

PLANNING COMMISSION MEETING

August 8, 2017
AGENDA

I. CALL TO ORDER – 7:00 p.m., Council Chambers

- A. ROLL CALL/ESTABLISHMENT OF QUORUM
- B. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

- A. JULY 5, 2017

III. PUBLIC COMMENT

Comment from the audience on any item not listed on the agenda for discussion or public hearing.

IV. PUBLIC HEARING

A. Open Space Zoning Code Amendments* (Teague)

Summary: Proposed amendments to Auburn City Code Chapter 18.02 General Provision, Chapter 18.35 Special Purpose Zones, and the City's Comprehensive Zoning Map to establish an Open Space zoning district that will implement the Open Space Land Use Designation, as provided in the City of Auburn's Comprehensive Plan and Comprehensive Plan Map.

V. OTHER BUSINESS

A. ZOA17-0005 - Rezone of EP to M-1* (Tate)

Summary: Introduce proposal for an areawide rezone of all EP zoned properties to M-1.

B. ZOA17-0006 - Calculating Residential Density* (Tate)

Summary: Introduce draft amendments to the methodology for calculating residential density.

VI. COMMUNITY DEVELOPMENT REPORT

Update on Community Development Services activities.

VII. ADJOURNMENT

The City of Auburn Planning Commission is an eight-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 are not final decisions; they are in the form of recommendations to the City Council who must ultimately make the final decision.



July 5, 2017
MINUTES

I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:00 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were: Chair Judi Roland, Commissioner Lee, Commissioner Stephens, Commissioner Copple, Commissioner Shin, Commissioner Moutzouris, and Commissioner Smith. Commissioner Mason was excused.

Staff present included: Assistant City Attorney Doug Ruth, Planning Services Manager Jeff Dixon, Deputy Fire Marshal Karen Stewart of Valley Regional Fire Authority, Parks Planning & Development Manager Jamie Kelly, Planner II, Alexandria Teague, and Planning Administrative Assistant Tina Kriss.

Members of the public present: Mark Hancock and Mark Segale of Segale Properties, LLC, and Wayne Wiltse of the Muckleshoot Indian Tribe.

b.) PLEDGE OF ALLEGEANCE

II. APPROVAL OF MINUTES

A. June 6, 2017

Commissioner Smith moved and Commissioner Lee seconded to approve the minutes from the June 6, 2017 meeting as written.

MOTION CARRIED UNANIMOUSLY. 7-0

III. PUBLIC COMMENT

There was no public present for comments.

IV. PUBLIC HEARING

A. Open Space Zoning Code Amendments

Planner II, Alex Teague presented the staff report on the proposed open space zoning code amendments. Ms. Teague distributed a revised staff report. Within the staff report revisions were made to the staff recommendation regarding the Open Space Zoning Code Amendments.

Chair Roland opened the public hearing on the Open Space Zoning Code Amendments at 7:03 p.m.

Staff provided an overview of the revised staff recommendations and additional comment letters received by the city regarding the open space zoning code amendments.

A discussion was held regarding the staff recommendations to exclude the Segale owned properties from the open space zone map amendments. Staff explained the Segale properties are part of a designated special plan area and on the current comprehensive land use map, the long-haul road Segale property is designated as "Institutional" rather than "Open Space" so it is proposed to not be included within the amendment. Through a subsequent amendment process the city will be working with the applicant to change the land use designation and zoning that is appropriate until the sub-area planning process has been processed for the properties included in a sub-area designation.

The Commission and staff discussed the other private properties that has been included in the open space map amendment. One property is owned by a private owner (Chernys) and the other by a home owner's association which is a utility tract within a subdivision.

The Commission and staff discussed the private property owned by the Chernys. Staff explained that the change in designation of this property is only the part closest to and following the river and this area is impacted by the shoreline designation, as well as river buffer under the critical areas regulations. The portion near the river is being recommended for a change to an open space zone designation.

Commissioner Shin stated that without a compelling reason the zoning of private property should not be changed. The Cherny property is already protected by shoreline management as it follows the river so he is unclear why it should be rezoned to open space.

Staff explained that other properties along the shoreline are also being selected to be included as they are all part of the properties along the shoreline that meet the intent of the open space zone. A Commissioner pointed out that the selection of properties to be considered for the open space classification are uniform along the river.

The Commission and staff discussed the Muckleshoot Indian Tribe owned properties. Staff stated, that for those properties within the historic reservation boundaries that are either owned by the Tribe or held in trust status, the Tribe asserts jurisdiction and City does not have jurisdiction over the properties. The City has continued to apply Comprehensive Plan designations and Zoning classifications to properties because so much of the land within the historic reservation boundaries is non-Indian owned. Also, it is important to include the property in the rezone so if the property is sold to a private non-Indian owner it would be covered in the city's land use designation and a zoning classification.

The Commission and staff discussed the option for private parties to submit an application for a comprehensive plan amendment and rezone during the annual Comprehensive Plan Amendments process. Staff confirmed that each year a private party can submit an application for a comprehensive plan amendment and rezone during the annual process.

Staff's revised recommendation is to recommend approval of Auburn City Code Chapter 18.02., (General Provisions) and Chapter 18.35, (Special Purpose Zones) as presented in the materials distributed for the meeting and approval of the amendment to the Comprehensive Zoning Map with the following revisions:

- Except those parcels owned by Levan Auburn Development LLC (Parcel Nos. 7815700095 and 7815700135), City of Auburn Parcel No. 7815700085, and all properties owned by Segale Properties LLC (Parcel No. 2921059002, 2921059021, 2921059044, and 3021059361) which are removed from the amendment to the Comprehensive Zoning Map.

Chair Roland invited the public forward for public testimony.

Mark Hancock, Segale Properties LLC

Mr. Hancock stated he represents Segale Properties LLC and noted that the property owner Mark Segale is also in the audience. Segale appreciates and supports the staff recommendations to exclude the Segale parcels from the Open Space Zoning Map change.

Segale is in agreement with the revised staff memorandum and states there are two reasons to exclude the properties: 1.) The properties are part of a designated special planning area for which a future process is set forth. It is better to master plan the continuous 600 acres plus lands owned by Segale as a whole than to piece meal parts of it before we all know what the future master plan will look like. 2.) The City will re-evaluate the underlying Comprehensive Map in the future amendment cycle in order to refine the boundaries of the open space land use designation.

Mr. Hancock thanked the Planning Commission for their work on the Open Space Zoning plan and thanked staff for helping Segale understand the situation, exchange information, and allow Segale Properties, LLC to share their concerns.

Wayne Wiltse, Planner with the Muckleshoot Indian Tribe (MIT)

Mr. Wiltse, Planner for the MIT, formally asked for an extension of the comment period to review the environmental determination, SEP17-0010, and the proposed code amendment, ZOA16-0009. MIT feels due to the numerous properties listed within the MIT reservation boundaries additional time is necessary to allow their legal, natural resources, and other departments time to review the nature of the proposed changes.

Mr. Wiltse stated they look forward to the long and continued cooperative relationship with the City of Auburn.

Staff explained that if the Commission would like to provide additional time for MIT to expand their review of the proposal, one option is to continue the public hearing to the Planning Commission's August 8, 2017 regular meeting.

The Commission and staff discussed the Muckleshoot Indian Tribe properties, staff stated the City is requesting designation of open space at this time. Staff explained that the properties would potentially not be subject to the jurisdiction of the city but if

the properties are sold to and no longer held by the Muckleshoot Tribe it would benefit the future land owner to understand the zoning and land use of the property.

The Commission asked if staff could make an additional effort to contact the Cherny property owners and also continue to work with the staff of MIT before the August 8, 2017 meeting.

Commissioner Copple moved and Commissioner Smith seconded to continue the public hearing on the Open Space Zoning Code Amendments to August 8, 2017.

MOTION CARRIED UNANIMOUSLY. 7-0

V. OTHER BUSINESS

A. Annual Comprehensive Plan Amendment Docket Discussion.

Planning Services Manager Jeff Dixon reminded the Commission that in 2015 a new Comprehensive Plan was adopted. Staff explained that on an annual basis smaller housekeeping amendments are processed as well as, providing an opportunity for applicants to submit applications for map or text amendments. Under state law, the city is limited to considering amendments only once a year, except under certain circumstances.

In May staff advertised that the City was accepting their Annual Comprehensive Amendments through June 9, 2017. One private map amendment request was received.

Nexus Youth & Family (formerly, Auburn Youth Resources) has submitted a Comprehensive Plan Amendment to change the Comprehensive Plan Map Designation of 3 parcels from "Single-Family" with a "Residential Transition Overlay" to "Light Commercial.

Nexus has also submitted an associated rezone application to change the zoning classification of these same 3 parcels "R-7, Residential" to "C-1, Light Commercial". The 3 parcels total approximately 0.72 acres and are located on the west side of "H" St. SE, west of Les Gove Park and the Senior Center. An environmental decision will also be a part of staff's review of the amendment request.

A recent Ordinance No. 6655, adopted by Council, provides for concurrent processing of both the Comprehensive Map Changes and Zoning Map Changes at the same time. In the past a comprehensive map change would be brought before the Planning Commission for recommendation and moved to City Council for approval. Once City Council had acted on the change, the rezone would then go before the city's hearing examiner for a hearing process resulting in a decision and recommendation to the City Council for the rezone action.

The process is now combined so that one hearing can be conducted by the Planning Commission on both map changes simultaneously with a recommendation on each of the items to go on to City Council. It will result in a more efficient and less time consumptive process for the party submitting the type of changes to the city.

A discussion was held zoning changes and the land uses associated with the approval. Commissioner Stephens stated he would like clarity on the uses because if a property was rezoned and the business or activity failed, folded, or was no longer active, there may be a future use that was not intended for the property.

Staff explained that by making a comprehensive map and zoning change it will allow a set of uses even and if the property ownership changes it would continue to allow the set of uses.

VI. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager Jeff Dixon reported that on July 3, 2017, Ordinance No. 6642, regarding marijuana regulations, was adopted by the City Council. Council complimented the Planning Commission for the effort that was taken on the marijuana regulations, and the addition efforts for the survey efforts. They were very appreciative of how comprehensive the proposal by the Planning Commission was.

Council adopted Ordinance No. 6654 on June 19th which will go into effect July 23, 2017 regarding the final plat process. Previously, as mandated by state law, the final plat process was a City Council decision. And thus it previously it was a two-step process, requiring a preliminary plat and final plat process before City Council for approval. However, through new legislative action on a state level, the final plat decision can now be processed through an administrative decision. This shortens the process by saving steps of scheduling with the City Council and preparing agenda materials.

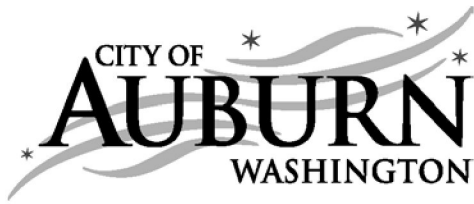
GeauX Brewing, located on East Main Street, received their Certificate of Occupancy and business license. The brewery will have a soft opening, consisting of being open Thursday to Saturday in the evening while completing a few interior improvements.

A building permit has been issued for Dave and Busters located in the Outlet Collection Mall (in the old space of Marshalls).

The next meeting will be held August 8, 2017.

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:26 p.m.



Memorandum

TO: Judi Roland, Chair, Planning Commission
Ron Copple, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Alexandria Teague, Planner II, Community Development Services
With support by Lisa Grueter, BERK Consulting

DATE: July 31, 2017

RE: Staff Response to Planning Commission Request Regarding Noticing Efforts for the Open Space Zone Amendments (City File Nos.: ZOA16-0009 and SEP17-0010)

BACKGROUND: Staff conducted additional noticing efforts to Andrew and Elena Cherny (the Chernys) and Muckleshoot Indian Tribe (MIT) per the request of the Planning Commission. The purpose of the memo is to discuss the noticing efforts.

PROPOSAL: The following amendments related to the Open Space zone are currently under consideration for the Planning Commission.

- Amendments to the Auburn City Code Chapter 18.02 (General Provisions): establish the Open Space zone as a zoning classification among the list of established zones in the City's zoning code.
- Amendment to Chapter 18.35 (Special Purpose Zones): propose an intent statement, allowed uses, and zoning development standards for the Open Space zone.
- Amendments to the Comprehensive Zoning Map: changes the zoning district of the parcels to the Open Space zone.

These amendments have been included in Planning Commission's packet for the August 8, 2017 Planning Commission meeting and Public Hearing.

FINDINGS OF FACT:

1. Under Ordinance No. 6584, the City of Auburn adopted a new Comprehensive Plan at the end of 2015 that includes a new land use map designation of "Open Space".
2. Under the existing comprehensive plan document structure, each Comprehensive Plan land use designation is implemented by at least one zoning district (zone) that addresses the allowed uses and the zoning development standards. Currently, there is no implementing Open Space zone in the Auburn City Code.
3. Implementation of the "Open Space" comprehensive plan designation, has been discussed with the Planning Commission previously. The Planning Commission has reviewed four memorandums regarding the creation of an Open Space zone as follows:
 - a. On December 6, 2016, the Planning Commission reviewed the first memorandum titled, "Open Space Zone: Background, Options, and Recommendations". This memorandum provided background and analysis of the City of Auburn's Open Space land use designation, and some issues and options for implementing the Open Space zone, including examples of other jurisdictions' open space zoning code language.

- b. On January 4, 2017, the Planning Commission reviewed the second memorandum titled "Open Space Zone: Supplemental Responses to Planning Commission Questions". This memorandum included the general difference between the Comprehensive Plan land use designations and zoning districts, and further described the ownership and number of parcels currently designated "open space".
 - c. On March 7, 2017 the Planning Commission reviewed the third memorandum titled "Open Space Zone: Proposed Code". This memorandum provided a discussion on the text amendment including an intent statement, allowed uses, and zoning development standards for the Open Space zone.
 - d. On April 4, 2017 the Planning Commission reviewed the fourth memorandum titled "Open Space Zone: Supplemental Materials". This memorandum provided information regarding the acreage of all privately owned (non-governmental agency) parcels, former and current land use designation of the parcels owned by the Muckleshoot Indian Tribe (MIT) and within the MIT reservation boundary, and the former and current land use designation of privately owned parcels.
4. On July 5, 2017 the Planning Commission held a public hearing regarding the creation of the Open Space Zone. Staff provided the Planning Commission two memorandums for the public hearing. The first memorandum was titled, "Amending Auburn City Code Chapter 18.02 (General Provisions), Chapter 18.35 (Special Purpose Zones), and the Comprehensive Zoning Map" and contained findings of fact and an initial recommendation for the Open Space Amendments. The second memorandum was titled, "Staff Response to Comment Letters regarding Amending Auburn City Code regarding the Open Space Zoning District and the Comprehensive Zoning Map". This memorandum addressed comments received from the City of Auburn Parks Department, City of Auburn Economic Development Department, and Nancy Bainbridge Rogers, representing Mark Segale, a private property owner, and contained a revised staff recommendation.
5. Pursuant to RCW 36.70A the proposed code language was transmitted to the Washington State Department of Commerce on April 20, 2017. The transmittal initiated the 60-day state agency review period. The 60-day state agency comment period expired on June 19, 2017. The City did not receive any state agency comments.
6. A State Environmental Policy Act (SEPA) non-project environmental checklist was prepared that evaluates the environmental impacts of the proposed amendments to Auburn City Code Chapter 18.02 General Provisions, Chapter 18.35 Special Purpose Zones, and the Comprehensive Zoning Map. The SEPA determination of non-significance (DNS) was issued on June 13, 2017. Pursuant to Auburn City Code Title 14 the following methods of noticing for the Planning Commission public hearing were conducted:
 - a. The combined SEPA DNS and notice of public hearing was published in the Seattle Times on June 13, 2017.
 - b. The SEPA DNS and notice of public hearing was mailed on June 13, 2017 to all affected property owners (owners of properties currently designated open space).
 - c. A revised notice of public hearing was mailed on July 19, 2017, to the Muckleshoot Indian Tribe.
 - d. Additional attempts to mail the SEPA DNS and notice of public hearing to the Chernys was conducted on June 28, 2017 and July 6, 2017.
7. The combined SEPA DNS and notice of public hearing publication established a 15-day SEPA public comment period which expired at 5:00 PM on June 28, 2017. The combined public notification provided public comment opportunity under both SEPA (City project file no. SEP17-0010) and the zoning amendment (City file no. ZOA16-0009). As of the date of writing of this report, staff has received three public comments the comment letters. The comment letters were included in the July 5, 2017 Public Hearing packet.

8. Title 18 of the Auburn City Code (ACC) includes Chapter 18.68, (Amendments), which addresses the procedures for amendments to Title 18 Zoning and the Comprehensive Zoning Map.

ADDITIONAL NOTICING EFFORTS:

Andrew and Elena Cherny, private property owners of parcel no. 3421059021:

City Staff has been working to notice the Andrew and Elena Cherny, property owners of the proposed code amendments presented at public hearing on July 5, 2017 and continued to August 8, 2017.

1. On June 13, 2017 per the requirements of Auburn City Code a Determination of Non-Significance (DNS) and Notice of Public Hearing was sent to Andrew and Elena Cherny, XXXXX 6th Ave S, Federal Way, WA. The address selected for the mailing was obtained through King County Records as the taxpayer of record for Parcel No. 3421059021 which is the customary method.
2. On June 28, 2017 city staff received the Cherny mailing from the Postmaster as "return to sender/not deliverable" for the XXXXX 6th Ave S, Federal Way, WA address.
3. On June 28, 2017 an additional search of King County Records revealed the address provided in the tax records was no longer owned by the Chernys. A search on the internet provided a potential address for one of the parties and the mailing was then sent to that address, XXXXX 26th Ave S, Federal Way, WA. A confirmation was not provided to determine if the parties received the notice.
4. On July 6, 2017 staff performed a search on the name of one of the parties in a program used by our code enforcement team for abatement. An additional notice and letter was sent to the Chernys providing them with the original notice and the date of the continued public hearing, August 8th to the address at XXXXX 32nd Ave S, Auburn, WA and XXXX S 273rd St, #174, Federal Way, WA (the latter provided by Assistant City Attorney Doug Ruth as a possible address).
5. On July 24, 2017 city staff received the Cherny mailing from the Postmaster as "return to sender/not deliverable" for the XXXX S 273rd St, No. 174 Federal Way, WA address.

As of the date of writing of this report, staff has not received any comments from the Andrew or Elena Cherny.

Muckleshoot Indian Tribe (MIT), owner and/or trustee of parcel nos. 2021059037, 2821059032, 2821059033, 2021059047, 3421059025, 3421059030, 3421059008, 2821059030, and 2021059041.

1. On July 18, 2017 staff emailed the Muckleshoot Indian Tribe (MIT) planner present at the July 5, 2017 Public Hearing the parcel ownership and acreage information for the MIT owned/trustee properties.
2. On July 19, 2017 staff mailed a revised notice of public hearing to the Muckleshoot Indian Tribe.
3. On July 27, 2017, City of Auburn Planning Staff met with two (2) new MIT Planning staff regarding the open space amendment. The purpose of this meeting was to familiarize the new MIT staff with their parcels included in the proposed amendment and to provide additional information as requested by the MIT Planning staff.
4. On July 28, 2017, the City's Geographic Information System (GIS)/Database Specialist staff provided Auburn parcel, zoning, and land use information GIS data to the MIT Planning staff.

As of the date of writing of this report, staff has not received any formal comments/recommendation from the Muckleshoot Indian Tribe Planning staff regarding the recommendation; however, staff expects that the MIT Planning staff will provide comments later in the week and/or provide public comment at the public hearing.

AMENDED STAFF RECOMMENDATION: Staff recommends the Planning Commission recommend:

Approval of the amendments to Auburn City Code Chapter 18.02, (General Provisions) and Chapter 18.35, (Special Purpose Zones) as presented in the materials distributed for the meeting and approval of the revised amendment to the Comprehensive Zoning Map (Attachment B) with the following revisions:

Except parcel no. 7815700095 and 7815700135, owned by Levan Auburn Development LLC, parcel no. 7815700085, owned by the City of Auburn, and parcel no. 2921059002, 2921059021, 2921059044, and 3021059361, owned by Segale, which are all removed from the amendment to the Comprehensive Zoning Map.

CURRENT ACTION: To assist the Planning Commission in their consideration of the proposed amendments to Auburn City Code Chapter 18.02 (General Provisions), Chapter 18.35 (Special Purpose Zones), the Comprehensive Zoning Map, staff is providing the following summarized information. Items 1 through 4, below are summarized information from previous presentations and meetings. The 5th item of information while it has been discussed before, has not been presented as a map.

- Item 1 depicts the proposed text change to show “Open Space” among the list of established zones in the City’s zoning code.
- Item 2 is the proposed text change of the open space intent statement of the zoning district.
- Item 3 summarizes the text change in table format of all proposed uses, both allowed and prohibited.
- Items 4 shows the text change of the zoning development standards, which consist of the required setbacks, height, site coverage, for the Open Space zone.
- Item 5 shows an excerpted Comprehensive Zoning Map, depicting the current zoning classification of parcels designated as “Open Space” by the comprehensive plan map and that would be changed to the “OS, Open Space” zoning district by the proposed action.

The full text of the changes follows as the attachments.

Item 1. Add Open Space Zone to list of Established Zones - Chapter 18.02 GENERAL PROVISIONS

This item amends Chapter 18.02, (General Provisions) to established open space as a zone within the Zoning Code (Title 18).

18.02.070 Establishment of zones.

A. The city is divided into the following classes of zones:

1. RC, residential conservancy zone (one dwelling unit per four acres);
2. R-1, residential zone (one dwelling unit per acre);
3. R-5, residential zone (five dwelling units per acre);
4. R-7, residential zone (seven dwelling units per acre);
5. R-10, residential zone (10 dwelling units per acre);
6. R-16, residential zone (16 dwelling units per acre);
7. R-20, residential zone (20 dwelling units per acre);
8. RMHC, manufactured/mobile home community zone;
9. RO, residential office zone and RO-H, residential office-hospital zone;
10. C-N, neighborhood shopping zone;
11. C-1, light commercial zone;
12. C-2, central business zone;
13. C-3, heavy commercial zone;
14. M-1, light industrial zone;
15. M-2, heavy industrial zone;
16. BP, business park zone;
17. LF, airport landing field zone;
18. P-1, public use zone;
19. UNC, unclassified use zone;
20. I, institutional use zone;
21. EP, environmental park zone;
22. DUC, downtown urban center zone.
23. OS, open space zone.

Item 2. Proposed Open Space Zone Intent Statement - Chapter 18.35 SPECIAL PURPOSE ZONES

Within Auburn City Code Title 18 – Zoning (the Zoning Code) an intent statement is provided for each zoning district. The purpose of an intent statement is described in Auburn City Code Section 18.02.070 “Establishment of zones”:

“C. The intent statement for each zone set forth in this title shall be used to guide the application of the zones to all lands in the city of Auburn. The intent statements shall guide interpretation and application of land use regulations within the zones, and any change to the range of allowed uses within each zone through amendment to this title.”

The intent statement for each zoning district must be consistent with the overall description of its corresponding land use designation.

Exhibit 1. Open Space Comprehensive Plan Description and Open Space Zone Intent

Comprehensive Plan Open Space Description as adopted in the 2015 Comprehensive Plan	Proposed Open Space Zone Intent Statement
This category shall be applied to areas which are owned by a public entity and managed in a largely undeveloped character. It includes parks, watersheds, shoreline areas, significant wildlife habitats, storm drainage ponds, utility corridors with public access, and areas with significant development restrictions.	The OS zone is intended to provide for land uses that tend to be managed in a largely undeveloped character, including passive parks, watersheds, natural and urban conservancy shoreline areas, significant wildlife habitats, large stormwater detention ponds or floodplain ponds, utility corridors with public access, and areas with significant development restrictions. Park lands included in the Open Space zone tends to be predominately passive in character and with relatively fewer developed facilities than parks included in the Institutional zone. Private sites containing significant critical areas or areas of shorelines may be included.

Item 3. Proposed Open Space Zone Uses - Chapter 18.35 SPECIAL PURPOSE ZONES

Each zoning district features a table of allowed uses which establishes whether a specific use is allowed in a zone and whether that use is allowed as a permitted, administrative, or conditional use. A table of allowed uses also indicates which uses are prohibited. The range of allowed uses must be consistent with the intent statement of that zoning district.

The allowed uses include those that are generally lower in intensity. All uses, including both allowed and prohibited uses are excerpted and summarized below.

Exhibit 2. Summary of Allowed and Prohibited Uses

Allowed	Prohibited*
<u>Permitted</u> • Municipal parks and playgrounds • Campgrounds • One detached single family dwelling • Home occupations • Home based day care • Other uses determined consistent with intent of zone and other uses permitted	• Animal shelter, public • Recreational vehicle parks, private • Cemetery, public • Cemetery, private • College, university, public • Commercial recreation facility – Indoor • Conference/convention facility • Private school – specialized education/training (for profit) • Public schools (K-12) and related facilities • Religious institutions, lot size less than one acre • Religious institutions, lot size more than one acre • Studio – Art, dance, martial arts, music, etc. • Duplex • Live/work, work/live unit • Multiple-family dwellings, stand-alone • Nursing home, assisted living facility • Senior housing • Restaurant, cafe, coffee shop, excluding drive-through facilities • Banking and related financial institutions, excluding drive-through facilities • Medical services – Clinic or urgent care • Mortuary, funeral home, crematorium • Personal service shops • Pharmacies
<u>Administrative</u> • Library, museum • Meeting facility, public or private • Utility facilities, substations, utility transmission or distribution line • Daycare, including mini daycare, daycare center, preschools or nursery schools	
<u>Conditional</u> • Government facilities • Commercial recreation facility – Outdoor	

Item 4. Proposed Development Standards - Chapter 18.35 SPECIAL PURPOSE ZONES

The aforementioned allowed uses are subject to zoning development standards. Zoning development standards are specified for each zoning district, and commonly prescribe the required setbacks, height, site coverage, building layout, and site design.

The proposed zoning development standards for the Open Space zone focus on limiting the intensity of uses in terms of height, coverage, and impervious area given the intent of the zone for environmentally sensitive or passive uses:

- Maximum structure height: 35 feet
- Setbacks:
 - Front: 20 feet
 - Side – Interior: 5 feet
 - Side – Corner: 10 feet
 - Rear: 25 feet
- Maximum lot coverage (e.g. by buildings): 5%

- Maximum impervious area: 10% hard surface (e.g. roofs and pavement)

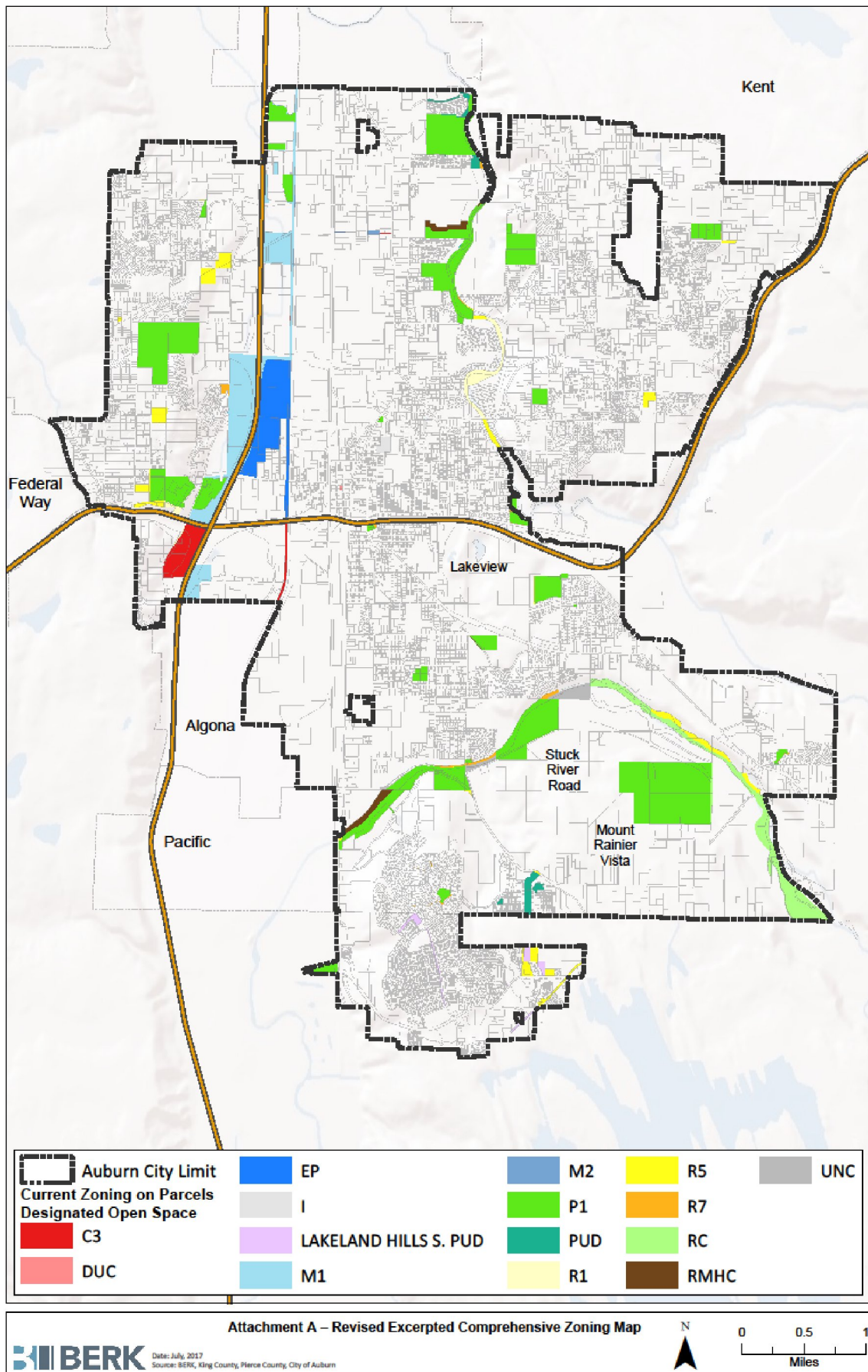
Item 5. Revised Excerpted Comprehensive Zoning Map

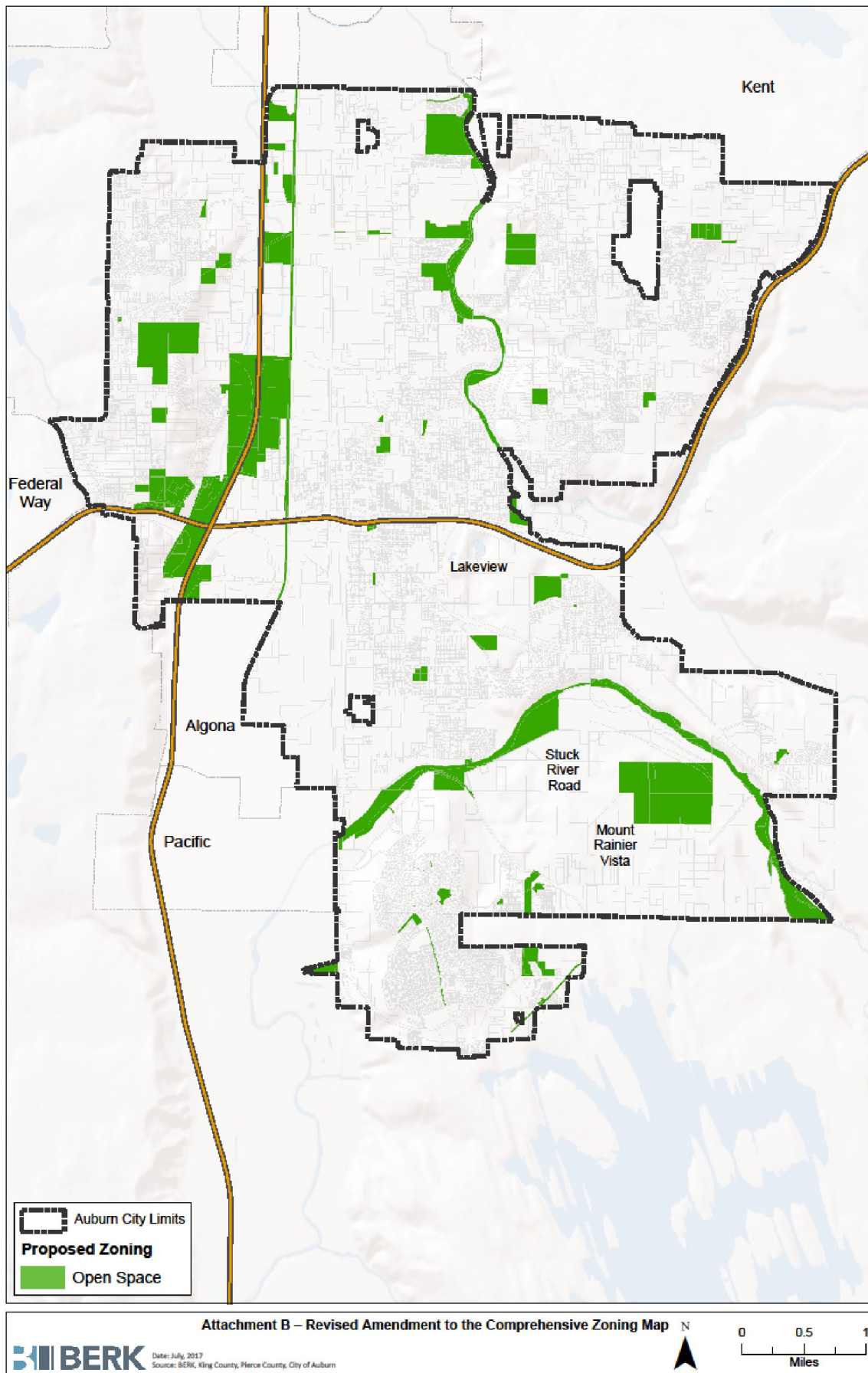
The map below depicts the current zoning classification of parcels designated “Open Space” by the comprehensive plan map and that would be changed to the “OS, Open Space” zoning district by the proposed action. An excerpt of the intent statement for each zone shown below is included in Attachment E. By amending the Comprehensive Zoning Map, with the exception of three parcels currently zoned: “DUC, Downtown Urban Center”, the zoning of the parcels shown below, will be changed to “OS, Open Space” to align with the Open Space land use designation. The proposed revised amendment to the Comprehensive Zoning Map is included in Attachment B. Please note, that the Revised Excerpted Comprehensive Zoning Map was included in the July 5, 2017 Supplemental Memo.

Note: As previously discussed with the Planning Commission, the City may change the land use designation, and subsequently change the zone, of some parcels that are currently inappropriately designated open space (e.g. cemeteries and some active and “monument” parks). Modifying the land use designation of the aforementioned parcels would occur as part of the City’s annual amendment cycle, which allows for amendments to the Comprehensive Plan Map, and is not further addressed here.

ATTACHMENTS:

- A – Revised Excerpted Comprehensive Zoning Map**
- B – Revised Amendment to the Comprehensive Zoning Map**
- C – Draft Open Space Zone Code Language**
- D – Excerpt of Key Definitions from Auburn City Code**
- E – Excerpt of Zoning District Intent Statements from Auburn City Code**
- F – Parcel Information of Private Property Owned Parcels**





ATTACHMENT C – Draft Open Space Zone Code Language

Chapter 18.02 GENERAL PROVISIONS

Sections:

- 18.02.010 Short title.
- 18.02.020 Authority to adopt code.
- 18.02.030 Purpose.
- 18.02.040 Applicability.
- 18.02.050 Minimum requirements.
- 18.02.060 Rules for administrative interpretations.
- 18.02.065 Methods of calculating density.
- 18.02.070 Establishment of zones.
- 18.02.080 Zoning map.
- 18.02.090 Zone boundary interpretation.
- 18.02.100 Zoning for annexed land.
- 18.02.110 Zoning for property influenced by Auburn Municipal Airport.
- 18.02.120 Permitted land uses established.
- 18.02.130 Neighborhood review meeting.

18.02.070 Establishment of zones.

A. The city is divided into the following classes of zones:

1. RC, residential conservancy zone (one dwelling unit per four acres);
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4. R-7, residential zone (seven dwelling units per acre);
5. R-10, residential zone (10 dwelling units per acre);
6. R-16, residential zone (16 dwelling units per acre);
7. R-20, residential zone (20 dwelling units per acre);
8. RMHC, manufactured/mobile home community zone;
9. RO, residential office zone and RO-H, residential office-hospital zone;
10. C-N, neighborhood shopping zone;
11. C-1, light commercial zone;
12. C-2, central business zone;
13. C-3, heavy commercial zone;
14. M-1, light industrial zone;
15. M-2, heavy industrial zone;
16. BP, business park zone;

- 17. LF, airport landing field zone;
- 18. P-1, public use zone;
- 19. UNC, unclassified use zone;
- 20. I, institutional use zone;
- 21. EP, environmental park zone;
- 22. DUC, downtown urban center zone.
- 23. OS, open space zone.

B. The zones set out in subsection A of this section are established as the designations, locations, and boundaries thereof as set forth and indicated on the zoning map.

C. The intent statement for each zone set forth in this title shall be used to guide the application of the zones to all lands in the city of Auburn. The intent statements shall guide interpretation and application of land use regulations within the zones, and any change to the range of allowed uses within each zone through amendment to this title.

Chapter 18.35

SPECIAL PURPOSE ZONES

Sections:

- 18.35.010 Purpose.
- 18.35.020 Intent of special purpose zones.
- 18.35.030 Uses.
- 18.35.040 Development standards.
- 18.35.050 Additional development standards for both the RO and RO-H zones.

18.35.010 Purpose.

This chapter lists the land uses that may be allowed within the residential office, residential office-hospital, public use, institutional, and open space zones established by ACC 18.02.070 (Establishment of zones), determines the type of land use approval required for each use, and provides basic development standards for site layout and building size.

18.35.020 Intent of special purpose zones.

A. General. This section describes the intent for each of the city's special purpose zones. These intent statements may be used to guide the interpretation of the regulations associated with each zone.

B. RO and RO-H Residential Office and Residential Office-Hospital Zone. The RO and RO-H is intended primarily to accommodate small-scale business and professional offices, medical and dental clinics, and banks and similar financial institutions at locations where they are compatible with residential uses. Some retail and personal services may be permitted if supplemental to the other uses allowed in the zone. This zone is intended for those areas that are in transition from residential to commercial uses along arterials or near the hospital. Conversion of residential uses to commercial uses is geared towards

encouraging adaptive re-use of existing single-family structures that continue to appear in accord with the single-family residential character. The RO-H designation is to be used exclusively for the hospital area, located in the vicinity of 2nd Street NE and Auburn Avenue, and is intended to be used for medical and related uses and those uses compatible with the medical community.

C. P-1 Public Use Zone. The P-1 zone is intended to provide for the appropriate location and development of public uses that serve the cultural, educational, recreational, and public service needs of the community.

D. I Institutional Zone. The I zone is intended to provide an area wherein educational, governmental, theological, recreational, cultural and other public and quasi-public uses may be allowed to develop. It is further intended these areas be significant in scope which will allow a combination of uses which may not be permitted outright within other zones. This district is not intended to include those smaller or singular public uses which are consistent with and permitted in other zones.

E. OS Open Space Zone. The OS zone is intended to provide for land uses that tend to be managed in a largely undeveloped character, including passive parks, watersheds, natural and urban conservancy shoreline areas, significant wildlife habitats, large stormwater detention ponds or floodplain ponds, utility corridors with public access, and areas with significant development restrictions. Park lands included in the Open Space zone tends to be predominately passive in character and with relatively fewer developed facilities than parks included in the Institutional zone. Private sites containing critical areas or shorelines may be included.

18.35.030 Uses.

A. General Permit Requirements. Table 18.35.030 identifies the uses of land allowed in each special purpose zone and the planning permit required to establish each use.

B. Requirements for Certain Specific Land Uses. Where the last column in Table 18.35.030 ("Standards for Specific Land Uses") includes a section number, the referenced section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

Table 18.35.030 Permitted, Administrative, Conditional and Prohibited Uses by Zone

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	<u>OS</u>	
PUBLIC						
Animal shelter, public	X	X	P	X	<u>X</u>	

Table 18.35.030 Permitted, Administrative, Conditional and Prohibited Uses by Zone

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	<u>OS</u>	
Government facilities, this excludes offices and related uses that are permitted outright	A	A	P	P	<u>C</u>	
Municipal parks and playgrounds	P	P	P	P	<u>P</u>	

RECREATION, EDUCATION AND PUBLIC ASSEMBLY

Campgrounds and recreational vehicle parks, private	X	X	X	P	<u>P</u>	
<u>Recreational vehicle parks, private</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	
Cemetery, public	X	X	P	A	<u>X</u>	
Cemetery, private	X	X	X	A	<u>X</u>	
College, university, public	X	X	A	A	<u>X</u>	
Commercial recreation facility – Indoor	X	X	X	P	<u>X</u>	
Commercial recreation facility – Outdoor	X	X	X	A	<u>C</u>	ACC 18.57.025(A)
Conference/convention facility	X	X	X	A	<u>X</u>	
Library, museum	X	X	P	P	<u>A</u>	
Meeting facility, public or private	A	A	P	P	<u>A</u>	
Private school – specialized education/training (for profit)	P	P	X	P	<u>X</u>	
Public schools (K-12) and related facilities	X	X	P	P	<u>X</u>	
Religious institutions, lot size less than one acre	A	P	X	P	<u>X</u>	
Religious institutions, lot size more than one acre	C	A	X	P	<u>X</u>	
Studio – Art, dance, martial arts, music, etc.	P	X	X	X	<u>X</u>	

Table 18.35.030 Permitted, Administrative, Conditional and Prohibited Uses by Zone

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	<u>OS</u>	

RESIDENTIAL

Duplex	P (1)	X	X	A	<u>X</u>	
Home occupation	P	P	X	P	<u>P</u>	Chapter 18.60 ACC
Live/work, work/live unit	A	P	X	A	<u>X</u>	
Multiple-family dwellings, stand-alone	P (2)	A (3)	X	A	<u>X</u>	
One detached single-family dwelling	P	X	X	X	<u>P (5)</u>	
Nursing home, assisted living facility	A	A	X	P	<u>X</u>	
Senior housing	A	A	X	A	<u>X</u>	

RETAIL

Restaurant, cafe, coffee shop, excluding drive-through facilities	A	A	P	A	<u>X</u>	
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SERVICES

Banking and related financial institutions, excluding drive-through facilities (4)	P	P	X	X	<u>X</u>	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	X	P	<u>A</u>	
Home-based daycare	P	P	X	P	<u>P</u>	
Medical services – Clinic or urgent care (4)	P	P	X	X	<u>X</u>	
Mortuary, funeral home, crematorium	X	P	X	X	<u>X</u>	
Professional offices	P	P	X	A	<u>A</u>	
Personal service shops	P	P	X	X	<u>X</u>	

Table 18.35.030 Permitted, Administrative, Conditional and Prohibited Uses by Zone

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	<u>OS</u>	
Pharmacies	X	P	X	X	<u>X</u>	
<u>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</u>						
Utility facilities, substations, utility transmission or distribution line	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>A</u>	See ACC 18.02.040(E)
<u>OTHER USES THAT ARE NOT LISTED</u>						
Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

Notes:

1. Duplexes, 3,600 square feet of lot area per dwelling unit is required.
2. Multifamily dwellings; provided, that 2,400 square feet of lot area is provided for each dwelling unit.
3. Multifamily dwellings; provided 1,200 square feet of lot area is provided for each dwelling unit.
4. Permitted within a public college or university as an amenity or service provided to students. A stand-alone bank or medical services/clinic is not permitted.
5. One single-family detached dwelling unit per existing legal lot. No residential subdivisions permitted in the open space zone.

18.35.040 Development standards.

Hereafter, no use shall be conducted and no building, structure and appurtenance shall be erected, relocated, remodeled, reconstructed, altered or enlarged unless in compliance with the requirements in Table 18.35.040 (RO, RO-H, P-1, I, OS Zone Development Standards) and in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. These standards may be modified through either an administrative variance or variance, subject to the procedures of Chapter 18.70 ACC.

Table 18.35.040 RO, RO-H, P-1, I Zone Development Standards

Development Feature	Requirement by Zones				
	RO Residential I Office	RO-H Residential Office-Hospital	P-1 Public Use	I Institutional	<u>OS Open Space</u>
Minimum lot area	7,200 sf	None	None	6,000 sf	<u>None</u>
Minimum lot width, depth	50 ft, 80 ft	None	None	60 ft, 80 ft	<u>None</u>
Maximum lot coverage	55 percent (1)	None	None	35 percent	<u>5 percent</u>
Maximum impervious area	NA	NA	NA	NA	<u>10 percent (7)</u>
Setbacks	<i>Minimum setbacks required for primary structures. See ACC 18.31.070 for exceptions to these requirements.</i>				
Front	20 ft (2)	10 ft	20 ft	20 ft	<u>20 ft</u>
Side – Interior	5 ft	None	5 ft (4)	5 ft	<u>5 ft</u>
Side – Corner	10 ft	10 ft	10 ft	10 ft	<u>10 ft</u>
Rear	25 ft (3)	None	25 ft	25 ft	<u>25 ft</u>
Accessory structure(s)	See note (5) below	NA	NA	See note (5) below	
Height limit	<i>Maximum allowable height of structures. See ACC 18.31.030 (Height limitations – Exceptions) for height limit exceptions.</i>				
Maximum height	35 ft	65 ft	45 ft	45 ft (6)	<u>35 ft</u>
Fences and hedges	See Chapter 18.31 ACC				
Landscaping	See Chapter 18.50 ACC				
Parking	See Chapter 18.52 ACC				
Signs	See Chapter 18.56 ACC				
Lighting	See Chapter 18.55 ACC				
Nonconforming structures, land and uses	See Chapter 18.54 ACC				

Notes:

1. New single-family residential or conversions of single-family residences to commercial uses with additions greater than a total or cumulative area of 200 square feet on the property since the adoption of Ordinance No. 6231, then the maximum lot coverage is 35 percent.
2. New single-family residential or conversions of single-family residences to commercial uses with additions of 200 square feet or less, then the front yard setback is 10 feet.

3. New single-family residential or conversions of single-family residences to commercial uses with additions of 200 square feet or less, then the rear yard setback is 15 feet.
4. A 25-foot setback is required when adjacent to a residential zone.
5. Accessory structures shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet; provided, that any structure with a vehicle entrance from a street (public or private) or public alley shall be set back a minimum of 20 feet.
6. Maximum building height for residential dwellings: 30 feet. Accessory buildings to residential dwellings: 16 feet.
7. Maximum impervious area includes all hard surfaces per Auburn City Code 13.48.010(J).

18.35.050 Additional development standards for both the RO and RO-H zones.

-
- A. All uses shall be conducted entirely within an enclosed structure, except noncommercial municipal automobile parking facilities in the RO-H zone.
 - B. There shall be no outside storage of materials allowed.
 - C. Refuse cans, containers or dumpsters shall be screened from the view of adjoining properties.
 - D. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities, shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the state siting criteria (Chapter 70.105 RCW).
 - E. Any new construction, including additions and alterations, within the RO district shall utilize similar bulk, scale, and architectural and landscape elements of the existing site structure or those of the neighborhood in which the property is located. A site plan and building elevation plans shall be prepared by the applicant which address compliance with the requirements as outlined in this subsection. The plans shall be approved by the planning director or designee prior to the issuance of any building permits. The planning director and the public works director or designees may deviate from the development standards under ACC 18.35.040 up to 10 percent, for example, reduce rear yard setback by one and one-half feet, to address unusual circumstances for conversions of single-family residential uses to nonresidential uses.

ATTACHMENT D – Excerpt of Key Definitions from Auburn City Code

18.04.025 Administrative use.

“Administrative use” means a use permitted in a zone only after review and approval by the planning director or designee. Administrative uses are those which typically have some potential for impacts to neighboring properties, but which may be permitted within a zone following review by the city to establish conditions mitigating impacts of the use and to assure compatibility with other uses in the zone.

18.04.200 Building height.

“Height of building” means the vertical distance measured from the finished grade to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs. If a structure has none of the above features then the height shall be measured from the finished grade to the highest portion of the structure. See Figure 18.04.200. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

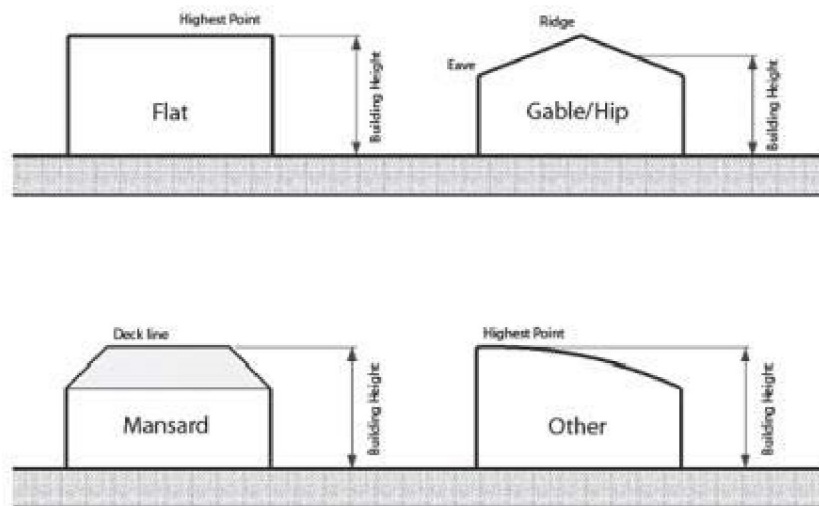


Figure 18.04.200 Building Height

18.04.260 Conditional use.

“Conditional use” means a use permitted in a zone only after review and approval by the hearing examiner. Conditional uses are such that they may be compatible only on certain conditions in specific locations in a zone, or if the site is regulated in a certain manner in order to achieve the purposes of this title.

18.04.310 Development standards.

“Development standards” means regulations pertaining to setbacks, landscaping, height, site coverage, signs, building layout, site design and related features of land use.

18.04.550 Lot coverage.

“Lot coverage” means that percentage of the plot or lot area covered by all buildings including accessory buildings and uses. Coverage is determined by measuring along a horizontal plane from the

outermost edge of eaves, cornices, overhangs, or areas covered by a weather-tight roof. The first two feet of an eave overhang will, however, not be used in the lot coverage calculation. See Figure 18.04.550.

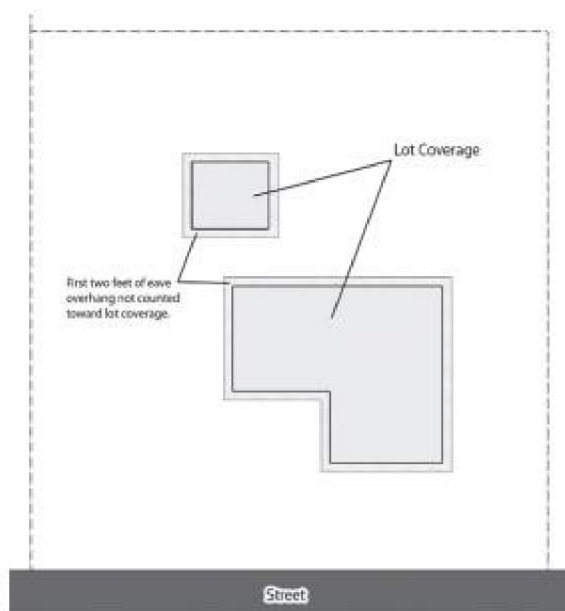


Figure 18.04.550 Lot Coverage

18.04.696 Permitted use.

“Permitted use” means a land use that is allowed outright within a zone.

18.04.752 Prohibited use.

“Prohibited use” means any use which is not specifically enumerated or interpreted by the city as allowable in that zone. Any use not specifically listed as a permitted, administrative, conditional, or accessory use is prohibited, except those determined to be unclassified and permitted by the planning director pursuant to ACC 18.02.120(C)(6). Any prohibited use is illegal.

18.04.497 Impervious surface.

“Impervious surface” means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development.

18.04.810 Setback.

“Setback” means the distance between a lot line and the corresponding parallel setback line.

13.48.010(J) Hard surface.

“Hard Surface” means an impervious surface, a permeable pavement, or a vegetated roof.

ATTACHMENT E – Excerpt of Zoning District Intent Statements from Auburn City Code

C-3, Heavy Commercial Zone. The intent of the C-3 zone is to allow for medium to high intensity uses consisting of a wide range of retail, commercial, entertainment, office, services, and professional uses. This zone is intended to accommodate uses which are oriented to automobiles either as a mode or target of the commercial service while fostering a pedestrian orientation. The uses allowed can include outside activities, display, fabrication or service features when not the predominant portion of the use. The uses enumerated in this classification have potential for impacts to surrounding properties and street systems than those uses permitted in the more restrictive commercial classifications.

DUC Downtown Urban Center District. The downtown urban center zone is intended to create a distinct and strong identity for downtown Auburn by establishing land use and design standards for review of development proposals within the core area of the city of Auburn's designated urban center, in order to implement the city of Auburn downtown plan and the goals, policies and objectives of the Auburn comprehensive plan. This zone is intended to produce a concentration and mixture of commercial, office, medical, retail, residential and civic uses within the downtown area; to encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents; to provide a development pattern that supports pedestrian movement, bicycles and use of public transit; and to provide opportunities to increase the city's tax base, thereby helping to fund public improvements and public services.

EP, Environmental Park Zone. The environmental park district is intended to allow uses in proximity to the Auburn Environmental Park that benefit from that location and will complement the park and its environmental focus. Uses allowed in this zone will focus upon medical, biotech and "green" technologies including energy conservation, engineering, water quality and similar uses. Other uses complementary to and supporting these uses are also allowed. Incorporation of sustainable design and green building practices will be a primary aspect of this zone. The construction of leadership in energy and environmental design (LEED) and built green certified buildings is encouraged and built green will be required for multiple-family dwellings. The city recognizes that much of the property in this zone was developed under earlier standards, so the goals of the district will be realized over a period of time as properties are redeveloped.

I Institutional Zone. The I zone is intended to provide an area wherein educational, governmental, theological, recreational, cultural and other public and quasi-public uses may be allowed to develop. It is further intended these areas be significant in scope which will allow a combination of uses which may not be permitted outright within other zones. This district is not intended to include those smaller or singular public uses which are consistent with and permitted in other zones.

M-1, Light Industrial Zone. The intent of the M-1 zone is to accommodate a variety of industrial, commercial, and limited residential uses in an industrial park environment, to preserve land primarily for

light industrial and commercial uses, to implement the economic goals of the comprehensive plan and to provide a greater flexibility within the zoning regulations for those uses which are non-nuisance in terms of air and water pollution, noise, vibration, glare or odor. The light industrial/commercial character of this zone is intended to address the way in which industrial and commercial uses are carried out rather than the actual types of products made.

The character of this zone will limit the type of primary activities which may be conducted outside of enclosed buildings to outdoor displays and sales. Uses which are not customarily conducted indoors or involve hazardous materials are considered heavy industrial uses under this title and are not appropriate for the M-1 zone. An essential aspect of this zone is the need to maintain a quality of development that attracts rather than discourages further investment in light industrial and commercial development. Consequently, site activities which could distract from the visual quality of development of those areas, such as outdoor storage, should be strictly regulated within this zone.

M-2, Heavy Industrial Zone. The M-2 zone is intended to accommodate a broad range of manufacturing and industrial uses. Permitted activity may vary from medium to higher intensity uses that involve the manufacture, fabrication, assembly, or processing of raw and/or finished materials. Heavy industrial uses should not be located near residential development.

PLANNED UNIT DEVELOPMENT DISTRICT (PUD). The purpose of a planned unit development (PUD) district is to offer enhanced flexibility to develop a site through innovative and alternative development standards. A PUD district also allows for a greater range of residential development scenarios, provides for internal transfers of density, and may result in more dwelling units than may be realized by using the existing development standards. In exchange for this enhanced flexibility, the city will require the PUD to result in a significantly higher quality development, generate more public benefit and be a more sensitive proposal than would have been the case with the use of standard zoning or subdivision procedures.

PLANNED UNIT DEVELOPMENT DISTRICT (PUD) – Lakeland Hills South. The comprehensive plan provides the Lakeland Hills South special area plan is intended to be consistent with the conditions of approval of the Lakeland Hills South PDD (Pierce County Hearings Examiner Case No. Z15-90/UP9-70) as amended. The conditions of approval which remain applicable are attached to Ordinance No. 5092 as Exhibit A and incorporated herein by reference. Auburn has accepted the Lakeland Hills South PUD as an approved PUD. Therefore, this purpose section shall apply to minor and major amendments to the Lakeland Hills South PUD.

P-1 Public Use Zone. The P-1 zone is intended to provide for the appropriate location and development of public uses that serve the cultural, educational, recreational, and public service needs of the community.

RC Residential Conservancy Zone – One Dwelling Unit per Four Acres. The RC residential conservancy zone is intended primarily to provide for low-intensity single-family residential uses with characteristics of an agricultural environment; provided, that the agricultural uses are secondary to the single-family uses. These areas allow for a lifestyle similar to that of rural areas that includes allowance of farm animals and streets without sidewalks. This zone is intended to protect areas with significant environmental constraints or values from impacts typically associated with urban levels of development while allowing low-intensity development designed to minimize impacts on the natural environmental features designated for conservation.

Public improvements required within the RC zone will be less than is normally required for the higher intensity residential zones within the city.

This zone shall only be applied in areas designated as residential conservancy on the comprehensive plan. This zone shall allow one dwelling unit per four acres minimum lot area.

R-MHC Manufactured/Mobile Home Community Zone. The intent of the R-MHC manufactured/mobile home community zone is to provide a residential zone of single-family manufactured homes exclusively within a planned community. It is further intended that the R-MHC zone shall only be prescribed in those areas that are bordered on, contain physical features, or shall be planned and designed as part of a larger development incorporating other housing types in a manner which limits further expansion into adjacent areas.

R-5 Residential Zone – Five Dwelling Units per Acre. The R-5 single-family residential zones are intended to create a living environment of optimum standards for single-family dwellings. It is further intended to achieve development densities of four to five dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and for such accessory uses as are related, incidental and not detrimental to the single-family residential environment.

R-7 Residential Zone – Seven Dwelling Units per Acre. The R-7 single-family residential zones are intended to create a living environment of optimum standards for single-family dwellings. It is further intended to achieve development densities of five to seven dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and for such accessory uses as are related, incidental and not detrimental to the residential environment.

UNC Unclassified Use District. The purpose and objective of the UNC classification is to regulate the use of land in generally undeveloped areas or in areas not otherwise zoned following annexation thereof to the city so as to prevent the uncontrolled intrusion of business, industrial and similar uses which would be in conflict or incompatible with existing or planned future land uses established by the comprehensive plan.

Those areas previously annexed to the city for which no city zoning classification has been fixed or determined by ordinance are zoned UNC, unclassified use district. Unclassified zoned property shall assume the R-1 standards for permitted uses and development standards.

ATTACHMENT F – Parcel Information of Private Property Owned Parcels

Charts depicting parcel information of the parcels designated Open Space were presented to the Planning Commission during the April 4, 2017 and July 5, 2017 Planning Commission meetings. The charts highlight particular properties in tribal, utility, and private ownership. Based on a closer review of parcels through the preparation of property notices for the hearing, staff compared the charts and noticing efforts and have provided the charts that reflect these efforts. All of the charts below were previously shown during the April 4, 2017 Planning Commission meeting.

Property Use, if Known	Muckleshoot Indian Tribe	Northwest Pipeline	Olympic Pipeline (Private)	Puget Sound Energy	Private Resident	Private-Segale	Subdivision Tract	Riverfront-Subdivision
Plat-Open Space							4	
Plat-Waterbody								6
Private-Mine-Waterbody						3		
Private-Waterbody					1			
Public-Cemetery	1							
Public-Tribal	4							
Public-Tribal Split Zone	2							
Public-Tribal-Cemetery	1							
Public-Unspecified	1							
Utility-Private		3	1	4				
Utility-Private-Critical Area				1				
Utility-Private-ROW				6				
Total	9	3	1	11	1	3	4	6

TABLE OF OWNERS – PRIVATE*

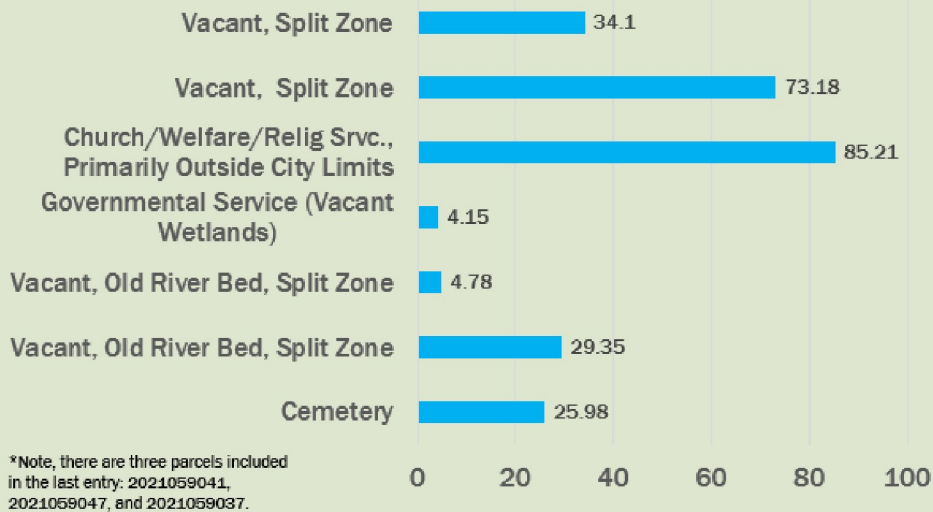
Corrections

NW Pipeline – 3 parcels not 4 (one parcel was double-counted)

MIT – 9 parcels instead of 7
2 added are split zone and mostly Residential

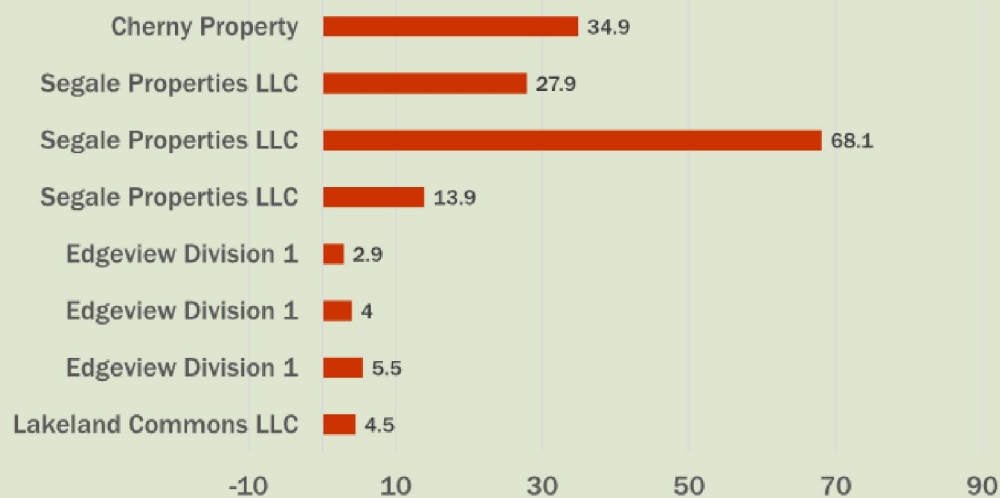
*Table from April 4, 2017 Planning Commission meeting.

SIZES OF “OTHER PUBLIC” (MIT) PARCELS DESIGNATED OPEN SPACE (IN ACRES)* *



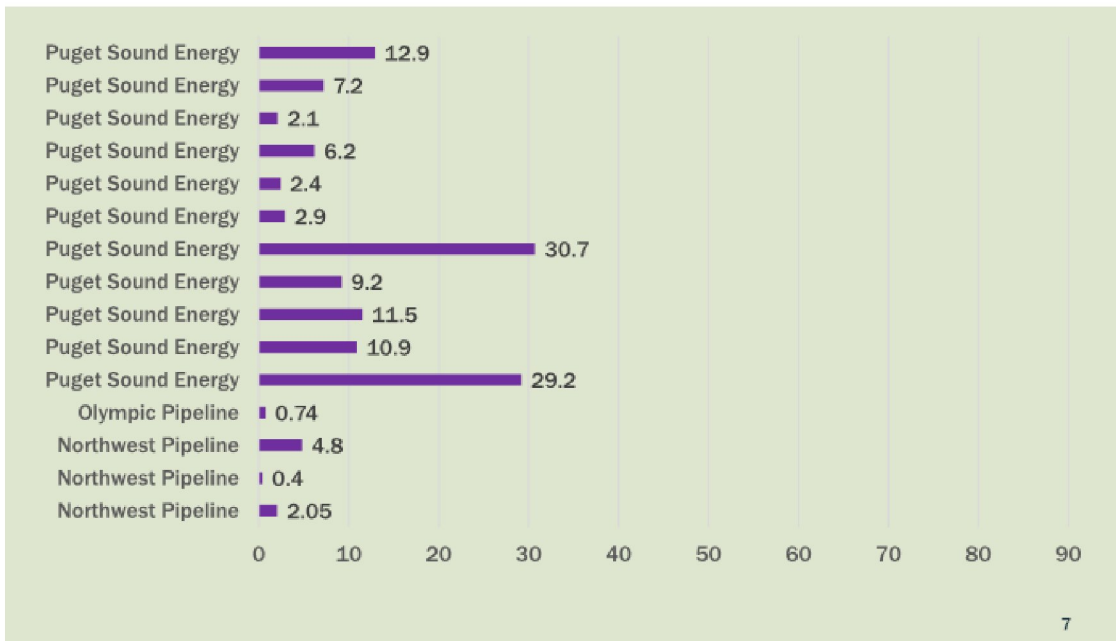
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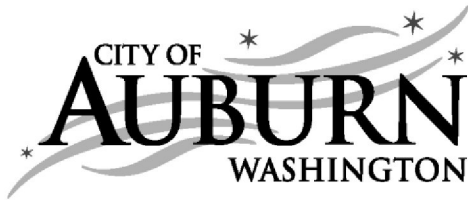
SIZES OF PRIVATELY OWNED PARCELS DESIGNATED OPEN SPACE (IN ACRES)



6

SIZES OF PRIVATE UTILITY PARCELS DESIGNATED OPEN SPACE (IN ACRES)





MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Ron Copple, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Jeff Tate, Assistant Director of Community Development

DATE: July 28, 2017

RE: Changing the Environmental Park Zone to the M-1 Zone

Summary

On August 7, 2006 City Council approved Ordinance No. 6036 which created the Environmental Park (EP) Zone. Despite its name, the EP Zone is grouped in with the other commercial and industrial zones that are identified in Chapter 18.23 of the Auburn City Code. As stated in Ordinance No. 6036 the intent of the EP zone is as follows:

The Environmental Park District is intended to allow uses in proximity to the Auburn Environmental Park that benefit from that location and will complement the Park and its environmental focus. Uses allowed in this zone will focus upon medical, biotech and "green" technologies including energy conservation, engineering, water quality and similar uses. Other uses complementary to and supporting these uses are also allowed. Incorporation of sustainable design and green building practices will be a primary aspect of this zone. The construction of Leadership in Energy and Environmental Design (LEED) and Built Green certified buildings is encouraged and Built Green will be required for multiple family dwellings. The City recognizes that much of the property in this zone was developed under earlier standards, so the goals of the district will be realized over a period of time as properties are redeveloped.

The EP Zone is located west of the BNSF rail lines and spans across Main Street (See Attachment A for map). The EP Zone consists of a mix of pre-existing industrial properties as well as several large city owned properties that include the Auburn Environmental Park and wetland properties that are a component of the City wide stormwater management system. Attachment B depicts those areas within the EP Zone that are owned by the city.

Since the inception of the EP Zone in 2006 there has been very little private sector investment into the privately owned properties within this commercial designation. On March 7, 2014 a realtor and several owners of EP Zoned land presented information to the City Council's Planning and Community Development Committee that documented the challenges that they faced with utilizing, developing, and marketing EP Zoned property. They also provided information that showed robust investment activity within the M-1 Zone with very little activity in the EP Zone. The M-1 Zone is a light industrial zone that is present throughout the Highway 167/West Valley Highway/B Street NW corridors. Much of the consternation with the EP Zone pertains to: (1) a 15% site limit on outdoor storage (M-1 allows up to 50% of a site to be used for outdoor storage), (2) a prohibition on barbed wire (M-1 allows barbed wire which is an important

security features for industrial uses), (3) a maximum lot coverage of 35% (M-1 does not have a limit); and, (4) a long list of prohibited uses (uses that are otherwise permitted in M-1).

The information that was provided by the landowners and realtor compelled staff to consider the appropriateness of eliminating the EP Zone from the City's Comprehensive Plan and Comprehensive Plan Land Use Map. When staff prepared the 2015 Comprehensive Plan update the EP Zone was removed from the list of implementing zoning designations under the "Industrial Land Use Designations". Attachment C provides the Comprehensive Plan language related to Industrial Land Use Designations. Note that this section of the Comprehensive Plan only identifies Light Industrial and Heavy Industrial zoning designations and that the Environmental Park designation is no longer included. The 2015 Comprehensive Plan was approved by the Planning Commission and adopted by City Council under Ordinance No. 6584 on December 14, 2015.

Attachment D is the Comprehensive Plan map that was adopted as part of Ordinance No. 6584. Those portions of the EP Zone that are owned by the City and consist of park and wetlands are designated as Open Space (depicted in green). The remaining portions of the EP Zone are designated as Light Industrial (depicted in light blue). Staff is seeking an amendment to the City's Zoning Map to change the portion of the EP Zone that is depicted as Light Manufacturing to M-1. This zoning map amendment accomplishes the following:

1. Because the EP Zone is no longer listed in the Comprehensive Plan as an implementing zoning designation, a change to M-1 will eliminate the existing inconsistency.
2. Changing the zoning map will expand the viability to utilize, develop, and market the affected properties.

Attachment E provides an aerial image with the proposed area wide rezone highlighted in light blue.

Prior to Planning Commission conducting a public hearing on this matter, staff will provide direct outreach to all property owners that are affected. Outreach will be in the form of direct mail as well as emailing parties that have expressed an interest in this matter in the past.

Questions

1. Are there any questions that the Planning Commission has about the above narrative and/or the maps that have been provided?
2. Is there additional background information that the Planning Commission would like staff to provide prior to scheduling a public hearing?

EP Zoning Designation

Printed Date: 7/13/2017

Map Created by City of Auburn eGIS
Imagery Date: May 2015

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.

Legend

- ☐ Parcels
- Zoning**
- C1 Light Commercial District
 - C2 Central Business District
 - C3 Heavy Commercial District
 - C4 Mixed Use Commercial
 - CN Neighborhood Shopping District
 - DUC Downtown Urban Center
 - EP Environmental Park District
 - I Institutional Use District
 - Lakeland Hills South PUD
 - LF Airport Landing Field District
 - M1 Light Industrial District
 - M2 Heavy Industrial District
 - P1 Public Use District
 - PUD Planned Unit Development
 - R1 Residential 1 DU/Acre
 - R5 Residential 5 DU/Acre
 - R7 Residential 7 DU/Acre
 - R10 Residential 10 DU/Acre
 - R20 Residential 20 DU/Acre
 - Residential Conservancy
 - RMHC Residential Manufactured/Mobi

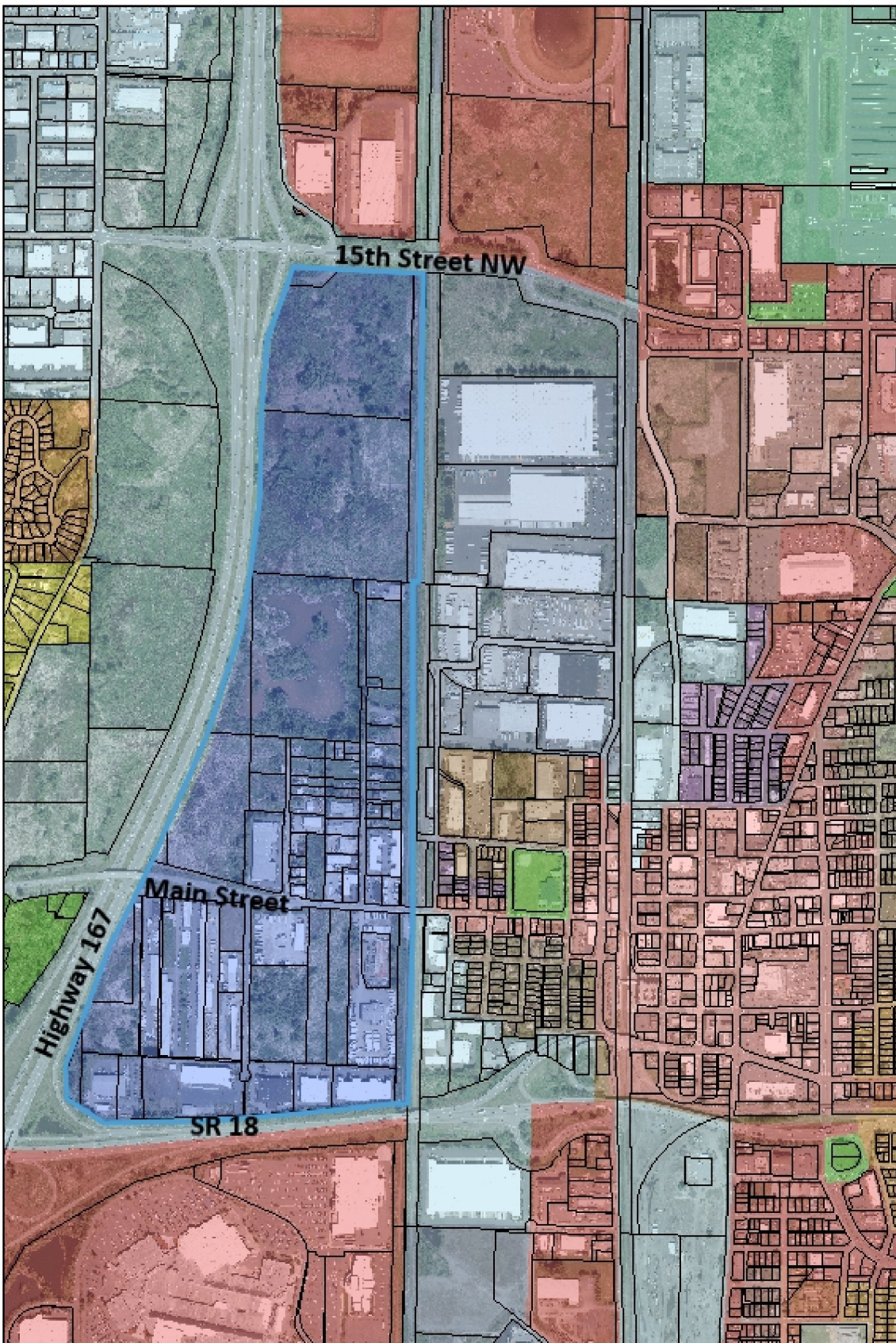
Notes

Type any additional notes- delete text to leave blank

Scale

1 in = 1,224.5 ft

1: 14,694



2,449.0 0 1,224.5 2,449.0 Feet

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet



City Owned Properties within the EP Zone

Printed Date: 7/13/2017

Map Created by City of Auburn eGIS
Imagery Date: May 2015

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Legend

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- Zoning**
- C1 Light Commercial District
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 - R5 Residential 5 DU/Acre
 - R7 Residential 7 DU/Acre
 - R10 Residential 10 DU/Acre
 - R20 Residential 20 DU/Acre
 - Residential Conservancy
 - RMHC Residential Manufactured/Mobi

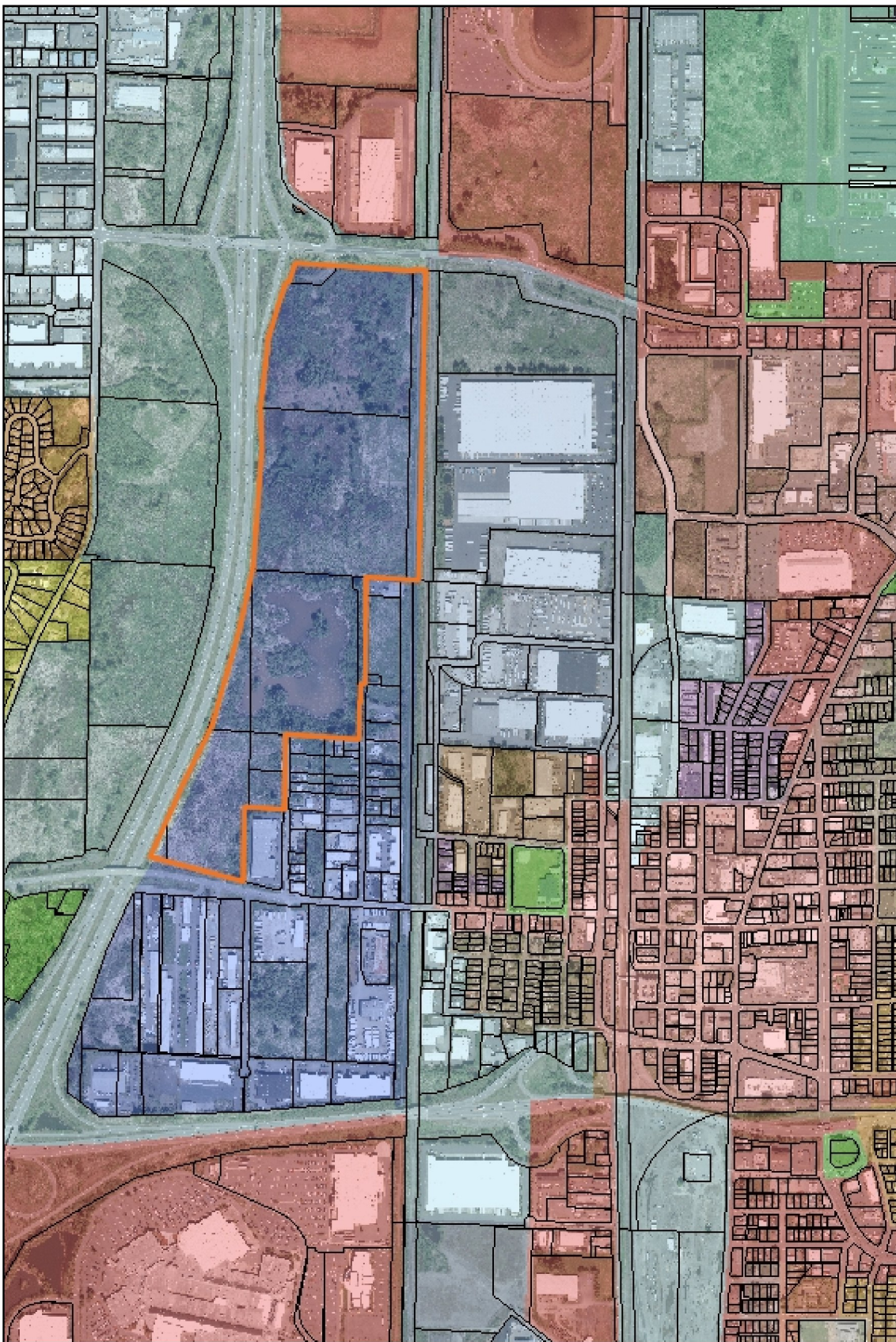
Notes

Type any additional notes- delete text to leave blank

Scale

1 in = 1,224.5 ft

1: 14,694



2,449.0 0 1,224.5 2,449.0 Feet

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet



variety of appropriate commercial uses in this designation benefit from the location, access, physical configuration, and building types of these properties. It is distinguished from heavier industrial uses by means of performance criteria. All significant activities shall take place inside buildings, and the processing or storage of hazardous materials shall be strictly controlled and permitted only as an incidental part of another use.

Designation Criteria

1. Previously developed light industrial areas; or
2. Located along high visibility corridors;
3. Provides buffering for heavy industrial areas or is buffered from the Single Family designation by landscaping, environmental features, or the Residential Transition designation and buffered from all other Residential designations; and
4. Meets the development parameters of the Light Industrial designation.

Implementing Zoning Designations

Light Industrial

Policies

- Policy LU-76. A wide range of industrial uses may be permitted, subject to performance standards. Heavy commercial uses that serve the needs of workers in light industries are also appropriate. These uses include indoor manufacturing, processing, and assembling of materials from previously prepared or raw materials and ancillary and necessary warehousing and distribution of finished goods associated with manufacturing and industrial uses.
- Policy LU-77. Parking lots must be located and designed in a manner that softens their appearance from adjacent public roads. This is accomplished through landscaping, pedestrian spaces, and the location of buildings on the property. Where practicable, low impact development techniques and landscaping should be used to promote on site stormwater infiltration and shading of hard surfaces. Minimum and maximum parking ratios must be established for each type of permitted use.
- Policy LU-78. Landscaping, sidewalks, and bike paths will be integral parts of site design if a development is located on an impression corridor or located within or adjacent to an identified non-motorized corridor.
- Policy LU-79. Outside storage shall be permitted subject to performance criteria addressing its quantity and location. This is to ensure compatibility with adjacent uses, so that such storage would not detract from the potential use of the area for light industry. In all cases, such storage shall be extensively screened.
- Policy LU-80. Where a light industrial use is located adjacent to a property with a less intense zoning designation, the light industrial use bears the burden of incorporating techniques that mitigate the visual, noise, dust, and odor impacts.
- Policy LU-81. Uses involving substantial storage or processing of hazardous materials, as well as substantial emissions, should not be permitted in these areas.

Policy LU-82.	A wide range of commercial activities may be allowed to provide increased opportunities for sales tax revenue.
Policy LU-83.	The Burlington Northern Santa Fe (BNSF) Railroad Auburn Yard located within the Railroad Special Plan Area is considered a compatible use at its current level of usage. It is not bound by the policies concerning outside storage under the existing light industrial designation as it was an existing use prior to the development of this policy. Should BNSF decide to reactivate its applications to upgrade the yard to an intermodal facility, the proposal will be subject to the essential public facility siting process as defined in the Capital Facilities Element.
Policy LU-84.	Upzone requests to the next zone should be approved based on the innovations in transportation and stormwater management and public amenities proposed for the development associated with the request.

Heavy Industrial	
Description - This designation allows the full range of industrial uses, as well as certain heavy commercial uses that serve the needs of workers in light industries are also appropriate.	
Designation Criteria 1. Previously developed heavy industrial areas; or 2. Not located along high visibility corridors; 3. Is buffered by the Light Industrial Designation or otherwise buffered from all other compatible designations; and 4. Meets the development parameters of the Heavy Industrial designation.	
Implementing Zoning Designations Heavy Industrial	
Policies Policy LU-85. While this zone should be reserved primarily for the heavier forms of industrial activities, a wide range of industrial activities may be permitted. These heavier forms of industrial activities may include outdoor or semi-enclosed manufacturing, processing, or assembling activities, significant outdoor storage, and uses involving substantial storage or processing of hazardous materials. Heavy commercial uses that serve the needs of workers in heavy industries are also appropriate. Policy LU-86. Parking lots must be located and designed in a manner that softens their appearance from adjacent public roads. This is accomplished through landscaping, pedestrian spaces, and the location of buildings on the property. Where practicable, low impact development techniques and landscaping should be used to promote on site stormwater infiltration and shading of hard surfaces. Minimum and maximum parking ratios must be established for each type of	

permitted use.

Policy LU-87. Landscaping, sidewalks, and bike paths will be integral parts of site design if a development is located on an impression corridor or located within or adjacent to an identified non-motorized corridor.

Policy LU-88. Where a heavy industrial use is located adjacent to a property with a less intense zoning designation, the heavy industrial use bears the burden of incorporating techniques that mitigate the visual, noise, dust, and odor impacts.

2015 Comprehensive Plan Land Use Map

Printed Date: 7/13/2017

Map Created by City of Auburn eGIS
Imagery Date: May 2015

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.

Legend

-  **Parcels**
- Land Use**
-  Downtown Urban Center
 -  Heavy Commercial
 -  Heavy Industrial
 -  Institutional
 -  Light Commercial
 -  Light Industrial
 -  Multi-Family
 -  Neighborhood Commercial
 -  Neighborhood Commercial Overlay
 -  Open Space
 -  Residential Conservancy
 -  Residential Transition
 -  Residential Transition Overlay
 -  Single Family

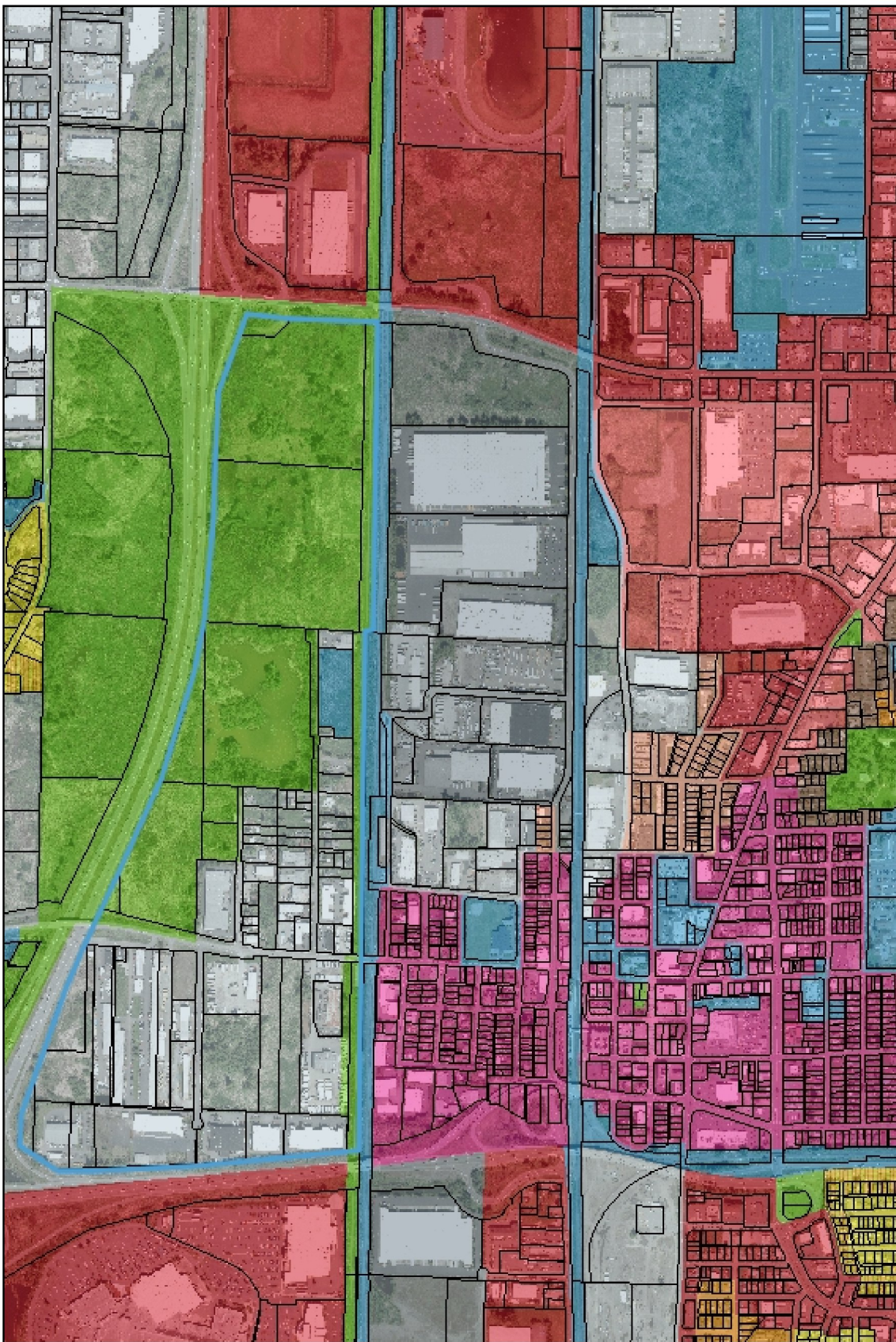
Notes

Type any additional notes- delete text to leave blank

Scale

1 in = 1,224.5 ft

1: 14,694



2,449.0 0 1,224.5 2,449.0 Feet

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Area Rezoned from EP Zone to M-1 Zone

Printed Date: 7/13/2017

Map Created by City of Auburn eGIS
Imagery Date: May 2015

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.

Legend

☐ Parcels

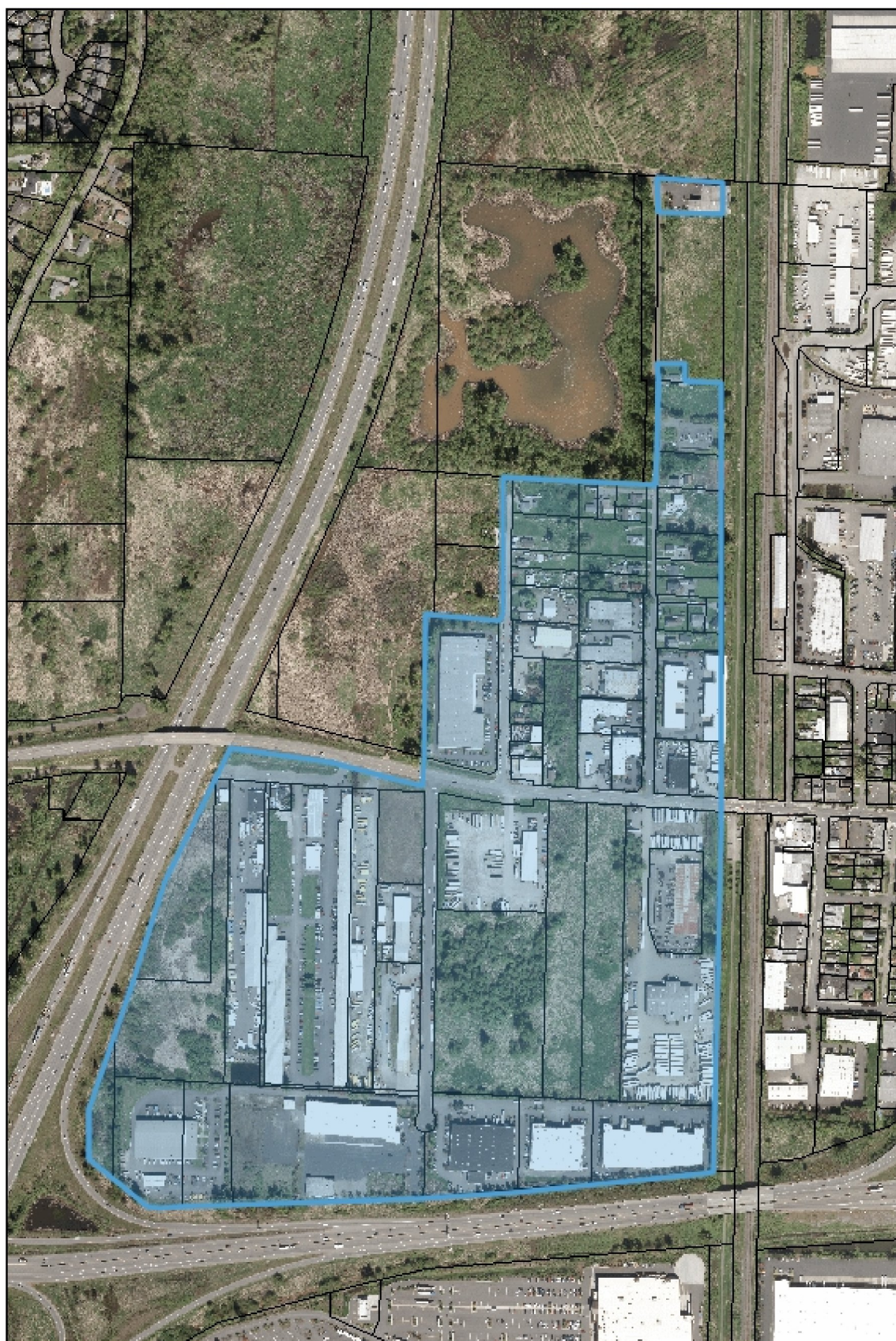
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Scale

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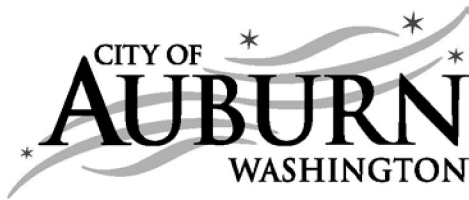
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1,280.7 0 640.3 1,280.7 Feet

NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet





MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Ron Copple, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Jeff Tate, Assistant Director of Community Development

DATE: July 31, 2017

RE: Calculating Residential Densities

Summary Statement

Community Development and Public Works is seeking to pursue amendments to the Auburn City Code to help simplify the layout standards for new residential subdivisions. The proposed amendments will work to improve the methodology that the City Code utilizes when calculating the potential number of new lots in the residential subdivision.

Background and Overview of Existing City Code

Auburn City Code establishes several different residential zoning designations. Each designation is defined, in part, by its allowed density range (establishing both a minimum density and maximum density within each zone). The residential designations and their corresponding density is displayed in the following table.

Table 1

Zone	RC	R-1	R-5	R-7	R-10	R-16	R-20
Minimum Density	.25 (1 house per 4 acres)	1 (1 house per acre)	4 (4 houses per acre)	5 (5 houses per acre)	8 (8 houses per acre)	12 (12 houses per acre)	15 (15 houses per acre)
Maximum Density	.25 (1 house per 4 acres)	1 (1 house per acre)	5 (5 houses per acre)	7 (7 houses per acre)	10 (10 houses per acre)	16 (16 houses per acre)	20 (20 houses per acre)

The above standards generally only have application when considering a subdivision proposal. In other words, there usually isn't a need to apply the above density standards to existing conditions, developments, or uses.

In addition to the minimum and maximum densities within each zone, there are a number of other standards that apply when subdividing land. If a subdivision of land is proposed, not only does the subdivision have to fall within the range of required densities of the underlying zoning designation, each resulting lot must also meet a minimum lot size, minimum lot width, minimum setback requirements, and an overall minimum average lot size across the entire subdivision. Those additional standards are added to the table below.

Table 2

Zone	RC	R-1	R-5	R-7	R-10	R-16	R-20
Minimum Density	.25 (1 house per 4 acres)	1 (1 house per acre)	4 (4 houses per acre)	5 (5 houses per acre)	8 (8 houses per acre)	12 (12 houses per acre)	15 (15 houses per acre)
Maximum Density	.25 (1 house per 4 acres)	1 (1 house per acre)	5 (5 houses per acre)	7 (7 houses per acre)	10 (10 houses per acre)	16 (16 houses per acre)	20 (20 houses per acre)
Minimum Lot Size	174,240 sq. ft.	35,000 sq. ft.	6,000 sq. ft.	4,300 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.
Minimum Avg. Lot Size	174,240 sq. ft.	35,000 sq. ft.	8,000 sq. ft.	6,000 sq. ft.	4,300 sq. ft.	2,700 sq. ft.	2,175 sq. ft.
Minimum Lot Width	125 ft.	125 ft.	50 ft.	40 ft.	20-35 ft.	20-35 ft.	20-35 ft.

All of the above standards must be achieved when designing the layout of a subdivision. Additionally, the above standards apply only after identifying the area of a property that is eligible to be subdivided. In other words, the above standards are not applied to the gross size of a parcel; instead, they are applied to what the City Code refers to as “Net Site Area” which requires that specific features of a property first be subtracted before determining lot potential. Auburn City Code 18.02.065 defines the methodology for determining Net Site Area; this section of code is provided below. If you find the language confusing, please continue reading past this section to read a summary of the intent of this language, an overview of the challenges experienced when applying this code, and suggestions for simplifying and clarifying the methodology. During staff’s presentation, visual examples will be provided that help illustrate density calculations using both the existing city code language as well as the proposed language. The current methodology is provided as follows:

ACC 18.02.065

The permitted number of dwelling units or lots shall be determined as follows:

A. Net Site Area. The area of a site used to calculate the allowed number of dwelling units or lots shall exclude those areas designated for public rights-of-way, except for the designation of additional right-of-way along arterials, private streets, vehicle access easements, and on-site public or homeowners’ association-maintained recreation space if required.

Further, the net site area shall be subject to the following adjustments and limitations for critical areas:

- 1. Net site areas shall exclude streams, wetlands, fish and wildlife habitat areas, and high landslide hazards; and*
- 2. Net site area shall include any required critical area buffer, seismic hazards, and flood hazard areas when calculating base density, unless critical areas identified in subsection (A)(1) of this section are present; provided, that net site area shall not include required critical area buffers when calculating minimum density. The allowed number of dwelling units or lots for a site shall be computed by multiplying the net site area of the lot as calculated in this section by the applicable residential base density number found in the development standards for each zone.*

B. “Base density” refers to the maximum number of dwelling units or lots allowed for a specific zone without application of the bonus density provisions of Chapter 18.25 or 18.49 ACC,

expressed as units per net acre. Base densities for residential zones are specified in ACC 18.07.030.

C. "Base units" refers to the number of allowable dwelling units for a site, as determined by multiplying the base density of the zone in which the site is located by the net site area.

For example, the R-5 zone has a base density of five units per acre; therefore, the maximum number of base units allowed on a lot with 0.6 acres of net site area in the R-5 zone is three units.

D. Bonus density, where applicable, shall be computed by adding the bonus units authorized by Chapter 18.25 or 18.49 ACC to the base units computed under this section.

E. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

- 1. Fractions of 0.50 or above shall be rounded up; and*
- 2. Fractions below 0.50 shall be rounded down.*

Overview of Challenges and Suggestions

Lot Size Standards

In Table 2 there is a row that is titled "Minimum Average Lot Size". After 9 years of this standard existing in City Code, and dozens of completed subdivisions, it is unclear what this standard accomplishes. While staff believes that it is appropriate to require that each individual lot meet a minimum square footage, there does not appear to be a value in designing subdivisions to also achieve an overall minimum average lot size. Using the R-5 zone as an example, the current code requires that each lot must be at least 6,000 square feet in size and that the overall subdivision should have an average lot size of at least 8,000 square feet. This means that if there is one 6,000 square foot lot there must also be one 10,000 square foot lot in order to meet the requirement for an average lot size of 8,000 square feet. Staff does not see how this requirement adds value to the subdivision.

Additionally, because the overall density is still limited to 5 dwelling units per acre, the limitation on the number of lots is achieved irrespective of lot size. To help make these numbers a little more tangible, here are some figures to consider:

- There are 43,560 square feet in one acre.
- In the R-5 zone there is a limit of 5 dwelling units per acre.
- 43,560 square feet divided by 5 dwelling units = 8,712 square feet per lot. This means that a minimum average lot size is already achieved simply by having a maximum density.
- Allowing each lot to be as small as 6,000 square feet gives the developer greater flexibility when working around topography, wetlands, storm ponds, etc. While 5 lots that are each 6,000 square feet only adds up to 30,000 total square feet (and thus, only a little over 2/3 of an acre) the developer is also designing around other physical features on the property that are not developable, is required to provide storm water facilities, and must construct roads and sidewalks.
- By virtue of the city code allowing a minimum lot size of 6,000 square feet the city has already determined that it is an adequate size for a lot within the R-5 zone. If it is adequate for 1 lot why should it not be adequate for all lots?
- The minimum lot width and setbacks within each zone also control subdivision design and preclude undesirable lot configurations. In the R-5 zone each lot must be at least 50

feet in width and meet 5-foot side yard setbacks, 20-foot front yard setbacks, and 20-foot rear setbacks. These standards continue to ensure that houses meet minimum separations from each other.

Staff believes that the minimum average lot size requirement should be removed from each residential zoning designation.

Calculating Density

Most readers of the code language cited in the previous section find it confusing. This leads to numerous questions about how to determine Net Site Area and the resulting allowed density. Equally, it has resulted in inconsistent application of its requirements by staff.

The essence of ACC 18.02.065 is that areas of land must be removed from a property before determining the potential number of lots that can be created through a subdivision. A developer starts with the gross site (e.g. 5 acres), must remove specific features from the gross site (e.g. let's just say that adds up to 1 acre), and the density potential is calculated on the area that is left over (e.g. in this case, that leaves 4 acres). If the property is zoned R-5 (5 dwelling units per acre) it means that the developer can achieve 20 lots (4 acres x 5 dwelling units per acre).

Staff believes that there are two general considerations that should be given for revising ACC 18.02.065:

- (1) Restructure the language so that it is easier to understand, and
- (2) Revisiting the appropriateness of determining lot potential utilizing net site area or gross site area.

The greatest need for restructuring the language is in ACC 18.02.065.A. The entirety of this section is made confusing because the features that are intended to be included and/or excluded are described in narrative format rather than a simple list. The narrative format utilizes commas and includes exceptions that can be interpreted in multiple ways. Staff proposes to restructure this language so that it includes a section of features that should be deducted from the gross site area and features that should not be deducted (and therefore remain as part of the net site area). The attached draft code language attempts to better organize the methodology.

Staff is also recommending that the Net Site Area methodology be replaced with a Gross Site Area methodology. Because each zone includes a requirement that a subdivision comply with both the minimum density and the maximum density and because there is a minimum lot size and width, staff believes that calculating density using Gross Site Area will achieve the following:

- Simplicity – it is far easier for the applicant and city staff to understand the subdivision potential when using Gross Site Area. The Gross Site Area is a number that is a known quantity at the outset whereas Net Site Area is not fully understood until well into the design process.
- Predictability – Feasibility analysis, property transactions, and pre-application meetings will all be based upon the same understanding of the lot potential. Also, because many permit, utility connections and impact fees are based on the number of lots created, it will be easier to understand these types of upfront costs.

- Flexibility – The applicant and city can exercise greater creativity in designing lot and road layouts when working around wetlands, steep slopes, storm water ponds, and other constraints that exist on a property.
- Greater Infill Potential – A fundamental goal of the Growth Management Act is to encourage growth within cities in order to reduce the pressure of sprawl in the surrounding farm, forest and open space lands. Over the last decade, without a single exception, utilizing Net Site Area to calculate density has reduced lot potential by an average of 1 lot for every 1 acre of land that is being subdivided (e.g. applicants have achieved 4 dwelling units per acre instead of 5 dwelling units per acre).

Allowance to Deviate from Minimum Density

Minimum density is a necessary standard when considering methods for achieving infill objectives. In fact, cities are obligated under several court decisions related to the Growth Management Act to achieve an overall citywide density of at least 4 dwelling units per acre. While this standard is generally easy to comply with for larger subdivisions, it has become a barrier for smaller land divisions and/or divisions of lands that are heavily encumbered with critical areas. Staff suggests that two principles be included within the draft language that create flexibility related to how minimum density standards are applied.

First, proposed code section ACC 18.02.065.B would allow short plats to have full relief from the minimum density standard. Short plats are subdivisions of 9 lots or less. In the R-5 zone this would apply where an applicant is attempting to further subdivide a parcel that is under 2 acres in size. Over the last 10 years, staff has informed dozens of property owners who are interested in dividing their land that they must meet a minimum density requirement. They expect that they can't exceed the upper range of their zoning density but are surprised that they must also meet a minimum density. The reason that the minimum density becomes problematic is because smaller parcels tend to have atypical lot configurations, an existing residence that the owner would like to retain, or have utility or driveway configurations that reduce the owner's ability to create more lots.

A typical example is a .60 acre parcel where the owner would like to divide the land in half, intends to remain living in an existing home already on the property, and would like for the newly created vacant parcel to be marketable for construction of an additional home. Unfortunately, when the owner inquires with the City, staff must inform them that they must divided their land into at least 3 parcels in order to meet the minimum density requirement. A .60 acre parcel divided in half results in two .30 acre parcels. In the R-5 zone this type of land division fails to meet the minimum density requirement because .30 acre lots are nearly a third of an acre in size and must instead be 1/5th of an acre. Time after time, the City has turned away potential short plat customers because it is not possible to meet the minimum density. Proposed ACC 18.02.065.B is intended to overcome this by granting full relief. While minimum density is a necessary tenant of the Growth Management Act, so too is incentivizing infill. The current standards generally preclude infill on smaller lots.

Second, proposed code section ACC 18.02.065.A.5 allows similar relief for traditional subdivisions (divisions of land into more than 9 lots) when a property is heavily encumbered with critical areas. Relief of the minimum density standard can be granted through the land division process where the applicant is able to demonstrate that the critical are footprint is encumbering the land to such an extent that it is impossible to meet the minimum density. For example, a 10 acre lot that has 9 acres of wetland only leaves 1 acre that may be developed. If the zoning is R-5 and the minimum density is 4 dwelling units per acre, it is impossible to place

the requisite 40 dwelling units on the remaining 1 acre and still meet the minimum lot size of 6,000 square feet (6,000 square feet x 40 dwelling units = 240,000 square feet; 240,000 square feet / 43,560 square feet = 5.51 acres). In this type of scenario, staff believes that relief should be granted from the minimum density while requiring that each lot meet the minimum lot size.

Conclusions

Staff has prepared a preliminary series of draft code amendments that are intended to accomplish the following:

- (1) Modify ACC 18.07.030.C to eliminate the requirement that the developer achieve an overall minimum average lot size across the entire subdivision.
- (2) Modify ACC 18.02.065.A to reorganize the code so that it is easier to understand how to calculate density.
- (3) Modify ACC 18.02.065.A to change the method of calculating density from Net Site Area to Gross Site Area.
- (4) Modify ACC 18.02.065.A to allow for administrative consideration of deviations to the minimum density requirement.
- (5) Add ACC 18.02.065.B which exempts short plats from the requirements to meet minimum density.

Questions

- (1) Does the Planning Commission concur with the suggestions offered by staff?
- (2) Are there questions or ideas that the Planning Commission would like staff to consider before bringing code amendments forward for public hearing?
- (3) Is Planning Commission comfortable with scheduling a public hearing for August 8, 2017?

Attachments

Draft Code Amendments

18.02.065 Methods of calculating density.

The permitted number of dwelling units or lots shall be determined as follows:

~~A. Net Site Area. The area of a site used to calculate the allowed number of dwelling units or lots shall exclude those areas designated for public rights-of-way, except for the designation of additional right-of-way along arterials, private streets, vehicle access easements, and on-site public or homeowners' association-maintained recreation space if required.~~

~~Further, the net site area shall be subject to the following adjustments and limitations for critical areas:~~

- ~~1. Net site areas shall exclude streams, wetlands, fish and wildlife habitat areas, and high landslide hazards; and~~
- ~~2. Net site area shall include any required critical area buffer, seismic hazards, and flood hazard areas when calculating base density, unless critical areas identified in subsection (A)(1) of this section are present; provided, that net site area shall not include required critical area buffers when calculating minimum density. The allowed number of dwelling units or lots for a site shall be computed by multiplying the net site area of the lot as calculated in this section by the applicable residential base density number found in the development standards for each zone.~~

A. Gross Site Area. The gross site area shall be used to calculate both the minimum and maximum number of allowed dwelling units or lots.

1. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

i. Fractions of 0.50 or above shall be rounded up; and

ii. Fractions below 0.50 shall be rounded down.

2. Calculating Base Density. Base density is calculated by multiplying the gross site area by the upper limit of units or lots allowed within the zone. For example, in the R-5 zone, where density range allows up to 5 dwelling units per acre:

$$\underline{4.3 \text{ acre gross site area} \times 5 \text{ units per acres} = 21.5 \text{ (rounded up to 22)}}$$

3. Calculating Minimum Density. Minimum density is calculated by multiplying the gross site area by the lower limit of units or lots allowed within the zone. For example, in the R-5 zone, where the density range allows as few as 4 dwelling units per acre:

$$\underline{4.3 \text{ acre gross site} \times 4 \text{ units per acre} = 17.2 \text{ (rounded down to 17)}}$$

4. Each lot shall meet the requirements established in Chapter 18.07 ACC for lot area, dimensions, setbacks and other development standards.

5. Where a proposed area for subdivision cannot meet minimum density due to encumbrance by critical areas and/or their buffers, Where critical areas and/or their buffers encumber an area proposed for subdivision, the applicant may seek an administrative deviation from the minimum density which will be reviewed as an administrative decision as part of the subdivision application. If the applicant seeks a variance from the development standards in Chapter 18.07 ACC the variance shall be processed utilizing the provisions of ACC 18.70.010. Alterations of a critical area or its buffer shall be processed in accordance with Chapter 16.10 ACC.

B. The minimum density requirements shall not apply to short plats that are processed under Chapter 17.09 ACC.

~~B. "Base density" refers to the maximum number of dwelling units or lots allowed for a specific zone without application of the bonus density provisions of Chapter 18.25 or 18.49 ACC, expressed as units per net acre. Base densities for residential zones are specified in ACC 18.07.030.~~

~~C. "Base units" refers to the number of allowable dwelling units for a site, as determined by multiplying the base density of the zone in which the site is located by the net site area.~~

~~For example, the R-5 zone has a base density of five units per acre; therefore, the maximum number of base units allowed on a lot with 0.6 acres of net site area in the R-5 zone is three units.~~

~~D. Bonus density, where applicable, shall be computed by adding the bonus units authorized by Chapter 18.25 or 18.49 ACC to the base units computed under this section.~~

~~E. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:~~

~~1. Fractions of 0.50 or above shall be rounded up; and~~

~~2. Fractions below 0.50 shall be rounded down.~~

18.04.300 Density.

"Density" is a measure of population, housing units, or building area related to land area, and is expressed as a ratio, e.g., one dwelling unit per acre. See ACC 18.02.065 ~~for features that are deducted from site area in the city of Auburn's calculation of density for the methodology for calculating density.~~

18.04.301 Density, base.

"Base density" refers to the greatest number of dwelling units allowed without application of the bonus density provisions of Chapter 18.25 or 18.49 ACC per land area in a specific zone expressed as a ratio. For example, in a zone with a maximum density of four units per acre, the maximum number of housing units allowed on a one-quarter-acre lot is one unit.

18.04.303 Density, minimum.

“Minimum density” refers to the least number of dwelling units allowed per land area in a specific zone, expressed as a ratio. For example, in a zone with a minimum density of 12 units per acre, development of a two-acre lot would require a minimum of 24 units.

18.07.030 Development standards.

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
A	Base density (units per net acre)	0.25	1	5	7	10	16	20
B	Minimum density (units per net acre) ¹	0.25	1	4	5	8	12	15
C	Minimum average lot area per dwelling unit (square feet)	174,240	35,000	8,000	6,000	4,300	2,700	2,175
DC	Minimum lot area per dwelling unit (square feet)	174,240	35,000	6,000	4,300	2,000	2,000	2,000
ED	Minimum lot width (feet) ²	125	125	50	40	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots
FE	Minimum setbacks (feet) ^{2,3}							
1	Residence front setback ³	35	35	10	10	10	10	10
2	Garage (minimum front setback required from street access) ³	20	20	20	20	20	20	20 unless alley-loaded then 15 provided there are 20 feet from any garage

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
3	Setback to any property line for barns, stables, or similar structures for enclosure of large domestic animals For other animals, see the supplemental development standards for animals in ACC 18.31.220	75	X	X	X	X	X	X
4	Setback to any property line for any corral, exercise yard, or arena for large domestic animals For other animals, see the supplemental development standards for animals in ACC 18.31.220	35	X	X	X	X	X	X
5	Interior side setback	20	10	5	5	5	5	5
6	Street side setback ³	35	20	10	10	10	10	10
7	Rear setback ³	35	35	20	20	20	20	20
8	Rear setback, detached structure In all zones, 20 ft for structure with vehicular entrance oriented toward street or public alley ³	15	15	10	5	5	5	5

Table 18.07.030 Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
GE	Maximum lot coverage (%)	25	35	40	50	60	70	70
HG	Maximum impervious area (%)	25	50	65	75	N/A	N/A	N/A
IH	Maximum building height (feet)	35	35	35	35	45	45	50
JL	Maximum height of accessory buildings and structures	35 ⁴	35	16	16	16	NA	NA
KJ	Minimum front setback area landscape strip (feet)	N/A	N/A	5	5	10	10	10
LK	Minimum side setback area landscape strip (feet)	N/A	N/A	5	5	10	10	10
ML	Minimum landscaped open space (%)	N/A	N/A	N/A	N/A	20	20	20

1. ~~For purposes of calculating minimum density, critical area buffers are not included in net site area.~~ See ACC 18.02.065 for ~~calculation of net acreage for minimum density~~calculating density.
2. All minimum lot widths, setbacks, and landscaping strips are subject to demonstration to the satisfaction of the city engineer that all required utility infrastructure, access requirements, and street elements can be accommodated in accordance with the design and construction standards.
3. In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city design and construction standards.
4. Barns and other specialized structures used for agricultural purposes may exceed the height limits.