Initial Project Review

Variance: Jennings

Application Number: 972076
Tax Parcel Number: 4320001120

South Hill Advisory Commission Public Meeting: December 6, 2021, at 7:00 p.m.
Due to COVID-19 restrictions, this meeting will be held virtually. To participate, visit www.Zoom.com and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: 983 6969 3055, and Passcode: 415088, or click on the following link: https://piercecountywa.zoom.us/j/98369693055?pwd=WmR3cElSaFJSUXpxR3FHSjhwQVFCZz09
For additional questions regarding the virtual meeting process, contact Tiffany Aliment at 253-798-3226 or tiffany.aliment@piercecountywa.gov.

Proposal: Request to allow the construction of an Accessory Dwelling Unit (ADU), that will be within 100 feet of the principal dwelling, in front of the principal dwelling rather than no closer to the front lot line than the front edge of the principal dwelling.

Project Location: The site is in the High Density Single Family (HSF) zone classification and South Hill Community Plan area, located at 9106 - 118th Street East, Puyallup, WA, within the NW 1/4 of Section 09, T19N, R4E, W.M., in Council District #2.

Review Summary: County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. The County finds, based on an initial project review, the proposal will need to address the following issue:

Can the ADU be constructed in the back yard between the house, retaining wall and septic system?

State Environmental Policy Act (SEPA): The proposal is categorically exempt from SEPA environmental review in accordance with Pierce County Code, 18D, Environmental, and the State Environmental Policy Act Rules, WAC 197-11.

County Contact: Adonais Clark, Senior Planner, 253-798-7165, adonais.clark@piercecountywa.gov

Pierce County Online Permit Information: https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentStatus?applPermitId=972076

Page 1 of 9
Project Data

Application Complete Date: September 29, 2021

IPR Mailed Date: November 30, 2021

Property Owner/Applicant: Judith Jennings
9106 - 118th Street East
Puyallup, WA 98373
judithjenn@yahoo.com

Public and Legal Notice

- **October 21, 2021:** Notice of Application and Public Meeting Notice, including the South Hill Advisory Commission public meeting information, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- **October 26, 2021:** The site was posted with a Public Notice sign and confirmed with a Declaration of Posting.
- **November 22, 2021:** Legal Notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the public meeting to be held by the South Hill Advisory Commission (SHAC).

Vicinity Map
Site Visit Photos – taken November 16, 2021

Looking easterly at the backyard. House is to left, just outside picture.

Looking southerly at front yard and proposed location for the ADU.
Review Responsibility

The following list includes jurisdictional areas for County departments and divisions involved in the review and administration of this proposal:

A. Planning and Public Works (PPW), Planning Division:
   - Planning verifies compliance with the Pierce County Comprehensive Plan, the South Hill Community Plan, and the Pierce County development regulations including zoning, critical areas, land divisions, design review, and environmental.

Public and Agency Review Comments

Comments have been received on the Variance from the following departments and agencies. Comments received on this proposal may be found by accessing the Online Permit Information referenced on page 1:

- Nisqually Indian Tribe – The Nisqually Indian Tribe noted in their October 25, 2021, comment letter, “The Nisqually Indian Tribe’s THPO has reviewed the notice of application and supplemental material that you provided for the above named project and has no comments or concerns at this time.”

- Squaxin Island Indian Tribe – The Squaxin Indian Tribe noted in their October 27, 2021, comment letter, “We have no specific cultural resource concerns for this project.”

- No comments have been received from the public.

Site Characteristics

- The project site is accessed from 118th Street East.
- The parcel is developed with a 1-story single-family residence, driveway, and an accessory structure (shop) in the backyard. There is also a retaining wall at the base of the slope.
- The topography of the project site is mostly level in the northern three quarters of the parcel. The southern quarter of the parcel slopes upward from approximately 420 feet above sea level to 440 feet above sea level.

Surrounding Land Use / Zoning Designation

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ZONING (Title 18A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North 118th Street East</td>
<td>High Density Single Family (HSF)</td>
</tr>
<tr>
<td>South Single Family Dwelling</td>
<td>HSF</td>
</tr>
<tr>
<td>East Single Family Dwelling</td>
<td>HSF</td>
</tr>
<tr>
<td>West Vacant land</td>
<td>HSF</td>
</tr>
</tbody>
</table>

Utilities/Public Facilities

Utility service and public facilities are:

- Water - Fruitland Mutual Water Company
- Sewer - On-site septic system
- Power - Puget Sound Energy
- School - N/A
Governing Regulations

- Title 19A Comprehensive Plan - January 1, 1995, as amended
- Title 17A Construction and Infrastructure Regulations – Site Development and Stormwater Drainage
- Title 18 Development Regulations - General Provisions
- Title 18A Development Regulations – Zoning
- Title 18E Development Regulations – Critical Areas
- Title 18F Development Regulations - Land Division and Boundary Changes
- Title 18H Development Regulations - Forest Practices
- Title 18J Development Regulations - Design Standards and Guidelines

Initial PPW Staff Review for Consistency with Land Use Policies and Regulations

Title 19A – Pierce County Comprehensive Plan

AFFORDABLE HOUSING
GOAL H-7 Create solutions for affordable housing issues that benefit all economic segments of the population.
H-7.9.1 Encourage provision of units through various types of housing structures.

Title 19A, Appendix J – South Hill Community Plan

LAND USE POLICIES
GENERAL
GOAL SH LU-3 Reverse the existing pattern of residential and commercial sprawl. This should be accomplished by:
SH LU-3.2 Providing for a variety of housing types and densities throughout residential zones.

Title 18A, Development Regulations – Zoning
Title 18, Pierce County Development Regulations – General Provisions

Chapter 18.160 - Vesting
18.160.030 Applicability.
18.160.050 Vesting of Applications.

Staff Comment: A complete application for a Variance was submitted to Pierce County on September 29, 2021. The Variance is subject to the development regulations in effect on that date.
Title 18A, Development Regulations – Zoning

18A.15.040 Setback and Height

<table>
<thead>
<tr>
<th>Urban Zone Classification (All County)</th>
<th>Minimum Building Setback (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front – Arterial</td>
</tr>
<tr>
<td>High Density Single Family</td>
<td>25</td>
</tr>
</tbody>
</table>

*Staff Comment:* 118th Street East is a non-arterial road. The front yard setback is 15 feet. The side yard setback is 5 feet. The rear yard setback is 8 feet.

18A.37.120 Accessory Dwelling Unit (ADU).

C. **Design.** The following standards shall apply when the separation between the principal dwelling and proposed accessory dwelling is less than 100 linear feet:

2. Detached ADUs shall be no closer to the front lot line than the front edge of the principal dwelling.

*Staff Comment:* The proposal is to construct a detached ADU within 100 feet of the principal dwelling and in front of the front edge of the principal dwelling.

18A.75.040 Variances.

C. **Review Criteria.** Before any variance may be granted, it shall be shown that:

1. There are special circumstances applicable to the subject property or to the intended use such as shape, topography, location, or surroundings that do not apply generally to the other property or class of use in the same vicinity and zone;

*Staff Comment:* The southern quarter of the project site contains an approximate 24% slope. The southern portion of the two parcels to the east also contain steep slopes. The remainder of the parcels in the same vicinity and zone do not contain steep slopes. The project site is served by an individual septic system. It appears that all the other properties in the same vicinity are also served by individual septic systems.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same vicinity and zone but which because of special circumstances is denied to the property in question;

*Staff Comment:* It does not appear that any of the other properties in the same vicinity contain an ADU.

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such vicinity and zone in which the subject property is located;
Staff Comment: The proposed ADU will be required to comply with the required minimum front yard and side yard setbacks. The parcel to the west is forested and vacant, and is owned by Tacoma Public Utilities. The granting of a variance will not be materially detrimental to the public welfare or injurious to the property in the vicinity of the subject property.

4. The granting of such variance is consistent with the Comprehensive Plan including any applicable Community Plan;

Staff Comment: The granting of a variance is not inconsistent with the Comprehensive Plan or the South Hill Community Plan.

5. No significant adverse environmental impact will be caused as a result of the variance approval.

Staff Comment: The construction of the ADU will be required to comply with Pierce County’s Critical Areas regulations. No wetlands, streams, or steep slopes are located where the ADU is proposed to be located. No significant adverse environmental impact will be caused as a result of the variance approval.

Title 18D, Development Regulations – Environmental

The proposal is exempt from SEPA environmental review in accordance with Pierce County Code, 18D, Environmental and WAC 197-11-800 (6)(e).

Title 18E, Development Regulations – Critical Areas

- Wetlands
  There are no regulated wetlands on site.

- Regulated Fish and Wildlife Species and Habitat Conservation Areas
  No regulated Fish and Wildlife Species and Habitat Conservation Areas were identified on the project site.

Title 18J, Development Regulations – Design Standards and Guidelines

Staff Comment: The proposal is not subject to the requirements in Title 18J.

Questions for SHAC Discussion and Consideration

Variance:
- Is the request consistent with the Pierce County Comprehensive Plan or South Hill Community Plan? If not, how can it be made consistent?

Other Questions or Concerns?

Jennings Variance IPR SHAC-AC.docx