

**FINDINGS OF FACT**

The Pierce County Council finds:

1. On October 13, 2009, the Pierce County Council passed Ordinance No. 2009-71s to adopt the 2009 Amendments to the Comprehensive Plan. On October 28, 2009, the Pierce County Executive vetoed Ordinance No. 2009-71s, and on November 24, 2009, the Pierce County Council voted to override the Executive veto of Ordinance 2009-71s.
2. In order to be implemented, several amendments adopted in Ordinance No. 2009-71s require changes to Title 18A, "Pierce County Development Regulations - Zoning," Title 18B, "Pierce County Development Regulations - Signs," and Title 18H, "Pierce County Development Regulations - Forest Practices and Tree Conservation," and the Zoning Atlas.
3. The proposed amendments address water supply facilities by allowing them in every zone either as an outright permitted use or with the approval of a Conditional Use Permit based upon new criteria which requires those uses which are using hazardous chemicals to obtain a Conditional Use Permit, because surrounding properties should receive notice and comment authority when hazardous chemicals are being utilized in their vicinity. This amendment also ensures that water supply facilities are able to locate in any zone classification County-wide so that facilities with location specific needs are not excluded from specific locations.
4. The proposed amendments revise the development standards for water supply facilities to address height impacts of water storage facilities by providing adequate buffering to mitigate such impacts while remaining consistent with Homeland Security Act guidelines. These standards require facilities either to maintain a landscape buffer or to maintain their site in an aesthetically pleasing manner, including vegetation and groundcover. The Planning Commission finds that location of such facilities should provide some flexibility to purveyors, and provide two setback options to be determined by purveyors, both with varying setbacks based on surrounding uses and the area of the required facility. These standards include provisions for expansion of such facilities to allow some expansion without complete site re-design. These standards include exemptions from Tree Conservation and Design Standards, as development standards address such requirements separately.



- 1 5. Water supply facilities are necessary uses which are required to be located in  
2 every community for the provision of potable water and to meet fire-flow  
3 requirements. Such facilities are installed by both public and private entities and  
4 are planned based on population forecasts and residential density forecasts for  
5 their service area. Facilities are not planned to be larger or have greater impacts  
6 than is needed to serve those within their area, thus un-needed impacts are not  
7 expected as a result of such facilities.  
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- 9 6. Additional permitting standards such as a Conditional Use Permit should not be  
10 required when each facility is required to meet development standards regardless  
11 of size, unless such facilities exceed a building footprint of 10,000 square feet or  
12 exceed the building height for the zone or use dangerous chemicals for treatment  
13 of water supply.  
14
- 15 7. The proposed implementing regulations address the newly adopted Park and  
16 Recreation designation by including that zone classification within Title 18A –  
17 Zoning, and determining appropriate uses based on policy guidelines for that  
18 classification. The Park and Recreation zone designation is to provide public and  
19 private recreation and open space opportunities open to the public on an equal  
20 basis. To address the multiple uses common within park facilities, the Recreation,  
21 Non-profit use classification has been expanded to include common uses within  
22 parks, and the accessory use section has been expanded to include accessory  
23 uses common to park and recreation uses. The proposed amendments will  
24 disallow uses other than Recreation, Non-profit within that classification should at  
25 some future date those parcels designated as such be transferred to private  
26 ownership.  
27
- 28 8. The proposed implementing regulations address public assembly within the  
29 McChord Accident Potential Zone 1 (APZ1). Civic uses likely to result in public  
30 assembly were identified and should be prohibited to provide further consistency  
31 with the 1992 Joint Land Use Study for McChord Air Force Base and Fort Lewis  
32 (JLUS) and the 1998 Air Installation Compatible Use Zone Study for McChord Air  
33 Force Base (AICUZ).  
34
- 35 9. The proposed implementing regulations address adopted policies to allow auto  
36 repair uses within the Community Employment (CE) zone within the Parkland-  
37 Spanaway-Midland Communities Plan by amending the use tables within Title 18A.  
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- 39 10. The proposed implementing regulations address adopted policies to prohibit  
40 residential uses within the Neighborhood Center (NC) designation, which is  
41 implemented by the Residential-Office/Civic (ROC) and NC zone classifications,  
42 unless such uses are a component of a mixed use development within the  
43 Parkland Spanaway Midland Communities Plan. This policy was implemented by  
44 a footnote to density tables in Title 18A.  
45
- 46 11. The proposed implementing regulations address adopted policies allowing  
47 densities within the Activity Center (AC) designation to exceed stipulated maximum  
48 densities when mixed use developments are proposed and height limitations are



1 not exceeded within the Parkland-Spanaway-Midland Communities Plan. This  
2 policy was implemented by a footnote to density tables in Title 18A.

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4 12. The proposed implementing regulations address adopted policies allowing  
5 electronic readerboard signs for specific civic uses within the Graham Community  
6 Plan area by amending Title 18B to allow such uses within the community plan.  
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8 13. Because the Growth Management Act requires consistency between the  
9 Comprehensive Plan and Development Regulations, the recently approved  
10 Comprehensive Plan amendments will become effective together with the  
11 Development Regulations on June 1, 2010, to meet this provision of the Growth  
12 Management Act.  
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14 14. The "Park, Recreation and Open Space Plan" (PROS Plan), adopted through  
15 Ordinance 2008-38s on July 22, 2008 and Ordinance 2009-71s, adopted on  
16 October 27, 2009, changing the way Pierce county defines its park facilities.  
17

18 15. Ordinance 2009-71s, adopted October 28, 2009 amended the Pierce County  
19 Comprehensive Plan and created a new "Park and Recreation" Comprehensive  
20 Plan designation.  
21

22 16. The descriptive definitions found in Title 18.25 of "Community park", "Linear trail  
23 park", "Neighborhood park", "Open space passive recreation park" and "Regional  
24 park" have been superseded by the adoption of Ordinances 2008-38s and  
25 2009-71s.  
26

27 17. The proposed implementing regulations provide descriptive definitions and use  
28 levels consistent with the Pierce County Park, Recreation & Open Space Plan and  
29 have been used to develop the Park and Recreation element of the Capital  
30 Facilities Plan and Level of Service and the current department capital budget.  
31

32 18. On February 23, 2010, the Planning Commission voted 6-0 to recommend  
33 approval of the proposed amendments to the Development Regulations to  
34 implement the 2009 Amendments to the Comprehensive Plan.  
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36 19. The Responsible Official conducted an environmental review of the proposed  
37 amendments to the Pierce County Development Regulations, and issued an  
38 Addendum to the Final Supplemental Environmental Impact Statement for the  
39 Pierce County Development Regulations to address amendments to Title 18A and  
40 the Zoning Atlas, implementing 2009 Amendments to the Pierce County  
41 Comprehensive Plan on January 20, 2010, to satisfy the requirements of the State  
42 Environmental Policy Act (SEPA).  
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