



**FINAL
PLANNING COMMISSION**

**August 7, 2019
MINUTES**

I. CALL TO ORDER

Vice Chair Lee 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: Vice-Chair Lee, Commissioner Stephens, Commissioner Khanal, and Commissioner Moutzouris. Chair Roland and Commissioner Mason were excused.

Staff present included: Planning Services Manager Jeff Dixon, Senior Planner Dustin Lawrence, Senior Planner Anthony Avery, Water Utility Engineer Susan Fenhaus and Community Development Administrative Assistant Jennifer Oliver.

Members of the public present: There were no members of the public present.

b.) PLEDGE OF ALLEGEANCE

II. APPROVAL OF MINUTES

A. July 16, 2019

Commissioner Moutzouris moved and Commissioner Khanal seconded to approve the minutes from the July 16, 2019 meeting as written.

MOTION CARRIED UNANIMOUSLY (4-0)

The Commission and Planning Services Manager Jeff Dixon discussed the order of the Agenda and Dixon asked if Item III. B could go before III. A.

Vice-Chair Lee agreed to change the order of the Agenda.

III. OTHER BUSINESS

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

Each year the City amends the Comprehensive Plan or Comp Plan. These are the "annual amendments" that the City considers 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 2015.

The two types of amendments are map and text amendments.

There are also two sources for these annual amendments:

City-initiated amendments which are usually items that Staff, Planning Commission or the City Council have identified as items or issued that should be addressed in the next Comp Plan Amendment cycle.

Private-initiated amendments, which are in response to applications that are submitted. For the 2019 Comp Plan Amendment cycle, two private map amendments applications were submitted.

The Comp Plan amendments are proposed to consist of the following:

Comprehensive Plan Text Amendments

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 to 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.

Comprehensive Plan Map Amendments

Planning Services Manager Jeff Dixon displayed a map depicting the location of the Comp 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).

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.

Vice Chair Lee asked if there was a functioning Home Owner's Association (HOA) in the Oakpointe/The Bridges neighborhood and if so, are they aware of the changes? Staff responded that yes, they do have an HOA and there is likelihood the HOA has been made aware of the changes based on the developer's participating membership in the HOA. Exactly how much the HOA understands, staff cannot be certain. Staff added that at the National Night Out, event held last night, this particular HOA was scheduled to host both the Mayor of Kent and the Mayor of Auburn to attend the function in hopes of answering any questions.

The Commission asked if it is a builder-controlled HOA. Commissioner Stephens requested information on this from staff. Staff offered to find out and will provide the information to the Planning Commission.

Staff stated that in order to annex this particular area and to become part of the City of Auburn, the residents would have a say in the voting on annexation.

Staff reaffirmed that the discussion topic with the Commission was for the purpose of an introductory overview of the items under consideration for annual amendments this year, including the private applications that have been received and that could be part of the "docket" of 2019 annual Comp Plan amendments.

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

Senior Planner Dustin Lawrence reiterated the current status of review by the Planning Commission by saying the City is in the process of updating its Shoreline Master Program (SMP) and as part of the updates to the SMP, the City has proposed making amendments to its Critical Areas Ordinance (CAO) to be in-line with other local, state, and federal requirements. Such requirements include those that protect wetlands, streams, steep slopes, flood hazard areas, and aquifer recharge areas.

The draft of code changes provided in the Planning Commission's packet are related to a certain type of critical areas--which in this case is aquifer recharge areas. Aquifer Recharge Areas 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.

This will be the final remaining portion of the Critical Areas Ordinance (CAO) update that is being reviewed by the Planning Commission in conjunction with the required periodic update to the City's Shoreline Master Program (SMP). This portion of the CAO update is in response to comments received from the WA State Dept. of Health (DOH) in regards to the City's protection of aquifer recharge areas. This is contrasted with the City codes current terminology that uses: "groundwater protection areas"), which are defined as:

"...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."

The current CAO affords protection to only to the City's potable water sources (i.e. wells, springs) and not to other "Group A" public water systems. Group A public water systems include not only City systems but also numerous other types of water system purveyors, which may include *"...any agency or subdivision of the state or any municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity, that owns or operates a public water system..."*. In the City of Auburn these other entities include the following 16, Group A water purveyors:

Auburn Park Community
Braunwood Estates
City of Bonney Lake

City of Pacific
City of Sumner
Crestview Tracts #3
Crestview West Water System
Derbyshire Scenic Acres
Hazelwood Heights
Lake Meridian Water District
Lakehaven Water & Sewer District
Logandale Water Association
Rocky Acres Water System
South Auburn Water Association
Wells Water Association
Winchester Heights

Exhibit 1 (Map provided to the Commission titled: "Aquifer Recharge Areas") shows the location of these (non-City) shared well sites along with their associated aquifer recharge areas (map data from the Dept. of Health's "SWAP" mapping system, available to view here: <https://fortress.wa.gov/doh/swap/index.html>). In looking at the proposed CAO code updates (Exhibit 3- Text changes) the colored areas on this map would be the "Type I Aquifer Recharge Areas" (This includes the various categories of travel time to the well and is more restrictive) and the remainder of the City that has no color represents the "Type II Aquifer Recharge Areas" (less restrictive);

For reference, Exhibit 2 (map provided to the Commission and titled "Groundwater Protection Areas") shows the existing "Groundwater Protection Areas" (for consistency purposes with State rules/laws, the correct terminology that will be used in the code section is "aquifer recharge areas"). Essentially, the current Zones 1-3 on this map would represent the new "Type I" areas and the current Zone 4 would represent the new "Type II" areas. As can be seen when comparing the two maps, Exhibit 1 adds several locations in the City to the more restrictive "Type I" aquifer recharge areas.

The restrictions that are placed on Zones 1-3 as the new Type I are essentially the same, the main difference is that these protections would now apply to other (non-City) water purveyors (those listed above). In conclusion, staff proposes to hold a public hearing on the updates to the SMP and CAO in October and then a presentation and eventual adoption by the City Council.

Vice Chair Lee asked if staff could clarify how the septic versus sewer service for future development is affected by the proposed regulations. Which would be preferred or not preferred? Staff responded that sewer is always going to be preferred when it is located within a reasonable distance. However, some properties

could be located too far away for sewer or not capable of being served so septic could have to be considered as an option.

The Commission questioned what the impact would be if a homeowner, for example, on West Hill or Lea Hill had to do repairs to an existing septic system or drain field? Would the changes cause it to be more costly or prohibit them from doing repairs or replacement? Staff responded that the big impact would be on new development that occurs on vacant land. If the developer wanted to develop a septic system in one of the critical aquifer recharge areas and if the property is encumbered by the recharge area, they would have to go through a critical areas variance process to prove to the city that they could design septic system that will not be detrimental to the aquifer recharge area. Senior Planner Dustin Lawrence clarified that greater flexibility is generally extended to existing septic systems and thus the impact is anticipated to be less on current septic systems.

Commissioner Stephens commented that he would like to see more data to see what specific properties may be impacted to understand how many total lots are affected. Staff responded that based on a rough calculation, there are 48 residential lots with no sewer near the properties and that are shown within the aquifer recharge areas.

The Commission asked what the regulatory approach that applies in other jurisdictions to their aquifer recharge areas. Are septic systems precluded? Senior Planner Lawrence mentioned that he would have to follow up with other cities such as Sumner and Kent to understand their process.

Planning Services Manager Jeff Dixon introduced City of Auburn Water Utilities Engineer, Susan Fenhaus. If the Commission had any questions, she may also be able to assist.

The Planning Commission did confirm that more data would help understand as well as information on what other jurisdictions are doing. Senior Planner Lawrence pointed out that the Planning Commission's September meeting provides an opportunity where these questions and concerns can be addressed.

Staff agreed to provide additional data, a map with lot sizes and sewer lines, as well as looking into the surrounding jurisdictions and what their process for the Aquifer Recharge Areas.

Planning Services Manager Dixon called the Commission's attention to a copy of the City's web page for the Shoreline master program update. The web page has recently been updated to announce the beginning of a 30-day public comment period and informing the public that a public hearing is scheduled for October 8th. The Webpage gives the public access to review related materials that have been prepared.

IV. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager, Jeff Dixon reported that progress is being made on the location of the site formally known as the Heritage Building that was consumed by a fire two years ago. There is a "clock ticking" as it was a much older building that did not have parking when it was developed years ago. The owner has been requested to proceed quickly in order to have the parking grandfathered in.

The Commission asked for an update on the Metro Bus Barn reported last month and if a site has been selected. Staff responded that at this time, there was no update but this could be due to evaluation of the sites is being conducted.

Recalling that the Planning Commission made a recommendation in the past, Commissioner Stephens had a follow up question on the Lakeridge Paving Site on "A" Street SE. He noted that there are no buildings on site, which is what was previously presented to the Commission by the artistic perspective drawings. Now he has noticed that heavy equipment was placed on site but no buildings. Staff responded that there are some site restrictions such as wetlands that prevent full development. Staff is working with Lakeridge representatives on those issues and the pre-conditions to equipment placement on-site. Staff has also been working with Lakeridge as a follow up with the nature of further development of the site and specifically there is a pre-application meeting scheduled to discuss.

The Commission confirmed that the next meeting is Wednesday, September 4, 2019. The Planning Commission Meeting was bumped to Wednesday due to the Labor Day holiday on Monday September 2, 2019 and the City council meeting also being shifted.

ADJOURNMENT

There being no further business to come before the Planning Commission, Vice Chair Lee adjourned the meeting at 8:06 P.M.