

**PLANNING COMMISSION
MEETING**

**July 6, 2022
6:00 p.m.**

AGENDA



“Where Dreams Can Soar”

The City of Bonney Lake’s Mission is to protect the community’s livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

www.ci.bonney-lake.wa.us

Location: Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington.

The public is invited to attend Planning Commission Meetings in person, via conference call or over the internet. The information for attending is provided below.

If you wish to address the Planning Commission for comments, Citizen comments can be made in-person, by phone or virtually during this portion of the meeting. Comments are limited to 5 minutes. Those planning to comment via phone or virtually will need to sign up prior to the meeting in order to comment. When signing up, please provide your name, your screen name, phone number (for callers) and if your comments are for general public comments or for the public hearings and which hearing, by email to mcdonaldd@cobl.us or calling in also at 253-447-4356. Virtual and call in registrations need to be received by 5:00 p.m. the day of the meeting. During the meeting, your name will be called when it is your turn. Your microphone will be activated, and you will be able to comment. Those physically appearing at the Council meeting to speak during citizen comments do not need to sign up but will be asked to state their name and address for the meeting record.

Planning Commission Meetings attendance options:

In-Person: Bonney Lake Justice & Municipal Center at 9002 Main Street East in Bonney Lake

By phone: 408-740-7256 (Meeting ID: 215 767 540#)

By internet: Chrome- <https://bluejeans.com/215767540>

Planning Commission Members:

Grant Sulham (Chair)
Debbie Strous-Boyd (Vice-Chair)
Brad Doll
Craig Sarver
Jessica Bennion
Kerri Hubler
Todd Dole

City Staff:

Jason Sullivan, Planning & Building Supervisor
Mettie Brasel, Associate Planner
Debbie McDonald, Planning Commission Clerk

- I. Call to Order**
- II. Roll Call & Next Meeting Poll (August 3, 2022)**
- III. Approval of Minutes (June 1, 2022)**
- IV. Park Commission Report**
- V. Design Commission Report**
- VI. Public Comments and Concerns**

VII. Public Hearing – NONE

VIII. Old / Continuing Business-

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A. SEPA Code Update

IX. New Business –

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A. Comprehensive Plan Policy Gap Analysis

X. For the Good of the Order -

A. Correspondence

B. Staff Comments

C. Commissioner Comments

XI. Adjournment

Next Scheduled Meeting: August 3, 2022

**PLANNING
COMMISSION MEETING**

**June 1, 2022
6:00 p.m.**



The City of Bonney Lake's Mission is to protect the community's livable identity and scenic beauty through responsible growth planning and by providing accountable, accessible and efficient local government services.

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DRAFTED MINUTES

"Where Dreams Can Soar"

Location: The physical location of the Planning Commission Meeting was at the Bonney Lake Justice & Municipal Center, 9002 Main Street East, Bonney Lake, Washington. Due to the statewide stay at home order, the public was given the option to call in to the virtual Planning Commission Meeting and be able to listen to the Meeting live on the City's BlueJeans Conference line.

- I. Call to Order:** The meeting was called to order at 6:00 P.M.
- II. Roll Call:** Planning Commissioners in attendance were Chair Grant Sulham, Vice-Chair Debbie Strous-Boyd, Commissioner Craig Sarver, Commissioner Brad Doll, Commissioner Jessica Bennion and Commissioner Todd Dole

- III. Absent:** Commissioner Kerri Hubler

Staff members in attendance were Planning and Building Supervisor Jason Sullivan

Motion was made by Commissioner Doll and seconded by Commissioner Sarver to excuse Commissioner Hubler from tonight's meeting.

Motion Approved 6-0

- IV. Approval of Minutes:**

Motion was made by Commissioner Doll and seconded by Commissioner Bennion to approve the minutes from the May 4, 2022.

Motion Approved 6-0

- V. Park Commission Report**

No meeting in May.

- VI. Design Commission Report**

No meeting in May.

- VII. Public Comment and Concerns: NONE**

- VIII. Public Hearing:**

A. Ordinance D22-31 – Comprehensive Plan/Development Regulations Amendments – Transportation Project List

Chair Sulham opened the Public Hearing at 6:06.

Planning and Building Supervisor Sullivan stated it is for the City Council to adopt a new project list. Will get out of TIF credits for being on this list. Will be taking off projects that have been completed and adding a few new projects.

Chair Sulham asked if there were any questions on the project.

Planning and Building Supervisor Sullivan responded no comments have been received. He then explained the projects that are on the list and how they are prioritized.

Motion was made by Commissioner Doll and seconded by Commissioner Sarver to recommend that the City Council approve Ordinance D22-31 amending Section 6 Community Facilities and Services Element and portions of Chapter 19.04 BLMC.

Motion Approved 6-0

Chair Sulham closed the public hearing 6:24.

B. Ordinance D22-41 – Land Use Matrix Amendment – Self Storage Facilities

Chair Sulham opened the Public Hearing at 6:25.

Planning and Building Supervisor Sullivan stated both Planning Commission and Community Development Committee both agreed to ban the self-storage facilities. The justification for the proposed amendments and how the proposed changes are consistent with City's comprehensive plan, Bonney Lake 2035, and the Bonney Lake Centers.

Motion was made by Commissioner Bennion and seconded by Commissioner Doll to recommend that the City Council approve Ordinance D22-41 removing self-storage facilities as a permitted use in the Eastown and C-2 zoning classifications.

Motion Approved 6-0

Chair Sulham closed the Public Hearing at 6:36.

IX. Old/Continuing Business:

A. Planning Commission Futures

Planning and Building Supervisor Sullivan discussed the last six months of meetings and what the agenda items will be. Both the July and August meetings will still be in the Council Chambers.

X. New Business: NONE

XI. For the Good of the Order:

A. Correspondence: NONE

B. Staff Comments:

Planning and Building Supervisor Sullivan stated they announced the recruitment for the Assistant Planner position.

C. Commissioner Comments:

Chair Sulham thanked Planning and Building Supervisor Sullivan for keeping the Commission on track.

XI. Adjournment:

Motion was made by Commissioner Dole and Seconded by Commissioner Bennion to adjourn the meeting.

Motion Approved 6-0

Meeting adjourned at 6:43

Debbie McDonald Planning Commission Clerk



Planning Commission Agenda Item

Meeting Date: July 6, 2022

Memo Date: July 1, 2022

Staff Contact: Jason Sullivan – Planning and Building Supervisor

Action Type: Discussion

Agenda Title: SEPA Code Update Date

PURPOSE:

This is a study session to receive a briefing and discuss the proposed update to the City's SEPA Code.

ATTACHMENTS:

- A. LDC SEPA Code Update Memo
- B. LDC Technical Memo
- C. Draft Ordinance D22-XX – SEPA Code

SUGGESTED MOTION:

None

DISCUSSION:

The City consultant, LDC, will brief the Planning Commission on the City's proposed new SEPA code.

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TO: Bonney Lake Planning Commission

FROM: Clay White, Director of Planning - LDC
Matt Covert, Senior Planner - LDC

CC: Jason Sullivan, Planning and Building Supervisor

DATE: June 30, 2022

RE: July 6, 2022, Planning Commission Work session – Comprehensive Plan update and policy gap analysis

We look forward to meeting with the Planning Commission on July 6th for a briefing and about the proposed SEPA code update.

The goals of the revised SEPA code, currently in Chapter 16.04 the Bonney Lake Municipal Code, are to increase the flexible thresholds for categorical exemptions from SEPA as allowed under the state's administrative code (WAC) and to pass a Planned Action Ordinance to exempt projects within the City's Downtown subarea in accordance with state law.

LDC has completed a SEPA technical memorandum for the city. The memo establishes how the proposed code update complies with the rules and requirements for these changes. To adopt these changes, the City must demonstrate how environmental protections are maintained and conditions in the WAC and state law are satisfied.

It is important to note that adopting higher exemption levels does not reduce the City's ability to mitigate environmental impacts associated with project actions. Rather, it recognizes that impacts are mitigated and conditioned for these projects using Bonney Lake's Critical Areas regulations rather than the SEPA review. This is supported by the WAC.

Flexible Thresholds and other categorical exemptions

The City proposes to adopt the maximum categorical exemption thresholds for minor new construction SEPA exemption allowed under WAC 197-11-800:

- 30 units of single-family residential (current exemption limit is 9)
- 60 units of multifamily residential (current exemption limit is 4)
- 40,000 square feet of barn, loafing shed, farm equipment storage, produce storage, or packing structure (current exemption limit is 10,000 square feet)
- 30,000 square feet of office, school, commercial, recreational, service, storage building space and up to 90 parking spaces (current exemption limit is 4,000 square feet and 20 parking spaces)
- 1,000 cubic yards of fill or excavation (current exemption limit is 500 cubic yards)

The SEPA code revision also includes adopting state administrative rules for all categorical exemptions directly into code rather than adopting by reference and tweaking them to fit the needs of the City.

Planned Action

State law allows a city to pass an ordinance establishing a process whereby project-level actions can be exempted from review under SEPA if the city passes a Planned Action Ordinance and

demonstrates that project-level significant environmental impacts have been adequately addressed through a detailed environmental analysis of a comprehensive plan or subarea plan. This removes duplicative review at the project level without lessening environmental protections and is consistent with state SEPA law's focus on the cumulative impacts of development, something that project-level review is not always able to capture.

The City of Bonney Lake completed a draft and final Environmental Impact Statement and supplementary analysis in 1994 and 1996, including planning for growth and development in the downtown area. Since the environmental impacts of development in the Downtown subarea have already been addressed under SEPA, the city is preparing a Planned Action ordinance and associated municipal code to exempt project actions that are consistent with the subarea plan from project-level SEPA review until the entire downtown area reaches the maximum development level analyzed in the 1994 and 1996 environmental analyses.

Attached you will also find a copy of the technical memo we have prepared. We look forward to reviewing it with you.

Attachment: SEPA technical memorandum dated June 30, 2022

DATE: June 30, 2022

FROM: Matt Covert, Senior Planner, LDC, Inc.
Clay White, Director of Planning, LDC, Inc.

TO: Jason Sullivan, Planning and Building Supervisor, City of Bonney Lake

SUBJECT: Technical memorandum regarding updating City of Bonney Lake SEPA code update

Background

The City of Bonney Lake is seeking to update its municipal code as it implements the State Environmental Policy Act, or SEPA (RCW 43.21C). Specifically, the City aims to increase the flexible thresholds for categorical exemptions from SEPA as allowed under WAC 197-11-800(1) and pass a Planned Action Ordinance to exempt projects within the Downtown subarea from SEPA in accordance with RCW 43.21C.440.

The purpose of this technical memorandum is to demonstrate that the proposed code changes to City's SEPA Code comply with the requirements of WAC 197-11-800 and RCW 43.21C.440.

Introduction

The State Environmental Policy Act (SEPA) is codified in RCW 43.21C and implemented through the Department of Ecology's administrative code under WAC 197-11. The purpose of SEPA is to "(1) ...encourage productive and enjoyable harmony between humankind and the environment; (2) to promote efforts which will prevent or eliminate damage to the environment...; (3) and [to] stimulate the health and welfare of human beings; and (4) to enrich the understanding of the ecological systems and natural resources...". SEPA is a procedural statute designed to ensure that potential environmental effects of a proposed action or project are surfaced, evaluated, and mitigated or prevented.

In the decades since SEPA has become law, many other state laws have passed which required jurisdictions to enact regulations that protect the environment. This includes, but is not limited to, the 1990 Growth Management Act (GMA), which requires local governments to enact critical areas regulations, the 1971-72 Shoreline Management Act, which requires all counties and most towns and cities to prepare and implement shoreline master programs, and stormwater regulations and permitting which implements requirements under the Clean Water Act. In most cases around the state, cities and counties have adopted regulations covering almost every element covered under the SEPA.

In addition, the GMA (RCW 36.70A) and the Local Project Review Act (RCW 36.70B) outline substantial requirements for community, Tribal, and local, state, and federal agency engagement during policy, code, and permit processes. SEPA is not relied on for providing public notice since these laws were enacted in the 1990s and implemented into codes and processes.

To account for these additional layers of environmental protection and public engagement opportunities that did not exist when SEPA was created, updates to the statute and administrative rules over the years have created various optional avenues under which specific types of projects or decisions can be exempt from review under SEPA. This has allowed cities and counties across the state the ability to modify their SEPA requirements as development regulations are adopted which protect the environment and mitigate for impacts associated with project actions.

The City of Bonney Lake is proposing two different sets of changes to its SEPA code. Both code changes would increase projects actions which would be exempt from requiring SEPA review. To adopt these

changes, the statute and rules outline conditions which must be met. This memorandum addresses the requirements for both sets of changes the City of Bonney Lake is considering.

It is important to note that adopting higher SEPA exemption levels will not reduce the city's ability to mitigate environmental impacts associated with project actions. It only recognizes that impacts will be mitigated and conditioned for these projects using existing city code, rather than SEPA. The reliance of existing development regulations to mitigate impacts instead of SEPA is also discussed in WAC 197-11-158.

Flexible Thresholds for Minor New Construction

Overview

In 1984, the state developed SEPA rules (WAC 197-11-800) that outline certain types of projects which are categorically exempt from SEPA threshold determinations and Environmental Impact Statement (EIS) processes. WAC 197-11-800(1) outlines flexible thresholds for minor new construction. The flexibility comes from the range of exemptions provided for in the 800(1). This has allowed cities and counties around the state to tailor exemption levels which fit their community.

Under WAC 197-11-800(1)(b), certain levels and types of new construction are categorically exempt from SEPA. The following are the minimum exemptions for minor new construction:

- (i) The construction or location of four detached single family residential units.
- (ii) The construction or location of four multifamily residential units.
- (iii) The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots.
- (iv) The construction of an office, school, commercial, recreational, service or storage building with 4,000 square feet of gross floor area, and with associated parking facilities designed for twenty automobiles. This exemption includes parking lots for twenty or fewer automobiles not associated with a structure.
- (v) Any fill or excavation of 100 cubic yards throughout the total lifetime of the fill or excavation and any excavation, fill or grading necessary for an exempt project in (i), (ii), (iii), or (iv) of this subsection shall be exempt.

Under WAC 197-11-800(1)(c) and (d), cities can raise the exemption levels up to maximums outlined in part 800(d). The City of Bonney Lake currently has exemption levels for minor new construction which are higher than the minimum but lower than maximum levels being proposed.

City of Bonney Lake proposal

Minor new construction maximum exemption levels, contained in WAC 197-11-800(1), were increased in 2013 to what is shown in the table below. Changes recognized that almost all minor new construction projects now have impacts mitigated through development regulations, rather than through SEPA. This recognizes the number of regulations cities and counties have adopted over the past 50 years.

Changes in the WAC in 2013 also recognized that planning requirements around the State of Washington are not the same for all cities and counties. Some counties and cities around the state are required to do more planning than others and therefore are likely to have more regulations in place to mitigate project impacts than those jurisdictions with fewer planning requirements and regulations. The maximum levels the City of Bonney Lake can adopt are bolded in the table below.

Project types	Fully planning GMA counties		All other counties
	Incorporated and unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Single family residential	30 units	20 units	20 units
Multifamily residential	60 units	25 units	25 units
Barn, loafing shed, farm equipment storage, produce storage or packing structure	40,000 square feet	40,000 square feet	40,000 square feet
Office, school, commercial, recreational, service, storage building, parking facilities	30,000 square feet and 90 parking spaces	12,000 square feet and 40 parking spaces	12,000 square feet and 40 parking spaces
Fill or excavation	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards

Maximum exemption levels – WAC 197-11-800(1)(d)

Currently, the City of Bonney Lake has adopted exemptions that are only slightly higher than the minimum exemptions. The following table compares the minimum exemptions, current exemption levels adopted in BLMC 16.04.080, and the proposed exemptions which mirror the maximums allowed under WAC 197-11-800.

	Minimum exemptions	Current exemptions in BLMC 16.04.080¹	Proposed exemptions
Project types			
Single family residential	4 units	9 units	30 units
Multifamily residential	4 units	4 units	60 units
Barn, loafing shed, farm equipment storage, produce storage or packing structure	10,000 square feet	10,000 square feet	40,000 square feet
Office, school, commercial, recreational, service, storage building, parking facilities	4,000 square feet and 20 parking spaces	4,000 square feet and 20 parking spaces	30,000 square feet and 90 parking spaces
Fill or excavation	100 cubic yards	500 cubic yards	1,000 cubic yards
^{1.} The current exemptions in the BLMC were the maximum flexible exemptions levels prior to the 2013 amendments to WAC 197-11			

Source: WAC 197-11-800(1) and BLMC 16.04.080

An important caveat is that these exemptions would not apply to projects that:

- Are proposed wholly or partly on lands covered by water
- Requires a license governing discharges to water not exempt under RCW 43.21C.0383
- Requires a license governing emission to air not exempt under RCW 43.21C.0381 or WAC 197-11-800(7-8)
- Requires a land use decision that is not exempt under WAC 197-11.800(6).

Technical analysis

To adopt thresholds above the minimums outlined in WAC 197-11-800(1)(b), certain public noticing, documentation and analysis is required. The following table outlines each required criterion and how the City of Bonney Lake meets WAC 197-11-800(1)(c) requirements for raising exemption levels.

WAC requirements for raising exemption levels	Response
Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the development exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations.	See table below for analysis showing the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the developments which would be exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations.
(ii) Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.	The adopting ordinance will outline the notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels. • Permit types are contained in BLMC 14.30. Development projects included in the increased exemption levels would have different permit processes and commenting opportunities depending on what was being proposed. • Permit procedures are contained in BLMC 14.40. • Public notice and application commenting opportunities are contained in BLMC 14.50 • Public hearing requirements for Type 3 and 4 permits are outlined in 14.60.
(iii) Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of sixty days' notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.	60-day notice of the intent to adopt an ordinance to increase the exemptions levels will be provided to the following: affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment. Agency notifications will include all tribes listed in the next section that current receive notices from the City of Bonney Lake. State agencies: • Department of Ecology

	• Department of Commerce • Department of Fish and Wildlife • Department of Natural Resources • WA. State Department of Transportation • Department of Archaeology and Historical Preservation Jurisdictions: • City of Sumner • Town of Wilkeson • City of Buckley • Town of South Prairie • Pierce County The code update process will follow BLMC 14.140 and will be supplemented, as necessary, to meet the noticing requirements of WAC 197-11-800.
(iv) The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(i) and (ii) of this subsection and the requirements for protection and mitigation in (c)(i) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following: • Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington department of archaeology and historic preservation, other agencies, and tribal governments. • Planning and permitting processes that ensure compliance with applicable laws including chapters 27.44, 27.53, 68.50, and 68.60 RCW. • Local development regulations that include at minimum preproject cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.	City of Bonney Lake development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources for the exemptions being proposed. Currently, the city sends notice of all Type 2, 3, and 4 applications regardless of whether or not SEPA is required to the the Department of Archaeology and Historic Preservation (DAHP), the Washington State Trust for Historic Preservation, Futurewise, and following list of indigenous tribal governments: • Kikiallus Indian Nation • Chinook Indian Nation • Duwamish Tribe • Hoh Indian Tribe • Makah Nation • Nisqually • Puyallup Tribe • Quinault Indian Nation • Suquamish • Shoalwater Bay Tribe • Muckleshoot • Jamestown Tribe • Lummi Nation • Yakama Nation • Tulalip Tribes • Snoqualmie Tribe • Steilacoom Tribe • Stillaguamish Some tribal nations not included on the above list have requested to be removed from the City's notification process.

	Please note that Type 1 permits are currently exempt from SEPA. Raising the exemption levels will not change the types of applications where notice will be provided. As part of this project, the city plans to codify the above mentioned public noticing requirements and add a provision that would require a cultural resources study when one is requested by DAHP.
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The following table provides documentation that the requirements for environmental analysis, protection, and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the development exempted.

Elements of the Environment as listed in WAC 197-11-444	How impacts are adequately addressed in specific adopted development regulations, and applicable state and federal regulations
Natural Environment (a) Earth (i) Geology (ii) Soils (iii) Topography (iv) Unique physical features (v) Erosion/enlargement of land area (accretion)	BLMC 16.28 – Geologically Hazardous Areas – provides regulations and requirements for all projects within an identified landslide hazard area as defined by the code. Code requirements include development of critical areas report to identify and mitigate impacts (16.28.040) and meeting the substantive requirements outlined in 16.28.050. The City's code prohibits development within Class I landslide hazardous, which is all slopes over 40% and slopes that are between 25% and 40% that have perched groundwater and/or high landslide susceptibility. BLMC 15.13 – Stormwater Management – provides regulations which implement the Clean Water Act. The city has adopted the Pierce County Stormwater Management and Site Development Manual. The code requirements provide a number of goals which are met through permit requirements. 1. Minimize water quality degradation and sedimentation in streams, ponds, lakes, wetlands and other water bodies; 2. Minimize the impact of increased runoff, erosion and sedimentation caused by land development and maintenance practices; 3. Maintain and protect groundwater resources; 4. Decrease potential landslide, flood and erosion damage to public and private property; 5. Promote site planning and construction practices that are consistent with natural topographical, vegetational and hydrological conditions; 6. Maintain and protect the city stormwater management infrastructure and those downstream;

	7. Provide a means of regulating, clearing and grading of private and public land while minimizing water quality impacts in order to protect public health and safety; 8. Provide minimum development regulations and construction procedures which will preserve, replace or enhance, to the maximum extent practicable, existing vegetation to preserve and enhance the natural qualities of lands, wetlands and water bodies BLMC 15.13 – Grading or Filling of Land – The regulations described in this chapter establish minimum requirements for grading or earthwork construction, including excavating and filling, the creation of impervious areas and procedures for review of applications, collection of fees, issuance of permits, approval of plans and enforcement action. They are intended to promote the general health, safety and welfare of the public and require an applicant to follow sound land use and development procedures. The purpose of this chapter is to attempt to identify and, in certain instances, mitigate, minimize or eliminate any impact caused by grading, excavating, filling or creation of impervious area on public and private property, drainage systems, drainage courses, wetlands and environmentally sensitive areas. BLMC 16.62 – Clearing – provides standards for the removal of vegetation on more than 4/10s of an acre to prevent impacts associate with erosion.
(b) Air (i) Air quality (ii) Odor (iii) Climate	RCW 70A.15 – Washington Clear Air Act - Commercial and industrial businesses that emit large amounts of air pollution must get an air operating permit. An air operating permit is a master document that lists all the air pollution requirements that apply to a business or industry. Ecology and other clean air agencies in Washington issue these permits. The Department of Ecology (DOE) also regulates odors for certain uses, such as composting facilities. Permits are required through the DOE. BLMC 15.20– Grading or Filling of Land – temporary air quality issues, such as dust abatement, can be mitigated through this code. BLMC 16.60 – 16.68 – Urban Forestry – The preservation urban forest has been shown to reduce air pollution as trees clean the air by absorbing carbon dioxide, sulphur dioxide, nitrous oxides, and other pollutants and reduce ozone emissions for vehicles. The City has adopted tree regulations that require permit to remove any non-hazardous trees and mandatory replacement for all tree removed. Th City’s landscaping code requires that 30% of all vehicular uses areas in commercial and multifamily development be covered by tree canopy.
(c) Water (i) Surface water movement/quantity/quality (ii) Runoff/absorption (iii) Floods (iv) Groundwater	BLMC 15.13 – Stormwater Management – see analysis above BLMC 15.20 – Grading of Filling of Land – see analysis above BLMC 16.22 – Wetlands, 16.26 Frequently Flooded Areas, 16.30 Fish and Wildlife Conservation Areas, and the 16.34 – 16.58

movement/quantity/quality (v) Public water supplies	Shoreline Code all provide protections and mitigate impacts to sensitive areas within the city. BLMC 16.24 – Aquifer and Wellhead Protection – provides protections for groundwater.
(d) Plants and animals (i) Habitat for and numbers or diversity of species of plants, fish, or other wildlife (ii) Unique species (iii) Fish or wildlife migration routes	BLMC 16.30 Fish and Wildlife Conservation Areas – the following areas are protected under the code which allows protect impacts and mitigation to be provided when appropriate (16.30.050): A. Areas having a primary association with fish and wildlife species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service as being in danger of extinction or threatened to become endangered. B. Areas having a primary association with fish and wildlife species identified by the Washington Department of Fish and Wildlife as being in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. See WAC 232-12-014 (state endangered species) and WAC 232-12-011 (state threatened and sensitive species). C. State priority habitats as identified by the State Department of Fish and Wildlife. D. Habitats and species of local importance as identified by the city in accordance with BLMC 16.30.020. E. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington, as classified in WAC 222-16-031. F. Ponds under 20 acres that provide fish or wildlife habitat except for: 1. Artificial ponds created for a nonwildlife purpose such as stormwater detention facilities, wastewater treatment facilities, farm ponds, and temporary construction ponds; and 2. Artificial features such as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company. G. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity. H. Natural area preserves and natural resource conservation areas as defined by the Washington State Department of Natural Resources.

	I. Areas of rare plant species and high-quality ecosystems as identified by the Washington State Department of Natural Resources through the Natural Heritage Program (see Chapter 79.70 RCW). J. Land useful or essential for preserving connections between habitat blocks and open spaces. K. Riparian management zones. Also note that these areas are also protected by various state and federal regulations through agencies such as the Department of Natural Resources, Department of Fish and Wildlife, and Department of Ecology. BLMC 16.22 – Wetlands – regulations in this chapter also provided substantive protection for plants and animals by protecting these valuable resources and mitigating any impacts associated with projects. Wetlands protections are also provided by the Department of Fish and Wildlife, Department of Ecology, and the Army Corps of Engineers. Development projects within these areas often require local, state, and federal permitting. BLMC 16.60-16.68 – Urban Forestry Code – the city has adopted this code voluntarily. The code has many benefits including the overall health of regional and local watersheds by reducing impervious surfaces, encouraging efficient water use and conservation, and encouraging the retention and use of existing healthy and native vegetation. This code also contributes to protecting places important for habitat and protection of the environment.
(e) Energy and natural resources (i) Amount required/rate of use/efficiency (ii) Source/availability (iii) Nonrenewable resources (iv) Conservation and renewable resources (v) Scenic resources	BLMC 15.04 – Building Codes – the city has adopted the International Building Code, International Residential Code, International Fire Code, International Property Maintenance Code amended, International Mechanical Code amended, International Fuel Gas Code, and Uniform Plumbing Code. Energy codes, adopted by the state are implemented through building regulations mitigate impacts for structures associated with projects and provide for energy conservation. BLMC 18.40 – Electric Vehicle Infrastructure – the city has adopted EVI codes to provide adequate and convenient electric vehicle charging stations to serve the needs of the traveling public and provide opportunities for Bonney Lake residents, commercial, and industrial businesses to have safe and efficient electric charging stations. WAC 51-50-0429 – Electric vehicle charging infrastructure – Requires that all jurisdiction mandate ten percent of parking spaces shall be provided with electric vehicle charging infrastructure. When the calculation of percent served results in a fractional parking space, the applicant shall round up to the next whole number. (Exceptions include R-3 and Group U Occupancies as defined in the Building Code (IRC/IBC))

Built Environment (a) Environmental health (i) Noise (ii) Risk of explosion (iii) Releases or potential releases to the environment affecting public health, such as toxic or hazardous materials	BLMC 9.07.035 – Maximum permissible noise levels – This chapter is a complement to, and not in conflict with, Chapter 70.107 RCW, the Noise Control Act of 1974, and Chapters 173-58, 173-60 and 173-62 WAC, which regulate excessive noise using a performance-based code that sets exact decibel levels of tolerable noise. This chapter regulates excessive noise as a nuisance as authorized by WAC 173-60-060. The code does regulate and mitigate impacts of noise associated with development proposals including use of heavy construction equipment and sets maximum noise levels and hours with which certain noise levels are permitted. BLMC 16.24 – Aquifer and Wellhead Protection – provides protections for groundwater. The Department of Ecology manages Hazardous Waste and Toxics Reduction program and enforces Washington's toxics laws, including the Dangerous Waste regulations that many businesses need to comply with. We also offer technical assistance to businesses to reduce or eliminate their use of hazardous chemicals, work to identify safer chemical alternatives, support the development of green chemistry, and test consumer products for toxic chemicals. Hazardous Waste and Toxics Reduction programs and services: • Inspecting businesses that generate large quantities of hazardous waste • Providing technical assistance to help businesses reduce their use of toxic chemicals • Testing consumer products for toxics to ensure manufacturers comply with Washington's toxics laws • Collecting reports from manufacturers on toxics in products under Washington's Children's Safe Products Act • Developing chemical action plans to reduce the impacts of toxic chemicals. • Collecting information on hazardous waste generation • Collecting information on chemical storage • Collecting pollution prevention plans from businesses • Administering Washington's hazardous waste generation fee • Overseeing cleanup and permitting for current and former chemical facilities • Coordinating Washington's Pollution Prevention Assistance program
(b) Land and shoreline use (i) Relationship to existing land use plans and to estimated population (ii) Housing (iii) Light and glare (iv) Aesthetics (v) Recreation (vi) Historic	The City of Bonney Lake has adopted several Titles that regulate and mitigate for potential impacts associated with development projects and proposals. This includes Title 15 – Buildings and Construction, Title 16- Environmental Protection, Title 17 - Divisions of Land, Title 18 – Zoning, and Title 19 – Concurrency Management.

and cultural preservation (vii) Agricultural crops	BLMC 18.02.025.C – Purpose outlines that the zoning code is established to implement the Bonney Lake comprehensive plan’s goals, objectives, and policies through land use regulations. Bonney Lake code is directly tied into the land use plans. Further, the adopted zoning map implements the land use map within the comprehensive plan. Housing is provided for and the impacts mitigated through several land use code sections. Title 18 outlines housing which is allowed within the various zones located in the city. Codes identified throughout this analysis provide for how impacts associated with housing projects are mitigated under the code. Light and glare is regulated in several code sections including BLMC 18.29.080 – exterior lighting - All outdoor light fixtures shall be dark sky compliant, which means that the lighting is designed, located and lamped with full cut-off fixtures with light sources downcast to prevent glare. BLMC 18.22.010 states that glare associated with home occupations is not allowed. BLMC 18.39.030 states Lighting shall be provided in all loading, storage, and circulation areas, but shall incorporate cutoff shields to prevent off-site glare. BLMC 18.31.030.F – states Glare. 1. No use shall produce a strong dazzling light, or a reflection of a strong dazzling light, beyond its exterior property lines. BLMC 16.60.020.D – promotes the urban forestry code by stating that one of the purposes is to prevent glare from headlights. 15.28.050 prohibits glare from signs that could obstruct pedestrian vision. Aesthetics are also regulated throughout BLMC. BLMC 15.28.160 requires that sign permits only be issued signs enhance the aesthetics of the surrounding area and 18.50.012 includes in the design criteria that aesthetics will be reviewed for ground equipment associated with cell tower equipment. In addition, many of the zones within the city have development and design standards which apply to development in those zones including BLMC 18.35, 18.36, and 18.39. Lastly, all development is subject to aesthetic standards such as open space and landscaping requirements. Historical and cultural uses are reviewed for during the development process. Pursuant to the definitions in BLMC 16.20 “Historic” means existing before the area was altered by human activity. “Historic structure” means any structure that is: 1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
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	3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or 4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: a. By an approved state program as determined by the Secretary of the Interior; or b. Directly by the Secretary of the Interior in states without approved programs All of the above are reviewed for as part of the development review process. There are no agricultural lands of long-term commercial significance in the city of Bonney Lake.
(c) Transportation (i) Transportation systems (ii) Vehicular traffic (iii) Waterborne, rail, and air traffic (iv) Parking (v) Movement/circulation of people or goods (vi) Traffic hazards	BLMC 19.02 – Concurrency Management - describes the requirements and procedures for determining the consistency of proposed development projects with the city comprehensive plan, including meeting the concurrency management provisions of the comprehensive plan. The chapter implements the requirements of RCW 36.70A.070 that cities establish level of service standards and ensure that level of service standards are met or that funding of adequate improvements or efforts to reduce the demand for the facilities or services is assured before new development is approved. BLMC 19.04 – Transportation Impact Fees - This title is enacted pursuant to the city's police powers, the Growth Management Act as codified in Chapter 36.70A RCW, the enabling authority in Chapter 82.02 RCW, Chapter 58.17 RCW relating to platting and subdivisions. Among other purposes the impact fee code creates a mechanism to charge and collect fees to ensure that all new development bears its proportionate share of the capital costs of off-site transportation facilities directly necessitated by new development, in order to provide an adequate level of transportation service consistent with the comprehensive plan. Bonney Lake has several code sections which provide parking requirements that mitigate parking impacts associated with development. 18.31.010 – Minimum parking requirements for commercial development 18.39.050 – Midtown Development Standards – parking 18.36.050 – Downtown Core District – off-street parking and loading requirements 18.29.060 – Easttown District -Vehicular use areas and parking

	18.22.100 – Residential Development Standards off-street parking and loading requirements
(d) Public services and utilities (i) Fire (ii) Police (iii) Schools (iv) Parks or other recreational facilities (v) Maintenance (vi) Communications (vii) Water/stormwater (viii) Sewer/solid waste (ix) Other governmental services or utilities	Public services and utilities are regulated through BLMC Title 13. This code includes BLMC 13.04 – Water System Regulations and charges, 13.06 - Water supply regulations, 13.08 – Sewage disposal, 13.12 - Sewerage System Regulations, 13.16 – Developer extensions, 13.20 – utility collections, and 13.24 - Direct Billing for Master Metered or unmetered utilities. Fire and police impacts are regulated and mitigated through development and implemented of the city’s capital facility plan. Schools and Parks are also identified in the plan, but impacts are also mitigated in additional ways. BLMC 19.08 – School Impact Fees - New growth and residential development in the city will create additional demand and need for schools and school facilities in the city, and the council finds that new growth and development should pay a proportionate share of the cost of new school facilities needed to serve the new growth and development. Impact fees mitigate the impacts to schools from new developments. BLMC 19.06 – Parks Impact Fees – The program has several goals including creating program consistent with the Bonney Lake comprehensive plan for joint public and private financing of parks improvements necessitated in whole or in part by development in the city. Impact fees mitigate the impacts to parks from new developments. Chapter 8.04 BLMC – Garbage and Solid Waste – The City requires all residential, to include single family homes, and commercial properties to have garbage service. WAC 51-50-009 – Recyclable materials, compost, and solid waste storage – Requires that all local jurisdictions shall require that space be provided for the storage of recycled materials, compost, and solid waste for all new buildings. (Exceptions include R-3 and Group U Occupancies as defined in the Building Code (IRC/IBC)) BLMC 3.34 – Parks Capital Improvement Fund - Parks impact fee fund shall be transferred to the parks capital improvement fund to ensure fees collected are utilized towards parks improvements.

Conclusion

Based upon review of the requirements to raise exemption levels in WAC 197-11-800(1)(c) and (d), we conclude that the City of Bonney Lake qualifies to raise exemption levels to the maximum allowed under the rules. It will be important to document that noticing requirements have been met and that the enabling ordinance provides proper findings and conclusions as required by the rules.

Planned Action Ordinance

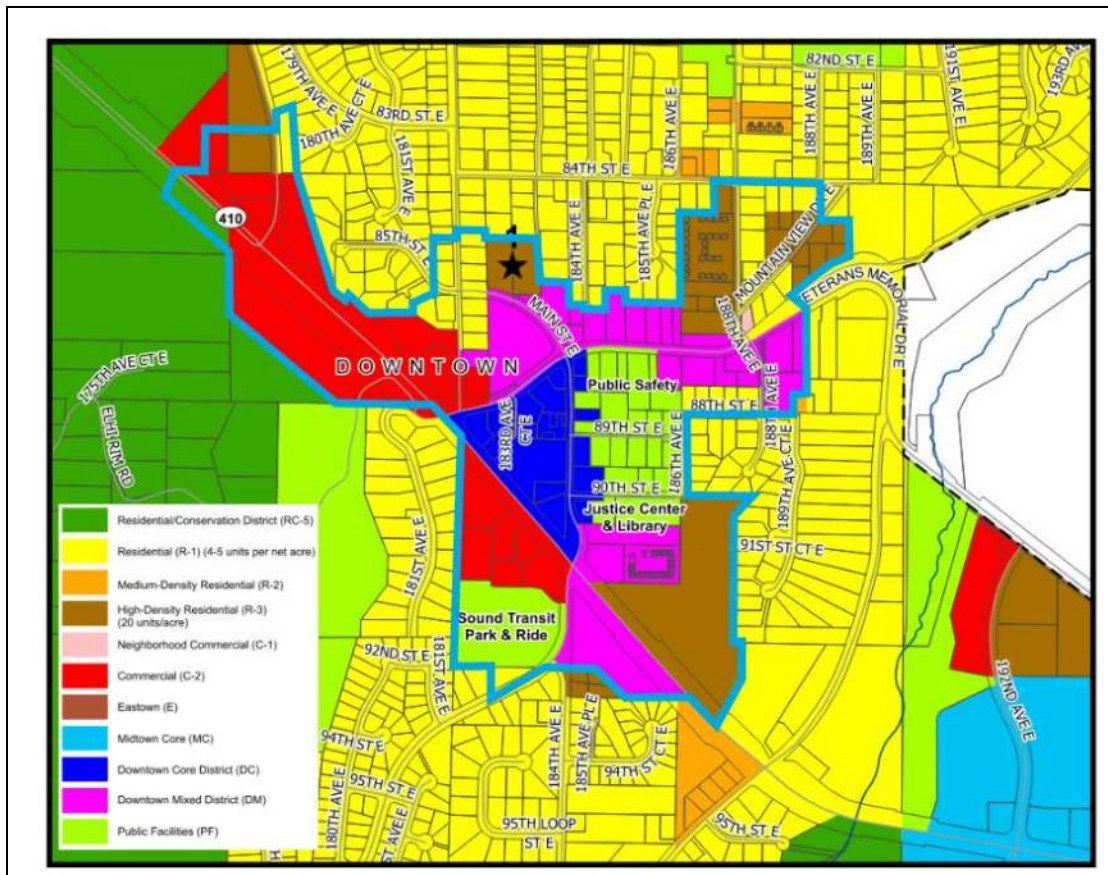
Overview

The State Environmental Policy Act was updated in 2012 (and amended in 2017) to create the Planned Action ordinance process. RCW 43.21C.440 allows projects actions to be deemed exempt from SEPA review when project level significant impacts are adequately addressed through the SEPA process associated with environmental analysis of a comprehensive plan or subarea planning process.

This Planned Action process, codified in RCW 43.21C.440, allows a city to undertake broader environmental review for a particular area and exempt individual projects within that area from SEPA that are consistent with that environmental review. This removes duplicative processes without lessening environmental protections and is consistent with SEPA's focus on the cumulative effects of development.

City of Bonney Lake proposal

The City of Bonney Lake completed a draft and final Environmental Impact Statement (EIS) for its Comprehensive Plan in 1994 and a supplemental EIS in 1996, which included planning for growth and development in the Downtown area. The city also completed subarea planning for the Downtown area, which is reflected in the map below. The Downtown subarea is composed of several different zoning designations and is the area where the Planned Action ordinance would apply. Since the environmental impacts of development in the Downtown subarea have been assessed under SEPA, the city seeks to adopt a planned action ordinance as allowed under RCW 43.21C.440 to exempt project actions, consistent with the Downtown subarea plan, from individual project-level SEPA review.



Technical analysis

To adopt a planned action ordinance certain public noticing, documentation and analysis is required. The following table outlines each required criterion and how the City of Bonney Lake meets RCW 43.21C.440.

Requirements in RCW 43.21C.440	How RCW 43.21C.440 will be met
(1) For purposes of this chapter, a planned action means one or more types of development or redevelopment that meet the following criteria: (a) Are designated as planned actions by an ordinance or resolution adopted by a county, city, or town planning under RCW 36.70A.040; (b) In conjunction with, or to implement, a comprehensive plan or subarea plan adopted under chapter 36.70A RCW, or a fully contained community, a master planned resort, a master planned development, or a phased project, have had the significant impacts adequately addressed: (i) In an environmental impact statement under the requirements of this chapter; or (ii) In a threshold determination or, where one is appropriate, in an environmental impact statement under the requirements of this chapter, if the planned action contains mixed use or residential development and encompasses an area that: (A) Is within one-half mile of a major transit stop; or B) Will be within one-half mile of a major transit stop no later than five years from the date of the designation of the planned action;	<u>The Downtown Center Planned Action will be designated by Ordinance and codified in the City's SEPA Code.</u> In 2007, when the City initial adopted the subarea plan for the Downtown Center, the City of Bonney Lake prepared and Environmental Impact Statement to prepare for a SEPA Planned Action Ordinance for Downtown. The Downtown EIS evaluate the environmental impacts associate with the development Downtown Bonney Lake consistent with the Downtown Plan. In 2017, when the plan for Downtown was updated as part of the adoption of the <i>Bonney Lake Centers Plan</i> the City prepared a SEPA Checklist to analyze the environmental impacts associated with the build out of the Downtown Center. <u>Downtown Bonney Lake is home to the Bonney Lake Park & Ride, which consist of a parking lot and bus loading area designed to support three buses at a time. This facility is located at the intersection of State Route 410 and 184th Ave E on the southern side of the Downtown Center and includes 356 parking spaces and bicycle lockers and racks. The area within a ½ mile of the transit facility is developed with a mixture of residential, commercial, and civic use.</u> <u>Approximately 1,100 housing units are located within this ½ mile radius and are connected to the transit facility via sidewalks.</u> <u>Sound Transit, a regional transit authority, owns the transit facility and operates ST Express Route 596 as part of the regional transit system. The ST Express Bus operates primarily on State Route 410 providing connections to the Sumner Sounder Station and was initially funded as part of the 1996 Sound Move ballot measure. Access to the bus loading area is from a light control entrance separated from the parking area's entrance and exit. At peak service hours the route runs every twenty minutes. The transit facility meets the</u>

(c) Have had project level significant impacts adequately addressed in a threshold determination or, where one is required under (b) of this subsection or where otherwise appropriate, an environmental impact statement, unless the impacts are specifically deferred for consideration at the project level pursuant to subsection (3)(b) of this section;	definition of a major transit stop under RCW 43.21C.240(3)(e) and RCW 43.21C.440(5) The EIS determined that development would be result in two environmental impacts for which migration would be required: Stormwater and Traffic. In order to mitigate for the stormwater impacts identified in the Downtown EIS the City completed the <i>Grainger Springs Regional Pond Drain</i> dated December 2008 in preparation for a regional downtown stormwater facility. Following the preparation drainage report, the City constructed the regional stormwater facility for downtown. The 2017 SEPA Checklist and subsequent threshold determination prepared for the 2017 update of the plan for Downtown adopted the traffic analysis that was completed as part of the 2015 Comprehensive Plan Update to evaluate the traffic impacts associated buildout of Downtown and the required traffic mitigation, which is documented in the SEPA Checklist. Following a review of this SEPA checklist, the City issued a DNS and determined that that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under Chapter 36.70A RCW and in other applicable local, state, or federal laws or rules as provided by RCW 43.21C.240 and WAC 197-11-158. Additionally, planned action ordinance will require that each individual project will be required to complete a traffic study to identify specific improvements that need to be completed as part of that development. Commercial and residential development within Downtown will implement the Downtown Plan.
(d) Are subsequent or implementing projects for the proposals listed in (b) of this subsection;	The subarea is located with a designated urban growth area.
(e) Are located within an urban growth area designated pursuant to RCW 36.70A.110;	The planned action is not for the development of an essential public facility as defined in RCW 36.70A.200.

(f) Are not essential public facilities, as defined in RCW 36.70A.200, 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 under this subsection; and (g) Are consistent with a comprehensive plan or subarea plan adopted under chapter 36.70A RCW.	The plan for Downtown was adopted as part of the City's comprehensive plan, <i>Bonney Lake 2035</i> and was developed to implement the overall goals and policies of the comprehensive plan.
(2) A county, city, or town shall define the types of development included in the planned action and may limit a planned action to: (a) A specific geographic area that is less extensive than the jurisdictional boundaries of the county, city, or town; or (b) A time period identified in the ordinance or resolution adopted under this subsection.	The code update will define the types of development included in the planned action. The area will be limited to the Downtown subarea depicted on the map provided within this memo. No specific time is proposed for applicability purposes. However, project actions that go beyond that which was studied in the Downtown subarea plan will not be exempt from SEPA.
(3)(a) A county, city, or town shall determine during permit review whether a proposed project is consistent with a planned action ordinance adopted by the jurisdiction. To determine project consistency with a planned action ordinance, a county, city, or town may utilize a modified checklist pursuant to the rules adopted to implement RCW 43.21C.110, a form that is designated within the planned action ordinance, or a form contained in agency rules adopted pursuant to RCW 43.21C.120. (b) A county, city, or town is not required to make a threshold determination and may not require additional environmental review, for a proposal that is determined to be consistent with the development or redevelopment described in the planned action ordinance, except for impacts that are specifically deferred to the project level at the time of the planned action ordinance's adoption. At least one community meeting must be held before the notice is issued for the planned action ordinance. Notice for the planned action and notice of the community meeting required by this subsection (3)(b) must be mailed or otherwise verifiably provided to: (i) All affected federally recognized tribal governments; and (ii) agencies with jurisdiction over the future development anticipated for the planned action. The	The code update will include a process that the city will utilize to determine if a project is consistent with the planned action ordinance. It is anticipated that the determination will be made early in the process to provide a clear and streamlined process for an applicant as to whether the ordinance would apply to the project. At least one community meeting will be held before the notice is issued for the planned action ordinance. Notice for the planned action and notice of the community meeting required by this subsection (3)(b) will be mailed or otherwise verifiably provided to: (i) All affected federally recognized tribal governments; and (ii) agencies with jurisdiction over the future development anticipated for the planned action area.

determination of consistency, and the adequacy of any environmental review that was specifically deferred, are subject to the type of administrative appeal that the county, city, or town provides for the proposal itself consistent with RCW <u>36.70B.060</u> .	
(4) For a planned action ordinance that encompasses the entire jurisdictional boundary of a county, city, or town, at least one community meeting must be held before the notice is issued for the planned action ordinance. Notice for the planned action ordinance and notice of the community meeting required by this subsection must be mailed or otherwise verifiably provided to: (a) All property owners of record within the county, city, or town; (b) All affected federally recognized tribal governments; and (c) All agencies with jurisdiction over the future development anticipated for the planned action	This section does not apply as the ordinance will not apply to the entire jurisdictional boundary of the City of Bonney Lake.

Conclusion

Based upon review of the requirements in RCW 43.21C.440, we conclude that the City of Bonney Lake qualifies to adopt a Planned Action ordinance for the Downtown Subarea. It will be important to document that noticing requirements have been met and the enabling ordinance provides proper findings and conclusions as required by the statute.

The technical memorandum will be shared with the Planning Commission at the July 6 meeting.

Sincerely,

LDC, Inc.



Matt Covert, AICP
Senior Planner

ORDINANCE NO. D22-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADOPTING CHAPTERS 16.02 THROUGH 16.16 OF THE BONNEY LAKE MUNICIPAL CODE; CHAPTER 14.30 OF THE BONNEY LAKE MUNICIPAL CODE AND THE CORRESPONDING PORTIONS OF ORDINANCE NUMBERS 1505, 1533, 1580, 1600, 1615, 1641; AND RECODIFYING CHAPTER 16.16 OF THE BONNEY LAKE MUNICIPAL CODE AS CHAPTER 10.22 OF THE BONNEY LAKE MUNICIPAL CODE RELATED TO ADOPTING THE CITY'S SEPA REGULATIONS.

WHEREAS, as part of the 2021 – 2022 Planning Work Plan, the City Council directed staff to review and revise the City's SEPA regulations; and

WHEREAS, the City receive a Housing Action Plan Implementation Grant to revise and update the City's SEPA procedures; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Findings of fact and conclusions. The findings of fact set forth in Attachment "A", attached hereto and incorporated by this reference, are adopted in full by the City Council in support of its decision to adopt the Urban Forestry Code for the City of Bonney Lake.

Section 2. Chapter 14.30 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance No. 1505 § 3, Ordinance No. 1533 § 3, Ordinance No. 1580 § 12, Ordinance No. 1600 §§ 1 and 2, Ordinance No. 1615 § 22 and Ordinance No. 1641 § 2 are each hereby amended to read as follows:

14.30.010 Permits by type.

Type 1	Type 2A	Type 2B	Type 3A	Type 3B	Type 4
Building Permits		Short Plats	Shoreline Conditional Use Permit		Zoning Reclassifications
Temporary Permits		Site Plan	Shoreline Variances	Conditional Use Permits	
Sign Permits	SEPA Reviews	Design Review	Plat Alterations	Preliminary Plats	

Type 1	Type 2A	Type 2B	Type 3A	Type 3B	Type 4
Clearing and Tree Removal Permits			Plat Vacations		
Accessory Dwelling Unit	Shoreline Substantial Development Permits		Zoning Variances		
Boundary Line Adjustments			Critical Area Reasonable Use Exception		
Eligible Facility Modification	Administrative Wireless Permit				
Shoreline Letters of Exemption	Comprehensive Sign Review				
Critical Area Permits	Short Plat Alteration				
Critical Area Exemption	Short Plat Vacation				

14.30.020 Permit procedures by type.

	Type 1	Type 2A and 2B	Type 3A and 3B	Type 4
Pre-Application	Optional	Optional	Optional	Optional
Notice of Complete Application ¹	Required	Required	Required	Required
Public Notice of Application ²	No	Required	Required	Required
Public Hearing ³	No	No	Required	Required

	Type 1	Type 2A and 2B	Type 3A and 3B	Type 4
Staff Report ⁴	No	Required ⁵	Required	Required
Written Decision ⁶	No	Required	Required	Required
Notice of Decision	No	Required ⁷	Required	Required
Recommendation	N/A	Design Commission ⁸	Director	Hearing Examiner ⁹
Decision Maker	Director	Director	Hearing Examiner	City Council
Administrative Appeal ¹⁰	Yes	Yes	No	No
Judicial Appeal ¹¹	Yes ¹²	Yes ¹²	Yes	Yes
1. See BLMC 14.40.030. 2. See BLMC 14.50.010, 14.50.030 and 14.50.040. 3. See BLMC 14.50.030, 14.50.040, and Chapter 14.60 BLMC. 4. See BLMC 14.40.070. 5. A staff report is not required for a SEPA threshold determination. 6. See BLMC 14.40.090 and 14.50.050. 7. The notice of decision for a SEPA review is the threshold determination (e.g., DNS, MDNS, ES); a separate notice of decision is not required. The threshold determination is provided to the Department of Ecology and those listed in BLMC 14.50.050(B)(1). 8. The design commission provides recommendations only on projects that are not exempt from design review as provided in Chapter 14.95 BLMC. 9. The hearing examiner conducts the required public hearing and makes a recommendation to the city council which issues the final decision on the underlying permit. 10. See BLMC 14.120.020, except that an appeal of a building permit decision is provided in BLMC 14.120.030. 11. See BLMC 14.120.040 and 14.120.050. 12. Types 1, 2A, and 2B are administrative determinations that must first be appealed to the hearing examiner and the decision of the hearing examiner can then be judicially appealed.				

14.30.030 Consolidation of permits.

If a proposal requires more than one permit, permits shall be consolidated to the extent feasible and desired by the applicant, as follows:

- A. Such information as name, address, and legal description need only be entered once, by such means as a master permit application form or master cover sheet.
- B. The director shall utilize the process of that permit type which includes all reviews required for the various permits.
- C. If one permit cannot be reasonably processed until another is issued, such as a building permit that cannot be processed until a variance is issued, the 120 days within which a notice of decision must be issued for the contingent permit (in this example, the building permit) shall not begin until the other permit has been issued.
- D. Appeals of one or more Type 1 or Type 2 permits shall be combined with any required open public hearing.
- E. Appeals of more than one of the permits required for a project shall be consolidated in a single appeal, to the extent that the appeals bodies are identical.
- F. SEPA Reviews shall be integrated in the processing of permits as provided for in the City's SEPA Code.

14.30.040 Exemptions.

The following actions (with BLMC citations where applicable) are not permits for the purpose of this development code, do not appear in the table in BLMC 14.30.020 and are exempt from Chapters 14.40 through 14.60 BLMC:

- A. Business licenses/home occupation reviews (Chapter 5.08 BLMC);
- B. Right-of-way permits and variances (Chapter 12.08 BLMC);
- C. Final plats (BLMC 17.20.040);
- D. Code interpretations (BLMC 14.10.140);
- E. Approvals of minor changes to permits (BLMC 14.10.120);
- F. Appeals (Chapter 14.120 BLMC);

- G. Amendments to the comprehensive plan or development code, including area-wide zoning reclassifications (Chapter 14.140 BLMC);
- H. Site-specific zoning reclassifications processed concurrently with amendments to the comprehensive plan (Chapter 14.140 BLMC);
- I. Administrative variations and waivers (BLMC 15.20.060 and 18.20.050(E));
- J. Street vacations (Chapter 12.40 BLMC);
- K. Development agreements (Chapter 14.70 BLMC);
- L. Permission to connect to city sanitary sewer, storm sewer, or water;
- M. Minor approvals for use of public properties.
- N. SEPA Reviews (Division 1 – Title 16 BLMC)

Section 3. Chapter 16.02 is hereby added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “SEPA Administration” to read as follows

16.02.010 Authority.

- A. The City of Bonney Lake adopts this chapter under the State Environmental Policy Act (SEPA), RCW 43.21C.120 and the SEPA rules as authorized by WAC 197-11-904 and WAC 197-11-906.
- B. This chapter contains the City’s SEPA procedures and policies.
- C. Chapter 197-11 WAC, must be used in conjunction with this chapter.

16.02.020 Designation of responsible official.

- A. For those proposals for which the city is the lead agency, the responsible official shall be the Director.
- B. For all proposals for which the City is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement (EIS), and perform any other functions assigned to the “lead agency” or “responsible official”.

16.02.030 Designation of official to perform consulted agency responsibilities for the city.

- A. The responsible official shall be responsible for preparation of written comments for the City in response to a consultation request prior to a threshold determination, participation in scoping, and reviewing a DEIS, SDEIS, or other environmental documented issued under SEPA.
- B. The responsible official shall be responsible for the city's compliance with WAC 197-11-550 whenever the city is a consulted agency and is authorized to develop operating procedures that will ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the City.

16.02.040 Lead agency determination and responsibilities.

- A. The department within the city receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for that proposal under WAC 197-11-050, 197-11-253, and 197-11-922 through 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.
- B. When the city is the lead agency for a proposal, the department receiving the application shall determine the responsible official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.
- C. When the city is not the lead agency for a proposal, all departments of the city shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No city department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city may conduct supplemental environmental review under WAC 197-11-600.
- D. If the city or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-253 or 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within 15 days of receipt of the determination, or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the 15-day time period. Any such petition on behalf of the city may be initiated by the community development department director.
- E. Departments of the city are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944;

provided, that the responsible official and any department that will incur responsibilities as the result of such agreement approve the agreement.

- F. Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal (That is: Which agencies require nonexempt licenses?).
- G. When the city is lead agency for a MTCA remedial action, the Department of Ecology shall be provided an opportunity under WAC 197-11-253(5) to review the environmental documents prior to public notice being provided. If the SEPA and MTCA documents are issued together with one public comment period under WAC 197-11-253(6), the city shall decide jointly with Ecology who receives the comment letters and how copies of the comment letters will be distributed to the other agency.

16.02.050 Transfer of lead agency status to a state agency.

- A. For any proposal for a private project where the city would be the lead agency and for which one or more state agencies have jurisdiction, the responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city shall be an agency with jurisdiction.
- B. To transfer lead agency duties, the city's responsible official must transmit a notice of the transfer together with any relevant information available on the proposal to the appropriate state agency with jurisdiction. The responsible official of the city shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal.

16.02.060 Environmental checklist.

- A. Except as provided in subsection C of this section, a completed environmental checklist or copy, in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this chapter; except, a checklist is not needed if the city and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. The city shall use the environmental checklist to determine the lead agency and, if the city is the lead agency, for determining the responsible official and for making the threshold determination.
- B. For private proposals, the city will require the applicant to complete the environmental checklist, providing assistance as necessary. For city proposals, the

department initiating the proposal shall complete the environmental checklist for that proposal.

16.02.070 Substantive authority.

- A. The policies and goals set forth in this chapter are supplementary to those in the existing authorization of the city of Bonney Lake.
- B. The city may attach conditions to a permit or approval for a proposal so long as:
 - 1. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this chapter; and
 - 2. Such conditions are in writing; and
 - 3. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
 - 4. The city has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
 - 5. Such conditions are based on one or more policies in subsection D of this section and cited in the license or other decision document.
- C. The city may deny a permit or approval for a proposal on the basis of SEPA so long as:
 - 1. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a FEIS or final SEIS prepared pursuant to this chapter; and
 - 2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
 - 3. The denial is based on one or more policies identified in subsection D of this section and identified in writing in the decision document.
- D. The city designates and adopts by reference the following policies as the basis for the city's exercise of authority pursuant to this section:
 - 1. The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- a. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
 - b. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
 - c. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
 - d. Preserve important historic, cultural, and natural aspects of our national heritage;
 - e. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
 - f. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
 - g. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.
2. The city recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.
 3. The city adopts by reference the policies in the following city documents:
 - a. The Bonney Lake Municipal Code.
 - b. The Bonney Lake comprehensive plan.
 - c. The shoreline management master program.
 - d. Easttown Subarea Plan
 - e. Bonney lake Centers.
 - f. Fennel Creek Trail plan
 - g. The public works development policies and design standards.
 - h. Comprehensive water system plan.
 - i. Comprehensive sewer system plan.

- j. City of Bonney Lake transportation plan.
 - k. The Pierce County countywide policies.
 - l. The Pierce County shoreline management master program.
 - m. Pierce County stormwater management and site development manual.
 - n. Vision 2050.
4. The city establishes the following additional policies concerning SEPA:
- a. Short subdivision of lands previously subdivided under an exemption from the SEPA rules shall not be exempt from environmental review if the subsequent proposal exceeds exemption levels. (For example, a two-lot short plat on land that was subject to a previous eight-lot short plat.)
 - b. Proposed development that is adjacent to previous development or adjacent to land on which development is pending shall not be exempt if the adjacent developments share any improvements or access easements, and the development together exceeds exemption levels. In such cases, the proposed development will be considered physically or functionally related regardless of ownership.

16.02.080 SEPA/Model Toxics Control Act integration.

The City adopts the provisions of WAC 197-11-250 through WAC 197-11-268 by reference.

16.02.090 Appeals.

The city establishes the following administrative appeal procedures under RCW 43.21C.075 and WAC 197-11-680:

- A. The appeal of a decision of the responsible official shall be appeal consistent with the requirements of BLMC 14.120.020.
- B. The decision issued by the responsible official shall carry substantial weight in any appeal proceeding.
- C. All decisions issued by the City's responsible official shall provide notice that the decision is appealable and shall be consistent with WAC 197-11-680(3).

16.02.100 Fees.

- A. Threshold Determination. For every environmental checklist the city will review when it is lead agency, the city shall collect a fee in accordance with Chapter 3.68 BLMC from the proponent of the proposal prior to undertaking the threshold determination. The time periods provided by this chapter for making a threshold determination shall not begin to run until payment of the fee.
- B. Environmental Impact Statement.
 - 1. When the city is the lead agency for a proposal requiring an EIS and the responsible official determines that the EIS shall be prepared by employees of the city, the city may charge and collect a reasonable fee from any applicant to cover costs incurred by the city in preparing the EIS. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.
 - 2. The responsible official may determine that the city will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the city and may bill such costs and expenses directly to the applicant. The city may require the applicant to post bond or otherwise ensure payment of such costs. Such consultants shall be selected by mutual agreement of the city and applicant after a call for proposals.
 - 3. If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under subsection (B)(1) or (2) of this section which remain after incurred costs are paid.
- D. The city shall collect fee as established in BLMC 3.68.050 from an applicant to cover the cost of meeting the public notice requirements of this chapter relating to the applicant's proposal as.
- E. The city shall not collect a fee for performing its duties as a consulted agency.
- F. The city shall charge fees as established in Chapter 3.90 BLMC any person for copies of any document prepared under this chapter, and for mailing the document, in a manner provided by Chapter 42.56 RCW

Section 4. Chapter 16.04 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “SEPA Definitions” to read as follows

16.04.010 – Applicability

For the purposes of SEPA code the following terms shall have the meaning ascribed to them below. Terms not defined in this section shall be defined as set forth in Chapter 18.04 BLMC.

16.06.040 Abbreviation list.

“BLMC” means Bonney Lake Municipal Code.

“DEIS” means Draft Environmental Impact Statement

“DSEIS” means Draft Supplemental Environmental Impact Statement

“DOE” means Washington State Department of Ecology.

“FEIS” means Final Environmental Impact Statement

“FSEIS” means Final Supplemental Environmental Impact Statement

“RCW” means Revised Code of Washington.

“SEIS” means Supplemental Environmental Impact Statement

“WAC” means Washington Administrative Code.

16.06.040 Adoption by reference.

A. The following definitions established by WAC 197-11-220 are adopted by reference as presently constituted or as may be subsequently amended.

1. Formal SEPA documents
2. GMA
3. Proposed GMA action
4. GMA action
5. Integrated GMA document

B. The following definitions established by Chapter 197-11 WAC – Part 8 are adopted by reference as presently constituted or as may be subsequently amended.

1. Act
2. Action.
3. Addendum.
4. Adoption.
5. Affected tribe
6. Affecting
7. Agency
8. Applicant
9. Built environment
10. Categorical exemption
11. Closed record appeal
12. Consolidated appeal
13. Consulted agency
14. Cost-benefit analysis
15. County/city
16. Department
17. Determination of nonsignificance
18. Determination of significance
19. EIS
20. Environment
21. Environmental checklist
22. Environmental document

- 23. Environmental review.
- 24. Expanded scoping
- 25. Impacts
- 26. Incorporation by reference
- 27. Lands covered by water
- 28. Lead agency
- 29. License
- 30. Local agency
- 31. Major action
- 32. Mitigated DNS
- 33. Mitigation
- 34. Natural environment
- 35. NEPA
- 36. Nonproject
- 37. Open record hearing
- 38. Phased review
- 39. Preparation
- 40. Private project
- 41. Probable
- 42. Proposal
- 43. Reasonable alternative
- 44. Responsible official
- 45. SEPA

- 46. Scope
 - 47. Scoping
 - 48. Significant
 - 49. State agency
 - 50. Threshold determination
 - 51. Underlying governmental action.
- C. For the purposes of the SEPA code the following terms shall have the meaning as provided below:
- 1. “Director” means the Public Services Director
 - 2. “Decision Maker” means the individual or entity identified in BLMC 14.30.020.

Section 5. Chapter 16.06 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Public Notice and Comments” to read as follows

16.06.010 Authority and Limitation

The provisions of this chapter are established by WAC 197-11-500 through WAC 197-11-570 and may not be changed, except as authorized in the above referenced WAC or necessary to be grammatically incorporated into the SEPA Code pursuant to WAC 197-11-906(3)(b).

16.06.020 Environmental Document Availability and Cost

- A. The city shall retain all documents required by Chapter 197-11 WAC and make them available in accordance with Chapters 42.17 and 42.56 RCW.
- B. The City shall make copies of any environmental document available in accordance with Chapters 42.17 and 42.56 RCW upon payment of the fees required pursuant to Chapter 3.90 BLMC; provided, that no charge shall be levied for circulation of documents to other agencies as required by this Chapter or Chapter 197-11 WAC.

16.06.030 Inviting comments.

The City’s efforts to involve other agencies and the public in the SEPA process shall be commensurate with the type and scope of the environmental document and consistent with the requirements of WAC 197-11-502 and BLMC 16.08.040.

16.06.040 Public notice.

- A. When the Optional DNS method is utilized for Type 2A through 4 permits, the City shall provide notice as part of the notice of application consist with the requirements of Chapter 14.50 BLMC
- B. The public notice for all threshold determinations shall state whether a DNS, MDNS, or DS has been issued and contain the following information:
 - 1. Name of the applicant(s).
 - 2. Location of the project.
 - 3. Project description (summary).
 - 4. Duration of the public comment period.
 - 5. Identification of existing environmental documents available for review, if any.
 - 6. City staff contact information.
 - 7. Method for providing comments
 - 8. The scoping procedure consistent with BLMC 16.12.050 for the proposal when a DS threshold determination is issued.
 - 9. Date, time, and place of the public hearing, if a public hearing has been deemed necessary by the responsible official to assist the City in meeting the City's responsibilities under SEPA.
 - 10. Other information as the responsible official deems necessary.
- C. The public comment period for an DNS or MDNS shall be 14 days; provided, that comment period is not required if the Optional DNS process is utilized.
- D. Public notice for a threshold determination shall be:
 - a. Mailed to all owners of property within 300 feet of any portion of the proposed action according to the current county assessor's records, exclusive of public rights-of-way, of the property that is the subject of the application, including any property that is contiguous and under the same or common ownership and control.
 - b. Mailed or emailed to:
 - a. Any person who has made a written request to receive such notice;

- b. Neighboring municipal or county government that might have an interest in or be affected by an action, as determined by the responsible official;
 - c. Agencies that have jurisdiction over an action or have environmental expertise as determined by WAC 197-11-920.
 - c. Posted at the justice and municipal center, post office, Bonney Lake library, and Bonney Lake website.
 - d. Notifying public or private groups which have expressed interest in a certain proposal or in the type of proposal being considered.
- E. Public notice for projects that qualify as planned actions shall be:
- a. Required only if underlying permit requires the issuance of a public notice as established by BLMC 14.30.020; and
 - b. State that the project has qualified as a planned action, if notice is required for the underlying permit, the notice shall.
- F. A notice of the availability for a DEIS or a DSEIS shall comply the following:
- a. The notice shall contain as statement regarding the availability of the environmental document and the information identified in BLMC16.08.040.B.
 - b. The notice shall be posted on the property for site specific proposal consistent with BLMC and as provided for in BLMC 16.06.040.C.
- G. The applicant shall cover the cost for the required mailings based on the fee established in BLMC 3.68.050.
- H. The responsibly official may provide notice more broadly or by additional means than stated herein if a greater level of public awareness is deemed necessary.

16.06.050 Effect of no comment.

- A. If a consulted agency does not respond with written comments within the time periods for commenting on environmental documents, the City shall assume that the consulted agency has no information relating to the potential impact of the proposal as it relates to the consulted agency's jurisdiction or special expertise.
- B. Any consulted agency that fails to submit substantive information to the City in response to a draft EIS is thereafter barred from alleging any defects in the City's compliance with Chapter 16.12 BLMC and Chapter 197-11 WAC.

- C. Lack of comment by other agencies, tribes, municipal or county governments or members of the public on environmental documents, within the time periods specified by BLMC 16.06.040, shall be construed as lack of objection to the environmental analysis, provided that the requirements of BLMC 16.06.030 and 16.06.040 are met.

16.06.060 Response to Comments.

- A. The City shall prepare a comment matrix documenting the comments received and the City's response to received comments following the comment period associated with an DNS, MDNS, Optional DNS Notice, or Planned Action Notice.
- B. Comments received following the issuance of a DEIS or DSEIS shall comply with the following requirements:
 - 1. The City shall prepare a FEIS whenever a DEIS has been prepared, unless the proposal is withdrawn or indefinitely postponed. The City shall consider comments on the proposal and shall respond by one or more of the means listed below, including its response in the final statement. Possible responses are to:
 - a. Modify alternatives including the proposed action.
 - b. Develop and evaluate alternatives not previously given detailed consideration by the agency.
 - c. Supplement, improve, or modify the analysis.
 - d. Make factual corrections.
 - e. Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons that support the agency's response and, if appropriate, indicate those circumstances that would trigger agency reappraisal or further response.
 - 2. All substantive comments received on the DEIS shall be appended to the FEIS or summarized, where comments are repetitive or voluminous, and the summary appended. If a summary of the comments is used, the names of the commenters shall be included; except for petition.
 - 3. In carrying the requirements of BLMC 16.06.060.B.1, the City may respond to each comment individually, respond to a group of comments, cross-reference comments and corresponding changes in the EIS, or use other reasonable means to indicate an appropriate response to comments.

4. If the City does not receive any comments critical of the scope or content of the DEIS, the lead agency may so state in an updated fact sheet (WAC 197-11-440(2)), which shall be circulated under BLMC 16.12.090. The FEIS shall consist of the DEIS and updated fact sheet.
5. If changes in response to comments are minor and are largely confined to the responses described in subsections BLMC 16.06.060B.1.d and .e, the City may prepare and attach an addendum, which shall consist of the comments, the responses, the changes, and an updated fact sheet. The FEIS, consisting of the DEIS and the addendum, shall be issued under BLMC 16.12.090, except that only the addendum need be sent to anyone who received the DEIS.
6. An FEIS shall be issued and circulated under BLMC 16.12.090.

Section 6. Chapter 16.08 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Exemptions” to read as follows

16.08.010 Purpose.

The purpose of this section is to provide exemptions from the requirements of SEPA for proposals that would not have probable significant adverse environmental impacts as allowed under RCW 43.21C.110 and Part Three of WAC 197-11.

16.08.010 Use of Exemptions

- A. Each department within the city that receives an application for a license or, in the case of governmental proposals, the department initiating the proposal, shall determine whether the license and/or the proposal is exempt. The department’s determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this chapter apply to the proposal. The city shall not require completion of an environmental checklist for an exempt proposal.
- B. In determining whether or not a proposal is exempt, the department shall make certain the proposal is properly defined and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the department shall determine the lead agency, even if the license application that triggers the department’s consideration is exempt.
- C. If a proposal includes both exempt and nonexempt actions, the city may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that:

1. The city shall not give authorization for:
 - a. Any nonexempt action;
 - b. Any action that would have an adverse environmental impact; or
 - c. Any action that would limit the choice of alternatives.
 2. A department may withhold approval of an exempt action that would lead to modification of the physical environment, when such modification would serve no purpose if nonexempt action(s) were not approved; and
 3. A department may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.
- D. In addition to the exemptions established in this chapter, certain development is exempt from further review under SEPA pursuant to Chapter 16.16 BLMC – Planned Actions.

16.08.020 Statutory Exemptions

The following actions are exempted from review under SEPA pursuant to Chapter 43.21C RCW:

- A. Annexation of unincorporated territory in Pierce County by the City of Bonney Lake pursuant to RCW 43.21C.222;
- B. The reduction of city limits pursuant to RCW 43.21C.227;
- C. Nonproject actions as follows, pursuant to RCW 43.21C.450:
- D. Amendments to development regulations that are required to ensure consistency with the adopted Bonney Lake Comprehensive Plan, where the Plan was properly subjected to environmental review pursuant to this Title and the impacts associated with the proposed regulation were specifically addressed in said environmental review;
- E. Amendments to development regulations that are required to ensure consistency with the Shoreline Master Program of the City of Bonney Lake approved pursuant to RCW 90.58.090, where the Shoreline Master Program was previously subjected to environmental review in accordance with this Title and the impacts associated with the proposed regulation were specifically addressed in said environmental review;

- F. Amendments to development regulations that, upon implementation of a project action, will provide increased environmental protection, limited to the following:
 - 1. Increased protections for critical areas, such as enhanced buffers and setbacks;
 - 2. Increased vegetation retention or decreased impervious surface areas in shoreline jurisdiction; and
 - 3. Increased vegetation retention or decreased impervious surface areas in critical areas;
- G. Amendments to technical codes adopted by the City of Bonney Lake to ensure consistency with minimum standards contained in state law, including:
 - 1. Building codes required by RCW 19.27;
 - 2. Energy codes required by RCW 19.27A; and
 - 3. Electrical codes required by RCW 19.28;
- H. Formation of a community facilities district under RCW 36.145, unless such formation constitutes a final City decision to undertake construction of a structure or facility not otherwise exempt under Bonney Lake Municipal Code or adopted by reference.

16.08.030 Categorical Exemptions

- A. Minor New Construction – Flexible Thresholds
 - 1. The exemptions in this subsection apply to all licenses and permits required to undertake the action in question.
 - 2. To be exempt under this subsection, the project or proposal must be equal to or smaller than the exempt level.
 - 3. The exemptions in this subsection apply except when the project:
 - a. Is undertaken wholly or partly on lands covered by water;
 - b. Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
 - c. Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or

- d. Requires a land use decision that is not exempt under part XXXX of this subsection.
- 4. Unless the proposed action is precluded from exemption under this subsection, the following actions are exempted from review under SEPA pursuant to the flexible thresholds established in WAC 197-11-800(1)(d):
 - a. Up to 30 single-family residential units;
 - b. Up to 60 multi-family residential units;
 - c. Barn, loafing shed, farm equipment storage, produce storage, or packing structure up to 40,000 square feet;
 - d. Office, school, commercial, recreational, service, storage building, and parking facilities up to 30,000 square feet and 90 parking spaces;
 - e. Fill or excavation up to 1,000 cubic yards.
- B. Other minor new construction.
 - 1. The exemptions in this subsection apply except when the project:
 - a. Is undertaken wholly or partly on lands covered by water;
 - b. Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
 - c. Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
 - d. Requires a land use decision that is not exempt under part F of this Chapter.
 - 2. Unless the proposed action is precluded from exemption under this subsection, the following actions are exempted from review under SEPA pursuant to WAC 197-11-800:
 - a. The construction or designation of bus stops, loading zones, shelters, access facilities, pull-out lanes for taxicabs, transit and school vehicles, and designation of transit only lanes.
 - b. The construction or installation of commercial on-premise signs, and public signs and signals, including those for traffic control and wayfinding.

- c. The construction or installation of minor road and street improvements by any agency or private party that include the following:
 - i. Safety structures and equipment: Such as pavement marking, adding or removing turn restrictions, speed limit designation, physical measures to reduce motor vehicle traffic speed or volume, freeway surveillance and control systems, railroad protective devices (not including grade-separated crossings), grooving, glare screen, safety barriers, energy attenuators;
 - ii. Transportation corridor landscaping (including the application of state of Washington approved herbicides by licensed personnel for right of way weed control as long as this is not within watersheds controlled for the purpose of drinking water quality);
 - iii. Temporary traffic controls and detours;
 - iv. Correction of substandard curves and intersections within existing rights of way, widening of a highway by less than a single lane width where capacity is not significantly increased and no new right of way is required;
 - v. Adding auxiliary lanes for localized purposes, (weaving, climbing, speed change, etc.), where capacity is not significantly increased and no new right of way is required;
 - vi. Channelization, rechannelization, elimination of sight restrictions at intersections, street lighting, guard rails and barricade installation;
 - vii. Installation of catch basins and culverts for the purposes of road and street improvements;
 - viii. Reconstruction of existing curb-to-curb roadbed, including adding or widening of shoulders where capacity is not increased and no new right-of-way is required;
 - ix. Addition of bicycle lanes, paths and facilities, and pedestrian walks and paths including sidewalk extensions, but not including additional automobile lanes.
- d. Grading, excavating, filling, septic tank installations, and landscaping necessary for any building or facility exempted by subsections (1) and (2) of this section, as well as fencing and the construction of small structures and minor facilities accessory thereto.

- e. Additions or modifications to or replacement of any building or facility exempted by subsections (a) and (b) of this section when such addition, modification, or replacement will not change the character of the building or facility in a way that would remove it from an exempt class.
- f. The demolition of any structure or facility, the construction of which would be exempted by subsections (a) and (b) of this section, except for structures or facilities with recognized historical significance such as listing in a historic register.
- g. The installation or removal of impervious underground or above-ground tanks, having a total capacity of 10,000 gallons or less except on agricultural and industrial lands. On agricultural and industrial lands, the installation or removal of impervious underground or above-ground tanks, having a total capacity of 60,000 gallons or less.
- h. The vacation of streets or roads, converting public right of way, and other changes in motor vehicle access.
- i. The installation of hydrological measuring devices, regardless of whether or not on lands covered by water.
- j. The installation of any property, boundary or survey marker, other than fences, regardless of whether or not on lands covered by water.
- k. The installation of accessory solar energy generation equipment on or attached to existing structures and facilities whereby the existing footprint and size of the building is not increased.

C. Repair, remodeling, and maintenance activities.

- 1. The following maintenance activities shall not be exempt under this section:
 - a. Dredging of over fifty cubic yards of material;
 - b. Reconstruction or maintenance of groins and similar shoreline protection structures;
 - c. Replacement of utility cables that must be buried under the surface of the bedlands; or
 - d. Repair/rebuilding of major dams, dikes, and reservoirs.

2. The following activities shall be categorically exempt from the requirements of SEPA:
 - a. Where undertaken wholly or in part on lands covered by water, minor repair or replacement of structures, including piling, ramps, floats, floats, mooring buoys, or minor repair, alteration, or maintenance of docks;
 - b. The repair, remodeling, maintenance, or minor alteration of existing private or public structures, facilities, or equipment, including utilities, recreation, and transportation facilities involving no material expansions or changes in use beyond that existing at the time of undertaking said activity.
- D. Water rights. Appropriations of one cubic foot per second or less of surface water, or of 2,250 gallons per minute or less of groundwater, for any purpose, shall be exempt from the requirements of this Chapter. The exemption covers not only the permit to appropriate water, but also any hydraulics permit, shoreline permit or building permit required for a normal diversion or intake structure, well and pumphouse reasonably necessary to accomplish the exempted appropriation, and including any activities relating to construction of a distribution system solely for any exempted appropriation.
- E. Purchase or sale of real property. The following real property transactions by the City of Bonney Lake shall be exempt:
 1. The purchase or acquisition of any right to real property.
 2. The sale, transfer, or exchange of any publicly owned real property, but only if the property is not subject to a specifically designated and authorized public use established by the public landowner and used by the public for that purpose.
 3. Leasing, granting an easement for, or otherwise authorizing the use of real property when the property use will remain essentially the same as the existing use for the term of the agreement, or when the use under the lease, easement or other authorization is otherwise exempted by this chapter.
- F. Land use decisions. The following land use decisions shall be exempt:
 1. Land use decisions for exempt projects, except that rezones must comply with (3) of this subsection.
 2. Other land use decisions not qualified for exemption under subsection (1) (such as a home occupation or change of use) are exempt provided:

- a. The authorized activities will be conducted within an existing building or facility qualifying for exemption under parts B and C of this section; and
 - b. The activities will not change the character of the building or facility in a way that would remove it from an exempt class.
- 3. Where an exempt project requires a rezone, the rezone is exempt only if:
 - a. The proposed rezone is consistent with and does not require an amendment to the Bonney Lake Comprehensive Plan; and
 - b. The Bonney Lake Comprehensive Plan was properly subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.
- 4. Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by BLMC Title 17 pursuant to RCW 58.17.060, and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under BLMC 17.10.030(C)(4).
- 5. Granting of variance based on special circumstances, not including economic hardship, applicable to the subject property, such as size, shape, topography, location or surroundings and not resulting in any change in land use or density.
- 6. Alteration of property lines as authorized by BLMC 17.30 pursuant to RCW 58.17.040(6).
- G. Open burning. Opening burning and the issuance of any license for open burning shall be exempt. The adoption of plans, programs, objectives or regulations by any agency incorporating general standards respecting open burning shall not be exempt.
- H. Judicial activity. Any quasi-judicial action of the City of Bonney Lake shall be exempt from SEPA if such action consists of the review of a prior administrative or legislative decision. Decisions resulting from contested cases or other hearing processes conducted prior to the first decision on a proposal or upon any application for a rezone, conditional use permit or other similar permit not otherwise exempted by this chapter, are not exempted by this subsection.
- I. Enforcement and inspections. The following enforcement and inspection activities shall be exempt:

1. All actions, including administrative orders and penalties, undertaken to enforce a regulation, ordinance, resolution or prior decision. No license shall be considered exempt by virtue of this subsection; nor shall the adoption of any ordinance, regulation or resolution be considered exempt by virtue of this subsection.
 2. All inspections conducted by the City of Bonney Lake of either private or public property for any purpose.
 3. All activities of fire departments and law enforcement agencies except physical construction activity.
 4. Any action undertaken by the City of Bonney Lake to abate a nuisance or to abate, remove or otherwise cure any hazard to public health or safety. The application of pesticides and chemicals is not exempted by this subsection but may be exempted elsewhere in these guidelines. No license or adoption of any ordinance, regulation or resolution shall be considered exempt by virtue of this subsection.
 5. Any suspension or revocation of a license for any purpose.
- J. Business and other regulatory licenses. The following business and other regulatory licenses are exempt:
1. All licenses to undertake an occupation, trade or profession.
 2. All licenses required under electrical, fire, plumbing, heating, mechanical, and safety codes and regulations, but not including building permits.
 3. All licenses to operate or engage in amusement devices and rides and entertainment activities including, but not limited to, cabarets, carnivals, circuses and other traveling shows, dances, music machines, golf courses, and theaters, including approval of the use of public facilities for temporary civic celebrations, but not including licenses or permits required for permanent construction of any of the above.
 4. All licenses to operate or engage in charitable or retail sales and service activities including, but not limited to, peddlers, solicitors, second-hand shops, pawnbrokers, vehicle and housing rental agencies, tobacco sellers, close out and special sales, fireworks, massage parlors, public garages and parking lots, and used automobile dealers.

5. All licenses for private security services including, but not limited to, detective agencies, merchant and/or residential patrol agencies, burglar and/or fire alarm dealers, guard dogs, locksmiths, and bail bond services.
 6. All licenses for vehicles for-hire and other vehicle related activities including, but not limited to, taxicabs, ambulances, and tow trucks;
 7. All licenses for food or drink services, sales, and distribution including, but not limited to, restaurants, liquor, and meat.
 8. All animal control licenses including, but not limited to, pets, kennels, and pet shops. Establishment or construction of such a facility shall not be considered exempt by this subsection.
 9. The renewal or reissuance of a license regulating any present activity or structure so long as no material changes are involved.
- K. Activities of the City of Bonney Lake. The following administrative, fiscal and personnel activities of City of Bonney Lake departments shall be exempt:
1. The procurement and distribution of general supplies, equipment and services authorized or necessitated by previously approved functions or programs.
 2. The assessment and collection of taxes.
 3. The adoption of all budgets and agency requests for appropriation: Provided, that if such adoption includes a final agency decision to undertake a major action, that portion of the budget is not exempted by this subsection.
 4. The borrowing of funds, issuance of bonds, or applying for a grant and related financing agreements and approvals.
 5. The review and payment of vouchers and claims.
 6. The establishment and collection of liens and service billings.
 7. All personnel actions, including hiring, terminations, appointments, promotions, allocations of positions, and expansions or reductions in force.
 8. All agency organization, reorganization, internal operational planning or coordination of plans or functions.
 9. Adoptions or approvals of utility, transportation and solid waste disposal rates.

- L. Financial assistance grants. The approval of grants or loans by one agency to another shall be exempt, although an agency may at its option require compliance with SEPA prior to making a grant or loan for design or construction of a project. This exemption includes agencies taking nonproject actions that are necessary to apply for federal or other financial assistance.
- M. Local improvement districts and special purpose districts. The formation of local improvement districts and special purpose districts shall be exempt from SEPA, unless such formation constitutes a final City decision to undertake construction of a facility not exempted under this section or under BLMC 16.08.040.
- N. Information collection and research. Basic data collection, research, resource evaluation, requests for proposals (RFPs), and the conceptual planning of proposals shall be exempt. These may be strictly for information-gathering, or as part of a study leading to a proposal that has not yet been approved, adopted, or funded; this exemption does not include any City action that commits the City to proceed with such a proposal. (Also see WAC 197-11-070.)
- O. Acceptance of filings. The acceptance by an agency of any document or thing required or authorized by law to be filed with the City of Bonney Lake and for which the City has no discretionary power to refuse acceptance shall be exempt. No license shall be considered exempt by virtue of this subsection.
- P. Procedural actions. The proposal, amendment or adoption of regulations, resolutions, or ordinances, or of any plan or program shall be exempt if they are:
 - 1. Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.
 - 2. Text amendments resulting in no substantive changes respecting use or modification of the environment.
 - 3. Agency SEPA procedures.
- Q. Adoption of noise ordinances. The adoption by the City of Bonney Lake of resolutions, ordinances, rules or regulations concerned with the control of noise which do not differ from regulations adopted by the department of ecology under chapter 70.107 RCW. When the City proposes a noise resolution, ordinance, rule or regulation, a portion of which differs from the applicable state regulations, SEPA compliance may be limited to those items which differ from state regulations.

- R. Review and comment actions. Any activity where one City department reviews or comments upon the actions of another agency or another department within the City shall be exempt.
- S. Utilities. The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.
1. All communications lines, including cable TV, but not including communication towers or relay stations.
 2. All stormwater, water and sewer facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines twelve inches or less in diameter.
 3. All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less; the overbuilding of existing distribution lines (55,000 volts or less) with transmission lines (up to and including 115,000 volts); within existing rights of way or developed utility corridors, all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 115,000 volts or less; and the undergrounding of all electric facilities, lines, equipment or appurtenances.
 4. All natural gas distribution (as opposed to transmission) lines and necessary appurtenant facilities and hookups.
 5. All developments within the confines of any existing electric substation, reservoir, pump station vault, pipe, or well: Additional appropriations of water are not exempted by this subsection.
 6. Periodic use of chemical or mechanical means to maintain a utility or transportation right of way in its design condition: Provided, the chemicals used are approved by Washington state and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.
 7. All grants of rights of way by agencies to utilities for use for distribution (as opposed to transmission) purposes.
 8. All grants of franchises by agencies to utilities.

9. All disposals of rights of way by utilities.
- T. Natural resources management. In addition to the other exemptions contained in this section, the following natural resources management activities shall be exempt:
1. Issuance of leases for, and placement of, mooring buoys designed to serve pleasure craft.
 2. Periodic use of chemical or mechanical means to maintain public park and recreational land: Provided, that chemicals used are approved by the Washington state department of agriculture and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.
 3. Issuance of rights of way, easements and use permits to use existing roads in nonresidential areas.
- U. Wireless service facilities.
1. The siting of wireless service facilities are exempt if:
 - a. The collocation of new equipment, removal of equipment, or replacement of existing equipment on existing or replacement structures that does not substantially change the physical dimensions of such structures; or
 - b. The siting project involves constructing a wireless service tower less than sixty feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone.
 2. For the purposes of this subsection:
 - a. "Wireless services" means wireless data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.
 - b. "Wireless service facilities" means facilities for the provision of wireless services.
 - c. "Collocation" means the mounting or installation of equipment on an existing tower, building, structure for the purposes of either transmitting or receiving, or both, radio frequency signals for communication purposes.

- d. "Existing structure" means any existing tower, pole, building, or other structure capable of supporting wireless service facilities.
- e. "Substantially change the physical dimensions" means:
 - i. The mounting of equipment on a structure that would increase the height of the structure by more than ten percent, or twenty feet, whichever is greater; or
 - ii. The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than twenty feet, or more than the width of the structure at the level of the appurtenance, whichever is greater.
- 3. This exemption does not apply to projects within a critical area designated under GMA (RCW 36.70A.060).
- V. Structurally deficient city, town and county bridges. Exemptions established in WAC 197-11-800(27) are adopted by reference.

16.08.040 Emergency

- A. Actions that must be undertaken immediately or within a time too short to allow full compliance with this chapter, to avoid an imminent threat to public health or safety, to prevent an imminent danger to public or private property, or to prevent an imminent threat of serious environmental degradation, shall be exempt from the procedural requirements of SEPA. The responsible official shall determine on a case-by-case basis emergency actions that satisfy the general requirements of this subsection.
- B. In addition to emergencies covered under subsection (A) of this section, the following are also considered emergencies:
 - 1. Legislative actions declared emergencies pursuant to BLMC 2.04.800.A
 - 2. Amendments to the Comprehensive Plan outside of the annual amendment cycle, without which capital facilities concurrency is likely to be compromised and/or levels of service are expected to drop below an acceptable level.

Section 7. Chapter 16.12 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled “Environmental Impact Statements” to read as follows:

16.12.010 Authority and Limitation

The provisions of this chapter are established by WAC 197-11-400 through WAC 197-11-460 and may not be changed, except as necessary to be grammatically incorporated into the SEPA Code pursuant to WAC 197-11-906(3)(b).

16.12.020 Purpose of EIS.

- A. The primary purpose of an environmental impact statement is to ensure that SEPA's policies are an integral part of the ongoing programs and actions of state and local government.
- B. An EIS shall provide impartial discussion of significant environmental impacts and shall inform decision makers and the public of reasonable alternatives, including mitigation measures, that would avoid or minimize adverse impacts or enhance environmental quality.
- C. Environmental impact statements shall be concise, clear, and to the point, and shall be supported by the necessary environmental analysis. The purpose of an EIS is best served by short documents containing summaries of, or reference to, technical data and by avoiding excessively detailed and overly technical information. The volume of an EIS does not bear on its adequacy. Larger documents may even hinder the decision-making process.
- D. The EIS process enables government agencies and interested citizens to review and comment on proposed government actions, including government approval of private projects and their environmental effects. This process is intended to assist the agencies and applicants to improve their plans and decisions, and to encourage the resolution of potential concerns or problems prior to issuing a final statement. An environmental impact statement is more than a disclosure document. It shall be used by agency officials in conjunction with other relevant materials and considerations to plan actions and make decisions.

16.12.030 General Standards

Environmental impact statements shall comply with the following:

- A. General requirements of WAC 197-11-402.
- B. Time Requirements of WAC 197-11-406.

- C. Style and size requirements of WAC 197-11-425.
- D. Format requirements of WAC 197-11-430.

16.12.040 EIS types.

- A. Draft and final environmental impact statements (EISs) shall be prepared; draft and final supplemental EISs may be prepared.
- B. A draft EIS (DEIS) allows the City to consult with members of the public, affected tribes, and agencies with jurisdiction and with expertise. The City shall issue a DEIS and consider comments in the final EIS consistent.
- C. A final EIS (FEIS) shall revise the DEIS as appropriate and respond to comments.
- D. An FEIS shall respond to opposing views on significant adverse environmental impacts and reasonable alternatives which the lead agency determines were not adequately discussed in the DEIS. The City shall issue an FEIS as specified by BLMC 16.08.060.
- E. A supplemental EIS (SEIS) shall be prepared as an addition to either a draft or final statement consist if:
 - 1. There are substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts; or
 - 2. There is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts.
- F. The City may adopted a federal EISs as provided for in Chapter 16.18 BLMC.

16.12.050 Scoping.

- A. The City shall narrow the scope of every EIS to the probable significant adverse impacts and reasonable alternatives, including mitigation measures.
- B. To ensure that every EIS is concise and addresses the significant environmental issues, the City shall:
 - 1. Invite agency, affected tribes, and public comment on the DS consistent with the following:

- a. Written comments from agencies, affected tribes and the public shall be provided within twenty-one days from the date of issuance of the DS in which to comment, unless expanded scoping is used.
 - b. If a GMA county/city issues the scoping notice with the notice of application under RCW 36.70B.110, the comment period shall be no less than fourteen days.
 - c. The date of issuance for a DS is the date it is sent to the DOE, other agencies with jurisdiction, and is publicly available.
- 2. Identify reasonable alternatives and probable significant adverse environmental impacts.
- 3. Eliminate from the EIS those impacts that are not significant.
- 4. Work with other agencies to identify and integrate environmental studies required for other government approvals with the EIS, where feasible.
- C. Agencies, affected tribes, and the public should comment promptly and as specifically as permitted by the details available on the proposal.
- D. Meetings or scoping documents, including notices that the scope has been revised, may be used but are not required. The City shall integrate the scoping process with its existing planning and decision-making process in order to avoid duplication and delay.
- E. The City shall revise the scope of an EIS if substantial changes are made later in the proposal, or if significant new circumstances or information arise that bear on the proposal and its significant impacts.
- F. DEISs shall be prepared according to the scope decided upon by the City during the scoping process.
- G. EIS preparation may begin during scoping.

16.12.060 EIS preparation.

For draft and final EISs and SEISs:

- A. Preparation of the EIS is the responsibility of the City and shall be completed under the direction of the Director. No matter who participates in the preparation of the EIS, it is the EIS of the City. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with these rules and the procedures of the lead agency.

- B. The City may have an EIS prepared by agency staff, an applicant or its agent, or by an outside consultant retained by either an applicant or the lead agency. The lead agency shall assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official shall direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.
- C. If an entity other than the City is preparing the EIS, the City shall:
 - 1. Coordinate any scoping procedures so that the individual preparing the EIS receives all substantive information submitted by any agency or person;
 - 2. Assist in obtaining any information on file with another agency that is needed by the person preparing the EIS;
 - 3. Allow any party preparing an EIS access to all public records of the lead agency that relate to the subject of the EIS, under chapter 42.17 RCW (Public disclosure and public records law)
- D. The City will consult with the applicant on the selection of consultant or entities to prepare part or all an EIS; however, the final determination shall be made exclusively by the City.
- E. The applicant shall be responsible for the entire cost of preparing the EIS

16.12.070 Format.

- A. A cover letter consistent with the requirements of WAC 197-11-435(2) shall be prepared by the City and shall precede the EIS. The cover letter shall not be considered part of the EIS when determining the adequacy of the EIS.
- B. All EISs shall contain the following information in the order provided below:
 - 1. A fact sheet consistent with the requirements of WAC 197-11-440(2).
 - 2. A table of contents consistent with the requirements of WAC 197-11-440(3).
 - 3. A summary consistent with the requirements of WAC 197-11-440(4)
 - 4. An analysis of the alternatives consistent with the requirements of WAC 197-11-440(5).
 - 5. A discussion of the affected environment, significant impacts, and mitigation measures consistent with the requirements of WAC 197-11-440(6).

6. Distribution list (may be included in appendix).
 7. Appendices, if any (including, for FEIS, comment letters and any separate responses).
- C. The EIS text is divided into two sections: (4) and (5) above. The City has wide latitude to organize and present material as the City sees fit within these two basic sections. Agencies are not required to discuss each subject in WAC 197-11-440 (5) and (6) and 197-11-444 in a separate section of the EIS.
- D. Additional format considerations.
1. Where relevant to the alternatives and impacts of a proposal, the analysis specified in WAC 197-11-440 shall be included regardless of the format of a particular statement.
 2. The format of a FEIS may differ, as specified by BLMC 16.08.060.
 3. Additional flexibility is provided in WAC 197-11-442 and 197-11-443 for environmental impact statements related to nonproject proposals.
 4. The elements of the environment for purposes of analyzing environmental impacts are stated in WAC 197-11-444.
 5. Additional guidance on the distinction between environmental and other considerations is given in WAC 197-11-448 and 197-11-450.
 6. EISs may be combined with other documents as provided in Chapter 16.18 BLMC

16.12.080 Issuance of DEIS and DSEIS.

- A. The DEIS and DSEIS shall be issued by the responsible official and sent to the following:
1. The department of ecology (2 copies).
 2. Each federal agency with jurisdiction over the proposal.
 3. Each agency with jurisdiction over or environmental expertise on the proposal.
 4. Each city/county in which adverse environmental impacts identified in the EIS may occur, if the proposal were implemented.

5. Each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal.
 6. The applicable local, area-wide, or regional agency, if any, that has been designated under federal law to conduct intergovernmental review and coordinate federal activities with state or local planning.
 7. Any person requesting a copy of the EIS from the lead agency (fee may be charged for DEIS, see WAC 197-11-504).
 8. Any affected tribe.
- B. The City shall send a notice of availability to any person, organization or governmental agency that has expressed an interest in the proposal, is known by the City to have an interest in the type of proposal being considered, or receives governmental documents.
 - C. The City shall make one physically copy available at its offices to be reviewed or obtained and provide electronic access on the City's website.
 - D. The date of issue is the date the DEIS is publicly available and sent to the department of ecology and other agencies with jurisdiction.
 - E. Notice that a DEIS is available shall be given under BLMC 16.08.040.F.
 - F. Any person or agency shall have thirty days from the date of issue in which to review and comment upon the DEIS.
 - G. Upon request, the lead agency may grant an extension of up to fifteen days to the comment period. Agencies and the public must request any extension before the end of the comment period.

16.12.090 Issuance of FEIS and FSEIS.

- A. A final EIS (FEIS) shall be issued by the responsible official and sent to the department of ecology (2 copies), to all agencies with jurisdiction, to all agencies who commented on the DEIS, and to anyone requesting a copy of the FEIS.
- B. The responsible official shall send the FEIS, or a notice that the FEIS is available, to anyone who commented on the DEIS and to those who received but did not comment on the DEIS. If the agency receives petitions from a specific group or organization, a notice or EIS may be sent to the group and not to each petitioner. Failure to notify any

individual under this subsection shall not affect the legal validity of an agency's SEPA compliance.

- C. The City shall make one physically copy available at its offices to be reviewed or obtained and provide electronic access on the City's website.
- D. The date of issue is the date the FEIS, or notice of availability, is sent to the persons and agencies specified in the preceding subsections and the FEIS is publicly available. Copies sent to the department of ecology shall satisfy the statutory requirement of availability to the governor and to the ecological commission.
- E. Agencies shall not act on a proposal for which an EIS has been required prior to seven days after issuance of the FEIS.
- F. The lead agency shall issue the FEIS within sixty days of the end of the comment period for the DEIS, unless the proposal is unusually large in scope, the environmental impact associated with the proposal is unusually complex, or extensive modifications are required to respond to public comments.
- G. The form and content of the FEIS is specified in BLMC 16.08.060.

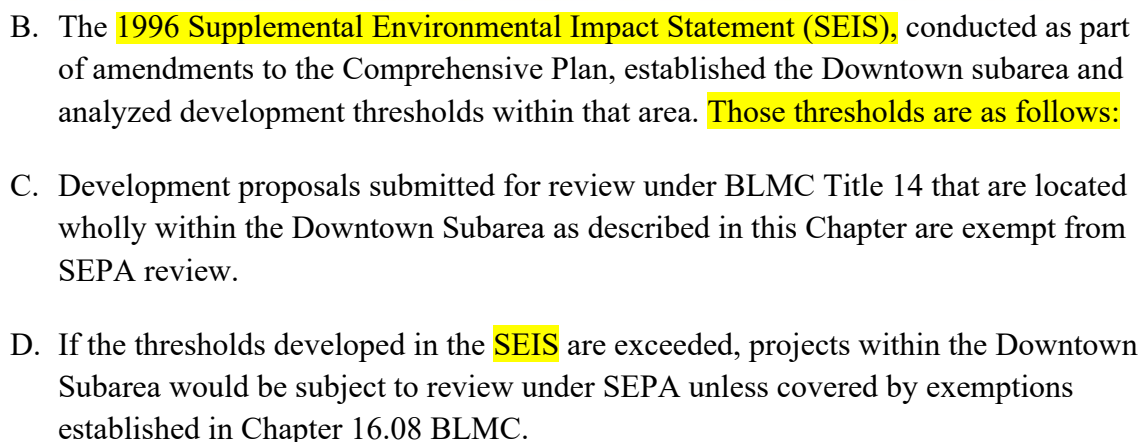
Section 8. Chapter 16.16 is added to Title 16 of the Bonney Lake Municipal Code and shall be entitled "Planned Actions" to read as follows:

16.16.010 Purpose

The purpose of this chapter is to:

- A. Combine analysis of environmental impacts with the City's development of plans and regulations that implement those plans;
- B. Establish thresholds, identified in environmental documents, under which projects will not require further SEPA at the individual project level; and
- C. Designates Planned Action Areas for purposes of environmental review of projects within said subarea, pursuant to RCW 43.21C.440.

A. The Planned Action designation shall apply to the approximately XXX-acre Downtown Subarea, described in the 1996 Supplemental Environmental Impact Statement and shown in the map below.



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Section 10. Re-codification. The previously codified provisions of Chapter 16.16 of the Bonney Lake Municipal Code entitled “Watercraft Regulations” is recodified in its entirety as Chapter 10.22 of the Bonney Lake Municipal Code entitled “Watercraft”.

Section 11. Repealer. The previously codified provisions of Chapter 16.12 of the Bonney Lake Municipal Code entitled “Administrative Provisions – Clearing And Landscaping” and the corresponding portions of Ordinance No. 1171 § 1 and Ordinance No. 1524§ 11 are each hereby repealed.

Section 12. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 13. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2022

Michael McCullough Mayor

AUTHENTICATED:

Sadie Schaneman, CMC, City Clerk

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Planning Commission Agenda Item

Meeting Date: July 6, 2022

Memo Date: June 30, 2022

Staff Contact: Jason Sullivan – Planning and Building Supervisor

Action Type: Discussion

Agenda Title: Comprehensive Plan Policy Gap Analysis

PURPOSE:

This is a study session to receive a briefing and discuss the analysis completed by the City's consultant LDC to identify those areas of the City's comprehensive plan that will need to be addressed during the periodic update.

ATTACHMENTS:

- A. LDC Memo with the following Attachments:
 - 1. Policy Gap Analysis
 - 2. House Bill 1220 Comparison Table
 - 3. House Bill 1717 Comparison Table

SUGGESTED MOTION:

None

DISCUSSION:

The City consultant, LDC, will brief the Planning Commission on the regulatory framework that will guide the required update to the City's comprehensive plan. The briefing will also include a discussion of areas of the City's comprehensive that will need to be updated to address VISION 2050, the Countywide Planning Policies for Pierce County, and changes in state law. Further discussion on this effort is provided in the attached memorandum from LDC.

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TO: Bonney Lake Planning Commission

FROM: Clay White, Director of Planning - LDC
Matt Covert, Senior Planner - LDC

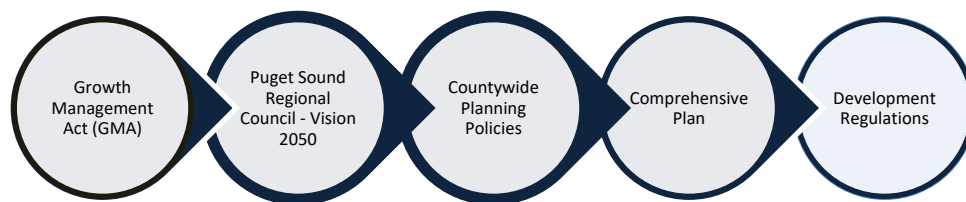
CC: Jason Sullivan, Planning and Building Supervisor

DATE: June 30, 2022

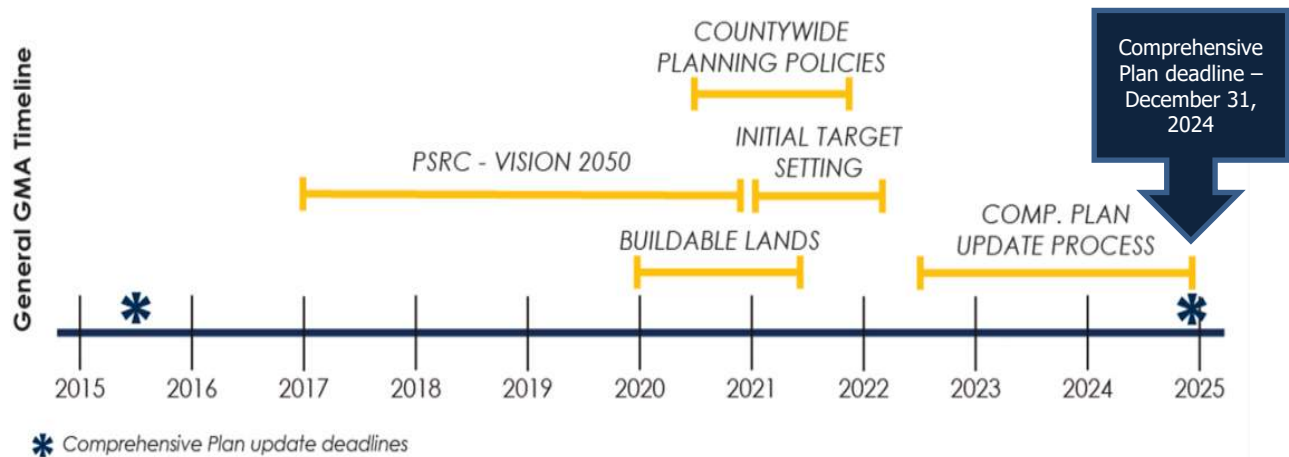
RE: July 6, 2022, Planning Commission Work session – Comprehensive Plan update and policy gap analysis

We look forward to meeting with the Planning Commission on July 6th for a briefing and about the upcoming 2024-2044 City of Bonney Lake Comprehensive Plan update.

LDC has completed a policy gap analysis for the city. The gap analysis compares recent changes to state laws (Growth Management Act), regional policies (Vision 2050), and countywide planning policies with your existing 2015 comprehensive plan. Where gaps exist, new or revised comprehensive plan policies may need to be considered as the city updates its comprehensive plan. It is also important to recognize that as policies are updated, they must be implemented. Often time that occurs through the city's development regulations.



The gap analysis we have completed is an early action to help define the scope of work the Planning Commission will consider as the Comprehensive Plan is updated. Work on the project will begin in earnest early in 2023 and the update must be completed by December 31, 2024.



Comprehensive Plan updates are complicated and there are many moving parts. Early briefings are intended to help inform the Planning Commission about the process, key issues, and how work the city takes on fits into state, regional, and countywide planning processes.

Our goals for this briefing are to provide the Planning Commission an:

- ✓ Overview of state, regional, and local requirements which will inform the Comprehensive Plan update.
- ✓ Overview key issues and topics which may be important during the update.
- ✓ Overview of the policy gap analysis which has been prepared for the city and how it will be helpful during the update as new and revised policies are considered.
- ✓ Answer questions from the Planning Commission.

Attached you will also find a copy of the policy gap analysis identifying partial and full policy gaps. The complete gap analysis is available at the following link: [City of Bonney Lake Policy Comparison Table](#). We look forward to going through that and having a great discussion.

Attachments: Gap analysis table, House Bill 1220 Comparison, and House Bill 1717 Comparison

VISION 2050 POLICY NUMBER and CHAPTER	VISION 2050 policy	Implementing Pierce Countywide Planning Policy	Is there a current City of Bonney Lake Comprehensive Plan Policy that fully or partially implements the new or revised policy?	Notes/Comments/Suggested Action for 2024 Comprehensive Plan update	Action(s) taken as part of 2024 Comprehensive Plan Update
VISION 2050 #	Policy/Action	Policy/Action	Policy/Action or indicate policy gap		
MPP-RC-2	<u>Prioritize services and access to opportunity for people of color, people with low incomes, and historically underserved communities to ensure all people can attain the resources and opportunities to improve quality of life and address past inequities.</u>	AH-7 ➤ Support and encourage homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color. EC-2.7 ➤ the location of investment in areas served by public transit and adequate transportation facilities, with emphasis on connecting underserved populations with jobs ENV-12.2 ➤ Consider adoption of proactive measures to increase equity in access to open space for underserved populations. TR-6.4.2 ➤ Designating high density land uses in transit/transportation corridors and designated TOD sites; AH-3 ➤ Determine the extent of the need for housing affordable for all economic segments of the population, with special attention paid to the historically underserved, both existing and projected for its jurisdiction over the planning period, and shall encourage the availability of housing affordable to all economic segments of the population for each jurisdiction. AH-4 ➤ Establish a countywide housing affordability program by an organization capable of long-term consistent coordination of regional housing planning, design, development, funding, and housing management. All jurisdictions should cooperatively maximize available funding opportunities and leverage private resources in the development of affordable housing for households. TR-4 ➤ Consider, whenever feasible, equity, inclusion, and access	Policy CD-5.8: Prevent the encroachment or conversion of common open space areas within planned developments or other residential projects. Shared open space areas in residential subdivisions shall be permanently restricted to open space uses through deed restrictions or other appropriate means. Policy CD-5.6: Allow recreational uses on lands designated as environmentally critical areas, provided that these uses do not impact the function and values of environmentally critical areas. Policy CD-10.5: Ensure that there is a sufficient supply of housing affordable to all income levels by maintaining a supply of housing that is currently affordable to median-income, low income and very low-income households, and work to increase the supply of housing affordable to households within Bonney Lake that make eighty percent (80%) of the Pierce County Median Income by 702 housing units. Policy CD-9.8: Encourage partnerships between the City and the private sector to undertake joint public-private development. Policy EV-1.4: Work with other public agencies and private interests to promote daycare services and facilities for pre-school children, before and after school latchkey children, and special populations including elderly and handicapped adults to support working household members. Policy CM-2.6: Recognize the mobility needs of the underserved populations and work to improve transportation choices in low-income and older neighborhoods.	Partial gap. Several existing policies address people with low incomes and underserved communities, but the city could consider adding a policy (possibly in the Community Development element) that supports using the PSRC Opportunity Index or Countywide Equity Index to examine how investments in infrastructure and economic development can address past inequities.	

VISION 2050 POLICY NUMBER and CHAPTER	VISION 2050 policy	Implementing Pierce Countywide Planning Policy	Is there a current City of Bonney Lake Comprehensive Plan Policy that fully or partially implements the new or revised policy?	Notes/Comments/Suggested Action for 2024 Comprehensive Plan update	Action(s) taken as part of 2024 Comprehensive Plan Update
VISION 2050 #	Policy/Action	Policy/Action	Policy/Action or indicate policy gap		
		to opportunity when developing and implementing programs and actions. TR-4.3 ➤ Consider using PSRC’s Opportunity Index and/or the Countywide Equity Index, when adopted, to identify underserved communities in order to prioritize transportation improvements and service delivery. TR-4.4 ➤ Mitigate negative impacts of the transportation system on historically underserved communities when developing plans and programs. TR-4.1.1 ➤ Target active transportation and transit investments in communities of color and areas with higher concentrations of low-income, non-English speaking, seniors, youth, and disabled populations.			
MPP-RC-3	<u>Make reduction of health disparities and improvement of health outcomes across the region a priority when developing and carrying out regional, countywide, and local plans.</u>	H-3 ➤ Identify and mitigate health and equity impacts of policy, regulation, or development proposals. This may include: ○ Seeking to consider the health ramifications of physical and built environment impacts when conducting SEPA reviews; ○ Utilizing a Health Impact Assessment when Environmental Impact Statement (EIS) is required; ○ Applying equity tools or other data-informed analyses to assess health and equity impacts, with particular emphasis on negative impacts to underserved populations; ○ Identifying, integrating, and implementing mitigation actions in collaboration with the affected populations; ○ Developing public investment evaluation criteria to prioritize public investment to address health disparities; or ○ Implementing development standards and conditions to prevent, minimize, and mitigate potential negative health impacts from development activities.	Policy CD-9.2: Use development regulations to direct growth, ensure sufficient opportunities for new development, improve Bonney Lake’s quality of life, preserve existing neighborhoods, reduce nuisances, achieve compatibility between adjacent properties and uses, address land use conflicts, and protect the health and safety of residents, visitors, and workers. Policy CD-4.3: Provide healthy and safe neighborhoods free of nuisances, environmental hazards, and visual blight (e.g. excessive noise, poor air quality, light pollution, illegal dumping, illegal signage, graffiti, littering, etc.) that disrupt and impact Bonney Lake residents’ quality of life. Policy CM-2.2: Recognize the importance of a walkable and bicycle friendly City to overall public health and wellness.	Partial gap. The City has several existing policies that address community health in one way or another, but the City could consider adding to policies or creating new policies that specifically identify reduction in disparities.	

VISION 2050 POLICY NUMBER and CHAPTER	VISION 2050 policy	Implementing Pierce Countywide Planning Policy	Is there a current City of Bonney Lake Comprehensive Plan Policy that fully or partially implements the new or revised policy?	Notes/Comments/Suggested Action for 2024 Comprehensive Plan update	Action(s) taken as part of 2024 Comprehensive Plan Update
VISION 2050 #	Policy/Action	Policy/Action	Policy/Action or indicate policy gap		
			Policy CD-6.8: Develop key “multi-modal” corridors that accommodate multiple modes of transportation that connect Bonney Lake’s neighborhoods and centers, enhance the City’s civic identity, encourage transit use, reduce vehicle miles traveled, provide comfortable walking and bicycling environments, and project a positive image of the city.		
MPP-RC-4	<u>Coordinate with tribes in regional and local planning, recognizing the mutual benefits and potential for impacts between growth occurring within and outside tribal boundaries.</u>	HAC-1 ➤ Utilizing applicable federal, state, and local designations, and in cooperation with the Indian tribes, all jurisdictions shall identify the presence of federal, state, and local historic, archaeological and cultural lands, sites, and structures, of significance within their boundaries. TR-4.6 ➤ Coordinate with tribal governments on joint planning and project implementation consistent with the policies under the Tribal Consultation, Coordination, and Lands Compatibility Chapter.	Policy gap	City should consider adding policies in its Community Development, Cultural Arts and Heritage, and Implementation Elements related to tribal notification for tribes with ceded lands within the city. See the HB 1717 table for more details.	
MPP-RC-12	<u>Support local and regional efforts to develop state legislation to provide new fiscal tools to support local and regional planning and to support infrastructure improvements and services.</u>	AH-4 Establish a countywide housing affordability program by an organization capable of long-term consistent coordination of regional housing planning, design, development, funding, and housing management. All jurisdictions should cooperatively maximize available funding opportunities and leverage private resources in the development of affordable housing for households. [...] 4.1 All jurisdictions should jointly pursue state legislative changes to give local jurisdictions the authority to provide tax relief to developers of affordable housing. TR-19 Protect transportation investments and assets through the proper operations, maintenance, and preservation to provide safe, efficient, and reliable movement of people, goods, and services. [...] 19.3 Promote increased funding for maintenance, operations, and preservation.	Policy Gap	Consider adding policies supporting South Sound Housing Affordability Partners and supporting a multi-family tax exemption (see also Housing Action Plan).	

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MPP-RC-15	Promote regional and national efforts to restore Puget Sound and its watersheds, in coordination with cities, counties, federally recognized tribes, federal and state agencies, utilities, and other partners.	ENV-19 Recognizing that almost all surface water in Pierce County flows to the Puget Sound, consider impacts to the health of the Puget Sound in long range planning efforts and the adoption of development and stormwater regulations. ENV-20 Support implementation of the Puget Sound Partnership's action agenda. ENV-24 Coordinate on watershed planning for the purposes of: 24.1 Maintaining natural hydrological functions, ecosystems and watersheds and, where feasible, restore to a more natural state; 24.2 Restoring, when feasible, freshwater and marine shorelines, watersheds, and estuaries to a natural condition for ecological function and value; 24.3 Identifying and addressing the impacts of climate change and sea level rise on hydrological systems; and 24.4 Maintaining and enhancing the ecological, social, and economic benefits provided by a healthy Puget Sound. ENV-27 Maintain or enhance water quality through adoption of stormwater regulations to control runoff and best management practices to maintain natural aquatic communities and beneficial uses. TR-9 Jurisdictions shall address environmental impacts of transportation policies, project implementation, and operations wherever practicable through: [...] 9.2 Locating and/or constructing transportation improvements so as to discourage adverse impacts on water quality and other environmental resources;	Potential policy gap	City has many policies related to managing surface water and improving water quality. New MPP calls for participation in regional and national efforts. CPPs support Puget Sound Partnership and coordination between jurisdictions; unclear if something is needed at city level apart from what is already present.	

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MPP-RGS-4	Accommodate the region’s growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.	EC-2-2.12 ➤ Promote diverse economic opportunities for all citizens of the County, especially the unemployed, disadvantaged persons, minorities and small businesses. Where appropriate, the following measures are examples of actions that may be used to accomplish this policy: ○ Determining a reasonable “jobs/housing” balance and then coordinating land use and development policies to help achieve the designated balance of adequate affordable housing attainable to local workers and accessible to areas of employment, in a way that avoids the placement of incompatible land uses next to each other and does not lead to the fragmentation of existing communities; ○ Identifying urban land suitable for the accommodation of a wide range of non-residential development activities; ○ Utilizing state and federal programs and financial assistance to the maximum extent appropriate; ○ Encouraging redevelopment of underutilized commercial and industrial areas; ○ Encouraging flexibility in local zoning and land use controls, such as performance-based zoning, to permit a variety of economic uses, but doing so without sacrificing sound performance, design, and development standards; ○ Encouraging programs, in conjunction with other public, quasi-public and private entities, to attract appropriate businesses and industries, particularly those that diversify the economic base and provide living-wage jobs; ○ Encouraging the location of investment in areas served by public transit and adequate transportation facilities, with emphasis on connecting underserved populations with jobs; ○ Maintaining and enhancing natural resource-based industries, including productive timber, agriculture, fishing and mining; ○ Targeting the appropriate creation and retention of specific firms and industries within established and emerging industry clusters that export goods and services, import capital, and have growth potential; ○ Promoting high-quality and accessible educational, job training, and cultural opportunities, particularly for those facing unique obstacles and/or those with special needs; ○ Steering investments to community and economic development initiatives that elevate economic opportunity for those communities most marginalized and impacted by disinvestment and	Goal CD-3: Develop Easttown as a light-industrial area to increase the number and diversity of jobs available to the citizens of Bonney Lake and to diversify the City’s tax base Policy CD-3.2: Encourage parcel consolidation to provide infill sites for redevelopment and expansion opportunities. CD-3.4: Improve services to the area to support redevelopment opportunities primarily the development of sanitary sewer. Policy CD-5.9: Advocate for open space conservation and resource protection in the unincorporated areas east of the Bonney Lake’s city limits but within the City’s sphere of influence. These areas should remain in agricultural and open space uses for the lifetime of this Comprehensive Plan. Policy CD-9.6: Although the Comprehensive Plan provides for development capacity to accommodate growth until 2035, steps should be taken to retain some of this capacity for the post-2035 period and guide development towards the Downtown, Midtown, and Lake Tapps Centers. Policy CD-9.11: Redevelop Bonney Lake’s under-developed or vacant sites in a manner that balances providing an array of housing, jobs, retail, recreational, and entertainment opportunities, with the need to respect the scale and form of surrounding properties and neighborhoods.	Possible update needed. Policy CD-9.6 points to reserving some capacity for post-2035 period and guiding development toward centers. City should consider looking at whether reserving growth is still warranted and how to incorporate new centers framework.	

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		economic disruptions; or - Fostering opportunities and a supportive environment for business startups, small businesses, and women- and minority-owned businesses. ENV-10.7 - Recognizing the unique interconnectedness between a healthy environment and a healthy economy, all jurisdictions, as well as other governmental entities, shall consider policies on environmentally sensitive lands in conjunction with other Countywide Planning Policies, including, but not limited to, policies which address: [...] 10.7 Infill development; RUR-2 - Ensure that development in rural areas is consistent with the countywide and regional vision. UGA-7-7.3 - Adopt policies within their respective comprehensive plans, to ensure that development within the urban growth area uses land efficiently, provides for a wide variety of uses, conserves natural resources, and allows for the connection of communities to an efficient, transit-oriented, multimodal transportation system. Policies shall: - Provide for more choices in housing types, including missing middle housing like duplexes, triplexes, fourplexes, rowhouses and townhomes, and moderate increases in density to achieve at least an average net density of four units per acre; - Support infill and compact development; and - Provide for land uses that encourage travel by foot, bike and transit.			
MPP-RGS-15	Support the establishment of regional funding sources to acquire conservation easements in rural areas.	RUR-5 Explore the application of tools and strategies to address vested development and better align future growth with the expectations envisioned within the Puget Sound Regional Council VISION 2050 Regional Growth Strategy.	Policy ES-6.5: Promote clustered developments, common areas, buffers, conservation easements, and retention of native vegetation as a means of conserving critical habitat	Partial gap. City could consider updating Policies under goal ES-6 or in the Community Development element to support using conservation easements to protect rural landscapes, not just critical areas.	
RGS-Action-9 (Local)	Growth Targets: Countywide planning organizations will work to develop processes to reconcile any discrepancies between city and county adopted targets contained in local comprehensive plans.	GT-6 Once the GMA comprehensive plan updates of jurisdictions in Pierce County are adopted, jurisdictions may review and, if necessary, make a request to the Pierce County Council to adjust the population, housing, and employment growth targets.	Only a gap if city plans to or has already requested adjustment to population, housing, and employment growth targets.		

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MPP-En-2	Use integrated and interdisciplinary approaches for environmental planning and assessment at regional, countywide, and local levels.	ENV-5.5 ➤ Using integrated and interdisciplinary approaches for environmental planning and assessment; or ENV-36.4 ➤ Develop complementary, coordinated, integrated, and flexible approaches for the collection, analysis, and sharing of monitoring information (e.g., GIS data, hydrologic and hydraulic analysis).	Policy gap	Consider adding policy regarding partnering with other jurisdictions to integrate environmental planning and assessment.	
MPP-En-4	Ensure that all residents of the region, regardless of <u>race</u> , social, or ____ economic status, <u>have clean air, clean water, and other elements of live in a healthy environment,</u> with minimal exposure to pollution.	ENV-12 Plan for and provide access to open space for all segments of the population regardless of race, social, physical ability or economic status. 12.1 Consider adoption of increased measures to ensure the creation and retention of adequate nearby (within ½ mile proximity) access to open space for residents of urban areas. ENV-40 Jurisdictions, individually or through cooperation with coalitions, state, and/or regional agencies, shall assess existing plans and regulations, and update as necessary, to address impacts from climate change, sea level rise, and climate resiliency, as applicable to each jurisdiction’s unique circumstances. 40.1 Consider planning actions and implementing regulations to address impacts from climate change, such as: [...] 40.1.3 Adopting measures to avoid, mitigate, and reverse climate change impacts on disproportionately impacted communities, including Black, Indigenous, and communities of color, populations without permanent shelter, and low-income residents. EPF-6.10	Policy CD-5.5: Allow community gardening and “urban” agriculture in residentially-zoned areas and open spaces, provided that these uses do not impact the functions and values of environmentally critical areas. Policy CD-5.9: Advocate for open space conservation and resource protection in the unincorporated areas east of the Bonney Lake’s city limits but within the City’s sphere of influence. These areas should remain in agricultural and open space uses for the lifetime of this Comprehensive Plan. Policy CD-9.4: Recognize certain areas as having natural constraints that preclude safe or environmentally sound development. These constraints are discussed in the Environmental Stewardship Element.	Partial gap. Consider adding policy language regarding the use of health impact assessments or other equity tools to ensure equitable access to a healthy environment.	

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		➤ Health and safety (consider use of health impact assessment tools when developing and evaluating planning projects to identify possible impacts of projects on community health); H-3 ➤ Identify and mitigate health and equity impacts of policy, regulation, or development proposals. This may include: ○ Seeking to consider the health ramifications of physical and built environment impacts when conducting SEPA reviews; ○ Utilizing a Health Impact Assessment when Environmental Impact Statement (EIS) is required; ○ Applying equity tools or other data-informed analyses to assess health and equity impacts, with particular emphasis on negative impacts to underserved populations; ○ Identifying, integrating, and implementing mitigation actions in collaboration with the affected populations; ○ Developing public investment evaluation criteria to prioritize public investments to address health disparities; or ○ Implementing development standards and conditions to prevent, minimize, and mitigate potential negative health impacts from development activities.	Policy CD-5.7: Establish zoning standards to mitigate for the presence of infrastructure facilities such as radio and telecommunication towers within designated open space areas.		
MPP-En-8	<u>Reduce impacts to vulnerable populations and areas that have been disproportionately affected by noise, air pollution, or other environmental impacts.</u>	ENV-40.1.3 40.1 Consider planning actions and implementing regulations to address impacts from climate change, such as: [...] 40.1.3 Adopting measures to avoid, mitigate, and reverse climate change impacts on disproportionately impacted communities, including Black, Indigenous, and communities of color, populations without permanent shelter, and low-income residents.	Policy gap	Consider adopting policies under goals related to air pollution and other environmental effects that focus on reducing impacts to vulnerable populations and those that have been disproportionately affected.	
MPP-En-15	<u>Provide parks, trails, and open space within walking distance of urban residents. Prioritize historically underserved communities for open space improvements and investments.</u>	ENV-12 Plan for and provide access to open space for all segments of the population regardless of race, social, physical ability or economic status. 12.1 Consider adoption of increased measures to ensure the creation and retention of adequate nearby (within ½ mile proximity) access to open space for residents of urban areas.	Policy CD-5.2: Maintain and enhance a network of neighborhood, community, and linear parks. Parks should be recognized as fundamental to Bonney Lake’s quality of life, and should be carefully managed to create a balance between passive and active open space.	Partial gap. Consider adding policy or policies addressing prioritization of historically underserved communities.	

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		12.2 Consider adoption of proactive measures to increase equity in access to open space for underserved populations. UGA-12 Capital facilities plans shall identify existing, planned, and future infrastructure needs within Urban Growth Areas. 12.1 The County and each municipality in the County should identify appropriate levels of service and concurrency standards that address schools, sewer, water, and parks.	Policy CD-5.5: Allow community gardening and “urban” agriculture in residentially-zoned areas and open spaces, provided that these uses do not impact the functions and values of environmentally critical areas. Policy CD-6.6: Encourage plazas, pocket parks, and similar spaces to stimulate pedestrian activity, provide community-gathering places, and complement the overall appearance and form of adjoining buildings.		
MPP-En-18	<u>Reduce stormwater impacts from transportation and development through watershed planning, redevelopment and retrofit projects, and low-impact development.</u>	ENV-23 Coordinate watershed planning and land use planning activities and implementation activities within a watershed boundary by undertaking actions such as: 23.3 Participating in local watershed council meetings and planning processes; 23.4 Recognizing that watershed planning may be useful in analyzing changes in stream hydrology, flooding, water quality and capital facilities under different land use scenarios; 23.5 Evaluating the use of vegetation retention, tree conservation, and maximum impervious surface standards; 23.6 Utilizing watershed boundaries instead of jurisdictional boundaries for plans and studies whenever possible; 23.7 Considering the implications of planning and implementation activities on natural environmental and built systems that are located outside jurisdictional boundaries but within the shared watershed; or 23.8 Updating land use plans and regulations, in consideration of the information that is contained within watershed plans. ENV-27 Maintain or enhance water quality through adoption of stormwater regulations to control runoff and best management practices to maintain natural aquatic communities and beneficial uses. TR-9.2 Jurisdictions shall address environmental impacts of transportation policies, project implementation, and operations wherever practicable through:	Policy ES-3.5: Promote Low Impact Development techniques as an alternative to standard development practices such as, using natural systems to maintain and enhance environmental quality by having them perform such functions as cleaning air and water, and controlling storm water runoff. Policy ES-4.1: Prohibit new buildings in the 100-year flood zone as determined by the Federal Emergency Management Agency (FEMA) and as shown on the FEMA Flood Insurance Rate Maps (FIRM) unless the base elevation is above the floodplain elevation, the structure has been flood proofed, or the area is removed from the floodplain. Policy ES-4.2: Protect floodplains from filling, excavating, and other activities that would interfere with natural drainage patterns and negatively affect the habitat functions. Policy ES-4.3: Preserve floodplains to provide for natural flood storage protection and habitat functions. Policy ES-4.4: Design new development and redevelopment projects to minimize hazards associated with flooding and limit the amount of runoff that contributes to flooding.	Partial gap. Incorporating plans from local watershed groups is mentioned in the text of the Environmental Stewardship element, but given the new MPP with its focus on watershed planning, could consider new policies supporting participation by the city in watershed planning.	

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		[...] 9.2 Locating and/or constructing transportation improvements so as to discourage adverse impacts on water quality and other environmental resources; TR-10 Use low-impact development practices or environmentally appropriate approaches for the design, construction and operation of transportation facilities to reduce and mitigate environmental impacts, including, but not limited to, greenhouse gas emissions and storm water runoff from streets and roadways. 10.1 Use vegetative installations such as bioswales, rain gardens, green spaces and other features to assist with carbon uptake and reduction of stormwater runoff.			
En-Action-3 (Countywide/watershed)	<u>Watershed Planning: Counties and cities, together with other jurisdictions in the watershed, will continue to participate in watershed planning to integrate land use, transportation, stormwater, and related disciplines across the watershed to improve the health of Puget Sound. Include planning for culvert removal and work with tribal, federal, state, and local governments in planning, funding, and implementation to ensure the effective and efficient use of funds to restore salmon habitat.</u>	ENV-19 Recognizing that almost all surface water in Pierce County flows to the Puget Sound, consider impacts to the health of the Puget Sound in long range planning efforts and the adoption of development and stormwater regulations.	Policy gap	As with MPP-En-18 above, the City should consider adding new policies related to participation in cross-jurisdictional watershed planning.	
MPP-CC-2	Reduce the rate of building energy use per capita, both in building use and in transportation activities through green building and retrofit of existing buildings.	ENV-28 ➤ Encourage green building (LEED), low impact development, and other similar technique to reduce the production of greenhouse gases and the impact to climate change, from construction materials, methods, and maintenance of the resulting built environment. ENV-43-43.5 ➤ Encourage, incentivize, and require where appropriate, the development community to reduce impacts of proposed projects on climate change by undertakings such actions as: ○ Utilize low impact development techniques; ○ Incentivize projects that exceed minimum standards, and/or provide for low carbon power sources; ○ Coordinate with the development community to encourage the use of pilot projects and new and innovative approaches to address climate change and greenhouse gas production; and	Policy ES-9.6: Encourage renewable energy sources for new and existing buildings and infrastructure. Resolution 2049 policies: • The City will strive to assure that all new municipal buildings are models of cost effective energy- efficient design. • The City will encourage energy conservation practices in City buildings by raising the awareness of employee energy use. • The City will use the recently approved shared resource conservation manager position to conduct energy audits of publicly owned buildings, evaluate potential conservation	Partial gap. Consider adding new policy addressing green retrofits.	

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		- Promote green development building standards (e.g., LEED and equivalent) in both public and private development and operations; - Include an analysis (i.e., supplemental greenhouse gas/climate change impact worksheet) of climate change impacts and potential mitigation when conducting an environmental review process under the State Environmental Policy Act. ENV-45-45.6 ➤ Support energy management technologies as well as zero emission and renewable energy sources. - Cooperate with regional initiatives and efforts toward the development and use of energy management technologies. - Reduce greenhouse gases by expanding the use of biofuels, energy efficiency/conservation, zero emission and renewable energy sources within municipal and private development and operations. - Investigate and pursue opportunities for district heating (thermal energy on a neighborhood scale). - Investigate and pursue opportunities for landfill methane sequestration. - Adjust development standards to allow, encourage, and preserve opportunities for renewable energy infrastructure. - Encourage the electrification of transportation systems.	measures, and then carry out those measures that are appropriate.		
MPP-CC-2	Reduce the rate of building energy use per capita, both in building use and in transportation activities through green building and retrofit of existing buildings.	ENV-28 ➤ Encourage green building (LEED), low impact development, and other similar technique to reduce the production of greenhouse gases and the impact to climate change, from construction materials, methods, and maintenance of the resulting built environment. ENV-43-43.5 ➤ Encourage, incentivize, and require where appropriate, the development community to reduce impacts of proposed projects on climate change by undertakings such actions as: - Utilize low impact development techniques; - Incentivize projects that exceed minimum standards, and/or provide for low carbon power sources; - Coordinate with the development community to encourage the use of pilot projects and new and innovative approaches to address climate change and greenhouse gas production; and - Promote green development building standards (e.g., LEED and equivalent) in both public and	Policy ES-9.6: Encourage renewable energy sources for new and existing buildings and infrastructure. Resolution 2049 policies: - The City will strive to assure that all new municipal buildings are models of cost effective energy- efficient design. - The City will encourage energy conservation practices in City buildings by raising the awareness of employee energy use. - The City will use the recently approved shared resource conservation manager position to conduct energy audits of publicly owned buildings, evaluate potential conservation measures, and then carry out those measures that are	Partial gap. Consider adding new policy addressing green retrofits.	

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		private development and operations; ○ Include an analysis (i.e., supplemental greenhouse gas/climate change impact worksheet) of climate change impacts and potential mitigation when conducting an environmental review process under the State Environmental Policy Act. ENV-45-45.6 ➤ Support energy management technologies as well as zero emission and renewable energy sources. ○ Cooperate with regional initiatives and efforts toward the development and use of energy management technologies. ○ Reduce greenhouse gases by expanding the use of biofuels, energy efficiency/conservation, zero emission and renewable energy sources within municipal and private development and operations. ○ Investigate and pursue opportunities for district heating (thermal energy on a neighborhood scale). ○ Investigate and pursue opportunities for landfill methane sequestration. ○ Adjust development standards to allow, encourage, and preserve opportunities for renewable energy infrastructure. ○ Encourage the electrification of transportation systems.	appropriate.		
MPP-CC-6	<u>Address impacts to vulnerable populations and areas that have been disproportionately affected by climate change.</u>	ENV-42 ➤ Jurisdictions, individually or through coordination with coalitions, state, and/or regional entities, shall work to identify, address and mitigate the adverse impacts of climate change on people's health, particularly that of populations at a greater risk of climate change impacts.	Policy gap	Consider adding policies to address new MPP related to impacts to vulnerable populations from climate change.	
MPP-CC-7	<u>Advance state, regional, and local actions that support resilience and adaptation to climate change impacts.</u>	Crosswalk table shows no CPPs for this MPP	Policy ES-10.1: Improve existing infrastructure and develop future infrastructure to withstand greater than average weather events including storms and drought. Policy ES-10.3: Develop maps that identify areas of the City most at risk of hazards and develop resiliency resources and education programs for citizens likely to be impacted.	Partial gap. City could consider adding adaptation to climate change to its existing resilience policies under ES-10.	
MPP-CC-9	Identify and address the impacts of climate change on the region's hydrological systems.	ENV-24.3 Coordinate on watershed planning for the purposes of: [...]	Policy gap	Consider adding one or more policies related to the effects of climate change on hydrological systems.	

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		24.3 Identifying and addressing the impacts of climate change and sea level rise on hydrological systems; and			
MPP-CC-10	<u>Address rising sea water by siting and planning for relocation of hazardous industries and essential public services away from the 500-year floodplain.</u>	ENV-40.2-40.2.3 ➤ Consider adopting regulations to avoid impacts from sea level rise by undertaking such actions as: ○ Strengthening regulations for 500-year flood plains and other at-risk areas to prevent location of essential public facilities and hazardous uses; ○ Locating critical infrastructure outside flood plains, shorelines, and other at-risk locations to the extent possible; where not possible, design and construct infrastructure to withstand climate change impacts; and ○ Adopting regulations to require climate-responsive measures when redevelopment or improvements to existing development take place. EPF-6.8 ➤ Addressing rising sea water by siting and planning for relocation;	Policy gap	Consider adding one or more policies under Goal CFS-14 to address new MPP/CPP.	
MPP-DP-2	<u>Reduce disparities in access to opportunity for the region's residents through inclusive community planning and targeted public and private investments that meet the needs of current and future residents and businesses.</u>	AH-8 Jurisdictions should identify potential physical, economic, and cultural displacement of low- income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure, and use a range of strategies to prevent and minimize, the cultural and physical displacement and mitigate its impacts to the extent feasible. 8.1 Metropolitan Cities, Core Cities, and High-Capacity Transit Communities will develop and implement strategies to address displacement in coordination with the populations identified of being at risk of displacement, including residents, local community groups, and neighborhood-based small business owners. EC-2.7 and 2.11 Promote diverse economic opportunities for all citizens of the County, especially the unemployed, disadvantaged persons, minorities and small businesses. Where appropriate, the following measures are examples of actions that may be used to accomplish this policy: [...] 2.7 Encouraging the location of investment in areas served by public transit and adequate	Policy CD-5.6: Allow recreational uses on lands designated as environmentally critical areas, provided that these uses do not impact the function and values of environmentally critical areas.	Partial gap. City has some policies related to targeted public and private investments, but similar to other access to opportunity MPPs and CPPs, the City could consider adding reduction in disparities to its policies under the Community Development, Economic Vitality, and Community Mobility elements.	

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		transportation facilities, with emphasis on connecting underserved populations with jobs; [...] 2.11 Steering investments to community and economic development initiatives that elevate economic opportunity for those communities most marginalized and impacted by disinvestment and economic disruptions; or H-4 Meaningfully engage and empower all people, particularly the underserved, in planning for communities. This may include: 4.1 Increasing familiarity with health data, community-based/grassroots organizations, social and environmental determinants of health, and health inequities; 4.2 Making special efforts to outreach and understand community needs and the aspirations of underserved populations; 4.3 Working with populations experiencing health disparities and strengthen their capacity for collective efficacy; 4.4 Including special needs and diverse populations representative of your jurisdiction demographics or historically underserved; or 4.5 Helping communities understand how short- and long-range policy, land use, infrastructure, and other decisions affect the public health of the entire community, and how to effectuate ongoing positive health outcomes TR-4 Consider, whenever feasible, equity, inclusion, and access to opportunity when developing and implementing programs and actions. 4.1 Prioritize investments for historically underserved populations to improve affordable and convenient access to jobs, education, health care, social services, recreation, and culture. 4.1.1 Target active transportation and transit investments in communities of color and areas with higher concentrations of low-income, non-English speaking, seniors, youth, and disabled populations. 4.2 Consider current and past inequities in infrastructure development when planning and programming new investment. 4.3 Consider using PSRC's Opportunity Index and/or the Countywide Equity Index, when adopted, to identify underserved communities in order to			

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		prioritize transportation improvements and service delivery. 4.4 Mitigate negative impacts of the transportation system on historically underserved communities when developing plans and programs. 4.5 Develop plans to meet Americans with Disabilities Act (ADA) requirements and guidance, including facilitating ease of access for the disability community and retrofitting non-compliant sidewalks and walkways. 4.6 Coordinate with tribal governments on joint planning and project implementation consistent with the policies under the Tribal Consultation, Coordination, and Lands Compatibility Chapter.			
MPP-DP-7	<u>Consider the potential impacts of development to culturally significant sites and tribal treaty fishing, hunting, and gathering grounds.</u>	TC-5-5.1 ➤ Jurisdictions shall update their comprehensive plan during its next amendment cycle to incorporate ways to preserve Tribal treaty rights when notified by Tribes of their presence in a particular location. ○ All Jurisdictions shall consider the potential impacts to Tribal treaty fishing, hunting, and gathering grounds, which may include the development patterns in their comprehensive plans. TC-3 & sub-policies ➤ Upon the request of a Tribal Council, The County and each applicable municipal government within a Tribal reservation will explore with the requesting Tribe voluntary agreements for coordinated land use permitting and code enforcement with Tribes. ○ As part of these agreements, the County and each applicable municipal government on a Tribal reservation may work with Tribes to develop ongoing administrative processes to jointly discuss and comment on permit applications, including and not limited to development activities on reservations and development impacting Tribal treaty rights; and may identify enhanced opportunities to include Tribal governments in joint comprehensive and other long-range planning activities. ○ As part of these agreements, the County and each municipal government shall provide an opportunity to include Tribal governments in joint comprehensive and other long-range planning activities. HAC-2- HAC-2.2	Policy gap	The City should consider, in accordance with TC-5-5.1, incorporate ways to preserve Tribal treaty rights when notified by Tribes of their presence in a particular location. This dovetails with HB 1717 recommendations – see separate table.	

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		➤ Consider the potential impacts of development to culturally significant tribal sites. ○ The County and each municipality should reach out to the Department of Archaeology and Historic Preservation to verify the presence of cultural resources through available databases. ○ The County and each municipality should contact local tribal historic preservation officers to determine likelihood of impact to potential cultural resources when reviewing development proposals that involve ground disturbance.			
MPP-DP-8	Provide a wide range of building and community types to serve the needs of a diverse population. <u>Conduct inclusive engagement to identify and address the diverse needs of the region's residents.</u>	H-4 Meaningfully engage and empower all people, particularly the underserved, in planning for communities. This may include: 4.1 Increasing familiarity with health data, community-based/grassroots organizations, social and environmental determinants of health, and health inequities; 4.2 Making special efforts to outreach and understand community needs and the aspirations of underserved populations; 4.3 Working with populations experiencing health disparities and strengthen their capacity for collective efficacy; 4.4 Including special needs and diverse populations representative of your jurisdiction demographics or historically underserved; or 4.5 Helping communities understand how short- and long-range policy, land use, infrastructure, and other decisions affect the public health of the entire community, and how to effectuate ongoing positive health outcomes.	Policy gap	Consider adding one or more policies incorporating the recommendations in CPP H-4 as appropriate to address rewritten MPP.	

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MPP-DP-11	Identify and create opportunities to develop parks, civic places (including schools) and public spaces, especially in or adjacent to centers.	Crosswalk table shows no CPPs for this MPP	Policy CD-6.1: Recognize the importance of streets as public space: Landscaping, lighting, streetscape elements, pavement changes, signage improvements, banners, and other public realm improvements can enhance the experience of traveling along a corridor without diminishing its functional capacity. Policy CD-6.6: Encourage plazas, pocket parks, and similar spaces to stimulate pedestrian activity, provide community-gathering places, and complement the overall appearance and form of adjoining buildings. Policy CD-6.7: While the design of each public space must be sensitive to its context, all public spaces should share several common design characteristics. These include: ☐ Locations in prominent, recognizable and accessible locations where they are likely to receive frequent use and be highly visible. ☐ Seating areas, signage, pedestrian amenities, activity areas and other design features that increase usability and functionality. ☐ A unique identity that enables the space to function independently, while still allowing the space to work in connection with adjacent development. ☐ Accommodation of a variety of users (i.e. arts, cultural, recreational, different ages, abilities, etc.). ☐ Variations in landscaping, pavement, lighting, public art, and other amenities which improve the quality of each space and define its character. ☐ Protection from wind, sun, and noise exposure. ☐ Spaces that utilize a mixture of direct sunlight and shade. Policy EV-2.2: Maintain and increase City investment in public amenities that contribute to high quality of life for Bonney Lake residents, including parks,	Partial gap. Several city policies refer to parks, civic places, and public spaces (particularly EV-2.2 and EV-2.4). Consider adding schools to those policies and refer to designated centers.	

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			public spaces, civic gathering places, sidewalks and streetscapes. Policy EV-2.4: Develop a system of sidewalks, bicycle lanes and trails to provide pedestrian and bicycle connection between residential neighborhoods, parks, civic gathering spaces and centers.		
MPP-DP-13	<u>Allow natural boundaries to help determine the routes and placement of infrastructure connections and improvements.</u>	EPF-4.1.10 EPF-4 Local Comprehensive Plan policies shall be based upon the following criteria: [...] 4.1.10 Natural boundaries that determine routes and connections.	Policy gap	City could consider adding policy/policies under Community Development, Community Mobility, and/or Community Facilities and Services elements supporting the use of natural boundaries to determine routes and placement of infrastructure.	
MPP-DP-36	<u>Use existing and new tools and strategies to address vested development to ensure that future growth meets existing permitting and development standards and prevents further fragmentation of rural lands.</u>	RUR-5 Explore the application of tools and strategies to address vested development and better align future growth with the expectations envisioned within the Puget Sound Regional Council VISION 2050 Regional Growth Strategy.	Policy gap	City could consider adopting a policy or adding language to an existing policy regarding vested development.	
MPP-DP-16	<u>Incorporate provisions addressing Address and integrate health and well-being into appropriate regional, countywide, and local planning practices and decision-making processes.</u>	H-5 Promote cooperation and coordination among public service providers, local government, the local health department, developers, community organizations, and all segments of the community to encourage healthy developments that promote and improve physical and social well-being for all.	Policy CD-4.5: Utilize capital improvement projects, design guidelines, and land use decisions to improve the walkability of neighborhoods, enhance the ability to travel by bicycle or public transportation, and minimize the distance a resident must travel to reach basic services, shopping, parks, schools, and other civic amenities. Policy CD-9.2: Use development regulations to direct growth, ensure sufficient opportunities for new development, improve Bonney Lake's quality of life, preserve existing neighborhoods, reduce nuisances, achieve compatibility between adjacent properties and uses, address land use conflicts, and protect the health and safety of residents, visitors, and workers.	Partial gap. Existing policies under CD-4 and CD-9 (as well as many others related to active transportation, for example) address specific aspects of health, but the revised MPP's language change to "address and integrate" suggests the City should incorporate evaluation of health into planning processes in a more specific way.	

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MPP-DP-18	<u>Address existing health disparities and improve health outcomes in all communities.</u>	H-3 3 Identify and mitigate health and equity impacts of policy, regulation, or development proposals. This may include: 3.1 Seeking to consider the health ramifications of physical and built environment impacts when conducting SEPA reviews; 3.2 Utilizing a Health Impact Assessment when Environmental Impact Statement (EIS) is required; 3.3 Applying equity tools or other data-informed analyses to assess health and equity impacts, with particular emphasis on negative impacts to underserved populations; 3.4 Identifying, integrating, and implementing mitigation actions in collaboration with the affected populations; 3.5 Developing public investment evaluation criteria to prioritize public investment to address health disparities; or 3.6 Implementing development standards and conditions to prevent, minimize, and mitigate potential negative health impacts from development activities.	Policy CD-4.3: Allow schools, day care centers, senior centers, group homes, public and semi-public facilities (e.g., churches), and nursing care facilities in residential areas, subject to conditions which limit the impacts of these uses on nearby properties. To the extent permitted by state and federal law, conditions of approval may be placed on such uses to ensure that they are operated in a manner that is sensitive to neighborhood concerns, and that maintains residents' quality of life. In addition, such uses should be sited in a way that minimizes the exposure of future occupants to noise, localized air pollution sources, and other environmental hazards.	Partial gap. Existing policies address improving health outcomes, but as with other equity-related policies, the City could consider supporting in policy the use of Health Impact Assessments and equity tools made available by the County and PSRC to identify and address existing disparities.	
MPP-DP-26	<u>Establish Implement the adopted a common framework to designate countywide centers among the countywide processes for designating subregional centers to ensure compatibility within the region.</u>	C-38 ➤ A jurisdiction may apply for status as a Candidate Countywide Center if it satisfies all required criteria included below, has a minimum of 7 activity units per acre, and is planning for at least 16 activity units per acre. The application for Countywide Center would not be regionally designated until the Center achieves at least 10 activity units per acre. Activity units means the sum of population and job units per gross acre, per PSRC.	See centers designation under Community Development element.	City could consider looking at adopted countywide centers designation to see whether additional documentation is needed for existing countywide centers.	
MPP-DP-36	Use existing and new tools and strategies to address vested development to ensure that future growth meets existing permitting and development standards and prevents further fragmentation of rural lands.	RUR-5 Explore the application of tools and strategies to address vested development and better align future growth with the expectations envisioned within the Puget Sound Regional Council VISION 2050 Regional Growth Strategy.	Policy gap	City could consider adopting a policy or adding language to an existing policy regarding vested development.	
MPP-DP-45	<u>Avoid growth in rural areas that cannot be sufficiently served by roads, utilities, and services at rural levels of service.</u>	RUR-3 Prohibit urban densities in rural areas. RUR-5 Explore the application of tools and strategies to address vested development and better align future growth with the expectations envisioned within the Puget Sound Regional	Policy CD-1.1: Review proposed annexations for their timeliness, the City's ability to provide them with urban services, and the costs and revenues that the City would likely incur. The City may refuse annexations in which public facilities are below the City's level of	Partial gap. Some Community Development policies partially address this, but the City could consider making this explicit in the Community Facilities and Services Element and the Community Mobility Element.	

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		Council VISION 2050 Regional Growth Strategy. RUR-11 Do not provide urban services in rural areas. Design services for limited access when they are needed for schools or to solve isolated health and sanitation problems, so as not to increase the development potential of the surrounding rural area. RUR-12 Encourage the design of public facilities and utilities in rural areas to be at a size and scale appropriate to rural locations, so as not to increase development pressure.	service standard. Policy CD-5.9: Advocate for open space conservation and resource protection in the unincorporated areas east of the Bonney Lake's city limits but within the City's sphere of influence. These areas should remain in agricultural and open space uses for the lifetime of this Comprehensive Plan.		
MPP-DP-46	Support and provide incentives to increase the percentage of new development and redevelopment – both public and private – to be built at higher performing energy and environmental standards.	Crosswalk table shows no CPPs for this MPP	Policy ES-9.5: Encourage energy efficiency in site design, building orientation, landscaping, and utilities/infrastructure for all development and redevelopment projects. Policy ES-9.6: Encourage renewable energy sources for new and existing buildings and infrastructure.	Partial gap. City policies on Resolution 2049 as well as under goal ES-9 encourage energy efficiency and offer specific support for increasing environmental performance of public buildings, but no specific incentives are supported for private development.	
MPP-DP-54	Tailor concurrency programs for centers and other subareas to encourage development that can be supported by transit.	TR-15 Adopted performance standards or LOS may be: 15.1 Set below existing levels thereby allowing reserve capacity for growth and minimizing the need for new capital investment; 15.2 Set above existing levels (thereby increasing comfort and convenience of travel, enhancing economic development and minimizing some environmental impacts; 15.3 Set at existing levels (thereby allowing new development to mitigate full marginal impacts; 15.4 Set at different levels of service in different zones, especially in designated centers and on transit and freight corridors; 15.5 Set at different levels of service based on facility classifications; 15.6 Set to measure multiple modes of travel (e.g. transit, bicycling and/or walking); or 15.7 Taken directly from standards developed by the Washington State Department of Transportation for Highways of Statewide Significance and directly from standards developed by the Puget Sound Regional Council for regionally significant state highways.	Policy CD-2.2: Encourage the development of mixed-use, senior housing, high density residential, and public services uses such as education, health care, libraries, child care, governmental facilities in the centers to create vibrant activity nodes, provide housing choices, advance sustainable development principles, support transit, and preserve the City's existing residential neighborhoods.	Partial gap. City's concurrency policies are not tailored toward centers and encouraging development that can support and be supported by transit.	

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MPP-H-1	<u>Plan for housing supply, forms and densities to meet the region's current and projected needs consistent with the Regional Growth Strategy and to make significant progress towards jobs/housing balance.</u>	AH-1 Explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the countywide policy on historic, archaeological, and cultural preservation and with Policy AH-8 regarding displacement. AH-2 Plan to meet their affordable and moderate-income housing needs goal by utilizing a range of strategies that may include a Housing Action Plan and will result in the preservation of existing housing, and the production of new, affordable and moderate- income housing that is safe and healthy. Jurisdictions should consider the availability and proximity of public transportation, governmental and commercial services necessary to support residents' needs, and prioritize density and investment in these areas. AH-3.2 3.2 Each jurisdiction may adopt plans and policies for meeting its affordable and moderate income housing needs in a manner that reflects its unique demographic characteristics, comprehensive plan vision and policies, development and infrastructure capacity, location and proximity to job centers, local workforce, and access to transportation. EC-1.2 Jurisdictions 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 plans and policies and adopted comprehensive plans by: [...] 1.2 Striving for a balance and match of local jobs and local housing;	Policy CD-9.11: Redevelop Bonney Lake's under-developed or vacant sites in a manner that balances providing an array of housing, jobs, retail, recreational, and entertainment opportunities, with the need to respect the scale and form of surrounding properties and neighborhoods. Policy CD-10.1: Encourage the development of a diverse and high quality housing stock that provides a range of housing types (including family and larger-sized units) to accommodate the diverse needs of Bonney Lake's residents through changes in age, family size, and various life changes.	Partial gap. City should consider adding language regarding current and project needs and jobs/housing balance to account for new MPP.	
MPP-H-2	Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.	AH-1 Explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the countywide policy on historic, archaeological, and cultural preservation and with Policy AH-8 regarding displacement. AH-2 Plan to meet their affordable and moderate-income housing needs goal by utilizing a range of strategies that may include a	Policy CD-9.11: Redevelop Bonney Lake's under-developed or vacant sites in a manner that balances providing an array of housing, jobs, retail, recreational, and entertainment opportunities, with the need to respect the scale and form of surrounding properties and neighborhoods.	Double-check with HB 1220 table – city could consider strengthening language to “plan for and accommodate” to comply with new requirements in HB 1220. City could enumerate all listed housing types or stay with general policy language that covers the whole range.	

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		Housing Action Plan and will result in the preservation of existing housing, and the production of new, affordable and moderate- income housing that is safe and healthy. Jurisdictions should consider the availability and proximity of public transportation, governmental and commercial services necessary to support residents’ needs, and prioritize density and investment in these areas. AH-3 Determine the extent of the need for housing affordable for all economic segments of the population, with special attention paid to the historically underserved, both existing and projected for its jurisdiction over the planning period, and shall encourage the availability of housing affordable to all economic segments of the population for each jurisdiction. 3.3 Affordable housing needs not typically met by the private housing market should be addressed through more coordinated countywide and regional approaches/strategies. 3.4 Each jurisdiction may adopt plans and policies for meeting its affordable and moderate income housing needs in a manner that reflects its unique demographic characteristics, comprehensive plan vision and policies, development and infrastructure capacity, location and proximity to job centers, local workforce, and access to transportation. 3.2.1 Jurisdictions with designated regional centers should consider incorporating affordable housing allocations as part of their adopted allocations for these centers. 3.3 Each jurisdiction should plan to accommodate a sufficient supply of permanent supportive housing as defined in RCW 36.70A.030 (16), foster care housing, and those requiring special needs housing (i.e., the elderly, developmentally disabled, chronically mentally ill, physically disabled, homeless, persons participating in substance abuse programs, persons with AIDS, and victims of domestic violence) that is equitably and rationally distributed throughout the County. AH-5 Explore and identify opportunities to reduce land costs for non-profit and for-profit developers to build affordable housing. 5.1 Jurisdictions should explore options to dedicate			

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		or make available below market-rate surplus land and also identify opportunities to assemble, reutilize, and redevelop existing parcels for affordable housing projects. 5.2 All jurisdictions should review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize costs to housing.			
MPP-H-3	Achieve and sustain – through preservation, rehabilitation, and new development – a sufficient supply of housing to meet the needs of low- income, moderate-income, middle-income, and special needs individuals and households that is equitably and rationally distributed throughout the region.	AH-1 Explore and identify opportunities to reutilize and redevelop existing parcels where rehabilitation of the buildings is not cost-effective, provided the same is consistent with the countywide policy on historic, archaeological, and cultural preservation and with Policy AH-8 regarding displacement. AH-3 Determine the extent of the need for housing affordable for all economic segments of the population, with special attention paid to the historically underserved, both existing and projected for its jurisdiction over the planning period, and shall encourage the availability of housing affordable to all economic segments of the population for each jurisdiction. 3.1 Affordable housing needs not typically met by the private housing market should be addressed through more coordinated countywide and regional approaches/strategies. 3.2 Each jurisdiction may adopt plans and policies for meeting its affordable and moderate income housing needs in a manner that reflects its unique demographic characteristics, comprehensive plan vision and policies, development and infrastructure capacity, location and proximity to job centers, local workforce, and access to transportation. 3.2.1 Jurisdictions with designated regional centers should consider incorporating affordable housing allocations as part of their adopted allocations for these centers. 3.3 Each jurisdiction should plan to accommodate a sufficient supply of permanent supportive housing as defined in RCW 36.70A.030 (16), foster care housing, and those requiring special needs housing (i.e., the elderly, developmentally disabled, chronically mentally ill, physically disabled, homeless, persons participating in substance abuse programs, persons with AIDS,	Policy CD-9.11: Redevelop Bonney Lake’s under-developed or vacant sites in a manner that balances providing an array of housing, jobs, retail, recreational, and entertainment opportunities, with the need to respect the scale and form of surrounding properties and neighborhoods. Policy CD-10.2: Encourage the development of special-needs housing, especially for seniors, such as independent living facilities, various degrees of assisted living facilities, and skilled nursing care facilities. Policy CD-10.5: Ensure that there is a sufficient supply of housing affordable to all income levels by maintaining a supply of housing that is currently affordable to median-income, low income and very low-income households, and work to increase the supply of housing affordable to households within Bonney Lake that make eighty percent (80%) of the Pierce County Median Income by 702 housing units^d. ^d Pierce County’s Countywide Planning Policy (CPP) AH-3.3 provides that it should be the goal of every City that a minimum of twenty-five percent of the growth allocated to a jurisdiction is satisfied through affordable housing. CPP-AH-3.1.1 defines “affordable housing” as households making less than eighty percent of the countywide median income. Twenty-five percent of the growth allocated to the City of Bonney Lake by Pierce County pursuant to Ordinance No. 2011-36s as amended by Ordinance No. 2017-24s is 702 housing units.	Partial gap. CPP AH-3.3 no longer states as quoted in the footnote in the comprehensive plan. City should revise policy CD-10.5 to address permanent supportive housing in updated CPPs.	

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		and victims of domestic violence) that is equitably and rationally distributed throughout the County.			
MPP-H-5	Promote homeownership opportunities for low-income, moderate-income, and middle-income families and individuals <u>while recognizing historic inequities in access to homeownership opportunities for communities of color.</u>	AH-7 Support and encourage homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color.	Policy CD-10.5: Ensure that there is a sufficient supply of housing affordable to all income levels by maintaining a supply of housing that is currently affordable to median-income, low income and very low-income households, and work to increase the supply of housing affordable to households within Bonney Lake that make eighty percent (80%) of the Pierce County Median Income by 702 housing units.	Partial gap. City could consider strengthening this policy to specifically refer to homeownership opportunities and historic inequities.	
MPP-H-6	Develop and provide a range of housing choices for workers at all income levels throughout the region in a manner that promotes accessibility to jobs and provides opportunities to live in proximity to work <u>that is accessible to job centers and attainable to workers at anticipated wages.</u>	AH-2 Plan to meet their affordable and moderate-income housing needs goal by utilizing a range of strategies that may include a Housing Action Plan and will result in the preservation of existing housing, and the production of new, affordable and moderate-income housing that is safe and healthy. Jurisdictions should consider the availability and proximity of public transportation, governmental and commercial services necessary to support residents' needs, and prioritize density and investment in these areas. AH-3.2 3.2 Each jurisdiction may adopt plans and policies for meeting its affordable and moderate income housing needs in a manner that reflects its unique demographic characteristics, comprehensive plan vision and policies, development and infrastructure capacity, location and proximity to job centers, local workforce, and access to transportation. EC-1.2 Jurisdictions 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 plans and policies and adopted comprehensive plans by: [...] Striving for a balance and match of local jobs and local housing;	Policy CD-10.5: Ensure that there is a sufficient supply of housing affordable to all income levels by maintaining a supply of housing that is currently affordable to median-income, low income and very low-income households, and work to increase the supply of housing affordable to households within Bonney Lake that make eighty percent (80%) of the Pierce County Median Income by 702 housing units.	Partial gap. City should consider adding clause re: jobs housing balance in response to updates to MPPs and CPPs.	

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MPP-H-7	Expand the supply and range of housing <u>at densities to maximize the benefits of transit investments</u> , including affordable units, in <u>growth centers and station areas</u> throughout the region.	AH-3 Determine the extent of the need for housing affordable for all economic segments of the population, with special attention paid to the historically underserved, both existing and projected for its jurisdiction over the planning period, and shall encourage the availability of housing affordable to all economic segments of the population for each jurisdiction. 3.1 Affordable housing needs not typically met by the private housing market should be addressed through more coordinated countywide and regional approaches/strategies. 3.2 Each jurisdiction may adopt plans and policies for meeting its affordable and moderate income housing needs in a manner that reflects its unique demographic characteristics, comprehensive plan vision and policies, development and infrastructure capacity, location and proximity to job centers, local workforce, and access to transportation. 3.2.1 Jurisdictions with designated regional centers should consider incorporating affordable housing allocations as part of their adopted allocations for these centers. 3.3 Each jurisdiction should plan to accommodate a sufficient supply of permanent supportive housing as defined in RCW 36.70A.030 (16), foster care housing, and those requiring special needs housing (i.e., the elderly, developmentally disabled, chronically mentally ill, physically disabled, homeless, persons participating in substance abuse programs, persons with AIDS, and victims of domestic violence) that is equitably and rationally distributed throughout the County.	Policy CD-10.1: Encourage the development of a diverse and high quality housing stock that provides a range of housing types (including family and larger-sized units) to accommodate the diverse needs of Bonney Lake’s residents through changes in age, family size, and various life changes.	Partial gap. City could consider modifying policy CD-10.1 or creating a new housing policy focused on expanding supply and range of housing specifically within its designated countywide centers.	
MPP-H-8	Promote the development and preservation of <u>long-term affordable housing options in walking distance to transit by implementing zoning, regulations, and incentives.</u>	AH-2 Plan to meet their affordable and moderate-income housing needs goal by utilizing a range of strategies that may include a Housing Action Plan and will result in the preservation of existing housing, and the production of new, affordable and moderate- income housing that is safe and healthy. Jurisdictions should consider the availability and proximity of public transportation, governmental and commercial services necessary to support residents’ needs, and prioritize density and investment in these areas. AH-4 Establish a countywide housing affordability program by an organization capable of long-term consistent coordination of	Policy gap	New MPP. City should consider revising existing policies or creating new policy linking development of long-term affordable housing options to proximity to alternative transportation options.	

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		regional housing planning, design, development, funding, and housing management. All jurisdictions should cooperatively maximize available funding opportunities and leverage private resources in the development of affordable housing for households. 4.1 All jurisdictions should jointly explore opportunities to develop a countywide funding mechanism and the potential for both voter-approved measures (bond or levy), and nonvoter approved sources of revenue to support the development of housing affordable to all economic segments. 4.2 All jurisdictions should jointly pursue state legislative changes to give local jurisdictions the authority to provide tax relief to developers of affordable housing. 4.3 All jurisdictions should explore opportunities to dedicate revenues from sales of publicly owned properties, including tax title sales, to affordable housing projects. 4.4 All jurisdictions should explore the expansion of existing non-profit partnerships, increased coordination with local public housing authorities, a county-wide land trust, as well as future involvement of larger County employers, in the provision of housing assistance for their workers. 4.5 Jurisdictions should evaluate inclusionary or incentive zoning measures as a condition of major rezones and development. 4.6 New fully contained communities- in unincorporated Pierce County shall contain a mix of dwelling units to provide for the affordable and moderate-income housing needs that will be created as a result of the development.			
MPP-H-9	<u>Expand housing capacity for moderate density housing to bridge the gap between single-family and more intensive multifamily development and provide opportunities for more affordable ownership and rental housing that allows more people to live in neighborhoods across the region. Encourage the use of innovative techniques to provide a broader range of housing types for all income levels and housing needs.</u>	AH-2.1 ➤ Jurisdictions should consider adopting reasonable measures and innovative techniques (e.g., moderate density housing, clustering, accessory dwelling units, cottage housing, small lots, planned urban developments, and mixed use) to stimulate new higher- density affordable and moderate-income housing stock on residentially zoned vacant and underutilized parcels. AH-7 ➤ Support and encourage homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color.	Policy gap	MPP-H-9 was totally rewritten to focus on moderate (middle) density housing options, which the City’s current comprehensive plan doesn’t address in policy (except by “range of housing types” reference). Also see HB 1220 table; city will need to respond to the new requirements in the housing element.	

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MPP-H-12	<u>Identify potential physical, economic, and cultural displacement of low- income households and marginalized populations that may result from planning, public investments, private redevelopment and market pressure. Use a range of strategies to mitigate displacement impacts to the extent feasible.</u>	AH-7 ➤ Support and encourage homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color. AH-8 ➤ Jurisdictions should identify potential physical, economic, and cultural displacement of low- income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure, and use a range of strategies to prevent and minimize, the cultural and physical displacement and mitigate its impacts to the extent feasible.	Policy gap	City should consider developing new policy or policies related to countering displacement of low-income households and marginalized populations. This should include homeownership opportunities for lower-income households and communities of color per CPP AH-7.	
H-Action-4 (Local)	<u>Local Housing Needs: Counties and cities will conduct a housing needs analysis and evaluate the effectiveness of local housing policies and strategies to achieve housing targets and affordability goals to support updates to local comprehensive plans. Analysis of housing opportunities with access to jobs and transportation options will aid review of total household costs.</u>	AH-6 Jurisdictions, shall periodically monitor and assess their success in meeting the housing needs to accommodate their 20-year population allocation. 6.1 Jurisdictions should utilize the available data and analyses provided by federal, state, and local sources to monitor their progress in meeting housing demand as part of the required Growth Management Act comprehensive plan update process. 6.2 Countywide housing allocations shall be monitored with each Buildable Lands Report and evaluated to determine if countywide needs are being adequately met; the evaluation should identify all regulatory, programmatic, and financial measures taken to address the allocation need. 6.2.1 Each jurisdiction should provide, if available, the quantity of affordable housing units created, preserved, or rehabilitated since the previous Buildable Lands Report. 6.2.2 Jurisdictions should consider using a consistent reporting template for their evaluations to facilitate the countywide monitoring and assessment. 6.2.3 In conjunction with the Buildable Lands Report, a report should be forwarded from GMCC to the Pierce County Regional Council (PCRC) addressing the progress in developing new affordable housing.	Policy gap	New MPP. City will need to update housing element to comply with AH-6 and HB 1220 (see other table on the latter).	
H-Action-5 (Local)	<u>Affordable Housing Incentives: As counties and cities plan for and create additional housing capacity consistent with the Regional</u>	AH-4.5 4.5 Jurisdictions should evaluate inclusionary or	Policy gap	New MPP. City will need to update housing element to comply with AH-6	

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	<u>Growth Strategy, evaluate techniques such as inclusionary and incentive zoning to provide affordability.</u>	incentive zoning measures as a condition of major rezones and development.		and HB 1220 (see other table on the latter).	
MPP-Ec-7	Foster a supportive environment for business startups, small businesses, and locally owned, <u>and women- and minority-owned</u> businesses to help them continue to prosper.	EC-2.6 2.6 Encouraging programs, in conjunction with other public, quasi-public and private entities, to attract appropriate businesses and industries, particularly those that diversify the economic base and provide living-wage jobs;	Policy EV-3.5: Provide flexibility in land use plans and development regulations to allow the local business community to take advantage of new business trends and opportunities that are consistent with the City’s economic development vision. Policy EV-5.1: Promote economic development as a City priority, tied directly to the City’s ability to serve residents and businesses well. Ensure City staff members have appropriate understanding of the City’s economic development interests and their individual roles in contributing. Policy EV-5.2: Promote a customer-service orientation in development services that facilitates development aligned with the community’s vision and land use regulations. Policy EV-5.3: Clearly establish and communicate the community’s vision for Bonney Lake as a whole, as well as for major sub-geographies, to provide the local business community with clear direction on the appropriateness of various types of development in different parts of the City. Policy EV-5.4: Ensure that taxes, fees, and dedications assessed as part of the development review process do not become an undue obstacle to economic growth. Policy EV-5.5: Enforce development regulations in a consistent, objective manner, encouraging and facilitating investment that adheres to these policies. Policy EV-5.6: Promote public understanding of the City’s positive development climate and desire for business investment, both within the	Partial gap. Consider adding policy language to one or more of the policies under Goal EV-5 focusing on women- and minority-owned businesses in accordance with revised MPP EC-7.	

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			local business community and for the public. Policy EV-5.7: Consider the use of organizational and financial tools to leverage private sector resources in accomplishing the city's economic development and land use vision. POLICY EV-5.8: Facilitate economic development in commercial areas through public/private partnerships if the activity is consistent with the city's adopted policies, if there is a compelling public benefit, and if there is an acceptable level of risk.		
MPP-Ec-9	Promote economic activity and employment growth that creates widely shared prosperity and sustains a diversity of family living-wage jobs for the region's residents.	EC-2.6 2.6 Encouraging programs, in conjunction with other public, quasi-public and private entities, to attract appropriate businesses and industries, particularly those that diversify the economic base and provide living-wage jobs; EC-4.9 4.9 Identifying, supporting, and leveraging the retention of key regional and local assets to the economy unique to our region's position as an international gateway, such as seaports, airports, educational facilities, research institutions, health care facilities, military installations, long-haul trucking facilities, and manufacturing facilities; and	Policy CD-3.1: Develop Eastown with 1) architectural detail suitable for automobile orientation along SR-410, 2) internal and, if possible external pedestrian connections, and 3) preference for business park or campus-scale development. Policy CD-9.8: Encourage partnerships between the City and the private sector to undertake joint public-private development. Policy EV-1.1: Recruit business enterprises that will provide residents with employment wages at or above county median income levels. Policy EV-1.6: Identify and encourage programs that will reduce the cap between wages paid and the Self Sufficiency Standard.	City policies basically address this, but given the uncertainties in determining the number of families that do not meet the City's Self Sufficiency Standard, the City could consider taking advantage of recent scholarship on living wage standards to update or replace this measure in the plan text on page 4-8 of the Economic Vitality Element.	
MPP-Ec-12	<u>Identify potential physical, economic, and cultural displacement of existing businesses that may result from redevelopment and market pressure. Use a range of strategies to mitigate displacement impacts to the extent feasible.</u>	AH-8-AH-8.1 ➤ Jurisdictions should identify potential physical, economic, and cultural displacement of low- income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure, and use a range of strategies to prevent and minimize, the cultural and physical displacement and mitigate its impacts to the extent feasible. Metropolitan Cities, Core Cities, and High-Capacity Transit Communities will develop and implement strategies to address displacement in coordination with the populations identified of being at risk of	Policy gap	City should consider adding a policy or policies addressing physical, economic, and cultural displacement of existing businesses per new MPP and updated CPPs.	

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		displacement, including residents, local community groups, and neighborhood-based small business owners. EC-4 & sub-policies ➤ Work to strengthen existing businesses and industries and to add to the diversity of economic opportunity and employment by: ○ Assisting in maintaining a viable market for existing businesses; ○ Utilizing public financing mechanisms, where appropriate, to strengthen existing businesses; ○ Making information, technical assistance, and loans available for business expansion, innovation, and job creation; ○ Protecting existing viable businesses from incompatible neighbors and from displacement; ○ Streamlining permit processing; ○ Striving to maintain adequate public facilities and service levels; ○ Evaluating regulatory and other constraints to business investment and operations and minimizing the effect of such constraints; ○ Supporting the contributions of the region's and county's culturally and ethnically diverse communities in fostering local businesses and helping the region and the county continue to expand its international economy; ○ Identifying, supporting, and leveraging the retention of key regional and local assets to the economy unique to our region's position as an international gateway, such as seaports, airports, educational facilities, research institutions, health care facilities, military installations, long-haul trucking facilities, and manufacturing facilities; and ○ Supporting the regional food economy including the production, processing, wholesaling, and distribution of the region's agricultural food and food products to all Pierce County communities. Emphasize improving access for those communities with limited healthy, affordable, culturally-relevant food options.			
MPP-Ec-14	Foster appropriate and targeted economic growth in distressed areas <u>with low and very low access to opportunity to improve access to create economic opportunity for current and</u>	EC-2.11, 2.12 Promote diverse economic opportunities for all citizens of the County, especially the unemployed, disadvantaged persons, minorities and small businesses. Where appropriate, the	Policy CD-9.8: Encourage partnerships between the City and the private sector to undertake joint public-private development.	Partial gap. City could consider adding language to existing policies specifically targeting low and very low access to opportunity.	

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	future residents of these areas.	following measures are examples of actions that may be used to accomplish this policy: [...] 2.11 Steering investments to community and economic development initiatives that elevate economic opportunity for those communities most marginalized and impacted by disinvestment and economic disruptions; or 2.12 Fostering opportunities and a supportive environment for business startups, small businesses, and women- and minority-owned businesses. EC-4 Work to strengthen existing businesses and industries and to add to the diversity of economic opportunity and employment by: 4.1 Assisting in maintaining a viable market for existing businesses; 4.2 Utilizing public financing mechanisms, where appropriate, to strengthen existing businesses; 4.3 Making information, technical assistance, and loans available for business expansion, innovation, and job creation; 4.4 Protecting existing viable businesses from incompatible neighbors and from displacement; 4.5 Streamlining permit processing; 4.6 Striving to maintain adequate public facilities and service levels; 4.7 Evaluating regulatory and other constraints to business investment and operations and minimizing the effect of such constraints; 4.8 Supporting the contributions of the region's and county's culturally and ethnically diverse communities in fostering local businesses and helping the region and the county continue to expand its international economy; 4.9 Identifying, supporting, and leveraging the retention of key regional and local assets to the economy unique to our region's position as an international gateway, such as seaports, airports, educational facilities, research institutions, health care facilities, military installations, long-haul trucking facilities, and manufacturing facilities; and 4.10 Supporting the regional food economy including the production, processing, wholesaling, and distribution of the region's agricultural food and food products to all Pierce County communities. Emphasize improving access for those	Policy EV-1.4: Work with other public agencies and private interests to promote daycare services and facilities for pre-school children, before and after school latchkey children, and special populations including elderly and handicapped adults to support working household members. Policy EV-3.4: Actively promote investment and business recruitment to strengthen Bonney Lake's position in sectors that have significant growth potential, such as professional services and medical office.		

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		communities with limited healthy, affordable, culturally-relevant food options.			
MPP-Ec-15	Support and recognize the contributions of the region's culturally and ethnically diverse communities and Native Tribes, including in helping the region continue to expand its international economy.	EC-4 Work to strengthen existing businesses and industries and to add to the diversity of economic opportunity and employment by: [...] 4.8 Supporting the contributions of the region's and county's culturally and ethnically diverse communities in fostering local businesses and helping the region and the county continue to expand its international economy;	Policy gap	City's Economic Vitality policies offer broad support to communities but does not specifically support culturally and ethnically diverse communities. Consider adding policy language to this effect.	
Ec-Action-5 (Local)	<u>Economic Development Elements: Cities and counties will update (or adopt) their economic development element – tailored to meet the jurisdiction's unique needs and leveraging public investments – as specified in the Growth Management Act, when conducting the expected 2023/24 comprehensive plan update.</u>	See EC policies	City will need to update or adopt the Economic Vitality element.		
MPP-T-7	<u>Fund, complete, and operate the highly efficient, multimodal system in the Regional Transportation Plan to support the Regional Growth Strategy. Coordinate WSDOT, regional, and local transportation agencies, in collaboration with the state legislature, to build the multimodal system. Coordinate state, regional, and local planning efforts for transportation through the Puget Sound Regional Council to develop and operate a highly efficient, multimodal system that supports the Regional Growth Strategy.</u>	TR-1 ➤ Promote a sustainable and coordinated multi-modal transportation system that aligns with the Regional Transportation Plan and the Regional Growth Strategy and provides current and future generations with transportation infrastructure and services that offer mobility for all users in an equitable, efficient, clean, and cost effective manner. [...] 1.2 Jurisdictions shall consider the interrelationship of their transportation and land use planning and implementation on neighboring jurisdictions' transportation systems. 1.2.1 Coordinate roadway functional classifications across jurisdictional lines and promote predictability in design and character of roadways. 1.3 Identify solutions to address deficiencies on regional facilities, including collaboration with the Washington State Department of Transportation (WSDOT) when the deficiency is on a State Highway. TR-6.1.1 ➤ Prioritizing multimodal transportation improvements to support the land development patterns of the Regional Growth Strategy, especially within Regional Growth Centers and Manufacturing/Industrial Centers and on corridors serving these Centers.	Policy CD-6.2: Improvements to corridors should be appropriate to the scale and character of each street, reflecting their traffic volumes and intended functions. Policy CD-6.8: Develop key "multi-modal" corridors that accommodate multiple modes of transportation that connect Bonney Lake's neighborhoods and centers, enhance the City's civic identity, encourage transit use, reduce vehicle miles traveled, provide comfortable walking and bicycling environments, and project a positive image of the city. Policy CM-2.1: Design major streets to balance the needs of automobiles with the needs of pedestrians, bicyclists, and transit users. Over time, key Bonney Lake's corridors should evolve into multi-modal streets that offer safe and attractive choices among different travel modes. Policy CM-4.3: Work with Pierce	Policies may need to be updated to account for changes in language/focus in the Regional Growth Strategy and Regional Transportation Plan.	

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			County to have streets within annexation areas constructed to City standards and in good repair. Require a funding and implementation program for their reconstruction as a condition of annexation, if the streets in an annexation area are substandard. Policy CM-7.7: Manage traffic on arterials and collectors to reduce unnecessary travel delays and maintain efficient vehicle flow. However, auto speed and convenience may be diminished in some locations in order to achieve a livable, walkable, and attractive community. Policy CM-8.1: Participate in regional transportation and land use planning efforts, including programs to balance jobs and housing, manage congestion, address auto-related emissions and greenhouse gases, and reduce the share of the region's trips made by single occupant vehicles. Policy CM-8.4: Coordinate with Pierce County, Buckley, Puyallup, Sumner, and other nearby jurisdictions and local public agencies to ensure compatible plans and road development standards and to coordinate major transportation investments. This should include coordination with both the Sumner and White River School Districts on the provision of school bus service and school-related traffic issues.		
MPP-T-9	Implement transportation programs and projects <u>that provide access to opportunities while preventing or mitigating in ways that prevent or minimize negative impacts to people of color, people with low- income, minority, and people with special transportation needs populations.</u>	Tr-4 and sub-policies ➤ Consider, whenever feasible, equity, inclusion, and access to opportunity when developing and implementing programs and actions. ○ Prioritize investments for historically underserved populations to improve affordable and convenient access to jobs, education, health care, social services, recreation, and culture. ○ 4.1.1 Target active transportation and transit investments in communities of color and areas with higher concentrations of low-income, non-English speaking, seniors, youth, and disabled	Policy CM-2.5: Require the provision of sidewalks in all new development, including infill development and redevelopment, to complete the City's sidewalk network. Sidewalks shall be required on both sides of all public streets, except in hillside areas where a single sidewalk may be adequate. Sidewalks and direct pedestrian connections between uses should also be provided in parking lots.	Partial gap. Consider development of a new policy to address equity in the development or maintenance of the transportation system.	

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		populations. - Consider current and past inequities in infrastructure development when planning and programming new investment. - Consider using PSRC's Opportunity Index and/or the Countywide Equity Index, when adopted, to identify underserved communities in order to prioritize transportation improvements and service delivery. - Mitigate negative impacts of the transportation system on historically underserved communities when developing plans and programs. - Develop plans to meet Americans with Disabilities Act (ADA) requirements and guidance, including facilitating ease of access for the disability community and retrofitting non-compliant sidewalks and walkways. - Coordinate with tribal governments on joint planning and project implementation consistent with the policies under the Tribal Consultation, Coordination, and Lands Compatibility Chapter.	Policy CM-2.6: Recognize the mobility needs of the underserved populations and work to improve transportation choices in low-income and older neighborhoods. Policy CM-5.1: Design and construct roads and other transportation facilities to minimize adverse impacts upon noise levels, air quality, surface water runoff, drainage patterns, and environmentally critical areas and fit the character of the neighborhoods through which they pass. Policy CM-5.2: Where determined necessary, incorporate sound absorption devices, landscaping, earthen berms and other natural or artificial features that help mitigate adverse noise, light and glare impacts generated by surface transportation facilities. Policy CM-5.9: Provide public forums to encourage public participation in transportation-related decisions. Policy CM-7.6: Design and construct transportation facilities that prevent or minimize impacts to residential areas, while maintaining the street grid for access and circulation. Policy CM-8.1: Participate in regional transportation and land use planning efforts, including programs to balance jobs and housing, manage congestion, address auto-related emissions and greenhouse gases, and reduce the share of the region's trips made by single occupant vehicles.		
MPP-PS-2	<u>Promote affordability and equitable access of public services to all communities, especially the historically underserved. Prioritize investments to address disparities.</u>	H-4 Meaningfully engage and empower all people, particularly the underserved, in planning for communities. This may include: 4.1 Increasing familiarity with health data, community-based/grassroots organizations, social and environmental determinants of health, and health inequities; 4.2 Making special efforts to outreach and	Policy CFS-1.6: General government services and operations should be centralized at a single, compact municipal campus in the Downtown Civic Center or in the Eastown Public Works Center, to the extent practically feasible.	Partial gap. Existing policies address physical accessibility, but as this is a new MPP in the equity/underserved communities category, the City should consider adding policy language that address prioritization of investment in services to address disparities in access.	

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		understand community needs and the aspirations of underserved populations; 4.3 Working with populations experiencing health disparities and strengthen their capacity for collective efficacy; 4.4 Including special needs and diverse populations representative of your jurisdiction demographics or historically underserved; or 4.5 Helping communities understand how short- and long-range policy, land use, infrastructure, and other decisions affect the public health of the entire community, and how to effectuate ongoing positive health outcomes. TR-4.1 TR-4 Consider, whenever feasible, equity, inclusion, and access to opportunity when developing and implementing programs and actions. 4.1 Prioritize investments for historically underserved populations to improve affordable and convenient access to jobs, education, health care, social services, recreation, and culture. 4.1.1 Target active transportation and transit investments in communities of color and areas with higher concentrations of low-income, non-English speaking, seniors, youth, and disabled populations. TR-4.2 4.2 Consider current and past inequities in infrastructure development when planning and programming new investment. TR-4.3 4.3 Consider using PSRC's Opportunity Index and/or the Countywide Equity Index, when adopted, to identify underserved communities in order to prioritize transportation improvements and service delivery. CU-3 Design transportation projects and other infrastructure to achieve community development objectives and improve the community.			
MPP-PS-12	Use innovative and state-of-the-art design and techniques when replacing septic tanks to restore and improve environmental quality.	Crosswalk table shows no CPPs for this MPP	Policy gap	Consider adding a policy encouraging innovative design when replacing septic tanks.	

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		20.1.3 Tsunamis; 20.1.4 Flooding; 20.1.5 Lahars; 20.1.6 Fires; 20.1.7 Windstorms; 20.1.8 Winter storms; 20.1.9 Terrorism; 20.1.10 Cyberattacks; and 20.1.11 Climate change impacts. 20.1.12 TR-4.1 4.1 Prioritize investments for historically underserved populations to improve affordable and convenient access to jobs, education, health care, social services, recreation, and culture. TR-4.2 4.2 Consider current and past inequities in infrastructure development when planning and programming new investment. TR-4.3 4.1 Consider using PSRC's Opportunity Index and/or the Countywide Equity Index, when adopted, to identify underserved communities in order to prioritize transportation improvements and service delivery. TR-4.4 4.4 Mitigate negative impacts of the transportation system on historically underserved communities when developing plans and programs.			
MPP-PS-21	Identify and develop additional water supply sources to meet the region's long-term water needs, recognizing <u>Consider the potential impacts on water supply from of climate change and fisheries protection on the region's water supply.</u>	Crosswalk table shows no CPPs for this MPP	Policy gap	City should consider adding climate change policy language related to the effects of climate change on water supply under Goal CFS-8.	
MPP-PS-23	Promote coordination among local and tribal governments and water providers and suppliers to meet long-term water needs in the region in a manner that supports the region's growth strategy.	TR-4.6 4.6 Coordinate with tribal governments on joint planning and project implementation consistent with the policies under the Tribal Consultation, Coordination, and Lands Compatibility Chapter.	Policy gap	City should consider adding policies on coordination with tribal governments and water providers. This should be cross-checked against the HB 1717 compliance table.	

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MPP-PS-29	Site or expand regional capital facilities in a manner that (1) reduces adverse social, environmental, and economic impacts on the host community, <u>especially on historically marginalized communities</u> , (2) equitably balances the location of new facilities <u>away from disproportionately burdened communities</u> , and (3) addresses regional planning objectives.	TR-4.2 4.2 Consider current and past inequities in infrastructure development when planning and programming new investment. TR-4.4 4.4 Mitigate negative impacts of the transportation system on historically underserved communities when developing plans and programs. C-11 ➤ Agencies should coordinate efforts and cooperate in the development of Centers to ensure that services and infrastructure are designed to promote physical, mental, and social health in both the natural and built environments. ENV-39.6 39.6 Reducing air toxics emissions through freight infrastructure investment, diesel retrofits, woodstove change-out programs, and various community-scale projects; or ENV-40.1.2 40.1 Consider planning actions and implementing regulations to address impacts from climate change, such as: [...] 40.1.2 Requiring the incorporation of climate resiliency measures in all new development, especially new critical infrastructure and public facilities; and	Policy gap	City should consider adding one or more policies to the Community Facilities and Services element on siting of regional capital facilities especially related to the factors added to MPP-PS-29.	

2021/2022 STATE LAW CHANGES – BILL COMPARISON TABLE

HOUSE BILL 1220 (2021 session)

House Bill 1220 language	Summary of State Law changes	Bonney Lake Comprehensive Policies/regulations that fully or partially implements the new or revised statutes	High level comments/suggested action for 2024 Comprehensive Plan update	Actions taken
Only the portions of bill sections with changes shown. Section and page numbers are provided to indicate where changes may be found within the bill (session law version)		Related Bonney Lake Comprehensive Plan policies/regulations	Recommended New/Revised Policies and/or code sections to review	
Section 1 - Page 2 - RCW 36.70A.020(4) Housing. Encourage the availability of affordable Plan for and accommodate housing affordable 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.	Modifies Growth Management Act (GMA) – Goal 4. Provides more direct language. Encourage vs. plan for and accommodate. The term “affordable” to add additional emphasis although previous language already covered affordable housing.	Goal CD-2: Develop dynamic and vibrant centers accommodating housing, shopping, services, civic activities, entertainment facilities, and recreational opportunities in a manner that harmoniously blends the natural and built environments. Policy CD-2.1: Local centers take a variety of forms. Some may be characterized by predominantly retail uses, while others may contain a more varied mix of activities including commercial, office, residential, parks, community centers, other civic facilities, and education facilities. Bonney Lake will maintain a variety of centers within the City that meet a range of neighborhood, citywide, and regional needs based on the following hierarchy: – Downtown, which will accommodate pedestrian-oriented retail uses, uses that serve residents and employees, and specialty and “niche” activities such as entertainment, outdoor dining, and civic uses. – Midtown, which will accommodate a variety uses including high density residential, offices, restaurants, large regional grocery stores, specialty retail stores, and regional shopping centers. – Lake Tapps , which will primarily accommodate recreational and residential uses. Smaller shopping centers and local-serving retail and service uses along major thoroughfares would be supported; however, new large-footprint retail uses are	The city has numerous policies focused on providing a variety of housing types at all income levels. Goal CD-10 and policies 10.1 and 10.2 are specifically focused on providing a wide variety of housing types. The city could consider modifying goals and policies such as Goal CD-10 and policies 10.1 and 10.2 to sync up with the newly revised terminology. Modify language from terms such a “provide” or “encourage” to “plan for and accommodate”. Similar changes could be considered for other housing policies where terms such as “accommodate”, “encourage”, or “provide” are utilized. NOTE: This is a planning Goal, not a planning element which is required to be implemented. However, this language is consistent with changes below and policy changes suggested because of new or revised regional policies. Therefore, the policy suggestion was provided.	

House Bill 1220 language	Summary of State Law changes	Bonney Lake Comprehensive Policies/regulations that fully or partially implements the new or revised statutes	High level comments/suggested action for 2024 Comprehensive Plan update	Actions taken
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		inappropriate in such areas. Policy CD-2.2: Encourage the development of mixed-use, senior housing, high density residential, and public services uses such as education, health care, libraries, child care, governmental facilities in the centers to create vibrant activity nodes, provide housing choices, advance sustainable development principles, support transit, and preserve the City’s existing residential neighborhoods. Policy CD-4.3: Allow schools, day care centers, senior centers, group homes, public and semi-public facilities (e.g., churches), and nursing care facilities in residential areas, subject to conditions which limit the impacts of these uses on nearby properties. To the extent permitted by state and federal law, conditions of approval may be placed on such uses to ensure that they are operated in a manner that is sensitive to neighborhood concerns, and that maintains residents’ quality of life. In addition, such 2-27 Comprehensive Plan uses should be sited in a way that minimizes the exposure of future occupants to noise, localized air pollution sources, and other environmental hazards. Goal CD-10: Provide a variety of housing options that will meet the needs of all Bonney Lakes residents and are affordable to all economic segments of Bonney Lake. Policy CD-10.1: Encourage the development of a diverse and high-quality housing stock that provides a range of housing types (including family and larger-sized units) to accommodate the diverse needs of Bonney Lake’s residents through changes in age, family size, and various life changes. Policy CD-10.2: Encourage the development of special-needs housing, especially for seniors, such as independent living facilities, various degrees of assisted living facilities, and skilled nursing care facilities. Policy CD-10.3: Actively promote community awareness and education campaigns regarding affordable housing in order to engender		

House Bill 1220 language	Summary of State Law changes	Bonney Lake Comprehensive Policies/regulations that fully or partially implements the new or revised statutes	High level comments/suggested action for 2024 Comprehensive Plan update	Actions taken
Only the portions of bill sections with changes shown. Section and page numbers are provided to indicate where changes may be found within the bill (session law version)		Related Bonney Lake Comprehensive Plan policies/regulations	Recommended New/Revised Policies and/or code sections to review	
		acceptance throughout the community. Policy CD-10.4: Explore methods and partnerships to reduce the costs associated with developing housing. Policy CD-10.5: Ensure that there is a sufficient supply of housing affordable to all income levels by maintaining a supply of housing that is currently affordable to median-income, low income and very low-income households, and work to increase the supply of housing affordable to households within Bonney Lake that make eighty percent (80%) of the Pierce County Median Income by 702 housing Units. Policy CD-10.6: Actively participate in regional responses to housing needs and issues. Policy CD-10.7: Allow the use of recreational vehicles (RVs) as a primary residence within mobile home parks when all applicable regulations can be satisfied. Policy CD-10.8: Allow manufactured homes in all residential zones that allow single-family residences. Policy CD-10.9: Regulate residential structures occupied by persons with handicaps no differently than similar residential structures occupied by a family or unrelated individuals.		
Section 2 – Pages 3-5 RCW36.70A.070(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth, as provided by the department of commerce, including: <u>(i) Units for moderate, low, very low, and extremely low-income households; and</u> <u>(ii) Emergency housing, emergency shelters, and permanent supportive housing;</u> (b) includes <u>Includes</u> a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences, <u>and within an urban growth area boundary, moderate density housing options including but not limited to, duplexes, triplexes, and townhomes;</u> (c) identifies <u>Identifies</u> sufficient <u>capacity of</u> land for housing((,)) including, but	Modifies existing House Element requirements under the Growth Management Act (GMA). - Provides additional specificity regarding the housing types of cities and counties must plan and provide sufficient capacity for. - Provides additional specificity regarding various incomes levels housing must be planned and capacity provided for. - Requires review for policies	The city has numerous policies and implementing regulations which implement House Element requirements contained within the GMA. See section to the right which provides an analysis on each subsection of Section 2 of HB 1220.	The following outlines preliminary comments and suggested actions for the 2024 Comprehensive Plan update. Please note that: Many of the issues addressed in HB 1220 have also been addressed through new and revised policies in Vision 2050 and the updated Countywide Planning Policies. Suggestions here should be cross walked with policy/regulations changes from implementation of those policies. Implementation of new regional policies should address much of what is required in 1220.	

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not limited to, government-assisted housing, housing for low-income families moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, and group homes and, foster care facilities, emergency housing, emergency shelters, permanent supportive housing, and within an urban growth area boundary, consideration of duplexes, triplexes, and townhomes; and (d) makes <u>Makes</u> adequate provisions for existing and projected needs of all economic segments of the community, including: (i) Incorporating consideration for low, very low, extremely low, and moderate-income households; (ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations; (iii) Consideration of housing locations in relation to employment location; and (iv) Consideration of the role of accessory dwelling units in meeting housing needs; (e) Identifies local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including: (i) Zoning that may have a discriminatory effect; (ii) Disinvestment; and (iii) Infrastructure availability; (f) Identifies and implements policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions; (g) Identifies areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments; and (h) Establishes antidisplacement policies, with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing. In counties and cities subject to the review and evaluation requirements of RCW 36.70A.215, any revision to the housing element shall include consideration of prior review and evaluation reports and any reasonable measures identified. <u>The housing element should link jurisdictional goals with overall county goals to ensure that the housing element goals are met.</u>	and regulations that create racially disparate impacts and displacement. - Requires identification of new policies and regulations to undo racially disparate impacts, including displacement and exclusionary zoning. - Requires identification of areas that may be subject to displacement by market forces. - Requires new anti-displacement policies with consideration given to the preservation of historical and cultural communities as well as investments in low, very low, extremely low, and moderate income housing; equitable development initiatives; inclusionary zoning; community planning requirements; tenant protections; land disposition policies; and consideration of land that may be used for affordable housing.		2) The Department of Commerce will be issuing HB 1220 guidance later in 2022. More specific ways of addressing new Housing Element requirements will be known when that guidance is provided. Any new revised polices should also be checked against the Commerce study. The record built for the Comprehensive Plan update should reflect the analysis completed. Analysis on each section amended: (a) When completing your updated Housing Needs Analysis, the specific housing types listed should be included in addition to those outlined within the GMA Rules. (b) In review of existing policies, no new polices should be required as part of 1220. However, the city could provide more specificity in Policy CD 10.1 and specifically mention moderate housing options. (c) Existing policies could be updated to provide more specificity on the types of housing types being planned for. Consider utilizing the terms “plan for” and “accommodate” in policies to implement updated GMA goal language. The Comprehensive Plan update record should outline how you are meeting (c). More should be known about the city responsibilities as Commerce guidance is issued (d) All the housing types identified in (d) were already covered under the language which pre-existed “adequate provisions for existing and projected needs of all economic	

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			segments of the community.” Consider adding more specific language to identify the housing types listed or develop the record to show how the existing broad policies meet this goal. (e) Based on forthcoming Commerce guidance, complete a short analysis of policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing. Proposed new or modified policies and regulations could result from this analysis. If not, documentation would be provided in the record. (f) Based on forthcoming Commerce guidance, complete a short analysis of policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions. Policy or regulation changes may or may not be necessary. (g) The updated HNA may be able to identify areas that are at higher risk for displacement. The City could consider new displacement policies and regulations to mitigate the impact of displacement (as required by (h) (h) See (g) above.	
Section 3 – Pages 11-12 <u>RCW 35A.21 A code city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a code city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones</u>	New section prohibits cities from prohibiting transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed except where an ordinance authorizing indoor	Currently, it does not appear there are any policies transitional housing or permanent supportive housing.	The following is predicated on the city not having an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit has been adopted. If the city does have this, it should be documented for the	

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<u>within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).</u>	emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit has been adopted. Occupancy, spacing, and intensity of use requirements are also provided		Comprehensive Plan update record. Specific policies could be developed to provide guidance for how these uses are to be provided for in Title 18. Documentation should also be provided highlight how the city's project need for this type of housing is being met. Commerce should be provide guidance on this in 2022 – CPPs may also be updated with targets for housing. Several of the uses listed are mentioned as Essential Public Facilities in BLMC 18.08. The uses/definitions may need to be expanded to include all the uses listed in the new legislation. Allowed zones allowed may need to be expanded to those where hotels and other residential uses are allowed. Special development standards may need to be prepared. Changes should be linked to policy amendments.	
Section 4 – Page 12 <u>RCW 35.21A A city shall not prohibit transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed. Effective September 30, 2021, a city shall not prohibit indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed, except in such cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within a one-mile proximity to transit. Reasonable occupancy, spacing, and intensity of use requirements may be imposed by ordinance on permanent supportive housing, transitional housing, indoor emergency housing, and indoor emergency shelters to protect public health and safety. Any such requirements on occupancy, spacing, and intensity of use may not prevent the siting of a sufficient number of permanent supportive housing, transitional housing, indoor emergency housing, or indoor emergency shelters necessary to accommodate each city's projected need for such housing and shelter under RCW 36.70A.070(2)(a)(ii).</u>	Same comments as Section 3.			

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Section 5 – Page 12-13 RCW 36.70A.390 A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal. This section does not apply to the designation of critical areas, agricultural lands, forestlands, and mineral resource lands, under RCW 36.70A.170, and the conservation of these lands and protection of these areas under RCW 36.70A.060, prior to such actions being taken in a comprehensive plan adopted under RCW 36.70A.070 and implementing development regulations adopted under RCW 36.70A.120, if a public hearing is held on such proposed actions. <u>This section does not apply to ordinances or development regulations adopted by a city that prohibit building permit applications for or the construction of transitional housing or permanent supportive housing in any zones in which residential dwelling units or hotels are allowed or prohibit building permit applications for or the construction of indoor emergency shelters and indoor emergency housing in any zones in which hotels are allowed.</u>	Limits application of moratoria on certain permit types	Not applicable	This could be an issue to address through updated regulations or just noted for the record.	

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Section 6 – Page 14-15 RCW 36.70A.030 <u>(9) "Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.</u> <u>(10) "Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.</u> <u>(18) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is at or below 20 percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.</u>	Section 6 adds three additional definitions to RCW 36.70A.030. This section currently has 31 separate definitions for terms utilized within the GMA.	Not applicable.	Review new definitions as policies are amended or included that address these topics. These terms could also be utilized in the Land Use Matrix - BLMC 18.08 if new uses are added or existing ones are modified. Definitions could be utilized in BLMC 18.04. Not required.	

2021/2022 STATE LAW CHANGES – BILL COMPARISON TABLE

HOUSE BILL 1717 (2022 session)

House Bill 1717 language	Summary of State Law changes	High level comments/suggested action for 2024 Comprehensive Plan update	Actions taken
Only the portions of bill sections with changes shown. Section and page numbers are provided to indicate where changes may be found within the bill (session law version)			
Section 1 - Page 5-6 - RCW 36.70A.40(8) <u>A federally recognized Indian tribe may voluntarily choose to participate in the county or regional planning process and coordinate with the county and cities that are either required to comply with the provisions of this chapter pursuant to subsection (1) of this section or voluntarily choose to comply with the provisions of this chapter pursuant to subsection (2) of this section. Collaboration and participation is a nonexclusive exercise of coordination and cooperation in the planning process and failure to exercise discretionary collaboration and participation shall not limit a party's standing for quasi-judicial or judicial review or appeal under this chapter.</u> <u>(a) Upon receipt of notice in the form of a tribal resolution from a federally recognized Indian tribe whose reservation or ceded lands lie within the county, which indicates the tribe has a planning process or intends to initiate a parallel planning process, the county, cities, and other local governments conducting the planning under this chapter shall enter into good faith negotiations to develop a mutually agreeable memorandum of agreement with such tribes in regard to collaboration and participation in the planning process. If a mutually agreeable memorandum of agreement cannot be reached between the local government and such tribes, the local government shall enter mediation with such tribes for a period not to exceed days, which shall be arranged by the department using a suitable expert to be paid by the department. If a mutually agreeable memorandum of agreement is not reached at the conclusion of the mediation period, the period shall be extended for one additional period not to exceed days, upon written notice to the department by one or more parties. If a mutually agreeable memorandum of agreement cannot be reached at the end of the mediation period or the extended mediation period, the parties shall have no further obligation to develop a memorandum of agreement. Inability to reach a mutually agreeable memorandum of agreement shall not preclude a tribe from providing notice as described in this subsection (8)(a) in subsequent planning processes.</u> <u>(b) Nothing in this subsection, any other provision in this chapter, or a tribe's decision to become a participating tribe for planning purposes, shall affect, alter, or limit in any way a tribe's authority, jurisdiction, or any treaty or other rights it may have by virtue of its status as a sovereign Indian tribe.</u> <u>(c) Nothing in this subsection or any other provision in this chapter shall affect, alter, or limit in any way a local government legislative body's authority to adopt and amend comprehensive land use plans and development regulations in accordance with this chapter.</u> Section 2 – Page 6 RCW 36.70A.085(3) <u>Port elements adopted under subsections (1) and (2) of this section must be developed collaboratively between the city and, the applicable port, and the applicable tribe, which shall comply with RCW 36.70A.040(8), and must establish policies and programs that:</u>	A federally recognized Indian tribe may voluntarily choose to participate in the City of Bonney Lake Comprehensive Plan process. Upon receipt of notice in the form of a tribal resolution from a federally recognized Indian tribe whose reservation or ceded lands lie within the county, which indicates the tribe has a planning process or intends to initiate a parallel planning process, the city conducting the planning under this chapter shall enter into good faith negotiations to develop a mutually agreeable memorandum of agreement with such tribes in regard to collaboration and participation in the planning process.	There are no reservations located within the city. However, the Department of Commerce has advised that the city should coordinate with the Puyallup, Nisqually, Squaxin Island, and Muckleshoot Indian tribes (see attached maps) as ceded lands from these Tribes may lie within city limits. Further coordination with Commerce may be needed to determine the process and timing for when a Tribe would send a tribal resolution and how the process gets initiated (state or city). It would be important to know early in the process if the city is going to enter into a mutually agreeable memorandum of agreement with one or more tribes about collaboration and participation in the planning process. New policies would not be required with this section. However, Vision 2050 does include Tribal coordination therefore these new requirements could be synced up with implementation of regional policies and look at opportunities for coordination on important planning processes.	
	Requires Port Elements to be synced with Section 1 above	Not applicable to the given there is not a port and the city has not adopted a Port Element.	

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Section 3 – Page 8 RCW 36.70A.106(3)(c) A federally recognized Indian tribe may request to receive from the department copies of notices received from cities or counties under this section. <u>Upon receipt of a submittal from a city or county under this section, the department shall forward the submittal to any tribe that has requested notification.</u>	Department of Commerce will send copies of notices and submittals to a federally recognized Indian tribe that requests such notice.	No action needed unless the City decides to proactively send copies of notices to identified Tribes who have requested notification.	
Section 4 – Page 9 RCW 36.70A.110(1) Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350. <u>When a federally recognized Indian tribe whose reservation or ceded lands lie within the county or city has voluntarily chosen to participate in the planning process pursuant to RCW 36.70A.040, the county or city and the tribe shall coordinate their planning efforts for any areas planned for urban growth consistent with the terms outlined in the memorandum of agreement provided for in RCW 36.70A.040(8).</u>	When a federally recognized Indian tribe whose reservation or ceded lands lie within the city and has voluntarily chosen to participate in the planning process pursuant to RCW 36.70A.040, the city and the tribe shall coordinate planning efforts for any areas planned for urban growth consistent with the terms outlined in the memorandum of agreement provided for in RCW 36.70A.040(8). There are no reservations located within the city. However, the Department of Commerce has advised that the city should coordinate with the Puyallup, Nisqually, Squaxin Island, and Muckleshoot Indian tribes (see attached maps) as ceded lands from these Tribes may lie within city limits.	There are no reservations located within the city. However, the Department of Commerce has advised that the city should coordinate with the Puyallup, Nisqually, Squaxin Island, and Muckleshoot Indian tribes (see attached maps) as ceded lands from these Tribes may lie within city limits. Further coordination with Commerce may be needed to determine the process and timing for when a Tribe would send a tribal resolution and how the process gets initiated (state or city). It would be important to know early in the process if the city is going to enter into a mutually agreeable memorandum of agreement with one or more tribes about collaboration and participation in the planning process. New policies would not be required with this section. However, Vision 2050 does include Tribal coordination therefore these new requirements could be synced up with implementation of regional policies and look at opportunities for coordination on important planning processes.	
Section 5 – Page 13 and 14 RCW36.70A.190(6) The department shall provide services to facilitate the timely resolution of disputes between a federally recognized Indian tribe and a city or county. <u>(a) A federally recognized Indian tribe may request the department to provide facilitation services to resolve issues of concern with a proposed comprehensive plan and its development regulations, or any amendment to the comprehensive plan and its development regulations.</u> <u>(b) Upon receipt of a request from a tribe, the department shall notify the city or county of the request and offer to assist in providing facilitation services to encourage resolution before adoption of the proposed comprehensive plan. Upon receipt of the notice from the department, the city or county must delay any final action to adopt any comprehensive plan or any amendment or its development regulations for at least 60 days. The tribe and the city or county may jointly agree to extend this period by notifying the department. A county or city must not be penalized for noncompliance under this chapter due to any delays associated with this process.</u>	Provides process for facilitated services between Commerce, the city, and a federally recognized tribe.	No action needed on this at this time. This section would only be utilized if 1) you entered into an agreement under Section 1 and 2) there was a need for dispute resolution services.	

House Bill 1717 language	Summary of State Law changes	High level comments/suggested action for 2024 Comprehensive Plan update	Actions taken
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(c) Upon receipt of a request, the department shall provide comments to the county or city including a summary and supporting materials regarding the tribe's concerns. The county or city may either agree to amend the comprehensive plan as requested consistent with the comments from the department, or enter into a facilitated process with the tribe, which must be arranged by the department using a suitable expert to be paid by the department. This facilitated process may also extend the 60-day delay of adoption, upon agreement of the tribe and the city or county. (d) At the end of the 60-day period, unless by agreement there is an extension of the 60-day period, the city or county may proceed with adoption of the proposed comprehensive plan and development regulations. The facilitator shall write a report of findings describing the basis for agreements or disagreements that occurred during the process that are allowed to be disclosed by the parties and the resulting agreed upon elements of the plan to be amended.			
Section 6 – Pages 16 and 17 RCW 36.70A.210(3) and (4) A countywide planning policy shall at a minimum, address the following: (a) Policies to implement RCW 36.70A.110; (b) Policies for promotion of contiguous and orderly development and provision of urban services to such development; (c) Policies for siting public capital facilities of a countywide or statewide nature, including transportation facilities of statewide significance as defined in RCW 47.06.140; (d) Policies for countywide transportation facilities and strategies; (e) Policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution; (f) Policies for joint county and city planning within urban growth areas; (g) Policies for countywide economic development and employment, which must include consideration of the future development of commercial and industrial facilities; and (h) An analysis of the fiscal impact; and (i) Policies that address the protection of tribal cultural resources in collaboration with federally recognized Indian tribes that are invited pursuant to subsection (4) of this section, provided that a tribe, or more than one tribe, chooses to participate in the process. (4) Federal agencies and federally recognized Indian tribes may whose reservation or ceded lands lie within the county shall be invited to participate in and cooperate with the countywide planning policy adoption process. Adopted countywide planning policies shall be adhered to by state agencies.	This adds to Countywide Planning Policy (CPPs) requirements. CPPs must have policies that address the protection of tribal cultural resources in collaboration with federally recognized Indian tribes that are invited pursuant to subsection (4) of this section, provided that a tribe, or more than one tribe, chooses to participate in the process.	The City may not be required to provide any policy support for this given the bill was adopted after the CPPs were adopted. However, it may be appropriate to include a proactive policy to address this topic knowing it will be required in the future. You could consider mirroring the statutory language and working with any participating Tribes to develop policy language to address this.	

FEDERALLY RECOGNIZED TRIBES OF WASHINGTON STATE



TRIBAL CEDED AREAS
IN
WASHINGTON STATE

WASHINGTON DEPARTMENT OF
FISH AND WILDLIFE
INTERPRETATION

Tribal Ceded Areas by Treaty or Executive Order

- Treaty of Neah Bay of 1855
- Treaty of Quinalt River of 1855
- Treaty of Point Elliott of 1855
- Point No Point Treaty of 1855
- Treaty of Medicine Creek of 1854*
- Point No Point - Medicine Creek Treaty Overlap
- Umatilla - Walla Walla Treaty of 1855
- Nez Perce Treaty of 1855
- Yakama Treaty of 1855
- Yakama - Nez Perce Treaty Overlap
- Former North Half of the Colville Indian Reservation by the Executive Order of 1892

* This map does not depict tribally asserted traditional hunting areas.

Tribal Related Boundaries

- WDFW 2000 Treaty Boundary Interpretation
- WDFW 2001 Mediated Treaty Boundary Interpretation*
- Location of a Federally Recognized Tribe

* The southern boundary of the ceded area of the Medicine Creek Treaty, as represented in this map, represents a mediated enforcement and management line (see Thomas Bjorgen and Maria Uebelacker, June 2001).

* This rule that establishes this border does not purport to define where the southern boundary of the Medicine Creek Ceded Area is in fact, nor does it represent an attempt to resolve any other legal issue regarding the nature or geographic scope of the hunting right secured by the Treaty of Medicine Creek.

- Washington Administrative Code 232-12-253 Section 4

Administrative Boundaries

- 2017-2018 Game Management Unit
- County Lines
- Urban Area
- National Park - NO HUNTING

Hydrography

- Rivers and Streams
- Water Body

Miles
0 5 10 15 20 25 30 35 40 45

Kilometers
0 5 10 15 20 25 30 35 40 45

Map Produced: July, 2007
Revised: April, 2017

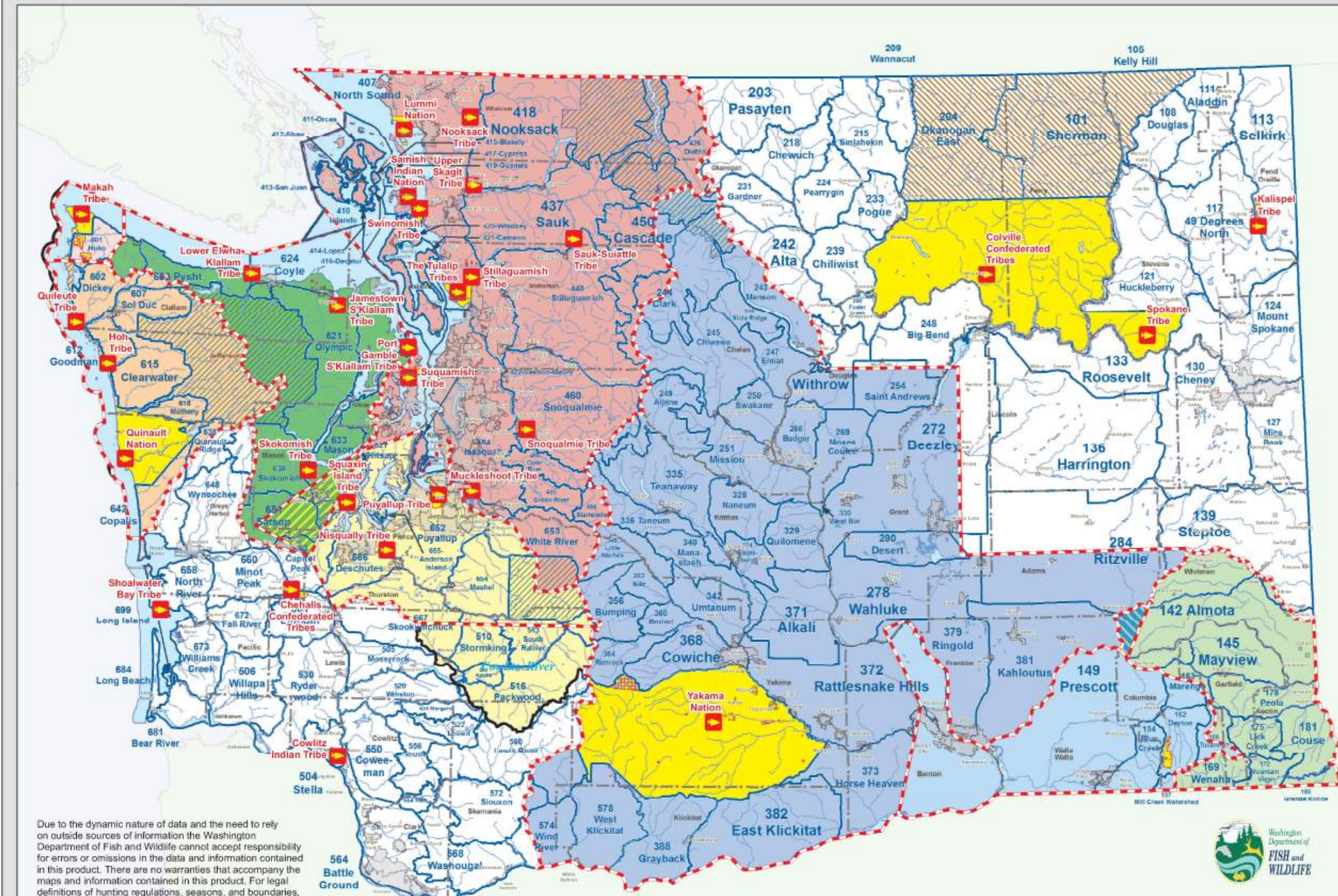
Sources of Information

Hydrography

- Washington Department of Transportation
- Washington Department of Fish and Wildlife
- Washington Department of Natural Resources

Political Boundaries

- Treaty Boundary Interpretation
- Washington Department of Fish and Wildlife (2000)
- Medicine Creek Hunting Boundary
- Washington Department of Fish and Wildlife (2001)
- State and County Lines and Major Public Lands
- Washington Department of Natural Resources
- Game Management Units
- Washington Department of Fish and Wildlife
- Reservation Locations
- Washington Department of Natural Resources
- Governor's Office of Indian Affairs
- Washington State Tribal Directory
- Urban Centers
- Washington Department of Transportation



Due to the dynamic nature of data and the need to rely on outside sources of information the Washington Department of Fish and Wildlife cannot accept responsibility for errors or omissions in the data and information contained in this product. There are no warranties that accompany the maps and information contained in this product. For legal definitions of hunting regulations, seasons, and boundaries, the user should refer to Chapters 232 - 12, 232 - 16, and 232 - 28 of the Washington Administrative Code (<http://www.leg.wa.gov/wac/>)



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