

## STAFF REPORT

**DATE:** January 10, 2023

**TO:** Pierce County Planning Commission

**FROM:** Angie Silva, Long Range Planning Manager

**BY:** Erika Rhett Hunt, Long Range Planning Supervisor

**APPLICATION NO:** 993798 / Land Use Permit No. 994137

**APPLICANT:** Cross Creek Partners, Collins Park LLC, and Scott J Edwards Irrevocable Trust

**SUBJECT:** COMMUNITY PLAN AMENDMENT –Amendment to eliminate the High Density Residential (HRD) land use designation and background information from the Mid-County Community Plan.

**NOTICE:** Notice of the Planning Commission public hearing was published in the Tacoma News Tribune on January 3, 2023.

**SEPA:** A State Environmental Policy Act (SEPA) checklist and Determination of Non-Significance was issued on SEPA on December 27, 2022. The 14-day comment period concludes January 10, 2023.

**ATTACHMENT:** **Attachment A: LUAC Draft Staff Report**

## STAFF RECOMMENDATION

**The Department recommends denial of the proposal.** The proposal would remove the policy framework associated with the High Density Residential (HRD) land use designation. The application of the HRD land use designation within the community plan area may be appropriate at a future time. Retaining the existing policy framework and background information would provide consistency with the original community plan intentions for development within the HRD land use designation.

If approved as proposed, all references to the HRD land use designation within the Mid-County Community Plan area would need to be deleted from Pierce County Code (PCC) 18 Series.

If The Department’s recommendation is approved, no further action would be required.

## LUAC RECOMMENDATION

Following timely and effective public notice published in the Tacoma News Tribune on November 30, 2022, the Mid-County Land Use Advisory Commission (MCAC) held a public meeting on December 14, 2022. A draft staff report was made available and transmitted on December 7, 2022. The MCAC, with 4 of 5 commissioners present, recommended approval of the original application proposal, not the Department's recommendation in a 3 to 1 vote.

## PROPOSAL

This proposal is a companion to area-wide map amendment #993797 / Land Use Permit No. 994135. If that area-wide map amendment were to move forward, there would be no remaining parcels designated as HRD within the Mid-County Community Plan. Therefore, the applicant proposed removing the HRD land use designation from the Mid-County Community Plan.

The specific amendments proposed are shown in the excerpts of the Mid-County Community Plan below. ~~Strikeout~~ text shows language that has been proposed to be deleted. Added text is shown as highlight.

### Mid-County Community Plan

#### LAND USE DESIGNATIONS AND ZONE CLASSIFICATIONS

#### Table H-2: Land Use Designations and Zone Classifications (page H-29)

Land Use Designation	Zoning Classification	Acres	Zone %	Designation Total
<b>Rural/Resource</b>				
Agricultural Resource Land (ARL)	ARL	499.9	3.4%	499.9
Rural Farm (RF)	RF	100.4	0.7%	100.4
Rural Neighborhood Center (RNC)	RNC	48.6	0.3%	48.6
Rural Separator (RSep)	RSep	10,561.1	72.1%	10,561.1
<b>Rural/Resource Total</b>		<b>11,210.0</b>	<b>76.6%</b>	<b>11,247.7</b>
<b>Urban</b>				
Corridor (COR)	Urban Corridor (UCOR)	310.3	2.1%	418.7
	Neighborhood Corridor (NCOR)	131.0	0.9%	
Employment Center (EC)	Employment Corridor (ECOR)	1,037.2	7.1%	1,037.2
		994.1	6.8%	994.1
High Density Residential District (HRD)	Moderate-High Density Residential District (MHR)	43.1	0.3%	43.1
Moderate Density Single-Family (MSF)	Single Family (SF)	1,139.2	7.8%	1620.5
	Residential Resource (RR)	481.2	3.3%	
Mixed Use District (MUD)	MUD	51.4	0.4%	51.4
Neighborhood Center (NC)	NC	19.7	0.1%	19.72
<b>Urban Total</b>		<b>3,170.1</b>	<b>21.7%</b>	<b>3,170.1</b>
<b>Other</b>				
Parks and Recreation (PR)	PR	261.7	1.8%	261.7
<b>Grand Total</b>		<b>14,641.8</b>	<b>100.0%</b>	<b>14,641.8</b>

## URBAN DESIGNATIONS (page H-32)

### HIGH DENSITY RESIDENTIAL DISTRICT

The High Density Residential District (HRD) designation provides areas of multifamily and high density single family housing, along with limited neighborhood commercial retail and service uses. Allowed residential densities in HRD range from 6 to 25 dwelling units per acre.

There is one area designated HRD located in the vicinity of 112th Street East between Golden Given Road East and Vickery Avenue. The HRD designation is implemented by the Moderate-High Density Residential District zone classification.

Figure H-12: High Density – Residential District Designation

**URBAN - URBAN RESIDENTIAL (page H-39)**

**GOAL MC LU-10** Implement distinct zoning districts for a variety of residential choices including: single family, multifamily, senior housing, and mixed-use development.

**MC LU-10.1** Low residential densities should be located in the vicinity of environmentally constrained lands, such as wetlands, floodplains, lands with hydric soils, and aquifer recharge areas.

**MC LU-10.2** High-density residential should be located in the Neighborhood Corridor and Urban Corridor when infrastructure is available.

~~**MC LU-10.3** Establish the High Density Residential District (HRD) Designation.~~

~~**MC LU-10.4** The primary uses within the High Density Residential District (HRD) designation shall be moderate to high density single family detached, two-family, attached single family, and multifamily.~~

**MC LU-10.5** Provide incentive-based residential density regulations.

**MC LU-10.5.1** Provide on-site density credits within the Residential Resource zone.

(Page H-44)

Land Use Designation	Zoning Classification	Minimum Dwelling Units per Net Acre	Maximum Dwelling Units per Net Acre
<b>Rural/Resource</b>			
Agricultural Resource Land (ARL)	ARL	.1	.2
Rural Farm (RF)	RF	.1	.2
Rural Neighborhood Center (RNC)	RNC		
Rural Separator (RSep)	RSep	.2	.4

Land Use Designation	Zoning Classification	Minimum Dwelling Units per Net Acre	Maximum Dwelling Units per Net Acre
<b>Urban</b>			
Corridor (COR)	Urban Corridor (UCOR)	12	60
	Neighborhood Corridor (NCOR)	6	25
High Density Residential District (HRD)	<del>Moderate High Density Residential District (MHR)</del>	<del>12</del>	<del>25</del>
Moderate Density Single-Family (MSF)	Single Family (SF)	4	4
	Residential Resource (RR)	1	3
Mixed Use District (MUD)	MUD	12	25
Neighborhood Center (NC)	NC	8	16

## ANALYSIS OF PROPOSED CHANGES

*Procedures for Amendments to the Comprehensive Plan*, [PCC 19C.10](#), requires that the merits of all amendments to the Plan be evaluated based on the following:

1. *The effect upon the rate of growth, development, and conversion of land as envisioned in the Plan.*

Not applicable.

2. *The effect upon the County's capacity to provide adequate public facilities.*

Not applicable.

3. *The effect upon the rate of population and employment growth.*

Not applicable.

4. *Whether Plan objectives are being met as specified or remain valid and desirable.*

The Mid-County Community Plan was established with an HRD land use designation, which provides opportunity for diversity of housing types. This is still a desirable goal reiterated in the Growth Management Act (GMA), Vision 2050, Countywide Planning Policies (CPPs), and the Comprehensive Plan. Removal of the designation would provide an obstacle for future consideration of new HRD areas in Mid-County.

5. *The effect upon general land values or housing costs.*

Not applicable.

6. *Whether capital improvements or expenditures, including transportation, are being made or completed as expected.*

Not applicable.

7. *Whether the initiated amendment conforms to the requirements of the GMA, is internally consistent with the Plan and is consistent with the Countywide Planning Policies for Pierce County.*

There is no conflict with the requirements of the Growth Management Act, Comprehensive Plan, Countywide Planning Policies, or other relevant bodies of policy. The question of if the land use designation should be removed is not a matter of policy consistency, but of professional opinion.

However, the effects of removing the policy may not be consistent the Comprehensive Plan's goal of promoting a diversity of housing types. Portions of the Mid-County Community Planning Area are identified as a High-Capacity Transit Communities. Vision 2050 recommends supporting affordable housing in such areas and the CPPs incorporate these goals by reference. Removing all references to the HRD land use designation may slow progress towards these goals in the future.

8. *The effect upon critical areas and natural resource lands.*

Not applicable.

9. *Consistency with locational criteria in the Comprehensive Plan and application requirements established by this Chapter.*

Not applicable.

10. *The effect upon other considerations as deemed necessary by the Department. (Other pertinent information.)*

The application of the HRD land use designation within the community plan area may be appropriate at a future time. Retaining the existing policy framework and background information would provide consistency with the original community plan intentions for development within the HRD land use designation.

## EQUITY

This proposal has minimal impacts on the equity indicators defined in the County's Equity Index. However, if this proposal is approved and the County wants to consider designating other lands as HRD in the future, the County would first need to amend the Mid-County Community Plan to re-add this land use designation and associated policies. This could potentially slow County efforts to advance equity through affordable housing or housing type diversification at some point in the future.

## IMPLEMENTATION REQUIREMENTS

If approved as proposed, all references to the HRD land use designation within the Mid-County Community Plan area would need to be deleted from Pierce County Code (PCC) 18 Series.

If The Department’s recommendation is approved, no further action would be required.

## ENGAGEMENT AND COMMENT

Consistent with Pierce County Code (PCC), the biennial Comprehensive Plan Amendment application period was held July 1 to August 1, 2022. This application was received and deemed completed by the Department. Pierce County Council initiated further review of the proposal through R2022-135. The following notified the public of the proposal and provided opportunities for comment:

- In October 2022, the Department sent letters soliciting cities/towns, agencies, school district, fire districts, water service providers and tribal notification of the initiated applications.
- On November 18, 2022, the Department sent letters to property owners within 300 feet of the proposal.
- On November 28, 2022, the applicant posted signage at the site off of 121st Street East notifying the public of the proposed area-wide amendment.
- On December 14, 2022, following notice in the Tacoma News Tribune, the Department met with the Mid-County Land Use Advisory Commission.
- On December 27, 2022, a SEPA determination was issued.
- On December 27, 2022, a notice for the Planning Commissions January 10<sup>th</sup> Study Session was published in the Tacoma News Tribune
- On January 3, 2023, a notice for the Planning Commissions January 17<sup>th</sup> Public Hearing was published in the Tacoma News Tribune
- On January 10, 2023, a notice for the Planning Commissions January 24<sup>th</sup> Deliberations was published in the Tacoma News Tribune

Written Comments received throughout this process are summarized below.

Date	Commenter	Summary of Comments	Response
10/31/22	Kenneth Rice (Pierce County Fire Marshal)	1) Does not see any perceived issues with the amendments from an emergency management perspective. Amendments overall will need to follow PCC 17C.60 (International Fire Code).	1) Comment noted. This is a non-project action to amend the Community Plan associated land use designation and zoning classification. At the time of permit application, compliance with all federal, state, and local requirements will be needed for approval.

11/1/22	Susan Cutrell (Parkland Light & Water Company)	1) Parkland Light and Water Company has no issues with the proposed amendments.	1) Comment noted.
11/16/22	Thomas Seigel (Bethel School District)	1) Proposed amendments do not affect the Bethel School District.  2) Requests proactive engagement on 2024 Comprehensive Plan update process.	1) Comment noted.  2) On 11/30/22, the Department responded with previous outreach efforts with the School District in July 2022 and the SEPA scoping period conducted from September 1 to October 2, 2022. Department is committed to working with all school districts and providers through-out the multi-year project including upcoming engagement on the capital facilities plan.



**Application No. 994137: COMMUNITY PLAN AMENDMENT – Delete policies and background text High Density Residential District (HRD) Land Use Designation within the Mid-County Community Plan.**

**Applicant:** Cross Creek Partners, Collins Park LLC, and Scott J. Edwards Irrevocable Trust

## GENERAL DESCRIPTION

The proposal would remove policies and background information related to the High-Density Residential District (HRD) designation in the community plan. The applicant has a companion Area-Wide amendment (Land Use Action Permit No. 994135). If the proposed areawide map amendment is approved, the Mid-County Community Plan area would not have any remaining properties designated as HRD.

## PROPOSED AMENDMENT

The specific language proposed for amendment is shown in the excerpts below. ~~Strikeout~~ text shows language that has been proposed to be deleted. Added text is shown as highlight.

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Neighborhood Center (NC)	NC	8	16

### STAFF RECOMMENDATION

Staff does not support the proposal as it would remove the policy framework associated with the HRD land use designation. The application of the HRD land use designation within the community plan area may be appropriate at a future time. Retaining the existing policy framework and background information would provide consistency with the original community plan intentions for development within the HRD land use designation.

### IMPLEMENTATION REQUIREMENTS

If approved as proposed, all reference zoning classifications under the HRD land use designation within the Mid-County Community Plan area would need to be deleted from Pierce County Code (PCC) 18 Series.

### IMPACT ANALYSIS

*Procedures for Amendments to the Comprehensive Plan*, [PCC 19C.10](#), requires that the merits of all amendments to the Plan be evaluated based on the following ([PCC 19C.10.060 A](#)):

1. The effect upon the rate of growth, development, and conversion of land as envisioned in the Plan.

Not applicable as the proposal is not site specific and does not result in redirecting future growth or allowance of new uses or activity.

2. The effect upon the County's capacity to provide adequate public facilities.

Not applicable as the proposal is not site specific and does not result in redirecting future growth the allowance of new uses or activity.

3. The effect upon the rate of population and employment growth.

Not applicable as the proposal is not site specific and does not result in redirecting future growth or allowance of new uses or activity.

4. Whether Plan objectives are being met as specified or remain valid and desirable.

The Mid-County Community Plan was established with an HRD land use designation, which provides opportunity for diversity of housing types. This is still a desirable goal of the Comprehensive Plan. Removal of the designation would provide an obstacle for future consideration of new HRD areas in Mid-County.

5. The effect upon general land values or housing costs.

Not applicable as the proposal is not site specific and does not result in redirecting future growth or allowance of new uses or activity.

6. Whether capital improvements or expenditures, including transportation, are being made or completed as expected.

Not applicable as the proposal is not site specific and does not result in redirecting future growth or allowance of new uses or activity.

7. Whether the initiated amendment conforms to the requirements of the GMA, is internally consistent with the Plan and is consistent with the Countywide Planning Policies for Pierce County.

There is no conflict with GMA, Vision 2050, and Pierce County CPPs, as none of those plans/policies specify the removal of a land use designation from a community plan.

8. The effect upon critical areas and natural resource lands.

Not applicable as the proposal is not site specific and does not result in in redirecting future growth or allowance of new uses or activity.

9. Consistency with locational criteria in the Comprehensive Plan and application requirements established by this Chapter.

Not applicable. Removal of land use designation from a community plan is not addressed in the Comprehensive Plan.

10. The effect upon other considerations as deemed necessary by the Department. (Other pertinent information.)

The application of the HRD land use designation within the community plan area may be appropriate at a future time. Retaining the existing policy framework and background information would provide consistency with the original community plan intentions for development within the HRD land use designation.

## EQUITY

This proposal has minimal equity impacts or influence on the equity indicators defined by the County's Equity Index. If this proposal is approved and the County wants to consider designating other lands as HRD in the future, the County would first need to amend the Mid-County Community Plan to re-add this land use designation. This could minimally slow down the ability of the county to advance equity through affordable housing or housing type diversification at some point in the future.

## GROWTH MANAGEMENT ACT (GMA)

This proposal does not conflict with GMA, but GMA has no directives related to this issue. However, denial of this proposal provides the opportunity for the land use designation to be more easily applied in the future to support a wider range of housing types, which is a key directive of GMA.

## MULTICOUNTY PLANNING POLICIES (VISION 2050)

This proposal does not conflict with Vision 2050, but Vision 2050 has no directives related to this issue. However, denial of this proposal provides the opportunity for the land use designation to be more easily applied in the future to support a wider range of housing types, which is a key objective of Vision 2050.

## PIERCE COUNTY COUNTYWIDE PLANNING POLICIES (CPPS)

This proposal does not conflict with the CPPs, but the CPPs have no directives related to this issue. However, denial of this proposal provides the opportunity for the land use designation to be more easily applied in the future to support a wider range of housing types, which is a key objective of the CPPs.

## PIERCE COUNTY COMPREHENSIVE PLAN

This proposal does not conflict with the Comprehensive Plan, but there are no specific directives related to this issue. However, denial of this proposal provides the opportunity for the land use designation to be more easily applied in the future to support a wider range of housing types, which is an important objective in both the housing element and the Mid-County Community Plan.

### Mid-County Community Plan

**GOAL MC LU-10** Implement distinct zoning districts for a variety of residential choices including: single-family, multifamily, senior housing, and mixed-use development.

- **MC LU-10.3** Establish the High Density Residential District (HRD) Designation.
- **MC LU-10.4** The primary uses within the High Density Residential District (HRD) designation shall be moderate to high density single-family detached, two-family, attached single-family, and multifamily.