	Planning Commission Meeting September 8, 2021 - 7:00 PM AGENDA
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I. Virtual Participation

A. Virtual Participation Info

The Auburn City Planning Commission Meeting scheduled for September 8, 2021, at 7:00p.m. will be held virtually and telephonically. To attend the meeting virtually please click the below link, enter the meeting ID into the Zoom app, or call into the meeting at the phone number listed below.

Per Governor Inslee's Emergency Proclamation 20-05 and 20-28 et. seq. and Stay Safe- Stay Healthy, the City of Auburn is holding public meetings virtually at this time.

City of Auburn Resolution No. 5581, designates City of Auburn meeting locations for all Regular, Special and Study Session Meetings of the City Council and of the Committees, Boards and Commissions of the City as Virtual Locations.

Join Zoom Meeting
<https://us06web.zoom.us/j/89925187826>
Meeting ID: 899 2518 7826
One tap mobile
253-215-8782

II. CALL TO ORDER

B. ROLL CALL/ESTABLISHMENT OF QUORUM

C. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

A. August 3, 2021 Draft Minutes from the Regular Planning Commission Meeting

IV. PUBLIC HEARINGS

V. OTHER BUSINESS

A. Airport Code Update

City File No. ZOA20-0002: Continuation of Airport Zoning Code Update (amend Chpt 18.38 + Chpt 18.04 ACC + zoning map).

B. 2021 Comprehensive Plan Annual Update

Introduction and Overview of proposed changes to the Comprehensive Plan as part of the 2021 Annual Update process.

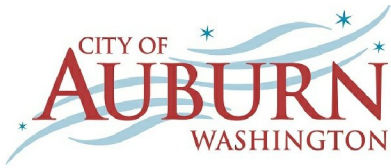
VI. COMMUNITY DEVELOPMENT REPORT

Update on Community Development Services activities.

VII. ADJOURNMENT

The City of Auburn Planning Commission is a seven member advisory body that provides recommendations to the Auburn City Council on the preparation of and amendments to land use plans and related codes such as zoning. Planning Commissioners are appointed by the Mayor and confirmed by the City Council.

Actions taken by the Planning Commission, other than approvals or amendments to the Planning Commission Rules of Procedure, are not final decisions; they are in the form of recommendations to the city council which must ultimately make the final decision.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Virtual Participation Info

Date:

August 25, 2021

Department:

Community Development

Attachments:

No Attachments Available

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

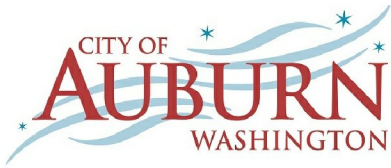
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: September 8, 2021

Staff:

Item Number: ES.A



AGENDA BILL APPROVAL FORM

Agenda Subject:

August 3, 2021 Draft Minutes from the Regular Planning
Commission Meeting

Date:

August 25, 2021

Department:

Community Development

Attachments:

[August 3, 2021 Draft Minutes from the Regular
Planning Commission Meeting](#)

Budget Impact:

Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: September 8, 2021

Staff:

Item Number:

I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:00 p.m. via Zoom due to Governor Inslee's Healthy Washington – Roadmap to Recovery initiative and the Governor's Emergency Proclamation 20-28 due to the Covid-19 Pandemic which establishes the official meeting place, as virtual.

a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Commissioners present: Chair Judi Roland; Vice Chair Lee; Commissioner Moutzouris; Commissioner Mason.

Commissioner Stephens had late arrival to meeting and did not vote for approval of minutes.

Commissioner Khanal was excused.

Staff present: Assistant City Attorney Doug Ruth; Planning Services Manager, Jeff Dixon; Planner II, Alexandria Teague; Administrative Assistant, Jenn Oliver. Tim Mensonides, City Airport Manager

Members of the public present: (none)

b.) PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

A. July 20, 2021 – Regular Meeting Minutes

Commissioner Mason moved, and Commissioner Moutzouris seconded to approve the minutes from the July 20, 2021, meeting as written.

MOTION CARRIED UNANIMOUSLY. (4-0)

III. PUBLIC HEARING (None)

IV. OTHER ITEMS

Airport Code Update. City File No. ZOA20-0002: Introduction to Airport Zoning Code Update (amend Chapter 18.38 + Chapter 18.04 ACC).

Staff presented a staff report regarding the Airport Code Update to the Planning Commission.

The City of Auburn has the regulatory authority over how development occurs within the community, including the ability to plan for, abate, mitigate, and otherwise respond to land use concerns. The primary tool is through the City's zoning and land use regulations. The City also has the role of defining the current, short term, and long term vision for growth and development within the City and this is completed through the City's adopted Comprehensive Plan.

Auburn's current Comprehensive Plan as it relates to the Auburn Municipal Airport was largely based on standards developed in 1995 and had not sufficiently kept pace with changing conditions around the airport. Since the 1990s, development in the vicinity has increased, and over the years the airport has had to contend with issues of meeting its own operational, development, and safety needs, with that of the area around it. As a result Auburn's airport continues to face challenges such as the of lack of available land for development and safety, and the encroachment of what are determined to be incompatible uses, obstructions that penetrate the airspace, and noise sensitive uses.

As a result of these changing conditions, staff prepared text amendments for the Comprehensive Plan during the 2020 annual amendment cycle. These amendments were reviewed by the Planning Commission and subsequently approved by the City Council on December 2, 2020. The goal of the text amendments was to reinforce in the policy language the importance of the airport and protect the significant investment that has been made, not only the Federal Aviation Administration (FAA) and Washington State Department of Transportation (WSDOT), but also by the City. A copy of the signed ordinance and adopted policies is attached for reference (Attachment A).

Now staff is in the process of updating the airport-related zoning code regulations. The majority of the airport-related zoning code regulations are contained in Chapter 18.38, the "[LF Airport Landing Field District](#)" of the Auburn City Code (ACC). The purpose of the zoning code, or land use regulations, is to implement the policies of the Comprehensive Plan and its appendices. This ensures consistency.

Regulations for the LF Airport Landing Field District Chapter primarily date back to 1964 (under Chapter 18.40 ACC, Ordinance No. 1702) five years prior to the construction of the Auburn Municipal Airport, also known as Dick Scobee Field. The more recent updates to the LF District regulations (now Chapter 18.38 ACC) occurred in 1987 (under Ordinance No. 4229) and 1997 (under Ordinance No. 5026). So, while staff strengthened the protection of the airport and its operations in the policy statements of Comprehensive Plan during the 2020 annual amendment cycle, this policy guidance must be implemented by corresponding regulations in the zoning code.

KEY CODE CHANGES

Staff is in the process of completing what will look like an overhaul to Chapter 18.38 ACC. However, the bulk of the changes include reorganization of the chapter, standardization in terminology, consolidating sections, and clarifying language.

Other key proposed changes to Chapter 18.38 ACC include:

NEW Airport overlay restrictions and standards section

REVISED Height compliance section

NEW Height mitigation and maintenance section

REVISED Nonconforming structures, trees, land, and uses section

REVISED Variance section

NEW Airport intent and boundaries section

The purpose of the airport zoning overlay is to protect the viability of the Auburn Airport by discouraging incompatible land uses, and mitigating potential safety impacts when siting land uses in proximity to the airport. The proposed airport overlay (Attachment B) will be adopted on the City's Comprehensive Zoning Map.

The WSDOT's "Airports and Compatible Land Use Guidebook" (referenced herein as the WSDOT Guidebook) was used as guidance to create the airport zoning overlay. The WSDOT Guidebook is intended to help airports and communities proactively prevent incompatible development (land use) around airports in the state. It does so by providing best practices and steps to create regulations designed to prevent and deter incompatible uses. The airport zoning overlay will be the mechanism in which regulations, designed to prevent and deter incompatible uses, are applied around the airport – without changing the underlying land use designation and zoning district of the area. So the airport zoning overlay is in addition to zoning district regulations that apply.

The WSDOT Guidebook breaks down an airport zoning overlay into subcategories – referred to as "Compatibility Zones". The six compatibility zones include the Runway Overlay Zone, Inner Safety Zone, Inner Turning Zone, Outer Safety Zone, Sideline Safety Zone, and Airport Operations Zone. The original shape and extent of each compatibility zone was created using the nationwide database of general aviation aircraft accidents and adjusted to account for specific variations such as airfield configuration, usage, runway lengths, types of approach procedure, traffic pattern locations, to be specific for the Auburn Airport.

The extent, shape, and purpose of each compatibility zone are defined in the proposed airport zoning overlay zone and boundaries section of Chapter 18.38 ACC. It should be noted, that Auburn is proposing to add the airport's flight traffic pattern as a seventh zone. While not accounted for in the WSDOT Guidebook, other jurisdictions, such as Arlington and Yakima, have taken a similar approach to account for and mitigate the potential impacts to the airport's flight traffic pattern.

NEW Airport overlay restrictions and standards section

When assessing whether a land use is compatible around the airport, the WSDOT Guidebook provides four basic compatibility criteria, including: noise, affects within the airport influence area, airspace protection, and safety. These four criteria represent the most common effects that an airport can have on the surrounding area, and the effects that the surrounding area can have on an airport. The criteria are explained below in the glossary under “Basic Compatibility Criteria.” The criteria was used to create an inventory of the uses that currently exist within the compatibility zones and assess whether these uses are compatible with the airport and airport operations. The criteria was also used to determine which uses could occur in the future based on the zoning districts that are contained within each compatibility zone. Staff reviewed the land uses within each compatibility zone against the criteria. The WSDOT Guidebook provides a “Airport Land Use Matrix” that notes whether a particular land use type is compatible within a particular zone. Since it is primarily about safety and continued viability of airport operations, It is important to note that all zones do not need the same level of restrictions. Generally, the closer an area is to the airport, the greater the restrictions. It should also be noted that the WSDOT Guidebook does not provide absolute rules and does not recommend a one-size-fits all approach. Local airport managers, city staff, and the community are in the best position to evaluate the specific circumstances and "ground truth" what is appropriate for their airport and surrounding area.

To that end, staff is *proposing to prohibit the following new uses within Compatibility Zones 1, 2, and 3* for safety and noise considerations; they are considered an incompatible use near an airport. Per the WSDOT Guidebook high density residential development, including multiple-family and mixed use developments, are those uses that have the greatest potential for consequences to people on the ground as a result of aircraft accidents. “Special function uses” such as hospitals, nursing homes, K-12 schools, and senior housing fall into this category as well. Zones 1 and 2 of the airport overlay represent the areas where the risk of aircraft accidents is the greatest. Most of the uses proposed to be prohibited could be considered “noise sensitive” uses as well. Noise can be particularly disruptive, in both outdoor and indoor settings, to residential uses, including single family residences and multiple-family developments. The City has received airport a few noise complaints from the multiple family/mixed use and senior housing located in the southwest of Compatibility Zone 3. This represents the area in which departing aircraft may begin turning over this area to fly toward their destination or to remain in the traffic pattern.

Table 1 (below) lists each land use, the WSDOT Guidebook’s recommendation, and the degree to which the land use exists with the airport overlay.

Table 1. Proposed Prohibited Land Uses in Zones 1-3 of the Airport Overlay

Land Use	WSDOT Guidebook Recommendation	To what degree does it exist today?
<i>Multiple-family dwellings, stand alone</i>	Multiple-family dwellings are not appropriate in Compatibility Zone 1 and 2. It is appropriate in Zone 3 in a limited capacity. New developments should be moved away from the extended runway centerline.	No multiple-family dwelling were identified in Compatibility Zones 1-3.

<i>Mixed-use development</i>	Mixed use development is appropriate in Compatibility Zones 1 and 2. It is appropriate Zone 3 provided it does not create height hazard, obstructions, smoke, glare, or other airspace hazards. Mixed use can be compatible with aviation because they often have higher background noise levels that tend to mask aircraft noise, and people living there expect some level of noise disturbance.	One mixed use project exists (The Reserve/Villas) within southeastern Compatibility Zone 3. The property is zoned C-1, Light Commercial. No new mixed-use developments is allowed in the C-1 zoning district. However, a mixed-use development that has received vesting prior to Resolution No. 5187 (adopted December 7, 2015) is an outright permitted use in the C-1 zoning district. Therefore the mixed use development that exists in the southeastern Compatibility Zone 3 is vested.
<i>Nursing homes Assisted living facilities Hospitals</i>	“Special function uses” such a hospital or nursing home, are not appropriate in Compatibility Zones 1-3.	No nursing homes, assisted living facilities, or hospitals were identified in Compatibility Zones 1-3.
<i>Senior housing</i>	Senior housing is not appropriate in Compatibility Zones 1-3.	Technically The Reserve (senior housing) is outside of the southeastern Compatibility Zone 3. The property is zoned C-1, Light Commercial. No new senior housing is allowed in the C-1 zoning district. However, a senior housing that has received vesting prior to Resolution No. 5187 (adopted December 7, 2015) is an outright permitted use in the C-1 zoning district. The senior housing development in the southern Zone 3 is vested and is legally established.
<i>Schools (K-12)</i>	“Special function uses” such as K-12 schools are not appropriate in Compatibility Zones 1-3.	No K-12 schools were identified in Compatibility Zones 1-3.
<i>Daycare center and nursery schools/preschools</i>	“Special function uses” such as daycare centers and preschools are not appropriate in Compatibility Zones 1-3.	One daycare center was identified within the southern Compatibility Zone 2 at this time. The property is zoned C-1, Light Commercial. Daycare centers are permitted outright in the C-1 zoning district.

Single-family dwelling, detached	Single family residences (SFRs) are not appropriate in Zones 1-3.	No SFRs within Compatibility Zones 1-3.
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Also, in the NEW Airport overlay restrictions and standards section, staff is proposing specific standards designed to mitigate potential adverse impacts when siting land uses in proximity to the airport. Table 2, below, depicts the proposed standards and the compatibility zone in which it will apply. As mentioned previously, it is important to note that all zoning district do not need the same level of restrictions. Generally, the closer an area is to the airport, the greater the restriction, and in this case more standards apply.

Table 2. Proposed Standards and the Compatibility Zones in which they Apply

Standard	Applicable Compatibility Zones	Addresses which airport effect
All property owners seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall dedicate an <i>avigation easement</i> to the City of Auburn over the affected portion of their property prior to issuance of said permit(s). The language of the easement shall be provided by the City.	1, 2, 3, 4, and 5	• Noise • Safety • Affects within the airport influence area • Airspace protection
No use may create an electrical interference with navigational signals or radio communications at the airport, or with radio or electronic communications between the airport and aircraft or aircraft to aircraft.	1, 2, 3, 4, 5, 6, and 7	• Safety • Airspace protection
No structure or tree shall be placed, erected, or allowed to grow that makes it difficult for pilots to distinguish between airport lights and other lights, results in glare to pilots, impairs visibility in the vicinity thereof, or otherwise endanger the landing, taking off or maneuvering of aircraft.	1, 2, 3, 4, 5, 6, and 7	• Safety • Affects within the airport influence area • Airspace protection
No use or structure shall emit emissions of fly ash, dust, vapor,	1, 2, 3, 4, and 5	• Safety

gases, steam, or other forms of emissions that may conflict with any operations of the airport.		• Affects within the airport influence area • Airspace protection
No use or activity shall be permitted that would foster an increase in bird population and thereby increase the likelihood of aircraft and bird impact, as determined by the Planning Director in consultation with the Airport Manager.	1, 2, and 5	• Airspace protection • Safety
In order to deter the congregation of wildlife, stormwater facilities must meet or exceed recommendations found in Appendix I-H, Airport Operations of the City of Auburn Surface Water Management Manual (SWMM), as defined in ACC 12.04.010(B).	1, 2, and 5	• Airspace protection • Safety
All property owners within 1,000 feet of properties zoned LF, Landing Field District seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall record an <i>aviation disclosure notice</i> with the King County Recorder's Office containing a requirement to notify , in writing, future owners and tenants prior to signing a lease or sale, of the possible affects from aviation activities. The language of the notice shall be provided by the City.	6	• Noise
All property owners seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall record <i>aviation disclosure notice</i> with the King County Recorder's Office containing a requirement to notify in writing, future owners and tenants prior to signing a	7	• Noise

lease or sale, of the possible affects from aviation activities. The language of the notice shall be provided by the City.		
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REVISED Height compliance section

As mentioned in the preceding paragraphs, the City of Auburn, not the Federal Aviation Administration (FAA), has the authority to regulate land uses surrounding the airport. The FAA relies on the local jurisdiction with land use authority to protect the navigable airspace from both naturally occurring and man-made airspace obstructions. The FAA does however, have a technical advisory role based on its interest in protecting the airspace associated with an airport that is part of the National Plan of Integrated Airport Systems (NPIAS). The FAA is required to administer navigable airspace in the public interest to ensure the safety of aircraft and its efficient use. This is completed through, in part, the Federal Air Regulation (FAR) Part 77 Surfaces and other surfaces, such as Terminal Instrument Procedure (TERPS).

Chapter 18.38 ACC contains the height limitations of the FAR Part 77 Surfaces established for the Auburn Municipal Airport airspace by the FAA. No structure, building, sign, lighting, tree, fence, device, or other object, is permitted to have a height exceeding these surfaces. If one of the aforementioned objects exceeds the surface, it is described as "penetrating the airspace".

The description of the surfaces and their established height limitations remain unchanged. Although Staff has revised the height limitation - compliance section, titled "Structure and use permits" in existing code. The purpose of this section is that, where an object might have a height greater than an established surface, applicants must demonstrate compliance with the height limitations. The revision to this section is to define how compliance must be demonstrated. Generally compliance is demonstrated through documentation depicting the elevation of the structure relative to the airspace. However, if construction or alteration of an object penetrates one of the FAA Part 77 Surfaces, then the applicant will be required to prepare and submit FAA form 7460 "Notice of Proposed Construction or Alteration". With this form the applicant is required to explain to the FAA why the proposal does not constitute a hazard to air navigation and why it will not cause an inefficient use of airspace. It should be noted that while submittal of FAA Form 7460 is not yet codified within the City's code, it is however already a federal requirement.

NEW Height mitigation and maintenance section

Staff is proposing the addition of a maintenance and mitigation section. The purpose of this section is two-fold: to require that aircraft warning lights and markers are maintained and reinforce the requirement that any tree installed near the airport must be maintained such that it does not penetrate the airspace. Where an object penetrates the airspace, the airport manager may require the installation of markers and lights. The existing code requires such markers and lights be installed and maintained by the City. This creates a significant cost and burden to the City. So, staff is proposing to shift the installation and maintenance of the markers and lights to the owner of the structure. The City will however, require a public maintenance easement to allow City access to inspect the markers and lights as needed.

REVISED Nonconforming structures, trees, land, and uses section

The most significant change proposed to the existing nonconforming sections within Chapter 18.38 ACC is tying it back to the existing Chapter 18.54 ACC, the "Nonconforming Structures, Land and Uses" chapter of the Zoning Code (Title 18). Making the connection between Chapter 18.38 ACC and Chapter 18.54 ACC is significant because the latter chapter establishes thresholds of how and when an nonconforming use can continue operations, and when a use or structure loses its nonconforming status. The nonconforming regulations of Chapter 18.38 ACC are not well-defined and create unnecessary ambiguity.

For example, the existing regulations of Chapter 18.38 ACC states that "before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher or replanted, a permit must be secured from the airport manager and, if applicable, the building official."

It does not, though, define what "substantially altered or repaired" means; nor does it define by how much a nonconforming structure or use made be enlarged. Meanwhile, Chapter 18.54 ACC establishes thresholds for the maintenance, repair, enlargement, and the alteration of nonconforming uses.

Also, the existing regulation of Chapter 18.38 ACC related to the abatement (or removal) of nonconforming structures and uses is limited in scope. It states that a nonconforming structure or use that is to be abated is either abandoned or more than 80 percent torn down, physically deteriorated or decayed, and places the burden on the airport manager to make the determination. Moreover, the existing code does not define what is to occur with a use that has been discontinued or subsequently changed to a conforming use, nor does it define the period of time by which a use may be considered abandoned (e.g. vacant or unoccupied). Therefore, staff proposes to address these issues by tying the abatement related regulations of Chapter 18.38 ACC back to Chapter 18.54 ACC, specifically section ACC 18.54.070. This section of Chapter 18.54 ACC outlines under what circumstances nonconforming structures and uses must be abated and clarifies the aforementioned issues.

Further, the existing regulations of Chapter 18.38 ACC also do not define by how much a tree may be allowed to grow taller, or when it must be abated, and when it may be replanted. It should be noted that Chapter 18.54 ACC and Chapter 18.50 ACC the "Landscaping and Screening" chapter of Title 18 do not contain regulations relating to nonconforming trees either. Trees in particular create a unique challenge to airports, as they generally do not start off as something that affects airport operations or penetrate the airspace, but do so over time. Nonconforming trees are those that have existed prior to 1969 and do not require an alteration. However, no permit will be granted for a nonconforming tree that would allow it to become a greater hazard (i.e. grow taller) and if altered, must conform to the new regulation contained in the height limitation – maintenance and mitigation section. Any tree that is diseased, decayed, dead, or dying must be removed, and if required, replaced with a tree that conforms to the height limitation – maintenance and mitigation section.

REVISED Variance section

The most significant change proposed to the variance sections of Chapter 18.38 ACC involves tying it to the City's existing chapter related to variances (Chapter 18.70 ACC). A variance is the mechanism in which relief from zoning development standards in the City Code is granted. Chapter 18.70 ACC contains the criteria in which a variance must

be evaluated, processed, and decided by the Hearing Examiner. While there have been very few variances requested for the airport regulations (i.e. the development standards), Chapter 18.38 ACC does not provide the aforementioned level of specificity. Therefore, staff is using this opportunity to improve upon the variance sections of Chapter 18.38 ACC.

TEXT AMENDMENT

The zoning code text amendment is shown by strikeout/underline and is attached in the packet as Attachment C and as a “clean version” in Attachment D.

Staff concluded their presentation and opened it up for questions from the Planning Commission.

Chair Roland asked about the height of the clearance zones around the airport. Ms. Teague answered by explaining the outermost clearance zone represents a conical surface around the airport and identifying the approximate height above the ground at this outermost point. Vice-Chair Lee asked about the accident history and if there was any particular factors at the airport that contribute to the lack of accidents. Staff responded that they were not aware of any special circumstances.

Tim Mensonides, City of Auburn Airport Manager, indicated that he was unaware of any accident history at the airport but acknowledged that before he was hired, the airport was managed by a firm that was contracted by the city so he may not have information from this time.

The Commission asked what was the most immediate effect of the proposed regulations. Ms. Teague said that it may not affect existing nearby businesses except most immediately it may affect those existing businesses seeking to add Heating, Ventilation, and Air Conditioning (HVAC) to roof tops and that they maintain tree heights that have the potential to affect airspace. It will also have an effect on certain new land uses

The Commission inquired which parts of the proposed update (text amendment) will the public/property owners be most concerned about. Alexandria Teague, Planner II stated that in her opinion there are two main provisions that the public and nearby property owners will be concerned about: that certain, new uses will be prohibited in the newly proposed “Compatibility Zones 1, 2, and 3”, and 2) the requirement that new or redeveloped parcels in Compatibility Zones 1, 2, and 5.

Mr. Mensonides said he had a recent discussion about the regulation changes with the Washington State Dept of Transportation Aviation Division staff, and they were very supportive of the draft changes being proposed. He thanked Ms. Teague for all the work and effort in preparing the slate of changes and remarked that Washington State Dept of Transportation Aviation Division staff had suggested they would like to use the Auburn code as an model code example.

V. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager, Jeff Dixon introduced Tammy Gallier, Administrative Assistant who while has been introduced to the Commission before will be covering for Jenn Oliver while she is on vacation in September and Josh Steiner, the new Senior Planner. He remarked that the Commission will be seeing Mr. Steiner again as part of the Annual Comprehensive Plan Amendments.

Mr. Dixon updated the Commission on city staff's plans for returning to the office in response to COVID. While he informed last month, that staff would be transitioning to three days a week in the office during August, this has been changed by the Mayor. In response to increased incidence of outbreaks, the schedule will be the same as July with staff coming into the office two days a week.

Mr. Dixon said the Commission members are likely aware from the news reports of the fire that happened on W Main St downtown last week. He indicated it will take some time to conduct the structural evaluations and the necessary fire and insurance investigations of the burned building. Then it will likely be a series of phased demolition permits to dismantle portions of the building and determine if any portions are salvageable. This is a long slow process and will see the damaged building in place for some time.

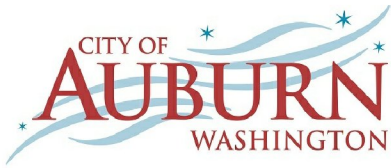
Chair Roland asked about the adjacent city-owned Avenue Act Theater and if performances will be able to continue. Dixon said that while it is closed now, and there had been some water and smoke damage but was hopeful the schedule could continue.

Mr. Dixon explained that the 129-acre General Services Administration (GSA) in SW Auburn, next to Boeing Plant is proposed to be advertised for auction of the land. The Commission may remember a Comprehensive Plan map change and zoning map change that was processed for this property from industrial to heavy commercial and C-3 Heavy Commercial zoning in 2016. An on-line auction will be conducted in October with anticipated closing on the property in January. Vice Chair Lee asked if any portion of the GSA offices would remain in use on the site after the sale. Staff replied that they did not think that to be the case.

Staff reported that the Commission may also be aware from news reports that King County has recently purchased the Clarion Hotel at the NE corner of 16th ST NE and B ST NE in Auburn to use as a permanent supportive housing. This is not a shelter, since residents will live there long-term with on-site staff support. This costs 11.8 million for the County to buy and no city money was used for the purchase. The County will also continue to operate. There are 102 rooms, so should be at least that many residents, though some rooms may be occupied by two persons. The County had a willing seller of the property.

The date of the next planning Commission meeting on September 8th was discussed. It was noted that this will be on a Wednesday due to the Labor Day holiday on Monday. Items planned for the agenda are discussion of the annual comprehensive plan amendments and continued discussion of the airport-related code changes.

With no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:19 p.m.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Airport Code Update

Department:

Community Development

Attachments:

[Airport Zoning Code Text Amendment Memo](#)

[Attachment A - Airport Zoning Code Text](#)

[Amendment \(strike through and underline](#)

[Attachment B - Airport Zoning Code Text](#)

[Amendment \(clean version\)](#)

[Attachment C - Airport Overlay Map Amendment](#)

Date:

August 25, 2021

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

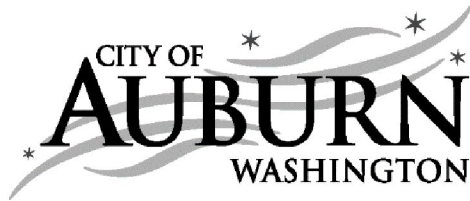
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: September 8, 2021

Staff:

Item Number:



MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Roger Lee, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Alexandria D. Teague, Planner II
Department of Community Development

DATE: August 13, 2021

RE: City File No. ZOA20-0002 - Airport Zoning Code Update

I. PLANNING COMMISSION REVIEW

At the August 3rd Planning Commission meeting Staff introduced the airport related text and map amendments. The introduction provided an in-depth review of the following:

- The adopted airport related Comprehensive Plan policies;
- The FAA, WSDOT, and Auburn's roles in regulating airport operations and the surrounding area;
- The "airport influence" area;
- Challenges around the airport; and
- A summary of the key code changes.

The purpose of this memo is describe the revisions made to the text and map amendments presented at the August 3rd Planning Commission meeting. The revisions include:

1. Removing Compatibility Zone 7 from the proposed airport overlay and the airport overlay restrictions and standards section;
2. Updating the FAR Part 77 "Primary Surface" description and several surface elevations
3. Adding FAA Form 7460 "Notice of Proposed Construction" as a method of ensuring compliance with the FAR Part 77 surfaces

The revisions to the text amendment are shown in Attachment A and B and are briefly described below. The revised airport overlay (the map amendment) is included in Attachment C.

II. REVISIONS DESCRIPTIONS

1. Compatibility Zone 7, which constituted the airport traffic patterns, was removed from the proposed airport overlay. It was removed because implementing the proposed restrictions and standards along narrow paths (the pattern lines) could create issues of inconsistency when administered by staff. Also the existing proposed standards for Compatibility Zone 6 should account for and mitigate the potential impacts to the airport's flight traffic pattern.
2. The FAR Part 77 "Primary Surface" description was changed from a more general description to one specific to the Auburn Municipal Airport. The surface elevations were updated to reflect the more recent runway extensions – new highpoints on the runway as a result of the runway extensions.

3. The filing of an FAA Form 7460 “Notice of Proposed Construction or Alteration” was added as a method to demonstrate compliance with the height limitations. Per FAA guidance the form is to be submitted before proposed construction or alteration (before the object penetrates the airspace). This is a method that is currently used by the City to determine whether an object will penetrate the airspace.

III. TEXT AMENDMENT

The zoning code text amendment is shown by strikeout/underline and is attached to this memo as Attachment A and as a “clean version” in Attachment B. The zoning map amendment is attached to this memo as Attachment C.

IV. STAFF REQUEST

If the Planning Commission believes that the changes are ready to proceed, Staff will move forward with noticing and scheduling of a public hearing on October 5th.

V. ATTACHMENTS

- A** – Airport Zoning Code Text Amendment (strike through and underline)
- B** – Airport Zoning Code Text Amendment (clean version)
- C** – Airport Overlay Map Amendment

Chapter 18.38

LF AIRPORT LANDING FIELD DISTRICT, OVERLAY, AND FAR PART 77 SURFACES

Sections:

- 18.38.010 ——— Intent.
- 18.38.020 ——— Purpose.
- ~~18.38.030~~020 ——— LF Airport Landing Field District Permitted uUses.
- 18.38.040 ——— LF Airport Landing Field District Development Standards.
- 18.38.050 ——— Airport Overlay Intent and Boundary.
- ~~18.38.030~~ ——— ~~Restricted uses.~~
- ~~18.38.060~~040 ——— ~~Zones established generally.~~ Airport Overlay Restrictions and Standards. —
- 18.38.070 ——— Federal Aviation Regulations Part 77 Surfaces and Other Surfaces.
- ~~18.38.050~~ ——— ~~Approach zone.~~
- ~~18.38.060~~ ——— ~~Transitional zone.~~
- ~~18.38.070~~ ——— ~~Horizontal zone.~~
- ~~18.38.080~~ ——— ~~Conical zone.~~
- ~~18.38.085~~ ——— ~~Obstacle free area.~~
- ~~18.38.090~~ ——— ~~Height limitations — Generally.~~
- ~~18.38.100~~ ——— ~~Height limitations — Noninstrument approach zone.~~
- ~~18.38.110~~ ——— ~~Height limitations — Transition zones.~~
- ~~18.38.120~~ ——— ~~Height limitations — Horizontal zones.~~
- ~~18.38.130~~ ——— ~~Height limitations — Conical zones.~~
- ~~18.38.080~~140 ——— ~~Nonconforming uUses, sStructures, and tTrees. —~~ Continuation allowed when.
- ~~18.38.150~~ ——— ~~Nonconforming structures and trees — Marking and lighting.~~
- ~~18.38.160~~ ——— ~~Structure and use permits.~~
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- 18.38.110220 Conflicting ~~R~~regulations.
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- 18.38.130240 Violation – Penalty.
- ~~18.38.250 ——— Development standards.~~

18.38.010 Purpose.

The provisions of this chapter apply to lands located within the LF Airport Landing Field Zoning District, Airport Zoning Overlay, and Federal Aviation Administration (FAA) Federal Regulation Title 14 Part 77 Imaginary Surfaces (FAR Part 77 Surfaces) and other Surfaces. The airport overlay and the FAR Part 77 Surfaces and other surfaces are supplemental to the existing zoning districts and may be more restrictive than the underlying zoning designation. The restrictions, performance standards, and requirements of the airport overlay shall be in addition to those of the underlying zone and, where explicitly noted, supersede the underlying zoning. If implementation of this chapter conflicts with other provisions of the City Code, State, or federal law, the more restrictive requirement applies.

18.38.010020 Intent.

The intent of this chapter is to provide for the operation and management of the Auburn Municipal Airport. This chapter seeks to apply the City's Comprehensive Plan and to implement certain land use and zoning development standards to reduce or avoid potential for airport related hazards. It is found that an airport hazard endangers the lives and property of users of the municipal airport and of occupants of land or property in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off, and maneuvering of aircraft, thus tending to destroy or impair the utility of the municipal airport and the public investment therein. Accordingly, it is declared that:

- A. The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by the municipal airport;
- B. It is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented; and
- C. The prevention of these airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation. It is further declared that both the prevention or the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation

or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or interests in land. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

D. For the purpose of this chapter structure means any object constructed or installed by a human being, including, but not limited to buildings, signs, fences, towers, devices, and overhead transmission lines, and tree means any object of natural growth.

18.38.02030 — LF Airport Landing Field District ~~Permitted uses~~ Uses.

A. Permitted Uses. Hereafter the effective date of this ordinance all buildings, structures, or parcels of land shall only be used for the following, unless otherwise provided for in this title:

1A. Landing, taking off, taxiing, and flying of aircraft, excluding ultralights as defined by ACC—
8.36.010;

2B. Aviation related business, manufacturing, service-related uses including B businesses incidental to and necessary or convenient for airport operations, including offices, eating establishments, restrooms, hangars, shops for light repairs, gasoline and oil sales and accessory structures; and

3C. Other uses as determined by the Planning Director in consultation with the Airport Manager as defined in Chapter 12.56 ACC hearing examiner to be related to operation and use of the airport.
(Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.030 — ~~Restricted uses.~~

Restricted uses shall be as follows: no use may be made of land within any airport zone in such a manner as to create electrical interference with radio communication between the airport and aircraft, making it difficult for fliers using the airport, impair visibility in the vicinity thereof, or otherwise endanger the landing, taking off or maneuvering of aircraft. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.040 LF Airport Landing Field District Zoning Development Standards.

Table 18.38.040 Development Standards

<u>A</u>	<u>Minimum lot area (square feet)</u>	<u>None</u>
<u>B</u>	<u>Minimum lot width</u>	<u>None</u>

<u>C</u>	<u>Minimum lot depth</u>	<u>None</u>
<u>D</u>	<u>Minimum lot coverage</u>	<u>None</u>
<u>E</u>	<u>Maximum structure height</u>	<u>45 ft^{1 3}</u>
<u>F</u>	<u>Minimum front setback (feet)</u>	<u>None²</u>
<u>G</u>	<u>Minimum interior side setback (feet)</u>	<u>None</u>
<u>H</u>	<u>Minimum street side setback (feet)</u>	<u>None²</u>
<u>I</u>	<u>Minimum rear setback (feet)</u>	<u>None²</u>
<u>J</u>	<u>Fences</u>	<u>See ACC 18.31.020³</u>
<u>K</u>	<u>Landscaping</u>	<u>See Chapter 18.50 ACC³</u>
<u>L</u>	<u>Parking</u>	<u>See Chapter 18.52 ACC</u>
<u>M</u>	<u>Signs</u>	<u>See Chapter 18.56 ACC³</u>
<u>N</u>	<u>Outdoor lighting</u>	<u>See Chapter 18.55 ACC³</u>

1 Buildings and/or structures necessary for airport operations are exempt from the height requirements of this title when approved by the Airport Manager.

2 Must meet sight distance provisions of the engineering design standards.

3 Except as restricted elsewhere by this chapter.

18.38.050 Airport Overlay Intent and Boundaries.

The purpose of the airport overlay, as identified on the City of Auburn Comprehensive Zoning Map, is to protect the utility and viability of Auburn Airport by discouraging incompatible land uses and requiring the evaluation and consideration of potential safety impacts when siting certain land uses in proximity to the airport. The airport overlay is supplemental to the established zoning districts and may be more restrictive than the underlying zoning district. The overlay is composed of six zones based on use and proximity to the airport runway. The zones were modeled after the WSDOT Aviation Airport Compatibility Zones 1-6, and the Airport's published traffic pattern.

A. Zone 1 - Runway Overlay Zone. Zone 1 is a rectangular area that encompasses the trapezoidal runway protection zone (RPZ) at each end of the runway as shown in the "Auburn Municipal Airport Master Plan," dated May 2015, as may be amended. The purpose of Zone 1 is to maintain areas that are generally free of obstructions and significant concentrations of people. Zone 1 extends one thousand (1,000) feet in length from the ends of the future configuration of Runway 34/16 and is seven hundred and fifty (750) feet in width.

B. Zone 2 - Inner Safety Zone. Zone 2 is a rectangular area that extends beyond Zone 1 along the extension of the runway centerline. Next to the Zone 1 it represents the area where the risk of aircraft accidents is the greatest. This zone extends one thousand five hundred (1,500) feet from Zone 1 and is seven hundred and fifty feet (750) in width.

C. Zone 3 – Inner Turning Zone. Zone 3 is defined by a triangular shaped area that is positioned along each side of Zones 1 and 2. When operating visually, departing aircraft may begin turning over this area to fly toward their destination or to remain in the traffic pattern. Arriving aircraft often overfly this area as well. This zone extends three thousand (3,000) feet from the Zone 3 vertex offsets (a point that is on the runway centerline) and inward within a thirty degree sector towards the extended runway centerline.

D. Zone 4 - Outer Safety Zone. Zone 4 is a rectangular area that lies beyond Zone 3 along the extended runway centerline. Aircraft flying straight out or in, overfly this area at low altitude. This zone is particularly significant on runways where airport operations use instrument procedures and at busy airports where elongated traffic patterns are common. This zone extends two thousand five hundred (2,500) feet beyond Zone 3 and is five hundred (500) feet in width.

E. Zone 5 - Sideline Safety Zone. Zone 5 consists of narrow bands along each side of the runway and encompasses the Object Free Area (OFA), as defined by the Airport Master Plan, dated 2015, as may be amended. This zone is defined by a five hundred (500) foot centerline offset on each side of the runway. Aircraft do not normally fly over the sideline zone. The principal risk is from aircraft that lose directional control while landing or just after take-off.

F. Zone 6 – Airport Operations Zone. Zone 6 contains the remainder of the airport environment where aircraft fly as they approach and depart the airport. This zone extends six thousand five hundred (6,500) feet in length from the Zone 3 vertex offsets and six thousand (6,000) feet in width from the runway centerline.

ircraft

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18.38.060 Airport Overlay Restrictions and Standards.

A. Zones 1 and 2. The following regulations shall apply within the boundaries of Zones 1 and 2:

1. The following new uses established hereafter the effective date of this ordinance are prohibited in Zones 1 and 2:

- a. Multiple-family dwellings, stand-alone;
- b. Mixed-Use development;
- c. Nursing home;
- d. Assisted living facility;
- e. Hospitals;
- f. Senior housing;
- g. Schools, elementary, middle/junior high, and secondary or high school;
- h. Daycare center and nursery schools/preschools;
- i. Detached single-family dwellings, except caretakers quarters; and
- j. Other uses, similar to those above, or activities determined by the Planning Director in consultation with the Airport Manager to be incompatible with aviation, aviation safety, or any activity that has the potential to interfere with the airport, airport traffic patterns, and aircraft operations.

2. The following standards apply in Zones 1 and 2:

- a. All property owners seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall dedicate an aviation easement to the City of Auburn over the affected portion of their property prior to issuance of said permit(s). The language of the easement shall be provided by the City.
- b. No use may create an electrical interference with navigational signals or radio communications at the airport, or with radio or electronic communications between the airport and aircraft, or aircraft to aircraft.

~~18.38.030 Restricted uses.~~

- c. ~~Restricted uses shall be as follows:~~No structure or tree shall be placed, erected, or allowed to grow ~~no use may be made of land within any airport zone in such a manner as to create electrical interference with radio communication between the airport and aircraft, that makesing it difficult for fliers usingpilots the airport~~ to distinguish between airport lights and other lights, results in glare to pilots, impairs visibility in the vicinity thereof, or otherwise endanger the landing, taking off or maneuvering of aircraft. (~~Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.~~)
- b.d. No use or structure shall emit emissions of fly ash, dust, vapor, gases, steam, or other forms of emissions that may conflict with any operations of the airport.
- e. No use or activity shall be permitted that would foster an increase in bird population and thereby increase the likelihood of aircraft and bird impact, as determined by the Planning Director in consultation with the Airport Manager.
- f. In order to deter the congregation of wildlife, stormwater facilities must meet or exceed recommendations found in Appendix I-H, Airport Operations of the SWMM, as defined in ACC 12.04.010(B).

B. Zone 3. The following regulations shall apply within the boundary of Zone 3:

1. The new uses contained in (A)(1) are prohibited in Zone 3.
2. The standards of (A)(2)(a) through (d) apply.

C. Zone 4. The following regulations shall apply with the boundary of Zone 4:

1. The standards of (A)(2)(a) through (d) apply.

D. Zone 5. The following regulations shall apply within the boundary of Zone 5:

1. The standards of (A)(2)(a) through (f) apply.

E. Zone 6. The following regulations shall apply within the boundary of Zone 6:

1. The standards of (A)(2)(b) and (c) apply.

2. All property owners within 1,000 feet of properties zoned LF, Landing Field District seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall record aviation disclosure notice with the King County Recorder's Office notifying, in writing, to future owners and tenants prior to signing a lease or sale, of the possible affects from aviation activities. The language of the notice shall be provided by the City.

18.38.04070 Federal Aviation Regulations (FAR) Part 77 Surfaces and Other Surfaces. Zones established generally.

A. In order to carry out the provisions purpose and intent of this chapter, there are created and established certain— zones—surfaces, including: which include all of the land lying within the primary surface, non-instrument approach surface zone, transition surface zone, horizontal surface zone, conical surface zone, as well as the Terminal Instrument Procedures (TERPS) airspace surfaces. —and obstacle-free areas. These. Such areas and zones—surfaces, with exception of the TERPS, are shown on the “City of Auburn Municipal Airport Master Plan Update, 1993–2013, dated February 1995, and the Federal Air Regulations (FAR) Part 77 drawing, as amended, which is on file in the city clerk’s office. Other surfaces not provided for here, are included in the “Auburn Municipal Airport Layout Plan”, dated May 2015, as may be amended. The surfaces defined for the runway summarized below are consistent with the currently adopted airport layout plan (ALP) and FAR Part 77 Airspace Plan drawings for the airport. —

The various zones are established and defined as follows in ACC 18.38.050 through 18.38.085. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

1. Primary surface.

The primary surface, is centered on top of the runway and extends two hundred feet beyond each end. The primary surface is longitudinally centered on the runway with a width of two hundred and fifty (250) feet and extends two hundred (200) feet beyond each end of the runway. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.) (250)(1,000)—

18.38.0502. —Approach zone—surface.

A non-instrument approach surface is established at each end of all non-instrument runways for landings and takeoffs. The inner width of the approach surface is two hundred and fifty (250) feet

at a distance of two hundred (200) feet beyond the physical end of the runway, and it expands uniformly to a width of one thousand, and two hundred and fifty (1,250) feet. This approach surface extends for a horizontal distance of five thousand (5,000) feet at a slope of twenty to one (20:1). The elevation of the inner width of the approach surface is the same as the elevation of the nearest point on the runway centerline. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.38.0603. Transitional zone surface.~~

The transitional surface extends outward and upward at right angles to the runway centerline and the runway centerline extends at a slope of seven to one (7:1) from a line one hundred and twenty five (125) feet from the runway centerline or runway end and from the sides of the approach surfaces. The elevation of the line one hundred and twenty five (125) feet from the runway centerline or runway centerline extended for two hundred (200) feet beyond each runway end is the same as the elevation of the nearest point on the runway centerline. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.38.0704. ———Horizontal —zone surface.~~

A horizontal surface is established above the airport. This horizontal surface is a plane one hundred and fifty (150) feet above the established airport elevation, the perimeter of which is constructed by ~~swinging arcs~~ which swing five thousand (5,000) feet in a radius from the center of each end of the primary surface of the runway and connecting the adjacent arcs by lines tangent to those arcs.

~~The primary surface is longitudinally centered on the runway with a width of 250 feet and extends 200 feet beyond each end of the runway.~~ (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.38.0805. ———Conical zone-surface.~~

A conical surface is established which extends outward and upward from the periphery of the horizontal surface at a slope of twenty to one (20:1) for a horizontal distance of four thousand [4,000] feet.

~~(Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

6. Terminal Instrument Procedures (TERPS) Surfaces.

Airspace surfaces associated with instrument approach and departure of aircraft to and from the
airport as determined by the Airport Manager.

~~18.38.085 —Obstacle free area.~~

An area extending 250 feet either side of the runway and 600 feet off either end of the runway. The obstacle free area (OFA) must be kept clear of any structures, fencing, landscaping, parking, or vehicular circulation not directly related to aircraft operations at the Auburn Municipal Airport.

~~(Ord. 5026 § 1, 1997.)~~

~~18.38.090B. —Height limitations — Established Generally.~~

Except as otherwise provided in this chapter, no structure or tree shall be permitted, approved, erected, altered, allowed to grow, or maintained in any zone-surface created in this chapter to have a height in excess of the height limits established in ACC 18.38.100 through 18.38.130 for such zonebelow.

~~(Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

~~18.38.1001. ———Height limitations — Noninstrument approach zone~~Approach Surface (Non-
instrument).

The height limitations for non-instrument approach surfaces begin at a point two hundred (200) feet from and at the centerline elevation of the end of the runway and extend for a horizontal distance of five thousand (5,000) feet at a slope of twenty to one (20:1). (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.38.1102. ———Height limitations — Transition zones~~Transition surface.

The height limitations for transition zones shall be as follows: One foot in height for each seven feet in horizontal distance beginning at any point one hundred and twenty five (125) feet normal to and at the elevation of the centerline of non-instrument runways, extending two hundred (200) feet beyond each end thereof, extending to a height of one hundred and fifty (150) feet above the airport elevation which is sixty three (63)59 feet above mean sea level. In addition to the foregoing, there are established height limits of one foot vertical height for each seven feet horizontal distance measured from the edges of all approach zones for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.38.1203.~~ ~~Height limitations – Horizontal zones~~ Horizontal surface.

The height limitation for a horizontal zone shall be as follows: one hundred and fifty (150) feet above the airport elevation or a height of two hundred and thirteen (213)209 feet above mean sea level. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.38.1304.~~ ~~Height limitations – Conical zones~~ Conical surface.

The conical surface involves a slope of twenty to one (20:1) for a horizontal distance of four thousand (4,000) feet. The relative difference in elevation between the inner and outer edge of the conical surface is two hundred (200) feet. The elevation of the outer edge of the conical surface is three hundred and fifty (350) 300 feet above the established airport elevation. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

C. Height limitations – Compliance. Where the height of any new structure or tree, has the potential to exceed the surfaces established in ACC 18.38.070(A), applicants must demonstrate compliance with the height limitation. Except as specifically provided in subsections A, B and C of this section, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone created by this chapter unless a permit has been applied for and granted by the building department of the city. Each application for a permit shall indicate the purpose for which the permit is desired, with contain sufficient information to permit it to be determined whether the resulting use, structure or tree would will conform to the regulations thereinherein prescribed. If such determination is in the affirmative, the permit shall be granted

1. The Planning Director in consultation with the Airport Manager may require one or all of the following documentation to demonstrate compliance with the surfaces established in ACC 18.38.070(A):

- a. A certificate from a Washington state licensed professional, engineer, or land surveyor, stating that no airspace obstruction will result from the proposed structure or tree being constructed or installed.
- b. The maximum elevation of proposed structures based on the established airport elevation.
- c. Prepare and submit FAA Form 7460 "Notice of Proposed Construction or Alteration".
- d. Other documentation as determined by the Airport Manager.

D. Height limitations – Mitigation and Maintenance. Where the height of any new structure or tree, exceeds the surfaces established in ACC 18.38.070(A), applicants will be responsible for the following mitigation and ongoing maintenance activities:

- 1. The Airport Manager may require the installation of markers and lights or markers as a warning to aircraft. The markers and lights shall meet FAA specifications, be installed, operated, and maintained at the expense of the owner of the structure. A public maintenance easement granting city access to the markers and lights shall be required.
- 2. Trees shall be maintained such that they do not penetrate the airspace.
- 3. Exceptions may include the following:
 - a. Because of natural terrain, land contour, or topographic features, a structure or object would extend above the height limits of each surface.
 - b. Structures necessary and incidental to airport operations.

18.38.08140 Nonconforming structures, trees, and uses. ~~structures and trees~~— Continuation allowed when.

A. Applicability. This section describes the circumstances in which a structure, tree, or use is considered nonconforming and when nonconforming provisions apply. Any structure or tree that legally existed prior to the regulations as of March 22, 1969 is considered nonconforming. Any use in ACC 18.38.030 that legally existed prior to the effective date of this ordinance is considered nonconforming. Any use in ACC 18.38.060 that legally existed prior to the effective date of this ordinance is not considered nonconforming. Nonconforming structures, trees, and uses are generally exempt from this chapter

except as may be compelled by state or federal regulations or if it loses its nonconforming status pursuant to the regulations contained in this section. ~~The regulations prescribed by this chapter shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of March 22, 1969, or otherwise interfere with the continuance of any nonconforming use. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

~~18.38.150 — Nonconforming structures and trees —~~ B. Marking and lighting.

Notwithstanding the provisions of ACC ~~18.38.070(A) 18.38.140~~, the owner of any nonconforming structure or tree is required to permit the installation, operation, and maintenance thereon of such markers and lights as are deemed necessary by the Airport Manager to indicate to the operators of aircraft in the vicinity of the airport the presence of such aircraft hazards. Such markers and lights shall meet FAA specifications, —be installed at City cost to the City, and operated and maintained by the city. A public maintenance easement agreement granting city access shall be required. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

C. Alteration. Alteration of nonconforming structures, trees, and uses are subject to the following regulations.

1. Nonconforming structures may be maintained, repaired, restored, added onto, enlarged, or relocated in accordance with the provisions of ACC 18.54.060. A nonconforming structure that is restored or repaired at a valuation exceeding 50 percent of the assessed valuation of such structure as established by the most current county assessor's tax roll, relocated, enlarged, or added onto must conform to ACC 18.38.070.
2. Nonconforming uses may continue subject to the provisions of Chapter 18.54 ACC.
3. Nonconforming signs shall be subject to the nonconforming provisions of Chapter 18.56 ACC. A nonconforming sign that is enlarged, made taller, relocated, or loses its nonconforming status per ACC 18.56.030(J), must conform to ACC 18.38.070.
4. Alteration of a nonconforming tree, including replacement, replanting and trimming, must conform to ACC 18.38.070.
5. Notwithstanding the provisions of ACC 18.38.080(C)(1) through (4), —No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation., than it was on March 22, 1969, or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

D. Abatement. Nonconforming structures and uses shall be abated according to the provisions of ACC 18.54.070. Any tree that is diseased, decayed, dead, or dying must be removed, and if required, replaced with tree that conforms to ACC 18.38.070.

~~18.38.160 — Structure and use permits.~~

~~Except as specifically provided in subsections A, B and C of this section, no material change shall be made in the use of land and no structure or tree shall be erected, altered, planted or otherwise established in any zone created by this chapter unless a permit has been applied for and granted by the building department of the city. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient information to permit it to be determined whether the resulting use, structure or tree would conform to the regulations therein prescribed. If such determination is in the affirmative, the permit shall be granted.~~

~~A. In the area lying within the limits of the horizontal zone and the conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when because of terrain, land contour or topographic features such tree or structure would extend above the height limits prescribed for such zone.~~

~~B. In the area lying within the limits of the noninstrument approach surface but at a horizontal distance of not less than 5,000 feet from a point 200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such trees or structures would extend above the height limit prescribed for such noninstrument approach zone.~~

~~C. The transitional surface does not extend beyond the perimeter of the horizontal surface. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

~~18.38.170 — Nonconforming structures or trees — Alteration.~~

~~A. Before any nonconforming structure or tree may be replaced, substantially altered or repaired, rebuilt, allowed to grow higher or replanted, a permit must be secured from the airport manager and, if applicable, the building official.~~

~~B. No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure or tree to be made or become higher, or become a greater hazard to air navigation, than it was on March 22, 1969, or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

~~18.38.180 — Nonconforming structures or trees — Abandoned or destroyed — Permit prohibited.~~

~~Whenever the airport manager determines that a nonconforming structure or tree has been abandoned or more than 80 percent torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

~~18.38.190~~090 Variances. Requirements for variances.

~~A. Requirements. If the applicant seeks a variance to erect or increase the height of any structure, or permit the growth of any tree, or use their property, not in accordance with the regulations prescribed in this chapter, the variance shall be subject to the criteria contained in ACC 18.70.010 and processed according to the applicable provisions of Chapter 18.70 ACC. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use their property, not in accordance with the regulations prescribed in this chapter, may apply to the hearing examiner for a variance from such regulation. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulation should result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this chapter. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

~~18.38.200 — Variance — Grant conditions.~~

~~B. Approval conditions. Any variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and is reasonable in the circumstances, be so conditioned as to require the~~

owner of the structure or tree requesting a variance to install, operate and maintain at their own expense such markers and lights as determined by the Airport Manager ~~may be necessary~~ to indicate to aircraft operators ~~fliers~~ the presence of an airport hazard. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.210100 Decision appeals – Generally.

Any person aggrieved, or any property owner ~~taxpayer~~ affected, by any decision of the city made in its administration of this chapter may appeal to the hearing examiner. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.220110 Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict is with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.230120 Enforcement.

It shall be the duty of the ~~airport manager and building official~~ Department of Public Works and the Department of Community Development to administer and enforce the regulations prescribed in this chapter. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.240130 Violation – Penalty.

Each violation of this chapter or of any regulation, order or ruling promulgated under this chapter constitutes a misdemeanor and is punishable as provided in ACC [1.24.010](#). Each day a violation continues to exist constitutes a separate offense. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.250 — Development standards.

~~Development standards in a LF district are as follows:~~

- ~~A. Minimum lot area: none required;~~
- ~~B. Minimum lot width: none required;~~
- ~~C. Minimum lot depth: none required;~~
- ~~D. Maximum lot coverage: none required;~~

- ~~E. Maximum building height: 45 feet, except as restricted elsewhere by this chapter;~~
- ~~F. Minimum yard setbacks:~~
 - ~~1. Front: 20 feet;~~
 - ~~2. Side, interior: none required;~~
 - ~~3. Side, street: 15 feet;~~
 - ~~4. Rear: none required;~~
- ~~G. Fences and hedges: see Chapter 18.31 ACC;~~
- ~~H. Parking: see Chapter 18.52 ACC;~~
- ~~I. Landscaping: see Chapter 18.50 ACC;~~
- ~~J. Signs: see Chapter 18.56 ACC. (Ord. 5777 § 1, 2003; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)~~

Chapter 18.01 USER GUIDE

18.01.030 How do I determine what uses are allowed on a particular property?

The first step in determining allowed uses is verifying the zoning on the property, which can be done by speaking with city of Auburn planning department staff or by consulting the city's official zoning map.

When verifying a property's zoning, it is also important to note any overlays that may be marked on the zoning map. Overlays may have additional requirements or otherwise modify the allowed uses and development standards for a zone. The overlay R regulations for overlays, such as those established for Lea Hill, West Hill, and designated urban separator areas, are contained in Chapter 18.21 ACC, and for the airport are contained in Chapter 18.38 ACC.

The sections devoted to particular zones described on the zoning map form the framework of the zoning code. Each of these sections contains the intent statement for the particular zone, a table of allowed uses, as well as tables for dimensional standards (building height, setbacks, and lot coverage) and cross-references to other standards such as landscaping and parking requirements. It is important to note that each section contains only regulations that apply specifically to that zone, and development standards that apply to all zones are addressed through cross-references to other chapters of the zoning code. (Ord. 6245 § 1, 2009.)

Chapter 18.04

DEFINITIONS

18.04.039 Aircraft Operations.

The movement of aircraft operating in the airport traffic pattern or within sight of the airport. A landing or takeoff is one operation. An aircraft that takes off and then lands creates two aircraft operations.

18.04.040 Airport Manager.

See definition in Chapter 12.56 ACC.

18.04.040~~1~~ Airport, heliport or aircraft landing field.

“Airport,” “heliport,” or “aircraft landing field” means any runway, landing area or other facility whether publicly or privately owned or operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft, ~~including ultralights as defined by ACC 8.36.010.~~ This definition includes all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces. This definition does not include manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacturing or testing of commercial or military aircraft or activities associated therewith

18.04.361 FAR Part 77 Surfaces.

The Federal Aviation Administration’s Federal Aviation Regulations (FAR) Part 77 Surfaces are the imaginary airspace surfaces established with any relation to each runway of an airport. There are five types of surfaces: (1) primary, (2) approach, (3) transitional, (4) horizontal, and (5) conical. These surfaces are above and around airports and require protection from potential obstructions that might interfere with airport traffic and potentially create a safety risk to aircraft occupants and persons on the ground. An object or structure with an elevation higher than the FAR Part 77 surface elevation is considered to penetrate the FAR Part 77 Surfaces and constitute an obstruction to navigable airspace. Navigable airspace is defined by the FAA pursuant to Title 14 Code of Federal Regulations Part 77, Imaginary Surfaces.

18.04.677 Overlay Zone. "Overlay zone" is supplemental to the underlying zoning district and may establish additional or stricter standards and criteria for properties in addition to those of the underlying zoning district.

18.04.677-679 Owner occupied unit. "Owner occupied unit" means a dwelling unit in which the owner resides on a regular, permanent basis. (Ord. 6477 § 11, 2013.)

Chapter 18.38

LF AIRPORT LANDING FIELD DISTRICT, OVERLAY, AND FAR PART 77 SURFACES

Sections:

- 18.38.010 Intent.
- 18.38.020 Purpose.
- 18.38.030 LF Airport Landing Field District Permitted Uses.
- 18.38.040 LF Airport Landing Field District Development Standards.
- 18.38.050 Airport Overlay Intent and Boundary.
- 18.38.060 Airport Overlay Restrictions and Standards.
- 18.38.070 Federal Aviation Regulations Part 77 Surfaces and Other Surfaces.
- 18.38.080 Nonconforming Uses, Structures, and Trees.
- 18.38.090 Variances.
- 18.38.100 Decision Appeals – Generally.
- 18.38.110 Conflicting Regulations.
- 18.38.120 Enforcement.
- 18.38.130 Violation – Penalty.

18.38.010 Purpose.

The provisions of this chapter apply to lands located within the LF Airport Landing Field Zoning District, Airport Zoning Overlay, and Federal Aviation Administration (FAA) Federal Regulation Title 14 Part 77 Imaginary Surfaces (FAR Part 77 Surfaces) and other Surfaces. The airport overlay and the FAR Part 77 Surfaces and other surfaces are supplemental to the existing zoning districts and may be more restrictive than the underlying zoning designation. The restrictions, performance standards, and requirements of the airport overlay shall be in addition to those of the underlying zone and, where explicitly noted, supersede the underlying zoning. If implementation of this chapter conflicts with other provisions of the City Code, State, or federal law, the more restrictive requirement applies.

18.38.020 Intent.

The intent of this chapter is to apply the City's Comprehensive Plan and to implement certain land use and zoning development standards to reduce or avoid potential for airport related hazards. It is found that an airport hazard endangers the lives and property of users of the municipal airport and of

occupants of land or property in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off, and maneuvering of aircraft, thus tending to destroy or impair the utility of the municipal airport and the public investment therein. Accordingly, it is declared that:

- A. The creation or establishment of an airport hazard is a public nuisance and an injury to the region served by the municipal airport;
- B. It is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented; and
- C. The prevention of these airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation. It is further declared that both the prevention or the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or interests in land. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)
- D. For the purpose of this chapter structure means any object constructed or installed by a human being, including, but not limited to buildings, signs, fences, towers, devices, and overhead transmission lines, and tree means any object of natural growth.

18.38.030 LF Airport Landing Field District Uses.

A. Permitted Uses. Hereafter the effective date of this ordinance all buildings, structures, or parcels of land shall only be used for the following, unless otherwise provided for in this title:

1. Landing, taking off, taxiing, and flying of aircraft;
2. Aviation related business, manufacturing, service-related uses including businesses incidental to and necessary or convenient for airport operations, including offices, eating establishments, restrooms, hangars, shops for light repairs, gasoline and oil sales and accessory structures; and
3. Other uses as determined by the Planning Director in consultation with the Airport Manager as defined in Chapter 12.56 ACC to be related to operation and use of the airport. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.040 LF Airport Landing Field District Zoning Development Standards.

Table 18.38.040 Development Standards

A	Minimum <u>lot area</u> (square feet)	None
B	Minimum lot width	None
C	Minimum lot depth	None
D	Minimum lot coverage	None
E	Maximum structure height	45 ft ¹³
F	Minimum <u>front setback</u> (feet)	None ²
G	Minimum interior <u>side setback</u> (feet)	None
H	Minimum street <u>side setback</u> (feet)	None ²
I	Minimum <u>rear setback</u> (feet)	None ²
J	<u>Fences</u>	See ACC <u>18.31.020</u> ³
K	<u>Landscaping</u>	See Chapter <u>18.50</u> ACC ³
L	Parking	See Chapter <u>18.52</u> ACC

M	<u>Signs</u>	See Chapter <u>18.56</u> ACC ³
N	Outdoor lighting	See Chapter <u>18.55</u> ACC ³

1 Buildings and/or structures necessary for airport operations are exempt from the height requirements of this title when approved by the Airport Manager._

2 Must meet sight distance provisions of the engineering design standards.

3 Except as restricted elsewhere by this chapter.

18.38.050 Airport Overlay Intent and Boundaries.

The purpose of the airport overlay, as identified on the City of Auburn Comprehensive Zoning Map, is to protect the utility and viability of Auburn Airport by discouraging incompatible land uses and requiring the evaluation and consideration of potential safety impacts when siting certain land uses in proximity to the airport. The airport overlay is supplemental to the established zoning districts and may be more restrictive than the underlying zoning district. The overlay is composed of **six** zones based on use and proximity to the airport runway. **The zones were modeled after the WSDOT Aviation Airport Compatibility Zones 1-6, and the Airport's published traffic pattern.**

A. Zone 1 - Runway Overlay Zone. Zone 1 is a rectangular area that encompasses the trapezoidal runway protection zone (RPZ) at each end of the runway as shown in the "Auburn Municipal Airport Master Plan," dated May 2015, as may be amended. The purpose of Zone 1 is to maintain areas that are generally free of obstructions and significant concentrations of people. Zone 1 extends one thousand (1,000) feet in length from the ends of the future configuration of Runway 34/16 and is seven hundred and fifty (750) feet in width.

B. Zone 2 - Inner Safety Zone. Zone 2 is a rectangular area that extends beyond Zone 1 along the extension of the runway centerline. Next to the Zone 1 it represents the area where the risk of aircraft accidents is the greatest. This zone extends one thousand five hundred (1,500) feet from Zone 1 and is seven hundred and fifty feet (750) in width.

C. Zone 3 – Inner Turning Zone. Zone 3 is defined by a triangular shaped area that is positioned along each side of Zones 1 and 2. When operating visually, departing aircraft may begin turning over this area to fly toward their destination or to remain in the traffic pattern. Arriving aircraft often overfly this area as well. This zone extends three thousand (3,000) feet from the Zone 3 vertex offsets (a point that is on

the runway centerline) and inward within a thirty degree sector towards the extended runway centerline.

D. Zone 4 - Outer Safety Zone. Zone 4 is a rectangular area that lies beyond Zone 3 along the extended runway centerline. Aircraft flying straight out or in, overfly this area at low altitude. This zone is particularly significant on runways where airport operations use instrument procedures and at busy airports where elongated traffic patterns are common. This zone extends two thousand five hundred (2,500) feet beyond Zone 3 and is five hundred (500) feet in width.

E. Zone 5 - Sideline Safety Zone. Zone 5 consists of narrow bands along each side of the runway and encompasses the Object Free Area (OFA), as defined by the Airport Master Plan, dated 2015, as may be amended. This zone is defined by a five hundred (500) foot centerline offset on each side of the runway. Aircraft do not normally fly over the sideline zone. The principal risk is from aircraft that lose directional control while landing or just after takeoff.

F. Zone 6 – Airport Operations Zone. Zone 6 contains the remainder of the airport environment where aircraft fly as they approach and depart the airport. This zone extends six thousand five hundred (6,500) feet in length from the Zone 3 vertex offsets and six thousand (6,000) feet in width from the runway centerline.

18.38.060 Airport Overlay Restrictions and Standards.

A. Zones 1 and 2. The following regulations shall apply within the boundaries of Zones 1 and 2:

1. The following new uses established hereafter the effective date of this ordinance are prohibited in Zones 1 and 2:

- a. [Multiple-family dwellings](#), stand-alone;
- b. [Mixed-Use development](#);
- c. [Nursing home](#);
- d. [Assisted living facility](#);
- e. [Hospitals](#);
- f. [Senior housing](#);
- g. Schools, [elementary, middle/junior high](#), and [secondary or high school](#);
- h. [Daycare center and nursery schools/preschools](#);
- i. [Detached single-family dwellings](#), except caretakers quarters; and
- j. Other uses, similar to those above, or activities determined by the Planning Director in consultation with the Airport Manager to be incompatible with aviation, aviation safety, or any activity that has the potential to interfere with the airport, airport traffic patterns, and aircraft operations.

2. The following standards apply in Zones 1 and 2:

- a. All property owners seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall dedicate an aviation easement to the City of Auburn over the affected portion of their property prior to issuance of said permit(s). The language of the easement shall be provided by the City.
- b. No use may create an electrical interference with navigational signals or radio communications at the airport, or with radio or electronic communications between the airport and aircraft, or aircraft to aircraft.
- c. No structure or tree shall be placed, erected, or allowed to grow that makes it difficult for pilots to distinguish between airport lights and other lights, results in glare to pilots, impairs visibility in the vicinity thereof, or otherwise endanger the landing, taking off or maneuvering of aircraft.

- d. No use or structure shall emit emissions of fly ash, dust, vapor, gases, steam, or other forms of emissions that may conflict with any operations of the airport.
- e. No use or activity shall be permitted that would foster an increase in bird population and thereby increase the likelihood of aircraft and bird impact, as determined by the Planning Director in consultation with the Airport Manager.
- f. In order to deter the congregation of wildlife, stormwater facilities must meet or exceed recommendations found in Appendix I-H, Airport Operations of the SWMM, as defined in ACC 12.04.010(B).

B. Zone 3. The following regulations shall apply within the boundary of Zone 3:

- 1. The new uses contained in (A)(1) are prohibited in Zone 3.
- 2. The standards of (A)(2)(a) through (d) apply.

C. Zone 4. The following regulations shall apply with the boundary of Zone 4:

- 1. The standards of (A)(2)(a) through (d) apply.

D. Zone 5. The following regulations shall apply within the boundary of Zone 5:

- 1. The standards of (A)(2)(a) through (f) apply.

E. Zone 6. The following regulations shall apply within the boundary of Zone 6:

- 1. The standards of (A)(2)(b) and (c) apply.
- 2. All property owners within 1,000 feet of properties zoned LF, Landing Field District seeking permit(s) for grading (excluding minor grading permits), building (exceed 50 percent of the value of the building or structure), extension or replacement of public utilities, subdivision, or development activity that triggers public improvements per Chapter 12.64A ACC, shall record aviation disclosure notice with the King County Recorder's Office notifying, in writing, to future owners and tenants prior to signing a lease or sale, of the possible affects from aviation activities. The language of the notice shall be provided by the City.

18.38.070 Federal Aviation Regulations (FAR) Part 77 Surfaces and Other Surfaces.

A. In order to carry out the purpose and intent of this chapter, there are created and established certain surfaces, including: all of the land lying within the primary surface, non-instrument approach surface,

transition surface, horizontal surface, conical surface, as well as the Terminal Instrument Procedures (TERPS) airspace surfaces. These surfaces, with exception of the TERPS, are shown on the FAR Part 77 drawing, as amended, which is on file in the city clerk's office. Other surfaces not provided for here, are included in the "Auburn Municipal Airport Layout Plan", dated May 2015, as may be amended. The surfaces defined for the runway summarized below are consistent with the currently adopted airport layout plan (ALP) and FAR Part 77 Airspace Plan drawings for the airport.

1. Primary surface. The primary surface, is centered on top of the runway and extends two hundred feet beyond each end. The primary surface is longitudinally centered on the runway with a width of two hundred and fifty (250) feet and extends two hundred (200) feet beyond each end of the runway. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)
2. Approach surface. A non-instrument approach surface is established at each end of all non-instrument runways for landings and takeoffs. The inner width of the approach surface is two hundred and fifty (250) feet at a distance of two hundred (200) feet beyond the physical end of the runway, and it expands uniformly to a width of one thousand, two hundred and fifty (1,250) feet. This approach surface extends for a horizontal distance of five thousand (5,000) feet at a slope of twenty to one (20:1). The elevation of the inner width of the approach surface is the same as the elevation of the nearest point on the runway centerline. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)
3. Transitional surface. The transitional surface extends outward and upward at right angles to the runway centerline and the runway centerline extends at a slope of seven to one (7:1) from a line one hundred and twenty five (125) feet from the runway centerline or runway end and from the sides of the approach surfaces. The elevation of the line one hundred and twenty five (125) feet from the runway centerline or runway centerline extended for two hundred (200) feet beyond each runway end is the same as the elevation of the nearest point on the runway centerline. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

4. Horizontal surface. A horizontal surface is established above the airport. This horizontal surface is a plane one hundred and fifty (150) feet above the established airport elevation, the perimeter of which is constructed by arcs which swing five thousand (5,000) feet in a radius from the center of each end of the primary surface of the runway and connecting the adjacent arcs by lines tangent to those arcs. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

5. Conical surface. A conical surface is established which extends outward and upward from the periphery of the horizontal surface at a slope of twenty to one (20:1) for a horizontal distance of four thousand (4,000) feet.

6. Terminal Instrument Procedures (TERPS) Surfaces. Airspace surfaces associated with instrument approach and departure of aircraft to and from the airport as determined by the Airport Manager.

B. Height limitations – Established. Except as otherwise provided in this chapter, no structure or tree shall be permitted, approved, erected, altered, allowed to grow, or maintained in any surface created in this chapter to have a height in excess of the height limits established below.

1. Approach Surface (Non-instrument). The height limitations for non-instrument approach surfaces begin at a point two hundred (200) feet from and at the centerline elevation of the end of the runway and extend for a horizontal distance of five thousand (5,000) feet at a slope of twenty to one (20:1). (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

2. Transition surface. The height limitations for transition zones shall be as follows: One foot in height for each seven feet in horizontal distance beginning at any point one hundred and twenty five (125) feet normal to and at the elevation of the centerline of non-instrument runways, extending two hundred (200) feet beyond each end thereof, extending to a height of one hundred and fifty (150) feet above the airport elevation which is sixty three (63) feet above mean sea level. In addition to the foregoing, there are established height limits of one foot vertical height for each seven feet horizontal distance measured from the edges of all approach zones for the entire length of the approach zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

3. Horizontal surface. The height limitation for a horizontal zone shall be as follows: one hundred and fifty (150) feet above the airport elevation or a height of two hundred and thirteen (213) feet above mean sea level. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

4. Conical surface. The conical surface involves a slope of twenty to one (20:1) for a horizontal distance of four thousand (4,000) feet. The relative difference in elevation between the inner and outer edge of the conical surface is two hundred (200) feet. The elevation of the outer edge of the conical surface is three hundred and fifty (350) feet above the established airport elevation. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

C. Height limitations – Compliance. Where the height of any new structure or tree, has the potential to exceed the surfaces established in ACC 18.38.070(A), applicants must demonstrate compliance with the height limitation. Each application for a permit shall contain sufficient information to determine whether the resulting structure or tree will conform to the regulations herein prescribed.

1. The Planning Director in consultation with the Airport Manager may require one or all of the following documentation to demonstrate compliance with the surfaces established in ACC 18.38.070(A):

- a. A certificate from a Washington state licensed professional, engineer, or land surveyor, stating that no airspace obstruction will result from the proposed structure or tree being constructed or installed.
- b. The maximum elevation of proposed structures based on the established airport elevation.
- c. Prepare and submit FAA Form 7460 “Notice of Proposed Construction or Alteration”.
- d. Other documentation as determined by the Airport Manager.

D. Height limitations – Mitigation and Maintenance. Where the height of any new structure or tree, exceeds the surfaces established in ACC 18.38.070(A), applicants will be responsible for the following mitigation and ongoing maintenance activities:

1. The Airport Manager may require the installation of markers and lights or markers as a warning to aircraft. The markers and lights shall meet FAA specifications, be installed, operated, and maintained at the expense of the owner of the structure. A public maintenance easement granting city access to the markers and lights shall be required.
2. Trees shall be maintained such that they do not penetrate the airspace.
3. Exceptions may include the following:
 - a. Because of natural terrain, land contour, or topographic features, a structure or object would extend above the height limits of each surface.
 - b. Structures necessary and incidental to airport operations.

18.38.080 Nonconforming structures, trees, and uses.

A. Applicability. This section describes the circumstances in which a structure, tree, or use is considered nonconforming and when nonconforming provisions apply. Any structure or tree that legally existed prior to the regulations as of March 22, 1969 is considered nonconforming. Any use in ACC 18.38.030 that legally existed prior to the effective date of this ordinance is considered nonconforming. Any use in ACC 18.38.060 that legally existed prior to the effective date of this ordinance is not considered nonconforming. Nonconforming structures, trees, and uses are generally exempt from this chapter except as may be compelled by state or federal regulations or if it loses its nonconforming status pursuant to the regulations contained in this section.

B. Marking and lighting. Notwithstanding the provisions of ACC 18.38.070(A), the owner of any nonconforming structure or tree is required to permit the installation, operation, and maintenance thereon of such markers and lights as are deemed necessary by the Airport Manager to indicate to the operators of aircraft in the vicinity of the airport the presence of such aircraft hazards. Such markers and lights shall meet FAA specifications, be installed at City cost, and operated and maintained by the City. A public maintenance easement agreement granting city access shall be required. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

C. Alteration. Alteration of nonconforming structures, trees, and uses are subject to the following regulations.

1. Nonconforming structures may be maintained, repaired, restored, added onto, enlarged, or relocated in accordance with the provisions of ACC 18.54.060. A nonconforming structure that is restored or repaired at a valuation exceeding 50 percent of the assessed valuation of such structure as established by the most current county assessor's tax roll, relocated, enlarged, or added onto must conform to ACC 18.38.070.
2. Nonconforming uses may continue subject to the provisions of Chapter 18.54 ACC.
3. Nonconforming signs shall be subject to the nonconforming provisions of Chapter 18.56 ACC. A nonconforming sign that is enlarged, made taller, relocated, or loses its nonconforming status per ACC 18.56.030(J), must conform to ACC 18.38.070.
4. Alteration of a nonconforming tree, including replacement, replanting and trimming, must conform to ACC 18.38.070.
5. Notwithstanding the provisions of ACC 18.38.080(C)(1) through (4), no permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation.

D. Abatement. Nonconforming structures and uses shall be abated according to the provisions of ACC 18.54.070. Any tree that is diseased, decayed, dead, or dying must be removed, and if required, replaced with tree that conforms to ACC 18.38.070.

18.38.090 Variances.

A. Requirements. If the applicant seeks a variance to erect or increase the height of any structure, or permit the growth of any tree, or use their property, not in accordance with the regulations prescribed

in this chapter, the variance shall be subject to the criteria contained in ACC 18.70.010 and processed according to the applicable provisions of Chapter 18.70 ACC.

B. Approval conditions. Any variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and is reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree requesting a variance to install, operate and maintain at their own expense such markers and lights as determined by the Airport Manager to indicate to aircraft operators the presence of an airport hazard. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.100 Decision appeals – Generally.

Any person aggrieved, or any property owner affected, by any decision of the city made in its administration of this chapter may appeal to the hearing examiner. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.110 Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulations applicable to the same area, whether the conflict is with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.120 Enforcement.

It shall be the duty of the Department of Public Works and the Department of Community Development to administer and enforce the regulations prescribed in this chapter. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.38.130 Violation – Penalty.

Each violation of this chapter or of any regulation, order or ruling promulgated under this chapter constitutes a misdemeanor and is punishable as provided in ACC [1.24.010](#). Each day a violation continues to exist constitutes a separate offense. (Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

Chapter 18.01 USER GUIDE

18.01.030 How do I determine what uses are allowed on a particular property?

The first step in determining allowed uses is verifying the zoning on the property, which can be done by speaking with city of Auburn planning department staff or by consulting the city's official zoning map.

When verifying a property's zoning, it is also important to note any overlays that may be marked on the zoning map. Overlays may have additional requirements or otherwise modify the allowed uses and development standards for a zone. The overlay regulations established for Lea Hill, West Hill, and designated urban separator areas, are contained in Chapter 18.21 ACC, and for the airport are contained in Chapter 18.38 ACC.

The sections devoted to particular zones described on the zoning map form the framework of the zoning code. Each of these sections contains the intent statement for the particular zone, a table of allowed uses, as well as tables for dimensional standards (building height, setbacks, and lot coverage) and cross-references to other standards such as landscaping and parking requirements. It is important to note that each section contains only regulations that apply specifically to that zone, and development standards that apply to all zones are addressed through cross-references to other chapters of the zoning code. (Ord. 6245 § 1, 2009.)

Chapter 18.04 DEFINITIONS

18.04.039 Aircraft Operations.

The movement of aircraft operating in the airport traffic pattern or within sight of the airport. A landing or takeoff is one operation. An aircraft that takes off and then lands creates two aircraft operations.

18.04.040 Airport Manager.

See definition in Chapter 12.56 ACC.

18.04.041 Airport, heliport or aircraft landing field.

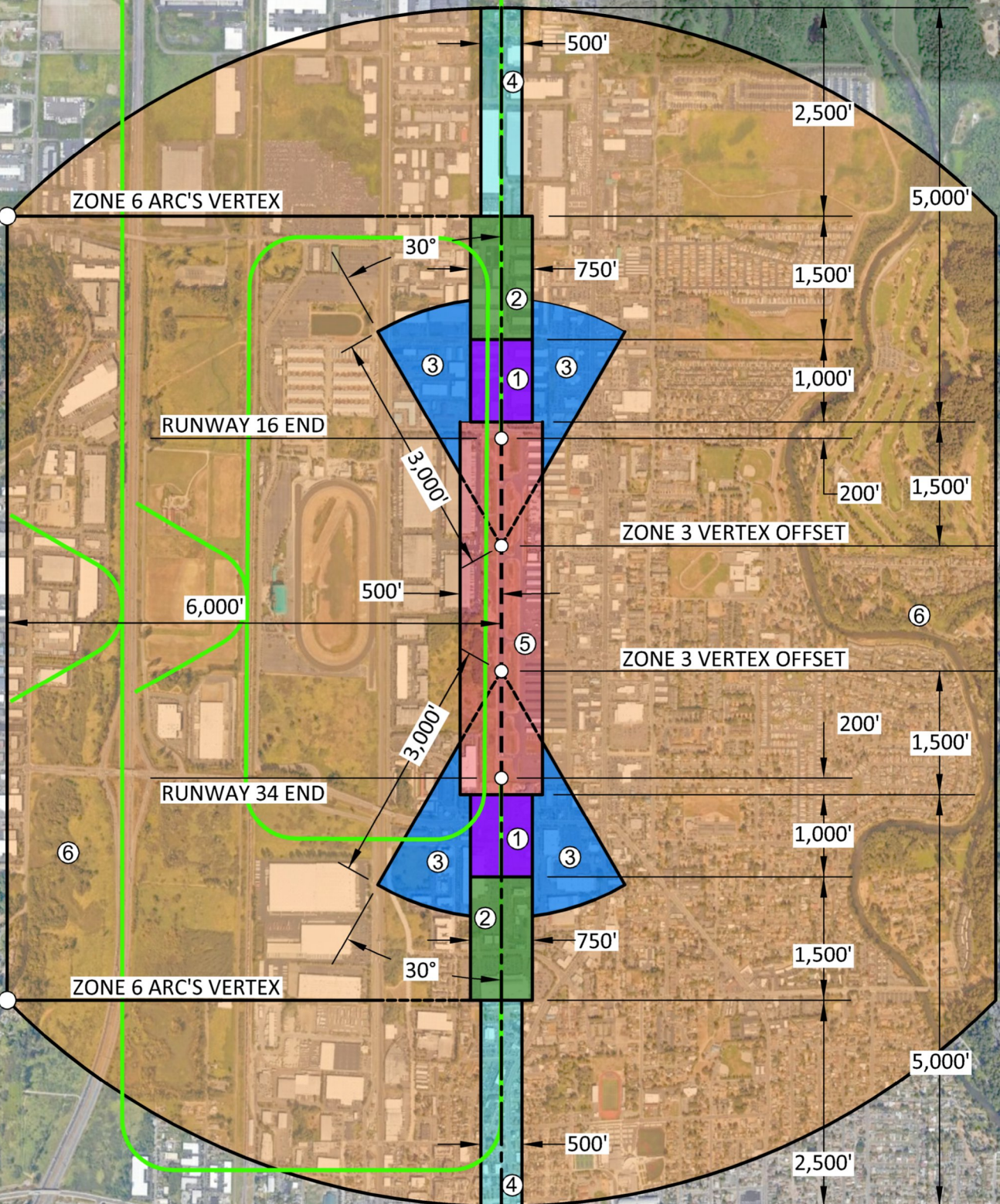
“Airport,” “heliport,” or “aircraft landing field” means any runway, landing area or other facility whether publicly or privately owned or operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft. This definition includes all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces. This definition does not include manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacturing or testing of commercial or military aircraft or activities associated therewith

18.04.361 FAR Part 77 Surfaces.

The Federal Aviation Administration’s Federal Aviation Regulations (FAR) Part 77 Surfaces are the imaginary airspace surfaces established with any relation to each runway of an airport. There are five types of surfaces: (1) primary, (2) approach, (3) transitional, (4) horizontal, and (5) conical. These surfaces are above and around airports and require protection from potential obstructions that might interfere with airport traffic and potentially create a safety risk to aircraft occupants and persons on the ground. An object or structure with an elevation higher than the FAR Part 77 surface elevation is considered to penetrate the FAR Part 77 Surfaces and constitute an obstruction to navigable airspace. Navigable airspace is defined by the FAA pursuant to Title 14 Code of Federal Regulations Part 77, Imaginary Surfaces.

18.04.677 Overlay Zone. “Overlay zone” is supplemental to the underlying zoning district and may establish additional or stricter standards and criteria for properties in addition to those of the underlying zoning district.

18.04.679 Owner occupied unit. “Owner occupied unit” means a dwelling unit in which the owner resides on a regular, permanent basis. (Ord. 6477 § 11, 2013.)



 RUNWAY OVERLAY ZONE	①	 OUTER SAFETY ZONE	④
 INNER SAFETY ZONE	②	 SIDELINE SAFETY ZONE	⑤
 INNER TURNING ZONE	③	 AIRPORT OPERATIONS ZONE	⑥

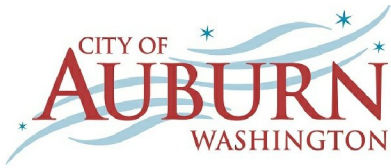
REV. DATE 8/2/21



LEGEND

- - - - - RUNWAY
- AIRPORT TRAFFIC PATTERN
(PATH OF THE GREEN LINE)

NOTE:
1. AIRPORT COMPATIBILITY ZONES BASED ON AIRPORT LAYOUT PLAN
4,118' RUNWAY LENGTH; AS-BUILT (2020)



AGENDA BILL APPROVAL FORM

Agenda Subject:

2021 Comprehensive Plan Annual Update

Department:

Community Development

Attachments:

[Comp Plan PC Memo](#)

[Comp Plan PC Docket](#)

[Comp Plan Presentation](#)

Date:

August 26, 2021

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

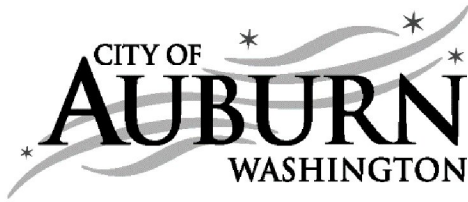
Revised Budget: \$0

Administrative Recommendation:**Background for Motion:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: September 8, 2021

Staff:

Item Number:



MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Roger Lee, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Josh Steiner, Senior Planner, Comm. Development Dept.
Jeff Dixon, Planning Services Manager, Comm. Development Dept.

DATE: September 8, 2021

RE: **Discussion Topic:** Introductory discussion of Docket of 2021 Annual Comprehensive Plan Amendments

BACKGROUND:

Annually the City amends its Comprehensive Plan ("Comp. Plan"). These are the "annual amendments" that the City considers routinely each year as distinguished from the periodic "major update" of the Comp Plan as required by the Growth Management Act (GMA) that was adopted at the end of year 2015.

Side note: While the Growth Management Act (RCW 36.70A.130) originally required the next periodic update be completed by the year 2023, the state legislature passed ESHB 2342 in 2020 that extends the timeframe for updates until 2024. Pushing this timetable aligns comprehensive plan update to coordinate with regional initiatives that are required to be considered in comprehensive plans and that are scheduled to be completed in 2023, for example, Puget Sound Regional Council's Vision 2050.

There are two types of amendments:

- A. Map; and
- B. Text.

In addition, there are two sources for these annual amendments:

1. City-initiated amendments which are typically items that Staff, Planning Commission, or the City Council have identified as items or issues that should be addressed in the next Comp Plan Amendment cycle; and,
2. Private-initiated amendments, which are in response to applications that are submitted. For the 2021 Comp Plan Amendment cycle, no private amendment applications were submitted,

DISCUSSION

At the September 8, 2021 Planning Commission meeting, staff would like to introduce and briefly discuss:

1. The docket of annual comprehensive plan amendments is proposed to consist of the following:

City Initiated Comprehensive Plan Text Amendments (CPA21-0001) (each capital facilities plan is incorporated by reference)

- **P/T #1** – Auburn School District Capital Facilities Plan
- **P/T #2** – Dieringer School District Capital Facilities Plan
- **P/T #3** – Federal Way School District Capital Facilities Plan
- **P/T #4** – Kent School District Capital Facilities Plan
- **P/T #5** – City of Auburn (COA) Capital Facilities Plan
- **P/T #6** – Volume 3, Capital Facilities Element. Water is in the process of applying for an extension of their Comprehensive Water Plan (separate document incorporated by reference) effective to 2026 through the Washington State Department of Health, at which time a full update will be completed. Water believes this request is valid because the capital projects, water demands, and population growth projections presented in the current Water System Plan are still accurate projections of the City's current planning efforts.
 - No text changes to the Capital Facilities Element are needed, although the referenced Comprehensive Water Plan in Policy CF-13 is expected to be updated by 2024 with current data as part of the Periodic Update.
- **P/T #7** –Volume 5, Transportation Element (Separate document incorporated by reference). Changes in the Transportation Element consist of the following:
 - Update Transportation Improvement Program (TIP) information/project list;
 - Re-designate one project from Comprehensive Plan list to the (TIP) list to maintain continuity in the future transportation network conditions;
 - Update maps as needed to reflect current data and conditions (addressed by CMP #1, below);
 - Additional minor changes will relate to grammar, punctuation, choice of words, references, etc.
- **P/T #8** – Volume 2, Housing Element. The City adopted a Housing Action Plan (HAP) in July 2021, which was also presented to the Planning Commission in February and June 2021 by City staff. The HAP provides recommendations on policies and code changes to implement HAP strategies. The proposed policy

revision allows for better alignment with PSRC *Vision 2050* policy MPP-H-11 which addresses supporting identification of potential physical, economic, and cultural displacement, and mitigating to the extent feasible.

- Include reference and brief description of Housing Action Plan in Conditions and Trends section beginning on page H-1 of the Housing Element.
 - Revise Policy H-24(f) to include text regarding minimizing displacement impacts. The revision of this policy will better align with PSRC *Vision 2050*'s recognition of displacement risk. Revising this policy allows for alignment with PSRC requirements in advance of the 2024 Periodic Update.
 - Address text formatting for Policy H-24 sub-policies
- **P/T #9** – Volume 1, Land Use Element and Volume 5. The City adopted a Housing Action Plan (HAP) in July 2021, which was also presented to the Planning Commission in February and June 2021 by City staff. The HAP provides recommendations on policies and code changes to implement HAP strategies. One such policy is located in the Land Use Element (additional detail below).
 - Revise Policy LU-39 to include affordable housing and mixed-income development. In addition to allowing additional height or density in exchange for supplemental amenities identified in this policy, this revision would include affordable housing development as eligible uses for deviations in height, density, or intensity.

City-Initiated Map Amendments (CPA21-0002):

- **CPM #1** – Volume 5: Transportation Element (Separate document incorporated by reference): Several maps found throughout Volume 5 have been updated to reflect current conditions. A final list of maps and corresponding page numbers is under development by Transportation Planning.

SUMMARY:

Staff to is to provide an introductory overview of the subjects under consideration for amendments this year. Additional information and more detailed analysis will be presented to the Planning Commission at future meetings.

2021 COMPREHENSIVE PLAN ANNUAL AMENDMENTS **DOCKET**

CITY INITIATED **TEXT** AMENDMENTS CPA21-0001

Item	Page(s)	Area to be changed	Change	Reason	Pros	Cons	Comments
P/T # 1	Auburn School District Capital Facilities Plan (CFP)	Volume 3: Capital Facilities Element (<i>District document is incorporated by reference on Page CF-2</i>).	N/A	Incorporate updated information	Reflect new projects and remove projects that have been completed as well as updated information related to development activity and projection of student levels.	None	The Auburn School District Board of Directors adopted the CFP on June 14, 2021.
P/T # 2	Dieringer School District Capital Facilities Plan	Volume 3: Capital Facilities Element (<i>District document is incorporated by reference on page CF-2</i>).	N/A	Incorporate updated information	Reflect new projects and remove projects that have been completed as well as updated information related to development activity and projection of student levels.	None	
P/T # 3	Federal Way School District Capital Facilities Plan	Volume 3: Capital Facilities Element (<i>District document is incorporated by reference on Page CF-2</i>).	N/A	Incorporate updated information	Reflect new projects and remove projects that have been completed as well as updated information related to development and projection of student levels.	None	The Federal Way Public School's Board of Education adopted the CFP on June 29, 2021.
P/T # 4	Kent School District Capital Facilities Plan	Volume 3: Capital Facilities Element (<i>District document is incorporated by reference on Page CF-2</i>).	N/A	Incorporate updated information	Reflect new projects and remove projects that have been completed as well as updated information related to development activity and projection of student levels.	None	The Kent School Board adopted the CFP on TBD, 2021.
P/T # 5	COA Capital Facilities Plan (CFP)	Volume 3: Capital Facilities Element (<i>City document is incorporated by reference on Page CF-2</i>).	N/A	Incorporate updated information	Add new projects to the CFP and remove projects that have been completed to remain current.	None	Finance Dept. originates the CFP document with information from all other City Depts.
P/T # 6	TBD	Volume 3: Capital Facilities Element (Water Service)	• Update reference to Comprehensive Water Plan	Water is requesting a 4-year extension of their Comprehensive Water Plan through the Department of Health. The currently referenced plan is expected to be updated in 2024.	Will reflect current conditions when plan is complete.	None	There are no changes to the Capital Facilities Element needed for this Annual Update, and is only included because the referenced plan is expected to change when the plan is complete.

CITY INITIATED TEXT AMENDMENTS CPA21-0001

Item	Page(s)	Area to be changed	Change	Reason	Pros	Cons	Comments
P/T #7	TBD	Volume 5: Transportation Element and Appendix	• Update Comprehensive Plan Project List; • Re-designate one project from Comprehensive Plan list to Transportation Improvement Program (TIP) list maintain continuity in the future transportation network conditions; • Additional minor changes will relate to grammar, punctuation, choice of words, references, etc..	Periodic evaluation of priority and availability of funding of capital projects; Update maps to reflect current data and to improve legibility.	Reflects current conditions Maintains projects in planning pipeline	None	Scope and scale of this effort is underway, but expected to contain at least an update to maps reflecting updated conditions, clarifying text revisions, and the transition of capital projects to the TIP.
P/T #8	TBD	Volume 2: Housing Element and Appendix	• Include reference to Housing Action Plan in text • Revise Policy H-24(f) regarding minimizing displacement impacts • Address text formatting for Policy H-24	Revision per recommendation in Housing Action Plan and for consistency with Vision 2050. Update text to address improve legibility.	Reference acknowledges recent Council approved document. Policy revision is consistent with HAP and Vision 2050 policies in advance of 2024 Periodic Update.	None	
P/T #9	TBD	Volume 1: Land Use Element and Appendix	• Revise Policy LU-39 to include affordable housing as approved amenity that allows for building deviation	Revision per recommendation in Housing Action Plan	Policy revisions are consistent with HAP in advance of 2024 Periodic Update.	None	

CITY INITIATED <u>MAP</u> AMENDMENTS CPA21-0002								
CPM #	Page	Area to be changed	Potential change	Reason	Pros	Cons	Comments	Corresponding Zoning Map Change
CPM #1	Map Numbers To Be Determined by Public Works	Volume 5: Transportation Element and Appendix	Update maps to reflect current projects and existing conditions, and to better display data.	Periodic evaluation of project status and to improve map readability.	Reflects current conditions.	None	Maps labeled within Transportation Element numbered separately from the remaining maps found throughout the comprehensive plan. A final list and map numbers are being produced by Transportation Planning Division.	None

AUBURN
VALUES

S E R V I C E

E N V I R O N M E N T

E C O N O M Y

C H A R A C T E R

S U S T A I N A B I L I T Y

W E L L N E S S

C E L E B R A T I O N

COMPREHENSIVE PLAN

2021 ANNUAL AMENDMENTS

PLANNING COMMISSION

SEPTEMBER 8, 2021

JOSH STEINER, AICP

Department of Community Development

Planning • Building • Development Engineering • Permit Center
Sustainability • Community Services • Code Enforcement

2021 COMPREHENSIVE PLAN ANNUAL AMENDMENTS

- Annually the City amends its Comprehensive Plan. These routine amendments are distinguished from the “periodic update” completed on 8-year cycles.
- There are two sources:
 - “city – initiated amendments” in response to items that are “docketed” (text or map).
 - “private-initiated amendments” in response to applications that are submitted (text or map).
- Private-initiated Comprehensive Plan amendment applications (text or map) were publicly advertised in advance and accepted until Friday, June 7, 2021, this year.

PROPOSED 2021 COMPREHENSIVE PLAN AMENDMENT DOCKET

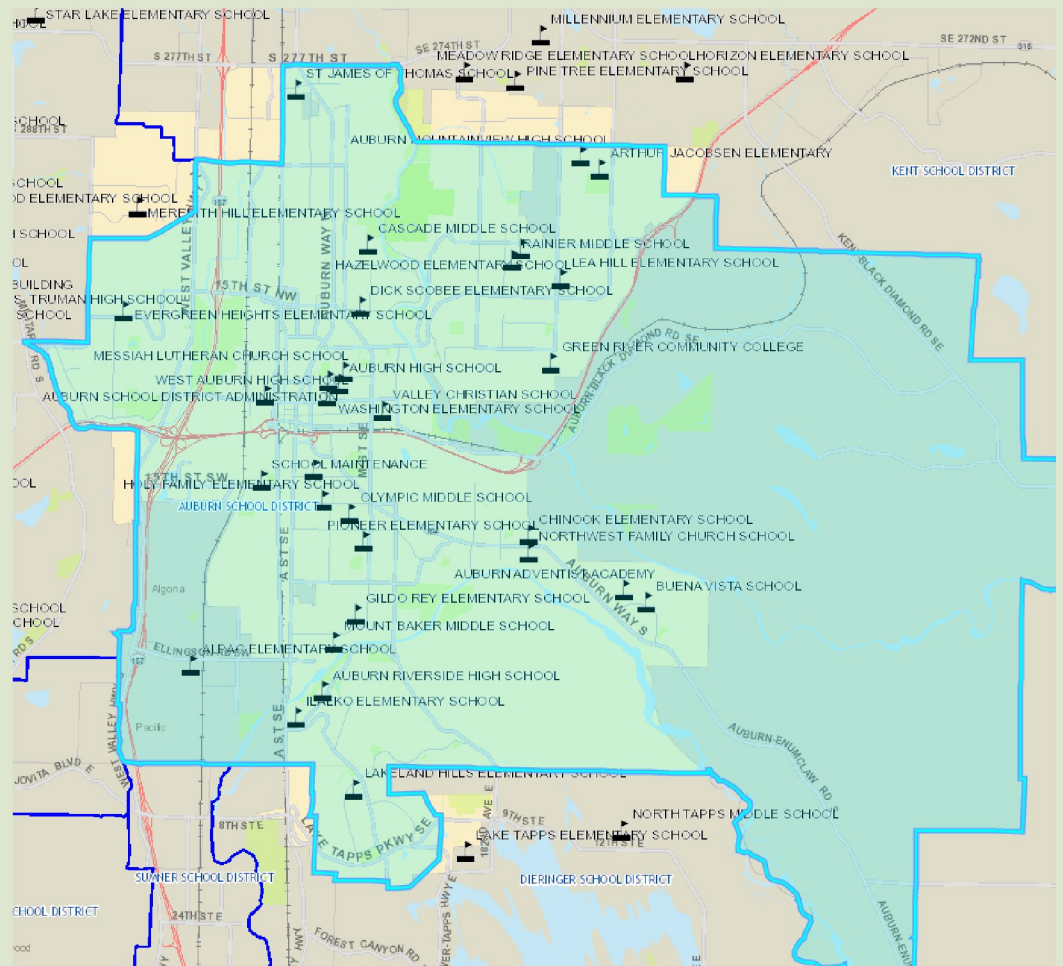
- The 2021 Comprehensive Plan amendment docket currently includes a total of 10 proposed amendments.
- Five updates are annually provided capital facilities plan updates for the city & school districts located within the City.
- Five updates to various elements (chapters) of the comprehensive plan including issues relating to Transportation; Housing; Land Use, and Capital Facilities.
 - Four text amendments, one map amendment

CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

- **P/T #1 – Capital Facilities Plan (CFP) Update for Auburn School District**
- **P/T #2 – Capital Facilities Plan (CFP) Update for Dieringer School District**
- **P/T #3 – Capital Facilities Plan (CFP) Update for Federal Way School District**
- **P/T #4 – Capital Facilities Plan (CFP) Update for Kent School District**
- **P/T #5 – City of Auburn Capital Facilities Plan (CFP) Update**

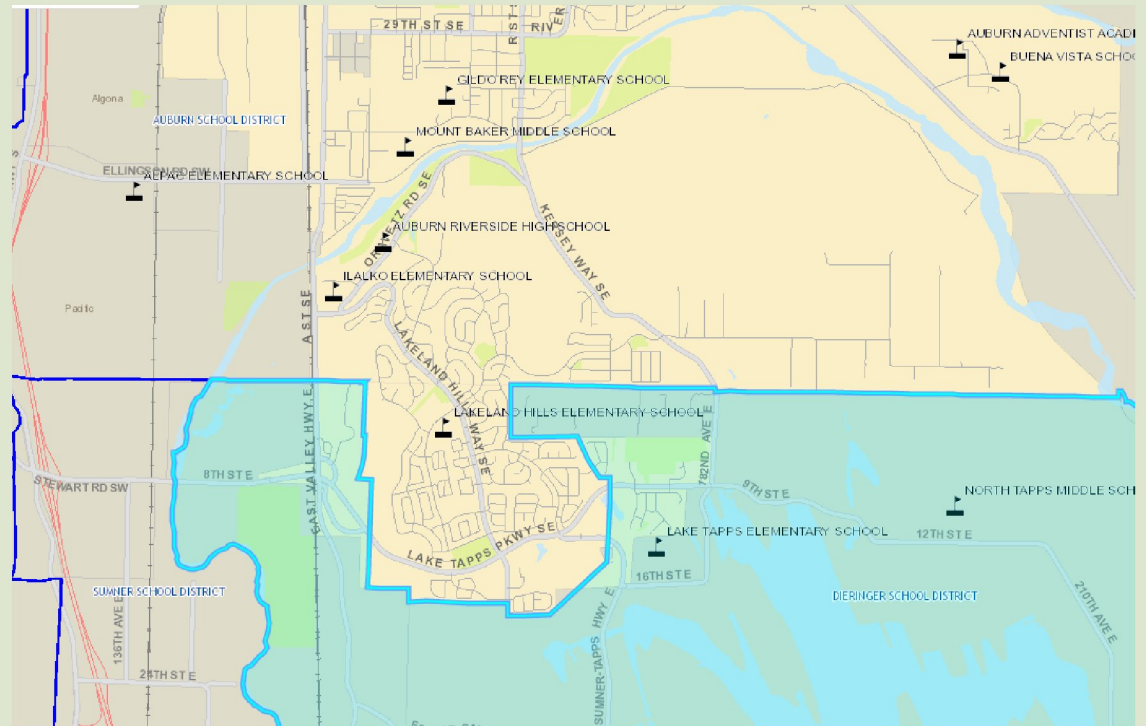
CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

- **P/T #1 – Capital Facilities Plan (CFP) Update for Auburn School District**



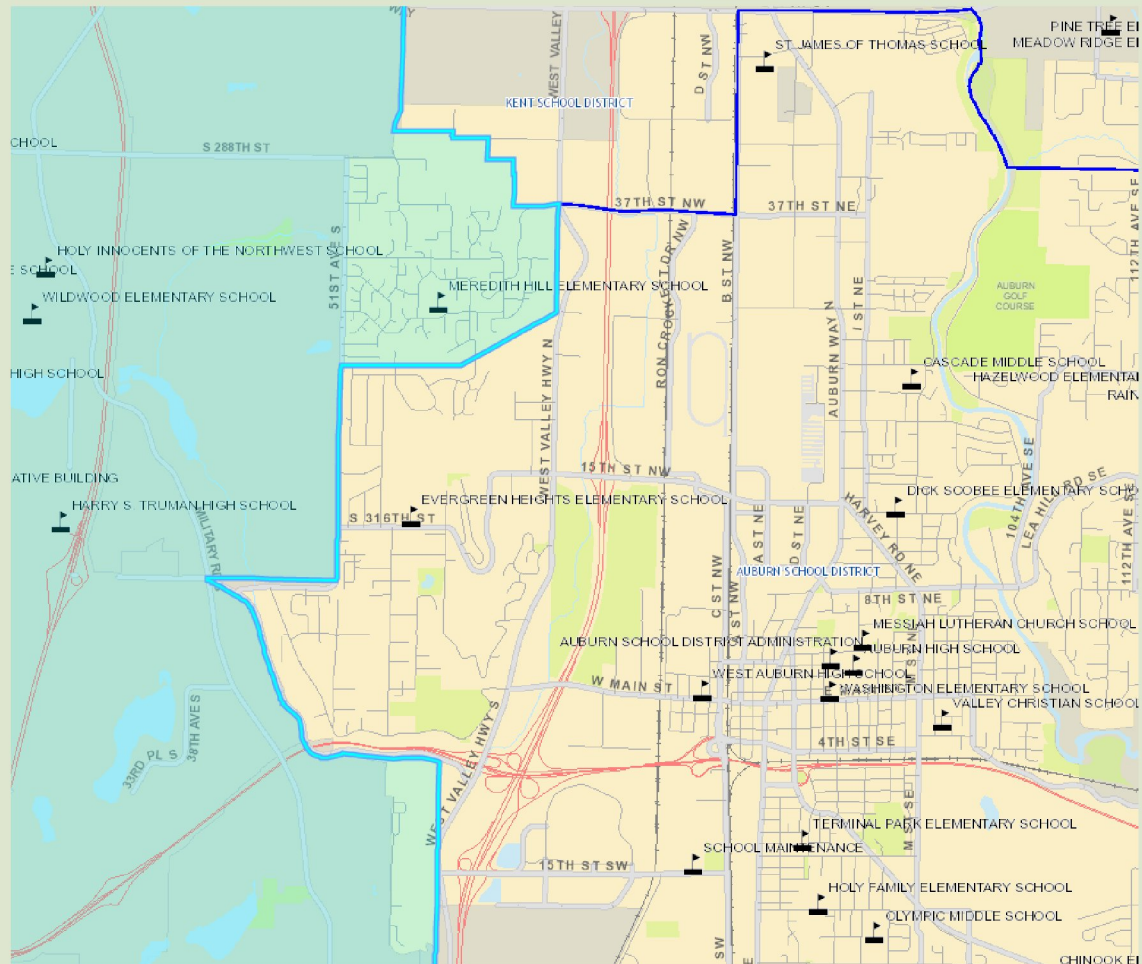
CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

■ P/T #2 – Capital Facilities Plan (CFP) Update for Dieringer School District



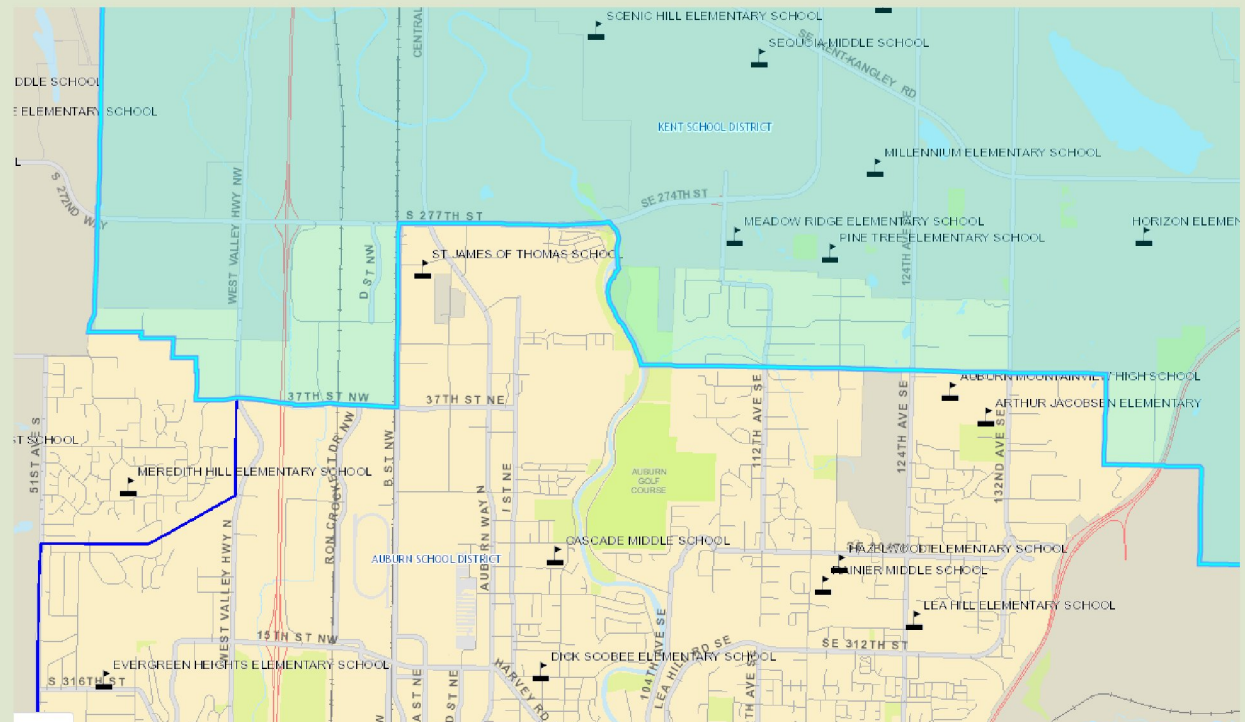
CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

■ P/T #3 – Capital Facilities Plan (CFP) Update for Federal Way School District



CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

■ P/T #4 – Capital Facilities Plan (CFP) Update for Kent School District



CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

- **P/T #5 – City of Auburn
Capital Facilities Plan Update**

City of Auburn Capital Facilities Plan



**CAPITAL FACILITIES PLAN
(2020 – 2025)**

Adopted by Ordinance No. 6746, December 02, 2019 as part of the
City of Auburn Comprehensive Plan

City of Auburn
25 West Main
Auburn, WA 98001
(253) 931-3000
www.auburnwa.gov

CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

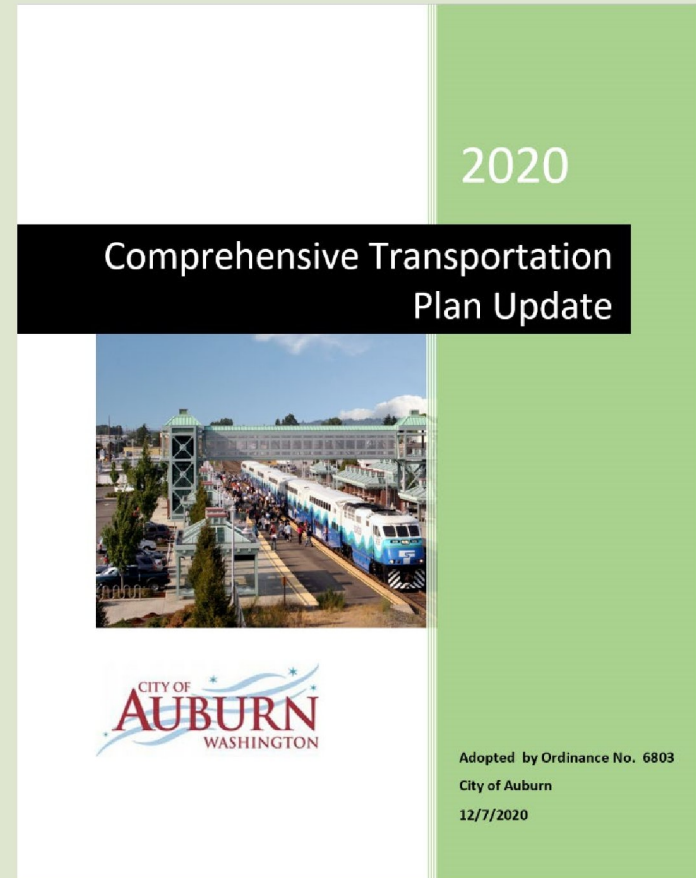
- **P/T #6 – Comprehensive Plan Volume 3, Capital Facilities Element, Update**
 - Water Services is requesting a 4-year extension of the Comprehensive Water Plan (CWP) through the Department of Health, which will then allow for a full update in 2024. The current plan analysis period is through 2026.
 - Capital projects, water demand, and growth projections are still valid and accurate.
 - Element text remains the same, however the referenced CWP document will be updated.
- **P/T #7 – Comprehensive Plan Volume 5, Transportation Element, Update**
 - Update Comprehensive Plan to remove one project transferred to TIP and add Main Street TOD projects.
 - Update maps to reflect current conditions.

CITY INITIATED COMPREHENSIVE PLAN TEXT AMENDMENTS

- **P/T #8 – Comprehensive Plan Volume 2, Housing Element Update**
 - Add language referencing Housing Action Plan (HAP) adoption
 - Updated policy H-24 to reflect HAP recommendation of including minimizing displacement impacts, which is also consistent with PSRC Vision 2050 policy (MPP-H-11) supporting identifying potential physical, economic, and cultural displacement and mitigating to the extent feasible.
- **P/T #9 – Comprehensive Plan Volume 1, Land Use Element, Update**
 - Update policy LU-39 to include affordable housing as an approved supplemental amenity that would allow deviations in height, density, or intensity limitations. Supports HAP recommendation.

CITY-INITIATED COMPREHENSIVE PLAN MAP AMENDMENTS

- **CPM #1** – Several maps found throughout Volume 5 (Transportation Element) have been updated to reflect current conditions. A final list of maps and corresponding page numbers is under development by Transportation Division.



NEXT STEPS

- City staff is reviewing the private applications for consistency with intent and goals stated within the city's Comprehensive Plan and conducting the state required environmental review process (SEPA).
- Staff will provide additional information, including copies of the applications, to the Planning Commission identifying the results of analysis and a staff recommendation at future meetings. Generally, this is done by the “notebooks” prepared & distributed.
- Staff will schedule future briefings for the Planning Commission and public hearings in order that the Commission may make recommendations on all proposed amendments to City Council.

2021 COMPREHENSIVE PLAN ANNUAL AMENDMENTS

	9-8-21	9-21-21	10-5-21	10-19-21	11-3-21	11-8-21	11-15-21	12-6-21	12-20-21
	Planning Commission (PC) Regular Meeting	Planning Commission Extra Meeting	Planning Commission Regular Meeting	Planning Commission Extra Meeting	Planning Commission Regular Meeting	City Council Study Session	City Council Study Session	City Council Regular Meeting	City Council Regular Meeting
City-initiated Text Amendments CPA21-0001 - School district CFP's P/T #1-4 - City Capital Facilities Plan P/T #5 - City Text Amendments P/T #6-9 City-initiated Map Amendments CPA21-0002 - Transportation CPM #1	Introduction to 2021 Comp Plan Amendment docket	Update to 2021 Comp Plan amendments, if needed	Update to 2021 Comp Plan amendments, if needed (Address PC Questions)	Conduct Public Hearing #1 Suggested agenda order: School District Amendments (SD staff, if present) City staff briefing on City Capital Facilities Plan City Staff briefing on Capital Facilities Element City Staff briefing on Transportation City Staff briefing on Housing and Land use	Continued PC Public Hearing, if needed	Discussion of PC recommendation.	Continued discussion of PC recommendation, if needed.	Council Action	Council Action, if needed

2021 COMPREHENSIVE PLAN ANNUAL AMENDMENTS

Any questions?