

**COMMONLY ASKED QUESTIONS ABOUT PROPOSED STREAM REGULATIONS****Why are Streams considered critical areas?**

Bellevue's streams and other aquatic resources are all important natural resources and comprise elements of the local hydrologic cycle. Open surface water's beneficial uses are: natural resources preservation; fish and wildlife habitat; water quality; storm water conveyance; recreation, culture and education; and aesthetics. Anadromous fish (fish that spawn in fresh water, migrate to saltwater for a portion of their life cycle, then return to fresh water) successfully use most of Bellevue's stream basins, even where the habitat is not optimal. The Kelsey Creek basin is the primary Chinook salmon stream system in Bellevue. Coal Creek and lower Lewis Creek also provide Chinook habitat. Coho and sockeye salmon inhabit most of Bellevue's streams where suitable and accessible habitat exists.

**How do I determine if there is a Stream on my property?**

A determination of whether a site contains a stream or stream buffer can be made in couple of different ways. Limited information on hand at the City can be used as a preliminary indication that a site has a stream. Additionally, when an application for development is received, city staff can also visit the site and look presence of channel or water. If a stream is suspected to exist on a site, an appropriate professional must examine the site and prepare a report describing the stream before any development is approved for that site. The stream must be typed using the State of Washington stream typing system. See handout on typing system for more information.

**What happens if I have a stream on my property?**

The city currently regulates sites with streams, so your property has been subject to some special rules since 1987, when the City first adopted regulations about critical areas. Some changes are suggested with these amendments that might impact the way you use your property. Whether or not you will be impacted by the proposed changes in the regulations depends on what you are planning on doing with your site, as described below:

- **Do I have to do anything if I'm not proposing a change to my existing house, patio, deck or landscaping?**

No, the regulations only apply when you are making a change to the improvements on your property. You may even continue maintaining landscaping or lawn area within the stream buffer. The city is developing certain incentives to encourage property owners to enhance these areas on their property, but those programs will be voluntary.

- **What if I want to do work in a critical area?**

Please contact the Land Use help desk at 425-452-4188 before beginning any enhancement projects within the stream or stream buffer.

- **What if I want to make changes to my existing house, patio, deck or landscaping?**

If you propose changes to the improvements on your property, then some of the regulations may impact you. First, stream buffers are expanding from today's buffer. A buffer is an area that must be kept free from structures, patios, or other uses, and trees and other vegetation in that area should be left undisturbed. Any proposals to change your improvements must comply with those buffers, unless no other alternative exists. Second, the regulations limit the total amount of "impervious surfaces" on a site. Impervious surfaces are those surfaces that interfere with rainfall soaking into the ground, and include things like patios, driveways, structures, and certain decks. If your property is already at the limit for impervious surfaces and your proposal involves adding more impervious surface, then either some existing impervious surface must be removed, or some other material, which allows water to soak into the ground, must be used. Alternatives like pervious pavement, pavers and similar materials that allow some rainwater to get into the ground will be permitted. Third, certain uses of your property will have to be designed considering the impacts on the stream, including directing light and noise away from the stream, and using planting techniques to keep pets and people out of the stream.

**What are the required buffers from a stream?**

The size of the buffer depends on the Type of stream. Buffers are measured from the top of bank. The below are buffer ranges for each stream type. A structure setback also exists to protect the buffer and allow some useable land area between a house and the edge of the stream buffer.

<b>Stream Corridors</b>		
	Standard Buffer	Structure Setback
Type S Water	100 ft	20 ft
Type F Water	100 ft	20 ft
Type N Water	50 ft	15 ft
Type O Water	25 ft	10 ft
Closed corridor, regardless of type; Kelsey Creek drainage basin	50 ft or buffer required by stream type, whichever is less	None
Closed corridor, regardless of type; all other drainage basins	10 ft	None

**Can Buffers and structure setbacks be modified?**

Yes, in some circumstances the buffers and structure setbacks can be modified. All efforts to accommodate development on the least sensitive portion of the site, outside of the critical area and buffer should be maximized. In some circumstances this may mean a required basic zoning setback like a front or side yard setback may be reduced to limit the intrusion into the critical area and buffer. Provisions for buffer averaging are also proposed. Finally, the city will allow a property owner to suggest a change in the buffer based on a site-specific study that demonstrates that because of the condition of the stream and buffer, and the features of the proposal, the overall proposal will be at least as protective to the critical area as the standard buffer would be. This process of allowing site specific flexibility is referred to as the “critical areas report” process.

**Resources:**

Critical Areas Project Main Page <http://www.cityofbellevue.org> (see Featured Pages menu)