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April 2, 2010

TO: All Interested Parties

RE: *Addendum to the Final and Supplemental Environmental Impact Statements* for the Pierce County Development Regulations Title 18A-Zoning, Title 18H-Forest Practices and Tree Conservation, and Title 18J-Design Standards and Guidelines.

Pierce County has issued an Addendum to the *Final Supplemental Environmental Impact Statement (Final SEIS), Development Regulations, June 1995 and Final Environmental Impact Statement (FEIS), Directions for Protecting and Restoring Habitat, July 2004*. The June 1995 Final SEIS addressed the impacts of the Development Regulations which were adopted in July 1995 to implement the Pierce County Comprehensive Plan in accordance with the Growth Management Act.

These are additional amendments proposed by the Pierce County Council as part of a code consolidation effort. Authority to commence the Code Consolidation project was received via acceptance by the Pierce County Council of the Economic Development Division's "Economic Stimulus Report", on September 15, 2008 and by Pierce County Council Resolutions R2008-77s and R2009-56.

In accordance with the State Environmental Policy Act (SEPA) requirements, an Addendum may be used to add new information about a proposal provided that it does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-600). Pierce County has determined that the proposed amendments to the Development Regulations do not substantially change the analysis of impacts previously discussed in the Final SEIS/EIS or any of the environmental documents included through the phased environmental review process.

The Addendum includes a fact sheet, background material, the discussion of the proposed amendments to the regulations, and necessary environmental documentation. The Addendum has been prepared in accordance with WAC 197-11-600 and 197-11-625 and has been distributed to the Department of Ecology and agencies with jurisdiction.

If you have questions concerning this Addendum to Final SEIS, please contact Sean Gaffney at (253)798-2724 or (253)798-3736.

Sincerely,



CHUCK KLEEBERG  
Director/Environmental Official



**ADDENDUM**

**TO**

**FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (June 1995)  
And FINAL ENVIRONMENTAL IMPACT STATEMENT (July 2004)**

**FOR**

**AMENDMENTS TO THE  
PIERCE COUNTY DEVELOPMENT REGULATIONS**

**Prepared in compliance with the State Environmental Policy Act**

**April 2, 2010**

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**FACT SHEET**

<b>Title and Description of Proposed Action</b>	<p>The proposed amendments are to the Pierce County Development Regulations Title 18A-Zoning, Title 18H-Forest Practices and Tree Conservation, and Title 18J-Design Standards and Guidelines. The amendments consist of substantive and technical clarifications to consolidate regulation which is necessary for code administration.</p> <p>This Addendum adds analyses and information to the June, 1995 <i>Final Supplemental Environmental Impact Statement (FSEIS) for Development Regulation and the July 2004 Final Environmental Impact Statement (FEIS) for the Directions package.</i></p>
<b>Proponent</b>	<p>Pierce County Planning and Land Services Department</p>
<b>Tentative Adoption Date</b>	<p>The Planning Commission held a public hearing on March 23, 2010. The County Council hearings are scheduled for April 2010 with final adoption scheduled for April 2010. Tentative effective date is set for June 1, 2010.</p>
<b>Lead Agency</b>	<p>Pierce County Planning and Land Services Department 2401 South 35th Street Tacoma, WA 98409</p> <p>Responsible Official: Chuck Kleeberg, Director Planning and Land Services Department (253) 798-7210</p> <p>Contact Person: Deirdre Wilson, Senior Planner Planning and Land Services Department Email: <a href="mailto:dwilso4@co.pierce.wa.us">dwilso4@co.pierce.wa.us</a> Telephone: (253) 798-3713 or 798-7037 Facsimile: (253) 798-7425</p>
<b>Authors and Principal Contributors</b>	<p>Pierce County Planning and Land Services Department</p>

<b>Date of Issue:</b>	April 2, 2010
<b>Environmental Review Process</b>	Pierce County has used a phased review process for the non-project actions required by Washington State's Growth Management Act, including the Comprehensive Plan and Development Regulations. Pierce County intends to continue to use this phased review for adoption of amendments to the Comprehensive Plan and Development Regulations that implement the Plan.
<b>Location of Background Material and Documents Incorporated by Reference</b>	Background material and documents used to support development of this Addendum are available for review at the Pierce County Planning and Land Services Department, 2401 South 35th Street, Tacoma, WA 98409, (253) 798-2785.
<b>Relation to Other Documents</b>	A series of environmental documents have been prepared by Pierce County to evaluate the impacts of the Pierce County Comprehensive Plan and amendments to the plan. These documents, noted in the Background section of this Addendum to the Final SEIS, are incorporated by reference. Pierce County intends to continue to use a phased environmental review approach for analyzing Comprehensive Plan amendments or other GMA documents related to the Comprehensive Plan or Development Regulations. Additional environmental documentation, in the form of supplemental EISs, addenda, or other State Environmental Policy Act (SEPA) determinations may be made as the Pierce County Comprehensive Plan is further implemented. This document is not intended to satisfy individual project SEPA requirements.

## INTRODUCTION

In June 1995, a Final Supplemental Environmental Impact Statement (Final SEIS) was released which, in conjunction with the April 1995 Draft SEIS, addressed the probable significant adverse impacts of adoption of the Development Regulations. The Development Regulations implement the policies and objectives of the Pierce County Comprehensive Plan and were adopted by the Pierce County Council in July 1995. The Comprehensive Plan and Development Regulations are in compliance with and implement the Washington State Growth Management Act.

This Addendum addresses amendments proposed by Planning and Land Services to the Pierce County Development Regulations which are both substantive and technical that are necessary to consolidate and clarify related regulations already in effect. Authority to commence the Code Consolidation project was received via acceptance by the Pierce County Council of the Economic Development Division's "Economic Stimulus Report", on September 15, 2008. The Pierce County Council through Resolution R2008-77s, with an additional resolution in support of the effort on June 12, 2009, R2009-56.

## BACKGROUND

### A. DEVELOPMENT REGULATIONS

In 1990 the Washington State Legislature passed the Growth Management Act (GMA) which required certain local jurisdictions to prepare and adopt comprehensive land use plans to direct growth and development for a 20-year period. The GMA also required that regulations be prepared and adopted to implement the policies set forth in local comprehensive plans. Pierce County adopted the Comprehensive Plan in November, 1994 which became effective in January, 1995. To implement the Comprehensive Plan, Pierce County adopted the Development Regulations, in July of 1995. Amendments, additions, and updates to the Comprehensive Plan and Development Regulations have been ongoing since 1995. Additionally, in July 2004 a Final Environmental Impact Statement (FEIS), Directions for Protecting and Restoring Habitat, was issued.

### B. ENVIRONMENTAL REVIEW

Pierce County has used a phased environmental review process to analyze the environmental impacts of the Comprehensive Plan and Development Regulations. A table that lists environmental documents prepared to date can be viewed at [www.piercecountywa.org/pals](http://www.piercecountywa.org/pals) on the environmental page or at the Planning and Land Services Department. The information and analyses contained in the environmental documents described in the table identify the environmental impacts associated with the Comprehensive Plan and implementing regulations. For complete information and disclosure of impacts these documents should also be referenced. This Addendum addresses the impacts of the proposed amendments to Development Regulations and supplements information in the April 1994 Draft SEIS and June 1994 Final SEIS for the Comprehensive Plan, and April 1995 Draft SEIS and June 1995 Final SEIS for the implementing regulations to the Comprehensive Plan.

## PROPOSED ACTION

### A. SUMMARY DISCUSSION OF PROPOSED REVISION

In an effort to consolidate regulatory standards that achieve the same outcome and reduce inconsistencies, staff has identified opportunities to standardize regulations. Many of these changes are technical and necessary for clear and predictable implementation of the regulations, whereas some are more substantive. The substantive amendments result from changes necessary to reorganize and combine various related standards into one standard. Changes also represent change of uses allowed in various zone classifications as requested by the Pierce County Council Community Development Committee.

The proposed substantive amendments would allow Personal Services, Levels 1 and 2, in the RNC zone classification of the Gig Harbor Community Plan Area, and Eating and Drinking Establishments, Level 3, in the EC zone classification of the South Hill Community Plan area. There is an amendment to allow the expansion of nonconforming uses to expand beyond the confines of the original parcel or lot boundaries for the purpose of providing employee parking in certain urban zones. Lastly, there is a requirement for sidewalks within the EC zone classification, even if certain roadway improvements are specified in the 6 year TIF.

Other changes included technical clarifications and procedural changes to better implement the regulations. They are as follows:

- Clarify that temporary uses are exempt from Title 18J.
- Allow people other than a certified irrigation designer to prepare small scale irrigation plans.
- Allow the same tree conservation exception for private schools as is allowed for public schools.
- Require retention of all healthy 8 inch dbh trees in front yards, in addition to side and rear yards.
- Require underground vaults placed in the traveled way to be designed at a minimum HS-25 standard.
- Clarify L4 buffer location requirements and specify the inclusion of the entire Key Peninsula Highway including portions that are County arterial.
- Delete the term environmentally sensitive areas and replace it with the Natural Shoreline Environment and Shellfish Protection Districts, and provide standards for Farm Management plans when potential water quality impacts are identified.

- Require a 3-year waiting period before property owners can apply for development moratorium removal and would provide for planting specifications consistent with the tree conservation section of Title 18J.

## **B. FINDINGS**

1. The proposed amendments are to Pierce County Development Regulations, Title 18A-Zoning, Title 18H-Forest Practices and Tree Conservation, and Title 18J-Design Standards and Guidelines. The amendments consist of substantive amendments as requested by the Community Council Committee of the Pierce County Council and technical clarifications to consolidate regulation which is necessary for code administration.
2. Authority to commence the Code Consolidation project was received via acceptance by the Pierce County Council of the Economic Development Division's "Economic Stimulus Report", on September 15, 2008, and by Pierce County Council resolution R2008-77s, with an additional resolution R2009-56 in support of the effort on June 12, 2009.
3. The proposal amends uses allowed uses in the EC (South Hill) and RNC (Gig Harbor) zone classifications; however, such uses were allowed in said zones previously and, as such, were considered and evaluated in the original adoption of the 1995 Comprehensive Plan and implementing zoning regulations.
4. In an effort to consolidate regulatory standards that achieve the same outcome and reduce inconsistencies, staff has identified opportunities to standardize regulations. Many of these changes are technical and necessary for clear and predictable implementation of the regulations, whereas some are more substantive.
5. A proposal to allow limited off-site parking associated with existing nonconforming uses would allow such uses to expand beyond the confines of the original parcel or lot boundaries and would allow a limited increase the intensity of the nonconforming use. As proposed, the maximum size of the off-site parking area would be 1.5 acres and would be required to be located adjacent to the existing nonconforming use. Off-site parking for nonconforming uses would be permitted within the urban growth area only and would not be allowed within the rural area. The off-site parking area would be allowed to be used for employee parking only and no other activities associated with the nonconforming use such as building expansion, materials storage, or truck parking would be permitted to occur off-site. The Pierce County Generalized Comprehensive Plan policies contain policies that permit such expansions, and, as such, were considered and evaluated for environmental impacts in the original adoption of the 1995 Comprehensive Plan.

## **C. SUMMARY OF SUBSTANTIVE AND TECHNICAL AMENDMENTS**

### **Amendment 1: 18J.10.040 Applicability**

*Exempt temporary uses from the design requirements of Title 18J.*

**Amendment 2: 18J.10.055 Submittal and Review Requirements**

*Allow for small scale irrigation systems (value less than \$1,500) to be designed by developer/builder rather than an irrigation system professional.*

**Amendment 3: 18J.15.030 Tree Conservation**

*Apply tree conservation exception uniformly to public and private schools.*

**Amendment 4: 18J.15.040 Landscape Buffers.**

*Retain requirement to preserve trees that are 8" d.b.h. or larger that are located within all portions of the required perimeter buffer area.*

**Amendment 5: 18J.15.170 Stormwater Facilities.**

*Require all underground vault facilities placed under the travel way to be designed to a HS-25 loading standard. (This requirement currently applies only in the Graham community plan area.)*

**Amendment 6: 18J.15.040 Landscape Buffers**

*Modify the L4 buffer requirement such that it applies to the Key Peninsula Highway and other rural arterials and make other modifications for greater consistency with community plans.*

**Amendment 7: 18J.60.050 Site Design.**

*Modify the requirements for sidewalks within industrial areas (Employment Center) in the Frederickson Community Plan area.*

**Amendment 8: 18A.35.090 Agricultural Uses and Animals.**

*Correct the standards applicable to Agricultural Uses and Animals to reflect the prior repeal of the Environmentally Sensitive Areas designation and the creation of Shellfish Protection Districts and make other modifications.*

**Amendment 9: 18H.30.040 Request for Removal of Development Moratoria.**

*Modify requirements related to the forest practices development moratorium process by requiring a three year waiting period for moratorium removal requests. (A two year waiting period currently applies to single-family exceptions.) Also modifies replanting requirements.*

**Committee Amendment No. 2 Chapter 18A.23 Gig Harbor Community Plan , Rural Use Tables and Chapter 18A. 29 South Hill Community Plan, Urban Use Tables**

This amendment would allow for Personal Services, Levels 1 and 2, in the RNC zone classification of the Gig Harbor Community Plan Area, and Eating and Drinking Establishments, Level 3, in the EC zone classification of the South Hill Community Plan Area.

**D. ENVIRONMENTAL REVIEW AND DOCUMENTATION****Summary Analysis**

The proposed amendments do not conflict with any policies or principles contained within the respective community plans. The changes do not pose any probable significant environmental impacts and previously evaluated in the initial adoption of the Comprehensive Plan.

This Addendum is used as part of a phased environmental review process utilized by Pierce County Planning and Land Services since the adoption of the Comprehensive Plan and Development Regulations in 1995. Pierce County has used a phased review process for the non-project actions required by Washington State's Growth Management Act, including the Comprehensive Plan and Development Regulations. Pierce County intends to continue to use this phased review for adoption of amendments to the Comprehensive Plan and Development Regulations that implement the Plan and update the regulations accordingly.

The earlier environmental documentation prepared in conjunction with the Pierce County Comprehensive Plan and Development Regulations, as referenced in this document, addressed a range of alternatives and impacts. The proposed amendments do not create any new probable significant adverse environmental impacts.