



PLANNING COMMISSION

May 3, 2016

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 Copple, Commissioner Mason, Commissioner Lee, and Commissioner Smith.

Staff present included: City Attorney Dan Heid, Assistant Director of Community Development Jeff Tate, Planning Services Manager Jeff Dixon, Development Services Manager Jason Krum, Senior Planner Thaniel Gouk, Inspector Kelly Kosko, Valley Regional Fire Authority (VRFA) Deputy Fire Marshal Karen Stewart, and Administrative Assistant Tina Kriss.

Members of the public present: Shirley Chittenden

b. PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

A. March 8, 2016

Commissioner Copple moved and Commissioner Lee seconded to approve the minutes from the March 8, 2016 meeting as written.

MOTION CARRIED UNANIMOUSLY 5-0

III. PUBLIC COMMENT

There were no public comments on any item not listed on the agenda for discussion or public hearing.

IV. PUBLIC HEARING

No items were brought forward for public hearing

V. OTHER BUSINESS

A. ACC Title 15 Revisions, Building Code Update

Development Services Manager Jason Krum provided background information in reference to the proposed ACC Title 15 building code update. The Washington State Building Code Council will be adopting updated building code and related standards as well as updating associated amendments, effective July 1, 2016. These updates occur every three (3) years in response to code updates published by the International Code Council. In response to the updates at the state level, the city also updates its codes to incorporate the latest code revisions. The City also may have some ability to modify to fit local circumstances.

Staff reviewed the proposed revisions of Title 15 of the Auburn City Code (ACC) Title 15 with the Commission. The vast majority of the changes to ACC Title 15 are housekeeping items with a few substantive changes, staff reviewed the substantive changes.

The Commission and staff discussed Chapter 12, K. International Swimming Pool and Spa Code and item M. International Green Construction Code. A discussion was held regarding Chapter 15 36A.025, Section 105 6A. regarding mobile food vehicles.

Commissioner Smith asked if he could have more information regarding Chapter 15 06 010 M. International Green Construction Code. Commissioner Smith explained that without a better understanding the current code and the proposed changes it would be difficult to recommend updates. Assistant Director Tate explained that this code section is not required but is optional code section for a contractor to implement and that staff will transmit to the Commission the language that is in the International Green Construction Code that speaks to it being an optional path for construction in addition to providing other information regarding the code.

The Commission had no further questions. Staff stated this item will be returning before the Commission for a public hearing May 17, 2016.

B. Proposed Amendments Related to the Keeping of Animals

Senior Planner Thaniel Gouk provided the staff report on the proposed amendments related to the Keeping of Animals in follow up to the discussions with staff at the February 2, 2016 and March 8, 2016 planning commission meetings.

Staff reviewed the updates with the Commission, explaining that the purpose was to improve ease of use and clarify the code by combining the two existing sections of code into one and also includes some additional items that Staff has encountered in the past such as requests for keeping honey bees.

The Commission and staff discussed the definition of pigeons and asked that pigeons be specifically listed under the definition at 18.04 325, "Domestic Fowl"

The Commission and staff discussed the definition of medium sized domestic animals and the specifics of size and weight of 24 inches and 150 pounds. The Commission thought it would be beneficial to add language "or similar size" to the definitions of 18 04 Sections 4, 5, and 6 in order to include other animals that might not be specifically listed.

A discussion was held regarding miniature horses and animals, specifically what category they would fall under for height and weight. The Commission asked staff to consider drafting language that would include miniature animals under the definition of medium domestic animals. Staff will research the size and weight details of miniature animals and return to the Commission with updated language.

A discussion was held regarding ACC 18 31.220 "Permitted Animals", and specifically, Section A. 2. "Small domestic animals" The allowable number noted is four (4), the Commission raised concerns that if a household has fish, gerbils, cats, dogs, and birds it would be over the limit of small domestic animals (4) based on the currently proposed definition—and questioned if that was the intent of the code. The Commission and staff discussed the intent of the code and the Commission recommended that staff add language that would clarify the intent, adding language that would exclude fish and other types of small domestic animals which were not intended to be considered within this definition such as, fish, birds, and gerbils, hamsters. Staff confirmed they would work to draft language for this definition and return with a proposal for updated language to clarify the intent of the code.

The Commission and staff discussed set backs for coops and runs relating to domestic fowl and City Attorney Heid provided examples of draft amortization language to address pre-existing nonconforming uses. The Commission recommended providing a period of time for violators to become compliant should the city or Code Enforcement staff find a citizen out of compliance after the effective date of the amended code, even beyond the 30 days past from the effective date of the adoption of the ordinance. City Attorney Heid confirmed that he will work with staff to draft language that would provide amortization language for the ordinance. The intent is to generally provide this opportunity for any individual to bring his or her conduct or activity into conformity with the amended code within 30 days.

The Commission and staff discussed code violations on excessive domestic animals and the types of complaints for the past five (5) years. Staff confirmed that they will bring back to the Commission information on the available historical records on code violations regarding exceedance of the number limits for domestic animals.

A discussion was held regarding the practical difficulties in enforcing noise limits with reference to various animals. The difficulty is in both witnessing the actual occurrence of the violation and the imprecision in calibrated equipment to measure the actual noise levels to enforce noise limits. Staff explained that providing space separation through the setbacks proposed within these regulations would assist to mitigate noise issues

VI. COMMUNITY DEVELOPMENT REPORT

Assistant Director Tate reported that Chair Roland, Director Snyder and he conducted interviews for the vacant Planning Commission positions. After conducting the interviews, recommendations were passed forward to Mayor Backus, the recommendations were accepted. On May 16, 2016 the Mayor will be bringing forward recommendations to appoint additional Planning Commission members at the May 16, 2016 regular City Council meeting. He indicated that there were three highly desirable candidates and they are recommending appointment of three members to bring the Planning Commission to eight members as allowed by code.

Assistant Director Tate provided a brief video on the City's Downtown Façade Improvement Program which began in 2015 and will be continuing through 2016.

On January 4, 2016 the City adopted a one-year moratorium on retail marijuana establishments because of the uncertainty regarding the State licensing, administrative procedures and rules regarding retail establishments. Due to additional challenges the City was working through with the Washington State Liquor and Cannabis Board, the City adopted Ordinance No. 6595 prohibiting production, processing and retail outlets and sales of marijuana in all zones of the City, and terminating the moratorium implemented pursuant to Resolution No. 5194. The City is concerned about the regulatory instability at the state level and will be continuing to work through these issues as they proceed forward in determining the city's regulatory process moving forward.

Recently the City issued the permit for "The Estates at Hillside Gardens", it is a 125-unit senior housing community off Howard Road SE. There are grading activities proceeding for The Promenade project, a 294-unit mixed use project on SE 312th ST on Lea Hill.

Another mixed use project is "The Reserve" project west of Lowes Hardware, containing 297 senior units and 295 multi-family units with 11,000 square feet of commercial, continues to progress and get closer to having all city approvals.

Multicare Auburn Medical Center is continuing to make significant investments in downtown, they are currently working on a 12 million dollar emergency room renovation project at the existing Multicare facility and also recently acquired five parcels west from their site.

A new micro-brewery restaurant is working through the process to open a new location on Main Street East.

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 9:20 p.m.