AGENDA

I. CALL TO ORDER

II. PUBLIC HEARINGS

2021 Pierce County Comprehensive Plan Amendment Process
The Growth Management Act requires that comprehensive plans be subject to continuing review and evaluation with consideration of amendments and revisions no more than once per year. Chapter 19C.10, PCC Title 19C.10, Pierce County’s amendment procedures, directs the Planning Commission to review initiated Plan amendments and make recommendations to the County Council. Council Resolution No. R2020-89s directs the Planning Commission to submit its recommendations to the Council by February 15, 2021.

Amendments to the Comprehensive Plan include: Text Amendments (changes in policies or text); Area-Wide Map Amendments (changes in the Land Use Map resulting in changes in zoning); Urban Growth Area (UGA) Amendments (changes to designated Urban Growth Areas); and Community Plan Amendments (changes to text or policies of a community plan).

Staff reports providing the details of the individual proposed amendments are posted on the website as they become available. Applications and related documents can be viewed at https://co.pierce.wa.us/4694/Comprehensive-Plan-Amendments.

Contact: Jessica Nappi, Senior Planner, at jessica.nappi@piercecountywa.gov or 253-798-2389.

The Planning Commission will hear testimony on specific cases as follows. The Commission will not make any recommendations until February 10, 2021.

A. Urban Growth Area Amendment Application #940374, Applicant: Town of Wilkeson
   Presenter: Jessica Gwilt, Pierce County Long Range Planning
   Expand the Urban Growth Area to include six parcels adjacent to the Town of Wilkeson (parcel numbers: 0619213024, 0619213023, 0619284039, 0619284057, and 0619282063).

B. Area-Wide Map Amendment Application #938320, Applicant: Allied Enterprises LLC
   Presenter: Jennifer Lambrick, Pierce County Long Range Planning
   Redesignate two parcels in the Graham Community Plan area from Rural 10 to Rural Activity Center (parcel numbers: 0418094041 and 6026050071).
C. Area-Wide Map Amendment Application #940347, Applicant: SimonCRE, LLC
Presenter: Jennifer Lambrick, Pierce County Long Range Planning
Redesignate three parcels in the Alderton-McMillin Community Plan area from Rural 10 to Rural Neighborhood Center (parcel numbers: 0419131062, 0419131063, and 0419131006).

III. OTHER BUSINESS

IV. ADJOURNMENT

NOTE: The Planning Commission is principally an advisory board to the Pierce County Council. Actions taken by the Planning Commission on almost all agenda items will be forwarded to the County Council as a recommendation for its consideration and final action.

Questions should be directed to the Planning staff by calling 253-798-7156.

How to get information on what is being proposed. A brief staff presentation on the issue precedes most public hearings. Additionally, staff reports and proposed ordinances or resolutions are available in advance of the hearing. If you have questions, use part of your speaking time to ask the question and the Chair will ask staff to respond. Staff members are available before and after the hearing to answer questions or you may call them.

Written comment. To submit written comments to the Planning Commission, please email danica.williams@piercecountywa.gov. If you wish your comments to be distributed to the Commission in advance of a hearing, comments must be received via email by the Clerk of the Commission 48 hours before the hearing.

County Council information. For details about testifying before the County Council, please contact that office at 253-798-7777.
STAFF REPORT

DATE: January 27, 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 – Urban Growth Area Amendment:

Application No. 940374

The Planning Commission will review and consider an Urban Growth Area amendment to expand the Urban Growth Area to include six parcels adjacent to the Town of Wilkeson.

Applicant: Town of Wilkeson

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.

ATTACHMENTS:
Attachment A – Proposed Map Amendments as Submitted
Attachment B – Staff Proposed Map Amendments as Modified
Attachment C – UGA Capacity Calculations

GENERAL DESCRIPTION

The proposal would expand the Urban Growth Area (UGA) and the Town of Wilkeson’s Potential Annexation Area boundary in three areas by 26.8 acres. The proposal would redesignate six parcels from Rural to Urban: 17.2 acres from Rural 10 (R10) to Public Institution (PI) and 0.2 acres from Park and Recreation (PR) to Moderate Density Single-Family. One of the parcels (9.4 acres) would remain as PR.
PROPOSED AMENDMENTS

Refer to Attachment A for proposed map amendments as submitted. The proposal would change the following parcels from a Rural to Urban designation, and change the land use designation of six parcels as shown in the table below:

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel No.</th>
<th>Acres (approx.)</th>
<th>Existing Land Use Designation</th>
<th>Proposed Designation/Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>647 Railroad Ave</td>
<td>0619284039</td>
<td>0.2</td>
<td>PR</td>
<td>MSF/MSF</td>
</tr>
<tr>
<td>XXX Quinnon Ext Rd E</td>
<td>0619284057</td>
<td>9.4</td>
<td>PR</td>
<td>PR/PR</td>
</tr>
<tr>
<td>XXX Johns Rd E</td>
<td>0619213024</td>
<td>4.1</td>
<td>R10</td>
<td>PI/PI</td>
</tr>
<tr>
<td>XXX State Route 165 E</td>
<td>0619213023</td>
<td>9.9</td>
<td>R10</td>
<td>PI/PI</td>
</tr>
<tr>
<td>XXX State Route E</td>
<td>0619282015</td>
<td>1.7</td>
<td>R10</td>
<td>PI/PI</td>
</tr>
<tr>
<td>220 Church St</td>
<td>0619282063</td>
<td>1.5</td>
<td>R10</td>
<td>PI/PI</td>
</tr>
</tbody>
</table>

Note: ‘XXX’ signifies that a site address has not been established for this parcel.

The approval of this amendment would require an update to Table 2-K in the Comprehensive Plan as follows:

<table>
<thead>
<tr>
<th>Type</th>
<th>Number of Acres</th>
<th>Percent of Total Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>54,846 54,873</td>
<td>8%</td>
</tr>
<tr>
<td>Rural</td>
<td>271,800 271,773</td>
<td>38%</td>
</tr>
<tr>
<td>Resource</td>
<td>383,866</td>
<td>54%</td>
</tr>
<tr>
<td>Total</td>
<td>710,512</td>
<td>100%</td>
</tr>
</tbody>
</table>

The proposal would amend Comprehensive Plan Map 2-1 Land Use Designations Map, Map 2-2 Urban Growth Areas and Potential Annexation Areas Map, and Map 2-5 Urban, Rural, and Resource Designations Map to reflect the changed land use designation.

STAFF RECOMMENDATION

Staff supports the proposal as modified (see Attachment B) to add two parcels totaling 2.2 acres, both owned by Pierce County Parks, as shown in the table below:

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel No.</th>
<th>Acres (approx.)</th>
<th>Existing Land Use Designation</th>
<th>Proposed Designation/Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXX Quinnon Ext Rd E</td>
<td>0619284058</td>
<td>1.8</td>
<td>PR</td>
<td>PR/PR</td>
</tr>
<tr>
<td>XXX Church St</td>
<td>0619282072</td>
<td>0.4</td>
<td>PR</td>
<td>PR/PR</td>
</tr>
</tbody>
</table>

Staff supports this addition to the proposal for the following reasons:
- These two properties are part of the foothills trail and have no capacity for future development.
- The addition would follow a more logical boundary for the UGA.
The approval of this expanded amendment would require an update to Table 2-K in the Comprehensive Plan as follows:

<table>
<thead>
<tr>
<th>Type</th>
<th>Number of Acres</th>
<th>Percent of Total Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>54,846,875</td>
<td>8%</td>
</tr>
<tr>
<td>Rural</td>
<td>271,800,771</td>
<td>38%</td>
</tr>
<tr>
<td>Resource</td>
<td>383,866</td>
<td>54%</td>
</tr>
<tr>
<td>Total</td>
<td>710,512</td>
<td>100%</td>
</tr>
</tbody>
</table>

The expanded proposal would amend Comprehensive Plan Map 2-1 Land Use Designations Map, Map 2-2 Urban Growth Areas and Potential Annexation Areas Map, and Map 2-5 Urban, Rural, and Resource Designations Map to reflect the changed land use designation.

Staff supports the proposal as modified for the following reasons:

- The proposal is consistent with provisions in the Growth Management Act, VISION 2050, Pierce County Countywide Planning Policies, and Pierce County Comprehensive Plan in relation to UGA expansion.
- There is no additional residential or employment capacity associated with this proposal as all the parcels are considered developed based on the existing use, parcel size, ownership, and proposed zoning.

**IMPLEMENTATION REQUIREMENTS**

The proposal would require updates to Pierce County’s Zoning Atlas and Potential Annexation Area map.

**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 have an effect on the rate of growth, development, or conversion of land as envisioned in the Plan. The proposed land use designations reflect the existing land uses on the properties to continue that use.

2. The effect upon the County’s capacity to provide adequate public facilities.  
   The proposal would not affect the County’s capacity to provide adequate public facilities because it does not add capacity.

3. The effect upon the rate of population and employment growth.  
   The proposal would not affect the rate of population and employment growth because it does not add capacity (see Attachment C – UGA Capacity Calculations).

4. Whether Plan objectives are being met as specified or remain valid and desirable.  
   Plan objectives are supported by the proposal. The capacity would not increase, and the existing uses would remain the same under the proposal.

5. The effect upon general land values or housing costs.
The proposal would not affect general land values or housing costs.

6. **Whether capital improvements or expenditures, including transportation, are being made or completed as expected.**
   Not applicable, no capital improvements are necessary related to the proposal.

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 GMA, the Comprehensive Plan, Countywide Planning Policies, and Multicounty Planning Policies because it does not increase capacity.

8. **The effect upon critical areas and natural resource lands.**
   The proposal would not impact critical areas or natural resource lands.

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

10. **The effect upon other considerations as deemed necessary by the Department.**
    Two of the properties are existing cemeteries, and while these current uses are non-conforming under the County’s Public Institution land use/zoning designation, the County anticipates the cemetery properties will be annexed by the Town of Wilkeson.

    At its November 19, 2020 meeting, the proposed UGA amendment application was presented to the Pierce County Regional Council (PCRC), and the PCRC approved the staff recommendation to approve the proposal.

    The Town of Wilkeson has reviewed the proposed addition of XXX Quinnon Ex. Rd E (APN 0619284058) and XXX Church Street (APN 0619393072) and agree that these two portions of the foothills trail are appropriate additions and will allow for a more logical boundary for the UGA.

    **Procedures for Amendments to the Comprehensive Plan, PCC 19C.10,** requires UGA amendments to the Plan to be further evaluated on the following:

    1. **Demonstration put forth by the jurisdiction affiliated with the proposed UGA that it has the capability and capacity to provide urban level services to the area while maintaining a healthy natural ecosystem.** This can be demonstrated by, but not limited to, the submittal of financial plans for infrastructure and services, such as a sewerage general plan for the area, storm drainage plan(s), evidence of compliance with NPDES, and evidence of an available adequate potable water supply.

    The Town of Wilkeson has analyzed their capability and capacity to provide urban services to the area while maintaining a healthy natural ecosystem. The Town’s ability to meet these obligations is as follows:
    - Sanitary Sewer: The proposal does not increase the need for sewer service.
    - Water Quality: The proposal does not impact water quality.
    - Transit: The proposal does not necessitate transit service.
    - Potable water supply: Not applicable. The proposal does not necessitate and increase in water service or supply.
2. Demonstration put forth by the jurisdiction affiliated with the proposed UGA that the adopted land use and design standards for the area shall plan for design characteristics and infrastructure necessary to make transit a viable transportation alternative.

The Town of Wilkeson has a Rural Center Corridor Plan with characteristics and infrastructure that could make transit a viable transportation alternative. The Comprehensive Plan notes that there are no employers in the Town that employ twenty or more people other than the Wilkeson School, and the majority of those employees also live in the Town. Therefore, there is not a high demand for transit. The size of the Town also enables other modes of transportation to be viable alternatives.

Applicable RCWs/Policies

GROWTH MANAGEMENT ACT (GMA)

RCW 36.70A.110: Comprehensive plans—Urban growth areas.

(1) Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350.

(2) Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. Urban growth may also be located in designated new fully contained communities, as defined by RCW 36.70A.350.

(4) In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas, except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

(6) Each county shall include designations of urban growth areas in its comprehensive plan.
(7) An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county.

(9) If a county, city, or utility has adopted a capital facility plan or utilities element to provide sewer service within the urban growth areas during the twenty-year planning period, nothing in this chapter obligates counties, cities, or utilities to install sanitary sewer systems to properties within urban growth areas designated under subsection (2) of this section by the end of the twenty-year planning period when those properties:

(a)  (i) Have existing, functioning, nonpolluting, on-site sewage systems;
    (ii) Have a periodic inspection program by a public agency to verify the on-site sewage systems function properly and do not pollute surface or groundwater; and
    (iii) Have no redevelopment capacity; or

(b)  Do not require sewer service because development densities are limited due to wetlands, flood plains, fish and wildlife habitats, or geological hazards.

**MULTICOUNTY PLANNING POLICIES**

**Regional Growth Strategy Policies (page 49)**

**MPP-RGS-12** Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

**Development Patterns (page 78)**

**Goal:** The region creates healthy, walkable, compact, and equitable transit-oriented communities that maintain unique character and local culture, while conserving rural areas and creating and preserving open space and natural areas.

**Building Urban Communities (page 93)**

**MPP-DP-1** Develop high-quality, compact urban communities throughout the region’s urban growth area that impart a sense of place, preserve local character, provide for mixed uses and choices in housing types, and encourage walking, bicycling, and transit use.

**Annexation and Incorporation (page 96)**

**MPP-DP-28** Support joint planning between cities, counties, and service providers to work cooperatively in planning for urban unincorporated areas to ensure an orderly transition to city governance, including efforts such as: (a) establishing urban development standards, (b) addressing service and infrastructure financing, and (c) transferring permitting authority.

**MPP-DP-29** Support annexation and incorporation in urban unincorporated areas by planning for phased growth of communities to be economically viable, supported by the urban infrastructure, and served by public transit.

**MPP-DP-30** Support the provision and coordination of urban services to unincorporated urban areas by the adjacent city or, where appropriate, by the county or an existing utility district as an interim approach.
COUNTYWIDE PLANNING POLICIES

Amendments and Transition (pages 22-23)

AT-2 Urban Growth Area boundaries designated by the County pursuant to the Growth Management Act may be amended by Pierce County and accepted by the municipalities in the County pursuant to the same process by which the Urban Growth Areas were originally adopted and pursuant to subpolicies UGA-1. and UGA-2. of the “Countywide Planning Policy on Urban Growth Areas, Promotion of Contiguous and Orderly Development and Provision of Urban Services to Such Development.”

2.1 An amendment to Urban Growth Area boundaries may be initiated by the County or any municipality in the County.

2.2 A proposed amendment to Urban Growth Area boundaries shall include:

2.2.1 a map indicating the existing urban growth area boundary and the proposed boundary modification;

2.2.2 a statement indicating how, and the extent to which, the proposed boundary modification complies with each of the factors listed in subpolicies 2.2, 2.4, 2.5 and 2.6 of the Countywide Planning Policy on Urban Growth Areas, Promotion of Contiguous and Orderly Development and Provision of Urban Services to Such Development; and

2.2.3 a statement indicating the factors, data or analyses that have changed since the designation of the initial Urban Growth Area boundaries and/or the experience with the existing Urban Growth Area boundaries that have prompted the proposed amendment.

2.3 The Urban Growth Area of a jurisdiction may be expanded only if:

2.3.1 the jurisdiction’s observed development densities are consistent with the planned density assumptions as documented in the most recently published Buildable Lands Report as required by RCW 36.70A.215, and

2.3.2 there is a demonstrated need for additional residential or employment capacity within the Urban Growth Area affiliated with an individual jurisdiction and a demonstrated need county-wide; the expansion results in a no net gain to the countywide Urban Growth Area; or an adequate number of capacity credits from the Urban Growth Area Capacity Bank are available and have been authorized to be used, and

2.3.3 the consistency evaluation, as required through the Countywide Planning Policies on Buildable Lands, policies BL-3. and BL-4., identifies an inconsistency between the observed and planned densities, the jurisdiction shall either:

1) demonstrate reasonable measures were adopted to rectify the inconsistencies. Documentation shall also be submitted that summarizes the monitoring results of the effectiveness of the measures in rectifying density inconsistencies, or

2) document updated development data that indicates consistency.

Urban Growth Areas (pages 79-81)

UGA-1 The County shall designate the countywide Urban Growth Area and Potential Annexation Areas within it, in consultations between the County and each municipality.
1.2 Once adopted by the County, the Urban Growth Area and Potential Annexation Area designations shall not be changed except in accordance with the Countywide Policy on “Amendments and Transition.”

UGA-2 The following specific factors and criteria shall dictate the size and boundaries of urban growth areas:

2.1 Size.

2.1.1 Urban growth areas must be of sufficient size to accommodate the urban growth projected to occur over the succeeding 20-year planning period taking into account the following:

- a. land with natural constraints, such as critical areas (environmentally sensitive land);
- b. agricultural land to be preserved;
- c. greenbelts and open space;
- d. New Fully Contained Communities pursuant to RCW § 36.70A.350;
- e. maintaining a supply of developable land sufficient to allow market forces to operate and precluding the possibility of a land monopoly but no more than is absolutely essential to achieve the above purpose;
- f. existing projects with development potential at various stages of the approval or permitting process (i.e., the "pipeline");
- g. land use patterns created by subdivisions, short plats or large lot divisions;
- h. build-out of existing development and areas which are currently only partially built out;
- i. follow existing parcel boundary lines.

2.2 Boundaries.

2.2.1 Any of the following shall be considered in determining the location of urban growth area boundaries:

- a. geographic, topographic, and manmade features;
- b. public facility and service availability, limits and extensions;
- c. jurisdictional boundaries including special improvement districts;
- d. location of designated natural resource lands and critical areas;
- e. avoidance of unserviceable islands of County land surrounded by other jurisdictional entities;
- f. Destination 2030 urban/rural line and PSCAA burn ban line.

2.4 The urban growth area in unincorporated portions of the County shall be limited to the following:

2.4.1 build-out of existing partially developed areas with urban services;
2.4.2 new fully contained communities;
2.4.3 redevelopment corridors.

2.5 The County's urban growth area may be extended to allow for build-out of newly developed areas only if development capacity within Potential Annexation Areas and growth in the areas identified in Policy 2.4 is determined to be inadequate to meet total population and employment projections consistent with the other policies set forth herein.
The Pierce County Regional Council shall consider the following preference in the distribution of capacity credits:

a. cities and towns that have not had a Potential Annexation Area since 1996;

b. cities and towns that have had a reduction in their Potential Annexation Area that has resulted in deposits into the Urban Growth Area Capacity Bank;

c. cities and towns that have annexed all their associated Potential Annexation Area; and

d. the creation of logical city or town boundaries.

PIERCE COUNTY COMPREHENSIVE PLAN

Land Use Element / Urban / Annexation and Urban Growth Area Expansion (pages 2-21 - 2-22)

GOAL LU-2 All unincorporated urban areas within the urban growth area shall be either be affiliated with neighboring cities and towns as Potential Annexation Areas (PAAs) or identified as Potential Incorporation Areas (PIAs).

GOAL LU-6 Contain and direct growth within the designated Urban Growth Areas (UGAs) where adequate public facilities exist or can be efficiently provided.

LU-6.1 Adopt measures individually or through joint planning to ensure that growth is timed and phased consistently with the provision of adequate public facilities and services.

LU-6.2 Prior to expansion of a Potential Annexation Area (PAA) affiliated with a city or town, a joint planning agreement must be in place for all PAAs affiliated with the jurisdiction.

GOAL LU-8 Consider the following priorities for expanding the 20-year Urban Growth Area (UGA) boundary:

LU-8.1 Future expansion areas should be affiliated with a city or town.

LU-8.2 Lands with high concentrations of critical areas or designated as resource lands should be given the lowest priority for inclusion into the UGA, and should be included only when a compensatory program, such as the Transfer of Development Rights, is in place.

LU-8.3 Lands that are necessary to provide capacity for student population growth in those school districts that have completed a collaborative planning process with the County.

LU-8.4 Assure that urban level facilities and services are provided within the designated Urban Growth Areas.

LU-8.5 Ensure that future Urban Growth Area expansions are consistent with applicable provisions of the Growth Management Act (GMA) and State Environmental Policy Act (SEPA).

GOAL LU-9 Expansions of the UGA shall be approved only by the County Council through a Comprehensive Plan amendment process as established in Chapter 19C.10 PCC, if the following criteria are met:
LU-9.1 A need is demonstrated for additional residential or employment capacity within the urban growth area affiliated with an individual jurisdiction and a demonstrated countywide need; or the expansion results in a no net gain of housing unit or employment capacity to the countywide UGA. The demonstration of need shall be shown through a comparison of the adopted housing unit or employment targets against the housing or employment capacity as documented in the most recent Buildable Lands Report;

LU-9.2 The jurisdiction’s observed development densities are consistent with the planned density assumptions as documented in the most recently published Buildable Lands Report as required by RCW 36.70A.215;

LU-9.3 If the Buildable Lands Report identifies an inconsistency between the observed and assumed densities, the jurisdiction shall either demonstrate that reasonable measures were adopted to rectify the inconsistency, or document updated development data that indicates consistency; and

LU-9.4 If a jurisdiction adopted reasonable measures, documentation shall be submitted that summarizes the monitoring results of the effectiveness of the measures in rectifying density inconsistencies.

LU-9.5 Documentation that adequate public facilities and services can be provided within the 20-year planning horizon is provided.

LU-9.6 Proposed UGA expansion areas shall be required to comply with the requirements of Pierce County’s TDR/PDR program.

LU-9.7 Proposed UGA expansion areas should be approved only if the proposing jurisdiction provides an analysis of:

LU-9.7.1 The underutilized lands, consistent with the Pierce County Buildable Lands program methodology, within its existing municipal boundaries and affiliated UGAs, and evidence of implementation strategies in place or being pursued to densify the underdeveloped lands;

LU-9.7.2 Housing goals or policies in place to encourage housing for all economic segments of the community; and

LU-9.7.3 How the proposal is consistent and reasonable with the jurisdiction’s adopted comprehensive plan.

LU-9.8 Future UGA expansion areas should be approved only if it is demonstrated that the area has the capability and capacity to provide urban level services while maintaining a healthy natural ecosystem.

LU-9.9 Future UGA expansion areas should avoid the inclusion of designated agricultural lands and critical areas.

LU-9.10 Adopted land use and design standards for proposed UGA expansion areas shall plan for design characteristics and infrastructure necessary to make transit a viable transportation alternative.

LU-9.11 Prohibit the expansion of the UGA into the 100-year floodplain of any river or river segment per RCW.
Land Use Element / Urban, Urban Residential / Moderate Density Single Family (page 2-30)

LU-31.4 The Residential Resource (RR) zone is intended to provide for low-density single-family residential uses compatible or integrated with areas of unique open space character and/or environmental sensitivity.

LU-31.4.1 This zone is applied in areas that have high value environmental features that are both complex in structure and function and large in scope.

Land Use Element / Rural (page 2-46)

GOAL LU-61 Rural character is defined as:

LU-61.1 An environment highlighted by the natural landscape, native vegetation, wildlife habitat, and large areas of open space.

LU-61.2 An economy and lifestyle supported by agricultural and forestry activities, small scale natural resource industries, cottage industries, and services that serve needs of local residents and tourists.

LU-61.3 A visual character enhanced by scenic resources and territorial views.

LU-61.4 A landscape attuned with the use of the land and water by wildlife and fish.

LU-61.5 A land use pattern protected from conversion into uses that require urban level services.

LU-61.6 An area served by limited public services and facilities.

LU-61.7 A built environment developed in a manner that preserves watercourses, aquifer recharge areas, and the natural hydrologic cycle.

LU-61.8 A land use pattern that is depicted through limited commercial services and low density residential development.
2021 PROPOSED URBAN GROWTH AREA AMENDMENT
Town of Wilkeson, UGA Expansion (Application #940374)
Attachment A to Staff Report to Planning Commission

Department of Planning and Public Works
Plot Date: August 11, 2020   Scale = 1:13,084
2021 PROPOSED URBAN GROWTH AREA AMENDMENT

Town of Wilkeson, UGA Expansion (Application #940374)
Attachment A to Staff Report to Planning Commission

Urban Growth Boundary

Expand the Wilkeson PAA/UGA

Department of Planning and Public Works
Plot Date: August 11, 2020

Map Document: H:\mxd\prop_area_wide_amend\2020\uga_amendment\amendment_u_940374_ortho.mxd
2021 PROPOSED URBAN GROWTH AREA AMENDMENT

Town of Wilkeson, UGA Expansion (Application #940374)
Attachment B to Staff Report to Planning Commission

Urban Growth Boundary

Staff Recommendation Addition: UGA and Redesignate/Rezone PR to URBAN
Add to UGA and Redesignate/Rezone from PR to URBAN
Add to UGA and Redesignate/Rezone from R10 to URBAN

Department of Planning and Public Works
Plot Date: November 06, 2020  Scale = 1:13,000

Map Document: H:\mxd\prop_area_wide_amend\2020\uga_amendment\amendment_u_940374_staff_rec.mxd
2021 PROPOSED URBAN GROWTH AREA AMENDMENT

Town of Wilkeson, UGA Expansion (Application #940374)
Attachment B to Staff Report to Planning Commission

Urban Growth Boundary

Staff Recommendation: Additional Parcels to Expand Wilkeson PAA/UGA
Expand the Wilkeson PAA/UGA
## UGA Capacity Calculations

### Table A-1: UGA Capacity Calculation – Proposal

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel Number</th>
<th>Acres (approx.)</th>
<th>Proposed Designation/ Zone</th>
<th>Buildable Lands Category</th>
<th>Reason Categorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>647 Railroad Ave</td>
<td>0619284039</td>
<td>0.2</td>
<td>MSF/MSF</td>
<td>Built-out/ Undevelopable</td>
<td>Cannot accommodate more residential units</td>
</tr>
<tr>
<td>XXX Quinnon Ext Rd E</td>
<td>0619284057</td>
<td>9.4</td>
<td>PR/PR</td>
<td>Built-out/ Undevelopable</td>
<td>Existing use unbuildable (park)</td>
</tr>
<tr>
<td>XXX Johns Rd E</td>
<td>0619213024</td>
<td>4.1</td>
<td>PI/PI</td>
<td>Built-out/ Undevelopable</td>
<td>Existing use unbuildable (cemetery); proposed zone</td>
</tr>
<tr>
<td>XXX State Route 165 E</td>
<td>0619213023</td>
<td>9.9</td>
<td>PI/PI</td>
<td>Built-out/ Undevelopable</td>
<td>Ownership (Town); proposed zone</td>
</tr>
<tr>
<td>XXX State Route 165 E</td>
<td>0619282015</td>
<td>1.7</td>
<td>PI/PI</td>
<td>Built-out/ Undevelopable</td>
<td>Existing use unbuildable (cemetery); proposed zone</td>
</tr>
<tr>
<td>220 Church St</td>
<td>0619282063</td>
<td>1.5</td>
<td>PI/PI</td>
<td>Built-out/ Undevelopable</td>
<td>Ownership (Town); proposed zone</td>
</tr>
</tbody>
</table>

### Table A-2: UGA Capacity Calculation – Staff Addition to Proposal

<table>
<thead>
<tr>
<th>Address</th>
<th>Parcel No.</th>
<th>Acres (approx.)</th>
<th>Proposed Designation/Zone</th>
<th>Buildable Lands Category</th>
<th>Reason Categorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>XXX Quinnon Ext Rd E</td>
<td>0619284058</td>
<td>1.8</td>
<td>PR/PR</td>
<td>Built-out/ Undevelopable</td>
<td>Existing use unbuildable (park)</td>
</tr>
<tr>
<td>XXX Church St</td>
<td>0619282072</td>
<td>0.4</td>
<td>PR/PR</td>
<td>Built-out/ Undevelopable</td>
<td>Existing use unbuildable (park)</td>
</tr>
</tbody>
</table>

**Findings:** Since none of the parcels are considered vacant or underutilized based on the existing use, parcel size, ownership, and proposed zoning, there is no additional capacity associated with this proposal.
STAFF REPORT

DATE: January 27, 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 – Area-Wide Map Amendment: Application No. 938320

The Planning Commission will review and consider an Area-Wide Map amendment to redesignate two parcels totaling 1.98 acres along the east side of SR-161 (Meridian Avenue), south of Eustis Hunt Road East and north of 224th Street East from Rural 10 to Rural Activity Center.

Applicant: Allied Enterprises, LLC

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 Map Amendments

GENERAL DESCRIPTION

The proposal would change the land use designation of two parcels totaling 1.98 acres from Rural 10 to Rural Activity Center. Both parcels are located in the Graham Community Plan area. Parcel number 0418094041 is currently vacant. Parcel number 6026050071 is non-conforming commercial business. These parcels are located in the Graham Community Plan area on the northern border of the Graham Rural Activity Center at SR-161 and 224th Street East.

Rural 10 (R10) is a rural residential land use designation and it is implemented with the R10 zone. The designation is intended to provide a range of low-density residential uses. It is meant to promote rural uses; urban level services are not required. The base density of the R10 in Graham is one dwelling per 10 acres and the maximum density is one dwelling per 5 acres.

The Rural Activity Center (RAC) designation provides for a range of commercial, services, and civic uses necessary to serve a rural population. The intensity of development is envisioned to be smaller in scale than commercial activity allowed in the urban portion of the Graham Community Plan area. It is a commercial designation, in contrast to the residential designation. Parcels located in a designated RAC are to be consistent with the LAMIRD (Local Areas of More Intense Rural Development) criteria as provided in the Growth Management Act (in RCW 36.70A.070(5)(d) and WAC 365-196-425(6).
### Proposed Amendments

Refer to Attachment A for proposed map amendments. The proposal would change the land use designation for parcel numbers 0418094041 and 6026050071 from R10 to RAC. The implementing zone would change from R10 to RAC.

### Staff Recommendation

Staff does not support the proposal. The justification of this recommendation is as follows:

- The proposal does not meet the LAMIRD criteria as neither of the properties had an existing commercial use on or before July 1, 1990.
- The proposal would not be consistent with the Growth Management Act (GMA) statutory criteria to “minimize and contain” more intensive development in the rural area. These properties were in a previous RAC proposal that was approved by the County Council and appealed to the Growth Management Hearings Board (GMHB). Through the GMHB decision, it was found that these properties did not meet the LAMIRD criteria and the County was directed to reestablish the R10 land use designation.
- Since the earlier GMHB decision, there has not been significant state law that has changed or modified the LAMIRD criteria.
- The proposal is not consistent with the Comprehensive Plan, Graham Community Plan, and Countywide Planning Policies.

### Implementation Requirements

If the proposal is adopted, the Pierce County Zoning Atlas would need to be amended. Table F-3 in the Graham Community Plan would also need to be updated to reflect the acreage and percent of the plan area zoned RAC and R10.

### 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 may result in additional development on parcel number 0418094041. Parcel number 6026050071 is built-out commercial. A redesignation of RAC from the current classification of R10 would expand the allowed commercial uses.

2. **The effect upon the County's capacity to provide adequate public facilities.**
   
The proposal would not affect the County’s ability to provide adequate public facilities.

3. **The effect upon the rate of population and employment growth.**
   
The proposal would not increase the permitted residential densities and would not likely result in major commercial development.
4. **Whether Plan objectives are being met as specified or remain valid and desirable.**

   The proposal would not meet the objectives of the Comprehensive Plan and the Graham Community Plan as the policy **GH LU-8.2.3** directs the Rural Activity Center to include those properties that represent a logical outer boundary associated with those commercial properties that were in existence on or before July 1990.

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

   The proposal would not increase the general land 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 would not conform to the requirements of the GMA LAMIRD requirements. The proposal would be considered continuous strip development as described in previous GMHB decisions. It would also not meet the requirement of having an existing commercial use on or before July 1, 1990.

**LAMIRD Analysis**

The GMA aims to reduce sprawl and protect the rural character of the area. Therefore, GMA allows the establishment of new rural centers in rural areas only if consistent with the LAMIRD criteria.

The proposal would redesignate two parcels from R10 to RAC, and therefore, must meet the LAMIRD criteria as follows:

1. **Business existed on or before July 1, 1990.**

   One of the properties is currently vacant and the other property has a commercial use that did not exist on or before July 1, 1990.

2. **Limited by logical outer boundary.**

   The proposal would not constitute a logical boundary per LAMIRD and the GMHB decisions.

3. **Allows for more intensive rural development or redevelopment.**

   The proposed redesignation of the vacant parcel from R10 to RAC would allow for more intensive rural development as the redesignation would change potential development from residential to commercial.

4. **Allows for isolated, small-scale businesses that provide job opportunities for rural residents.**

   Future uses and development of the properties with commercial uses could provide job opportunities for rural residents. It would be likely be limited in nature due to the proposal’s limited size at 1.98 acres.

5. **Allows for new or expanded small-scale business that conform to the existing and rural character of the area.**

   The proposal conforms to the existing character of the area. The proposal area itself is relatively small at 1.98 acres, and one of the two parcels is built-out commercial. The vacant parcel is surrounded by commercial uses. The RAC zone allows small-scale business uses, which conform to the existing and rural character of the area.
Additionally, the proposal does not support the Countywide Planning Policy Rur-9, which directs commercial uses toward neighboring cities in order to prevent the conversion of rural land.

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

   The proposal would not have an immediate effect on critical areas or natural resource lands. Any future development would be required to comply with the critical area regulations described in Pierce County Code Title 18E, which protect critical areas and natural resource lands.

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

   The proposal would not meet the locational criteria for LAMIRDs as described in the Comprehensive Plan as it is beyond the logical outer boundary of the existing RAC and the existing commercial use was established after July 1, 1990.

   Additionally, the proposal is not consistent with the requirement in the Comprehensive Plan for all County rural centers to be consistent with LAMIRD criteria.

   The proposal has complied with the Comprehensive Plan Amendment application requirements.

10. **The effect upon other considerations as deemed necessary by the Department.**

    The Graham RAC has been the subject of prior Growth Management Hearings Board (GHMB) findings of non-compliance (case numbers 15-3-0010c, 12-3-0002c, and 07-3-0004c). The proposal would not be consistent with previous attempts to expand the same RAC remanded by the GMHB, which found that the extension of the LAMIRD failed to minimize and contain more intense development within a logical outer boundary in violation of RCW 36.70A.070 (5)(d). Findings included:

    - Expansion of the RAC was non-compliant with the LAMIRD criteria. In the 2007 Compliance Ordinance, the County reduced the size of the Graham RAC from 303 acres to 136 acres. In the 07-3-0004c decision, the GMHB ordered areas removed from the RAC to be reestablished to the R10 land use designation.
    - Existing areas that existed on July 1, 1990 are clearly identifiable and contained with a logical boundary delineated predominantly by the built environment.
    - Expansion of the RAC was considered commercial strip development, going against the intent of the LAMIRD classification and the GMA planning goal to reduce low-density sprawl. RCW 36.70A.020(2).
    - Change in designation did not constitute a logical boundary. Creating a logical boundary is not reason enough to include all non-conforming commercial parcels in rural commercial zones. While the GMHB recognizes it is common to see commercial developments along state highways, changing the designation to match zones with use is not adequate reason if doing so will result in strip development.
    - Extension of the RAC did not protect the rural character and instead increased pressure for more intense development.
    - In its 2007 decision, the GMHB entered a determination of invalidity with respect to the County’s LAMIRD expansion. This determination put the County at risk of possible GMA sanctions for noncompliance. [RCW 36.70A.330](#).
The proposal includes two parcels that were briefly included in a 2006 expansion for commercial use with the RAC designation; however, the designation was reversed on appeal where the GMHB interpreted the expansion of the Graham RAC as strip development failing to minimize impacts to the rural area contrary to the GMA. For the non-conforming parcel that is included in the proposal (6026050071) that is in existence today, the County’s ordinance that allowed it was overturned by the GMHB between the time it was vested and the time it was built.

In its 2016 decision, the GMHB recognized the size and boundaries of the Graham LAMIRD have been previously adjudicated. The long appeal history with the Graham RAC likely means further attempts to redesignate parcels in the area will be subject to future legal action. While previous legal action does not preclude future changes to the designation, given the litigation history for this LAMIRD it is more likely that appeals would ensue. As such, it is probable the GMHB would continue to be unsupportive of expansion of the Graham RAC due to the proposal’s failure to satisfy LAMIRD criteria and minimize impact on the rural area.

At its December 8, 2020 meeting, the proposed Area-Wide Map amendment application was presented to the Graham Advisory Commission (GAC), and the GAC approved the staff recommendation to deny the land use redesignation proposal.

**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.070(5)(d):** Rural element may allow for more intensive rural development or redevelopment including necessary public facilities and public services to serve the limited area as follows:

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may
include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).
RCW 36.70A.020(2). The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

### Multicounty Planning Policies

**Regional Growth Strategy Policies (page 49)**

- **MPP-RGS-12** Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.
- **MPP-RGS-13** Plan for commercial, retail, and community services that serve rural residents to locate in neighboring cities and existing activity areas to avoid the conversion of rural land into commercial uses.
- **MPP-RGS-14** Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.
- **MPP-DP-37** Ensure that development occurring in rural areas is rural in character and is focused into communities and activity areas.

### Countywide Planning Policies

**Rural Areas / Development Patterns (page 61)**

- **Rur-1.** The County will sustain the ecological functions, resource value, lifestyle, and character of rural lands for future generations by limiting the types and intensities of development in rural areas.
- **Rur-9.** Direct commercial, retail, and community services that serve rural residents into neighboring cities and existing activity areas to prevent the conversion of rural land into commercial uses.

### Pierce County Comprehensive Plan

**Land Use Element (page 2-50)**

**GOAL LU-65** The most intensive uses of rural land allowed in rural areas should be directed into rural centers.

- **LU-65.1** Rural centers serve the following purposes:
  - **LU-65.1.1** To provide centers where rural residents and others can gather, work, shop, entertain and, where appropriate, reside;
  - **LU-65.1.2** To provide a focus for the surrounding rural area that is appropriate in character and scale in rural environment;
  - **LU-65.1.3** To provide an alternative to strip developments along arterials and state routes;
  - **LU-65.1.4** To provide services to tourists and other visitors recreating in the major recreation facilities; and/or
LU-65.1.5 To provide an opportunity to develop facilities that can function as a community center in those areas where an incorporated town does not serve that role for the surrounding area.

LU-65.2 Establish standards and design guidelines to protect environmental quality, rural character, and significant natural and scenic amenities and features the communities value.

LU-65.5 Recognize isolated areas of commercial/business park development which had existing uses or areas of higher intensity use on July 1, 1990, and were not identified as an RNC in a community plan as of January 2012. The size of the area and determination of the logical outer boundary as defined by the LAMIRD criteria, should be established by amendment to a community plan and an area-wide map amendment.

GOAL LU-66 Commercial uses should be limited to areas that support rural neighborhoods and rural tourist areas.

LU-66.1 Non-residential uses of rural intensity include industrial and commercial uses which:

LU-66.1.1 Depend upon being in a rural area;
LU-66.1.2 Do not require urban level services;
LU-66.1.3 Are compatible with the functional and visual character of the rural area;
LU-66.1.4 Are smaller in size/scale and utilize a smaller percentage of impervious cover than the same land use allowed in an urban area;
LU-66.1.5 Support the everyday needs of rural residents and tourists;
LU-66.1.6 Are related to and dependent upon natural resources; and
LU-66.1.7 Include public and commercial recreational and associated uses.

GOAL LU-67 The establishment of any new rural center or the expansion of a rural center must be consistent with the LAMIRD criteria of RCW 36.70A.070 (5)(d).

Graham Community Plan / Land Use Policies / Commercial (page F-60 to F-61)

GR LU-8.2 Designate and configure commercial areas based on consideration of the percentage of vacant and redevelopable land, existing developed uses, constrained land, distance to other urban or commercial areas, compatibility with surrounding uses, and projected population growth. In addition, apply GMA criteria for limited areas of more intensive rural development (LAMIRD) in evaluating rural centers and adjust rural center boundaries as follows:

GR LU-8.2.3 Modify the Graham Rural Activity Center (RAC) located at 224th St. E. and SR 161 to remove Frontier Park, properties owned by the school district, and the residential subdivision located in the northeast portion of the RAC. These parcels shall be redesignated to Rural 10. Additionally, modify this RAC to remove properties that are outside the logical outer boundaries of the rural commercial area based on those commercial uses that were established on or before July 1, 1990.
2021 PROPOSED AREA-WIDE MAP AMENDMENT

Allied Enterprises LLC (Application #938320)
Attachment to Staff Report to Planning Commission

- Redesignate/Rezone from R10/R10 to RAC/RAC
2021 PROPOSED AREA-WIDE MAP AMENDMENT

Allied Enterprises LLC (Application #938320)
Attachment to Staff Report to Planning Commission

Redesignate/Rezone from R10/R10 to RAC/RAC

Department of Planning and Public Works
Plot Date: August 11, 2020 Scale = 1:2,500

Map Document: H:\mxd\prop_area_wide_amend\2020\map_amendment\amendment_m_938320_ortho.mxd
STAFF REPORT

DATE: January 27, 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 – Area-Wide Map Amendment: Application No. 940347

The Planning Commission will review and consider an Area-Wide Map amendment to redesignate three parcels totaling 1.16 acres at the southeast corner of SR-162 and 128th Street East from Rural 10 to Rural Neighborhood Center.

Applicant: SimonCRE, LLC

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 Map Amendments

GENERAL DESCRIPTION

The proposal would change the land use designation and zoning classification of three parcels totaling 1.16 acres from Rural 10 to Rural Neighborhood Center. These parcels are located in the Alderton-McMillin Community Plan area at the southeast intersection of SR-126 and 128th Street East. Parcel number 0419131062 is the site of a veterinary clinic as permitted in 1994 under Permit #158755 (issued 5/31/1994). Under the current zoning, this use is a legal non-conforming use. Parcel number 0419131063 is vacant undeveloped land. Parcel number 0419131006 is the site of a single-family dwelling unit.

The Rural 10 (R10) designation is a predominantly residential zone and it is implemented with the R10 zone. It allows for resource-based industries including agriculture, forestry, or mining, should these uses not require urban level services. Residential densities allow a basic density of one dwelling unit per 10 acres. Bonus densities are not allowed due to the volcanic hazard potential of the valley.

The Rural Neighborhood Center (RNC) designation is intended for small-scale and light intensity commercial uses. RNCs are meant to provide limited convenience shopping and services which meet the daily need of residents. All new development within this designation should retain a size and scale appropriate to maintain rural character. Parcels located in a designated RNC are to be consistent with the LAMIRD (Local Areas of More Intense Rural Development) criteria as provided in the Growth Management Act (in RCW 36.70A.070(5)(d) and WAC 365-196-425(6)).
PROPOSED AMENDMENTS

Refer to Attachment A for proposed map amendments. The proposal would change land use designation of parcels 0419131062, 0419131063, and 0419131006 from R10 to RNC. The implementing zone would change from R10 to RNC.

STAFF RECOMMENDATION

Staff does not support the proposal. The justification of this recommendation is as follows:

- The proposal does not meet the LAMIRD criteria as none of the properties had an existing commercial use on or before July 1, 1990.
- The proposal is not consistent with the VISION 2050 Regional Growth Strategy, Comprehensive Plan, and Countywide Planning Policies.

IMPLEMENTATION REQUIREMENTS

If the proposal is adopted, the Pierce County Zoning Atlas would need to be amended. Table A-1 in the Alderton-McMillian Community Plan would also need to be updated to reflect the acreage of the plan area designated as RNC and R10.

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 change the land use designation from rural residential to rural commercial, which may result in development of parcels at a higher intensity than what is currently under the Rural 10 designation due to the greater allowance of commercial uses in the RNC rural commercial designation.

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

   The proposal would not affect the County's ability to provide adequate public facilities. The proposal would not affect public sewer facilities as there are no sewer lines in the area. The properties are served by a public water system and future development would need to confirm adequate water capacity. Any future development would need to ensure all other public facilities are available to satisfy potential demand.

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

   This proposal would not increase permitted residential densities. It would broaden the allowed uses on the affected properties potentially allowing for future commercial development.

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

   The proposal would not meet the objectives of the Comprehensive Plan as the policy GOAL LU-67 directs establishment of any new rural center or the expansion of a rural center be consistent with the LAMIRD criteria.
5. **The effect upon general land values or housing costs.**
   The proposal may increase land values of the affected parcels by allowing more commercial uses. Housing values would not likely be affected due to the limited area of the request.

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 would not conform to the requirements of the GMA LAMIRD requirements. It does not meet the requirement of having an existing commercial use on or before July 1, 1990.

**LAMIRD Analysis**

The GMA aims to reduce sprawl and protect the rural character of the area. Therefore, GMA allows the establishment of new rural centers in rural areas only if consistent with the LAMIRD criteria. The proposal would redesignate two parcels from R10 to RNC, and therefore, must meet the LAMIRD criteria as follows:

1. **Existed on or before July 1, 1990.**
   One of the three parcels is vacant undeveloped land, another is the site of a single-family dwelling unit, and the last property is a single-family dwelling unit housing a veterinary clinic. While the veterinary clinic is legal non-conforming use, it did not exist on or before July 1, 1990.

2. **Limited by logical outer boundary.**
   The proposal would not constitute a logical boundary per LAMIRD and the GMHB decisions.

3. **Allows for more intensive rural development or redevelopment.**
   The proposed redesignation of the three parcels to RNC would allow for more intensive rural development as the redesignation would change from residential to commercial.

4. **Allows for isolated, small-scale businesses that provide job opportunities for rural residents.**
   The proposed redesignation change would allow for local employment opportunities, but it would likely be small in scale due to the limited size of the proposal area.

5. **Allows new or expanded small-scale business that conform to existing and rural character of the area.**
   It would allow for the one commercial business to better conform to the land use and zoning designation. R10 is a residential zone. The intent of the RNC zone is to serve the everyday needs local rural residents.

   The proposal does not support the Countywide Planning Policy Rur-9, which directs commercial uses toward neighboring cities.

8. **The effect upon critical areas and natural resource lands.**
   The proposal would not have an immediate impact on critical areas or natural resource lands. Any future development would be required to comply with the critical area regulations described in Pierce County Code Title 18E, which protect critical areas and natural resource lands.
9. Consistency with locational criteria in the Comprehensive Plan and application requirements established by this Chapter.

The proposal would not meet the locational criteria for LAMIRDs as described in the Comprehensive Plan as it is beyond the logical outer boundary of the existing RAC and the existing commercial use was established after July 1, 1990.

Additionally, the proposal is not consistent with the requirement in the Comprehensive Plan for all County rural centers to be consistent with LAMIRD criteria.

The proposal has complied with the Comprehensive Plan Amendment application requirements.

10. The effect upon other considerations as deemed necessary by the Department.

The Growth Management Hearings Board (GMHB) has taken a stringent approach to interpretation of the LAMIRD statute. In cases related to other LAMIRDs in Pierce County and across the state, the GMHB has found creation of a logical boundary to bring non-conforming parcels, like the veterinary clinic, not an adequate reason to expand commercial areas along state highways in rural areas.

**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.070(5)(d):** Rural element may allow for more intensive rural development or redevelopment including necessary public facilities and public services to serve the limited area as follows:

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);
(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030(16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030(16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county’s population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

RCW 36.70A.020(2). The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall
be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

**MULTICOUNTY PLANNING POLICIES**

**Regional Growth Strategy Policies (page 49)**

**MPP-RGS-12** Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

**MPP-RGS-13** Plan for commercial, retail, and community services that serve rural residents to locate in neighboring cities and existing activity areas to avoid the conversion of rural land into commercial uses.

**MPP-RGS-14** Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.

**MPP-DP-37** Ensure that development occurring in rural areas is rural in character and is focused into communities and activity areas.

**COUNTYWIDE PLANNING POLICIES**

**Rural Areas / Development Patterns (page 61)**

**Rur-1.** The County will sustain the ecological functions, resource value, lifestyle, and character of rural lands for future generations by limiting the types and intensities of development in rural areas.

**Rur-9.** Direct commercial, retail, and community services that serve rural residents into neighboring cities and existing activity areas to prevent the conversion of rural land into commercial uses.

**PIERCE COUNTY COMPREHENSIVE PLAN**

**Land Use Element (page 2-50)**

**GOAL LU-65** The most intensive uses of rural land allowed in rural areas should be directed into rural centers.

**LU-65.1** Rural centers serve the following purposes:

**LU-65.1.1** To provide centers where rural residents and others can gather, work, shop, entertain and, where appropriate, reside;

**LU-65.1.2** To provide a focus for the surrounding rural area that is appropriate in character and scale in rural environment;

**LU-65.1.3** To provide an alternative to strip developments along arterials and state routes;

**LU-65.1.4** To provide services to tourists and other visitors recreating in the major recreation facilities; and/or
LU-65.1.5 To provide an opportunity to develop facilities that can function as a community center in those areas where an incorporated town does not serve that role for the surrounding area.

LU-65.2 Establish standards and design guidelines to protect environmental quality, rural character, and significant natural and scenic amenities and features the communities value.

LU-65.5 Recognize isolated areas of commercial/business park development which had existing uses or areas of higher intensity use on July 1, 1990, and were not identified as an RNC in a community plan as of January 2012. The size of the area and determination of the logical outer boundary as defined by the LAMIRD criteria, should be established by amendment to a community plan and an area-wide map amendment.

GOAL LU-66 Commercial uses should be limited to areas that support rural neighborhoods and rural tourist areas.

LU-66.1 Non-residential uses of rural intensity include industrial and commercial uses which:

LU-66.1.1 Depend upon being in a rural area;
LU-66.1.2 Do not require urban level services;
LU-66.1.3 Are compatible with the functional and visual character of the rural area;
LU-66.1.4 Are smaller in size/scale and utilize a smaller percentage of impervious cover than the same land use allowed in an urban area;
LU-66.1.5 Support the everyday needs of rural residents and tourists;
LU-66.1.6 Are related to and dependent upon natural resources; and
LU-66.1.7 Include public and commercial recreational and associated uses.

GOAL LU-67 The establishment of any new rural center or the expansion of a rural center must be consistent with the LAMIRD criteria of RCW 36.70A.070 (5)(d).
2021 PROPOSED AREA-WIDE MAP AMENDMENT

SimonCRE (Application #940347)
Attachment to Staff Report to Planning Commission

Redesignate/Rezone from R10/R10 to RNC/RNC

Department of Planning and Public Works
Plot Date: August 24, 2020       Scale = 1:1,500
Map Document: H:\mx\prop_area_wide_amend\2020\2020_amendments\2020_amendments.aprx
2021 PROPOSED AREA-WIDE MAP AMENDMENT
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