



# Town of Concrete

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## CRITICAL AREA REVIEW APPLICATION—PRE-EXISTING LOTS

**Purpose:** The purpose of Critical Area Review is to designate, classify and protect the functions and values of critical areas and anadromous fisheries in a manner consistent with state law while allowing for reasonable use of private property.

The Town has designated a CAO district that consists of the area within 225 feet of critical areas located in all or in part within the incorporated town limits, including wetlands (all areas which meet the definition of a wetland), critical aquifer recharge areas, frequently flooded areas, geologically hazardous areas, habitat conservation areas, and anadromous fisheries. Any development proposed on a parcel of land within the CAO district shall be subject to Critical Area Review as required in CMC 16.12.040 unless specifically exempted.

### Development on Preexisting Lots.

(a) For development proposals and other land use activities that can adversely impact critical areas on preexisting lots, which are not part of a proposed land division or other form of multiple lot development, critical areas shall be identified on a scaled site plan showing the location of the critical area, structures (existing and proposed) and their distances from the critical area and lot lines to show relative location within the subject parcel(s). The project or activity shall be conditioned for critical area protection using best management practices.

(b) For development on preexisting lots, such as single-family residential or commercial building permits, within the CAO district that may impact critical areas, the applicant shall provide a plan incorporating best management practices to ensure that the development does not adversely impact the functions of the critical area. Such plan shall be submitted for review and approval by the town planner or designee.

**Complete Application Required:** The Town will not accept an application that does not have all of the required items listed below. To accept your application, each of the numbered items below must be submitted at the same time. However, if you have received a prior written waiver of a submittal item(s), please provide the signed waiver form in lieu of any submittal item not provided.

1. **Fees.** \$ \_\_\_\_\_
2. **Master Land Use Permit Application.** Completed and signed
3. **Assessor Map.** Please identify parcels
4. **Narrative.**
  - Please describe the work that will be completed within the CAO district.
  - Discuss any critical areas reports or studies that have been prepared previously and attach copies.
  - The narrative must address the following. The town requires applicants to demonstrate that development on a site determined to have critical areas will protect the resource by taking one of the following mitigation steps (listed in order of preference):
    - a) Avoid impacts to the resources altogether.
    - b) Minimize the impact by limiting the degree or magnitude of the action and its implementation by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
    - c) Rectify the impact by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project.
    - d) Reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action.
    - e) Compensate for the impact by replacing, enhancing or providing substitute resources or environments.

- f) Monitor the impact and take appropriate corrective measures.
5. **Site Plan:** a scaled site plan showing the location of the critical area, structures (existing and proposed) and their distances from the critical area and lot lines to show relative location within the subject parcel(s).

**GENERAL PROCESS:** Once all of the materials outlined above have been submitted to the Town, staff will determine whether or not an application is technically complete. A letter will be sent to the applicant if the submittal is found to be technically incomplete and what additional items need to be submitted, or what corrections are needed to make the application complete.

The Critical Area Review is processed administratively; meaning, the application will be reviewed, and either approved or disapproved by the Town Planner with input from other departments as necessary. Upon review of submitted materials if the Town Planner determines impact to the critical area may be likely, the applicant shall submit a technical report as part of the application. The technical report shall be prepared by a qualified professional(s) with demonstrated qualifications in the area of concern and shall apply best available science as part of its analysis. The town may require, at its discretion, an independent, third party review of any technical report in order to ensure its sufficiency. The applicant shall be responsible for the costs associated with this review. At a minimum, the technical report shall:

- (a) Identify the precise limits of the critical area(s) and its function and resource values;
- (b) Analyze the potential impacts of the proposed development on the critical area(s); and
- (c) Provide a detailed plan for mitigation of those impacts, to be implemented by the applicant.

PLEASE NOTE: Compliance with the provisions of the Town of Concrete requirements does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, shoreline substantial development permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The applicant is responsible for complying with these requirements, apart from compliance with Town development regulations.