



## Snohomish County Council

**Committee:** Planning & Community Development

**Analyst:** Yorik Stevens-Wajda

**ECAF:** 68159

**Proposal:** Proposed Ordinance 19-022

**Date:** May 17, 2019

### Consideration

Ordinance 19-022 would revise two sections of county code to allow the construction of certain types of park facilities and memorials within river channel migration zones.

### Background

Channel migration is the process by which river channels move, change, and shape floodplains through time, and is guided by processes of water runoff, sediment transport, geology and vegetation.

Channel migration occurs through three major processes: **channel expansion** due to changes in flow or adjacent vegetation, gradual **channel bend migration** as the flow of water erodes one bank and deposits sediment along the other bank (see figure 1), and **abrupt switches in channel course** (called “channel avulsions”, see figure 2).

Figure 1

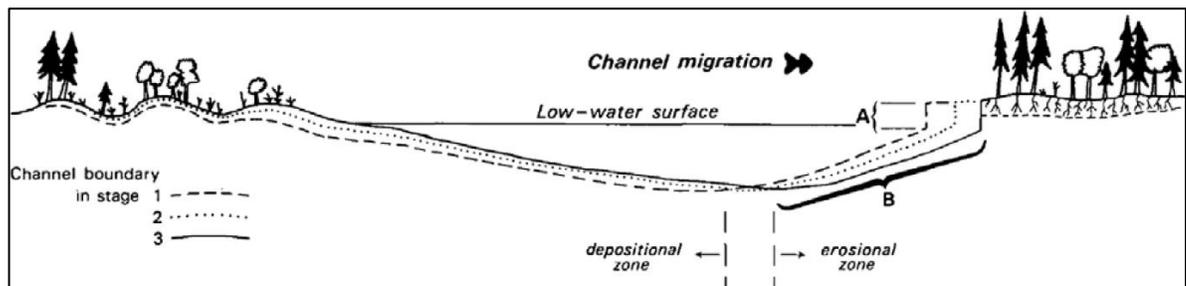
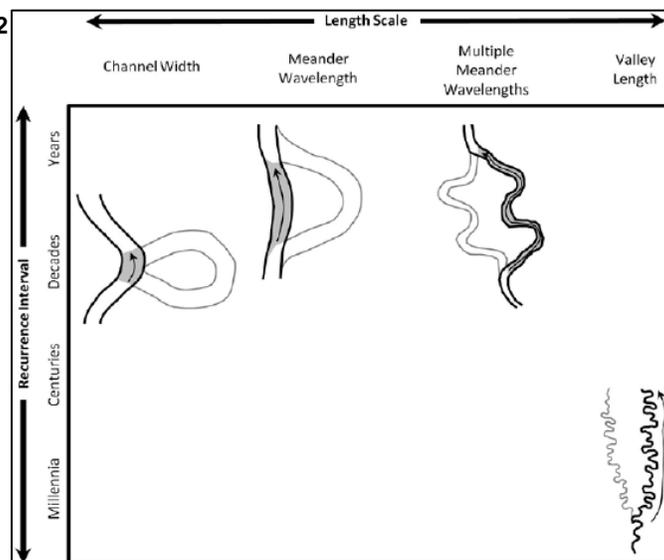


Figure 2



Source (figures 1 and 2): [Channel Migration Processes and Patterns in Western Washington: A Synthesis for Floodplain Management and Restoration, Washington Dept. of Ecology, 2014](#)

Snohomish County added regulations to county code (SCC [30.62B.320](#) and [.330](#)) regarding channel migration zones in 2007 (Ord. 06-061) and amended those regulations in 2015 (Ord. 15-034) as part of periodic updates to its critical areas regulations. These regulations apply to channel migration zones adjacent to the Sauk, Skykomish, Snohomish, Snoqualmie, and Stillaguamish rivers, as well as lower portions of the Pilchuck, Sultan, and Wallace rivers, the North and South Fork Skykomish and Stillaguamish rivers, and Pilchuck Creek.

A channel migration zone is defined in county code as “the land adjacent to the current river channel that is at high risk of occupation by the channel within the next 100 years.” (SCC [30.91C.067](#)).

When development, such as facilities addressed by this ordinance, is proposed in an area where channel migration is likely, a channel migration study ([example](#)) is required. The study would then establish the specific location of the channel migration zone for regulatory purposes and would analyze probable impacts of the river’s movement on the proposed development as well as probable impacts of the proposed development on the river.

County regulations currently prohibit all development within channel migration zones, with the following exceptions: removal of hazardous trees; new utility facilities with certain restrictions; new transportation structures under certain circumstances; boat ramps; maintenance or repair of most existing structures; bank stabilization and flood protection measures in certain cases; and habitat restoration and enhancement projects.

There is substantial overlap between channel migration zones and designated shoreline environments subject to the county’s [Shoreline Management Program](#), wetland and fish and wildlife habitat areas subject to critical area regulations (Chapter [30.62A](#) SCC), and special flood hazard areas subject to special flood hazard regulations (Chapter [30.65](#) SCC). Where those areas overlap, up to all four sets of regulations, which have been designed to be consistent with each other, apply.

### **Current Proposal**

The Parks, Recreation and Tourism department has been working with families of victims, survivors, and responders of the SR-532 slide to develop a memorial to those who were lost in the event. After exploring multiple alternatives and weighing tradeoffs, an initial design has been advanced, but the memorial site lies within the Stillaguamish River’s channel migration zone and its development would be prohibited under current county code.

Separately, the county also owns other land within channel migration zones in other parts of the county that would provide opportunities for public access to shorelines and recreation near and adjacent to rivers in the county. Development of park facilities within channel migration zones is also prohibited under current county code.

This proposal would amend county code to allow, within river channel migration zones, the development of memorials and park facilities. Park facilities would be limited to passive recreation such as interpretive and educational facilities, primitive camping areas, soft surface trails, and associated infrastructure such as parking lots, driveways, and bathrooms.

Any development of memorials and park facilities under these new code provisions must be designed, to the greatest extent possible, to not inhibit channel migration, to limit total impervious surface area to the lesser of 10% of the site area or two acres, to limit the maximum footprint of any individual building to 600 square feet and of all buildings on the site to 2,400 square feet. Facilities and buildings would also be required to be removed or relocated once the ordinary high water mark of the river channel has come within two years of encroachment based on the average channel migration rate.

**Planning Commission Recommendation**

No recommendation, but the planning commission provides the following comments to the council:

- There are two separate issues: 1) the members recognize the Oso landslide disaster needs to have a memorial, so perhaps should be separated from other code projects; 2) there is also a need to better explore the effects of this code amendment on all properties along the rivers in Snohomish County.
- Each public park proposed within a channel migration zone should be looked at on a case-by-case basis.
- Do not want to constrain the Parks department and their plans for future development.
- The Department of Parks, Recreation and Tourism is in the best position to be stewards of properties within a channel migration zone.
- Safety concerns with allowing campground facilities within a channel migration zone specifically, but more generally, concerns for personal health and safety by allowing public parks in a channel migration zone.

**Fiscal Impacts:** No impact.

**Handling:** Urgent. If this ordinance is adopted, an amendment to the shoreline management program would be necessary. The council is currently in the process of considering a periodic update to the shoreline management program (Ord. 19-020), which is due June 30. See below for a potential schedule for the two ordinances:

<b>Proposed Ordinance 19-022: Channel migration zones</b>	<b>Proposed Ordinance 19-020: Shoreline management program periodic update</b>
<b>May 21</b> , 10:30 a.m. Committee briefing	<b>May 7</b> , 10:30 a.m. Committee briefing
<b>May 22</b> , 9:00 a.m. Schedule public hearing	<b>May 8</b> , 9:00 a.m. Schedule public hearing
<b>June 12</b> , 6:30 p.m. Public hearing and council consideration	<b>June 5</b> , 10:30 a.m. Public hearing (with Ecology)
	<b>June 12</b> , 6:30 p.m. Continued public hearing
	<b>June 26</b> , 10:30 a.m. Council consideration

**Executive Recommendation:** Approve

**Approved-as-to-form:** Yes

**Risk Management:** Not formally reviewed