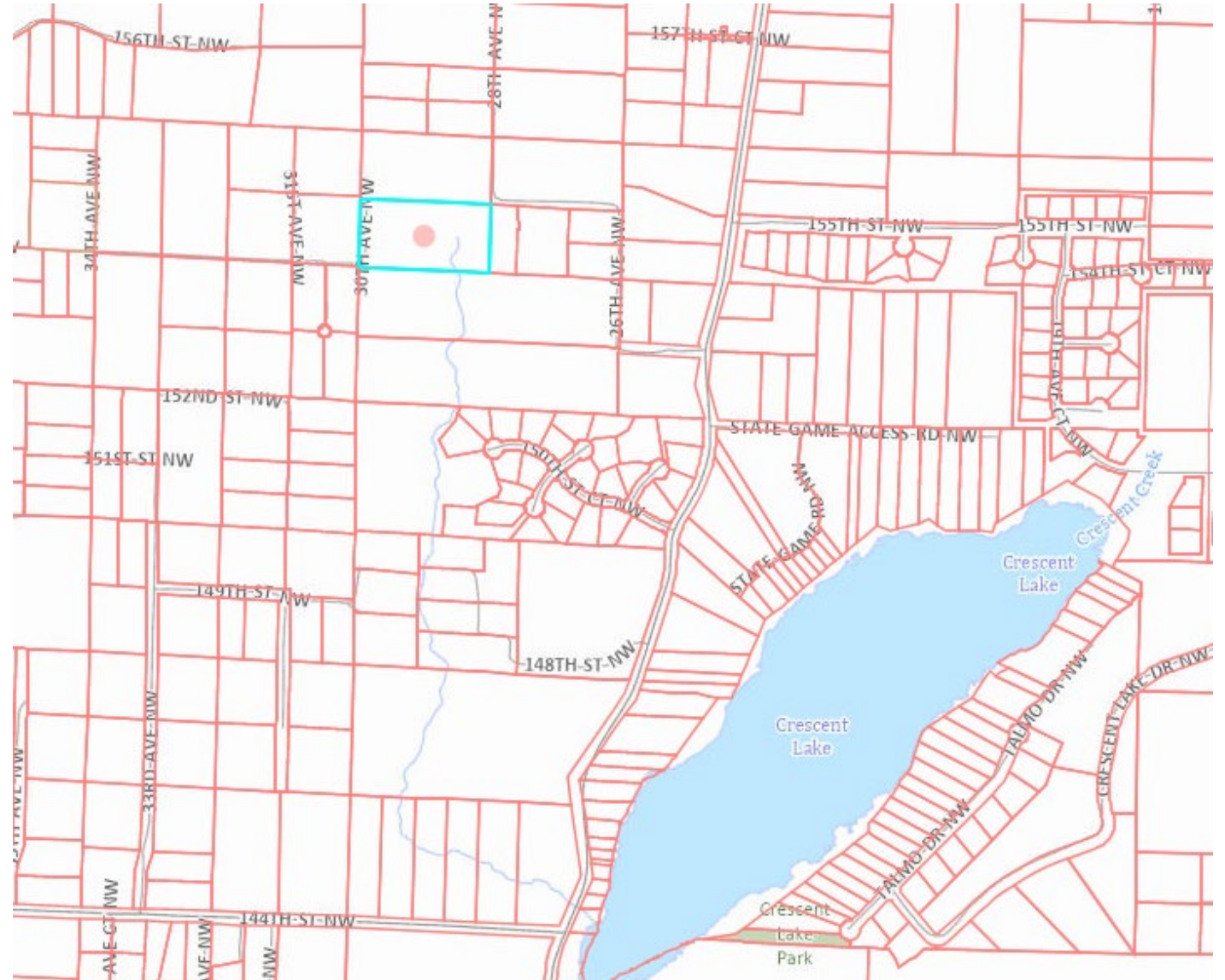


**Wetland Buffer Variance:
Knapp Single Family Residential Variance Application No. 1007716**

Niki Yonkow, Environmental Biologist II
Pierce County Planning & Public Works

Pierce County Hearing Examiner
May 10, 2023

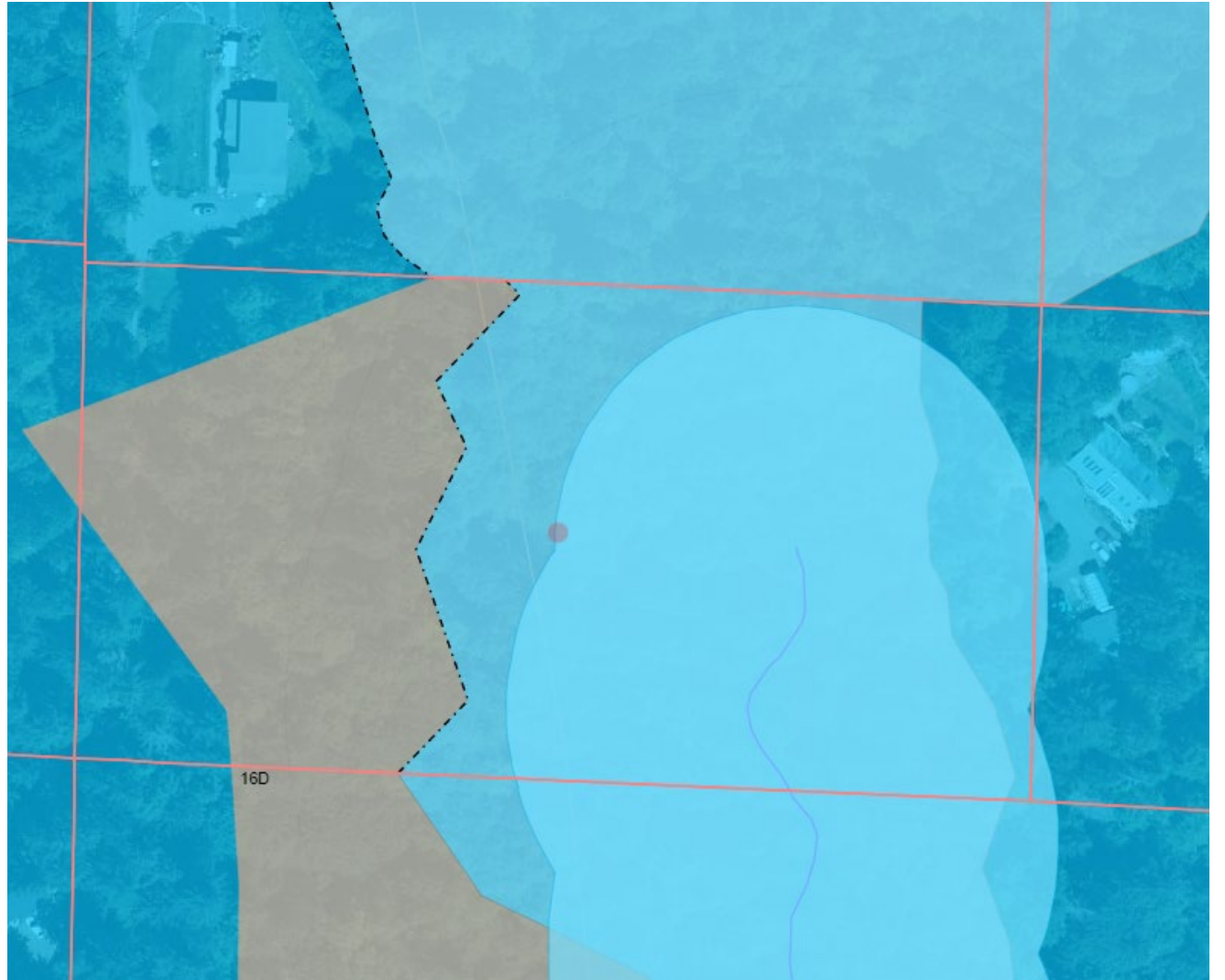
Vicinity Map



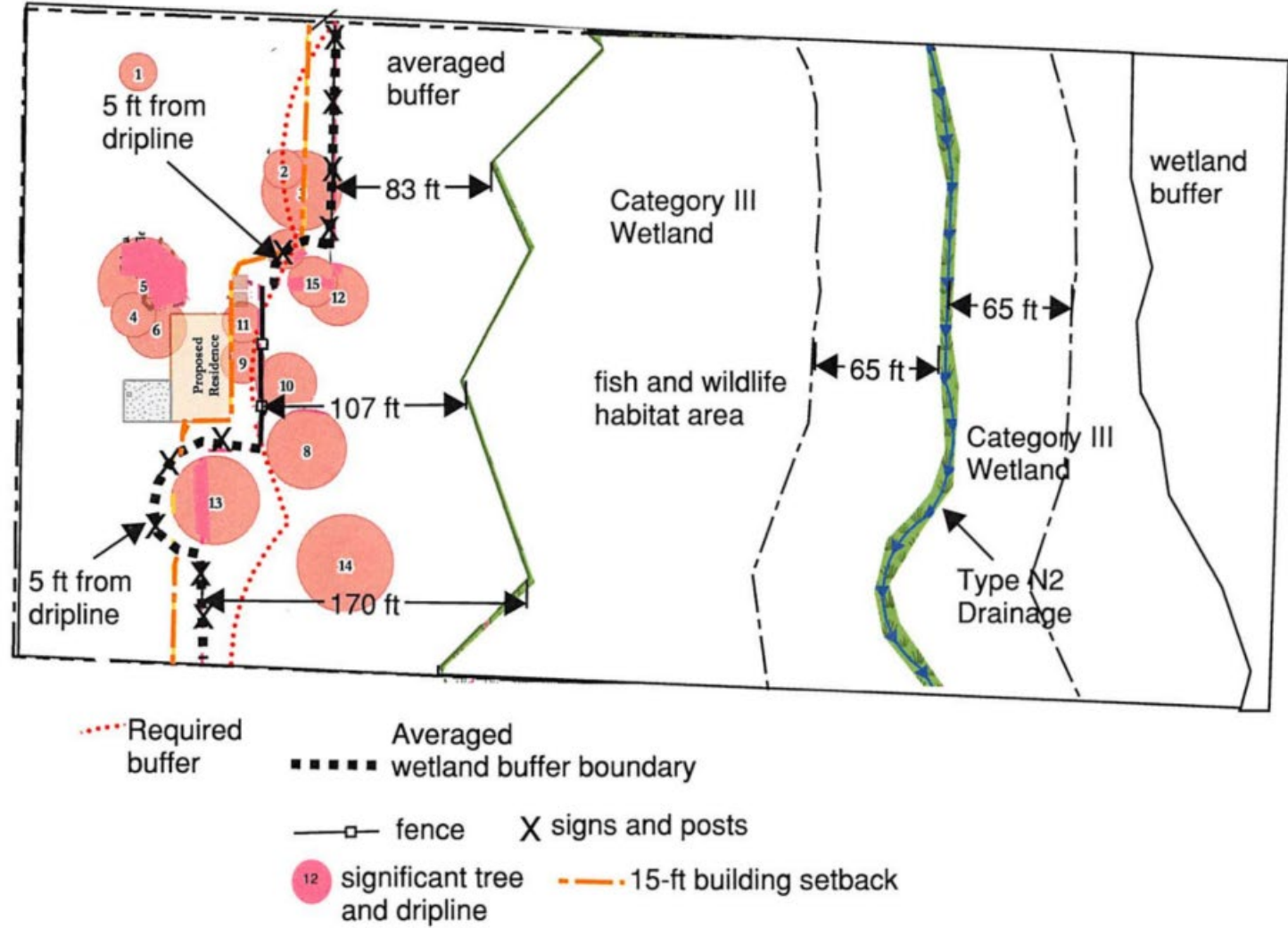
Vicinity Map



Critical Area Map



Wetland Map



Site Description

- 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.

Variance Request

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. Impact to the wetland is 100 sf (50 ft long and 2 ft wide) 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 variance/reasonable use. 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. Under 18E.20.050 A.1, If the application of this Title would deny all reasonable use of a site, development may be allowed which is consistent with the general purposes of this Title and the public interest. Nothing in this Title is intended to preclude all reasonable use of property.

Relevant Code

- **Section 18E.30.040 Wetland Standards**, A.6 Unless otherwise allowed by 18E.30.040 B. or C., 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 as determined... An applicant who wished to modify a buffer beyond these limits must pursue a variance as defined within Section 18E.20.060.
- **18E.30.050 B Mitigation for Regulated Activities in Wetland Buffers.** Non-compensatory mitigation shall be required for all regulated activities in buffers.
- **18E.30.050 C Mitigation for Regulated Activities in Wetlands.** Compensatory mitigation shall be required for regulated activities that result in the loss of wetland acreage.

Proposed Mitigation

Compensatory mitigation is not possible on site as the only way to create more wetland would be to dig out an area at the bottom of the slope which would create slope instability.

Enhancement planting is not warranted as the buffer is already well vegetated. Any temporarily disturbed areas will be restored.

The buffer will be marked with permanent signage and a portion of the buffer, that closest to the development will require a split rail fence along the buffer boundary.