

# Initial Project Review

**REVISED**

## Wetland Variance: Knapp Drainage System

**Application Number: 1007716**  
**Tax Parcel Number: 0222171067**

**Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: May 10, 2023, at 6:30 p.m.**

This meeting will be held in person at the City of Gig Harbor, Southeast Entrance, 3510 Grandview Street, Gig Harbor, WA. For additional questions regarding this meeting, contact Long Range Planning Admin at 253-798-3736, or [ppwlongrangeadmin@piercecountywa.gov](mailto:ppwlongrangeadmin@piercecountywa.gov)

**Proposal:** The applicant has proposed to construct a single-family residence. A Category III wetland and a Type N2 drainage have been identified on the eastern portion of the parcel. The wetland, wetland buffer, stream and stream buffer encompass approximately two thirds of the parcel. Due to constraints of the parcel and drainage requirements under PCC Title 11, the applicant must place the drainage structure through the wetland buffer and within the wetland itself. Under 18E.30.050 C. development activities that result in the loss of wetland acreage requires compensatory mitigation. Compensatory mitigation is not possible in this case as there is no non-wetland area available to create wetlands and the applicant must apply for a reasonable use/variance. Under 18E.20.060 A., an applicant who seeks to reduce a wetland buffer below what is allowed in code must apply for a variance.

**Project Location:** The site is in the Gig Harbor area of unincorporated Pierce County, located at 15429 – 30<sup>th</sup> Avenue NW, Within the NE ¼ of Section 17, T22N, R2E, W.M., in Council District #7.

**Staff Review:** County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. Staff intends to recommend **approval** to the Hearing Examiner, subject to regulatory requirements and recommended conditions of approval.

**State Environmental Policy Act (SEPA):** SEPA Review is not required for this proposal.

**County Contact:** Niki Yonkow, Environmental Biologist, (253) 798-2116,  
[niki.yonkow@piercecountywa.gov](mailto:niki.yonkow@piercecountywa.gov)

**Pierce County Online Permit Information:**

<https://pals.piercecountywa.gov/palsonline/#!/permitSearch/permit/departmentsStatus?applPermitId=1007716>



## Project Data

Complete Application Date: March 4, 2023

Initial Project Review Mailed: May 3, 2023

Property Owner: Connor Knapp  
11624 – 70<sup>th</sup> Avenue NW  
Gig Harbor, WA 98332  
[cknapp72821@gmail.com](mailto:cknapp72821@gmail.com)

Agent: Frank Marescalco  
1009 North 9<sup>th</sup> Street  
Tacoma, WA 98403  
[valorcivilengineering@hotmail.com](mailto:valorcivilengineering@hotmail.com)

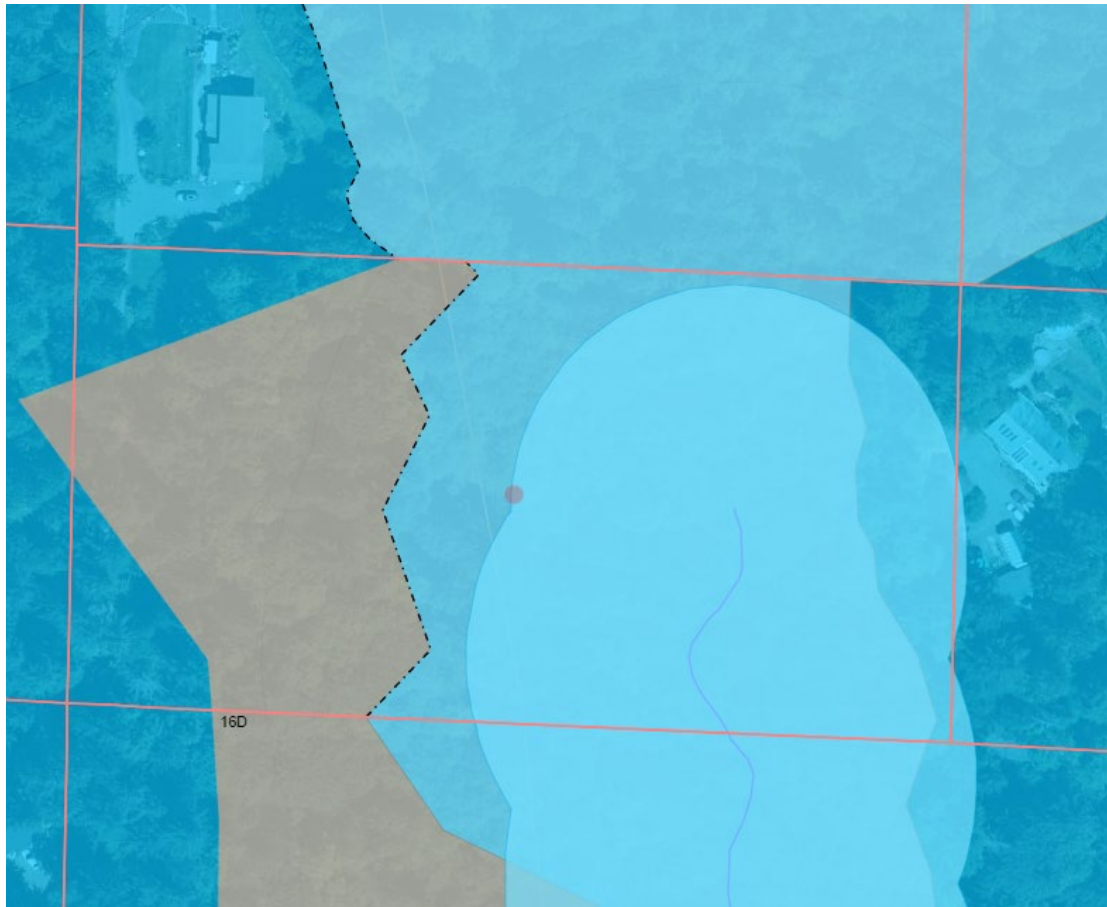
## Legal Notice

- *March 9, 2023*: Notice of Application (NOA) and Public Hearing Notice, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- The site has not yet posted a public notice sign and confirmed with a Declaration of Posting.
- *April 24, 2023*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*) advertising the Gig Harbor Peninsula Advisory Commission (PAC) public meeting.

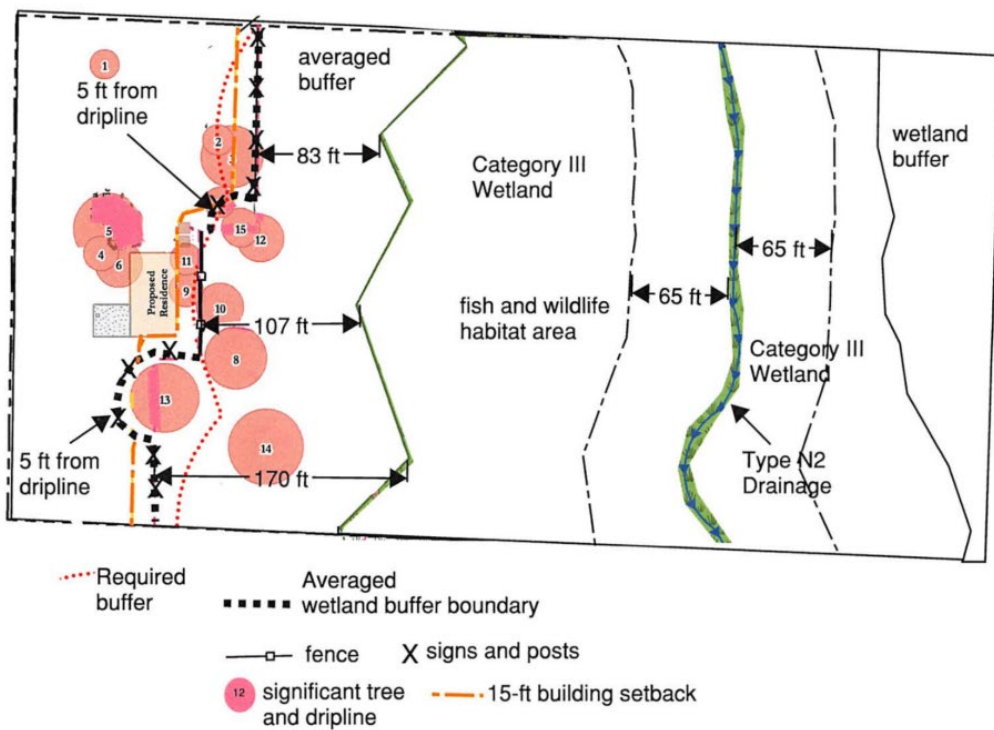
## 2020 Aerial Photo



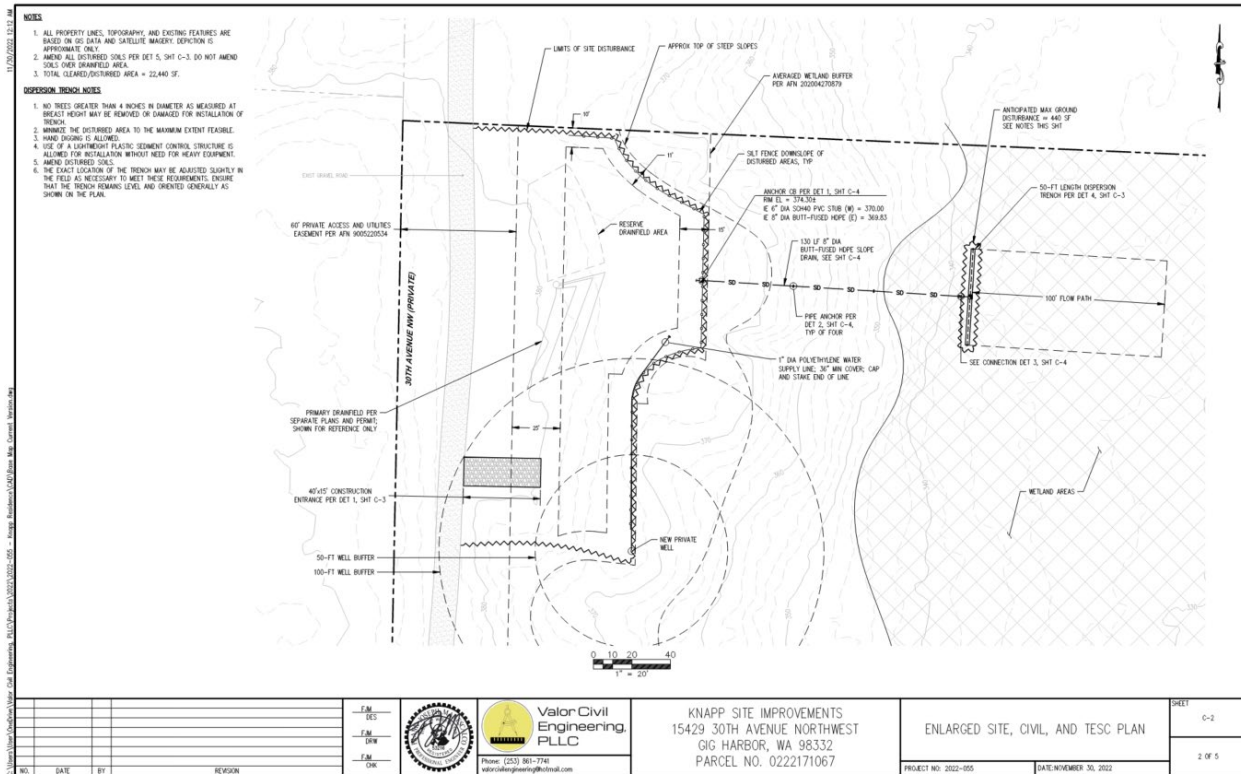
## Critical Area Mapping



## Wetland and Stream Map with Averaged Buffer



# Current Site Plan



## Site Characteristics:

- The parcel is rectangular and 5 acres in size. The parcel is relatively flat in the western portion but then slopes steeply down to a large wetland and stream.
- There is a 25-ft wide access easement that runs south to north in the eastern portion of the parcel.
- A Category III wetland has been identified in the eastern portion of the parcel. The wetland extends off-site to the north and the south and is associated with the on-site stream. The wetland requires a 110-ft wide buffer.
- A Water Type N2 stream has been identified in the eastern portion of the parcel. The stream flows south and into Crescent Lake. It is associated with the wetland and requires a 65-ft wide buffer.
- Approximately two thirds of the parcel is wetland, wetland buffer, stream, or stream buffer.
- Per 18E.30.060 the wetland buffer has been averaged to accommodate the project and to protect significant trees on the edge of the buffer.
- Under the requirements of PCC Title 11 – Storm Drainage and Surface Water Management, Full Dispersion of stormwater is required. Constraints of the parcel and required design criteria for the stormwater dispersal system, require the system to be brought down the slope and placed at the bottom of the slope within the wetland. This creates approximately 100 sf of wetland fill and means an 8-inch surface pipe must be placed within the buffer.

## Surrounding Land Use and Zoning Designation

LAND USE		ZONING
North	Single Family Residence (SFR)	Rural Sensitive Resource (RSR)
South	SFR	RSR
West	SFR	RSR
East	SFR	RSR

### Review Responsibility

The following list includes jurisdictional areas for County departments and divisions involved in the review and administration of this proposal:

- A. Planning and Public Works (PPW):
  - Current Planning verifies compliance with the Pierce County Comprehensive Plan, Peninsula Community Plan, and development regulations including zoning, critical areas, design review and potential environmental impacts.
  - Wetland and Fish & Wildlife Section reviews for site constraints for wetlands or fish and wildlife.
  - Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions and road standards.
- B. Tacoma-Pierce County Health Department reviews for wastewater disposal and potable water.

### Review Criteria

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County Development Regulations.
- B. Pierce County Comprehensive Plan and Graham Community Plan.
- C. Applicable state statutes.
- D. All applicable notes on related previously recorded County documents.

### Agency and Staff Review Comments

The proposed project has been routed to interested departments and agencies for review. Additional comments may be forthcoming. To date, no comments have been received from neighbors or the public. Comment was received from Washington State Department of Ecology noting that the trench in the wetland may require permitting from the Department of Ecology and/or the Army Corps of Engineers.

### PPW Staff Review for Consistency with Applicable Land Use Policies and Regulations

The proposal is subject to review for conformance with Pierce County plans, codes and regulations.

## Governing Regulations:

Title 18E Development Regulations – Critical Areas Revised 6-19 Amended Ord. 2019-59

### 18E.20.020 Regulated Uses and Activities

- A. Unless the requirements of the Title are met, Pierce County 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 regulated through the following: building permit, commercial or residential; binding site plan; franchise right-of-way construction permit; site development permit; right-of-way permit; shoreline permits; short subdivision; large lots; use permits; subdivision; utility permits; or any subsequently adopted permit or required approval not expressly exempted by this Chapter.

### 18E.30.040 Wetland Standards

- A.6 Unless otherwise allowed by PCC 18E.030.040 B. or C., in no case shall the Department allow development to occur closer to a wetland boundary than 75 percent of the buffer size as determined through use of PCC 18E.30.060 and Appendix F. An applicant who wishes to modify a buffer beyond these limits must pursue a variance as defined within PCC 18E.20.060.

### 18E.20.060 Variances

- A. General. An applicant who seeks to reduce a wetland buffer below the provisions of PCC 18E.30.060 or the Wetland Standards of PCC 18E.30.040, or a critical fish and wildlife habitat buffer below the provisions of PCC 18E.40.060, or the Fish and Wildlife Habitat Conservation Area Standards of PCC 18E.40.040 may pursue a variance.

- A. That 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;**

Staff Comment: Approximately two thirds of the parcel is either wetland, wetland buffer, stream or stream buffer. In addition, there is a septic and well requirement, and there is a 25-ft access easement in the western portion of the parcel, further reducing the developable land.

Section 18E.30.040 A.6. allows development within the wetland buffer but states that "...in no case shall the Department allow development within a buffer to occur closer to a wetland boundary than 75 percent of the buffer size..."

The buffer has been averaged to accommodate the proposed single family and to include significant trees on the buffer edge. However, requirements under Title 11 for the design of a drainage system, such as placing the system 50 feet from the top of slope and parallel to the contours, make it impossible to place the system outside of the wetland and buffer as the developable area is small.

- B. That the applicant has avoided impacts and provided mitigation to the maximum practical extent;**

Staff Comment: The applicant has buffer averaged the required 110-ft buffer. Significant trees on the edge of the buffer have been encompassed within the buffer to protect them.

The constraints of the critical areas, including steep slopes, has left approximately 7,000 sf of level developable area. The developable area must include a septic and reserve drain field, well,

drainage system, access, and house. Placing the drainage system outside of the buffer and wetland is not physically possible.

The wetland buffer boundary will be marked with buffer signs and a portion of the buffer adjacent to the proposed house will require split rail fencing. The wetland buffer and wetland itself are well vegetated and would not benefit from enhancement planting.

**C. That the buffer reduction proposed through the variance is limited to that 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**

Staff Comment: The request for a variance is limited to the placement of the drainage system which is required for development of the parcel. An eight-inch diameter pipe will be laid on the ground and anchored in three places. The trench itself will result in only 100 square feet of wetland will be filled. Trees will not be removed. If the variance is not approved, the applicant will not be able to develop a single-family residence.

**D. Granting the wetland variance will not be materially detrimental to the public welfare or injurious to the property or improvement.**

Staff Comment: A buffer reduction or small amount of wetland fill allowed on one parcel may in itself not be immediately materially detrimental to the public welfare or injurious to the property. However, small cumulative effects add up to eventually create significant negative impacts downstream. The functions of the buffer and wetland, such as increasing the quality of, and mitigating the amount of runoff flowing downstream, are reduced as the buffer and wetland are decreased in size. The habitat function of a wetland and buffer also decline as the width or wetland area is reduced.

The proposed drainage system has been designed to direct stormwater to a part of the site where it can be filtered and dispersed. An eight-inch diameter pipe will be laid on the ground and anchored in three places. The trench itself will result in only 100 square feet of wetland will be filled. Trees will not be removed. Impacts to the wetland and buffer will be minimal.

**Title 18D - Environmental**

The proposal is not subject to environmental review under the State Environmental Policy Act (SEPA).

**Question from Staff for the PAC:**

Does the PAC believe that the applicant is meeting the Wetland Variance Permit Requirements?