



May 7, 2025

Critical Area Review 2 Criteria Compliance Narrative

Permit Number: ADU25-004 Address: 5331 Forest Ave SE

Per Critical Area Review 2 Form: “Detail how the application meets the review criteria for Critical Area Review 2 in MICC 19.07.090, MICC 19.07.160, MICC 19.07.170, MICC 19.07.180 and/or MICC 19.07.190.”

MICC 19.07.090(B)(2)(a):

When development and/or activity within a wetland, watercourse, fish and wildlife habitat conservation area or buffer associated with these critical area types is proposed, a critical area review 2 is required to be reviewed and approved prior to construction authorization.

Answer: No activity is proposed within a wetland, watercourse, fish/wildlife habitat conservation areas, or associated buffer.

MICC 19.07.090(B)(2)(b):

When development and/or activity is proposed on a site containing only geologically hazardous areas, an applicant has the option of [...]:

ii. Requesting consolidation of the review of geologically hazardous areas together with construction permit review.

Answer: Our proposal includes activity within mapped geologically hazardous areas. Our application includes a request to consolidate the review of the site’s geologically hazardous areas together with the construction permit review.

MICC 19.07.090(B)(3):

Requirements for a complete application include:

A completed development application coversheet;

A critical area study meeting the requirements of section 19.07.110 [...]

Answer: Our application includes a development application form and a critical area study.

MICC 19.07.160(B)(1):

When an alteration within a landslide hazard area, seismic hazard area or buffer associated with those hazards is proposed, the applicant must submit a critical area study concluding that the proposal can effectively mitigate risks of the hazard. The study shall recommend appropriate design and development measures to mitigate such hazards. [...]

Answer: Our application includes a critical area study recommending design and development measures for hazard mitigation.



MICC 19.07.160(B)(2):

Alteration of landslide hazard areas and seismic hazard areas and associated buffers may occur if the critical area study documents find that the proposed alteration:

- a. Will not adversely impact other critical areas;*
- b. Will not adversely impact the subject property or adjacent properties;*
- c. Will mitigate impacts to the geologically hazardous area consistent with best available science to the maximum extent reasonably possible such that the site is determined to be safe; and*
- d. Includes the landscaping of all disturbed areas outside of building footprints and installation of hardscape prior to final inspection.*

Answers:

- a. The Buffers and Mitigation portion of the critical area study (see page 4 of the geotechnical report) notes that the recommendations in the report will mitigate any potential hazards to geologic critical areas on the site.
- b. The Potential Landslide Hazard Area portion of the study (see page 4 of the geotechnical report) notes that, “the potential for future instability is particularly low” due to the site and vicinity’s low inclination and the nature of the site’s soils, “Thus, no buffers are necessary to mitigate the mapped Potential Landslide Hazard.” The Seismic Hazard portion of the study (see page 4 of the geotechnical report) notes that “The Seismic Hazard mapping appears to be unrelated to any site features. The site soils have a very low probability of movement during a large seismic event because of the reasons presented above, and they are not susceptible to seismic liquefaction. Thus, we do not believe the site is a Seismic Hazard Area.”
- c. As noted above, the Buffers and Mitigation portion of the critical area study (see page 4 of the geotechnical report) notes that the recommendations in the report will mitigate any potential hazards to geologic critical areas on the site.
- d. The project proposal includes the landscaping of all disturbed areas outside of building footprints and installation of hardscape prior to final inspection (see site plan on sheet A0.2).



MICC 19.07.160(B)(3)

Alteration of landslide hazard areas, seismic hazard areas and associated buffers may occur if the conditions listed in subsection (B)(2) of this section are satisfied and the geotechnical professional provides a statement of risk matching one of the following: [...]

c. Construction practices are proposed for the alteration that would render the development as safe as if it were not located in a geologically hazardous area and do not adversely impact adjacent properties [...]

Answer: Our application includes a statement of risk which has been prepared by the geotechnical engineer. It states that if “the recommendations in the [critical area] study and shown in the project plans are followed, the planned additions for the proposed project will render the development as safe as if it were not located in a geologically hazardous area and will not adversely impact critical areas on adjacent properties.”

MICC 19.07.160(C)

Development standards—Landslide hazard areas. Development is allowed within landslide hazard areas and associated buffers, when the following standards are met:

- 1. A critical area study shall be required for any alteration of a landslide hazard area or associated buffer;*
- 2. Buffers shall be applied as follows. [...]*

b. Shallow landslide hazard areas shall have minimum 25-foot buffers applied in all directions; [...]

Answer: Our application includes a critical area study. As noted above, the Potential Landslide Hazard Area portion of the study (see page 4 of the geotechnical report) notes that, “the potential for future instability is particularly low” due to the site and vicinity’s low inclination and the nature of the site’s soils, “Thus, no buffers are necessary to mitigate the mapped Potential Landslide Hazard.”



MICC 19.07.160(D)

Development standards—Seismic hazard areas. When development is proposed within a seismic hazard area:

1. A critical area study shall be required and shall include an evaluation by a qualified professional for seismic engineering and design, a determination of the magnitude of seismic settling that could occur during a seismic event, and a demonstration that the risk associated with the proposed alteration is within acceptable limits or that appropriate construction methods are provided to mitigate the risk of seismic settlement such that there will be no significant impact to life, health, safety, and property.

2. Identification of seismic hazard areas. Seismic hazard areas shall be identified by a qualified professional who references and interprets information in the U.S. Geological Survey Active Faults Database, performs on-site evaluations, or applies other techniques according to best available science. [...]

Answer: Our application includes a critical area study. As noted above, the Seismic Hazard portion of the study (see page 4 of the geotechnical report) notes that “The Seismic Hazard mapping appears to be unrelated to any site features. The site soils have a very low probability of movement during a large seismic event because of the reasons presented above, and they are not susceptible to seismic liquefaction. Thus, we do not believe the site is a Seismic Hazard Area.”

MICC 19.07.160(E)

Development standards—Erosion hazard areas.

1. All development proposals shall demonstrate compliance with chapter 15.09, storm water management program.

Answer: Our proposal results in a net increase of impervious surface of less than 500 square feet, qualifying it for the use of a Small Project Stormwater Report.

MICC 19.07.160(E)

Development standards—Erosion hazard areas.

2. No development or activity within an erosion hazard area may create a net increase in geological instability on or off site.

Answer: According to the Erosion Hazard Area portion of the critical area report (see page 4 of the geotechnical report), “... the work for this project can be accomplished without adverse erosion impacts to the site and surrounding properties.” According to the Buffers and Mitigation portion of the critical area study (beginning on page 4 of the geotechnical report), “The planned development will not adversely impact the stability of the neighboring properties...”

[MICC 19.07.170, MICC 19.07.180, and MICC 19.07.190 do not apply to our proposal]