DATE: March 2015

TO: Pierce County Land Use Advisory Commissions

FROM: Sean Gaffney, Manager, Long Range Planning

SUBJECT: 2015 Pierce County Comprehensive Plan – GMA Periodic Update

The Growth Management Act (GMA) requires Pierce County to review and update, if necessary, its Comprehensive Plan and associated development regulations by June 30, 2015.

NOTICE: Notices of the Land Use Advisory Commission public meetings were published in the official County newspaper, the Puyallup Herald, beginning February 25, 2015, and other local newspapers as applicable.

SEPA: A Declaration of Significance will be issued. The Environmental Impact Statement for the regional policies, VISION 2040 will be adopted for this non-project action.

ATTACHMENTS:

Attachment A Pierce County Public Outreach/Participation (Source)
Attachment B Community Plan Matrix / Background (Source)
Attachment C GMA Periodic Update Policy/Text Requirements (Source)
Attachment D Draft Comprehensive Plan
Attachment E Proposed Amendments to Title 18, “Development Regulations – General Provisions”
Attachment F Proposed Amendments to Title 18A, “Development Regulations – Zoning”
Attachment G Proposed Amendments to Title 18B, “Development Regulations – Signs”
RECOMMENDATION:

Planning staff recommends approval of the amendments as proposed. Staff further finds the proposed amendments effectively address requirements set forth in the Growth Management Act (GMA), VISION 2040, and the Countywide Planning Policies.

PUBLIC OUTREACH/PARTICIPATION

Public participation is an essential component to updating the Comprehensive Plan. This is an opportunity to educate residents, property and business owners, as well as other stakeholders about the update process and solicit feedback on emerging planning issues. Pierce County established a Public Participation Plan early in the process to inform the public when and how they could participate. The County has seven objectives through its outreach:

1. Build upon past planning work and carry forward the vision and directions that are important for the County;
2. Build community trust in the planning process;
3. Seek public input and ideas of what Pierce County should become in the next 20 years;
4. Encourage participation of community groups that may not normally participate in the planning process;
5. Provide for “early and continuous” public participation;
6. Explain the laws by which the County is obligated to conduct the update process; and
7. Inform the public about plans that are related to the Comprehensive Plan.

Pierce County has achieved these objectives through various methods as identified in the Public Participation Plan. Pierce County has invested numerous hours preparing for and participating in outreach through social media, study sessions, stakeholder meetings, open houses/public meetings, and advisory commission study sessions. All in all, the County held 51 meetings/open houses in which the public could actively participate in the update process. Additional detail is provided in Attachment A – Pierce County Public Outreach/Participation.

A postcard was sent to every mailing address (124,071) in unincorporated Pierce County in March 2014 informing the public about the update process and providing the web page address. In addition the County used direct mailing to notify landowners of potentially significant changes. Those included the commercial activities in the rural areas (Limited Areas of More Intensive Rural Development – LAMIRD) and the adjusted criteria to identify Agricultural Resource Lands.

Attachment H  Proposed Amendments to Title 18F, “Land Divisions and Boundary Changes”

Attachment I  Proposed Amendments to Title 18G, “Development Regulations – Conservation Programs”

HIGHLIGHTS OF THE PUBLIC PARTICIPATION AND OUTREACH PROGRAM:

SOCIAL MEDIA

Pierce County created a new webpage completely devoted to the Pierce County Comprehensive Plan. The webpage provided an opportunity for the public to stay current with emerging issues and upcoming events as well as providing comments. A “button” located on the webpage allows the public to immediately provide their input and comments.

The major components of the website include:
- An electronic calendar linked to public meeting/open house dates and material;
- An electronic library of background material related to the plan update;
- An opportunity to sign-up for the interest party list and receive future email updates; and
- Weekly electronic updates.

STUDY SESSIONS

Staff presented major topics to both the Pierce County Council/Community Development Committee (quarterly) and the Pierce County Planning Commission. The topics included:
- 2014 Buildable Lands Report
- Scope of update including identified issues to be reviewed
- Public Participation Strategy
- Reformat of Comprehensive Plan and the Community Plan element
- Limited Areas of More Intensive Rural Development (LAMIRDs)
- Program progress and timeline
- Agricultural Resource Land criteria
- 2014 Comprehensive Plan amendment cycle applications

STAKEHOLDER MEETINGS

Staff convened various meetings with stakeholder groups to discuss potential issues that may be resolved through the update process. The groups include, but are not limited to:
- Agricultural and environmental groups
- Cities and towns
- School districts
- Development industry
- Community groups
OPEN HOUSES/PUBLIC MEETINGS

Pierce County conducted five series of open houses through the process to provide background information on the general update process as well as specific topics. Comments sheets were also available for participants to provide feedback/opinions on the topic(s). The open houses included:

1) March 2014 - General Open House. Pierce County conducted four open houses in areas that currently do not have an active Land Use Advisory Commission (LUAC). The purpose of the open houses was to provide general information to the public about the update process. This forum covered the same information that was presented to the LUACs. The open houses were located in Anderson Island, Eatonville, McMillin, and Bonney Lake.

2) May/June 2014 - General Open House. Pierce County conducted five open houses that centered on specific topics; transportation, parks, livable communities, and land use. The purpose of the open houses was to inform the public regarding current conditions and plans for growth and solicit feedback. The open houses were located in Key Peninsula, Prairie Ridge (Bonney Lake), Frederickson, Roy, and Mid-County.

3) November 2014 - LAMIRD public meetings. Pierce County conducted two public meetings that focused on rural commercial areas in Greenwater and Elbe/Ashford/Park Entrance. The purpose of the meetings was to inform the public of the State criteria for designating commercial areas in the rural portions of the County. They were also designed to provide a method of obtaining evidence of commercial activities in existence on July 1, 1990, from the public.

4) February 2015 - Agricultural Resource Lands (ARL) Open House. Pierce County conducted four public open houses that focused on proposed modifications to the ARL criteria and resulting re-designation of property from a rural land use designation to ARL. The purpose of the meetings was to inform the property owners why property was proposed to be re-designated and how it affects the development potential of their property. Notice of these open houses was mailed to each property owner affected by the proposed modification. The open houses were located in Buckley, Key Peninsula, Eatonville, and Graham.

5) April 2015 - Draft Plan Open House. Pierce County will conduct four open houses to present the draft Comprehensive Plan and related regulations to the public. The purpose of the open houses is to solicit comment on the draft proposal. These public open houses augment the LUAC public meetings scheduled in March and April 2015. The open houses will be held in McMillin, Bonney Lake, Graham, and Anderson Island.

LAND USE ADVISORY COMMISSIONS (LUACS)

Pierce County convened the seven LUACs at various times in 2014 to address the update process or topics associated with the community plans and Comprehensive Plan. Members of the LUACs also convened in joint meetings and as an Ad Hoc committee. The purpose of the meetings was to present the County’s approach to reformatting the respective community plans as well as updating the Comprehensive Plan and associated regulations. In total, the LUACs met 23 times in 2014. Each LUAC is scheduled to meet two more times in March and April 2015.
The calendar for ongoing meetings is available at [www.PierceCountywa.org/Realize2030](http://www.PierceCountywa.org/Realize2030).

**“A NEW LOOK” - REFORMATTING THE COMPREHENSIVE PLAN AND COMMUNITY PLANS**

**COMPREHENSIVE PLAN**

The Pierce County Comprehensive Plan was originally adopted in 1994. In the last twenty years various new topics have been incorporated into a document format that has remained unchanged. While the County is only obligated to update its policies if necessary to meet GMA provisions, this update process is also an opportunity to format the policy document(s) in a way that more clearly articulates how the County will manage future growth. In addition, some existing policy is rewritten in “plain talk” or, if appropriate, deleted because it is not policy and reads as if it is regulatory in nature. The result is policy statements that are easily understood by the general public and stakeholders.
The following graphic illustrates how policies are organized within this new format:

**POLICY ORGANIZATION**

Within each element chapter, the policies are organized presented in the following format:

**SOLUTIONS TO HOUSING ISSUES**

The Housing and Land Use Elements provide direction to accommodate enough affordable housing for all economic segments of the community. Land use strategies may include allowance for accessory dwelling units; infill development; rehabilitation of existing housing; mixed-use development; and smaller lot sizes. Regulatory strategies may include streamlined approval processing and priority permit processing.

The Land Use Designations Map in the Land Use Element identifies ten land use designations within an Urban Growth Area to accommodate projected housing needs: Moderate Density Single Family; High Density Single Family; Master Planned Communities; Major Urban Centers; Activity Centers; Community Centers; Neighborhood Centers; Mixed Use Districts; High Density Residential Districts; and Urban Villages. Of these designations, the Moderate Density Single-Family; High Density Single Family; and the High Density Residential Districts are to accommodate only residential uses.

Low income and government assisted households can be provided single family or multi-family structures. Housing objectives, principles, and standards in this Comprehensive Plan encourage income diversity within neighborhoods and guarantee an adequate supply of housing for all economic segments of the population.

It is the intent of the policies within the Housing Element to create solutions for affordable housing that collectively address all economic segments of the population, emphasizing low income, very low income, and extremely low income households (20 percent area median income, 30 percent area median income, and 50 percent area median income, respectively).

**GOAL H-1**

Allow for a range of housing types in appropriate areas of the County.

1. **H-1.1** Encourage a variety of housing types that allow high densities and creative use of land within the urban area.
2. **H-1.2** Ensure that housing types within the rural and resource areas retain the rural character, and respect the features of the lands.

**GOAL H-2**

Encourage the development of new housing within the urban growth areas where facilities and services exist or are planned.

1. **H-2.1** Increase density in communities with existing infrastructure.
2. **H-2.2** Allow for accessory dwelling units, cottage housing, and Katrine cottages to reduce housing costs for residents.
COMMUNITY PLANS

Pierce County adopted its first post GMA community plan in 1999. Since that time a total of 11 sub-area plans have been adopted. While these plans have been adopted as separate actions, they are part of the Comprehensive Plan. The proposed Comprehensive Plan clarifies the relationship between the Comprehensive Plan and the individual community plans. This is accomplished through:

1. consolidation of all of the policies that apply countywide; and
2. retention of policies associated with community plan areas that are specific to the respective area; and
3. retention of background and community character narrative; and
4. retention of existing and desired conditions.

Individual community plan documents will include the community-specific background information, community action steps, policies that apply countywide, policies specific to the community plan area, and the appropriate maps. The complete Comprehensive Plan will have all of these components merged into one document. For those who are interested in a specific community plan area, a document will be available with all applicable information.

POLICY REFINEMENT

With the adoption of each community plan, it has become evident some issues are not unique to the respective area; the separate documents have duplicate policies. Additionally some policy statements are written more like regulation. As a means to streamline the policies, the County reviewed each community plans and categorized the policies into one of four categories:

1. Community-specific policies to be retained;
2. Policies that apply countywide and should be or are already addressed in the Comprehensive Plan;
3. Policies that are regulatory in nature and should be or are already adopted; or
4. Action steps that have already been done.

The result of this categorization was used as the basis of the new format.

Attachment B provides a cross reference for the location of each community plan policy in the newly formatted Comprehensive Plan. It is important to note that the absence of a policy for a community plan area does not mean it is not relevant; it indicates that the issue has countywide application.

The graphic on the following page illustrates how Community Plan policies are represented in this new format.
COMMUNITY PLAN INTEGRATION

COMMUNITY PLAN POLICIES

Alderton-Mcmillin ........................................ 2-99
Goals .......................................................... 2-99
Rural Residential ........................................... 2-99
Agricultural Resource Lands and Rural Farm Policies ........................................ 2-99
Purchase and Transfer of Development Rights (PD/TDR) ........................................ 2-99
Rural Neighborhood Center .................................... 2-99

Pierce County Comprehensive Plan | Land Use Element 2-3

ALERTON-MCMILLIN

GOALS
The goal of the rural land use policies is to ensure future decisions that impact the community are consistent with and continue the preservation of the rural character of Alderton-McMillin. This includes decisions related to land development, grant funding, roads, infrastructure and services, and anything that has the potential to change or impact the character and structure of the community.

RURAL RESIDENTIAL

GOAL AMU-1 Ensure the Alderton-McMillin community remains rural in character over the next 20 years.
AMU-1.1 The rural character of Alderton-McMillin is defined and shall be maintained as working farms, forests, open space, and low density residential homes on large lots.
AMU-1.2 To maintain and preserve the rural character of the Alderton-McMillin community, the following types of non-agricultural activities are considered incompatible with rural character:
AMU-1.2.1 Activities that generate constant, ongoing noise;
AMU-1.2.2 Activities that generate large amounts of traffic within a short duration;
AMU-1.2.3 Activities that are dependent upon an urban population of an other than farm sales and tours;
AMU-1.2.4 Activities that operate into night hours or;
AMU-1.2.5 Activities that require excessive lighting or lighting that spills onto neighboring properties.
AMU-1.3 Any major amendment to approved development applications shall include a condition of approval that requires the major amendment to meet design standards.
AMU-2 Identify lands for Rural 10 and Rural 20 designations and ensure activities on those lands meet the objective of maintaining a rural lifestyle and rural character.
AMU-2.1 Rural lands that are not devoted to resource uses, Rural Neighborhood Center, Rural Farm, or Rural Industrial Center shall be deemed Rural 10 or Rural 20.
AMU-2.2 Within Rural 10 and Rural 20 designations, the dominant land use should be detached single family homes on large lots.
AMU-2.3 Allow limited civic uses within Rural 10 and Rural 20 Civic uses shall have size restrictions compatible with the rural area.

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GMA PERIODIC UPDATE REQUIREMENTS

The GMA requires Pierce County to review and update, if necessary, its Comprehensive Plan and associated development regulations by June 30, 2015. Pierce County convened staff from various County departments to complete the review. The review focused on consistency with:

1) Growth Management Act legislative and rules updates;  
2) Growth Management Hearing Board decisions;  
3) Associated court decisions;  
4) VISION 2040 - Multi-County Planning Policies; and,  
5) Pierce County Countywide Planning Policies (CPPs).

In completing this review, Pierce County relied upon the Washington State Department of Commerce’s Periodic Update checklist, and Puget Sound Regional Council’s “Reporting Tool for Local Comprehensive Plans.”

As a result of the review, the proposed changes address:

- New or revised policy statements;
- New or revised regulatory language; or
- New or revised background information.

Attachment C highlights the topics, necessary policy/information, and the source which requires the topic to be addressed. While some of these revisions are minor, others may be considered “Major Policy Issues.” Additional information is provided in another portion of this staff report that addresses “Major Policy Issues.”

MAJOR POLICY ISSUES

A review of the Comprehensive Plan identified a number of policy topics that need to be modified to be consistent with GMA, VISION 2040, the Pierce County CPPs, or Growth Management Hearing Board decisions. The entire list of these modifications is identified under the GMA Periodic Update Requirements section of this staff report. Pierce County also identified additional policy changes necessary to address high profile issues. As the County began to address these issues, it became apparent some necessary policy changes have far reaching consequences to the general public, individual property owners and community stakeholders. In some instances Pierce County embarked on targeted outreach to individual property owners or stakeholder groups, where appropriate, to inform them of the issue and recommended resolution. Five topics/issues emerge as major policy issues:

- Agricultural Resource Lands (ARL) Criteria and Designation
- Limited Areas of More Intensive Rural Development (LAMIRDs)
- New Schools in the Rural Area
- Detached Accessory Dwelling Units (ADUs) Outside the UGA
- Potential Annexation Areas (PAAs)
AGRICULTURAL RESOURCE LANDS (ARL) CRITERIA AND DESIGNATION

Pierce County is required to establish criteria to identify and designate agricultural resource lands. The County must approach this task through a county-wide or area-wide process; meaning a parcel by parcel review is not appropriate. Three factors should be considered for this designation:

1) The land is not already characterized by urban growth;
2) The land is used or capable of being used for agricultural production; and
3) The land has long-term commercial significance for agriculture.

Historically, the lands designated as agricultural resource lands through the 1994 Pierce County Comprehensive Plan were identified using four criteria:

1) 10-acre or larger parcel sizes;
2) Prime or unique soils according to United States Department of Agriculture (USDA);
3) Land primarily devoted to agriculture; and
4) Not adjacent to lots of record of one acre or less on more than 50 percent of the perimeter.

The application of these criteria to areas outside of the urban growth areas identified approximately 17,900 acres as designated agricultural lands.

In 2004, through the first GMA Periodic Update, the County re-evaluated the agricultural lands policies and adjusted the designated agricultural lands category. The updated policy direction revised and expanded criteria for the designation of agricultural resource lands. Some significant changes from the original criteria include:

- The refinement of the soil type and the addition of a grass/legume production yield,
- Decreasing the minimum lot size requirement from 10 acres to 5 acres, and
- Expanding the criteria from preserving lands with existing agricultural activity (devoted to agricultural) to those lands that have the potential to be viable agricultural lands.

This change in policy direction ties the designation of agricultural resource lands to the soil resource, not to the existence of current farming activity. Consequently, a property originally designated as agricultural because it operated as a farm would be de-designated through the application of the revised criteria if the property did not contain the specific prime agricultural soil types and high yields. Accordingly, a property that was previously designated as Rural would be re-designated as ARL if it met all the criteria, even if there was not any agricultural activity taking place on the property. Through the same amendment cycle Pierce County designated approximately 31,000 acres as ARL.
WHAT PROMPTED THE CHANGES?

Since the 2004 amendment cycle, Pierce County discovered technical errors that were made associated with its GIS query on its soil geographic database. Consequently, the 2004 amendment included lands which did not meet the updated agricultural resource lands criteria; the result being that more acreage was designated as ARL than actually existed according to the new criteria. To rectify the error a proposal was considered during the 2007 Comprehensive Plan amendment cycle. However, the proposal was not adopted; rather, the County chose a path to rectify the error through the adoption of individual community plans and the next GMA Periodic Update. If corrected to reflect the existing criteria, ARL property would total approximately 12,000 acres.

The issue of the ARL map error was resurrected through the Comprehensive Plan amendment cycle in 2013. The Pierce County Council denied a request to “correct” the Land Use Designation map to reflect the adopted ARL criteria; however, the Council made a finding that states,

“The ARL designation should be held over for review of ARL criteria as part of the 2015 Comprehensive Plan Update process” (Ordinance No. 2013-59).

Pierce County participated in requested meetings with the agricultural preservation stakeholders to discuss the ARL criteria and potential modifications. The proposed modification to the ARL criteria stem from those discussions.

PROPOSED CHANGE

The change to the ARL designation criteria removes the requirement that a parcel’s soil type have a potential grass/legume production yield of 3.5 tons per acre or greater. This existing yield criterion is based on capacity to produce grass and legumes, an important factor for the County’s livestock producers, but immaterial for the many producers of fruits, vegetables, nursery stock, and other leading Pierce County agricultural products. Some of the County’s most productive soil barely qualifies under the current criteria. Other similarly productive areas are excluded entirely. The application of these modified criteria would designate a total of 65,154 acres as ARL, which equates to 5,452 parcels.

Pierce County has notified all affected property owners of this proposed change. Four open houses were held at locations throughout the rural area to inform the audience why property is proposed to be re-designated and how it affects development potential.

LIMITED AREAS OF MORE INTENSIVE RURAL DEVELOPMENT (LAMIRDS)

The 1994 Pierce County Comprehensive Plan included various policies that directed the appropriate location and size of commercial centers in the rural area. The Plan designated various areas as Rural Activity Centers (RACs), Rural Neighborhood Centers (RNC), and Rural Gateway Centers (GC). The location of these rural commercial centers focused on areas where commercial services may be
desired by rural residents. These areas included established businesses, vacant as well as re-developable property.

In 1997 the GMA was amended to limit the designation of commercial areas in the rural area to locations where businesses had been legally established. Limited Areas of More Intensive Rural Development (LAMIRDs) are identified by an existing commercial area or existing commercial uses that were in existence on July 1, 1990, and have a logical outer boundary.

Through the 2004 GMA Periodic Update, the County adopted a policy to conduct LAMIRD evaluations of its rural commercial centers through the community planning process. The new policy states that all rural centers shall be evaluated and updated as necessary to be consistent with the LAMIRD provisions upon initiation or update of a community plan. This policy became effective on February 1, 2005.

Previously, the County conducted the LAMIRD evaluation through the community planning process for these areas:

- Graham Community Plan;
- Key Peninsula Community Plan;
- Alderton McMillin Community Plan (partial);
- Anderson Island/Ketron Island Community Plan (partial); and
- Mid-County Community Plan.

During this update the County conducted an evaluation and the Planning Commission made recommendations for these rural commercial areas:

- Greenwater Rural Gateway Center – reduced in area
- Gig Harbor Peninsula Community Plan area – remained the same
- Upper Nisqually Valley Community Plan area – remained the same
- Alderton McMillin - SR 162 and 128th Street East – remained the same
- Anderson Island – reduced in area
- Ketron Community Plan area – remained the same
- SR 507 and SR 702 – McKenna – reduced in area
- SR 7 and SR 702 - deleted
- SR 161 & Eatonville Cutoff Road – reduced in size
- SR 702 & 40th Avenue South – reduced in size
- SR 165 & 141st St. Ct. East – reduced in size
- SR 7 & 267th Street East – reduced in size
- SR 7 and 304th Street East – remained the same

**LAMIRD REVIEW**

The Pierce County Planning Commission reviewed pertinent information and conducted three public hearings on October 28, 2014, December 16, 2014, and February 24, 2015. Previous staff reports
include evaluations and findings related to each LAMIRD. The Planning Commission recommendations are noted above.

Pierce County also evaluated its existing policies against the LAMIRD criteria. The proposed Comprehensive Plan reflects the necessary changes to the existing policies that included location, size, and boundaries for the County. The currently proposed policies include the requirements identified in the Revised Code of Washington.

### ADDITIONAL LAMIRD AREA REVIEW

These two areas were not reviewed in the previous process:

1. **Graham RAC**: Between Eustis Hunt Road East and just south of 120th Street Court East. Modify the boundary to add 14 parcels to the RAC.
2. **Barney’s Corner**: SR 161 & Eatonville Cutoff Road. Add one additional parcel.

### LAMIRD RELATED REGULATIONS - RURAL USE EXCEPTION (18A.33.290)

The existing provisions allow commercial uses in rural areas based on the following criteria:

- Abuts a state highway which is not designated as a limited access; and
- Borders property that is improved with existing commercial or industrial use types, multi-family, or mobile home park uses established on or before July 1, 1990 on more than 50 percent of the property’s boundaries.

In order to make the regulations consistent with the LAMIRD criteria and the State law, the proposal eliminates the allowance for commercial uses on properties designated as Rural Separator or Rural 10. This is referred to as the “Rural Use Exception.”

### NEW SCHOOLS IN THE RURAL AREA

The Pierce County Comprehensive Plan currently has policies that state schools may be allowed in the rural area under certain situations. These include:

- The use is dependent on being in the rural area;
- Urban level services are not required;
- It is compatible with the functional and visual character of the immediate rural area; and
- Site development and performance standards are met.

In addition, two community plans (Alderton/McMillin and Mid-County) contain additional policies that address the location of schools in the rural area. Accordingly, current development regulations allow for primary schools in the majority of the rural land use designations - as permitted outright, through an administrative review, or as a conditional use permit. Secondary schools are permitted in the majority of land use designations through the same type of approvals; however, there are some instances where secondary schools are not allowed.
WHAT PROMPTED THE CHANGES?

VISION 2040 contains policies that direct new schools to be located within the urban area ignoring those concentrations of student populations who live in the rural area. The current Plan policies do not conform to VISION 2040, the region’s multi-county planning policies.

Additionally, the Countywide Planning Policies balance the rationale for locating schools in the urban area with the service needs of siting schools closer to student populations living in the rural area:

_The County... shall meet specific educational facility needs by... working toward standards that would prioritize the location of these facilities to be in urban areas, with consideration to existing facilities in rural areas. (PC CPPs Ed 5.3)_

Pierce County met with school district representatives to discuss potential policies and regulations that would limit the schools in the rural area. School districts have various challenges in constructing new and improving existing facilities. Locating new schools in the rural area is not just a matter of purchasing less expensive land:

- Schools are needed where student populations reside;
- Student populations are increasing in the rural area due to vested development submitted before GMA was locally implemented; and
- Some of the school districts have significant portions of their boundaries located outside of the urban growth boundary.

PROPOSED CHANGE

The proposed Plan contains policies that direct new schools to be located in the rural areas only when an identified student need cannot be met in an adjacent urban area. The policies also state preference of expanding an existing campus over the construction of a new site. The policies call for facilities to be located and designed in a manner that is consistent with the existing character of the surrounding area. The associated regulations require a conditional use permit for schools in the rural area. The proposed changes to the regulations further detail the justification that must be submitted.

DETACHED ACCESSORY DWELLING UNITS (ADUS) OUTSIDE THE UGA

An accessory dwelling unit (ADU) is a small, self-contained residential unit located on the same lot as an existing single-family home. ADUs are generally defined to be smaller in size and prominence than the main residence on the lot. An ADU may be attached or detached from the main single-family home. An attached unit is a separate living space within the principal home. Attached units may be located on any floor but typically have a separate entrance. A detached unit is a separate structure located somewhere on the lot. It may be the second floor of a detached garage or a separate living structure.
The 1993 Washington Housing Policy Act requires that counties that plan under GMA adopt regulations that encourage ADUs in single-family zones. The purpose of encouraging ADUs is to:

- Provide homeowners with an opportunity to subsidize housing costs through rental income from either the ADU or principle unit;
- Increase opportunities for affordable housing in locations that may otherwise be priced out of the housing market; and
- Provide for an alternative type of housing.

Jurisdictions have had flexibility in establishing regulations to address local circumstances. Regulations typically address size limitations, location on a site, and owner occupancy.

The current Plan policies recognize ADUs as a beneficial form of affordable housing. The policies direct the County to develop regulations that would allow one ADU on a residential lot where an existing single-family home is located. The existing policy further states:

"Accessory dwelling units shall not be included in the calculation of residential densities."

The concept of “residential densities” reflects the number of homes allowed on a parcel based on the size of the piece of property.

The existing regulations allow for the establishment of both attached and detached ADUs. In either situation, the property owner has to live on-site. Additional standards address the size and design of the unit. Consistent with the current adopted policy, ADUs are not incorporated in the residential density calculations.

While an ADU is an important opportunity for land owners, during the last 15 years they have not made up a significant amount of the homes constructed in Pierce County. In review of permit data between 2000 and 2015, approximately 650 accessory dwelling units were permitted in unincorporated Pierce County. Of this total, roughly 18 percent are located within the UGA, and 82 percent are located outside of the UGA.

**WHAT PROMPTED THE CHANGE?**

The current Plan policy appears to conflict with Growth Management Hearing Board (Board) decisions addressing ADUs and density in rural/resource land designations. More specifically, the decisions have indicated that when allowing ADUs outside the UGA they count toward the maximum allowable density. Board decisions have stated:

*A freestanding ADU is a separate dwelling unit and has all the structural characteristics of a dwelling unit...*

*To allow a freestanding accessory dwelling unit on every single-family lot without regard to the underlying density in rural residential districts...fails to prevent urban sprawl...and...allows*
growth which is urban in nature outside of an urban growth area. (Case No. 03-3-0003, Corrected Final Decision and Order)

Attached or internal accessory dwelling units do not increase the density of structures on a parcel of property and therefore need not be counted as separate dwelling units in determining residential dwelling densities in rural zones. (Case No. -02-2-0007c Order on Compliance)

The Board finds that...amending the County’s development standards for ADUs fails to comply with the Growth Management Act’s requirement to protect rural lands and rural character, so far as the amendments add manufactured homes as allowable freestanding ADUs on lots smaller than 10 acres. (Case No. 04-3-0018)

**PROPOSED CHANGE**

Accessory dwellings remain an allowed use both inside and outside the UGA.

Based on the Board decisions, the updated Plan contains policies that require that detached ADUs outside of the UGA be included in the density calculation.

**POTENTIAL ANNEXATION AREAS**

The GMA allows cities and towns to annex only areas that are within the designated urban growth area. The provisions do not require urban areas to be annexed within any specific timeframe. Typically a jurisdiction pursues annexation at the request of property owners. Historically, the County has not been proactive in supporting annexation; the County reviews a “Notice of Intention” and may respond to potential issues through the Boundary Review Board. The current Plan does not contain any policies that address annexation. The County’s response to Notices of Intention has typically focused on annexation boundaries in relation to public roads. This long term approach has had consequences to the County’s ability to provide services:

- Annexation areas have excluded residential areas which typically do not have a tax base to support County services; and
- Unincorporated “islands” have been created that make it inefficient for the County to provide service.

**WHAT PROMPTED THE CHANGE?**

In VISION 2040, it is stated that all unincorporated urban areas will either be annexed by neighboring cities or incorporated by 2040. These regional policies state the County should:

Affiliate all urban unincorporated land appropriate for annexation with an adjacent city or identify those that may be more feasible for incorporation.
To be consistent with VISION 2040, the Pierce County Countywide Planning Policies (CPPs) have been amended to address annexation. The policies are premised on the establishment of “Potential Annexation Areas” (PAAs). The policies also call for a more coordinated annexation approach.

**PROPOSED CHANGE**

The proposed Plan incorporates new policies that address annexation of unincorporated urban areas. The policies:

- Encourage annexation of unincorporated urban areas by neighboring cities and towns;
- Directs the County to partner with cities and towns in annexation outreach efforts;
- Affiliates unincorporated areas with cities and towns and establishes “Potential Annexation Areas” (PAA);
- Directs the County to explore the economic viability of incorporation for unincorporated areas not affiliated with a neighboring city or town;
- Identifies unincorporated urban “islands” between cities and towns as the highest priority for annexation;
- Directs the County to work with cities and towns in establishing joint planning agreements;
- Directs the County to explore and implement financial incentives to encourage a city or town to annex its respective PAA.

**OTHER POLICY ISSUES**

Through its review of the Comprehensive Plan, Pierce County identified a number of policy topics that should be considered for modification. Those include:

- Replace the Rural Reserve 5 land use designation with a new Rural 5 land use
- Clarify the various Open Space categories
- Direct Historic Document Maintenance Fund allocation

**ELIMINATION OF RURAL RESERVE 5 LAND USE DESIGNATION**

With the implementation of the Comprehensive Plan in 1995 a land use designation was created that identified rural areas that were thought to be the first areas in which to expand the UGA. When the first Buildable Lands Report (2002) was completed, it was clear that the urban growth area in Pierce County was adequately sized to accommodate growth for some time.

Currently there are 5,205 parcels (8,586 acres) that are classified as Rural Reserve 5 (Rsv5) that are being changed to a new Rural 5 designation. In addition, there are other Rsv5 parcels that meet the new Agricultural Resource Lands designation and are being changed.
WHAT PROMPTED THE CHANGES?

Since 1995, new regional policies and Hearing Board decisions have limited the County’s ability to expand the Urban Growth Area without use of an identified methodology. The primary focus of the new regional policies is that UGA should not be expanded into the rural areas, but that they should be allowed additional density.

If population increases ever warranted any expansion beyond what is planned, the boundaries of an UGA expansion are to be adjacent to cities and towns.

By keeping the old designation, the title gives an expectation of rural to urban conversion that no longer exists.

PROPOSED CHANGE

Eliminate the Rural Reserve 5 and replace it with a new designation of Rural 5. The allowed uses of today’s Rsv5 are carried over to the new Rural 5 designation.

OPEN SPACE CATEGORIES

In the current Comprehensive Plan there are numerous references to “open space.” Depending on the context, the term has different meanings.

Multiple Pierce County agencies acquire and manage land for open space purposes - from recreation, to habitat conservation, to flood hazard reduction.

In the proposal, a new classification of open space is organized around the purpose of the open space. For example, policies for the management and perseveration of open space for habitat are very different than policies for working lands or outdoor recreation.

WHAT PROMPTED THE CHANGES?

There is confusion as to the use of the term “open space” in the various sections of the Comprehensive Plan and regulations. This adjustment will recognize that open space serves many purposes and means different things to different agencies and citizens. The categories are designed to clarify the situation.

PROPOSED CHANGE

Five categories are identified in the update:

1. **Habitat.** Open space for the preservation of plant and animal habitat may include habitat for fish and wildlife species; rivers, streams, bays, and estuaries; and coastal beaches, lakeshores, and banks of rivers and streams.
2. **Working Lands.** Open space used for the managed production of working lands may include forest lands, agricultural lands, and areas of economic importance for the production of food or fiber.

3. **Outdoor Recreation.** Open space for outdoor recreation may include athletic fields, recreation facilities, playgrounds, picnic areas, meadows, wooded areas, and trails; and access to beaches and shorelines for swimming, fishing, boating, and beachcombing.

4. **Community-Defined Values.** Open space for community-defined values may include areas used for buffers between communities, respites from the built environments, and for connecting with nature; and areas of outstanding scenic, historic, and cultural value.

5. **Public Health and Safety.** Open space for public health and safety may include areas used for stormwater management, flood control, water quality for public use, air quality, and carbon sequestering.

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**HISTORIC DOCUMENT MAINTENANCE FUND (HDOC)**

Pierce County currently collects a one-dollar fee for every document recorded by the Pierce County Auditor’s office. This fee is authorized through the RCW 36.22.170. The fees are intended to be used for historic preservation, archiving, and the management of historic records.

The Pierce County Council appropriates the use of the funds during the adoption of the annual budget. The funds are distributed to the County Clerk’s office for the management of court records and to the Landmarks and Historic Preservation Commission.

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**WHAT PROMPTED THE CHANGES?**

The Landmarks and Historic Preservation Commission has requested changes to the Comprehensive Plan that would earmark all funding go to the Commission to support their mission.

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**PROPOSED CHANGE**

The proposal adds a new policy under the Cultural Resources Element that addresses this request.

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**LAND USE DESIGNATION MAP AMENDMENTS**

**2014 APPLICATION PROCESS**

Pierce County accepted formal applications that proposed changes to the Land Use Designation map. The County (LUACs and Planning Commission) has completed the review and recommendations on this package. **No further review is necessary.** The Planning Commission recommendation was made on December 2014. The Land Use Designation Map in the proposed Plan reflects those recommendations:
• M-1 (Fred Wagner): Changes the land use designation for one parcel within the South Hill Community Plan area from High Density Single-Family (HSF) to High Density Residential District (HRD);
• M-2 (Scott Edwards): Changes the land use designation for eight parcels within the Mid-County Community Plan area from Employment Center (EC) to High Density Residential District (HRD);
• M-3 (Schactler): Changes the land use designation for two parcels from Rural 10 to Agricultural Resource Lands (ARL);
• M-4 (FRETOC): Changes the zoning classification on approximately 53 acres from Community Employment (CE) to Employment Services (ES); and
• M-5 (Purdy Interchange LLC): Changes the land use designation for 19 parcels from Employment Center (EC) to Mixed Use District (MUD).

COUNTY PROPOSED MAP CHANGES

In addition, Pierce County received a number of requests to change the permitted uses property through the County’s public outreach program. During the update process the County also identified properties in which a change of land use designation may be appropriate as opposed to expanding the permitted uses within a properties current zoning classification. The proposed Plan includes the following changes from these situations:

• SR 7 and 18th Ave East: Changes the land use designation for 184 parcels (36.13 acres) from High Density Residential District (HRD) to Mixed Use District (MUD). The property is located within the Parkland-Spanaway-Midland Communities Plan area. The Commercial Mixed Use District (CMUD) zoning classification would implement the new land use designation. The site is surrounded by MHR that is already developed as storage uses or construction yards. Development of the site with multi family is not compatible given the surroundings.

• SR 161 and 204th Street East: Changes the land use designation for two parcels (4.13 acres) from Moderate Density Single Family (MSF) to Mixed Use District (MUD). The property is located within the Graham Community Plan area. The Moderate High Density Residential (MHR) zoning classification would implement the new land use designation. Applying LAMIRD criteria, evidence shows these properties are contained within a logical outer boundary defined by uses in existence on July1, 1990, at the corner of 204th and SR 161.

• SR 7 and 114th Street South: Changes the land use designation for three parcels (7.82 acres) from Moderate Density Single Family (MSF) to Mixed Use District (MUD). The property is located within the Parkland-Spanaway-Midland Communities Plan area. The Commercial Mixed Use District (CMUD) zoning classification would implement the new land use designation. The site is currently occupied with commercial/contractor uses. Furthermore the site is bound by mixed used zoning to the north and south. Development of the site as residential is not compatible with surrounding land uses.
• Sales Road/96th Street South: Changes the land use designation for three parcels from Moderate Density Single Family (MSF) to Employment Center (EC) and one parcel from High Density Residential District (HRD) to Employment Center (EC) totaling 4.74 acres. The property is located within the Parkland-Spanaway-Midland Communities Plan area. The Community Employment (CE) zoning classification would implement the new land use designation. The site already is partially developed with more intensive uses and is surrounded by existing CE zone and light industrial uses. Development of the site as residential is not compatible with surrounding land uses.

• 121st Street East and 20th Ave East: Changes the land use designation for six parcels (5.75 acres) from Employment Center (EC) to High Density Residential District (HRD). The property is located within the Mid-County Community Plan area. The Moderate High Density Residential (MHR) zoning classification would implement the new land use designation. The Planning Commission has recommended change to surrounding properties to HRD. These properties would become “islands” of EC designation, without this change. As noted in this section, EC land is increased resulting in a no net loss of EC land.

• 104th Street East and Canyon Rd East: Changes the land use designation for nine parcels (14.47 acres) from Community Center (CC) to Employment Center (EC). The property is located within the Mid-County Community Plan area. The Community Employment (CE) zoning classification would implement the new land use designation. This site is not currently served by sanitary sewer. To provide sewer to this site would require running sewer service under SR 512 at a significant cost. The existing CC designation permits a variety of uses that are dependent on sewer service. A change to EC will permit more uses that are not dependent on sewer service.

• 120th Street East and SR 161: Changes the land use designation for 34 parcels (17.97 acres) from Major Urban Center (MUC) to Community Center (CC). The Community Center (CC) zoning classification would implement the new land use designation. Refer to the “Other Policy Issues” section of this staff report for detailed information. The MUC land use designation was originally applied in 1995 to reflect a regionally adopted “Center” in unincorporated Pierce County. Since 1995, the majority of the MUC has been annexed by the City of Puyallup. What little MUC remains, does not warrant the designation.

• 112th Street East and 28th Ave East: Changes the land use designation for one parcel (3.99 acres) from Employment Center (EC) to High Density Residential District (HRD). The property is located within Mid-County Community Plan area. The Moderate High Density Residential (MHR) zoning classification would implement the new land use designation. This property does not appear to meet the criteria for EC. The property is adjacent to an existing Neighborhood Commercial and would be more compatible as a multi-family site. The reduction of this EC is compensated by the other increases in EC.

• SR 706 - Ashford Rural Center: The land use designation remains as Gateway Center. The zoning classification that implements the land use designation changes from Village Residential (VR) to Tourist Commercial (TC) on one parcel (4.34 acres). The property is located within the Upper
Nisqually Valley Community Plan area. This property has existing uses as of July 1, 1990 that consisted of commercial aviation uses associated with the Ashford airport. This proposal is consistent with the LAMIRD criteria.

- Canyon Road East & 176th St. E: Removes the Mineral Resource Overlay (MRO) on 23 parcels (56.79 acres) in the northwest corner of the intersection. The property is located within the Frederickson Community Plan area. The change is proposed because the property is authorized to develop under conditions of land use controls and the infrastructure is in place.

- SR 7 and 200th Street East: Removes the Mineral Resource Overlay (MRO) on 407 parcels (109.55 acres) south of 196th Street E and north of 204th Street E. The property is located within the Parkland-Spanaway-Midland Communities Plan area. The change is proposed because the overlay is on a fully developed residential community.

- Agricultural Resource Lands (ARL): Countywide – refer to the “Major Policy Issues” section of this staff report for detailed information.

- Rural Reserve 5(Rsv5): Countywide – refer to the “Other Policy Issues” section of this staff report for detailed information.

**REGULATORY AMENDMENTS**

The proposed regulatory amendments implement proposed policy modifications as identified under other sections of this staff report as well as changes supported through existing policy. The regulatory amendments addressed as part of the policy section include:

- Deletion of “Rural Use Exception”
- New Schools in the Rural Area
- Detached Accessory Dwelling Units (ADUs) Outside the UGA
- Replace the Rural Reserve 5 land use designation with a new Rural 5 land use designation

Amendments, technical in nature, correct code citations as well as clarify that the Resource Lands and Rural are separate land use designations.

Additional regulatory amendments include:

**TITLE 18, DEVELOPMENT REGULATIONS – GENERAL PROVISIONS**

**DEFINE “GROUP HOMES”**

“Group home” is not currently defined in the Title 18, “Development Regulations – General Provisions”. “Group home” is referred to under the existing definition for “Family.” It reads:
“Family” means an individual; or two or more persons related by blood or marriage, or adoption: or a group of not more than six persons who are not related by blood, marriage, or adoption, living and cooking together...Seven or more unrelated persons living together constitute a “group home.” (Emphasis added)

**WHAT PROMPTED THE CHANGE?**

The proposed amendment is to make Pierce County’s definition of “group home” easier to find for the public and staff.

**PROPOSED CHANGE**

Amend PCC 18.25.030 to add a definition for “Group Home.” The definition clarifies that the unrelated individuals have special needs and that they may be receiving personal care, social or counseling services and transportation. The proposed definition reads:

“Group home” means living accommodations for seven or more unrelated individuals with special needs. Individuals may be provided with combination of personal care, social or counseling services, and transportation. Examples of uses include group homes for handicapped including, but not limited to, physically or mentally challenged individuals, boarding homes, foster homes, women’s shelters, and chemical and alcohol rehabilitation facilities (other than addiction caused by current, illegal use of a controlled substance).

**TITLE 18A, DEVELOPMENT REGULATIONS - ZONING**

**ELIMINATE FORESTRY LEVEL 3 USE TYPE**

The current Development Regulations define Forestry Level 3 Use Type as Christmas tree farms not exceeding 5 acres in size. Forestry Level 3 is currently allowed in various zoning classifications as an outright permitted use.

Several definitions are provided in the Washington State RCWs and WACs that reveal certain Christmas tree farms are considered to be an agricultural practice and not a forest practice. A Christmas tree farm where the land is prepared by intensive cultivation and tilling, and on which all unwanted plant growth is controlled, is considered to be an agricultural use.

**WHAT PROMPTED THE CHANGE?**

The proposed amendment is to make the way Pierce County classifies “Christmas Tree Farms” in its Use Type tables consistent with the State’s definition.
PROPOSED CHANGE

Amend the Crop Production Use Type under the Resource Use Category to incorporate “plantation Christmas tree farm” to read as follows:

Level 3: “Crop Production uses which involve the raising and harvesting of row crops, field crops, plantation Christmas tree farms, or tree crops on an agricultural or commercial basis on parcels not to exceed 5 acres in size. Examples include grain and vegetable crops, fruit trees, and horticultural nurseries.” (18A.33.260 E.)

Delete Level 3 under the Forestry Use Type (18A.33.360 G.)

Amend the Use Tables associated with “Outside of Community Plan Areas” (PCC 18A.17) and the Use Tables in four community plan areas to allow for Crop Production – Level 3 under zoning classifications that currently allow Forestry Level 3 but do not currently permit Crop Production Level 3. These four community plan areas include:

- Alderton-McMillin (PCC 18A.18 )
- Frederickson (PCC 18A.22)
- Mid-County (PCC 18A.27)
- South Hill (PCC 18A.29)

ALLOW “MOTOR VEHICLES AND RELATED EQUIPMENT SALES, RENTAL, REPAIR AND SERVICE” IN RURAL ACTIVITY CENTER

The current Development Regulations do not allow for Motor Vehicles and Related Equipment Sales, Rental, Repair and Service Level 5 in the Rural Activity Center outside of community plan areas. Chapter 18A.33 – Use Category Descriptions defines Motor Vehicles and Related Equipment Sales, Rental, Repair and Service Level 5 as:

“On-site sales, lease, or rental of automobiles, trucks not exceeding three tons of vehicle weight, and recreational vehicles.” (18A.33.270 M.)

WHAT PROMPTED THE CHANGE?

An application submitted through the 2014 Comprehensive Plan amendment cycle requested a policy be added to the Comprehensive Plan to allow for Level 3 within a Rural Activity Center. Staff reviewed the current policies and did not identify any which would prevent this type of use in the Rural Activity Center.

The current regulations allow for Use Level 3. Level 3 permits on-site rental and lease of motor vehicles as an accessory use to an automobile repair shop. It has been determined that the characteristics of a stand-alone business that rents, leases, or sells motor vehicles would not be much different than a motor vehicle repair business with accessory sales. Therefore it has been found that the use is consistent with the Comprehensive Plan policies.
PROPOSED CHANGE

Amend the Use Tables associated with “Outside of Community Plan Areas” (PCC 18A.17.020) to add Vehicles and Related Equipment Sales, Rental, Repair and Service Level 5 as a permitted use in the Rural Activity Center zoning classification.

ALLOW FOR ADDITIONAL SERVICE AND COMMERCIAL USE TYPES WITHIN THE ANDERSON AND KETRON ISLANDS COMMUNITY PLAN AREA.

The current Development Regulations allow for limited service and commercial uses in the Rural Neighborhood Center zoning classification.

WHAT PROMPTED THE CHANGE?

Ferry service to and from the islands are limited and at time may be challenging for residents to obtain necessary medical and other types of services not currently permitted in the Rural Neighborhood Center.

An application submitted through the 2014 Comprehensive Plan amendment cycle requested policies be added to the Comprehensive Plan to allow for an expanded list of permitted uses within the Rural Neighborhood Center land use designation. Staff reviewed the current policies and did not identify any current policies that would prevent the proposed use types in the Rural Activity Center.

PROPOSED CHANGE

Amend the Use Tables associated with “Anderson and Ketron Islands” (PCC 18A.19.020) as follows:

- Add the following as permitted use types under the RNC zoning classification:

  Civic Use Category
  
  Health Services – P1, 2
  
  Level 1: Medical and dental offices, emergency medical facilities providing 24-hour walk in service.
  
  Level 2: Hospitals and institutional facilities. Such facilities may involve surgical and medical procedures as well as mental health related care.

  Resource Use Category
  
  Agritourism – P4
  
  Level 4: Farmers market (sale of produce, shrubbery, plants, eggs, wine, arts and crafts, and dairy products). Market size is not limited. Up to 500 square feet. At least 50 percent of products offered for sale must be produced in Pierce County, and 90 percent of products offered for sale must be produced in Washington State.
Commercial Use Category

Business Services – P1

Level 1: Total floor area up to 2,500 square feet, with no outdoor storage of vehicles.

- Change the following use types that are currently allowed through a conditional use permit to be allowed outright:

Commercial Use Category

Eating and Drinking Establishments – P4

Level 4: Restaurant, tavern or brewpub that serves beer, wine or liquor. This level of restaurant, tavern or brewpub will have a separate lounge area for patrons 21 years of age or older or in some cases be entirely restricted to patrons 21 years of age or older.

Storage and Moving – P1, 2

Level 1: Total use area consists of a lot or combination of lots less than one acre in size. Outdoor Use Allowed.
Level 2: Total use area consists of a lot or combination of lots of 1 to 4 acres in size. Outdoor Use Allowed

- Add the following as a permitted use type through a conditional use permit:

Commercial Use Category

Lodging - C3

Level 3: Lodging house with up to 20 guest rooms.

ALLOW MULTI-FAMILY WITHOUT NON-RESIDENTIAL COMPONENT WITHIN THE ACTIVITY CENTER ZONING CLASSIFICATION IN THE PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN AREA.

The current Development Regulations allow for multi-family development within the Activity Center zoning classification only if the residential units are located on a second floor or higher, above a non-residential activity (Level 5). Chapter 18A.33 – Use Category Descriptions defines Multi-Family Housing Level 5 as follows:

Level 5: Multi-family component of mixed use developments in which residential units are primarily located above the non-residential activity located on the first floor of the same building(s). The multi-family component of a mixed use development is not restricted to a specific number of units per building or development; provided that multifamily units located on the first floor shall not occupy more than 15 percent of the total gross floor area of the first floor nor exceed ten units and all first floor units are located to the rear of the building. (18A.33.210 E.)
WHAT PROMPTED THE CHANGE?

A request was submitted to allow for multi-family development to be allowed absent a non-residential component in the Activity Center zoning classification. Staff reviewed the current policies and did not identify any current policies that would prevent other forms of multi-family development in the Activity Center zoning classification.

PROPOSED CHANGE

Amend the Use Tables associated with “Parkland-Spanaway-Midland” (PCC 18A.28.010) to allow Multi-Family Housing Levels 1 – 4 outright and delete reference to Level 5. Multi-family Housing Levels 1 – 4 are as follows:

- Level 1: Three to four-unit multi-family buildings (tri- and four-plexes), with ground level access to each unit, also known as "attached single-family."
- Level 2: Three to four-unit multi-family buildings (tri- and four-plexes), with upper level access to some or all units.
- Level 3: Multi-family buildings with five or more units per building, with ground level access to each unit, also known as "attached single family."
- Level 4: Multi-family buildings with five or more units per building, with upper level access to some or all units.

ALLOW ALL LEVELS OF “MOTOR VEHICLES AND RELATED EQUIPMENT SALES, RENTAL, REPAIR AND SERVICE” IN COMMUNITY CENTER IN PARKLAND-SPANAWAY-MIDLAND COMMUNITIES PLAN AREA.

The current Development Regulations allow for Motor Vehicles and Related Equipment Sales, Rental, Repair and Service Levels 1 – 3 permitted outright and Level 4 through an Administrative Use Permit in the Community Center zoning classification. Level 5 is not currently permitted. Chapter 18A.33 – Use Category Descriptions defines Motor Vehicles and Related Equipment Sales, Rental, Repair and Service Level 4 and 5 as follows:

- Level 4: Same uses as Level 2, except this level allows for motor vehicles sales as an accessory use provided the number of vehicles for sale on-site does not exceed 15 at any given time.
- Level 5: On-site sales, lease, or rental of automobiles, trucks not exceeding three tons of vehicle weight, and recreational vehicles.” (18A.33.270 M.)

WHAT PROMPTED THE CHANGE?

A request was submitted to allow for on-site sales of automobiles in the Community Center zoning classification. Staff reviewed the current policies and did not identify any current policies that would prevent stand-alone sales of automobiles. It is been determined that the characteristics of a stand-
alone business that rents, leases, or sells motor vehicles would not be much different than a motor vehicle repair business with accessory sales. Therefore it has been found that the use is consistent with the Comprehensive Plan policies.

**PROPOSED CHANGE**

Amend the Use Tables associated with “Parkland-Spanaway-Midland” (PCC 18A.28.010) to allow Level 4 outright and add Level 5 as a use type allowed outright.

**INSERT “WINERIES” AS A COMPONENT OF THE AGRITOURISM USE TYPE.**

It is commonly recognized that “Agricultural Tourism” refers to visiting an agribusiness, horticultural, or agricultural operation, to purchase products, or participate in a form of recreational or educational experience. It is a tourist activity that is connected in a complementary way with the primary operation.

The current regulations define the Agritourism Use Category as:

“...uses which involve the sale of locally grown agricultural products and agriculturally-based operations or activities that bring visitors to an active farm or ranch...” (18A.33.260 A.)

The definition further provides examples of the types of activities that may be considered Agritourism. “Wineries” are not currently listed as an example. Tasting rooms are commonly integrated as a complementary use to wineries.

The Agritourism Use Category has five different levels. Each of the levels requires at least 50 percent of the product that is offered for sale to be produced in Pierce County.

Wineries are currently listed as a Level 2 under the Food and Related Products – Industrial Use Category. The current regulations define Food and Related Products as:

“...uses which involve the processing of non-animal food materials, raw milk, ice manufacturing, and other food products manufacturing, processing, storage and packaging...” (18A.33.280 C)

**WHAT PROMPTED THE CHANGE?**

It is necessary to clarify that a winery and associated tasting room is part of agribusiness that supplements the sales of the winery operation.

**PROPOSED CHANGE**

Amend the Agritourism Use Type under the Resource Use Category to incorporate “wineries” to read as follows:

**Agritourism:** Agritourism Use Type refers to uses which involve the sale of locally grown agricultural products and agriculturally-based operations or activities that bring visitors to an active farm or ranch. Agritourism includes a wide variety of activities including, but not
limited to, corn mazes, harvesting fruit and vegetables, feeding animals, riding animals, lodging, farm gift shops, farm-related events, learning about farm practices, produce stands, and wineries. Agritourism may include tractor rides, but shall not involve motorized off-road vehicle racing or similar motor vehicle activities.

TITLE 18F, DEVELOPMENT REGULATIONS – LAND DIVISIONS AND BOUNDARY CHANGES

EXEMPTION FOR BOUNDARY LINE ADJUSTMENTS.

The current Development Regulations (18F.70.030 A.2.) do not currently allow for boundary line adjustments that result in parcel area that is less than the density permitted through the existing zone classification. This regulation prevents an existing nonconforming lot to be increased to any size less than the density permitted through the existing zone classification.

WHAT PROMPTED THE CHANGE?

An application submitted through the 2014 Comprehensive Plan amendment cycle requested policies to be added to the Comprehensive Plan to allow for boundary line adjustments between two nonconforming lots. Staff reviewed the current policies and did not identify any current policies that would prevent this type of boundary line adjustment to occur. Therefore it has been found that it is consistent with the Comprehensive Plan policies.

PROPOSED CHANGE

Amend 18F.70 to allow for boundary line adjustments between two nonconforming lots. This chapter has also been edited to clarify various components of the boundary line adjustment approval process.

TITLE 18J, DEVELOPMENT REGULATIONS – DESIGN STANDARDS AND GUIDELINES

MODIFY TREE CONSERVATION REQUIREMENTS FOR PROJECTS IN EMPLOYMENT CENTER LAND USE DESIGNATION.

Table 18J.15.030-2 (General Minimum Tree Unit Density) requires that development in Employment Center land use designation provide tree density at 20 tree units per acre.

WHAT PROMPTED THE CHANGE?

The current requirement to retain or provide replacement trees at 20 tree units per acre is not compatible with the space needs of industrial and manufacturing operations that are encouraged to be developed within the Employment Center land use designation. Large amounts of impervious area including large building footprints, extensive paved areas for parking and storage, rail lines, and transportation leave little space for the amount of trees currently required. After site development,
heavy truck traffic contributes to poor soil conditions for remaining trees and often there is physical damage to trucks and tree branches. Policies in the Frederickson Community Plan recognize that there are limits to how much tree retention is feasible and that regulations should evaluate and modify regulations so that new businesses are encouraged and expansion of existing businesses are supported.

The amount of trees and space required by the current regulations routinely forces developers to file for deviation through Site Plan Review to show they are providing for as many trees as possible while still meeting all other requirements. Site Plan Review requests are routinely approved, but add time, cost, and uncertainty to the development process.

**PROPOSED CHANGE**

Amend Table 18J.15.030-2 to change the “General Minimum Tree Unit Density” from 20 tree units/acre to 5 tree units/acre.

The proposal does not change any other landscape buffer requirements (i.e., street trees, perimeter landscaping, and parking lot landscaping) for the Employment Center land use designation. Therefore it has been found it is consistent with the Comprehensive Plan policies.