ORDINANCE NO. 2013-59

An Ordinance of the Pierce County Council Adopting the 2013 Amendments to the Pierce County Comprehensive Plan; Amending Pierce County Code Title 19A, "Comprehensive Plan"; Chapter 19B.10, "Gig Harbor Peninsula Community Plan"; and Title 19C, "Comprehensive Plan Procedures"; Adopting Findings of Fact; and Setting Forth an Effective Date.

Whereas, the Growth Management Act (GMA) required Pierce County to develop, adopt, and implement a Comprehensive Plan pursuant to Revised Code of Washington (RCW) 36.70A.040; and

Whereas, pursuant to Chapter 36.70A RCW, on November 29, 1994, the Pierce County Council adopted Ordinance No. 94-82s, which enacted the 1994 Pierce County Comprehensive Plan; and

Whereas, RCW 36.70A.130 requires that the County's Comprehensive Plan be subject to continuing review and evaluation, and any amendment or revision to the Comprehensive Plan must conform to requirements of the GMA; and

Whereas, RCW 36.70.130 requires the adoption of procedures for amending comprehensive plans and states in part: "Each county ... shall establish and broadly disseminate to the public a public participation program ... that identifies ... procedures ... whereby ... proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county ... no more frequently than once every year" except in certain, limited circumstances. In addition, RCW 36.70A.130 states, "... all proposals shall be considered ... concurrently so the cumulative effect of the various proposals can be ascertained"; and

Whereas, on April 18, 1995, the Pierce County Council adopted Ordinance No. 95-27s which established the procedures for amending the Pierce County Comprehensive Plan (Chapter 19C.10 Pierce County Code), which was later amended by Ordinance No. 96-123s on December 26, 1996; by Ordinance No. 98-16s on May 19, 1998; by Ordinance No. 2004-12s on April 20, 2004; by Ordinance No. 2005-70s on November 1, 2005; by Ordinance No. 2005-120s on February 14, 2006; by Ordinance No. 2005-121s4 on June 13, 2006; by Ordinance No. 2007-91s on November 27, 2007;
Whereas, on February 26, 2013, after public hearings, the Pierce County Council passed Resolution No. R2013-8s which identified proposed amendments to the Pierce County Comprehensive Plan being initiated by the Council, the Executive, and Cities and Towns; and

Whereas, Resolution No. R2013-8s requested the Department of Planning and Land Services (PALS) and the Planning Commission evaluate and consider proposed text amendments, area-wide map amendments, urban growth area amendments, and community plan amendments; and

Whereas, the applicable Comprehensive Plan Amendments were reviewed in public meetings by the appropriate Land Use Advisory Committees (LUACs) in June and July 2013, and recommendations and comments were forwarded to the Pierce County Planning Commission; and

Whereas, the Pierce County Planning Commission held meetings and public hearings on the proposed amendments on July 10, 17, 24, and 31, 2013; and

Whereas, on July 19, 2013, the Environmental Official for Pierce County issued a Draft Supplemental Environmental Impact Statement evaluating the various proposed amendments to the Comprehensive Plan; and

Whereas, the Pierce County Planning Commission made its recommendations on proposed amendments to the Comprehensive Plan at a public meeting on July 31, 2013; and

Whereas, on August 13, 2013, the Pierce County Planning Commission transmitted the above-mentioned recommendations to the County Executive for transmittal to the Pierce County Council; and

Whereas, on __________, 2013, the Environmental Official for Pierce County issued a Final Supplemental Environmental Impact Statement for all the various proposed amendments to the Comprehensive Plan; and

Whereas, on _____, 2013, the Community Development Committee held public hearings on the Planning Commission's final recommendations, and on ____________, 2013, passed the Committee's recommendations on the text amendments, area-wide map amendments, urban growth area amendments, and community plan amendments to the full Council for further consideration; and
Whereas, on ____________, 2013, the Pierce County Council held a public hearing on the proposed amendments to Pierce County’s Comprehensive Plan and considered the amendments concurrently so their cumulative effect and consistency could be ascertained; and

Whereas, the Pierce County Council has determined that amending the Pierce County Comprehensive Plan is necessary to protect the public health, safety and welfare, and protect the public interest; and

Whereas, the Pierce County Council has determined the amendments and revisions set forth herein conform to the requirements of the Growth Management Act and are consistent with Pierce County’s Countywide Planning Policies; Now Therefore,

BE IT ORDAINED by the Council of Pierce County:

Section 1. The 1994 Pierce County Comprehensive Plan, as adopted by Ordinance No. 94-82s, is hereby amended as indicated in Sections 2 through 6.

Section 2. Title 19A of the Pierce County Code, "Comprehensive Plan," is hereby amended as shown in Exhibit A, which is attached hereto and incorporated herein by reference.

Section 3. Chapter 19B.10 of the Pierce County Code, "Gig Harbor Peninsula Community Plan," is hereby amended as shown in Exhibit B, which is attached hereto and incorporated herein by reference.

Section 4. Title 19C of the Pierce County Code, "Comprehensive Plan Procedures," is hereby amended as shown in Exhibit C, which is attached hereto and incorporated herein by reference.

Section 5. Findings of Fact documenting the actions taken by the County Council are hereby adopted as set forth in Exhibit D, which is attached hereto and incorporated herein by reference.

Section 6. All 2013 area-wide map amendments and urban growth area amendments that affect the land use designations maps in the various community plans and Pierce County Comprehensive Plan are hereby adopted as amendments to the Comprehensive Plan Land Use Designations Map, PCC 19A30.230, and the Urban Growth Areas Map, PCC 19A.30.010.

Section 7. This Ordinance shall become effective on ______________, 2014.
Section 8. If any provisions of this Ordinance or the Comprehensive Plan are found to be illegal, invalid, or unenforceable, the remaining provisions of this Ordinance or the Comprehensive Plan shall remain in full force and effect.

PASSED this ____ day of ______________, 2013.

ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

______________________________
Denise D. Johnson
Clerk of the Council

______________________________
Joyce McDonald
Council Chair

______________________________
Pat McCarthy
Pierce County Executive
Approved _____ Vetoed ________, this _____ day of ____________________, 2013.

Date of Publication of Notice of Public Hearing: __________________________

Effective Date of Ordinance: ________________________
**Only those portions of Title 19A that are proposed to be amended are shown.**
*Remainder of text, tables, maps and/or figures is unchanged.*

## INDEX TO EXHIBIT A
**Amendments to Title 19A, "Comprehensive Plan"**

### Text Amendments
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### Urban Growth Area Amendments
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19A.30.010 Urban Growth Areas.

H. LU-UGA Objective 6. Provide criteria and priorities for the expansion of urban growth areas.

1. Expansions of the Comprehensive Urban Growth Area (CUGA) and satellite urban growth areas shall be approved by the County Council through a Comprehensive Plan amendment process as established in Chapter 19C.10 PCC, only if the following criteria are met:

   a. Residential land capacity within all urban growth areas is evaluated and the need for additional residential land capacity within all or any specific urban growth area is clearly demonstrated and the observed development densities are consistent with the density assumptions as documented in the most recent published Buildable Lands Report as required by RCW 36.70A.215.

   b. The supply of land needed for additional commercial/industrial uses outside urban growth areas is clearly demonstrated; and

   a. There is a demonstrated need 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 to the Countywide UGA.

   b. 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.

   c. If the Buildable Lands Report identifies an inconsistency between the observed and assumed densities, the jurisdiction shall either:

      (1) demonstrate reasonable measures were adopted to rectify the inconsistency, or

      (2) document updated development data that indicates consistency. 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, and/or

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

   def. Proposed UGA expansion areas shall be required to comply with the requirements of Pierce County’s TDR/PDR Program.

   ef. Proposed UGA expansion areas should be approved only if the proposing jurisdiction provides an analysis of:

      (1) the underdeveloped 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;

      (2) housing goals or policies in place to encourage housing for all economic segments of the community; and

      (3) how the proposal is consistent and reasonable with the jurisdiction’s adopted comprehensive plan.
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 to the area while maintaining a healthy natural ecosystem.

Future UGA expansion areas should avoid the inclusion of designated agricultural lands and critical areas, unless:
1. otherwise permitted by the applicable community plan, or
2. the development rights are removed.

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.

Prohibit the expansion of the UGA into the one hundred year floodplain of any river or river segment per RCW.

T-2 Change to Locational Criteria for Rural Neighborhood Centers

Land Use Element
19A.30.060 Rural Centers.

B. Rural Neighborhood Centers.

LU-RC Objective 13. Provide for Rural Neighborhood Centers to serve the everyday needs of local rural residents.

1. Rural Neighborhood Centers should only provide limited convenience shopping and services which meet the daily needs of residents of the surrounding rural area.
2. Rural Neighborhood Centers should be limited in size. New development within the centers should retain a scale and intensity appropriate for maintaining rural character.

3. Refer to Section PCC 19A.40.060 G., H. and I. for criteria for creating new or expanding existing Rural Neighborhood Centers.

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

Rural Element
19A.40.060 Rural Centers.

RUR Objective 6. The most intensive uses of rural land allowed in rural areas should be directed into Rural Centers.

G. Locations for Rural Neighborhood Centers should be determined by the following characteristics:

1. Having established commercial uses that provide for limited convenience shopping and services;
2. Having immediate access onto state routes, major or secondary arterials;
3. New Rural Neighborhood Centers should be located more than two miles from other Rural Centers. This limitation shall not apply to a community plan prepared or updated after January 1, 1998.

4. New Rural Neighborhood Centers should be located no closer than two miles from any satellite city Urban Growth Area or the Comprehensive Urban Growth Area boundary unless the proposed Rural Neighborhood Center would be at least two miles from the applicable Urban Growth Area Boundary by way of the existing road network due to a significant topographic feature, e.g., body of water, cliff, etc.

5. Recognize isolated areas of commercial/business park development identified in PCC 19A.30.060 B.4.

H. Rural Neighborhood Centers should only provide limited convenience shopping and services which meet the daily needs of residents of the surrounding rural area.

1. Residential development should be permitted in Rural Neighborhood Centers so long as it is consistent with the residential density permitted in the adjacent rural designations.

I. Rural Neighborhood Centers should be limited to no more than ten acres in size. This limitation shall not apply to a community plan prepared or updated after January 1, 1998. New development within Rural Neighborhood Centers should retain a scale and intensity that is appropriate for maintaining rural character.

1. Commercial development in continuous strips shall be discouraged.

2. The size and logical outer boundaries of isolated areas of commercial/business park development identified in PCC 19A.30.060 B.4. shall be determined in the community plan by Comprehensive Plan amendment.
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-1, Pierce County Public Works, SWM (Map 1 of 5)
Initiated by Pierce County Executive

Redesignate/Rezone from PR/PR to MSF/RR

Department of Planning and Land Services
Plot Date: April 01, 2013 Scale =1:1,500
Map Document: H:\msdprop_area_wide_amend\2013\amendment_m_1_2013_1.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-1, Pierce County Public Works, SWM (Map 5 of 5)
Initiated by Pierce County Executive

Redesignate/Rezone from PR/PR to R10/R10

Department of Planning and Land Services
Plot Date: April 01, 2013  Scale = 1:1,200
Map Document: H:\mxrdprop_area_wide_amend\2013\amendment_m_1_2013_5.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-2, Pierce County Parks and Recreation (Buckley Woodlands)
Initiated by Pierce County Executive

Redesignate/Rezone from R10/R10 to PR/PR

Department of Planning and Land Services
Plot Date: April 01, 2013   Scale = 1:9,500
Map Document: H:\msd\prop_area_wide_amend\2013\amendment_m_2_2013_buckley.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-2, Pierce County Parks and Recreation (Ellenswood)
Initiated by Pierce County Executive

- Redesignate/Rezone from PR/PR to MSF/MSF

Department of Planning and Land Services
Plot Date: April 01, 2013    Scale = 1:1,500
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-2, Pierce County Parks and Recreation (Foothills Trail)
Initiated by Pierce County Executive

Redesignate/Rezone from R10/R10 to PR/PR

Department of Planning and Land Services
Plot Date: April 01, 2013   Scale = 1:1,500
Map Document: H:\map\prop_area_wide_amend\2013\amendment_m_2_2013_fthl_trail.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-5, Key Peninsula Metropolitan Park District (Map 1 of 5)
Initiated by Pierce County Council

Redesignate/Rezone from RSR/RSR to PR/PR

Department of Planning and Land Services
Plot Date: August 13, 2013  Scale = 1:4,500
Map Document: H:\nsdprop_area-wide_amend2013\amendment_M_5_2013_1_plan_comm.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-5, Key Peninsula Metropolitan Park District (Map 2 of 5)
Initiated by Pierce County Council

Redesignate/Rezone from R10/R10 to PR/PR

Department of Planning and Land Services
Plot Date: April 01, 2013  Scale =1:4,500
Map Document: H:\mds\prop_area_wide_amend2013\amendment_m_5_2013_2.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-5, Key Peninsula Metropolitan Park District (Map 3 of 5)
Initiated by Pierce County Council

Department of Planning and Land Services
Plot Date: April 01, 2013    Scale = 1:4,000
Map Document: H:\xrd\prop_area_wide_amend\2013\amendment_m_5_2013_3.mxd

Redesignate/Rezone from R10/R10 to PR/PR
2013 PROPOSED AREA-WIDE MAP AMENDMENT
Amendment #M-5, Key Peninsula Metropolitan Park District (Map 4 of 5)
Initiated by Pierce County Council

Redesignate/Rezone from RSR/RSR to PR/PR

Department of Planning and Land Services
Plot Date: April 01, 2013    Scale = 1:3,000
Map Document: H:\mdprop_area_wide_amend2013\amendment_m_5_2013_4.mxd
2013 PROPOSED AREA-WIDE MAP AMENDMENT

Amendment #M-6, L80 LLC/ Carl Halsan
Initiated by Pierce County Council

Redesignate/Rezone from R10/R10 to RNC/RNC

Department of Planning and Land Services
Plot Date: June 25, 2013    Scale = 1:3,500
Map Document: h:\msd\prop_area_wide_amend\2013\amendment_m_6_2013.mxd
Amendments to Comprehensive Land Use Designations Map

The Comprehensive Land Use Designations Map, PCC 19A.30.230, is amended to reflect the Map amendments approved in this Ordinance.
2013 PROPOSED URBAN GROWTH AREA AMENDMENT

Amendment #U-1, City of Bonney Lake
Initiated by Pierce County Council

Add to City of Bonney Lakes Urban Service Area

Department of Planning and Land Services
Plot Date: April 30, 2013   Scale = 1:26,647
Map Document: H:\msd\prop_area_wide_amend\2013\amendment_u_1_2013_letter.mxd
2013 PROPOSED URBAN GROWTH AREA AMENDMENT
Amendment #U-2, PALS, Long Range Planning Division (Map 1 of 6)
Initiated by Pierce County Executive

Annexation - City of Eatonville (Ordinance No. 2012-18)

Department of Planning and Land Services
Plot Date: June 19, 2013  Scale = 1:1,200

Map Document: I:\mxd\prop_area_wide_amend2013\city_annexation\amendment_2013_annex_eatonville_2012_18.mxd
2013 PROPOSED URBAN GROWTH AREA AMENDMENT
Amendment #U-2, PALS, Long Range Planning Division (Map 3 of 6)
Initiated by Pierce County Executive

Urban Growth Area Boundary
Annexation - City of Puyallup (Ordinance No. 2984)

Department of Planning and Land Services
Plot Date: June 19, 2013  Scale = 1:1,300

Map Document: g:\pct\Prop_area wide Amend\2013 City Annexation\Amendment_2013 Annex Puyallup 2984.mxd
2013 PROPOSED URBAN GROWTH AREA AMENDMENT
Amendment #U-2, PALS, Long Range Planning Division (Map 5 of 6)
Initiated by Pierce County Executive

Annexation - City of Milton (Ordinance No. 1785-12)

Department of Planning and Land Services
Plot Date: June 19, 2013 Scale = 1:7,000

Map Document: H:\mxd\prop_area_wide_amend2013\city_annexation\amendment_2013_annex_milton_1785_12.mxd
2013 PROPOSED URBAN GROWTH AREA AMENDMENT
Amendment #U-2, PALS, Long Range Planning Division (Map 6 of 6)
Initiated by Pierce County Executive

Annexation - City of Sumner (Ordinance No. 2378)

Department of Planning and Land Services
Plot Date: June 19, 2013 Scale =1:3,500
Map Document: H:\mxd\prop_area_wide_amend2013\city_annexation\amendment_2013_annex_sumner_2378.mxd
Amendments to Urban Growth Areas Map

The Urban Growth Areas Map, PCC 19A.30.010, is amended to reflect all Urban Growth Area amendments approved in this Ordinance.