



City Council Regular Meeting Agenda

Puyallup City Hall is open and accessible to the public. This City Council meeting will be held in person at the Council Chambers on the 5th floor of City Hall, 333 S. Meridian, and virtually via the Zoom platform. The meeting can be watched via livestream on the city website (cityofpuyallup.org/meetings) or joined via Zoom using this link: <https://bit.ly/3ym1LAj>. To listen by phone, call 253-215-8782 and enter webinar ID 861 8394 7387 and passcode 679901.

Written comments will be accepted at info@puyallupwa.gov until 5:30 p.m and be distributed to the City Council prior to the meeting.

Tuesday, July 12, 2022
6:30 PM

PLEDGE OF ALLEGIANCE

ROLL CALL

1. APPROVAL OF AGENDA

2. CONSIDERATION OF MINUTES

CITIZEN COMMENTS

3. CONSENT AGENDA

- 3.a Acceptance of a \$5,000 grant from Washington STEM to the Puyallup Public Library
- 3.b Contract renewal with Fidelity Solutions for services related to the City's public safety radio system
- 3.c Public Defender Contract Amendment

4. PUBLIC HEARINGS

- 4.a Public hearing and consideration of a resolution on a privately-initiated Comprehensive Plan amendment and associated rezone
 - [Staff Report](#)
 - [Future Land Use Designation Table](#)
 - [Proposed Amendment Map](#)
 - [Application](#)
 - [June 8, 2022 Draft Planning Commission Hearing Minutes](#)
 - [SEPA Determination](#)
 - [Draft Resolution](#)

5. ORDINANCES

- 5.a Second reading of ordinance amending Puyallup Municipal Code to meet the Department of Ecology Phase II Municipal Stormwater Permit requirements

[Ordinance](#)
[PMC Title21 updated](#)

- 5.b Second reading of an ordinance approving the Pierce College Master Plan
 - [Ordinance](#)
 - [Staff report](#)
 - [Master plan](#)

6. CONSIDERATIONS AND REQUESTS

- 6.a Meridian Downtown Streetscape Project Update

7. OTHER BUSINESS

CITY MANAGER'S REPORT

COUNCIL REPORTS

MAYOR'S REPORT

EXECUTIVE SESSION

ADJOURNMENT



City Council Agenda Item Report

Submitted by: Kendall Wals
Submitting Department: Development Services
Meeting Date: July 12, 2022

Subject:

Public hearing and consideration of a resolution on a privately-initiated Comprehensive Plan amendment and associated rezone

Presenter:

Kendall Wals, Senior Planner

Recommendation:

First conduct a public hearing, and then consider a resolution documenting findings of fact for the denial of the 2022 privately-initiated Comprehensive Plan amendment and associated rezone.

Background:

The Planning Commission held two work sessions earlier this year on the proposed amendment, followed by a public hearing on June 8th. The Commission subsequently made a recommendation of denial (6-0 vote) and forwarded the proposed amendment to the City Council for consideration. Thus, the resolution before Council is based on the Planning Commission's recommendation.

Upon conclusion of the public hearing, the City Council may accept, reject or modify the recommendation of the Planning Commission in this matter. A draft resolution has been prepared which outlines findings consistent with the Planning Commission's recommendation to deny the application. Should the Council wish to consider approval of the application, an ordinance including findings of approval may be prepared and brought forward at a future meeting.

The Growth Management Act allows jurisdictions to amend their Comprehensive Plan each year. Any amendments, whether initiated by the City or a private party, are first reviewed by the City's Planning Commission.

As part of the 2022 annual Comprehensive Plan amendment cycle, the city received a privately-initiated map amendment application pertaining to three parcels located near 8424 River Road which together total approximately 2.9 acres. The applicant, AHBL on behalf of Larson Automotive Group, requests to convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also concurrently change the associated zoning from medium density multi-family residential (RM-10) and General Commercial (CG) to the CG zone for all three parcels.

A staff report is attached which summarizes the proposed map amendment as well as the Planning Commission's recommendation. Also provided: the associated future land use designation criteria table, map of the proposed amendment, the application, draft Planning Commission public hearing minutes, and SEPA environmental determination.

ATTACHMENTS

[Staff Report](#)

[Future Land Use Designation Table](#)

Proposed Amendment Map
Application
June 8, 2022 Draft Planning Commission Hearing Minutes
SEPA Determination
Draft Resolution



City of Puyallup

Development & Permitting Services

333 S Meridian | Puyallup, WA 98371

P: 253-841-5462 | E: kwals@puyallupwa.gov

To: City Council

From: Kendall Wals, Planning Division

RE: 2022 Privately Initiated Comprehensive Plan Amendments

Hearing Date: June 12, 2022

SUMMARY

The city received two privately initiated map amendment applications for consideration as part of the 2022 Comprehensive Plan Update cycle. However, one application (Benaroya Capital Company LLC; 1015, 1019-1021 39th Ave SE) was withdrawn by the applicant. As a result, the City Council will hold a public hearing on one (1) privately initiated map amendment to convert the future land use designation and associated zoning of three parcels totaling 2.9 acres (request would convert approximately 2.5 acres). The applicant's request would convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also concurrently change the associated zoning from a combination of medium density multi-family residential (RM-10) and General Commercial (CG) to the CG zone for all three parcels.

This staff report summarizes the subject application (permit #PLCPR20220024) and includes the required decision criteria, analysis and Planning Commission recommendation. Additional agenda packet attachments include the future land use designation criteria table, map of the proposed amendment, application, draft Planning Commission public hearing minutes, SEPA determination, and draft resolution. Staff provided an overview of the application at the Council's June 14, 2022, study session and will provide another presentation on the application findings at the July 12, 2022, City Council Public Hearing.

PLANNING COMMISSION PUBLIC HEARING

Public Hearing Testimony

During the Planning Commission public hearing, residents within the nearby neighborhood provided public comment raising concerns regarding existing experiences living near auto dealerships in the area. The residents noted the ongoing nuisance complaints regarding noise (e.g. honking, loading/unloading vehicles, existing PA systems, etc.) and lighting (e.g. signage, building lights, parking lot lights, etc.) in the area, as well as fast vehicle speeds within the neighborhood. Residents also shared concerns regarding crime activity in the area, potentially due to the nearby commercial uses. The current land use design was raised and the fact that the transition from Auto Oriented Commercial (commercial uses) to Low Density Residential is currently buffered by the Moderate Density Residential land use. Lastly, the citizens raised concerns of future potential impacts anticipated by redevelopment under the requested commercial designation, noting the allowable building heights in the General Commercial zone, intensity of uses, lighting and noise.

Planning Commission Deliberation

The Planning Commission discussed their concerns regarding the requested amendment and the uncertainty of how the site could redevelop in the future under the proposed General Commercial (CG) zoning and the impacts it could have on the adjacent single-family neighborhood. The Commission noted that while the 2021 Buildable Lands Report and anticipated growth targets show the city can meet the future housing targets, the city's recent Housing Action Plan notes that the city falls short on housing production and providing a variety of housing types, thus driving up the cost of housing. One Commissioner noted that the proximity to existing public transit

was not of great concern because development of additional multi-family residential units could cause future changes to the transit system. Another Commissioner noted that the existing bus line on W Stewart is accessible via a walkable route with complete sidewalk connections on either side of 15th St NW. Some of the Commissioners did not think that the criterion regarding a substantial change in conditions had been met because some of the changes were caused by the applicant (e.g. demolition of single-family residents to the east, consolidation of parcels in the area) and they did not agree that the current supply chain issues related to the COVID-19 pandemic and recent increase in market demand for auto-oriented commercial uses were a substantial change in conditions to warrant the requested map change. Lastly, there was confusion over whether the existing lots have access and whether it impacts the redevelopment of the site into multi-family residential.

Planning Commission Recommendation

Given the analysis of the required decision criteria provided in the staff analysis and consideration of surrounding site conditions, the Planning Commission recommends, by a vote of 6-0, the City Council **DENY** the requested land use and zoning designation amendment, based on the following findings:

- Comp Plan Policy: Lack of consistency with city land use and housing policies, and inconsistency with the Auto Oriented Commercial (AOC) land use designation due to a lack of an intervening land use between single-family residential and the requested AOC designation.
- Change in conditions: The applicant did not adequately establish a substantial change in conditions to warrant a map change. The consolidation in ownership of the subject parcels and adjacent properties, and demolition of prior single-family residential structures to the east of the subject properties were actions caused by the applicant. The current supply chain issues related to the COVID-19 pandemic and recent increase in market demand for auto-oriented commercial uses were also not seen as changes in conditions to warrant the requested map change.

STATE ENVIRONMENTAL POLICY ACT (SEPA) DETERMINATION

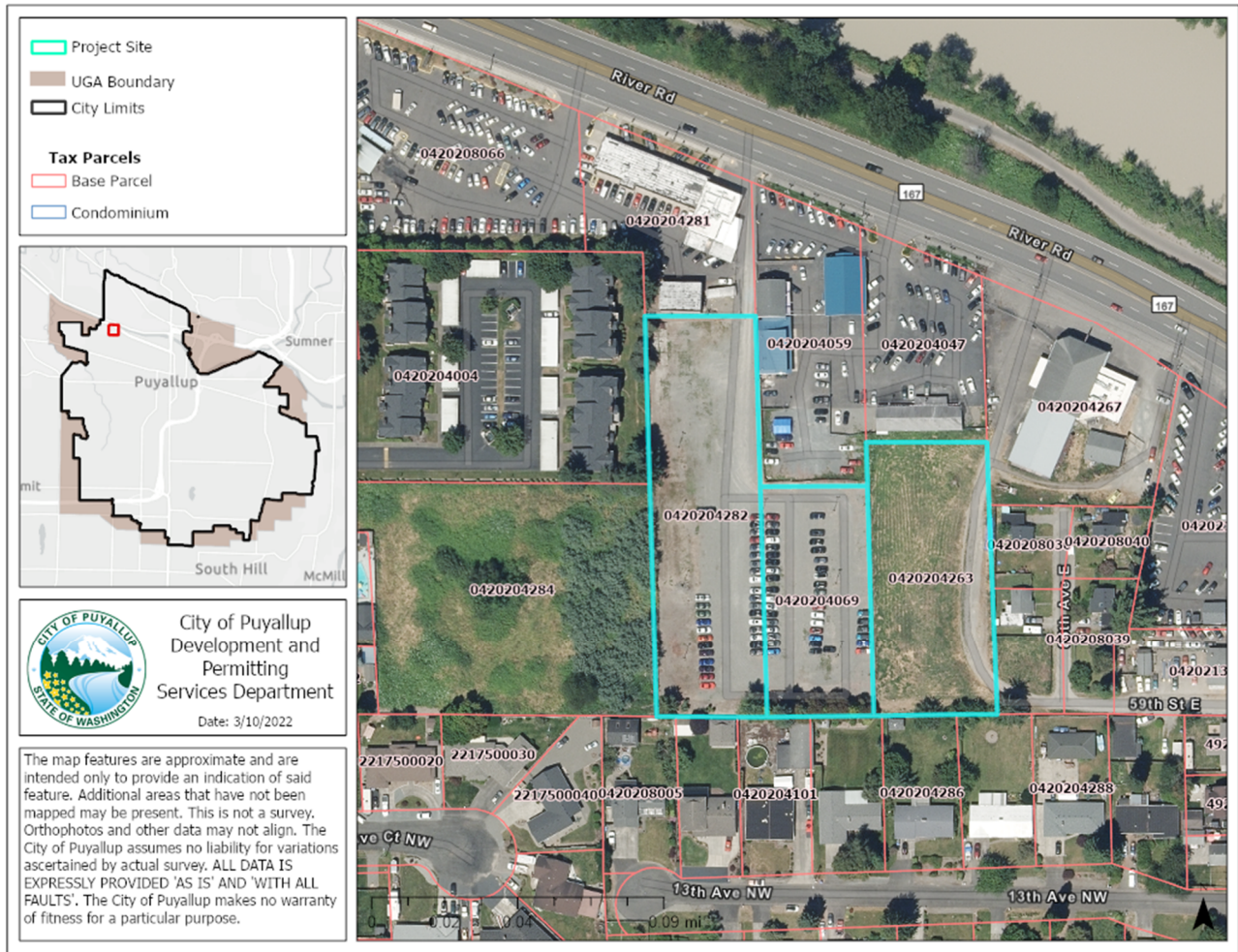
A Determination of Non-Significance (DNS) Addendum (to prior City determinations) was issued on June 8, 2022, and circulated for comments from potentially affected tribes and agencies. The associated comment and appeal periods expire on July 5, 2022. As of the date of this staff report, the city received one comment letter from the Squaxin Island Tribe, noting no specific cultural resource concerns for the subject proposal; no appeals have been submitted.

APPLICATION INFORMATION

Proposal

Permit Number: PLCPR20220024
Applicant(s): AHBL, on behalf of Larson Automotive Group
Property Owners: Larson Automotive Group
Location: 8424 River Rd (TPN 0420204282, 0420204069, 0420204263)
Proposal: The applicant requests a Comprehensive Plan amendment to convert the future land use designation and associated zoning of three parcels totaling 2.9 acres (application would convert approximately 2.5 acres). The request would convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also concurrently change the associated zoning from a combination of medium density multi-family residential (RM-10) and General Commercial (CG) to the CG zone for all three parcels.

Vicinity Map



**Note: the aerial photo in the map above does not accurately depict the current uses for adjacent parcels to the east of the subject parcels. Since the aerial photo was taken in 2020, several structures have been demolished and the parcels (including some remaining structures) are currently vacant.*

Site and Area Characteristics

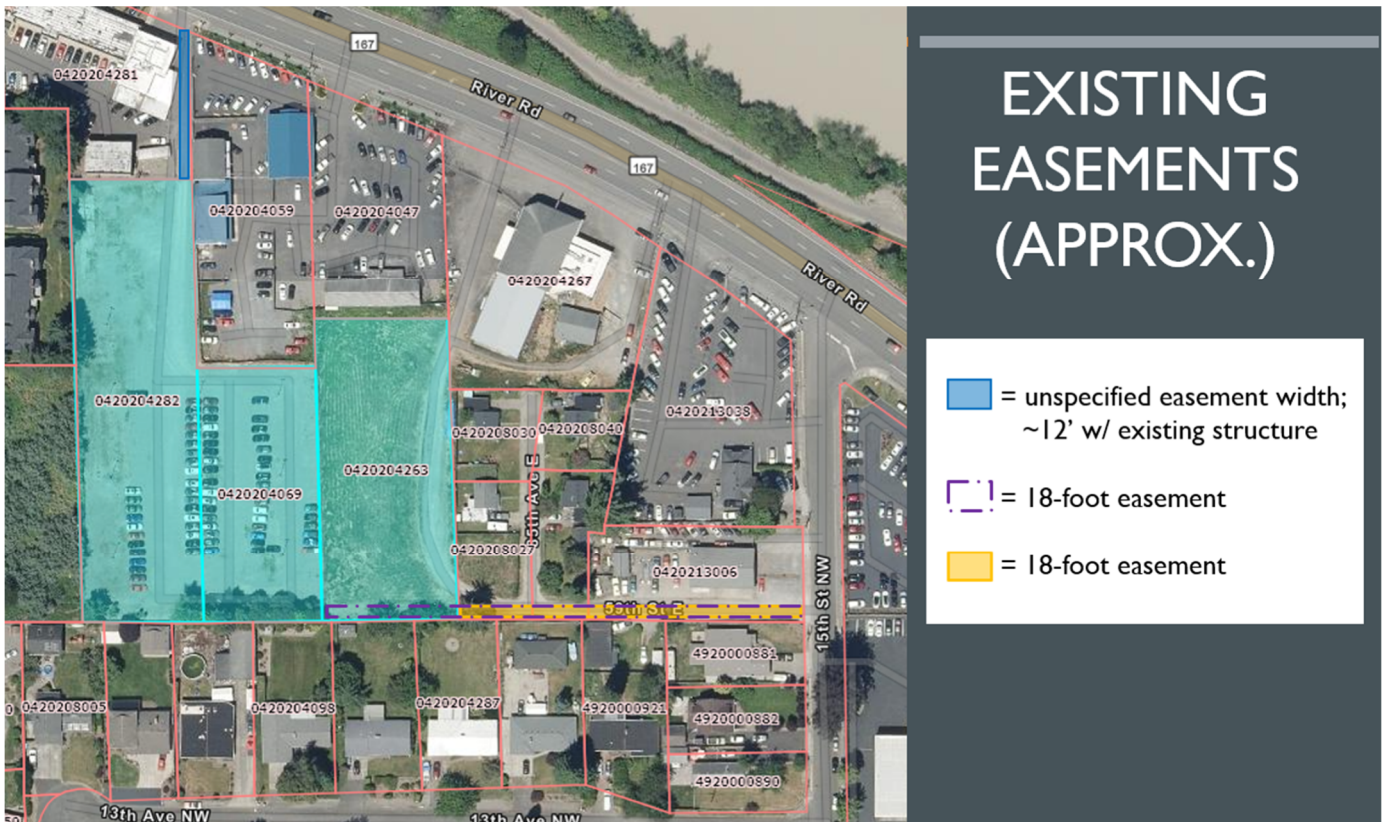
The subject parcels are located south of River Road and west of 15th St NW, but do not abut a public road; therefore, the lots are considered to be landlocked. Two of the parcels (TPN 042020-4282 and -4069) currently contain a pre-existing nonconforming outdoor automobile storage use and the third parcel (TPN 0420204263) is currently vacant. It appears that the two parcels have been used for outdoor storage since approximately 1996 and were sold to the current owner/applicant in 2006. The applicant provided affidavits to support the continuation of the existing nonconforming use on-site over the years, and the Development and Permitting Services Director accepted those affidavits, thus accepting continuation of the nonconforming use. The Director also determined that the applicant is permitted to pave the two subject lots and install stormwater infrastructure and lighting under the city's nonconforming code, which allows changes to a nonconforming use if the proposed change brings the use more into conformance with the municipal code; parking and storage areas are required to be paved and include lighting by code.

In addition to this map amendment request, the city is currently processing a SEPA environmental checklist and civil application that involves two of the parcels associated with this application: the two parcels with the existing nonconforming automobile storage use. The third vacant parcel (TPN 042020426) was sold to the applicant in 2021 and is not included with the development permit because the current zoning does not permit that use and

there is no established nonconforming use allowance for that third parcel. The project will include required enhanced stormwater treatment prior to discharging directly into the Puyallup River. Descriptions of the surrounding uses and zones are provided in the table below.

Proximity to Site	Existing Land Use Designations	Existing Zoning Designations	Current Use
North	AOC	CG	Commercial (auto sales)
South	LDR	RS-08	Single family residential
East	AOC	CG	Vacant
West	MDR	RM-10	Multi-family residential, vacant/active construction of new multi-family residential

Access: As mentioned, the subject lots are landlocked and do not have frontage on public right-of-way. Larson Automotive Group also owns nine abutting/adjacent lots to the north and east of the subject parcels, which provide access to River Road (major arterial) and 15th St NW (minor collector). After review of existing documents, it appears there are two 18-foot-wide non-exclusive access and utility easements that runs along the southern boundary of subject parcel 0420204263 and the abutting parcels to the east (see purple dashed outline and yellow symbology in the map below), providing a connection to 15th St NW. Also, it appears there is a non-exclusive access and utility easement located along the eastern boundary of TPN 0420204281 (see darker blue box on map below for visual), providing access to River Road; however, this easement does not specify a width



*Note: 59th St E and 85th Ave E on the above map are GIS labels and not actual public rights-of-way.

and due to the existing structure on the site, the resulting access appears to be less than twelve feet wide, which only allows for a single lane of traffic.

Utilities: The three subject lots are not currently served by utilities due to the existing development (i.e. no existing structures), but City of Puyallup sanitary sewer and water services are located within proximity to the subject site.

Critical Areas: Potential critical areas on or adjacent to the subject properties include critical aquifer recharge areas, volcanic hazard area, stream/shoreline master program (Puyallup River), fish and wildlife habitat, and FEMA seclusion area. For properties located in critical aquifer recharge area (CARA), the code requires that certain activities having potential to cause degradation of ground water quality or adversely affect the recharging of an aquifer to only be permitted pursuant to an approved critical area report. The Puyallup River is located to the north of the subject site, but it does not appear that regulated shoreline or habitat area would impact the subject properties. The properties are also located within a FEMA seclusion area which are areas still being studied and regulation policy is still being developed by FEMA. At this time, seclusion areas revert to the previous floodplain maps which place these parcels outside of floodplain; therefore, the properties would not be regulated as floodplain. The Puyallup Tribe of Indians commented on the Notice of Application stating that the subject site is located in an area with high probability to impact cultural resources and that a cultural resources survey should be completed with any project proposing ground disturbance.

Prior Map Amendment History

In 1994, the City of Puyallup adopted its first Comprehensive Plan, which established land use designations for all properties within the City's Urban Growth Area (UGA). At that time, the three parcels were not within city limits, but were within the City's UGA; they received the Moderate Density Residential designation, and the one parcel was split designated MDR and AOC. The subject properties were annexed into the City of Puyallup in 1999 as part of the "Firwood/River Road Annexation". Upon annexation, the properties received the General Commercial (CG) and RM-10 zoning designations. At the time of annexation, the property owners of the subject properties (different from the current owners) noted the inconsistency of the existing use of the sites and the new zoning, and at least one of the property owners expressed opposition to the proposed changes. City Council directed the Planning Commission and staff to re-analyze the designation for one of the three parcels (TPN 042020426) as part of the 1999 Comprehensive Plan Amendments. Below please find a summary of the amendment history for the subject parcels.

Summary of prior review

- **1999:** Staff and the Planning Commission (PC) reviewed the proposed change to AOC land use and CG zoning for TPN 042020426 as part of the 1999 Comp Plan Amendment cycle. The Planning Commission did not forward a recommendation in support of the application, noting that the land use and zoning should be reviewed comprehensively for the three subject parcels, and the landscape buffering standards for the General Commercial zone should be reviewed. The City Council returned the application to the Planning Commission for additional study as part of the 2000 Comp Plan amendment cycle and the landscape buffer standards were also reviewed.
- **2000:** Planning Commission made recommendations to Council on the landscape buffering standards, but Council postponed action on the amendments until further input could be retained by the community. Planning Commission did not recommend approval of the comp plan amendment until appropriate buffering standards were adopted. Council followed the Commission recommendation and denied the application, noting that the application would be reviewed the following year after the buffering/landscape code updates were adopted.
- **2001:** Proposed amendments to the landscape buffering standards were adopted. Planning Commission unanimously recommended approval to redesignate the three subject parcels to AOC land use and CG zoning. However, Council voted 6-1 to deny the application, stating that the proposed amendment "results in an undesirable transition of uses between residential and commercial activities and may have adverse impacts on the abutting single-family development."

Please note, the decision on the prior application does not preclude the review of the current application or for different findings to be made since the proposed amendment was last reviewed 21 years ago.

Design, Land Use, And Community Considerations

Property Development Standards: The property development standards would be different, requiring lesser building setbacks and increased building heights under the CG zoning standards, but with increased landscape buffer requirements when abutting single-family residential. The existing MDR/RM-10 designations require increased landscaping and open space requirements as part of a multi-family residential development. Additional landscape buffering requirements and applicable design standards are applied based on proposed and adjacent use as well as zoning.

Land Use Compatibility: The existing nonconforming use on two of the subject lots is considered “road service use” and “outdoor storage” use per the City’s zoning code. Changing the land designations for the subject properties from MDR/AOC to AOC for all three parcels and changing the corresponding zoning classification from RM-10/CG to CG, would make the existing nonconforming uses conforming under the proposed CG zone. In addition, if approved, the new zoning would allow for a wide range of permitted uses, from professional office and general commercial uses to hazardous waste treatment and storage.

The parcels to the north and east would remain commercially zoned and used as such. The parcels to the west would remain multi-family residential and the parcels to the south would remain single-family residential. The requested change in designation would somewhat break up an otherwise continuous swath of moderate density residential designated properties between the existing commercial (north) and single-family residential (south).

Access, Transportation & Utilities: As previously noted, the subject properties are landlocked but obtain access to River Road (major arterial) and 15th St NW (minor collector) through adjacent commonly owned properties, and through existing easements providing limited access to River Road and 15th St NW. There are no current public transportation routes within close proximity to the subject properties. The closest bus route appears to be Pierce Transit Route 400 on W Stewart which travels from Puyallup to Downtown Tacoma; the closest bus stop appears to be approximately 0.60 miles from the subject properties. The Sounder Station also appears to be more than one mile away from the subject properties. The three subject lots are not currently served by utilities due to the existing development (i.e. no existing structures), but City of Puyallup sanitary sewer and water services are located within proximity to the subject site.

Intensity of Development: Under current zoning, the property could be redeveloped into multi-family residential. Based on the amount of land currently zoned RM-10, it would allow for a maximum base density of 25 units, with potential bonus density options. The proposed change would result in allowances for a wide range of commercial uses and very limited allowance of multi-family residential uses. Under the commercial zoning allowances, multi-family residential uses are permitted when proposed within a mixed-use building and are limited to occupancy of 50-percent of the building. The proposed change to the commercial designation would allow greater building mass than a building permitted under the existing zoning, as well as allowing reduced setbacks, increased lot coverage and floor area ratio, and increased height. Landscape buffering requirements and applicable design standards are applied based on proposed and adjacent use as well as zoning.

REVIEW CRITERIA ANALYSIS

Puyallup Municipal Code (PMC), Sections 18.40.071 and 18.40.075 include decision criteria required for review of these types of applications. In addition, the Land Use Element of the Comprehensive Plan includes criteria for designating the different future land use designations in the city. Analysis is provided below regarding the decision and designation criteria.

Comp Plan Amendment Decision Criteria – PMC 18.40.071:

(I) The proposed change will further and be consistent with the goals, objectives, and policies of the comprehensive plan.

Applicant's response:

The applicant notes the Comprehensive Plan's support of local businesses and economic development, and the significant role that car dealerships play in the City's history as a commercial center and the city's sales tax base. The automobile industry has also seen an increased demand for vehicles during the recent COVID-19 pandemic.

The applicant referenced Framework policy F-12 of the Foundations Element of the Comprehensive Plan, which seeks to expand the employment and tax base, and to "create a business-friendly environment that supports small and local businesses". Policy LU-15.3 from the Land Use Element was also referenced, as it seeks to recognize major economic contributors to the City, specifically calling out auto dealers as an example, as special commercial functions important to the community tax base, employment, and community identity.

Lastly, the applicant notes that the vision of the River Road Corridor Plan specifies "the portion of the River Road Corridor Planning Area south of River Road will remain auto-oriented commercial land for the foreseeable future." While the River Road Corridor Plan seeks to incorporate mixed-use development along the corridor, it also seeks to preserve the livelihood of auto dealerships and other retail uses (Goal RR-1).

Staff Analysis:

The City's Comprehensive Plan includes goals and policies that support both housing and employment/economic development. Comp Plan Policy LU-2.1 of the Land Use Element promotes retention and stability of existing residential neighborhoods by preventing compatible adjacent land uses, and Policy LU-2.2 encourages a range of housing types and densities for all economic sectors of the city. There are additional policies of the Land Use Element which seek to ensure that the city has adequate land to accommodate the city's anticipated and planned population growth, as well as a mix of housing types. The City's Housing Element also provides policy support for protection of established residential neighborhoods through design principles for new development, as well as promotion of a variety of residential densities and housing types.

The city's Comp Plan also includes goals and policies in support of economic development and support of locating commercial nodes within proximity to residential neighborhoods. The Economic Development Element states to "Recognize the River Road corridor as a major economic contributor to the City and ensure that proper land use standards are maintained to support its business (particularly auto sales) and community needs" (Policy ED-4.3). As the applicant also referenced, the River Road Corridor Plan notes the vision of future land use patterns being focused on pedestrian oriented mixed-use development in key locations, while preserving the livelihood of auto dealerships and other retail uses (Goal RR-1).

According to the 2021 Buildable Lands analysis, the three parcels were identified as vacant or underutilized. Per the Buildable Lands Report, the RM-10 residential density assumption is eight units per acre. Based on the total area currently zoned RM-10 for the three parcels and using the buildable lands capacity assumptions, we would anticipate 20 housing units for this site. The housing assumptions for the proposed CG zone would assume one housing unit capacity in total, which would provide a net loss of 19 housing units for the site if the map change were approved. According to the Buildable Lands Report, the city's current housing capacity is 7,925 units and the city's draft (soon to be adopted) housing growth target for 2020-2044 is 7,488 units. As a result, if the proposed amendment were approved, it would marginally impact the city's housing capacity; however, the city currently has enough housing capacity to meet the anticipated housing growth targets for the 2044 planning period.

While it appears the city's housing capacity can meet the anticipated growth targets, the Housing Action Plan notes that the Housing Needs Assessment performed in May 2021 "revealed that the housing production in Puyallup falls short on what is needed, putting pressure on housing prices and rents and limiting housing options for many residents." The city's current housing inventory is primarily composed of single-

family housing units, which doesn't match the needs of the community. By approving the subject application, it could reduce potential middle and affordable housing opportunities.

The 2021 Buildable Lands Report determined the city has a total employment capacity (jobs) of 11,119 and the city's draft (soon to be adopted) employment growth target for 2020-2044 is 14,715. As a result, the city is currently facing constraints on employment capacity for the next planning period. Using the assumptions provided in the report, the proposed amendment could increase the city's employment capacity by 48 jobs.

In review of the land use designation criteria of the Land Use Element, this request appears to largely meet the criteria for the proposed AOC land use designation. In support of this finding, the subject properties are in a location with some nodal development characteristics (e.g. mix of residential and commercial uses). In addition, while not directly abutting right-of-way (landlocked parcels), they are adjacent to commonly owned property and an existing easement provide access to River Road, a roadway considered to be a heavily trafficked arterial (major arterial).

In addition, one designation criterion discourages this designation from being applied to strip commercial areas without a focus, which this site would not be considered. The city has a River Road Corridor Plan which is a subarea plan within the city's Comp Plan adopted in 2011. The AOC designated portion of the split-designated parcel (TPN 0420204282) appears to be within the River Road Corridor Planning area and the remainder of the parcel, as well as the other two parcels, are within the larger River Road Neighborhood Planning area. The vision for the Corridor Planning Area is for the north side of River Road to redevelop into mixed-use development that addresses the Puyallup River, and the south side of River Road to remain auto-oriented commercial for the foreseeable future. The Neighborhood Planning Area to the south of River Road is intended to remain a safe and desirable residential community with improved connections to the businesses along River Road, within the new mixed-use areas and beyond the Riverwalk Trail. The proposal would incorporate the subject properties into a larger auto-oriented commercial development, which would not be considered a commercial area without a focus due to the neighborhood plan and vision for this area of the city.

The last designation criterion discourages high intensity commercial areas from being placed next to single-family residential neighborhoods without an intervening land use or extensive buffer, which is where the proposal may fall short on meeting the AOC criteria. The subject properties are adjacent to commercial parcels to the north and single-family residential parcels to the south. With the property located immediately adjacent to existing single-family residential, the proposed change could result in incompatibility between land uses without a transitional use. However, if the amendment were approved, the property would also be rezoned to General Commercial (CG), which requires a 30-foot dense transitional landscape buffer along the common boundaries zoned single-family residential and may be considered to result in consistency with the designation criteria.

- (2) (a) The existing land use designation was clearly made in error or due to an oversight; or (b) there has been a substantive change in conditions since the plan was adopted/last amended.**

Applicant's response:

The applicant contends that there has been a change in conditions since the plan was last adopted or amended, noting the historic economic relevance of car dealerships, the current supply chain issues related to the COVID-19 pandemic and recent increase in market demand for auto-oriented commercial uses. The applicant also notes that two of the three subject parcels contain an existing nonconforming auto-oriented use that has been established on site for more than 20 years. The third vacant parcel is surrounded by auto-oriented uses to the north, east and west, leaving little potential for redevelopment to moderate density residential on its own.

Staff Analysis:

It appears that the current land use designations for the subject parcels have been maintained since originally applied in 1994, as well as the zoning designations applied to the properties at the time of annexation in 1999. As noted in the prior map amendment history section of this staff report, the current land use and zoning designations were reviewed in 1999, 2000, and 2001, with the current land use and zoning designations being maintained at that time. Since the designations for these parcels were last reviewed, four single-family residential properties to the east of TPN 0420204263 have been demolished and are now owned by the applicant. The fact that the three subject parcels are now owned by the Larson auto dealership (applicant), along with nine other abutting parcels to the north and east may be considered as a change in conditions. Further, since the designations were applied to the parcels, there has been a change in transit service within the vicinity of the site, creating a lack of public transit service within close proximity to the subject properties to support a multi-family residential use and to provide consistency with the current Moderate Density Residential land use designation criteria.

- (3) Any of the criteria listed in PMC 18.40.075. Subsection 1(f) of PMC 18.40.075 includes the following criterion: A determination that sufficient change or lack of change in circumstances dictate the need for a recommended amendment.**

Applicant's response:

The applicant did not provide analysis regarding the third decision criteria; however, it is available to be analyzed as part of these types of amendment requests. As a result, city staff is providing the following analysis for consideration.

Staff Analysis:

Two of the subject properties contain a pre-existing nonconforming auto-oriented use. Since application of the current land use and zoning designations, the subject properties have not converted to multi-family residential uses. As a result, the lack of change/redevelopment of the property under the current land use designations in the past 23 years may support the requested amendment.

Designation Criteria

In determining consistency with the city's comp plan goals and policies, staff reviews these types of applications for compliance with the designation criteria for the requested land use. The criteria for designating the City's land use designations are provided in *Table 3-6: Future Land Use Designation* in the Land Use Element of the City's Comprehensive Plan. Staff included analysis under the Comp Plan Decision Criterion number one (1) and is also including the designation criteria table as an attachment to the agenda packet for reference.

Additional Considerations

Staff is providing the following information for additional consideration:

- **MDR designation criteria:** In review of the designation criteria for the current Moderate Density Residential (MDR) land use designation, site does not appear to currently meet all the required criteria. Specifically, the following criteria: *areas proximal to transportation corridors, including public transportation; and, inappropriate to be located next to a commercial or industrial designation.*

According to the River Road Corridor Plan it appears there once was a Sound Transit bus route on River Road; however, at this time there are no current public transportation routes within proximity to the subject properties. The closest bus route appears to be Pierce Transit Route 400 on W Stewart which travels from Puyallup to Downtown Tacoma; the closest bus stop appears to be approximately 0.60 miles from the subject properties. The Sounder Station also appears to be more than one mile away from the subject properties. The typical walkshed for public transportation is ¼ to ½ mile. Public transportation options are important to support this type of housing. In addition, the subject properties abut commercial designated properties to the north and east, which is inconsistent with the designation criteria.

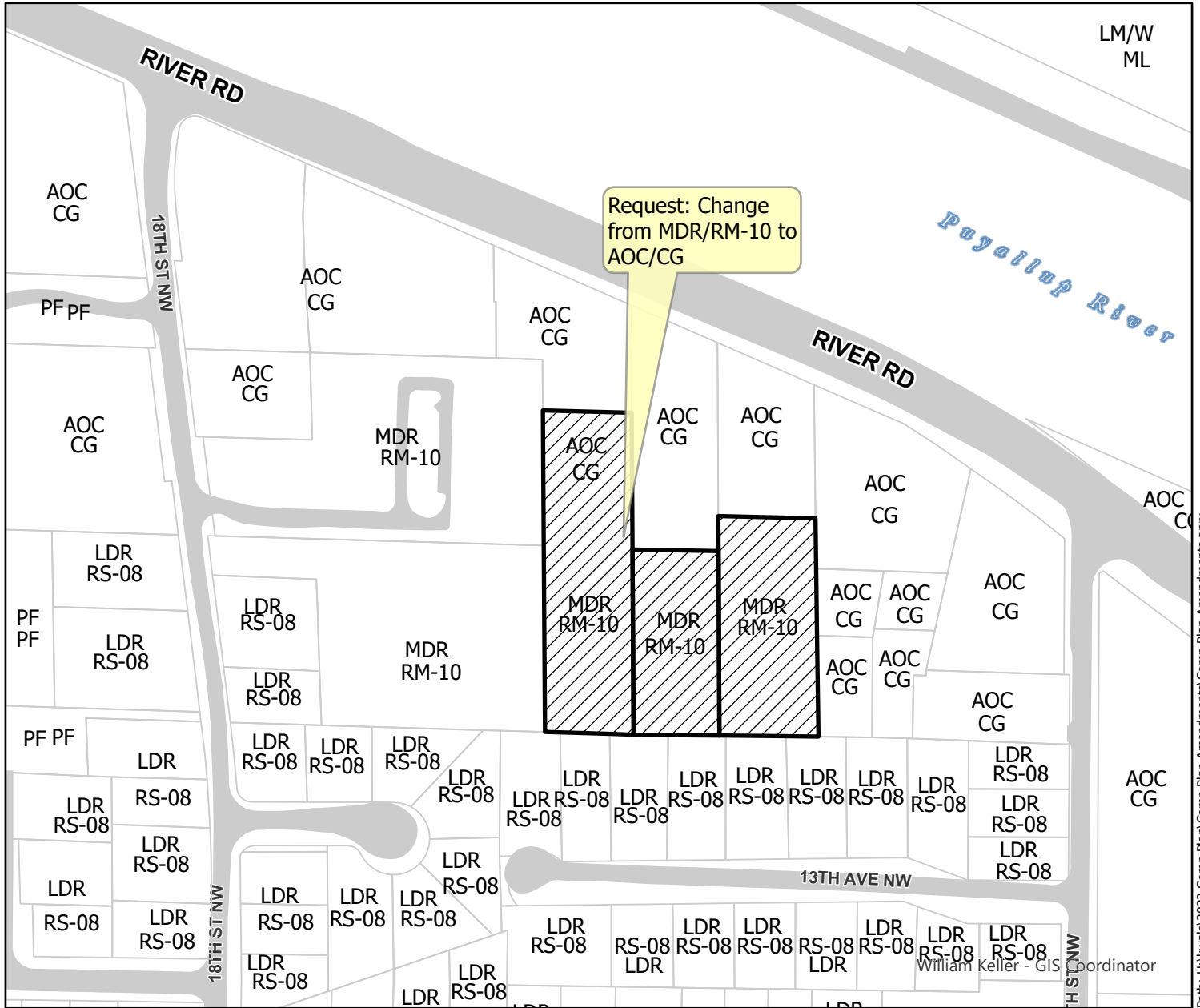
- **Existing development patterns:** In review of the existing application of commercial designations along River Road, it is notable that the corridor is lacking an intervening land use between the commercial and low density residential designations. For example, Auto Oriented Commercial land use designation is applied to the south of River Road directly abutting Low Density Residential (LDR) to the south, without a multi-family designation in between. The subject area appears to be the only block on River Road where there's a land use transition from commercial to moderate density residential (multi-family) to low density residential (single-family).
- **Access:**
 - There are two moderate density residential designated parcels to the west of the subject properties. One parcel (northern lot; TPN 0420204004) contains an existing apartment complex, and the other parcel (southern lot; TPN 0420204284) is currently under construction for a proposed 20-unit townhome project. While there is multi-family residential development to the west, there is likely no opportunity for connection/alternative access to the subject properties due to the existing structures on the northern lot and the proposed site plan for the southern lot.
 - As noted earlier in this report, there is no existing public right-of-way that directly abuts the subject properties, but there appears to be some existing easements that provide access. There appears to be an 18-foot-wide non-exclusive access and utility easement that runs along the southern boundary, providing access to the 15th St NW. In addition, there appears to be an existing easement to the north that runs along the eastern boundary of parcel 0420204281, providing access to River Road; however, the easement width is not specified and existing development limits access to a single lane of traffic. The width of the easements is limited and may not be adequate to support redevelopment of the lots into multi-family residential units. Without knowing which parcels would be involved, the size of the development, and a proposed site plan, we cannot say with any certainty that the lots are can be redeveloped under the current zoning and conditions at this time.

FUTURE LAND USE DESIGNATION TABLE – APPLICABLE DESIGNATIONS PLCPR20220024

DESIGNATION	DESCRIPTION	DESIGNATION CRITERIA	DEVELOPMENT STANDARDS (if applicable)
<p>Moderate Density Residential</p> <p><i>Implementing Zone(s):</i> RM-10</p>	<p>Moderate density housing types providing economical and alternative housing choices that help transition between low density and higher density residential uses.</p>	<ul style="list-style-type: none"> • Areas between single-family residential and more intense uses • Areas proximal to transportation corridors, including public transportation • Existing manufactured home parks • Urban infill areas in proximity to higher intensity uses • Inappropriate for areas with high volumes of through traffic and lacking urban levels of service • Inappropriate to be located next to a commercial or industrial designation 	<ul style="list-style-type: none"> a. Allowed Density: 9 to 14 dwelling units per acre b. Allow utilization of two or more housing types, including detached and attached homes, to maintain density while increasing visual diversity and character; c. Limit the number of units and size of attached housing to create or maintain neighborhood scale and character; d. Provide private outdoor living space for each dwelling unit; e. Reserve age appropriate active common open space within each development (e.g. tot lots, field game areas); f. Pedestrian path systems to link housing clusters and open spaces; and g. Provide amenities for mass transit transportation, including turn-outs for buses and shelters.
<p>Auto Oriented Commercial</p> <p><i>Implementing Zone(s):</i> CG CB CMX</p>	<p>Areas for retailing and other commercial services that serve the local community and surrounding market area.</p>	<ul style="list-style-type: none"> • Areas which are highly accessible to automobiles at the intersections of and along heavily trafficked arterials • Nodal development of new commercial development and redevelopment is preferred • Discouraged for strip commercial areas without a focus • An intervening transitional land use or extensive buffer should separate high intensity commercial areas from single-family residential neighborhoods 	<ul style="list-style-type: none"> a. Encourage more efficient and intensive utilization of commercial land through mixed use development and shared parking; b. Encourage parking to be located behind or beside buildings within the CB zone; c. Encourage articulation and modulation of building forms; d. Encourage integration of pedestrian amenities into commercial projects including plazas, courtyards, and piazzas; e. Require that parking areas and property frontages be landscaped, including street trees; f. Encourage provision of mass transit transportation amenities including turn-outs for buses and shelters; and g. Encourage interconnected parking lots and pedestrian paths between commercial complexes.

Larson Auto Group - Case PLCPR20220024 2022 Comprehensive Plan Amendment

Request to change the future land use designation and associated zoning of three parcels totaling 2.9 acres. The request would convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also change the associated zoning from medium density multi-family residential (RM-10) to the General Commercial (CG) zone.



City of Puyallup
Development &
Permitting Services
Planning Division

Date: 5/18/2022 2:17 PM

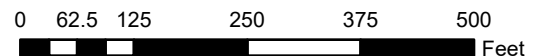
Land Use Designations

- AOC - Auto Oriented Commercial
- MDR - Moderate Density Residential
- LDR - Low Density Residential
- PF - Public Facilities
- LM/W - Light Manufacturing/Warehousing

Zoning Designations

- CG - General Commercial
- RM-10 - Medium Density Multiple-Family Residential
- RS-08 - Medium Density Single-Family Residential
- PF - Public Facilities
- ML - Limited Manufacturing

- Subject Properties
- Tax Parcels
- Paved Road



The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The City of Puyallup assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The City of Puyallup makes no warranty of fitness for a particular purpose.

Path: H:\kwalis\2022 Comp Plan\Comp Plan Amendments\Comp Plan Amendments.aprx



Comprehensive Plan Amendment

City of Puyallup
 Development Services
 333 S. Meridian
 Puyallup, WA 98371
 Phone: 253-864-4165
 www.cityofpuyallup.org

An amendment to the Comprehensive Plan and/or Future Land Use Map of the Comprehensive Plan is a proposed change or revision to the land use designation assigned to specific properties. Since most land use designations correspond to a distinct zone district, an amendment will typically require a concurrent change in zoning to maintain consistency between the Plan and the City's development regulations.

*This application form is for making a citizen-initiated request to amend the Comprehensive Plan. The application is due by **April 1, or the nearest business day thereafter**. Applications shall be submitted to the Development Services Permit Center (address above) by 4:00 p.m. on the due date. Applications received after this date will not be considered until the following year's annual comprehensive plan amendment process.*

Submittal Checklist

- Application is signed and dated
- 5 Copies of completed application form
- 5 Copies of SEPA checklist

Application Fees
 Comp Plan Amendment:
\$1,080.00

Environmental Review:
\$250.00

Per PMC 18.40.030, it is the responsibility of the applicant to bear the full cost of providing the required public notice. An invoice will be sent following the Planning Commission public hearing.

Date Received: _____

Staff Initials: _____

APPLICATION INFORMATION

Site Information

Parcel Number
Street Address

Applicant Information

Name		
Street Address		
City	State	Zip
Phone	E-mail	

Owner Information

Name		
Street Address		
City	State	Zip
Phone	E-mail	

Nature of Request (please be specific)

Map Amend	Text Amend	Rezone

Complete all blanks in Sections 1, 2, and 3 of the application form. If a zone change is requested as a part of this comprehensive plan amendment, please also fill out Section 4. Applications affecting multiple parcels must submit a completed and signed Section 5 for each parcel affected by the proposal. A letter or report will not be accepted in lieu of this application. However, additional reports, photos, etc., may be submitted as supporting documentation.

SITE SPECIFIC AMENDMENT PROPOSAL

NOTE: If there are multiple property owners associated with this proposal, please submit a completed and signed copy of the last page of this application for each parcel affected. In order to be considered a complete application, both the property owner and the applicant (if not the property owner) must sign where indicated.

Street Address of Site
Legal Description of the Affected Parcel(s)
Pierce County Tax Parcel Number(s)
Total Acreage or Square Footage of Parcel(s)
Current Use of the Property (describe what buildings/business are located on the site)
Describe the Land Uses Surrounding the Site of the Proposed Amendment
Current Comprehensive Plan designation(s)
Desired Comprehensive Plan designation(s)
Current Zoning of affected Parcel(s)
Desired Zoning

Attach a Map of the Site that Includes Adjacent Street Names

(NOTE: If a change in zoning is sought, an environmental checklist must be completed and turned in with this application — \$250.00 filing fee).

AVAILABILITY OF SERVICE		
The site is currently served by (check one)	sewer	septic
The site is currently served by a (check one)	public water system	well
Water Purveyor		
The site is located on a (check one)	public road	private road
Name of road		
Fire District No	Name	

CRITICAL AREA IDENTIFICATION

The purpose of this section is to determine if a critical area report is required due to the development site being on or near any critical areas. All critical areas identified, and their associated buffers must be shown on the title and map.

Based on the applicant's knowledge and research of the project site, please select any of the critical areas listed below that are located on or within 300 feet of the property boundaries.		
Wetlands	Wellhead Protection Area	Aquifer Recharge Area
Lakes/Ponds	Habitat Corridor	Flood Zone
Streams/Creeks	Habitat Conservation Area	Flood Classification:
Puyallup River Shoreline	Clarks Creek Shoreline	Geologic Hazard Areas
Shoreline Classification:	Shoreline Classification:	Volcanic Hazard Areas
Conservancy	Conservancy	Slopes 0% - 15%
Rural	Rural	Slopes 16% - 39%
Urban	Urban	Slopes 40% or Greater

Please describe the critical areas checked above and their location in relation to the proposed development. Please show their location on any plans to be submitted.

Do you know of any present or past critical area studies that have been conducted for critical areas on-site or adjacent to the site? Please describe below; including their date, scope, conclusions, and parcels they included.

Do you know if any critical areas have been placed inside a tract or a protection easement that is recorded on the title or plat for this site or any adjacent site? Please describe below, including name of tract or easement, location, and Puyallup permit number or recording number.

--

PROPOSED AMENDMENT

General description of proposal

--

Description of the specific reason(s) for proposing this amendment

--

REVIEW CRITERIA – Comprehensive Plan Amendment

The Puyallup Comprehensive Plan was developed and adopted after significant study and public participation and for this reason, the principles, goals, objectives and policies contained therein are granted substantial weight when considering any proposed amendment. Therefore, as noted in PMC 18.40.071, the burden of proof for justifying a proposed amendment rests with the applicant. The adopted Comprehensive Plan is available for review on the planning page of the City's website (<http://www.cityofpuyallup.org/>).

In order to support your request, please answer the following:

a) Please describe how the proposed change will further, and be consistent with, the goals, objectives, and policies of the comprehensive plan.

If the proposed amendment is to change the land use designation of a specific property on future land use map, the applicant must demonstrate either of the following (b or c)

b) The current land use designation was 1) made in error or 2) due to an oversight.

c) There has been a change in conditions since the current land use designation was established.

REVIEW CRITERIA – Associated Rezone Request

NOTE: If no zone change is sought, this section may be left blank. If a change in zoning is sought, an environmental checklist must be completed and turned in with this application – \$250.00 filing fee.

As described by PMC 20.90, the zoning of properties proposed for annexation to the city and area-wide rezones considered as part of a city-initiated planning program are legislative actions and shall be considered by the city council following review and recommendation by the planning commission. Each determination granting a rezone shall be supported by written findings and conclusions showing specifically wherein all of the following conditions exist

a) How is the proposed zoning amendment to the zoning map consistent with the goals, objectives and policies of the comprehensive plan?

b) How is the proposed zoning amendment to the zoning map consistent with the scope and purpose of the City zoning code (PMC 20.05.005) to protect, promote and enhance the public safety, healthy and general welfare, and the description and purpose of the zone classification applied for?

c) How have conditions changed since the previous zoning became effective to warrant the proposed amendment to the zoning map?

d) How is the proposed amendment to the zoning map in the interest of furtherance of the public health, safety, comfort, convenience and general welfare, and how will the proposed amendment to the zoning map not adversely affect the surrounding neighborhood, nor be injurious to other properties in the vicinity in which the subject property is located?

Public Notification

Upon receipt of a completed application and the required filing fee, the City will use the parcel number information provided by the applicant to generate a list of all property owners of record within the public notification area (a minimum of 500 feet from the subject parcel/s) and notify those property owners of the proposal. Additional public notice requirements are described in PMC 18.40.030.

Andrew Love

Digitally signed by Andrew Love
Date: 2022.02.21 09:49:47 -08'00'

2/21/2022

Signature of Applicant/Contact

Date



Signature of Applicant/Contact

Date

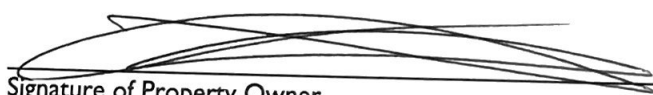
2-25-22

**INFORMATION FOR APPLICATIONS
AFFECTING
MULTIPLE PARCELS**

Applications affecting multiple parcels must submit this page, completed and signed, for each parcel affected by the proposal.

I. Contact Information

Taxpayer or legal owner name RJ8424 LLC (Mr. Josh Larson)		
Mailing Address 7815 South Tacoma Way		
City Tacoma	State WA	Zip Code 98409
Telephone 253-778-7027		
Email joshlarson@looklarson.com		
Site Address Unaddressed River Rd		
Legal Description of parcel(s)		
Section 20 Township 20 Range 04 Quarter 41 : PARCEL "B" OF DBLR 95-02-09-0328 DESC AS FOLL BEG 362.98 FT N & 850 FT E OF SW COR OF GOVT LOT 13 TH N 00 DEG 53 MIN 20 SEC W 447.82 FT TH S 88 DEG 46 MIN 14 SEC E 121.5 FT TH S 00 DEG 53 MIN 20 SEC E 447.82 FT TH N 88 DEG 46 MIN 14 SEC W 121.5 FT TO POB OUT OF 4-063 & 4-052 SEG H-0326 JU 10/2/95JU		
Parcel number(s) 0420204282		
Total acreage or square footage of parcel(s) 54,450 SF		




Signature of Property Owner

Date


2-25-22

Public Notification

Upon receipt of a completed application and the required filing fee, the City will use the parcel number information provided by the applicant to generate a list of all property owners of record within the public notification area (a minimum of 500 feet from the subject parcel/s) and notify those property owners of the proposal. Additional public notice requirements are described in PMC 18.40.030.


Signature of Applicant/Contact

Date 2-25-22


Signature of Applicant/Contact


Date 2-25-22

**INFORMATION FOR APPLICATIONS
AFFECTING
MULTIPLE PARCELS**

Applications affecting multiple parcels must submit this page, completed and signed, for each parcel affected by the proposal.

I. Contact Information

Taxpayer or legal owner name RJ XX 13th LLC (Mr. Josh Larson)		
Mailing Address 7815 South Tacoma Way		
City Tacoma	State WA	Zip Code 98409
Telephone 253-778-7027		
Email joshlarson@looklarson.com		
Site Address Unaddressed 13th Ave NW		
Legal Description of parcel(s)		
Section 20 Township 20 Range 04 Quarter 41 : BEG 365.1 FT N & 1091.5 FT E OF SW COR OF L 13 TH N 308 FT TH E 132 FT TH S 208 FT TH E 150 FT TH S 100 FT TH W 282 FT TO POB LESS S 100 FT OF E 150 FT THEREOF BEING A PARCEL 100 BY 150 FT TOG/W EASE OUT OF 4-000 SEG J-1228 GG		
Parcel number(s) 0420204263		
Total acreage or square footage of parcel(s) 40,946 SF		


Signature of Property Owner

Date 2-25-22

Public Notification

Upon receipt of a completed application and the required filing fee, the City will use the parcel number information provided by the applicant to generate a list of all property owners of record within the public notification area (a minimum of 500 feet from the subject parcel/s) and notify those property owners of the proposal. Additional public notice requirements are described in PMC 18.40.030.


Signature of Applicant/Contact _____ Date 2-25-22



Signature of Applicant/Contact _____ Date 2-25-22

**INFORMATION FOR APPLICATIONS
AFFECTING
MULTIPLE PARCELS**

Applications affecting multiple parcels must submit this page, completed and signed, for each parcel affected by the proposal.

I. Contact Information

Taxpayer or legal owner name RJ8424 LLC (Mr. Josh Larson)		
Mailing Address 7815 South Tacoma Way		
City Tacoma	State WA	Zip Code 98409
Telephone 253-778-7027		
Email joshlarson@looklarson.com		
Site Address 8424 River Rd		
Legal Description of parcel(s) Section 20 Township 20 Range 04 Quarter 41 : BEG 365.1 FT N & 971.5 FT E OF SW COR GOVT LOT 13 TH N 258 FT TH E 120 FT TH S 258 FT TH W 120 FT TO BEG INC EASE		
Parcel number(s) 0420204069		
Total acreage or square footage of parcel(s) 30,927 SF		


Signature of Property Owner _____ Date 2-25-22

**City of Puyallup
Planning Commission
Hybrid Zoom/Council Chambers
June 8, 2022
6:30 PM**

(These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of six years from the date of the meeting and are available upon request.)

PLANNING COMMISSIONERS PRESENT: Chair Art Seeley, Vice-Chair Heather Schiller, Angela Dillon, Kenya Jones-Lowell, Marty Kiilsgaard, Evan Mann

PLANNING COMMISSIONERS ABSENT:

STAFF PRESENT: Planning Manager – Katie Baker, Senior Stormwater Engineer – Paul Marrinan; Senior Planner – Kendall Wals; Administrative Assistant – Michelle Ochs

The meeting was called to order at 6:30 p.m. A quorum was established.

The Commissioners voted to amend the agenda and add the May 25, 2022, meeting minutes for review and approval.

APPROVAL OF THE AGENDA

Ms. Schiller moved to approve the agenda, with a second by Mr. Mann. The Commissioners unanimously approved the agenda.

CONSIDERATION OF MINUTES

May 25, 2022

Ms. Schiller moved to approve the minutes as written, with a second by Mr. Mann. The Commissioners unanimously approved the minutes.

PUBLIC HEARINGS

2022 Privately Initiated Comprehensive Plan Amendment – Larson Auto Group (01:50)

Ms. Wals gave a presentation on the item, a proposed Comprehensive Plan amendment to convert the future land use designation and associated zoning of three parcels totaling 2.9 acres. The request would convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also concurrently change the associated

zoning from a combination of medium density multi-family residential (RM10) and General Commercial (CG) to the CG zone for all three parcels.

Planning Commission questions/feedback:

- Mr. Kiilsgaard asked for verification on whether the property is land-locked and/or has access to it, Ms. Wals replied that it is land-locked, but there is access to the other properties because of the common ownership. Mr. Kiilsgaard asked questions about the increased number of housing units on the 2.5 acres regarding low-income housing and transportation issues.
- Mr. Mann asked about the maximum height for General Commercial properties, Ms. Wals stated that the maximum height is fifty feet, with potential height bonuses up to seventy-five feet. Mr. Mann asked if the applicant has an obligation to develop according to the site plan, Ms. Wals stated that they do not have to follow the site plan. Mr. Mann asked what is being developed to the left of this site, Ms. Wals responded that it is a multi-family development. Mr. Mann commented on housing types and employment opportunities in the City of Puyallup. Mr. Mann also commented on the walkshed for the nearest transit station.
- Ms. Schiller asked if the single-family homes that were demolished on the parcels to the east were included in the buildable lands report, Ms. Wals replied that the properties were already designated as Commercial prior to being demolished.
- Ms. Dillon asked about the difference between a conforming use and non-conforming use in the stormwater codes, Ms. Wals replied that the standards are the same for each and that they are both required to comply with the stormwater manual. Ms. Wals stated that she spoke to the engineer that is reviewing this project and that the applicant is being required to do enhanced treatment of the stormwater before it is discharged to the Puyallup River. Mr. Kiilsgaard inquired as to whether all three lots would have to conform with stormwater regulations, Ms. Wals replied that they would have to meet current standards.
- Mr. Seeley voiced concerns over some of the criteria of past and current uses as something for the Planning Commission to consider when making their recommendation. Mr. Seeley commented that one of the River Road Corridor goals calls for the area to be a walkable, pedestrian area and that this project doesn't meet that goal.
- Mr. Mann pointed out a clerical error in one of the staff recommendations in the staff report.

Todd Sawin, a civil engineer with AHBL and representative of Larson, commented that they have been using this property to store cars for quite some time. Mr. Sawin commented on some of the comments by the Commissioners, stating that in the long term, they intend to build according to the site plan, and addressed concerns about the easement, noise, stormwater requirements, and the walkable community piece.

- Mr. Mann stated that historical data that included pictures of the site didn't always show it in use, but partially overgrown and unused, and that it doesn't seem as if this is a continuation of a non-conforming use. Mr. Mann pointed out that there is an easement and asked if that means that the property isn't land-locked and able to be accessed, Mr. Sawin replied that according to the title report for the property, the easement doesn't reach those four lots. There was some back-and-forth discussion on the question of whether the property is land locked.

The public hearing opened at 7:27 p.m. for public comment.

Mervin Swanson – 1625 13th Ave NW – Mr. Swanson stated that he has lived in this area since 1978 and recognizes how long some of the property has been vacant. Mr. Swanson commented that commercial uses shouldn't abut residential properties, and that the zoning shouldn't be redesignated.

Matthew Mallory – 1611 12th Ave NW – Mr. Mallory explained that the proposed re-zone would affect his neighborhood in the following ways: increased vehicle traffic due to dealerships, noise pollution, loading/unloading vehicles, light pollution, change to an undesirable view. Mr. Mallory explained that this would have a big effect on the overall livability of the neighborhood. Mr. Mallory stated that if this is approved by the City Council, that they have a responsibility to mitigate these impacts.

Charles Vollmer – 1623 13th Ave NW – Mr. Vollmer stated that the parcels are not landlocked and that there is a 24-foot nonexclusive roadway and public utility easement that goes all the way over to the east parcel. Mr. Vollmer stated that there are also easements on the south portion and that the easement on the far west parcel goes out to River Road. Mr. Vollmer also voiced concerns over transit, light and noise. Mr. Vollmer stated that these are all negative impacts on the neighborhood.

The public hearing closed at 7:37 p.m.

It was noted that Commissioner Jones-Lowell joined the meeting after it started.

Mr. Mann stated that he supports business growth, but that this proposed amendment is not a good fit, and he does not support it. Ms. Dillon stated that if the re-zone takes place, that there is no guarantee what could be done in the future with it of the applicant were to ever sell. Ms. Schiller stated that she does not believe there was a change in conditions because the applicant caused some of the changes and is not in support of approving the amendment. Mr. Kiilsgaard stated that he doesn't believe that the parcels are landlocked and that there has been testimony in the past that housing is needed, therefore he can't support approving the amendment that would take away from that. Mr. Seeley stated that he can't support approving the proposal because it would not fit in with the surrounding area, and if it were approved, Larson would have to mitigate a lot of the concerns brought up and there isn't a confidence that they will do that.

Mr. Mann made a motion that the Planning Commission make a recommendation to the City Council to deny the proposal to convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels, along with concurrently changing the associated zoning from a combination of medium density multi-family residential (RM10) and General Commercial (CG) to the CG zone for all three parcels. Mr. Kiilsgaard seconded the motion.

The Commissioners voted, and the motion passed 6-0.

Proposed Title 21 Code Amendments - Stormwater Regulations (01:17:41)

Mr. Marrinan reminded the Commissioners that they are holding a public hearing this evening on this item and gave a presentation of the proposed changes to the code.

Planning Commission questions/feedback:

- Mr. Mann asked if there were any changes since the last time this was presented, Mr. Marrinan replied that he had only made some clerical corrections.
- Mr. Kiilsgaard asked if the inspection rate of businesses is twenty percent a year, Mr. Marrinan replied that yes, that is what is required. Mr. Kiilsgaard also inquired about the regulations for inspections of single-family residences.

The public hearing opened at 8:07 p.m., then closed as there were no public comments.

Mr. Mann made a motion to recommend approval of the proposed code amendments to Title 21 – Stormwater regulations, as presented, with a second by Mr. Seeley. The Commissioners voted, and the motion passed 6-0.

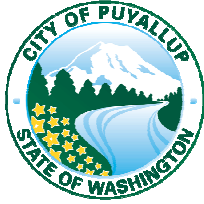
OTHER COMMISSION BUSINESS

None.

ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

DRAFT



City of Puyallup
Planning Division
333 S. Meridian, Puyallup, WA 98371
(253) 864-4165
www.cityofpuyallup.org

PRELIMINARY*

DETERMINATION OF NON-SIGNIFICANCE (DNS) ADDENDUM (TO PRIOR CITY SEPA DETERMINATIONS)

**This determination will become final if no formal appeals are filed and/or reconsideration requests are duly received*

2022 Comprehensive Plan Amendment (CPA)

Larson River Road CPA and Rezone

Comprehensive Plan Amendment with Rezone, SEPA Checklist

Project # PLCPR20220024

Date of SEPA issuance:	June 8, 2022
Description of Proposal:	Potential amendments to the City of Puyallup Comprehensive Plan and Zoning map. The proposed amendment consists of one (1) privately initiated future land use map amendment and a Zoning map amendment proposed to accompany and implement the Comprehensive Plan map amendment. <u>The proposed amendments are summarized in this determination document.</u> This is a non-project action SEPA determination; any future development will be subject to separate project specific SEPA review.
Location:	8424 River Rd (TPN 0420204282, 0420204069, 0420204263)
Title of documents referenced:	1994 Final EIS, adoption of City of Puyallup Comp Plan (09/1994) 2000 SEIS/Adoption/Addendum, City of Puyallup Comp Plan (10/2000) 2015 SEIS/Addendum/Adoption, City of Puyallup Comp Plan (07/2015)
Lead Agency:	City of Puyallup, Development & Permitting Services, Planning Division
SEPA Responsible Official:	Katie Baker, AICP City of Puyallup Planning Division 333 S. Meridian Puyallup, WA 98371 (253) 864-4165 Planning@puyallupwa.gov
Contact Person:	Kendall Wals, Senior Planner kwals@puyallupwa.gov (253) 841-5462
Approvals Required:	Amendments to the city's Comp Plan and official zoning map take effect following adoption by the City of Puyallup City Council
Anticipated Dates of Public Hearing and Action on Proposed Amendments:	Planning Commission Public Hearing – June 8, 2022 City Council Public Hearing – July 12, 2022 (anticipated date of first reading)
Anticipated Date of Final Action:	July 19, 2022

SUMMARY

This 2022 SEPA Determination has been prepared to address potential adverse environmental impacts associated with proposed amendments to the City of Puyallup Comprehensive Plan (“Comp Plan”). This Determination also addresses any and all implementing changes to the city’s zoning map and ordinance associated with the proposed future land use map amendment. The potential amendment has been proposed or initiated for consideration as a part of the 2022 Comp Plan amendment cycle.

The following prior City of Puyallup SEPA Determinations are being referenced in this Determination:

- 1994 Final EIS, adoption of City of Puyallup Comp Plan (09/1994)
- 2000 SEIS/Adoption/Addendum, City of Puyallup Comp Plan (10/2000)
- 2015 SEIS/Addendum/Adoption, City of Puyallup Comp Plan (07/2015)

This Determination is also intended to provide additional information on potential amendments not specifically addressed in the previous Determinations cited above.

DESCRIPTION OF PROPOSED ACTIONS

The proposed action consists of the following potential amendments to the City’s Comprehensive Plan Land Use map and official Zoning map, all of which are non-project actions with no actual development proposed at this time. The proposed amendment to the Puyallup Comp Plan Land Use and Zoning Maps are a privately initiated request. The proposed is subject to City Council final approval.

Comprehensive Plan & Zoning Map Amendment

Permit Number: PLCPR20220024

Applicant: AHBL, on behalf of Larson Automotive Group

Property Owner(s): Larson Automotive Group

Site Address: 8424 River Rd and two unaddressed parcels

Parcel Number(s): 0420204282, 0420204069, 0420204263

Proposal: The applicant requests a Comprehensive Plan amendment to convert the future land use designation and associated zoning of three parcels totaling 2.9 acres. The request would convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also concurrently change the associated zoning from a combination of medium density multi-family residential (RM-10) and General Commercial (CG) to the CG zone for all three parcels.

The SEPA Responsible Official for the City of Puyallup hereby makes the following findings and conclusions based upon a review of the environmental checklist and attachments, and policies, plans and regulations designated by the City of Puyallup as a basis for the exercise of substantive authority under the State Environmental Policy Act (SEPA) pursuant to the Revised Code of Washington (RCW) 43.21C.

General Information

The following environmental analysis focuses on the areas where the proposed non-project action may have an effect on the environment; other areas where probable significant adverse environmental impacts may be analyzed would be covered under a project specific SEPA Determination.

Land Use and Comprehensive Plan

1. Two of the three subject parcels contain a pre-existing nonconforming outdoor vehicle storage use. The city's nonconforming code allows the existing nonconforming use to continue and may be modified if it increases conformity with city code for outdoor storage areas (e.g. addition of paving, landscaping and lighting, etc.).
2. One parcel is currently split designated Auto Oriented Commercial (AOC) and Moderate Density Residential (MDR) land use, and two of the parcels are currently designated MDR. The subject parcels received the current land use designations in 1994 and the current zoning (General Commercial – CG and Multi-family Residential – RM-10) in 1999, upon annexation into the City. Potential redesignation and rezoning of some or all the subject properties were reviewed as part of the City's 1999, 2000 and 2001 Comprehensive Plan Amendment cycles to convert the parcels to AOC land use and CG zoning; however, ultimately, the map amendments were not approved.
3. The AOC portion of the split zoned parcel is located within the River Road Corridor Planning Area and the majority of the subject parcels are located within the River Road Neighborhood Planning Area of the city's River Road Corridor Plan (sub-area plan of the Comp. Plan). The vision for the Corridor Planning Area was for the north side of River Road to redevelop into mixed-use development that would address the Puyallup River, and the south side of River Road would remain auto-oriented commercial for the foreseeable future. The Neighborhood Planning Area to the south of River Road was intended to remain a safe and desirable residential community with improved connections to the businesses along River Road, within the new mixed-use areas and beyond the Riverwalk Trail.
4. The three subject parcels were identified as vacant or underutilized in the 2021 Buildable Lands analysis. The 2021 Buildable Lands Report and draft (soon to be adopted) housing and employment growth targets for 2020-2044 anticipate that the city has ability to accommodate housing growth projections but is facing employment constraints. Based on the Report assumptions, there would be a net loss of 19 housing units for the site if the map change were approved, and an increase of 48 jobs.
5. The properties have access, through common ownership, to River Road which is considered a heavily trafficked arterial (major arterial) and the site is located within proximity to existing residential and commercial uses. The subject properties abut single-family residential development and zoning to the south. To achieve compatibility between zone districts where incompatible uses may abut or interface with each other, the city's design review standards and procedures code chapter includes a section on zone transition standards, which requires an extensive vegetative buffer, height limitations and lighting standards for specific uses (PMC 20.26.500). As a result, these standards would be applied between the existing single-family residential zoning and any proposed nonresidential use on the subject site. The buffer standards require a 30-foot dense vegetative screen (Type I standards of the City's Vegetation Management Standards, including earthen berm), utilizing evergreen trees at a specific spacing and pattern, understory shrubbery, fencing or masonry wall. Building heights are limited within the first 30 feet of setback from residential zones, with a gradual height increase beyond the initial 30 feet. Outdoor lighting standards are required to avoid glare and light spill; a lighting plan with photometric analysis and light fixture cut sheets from the manufacturer are required at the time of development review.

6. The Responsible Official finds that a change to AOC would not create a probable significant adverse impact given the employment capacity need, consistency with economic development policies, River Road Corridor Plan and Comprehensive Plan land use designation criteria, as well as existing design standards for mitigating impacts of abutting nonresidential uses.

Critical and Sensitive Areas

1. Potential critical areas on or adjacent to the subject property include critical aquifer recharge areas, volcanic hazard area, stream/shoreline master program (Puyallup River), fish and wildlife habitat, and FEMA seclusion area. The subject property is located within a critical aquifer recharge area (CARA) and volcanic hazard area. The Puyallup River and habitat is located north of the subject properties and the property is not located within regulated floodplain area. Any future development application would require critical area reports if the proposed project and/or use triggered review based on the City's adopted critical area ordinance.
2. The requested General Commercial (CG) zoning allows for a variety of commercial uses from professional office and general retail to hazardous waste treatment and storage.
 - a. The city's critical area code requires a critical area report for specific uses proposed within critical aquifer recharge areas. The critical area report is required to provide detailed information based on the site- and proposal-related information (PMC 21.06.1150).
 - b. Additionally, the critical area code contains prohibitions for hazardous facilities (and other uses) when located within volcanic hazard areas (PMC 21.06.1260). Project-specific proposals require review under these standards based on the proposed use.
3. The Responsible Official finds that the proposed change to AOC land use would not create a probable significant adverse impact given the fact that this is a non-project proposal; any project-specific impacts would be analyzed upon submittal of a future development application.

Historical and Cultural Resources

1. The Puyallup Tribe of Indians responded to the Notice of Application, noting that the subject properties are located within a high probability area for impacting cultural resources. The Tribe also noted that while the current proposal does not appear to include ground disturbance, any future development requiring ground disturbance will require a cultural resource survey prior to disturbance.
2. In the event that suspected historic artifacts, cultural artifacts, or objects of suspected archaeological value were discovered during any site excavation, grading or other form of site development/construction, all work on the project site would be required to stop immediately. The property owner/developer would be required to notify the City, the State Department of Archaeology and Historic Preservation (DAHP) and affected Tribal governments of any such findings. In these cases, the property owner/developer would be required to provide for a site inspection and evaluation by a professional archaeologist or historic preservation professional, as applicable, in coordination with the state and/or affected tribes.
3. The Responsible Official finds that a change to AOC would not create a probable significant adverse impact given the lack of ground disturbance proposed at this time; a cultural resources survey would be required at the time of review for any future development proposal(s).

Transportation

1. The subject properties receive access to River Road, major arterial roadway, and 15th St NW, minor collector, through adjacent properties to the north and east with common ownership.

2. The subject properties are not located within proximity to current public transportation routes. The closest bus route appears to be Pierce Transit Route 400 on W Stewart which travels from Puyallup to Downtown Tacoma; the closest bus stop appears to be approximately 0.60 miles from the subject properties. The Sounder Station also appears to be more than one mile away from the subject properties.
3. Staff analyzed the potential impacts comparing the PM peak hour trips of a multi-family residential development allowed by the current land use/zoning designation (MDR land use/RM-10 zoning) to commercial retail development under the proposed designation (AOC land use/CG zone). The proposed commercial retail use for the subject parcel would be expected to generate increased number of vehicular trips than a residential development under the current zoning. At the time of development, any surrounding intersections receiving more than 25 PM peak hour vehicle trips would require additional study for potential impacts to level of service standards and/or operational impacts. Any project-specific impacts would be analyzed upon submittal of a future development application.
4. The Responsible Official finds that a change to AOC would not create a probable significant adverse impact given the proximity to existing roadways and their classification, as well as the fact that any future project-specific development proposal will be required to be reviewed for potential transportation impacts and provide mitigation, as necessary.

SEPA THRESHOLD DETERMINATION

Addendum

The scope of the following amendment proposals was not specifically addressed in the prior SEPA Determinations as cited earlier in this document. However, given the expected scope of the proposed map amendment relative to the scope of existing plans, no net new significant adverse environmental impacts associated with this particular amendment have yet been identified. The proposed addendum for the map amendment is being processed pursuant to WAC 197-11-600. The following additional information on the potential amendments serves as an addendum to the prior Determinations cited above.

Relationship to prior SEPA/Assessment of Proposed Action: One parcel is currently split designated with Auto Oriented Commercial (AOC) and Moderate Density Residential (MDR) land use designations, and the other two lots are designated MDR. The subject parcels received the current land use designations in 1994 and the current zoning (General Commercial – CG and Multi-family Residential – RM-10) in 1999, upon annexation into the City. The proposed comprehensive plan map amendment with concurrent rezone would correct the split designation and convert all three parcels to Auto Oriented Commercial (AOC) land use and General Commercial (CG) zoning. The proposed land use and zoning designations would be consistent with the existing outdoor vehicle storage uses on two of the subject lots and allow for an increase in the city's employment capacity. Conformance with prescribed zoning performance and development standards as well as project specific SEPA review for any subsequent site development proposal would be expected to mitigate any potential individual impacts. Given the analysis provided above, no significant environmental impacts are anticipated at this time related to this set of proposed actions to the Land Use and Zoning maps.

Determination of Non-significance

The lead agency for the actions cited above has determined that they will not have a probable significant adverse impact on the environment beyond those noted as having been previously disclosed in prior documents as adopted herein. Therefore, this Addendum is appropriate SEPA documentation for the actions. This determination is based upon a review of the expected level of impacts relative to the prior

SEPA Determinations as noted. As cited above, any subsequent site development proposal would be fully subject to project specific SEPA review.

COMMENTS

Comments on this preliminary DNS Addendum must be submitted within 14 days or by **3:00 p.m.** on **Thursday, June 23, 2022** to the Responsible Official at City of Puyallup Development & Permitting Services Center. Comments will be accepted by mail, in person (City Hall) or (preferably) by email.

- Please mail to or drop off in person: Development & Permitting Services, Attn: Kendall Wals, 333 S Meridian, Puyallup, WA 98371.
- To submit comments electronically (preferred), please send via E-mail to: Planning@PuyallupWA.gov; or contact the case planner below.
- Kendall Wals, Senior Planner, at (253) 841-5462 or kwals@PuyallupWA.gov

APPEALS

Consistent with WAC 197-11-545 regarding commenting parties and agencies, an appeal the subject DNS may be filed via a written request with the SEPA Responsible Official by applicable parties and agencies within 10 days of the issuance of this DNS, or by **3:00 pm** on **Tuesday, July 5, 2022**.

Appeals will be accepted via the CityView permit portal only (<https://permits.puyallupwa.gov/Portal>). Please call or email Planning prior to submission of an appeal, if possible.

- To file an appeal electronically, please visit <https://permits.puyallupwa.gov/Portal> and select “Apply for a Planning Permit”, then select “Appeal to Hearing Examiner” from the project/permit type drop down when prompted.

Prior to submittal and payment of the \$650.00 appeal fee, consult PMC 21.04.205 regarding SEPA Appeals or contact the SEPA Responsible Official at Planning@PuyallupWA.gov or (253) 864-4165 to ask about the appeal procedures, if possible. Be prepared to make specific factual reasons, rationale, and/or the basis for the appeal. This determination will become final if no formal appeals are filed and/or reconsideration requests are made by the expiration date listed above.

Publication Date: June 10, 2022

Notice Published in: Tacoma News Tribune



June 8, 2022

Kendall Wals
Senior Planner

Date



June 8, 2022

Katie Baker, AICP
City of Puyallup SEPA Responsible Official

Date

Attachments:

- A. Map of amendment request
- B. Environmental Checklist

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PUYALLUP, WASHINGTON, denying a privately initiated Comprehensive Plan Amendment application (Case #PLCPR20220024).

WHEREAS, on September 19, 1994, the City of Puyallup adopted a Comprehensive Plan by Ordinance No. 2411, in compliance with the Washington State Growth Management Act, which includes a map known as the “Comprehensive Plan Future Land Use Map;” and

WHEREAS, RCW 36.70A.130(4) requires the City of Puyallup to conduct a review of its comprehensive plan and development regulations to ensure the plan and regulations comply with the requirements of the Growth Management Act and make revisions as needed; and

WHEREAS, in 2022, the City actively solicited public input into the review and update process consistent with RCW 36.70A.130, including providing notice on the City’s website and at the Development & Permitting Services Center, and inviting members of the public to address them with their concerns at regularly scheduled Planning Commission meetings; and

WHEREAS, in 2022, one privately initiated request to amend the Future Land Use Map, with associated rezones, for a property within the City corporate limits and City Urban Growth Area was proposed for consideration; and

WHEREAS, in 2022, the applicants posted the site, the City notified all property owners within 500 feet of the map amendment proposed for redesignation and rezoning, and invited members of the public to comment at the Planning Commission Public Hearing; and

WHEREAS, environmental impacts of the Comprehensive Plan and the proposed 2022 amendments to the Future Land Use and Zoning Maps were reviewed as follows: 1) a final EIS for the 1994 Comprehensive Plan was issued September 9, 1994 and 2) a DNS addendum was issued on June 8, 2022, and was circulated for comments to affected tribes and agencies with jurisdiction; and

WHEREAS, pursuant to State Law, proposed year 2022 amendments to the Future Land Use and Zoning Maps were received by applicable State agencies and related public entities on May 18, 2022, for a requisite 60-day review period; and

WHEREAS, the City Planning Commission held two study sessions on the proposed amendments to the Future Land Use and Zoning Maps throughout 2022 and then conducted a duly advertised public hearing for oral comments on June 8, 2022; and

WHEREAS, on June 8, 2022, the City Planning Commission issued its recommendation to the City Council for the proposed Future Land Use and Zoning Map amendments; and

WHEREAS, the Planning Commission recommended by a vote of 6-0 to deny case no. PLCPR20220024 (Larson Automotive Group); and

WHEREAS, the Puyallup City Council received a briefing on the privately initiated application at the June 14, 2022 study session; and,

WHEREAS, the City Council held a noticed public hearing on July 12, 2022 and consideration of a resolution on the subject application; and,

WHEREAS, during consideration of the application on July 12, 2022, the City Council passed a motion by a vote of X-X to deny case no. PLCPR20220024 (Larson Automotive Group).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PUYALLUP AS FOLLOWS:

Section 1. The City Council did not find consistency with the Auto Oriented Commercial (AOC) land use designation criteria of the Puyallup Comprehensive Plan and found that there has not been substantive change in conditions to warrant the requested map change. City Council findings are outlined in ‘Exhibit A’ of this resolution, and therefore, the application is denied.

Section 2. The City Clerk is authorized to make necessary corrections to this resolution including, but not limited to, the correction of scrivener’s/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Adopted by the City Council of the City of Puyallup at a regular meeting on the _____ day of _____, _____.

Dean Johnson
Mayor

ATTEST:

Brenda Fritsvold
City Clerk

APPROVED AS TO FORM:

Joseph N. Beck
City Attorney

DRAFT

EXHIBIT A

Case No.: PLCPR20220024 (Larson Automotive Group)

Proposal: Privately initiated Comprehensive Plan amendment request to convert three parcels located near 8424 River Road, near the intersection of River Road and 15th St NW, totaling approximately 2.9 acres. The request would convert two parcels from Moderate Density Residential (MDR) and a split designated parcel of MDR and Auto Oriented Commercial (AOC) to the AOC land use designation for all three parcels. The request would also concurrently change the associated zoning from a combination of medium density multi-family residential (RM-10) and General Commercial (CG) to the CG zone for all three parcels.

Location: 8424 River Rd (TPN 0420204282, 0420204069, 0420204263)

Findings: Comprehensive Plan Amendment: The privately initiated Comprehensive Plan amendment findings of PMC Sec. 18.40.071 are required to be met for this request, and are as follows:

- a. the request generally conforms to applicable portions of the Comprehensive Plan, and
- b. the existing land use designation was clearly made in error or due to an oversight.

Rezone: The rezone findings under PMC Sec. 20.90.015 are required to be met for this request, and are as follows:

- a. the request generally conforms to applicable portions of the Comprehensive Plan,
- b. the request is consistent with the scope of applicable zone districts,
- c. there have been changed circumstances since original adoption of zoning as cited above, and
- d. the proposed amendment will be in the interest of furtherance of the public health, safety, comfort, convenience and general welfare, and will not adversely affect the surrounding neighborhood, nor be injurious to other properties in the vicinity of the subject property.

The Puyallup Planning Commission and City Council found the application lacked consistency with the City's Comprehensive Plan due to inconsistency with city land use and housing policies as well as the designation criteria for the Auto Oriented Commercial (AOC); the subject site lacks an intervening land use between single-family residential and the requested AOC designation.

Additionally, the Commission and Council found the applicant did not adequately establish a substantial change in conditions to warrant a map change. The consolidation in ownership of the subject parcels and adjacent properties, and demolition of prior single-family residential structures to the east of the subject properties were actions

caused by the applicant. The current supply chain issues related to the COVID-19 pandemic and recent increase in market demand for auto-oriented commercial uses were also not seen as substantial changes in conditions to warrant the requested map change.

This request is DENIED.

DRAFT