

## ORDINANCE NO. 3173

**AN ORDINANCE OF THE CITY OF PUYALLUP** designating a Planned Action for the Downtown Subarea pursuant to the State Environmental Policy Act

**WHEREAS**, the State Environmental Policy Act (SEPA) and implementing rules provide for the integration of environmental review with land use planning and project review through designation of “Planned Actions” by jurisdictions planning under the Growth Management Act (GMA); and

**WHEREAS**, the City of Puyallup (City) has adopted a 2015 Comprehensive Plan complying with the GMA; and,

**WHEREAS**, to guide the area’s growth and redevelopment, the City has engaged in extensive subarea planning for the Downtown by amending its Downtown Neighborhood Plan and adopting Downtown Design Guidelines in 2006, further supporting Downtown as a Regional Center; and

**WHEREAS**, the City has developed additional implementation tools to support the Downtown Neighborhood Plan including planning for a variety of infrastructure improvements in a designated “revenue development area” through the Local Infrastructure Financing Tool (LIFT) in 2008, and revitalization of the Downtown is desirable and in the best interest of the City; and

**WHEREAS**, in July 2018, the City desires to designate a Planned Action for its Puyallup planning area; and

**WHEREAS**, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action environmental impact statement (EIS), and thereby encourages desired growth and economic development; and

**WHEREAS**, the Puyallup Downtown Planned Action EIS identifies impacts and mitigation measures associated with planned development in the Puyallup Planned Action Study Area; and

**WHEREAS**, the City has adopted development regulations and ordinances which will help protect the environment, and is adopting regulations specific to the Puyallup Downtown Planned Action Area which will guide the allocation, form and quality of desired development; and

**WHEREAS**, the City’s Environmental Policy, Puyallup Municipal Code (PMC) 21.04.100, provides for Planned Actions within the City; and

**WHEREAS**, the City provided public comment opportunities through an EIS scoping period in September 2011, and the Draft Puyallup Downtown Planned Action EIS comment period in April 2012, and a voluntary comment period with a Proposed Final EIS in February 2018, and held public meetings and hearings as part of a coordinated Puyallup public participation program.

**NOW, THEREFORE,** the City Council of the City of Puyallup, Washington ordains as follows:

**Section 1. Findings.** The City Council finds as follows:

- A. The City is subject to the requirements of the GMA (RCW 36.70A);
- B. The City has adopted a Comprehensive Plan complying with the GMA, and is amending the Comprehensive Plan to address improvements in the Downtown Revitalization Plan, Transportation Element, and Capital Facilities Plan;
- C. The City has adopted a Local Infrastructure Financing Tool (LIFT) as an incentive for development in the Downtown subarea, and is seeking to attract development and redevelopment to the downtown vicinity through additional implementation strategies such as development regulation amendments and a potential transfer of development rights program;
- D. The Puyallup Downtown Planned Action Area is located within an urban growth area, and encompasses an area of approximately 189 acres;
- E. An EIS has been prepared by the City for the Puyallup Downtown Planned Action area, and the City Council finds that the EIS adequately identifies and addresses the probable significant environmental impacts associated with the types of land uses and amount of development planned to occur in the designated Puyallup Downtown Planned Action area;
- F. The mitigation measures identified in the Planned Action EIS and incorporated in Ordinance No. 3173, together with adopted City development regulations, will adequately mitigate significant impacts from development within the Planned Action area;
- G. The Comprehensive Plan and Puyallup Downtown Planned Action EIS identify the location, type and amount of development that is contemplated by the Planned Action;
- H. The Puyallup Downtown Planned Action does not designate essential public facilities as planned actions except as provided in RCW 43.21C.440;
- I. Future projects that are implemented consistent with the Puyallup Downtown Planned Action will protect the environment, benefit the public and enhance economic development; and
- J. The City has provided numerous opportunities for meaningful public involvement in the Puyallup Downtown Planned Action, EIS and proposed Planned Action, has considered all comments received, and, as appropriate, has modified the proposal or mitigation measures in response to comments.

**Section 2. New Chapter.** A new Chapter 20.48, entitled Downtown Planned Action, shall be added to Title 20 of the Puyallup Municipal Code as follows.

**PMC 20.48.010 Purpose.** The City Council declares that the purpose of this chapter is to:

- 1. Combine environmental analysis, land use plans, development regulations, City codes and ordinances together with the mitigation measures in the Puyallup Downtown Planned Action

EIS to mitigate environmental impacts and process planned action development applications in the Downtown subarea of the City;

2. Designate the Puyallup Downtown Planned Action Areas a Planned Action for purposes of environmental review and permitting of subsequent, implementing projects pursuant to SEPA;

3. Establish criteria and procedures, consistent with state law, that will determine whether subsequent projects qualify as Planned Actions;

4. Provide the public with information about Planned Actions and how the City will process implementing projects;

5. Streamline and expedite the land use permit review process by relying on completed and existing detailed environmental analysis for certain land uses allowed in the Downtown subarea;

6. Apply the City's development regulations together with the mitigation measures described in the EIS and this chapter to address the impacts of future development contemplated by the Planned Actions.

#### **PMC 20.48.020 Procedures and Criteria for Evaluating and Determining Projects as Planned Actions.**

**1. Planned Action Area.** The Planned Action designation shall apply to the area shown in Exhibit A. Properties within the Planned Action boundary and outside of the regional growth center are required to retain their CBD zoning in order to be considered a planned action.

**2. Environmental Document.** A Planned Action determination for a site-specific implementing project application shall be based on the environmental analysis contained in the Draft EIS issued by the City on April 2, 2012 and the Final EIS published on March 20, 2018. The draft and Final EISs shall comprise the Planned Action EIS. The mitigation measures contained in Ordinance No. 3173, Exhibit B are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations, provide the framework that the City will use to impose appropriate conditions on qualifying Planned Action projects.

**3. Planned Action Designated.** Land uses and activities described in the Planned Action EIS, subject to the thresholds described in PMC 20.48.020(4) and the mitigation measures contained in Ordinance No. 3173, Exhibit B, are designated Planned Actions or Planned Action Projects pursuant to RCW 43.21C.031. A development application for a site-specific Planned Action project located within the Downtown subarea shall be designated a Planned Action if it meets the criteria set forth in PMC 20.48.020(4) and applicable laws, codes, development regulations and standards of the City.

**4. Planned Action Qualifications.** The following thresholds shall be used to determine if a site-specific development proposed within the Downtown subarea is contemplated by the Planned Action and has had its environmental impacts evaluated in the Planned Action EIS:

(a) Land Use.

(i) The following general categories/types of land uses are considered Planned Actions: multi-family residential; commercial uses such as office, retail, and services; mixed-use development incorporating more than one use category where permitted; and public services, recreation, and utilities.

(ii) Individual land uses considered as Planned Actions shall include those uses specifically listed in PMC Title 20 as permitted or conditionally permitted in the zoning classifications applied to properties within the Planned Action area provided they are consistent with the general categories/types of land uses in (1)(a). The specific zoning classifications include: CBD, CBD-CORE, CG, CL, RM-20, and RM-CORE.

(b) Development Thresholds:

(i) The following amount of various new land uses are anticipated by the Planned

Action:

Feature	Preferred Alternative
Residential Dwellings (units)	1,039
Population	2,149
Commercial Square Feet	1,029,681
Jobs	2,942

(ii) The following public service improvements, infrastructure and utilities are considered Planned Actions: roadways, water, wastewater and stormwater facilities and fire and emergency medical services (EMS), police services, schools, and parks and recreation facilities identified in the Puyallup Downtown Planned Action, EIS

(iii) Shifting development amounts between categories of uses in (a) and (b) may be permitted so long as the total build-out does not exceed the aggregate amount of development and trip generation reviewed in the EIS, and so long as the impacts of that development have been identified in the Puyallup Downtown Planned Action EIS and are mitigated consistent with Ordinance No. 3173, Exhibit B.

(iv) If future development proposals in the Downtown subarea and Planned Action area exceed the development thresholds specified in Ordinance No. 3173 and PMC 20.48.020(4) further environmental review may be required pursuant to WAC 197-11-172. Further, if proposed development would alter the assumptions and analysis in the Planned Action EIS, further environmental review may be required.

(c) Additional Environmental Considerations.

(i) Transportation

(A) Trip Ranges & Thresholds. The number of new PM Peak Hour Trips anticipated in the Planned Action Area and reviewed in the EIS is as follows:

Land Use	Quantity		ITE Gross PM Peak Hour Trips
	Existing	Preferred Alternative	Preferred Alternative
Total Dwelling Units	2,041	3,082	
Total Commercial Square Footage (ksf)	2,442	3,656	8,669 +2,525 over existing
<b>Mainstreet Adjustments</b>			
Internal Capture (24.6% / 31.3% / 31.4% / 31.3%)			2724
<b>External Trips - All Modes</b>			<b>5,945</b>
External Walk/Bike (1.7% / 1.6% / 1.6% / 1.6%)			137
External Transit (3.8% / 3.4% / 3.5% / 3.5%)			303
<b>External Vehicle Trips</b>			<b>5,505</b>
<b>Total Reduction Applied to Travel Model</b>			<b>3,164</b>

Source: Fehr & Peers, 2017.

Uses or activities that would exceed the range of maximum trip levels will require additional SEPA review.

(B) Concurrency. The determination of transportation impacts shall be based on the City's concurrency management program contained in PMC Chapter 21.18.

(C) Impact Fee. As provided in the EIS and PMC Chapter 21.20, in order to mitigate transportation related impacts, all Planned Action Projects shall pay impact fees.

(D) Discretion. The SEPA Responsible Official or his/her designee shall have discretion to determine incremental and total trip generation, consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the SEPA Responsible Official at his sole discretion, for each project permit application proposed under this Planned Action.

(ii) Building Height: In order to qualify as a planned action, building heights shall not exceed those studied in the Planned Action EIS, nor those established in the applicable zoning district.

(d) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of impacts to any of the elements of the environment analyzed in the Planned Action EIS, shall not qualify as a Planned Action.

(e) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

#### **5. Planned Action Review Criteria.**

(a) The City's Responsible Official may designate as planned actions, pursuant to RCW 43.21C.440, applications that meet all of the following conditions:

(i) the proposal is located within the Planned Action area identified in Exhibit A of Ordinance No. 3173;

(ii) the proposed uses and activities are consistent with those described in the Planned Action EIS and PMC 20.48.020(4);

(iii) the proposal is within the Planned Action thresholds and other criteria of PMC 20.48.020(4);

(iv) the proposal is consistent with the City's Comprehensive Plan and applicable zoning regulations;

(v) the proposal's significant adverse environmental impacts have been identified in the Planned Action EIS;

(vi) the proposal's significant impacts have been mitigated by application of the measures identified in Ordinance No. 3173, Exhibit B, PMC 20.48.020(4), and other applicable city regulations, together with any modifications or variances or special permits that may be required;

(vii) the proposal complies with all applicable local, state and/or federal laws and regulations, and the Responsible Official determines that these constitute adequate mitigation; and

(viii) the proposal is not an essential public facility as defined by RCW 36.70A.200(1) unless an essential public facility is accessory to or part of a residential, office, school, commercial, recreational, service, or industrial development that is designated a planned action consistent with RCW 43.21C.440 and any rules adopted pursuant to the law.

(b) The City shall base its decision on review of a SEPA checklist, or an alternative form approved by the Department of Ecology, and review of the application and supporting documentation.

(c) A proposal that meets the criteria of this section shall be considered to qualify and be designated as a planned action, consistent with the requirements of RCW 43.21C, WAC 197-11 and this chapter.

#### **6. Effect of Planned Action.**

(a) Designation as a planned action project means that a qualifying proposal has been reviewed in accordance with this chapter and found to be consistent with its development parameters and thresholds, and with the environmental analysis contained in the Planned Action EIS.

(b) Upon determination by the City's Responsible Official that the proposal meets the criteria of PMC 20.48.020(4) and qualifies as a planned action, the proposal shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA.

**7. Planned Action Permit Process.** Applications for planned actions shall be reviewed pursuant to the following process:

(a) Development applications shall meet all applicable requirements of the PMC. Applications for planned actions shall be made on forms approved by the City and shall include a SEPA checklist, or an approved Planned Action checklist.

(b) The Responsible Official shall determine whether the application is complete consistent with PMC and state laws.

(c) If the application is for a project within the Planned Action area defined in Ordinance No. 3173, Exhibit A, the application will be reviewed to determine if it is consistent with the criteria of PMC 20.48.020(5) and thereby qualifies as a Planned Action project. The Responsible Official shall notify the applicant of his/her decision and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406). If the project is determined to qualify as a Planned Action, it shall proceed in accordance with the applicable permit review procedures specified in the PMC, except that no SEPA threshold determination, EIS or additional SEPA review shall be required. The decision of the Responsible Official regarding qualifications as a Planned Action shall be final.

(d) Public notice and review for projects that qualify as Planned Actions shall be tied to the underlying permit. The review process of the underlying permit shall be as provided in PMC. If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this chapter.

(e) If a project is determined to not qualify as a Planned Action, the Responsible Official shall notify the applicant and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406). The Responsible Official shall prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action.

(f) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The Responsible Official may limit the scope of the SEPA review for a non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

#### **PMC 20.48.030 Monitoring and Review.**

The City shall monitor the progress of development in the designated Planned Action area to ensure that it is consistent with the assumptions of this chapter and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Downtown subarea. The City shall conduct its first monitoring evaluation no later than two years after the effective date of Ordinance No. 3173, and

every two years thereafter. Of particular importance in monitoring is an areawide parking monitoring and the local and amount of ground-floor retail frontage.

**Section 3. Conflict.**

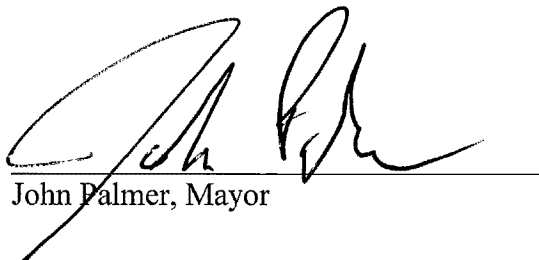
In the event of a conflict between this Ordinance or any mitigation measures imposed thereto, and any Ordinance or regulation of the City, the provisions of this Ordinance shall control.

**Section 4. Severability.**


Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or its application be declared to be unconstitutional or invalid by a court of competent jurisdiction such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance or its application to another person or situation.

**Section 5. Effective Date.** This Ordinance shall take effect and be in force five days (5) after its passage, approval, and publication as provided by law.

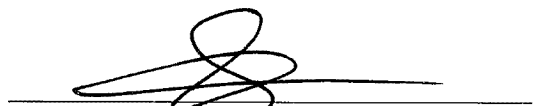
Dated the 26 day of July, 2018

  
John Palmer, Mayor

ATTEST:

  
Mary Winter, City Clerk

APPROVED AS TO FORM:

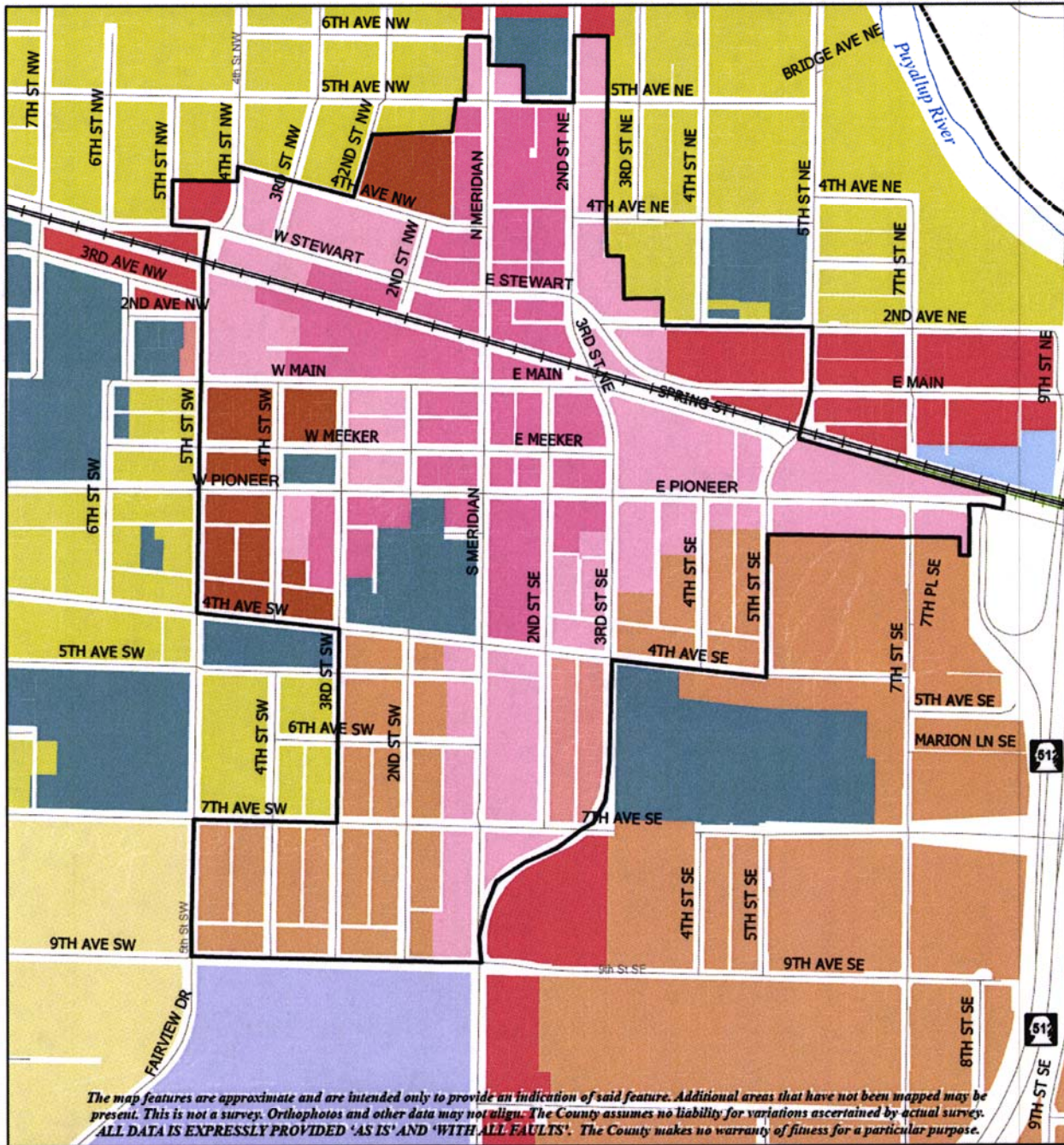
  
Shawn Arthur, Sr. Assistant City Attorney

Published: July 13, 2018 – The News Tribune

Effective: July 18, 2018



# Exhibit A: Planned Action Area



- EIS Study Area
- CBD - Central Business District
- CBD-CORE - Central Business District Core
- CG - General Commercial
- CL - Limited Commercial
- ML - Limited Manufacturing
- RM-10 - Medium Density Multiple-Family Residential

- RM-20 - High Density Multiple-Family Residential
- RM-CORE - Regional Growth Center Oriented Multi-family Residential
- RS-06 - Urban Density Single-Family
- RS-08 - Medium Density Single-Family
- PF - Public Facilities
- FAIR - Fair



City of Puyallup  
 Development Services  
 Department  
 Planning Division  
 Date: 1/19/2018

# Exhibit B: Mitigation Document

Final July 2018

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<b>Introduction and Purpose</b> .....	<b>2</b>
SEPA Terms .....	2
General Interpretation .....	2
<b>Mitigation</b> .....	<b>2</b>
Applicable Regulations and Commitments.....	3
Historic Resources .....	3
Stormwater.....	3
Transportation .....	4
Utilities.....	4
Public Services .....	4
Public Agency Actions .....	4
Environmental Impacts and Mitigation Measures .....	13
Land Use .....	13
Aesthetics .....	13
Historic Resources .....	13
Stormwater.....	14
Transportation .....	15
Utilities.....	16
Public Services .....	17

# Introduction and Purpose

The State Environmental Policy Act (SEPA) requires environmental review for project and non-project proposals that are likely to have adverse impacts upon the environment. In order to meet EPA requirements, the City of Puyallup issued the Draft Environmental Impact Statement (DEIS) for the *Downtown Planned Action* on April 2, 2012 and the Final Environmental Impact Statement (FEIS) March 20, 2018. The Draft together with the Final EIS is referenced herein as the "EIS". The EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action area, together with a number of possible measures to mitigate those significant adverse impacts.

The purpose of this Mitigation Document is to establish specific mitigation measures, based upon significant adverse impacts identified in the EIS. The mitigation measures shall apply to future development proposals which are consistent with the Planned Action scenarios reviewed in the EIS, and which are located within the Downtown Puyallup Planned Action Area (see Exhibit A).

## SEPA TERMS

As used in this document, the words action, planned action, or proposal are defined as described below.

- "Action" means projects or programs financed, licensed, regulated, conducted or approved by a governmental Agency. "Project actions" involve decisions on a specific project such as a construction or management activity for a defined geographic area. "Non-project" actions involve decisions about policies, plans or programs. (see WAC 197-11-704)
- "Planned Action" refers to types of project actions that are designated by ordinance for a specific geographic area and addressed in an EIS, in conjunction with a comprehensive plan or subarea plan, a fully contained community, a master planned resort, a master planned development or phased project. (see WAC 197-11-164)
- "Proposal" means a proposed action that may be an action and regulatory decision of an agency, or any action proposed by applicants. (see WAC 197-11-784)

## GENERAL INTERPRETATION

Where a mitigation measure includes the words "shall" or "will," inclusion of that measure in project plans is mandatory in order to qualify a project as a Planned Action. Where "should" or "would" appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action.

Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

## Mitigation

Based on the EIS, this document identifies significant adverse environmental impacts that are anticipated to occur as a result of development of planned action projects. Mitigation measures identified in the EIS

are reiterated here for inclusion in proposed projects to mitigate related impacts and to qualify as Planned Action projects.

Consistency review under the Planned Action, development plan review, and other permit approvals will be required for specific development actions under the Proposed Action pursuant to WAC 197-11-172. Additional project conditions may be imposed on planned action projects based upon the analysis of the proposal in relationship to independent requirements of the City, state or federal requirements or review criteria.

Any applicant for a project within the Planned Action Area may propose alternative mitigation measures, if appropriate or as a result of changed circumstances, in order to allow equivalent substitute mitigation for identified impacts. Such modifications shall be evaluated by the City's SEPA Responsible Official prior to any project approvals by the City.

In combination, regulations applicable to each element of the environment and mitigation measures identified in the EIS and documented in this Mitigation Document that are applied to any planned action proposal will adequately mitigate all significant environmental impacts associated with planned action proposals, except for those impacts that are identified as "significant unavoidable adverse impacts."

Mitigation measures are identified in the following sections: "Applicable Regulations and Commitments" and "Environmental Mitigation Measures." "Public Agency Actions" are City or other Agency actions that serve to mitigate areawide impacts or to monitor mitigation.

## APPLICABLE REGULATIONS AND COMMITMENTS

The EIS identifies specific regulations and commitments that act as mitigation measures. These are summarized below by EIS topic. All applicable federal, state, and local regulations shall apply to Planned Actions. Planned Action applicants shall comply with all adopted regulations where applicable including those listed in the EIS and those not included in the EIS.

### Historic Resources

- The City shall ensure that new development complies with the Design Review Guidelines.

### Stormwater

Stormwater management is regulated by federal, state, and local laws and ordinances. This section provides an overview of the key regulations and policies that relate to water quality and water quality impacts.

- The City has adopted stormwater standards recommending, among other things, that stormwater should be discharged directly to the Puyallup River (after water quality treatment) where feasible, and that the conveyance capacity of storm systems discharging directly should be determined based on the 25-year stormwater runoff storm event with flows contained within the catch basin rims.
- Through PMC 21.10.040, the City applies the most current Ecology stormwater standards to new development of public and private improvements. The PMC does allow, and encourages, low impact development alternative standards.

## Transportation

- The City shall apply the City's Concurrency Management regulations in Chapter 21.18 PMC. Development permits that result in a reduction of a level of service below the minimum level of service standard cannot be approved.

## Utilities

PMC Title 14 relates to water and sewers. The following chapters are applicable:

- 14.01: Utility Rates and Billing Procedures
- 14.02: Water Regulations and System Development Charges
- 14.06: Sewer Use Ordinance
- 14.08: Sewer System Regulations
- 14.10: Sewer System Development Charges, and
- 14.20: Extension of Water Mains and Sanitary Sewers.
- The City's adopted Standards for Public Works Engineering and Construction apply whenever any public or private work is performed within public ROWs, a public easement of the City, or on private property. The standards are enforced under authority granted by ordinance of the Puyallup City Council or permit process of the City of Puyallup Public Works or Development Services Departments. Applicable standards include:
  - Section 300: Water System Requirements, and
  - Section 400: Sanitary Sewer System.
- PMC Title 6 relates to health and sanitation, specifically Chapter 6.12: Solid Waste Collection and Disposal is applicable. PMC Title 20 Zoning code contains Chapter 20.59 Wireless Communications.

## Public Services

- New development shall be constructed in compliance with the 2015 International Fire Code as adopted by the City of Puyallup or as thereafter amended.
- New residential development in the Downtown study area shall be required to pay school impact mitigation fees in accordance with Puyallup Municipal Code (PMC) Section 21.20.140 to offset additional demand for services in the District.
- New residential development in the Downtown study area shall be required to pay mitigation fees for park impacts in accordance with Puyallup Municipal Code (PMC) Section 21.20.120 to offset additional demand for parks and recreation facilities in the City.

## PUBLIC AGENCY ACTIONS

Under some elements of the environment, specific City or other agency actions are identified. Generally, incorporation of these actions is intended to provide for consistency within the Comprehensive Plan or between the Plan and implementing regulations; to document pending City actions; to establish a protocol for long-term measures to provide for coordination with other agencies; or to identify optional actions

that the City may take to reduce impacts. These actions are listed below in Exhibit 1, organized by the pertinent EIS element of the environment in which they are discussed. Actions identified as “Proposed Synchronous Amendments” reference legislative actions proposed for adoption together with the preferred *Downtown Planned Action* alternative. Actions identified as short term are currently underway or expected to be completed in time for the next major Comprehensive Plan review. Longer term and other agency actions will occur in the future, depending on need. The projected timeframe and responsible departments are identified and will be used in monitoring the implementation of the Planned Action Ordinance.

**Exhibit 1. Public Agency Mitigation Measures**

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
<b>Land Use</b>					
1. Adopt changes to the Downtown Design Guidelines as recommended by the Design Review and Historic Preservation Board reflecting changes to help developers/property owners and the Board in applying the guidelines.		X			2019-2020 Development Services Department
2. Upper level, 5 to 10 feet building setbacks could be required for buildings above 30 feet in height to open the sky view from the street and balance the physical building scale near low rise existing buildings.	X				2018 At time of proposal consideration Development Services Department
3. Proposed development regulations to increase pedestrian open space and require additional retail street frontage within the downtown area, particularly along Meridian, would positively affect the pedestrian experience at street level.	X				2018 At time of proposal consideration Development Services Department
4. Revisions to the Transportation Element and Capital Facilities Plan of the City's Comprehensive Plan could be necessary for consistency with adopted plans and policies.	X				2018 At time of proposal consideration Development Services Department

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
<b>Aesthetics</b>					
1. Same as Land Use #1 and #2	See numbered measures				
2. Maintain current height maximums, but alter height bonuses and establish minimum ground floor heights.	X				2018 At time of proposal consideration Development Services Department
<b>Historic Resources</b>					
1. Encourage property owners to develop local and NRHP nominations to designate their historic buildings as local landmarks. The City could provide direct funding to historic property owners to assist in their development of the nomination reports.		X	X		2019-2020, Ongoing Development Services Department
2. The City should develop policies to establish a design overlay in the core commercial downtown. Development within this overlay area would require design review by the Board for all development projects to ensure compatibility with the pedestrian scale and streetscape of the existing fabric. (The overlay area would be bounded by Pioneer on the south, 2nd Street NW on the west, 2nd Street NE on the east, and include the north side of Stewart on the north.)		X	X		2019-2020 Development Services Department
3. If the City adopts a Transfer of Development Rights (TDR) program in the future, the City should exclude as TDR receiving sites, those parcels where a designated historic building would be demolished for new development.		X			2019-2020 Development Services Department
<b>Stormwater</b>					
1. The Study Alternatives allow greater buildout through a modification of height, lot coverage and FAR standards, and reduced parking requirements, resulting in reduced impervious surface overall.	X				2018 At time of proposal consideration Development Services Department

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
2. If maximum parking ratios are adopted, consider the excess parking nonconforming and require it be removed and replaced with vegetation.			X		Development Services Department  (Not part of preferred alternative; could be considered in future.)
3. Implement a pet waste ordinance reducing impacts to the untreated stormwater runoff.		X	X		2019-2020  Development Services Department
<b>Transportation</b>					
1. The <i>Puyallup Downtown Plan</i> would modify current development standards to further incentivize the provision of pedestrian infrastructure improvements (e.g. pedestrian-oriented plaza space, amenities such as benches and landscaping).	X				2018  At time of proposal consideration  Development Services Department
2. Include improvement projects in future updates of the Rate Study for Impact Fees for Roads following an update to the Transportation Element to the Comprehensive Plan. Incorporate projects into the Capital Improvement Program and the Six-Year Transportation Improvement Program for prioritization and identified funding sources. Future versions of the Rate Study for Impact Fees for Roads could include a downtown zone providing a more direct nexus between developer impact fees directly funding the list of downtown area improvement projects.		X			2019-2020  Development Services Department



Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
<p>3. The City should monitor on-street parking, every two years, areawide with attention to residential areas near the study area, as well as the parking supply added by new development. Because expanding the City-owned parking supply would generally counteract the downtown parking reform efforts of the Downtown Planned Action, the City should instead implement a parking management plan if supply is not meeting typical demand. Plan mitigation measures could include:</p> <ul style="list-style-type: none"> <li>• Modifying hourly time restrictions</li> <li>• Restricting parking in adjacent residential neighborhoods through a permit system</li> <li>• Installing new parking meters and modifying payment rates</li> <li>• Promoting shared parking</li> <li>• Modifying the parking requirements specified by the Downtown Planned Action</li> </ul>			X		<p>On-going</p> <p>Development Services Department and Public Works Department</p>
<p>4. Traffic Safety Measures</p> <ul style="list-style-type: none"> <li>• The <b>seven high-collision segments</b> are N Meridian between 5th Avenue NE and Valley Avenue NE; S Meridian between 7th Avenue SE and SR 512; W Pioneer Avenue between 5th Street SW and 14th Street SW; 2nd Street NE between 5th Avenue NE and 2nd Street NE; E Main Street between 15th Street SE and SR 512; River Road between 4th Street NW and 9th Street NW; and 5th Street SW between 7th Avenue SW and Pioneer Avenue.</li> </ul> <p>Of the 72 collisions recorded in the three-year collection period, 51 were property damage only, 20 were injury-causing, and one resulted in a fatality (vehicle-pedestrian collision). The majority (27) were rear-end collisions, with sideswipe (14) and hitting a</p>		X	X		<p>Add to CIP 2019-2020 and implement</p> <p>On-going</p> <p>Public Works Department</p>

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
<p>fixed object or parked car (10) coming in second and third. Many of these rear end and sideswipe collisions may be due to driver confusion and excessive merging resulting from business access driveways along the segment. Typical safety mitigations for sideswipe and fixed object collisions would include parking removal and roadway widening. It is recommended that the City investigate the closure of driveways, roadway widening, parking removal, or other measures as needed to ensure these roadway segments meet City safety goals.</p> <ul style="list-style-type: none"> <li>• <b>The two high-collision intersections</b> are N Meridian and River Road, and S Meridian and 15<sup>th</sup> Avenue SE. Like the segment results, the most common collision type at the intersections were rear-end (50), but angle collisions (48) were also a major contributor. Left turns were the major cause of angle collisions at intersections. Possible mitigations would be installing red light running photo enforcement at intersections, increasing intersection enforcement to prevent turn yielding violations, and changing the signal phasing to only allow protected left turns on problematic approaches. Other mitigations could include the closure of driveways near intersections, roadway widening, parking removal, or other measures as needed to ensure these intersections meet City safety goals.</li> </ul>					

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
<b>Utilities</b>					
<p>1. The City of Puyallup Comprehensive Plan includes a Utilities Element that guides coordination between the City and service providers. This element was updated in 2015 per state mandate and is reviewed periodically. All Alternatives would be consistent with this element.</p>			X		<p>Ongoing Periodic Review Department of Public Works</p>
<p>2. The Comprehensive Plan incorporates adopted plans for its water and sanitary sewer systems. Both of these plans identify public facility needs for existing and future development. All Alternatives would retain those plans and incorporated capital improvement projects identified in each.</p>			X		<p>Ongoing Periodic Review Department of Public Works</p>
<p>3. Alderton 230 kV Development: Puget Sound Energy is currently constructing approximately 8 miles of new 230 kilovolt transmission line from the White River transmission substation in Bonney Lake to the Alderton switching station in Puyallup. The project will also involve upgrading the Alderton switching station, which is currently designed to accommodate 115kV transmission lines, to accommodate the increased capacity of the new 230 kV line</p>				X	Puget Sound Energy
<p>4. PSE has set forth plans for a smart grid in the biennial Smart Grid Technology Report filed with the Washington Utilities and Transportation Commission in 2016. PSE plans to leverage existing investments in smart grid technologies while expanding the foundational elements to more fully integrate smart grid technology.</p>				X	Puget Sound Energy

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
5. PSE will continue to improve the electric system planning process as more data regarding demand and conservation potential becomes available with technologies such as Advanced Metering Infrastructure.				X	Puget Sound Energy
6. PSE will continue to improve the gas system planning process as more data regarding demand and conservation potential becomes available with technologies such as Advanced Metering Infrastructure.					Puget Sound Energy
<b>Public Services</b>					
1. It is anticipated that increases in student population would be addressed through the Puyallup School District capital facilities planning process to ensure that no significant impacts would occur as a result of development in the study area.		X			2019-2020 Development Services Department in conjunction with School District
2. It is anticipated that increases in employees and residents over the buildout period, along with general growth in the City, would be planned for through the City's annual capital facilities planning process, including additional demand for park and recreation facilities.		X			2019-2020 Development Services Department
3. Additional open space could be provided in the Downtown area in accordance with the proposed development standard amendment that would modify the pedestrian open space standards in the Central Business District (CBD) zone.	X				2018 At time of proposal consideration Development Services Department
4. Compact growth in proximity to CPF&R services and a reduction of growth in sending areas could result in more efficient service delivery and ability to meet CPF&R LOS objectives.			X		CPF&R

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
<p>5. Increases in population and employment under the <i>Puyallup Downtown Plan</i> would be incremental and would be accompanied by increases in demand for fire and emergency, police, education, and park services. A portion of the tax revenue generated from redevelopment in the area – include construction sales tax, retail sales tax, business and operations tax, property tax, utility tax and other fees, licenses and permits – would accrue to the City of Puyallup and CPFR and the Puyallup School District to help offset the increase in demand for fire, police, education, and parks and recreation services.</p>				X	Ongoing City Administration Special Districts
<p>6. It is anticipated that increases in employees and residents over the buildout period, along with general growth in the City of Puyallup and other areas of the CPFR service district and School District, would be planned for through the CPFR capital facilities planning process, including any increases in demand for fire and emergency medical, police, and parks and recreation services.</p>			X		Ongoing Community Development Public Works Special Districts
<p>7. Future elementary school and high school projects that are identified in the <i>Puyallup School District 2011-2016-2021 Capital Facilities Plan</i> would create additional building space to allow the district to accommodate new students at the elementary and high school levels.</p>				X	Puyallup School District
<p>8. It is anticipated that increases in student population would be addressed through the Puyallup School District capital facilities planning process to ensure that no significant impacts would occur as a result of development in the study area.</p>				X	Puyallup School District

## ENVIRONMENTAL MITIGATION MEASURES

Chapter 3 of the Draft EIS, as amended in the Final EIS, identifies significant impacts, unavoidable adverse impacts and mitigation measures for potential impacts associated with the following elements of the environment within the Planned Action Area: land use, aesthetics, historic resources, stormwater, transportation, utilities, and public services. The following sections incorporate mitigation measures identified in the EIS. Please refer to the Draft and Final EIS for complete text associated with each element of the environment.

### Land Use

See Applicable Regulations and Commitments and Public Agency Actions above. No further mitigation measures are required.

### Aesthetics

In addition to Applicable Regulations and Commitments and Public Agency Actions, the following mitigation measure shall be applied to planned actions:

- A shadow analysis may be required for new development by the SEPA Responsible Official for development proximate/adjacent to park/open space areas in the Downtown study area to determine if shadows would adversely impact park and open spaces. The SEPA Responsible Official may apply conditions of approval related to height, bulk, setbacks or other site design features to reduce shadows.

### Historic Resources

In addition to Applicable Regulations and Commitments and Public Agency Actions, the following mitigation measures shall be applied to planned actions:

- The City shall require that a property cited in the historic survey as potentially eligible for local or NRHP listing undergo the local landmark nomination process before it could be considered a TDR receiving site. In such a case, owner consent would be waived.
- The City may require analysis by a third-party review at the applicant's expense of a proposed design for new construction adjacent to or across from a historic building, to ensure compatibility of the proposed project with the color, material and architectural character of the historic building and retain streetscape character.
- The City shall prohibit expansion of parking lots or construction of new parking lots where such development would result in the demolition of a historic building.
- The City shall prohibit alley vacations that might reduce historic urban character and/or pedestrian scale.
- When construction occurs adjacent to a historic building(s), construction monitoring shall be undertaken to identify potential structural instability/undermining impacts to these historic buildings. Monitoring should include 1) crack monitors, 2) photography to document the integrity of the historic building during and after construction, and 3) periodic observation. New development shall be required to address any structural impacts through repairs reviewed and approved by the Board.

- To include the Department of Archaeology and Historic Preservation (DAHP) in the review of historic properties within the Planned Action area, the City shall notify the State Historic Preservation Officer (SHPO) on proposals involving eligible or designated historic properties through the evaluation of proposals under the Planned Action Ordinance.
- If at any time during construction activities archaeological resources are observed in the study area, project site work shall be temporarily suspended at the location of the archaeological resource, the Developer's project manager shall immediately be notified, and a professional archeologist must document and assess the discovery. DAHP and all concerned tribes shall be contacted for any issues involving Native American sites.

## Stormwater

In addition to Applicable Regulations and Commitments and Public Agency Actions, the following mitigation measures shall be applied to planned actions:

- The City shall require that new development meets the most current Department of Ecology stormwater standards per PMC 21.10.040. (See Applicable Regulations and Commitments.)
- The City shall require the use of Low Impact Development techniques for all new development, where feasible.

Due to the requirements of the City's current NPDES permit, in order for Downtown redevelopment to be feasible sites will require the ability to direct discharge to the Puyallup River. Currently, one major upgrade to the City's storm drainage system is required to accomplish this for the Downtown area and accommodate redevelopment (Tier 1 Project from the 2021 Storm Drainage Plan)<sup>1</sup>. Additional Tier 2 projects would address city drainage and water quality problems and support Downtown redevelopment. Development applicants shall be responsible for any upgrades triggered by their projects. Latecomers agreements may be approved by the City.

- **Tier 1 CIP-ST-2:** An upgrade that is necessary to accommodate Downtown redevelopment is the 4th Avenue SW Storm Drain Replacement, which addresses the area tributary to 4th Avenue SW between 7th Street SE and 15th Street SW. This project would reduce flooding in the 4th Avenue SW tributaries by replacing existing stormwater with larger conveyance providing additional flow capacity. The project is a high priority for the City because it will increase stormwater conveyance capacity in the downtown area, divert stormwater away from Clarks Creek, and allow direct discharge to the Puyallup River. In addition to replacing the storm drain system, as directed by the

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<sup>1</sup> The 2012 Storm Drainage Plan included two major upgrades to the City's storm drainage system required to direct allow direct discharge to the Puyallup River for the Downtown area and accommodate redevelopment. One of these, the 15<sup>th</sup> Street NW Storm Drain Extension (Tier 1 CIP-ST-1), located on 15th Street NW between 4<sup>th</sup> Avenue NW and West Pioneer, was completed in 2015. While this project is located outside of the Downtown study area, it addressed three problems that impact the Downtown area. These problems include (1) pollutants from Downtown that contribute to the Clarks Creek TMDL for fecal coliform and Dissolved Oxygen and Sediment; (2) drainage problems along 4<sup>th</sup> Avenue SW; and (3) redevelopment of Downtown, which is not economically feasible if sites are required to match forested flow rates and durations per Ecology stormwater guidelines.

City engineer, aging parallel water and sewer systems would be replaced, along with an updated road section with pervious pavement and Americans with Disabilities Act (ADA)-compliant sidewalks. The City anticipates phasing the project due to its high cost so it can be implemented as funds become available.

- **Tier 2 CIP-LT-7:** Clarks Creek is faced with many challenges including TMDLs, elodea growth and management, and increased sediment loading. In addition, NPDES compliance requirements include meeting the TMDLs for fecal coliform and DO in Clarks Creek. These complex problems, in addition to stormwater drainage issues, may be best evaluated and addressed in a basin-wide approach. The basin plan would examine the issues specific to the Clarks Creek drainage.

## Transportation

In addition to Applicable Regulations and Commitments and Public Agency Actions, the following mitigation measures shall be applied to planned actions:

### *Roadway Segments*

These mitigation measures are included in the City's Transportation and Capital Facilities Elements, and will be implemented through concurrency regulations and could be implemented through inclusion in the City's Traffic Impact Fee program project list for the downtown service area. If necessary, the impact fee schedule could also be modified for land uses in the downtown area to help fund these projects. Until addressed in the Impact Fee Schedule, the City may require a fair share contribution to the improvement projects based on trips through application of the Planned Action Ordinance. The City may also phase improvements consistent with the Final EIS and Transportation Element.

**E. Main Street between 15th Street SE and Hwy 512.** While widening this segment to add capacity would reduce the V/C to meet the City's standard, this measure is not considered to be feasible due to right of way limitations. Therefore, mitigation is recommended:

- Implement an ASCT system for the four signalized intersections along E. Main Avenue between 2nd St NE and Shaw Road E to lower the V/C ratio below the new City standard of 1.0.

### *Intersections*

These mitigation measures are included in the City's Transportation and Capital Facilities Elements, and will be implemented through concurrency regulations and could be implemented through inclusion in the City's Traffic Impact Fee program project list for the downtown service area. If necessary, the impact fee schedule could also be modified for land uses in the downtown area to help fund these projects. Until addressed in the Impact Fee Schedule, the City may require a fair share contribution to the improvement projects based on trips through the Planned Action Ordinance. The City may also phase improvements consistent with the Final EIS and Transportation Element.

**S. Meridian and Pioneer Avenue.** One mitigation option is available for this intersection:

- Add an eastbound right turn pocket, which would require restriping and removal of three on-street parking spaces. A c-curb would also be added to the west leg of Pioneer Avenue restricting left turn access on this block to reduce delay and conflicts. This would bring the intersection into compliance with City standards



**W. Stewart Avenue and 5th Street NW.** One mitigation option is recommended for this intersection:

- Add a southbound right turn pocket, which would require restriping and possible ROW acquisition. This would bring the intersection below City standards.

**E. Pioneer Avenue and 5th Street SE.** Due to the large volume of southbound traffic turning left to reach the SR 512 interchange, two mitigations are recommended at this intersection:

- Implement an ASCT system for the intersection.
- Change the lane configuration so there is a southbound left turn pocket and southbound left/through/right lane. Change to split phasing for southbound approach. The intersection would still not meet City LOS standards but the application of both mitigation measures would significantly reduce delay and bring the intersection below 2035 No Action conditions.

**E. Main Avenue and 5th Street SE.** If the City modifies the signal phasing to include a protected/permitted northbound left turn and eastbound left turn, delay would worsen as it would take away green time from the westbound through movement. Therefore, the mitigations recommended are:

- Implement an ASCT system for the intersection.
- Add a northbound right turn pocket, which would require right of way acquisition, sidewalk removal/reconstruction, widening of the approach, signal modification, and possible utility relocation. The intersection would still not meet City LOS standards but the application of both mitigation measures would significantly reduce delay at the intersection and bring it below 2035 No Action conditions.

## Utilities

In addition to Applicable Regulations and Commitments and Public Agency Actions, the following mitigation measures shall be applied to planned actions:

### Water

Chapter 8 of the 2010 Water System Plan includes a capital improvements program designed to relieve water system deficiencies. Project ST-1 pertaining to storage and Projects D-13, D-15 and D-16 pertaining to distribution are located in or necessitated by development in the study area and are described further below. Development applicants shall be responsible for any upgrades triggered by their projects. Latecomers agreements may be approved by the City.

- **ST-1: North Puyallup Reservoir:** There is currently no water system storage north of the Puyallup River. A new reservoir will help maintain the pressure in the north portion of the city's service area, which has grown significantly in recent years. The construction of this reservoir will provide redundancy, reliability, and improve water quality to the area north of the Puyallup River. Specific to this proposal, the reservoir would also increase fire flow availability throughout Zone 1 by reducing equalizing storage volumes required from the existing Zone 1 reservoirs. This project will construct a 2 MG reservoir and 2,600 feet of 16-inch ductile iron transmission main to connect the reservoir to the existing distribution system.
- **D-13: North Meridian Water Main, River Road:** The existing water main is old and undersized. The new main will provide improved fire flows and improve redundancy in the system in the downtown

area by replacing the existing water main on North Meridian Street from River Road to Stewart Avenue. The existing water main will be replaced with 12-inch ductile iron pipe and all water services and fire hydrants will also be replaced.

- **D-15: West Pioneer Way Water Main, 3rd Street to 5th Street:** The water mains in this area are old cast iron water mains. The replacement of these mains will prevent future water main breaks. This project will also improve fire service on West Pioneer Way. The project will replace approximately 650 feet of 10-inch cast iron water main with 12-inch ductile iron water main as well as replacing all services and fire hydrants on this length of main.
- **D-16: West Meeker Water Main, 4th Street to 6th:** The existing water main in this area is undersized. There are no fire hydrants along West Meeker in this area. This project will significantly improve fire and domestic service on West Meeker by replacing approximately 800 feet of 4-inch cast iron water main with 8-inch ductile iron water main as well as replacing all existing water services on this length. It will also provide fire hydrants where none currently exist.

### *Sewer*

Based on the 2016 Comprehensive Sewer Plan (Sewer System Plan), the following are improvements needed to serve new development in Downtown. Development applicants shall be responsible for any upgrades triggered by their projects. Latecomers agreements may be approved by the City.

- If a majority of new flow from the Study Area is directed to the south, the Valley Basin, CIP Puy-14A will be required to accommodate planned action development. Project Puy-14A will replace approximately 1,940 feet of 24-inch gravity line on 9th Avenue SW between 14th Street SW and 9th Street SW. This project is planned to occur as part of the 20-year Capital Improvement Plan identified in the 2016 Sewer System Plan. A more aggressive inflow and infiltration program to decrease flow and reduce surcharging would eliminate the need for CIP No. Puy-14A (BHC Consultants 2016, 7-10) – the estimated project construction and allied costs to reduce inflow and infiltration in the Puyallup-14 mini-basin are \$4,846,000 (BHC Consultants 2016, 7-12).

### *Telecommunications*

- Through partnerships with franchised telecommunications companies, internal department projects and capital projects, the City is working towards a conduit infrastructure that would enable and facilitate future fiber optic connectivity projects benefitting the City and potential project partners. This fiber optic system would provide redundancies, enhance communications networks, and emergency operations. Planned actions shall not preclude fiber optic connectivity, and shall include such infrastructure if required in City engineering standards when making road frontage improvements.

### **Public Services**

In addition to Applicable Regulations and Commitments and Public Agency Actions, the following mitigation measures shall be applied to planned actions:

- Development applications shall include crime prevention through environmental design (CPTED) measures that could reduce the demand for police services in the area. The City shall apply the Downtown Design Guidelines to achieve this measure.
- The City shall monitor its parks and recreation levels of service as new development occurs. Through the collection of impact fees from new development, the City will implement its parks and recreation plans to serve the community. To date, the City intends to implement the following projects:
  - The *Comprehensive Plan Parks and Capital Facilities Elements* identify projects through 2020 that would help to meet existing deficiencies and future growth. Projects identified in the plan include: two new community parks near West Hills and East Valley/Shaw-Pioneer, a neighborhood park southwest of Downtown, improvements to existing community and neighborhood parks, a future sprayground, Phase IV of the Riverfront Trail, skate park improvements, and a 2.3 acre off-leash dog park at Wildwood Park.
  - In addition to the planned projects through 2020, the *Comprehensive Plan Parks Element* also identifies future projects that could occur to meet future growth needs, including: additional neighborhood parks to meet geographic LOS standards, new ball fields (two baseball fields and one softball field), five new soccer/multi-purpose fields, a recreation center gymnasium for indoor court space, a new skate park, additional spraygrounds, and new trails.