

**Map Change Requests**

Mid-County Advisory Commission Study Session

January 8, 2019

**REQUEST: REZONE RURAL SEPARATOR TO RESIDENTIAL RESOURCE**

Applicant: John Merriman

**REQUEST DESCRIPTION**

Rezone two parcels off Brookdale Road East totaling 5.2 acres from the Rural Separator (RSEP) zone to the Residential Resource (RR) zone.

**DESCRIPTION OF REQUEST AREA**

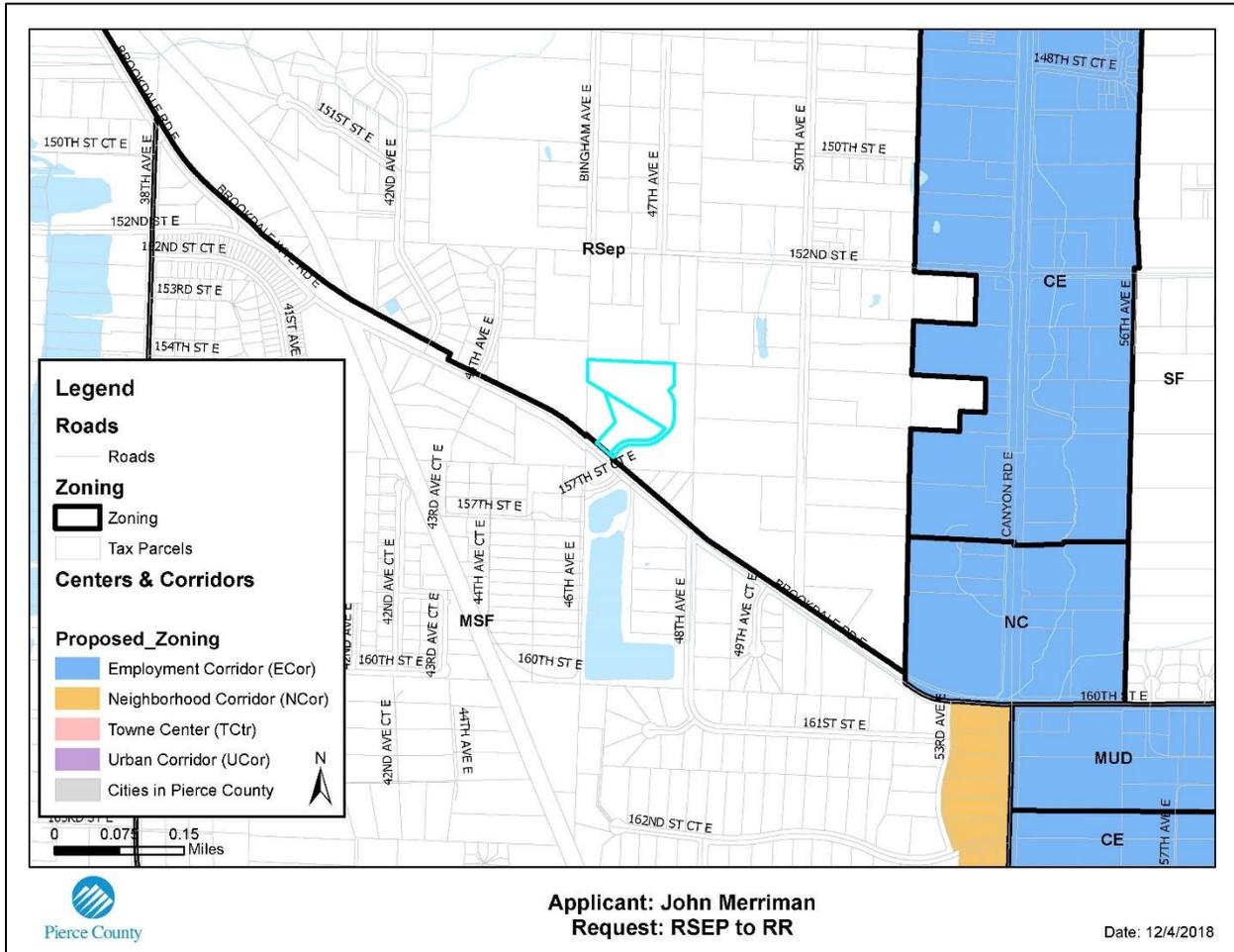
The applicant's parcel is approximately 3.7 acres in size and the Bowmer parcel is approximately 1.5 acres in size. Both properties are developed with single-family residential uses. The request is bordered on the north, east, and west by single-family residential development and vacant land, and Brookdale Road East is to the south. Both properties slope down toward Brookdale Avenue East and a potential landslide hazard area is identified surrounding the boundary between the two properties. No other critical area indicators are present. The closest sewer connections are approximately 0.5 mile in either direction at 38<sup>th</sup> Avenue East or Canyon Road East.

**HISTORY OF REZONE REQUESTS**

Mr. Merriman has requested the rezone of this parcel multiple times in the past. His request for a Comprehensive Plan Amendment in 2008-2009 was approved by the Pierce County Council but was appealed to the Growth Management Hearings Board (GMHB). The GMHB reversed the County's approval based on the following:

- The amendment is not necessary to accommodate additional urban growth. Pierce County's Buildable Lands Report showed excess capacity, and as such, no additional expansions to the Urban Growth Area (UGA) were warranted.
- The amendment was inconsistent with Mid-County Community Plan and Pierce County Comprehensive Plan policies requiring no net loss of Rural Separator lands (these policies have since been rescinded). The proposal did not include a companion amendment that would be removed from the UGA, and as such the change would result in a net loss of Rural Separator lands.
- The amendment was inconsistent with Countywide Planning Policies which call for UGA boundaries to be based on geographic, topographic, or manmade features.

MAP



STAFF RECOMMENDATION

Staff does not recommend approval of this request. While the Mid-County Advisory Commission has proposed reduction of the UGA in other areas that exceed the land area proposed for inclusion in the UGA here, the proposal would create an inconsistent UGA boundary in an area where the boundary clearly and consistently follows a roadway. This type of amendment would likely set a precedent and increase similar requests for similar amendments that incrementally expand the UGA boundary in illogical patterns.

## REQUEST: REZONE RURAL SEPARATOR TO RURAL NEIGHBORHOOD CENTER

Requestor: Robert Casey, Eisenhower Carlson

### REQUEST DESCRIPTION

Rezone two parcels from Rural Separator (RSEP) to Rural Neighborhood Center (RNC) to allow other compatible commercial uses on a property that has historically been used for commercial enterprises.

### DESCRIPTION OF REQUEST AREA

The request includes two parcels located directly east of Canyon Road East and south of Pipeline Road East. The northernmost parcel is approximately 0.8 acres in size and the second parcel is approximately 3.3 acres in size. The area surrounding these parcels is zoned RSEP and an area zoned RNC exists approximately 250 feet to the south surrounding the intersection of Canyon Road East and 96<sup>th</sup> Street East. Properties to the north and east are single-family residential, parcels to the south are auto repair and single-family residential, and Canyon Road East is directly to the west. There are a mix of uses in the area, likely the result of historic development.

### PROPERTY HISTORY

The requestor submitted documentation of the properties' historic and existing uses. Prior to 1979, the property owners operated a general store, The Cannery, on the property but the use was discontinued, and the building burned in 1983. At that time, the property began being used for retail landscape materials, and that use continues to the present.

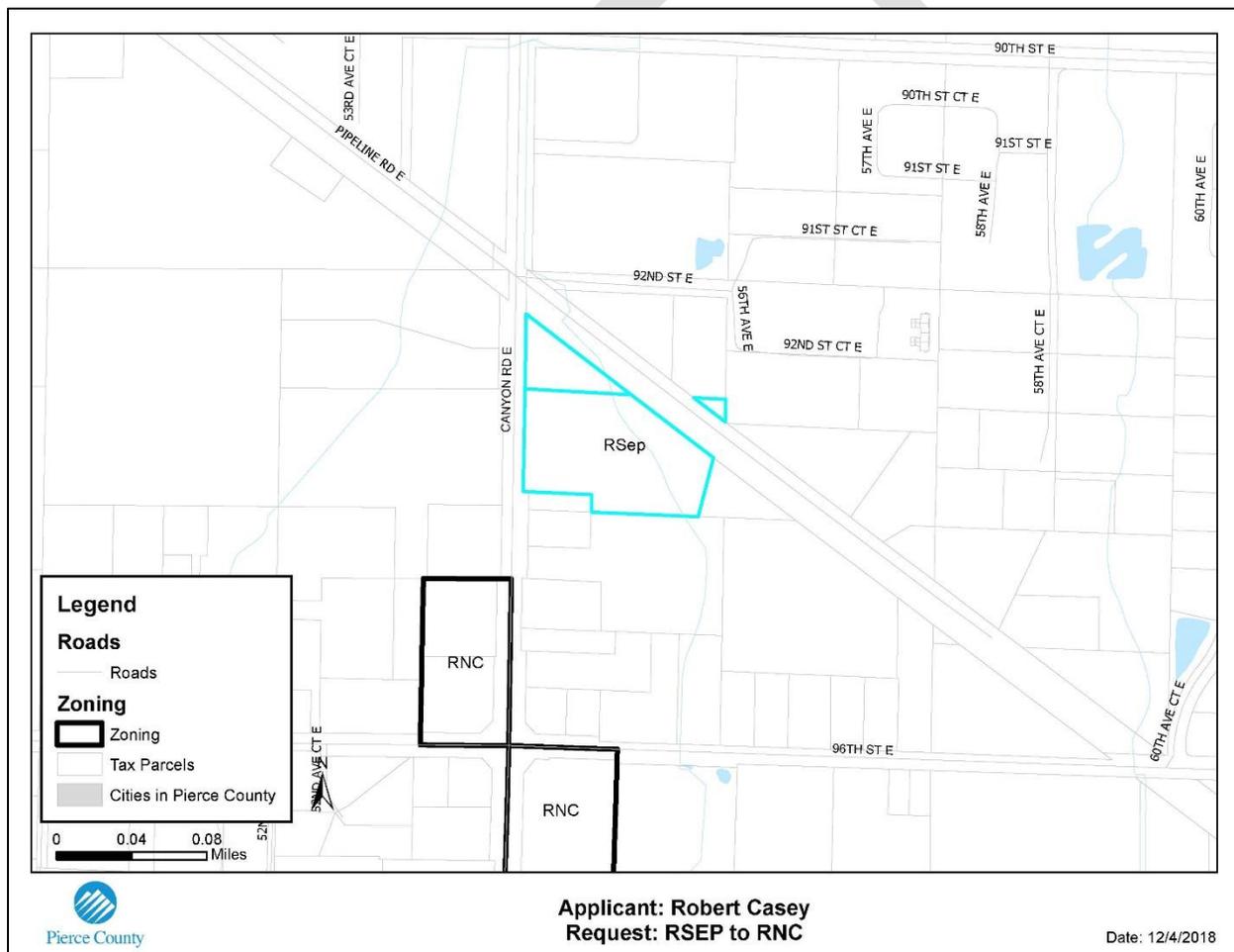
Per RCW 36.70A.070 (d), limited areas of more intense rural development may be zoned as such when it can be determined that they were in existence prior to 1990.

- (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).

MAP



STAFF RECOMMENDATION

Staff does not recommend approval of the request. While RCW 30.70A.070 (d) would allow the

County to rezone the property based on the continuous operation of a business on the site, it would not be consistent with Mid-County Community Plan Rural Commercial Goal MC LU-7:

**Goal MC LU-7** Strictly control commercial expansion or introduction of new commercial uses to ensure compatibility with residential land uses and prevent strip development.

When the Mid-County Community Plan was adopted, the Community Planning Board determined the location of Rural Neighborhood Centers based on community feedback and RCW 36.70A.070 (d), and the Mid-County Advisory Commission has not expressed an interest in further expansion of RNC zoned areas since. The property may continue to operate through non-conforming use rights, and Pierce County Code allows for continuance and expansion of such uses.

DRAFT

## REQUEST: REZONE SINGLE-FAMILY AND RESIDENTIAL RESOURCE TO MODERATE-DENSITY SINGLE-FAMILY

Requestor: Chuck Sundsmo

### REQUEST DESCRIPTION

Rezone Single-Family (SF) and Residential Resource (RR) zoned properties located between Pacific Avenue and Meridian Avenue and between 112<sup>th</sup> Street East and 176<sup>th</sup> Street East in Frederickson, Mid-County, Parkland-Spanaway-Midland, and South Hill Community Plan areas to Moderate-Density Single-Family (MSF).

### DESCRIPTION OF REQUEST AREA

About 10 percent of the Mid-County Community Plan area is located within the MSF land use designation with SF and RR zone classifications. The original community plan classified areas in Summit View and near 112<sup>th</sup> Street East that are near critical areas with lower density zones to reduce potential impacts of development and to provide a diversity of housing types within the plan area.

Additional critical area regulations for wetland and streams and stormwater regulations that require increased protection of those areas have been adopted since the original community plan was adopted.

Residential density is based on net developable acreage. To calculate net developable acreage, on-site critical areas and roads are subtracted from total acreage. The total of that calculation is multiplied by the allowed density to determine the number of dwelling units allowed within a development.

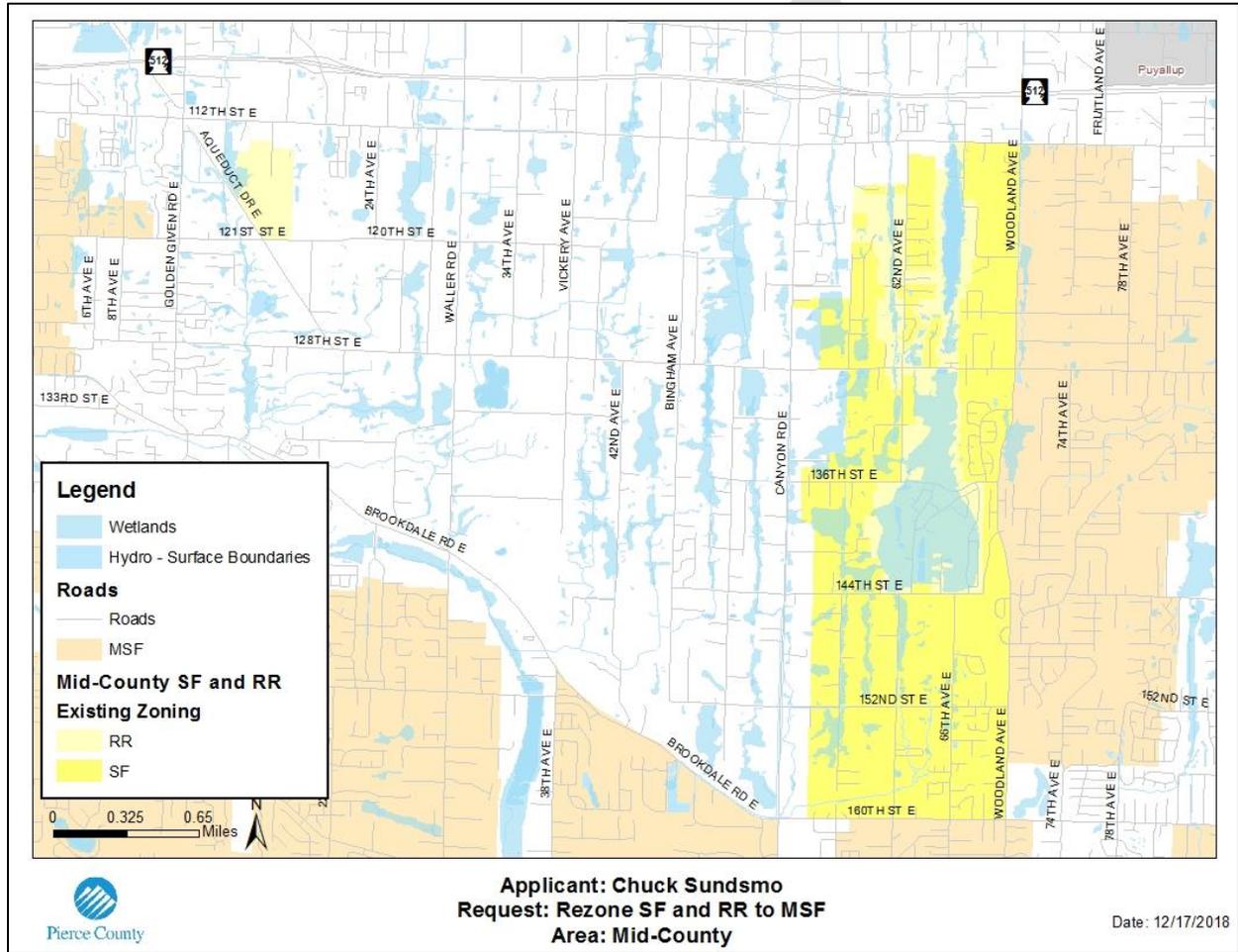
### HOW THIS REQUEST WOULD IMPACT DEVELOPMENT AND CAPACITY

The current draft of the Mid-County Community Plan includes 1,177 acres zoned SF and 180 acres zoned RR. This request would result in 1,357 acres of MSF, almost 10 percent of the plan area.

Current development regulations allow four to six dwelling units per net acre in the MSF zone. The SF zone allows four dwelling units per net acre, and the RR zone allows one to three dwelling units per net acre. In addition, the MSF zone allows a greater diversity of uses, such as townhouses, duplexes, mobile home parks, nursing homes, schools, day cares, and senior housing. The MSF zone allows five-foot side and rear setbacks, while the RR and SF zones require 10-foot side and rear setbacks (front setbacks are consistent). Design standards for the RR zone when it is located within an open space corridor require 25 percent native vegetation retention, whereas the MSF and SF zones require 20 percent retention.

Pierce County completes a Buildable Lands Report prior to every periodic State Growth Management Act update which analyzes development trends, inventories developable properties, and analyzes lands within the Urban Growth Area to calculate 20-year housing and employment capacities. If the request is adopted, the Buildable Lands Report calculations the assumed capacity of SF and RR zoned lands in the Mid-County Community Plan area would increase by approximately 200 housing units, from 1,247 to 1,452 dwelling units.

MAP



STAFF RECOMMENDATION

Staff does not have a recommendation on the request. The Mid-County Advisory Commission should determine whether this proposal meets their goals for how their community will develop.