



PLANNING COMMISSION MEETING

July 5, 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. June 6, 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

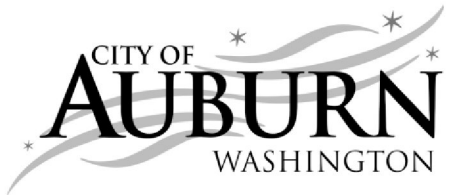
A. Annual Comprehensive Plan Amendment Docket Discussion - Private map amendment application received * (Dixon)

Summary: Provide brief introductory discussion of the single private map amendment application received.

VI. COMMUNITY DEVELOPMENT REPORT

Update on Community Development Services activities.

VII. ADJOURNMENT



June 6, 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 Mason, Commissioner Lee, Commissioner Stephens, Commissioner Shin, Commissioner Moutzouris, and Commissioner Smith. Commissioner Copple was excused.

Staff present included: Assistant City Attorney Jessica Leiser; Karen Stewart of Valley Regional Fire Authority, Assistant Director of Community Development Services Jeff Tate; and Planning Administrative Assistant Tina Kriss.

Members of the public present: Kirk Edwards, Phillip Dawdy, James Sloop, and David Osgood.

b.) PLEDGE OF ALLEGEANCE

II. APPROVAL OF MINUTES

A. May 2, 2017

Commissioner Mason moved and Commissioner Moutzouris seconded to approve the minutes from the May 2, 2017 meeting as written.

MOTION CARRIED UNANIMOUSLY. 5-0

Commissioner Shin and Lee abstained from voting as they were not present at the May 2, 2017 meeting. Vice-Chair Copple was excused.

III. PUBLIC COMMENT

There was no public present for comments.

IV. PUBLIC HEARING

A. Proposed Ordinance No. 6642, Regulations of Marijuana related Businesses and Cooperatives within the City of Auburn

Assistant Director Tate provided the staff report on proposed Ordinance No. 6642.

Chair Roland opened the public hearing on Ordinance No. 6642 at 7:11 p.m. and invited the public forward for testimony.

Philip Dawdy

Mr. Dawdy stated he represents KF Industries. KF Industries holds the fourth (4th) retail license issued by the Washington State Liquor and Cannabis Board (LCB) to operate a retail marijuana store in the City of Auburn.

Mr. Dawdy discussed the moratorium under Ordinance No. 6613 and the impact on the opening of operations of a retail marijuana store at 404 Auburn Way South. Mr. Dawdy explained the improvements made to the site at 404 Auburn Way South, stated that they continue to pay rent but have not been able to open the store due to the moratorium.

Mr. Dawdy provided a signed document from folks living near the location of the fourth retail licensee who indicate they are in favor of having a retail marijuana store located at 404 Auburn Way South. Mr. Dawdy urged the Planning Commission to make a recommendation that would favor the fourth licensee, KF Industries, to open their retail store in Auburn.

David Osgood

Mr. Osgood stated he is the attorney for KF Industries. Mr. Osgood spoke with regards to the history of the three currently operating retail marijuana stores in Auburn.

Mr. Osgood discussed his concerns over legal issues if KF Industries is not allowed to open the fourth retail store with the LCB license for the Auburn location. Mr. Osgood stated KF Industries has been waiting in good faith for two years.

Kirk Edwards

Mr. Edwards stated he is the fourth license retail marijuana store license holder in Auburn. Mr. Edwards stated that KF Industries and their representatives have been cooperating with the city for 2 years. Mr. Edwards reported the improvements and ongoing cost of the site at 404 Auburn Way South. He explained his frustration that within the proposed ordinance a fourth licensee was not recommended to operate within the city.

Mr. Edwards discussed the resident signatures received in support of the opening Marijuana Depot in their neighborhood. He discussed legal concerns over the impact if the fourth retail store is not allowed to open. Mr. Edwards explained the past conditions of the site at 404 Auburn Way South and the improvements made by KF Industries which improved the building and the surrounding homeless issues.

Mr. Edwards asks the Planning Commission to make a recommendation to City Council to allow the fourth retail licensee, KF Industries, to operate in the City of Auburn. He asked the Commission to also create zoning that would benefit the opening at the location at 404 Auburn Way South.

James Sloop

Mr. Sloop stated he has been a consultant in the marijuana industry for 16 years. He discussed the benefits to folks who use medical marijuana and rely upon it for safe access. Mr. Sloop urged the city to allow the opening of more stores as this assists

with price control, safe access, and meeting the needs of those with medical issues. Limiting the opening of more stores increases the demand on the streets which create more violence and less price control.

Mr. Sloop discussed the need to provide outreach programs to educate the public. Mr. Sloop encourages the city to begin providing outreach and education programs for the public.

With no other public present for public testimony, Chair Roland closed the public hearing at 7:29 p.m. on proposed Ordinance No. 6642. The Commission deliberated.

Commissioner Stephens asked if the location at 404 Auburn Way South would allow a retail marijuana outlet/store as proposed in the ordinance. Staff explained that the store would be in the Downtown Urban Center (DUC) zone, and under Section 18.29.050 of the proposed ordinance, all marijuana related businesses and marijuana cooperatives uses are prohibited.

Commissioner Stephens moved and Commissioner Mason seconded to recommend moving proposed Ordinance No. 6642 forward to City Council with the following amendments. Provide a ½ mile separation / ¼ mile separation requirement (option 2), provide a zoning appeals process for locations that are not currently in a allowed zone, and include four (4) as the maximum number of marijuana retail businesses permitted in Auburn.

Assistant City Attorney Leiser discussed the option of providing a zoning appeal process as part of the recommendation. She cautioned the Commission to consider that including an appeals process may produce spot zoning and a better approach may be to consider including specific zones. Assistant Director Tate discussed using the conditional use process as an option for opening additional locations.

Commissioner Stephens moved and Commissioner Mason seconded to amend the motion on the floor, striking the language “provide a zoning appeals process for potential locations that are not currently in a proposed zone”.

The Commission and staff discussed the proposed language within Section 18.59.020 of the proposed ordinance, maximum number of marijuana retail businesses. A discussion was held regarding the proposed zoning and reduction of retail licenses allowed if a business ceases to legally operate within the city.

Commissioner Stephens moved and Commissioner Mason seconded to strike language from the primary motion, “provide a zoning appeals process for locations that are not currently in a allowed zone regarding a zoning appeal process”.

The Commission agreed that a zoning appeals process should not be included.

Commissioner Mason moved and Commissioner Smith seconded to amend the motion and strike 18.59.020 Subsection B. under Maximum number of marijuana retail businesses to proposed Ordinance No. 6642.

Chair Roland asked for a vote of the amendment to the motion on the floor to strike 18.59.020 Subsection B., Maximum Number of marijuana retail businesses in Ordinance No. 6642.

The motion to amend was passed 7-0

Chair Roland asked for a vote of the main motion to move staff's proposed Ordinance No. 6642 forward to City Council with the following amendments. Provide a ½ mile separation requirement / 1/4 mile separation (option 2), strike 18.59.020 Subsection B., Maximum number of marijuana retail businesses, and include four (4) as the maximum number of marijuana retail businesses permitted in Auburn.

The motion was approved. 6-1 Commissioner Lee voted no.

V. OTHER BUSINESS

No other items were brought forward for discussion.

VI. COMMUNITY DEVELOPMENT REPORT

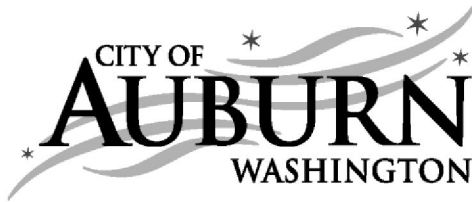
Assistant Director Tate reported that a recent inquiry was made regarding training opportunities for the Planning Commission. He encouraged the Commissioners to bring forward any opportunity they have an interest in so that staff can review it.

Staff distributed and discussed the Monthly Development Activity Snapshot through May 31, 2017 and the Recommended Potential Code Changes Matrix for 2017 Action.

Staff reported that the next Planning Commission meeting will be held July 5th, 2017.

ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:22 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: June 26, 2017

RE: City File Nos.: ZOA16-0009 and SEP17-0010 – Amending Auburn City Code Chapter 18.02 (General Provisions), Chapter 18.35 (Special Purpose Zones), and the Comprehensive Zoning Map

PROPOSAL: Text Amendments to Auburn City Code Chapter 18.02 (General Provisions), Chapter 18.35 (Special Purpose Zones), and Map amendment to the 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 Land Use Map.

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. 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.
5. 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).
6. 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 two public comments the comment letters are included as Attachment F.
7. 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.

STAFF RECOMMENDATION: Attached for the Planning Commission's consideration is the draft code language, amending Auburn City Code Chapter 18.02, (General Provisions) and Chapter 18.35, (Special Purpose Zones), and amending the Comprehensive Zoning Map. Staff recommends the Commission recommend approval of the amendments, as proposed, to the City Council.

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.
- Item 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%

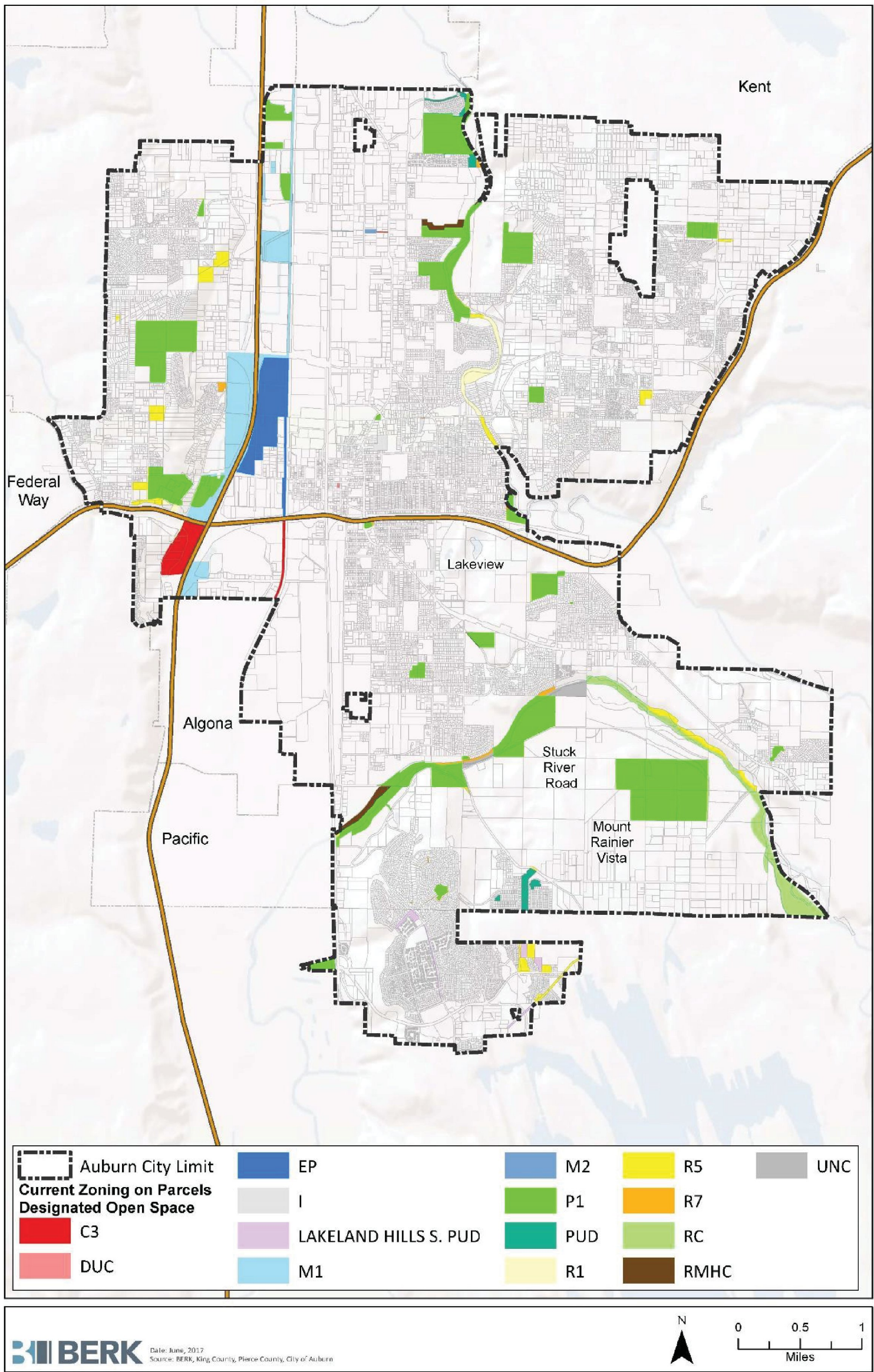
- Maximum impervious area: 10% hard surface (e.g. roofs and pavement)

Item 5. 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 D. 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 amendment to the Comprehensive Zoning Map is included in Attachment B.

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.

OPEN SPACE ZONE: PROPOSED AMENDMENTS



ATTACHMENTS:

- A** – Draft Open Space Zone Code Language
- B** – Amendment to the Comprehensive Zoning Map
- C** – Excerpt of Key Definitions from Auburn City Code
- D** – Excerpt of Zoning District Intent Statements from Auburn City Code
- E** – Updated Parcel Ownership and Acreage Information
- F**—Received Public Comments

ATTACHMENT A – 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);
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.

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>	
Government facilities, this excludes offices and related uses that are permitted outright	A	A	P	P	<u>C</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>	
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>	

RESIDENTIAL

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>	
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>	
Pharmacies	X	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>	
<u>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</u>						
<u>Utility facilities, substations, utility transmission or distribution line</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>A</u>	<u>See ACC 18.02.040(E)</u>
<u>OTHER USES THAT ARE NOT LISTED</u>						
<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>	<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:

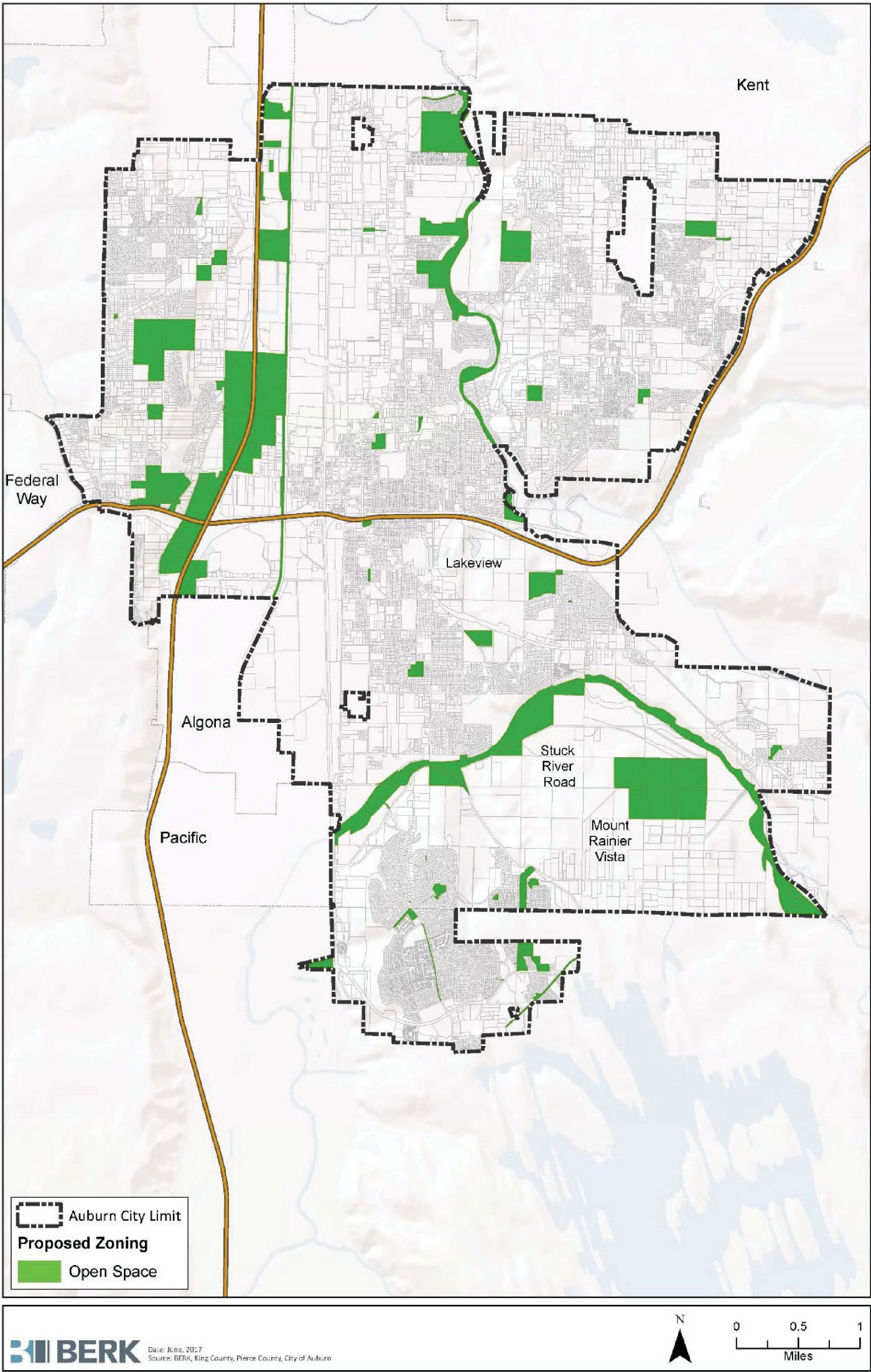
1. New single-family residential or conversions of single-family residences to commercial uses with additions greater than a total or cumulative area of 200 square feet on the property since the adoption of Ordinance No. 6231, then the maximum lot coverage is 35 percent.
2. New single-family residential 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 B – Amendment to the Comprehensive Zoning Map



ATTACHMENT C – 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.)

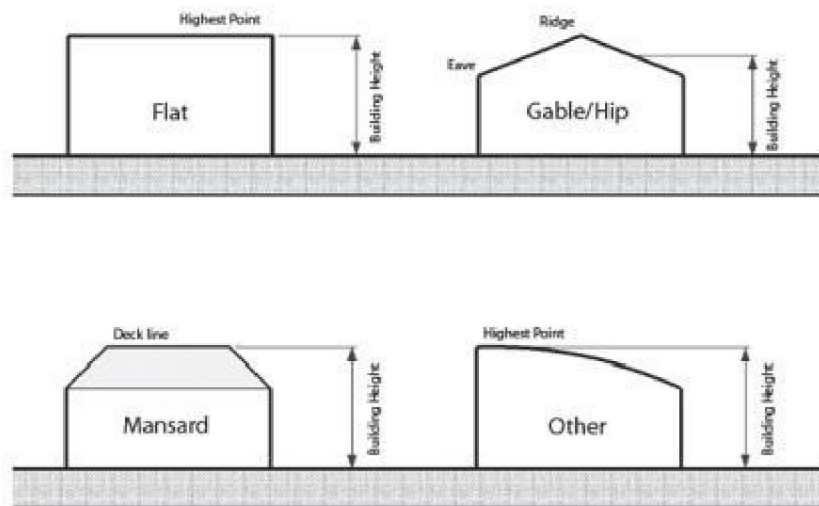


Figure 18.04.200 Building Height

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 weathertight roof. The first two feet of an eave overhang will, however, not be used in the lot coverage calculation. See Figure 18.04.550.

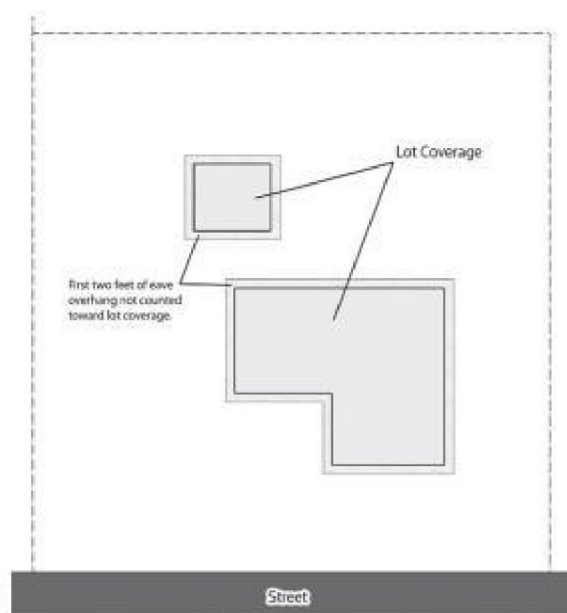


Figure 18.04.550 Lot Coverage

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 D – 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 E – Updated Parcel Ownership and Acreage Information

Ownership

Based on a closer review of parcels through the preparation of property notices for the hearing, we have updated the type and count of properties to be zoned Open Space. The overall results are similar to prior information provided to the Planning Commission for the January 4, 2017 and April 4, 2017 Planning Commission meetings. The City of Auburn owns most of the properties to be designated Open Space.

Open Space Properties by Use and Ownership

Property Use, if Known	City of Auburn	King County	Muckleshoot Indian Tribe	Northwest Pipeline	Olympic Pipeline (Private)	Port of Seattle	Puget Sound Energy	Tacoma Water	WA State	CHERNY ANDREW+ELENA	SEGALE PROPERTIES LLC	LAKELAND COMMONS II LLC	EDGEVIEW DIVISION 1	Riverfront Subdivision Tracts
Plat-Open Space	0	0	0	0	0	0	0	0	0	0	0	1	3	1
Plat-Waterbody	0	0	0	0	0	0	0	0	0	0	0	0	0	5
Private-Mine-Waterbody	0	0	0	0	0	0	0	0	0	0	3	0	0	0
Private-Waterbody	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Public-Cemetery	8	0	1	0	0	0	0	0	0	0	0	0	0	0
Public-Critical Area	17	2	0	0	0	0	0	0	1	0	0	0	0	0
Public-House	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Public-Park	7	0	0	0	0	0	0	0	0	0	0	0	0	0
Public-ROW	2	0	0	0	0	0	0	0	0	0	0	0	0	1
Public-Tribal	0	0	9	0	0	0	0	0	0	0	0	0	0	0
Public-Tribal-Cemetery	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Public-UGA	5	1	0	0	0	0	0	0	0	0	0	0	0	0
Public-Unspecified	78	3	1	0	0	1	0	0	0	0	0	0	0	0
Public-Utility	3	0	0	0	0	0	0	7	0	0	0	0	0	0
Public-Vacant	23	0	0	0	0	0	0	0	1	0	0	0	0	0
Utility-Private	0	0	0	6	2	0	5	2	0	0	0	0	0	0
Utility-Private-Critical Area	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Utility-Private-ROW	0	0	0	0	0	0	6	0	0	0	1	0	0	0
Total	144	6	12	6	2	1	12	9	2	1	4	1	3	7

Updated Charts

Charts depicting the ownership of the parcels designated Open Space were presented to the Planning Commission during the April 4, 2017 Planning Commission meeting. 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, we have updated the type and count of properties to be zoned Open Space.

Note: In the April 4, 2017 Planning Commission requested to know the ownership of the “Other Public” or Muckleshoot Indian Tribe (MIT) owned parcels. The parcels in the Muckleshoot Indian Tribe column below are either owned by the tribe or by the US Government per the King County King County Assessor’s website.

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		6	5	5				
Utility-Private-Critical Area				1				
Utility-Private-ROW				6				
Total	12	6	5	12	1	4	4	6

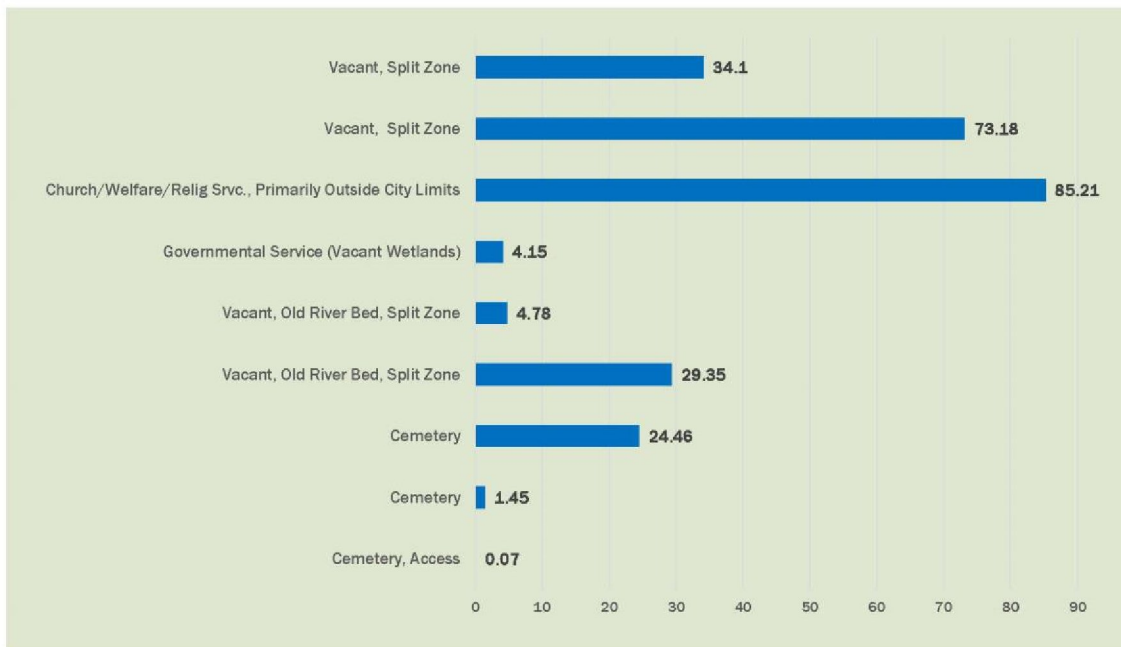
TABLE OF OWNERS - PRIVATE

Corrections

NW Pipeline -
6 parcels not 4

MIT - 12
parcels instead
of 9

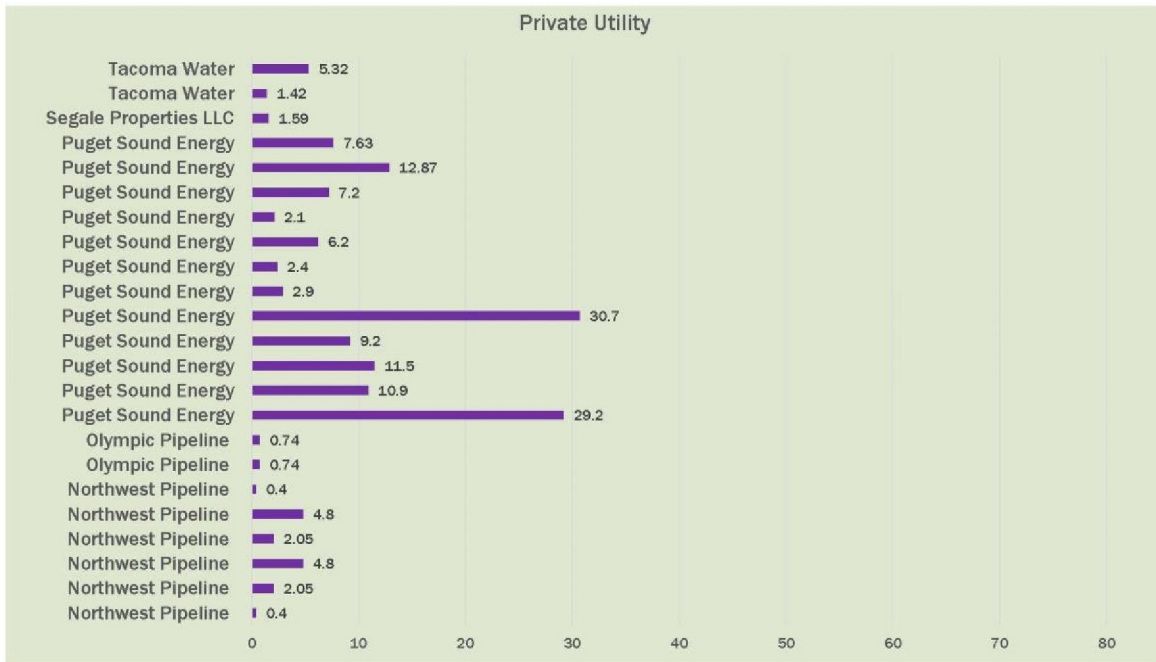
SIZES OF “OTHER PUBLIC” (MIT) PARCELS DESIGNATED OPEN SPACE (IN ACRES)



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



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



ATTACHMENT F – Received Public Comments

To: City of Auburn – Alex Teague & Jeff Tate

Date: June 19, 2017

RE: Amendments to Auburn City Code Chapter 18.02 General Provisions, Chapter 18.35 Special Purpose Zones, and the Comprehensive Zoning Map ZOA16-0009 & SEP17-0010

This letter is being submitted to you requesting that King County Parcel numbers 781570-0135, 781570-0095 & 781570-0085 each be removed from the zoning change consideration of DUC to Open Space and be placed back under the DUC Comprehensive Land Use.

Parcels 781570-0135 and 781570-0095 are each owned by the same private ownership group: **Levan Auburn Development LLC**. The development group also owns two other parcels on the same block which were not identified to be a part of the Zoning and Comprehensive Land Use change. The development group obtained ownership of these parcels in April of 2015 with the intention of developing the parcels into a single mixed-use development. The current Open Space land use designation and possible Open Space Zoning change would prohibit these parcels from being developed in the manner for which they were obtained and open the City up to question.

Parcel 781570-0085 is owned by the City of Auburn and currently being used as a passive use Park. It also makes up the northeast corner of the block which the afore mentioned parcels are also a part of and slated for development. The City of Auburn at present time has not been approached by the development group to obtain ownership of the City parcel, but is being looked at as an accompanying factor in the development by Levan. Unlike many of the City's Park properties, this particular property is not encumbered with a restriction on title. Changing the zoning and land use designation to something other than that of the adjacent parcels may act much in the same manner however. So it is in the best interest of the City that parcel number 781570-0085 also be removed from the zoning change consideration and the land use be amended to reflect the DUC land use code.

For further questions or clarification please contact Dana Hinman, Director of Administration for the City of Auburn at 253.931.4009 or dhinman@auburnwa.gov

Sincerely,



Dana Hinman
Director of Administration
City of Auburn

City of Auburn
Community Development & Public Works Department
Attn: Alexandria Teague
25 West Main
Auburn, WA 98002-6200

Dear Alexandria,

Thank you for meeting with me to explain the process for amending the 2015 Comprehensive Plan, specifically as it pertains to the updated Institutional and Open Space land use designations.

Based on the Parks, Recreation and Open Space Plan adopted in 2015, Parks staff is generally supportive that most of the City's park properties fit with the definition of these two land use designations. One exception to this is that it does not appear that there is any reference to agricultural uses in Table 18.35.030 (Permitted, Administrative, Conditional and Prohibited Uses by Zone) for either of the land use designations. Mary Olson Farm has an element of agricultural use that compliments the programming at the farm.

Per our discussions, there are currently a number of properties that the Parks Department believes to be inappropriately designated as Open Space. Parks staff has provided land use designation recommendations for each property in the City's parkland inventory, which is based on land use intensities and recreational uses for each individual property.

I would be happy to present the recommendations of the Parks Department for Open Space and Institutional land use designations to the Planning Commission and/or City Council. Please let me know if it is necessary for me to present this information.

Sincerely,



Jamie Kelly
Park Planning and Development Manager



MEMORANDUM

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

FROM: Jeff Dixon, Planning Services Manager, Comm. Development & Public Works Dept.
Thaniel Gouk, Senior Planner, Comm. Development & Public Works Dept.

DATE: June 22, 2017

RE: **Discussion Topic:** 2017 Annual Comprehensive Plan Amendments - Private Map Amendment Request

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 "major update" of the Comp Plan that was adopted at the end of 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 2017 Comp Plan Amendment cycle, one private map amendment application was submitted.

The purpose of this agenda item is to inform the Planning Commission of the one private-initiated amendment application that was submitted by the June 9th deadline. Any City-initiated amendments will be brought forth at future meetings along with additional information on the private amendment.

Private-Initiated Amendment:

Nexus Youth & Family (formerly, Auburn Youth Resources) has submitted a Comp Plan Amendment to change the Comp 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 from “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.

Again, this discussion topic is to provide an introductory overview of the private application received and that will be part of the “docket” of annual Comp Plan amendments. Additional information and discussion points will be presented to the Planning Commission at a future meeting.

Change in Procedure – Ordinance No. 6655:

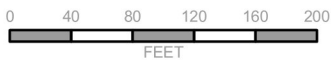
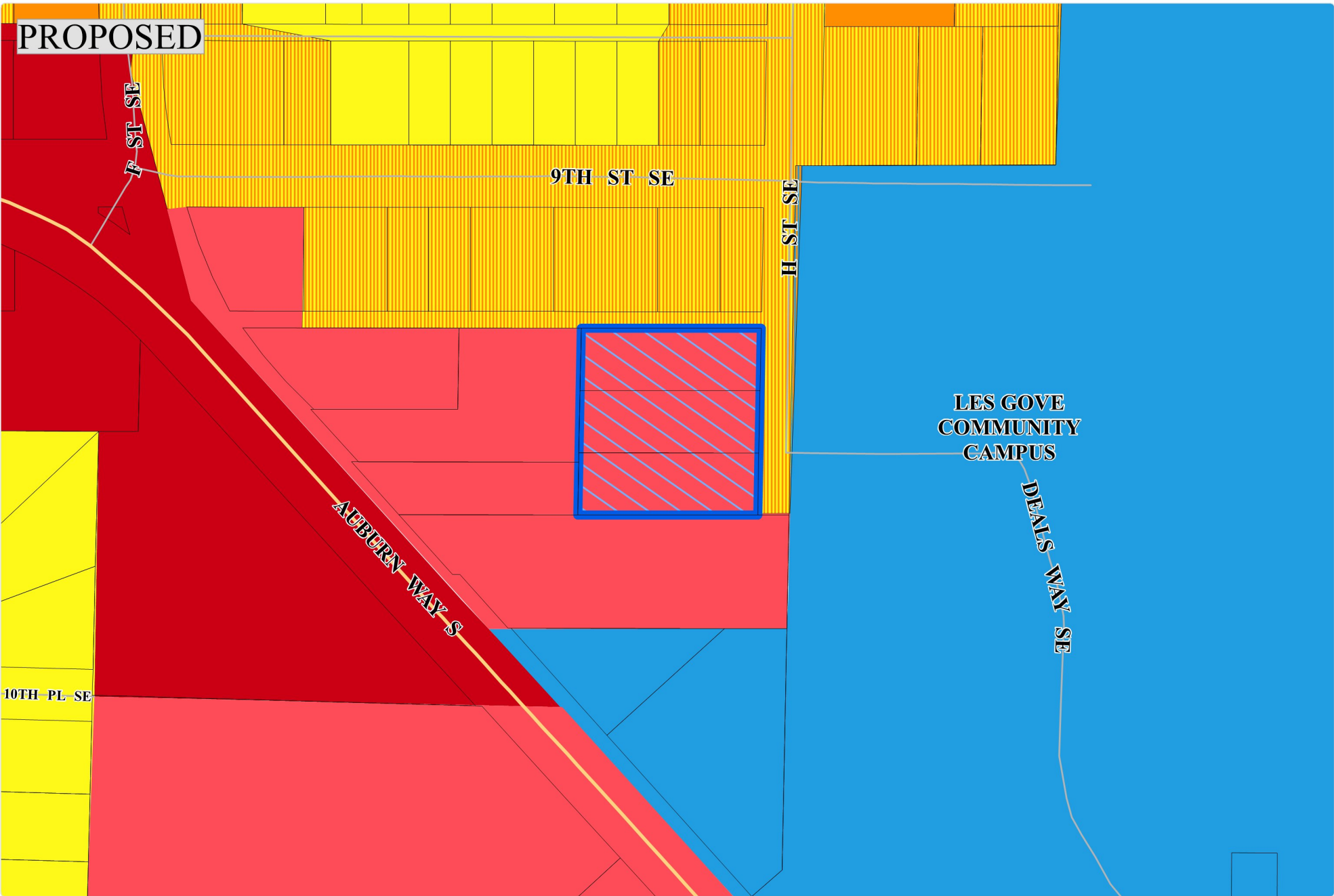
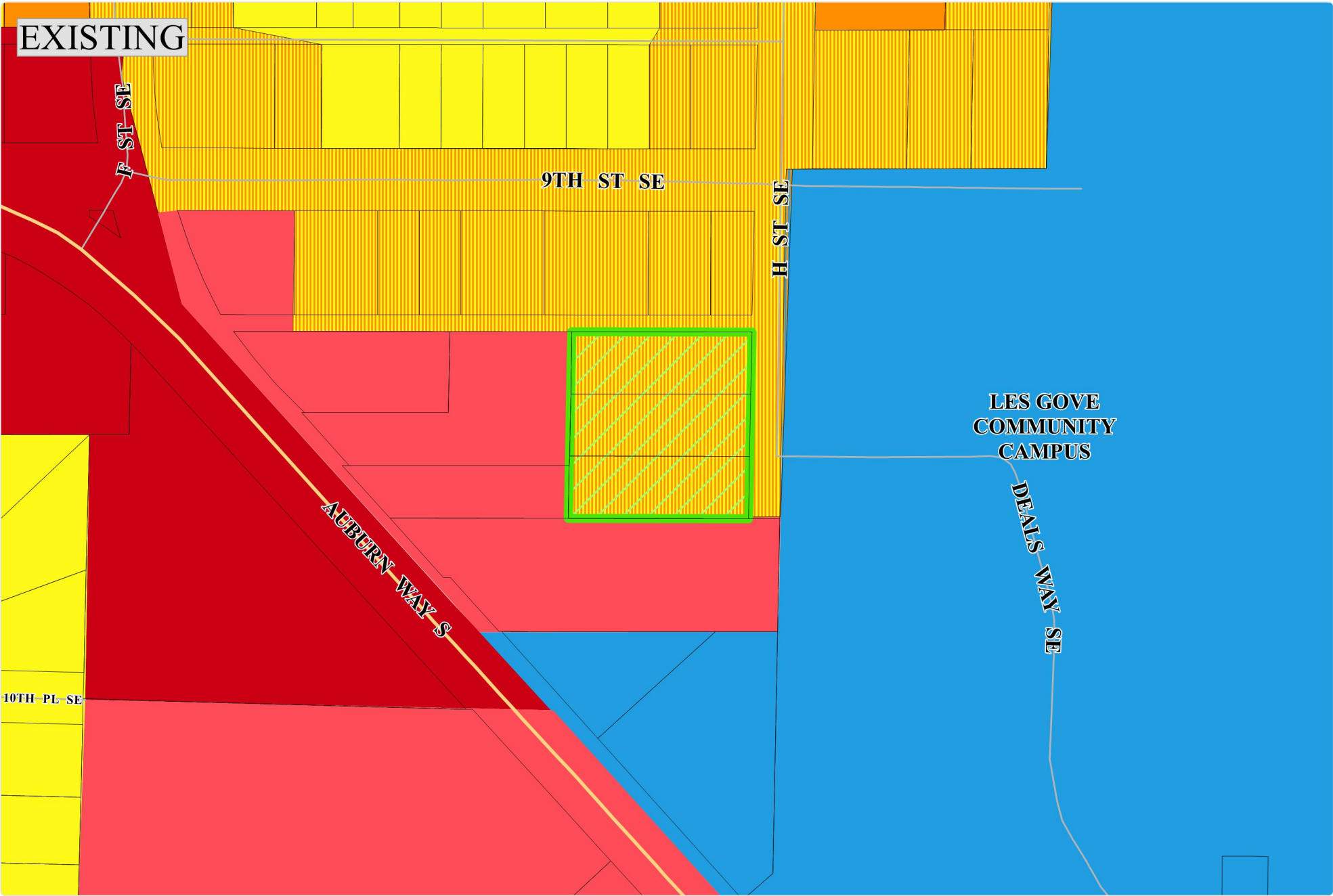
Current city code requires all Comprehensive Plan map changes to be considered by the Planning Commission; as a recommendation, and by the City Council; as a final action (ACC 14.22). In a similar process, it also requires that all rezones (zoning map amendments) be considered by the Hearing Examiner and City Council (ACC 18.68). On June 19, 2017 the City Council adopted Ordinance No. 6655 changing the city code and eliminating the need for the Hearing Examiner to consider a zoning map amendment when it is a companion action to a Comprehensive Plan map amendment. Instead, Ordinance No. 6655 allows the Planning Commission and the City Council to consider both map changes (Comp Plan and Zoning), concurrently. The Ordinance is effective June 27, 2017. The change allows for greater efficiency through reduced processing timeframe.

Subject 3 parcels:



Attachments: Proposed Comp. Plan Amendment Map
 Proposed Zoning Map Amendment Map
 Ordinance No. 6655

2017 Proposed Comprehensive Plan Amendment Map

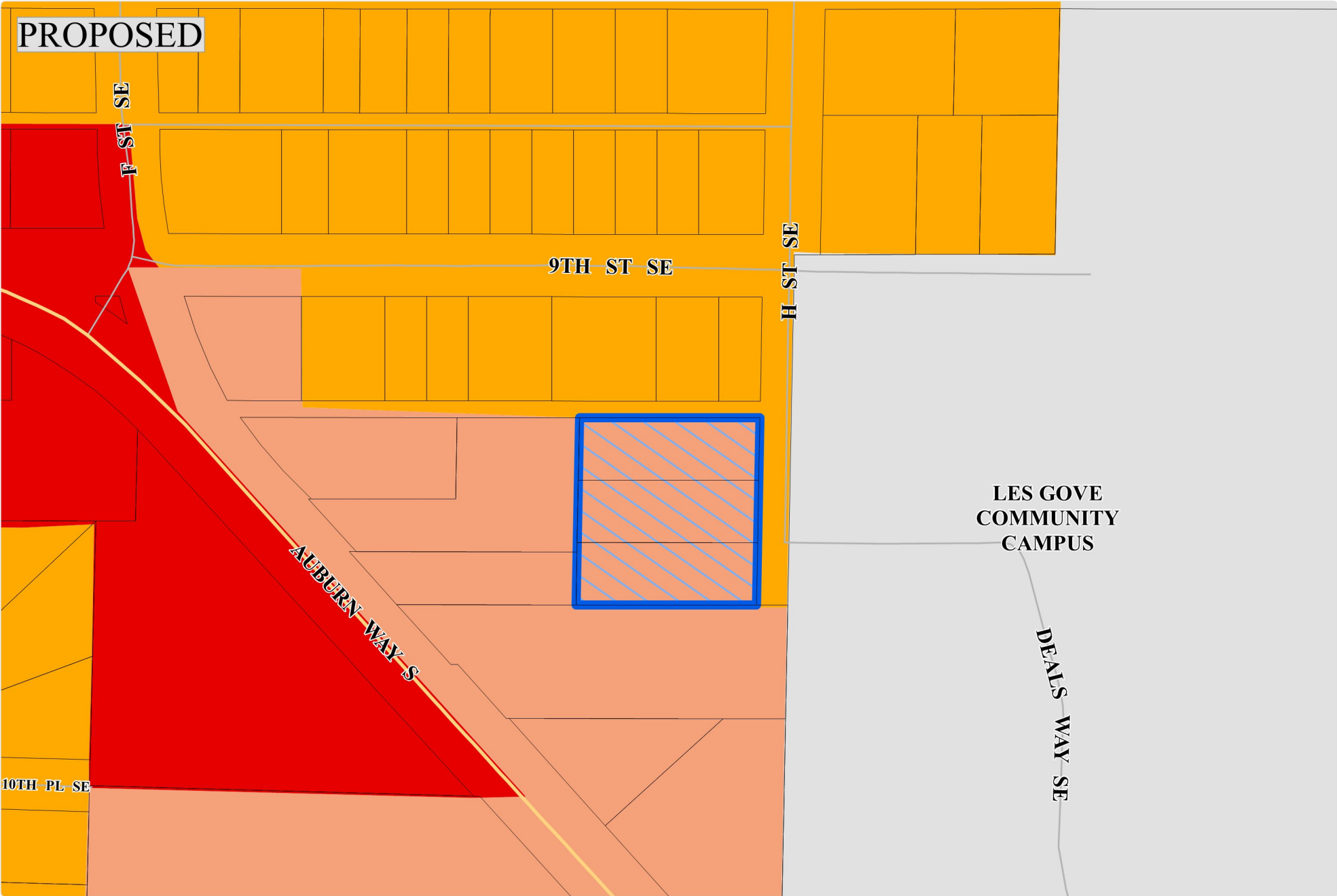
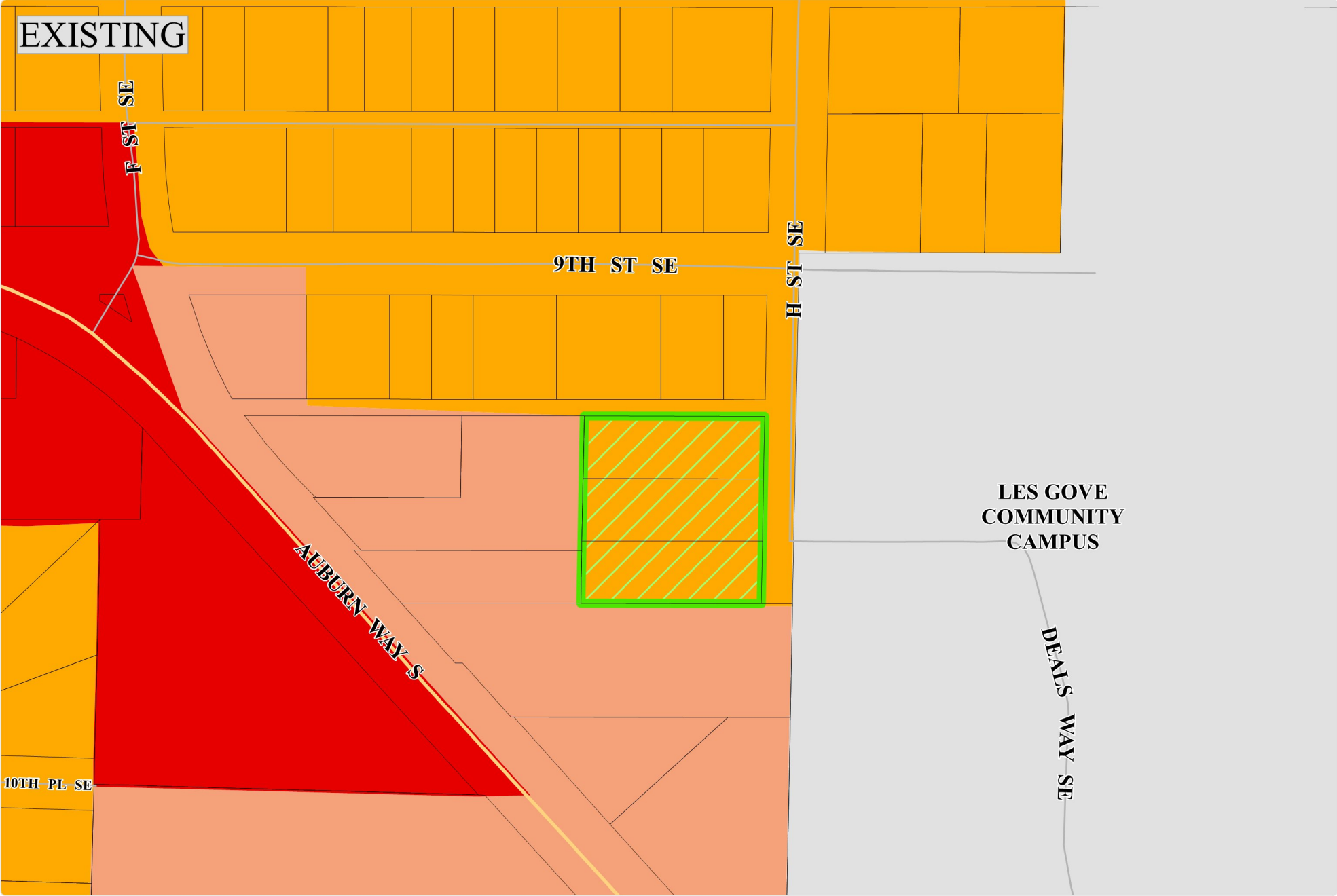


Printed On: 08/20/13
Map ID: 4881



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.

2017 Proposed Zoning Plan Amendment Map



C3 Heavy Commercial District

I Institutional Use District

C1 Light Commercial District

R7 Residential 7 DU/Acre

Existing Zoning

Proposed Zoning

Auburn City Limits

Parcels

04080120160200

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Printed On: 08/20/13

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ORDINANCE NO. 6 6 5 5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 18.68.030 AND 18.68.040, OF THE CITY CODE, RELATING TO PROCEDURES USED IN THE CONSIDERATION OF REQUESTS TO REZONE LAND CONCURRENT WITH A REQUEST TO AMEND THE COMPREHENSIVE PLAN LAND USE MAP

WHEREAS, the City Council has an ongoing interest to simplify permit and land use decision making, lower City and customer costs, and to take advantage of enhanced efficiencies; and,

WHEREAS, while the City Council strives to implement simplifications and efficiency enhancements, modifications should not sacrifice quality of decision making or public input opportunities; and,

WHEREAS, the current structure of City Code precludes the ability of a Comprehensive Plan land use map amendment and a rezone to be considered concurrently; and,

WHEREAS, the current process requires a Comprehensive Plan land use map amendment to first be considered by the Planning Commission who then makes a recommendation to the City Council; and,

WHEREAS, the current process requires that the subsequent modification to the zoning map occurs after the Comprehensive Plan land use map amendment is approved and must first be considered by the Hearing Examiner who then makes a recommendation to the City Council; and,

WHEREAS, because of the linear nature of the current process, the City Council finds that there are cost savings and efficiencies that can be realized by the applicant, city staff, and the public; and,

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June 1, 2017
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WHEREAS, because both a Comprehensive Plan land use map amendment and a rezone are final decisions made under ordinance action by City Council there are efficiencies and clarity that can be achieved if both actions can be considered concurrently; and,

WHEREAS, pursuant to ACC 18.68.020.B amendments to the text of Title 18 that are purely administrative or procedural do not require a public hearing, nor do they require preliminary review or recommendations of the planning commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. That Section 18.68.030.B of the Auburn City Code be and the same hereby is amended to read as follows:

B. Zoning Map Amendments.

1. Rezones Initiated by an Applicant Other Than City. All applications for a rezone shall be reviewed by the planning director prior to the scheduling of a public hearing. After review of the application, the director shall determine which of the following two processes should occur to properly hear the rezone:

a. If the rezone is consistent with the comprehensive plan, then the hearing examiner shall conduct a public hearing on the rezone and make a recommendation to the city council pursuant to ACC 2.46.170;

b. If the rezone is in conflict with the comprehensive plan, or there are no policies that relate to the rezone, or the policies are not complete, then a comprehensive plan map amendment must be approved by the city council prior to the rezone being scheduled for a public hearing in front of the hearing examiners shall also be required. The planning commission shall conduct a public hearing on the comprehensive plan map amendment and the rezone concurrently and make a recommendation to the city council;

Section 2. Amendment to City Code. That Section 18.68.040.B of the Auburn

City Code be and the same hereby is amended to read as follows:

B. Zoning Map Amendments.

1. Rezones Initiated by an Applicant Other Than City.

a. **Hearing Examiner.** Notice of a public hearing shall be given at least 10 days prior to the public hearing and in accordance with ACC 14.07.040.

b. **Planning Commission.** Rezones that are considered concurrent with a comprehensive plan land use map amendment shall provide, at a minimum, notice of public hearing by publication in a newspaper or general circulation at least 10 days prior to the public hearing. Additionally, notice shall be provided in accordance with ACC 14.07.040

Section 4. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 5. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: JUN 19 2017
PASSED: JUN 19 2017
APPROVED: JUN 19 2017

CITY OF AUBURN

ATTEST:

Nancy Backus
NANCY BACKUS, MAYOR

Danielle E. Daskam
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid
Daniel B. Heid, City Attorney

Published: 06/22/2017 in the Seattle Times