



To: Planning Commission
From: Elliott Barnett, Associate Planner
Subject: **Open Space Corridors Project – Phase 1**
Meeting Date: January 17, 2018
Memo Date: January 11, 2018

Action Requested:

Staff request Planning Commission direction on a proposed approach to update the City's critical areas standards for Biodiversity Areas and Corridors.

Discussion:

At this meeting, staff will lay out a proposal to make the City's Biodiversity Areas and Corridors standards more effective in protecting the functions and values of these critical areas. The proposal is a landscape-scale approach that prescribes a certain level of site-specific impacts that may be permitted, along with mitigation of those impacts that ensures that the overall critical area will be protected. The proposal also enhances protections for steep slopes located within Biodiversity Areas and Corridors.

Staff will provide an overview along with application of the code to a hypothetical site. With the direction from the Commission, staff will then finalize draft code language.

Project Summary:

The critical areas standards updates are Phase 1 of the Open Space Corridors Project, which will ultimately pursue a range of regulatory approaches to implement the City's Open Space Corridors policies. The proposed updates are intended to fill gaps in current standards to increase consistency with longstanding policy direction. Phase 1 will be an effective step to limit the fragmentation of many of Tacoma's most valuable natural areas.

Prior Actions:

On March 1, 2017 the Commission approved the project for inclusion in the Annual Amendments, and reviewed the Project Assessment Report. On December 6, 2017 the Commission provided high level direction to pursue a phased approach with a focus this year on critical areas standards updates for Biodiversity Areas and Corridors, and reviewed the Staff Analysis Report.

Staff Contact:

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Attachments:

1. Options Analysis Report providing an overview of the proposed regulatory approach

c: Peter Huffman, Director

Open Space Corridors Project

Options Analysis – January 17, 2018

Biodiversity Areas and Corridors Code Staff Recommendations

This outline summarizes staff's proposed regulatory approach to Biodiversity Areas and Corridors.

For background on the project, including summary of pertinent policies, benchmarking and the Best Available Science, see the Staff Report included in the December 6, 2017 Planning Commission packet, available at www.cityoftacoma.org/openspacecorridors.

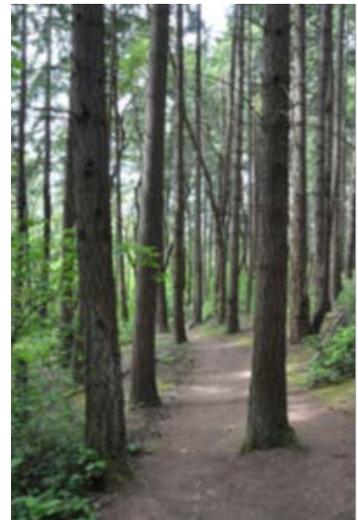
Overview of regulatory approach

The Washington State Growth Management Act (GMA) requires that local jurisdictions put in place regulatory measures that ensure that there will be no net loss to the functions and values of designated critical areas. As a counterbalance, state and federal law prohibits governments from taking away all reasonable use of property without compensation. All critical areas regulations work within this basic framework.

Generally, while regulations for some types of critical areas are robust and provide clear parameters to evaluate proposed impacts, standards for Biodiversity Areas and Corridors do not currently provide the same level of guidance or specificity. This project seeks to fill that gap by implementing approaches supported by the Best Available Science that will protect the functions and values of Biodiversity Areas and Corridors, while increasing certainty regarding potential use of property.

The proposal is based on a fundamental principle of Washington State critical areas regulation that impacts must be avoided, or minimized and mitigated (mitigation sequencing). The proposed approach establishes a framework to evaluate impacts to Biodiversity Areas and Corridors, and a streamlined review for proposals that fit within that framework (the Minor Development Permit process). Proposals that exceed that framework could still be proposed and reviewed under a more robust permit process (the Development Permit process).

The following discussion outlines key components of the proposed regulatory approach.



Planning and Development Services

City of Tacoma, Washington
Peter Huffman, Director



Project Manager

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Biodiversity Areas and Corridors definition

1. Adopt a clear definition consistent with Washington State Department of Fish and Wildlife guidance and mapping
2. Clarify how specific circumstances, such as existing disruptions of habitat functions, will be evaluated to determine how a specific site will be regulated

Avoid, minimize and mitigate impacts

The Best Available Science indicates that the following actions are essential to maintaining the overall functions and values of Biodiversity Areas and Corridors:

- Limit overall vegetation disturbance to no more than 35%
- Avoid impacts to other critical areas and their buffers
- Protect a minimum width of 300 feet as connected wildlife corridors
- Protect significant groves of mature trees and exceptional individual trees

These recommendations build in protections for these essential environmental assets. When proposed impacts are limited to fit within the following parameters, and are fully mitigated, the City can ensure that there will be no net loss to the functions and values of the Biodiversity Corridor.

Biodiversity Area/Corridor Minor Development Permit Criteria

1. Locate development outside of Biodiversity Areas and Corridors when feasible (the City's Residential Density Credits provide options to cluster development outside critical areas)
2. If not feasible to avoid impacts to the Biodiversity Area/Corridor
 - a. Minimize impacts
 - i. No more than 35% of overall vegetation disturbed
 - b. Contain impacts to the least sensitive areas
 - i. The 65% undisturbed area must include
 1. Other critical areas and their buffers
 2. A minimum width of undisturbed vegetation to allow continued function as a wildlife corridor (300 feet on large sites)
 3. Exceptional trees and tree groves (a tree with unique value as a community resource, or a grove of 8 or more trees 12 inches in diameter)
 - c. Mitigate impacts
 - i. If impacts cannot be avoided, mitigation will be required through habitat restoration and/or conservation of additional areas
 - ii. Onsite mitigation is the preferred option, ratios are higher if offsite mitigation is proposed



Biodiversity Areas and Corridors include wetlands, streams and Priority Habitats



Steep Slopes are common within Biodiversity Corridors



Likely Biodiversity Areas and Corridors

Biodiversity Area/Corridor Minor Development Permit Criteria

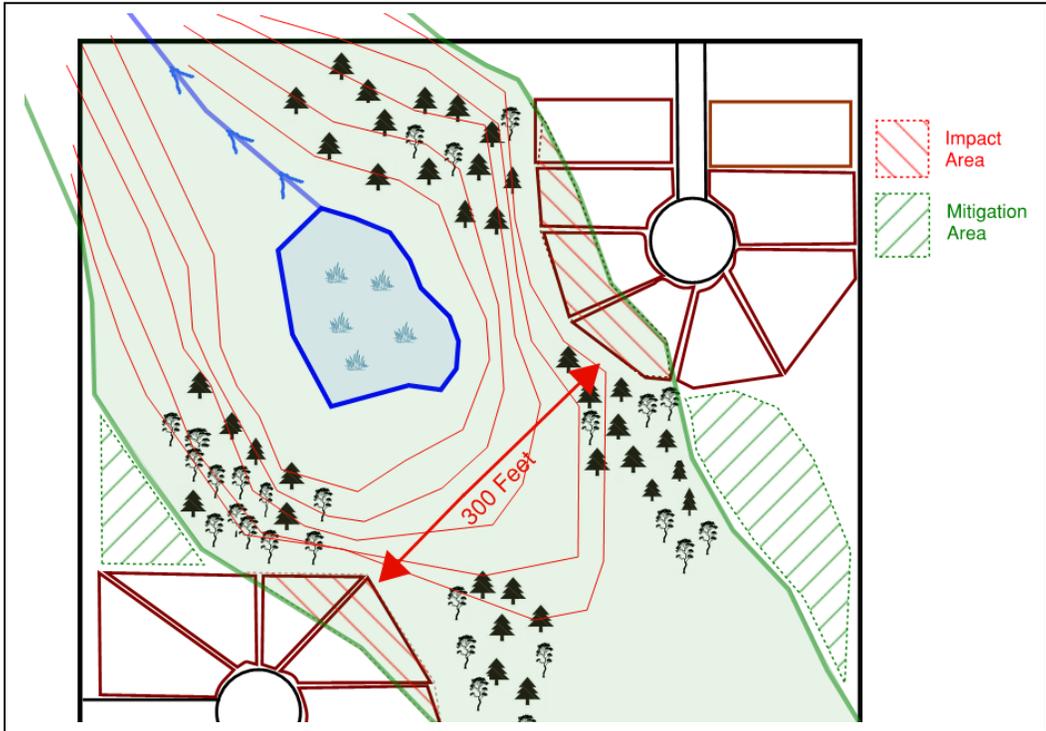
Maximum 35% vegetation disturbance
(Least sensitive areas of site)

Minimum 65% undisturbed vegetation
(Includes most sensitive areas of site):

<i>Critical areas & buffers</i>	<i>Minimum wildlife corridor width</i>	<i>Exceptional trees</i>
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Hypothetical Minor Development Permit

This illustration shows a scenario including impacts to a Biodiversity Corridor that are limited to the parameters described above, and therefore would be reviewed by the City through a Minor Development Permit process.



City review processes

Tacoma's critical areas standards include different review processes based on the development proposed and the extent of the proposed impacts. The proposal would clarify review for Biodiversity Areas and Corridors using the City's critical areas review processes.

1. Exceptions/allowed without a permit: Activities such as vegetation maintenance and pruning, maintaining existing trails and paths which have minimal critical areas impacts.
2. Minor Development Permit: When proposed impacts fit within the above parameters (35% maximum vegetation disturbance, avoid sensitive areas), a simpler permit process can be used to ensure no net loss to the functions and values.
3. Development Permit: When impacts exceed these parameters, then a more robust review must be conducted. Applicants may propose alternative approaches and must demonstrate that there will be no net loss to critical areas functions and values.

Next Steps

Staff will seek input from the Planning Commission to further refine these proposals and to develop draft code language and further illustrations which will then be assembled into the public review draft package.

