

Initial Project Review

Shoreline Substantial Development Permit: Pacific Lutheran University / Gonyea Short Plat

Application Numbers: 975675, 975744, 975746
Parcel Numbers: 0319173024, 0319172041, 0319172039

Parkland – Spanaway - Midland Advisory Commission (PSMAC) Public Meeting: March 2, 2022, at 6:30 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: 952 3998 6273, and Passcode: 998572, or click on the following link:

<https://piercecountywa.zoom.us/j/95239986273?pwd=aDZlQ3VMUnB1UjZqRVc5L095NVFFdz09>

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

Proposal: The proposed project is to subdivide three lots for a total of 7.9 acres into five single-family residential lots and one tract (Tract A- to be used as shared access and utility easement). The project site is located within the Residential Shoreline Environment designation and associated wetland of the Spanaway Creek, and Residential Resource (RR) zone classification, in the Parkland-Spanaway-Midland Communities Plan area.

Project Location: 13611 Spanaway Loop Road South, Spanaway, WA, , and the within the NW ¼ of Section 17, T19N, R3E, W.M., in Council District #6.

Review Summary: County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. The proposed plat remains in review to ensure the plat is in compliance with all applicable codes and regulations.

State Environmental Policy Act (SEPA): An Environmental Checklist was submitted per Pierce County Code Title 18D.

County Contact: Mojgan K. Carlson, Senior Planner, mojgan.carlson@piercecountywa.gov, 253-798-7234

Pierce County Online Permit Information:

<http://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentsStatus?applPermitId=975675>



Project Data

Complete Application Date: November 30, 2021

Initial Project Review Mailed: February 23, 2022

Owner: Pacific Lutheran University
Attn: Teri Phillips
12180 Park Avenue South
Tacoma, WA 98447 -0014

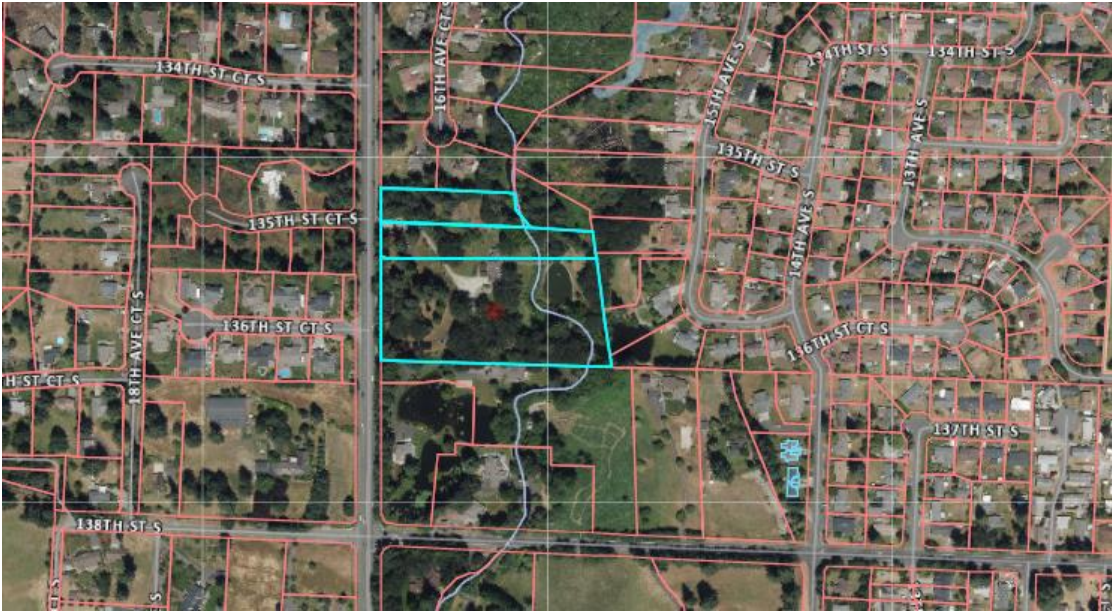
Applicant: Sager Family Homes
Attn: Bill Sager
PO Box 44428
Tacoma, WA 98448
fred@sagerfamilyhomes.com

Agent: Larson & Associates, Inc.
Attn: Grant Middleton
9027 Pacific Avenue #4 West Stewart
Parkland, WA 98444
gmiddleton@rrlarson.com

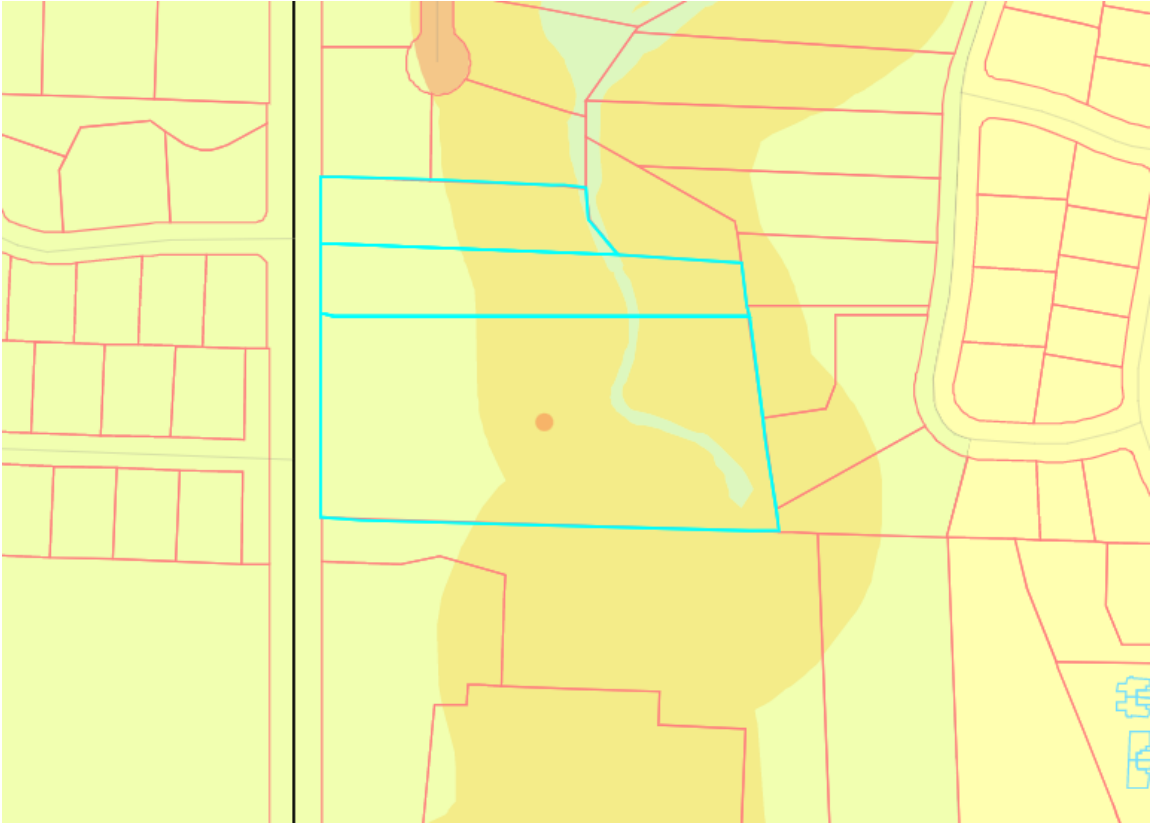
Legal and Public Notice

- *December 22, 2021*: Notice of Application (NOA) and Public Meeting Notice, including the Parkland-Spanaway-Midland Advisory Commission (PSMAC) 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.
- *January 3, 2022*: Public Notice sign was posted on-site, confirmed with a Declaration of Posting.
- *February 16, 2022*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the PSMAC public meeting.
- This permit does not require a public hearing before the Pierce County Hearing Examiner per Pierce County Code, Title 18S.60.040.F Approval.

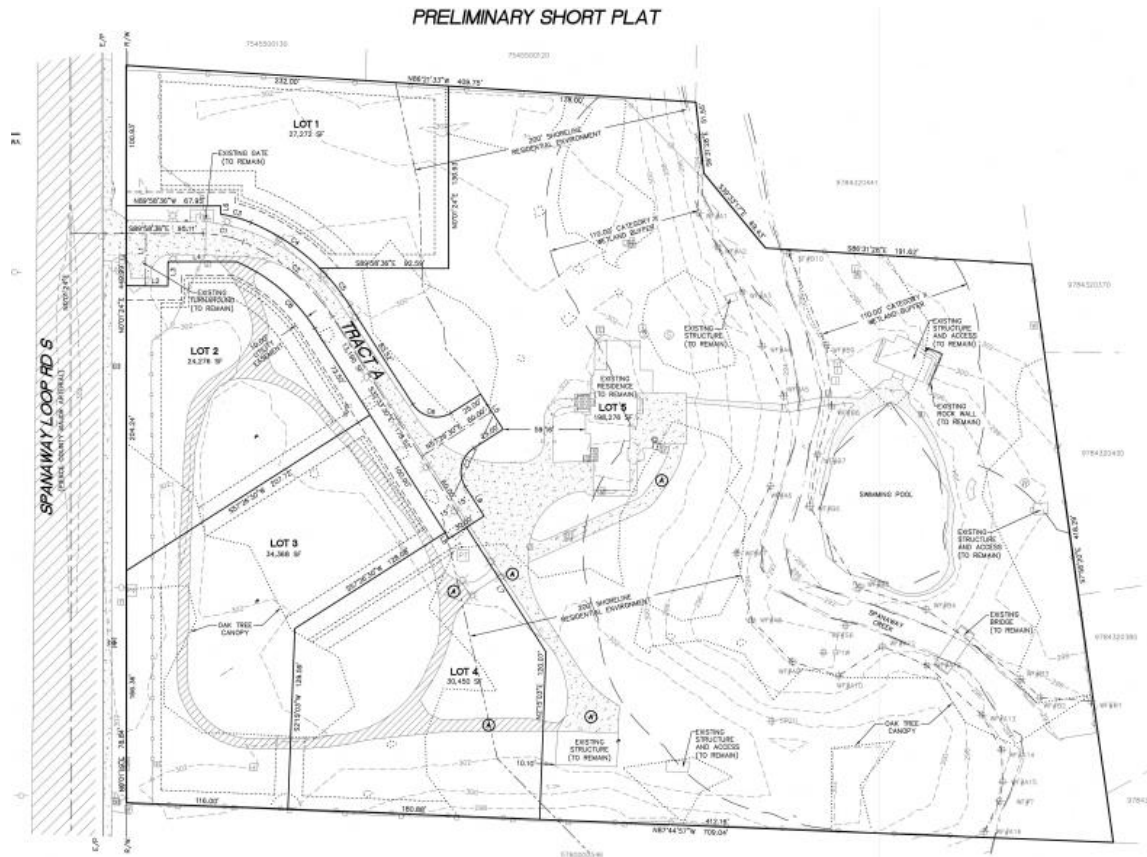
2020 County Aerial Photo



Zoning – Residential Resource (RR)/Shoreline Environment (Residential)



Site Plan



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, applicable community plans, and Development Regulations such as, but not limited to, zoning, critical areas, natural resource lands, shoreline management, 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.
- Resource Management reviews for consistency with the County wetland and fish & wildlife regulations.

B. Parkland-Spanaway-Midland Advisory Commission (PSMAC):

The PSMAC'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 PPW staff may not be aware.
- Offer recommendations for project design to fit with the community's vision while remaining consistent with the Community Plan.

Pierce County Code (PCC) Chapter 2.45 Land Use Advisory Commissions provides regulations that apply to the PSMAC. 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.

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 Parkland-Spanaway-Midland Communities Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

Site Characteristics

Staff visited the site on January 14, 2022, and observed the following:

- The project site consists of three irregular shaped contiguous parcels, (0319173024, 0319172041 and 0319172039) for a total of 7.9 acres, located on the east side of Spanaway Loop Road south.
- The long axis of the parcels is oriented in an east-west direction. The site is generally flat with gentle rolling slopes down from west to east towards the water.
- Per Assessor/Treasurer’s (A/T) Office records the southerly parcel (0319173024) is 5.39-acres in size and currently improved with a single-family residence with an attached garage and a detached garage built in late 1960s. All buildings are to remain. Historically, this site has been used as a primary residence of the Pacific Lutheran University (PLU) president.
- Per Assessor/Treasurer’s (A/T) Office records both the middle parcel (0319172039, 1.51 acres in size) and the northerly parcel (0319172041, 1-acre in size) are vacant.
- Category II wetland and F1 water type (Spanaway Creek) are present on the eastern portion of the project site.
- Category II wetland requires a 110-foot buffer and Water Type F1 (Spanaway Creek) requires a 150-foot buffer.
- The site contains an Oregon White Oak Woodlands/stands which are protected under Pierce County Code Title 18E (Development Regulations-Critical Areas). The woodland consists of an area extending five feet outside the dripline of the trees that make up the woodland.
- The site is surrounded by other single-family homes located on adjacent lots in all directions.
- Access to the site is via a long driveway off Spanaway Loop Road South, which is located to the west of the site.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Single-family residence	N/A	Residential Resource (RR)
South	Single-family residence	N/A	RR
East	Single-family residence and Spanaway Creek	Residential	RR
West	Spanaway Loop Road South	N/A	RR

Comments from the Public and Agencies

The proposed project has been routed to interested departments and agencies for review and comment. Comments received on this proposal may be found by accessing the online permit information referenced on page 1.

- No comments were received from the general public.
- No adverse comments were received from reviewing agencies within the County.
- In a memorandum dated February 9, 2022, from Alma Arroyo, County Civil Engineer 2, per PCC Title 18J.15.160, the applicant is required to install dry sewer facilities for this project.
- Per a memorandum dated February 11, 2022, from Niki Yonkow, County Environmental Biologist, additional information is needed regarding two off-site ponds to the south of the project and Oregon White oak woodlands and stands on the project site.
- Per letters from both Squaxin Island Tribe (December 22, 2022) and Puyallup Tribe of Indians (January 7, 2022), a cultural resource survey and report needs to be conducted prior to any ground disturbance.

Initial Planning and Public Works Staff Review for Consistency with Regulations and Policies

Parkland- Spanaway-Midland Communities Plan

The Plan was initially adopted as part of the County Comprehensive Plan on June 11, 2002, Under Appendix E (Title 19A):

GOAL PSM LU-16 The permitted residential densities shall discourage urban sprawl throughout the plan area.

PSM LU-16.2 Residential areas where substantial environmental constraints exist shall develop at densities of 1 to 3 dwelling units per acre within the Residential Resource zone.

GOAL PSM LU-22 Carefully control residential development activities in the Urban Growth Area on sites that have been identified as open space in the Comprehensive Plan Open Space/Greenbelt Map through implementation of a Residential Resource zone.

PSMLU-22.1.1 Vegetation and tree preservation shall be a priority on each site that is developed in the Residential Resource zone.

PSM LU-22.1.2 To enhance corridors, open space should be located on each site plan so that it provides connectivity, is contiguous to open space on adjacent properties, connects stands of trees, and provides areas for wildlife movement.

PSM LU-22.1.3 Those portions of a site which contain high priority resource categories should be designated as the open space tract as these areas are most likely to promote healthy fish and wildlife habitat areas and enhance water quality.

PSM LU-22.2 Utilize environmentally sensitive design standards for development on sites that are located in a Residential Resource zone.

PSM LU-22.2.1 Impervious surfaces, in the form of rooftops, roads, and lawns which generate rapid runoff and prevent infiltration of water into the ground for gradual recharge of streams, shall be avoided or mitigated.

PSM LU-22.2.2 The greater the intensity of the development in terms of the noise, traffic, odor, light, and other factors that could impact the open space corridor, the more open space shall be required, up to 50% of the site.

PSM LU-22.2.3 Individual dwelling units and accessory dwelling units should be designed and placed in such a manner to avoid impacting the open space tract.

PSM LU-22.2.4 Lawns, turf areas, driveways, and roads should be limited and located in a manner that will result in the least impact to the open space tract.

PSM LU-22.2.5 Buildings, signage, and other structures such as fencing shall be located in a manner that ensures protection of the open space corridor.

Staff Comment: The applicant is proposing to short plat three contiguous parcels, totaling 7.9 acres in size, to five residential lots with a net developable acreage of 4.02-acres.

In the RR zone, the minimum density is one dwelling unit per acre with the maximum density of 3 dwelling units per acre and minimum lot width of 50 feet. The proposed short plat meets all these requirements as the proposed density is 1.24 units per acre with a minimum lot width of over 50 feet and with the minimum size of 24,276 square feet. If approved, the proposed short plat will not be out of character with other properties within the immediate vicinity, as the area is surrounded by other single-family residential uses.

Title 18A Development Regulations – Zoning

PCC Title 18A sets out zoning regulations for development. The subject property is in the Rural Resource (RR) zone classification. The following is an analysis of how the project complies with various provisions of Title 18A:

The required setbacks in the RR zone is shown on the table below.

Table 18A.15.040-1. Urban Setbacks					
PCC 18A.15.040 B.1.-6. provisions supersede the figures in this Table when applicable.					
RR	Residential Resource	25	12/15/25 (3)	10	10

Note: 12-foot setback for porches; 15-foot setback to other portions of the building; and 25-foot setback for vehicle parking facilities such as garage or carport either attached or detached, setback applies on the side where vehicle enters only.

Staff Comment: The property is zoned RR and currently the southerly lot is improved with a single-family residence. It should be noted that the existing residence and all accessory existing structures will remain on Lot 5 of the proposed short plat.

Based on the submitted site plan, the applicant has demonstrated that the existing residence on proposed Lot 5 meets all required zoning setbacks. It should be noted that a Shoreline Variance application may be required if the existing residence on proposed Lot 5 does not meet the required 75-foot shoreline buffer.

Title 18F, Development Regulations – Land Divisions and Boundary Changes

18F.50.040. Preliminary Short Subdivision and Preliminary Large Lot Division Requirements

D. A proposed preliminary short subdivision shall not be approved unless the Director makes written findings that:

1. Appropriate provisions are made for the public health, safety and general welfare, for open spaces, drainage ways, stormwater runoff, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and
2. The public use and interest will be served by such short subdivision.

Staff Comment: All proposed lots will be served by potable water and septic facilities. The proposed shared access road must be constructed in compliance with all County codes and requirements. Therefore, additional information is needed for Planning staff to make a determination as if the project meets all above requirements.

Title 18J, Development Regulations – Design Standards and Guidelines

Countywide Design Standards

- **Site Design (18J.15.015)**

Staff Comment: The project will be required to meet standards in this section. Application for a site development permit has not been made as of the drafting of this report.

- **Site Clearing (18J.15.020)**

Staff Comment: The proposal is within an open space corridor. Therefore, 25% percent of the gross area within the Open Space Corridor is required to be set aside in a Native Vegetation Buffer. Clearing shall be limited to the area of approved impervious surfaces, replacement landscaping, recreation space, utilities and a working envelope around such areas of not greater than 10 feet in depth. Application for a site development permit has not been made as of the drafting of this report.

- Tree Conservation (18J.15.030)

Staff Comment: A minimum of 30% of significant trees are required to be preserved on the site. In addition, the applicant must demonstrate that 30 tree units per net developable acreage of the project site is preserved. Based on the submitted Tree Conservation Plan, dated October 7, 2021, there are a total of 121 healthy significant trees in the project site. The submitted plan indicates that 662.5 tree units is planned to be saved and as such meets this requirement.

Staff will require the applicant to demonstrate all retained significant trees to be windfirm.

Landscape Buffers (18J.15.040)

Staff Comment: An L1 Street tree buffer is required along the proposed internal road and an L3 landscape buffer is required adjacent to Spanaway Loop Road South, 2nd Avenue East. The applicant has shown the L3 buffer on site plans.

- Street Trees (18J.15.050)

Staff Comment: Street trees are required along all new roads and accessways at a rate of 1 per 30 lineal feet of roadway exclusive of intersections.

Title 18S -Pierce County Development Policies and Regulations – Shorelines

Title 18S provides policies, and regulations for development on Pierce County shorelines. The proposal is located within the Residential Shoreline Environment Designations.

18S.20.050 - Residential Shoreline Environment Designation (SED).

The intent of the Residential SED is to accommodate residential development in areas that are already developed with or planned for residential development. The Residential SED may also include water-oriented commercial and recreation uses.


Staff Comment: The proposed plat is consistent with the general regulations and policies in the Residential SED. The Pierce County Shoreline Master Program requires the applicant to obtain approval of a Shoreline Substantial Development Permit for proposed short plat. If developed in accordance with all requirements and guidelines, and conditions of approval in the staff report, the project will be consistent with provisions for development in the Residential SED.

18S.30.030 - Ecological Protection.

The intent of the Ecological Protection policies and regulations is to ensure that shoreline development is established and managed in a manner that protects existing ecological functions and ecosystem-wide process and that mitigates adverse impacts to ecological functions. This means assuring no net loss of ecological functions and processes in shorelines.

C. Regulations – General.

1. All development shall occur as defined in Table 18S.30.030-1, Mitigation Sequencing, with avoidance of impacts being the highest priority. Lower priority measures shall be applied only when higher priority measures are determined to be infeasible or inapplicable. Mitigation sequencing components consist of a series of consecutive steps beginning with avoidance and ending with monitoring and taking appropriate corrective measures.

Table 18S.30.030-1. Mitigation Sequencing	
Higher Priority  Lower Priority	Avoiding the impact altogether by not taking a certain action or parts of actions.
	Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
	Rectify the impact by repairing, rehabilitating, or restoring the affected environment;
	Reducing or eliminating the impact over time by preservation and maintenance operations; or
	Compensate for the impact by replacing, enhancing, or providing substitute resources or environments.
	Monitoring the impact and compensation projects and taking appropriate corrective measures.

Staff Comment: Single-family residences are a preferred use in the Residential SED. The proposed short plat is to create five single-family residential lots. Staff believes the proposed 5 lot short plat is a reasonable request

E. Regulations – Shoreline Buffers.

Table 18S.30.030-2. Standard Shoreline Buffers and Setbacks	
Shoreline Environment Designation (SED)	Standard Buffer
Natural	150 feet
Conservancy	100 feet
Residential	75 feet

Staff Comment: The required Residential Shoreline buffer is 75 feet. The applicant must accurately show the location of the shoreline buffer within the submitted plat and keep all regulated activities outside the buffer. If they cannot do that, Shoreline Variance (SDV) application may be needed for this project.

18S.30.060 Scenic Protection and Compatibility.

The purpose of the Scenic Protection and Compatibility policies and regulations is to preserve shoreline scenic vistas and to ensure development on shorelines is compatible with the surrounding environment, existing, and planned development.

- D. Regulations – Height Limits. Structure height is measured from the average pre-developed grade level to the highest point of a structure; provided, that television antennas, chimneys, and similar appurtenances shall not be used in calculating height, except where such appurtenances obstruct the view of the shoreline of a substantial number of residences on areas adjoining such shorelines; provided further, that temporary construction equipment is excluded from this calculation.

Staff Comment: The future structures shall not exceed a height of 35 feet. Staff will recommend a condition of approval to address this issue.

F. Regulations – Impervious Surface Limits. For residential development, not more than one third of the parcel within shoreline jurisdiction and landward of the ordinary high-water mark shall be covered by effective impervious areas.

Staff Comment: The maximum impervious surfaces within the Residential SED required shall be limited to maximum impervious surfaces of 33.3% on each propped lot.

18S.40.100 Residential and 18S.60.030 Shoreline Permit Table.

The intent of the Residential policies and regulations is to accommodate residential development and appurtenances. Single-family residences are a preferred use within the Conservancy and Residential Shoreline Environment Designations (SEDs) when consistent with control of pollution and prevention of damage to the natural environment. The Residential policies and regulations encourage sustainable residential development through restrictions on the scale of development, preservation of vegetation and topography, and minimization of impacts to fish and wildlife habitat.

Table 18S.60.030-1. Shoreline Permit Table						
Uses, Modifications and Development	Shoreline Environment Designation (SED)					
	N	C	R	H	AF	AM
N=Natural, C=Conservancy, R=Residential, H=High Intensity, AF=Aquatic Freshwater, AM=Aquatic Marine						
Development						
Residential and Land Divisions (See PCC 18S.40.100 for Residential Policies and Regulations)						
Single-Family and Accessory Uses/Structures	AC					
Other Housing Types and Accessory Uses/Structures						

Staff Comment: Under PCC 18S.60.030 Land Divisions within the Residential environment, require review of a Shoreline Substantial Development (SD) permit. Since the proposed short plat does not qualify for an Exemption to an SD, the shaded area denotes that the use, modification, or development is therefore permitted subject to an SD.

18S.40.100 Residential.

D. Regulations – Land Divisions and Boundary Changes.

The following are the requirement that must be addressed by the applicant prior to approval of the proposed short plat:

- Lots created through subdivision of land shall be situated so that development on the created lots will not require soft or hard shoreline stabilization methods.
- Minimum lot width, measured at the ordinary high water mark (OHWM), shall not be less than 50 feet in Residential SED.
- New divisions of land, and subsequent development, that exceed the base densities as determined by Title 18A PCC shall comply with LID regulations of the Pierce County Stormwater Management and Site Development Manual, Volume VI, within shorelines.

- Residential developments containing five or more dwelling units shall provide and maintain a commonly owned tract between the water's edge and the first tier of lots closest to the water's edge for the benefit of all lots within said subdivision. The purpose of the tract is to maintain the natural visual appearance and ecological functions of the waterfront and to provide shoreline access.
- Critical areas and associated buffers, open space, access areas, shoreline recreational space, or other common area shall be protected in a tract, or alternative protective mechanism such as a protective easement, public, or private land trust dedication, or similarly protective mechanism prior to final approval of any division of land.

Staff Comment: All the lots within the proposed short plat meet the minimum lot width requirement of 50 feet. The applicant shall submit a revised document demonstrating a commonly owned tract between the water's edge and the first tier of lots closest to the water's edge for the benefit of all lots within the proposed short plat. The purpose of the tract is to maintain the natural visual appearance and ecological functions of the waterfront and to provide shoreline access for all lot owners within the proposed short plat.

18S.60.040 Shoreline Substantial Development Permit.

D. **Decision Criteria.** The Director shall review applications for Shoreline Substantial Development in accordance with the following decision criteria:

1. The proposal is consistent with the policies and procedures of the Act.
2. The proposal is consistent with this Title's policies and regulations including, at a minimum, the following:
 - a. Policies and regulations of the shoreline environment designation (SED) in which the proposal is located;
 - b. Policies and regulations for Shorelines of Statewide Significance if the proposal is within such area;
 - c. Policies and regulations within the applicable General Policies and Regulations found in Chapter 18S.30 PCC; and
 - d. Policies and regulations within the applicable Use and Development Policies and Regulations found in Chapter 18S.40 PCC.
3. The proposal is consistent with the applicable provisions of Title 18E PCC.
4. The proposal is consistent with the applicable policies of the Comprehensive Plan and any applicable Community Plan.
5. The proposal is consistent with all applicable development regulations, including but not limited to Title 18A PCC, Development Regulations – Zoning.

Staff Comment: Platting, including short plat, does not qualify under 18S.60.020 C. 7. for an Exemption to an SD Permit; therefore, review is required through an SD permit.

The proposed short plat is consistent with the policies of the RCW 90.58.020 and the Shoreline Master Program. The proposed use, if approved, should not cause significant adverse effects to the shoreline environment in which it is located. The proposed project is consistent with all applicable development regulations.

A cultural survey, by a qualified archeologist, will be required prior to any ground disturbing activities on the site.

Questions for PSMAC Discussion and Consideration

Shoreline Substantial Devolvement permit:

- Is the plat 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?
- Is the proposed short Plat consistent with the Pierce County Comprehensive Plan or Parkland-Spanaway-Midland Communities Plan? If not, how can it be made consistent?

Other Questions or Concerns?

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