

**Planning Commission Meeting
August 7, 2019 - 7:00 PM
City Hall
AGENDA**

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

- A. July 16, 2019 Draft Minutes from the Planning Commission Regular Meeting

III. OTHER BUSINESS

- A. Introductory Discussion of Docket of 2019 Annual Comprehensive Plan Amendments**

Review list of 2019 annual Comprehensive Plan text and map amendments.

- B. Critical Areas Ordinance (CAO) Update – Aquifer Recharge Areas**

Review of updates to the Critical Areas Ordinance for Aquifer Recharge Areas. This is the final portion of the proposed updates to the CAO.

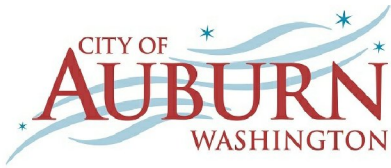
IV. COMMUNITY DEVELOPMENT REPORT

Update on Community Development Services activities.

V. ADJOURNMENT

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

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

July 16, 2019 Draft Minutes from the Planning Commission
Regular Meeting

Date:

July 25, 2019

Department:

Community Development

Attachments:

[July 16, 2019 Draft Minutes from the Planning
Commission Regular Meeting](#)

Budget Impact:

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

Administrative Recommendation:

Approval of Minutes

Background Summary:**Reviewed by Council Committees:****Councilmember:**

Meeting Date: August 7, 2019

Staff:

Item Number:



July 16, 2019

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, Vice-Chair Lee, Commissioner Stephens, Commissioner Khanal, and Commissioner Moutzouris. Commissioner Mason was excused.

Staff present included: Planning Services Manager Jeff Dixon, Senior Planner Thaniel Gouk, Community Development Administrative Assistant Jennifer Oliver and City Attorney, Steve Gross. .

Members of the public present: John Fisher, Inland Construction; Robert Whale, Auburn Reporter Newspaper

b.) PLEDGE OF ALLEGEANCE

II. APPROVAL OF MINUTES

A. June 4, 2019

Vice Chair Lee moved and Commissioner Khanal seconded to approve the minutes from the June 4, 2019 Planning Commission Meeting.

MOTION CARRIED UNANIMOUSLY. 5-0

III. PUBLIC HEARING

A. ZOA19-0002, Proposed Zoning Code Amendment Application by Inland Construction LLC

Chair Roland opened the Public hearing at 7:02PM on ZOA19-0002, Proposed Zoning Code Amendment Application by Inland Washington LLC.

Planning Services Manager Jeff Dixon presented the staff report for the code amendments for ZOA19-0002, Proposed Zoning Code Amendment Application by Inland Washington LLC, providing the background and proposal and an overview of the discussion held at the June 4, 2019 Planning Commission Meeting.

Staff reviewed the changes to the four sections of the zoning code:

- ACC 18.08 Change to Planned Action Ordinance (PAO)
- ACC 18.23 Commercial and industrial zones
- ACC 18.57.030 Mixed use development standard
- ACC 18.31.200 Architectural and Site Design Standards and regulations

Mr. Dixon, in referring to the PowerPoint presentation, indicated that in addition to the strike through and underline text changes in the four zoning code sections that were distributed and shown with the Planning Commission packets, staff in consultation with Inland representatives have identified two other minor wording changes that are needed. These both affect ACC 18.57.030 (Mixed Use Development Standards) and specifically Subsection A.1 to strike the word: “allowed” and in Subsection D.3 to add: “as determined by the Community Development Director”.

Based on the findings contained in the staff report, staff recommends the Planning Commission recommend approval of the Amendments as proposed in Attachments Exhibit A, C, D, E and F and allowing staff to further modify Exhibit B (related to mitigation measures of the planned action ordinance ACC 18.08), in response to the EIS addendum that is under development and with the two additional wording changes introduced tonight by staff affecting ACC 18.57.030.

The Commission and Staff discussed more fully the changes proposed to the C-4 zoning District changes and the mixed use standards that apply and what the exact changes would be. Staff explained the current code construction allows only vertical distributed mixed use. As requested by Inland Washington LLC, the city is proposing to change both ACC 18.23 (Commercial and industrial zones) and ACC 18.57.030 (Mixed use development standards) to allow more flexibility and allow both vertical and horizontal mixed use. The Applicant plans to pursue horizontal mixed use.

Chair Roland opened the public hearing and invited members of the public to come forward for public testimony either for or against case number ZOA19-0002, Proposed Zoning Code Amendment Application by Inland Washington LLC.

Jon Fisher from Inland Washington LLC came forward and publically expressed gratitude for staff for all of their effort. He stated that it felt like great progress has been made.

Again, Chair Roland invited members of the public to come forward for public testimony. After a third request, and without response, Chair Roland closed the Public Hearing at 7:20 PM on ZOA19-0002 and the Commission deliberated.

Commissioner Lee moved and Commissioner Khanal seconded to move to City Council for review and approval the proposed code amendment consisting of changes to the following sections:

- ACC 18.08 Change to Planned Action Ordinance (PAO)
- ACC 18.23 Commercial and industrial zones
- ACC 18.57.030 Mixed use development standard
- ACC 18.31.200 Architectural and Site Design Standards and regulations

MOTION CARRIED 5-0

OTHER BUSINESS

A. Review of Chapters 4-6 of the Shoreline Master Program (SMP) and discussion of Critical Areas Ordinance (CAO) changes

Planning Commission to review the second half of the SMP consisting of Chapter 4 through Chapter 6 and discussion of t updates to the City's Critical Areas Ordinance (CAO).

The Planning Commission previously reviewed Chapters 1-3 of the SMP at the May 7, 2019 regular meeting and 1st half of Chapter 4 at the June 4, 2019 regular meeting.

At these meetings Staff had previously discussed with the Planning Commission that additional changes to the Critical Areas Ordinance (CAO) would also be provided for the July 16, 2019 meeting, however, the remaining proposed changes are not expected to be extensive but are still being reviewed by the City of Auburn's Utility Division and by the Washington State Department of Health. It is the Dept. of Health who brought it the city's attention that changes to the aquifer recharge area regulations are needed. The changes to other categories of critical areas have already been shared with the Planning Commission and the remaining changes for discussion include updating the language in the CAO for aquifer recharge areas. Currently the CAO only applies protection for aquifer recharge areas (meaning those areas that supply water for potable water wells) to the City's own wells, and no other public or private wells (e.g. Lake Meridian Water District, Logandale Water Association, etc.) The city is required to provide comparable protection to privately owned and operated shared wells. These changes will be brought to the Planning Commission at a future meeting.

Mr. Gouk in explaining the SMP sections stated that the portions of the SMP being discussed tonight includes proposed/updated language for nonconforming structures, uses, and lots regulated by the shoreline program. Staff anticipates that this new language would be more easily applied for nonconforming lots that are difficult to build on (difficult in this instance more relates to the paperwork that is involved). This language includes provisions for a "modest home" that other jurisdictions have had luck with implementing. Essentially, it allows flexible development standard if the footprint of the home, driveway, etc. are minimized and

the buffers are enhanced or maintained between the home and the ordinary high water mark of the river.

He summarized that the other changes include:

- Clarifying when a fence can be maintained/replaced if the boundaries of the floodway change. This language has been coordinated with the City's Floodplain Manager.
- Chapter 6, which contains the rules for shoreline permitting in the shoreline jurisdiction, is a copy of Chapter 16.08 ACC 'Shoreline Management Administrative and Permitting Procedures'. In talks with the WA Department of Ecology, it is recommended to remove the ACC code section about the permitting process and only reference it in the adopted SMP. This will avoid duplication and the potential that it is changed in one location and not the other and thus promote consistency.

If the Planning Commission concurs, Staff proposes to have a public hearing on the updates to the SMP and CAO in August or September.

The Commission questioned if it was known how many existing residences are located within the shoreline jurisdiction that would be affected by this Ordinance. Staff responded that the effect on existing homes that are within the shorelines cannot be predicted. The Planning Commission and Staff discussed if there were any buildable, privately owned and vacant lots that are affected. Staff stated that although they did not have the answer at the meeting, they would find the information and inform the Commission of their findings. This number may have been given in a previous staff report.

The Commission inquired how much longer we anticipate meetings on the SMP. Senior Planner Thaniel Gouk confirmed the last section would be discussed at the next meeting with the hopes of having a public hearing in September or October. The Commission asked how the public is notified regarding the changes to the SMP. Senior Planner Gouk responded there were various ways such as the routine methods of legal notices in the Seattle Times newspaper; it is posted at City Hall, as well as mailers to parties of record. Per City of Auburn Attorney Steve Gross, it is an adequate way to keep the public informed. He cautioned that exceeding the standard requirements could be precedent setting.

IV. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager, Jeff Dixon reported that he wished to advise the Planning Commission of an emerging issue surrounding annexation of an area on Lea Hill. The area is an island currently under the City of Kent but completely surrounded by the City of Auburn. Auburn has been approached by the developer of the land and staff with the City of Kent to annex the island and also to change the comprehensive plan designation and zoning from commercial to residential. Discussions have just begun on the financial impact of the annexation and the Zoning regulations and the comp plan are being taken into consideration and how it will be affected. The Commission remarked that the SE corner appears to be open space asked if there were buffers surrounding the area and Planning Services Manager Dixon confirmed that the SE corner contains wetlands and

buffers in that area and that not all of the SE Corner of the area will be developed. Staff brought up a map on the monitor in the Chambers to show the Commissioners where exactly the area was located. Commissioner Stephens was curious as to how Auburn would benefit this annexation. Staff confirmed it would cause less confusion amongst residents as to where to call for utilities and services, and make the service delivery more efficient. Chair Roland inquired if residents vote for or against the annexation. Staff responded that there are many different ways to annex, however, public outreach will be done so the citizens can be informed of the process. As discussions continue, the Planning Commission will be informed.

On another topic, it was reported that City Council agreed to enter into a contract regarding "Inclusive Auburn" "Inclusive Auburn" will focus on diversity throughout the City and will have training for City Staff and Administration.

It was also reported that King Co Metro has narrowed their site search to three perspective sites; located two sites within the City of Auburn and one in the City of Kent to be the Maintenance and Operations Facility for electric buses. The locations in Auburn include the former Valley 6 drive in theater site, on the north side of the site. The other site is Anglo-American insurance auto auction lot near 37th St NW between W. Valley highway and B St. He commented that the City learned of the project right before it was released to the press.

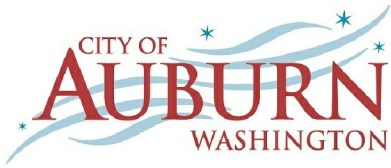
Chair Roland asked what happens after these sites are identified and Staff stated that there is concern about the old Valley 6 Drive In site as this is the new Inland Washington LLC development site for the Auburn Gateway project. King County is governmental agency that has power of eminent domain. The County will go through the process to identify which site best suits their needs. Traffic Studies will have to be conducted as well as, environmental review studies completed. Commissioner Stephens asked if there was an idea of how many buses a day would come out of the new site. City Attorney Steve Gross confirmed it could be up to 250 buses a day.

Planning Manager Dixon informed the Planning Commission that the City hired a new Senior Long Range Planner to assist and he is Anthony Avery. His first day was today. The Commission will meet him in the near future.

It was mentioned to the Planning Commission that the next meeting is scheduled for August 6, 2019, which is also National Night Out. It was suggested by staff to move the meeting to August 7, 2019 to accommodate staff that could be involved with National Night Out. The Commission checked their availability and agreed to move the next meeting to Wednesday, August 7, 2019. The Commission asked that Commissioner Mason be informed.

V. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:06 p.m.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Introductory Discussion of Docket of 2019 Annual
Comprehensive Plan Amendments

Date:

July 25, 2019

Department:

Community Development

Attachments:

[2019 Amendments PC Intro Discussion](#)
[Memorandum](#)

Budget Impact:

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

Administrative Recommendation:**Background Summary:**

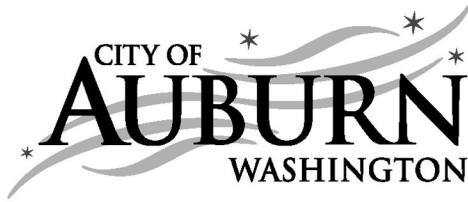
See Attachment

Reviewed by Council Committees:**Councilmember:****Staff:**

Dixon

Meeting Date: August 7, 2019

Item Number:



MEMORANDUM

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

FROM: Jeff Dixon, Planning Services Manager, Comm. Development Dept.
Alexandria Teague, Planner II, Comm. Development Dept.

DATE: July 24, 2019

RE: **Discussion Topic:** Introductory discussion of Docket of 2019 Annual Comprehensive Plan Amendments

BACKGROUND:

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

- A. Map; and
- B. Text.

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

1. City-initiated amendments which are typically items that Staff, Planning Commission, or the City Council have identified as items or issues that should be addressed in the next Comp Plan Amendment cycle; and,
2. Private-initiated amendments, which are in response to applications that are submitted. For the 2019 Comp Plan Amendment cycle, two private map amendment applications were submitted.

DISCUSSION

At the August 7, 2019 Planning Commission meeting, staff would like to introduce and briefly discuss:

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

Comprehensive Plan Text Amendments (each capital facilities plan is incorporated by reference)

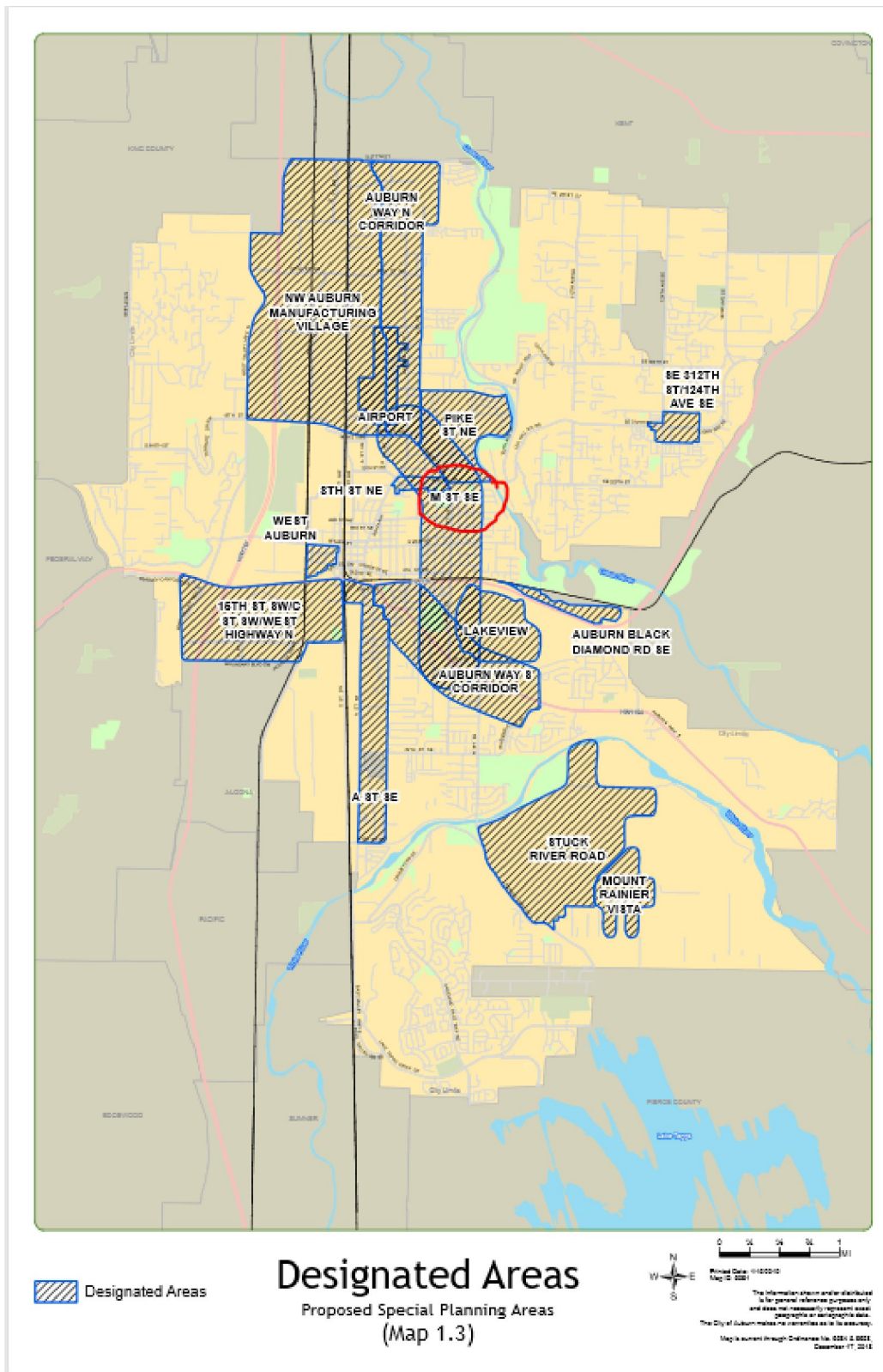
- **P/T #1** – Auburn School District Capital Facilities Plan

- **P/T #2** – Dieringer School District Capital Facilities Plan
- **P/T #3** – Federal Way School District Capital Facilities Plan
- **P/T #4** – Kent School District Capital Facilities Plan
- **P/T #5** – City of Auburn (COA) Capital Facilities Plan
- **P/T #6** –Transportation Element (Plan) Volume 5, (incorporated by reference)
The changes the Transportation element consist of the following:
 - Incorporate new language required by state and federal law;
 - Update the current transit service information;
 - Incorporate recent private development;
 - Update to include capital projects completed since 2015;
 - Update TIP information/project list;
 - Update maps as needed to reflect current data and conditions;
 - Remove the policies / goals related to provision of equestrian facilities.
 - Additional minor changes will relate to grammar, punctuation, choice of words, etc.
- **P/T #7** – Changing the title of the “M ST SE” boundary from M ST SE to M ST SE/NE related to Map 1.3 “Designated Areas” of the Land Use Element, and change the corresponding references in the text to agree. The text changes affect the listing of economic development strategy areas and in Policy LU-133 to change M ST SE to M ST SE/NE. (see image under Map Amendments CMP #1, which follows).

Comprehensive Plan Map Amendments

City-Initiated Map Amendments:

- **CPM #1** - City-initiated request for Comprehensive Plan Land Use Map 1.3 “Designated Areas” of the Land Use Element 1, t to change the title of the M St SE boundary needs from M ST SE to M ST SE/NE. This needs to be updated to reflect that the boundary of the M ST SE designated area extends from M St SE to M St NE (into the NE addressing suffix quadrant of the City). This is a minor change.



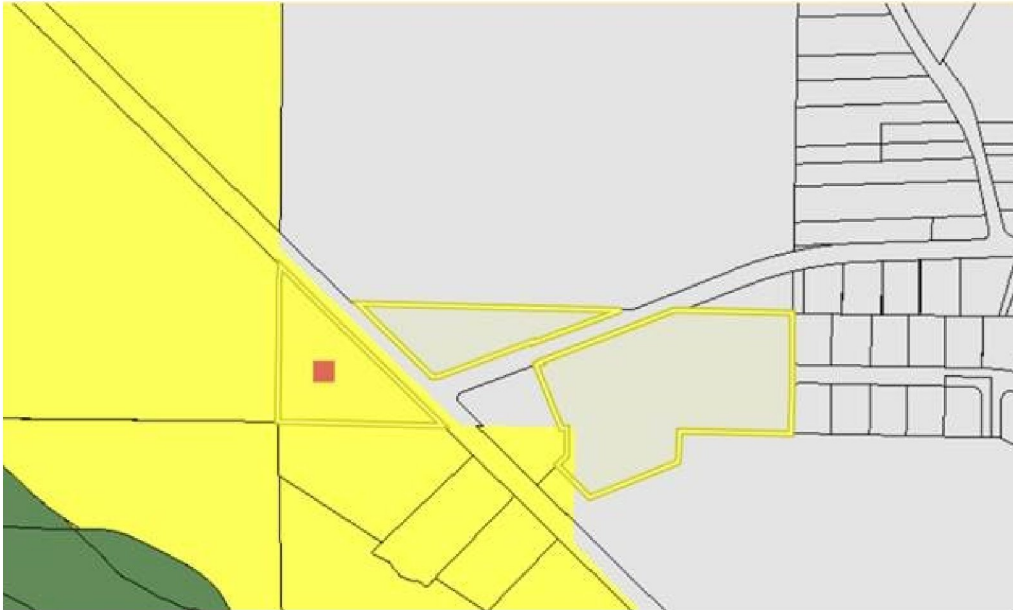
CPM #2 - City-initiated request for a Comprehensive Plan Land Use Map No. 1.1 in the Land Use Element 1, Volume 1, to change the designation of Parcel No. 2721059012. This parcel is divided by two public roadways and features a split land use destination between “Institutional” and “Single Family”). The majority (eastern) of the parcel is designated “Institutional”. Similarly, the parcel is also split zoned between “I, Institutional” and “R-5, Residential 5 dwelling units per acre” with the majority of the parcel zoned “I, Institutional”. As part of the annual amendment cycle, it is proposed to change the land use designation and the zoning of the portion of the parcel designated “Single Family Residential” (western and colored yellow) and zoned R-5 to being designated “Institutional”(blue) and zoned “I, Institutional” (grey).

Excerpt from Comprehensive Plan Map 1.1:



Land Use	
■	DOWNTOWN URBAN CENTER
■	HEAVY COMMERCIAL
■	HEAVY INDUSTRIAL
■	INSTITUTIONAL
■	LIGHT COMMERCIAL
■	LIGHT INDUSTRIAL
■	MODERATE DENSITY RESIDENTIAL
■	MULTIPLE-FAMILY
■	NEIGHBORHOOD COMMERCIAL
■	NEIGHBORHOOD COMMERCIAL
■	OPEN SPACE
■	RESIDENTIAL CONSERVANCY
■	RESIDENTIAL TRANSITION OVER
■	SINGLE FAMILY

Excerpt from Zoning Map:



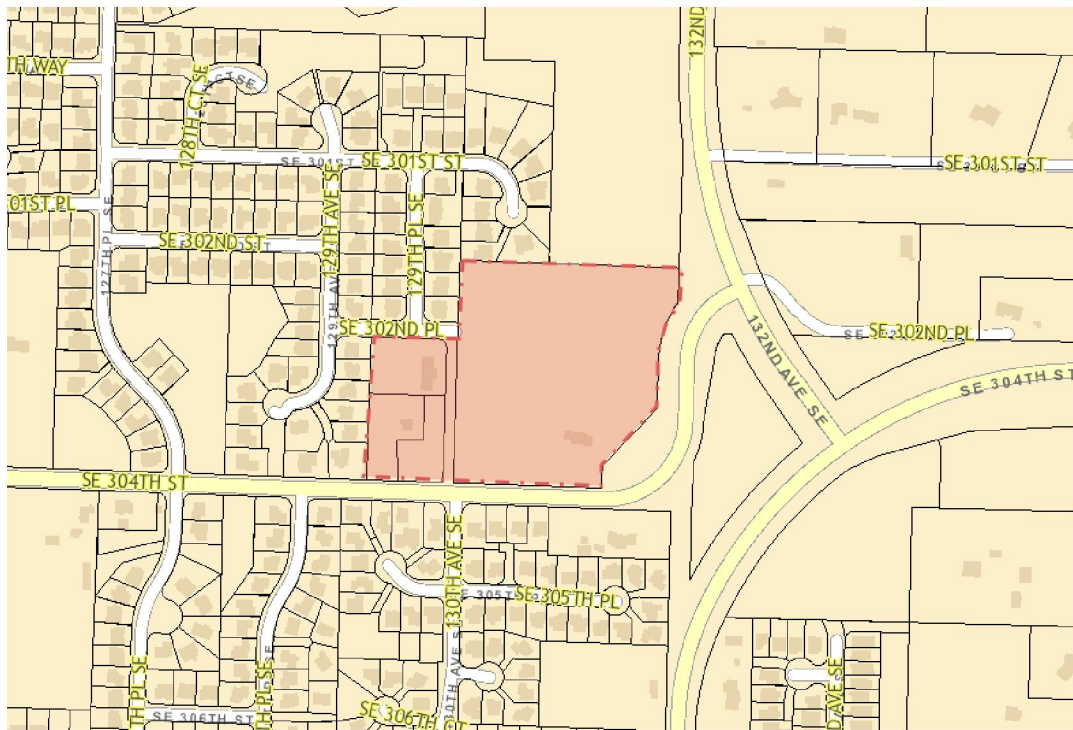
Zoning

- C1 Light Commercial District
- C2 Central Business District
- C3 Heavy Commercial District
- C4 Mixed Use Commercial
- CN Neighborhood Shopping District
- DUC Downtown Urban Center
- I Institutional Use District
- Lakeland Hills South PUD
- LF Airport Landing Field District
- M1 Light Industrial District
- M2 Heavy Industrial District
- Open Space
- P1 Public Use District
- PUD Planned Unit Development
- R1 Residential 1 DU/Acre
- R5 Residential 5 DU/Acre
- R7 Residential 7 DU/Acre

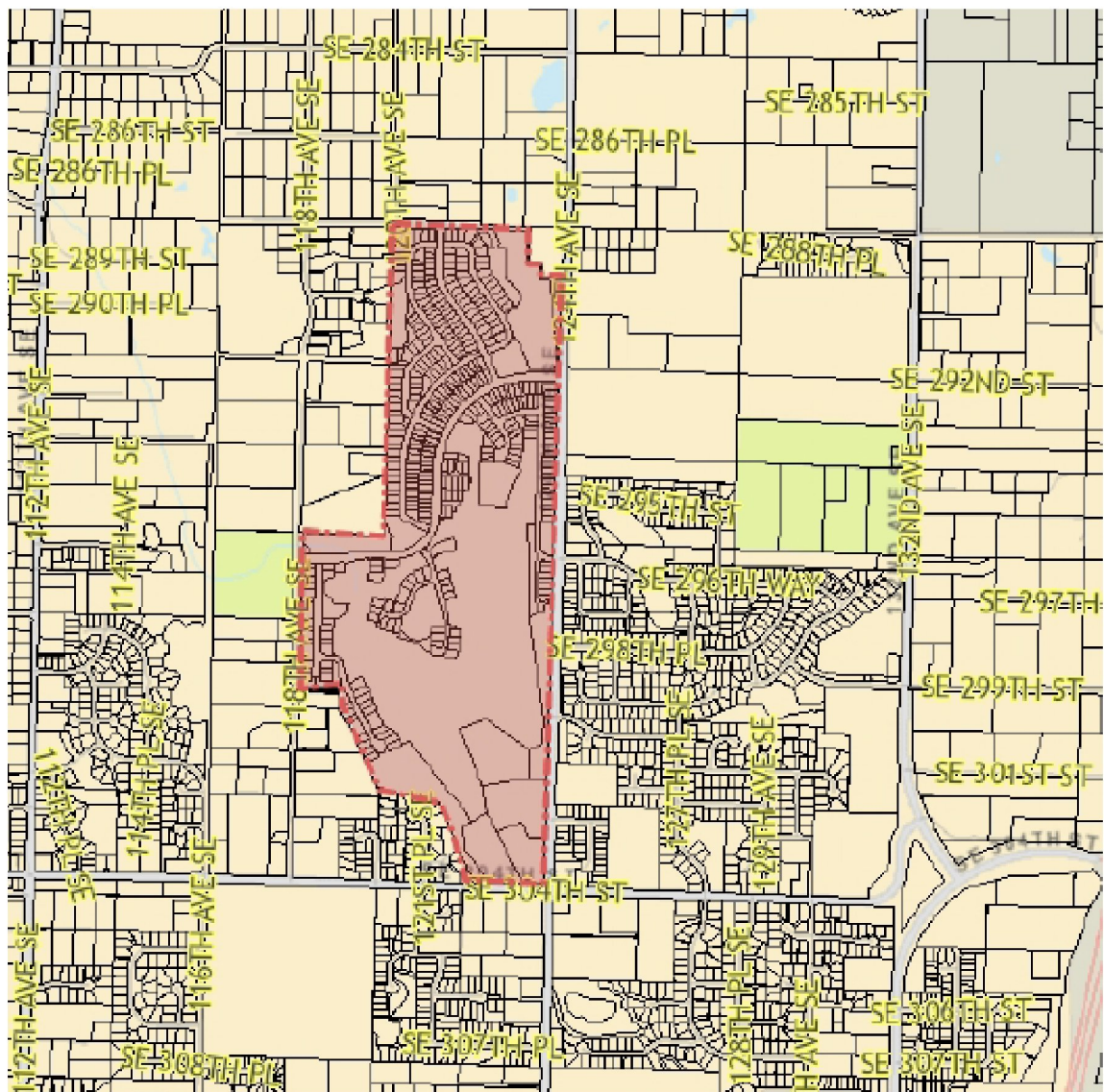


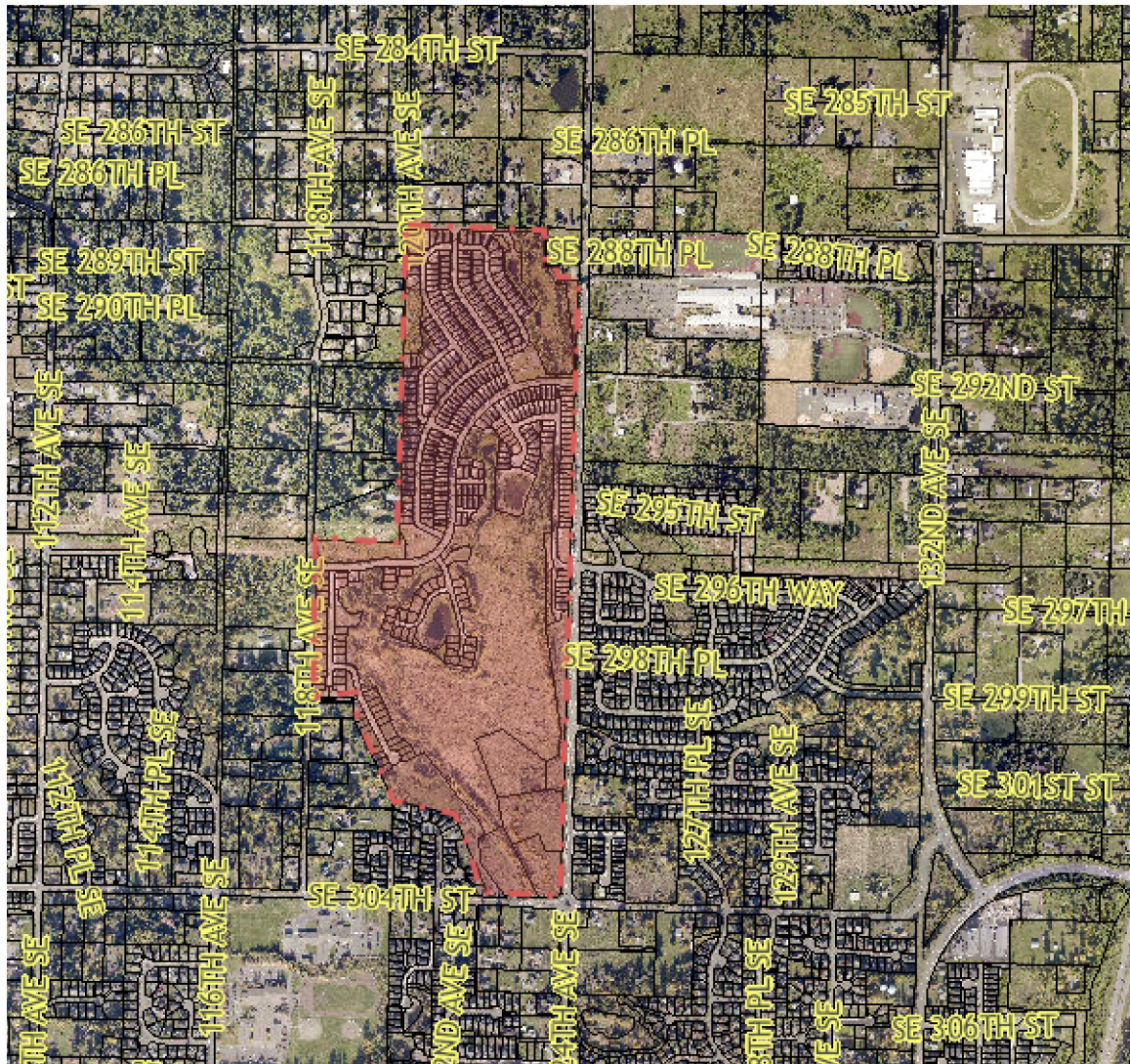
Private-Initiated Amendments:

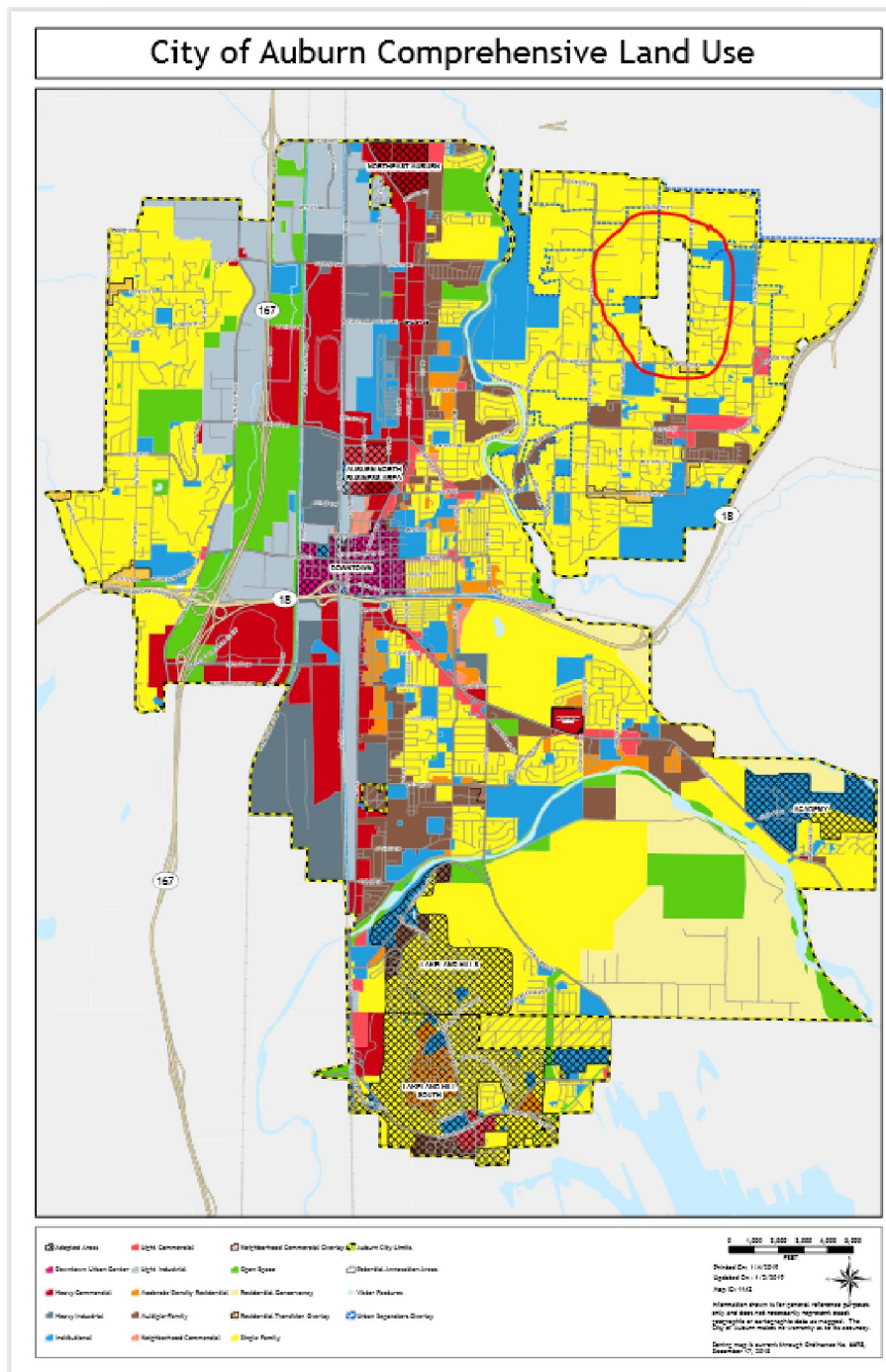
- **CPM #3** - Request by Auburn School District to change the designation of four parcels totaling approximately 10.55 acres and located north of SE 304th St and west of 132nd Ave SE from "Single Family Residential" to "Institutional" and an associated rezone from "R-5, Residential 5 dwelling units per acre" to "I, Institutional" for development as a future elementary school site.



- CPM#4** - Request by Oakpointe Communities to change the designation of multiple parcels comprising the approximately 155-acre Bridges Project (formerly Verdana) as Potential Annexation Area (PAA). This would require change to Comprehensive Plan Land Use Map No. 1.1 in Volume 1, Land Use Element. Once annexed to the City of Auburn, the Applicant proposes a Comprehensive Plan Map Designation of "Single Family" with an implementing zoning designation of "R-5, Residential five dwelling units per acre" for the existing single family developed portion of the site and Comprehensive Plan Map Designation of "Moderate Density Residential" with an implementing zoning designation of "R-16 Residential sixteen dwelling units per acre" for the following four parcels: 108562-3990, 108562-3960, 108562-3970, and 108562-3980 making up the vacant 13.21-acre southeastern corner of the property.

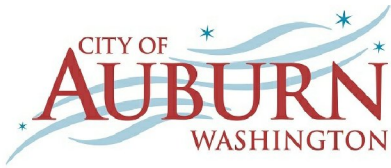






Summary:

Again, this discussion topic is to provide an introductory overview of the items under consideration for amendments this year, including the private applications received and that may be part of the “docket” of 2019 annual Comp Plan amendments. Additional information and analysis will be presented to the Planning Commission at future meetings.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Critical Areas Ordinance (CAO) Update – Aquifer Recharge Areas

Date:

July 25, 2019

Department:

Community Development

Attachments:

[Exhibit 1 - Aquifer Recharge Area Map](#)

[Exhibit 2 - Groundwater Protection Areas](#)

[Exhibit 3 - Critical Areas Ordinance](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:**Background Summary:**

See Attachment

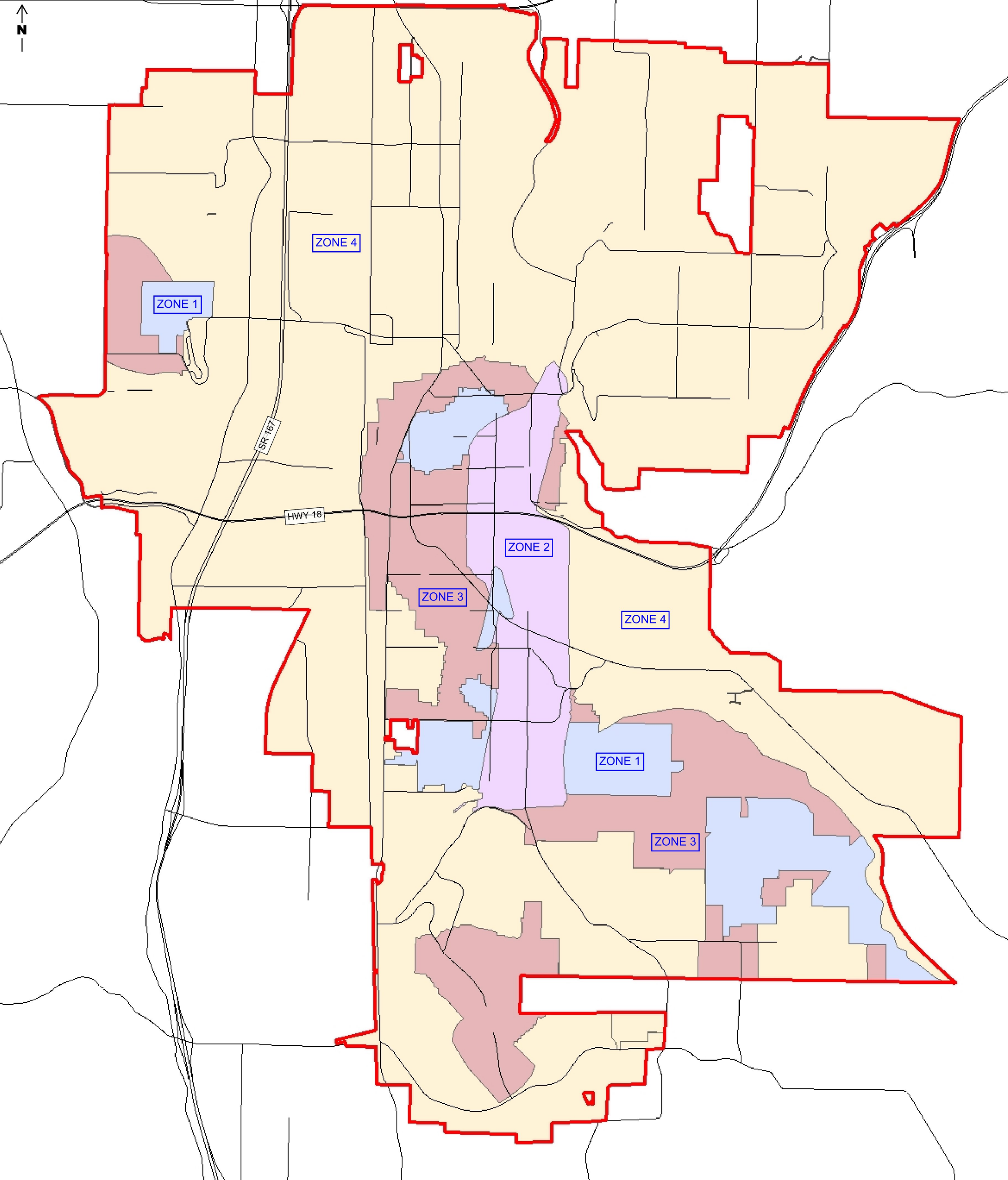
Reviewed by Council Committees:**Councilmember:****Staff:**

Lawrence

Meeting Date: August 7, 2019

Item Number:





Note: this text contains only the proposed changes to the portions of the critical areas ordinance that apply to aquifer recharge areas.

16.10.020 Definitions.

For purposes of this chapter, the following definitions shall apply:

...

“Aquifer” means, generally, any water bearing soil or rock unit. Specifically, a body of soil or rock that contains sufficient saturated permeable material to conduct ground water and yield economically significant quantities of ground water to wells or springs.

“Aquifer Recharge Area” means areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge.

...

“Ground water protection areas” means land areas designated by the city beneath which ground water occurs that is a current or potential future source of drinking water for the city. Please see the definition of “aquifer recharge areas” for additional regulated areas.

...

“Qualified consultant,” for purposes of these regulations, shall mean a person who has attained a degree from an accredited college or university in the subject matter necessary to evaluate the critical area in question (e.g., biology, ecology, or horticulture/arboriculture for wetlands, streams, wildlife habitat, and geology and/or civil engineering for geologic hazards, and hydrogeologist for ground water protection areas), and/or who is professionally trained and/or certified or licensed by the state of Washington to practice in the scientific disciplines necessary to identify, evaluate, manage, and mitigate impacts to the critical area in question. In addition, a qualified consultant for wetlands and streams must be a professional wetland scientist with at least two years of full-time work experience as a wetlands professional, including delineating wetlands using the federal manual and supplements, preparing wetland reports, conducting function assessments, and development and implementing mitigation plans. A qualified consultant for aquifer recharge areas must be a currently licensed Washington State geologist holding a current specialty license in hydrogeology.

...

“Sole source aquifer” means an area formally designated as such by the U.S. Environmental Protection Agency under the federal Safe Drinking Water Act.

“Spring” means a source of water where an aquifer comes in contact with the ground surface.

...

~~“Well” includes any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of an excavation is for the location, diversion, artificial recharge, or withdrawal of ground water.~~

“Wellhead protection area” means the portion of a well’s, wellfield’s or spring’s zone of contribution within the ten-year time of travel boundary, or boundaries established using alternate defined as such using the criteria approved established by the city state Department of Health in those settings where groundwater time of travel is not a reasonable delineation criterion.

16.10.080 Classification and rating of critical areas.

A. To promote consistent application of the standards and requirements of this chapter, critical areas within the city of Auburn shall be rated or classified according to their characteristics, function and value, and/or their sensitivity to disturbance.

B. Classification of critical areas shall be determined by the director based on consideration of the following factors and in the following order:

1. Consideration of the technical reports submitted by qualified consultants in connection with applications subject to these regulations;
2. Application of the criteria contained in these regulations; and
3. Critical areas maps maintained by the planning and department of community development department.

...

F. Aquifer Recharge Ground Water Protection Areas. The following Ground water protection areas are hereby designated as aquifer recharge areas subject to review under this in this chapter, correspond to water resource protection areas,;

Type I.

~~which are described in the "Water Resource Protection Report" prepared for the city by Pacific Groundwater Group, December 2000. Water resource protection areas are based on time-related "capture zones" also referred to as "time-of-travel zones" which are derived using a numerical ground water flow model developed for the city and upon geologic conditions. A capture zone is the area that supplies ground water recharge to a pumping well or a spring. A time-related capture zone is the area that supplies ground water recharge to a pumping well or spring within a specified period of time. The location of ground water protection areas have been revised to include all of a parcel where capture zones include a portion of the parcel.~~

~~Ground water protection areas have been divided into four zones as follows:~~

- ~~1. "Ground water protection zone 1" represents the land area overlying the one-year time-of-travel zone of any well or spring owned by the city.~~
- ~~2. "Ground water protection zone 2" represents the land area in the central part of the city beneath which the principal aquifer used by the city for water supply is overlain by highly permeable sand and gravel deposits. These geologic conditions provide a direct pathway for contaminants that may be released to the soil to reach the aquifer.~~
- ~~3. "Ground water protection zone 3" represents the land area overlying the region between the one-year and 10-year time-of-travel zone of any well or spring owned by the city.~~
- ~~4. "Ground water protection zone 4" represents the land area within the city limits not designated as water resource protection zones 1, 2 or 3.~~

1. Sole source aquifers and wellhead protection areas designated pursuant to the Federal Safe Drinking Water Act;
2. Areas established for special protection pursuant to a ground water management program as described by Chapters 90.44, 90.48 and 90.54 RCW and Chapters 173-100 and 173-200 WAC
3. Any other area meeting the definition of "areas with a critical recharging effect on aquifers used for potable water" as described in Chapter 365-190 WAC and the Auburn comprehensive plan, including ground water protection areas #1-3 as designated in the "Water Resource Protection Report" prepared for the City by Pacific Groundwater Group, December 2000.

Type II

1. Ground water protection area #4 as designated in the "Water Resource Protection Report" prepared for the city by Pacific Groundwater Group, December 2000.
2. Any other area within the city that is not otherwise designated or that is added to the city via annexation shall be treated as a Type II aquifer recharge area.

16.10.100 Alteration or development of critical areas – Standards and criteria – Prohibited Uses.

Alteration of specific critical areas and/or their buffers may be allowed by the director subject to the criteria of this section. Alteration shall implement the mitigation standards as identified in ACC 16.10.110, and the performance standards of ACC 16.10.120 and the monitoring requirements of ACC 16.10.130.

...

~~D. Ground Water Protection-Aquifer Recharge Areas. Requests to establish~~ The following land uses and activities applied for on or after the effective date of the ordinance codified in this chapter, as amended, shall be prohibited in ~~ground water protection zones 1, 2, and 3: Type I aquifer recharge areas:~~

1. Class V injection wells that inject industrial, municipal, or commercial waste fluids (as defined in WAC 173-218-030);
2. Surface impoundments for treating, storing and disposing of dangerous waste (as defined in WAC 173-303-040 and 173-304-100);
3. Waste piles for treating or storing solid waste (as defined in WAC 173-303-040, 173-303-660 and 173-304-420);
4. Hazardous waste treatment, storage, and disposal (as defined in WAC 173-303-040);
5. All types of solid waste landfills (as defined in WAC 173-304-100);
6. On-site sewage systems (as defined in WAC 246-272A-01001) except as related to R-RC, rural-residential conservancy zoned properties;
7. Recycling facilities that accept, store, or use hazardous ~~materials~~; substances as defined in WAC 173-218-030.
8. Underground storage of hazardous ~~materials~~ substances as defined in WAC 173-218-030, excluding the underground storage of petroleum and other regulated substances as regulated by Chapter 173-360A WAC;
9. Use, storage, treatment, or production of perchlorethylene (PCE) or tetrachloroethylene (PERC), other than in closed-loop systems that do not involve any discharge of PCE chemicals;
10. Petroleum refining, reprocessing, and storage, excluding the underground storage of petroleum products and other substances as regulated by Chapter 173-360A WAC;
11. Petroleum-product pipelines not associated with underground storage of petroleum and other regulated substances as regulated by Chapter 173-360 WAC; and
12. Storage or distribution of gasoline treated with the additive methyl tertiary butyl ether (MTBE).

16.10.120 Performance standards for mitigation planning.

The performance standards in this section shall be incorporated into mitigation plans submitted to the city for impacts to critical areas.

...

~~E. Ground Water Protection-Aquifer Recharge Areas. A mitigation plan is~~ Protective measures are required of all development except an individual single-family or two-family (duplex) dwelling unit. The mitigation plans Development applications shall include the following minimum measures and incorporate the appropriate responses.

1. ~~Ground Water Protection Zones 1, 2 and 3~~ Type I Aquifer Recharge Areas.
 - a. Indicate how hazardous ~~materials~~ substances shall be stored and used such that any unauthorized release or discharge of the hazardous ~~materials~~ substances is prevented.
 - b. Specify that pesticides, herbicides, and fertilizers shall be applied in strict conformance with manufacturer's instructions and by persons licensed to perform such applications, if applicable.
 - c. Document hazardous ~~materials~~ substances management procedures, including, but not limited to, operations plans, drawings and as-built diagrams, emergency response and spill cleanup plans, and employee training documentation. This information can be provided in the form of copies of permits or other documentation required by other authorities.
 - d. Indicate that any fill material shall be documented to be free of contaminants that exceed Method A and Method B soil cleanup standards specified in Chapter 173-340 WAC prior to placement on the ground, if applicable.
 - e. Specify that any contaminant release reported to the Washington State Department of Ecology (Ecology) per Chapter 173-340 WAC shall also be reported to the city of Auburn public works department concurrent with notification of Ecology.

f. Include a provision that the implementation of the mitigation plan protective measures will be ~~kept up-to-date~~ maintained during the life of the project. Updates shall occur whenever there is a change in use or business occupancy or when there are significant changes in facility operations or hazardous ~~materials~~ substances management. A copy of the plan is to be available for review by city inspectors at the business or businesses within the development. The plan should cover the facility site in general as well as have a section(s) specific to any tenants within the development.

2. ~~Ground Water Protection Zone 4~~ Type II Aquifer Recharge Areas. Business Property owners shall implement best management practices for water resource protection.