

## STAFF REPORT

**DATE:** February 3, 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. 940316**

The Planning Commission will review and consider a text amendment to the Comprehensive Plan to adopt policies that support the refinement of fire protection standards.

Applicant: Central Pierce Fire and Rescue

**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 – Central Pierce Fire and Rescue Letter (dated 1/8/2021)  
Attachment B – Proposed Amendments

## GENERAL DESCRIPTION

Central Pierce Fire and Rescue has requested to include policies in the Pierce County Comprehensive Plan that support fire protection code refinement.

Note: The applicant has revised the proposal from the original application submittal to that is shown under the Proposed Amendments section of this staff report (**Attachment A**).

## PROPOSED AMENDMENTS

Refer to **Attachment B** for proposed text amendments.

## STAFF RECOMMENDATION

Staff supports the proposal with modification. Staff recommends modifying the proposed location of the proposed policies to be inserted only once in the Comprehensive Plan in order to avoid duplication:

### **Original Proposed Locations of the exact same policy language as shown below:**

- Land Use Element / Compact Urban Communities (page 2-24); and
- Land Use Element / Urban Residential (page 2-27); and
- Land Use Element / Urban Commercial (page 2-32);
- Land Use Element / Urban Industrial (page 2-37); and
- Land Use Element / Other Urban Land Designations (page 2-41)

### **Modified Proposed Location:**

- Land Use Element / Urban, Rural, and Resource / General section (page 2-75) as a new subsection header with the following policy numbers:

#### Fire and Emergency Medical Services

**GOAL LU-100** In collaboration with the fire districts, develop fire protection standards for all commercial, industrial, and residential development in urban areas, including, but not limited to, use of fire retardant building materials, emergency vehicle access, building setbacks, sprinklering, and landscaping.

**LU-100.1** Fire protection standards are to be in conformance with International Building, Residential and Fire Code standards, but may also include alternatives recommended by the County Fire Marshal and/or fire districts or be based on accepted standards from the National Fire Protection Association (“NFPA”).

## IMPLEMENTATION REQUIREMENTS

If the proposal is adopted, updates to Pierce County Code Title 17C *Construction and Infrastructure Regulations – Building and Fire Codes* would need to be updated separately to meet the intent of the policies. The District has provided draft regulations in the letter shown in **Attachment A** to this staff report.

## 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 not affect the County's capacity to provide adequate public facilities.
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 meets Plan objectives. The proposed policies support existing policies to encourage coordination with the fire districts and implement standards that would improve public safety.
5. The effect upon general land values or housing costs.  
The proposal would not have an impact on land value. The proposal may have an impact on housing costs dependent upon the fire protection standards that may be adopted in the future. More detailed analysis of the cost will be analyzed dependent upon future proposed standards.
6. Whether capital improvements or expenditures, including transportation, are being made or completed as expected.  
The proposal would not impact capital improvements or expenditures.
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 County Comprehensive Plan, Countywide Planning Policies, and Multicounty Planning Policies. The proposal supports coordination with fire districts and improving public safety.
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.  
Not applicable.
10. The effect upon other considerations as deemed necessary by the Department.  
The proposal would support subsequent adoption of fire protection standards consistent with the proposed policies. The Fire District has also proposed desired regulations in the letter dated January 8, 2021 in **Attachment A** to this staff report.

***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.

- (1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and stormwater runoff in the area and nearby jurisdictions and provide guidance for corrective

actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

## MULTICOUNTY PLANNING POLICIES

### Public Services Policies (page 144)

**MPP-PS-7** Obtain urban services from cities or appropriate regional service providers. Encourage cities, counties, and special purpose districts, including sewer, water, and fire districts, to coordinate planning efforts, agree on optimal ways to provide efficient service, and support consolidations that would improve service to the public.

## COUNTYWIDE PLANNING POLICIES

### Urban Growth Areas / Urban Public Services (page 91)

**UGA-7** Urban Development Standards.

**7.2** The following development standards shall be the minimum required for urban development and shall apply to all new development in urban growth areas, except as provided in Section 7.6 below.

**7.2.7** Fire Protection. Fire protection and flow requirements shall be in accordance with Pierce County Code Chapter 15.12.

## PIERCE COUNTY COMPREHENSIVE PLAN

### Capital Facilities Element (page 3-6)

**GOAL CF-14** Support fire districts' efforts to:

**CF-14.1** Respond to the increasing demand for services;

**CF-14.2** Establish a team to provide rescue operations in cooperation with other agencies; and

**CF-14.3** Promote the use of volunteers for emergency services and public health and safety training.

**GOAL CF-15** Provide support services to the fire districts.



## Central Pierce Fire & Rescue

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(253) 538-6400 (253) 276-6770 Fax  
[www.centralpiercefirerescue.org](http://www.centralpiercefirerescue.org)

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January 8, 2021

Dan Cardwell  
Sr. Planner, Pierce County Planning & Public Works  
2401 S. 35<sup>th</sup> St  
Tacoma, WA 98409

Mr. Cardwell,

Central Pierce Fire & Rescue (CPF&R) is requesting a modification to the Comprehensive Plan Request submitted in July of 2020. This change to CPF&R's amendment requests involves two items. The first is a withdraw of the request to adopt CPF&R's Capital Facility Plan and Impact Fee request. The second involves specific fire code adjustments that have been developed over the past two years with discussion, analysis, and consideration of the effects of smaller lot line distances. See two attachments. This amendment request has the support of MBAPierce, Pierce County Realtors, Pierce County Fire Marshal, and the Pierce County Fire Chiefs Association.

The purpose of these regulations is to confine residential fires to the building of origin. With the types of products burning within residential occupancies, it has been found that room flashover (where all contents within a room ignite) is occurring within 4 to 5 minutes and the heat production is substantially higher because of the synthetic materials in use today. With residential occupancies being built closer together, the ability to intervene and stop the forward progress of the fire is challenged.

As a result, Central Pierce Fire & Rescue is requesting these fire safety regulations be incorporated into the update and implemented across Pierce County. If during the regular fire code adoption cycle scheduled for early 2021, these fire safety regulations are adopted and codified within the appropriate Pierce County Code, CPF&R will withdraw this request.

A safe community is a prosperous and peaceful community,

A handwritten signature in blue ink, appearing to read "Daniel Olson".

Daniel Olson, Fire Chief  
Central Pierce Fire & Rescue

## **One- and Two- Family Dwellings**

**Design Objective – Residential Fire Protection Standards:** Design residential developments to allow fire rescue equipment and personnel adequate access to conduct operations, confine fire spread to the occupancy of origin, and minimize the loss of life and homes.

1. All residential occupancies meeting the above criteria shall be built to the requirements of the International Residential Code, as adopted by Pierce County.
2. When side yard setbacks are greater than 10 feet, PCC 17C.60.160 shall be followed for fire flow.
3. When setbacks are 5 feet from a foundation to a property line, and the cumulative distance between two home foundations is not greater than 10 feet, the following limitations apply to second and third story egress/rescue windows and intervening fences:
  - A. Fences will not be allowed between homes where they would front of an egress/rescue window facing the side yard. This does not apply if the same room has an egress/rescue window to the front or rear of the home. For example, a corner room with 2 egress/rescue windows; one facing the side yard and one facing the rear or front yard.
  - B. Fences will be allowed if they start 3 feet past the proposed bedroom egress/rescue window. See exhibit.
  - C. These fencing limitations do not apply to a side yard that is adjacent to a tract or other property that is not proposed to have a structure (i.e. park, storm, open space tracts).
  - D. All developments proposing homes with sole side yard egress/access windows for rooms will have their CC&R reflect these limitations on fencing.
  - E. Deviations from these standards may be allowed where necessary mitigation (i.e. fire sprinklers) is proposed by the applicant and accepted by the Pierce County Fire Marshal.
4. When a setback distance is less than 5 feet as measured from the concrete foundation wall to the property line, in addition to the above conditions all of the following conditions shall also apply.
  - A. Side yard walls shall have a minimum one-hour fire resistive rating meeting all the requirements of IRC Table R302.1(1) and Table R302.1(2).
  - B. Sprinkler systems that, at a minimum, meet NFPA 13D or 13R specifications.
  - C. Roof shall be fire resistive materials of Class A, B, or better rating. Wood or shake shingles are not allowed.
  - D. The only allowable projections or penetrations into the setback requirement are:
    - i. Eaves; not more than 12 inches.
    - ii. Gas Fireplaces; not to exceed 2 feet, this shall include direct vents and gas piping when it is black iron or copper.
    - iii. Propane tanks are not allowed in the setback.
5. Deviations from county road standards that deal with width, grade, turnaround or other access requirements that impact fire department access/ingress and operations shall require fire sprinkler system in all homes directly impacted by the deviation. When a deviation to county road standards is proposed the applicant shall provide justification as to which of the lots is directly impacted by the request. The Pierce County Fire Marshal will review the deviation and provide an approval, a conditional approval or deny the request based upon the factual details of the request. .
6. These rules supersede all variances or administrative or discretionary approvals like PUD, PDD and CUP, issued after the effective date of this title. All variances or deviations must be approved by the Pierce County Fire Marshal.

## **R occupancies - three or more dwelling units and townhomes**

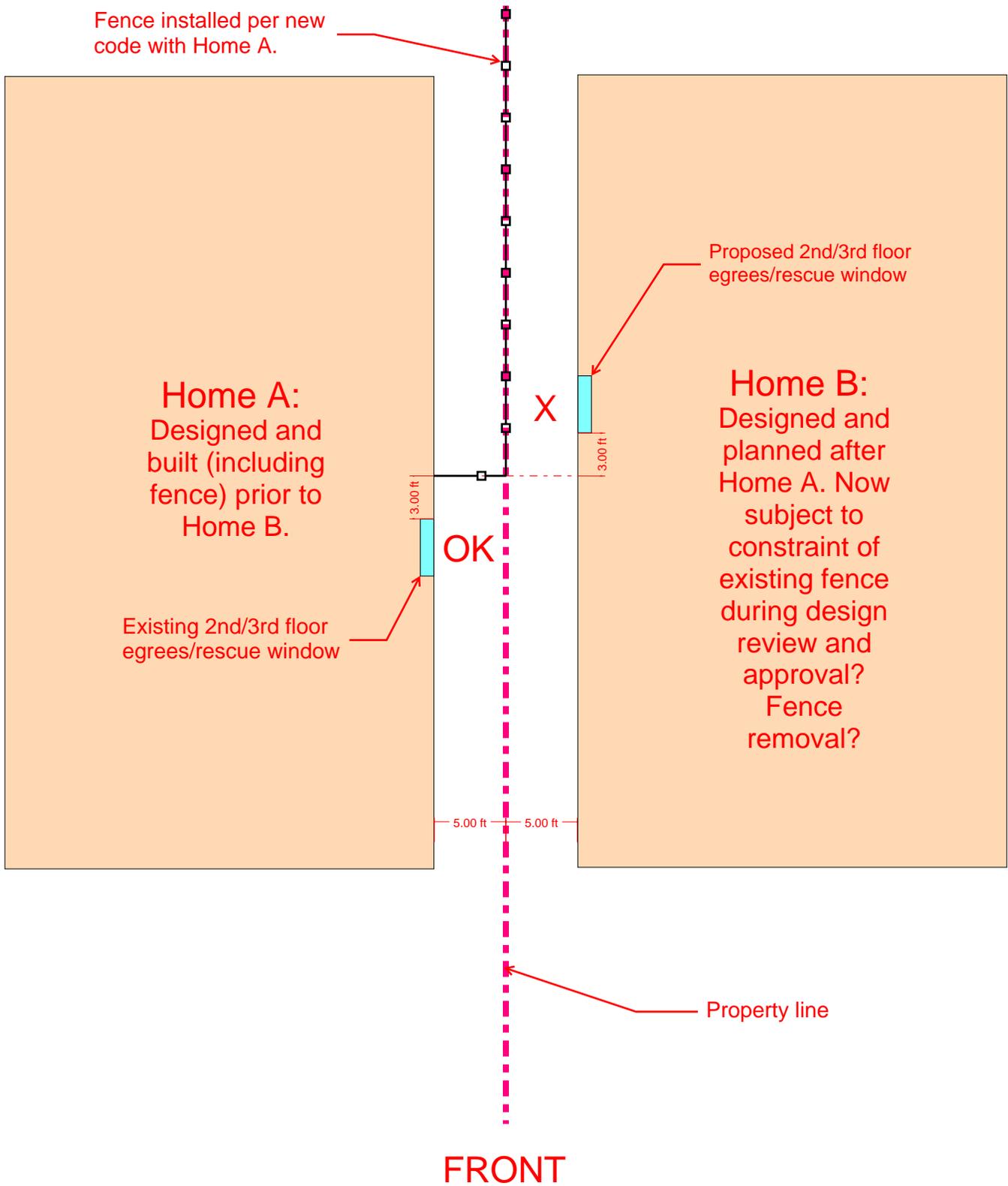
**Design Objective – Residential Fire Protection Standards** Design residential occupancies in commercial buildings to allow fire and rescue equipment and personnel adequate access to conduct operations and confine fire spread to the occupancy of origin to minimize the loss of life and protect buildings up to 75 feet.

1. All residential occupancies meeting the above criteria shall be built to the requirements of the International Building Code.

2. Attic shall be provided with not less than one-hour draft stops that follow the party wall line unless fire sprinklered per NFPA. When IBC identifies a higher rating for draft stops IBC shall be followed.
3. Landscaping that can be controlled by the builder/developer shall be designed so that it does not allow for fire spread. All vegetation shall be limited to 4' height within 10' of the building. All developments having these conditions will have their CC&R reflect this same requirement and maintenance.
4. All deviations from county road standards or access requirements that impact fire department access/ingress and operations shall require fire sprinkler system in all buildings directly impacted by the deviation and approval of the Pierce County Fire Marshal.
5. These rules supersede all variances or administrative or discretionary approvals like PUD, PDD and CUP, issued after the effective date of this title. All variances or deviations must be approved by the Pierce County Fire Marshal.

All sections identified above, that are fire code related items, shall sunset if/after they have been adopted into Pierce County Code 17C.60 with the approval of the Fire Marshal.

REAR



\*What happens if Home B proposes to build the home 6' from boundary (effective 11' separation between foundations? No longer an issue with the intervening fence?

## PROPOSED AMENDMENTS

**Land Use Element / Compact Urban Communities (page 2-24); and  
Land Use Element / Urban Residential (page 2-27); and  
Land Use Element / Urban Commercial (page 2-32); and  
Land Use Element / Urban Industrial (page 2-37); and  
Land Use Element / Other Urban Land Designations (page 2-41).**

*Note: The existing Comprehensive Plan does not have a general category applicable to all urban land use designations in the Comprehensive Plan. Accordingly, the District proposes the addition of the below new subsection to each of the urban land use designations listed above.*

### **Fire and Emergency Medical Services**

**GOAL LU-[#]** In collaboration with the fire districts, develop fire protection standards for all commercial, industrial and residential development in urban areas, including, but not limited to, use of fire-retardant building materials, emergency vehicle access, building setbacks, sprinklering, and landscaping.

**LU-[#].1** Fire protection standards are to be in conformance with International Building, Residential and Fire Code standards, but may also include alternatives recommended by the County Fire Marshal and/or fire districts or be based on accepted standards from the National Fire Protection Association (“NFPA”).

### **Capital Facilities Element / Emergency Response / Fire (page 3-6)**

**Goal CF-17** In coordination with the fire districts, facilitate the adoption of fire protection standards for all commercial, industrial, and residential development in Community Plan updates and the County Code.

**CF-17.1** Fire protection standards are to be in conformance with International Fire Code standards, but may also include alternatives recommended by the County Fire Marshal or fire districts or be based on accepted standards from the National Fire Protection Association (“NFPA”) or other similar organization.

### **Housing Element (page 9-12)**

**GOAL H-2** Encourage the development of new housing within the Urban Growth Areas where facilities and services exist or are planned.

**H-2.1** Increase density in communities with existing infrastructure.

**H-2.2** Allow for accessory dwelling units, cottage housing, and Katrina cottages to reduce housing costs for residents.

**H-2.3** Redevelop properties where infrastructure exists.

**H-2.3.1** Ensure that housing structures do not exceed infrastructure capabilities.

**H-2.3.2** Identify County surplus property that could be used for developments that provide for affordable housing.

**H-2.3.3** Develop a process for disposing of County surplus properties for affordable housing purposes.

**H-2.4** Encourage replacement of older homes, which are generally more prone to fire damage due to older electrical and heating systems and lack of fire protections, with new homes that incorporate the Residential Fire Protection Standards.

**Housing Element / Existing Housing Stock (page 9-14)**

**GOAL H-12** Reuse the existing housing stock to help meet the housing demand.

**H-12.1** Explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of existing buildings is not cost-effective.

**H-12.2** Review regulatory restrictions prohibiting rehabilitation of existing housing stock.

**H-12.3** Develop and implement rehabilitation programs and opportunities to reuse existing housing stock.

**H-12.4** Encourage rehabilitation of older homes, which lack fire protections and are generally more prone to fire damage due to fire, by replacing older electrical and heating systems and making other improvements that incorporate the Residential Fire Protection Standards.