

STAFF REPORT

DATE: January 6, 2021

TO: Pierce County Planning Commission

FROM: Dan Cardwell, Supervisor, Long Range Planning

BY: Jessica M. Nappi, Senior Planner, Long Range Planning

SUBJECT: **2021 Comprehensive Plan Text Amendment – Application No. 939497**
The Planning Commission will review and consider proposed amendments to meet the requirements of the NPDES Municipal Stormwater Permit to coordinate and integrate stormwater planning with land use planning.
Applicant: Pierce County Planning and Public Works

NOTICE: Notice of the Planning Commission public hearing was published in the News Tribune on December 23, 2020.

SEPA: SEPA will be conducted pursuant to the State Environmental Policy Act, Pierce County Code Title 18D, and provisions of the Growth Management Act.

ATTACHMENT: Attachment A – Proposed Amendments

GENERAL DESCRIPTION

The proposed include amendments to better adhere to the requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit. These updates include:

- background information for context and understanding;
- information on the types of soils with regards to stormwater infiltration and development;
- several new policies under the Environment, Utilities, and Land Use elements; and
- update of existing reference materials that have been superseded by more recent adopted plans.

PROPOSED AMENDMENTS

Refer to **Attachment A** as originally submitted. Only those portions that are proposed to be amended or necessary for context are shown.

STAFF RECOMMENDATION

Staff supports the proposal with modification to LU-7.4 and the addition of a new LU-7.4.1 as shown below. The proposal with modification leads to better coordination between stormwater planning and long-range planning as required under the current NPDES Municipal Stormwater Permit.

Proposal as Originally Submitted (only to LU-7.4)

Land Use Element / Annexation and Urban Growth Area Expansion (page 2-22)

LU-7.4 The methodologies used to determine the capacity of the UGAs and to calculate the allowable number of dwelling units for individual development proposals shall take into consideration soil infiltration capacity for stormwater management, and be consistent with each other.

Proposal with Modification

Land Use Element / Annexation and Urban Growth Area Expansion (page 2-22)

LU-7.4 The methodologies used to determine the capacity of the UGAs and to calculate the allowable number of dwelling units for individual development proposals shall be consistent with each other.

LU-7.4.1 The methodology to determine the capacity of the UGA shall analyze and take into consideration regulations that affect the possible number of units for individual development proposals, including, but not limited to, critical areas, roads, and soil infiltration capacity for stormwater management.

IMPLEMENTATION REQUIREMENTS

Not applicable.

IMPACT ANALYSIS

Procedures for Amendments to the Comprehensive Plan, [PCC 19C.10](#), require 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.
The proposal would not affect the rate of growth, development, and conversion of land.
2. The effect upon the County's capacity to provide adequate public facilities.
The proposal would improve the County's capacity to provide adequate public facilities by encouraging Low Impact Development techniques through the better coordination between land use planning and stormwater planning.
3. The effect upon the rate of population and employment growth.
The proposal would not affect the rate of population and employment growth.
4. Whether Plan objectives are being met as specified or remain valid and desirable.
The proposal supports existing policy to protect aquifers and surface waters, while improving the quality of surface and ground waters.

5. The effect upon general land values or housing costs.
The proposal would not affect general and values or housing costs.
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.
The proposal is consistent with the Growth Management Act, Multicounty Planning Policies, the Countywide Planning Policies, and the Pierce County Comprehensive Plan that support water quality protection and stormwater management methods.
8. The effect upon critical areas and natural resource lands.
The proposal is providing coordination between land use and stormwater management planning, which could have a positive impact upon critical areas and natural resource lands.
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.
As part of the NPDES Municipal Stormwater Permit, the County is required to implement a stormwater planning program to inform and assist in the development of policies and strategies as water quality management tools. One of the strategies include coordination of long range plan updates as it relates to stormwater impacts on water quality.

Applicable RCWs/Policies

GROWTH MANAGEMENT ACT (GMA)

RCW 36.70A.070: The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140.

RCW 36.70A.020(10): Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

MULTICOUNTY PLANNING POLICIES (VISION 2050)

Environment Goal: The region cares for the natural environment by protecting and restoring natural systems, conserving habitat, improving water quality, and reducing air pollutants. The health of all residents and the economy is connected to the health of the environment. Planning at all levels considers the impacts of land use, development, and transportation on the ecosystem.

Environmental Policies

- MPP-En-2** Use integrated and interdisciplinary approaches for environmental planning and assessment at regional, countywide, and local levels.
- MPP-En-3** Maintain and, where possible, improve air and water quality, soils, and natural systems to ensure the health and well-being of people, animals, and plants. Reduce the impacts of transportation on air and water quality and climate change.
- MPP-En-5** Locate development in a manner that minimizes impacts to natural features. Promote the use of innovative environmentally sensitive development practices, including design, materials, construction, and on-going maintenance.
- MPP-En-18** Reduce stormwater impacts from transportation and development through watershed planning, redevelopment and retrofit projects, and low-impact development.
- MPP-En-21** Continue efforts to reduce pollutants from transportation activities, including through the use of cleaner fuels and vehicles and increasing alternatives to driving alone, as well as design and land use.

PIERCE COUNTY COUNTYWIDE PLANNING POLICIES (CPPs)

Natural Resources, Open Space, Protection of Environmentally Sensitive Lands & Environment (page 54)

- Env-16** The County, and each municipality in the County, should protect and enhance the natural ecosystems through comprehensive plan policies and development regulations that reflect natural constraints and protect sensitive features.

Coordination of Watershed Planning and Land Use Planning (page 55)

- Env-18** The County, and each municipality in the County, should protect the natural habitat critical for the conservation of salmonid species listed under the federal Endangered Species Act, whenever practicable, through the use of planning activities or study techniques that are capable of determining changes in stream hydrology and water quality.
- 18.1** The County, and each municipality in the County, should coordinate watershed planning and land use planning activities and implementation activities within a watershed boundary including:
- 18.1.1** recognize that watershed planning may be useful in analyzing changes in stream hydrology, flooding, water quality and capital facilities under different land use scenarios;
 - 18.1.2** evaluate the use of vegetation retention, tree conservation, and maximum impervious surface standards;
 - 18.1.3** whenever possible, utilize watershed boundaries instead of jurisdictional boundaries for plans and studies;
 - 18.1.4** consider the implications of planning and implementation activities on natural environmental and built systems that are located outside jurisdictional boundaries but within the shared watershed;
 - 18.1.5** when updating land use plans and regulations, consider information that is contained within watershed plans.

Land Use Element (page 2-61)

GOAL LU-81 Conserve rural resources.

- LU-81.4** Preserve the land and water required by natural resource based activities, including the protection of critical areas, natural wildlife, rural lifestyles, outdoor recreation, and other open spaces and protect air and water quality and availability.

Environment Element (starting on page 7-4)

GOAL ENV-5 Protect aquifers and surface waters to ensure that water quality and quantity are maintained or improved.

- ENV-5.1** Ensure coordination among all appropriate County departments and other agencies in the review and analysis of water quality.
- ENV-5.4** Manage and plan water resources on a watershed basis.
- ENV-5.5** Develop standards for activities that may adversely impact water quality or quantity in aquifers, watersheds, and surface waters, consistent with state and federal laws.

Utilities Element (starting on page 13-13)

GOAL U-24 Protect the quality of groundwater used for domestic water supplies.

- U-24.1** Protect the quality of groundwater and minimize damage from flooding by implementing an effective surface water management program.

GOAL U-32 Improve surface water and groundwater quality.

- U-32.1** Address water quality in stormwater facility maintenance and capital improvement projects.
- U-32.2** Reduce and eventually eliminate harm to water quality from stormwater discharges. Do this through use of on-site infiltration and best management practices and source control of pollutants; control of development density and location; preservation of stream corridors, wetlands and buffers; and development, maintenance of a system of stormwater retention and detention facilities, and retrofit of existing facilities to eliminate or reduce untreated stormwater flows.

GOAL U-33 Establish and adopt ways to solve existing surface water problems and prevent future problems.

- U-33.4** Use basin planning as a strategy for achieving federal and state water quality standards.
- U-33.5** Use basin plans to identify modifications to land use designations and development regulations that will protect water quality and riparian habitat, and to alleviate flooding problems.

PROPOSED AMENDMENTS

List of Acronyms / General (page ix)

MS4 Municipal Separate Sewer Storm System

Introduction / Topography (page 1-4)

The topography of Pierce County is varied; elevations range from sea level to the 14,410¹ foot summit of Mount Rainier.

Introduction / Related Documents (page 1-13)

- 2014 Stormwater Management Program Plan
- Rivers Flood Hazard Management Plan
- Clarks Creek Restoration Plan
- Spanaway Lake Watershed-Scale Stormwater Management Plan
- Swan Creek Watershed Characterization and Action Plan

Land Use Element / Annexation and Urban Growth Area Expansion (page 2-22)

LU-7.4 The methodologies used to determine the capacity of the UGAs and to calculate the allowable number of dwelling units for individual development proposals shall take into consideration soil infiltration capacity for stormwater management, and be consistent with each other.

(page 2-23)

LU-8.6 Consider stormwater management needs early in the planning process, including while determining land capacity for accommodating growth.

Land Use Element / Centers/Central Places and Transit-Oriented Corridors (page 2-26)

LU-15.6 Allowance for vertical mixed use development in selected places; and

LU-15.7 Transit amenities; and

LU-15.8 Bioswales, rain gardens, native vegetation, and pollinator plants.

Land Use Element / Urban Residential (page 2-29)

Techniques may include (LU-24):

- Community values
- Development type and compatibility
- Appropriate densities
- Affordability
- Critical area protection and capability
- Applicable mitigation activities
- Utilizing performance standards such as buffers
- Innovative building and development techniques
- Site amenities and design features
- Low Impact Development techniques

(page 2-29)

LU-27.1 These services include, but are not limited to, water, adequate sewage treatment, stormwater and surface water management, and roads, where appropriate.

Land Use Element / Resource Lands (page 2-61)

LU-81.7 Low Impact Development techniques that minimize the amount of impervious surface in development is preferred.

Land Use Element / Military Land Designation and Compatibility (page 2-80)

LU-106.10 Consider amendments necessary to provide consistency and compatibility between the County's Comprehensive Plan, Development Regulations, and the Joint Base Lewis-McChord (JBLM) Joint Land Use Study (JLUS) upon completion of the JLUS which is anticipated to occur in October 2015.

Design and Character Element / Sustainable Design (page 5-9)

D-17.6 ~~Encourage water quality treatment techniques within overall site design.~~ The preferred approach to onsite water quality treatment is by using Low Impact Development techniques and practices.

Environment Element / Water Quality (page 7-4)

Aquifers provide the primary source of domestic and industrial water for most of Pierce County. Aquifer recharge area soils are highly permeable and allow for the infiltration of surface waters into groundwater. Below the surface, the infiltrating water enters the aquifer, a saturated geologic layer which can yield sufficient quantities of water to be used as a source of public or private water supply. The use of low impact development to infiltrate clean water into the ground is a priority in order to help protect and enhance the environment, air and water quality, and the availability of water.

Environment Element / Water Quality (page 7-5)

ENV-5.14 Require the use of low impact development principles and best management practices for stormwater drainage, as implemented by the Pierce County Stormwater Management Manual, including use of infiltration systems, such as bioretention, rain gardens, and permeable pavement, to maintain water quality for fish and wildlife.

ENV-5.14.3 Make the use of Low Impact Development (LID) techniques in public and private developments the preferred and most widely used method of land development.

ENV-5.17 Promote public education on the appropriate type, amount, time, and location for application of pesticides and natural yard care alternatives.

Environment Element / Terrestrial and Aquatic Ecosystems (page 7-7)

ENV-9.1 Implement the recommendation of the watershed action basin plans, as adopted by County Council salmon recovery, and other ecosystem recovery plans.

Utilities Element / Storm Drainage and Surface Water Management (page 13-14)

Issues:

- Increasing cost and complexity of managing stormwater

(page 13-16)

U-32.3 Plan structural stormwater control projects based on a locally developed program that includes a process to prioritize and implement projects, and explain how the watershed-scale stormwater plans informs the prioritization or selection of projects (or both).

U-32.4 Implement the actions identified in the Spanaway Lake Watershed-Scale Stormwater Management Plan.

(page 13-17)

U-36.5 Convene an interdisciplinary team to conduct and coordinate the stormwater comprehensive planning program effort. Team make-up should include representatives from the jurisdiction's stormwater program, long-term planning, transportation, parks and recreation, and scientific and technical experts.

GOAL U-37 Reduce or eliminate the stormwater drainage impacts from roadways onto adjacent properties and into surface waters and MS4 receiving waters.

(page 13-18)

GOAL U-49 Align SWM Fee Credit Program to incorporate water quality treatment as well as flow reduction as mandatory eligibility criteria.