



**FINAL
PLANNING COMMISSION**

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.