



Critical Areas Ordinance Update

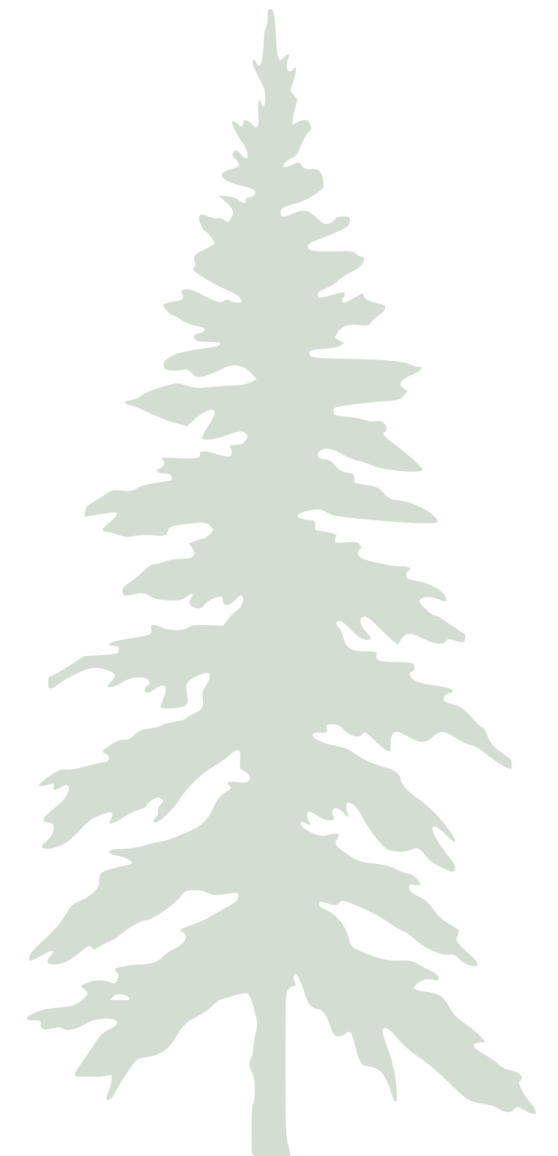
Presented by: **Robin Bolster-Grant, Land Use Division Manager**
Lisa Spadoni, Natural Resources Program Supervisor



Presentation Outline



- Background
- Review of Revised Draft CAO update
 - Administrative and generally applicable sections
 - Wetlands
 - Streams
 - FWHCA
 - Flood and Geologically Hazardous Areas
 - Critical Aquifer Recharge Areas (CARA)
- Comments/Responses
- Next steps



Background



- Periodic update required by state law (RCW 36.70A.130)
- Goal: Ensure consistency with Best Available Science (BAS) and state guidance
 - BAS Review and Gap Analysis
- Public Engagement & Draft CAO update
- Public Hearing to review draft code held on August 20, 2025
- Review of public comments*, additional public engagement, and Planning Commission Meetings
 - September 17, 2025
 - October 15, 2025
 - January 21, 2026



*See Attachment 3

Revised draft CAO update



13.11.120 Intent

- Clarified to specifically call out salmon protection, added drinking water (CARA) protection and support for ecological net gain.

13.11.130 Scope and Applicability

- Added applicant due diligence language

13.11.104 Regulated Uses and Activities

- Added reminder that other agencies may require additional review/permits

13.11.180 Critical Area Designation and SEPA

- Updated for consistency with TMC 13.12 SEPA and WAC 197-11-800



Revised draft CAO update



13.11.190 Review Process

- Updated mapping references, added clarity on peer review, and added references to Oregon White Oak and Critical Aquifer Recharge Areas (CARA).

13.11.210 Activities Allowed with Staff Review

- Updated allowances for Category IV wetlands less than 1,000 sf, with low function
- Clarity on interrupted buffer provisions
- Updated allowances for trails within buffers
- Added reference to ANSI standards for tree pruning
- New sections on building setback reductions, buffer vegetation planting, and Oregon white oak



Revised draft CAO update



13.11.230 Application Submittal Requirements

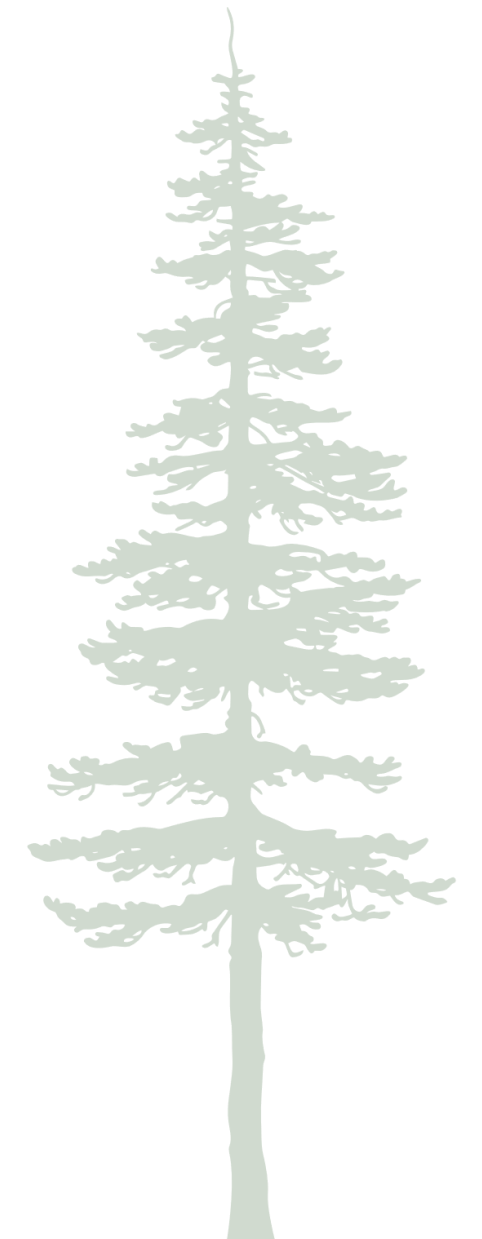
- Added/clarified language for consistency with other modified sections

13.11.240 Legal Tests

- Removed Public Interest Test
- Updated No Practicable Alternatives and Reasonable Use test for consistency with BAS and added impact limitations

13.11.250 General Standards

- New building setback requirements



Revised draft CAO update



13.11.270 General Mitigation Requirements

- Clarified requirements for mitigation plans with monitoring for a minimum of 5 – 10 years
- Added vegetated buffer standards
- Mitigation bank and In-lieu fee standards clarified and moved. These aren't new.

13.11.310 Wetland Identification and Classification

- Updated to meet new BAS criteria and new literature citations
- Moved Wetlands of Local Significance to this section (no other change)



Wetland Buffers



13.11.320 Wetland Buffers

- Updated buffer widths
- Buffer vegetation requirement

13.11.330 Wetland Buffer Modifications

- Buffer reductions allowed only when certain criteria are met per Option 1 of the Ecology guidance.

13.11.330 Wetland Mitigation Requirements

- Added clarifying language for wetland restoration, creation, preservation, and enhancement.
- Updated wetland mitigation ratios consistent with Ecology guidance
- Added buffer mitigation ratios



Streams and Buffers



13.11.410 Stream Classification

- Updated for consistency with WDFW stream typing
- Streams of Local Significance moved to this section

13.11.420 Stream Buffers

- Updated buffer widths, minimum of 100 feet per WDFW guidance
- Buffer vegetation requirement

13.11.430 Stream Buffer Modifications

- Buffer reductions removed, buffer averaging retained





13.11.510 Classification & 13.11.520 Standards

- Clarified the Biodiversity Area language
- Added separate Habitat Corridor sections
- Added Oregon White Oak classification and standards

13.11.550 FWHCA Modifications

- Clarifying language for consistency with other modified sections
- Added provisions for Oregon White Oak



Flood and Geologic Hazards



13.11.620 Standards (Flood Hazards)

- Added criteria for habitat assessments for ESA protections
- Limitations and standards for new Critical Facilities*

13.11.730 General Standards (Geologically Hazardous Areas)

- Updated for consistencies with prior TSMP updates

*Definition added to TMC 13.01.110



Comments and Responses



- Planning Commission Comments and Responses
- Puyallup Tribe of Indians, agency, and public comments



Next Steps



Action	Date
Planning Commission: Recommendation	April 1, 2026
Communication and outreach	April - May
City Council Public Hearing	June 2026
City Council Final Read & Adoption	June 2026

Media and Communication Plan

- Social media posts, webpage updates, emails and phone calls to contacts on listserv and other interested parties, neighborhood councils, community organizations and agencies
- South Sound Sustainability Expo (May 2nd, UWT)
- PDS Code Amendment Open House (May 9th, 1-3pm Star Center)
- Individual meetings with Tribal fisheries staff and other interested Tribal members, environmental organizations, development community, and agencies
- Climate and Sustainability Commission (April 16th or May 21st)
- Public information meeting prior to City Council Public Hearing





Questions? Amendment Ideas?