

Initial Project Review

Land Use Variance: Martin

Application Number: 976183
Related Application Number: 976002
Parcel Numbers: 0319252037, 3971000260, 0319252055

Frederickson Advisory Commission (FAC) Public Meeting: January 24, 2022, 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: 925 0781 7308, and Passcode: 826058, or follow this link:

<https://piercecountywa.zoom.us/j/92507817308?pwd=cVNGRW02dXRoYitPSlM2aGczV0RFdz09>

For additional questions regarding the virtual meeting process, contact Tiffany Aliment at 253-798-3226 or tiffany.aliment@piercecountywa.gov.

Proposal: The applicant requests a variance to PCC 18A.37.020.B, which requires structures typically accessory to a residence, such as garages, may only be permitted without a principal use up to a maximum of 576 total square feet.

The applicant requests a plat alteration to recorded plat of Fox Run AFN 2934734, to remove a 40-foot embankment screening easement along Lot 26 in order to allow an access easement from 2 additional lots onto 162nd Street Court East, which is part of the Fox Run plat. The proposed plat alteration would segregate the existing single-family residence (SFR) from an existing detached garage that exceeds the 576-square foot threshold with a result of the garage being on a property without a principal permitted use. The plat alteration request is not subject to FAC review.

Project Location: The site is in the Moderate Density Single Family (MSF) zone classification and Frederickson Community Plan area, located at 4603 162nd Street Court East, Tacoma, WA, within the NW 1/4 of Section 25, T19N, R03E, W.M., in Council District #3.

Review Summary: County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations.

State Environmental Policy Act (SEPA): SEPA review is not required for this proposal.

County Contact: Jennifer Kreifels, Associate Planner, jennifer.kreifels@piercecountywa.gov or 253-798-6322

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentsStatus?applPermitId=976002>



Project Data

Complete Application Date: November 29, 2021

IPR Mailed Date: January 18, 2022

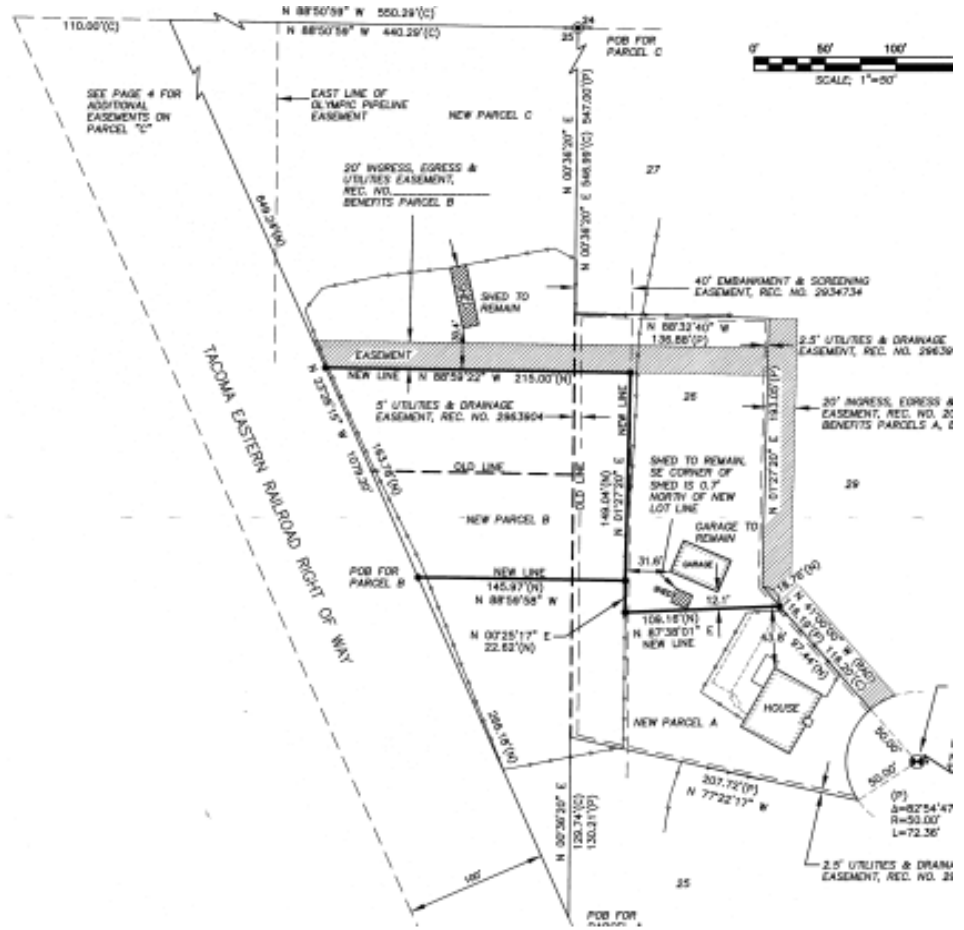
Property Owner/Applicant: Kristi Martin
4603 162nd Street Court East
Tacoma, WA 98446
Kristi515@gmail.com

Agent: Sadler Barnard Land Surveyors
Attn: Stephen Griego
717 West Stewart
Puyallup, WA 98371
stepheng@sadlerbarnard.com

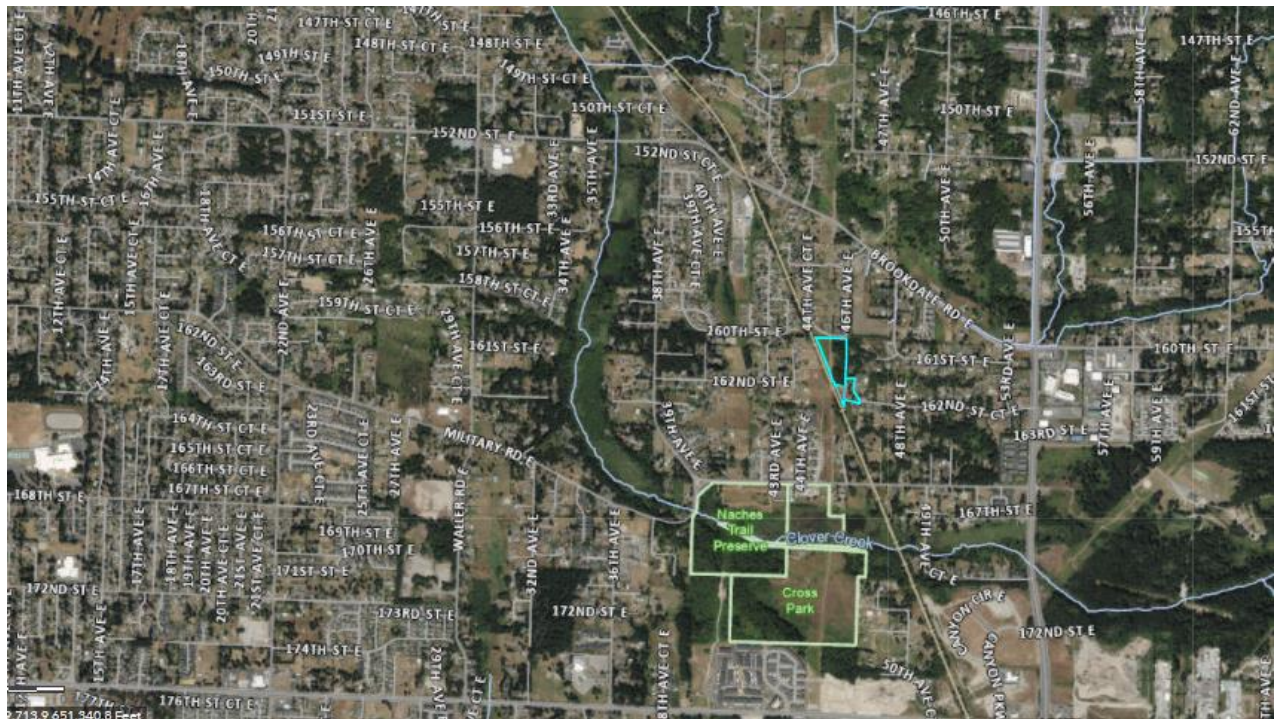
Public and Legal Notice

- *December 13, 2021*: Notice of Application and Public Meeting Notice, including the Frederickson Advisory Commission (FAC) 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.
- *December 22, 2021*: The site was posted with a Public Notice sign and confirmed with a Declaration of Posting.
- *January 10, 2022*: Legal Notice was published in the official County newspaper (*The News Tribune*), advertising the public meeting to be held by the FAC.

Site Plan



County Vicinity Map

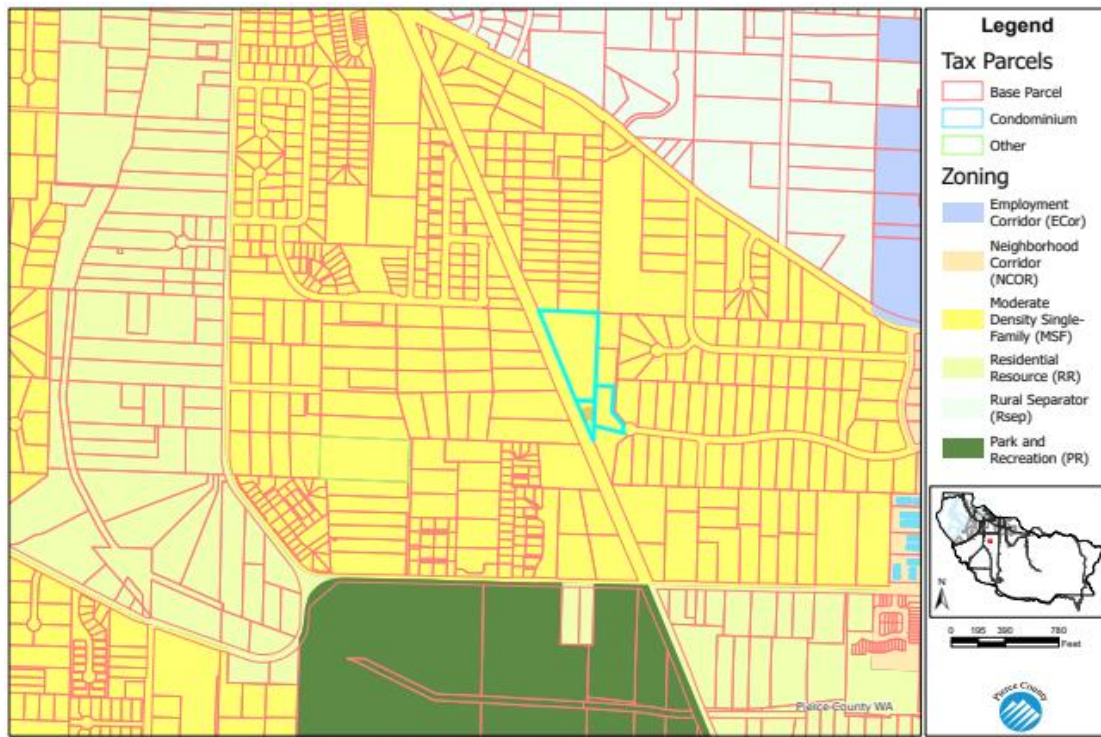


Subject sites highlighted in blue.

2020 County Aerial Photo



Zoning Map



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

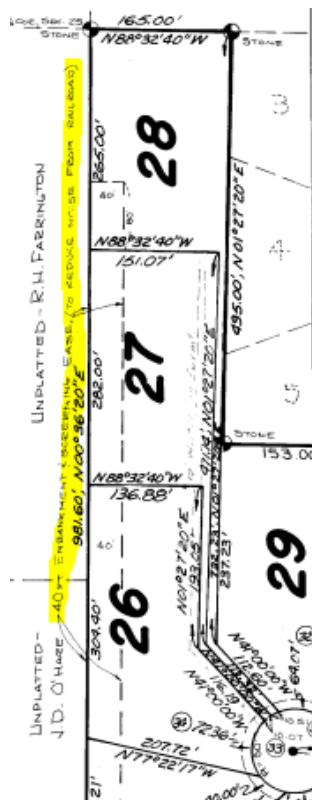
Date: 1/3/2022 09:39 AM

Bonneville Power Authority and Olympic Pipeline Easements CVWeb 2020



Subject sites highlighted in blue.

Fox Run Plat



40' embankment easement highlighted.

Assessors Photo 2015 (Parcel 0319252055)



Assessors Photo 2018 (Parcel 3971000260)



Review Responsibility

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

- A. Planning and Public Works (PPW):
 - Current Planning verifies compliance with the Pierce County Comprehensive Plan, Frederickson Community Plan, and development regulations including zoning, critical areas, design review and potential environmental impacts.
 - Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions and road standards.
 - Cartography reviews road names and addresses.
 - Transportation Services reviews for traffic.
 - Sewer Utility Services reviews for sanitary sewer service.
- B. Tacoma-Pierce County Health Department reviews for wastewater disposal and potable water.
- C. Assessor-Treasurer's Office reviews for tax segregation, depiction of record description, improvements, and property ownership.

Frederickson Land Use Advisory Commission (FAC)

The FAC's role in the review process for a land use proposal includes the following:

- Review the proposal for consistency with the goals and policies in the Community Plan.
- Provide a local perspective that includes input from the community and insights of which Planning and Public Works (PPW) staff or the Hearing Examiner may not be aware.
- Offer recommendations for project design to fit with the community's vision while remaining consistent with the Community Plan.

PCC Chapter 2.45 Land Use Advisory Commissions provides regulations that apply to the FAC. Per PCC 2.45.130, Land Use Advisory Commission (LUAC) recommendations on a land use application shall be to approve, modify and approve, deny, or make no recommendation. The LUAC may recommend the Hearing Examiner continue a scheduled public hearing to obtain additional information or LUAC recommendations.

Review Criteria

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County development regulations and construction and infrastructure regulations;
- B. Pierce County Comprehensive Plan and Frederickson Community Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

Site Characteristics/Background

- The Assessors data shows parcels 0319252055 and 0319252037 have a Use Code of 9100-Vacant Land Undeveloped, while parcel 3971000260 is 1101-Single Family Dwelling and shows the three tax parcels equaling 5.95 acres in size.

- Parcels 0319252055 and 0319252037 are adjacent to Tacoma Eastern Railroad (TERC), which shows as an active Railroad. The site is generally triangular in shape with no structures on site.
- Parcel 0319252037 has easements from Bonneville Power Authority and Olympic Pipeline Company as well as tall towers on the western portion and is forested along the eastern portion where a future single-family home would likely be constructed.
- Parcel 3971000260 is a five-sided lot with a legal description as Lot 26 of Fox Run plat. There is a 1,392-square foot residence built in 1980, and has an 864-square foot detached garage.
- Overall, the site is relatively flat.
- Subject site is surrounded by the Tacoma Railroad at the west, the Newtown Division Plat to the north, and Fox Run Plat to the east and south.

Surrounding Land Use / Zoning Designation

LAND USE		ZONING (Title 18A)
North	Single Family Dwelling	Moderate Density Single Family (MSF)
South	Single Family Dwellings	MSF
East	Fox Run Plat/Single Family Dwellings	MSF
West	Tacoma Railroad/Single Family Dwelling	MSF

Utilities/Public Facilities

Utility service and public facilities are proposed as follows:

- Water - Tacoma Water
- Septic - On-Site Septic
- Power - Elmhurst Power
- School- Bethel School District

Governing Regulations

The proposal has been reviewed for conformance with the following goals, policies and requirements:

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

Agency Review Comments

The proposed project has been routed to interested departments and agencies for review. Comments received from various departments and agencies may be found by accessing the Online Permit Information referenced on page 1.

Public Comments

No members of the public have commented on the proposal.

Initial Planning & Public Works (PPW) Staff Review for Consistency with Land Use Policies and Regulations

Title 19A, Pierce County Comprehensive Plan

Examples of applicable goals and policies in the Pierce County Comprehensive Plan include, but are not limited to, the following:

- **GOAL LU-21** Urban level facilities and services must be provided prior to or concurrent with development.
 - **LU-21.1** These services include, but are not limited to, water, adequate sewage treatment, stormwater and surface water management, and roads, where appropriate.
- **GOAL LU-25** The Moderate Density Single-Family (MSF) designation allows for single- or two-family dwellings, and in limited circumstances multifamily housing.
- **GOAL ENV-1** Conserve and protect critical and environmentally sensitive areas.
- **GOAL ENV-2** Ensure native vegetation is retained and protected in public and private development.

Title 19A Appendix D: Frederickson Community Plan

Examples of applicable goals and policies in the Frederickson Community Plan include, but are not limited to, the following:

- **LU-13.4** Efforts should be taken to ensure consistency/compatibility with residentially zoned lands immediately adjacent to the community plan area.

Title 18, Development Regulations – General Provisions

Chapter 18.160 Vesting

18.160.030 Applicability.

18.160.050 Vesting of Applications.

Staff Comment: A complete application for the Variance was submitted on November 29, 2021. The Land Use Variance is subject to the policies and development regulations in effect on the that date.

Title 18A, Development Regulations - Zoning

18A.22 Frederickson Use Table

This Chapter provides the Use Tables for the FAC area.

Staff Comment: Under the Residential Use Category in Table 18A.22.010, the Single Family Detached Housing Use Type is listed as permitted outright.

Title 18A.37.020 General Provisions for Residential Accessory Uses and Structures

Section 18A.37.020.B states structures typically accessory to a residence, such as garages, greenhouses and storage buildings, may be permitted without a principal use up to a maximum of 576 total square feet. Fences and retaining walls shall not be considered a principal use and shall not be limited to the 576 square feet maximum when no principal use is located on site.

Title 18A.75.040 Variances.

- 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;
- 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;
- 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;
- The granting of such variance is consistent with the Comprehensive Plan including any applicable Community Plan; and
- No significant adverse environmental impact will be caused as a result of the variance approval.
- An application for a variance will be considered an administrative variance if such request is to deviate not more than 20 percent from the minimum or maximum dimension allowed by Title 18A PCC including, but not limited to, the dimensions set forth in Tables 18A.15-040-1 and -2, and PCC 18A.15.040 C., Situational Setback and Height Provisions.

Staff Comment: Staff was unable to find any other Variance requests similar to this in the immediate vicinity. The proposal appears to be consistent with the Frederickson Community Plan. As this request is outside the scope of a reduction greater than 20 percent, the Hearing Examiner will need to make the final decision.

Title 18D, Development Regulations – Environmental

The proposal is not subject to environmental review under the State Environmental Policy Act (SEPA).

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 18F, Development Regulations – Land Divisions and Boundary Changes

- The project application includes a plat alteration application, therefore compliance with 18F.20.030.D is required.

Staff Comment: Appropriate provisions will need to be met, as required, prior to the issuance of written findings.

18F.40.080 E. Approval. The Examiner may approve or approve with conditions, the proposed plat alteration if the criteria contained in this Section have been met.

Title 18H, Development Regulations- Forest Practices

Staff Comment: Requirements of Title 18H will be reviewed with the site development and/or building permit application.

Title 18J, Development Regulations – Design Standards and Guidelines

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

Questions for FAC Discussion and Consideration

Does the FAC believe that the applicant is meeting the Findings for a Variance, or do they have any comments or recommendations?

- Is the variance proposal adequately addressing public health, safety and general welfare issues as discussed above? If no, what changes are recommended?
- Will the public use and interest be served by the proposal? If not, what changes are recommended?

Other Questions or Concerns?

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