalks
- Adopt penalties for moving and parking violations
- Shared programs: \$1M/\$5M CGL + \$1M auto liability insurance

Source: [RCW 46.04.336](#), [RCW 46.61.715](#)

WAC Rules – State Parks, DNR, and Public Lands

State Parks (WAC 352-32-075)

- Allowed on public roads in state parks
- Prohibited on trails except where designated and posted
- Prohibited in natural areas, preserves, interpretive trails
- Director may open/close trails with public meeting process

DNR Lands (WAC 332-52-400)

- DNR designates road/trail use by activity type
- Class 1 and 2 e-bikes allowed where bicycles are allowed (SB 5452, eff. July 2021)
- Off-road/off-trail use prohibited unless posted open
- Violations are infractions under chapter 7.84 RCW — fines up to \$99

Relevance to Granite Falls:

City parks and trails are under local jurisdiction. WAC rules do not govern but provide useful models for trail access policies.

Source: [WAC 352-32-075](#), [WAC 332-52-400](#)

Local Government Authority – No State Preemption

State restrictions DO NOT preempt local preference. Granite Falls has broad authority to adopt its own regulations.

E-Bikes (RCW 46.61.710(7) and (8)):

- Restrict or expand access to shared-use paths, bike lanes, sidewalks, parks
- Set age restrictions beyond state minimums
- Require helmets (no state mandate exists)
- Regulate parking locations and impoundment

E-Scooters (RCW 46.61.715(1)):

- Determine whether shared scooters may operate in the city
- Regulate where all scooters (private and shared) may be ridden
- Authorize or prohibit sidewalk use and set speed limits
- Levy fees/taxes on shared programs; adopt penalties
- Allow riders under 16 (state default prohibits)

Source: [MRSC \(June 2025\)](#), [RCW 46.61.710](#)

What Other Washington Cities Are Doing

City	Approach
Bellingham	E-bikes allowed in parks and on city trails; 15 mph speed limit on park roads
Bremerton	Motorized devices prohibited in parks, multipurpose trails, streets > 25 mph; manual power only on sidewalks
Wenatchee	E-scooters banned from all sidewalks; bicycles banned from downtown sidewalks
Spokane Valley	Prohibited in parks, sidewalks, multipurpose trails, streets > 25 mph (except bike lanes)
Snoqualmie	Local helmet requirement; park-specific rules for wheeled devices and scooters
Lake Stevens	Impoundment of bikes/scooters/wheeled devices unclaimed for 60 days
Multiple cities	Aberdeen, Washougal, Lakewood, Port Orchard, Lynnwood — local helmet requirements

Source: [MRSC Municipal Code Examples \(June 2025\)](#)

Identified Gaps Requiring Local Code

Issue	State Law	Staff Recommendation
Class 1/2 sidewalk use	GAP	Prohibit in downtown core; allow elsewhere at pedestrian speed
Helmet requirement	GAP	Require helmets for all riders under 18
City park/trail access	GAP	Class 1/2 on paved trails at 10 mph; all classes off natural surface trails
Parking / impoundment	GAP	Prohibit blocking ADA ramps, crosswalks; 72-hour impoundment
Shared programs	Covered	Adopt by reference; require city permit to operate

Recommendation: Where state law is adequate, adopt by reference. Where gaps exist, draft Granite Falls-specific provisions.

Staff Recommendations – Ordinance Framework

Where state law provides adequate guidance, the proposed ordinance will adopt by reference. Where gaps exist, staff recommends these local provisions:

- 1 Adopt RCW Definitions:** Three-class e-bike system (RCW 46.04.169) and motorized foot scooter definition (RCW 46.04.336) by reference
- 2 Sidewalk Regulation:** Prohibit all e-bikes/e-scooters in downtown commercial zone; allow Class 1/2 at 6 mph on other sidewalks
- 3 Helmet Requirement:** Require helmets for all riders under 18 on e-bikes and e-scooters within city limits
- 4 Park and Trail Access:** Allow Class 1/2 on paved city trails at max 10 mph; prohibit all classes on natural surface trails
- 5 Parking / Impoundment:** Prohibit blocking ADA access, crosswalks, building entrances; authorize 72-hour impoundment
- 6 Shared Programs:** Require city-issued permit; tie insurance/ID requirements to RCW 46.61.715

Proposed Ordinance Language

Sample:

AN ORDINANCE of the City of Granite Falls, Washington, adding a new Chapter to the Granite Falls Municipal Code relating to the regulation of electric-assisted bicycles and motorized foot scooters; adopting definitions consistent with RCW 46.04.169 and RCW 46.04.336; establishing rules for operation on city streets, sidewalks, trails, and parks; providing for helmet requirements, parking, impoundment, and shared micromobility program permitting; and providing for penalties.

WHEREAS, the use of electric-assisted bicycles and motorized foot scooters has increased significantly within the City of Granite Falls; and

WHEREAS, RCW 46.61.710 and RCW 46.61.715 authorize local jurisdictions to regulate the operation of electric-assisted bicycles and motorized foot scooters on facilities, properties, and rights-of-way under their jurisdiction and control; and

WHEREAS, the City Council finds that local regulation is necessary to promote public safety, protect pedestrians, ensure ADA accessibility, and preserve the character of city trails and parks;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Next Steps & Requested Action

Requested Council Action — March 18, 2026:

Direct staff to draft an Ordinance incorporating the recommendations presented herein, for introduction and first reading at the April 1, 2026 Regular City Council Meeting.

Proposed Timeline:

March 18 — Council receives staff presentation and regulatory analysis

March 19–31 — Staff drafts Ordinance; legal review

April 1 — First reading of Ordinance at Regular Council Meeting

April 15 — Public hearing and second reading / adoption



CITY COUNCIL AGENDA BILL

Subject: 7.d.

Originating Dept.: City Council

Action Recommended: Approve the City Manager's appointment of Scott Bower, Carol Panagos, and Paula Swisher to the City of Granite Falls Salary Commission, and direct staff to support the Commission in completing a City Council compensation review and filing a salary schedule with the City Clerk by July 1, 2026.

Approval(s): City Manager

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s): None

Budgeted Amount: N/A

BARS Code: N/A

Summary Statement:

The City Manager requests City Council approval of the appointment of three citizen members to the City of Granite Falls Salary Commission: Scott Bower, Carol Panagos, and Paula Swisher. These appointments are made pursuant to the City's Salary Commission ordinance (adopted 2022), which provides that the City Manager shall appoint Commission members subject to City Council confirmation. The Commission will conduct an independent review of City Council compensation in accordance with RCW 35.21.015.

Background:

On March 4, 2026, the City Council reviewed a presentation on the Salary Commission, including its legal authority under RCW 35.21.015, the structure of the City's 2022 ordinance, and the Commission's current status. The Council was informed that the terms of previous Commission members have expired and that the next scheduled compensation review (due in 2025 per the three-year cycle) is overdue. The Council

directed the City Manager to proceed with nominating new Commission members for Council confirmation.

Under the City's Ordinance, the Salary Commission consists of three members appointed by the City Manager with Council approval. At least two members must be City residents; one member may be a business owner within the City. Members serve two-year staggered terms and are unpaid. The Commission is authorized to independently review and file a salary schedule for all elected officials with the City Clerk. Once filed, the salary schedule becomes effective without further Council action, subject to a 30-day citizen referendum period.

PROPOSED APPOINTMENTS

The City Manager nominates the following individuals to serve on the Salary Commission:

1. Scott Bower
2. Carol Panagos
3. Paula Swisher

All nominees meet the qualifications established by the City's Salary Commission ordinance. Upon Council confirmation, staff will coordinate Commission meetings, provide research and data on comparable city compensation, cost-of-living trends, and budget impacts, and support the Commission through the public deliberation process.

PROPOSED TIMELINE

- March 18, 2026: Council confirms appointments
- April - May 2026: Staff prepares research and data; Commission convenes
- May - June 2026: Public meeting(s), deliberation, and development of recommendation
- By July 1, 2026: File salary schedule with City Clerk

Recommended Motion:

1) I move to approve the City Manager's appointment of Scott Bower, Carol Panagos, and Paula Swisher to the City of Granite Falls Salary Commission, and direct staff to support the Commission in completing a City Council compensation review and filing a salary schedule with the City Clerk by July 1, 2026.



CITY COUNCIL AGENDA BILL

Subject: 7.e.

Originating Dept.: Public Works

Action Recommended: Staff recommendations approval of Resolution 2026-06

Approval(s): Attorney
City Manager

Meeting Date: March 18, 2026

Date Submitted:

Exhibit(s):

1. Resolution 2026-06 PW Fleet Surplus

Budgeted Amount: N/A
BARS Code: N/A

Summary Statement:

For Council consideration is Resolution 2026-06, authorizing the surplus of the City's 2010 Ford F-350 pickup truck. Over the past six years, the City Council has supported the replacement of aging Public Works fleet vehicles with newer equipment. These purchases have significantly improved the department's functionality and overall productivity.

Due to age and ongoing use, this vehicle has reached a point where maintenance and upkeep costs outweigh the benefits of continued ownership. If approved, staff will coordinate with James G. Murphy to transport the vehicle for auction. Historically, sales through this venue have produced favorable returns, helping offset prior fleet expenditures.

Background:

This 2010 Ford F-350 was purchased in December 2009 and currently has 108,256 miles. It was purchased from Columbia Ford in Vancouver, Washington, through a state contract at a purchase price of \$27,986.87. At the time of purchase, this vehicle

represented a monumental pivot point in Public Works, as it offered many features lacking in the existing fleet, including comfort, reliability, style, capability, functionality, and the ability to secure the door shut without driver assistance. Additionally, the 8.5' Buyers snowplow fitted to the vehicle will accompany it to auction.

Recommended Motion:

1) Motion to approve Resolution 2026-06, a City of Granite Falls resolution authorizing the surplus of the Public Works Department's 2010 Ford F-350.

**CITY OF GRANITE FALLS
GRANITE FALLS, WASHINGTON
RESOLUTION NO. 2026-06**

A RESOLUTION OF THE CITY OF GRANITE FALLS, WASHINGTON, DECLARING A 2010 FORD F-350 AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE.

WHEREAS, the City of Granite Falls owns a 2010 Ford F-350 pickup truck that is no longer needed for municipal purposes; and

WHEREAS, the City also uses other local auction services provided by James G. Murphy Company; and,

WHEREAS, the City Council finds it to be in the best interest of the City to declare the vehicle surplus and authorize its disposal in accordance with state law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS AS FOLLOWS:

Section 1. The 2010 Ford F-350 pickup truck, VIN: 1FTWX3B55AEA92730, is hereby declared surplus to the needs of the City of Granite Falls.

Section 2. The City Manager, or their designee is authorized to sell or otherwise dispose of the vehicle through public auction, including but not limited to Public Surplus, James G. Murphy Company, or other lawful means that provides the best return to the City.

Section 3. The vehicle shall be sold in “as is” condition, without warranty, express or implied, as to condition or fitness for any particular purpose.

Section 4. This Resolution shall take effect immediately upon its passage.

PASSED by the City Council this _____ day of March, 2026.

APPROVED by the Mayor this _____ day of March, 2026.

CITY OF GRANITE FALLS _____

Matthew Hartman, Mayor

ATTEST:

Darla Wilkins, City Clerk

APPROVED AS TO FORM:

Thomas H. Graafstra, City Attorney
Emily Guildner, City Attorney