

ORDINANCE 2021-5

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, AMENDING THE TOWN OF EATONVILLE COMPREHENSIVE PLAN

WHEREAS, pursuant to the requirements of the Washington State Growth Management Act of 1990, RCW Chapter 36.70A (GMA), the Town of Eatonville's initial Comprehensive Plan was adopted on December 27, 1993, following an extensive public participation process that included public workshops and public hearings before the Eatonville Planning Commission and the Town Council; and

WHEREAS, the Town is currently guided by the policies and procedures set forth in the 2015 Comprehensive Plan, as adopted by the Town Council on March 26, 2018; and

WHEREAS, pursuant to the GMA, non-emergency amendments to the Comprehensive Plan can be considered no more than once each year; and

WHEREAS, Baublits Memorial LLC and Jaegga LLC have submitted timely requests for comprehensive plan amendments; and

WHEREAS, on February 24, 2021, pursuant to WAC 197-11-800, the Town's SEPA official issued a threshold determination of non-significance (DNS) for the two 2021 Comprehensive Plan amendments; and

WHEREAS, on March 15, 2021, The Eatonville Planning Commission considered the proposed plan amendments, held a public hearing, and recommended approval of the Jaegga and Baublits Memorial amendments; and

WHEREAS, the Town Council finds that the proposed Jaegga and Baublits Memorial amendments are consistent with the Countywide Planning Policies and the Town's 2015 Comprehensive Plan and the evaluation criteria set forth therein; and

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The Eatonville Town Council adopts the Findings of Fact set forth in the Planning Commission Report, a copy of which is attached as Exhibit A and incorporated by this reference.

Section 2. The Town Council hereby amends the text and maps of the 2015 Comprehensive Plan as follows:

Baublits Memorial LLC: Page 10-22 of the Comprehensive Plan is amended by changing “Figure 10-3, Land Use Designation Map” from Multi-Family to Commercial for Pierce County Assessor’s Parcel Number 0416145038, which is generally located in the 300 block on the east side of Washington Avenue (SR-161) and north of Lynch Creek Road East, attached hereto as Exhibit B.


Jaegga LLC: Page 10-22 of the Comprehensive Plan is amended by changing “Figure 10-3, Land Use Designation Map” from Multi-Family to Commercial for Pierce County Assessor’s Parcel Number 0416145034, which is generally located in the 300 block on the east side of Washington Avenue (SR-161) and north of Lynch Creek Road East, attached hereto as Exhibit B.

Section 3. If any section, sentence, or clause of this Ordinance is ruled invalid by a court of competent jurisdiction, the remaining portion of this Ordinance shall remain valid and be in full force and effect.

Section 4. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as required by law.

1 ST READING:	4/26/2021
2 ND READING:	5/10/2021

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 10th day of May, 2021.



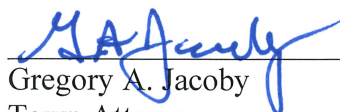
Mike Schaub
Mayor

ATTEST:



Miranda Doll
Town Clerk

Approved as to form:



Gregory A. Jacoby
Town Attorney



Planning Commission Report

Scott Clark, Town Planner
Larson and Associates

2021 COMPREHENSIVE PLAN AMENDMENTS JAEGBA & BAUBLITS MEMORIAL (Consolidated)

Planning Commission Hearing
March 15, 2021

TABLE OF CONTENTS:

I.	Proposed Amendment	2
II.	General Description	2
III.	Background	2
IV.	Project Area Views	4
V.	Critical Areas	6
VI.	State Environmental Policy Act (SEPA)	7
VII.	Comprehensive Plan Amendment Procedures	7
VIII.	Washington State GMA Goals	9
IX.	Countywide Planning Policies	10
X.	Eatonville Comprehensive Plan Excerpts	11
XI.	Comments	14
XII.	Staff Review and Analysis	14
XIII.	Findings of Fact	15
XIV.	Planning Commission Recommendation	17
XV.	Attachments	17

I. PROPOSED AMENDMENT:

Refer to Attachment A for two (2) sets of application materials submitted by the Applicants, Baublits Memorial LLC and Jaegga LLC. The applications have been consolidated for review, which propose to change the land use designation in the Comprehensive Plan for parcel numbers 0416145034 and 0416145038 from Multi-Family to Commercial.

II. GENERAL DESCRIPTION:

The project site is generally located north of Lynch Creek Road, South of unincorporated Pierce County lands, east of Eatonville High School and west of two Multifamily designated parcels containing two single-family residences. Multi-family is the current land use designation for both properties in the application, which are implemented with the MF-1 zone. The proposal requests to extend the existing southerly Commercial Land Use Designation to the north and adding approximately 8.13 acres to the Commercial designation. Both parcels front along Washington Avenue North (SR 161); with one of the parcels having a secondary frontage along Lynch Creek Road. The majority of the usable area of the 7.75 Acre parcel is located east of a north-south bisecting ravine, which is inaccessible from Washington Avenue. Consistent with the current Multi-family land use designation, both parcels are currently developed with multi-family residential developments; a triplex on one and a fiveplex on the other.



Aerial photo of the project site (outlined in red) and surrounding area

III. BACKGROUND:

Owners/Applicants: Jaegga LLC; David Baublits
35813 Mountain Highway East, Eatonville WA, 98328

Baublits Memorial LLC; David Baublits
35813 Mountain Highway East, Eatonville WA, 98328

Tax Parcel Numbers: 0416145034 and 0416145038

Existing Zoning: Multi-Family 1 (MF-1) – as amended in 2011 (Ord. 2011-10)

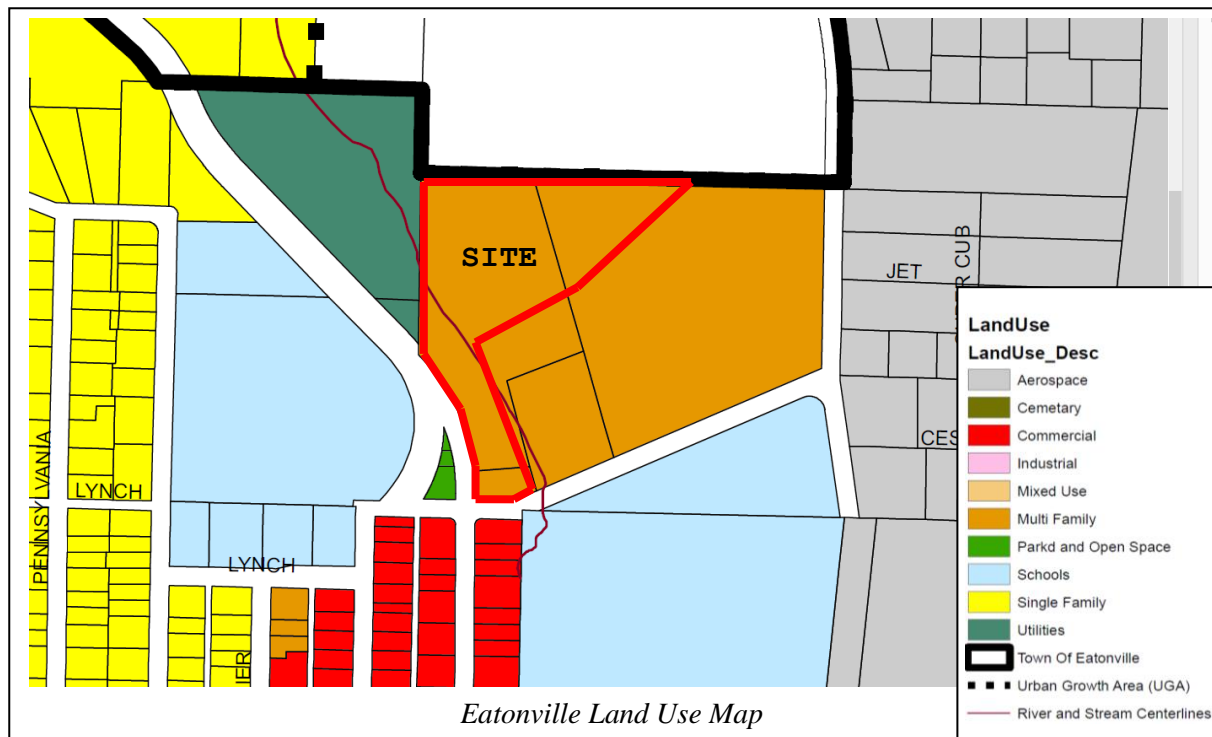
Application Type: Comprehensive Plan Land Use Designation Amendment (consolidated)

Application Submittal: December 31, 2020

Application Complete: February 12, 2021

Existing Land Use Designation: Multi-family

Requested Land Use Designation: Commercial



Abutting Land Use Designations:

- North: Pierce County R10
- South: Commercial
- East: Multi-family
- West: School, Parks and Open Space

Abutting Development:

- North: Ag and Single Family Residential
- South: Multi-family five-plex
- East: 2 Single Family Residences
- West: Park and High School

Existing Site Conditions: Parcel 0416145034 is currently developed with an existing Multi-family Tri-plex.

Parcel 0416145038 is currently developed with an existing Multi-family Five-plex and a memorial.

IV. **PROJECT AREA VIEWS:**



Looking east from Washington Avenue (SR 161) at a portion of the proposal site, Parcel 0416145038 – currently developed with an existing Multi-family Five-plex.



Looking east from Washington Avenue (SR 161) at a portion of the proposal site, Parcel 0416145034 – currently developed with an existing Multi-family Tri-plex.



Looking north along the frontage of Washington Avenue (SR 161) at a portion of the proposal site, Parcels 0416145034 and 0416145038 – with both existing Multi-family structure in view.



From Washington Avenue (SR 161) looking east along Lynch Creek Road – the existing Multi-family Tri-plex located on Parcel 0416145034 is on the left.



Looking south from the intersection Washington Avenue (SR 161) and Lynch Creek Road – view of southerly properties in the Commercial land use designation.



Looking south along Washington Avenue (SR 161) along the westerly frontage of the proposal site – the existing Multifamily units within the proposal area on the left and a park is on the right.

V. CRITICAL AREAS

A small portion of the southeast corner of parcel 0416145034 is mapped as potentially containing a frequently flooded area. This parcel is currently developed with multi-family residential development and no new development is currently proposed as part of the requested

land use designation amendment proposal. Please see the attached Figure, Frequently Flooded Areas.

A large area of parcel 0416145038 is mapped as containing landslide and erosion hazard areas (within the ravine). This parcel is currently developed with multi-family residential development and a memorial and no new development is currently proposed as part of the requested land use designation amendment proposal. Please see the attached Figure, Landslide and Erosion Hazard Areas.

A large area of parcel 0416145038 is mapped as containing wetlands (within the ravine). This parcel is currently developed with multi-family residential development and a memorial and no new development is currently proposed as part of the requested land use designation amendment proposal. Please see the attached Figure, Wetland Inventory Map.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA):

Pursuant to WA 197-11-800, a SEPA threshold determination of non-significance (DNS) was made for the 2021 Comprehensive Plan amendments on February 24, 2021.

VII. COMPREHENSIVE PLAN AMENDMENT PROCEDURES:

5.3 PLAN AMENDMENT PROCESS

The Growth Management Act allows municipalities and counties to update their Comprehensive Plans once every year, unless there exists an emergency. The following is an amendment process with specific timelines. Development regulations may be amended anytime as need arises.

5.3.1 Comprehensive Plan Amendments.

1. Urban Growth Area (UGA) amendments
2. Text amendments
3. Map amendments
 - Land use
 - Critical areas
 - Shorelines

5.3.2 Timing

1. Amendments can be filed with the Town Clerk anytime of the year
2. Planning Commission commences the review of the amendments that are on file with the Town Clerk on 31 December every year.
3. Urban Growth Area amendments also need to be approved by the Pierce County Council. Pierce County entertains Urban Growth Area amendment applications every other even numbered year. Applications can be obtained from the Pierce County Council offices.
4. Only the Town Council can amend the Comprehensive Plan. Therefore, the Town Council approval is necessary before a Comprehensive Plan can be considered amended.

5.3.3 Standing

The following persons, businesses, and organizations can file Comprehensive Plan amendments by filing an application and paying an application fee. Town government officials initiated applications are exempt from fee payment.

1. Mayor and Town Councilpersons
2. Planning Commissioners
3. Town Attorney
4. Businesses and organizations within the Town limits and the Urban Growth Area
5. Residents within the Town Limits and the Urban Growth Area
6. Residents within 1,000 feet outside the Urban Growth Area or those being provided municipal services
7. Any other person, business or organization deemed eligible by the Planning Commission

5.3.4 Planning Commission Review

1. At the January meeting, the Planning Commission adopts a roster of amendment applications and submits them for Town Planner for written review and recommendation. The review includes a SEPA review
2. The Town Planner files his/her report in March
3. In March, the Planning Commission conducts a public hearing on the applications
4. In May, the Planning Commission forwards its recommendation to the Town Council

5.3.5 Town Council Action

1. In July, the Town Council may act on the recommendation of the Planning Commission or may conduct a public hearing on their own on select or all proposed amendments
2. In August, the Town Council takes final action on amending the Comprehensive Plan
3. The Town Council approved Urban Growth Area amendments will proceed to be submitted to Pierce County as Town of Eatonville initiated Urban Growth Area amendments

5.3.6 Evaluation Criteria

1. Any proposed amendment shall seek to fulfill a goal or goals of the Growth Management Act
2. Any proposed amendment shall not be detrimental to health, safety and general welfare of the citizens of Eatonville and its surrounding area
3. Any proposed amendment shall seek to improve the quality of life of the citizens of Eatonville and its surrounding area
4. Any proposed amendment shall not violate the laws of the Town of Eatonville, Pierce County, the State of Washington or the United States of America
5. Any proposed amendment that has a probable significant adverse impact on the environment shall carry with it appropriate mitigating measures
6. Any proposed amendment shall not have a negative fiscal impact on the citizens of the Town unless the applicant agrees to mitigate the impact

5.3.7 Application Fees and Forms

The Town Council shall fix the fee of an application by adopting a fee resolution. The Town Planner shall prepare the appropriate application forms in accordance with the Planning Commission and Town Council adopted evaluation criteria and timing

VIII. WASHINGTON STATE GROWTH MANAGEMENT ACT GOALS

RCW 36.70A.020

Planning goals.

The following goals are adopted by the State of Washington to guide the development and adoption of comprehensive plans and development regulations for communities required to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
- (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
- (5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
- (6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
- (7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(11) Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance.

IX. COUNTYWIDE PLANNING POLICIES

For Planning Commission review and consideration, below are some of the Countywide Planning Policy excerpts:

AH-5. Jurisdictions should plan to meet their affordable and moderate-income housing need's goal by utilizing a range of strategies that will result in the preservation of existing, and production of new, affordable and moderate-income housing that is safe and healthy.

Ec-1. The County, and each municipality in the County, will work to achieve a prospering and sustainable regional economy by supporting business and job creation, investing in all people, sustaining environmental quality, and creating great central places, diverse communities, and high quality of life. This will involve assuring consistency between economic development policies and adopted comprehensive plans by:

1.3 designating and zoning large tracts of developable land equitably distributed throughout the various jurisdictions based on the related population, employment base and land areas of the jurisdiction for planned commercial and industrial centers, and local housing and employment targets;

1.3.1. "Equitably" means with consideration for the population and its characteristics, including the skills of the current population; the current employment base and its characteristics (i.e., type of businesses and industries, permanency of the existing employment base, past trends and current projections);

the amount of land in the jurisdiction; the amount of vacant land in the jurisdiction appropriately zoned for economic development; the current unemployment rate; current commuting patterns; and other factors as appropriate.

Ec-2. The County, and each municipality in the County, shall promote diverse economic opportunities for all citizens of the County, especially the unemployed, disadvantaged persons, minorities and small businesses. The following measures may be used in accomplishing this policy, where appropriate:

2.4 encouraging redevelopment of underutilized commercial areas;

X. EATONVILLE COMPREHENSIVE PLAN EXCERPTS:

For Planning Commission review and consideration, below are some of the Eatonville Comprehensive Plan excerpts that may relate to this proposal:

10.7.1 Goal LU-1: Support and improve a rural residential small town, residential community comprised largely of single-family neighborhoods together with a central commercial area and a broad range of other support services and businesses that occur in identified commercial areas.

Policies

1. Consider the following before decisions in land use are made:
 - a. The need for the proposed use;
 - b. Adequacy of and proximity to community facilities and utilities, roads, parks, recreation facilities and schools;
 - c. Benefit to the neighborhood, Town or region;
 - d. The amount of land zoned for that use;
 - e. Projected population density in the area; and
 - f. The effect of the proposed use on the small town image of Eatonville.

Policy 1a: Ensure compatibility with adjacent land uses

- The type of land use and the design of new development should be compatible with existing developments and land uses and should preserve Eatonville's small town image;
- Land uses which generate high traffic volumes should have access limited to collector or arterial streets;
- Land uses along highways and major streets should consider noise, air quality, visual and other unique environmental conditions which occur in these areas; and
- Development should be sensitive to the natural, historic, and archaeological features of the site.

10.7.3 Goal LU-3: The Town shall provide adequate land use for diverse populations and activities. Land designations shall provide for an adequate supply of land to accommodate the housing needs and strategies outlined by the comprehensive plan. Implementation regulations shall provide a variety of residential opportunities to serve a full range of income levels.

Policy 3a: Provide different types of housing

3. Provide Affordable Housing

A. Seek opportunities in rezones or changes in development regulations to incorporate incentive programs for development of housing that is affordable for the longest term practical.

Policy 3b: Encourage a diverse array of businesses.

1. Encourage Commercial Development

A. To better serve residents and visitors, encourage the strengthening of existing commercial centers rather than the aimless spread of new development.

B. When consistent with the comprehensive plan, support commercial development that provides needed goods and services to residents and visitors and helps to diversify the area's economy.

10.7.4 Goal LU-4: Promote a pleasant, pedestrian-oriented town that serves residents and tourists while protecting the Town Center's historic character.

Policy 4d: Integrate Town Center development with transportation corridor development along Washington Avenue and Mashell Avenue, thus creating a compact rural Town Center serving the commercial, retail, and service needs of both local residents and visitors traveling through Eatonville.

Policy 4e: Direct new retail and service commercial and office development to present Town Center area through zoning and permitting processes. Specifically, encourage new businesses to infill the rectangle formed by Mashell Avenue, Larson Street, Orchard Avenue, and Lynch Street.

Policy 4j: Encourage infill development in the Town Center.

10.7.6 Goal LU-6: The Town shall encourage efficient use of land, build community value, and limit urban sprawl.

Policy 6a: Infill Development

1. Ensure that infill construction and area redevelopment are done in a manner that reinforces the established neighborhood character and is architecturally compatible with the surrounding existing commercial and residential areas.

2. Encourage new residential development in areas where community and human public services and facilities are available and in a manner that is compatible with other Comprehensive Plan elements.

5. Direct new higher density residential uses to centers and corridors designated on the land use plan map.

6. Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

10.7.7 Goal LU-7: Provide a basis for employment in the community without jeopardizing the natural environment.

Policy 7c: Promote the development of clustered commercial facilities to accommodate high traffic-generating uses and restrict sprawl along highways.

10.7.10 Goal LU-10: Land use decisions shall support and enhance the economic vitality of the Town by maintaining and increasing employment opportunities, professional and personal services, and retail sales within the Town boundaries.

Policy 10b: The Town shall seek to have land available for business expansion and new businesses.

10.7.10 Goal LU-10: Land use decisions shall support and enhance the economic vitality of the Town by maintaining and increasing employment opportunities, professional and personal services, and retail sales within the Town boundaries.

Policy 10a: As far as possible, businesses should be protected from incompatible uses on adjacent properties.

Policy 10b: The Town shall seek to have land available for business expansion and new businesses.

10.7.11 Goal LU-11: Town land use decisions shall seek to direct development to areas that have existing adequate infrastructure. The Town infrastructure development shall meet short-term needs and the Town shall have infrastructure plans that will meet the needs of anticipated long-term growth.

10.8.2 Residential Land

The predominant land use in the Comprehensive Plan for Eatonville is single family residential as shown in Figure 10-3. This is natural, since Eatonville is a rural residential community. In addition to land designated for single-family residential development, additional lands have been designated for multifamily development.

10.8.4 Commercial Land

Commercial lands on the Draft Comprehensive Plan Update cover the existing commercial development, plus areas reserved for future commercial development expansion. Commercial development in Eatonville, in addition to the downtown core, are development in Eatonville, in addition to the downtown core, is along Washington and Mashell Avenues and along Center Street East.

11.4.2 Goal H-1: Accommodate growth and maintain affordability.

Objective 1a: Accommodate additional housing units in accordance with projected population increases over the next twenty years (needed additional units as calculated in Land Use, Chapter 10, Table 10-3).

- Coordinate planning efforts between Pierce County and the State of Washington as well as with neighboring communities.
- Maintain a residential housing density that is consistent with the Pierce County Comprehensive Plan.

11.4.3 Goal H-2: Encourage housing diversity and quality.

Objective 2d: Preserve, protect, and strengthen the vitality and stability of existing neighborhoods.

11.4.4 Goal H-3: Provide Affordable Housing to Low-Income Households.

Objective 3c: Encourage and maintain safe, good-quality affordable-housing units.

13.6.5 Infrastructure and Land Use.

One of the purposes of this Comprehensive Plan is to ensure there is an adequate supply of land available for residential, commercial, and industrial development expansion. Chapter 10 lays out the provisions for accommodating the forecasted residential, commercial, and industrial growth and their respective land consumption demands. Therefore, there is adequate land to accommodate the forecasted land consumption needs.

13.7.2 GOAL ED-2: Establish more-small scale businesses in Eatonville that provide a variety of goods to the Town's residents, minimizing the need to leave Town to accomplish daily activities.

Objective 2a: Encourage the role of the central business district as the location of retail services, personal and professional services, and public amenities.

- Ensure that residents and locals are aware of the kinds of goods and services available in Town, through advertising, improved signage, or other strategies.
- Direct commercial development to buildable lands located within the downtown commercial area.
- Ensure that transportation facilities connect new and existing residential areas to retail.

XI. COMMENTS:

As of the date of Planning Commission Hearing, March 15, 2021, no written or oral department, agency or public general project comments were received; and no SEPA comments were received.

XII. STAFF REVIEW & ANALYSIS:

Staff does not oppose the proposal. The justification of this recommendation is as follows:

- The proposal is not an isolated request for land use designation change to Commercial as it is abutting the Commercial land use designation to the south across Lynch Creek.

- Public facilities and services can be provided in an efficient manner to support development without decreasing the current service levels for either land use designation at this site; Multi-Family or Commercial.
- The Commercial land use designation generally focuses on providing lands adequate for commercial activities. However, multi-family residential development is currently an allowed use in the Commercial-1 implementing regulations. As such, if ultimately approved the existing multi-family development would be considered a conforming use.
- The ultimate approval of a Commercial land use designation and the existing code allowance to retain the existing multi-family development in the C-1 implementing regulations may be determined to promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
- Both the existing residential (including multi-family) and commercial land use designation areas in the Town of Eatonville currently appear to exceed the projected need for the plan horizon. The reduction of the Multi-Family land use designation will not result in a reduction below the minimum area needed to support residential development for the plan horizon.
- Increasing the area of the Commercial land use designation even though the current area appears to exceed the plan horizon need, the Planning Commission may find the proposal supports and enhances the economic vitality of the Town by increasing potential employment opportunities, professional and personal services, and retail sales within the Town boundaries.
- The Planning Commission may find that the existing implementing regulations will adequately protect the existing on-site critical areas, which will enhance the ongoing high quality of life, including but not limited to air and water quality.
- The Planning Commission may determine circumstances have substantially changed since the Baublits land use designation amendment and rezone completed in 2011 from SF-2 to MF-1.
- The Planning Commission may determine the proposal to be consistent with the Growth Management Act (GMA).
- The Planning Commission may determine the proposal to be consistent with the overall goals and policies of the Eatonville Comprehensive Plan.
- If the proposal is approved, the Eatonville Comprehensive Plan Land Use Map will be amended. The next step would be the completion of a rezone initiated by the landowners from Multi-Family-1 to Commercial-1, followed by a zone map update.

XIII. PLANNING COMMISSION FINDINGS OF FACT:

1. Two (2) applications for the annual 2021 Comprehensive Plan Amendment cycle, both proposing a change the land use designation from Multi-family to Commercial on abutting parcels were submitted to the Town by the application deadline, December 31, 2020; parcels 0416145034 and 0416145038.
2. The two (2) amendment applications for parcels 0416145034 and 0416145038 were determined complete on February 17, 2021.
3. Requests for annual Comprehensive Plan Amendments are allowed pursuant to the processing procedures contained in the Comprehensive Plan, 5.3 PLAN AMENDMENT PROCESS.
4. A SEPA Determination of non-significance (*DNS*) was made February 24, 2021.
5. The required Planning Commission public hearing notice was published in a local newspaper.
6. Notice of the proposed amendments has been provided to interested agencies, Town Departments and area neighbors; the amendment proposal has been posted at the project site.
7. On March 15, 2019, the Eatonville Planning Commission held an open record public hearing in order to receive public comment regarding the proposed land use designation change from Multi-Family to Commercial on parcels 0416145034 and 0416145038.
8. The site has been identified as containing areas of: A) Special Flood Hazard; B) Wetlands; and C) Landslide and Erosion Hazard Areas.

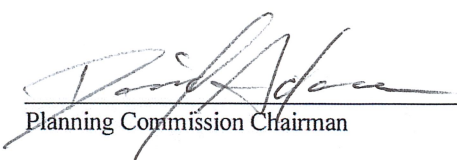
Please circle the applicable selections below: **bold and underlined** for approval – *italic* for denial:

9. The proposed amendment will / ~~will not~~ fulfill the goals of the Growth Management Act.
10. The proposed amendment will not be / ~~will be~~ detrimental to health, safety and general welfare of the citizens of Eatonville and its surrounding area.
11. The proposed amendment will improve / ~~will not~~ improve the quality of life of the citizens of Eatonville and its surrounding area.
12. The proposed amendment will not / ~~will~~ violate the laws of the Town of Eatonville, Pierce County, the State of Washington or the United States of America.
13. The proposed amendment will not have / ~~will have~~ a probable significant adverse impact on the environment.

14. The proposed amendment will not have / ~~will have~~ a negative fiscal impact on the citizens of the Town unless the applicant agrees to mitigate the impact.
15. The proposed land use designation will not / ~~will~~ be detrimental to other existing uses in the neighborhood.
16. Circumstances have / ~~have not~~ substantially changed since the approval of the 2011 land use designation amendment to warrant another land use designation change to Commercial.
17. The size of the site is / ~~is not~~ adequate for the proposed land use designation.
18. The characteristics of the proposed land use designation change are / ~~are not~~ compatible with the uses in the neighborhood or vicinity.

XIV. PLANNING COMMISSION RECOMENDATION:

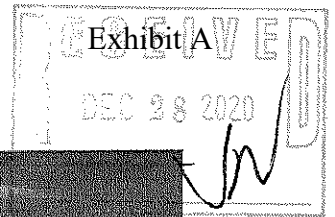
Having conducted an open record public hearing and carefully considering the entire record, including but not limited to the Planning Department file, the recommendations and comments of Planning Staff, the presentation and comments of the Applicant and the public, by a vote of -5- in favor and -0- apposed, the Planning Commission hereby adopts the Planning Staff Analysis, the Findings of Fact contained herein and as noted above, and hereby recommends APPROVAL / ~~DENIAL~~ of the Jaegga LLC and Baublits Memorial LLC Comprehensive Plan Land Use Designation amendment, requesting to change from Multi-family to Commercial:


Planning Commission Chairman

4-5-2021
Date

XV. ATTACHMENTS:

Attachments: Attachment A – 2021 Comp Plan Amendment Applications
February 24, 2021 DNS
Land Use Designation Map
2015 Developed Lands map
Frequently Flooded Areas Map
Landslide and Erosion Hazard Areas Map
Wetland Inventory Map



12-20

**APPLICATION FOR ANNUAL
COMPREHENSIVE PLAN AMENDMENT**
(Please attach additional sheets as necessary)

2020, 0007

1. Applicant Information

Name: J2e992, LLC
Title/Affiliation: _____
Street Address: 331 Washington Ave N. Eatonville WA 98328
Mailing Address: 35813 Mtn Hwy E Eatonville WA 98328
Phone #: 360 832 4486
E-Mail address: b.wilson@rainierconnect.com

2. Applicant's Designated Point of Contact Information (if different from applicant)*

Name: David Bauberts
Title/Affiliation: Managing Member
Street Address: 35813 Mtn Hwy E, Eatonville WA 98328
Mailing Address: 35813 Mtn Hwy E, Eatonville WA 98328
Phone #: 253-222-4935
E-Mail address: tdhs.porel@hotmail.com

**Note that if the applicant or their designated point of contact is different from the property owner for a site-specific comprehensive plan amendment, the Town will require a separate Owner Authorization form to be signed by the property owner.*

3. Property Information (for Site-Specific Amendment Requests Only), including:

Property Address: 331 Washington Ave N. Eatonville WA 98328
Parcel #: 0416145034

DEC 28 2020

4. Please describe the proposed comprehensive plan amendment and any associated development proposals (if applicable): *Note that development proposals for specific projects shall include plans, any relevant studies, and any other relevant information that accurately depicts existing and*

This rezone application aligns with the current goals of the comprehensive plan (section 10.8.4 and section 7.2.2) and requires no changes within the plan other than reflecting the new zoning for this lot on the Land Use Designation Map (figure 10-3). There are no associated development proposals for this lot at this time.

**Applicants are welcome to attach additional sheets with narrative or drawings describing the Comprehensive Plan amendment request and any associated development regulation amendments or site-specific projects related to the request.*

5. Please explain the reason for the proposed comprehensive plan amendment:

This lot is on the north end of 53 lots on Washington Avenue which are already zoned commercial. Rezoning of this parcel to commercial aligns with the stated growth goals of the comprehensive plan in this vicinity (section 10.8.4 and section 7.2.2). Once rezoned, the Land Use Designation Map (figure 10-3) shown within the comprehensive plan needs to reflect the new commercial designation.

6. How is this comprehensive plan amendment proposal consistent with the overall goals and intent of Eatonville's Comprehensive Plan?

This rezone request promotes growth within the targeted commercial growth area (section 10.8.4 and section 7.2.2).

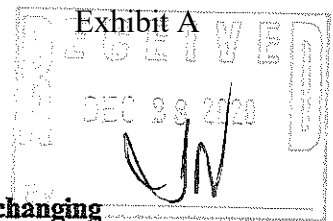
7. How is this comprehensive plan amendment proposal consistent with the Washington State Growth Management Act?

Following is one of the 13 goals outlined in the Growth Management Act:

RCW 36.10A 20 Planning goals.

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

This proposal meets this GMA planning goal.



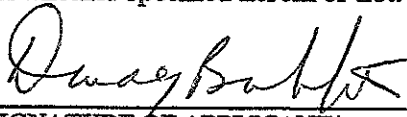
8. How does this comprehensive plan amendment proposal address the needs or changing circumstances of the Town as a whole or resolve inconsistencies between the Town of Eatonville's comprehensive plan and other Town or other jurisdictions' plans or ordinances?

The comprehensive plan promotes again and again the goal of controlled growth. There are limited lots available in the targeted commercial growth areas to add to the existing commercial lots (which currently constitute only 2.8% of the square footage inside the city limits - see table 10-1). The rezoning of this lot to commercial adds much needed commercial opportunities and potential tax dollars for the town and the rezone aligns with the current comprehensive plan.

9. Additional Application Materials Required:

- a) Map (if appropriate) showing area(s) affected by proposed comprehensive plan amendment.
- b) If requesting a site-specific amendment to the comprehensive plan future land use map for an associated site-specific rezone/development proposal, attach a site plan that is accurate, legible and drawn to scale that provides the following:
 - i. The existing dimensions and lot size(s), proposed dimensions and lot size(s);
 - ii. Identify adjacent streets, existing and proposed access;
 - iii. Identify existing and proposed structures and distances to property lines;
 - iv. Location of proposed alterations or improvements;
 - v. Location of any sensitive areas and their buffers on or within 150 feet of the site;
 - vi. Location of any open space or preservation areas;
 - vii. Location of any significant trees;
 - viii. Location of drainage channels, sewer and water lines;
 - ix. Identify existing and proposed easements; and
 - x. Elevation plans, if applicable.
- c) Applicable fees as determined by the Town. Please consult with the Planning Department for fee and payment information.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not.

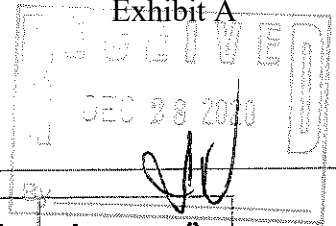

SIGNATURE OF APPLICANT*

12/28/20
DATE

**If a site-specific comprehensive plan amendment, the signature must be the owner of the property or have a documented legal ownership interest verified by the Town.*

0416145034
331 WASHINGTON AV N
JAEGGA LLC

Exhibit A



Summary ()	Taxes/Values ()	Land ()	Building ()	Sales ()	Map ()	Images ()
Property Details Parcel Number 0416145034 Site Address 331 WASHINGTON AV N Account Type Real Property Category Land and Improvements Use Code 1203-TRIPLEX 3 UNITS				Taxpayer Details Taxpayer Name JAEGGA LLC Mailing Address 35813 MOUNTAIN HWY E EATONVILLE, WA 98328-9237		
Assessment Details 2020 Values for 2021 Tax Taxable Value 322,700 Assessed Value 322,700				Appraisal Details Land Economic Area 010602 Value Area PI3 Appr Acct Type Residential Business Name Last Inspection 01/27/2016-Physical Inspection Appraisal Area 01		
Related Parcels Group Account Number n/a Located On n/a Associated Parcels n/a				Tax Description Section 14 Township 16 Range 04 Quarter 13 L 2 OF SP 2013-01-08-5001 EASE OF REC OUT OF 1-004 SEG 2013-0278 JP 2/11/13 JP		

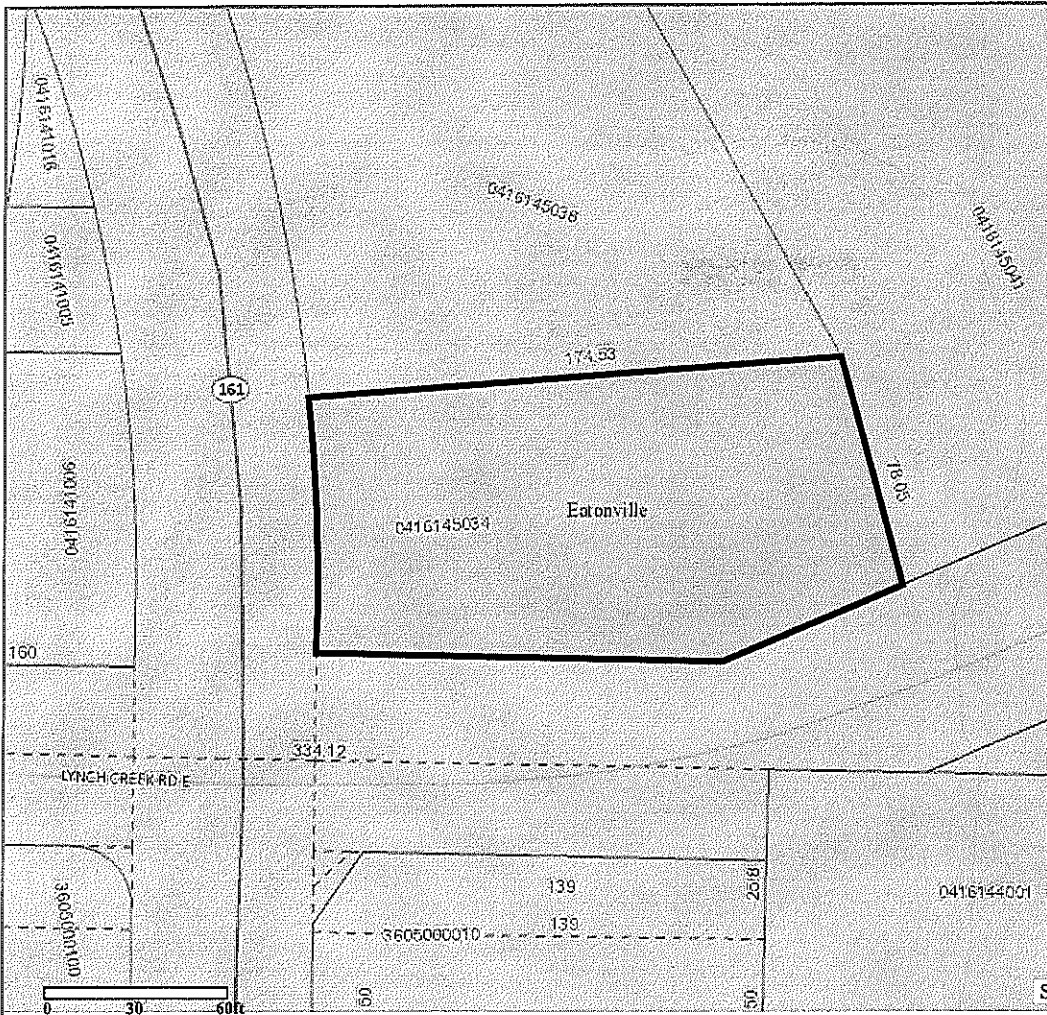
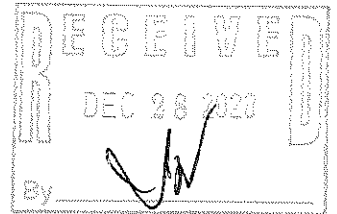
I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. **All critical information should be independently verified.**

Pierce County Assessor-Treasurer
Mike Lonergan

2401 South 35th St Room 142
Tacoma, Washington 98409
(253)798-6111 or Fax (253)798-3142

www.piercecountywa.gov/atr (<http://www.piercecountywa.gov/atr>)

Exhibit A



More mapping options at RTSQ Maps: [200 Scale \(pdf\)](#)

(http://matterhorn7.co.pierce.wa.us/DataMenu_Linked_Data/quartersectionmaps/q0416141_200.pdf) | [100 Scale \(pdf\)](#)

(http://matterhorn7.co.pierce.wa.us/DataMenu_Linked_Data/quartersectionmaps/q0416141_100.pdf)

Exhibit A
DEC 28 2020
W



12-20

**APPLICATION FOR ANNUAL
COMPREHENSIVE PLAN AMENDMENT**
(Please attach additional sheets as necessary)

2020.0012

1. Applicant Information

Name: Baublits Memorial, LLC
Title/Affiliation: _____
Street Address: 333 Washington Ave N. Eatonville WA 98328
Mailing Address: 35813 Mtn Hwy E Eatonville WA 98328
Phone #: 360 832 4486
E-Mail address: bcaulsma@rainierconnect.com

2. Applicant's Designated Point of Contact Information (if different from applicant)*

Name: David Baublits
Title/Affiliation: Managing Member
Street Address: 35813 Mtn Hwy E Eatonville, WA 98328
Mailing Address: 35813 Mtn Hwy E, Eatonville, WA 98328
Phone #: 253 - 222 - 4935
E-Mail address: tohspond@hotmail.com

**Note that if the applicant or their designated point of contact is different from the property owner for a site-specific comprehensive plan amendment, the Town will require a separate Owner Authorization form to be signed by the property owner.*

3. Property Information (for Site-Specific Amendment Requests Only), including:

Property Address: 333 Washington Ave N Eatonville WA 98328
Parcel #: 64 16 14 5038

4. Please describe the proposed comprehensive plan amendment and any associated development proposals (if applicable): *Note that development proposals for specific projects shall include plans, any relevant studies, and any other relevant information that accurately depicts existing and*

This rezone application aligns with the current goals of the comprehensive plan (section 10.8.4 and section 7.2.2) and requires no changes within the plan other than reflecting the new zoning for this lot on the Land Use Designation Map (figure 10-3). There are no associated development proposals for this lot at this time.

**Applicants are welcome to attach additional sheets with narrative or drawings describing the Comprehensive Plan amendment request and any associated development regulation amendments or site-specific projects related to the request.*

5. Please explain the reason for the proposed comprehensive plan amendment:

This lot is on the north end of 53 lots on Washington Avenue which are already zoned commercial. Rezoning of this parcel to commercial aligns with the stated growth goals of the comprehensive plan in this vicinity (section 10.8.4 and section 7.2.2). Once rezoned, the Land Use Designation Map (figure 10-3) shown within the comprehensive plan needs to reflect the new commercial designation.

6. How is this comprehensive plan amendment proposal consistent with the overall goals and intent of Eatonville's Comprehensive Plan?

This rezone request achieves several comprehensive plan goals. First, it achieves growth within the targeted commercial growth area (section 10.8.4 and section 7.2.2) and it allows for the development of commercial businesses which are not visible to town citizens or tourists thereby achieving the goal of maintaining the small town "feel" the comprehensive plan strives to maintain.

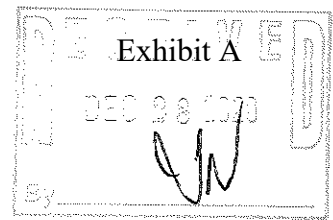
7. How is this comprehensive plan amendment proposal consistent with the Washington State Growth Management Act?

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This proposal meets this GMA planning goal.



8. How does this comprehensive plan amendment proposal address the needs or changing circumstances of the Town as a whole or resolve inconsistencies between the Town of Eatonville's comprehensive plan and other Town or other jurisdictions' plans or ordinances?

The comprehensive plan promotes again and again the goal of controlled growth. There are limited lots available in the targeted commercial growth areas to add to the existing commercial lots (which currently constitute only 2.8% of the square footage inside the city limits - see table 10-1). The rezoning of this lot to commercial adds much needed commercial opportunities and potential tax dollars for the town and the rezone aligns with the current comprehensive plan.

9. Additional Application Materials Required:

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- c) Applicable fees as determined by the Town. Please consult with the Planning Department for fee and payment information.

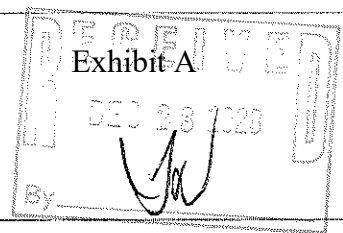
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not.

[Signature]
SIGNATURE OF APPLICANT*

12/28/20
DATE

**If a site-specific comprehensive plan amendment, the signature must be the owner of the property or have a documented legal ownership interest verified by the Town.*

0416145038
333 WASHINGTON AV N
BAUBLITS MEMORIAL LLC



Summary ()	Taxes/Values ()	Land ()	Building ()	Sales ()	Map ()	Images ()
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Property Details

Parcel Number 0416145038
Site Address 333 WASHINGTON AV N
Account Type Real Property
Category Land and Improvements
Use Code 1101-SINGLE FAMILY DWELLING

Taxpayer Details

Taxpayer Name BAUBLITS MEMORIAL LLC
Mailing Address 35813 MOUNTAIN HWY E
EATONVILLE, WA
98328-9237

Assessment Details

2020 Values for 2021 Tax

Taxable Value 494,700
Assessed Value 494,700

Appraisal Details

Land Economic Area 010602
Value Area PI3
Appr Acct Type Residential
Business Name
Last Inspection 01/27/2016-Physical Inspection
Appraisal Area 01

Related Parcels

Group Account Number n/a
Located On n/a
Associated Parcels n/a

Tax Description

Section 14 Township 16 Range 04 Quarter 13 LOT 1 OF LL 2020-08-20-5001 EASE OF REC OUT OF 04-16-14-5-033 & 5-036 SEG 2021-0120 JP 09/11/20 JP

I acknowledge and agree to the prohibitions listed in RCW 42.56.070(9) against releasing and/or using lists of individuals for commercial purposes. Neither Pierce County nor the Assessor-Treasurer warrants the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system does so at their own risk. **All critical information should be independently verified.**

Pierce County Assessor-Treasurer

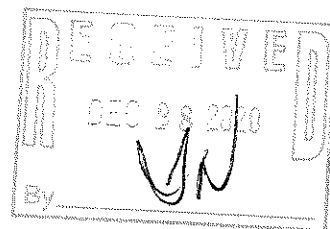
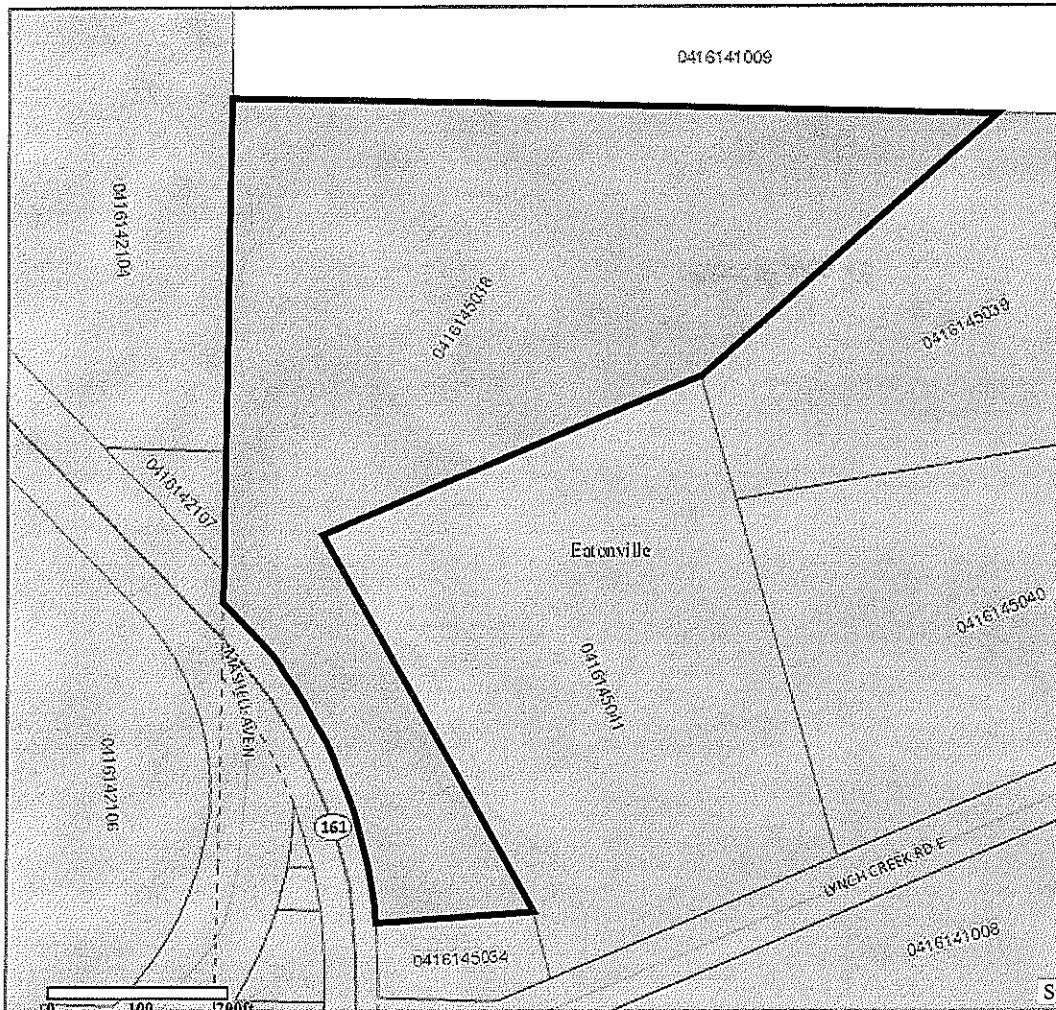
Mike Lonergan

2401 South 35th St Room 142

Tacoma, Washington 98409

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www.piercecountywa.gov/atr (<http://www.piercecountywa.gov/atr>)



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(http://matterhorn7.co.pierce.wa.us/DataMenu_Linked_Data/quartersectionmaps/q0416141_100.pdf)



WAC 197-11-970

**SEPA DETERMINATION OF NONSIGNIFICANCE
2021 Annual Comprehensive Plan Update**

Description of proposal: Amend the Comprehensive Plan Land Use Designation on 8.13 contiguous acres from Multi-family to Commercial on parcels 0416145034 and 0416145038, all located within the Town of Eatonville, Washington.

Proponent: Baublits Memorial LLC & Jaegga LLC, C/O David Baublits, Managing Member
35813 Mountain Highway East
Eatonville WA, 98328

Location of proposal: 333 & 331 Washington Avenue, Eatonville, Washington.

Review Document: SEPA Checklist.

Lead agency: The Town of Eatonville

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on the proposal for 14 days from the date below. Comments must be submitted by 5:00 PM, March 17, 2021.

The document is available to read and review at the address below, between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

Responsible official: Mayor Mike Schaub

Position/title: Town Mayor / SEPA Official Phone: (360) 832-3361

Address: 201 Center Street West / PO Box 309, Eatonville, WA 98328

Date: 2/24/21

Signature: 

Town of Eatonville Annual 2021 Comprehensive Plan Amendment Proposals:



- 1) Land Use Designation Amendment proposal from Multi-family to Commercial; .38 Acres; Parcel 0416145034; Jaegga LLC, 331 Washington Ave.
- 2) Land Use Designation Amendment proposal from Multi-family to Commercial; 7.75 Acres; Parcel 0416145038; Baublits Memorial LLC, 333 Washington Ave



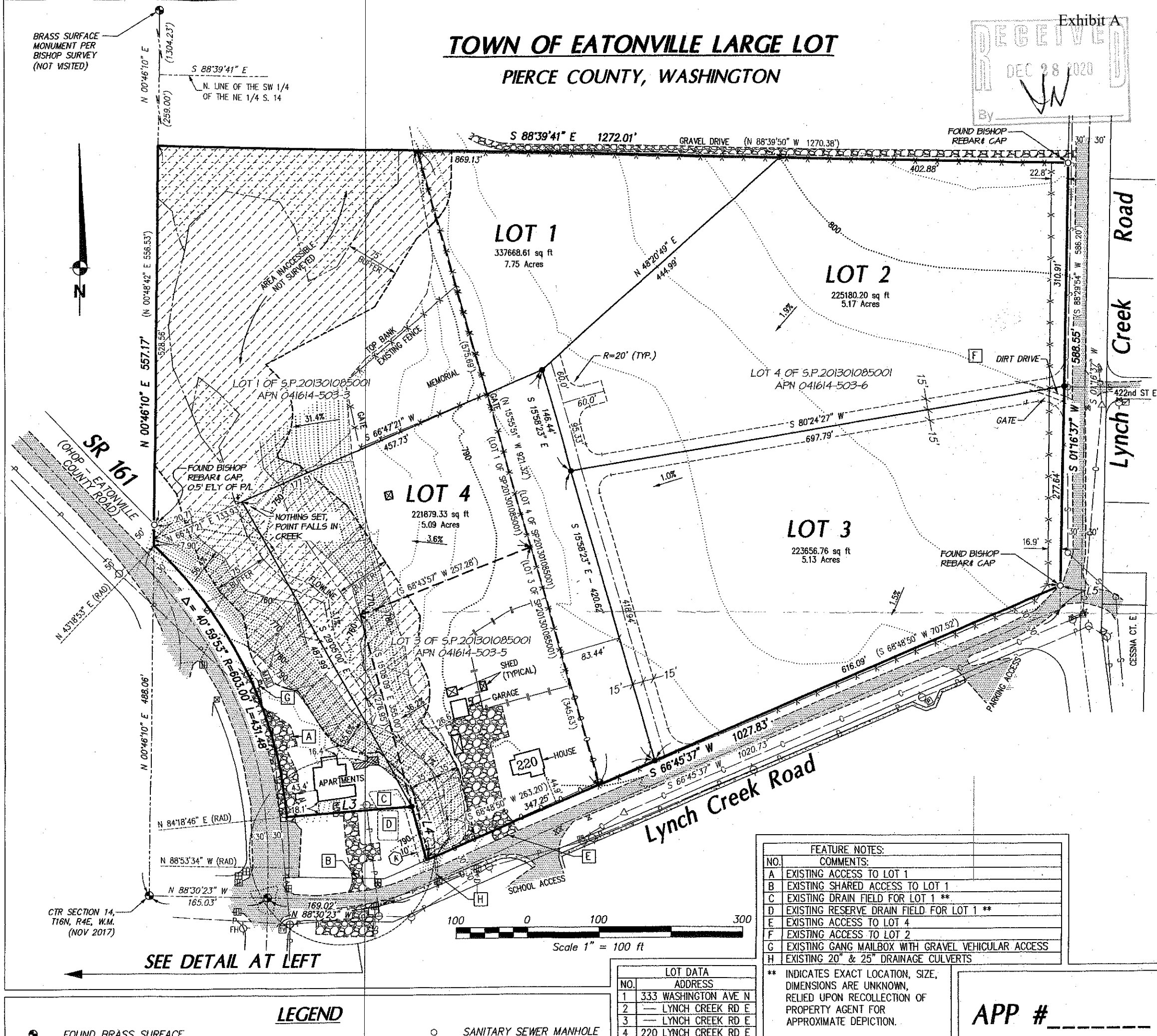


FIGURE 9-3
Landslide and
Erosion Hazard Areas

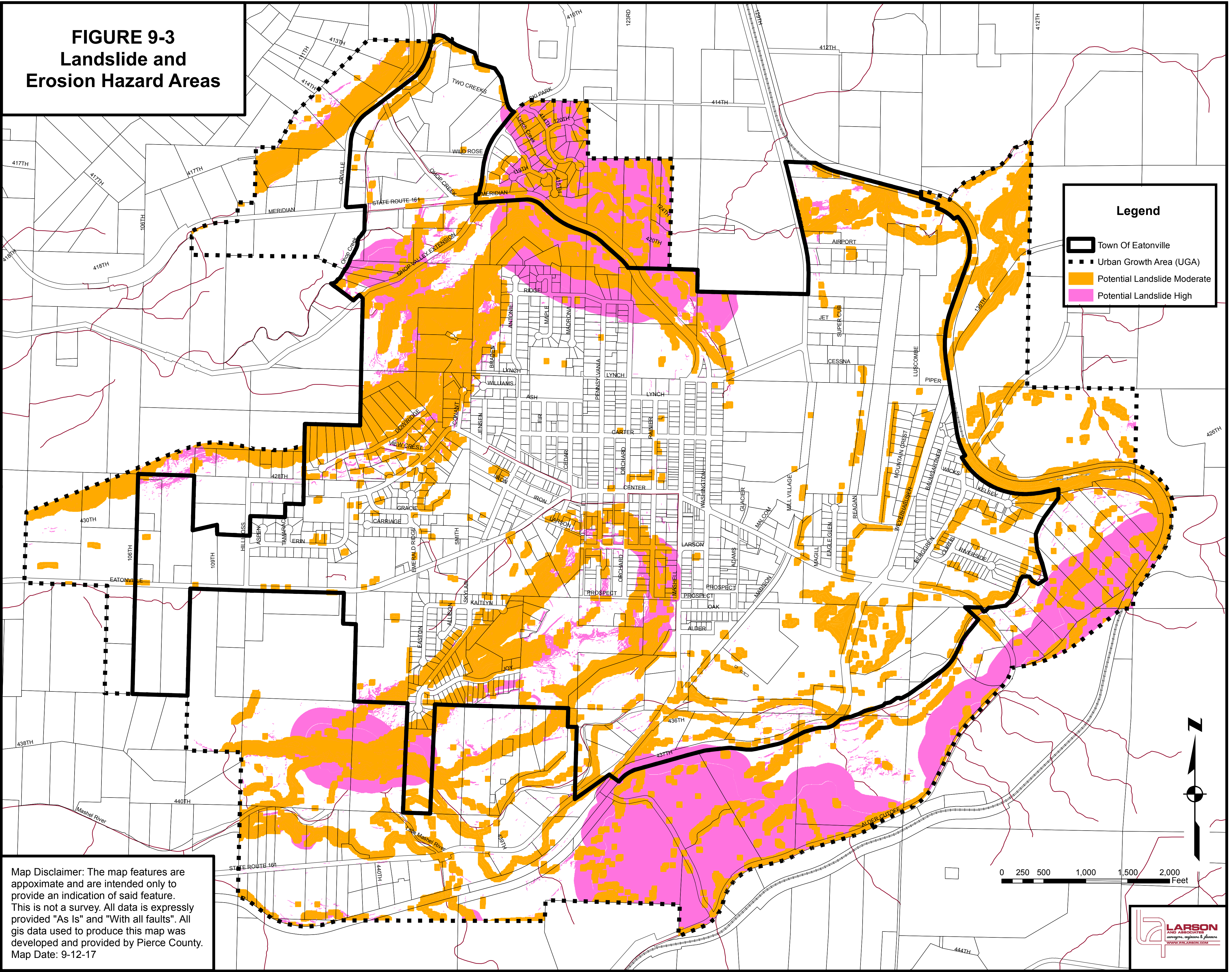
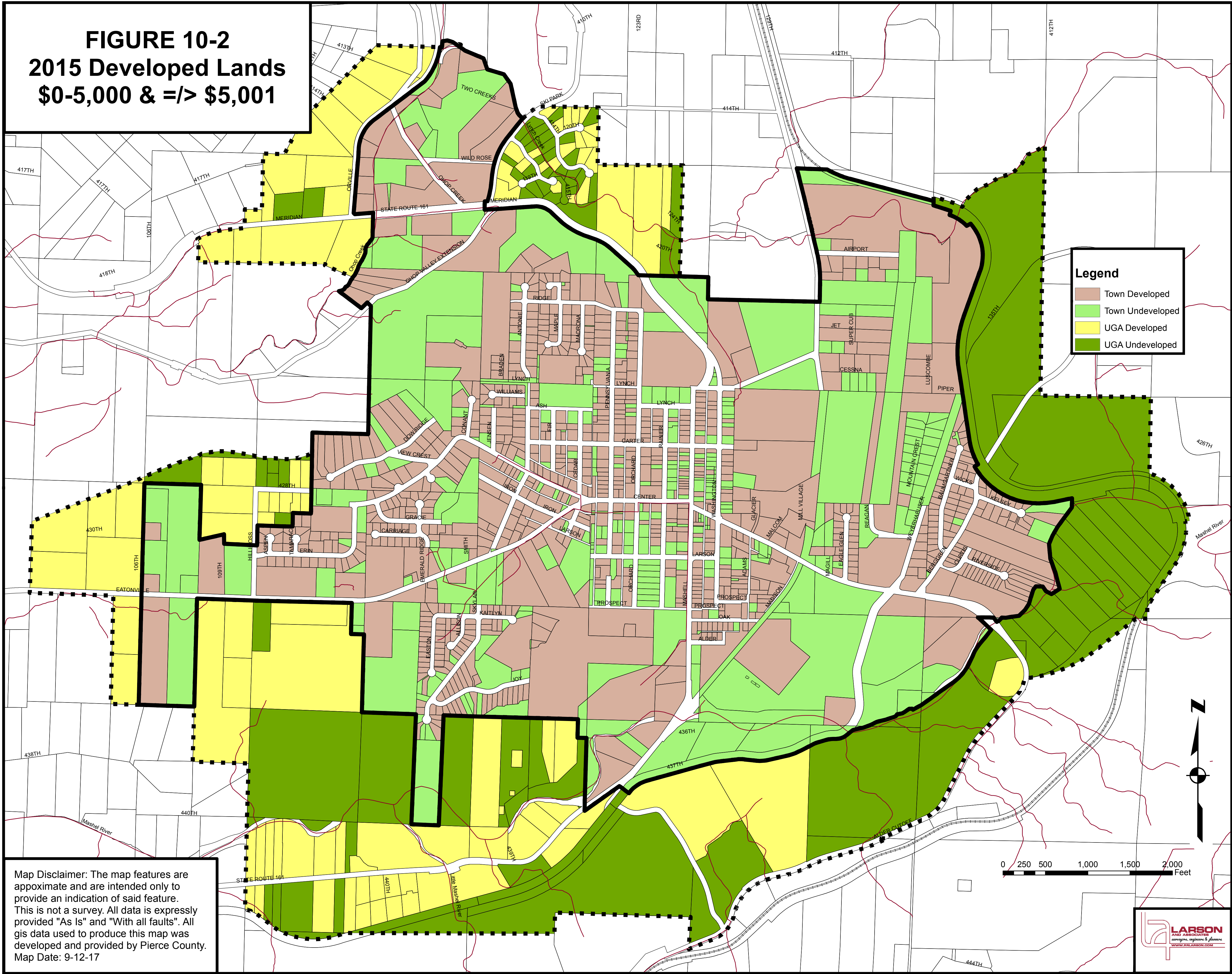


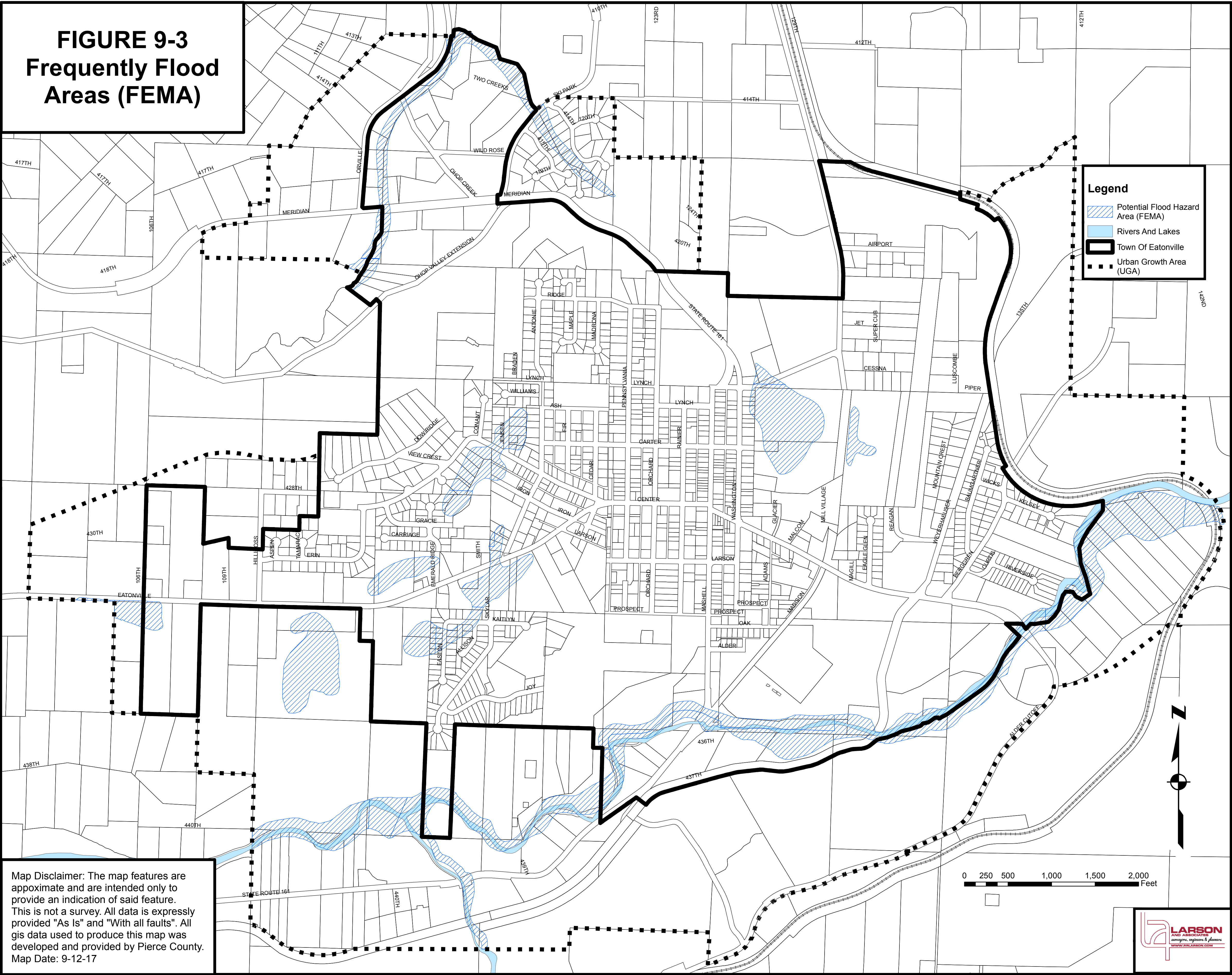
FIGURE 10-2
2015 Developed Lands
\$0-5,000 & \geq \$5,001



Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. This is not a survey. All data is expressly provided "As Is" and "With all faults". All gis data used to produce this map was developed and provided by Pierce County. Map Date: 9-12-17



FIGURE 9-3
Frequently Flood
Areas (FEMA)



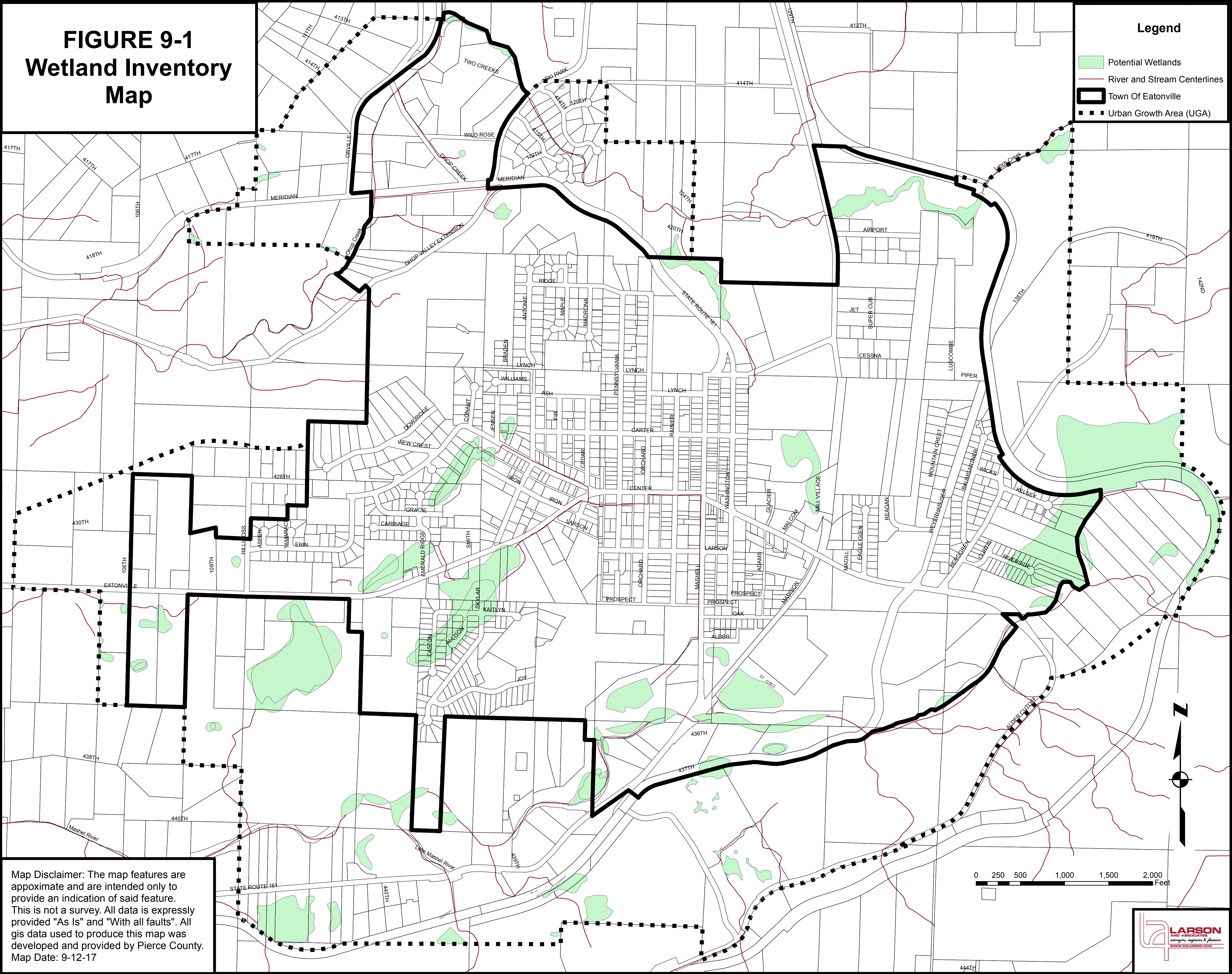


FIGURE 10-3
Land Use
Designation Map

