

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

I. CALL TO ORDER

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

II. Approval of Minutes

- A. April 2, 2019 Draft Minutes from the Planning Commission Regular Meeting.**

III. OTHER BUSINESS

- A. Shoreline Master Program and Critical Areas Ordinance Updates.**

Discuss with the Commission the status of the SMP update and present information on associated updates to the City's critical area regulations.

- Presentation by Rick Mraz from Dept. of Ecology

- Staff to introduce Rick Mraz, who is a Professional Wetland Scientist with the Dept. of Ecology's shorelands office. Rick will provide a Power Point presentation on wetlands and their buffers followed by questions and answers with the Commission.

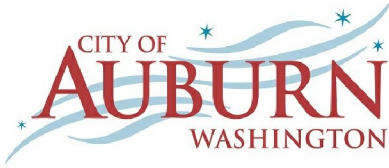
V. COMMUNITY DEVELOPMENT REPORT

Update on Community Development Services activities.

VI. ADJOURNMENT

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

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



AGENDA BILL APPROVAL FORM

Agenda Subject:

April 2, 2019 Draft Minutes from the Planning Commission
Regular Meeting.

Date:

April 25, 2019

Department:

Community Development

Attachments:

[Draft Minutes April 2, 2019](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Planning Commission review and approve the April 2, 2019 regular meeting minutes.

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

Dixon

Meeting Date: May 7, 2019

Item Number:



April 2, 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, Commissioner Mason, Vice-Chair Lee, Commissioner Stephens, Commissioner Shin, and Commissioner Moutzouris was excused.

Staff present included: Assistant City Attorney Doug Ruth, Planning Services Manager Jeff Dixon, Planner II Alexandria Teague, Planner Jeremy Hammar, Administrative Assistant Tina Kriss, and Office Assistant Jennifer Oliver.

Members of the public present: Sean Douglas representing PSERN, Ross Rembac representing Motorola, Jeff Watson, Commander Jamie Douglas Auburn Police Department, Rick Cardoza representing LDC Inc, Robin Mulenga.

b.) PLEDGE OF ALLEGEANCE

II. APPROVAL OF MINUTES

A. March 5, 2019

Administrative Assistant Tina Kriss informed the Commission an acronym within the minutes has been updated. Referring to Page 2, paragraph 2 of the minutes, Public Safety Emergency Radio Network PSERN has been updated to read Puget Sound Emergency Radio Network PSERN.

Commissioner Stephens moved and Commissioner Khanal seconded to approve the minutes from the March 5, 2019 meeting as corrected.

MOTION CARRIED UNANIMOUSLY. 5-0

III. PUBLIC HEARING

A. PSERN – Emergency Wireless Communication Facility Code Amendment (ZOA18-0001)

Chair Roland opened the Public Hearing at 7:03 PM on PSERN.

Commissioner Khanal asked that he be recused from agenda Item III A. as his employer does work for Verizon.

Planner II Teague presented the staff report for the code amendment for PSERN – Emergency Wireless Communication Facility (ZOA18-0001), providing the background and proposal and an overview of the discussion held at the March 5, 2019 Planning Commission Meeting.

Staff reviewed the changes to the three zoning code chapters:

- Chapter 18.04 (Definitions),
- Chapter 18.31 (Supplemental Development Standards), and
- Chapter 18.35 (Special Purpose Zones)

Based on the findings contained in the staff report, staff recommends the Planning Commission recommend approval of the Amendments as proposed in Attachment Exhibit A to the City Council.

Chair Roland invited members of the public to come forward for public testimony either for or against PSERN.

Rick Cardoza, LDC, 24328 SE 440th St E Enumclaw, WA

Mr. Cardoza is a consultant representing PSERN. Mr. Cardoza offered he was happy to assist the public and Commission with any questions at any time. He provided a handout of a communication signal coverage map showing holes before tower installation. The map also showed the same area after tower installation to show the difference in coverage and how those gaps would be filled in by the facility. A key aspect of the facility is that the system enhances first responder's communications to each other as well as improvement for the 911 system. Details were provided on the tower pieces and types, how they operate and why the antennas require installation at a great height.

Commander Jamie Douglas 348 East Main St Auburn, WA

Commander Douglas explained he is with the Auburn Police Department and a member of the PSERN Board. He explained the code amendment to allow the facility will improve communication between different counties and will allow officers to communicate if an incident crosses over into multiple counties. PSERN could service 20,000 Police, Fire and other types of first responder's. Commander Douglas stressed the importance of updating the network but also the need for it to be used by other jurisdictions such as the City of Auburn Public Works Department. Commander Douglas reminded the Commission and the public that he is available for any questions at any time.

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 7:30 P.M. on PSERN and the Commission deliberated.

The Commission asked if staff could give a brief summary or highlights of the written comments received from the public. Alexandria Teague, City of Auburn Planner II showed a map of an adjacent property owner who commented. Mr. Wooding in written comments concluded that there appears to be no direct impact on his property. Jeff Watson, Planner representing the Muckleshoot Indian Tribe, also

sent correspondence regarding the process, and the combined SEPA and DNS issued by the City. Mr. Watson had general comments about the overall project and inquired on the processed being followed. Staff appreciated Mr. Watson's suggestions how the Planning Department could possibly improve the SEPA Processing.

The Commission asked for clarification on how many other PSERN towers have co-location antennas established currently. In answering, Mr. Rick Cardoza provided feedback on a nearby tower that contains co-location established one being a mile away. Mr. Cardoza mentioned that other carriers may want to look at the new tower to carry antennas, but believed that most major carriers are already on this nearby existing tower under a master lease agreement so co-location on the new tower is unlikely.

Chair Roland stated that one of the Commission's concerns was from the last couple of months was that the Commission wanted to ensure that the 911 communication needs were not interrupted as a result of co-location on the towers. Commander Douglas confirmed that it would not interrupt the 911-communication system.

The Commission asked of the 57 other PSERN sites, how many other had co – location by other communication providers. Commander Douglas responded with the specific number.

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

- PSERN – Emergency Wireless Communication Facility (ZOA18-0001)
- Chapter 18.04 (Definitions),
- Chapter 18.31 (Supplemental Development Standards), and
- Chapter 18.35 (Special Purpose Zones)

MOTION CARRIED 4-0

OTHER BUSINESS

A. Discuss joint meeting of the Planning Commission and City Council proposed for the regular City Council Study Session meeting May 13th.

Planning Services Manager Dixon re-affirmed the joint Study Session meeting proposed for May 13, 2019 at 5:30 P.M. between the Planning Commission and City Council Members.

He indicated that the topic was introduced at the Planning Commission meeting last month. He requested confirmation of members that would be able to attend and asked for any topics that the Commission would like to discuss at the meeting that would be of mutual interest. Council Member Bagget and Council Member DaCorsi would lead the discussion. Planning Services Manager Dixon spoke about the

informality of the Study Session meeting stating that the joint meeting would be early on the agenda.

Commissioner Stephens confirmed he would not be able to attend due to an out of town commitment.

Staff suggested subjects that are the purview of the Commission such as development code changes and Comprehensive Plan updates could be a great topic of discussion as well as sharing perspectives on the vision of future Auburn. The Commission asked what is the ultimate goal of this meeting? Planning Services Manager Dixon responded it was really a check in and sharing of information and a great way to start a dialogue by each body on the future of Auburn.

Vice Chair Lee suggested that traffic be a key discussion and the parking, or lack there-of, in the downtown core. The Commission agreed that traffic is a key topic. The Commission asked about the rubber traffic count tubes that are strung across roads around Auburn to count cars. Staff confirmed that the tubes may have been placed either by the city to periodically count traffic volumes or by private contractors in preparation of a traffic study and then the results are submitted back to the City.

The Commission remarked that it has observed more residential apartments being built downtown and wanted to know more about that. Staff confirmed that more residential apartments are being built in the downtown area. Staff reminded the Commission that more multiple family residences is encouraged by the Downtown Plan that the city developed and adopted a few years ago. Building new mixed-use projects is consistent with the concept of transit-oriented development to encourage more residences to utilize those services. The Commission asked what type of apartments are proposed by the two new projects downtown and staff confirmed that one project is senior and the other is not. The Commission asked about the exact locations of the projects and if the projects included commercial spaces. Staff confirmed that with more residences there will be more demand for businesses. Chair Roland was hopeful and curious if the City was planning to bring in more businesses downtown and Staff confirmed that the new buildings in downtown had commercial space to support businesses.

The Commission suggested that Doug Lein, the city's Economic Development Manager come in and present to the Planning Commission on updates and initiatives his staff is working on for business growth. They would like for him to attend a meeting sooner rather than later as the commission is being asked often regarding the business growth in the downtown corridor.

Topics have been noted and will be passed onto Council for the joint meeting discussion

An email will be sent to Commissioner Moutzuori to confirm if he can make the meeting.

IV. COMMUNITY DEVELOPMENT REPORT

A Memorandum was presented to the Planning Commission from Senior Planner Thaniel Gouk regarding the Shoreline Master Program – Periodic Update Status and Schedule. Beginning in July of 2018 the Planning Commission began discussion on a State-mandated periodic update to the City's Shoreline Master Program (SMP). At that time, Staff presented the Planning Commission with a schedule showing the completion of this update by June 30, 2019. The City received a grant from the WA Dept. of Ecology to complete these updates. A consultant did identify mostly minor changes that will need to be changed to the SMP. However, updates are also needed for the City's Critical Areas Ordinance (CAO) that are also needed. The CAO is referenced within the SMP. Based on these CAO changes that were not anticipated, Staff reached out to the WA Dept. of Ecology for guidance on how the City should proceed given the target date of completion is June 30, 2019. It was recommended to the City proceed with making changes to the CAO even if that means pushing the target date out beyond the deadline. Staff is currently working on drafting these updates and will work on presenting them to the Commission in the coming months.

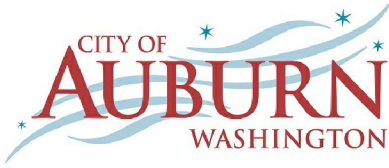
The Planning Commission asked what their role would be and staff responded that there would likely be changes to City Codes, including the Critical Areas Regulations, to address changes in wetland classifications, delineation methodology, etc. Staff explained that the changes are not inconsistent with recommendations to other jurisdictions. Chair Roland asked for a recap of the history once the times comes.

The Commission verified that the May 7, 2019 Planning Commission is still scheduled in addition to the proposed joint meeting at the City Council Study Session meeting on May 13.

Staff presented Development Activity on the horizon in Auburn. Auburn Town Center, Auburn Legacy Senior Housing, Tru by Hilton, Fieldhouse USA, Wyndam Hotel, ARCO AM/PM, Auburn School District major school improvements, downtown façade improvement grant projects as well as an update on the Heritage Building that was affected by a fire.

V. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:35 P.M.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Shoreline Master Program and Critical Areas Ordinance
Updates

Date:

April 29, 2019

Department:

Community Development

Attachments:

[Memorandum](#)

[Power Point Presentation Notes](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For Discussion and Presentation

Background Summary:

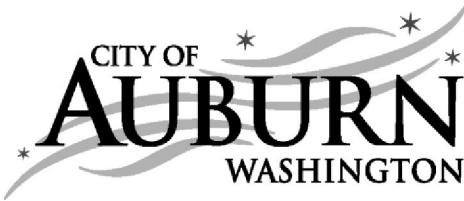
Please see the attached Memorandum

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

Dixon

Meeting Date: May 7, 2019

Item Number:



MEMORANDUM

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

FROM: Thaniel Gouk, Senior Planner, Department of Community Development

DATE: April 24, 2019

RE: Shoreline Master Program Periodic Update – Status and schedule

As you recall, at last month's meeting, staff provided a memo dated April 2, 2019 saying that based on additional study, provisions of the City's critical areas regulations related to streams, wetlands, and aquifer protection areas also warrant changes simultaneously with the SMP update and that the WA State Dept. of Ecology would allow the SMP update work to extend beyond the previously communicated June 30th completion date.

In follow up to the April 2, 2019 memo, staff has prepared some information to advance the discussion on the State-mandated periodic update to the City's Shoreline Master Program (SMP). The additional information contained in this memo includes:

- An updated schedule for Planning Commission (PC) review
- Initial chapters of the SMP with proposed text changes showing
- The scope of changes to the critical area regulations (ACC 16.10)

SCHEDULE UPDATE

Per the April 2nd memo to the PC, the due date for the SMP update will extend past the original June 30th deadline to ensure the City can properly review and include the City's Critical Areas Ordinance (CAO). Staff is proposing the following schedule for the PC:

May 7th – (*this meeting*) review Chapters 1-3 of the SMP, discuss wetland and stream buffers, and a presentation from Rick Mraz (WA State Dept. of Ecology) on wetland buffers.

June 4th – PC review Chapters 4-6 of the SMP, review first portion of the CAO.

July 2nd (*date may change due to the 4th of July*) – review remaining SMP documents (e.g. maps, etc.), review second portion of the CAO.

August 6th – PC public hearing for SMP and CAO.

A public open house may also be held at some time prior to August.

SMP UPDATE: CHAPTERS 1-3

Attached (in ~~strikeout~~- and underline format) as **Exhibit 1** to this memo are Chapters 1 through 3 of the SMP. Chapter 1 contains the Definitions section. There are no major changes to this section. The few definitions that are modified include explanatory comments next to them. Chapter 2 contains the Goals and Elements of the SMP and Chapter 3 contains the Shoreline Environment Designations (These are like the zoning districts of the SMP). There are no changes to these sections.

CRITICAL AREAS CODE UPDATES

In short, the main subject areas of the critical area code changes include:

- Critical areas code update (associated with Shoreline Management Program update)
 - Streams/rivers
 - Classification system
 - Buffer standards
 - Wetlands
 - delineation methodology
 - Buffer standards
 - Aquifer Recharge/Well head protection
 - Address protection of private well sites

Since a common element of changes to both the critical areas of streams and wetland is buffers, some further description of this term is appropriate.

“Buffer or buffer area” means a naturally vegetated, undisturbed, enhanced or revegetated zone surrounding a critical area that protects the critical area from adverse impacts to its integrity and value, and is an integral part of the resource’s ecosystem.

Buffers protect critical areas by providing a natural area between development and the particular critical area. Buffers apply to not only streams and wetlands but may apply to other environmentally sensitive areas such as steep slopes. Buffers are one of the most common elements of critical areas ordinances (CAO), and they are consistently the part of a CAO of most interest and concern to the public.

Under the state Growth Management Act (GMA), local governments are required to use the best available science in their policies and regulations (RCW 36.70A.172). To assist local jurisdictions with this requirement and avoid the expense, the Dept. of Ecology (DOE) has developed guidance on the science currently available. They requested the City to review and revise the CAO to take into consideration this current BAS. Most local jurisdictions have already implemented these changes.

Streams.

For streams, the buffers would be updated as well as the methodology for classifying them, consistent with the “Washington State Department of Natural Resources (WDNR) Forest Practices water typing system”. This classification methodology is used by most jurisdictions so that a consistent approach can be used for review by various agencies. The current and DOE recommended stream buffers are as follows:

Existing Stream Buffers		Proposed Buffer Ranges (per current BAS)	
Stream Class	Buffer Width	Stream Type (per WAC 222-16-030)	Buffer Width
<i>Class 1 (Green and White rivers)*</i>	<i>100-200'</i>	<i>Type S*</i>	<i>115-200'</i>
Class 2 (fish bearing)	75'	Type F	100-165'
Class 3 (non-fish bearing)	25'	Type Np	50-65'
Class 4 (swales and small channels)	25'	Type Ns	50-65'

**Subject to the SMP*

The buffers range in width depending on the target functions and buffer conditions. For example, fish bearing stream buffers should be a minimum of 100 feet in width, although buffer averaging may be allowed to reduce these buffers to as low as 75 feet.

Wetlands.

A wetland delineation establishes the existence (location) and physical limits (size) of a wetland for purposes of federal, state, and local regulations. The city’s code requires changes to reflect the latest wetland delineation methodology to remain consistent with what is required by the State (WAC 173-22-035). So staff proposes a code change to reference the methodology that is used in the field to identify and locate the wetland.

Also proposed is a change to the wetland rating system that is used to determine the appropriate wetland buffer width. While the numeric classification range of 1 through 4 used by the City will remain, there will be greater number of subcategories within each of these classifications to prescribe the appropriate buffer width needed for wetland protection. The subcategories will be distinguished by a point scoring based on cumulative point values for water quality, hydrologic function, and habitat functions. The current CAO refers to the Washington State Wetlands Rating System for Western Washington (Dept. of Ecology, 2004). The current BAS-based wetland rating system is the Washington State Wetland Rating System for Western Washington (Hruby, 2014).

In July 2018, Ecology again updated its guidance for wetland buffers based on continued evaluation of wetlands that ultimately resulted in additional options for wetland buffers. The updated guidance provides alternatives to buffer tables based solely on wetland category to provide a balance of predictability and flexibility while being easy to use and protecting wetland functions and values. There would also be options for buffer reductions based on a list of impact-minimization measures that could be utilized.

The following table shows the existing and proposed wetland buffer widths.

Existing Wetland Buffers			Proposed per 2018 Dept. of Ecology Guidance					
Category	Min.	Max.	Without Minimization Measures			With Minimization Measures		
			Habitat Score			Habitat Score		
			High	Moderate	Low	High	Moderate	Low
1	100'	200'	300'	150'	100'	225'	110'	75'

2	50'	100'	300'	150'	100'	225'	110'	75'
3	25'	50'	300'	150'	80'	225'	110'	60'
4	25'	30'	50'			40'		

The following table shows the wetland buffer impact minimization measures, per Ecology's most recent guidance.

<i>Disturbance</i>	<i>Required Measures to Minimize Impacts</i>
Lights	- Direct lights away from wetland.
Noise	- Locate activity that generates noise away from wetland. - If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source. - For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10' heavily vegetated buffer strip immediately adjacent to the outer wetland buffer.
Toxic runoff	- Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered. - Establish covenants limiting use of pesticides within 150 ft. of wetland. - Apply integrated pest management.
Stormwater runoff	- Retrofit stormwater detention and treatment for roads and existing adjacent development. - Prevent channelized flow from lawns that directly enters the buffer. - Use Low Intensity Development techniques (for more information refer to the drainage ordinance and manual).
Change in water regime	- Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns.
Pets and humans	- Use privacy fencing OR plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion. - Place wetland and its buffer in a separate tract or protect with a conservation easement.
Dust	- Use best management practices to control dust

The scope of critical area code changes affecting wetland will become more clear after the presentation by Rick Mraz, Professional Wetland Scientist, Dept. of Ecology.

Aquifer Recharge/Well head protection.

This topic will be explained at a future planning Commission meeting.

NEXT STEPS

At the June 4th PC meeting Staff will present the proposed changes to Chapters 4-6 of the SMP and the first portion of the proposed changes to the CAO. Chapter 4 is the main body of the SMP containing policies and will contain the more substantive topics.



Critical Areas Ordinance Workshop – City of Auburn
Rick Mraz, PWS
Wetlands and Shoreline Specialist



1

2

Goals of this presentation:

- Wetlands: what are they, why do we care?
- Overview of wetland functions, how they're determined, and how to protect them
- Ecology guidance documents: what are they, when to use them

3

Wetlands: What are they and why are we here?



4

GMA Requirements – RCW 36.70A

All counties and cities are required to **designate and protect critical areas functions and values** by the Growth Management Act

5

SMA Requirements – RCW 90.58

(3) The legislature intends that **critical areas within the jurisdiction of the shoreline management act shall be governed by the shoreline management act...**

6

RCW 36.70A.030

Definitions.

(5) "Critical areas" include the following areas and ecosystems: (a) **Wetlands;...**

Fish & wildlife conservation areas (rivers, lakes, saltwater, etc.), geologic hazards, aquifer recharge areas and frequently flooded areas are also critical areas.

7

RCW 36.70A.030

Definitions.

(21) "**Wetland**" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

8

**In Other Words:**

Wetlands are areas that are wet enough for a long enough period of time that the soils become anaerobic (low oxygen), and only plants that can handle the wetness and lack of oxygen can grow there.

9

RCW 36.70A.060

Natural resource lands and critical areas—Development regulations.

(2) Each county and city shall adopt development regulations that **protect critical areas** that are required to be designated under RCW 36.70A.170.

10

RCW 36.70A.172

Critical areas—Designation and protection—Best available science to be used.

(1) In designating and protecting critical areas under this chapter, counties and cities shall include the **best available science** in developing policies and development regulations to protect the functions and values of critical areas

11

No Net Loss

WAC 365-196-830 (GMA) Protection of critical areas.

(4) ... Development regulations **may not allow a net loss of the functions and values** of the ecosystem that includes the impacted or lost critical areas.

WAC 173-26-201 (SMA)

Master programs shall contain policies and regulations that **assure, at minimum, no net loss of ecological functions** necessary to sustain shoreline natural resources.

12

Wetlands: How to know one



13

Current Delineation Manual

WAC 173-22-035 (Ecology rule)
Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done in accordance with the **approved federal wetland delineation manual and applicable regional supplements**.



14

Overview of Wetland Functions



15

Store water during flood events and
recharge groundwater during low flows



16

Remove pollutants (sediments, nutrients, toxics)



17

Provide habitat for a large number of plants and animals



18

Wetlands exist in a landscape context

Position in the watershed

Connection to other surface waters

Connection to other habitats

19

Wetland values:

The importance humans place on them

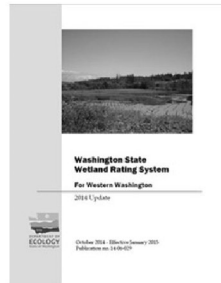
For some jurisdictions, flood storage may be really important

For others, it's all about water quality improvement

Some jurisdictions place high value on livability (green space, wildlife viewing)

20

How do we know what functions are present?



21

So how are wetland functions impacted?

Direct

- Filling
- Draining
- Clearing

Indirect

- Surface runoff
- Noise
- Light
- Intrusion
- Disconnecting from other habitats



22

How do we protect these functions?

- Landowner incentives
- Public restoration
- Regulation/permitting**

23

How much protection is enough?

- There is no bright line
- Science provides a range
- How much risk is a jurisdiction willing to accept

The greater the reliance on site-specific regulations, the more stringent the regulations need to be to overcome the risk of wetland impacts.

24

A Brief History of Everything: 10+ years of Ecology's wetland guidance

BAS Documents

25

Appendix 1-A
Members of Core Team and Local Government Wetlands Advisory Team

Core Team Members Involved in the Production of Volume 2

Andy McMillan, Washington State Department of Ecology	Katherine March, Washington Department of Fish and Wildlife
Douglas Peters, Washington Department of Community, Trade, and Economic Development	Sara Noland, 2N Publications
Dyanne Sheldon, Sheldon & Associates	Stephens Stauder, Washington State Department of Ecology
Erk Stockdale, Washington State Department of Ecology	Tim Gaudier, Washington State Department of Ecology
Jane Baker, Washington State Department of Ecology	Tom Healy, Washington State Department of Ecology

Members of the Local Government Wetlands Advisory Team

Bill Blake, City of Arlington	Kim Spous, City of Bellingham
Bob Landies, City of Everett	Kiana Richter, King County
Bruce Davis, Clark County	Laura Cooney, King County
Chuck Jones, Douglas County	Margaret Chaney, Parametrix
Dan Cox, Skagit County	Mike Domanic, Pacific County
Drew Patterson, Yakima County	Phil Myers, Brainerd County
Dustin Hyde, Pierce County	Randy McLaughlin, Grays Harbor County
Douglas Peters, Washington Department of Community, Trade, and Economic Development	Rob Knudde, City of Seattle
Geoffrey Thomas, City of Redmond	Steve Morrison, Thurston County
John Marvin, Yakima County	Teresa Vanderberg, Addison Associates
	Todd Stratus, City of Olympia

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Appendix 1-B
Reviewers of Volume 2

Representatives from the business and environmental community that provided input on concepts and early drafts of Volume 2:

Dan Anzures, WETNET (of Audubon)

Nate Carter, Audubon Washington

Andrew Cook, Business and Industry Association of Washington

Jerry Gordon, Washington Environmental Council

Kristen Savin, Association of Washington Business

Judy Sherk, Business and Industry Association of Washington

Tim Tschernitz, 1000 Friends of Washington (now called Futurewise)

Individuals and organizations that provided written comments during the public review period:

Harriet Brink, Outreach Manager, Puget Sound Action Team

Jerry Gordon, Policy Associate, Washington Environmental Council

Mona Kording, Private Citizen

Mary J. Roberts, Watchdog Steward, WSU Cooperative Extension/King County

Tim Tschernitz, AICP, Planning Director, 1000 Friends of Washington (now called Futurewise)

Sarah Cooker and Dan Anzures, Audubon WETNET Scientific Advisory Committee

Washington State Department of Fish and Wildlife (staff not on the Core Team)

27

Ecology's most current wetland guidance

WASHINGTON STATE DEPARTMENT OF
ECOLOGY
State of Washington



Wetland Guidance for CAO Updates

William Washington Version

March 2016
Publication No. 16-06-001

28

Wetland Guidance for CAO Updates

Things to take note of:

- Buffer tables
- Mitigation language
- Stormwater/LID language
- Small wetland exemption language
- Ag language

29

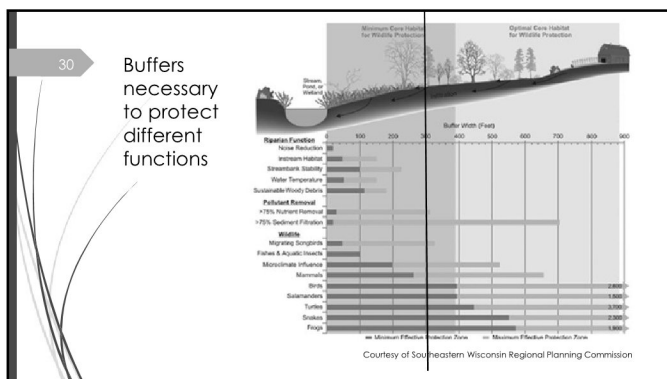
Buffers 101

Scientific literature is clear that buffers are critical to maintaining wetlands and their functions

Width is only one of several factors that affect buffer effectiveness

Width depends on what function you're protecting

- Water quality 10-50 feet
- Wildlife habitat 100-1200 feet



31 Ecology's buffer approach

Ecology's guidance is a **moderate-risk approach**

Consider the cumulative effects of:

- Exemptions
- Exceptions
- Averaging
- Reduction

The bottom line: What buffer do you end up with and is it wide enough to protect the function present? Does it present a high risk that wetland functions will be degraded?

32 Buffers need to be well-vegetated with a native plant community

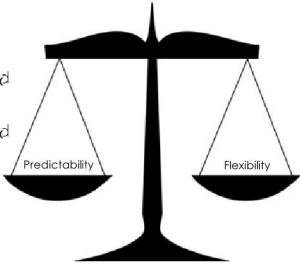
Not this →



33 Why the different buffer strategies?

Alternatives 1, 2 and 3 from Appendix 8-C

- 1: Category only
- 2: Category and adjacent land use
- 3: Category and adjacent land use and habitat score



34

Land Use Intensity

Level of Impact from Proposed Change in Land Use	Types of Land Use Based on Common Zoning Designations *
High	- Commercial - Office - Industrial - Recreational - Retail sales - Residential (more than 1 unit/acre) - Conversion to high-intensity agriculture (dairies, nurseries, greenhouses, growing and harvesting crops requiring annual tilling and raising and maintaining animals, etc.) - High-intensity recreation (golf courses, ball fields, etc.) - Hobby farms
Moderate	- Residential (1 unit/acre or less) - Moderate-intensity open space (parks with hiking, jogging, etc.) - Conversion to moderate-intensity agriculture (orchards, hay fields, etc.) - Paved trails - Building of logging roads - Utility corridor or right-of-way shared by several utilities and including access/maintenance road
Low	- Forestry (planting of trees only) - Low-intensity open space (hiking, bird-watching, preservation of natural resources, etc.) - Unpaved trails - Utility corridor without a maintenance road and little or no vegetation management

* Local governments are encouraged to create land use designations for zoning that are consistent with these examples.

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Example: Wetland Buffer Options

- Category II
- Moderate habitat function (habitat score of 6)
- Adjacent land use is single-family residential

Alternative 1
300 feet

Alternative 2
225 feet

Alternative 3
110 feet



36

How can I reduce a buffer?

Reduction
Reduce the intensity of the impact (buffer doesn't have to "work" as hard)

Averaging
Increase the width of the buffer in one area and decrease it in another

- To improve wetland function
- To allow reasonable use

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Reducing Buffers

Alternative 3 buffers can be reduced by 25% if the applicant:

Implements measures to minimize the impacts from adjacent land use
AND, if the wetland scores 6 or more habitat points

Provides an undisturbed vegetated corridor at least 100 feet wide between the wetland and another priority habitat

38

Table of measures to minimize the impacts from adjacent land use

(Appendix 8C and Table XX.2 in Wetland Guidance)

Disturbance	Required Measures to Minimize Impacts
Lights	• Direct lights away from wetland
Noise	• Locate activity that generates noise away from wetland • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source • For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10' heavily vegetated buffer strip immediately adjacent to the outer wetland buffer
Toxic runoff	• Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 ft of wetland • Apply integrated pest management
Stormwater runoff	• Retain stormwater detention and treatment for roads and existing adjacent development • Prevent channelized flow from lawns that directly enters the buffer • Use Low Intensity Development techniques (for more information refer to the drainage ordinance and manual)
Change in water regime	• Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns
Pets and human disturbance	• Use privacy fencing OR plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecosystem • Place wetland and its buffer in a separate tract or protect with a conservation easement
Dust	• Use best management practices to control dust

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Buffer Tables in Wetland Guidance Update

Use updated rating scores and category descriptions from 2014 rating system update

Re-emphasize the importance of a corridor in protecting habitat function when the wetland scores 6 or more habitat points

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Buffers in Wetland Guidance Update

- Table XX.1 has a built-in 25% reduction because both the corridor and Table XX.2 (minimizing measures) are required. Assumes land-use intensity is high.
- Table XX.3 shows the "full-strength" buffers to be used if the minimizing measures aren't used OR if a corridor is available but not protected
- You can still use Alternatives 1, 2 or 3 from Volume 2 Appendix 8-C

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Table XX.1 (built-in reduction)

Auburn Wetland Buffer table

Wetland Category	Buffer width (in feet) based on habitat score			
	3-4	5	6-7	8-9
Category I: Based on total score	75	105	165	225
Category I: Bogs and Wetlands of High Conservation Value	190			225
Category I: Coastal Lagoons	150		165	225
Category I: Intertidal				225
Category I: Forested	75	105	165	225
Category I: Estuarine	150 (buffer width not based on habitat scores)			
Category II: Based on score	75	105	165	225
Category II: Intertidal Wetlands	110		165	225
Category II: Estuarine	110 (buffer width not based on habitat scores)			
Category III (all)	60	105	165	225
Category IV (all)	40			

Wetland Category	Minimum Buffer Width	Maximum Buffer Width (see subsection 6.3.0(a) of this section)
Category I	100 feet	200 feet
Category II	50 feet	100 feet
Category III	25 feet	50 feet
Category IV	25 feet	30 feet

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Table XX.3 (full-strength)

Auburn Wetland Buffer table

Wetland Category	Buffer width (in feet) based on habitat score			
	3-4	5	6-7	8-9
Category I: Based on total score	100	140	220	300
Category I: Bogs and Wetlands of High Conservation Value	250			300
Category I: Coastal Lagoons	200		220	300
Category I: Intertidal				300
Category I: Forested	100	140	220	300
Category I: Estuarine	200 (buffer width not based on habitat scores)			
Category II: Based on score	100	140	220	300
Category II: Intertidal Wetlands	150		220	300
Category II: Estuarine	150 (buffer width not based on habitat scores)			
Category III (all)	80	140	220	300
Category IV (all)	40			

Wetland Category	Minimum Buffer Width	Maximum Buffer Width (see subsection 6.3.0(a) of this section)
Category I	100 feet	200 feet
Category II	50 feet	100 feet
Category III	25 feet	50 feet
Category IV	25 feet	30 feet

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Mitigation



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Mitigation Sequencing

RCW 43-21C Washington State Environmental Policy Act (SEPA) and Section 404 of the federal Clean Water Act (CWA)

- Avoiding
- Minimizing
- Rectifying
- Reducing
- Compensating
- Monitoring

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Mitigation section

Ecology Guidance

Auburn mitigation table

H. Wetland Mitigation Ratio¹

Category and Type of Wetland	Creation or Re-establishment	Rehabilitation	Enhancement
Category I: Big, Natural Heritage site	Not considered possible	One by one	One by one
Category I: Marine Forested	6:1	12:1	24:1
Category I: Broad-leaved Bushes	4:1	8:1	16:1
Category II	3:1	6:1	12:1
Category III	2:1	4:1	8:1
Category IV	1.5:1	3:1	6:1

Wetland Category	Wetland Creation Ratio (perm)	Wetland Enhancement Ratio (perm)
(Acres Created or Enhanced: Acres Impacted)		
Category I		1:1
Category I: Forested	3:1	6:1
Category II: Scrub/Shrub	2:1	4:1
Category II: Emergent	2:1	4:1
Category III: Forested	3:1	6:1
Category III: Scrub/Shrub	2:1	4:1
Category III: Emergent	2:1	4:1
Category IV	1.5:1	3:1

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Mitigation section

- Reorganizes text for clarity and consistency with state and federal guidance
- References new mitigation guidance documents
- Includes recommended language for mitigation banks and in-lieu fee programs

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Wetland Guidance Update

Stormwater/LID Language for Wetlands

- Municipal stormwater permits require local governments to make LID the preferred and commonly used approach
- New recommended language to connect the dots between the stormwater manual and the CAO
- Criteria for allowing a wetland or buffer to be physically or hydrologically altered to meet LID requirements

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Wetland Guidance Update

Small wetland exemption language

- Exempts certain Category IV wetlands from avoidance but **NOT** from the need to mitigate for impacts (e.g., banks or ILF program)
- Exempts wetlands less than 1,000 square feet in area from buffer requirements **if** they meet these same criteria

49



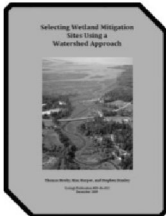
Thank you!



50

Mitigation Guidance

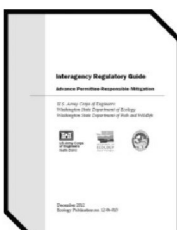




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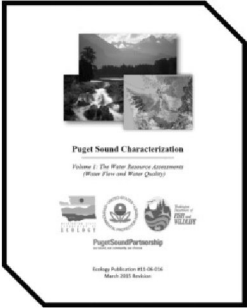
More Mitigation Guidance





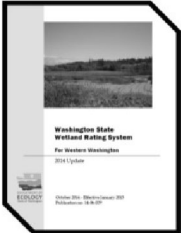
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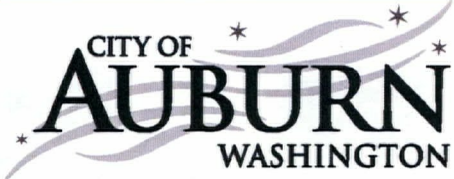
Watershed Characterization



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BAS Update



	Memorandum
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To: Judi Roland, Chair, Planning Commission
 Roger Lee, Vice-Chair, Planning Commission
 Planning Commission Members
 City Clerk

From: Jeff Dixon, Planning Services Manager

Re: Agenda Modification

Date: May 1, 2019

The May 7, 2019 Planning Commission Meeting agenda, published on Tuesday, April 30, 2019, is modified as follows:

The agenda modification adds item III. A. Inland Construction Introduction and Presentation to OTHER BUSINESS. Former agenda item III A. Shoreline Master Program and Critical Areas Ordinance Updates will change to III.B.

The Agenda Modification changes the order as follows:

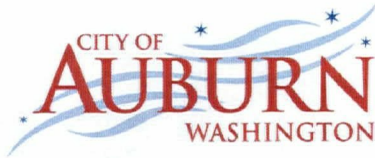
III. OTHER BUSINESS

A. Inland Construction Introduction and Presentation

Inland Construction to inform Planning Commission of potential acquisition of RPG property.

B. Shoreline Master Program and Critical Areas Ordinance Updates

Discuss with the Commission the status of the SMP update and present information on associated updates to the City's critical area regulation.



MEMORANDUM

Agenda Subject/Title:
Inland Construction Introduction.

Date:
May 1, 2019

Department:
Community Development

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

DESCRIPTION:

Inland Construction to inform Planning Commission of potential acquisition of RPG property.

ADMINISTRATIVE RECOMMENDATION:

For discussion

BACKGROUND SUMMARY:

Inland Construction is a Spokane-based construction company that specializes in creating and owning multi-family communities. A sampling of their properties can be viewed at:

<http://inlandconstruction.com/>

Inland Construction (Inland) is considering acquisition of the former Valley 6 Drive In property from Robertson Properties Group (RPG) properties. If they acquire the property, Inland has indicated that they will likely submit a request to amend city code and the existing Development Agreement (DA) adopted under Resolution No. 4756 (2011) in order to allow horizontal mixed use (the current DA requires vertical mixed use where the ground floor is commercial with multi-family residential above). Amending the DA is a City Council decision. The change to allow horizontal mixed use rather than the current vertical mixed use allowed by the C4, Mixed Use Commercial zoning district would require a code amendment with a recommendation by the Planning Commission.

Inland has indicated that it is their desire to construct a multi-family complex with approximately 500 dwelling units. This number is consistent with the maximum number of multi-family units considered in the previously approved sub area plan, Environmental Impact Statement (EIS), and DA. But they have also indicated that there are a number of circumstances that preclude construction of the previously anticipated 1.6 million square feet of professional office and/or 720,000 square feet of retail commercial.

Inland has provided the attached presentation to City Council at their April 22nd study session to introduce themselves, describe their vision, and to explain the circumstances that are causing them to request modifications to the DA and city code. And seeks to do the same for the Planning Commission.

Staff would like to provide the following additional background information

Background information:

- DA's are development tool allowed under State law. The premise behind a DA is to allow a municipality and a property owner to voluntarily agree to development terms that are outside of adopted city code requirements. Both parties may have this interest because it allows a property owner to present a concept that does not fit into adopted city code and it allows a municipality to require more of a developer than what is established in adopted city code. In other words, the property owner is provided flexibility in certain specified standards and the city gets more than what the code requires. It is a voluntary negotiated agreement.
- It is anticipated the FEMA will change the regulatory floodplain maps in 2020. The area of property encumbered by floodplains will increase as a result of the map changes. Of the approximately 70 acres owned by RPG, currently approximately 35 acres lie within the floodplain. When the new FEMA maps go into effect, the floodplain will increase by approximately 15 acres bringing the total area encumbered by floodplains to approximately 50 acres leaving only about 20 acres of land outside the floodplain. Development within the floodplain is considerably more difficult and expensive. Additionally, federal FEMA rules impose a different type of permit application vesting threshold than City, County or State laws. While City, County and State laws typically vest a development proposal at the time that a "complete" permit application is accepted, federal FEMA rules do not vest development activity until a foundation has been placed in the ground.

ATTACHMENTS:

1 Inland Construction Concept at Auburn Gateway.pdf

eGIS CDPW

Printed Date: 4/22/2019

Map Created by City of Auburn eGIS

Imagery Date: May 2015

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.

Legend

- ☐ Parcel Boundaries
- ☐ City Street Names

Notes

Type any additional notes- delete text to leave blank



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NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

1in = 333 ft

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eGIS CDPW

Printed Date: 4/22/2019

Map Created by City of Auburn eGIS

Imagery Date: May 2015

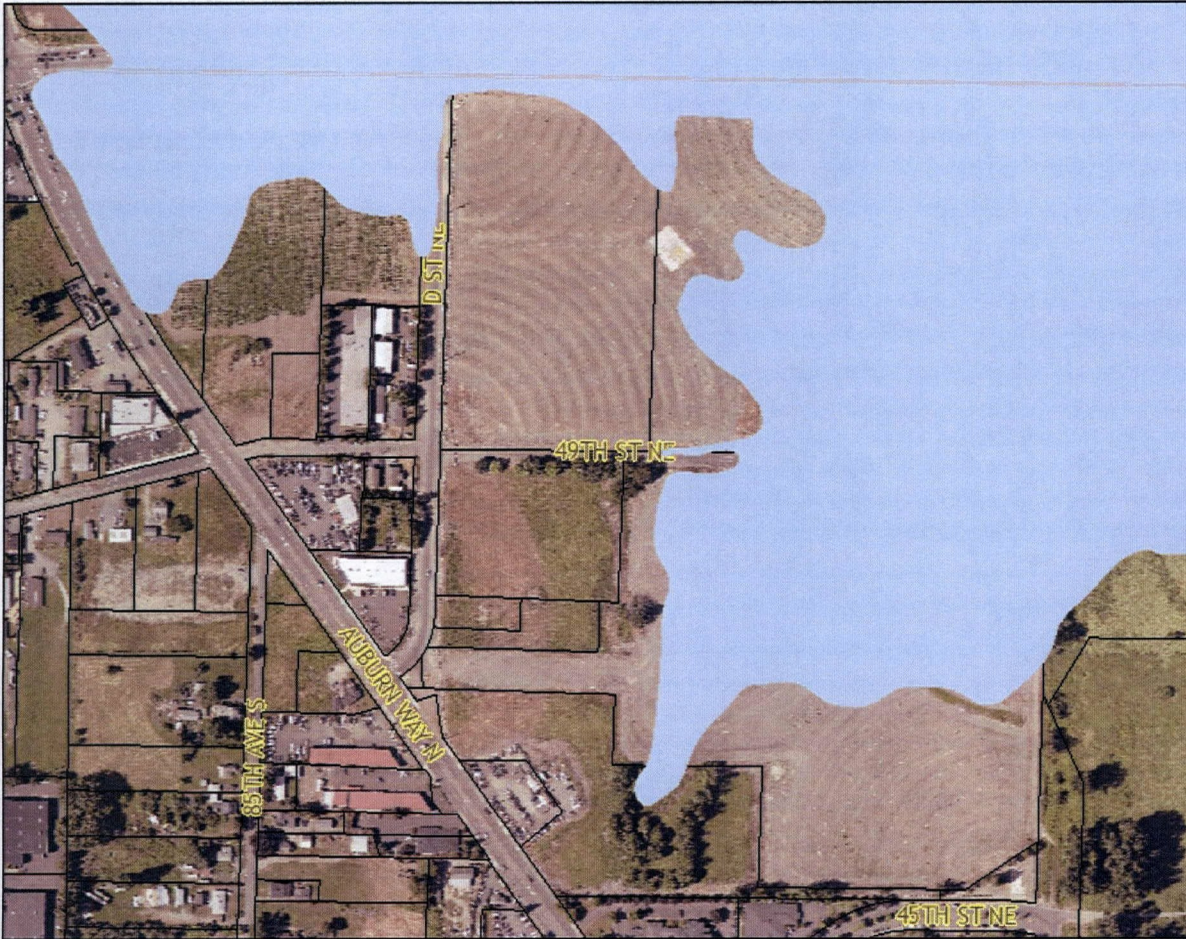
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Legend

- Special Flood Hazard Areas (S
- Parcel Boundaries
- City Street Names

Notes

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NAD_1983_StatePlane_Washington_North_FIPS_4601_Feet

1in = 333 ft

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Legend

- Special Flood Hazard Areas (S
- Proposed Special Flood Hazard
- Parcel Boundaries
- City Street Names



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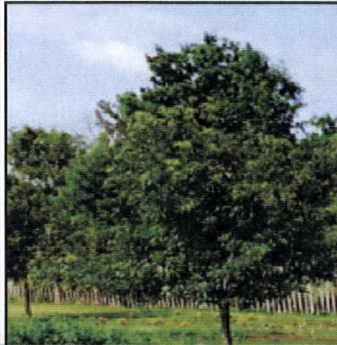
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Notes

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Auburn Gateway

Building a Livable Community



Inland Group

Comprehensive Multifamily Construction & Development Services

Auburn Gateway

Building a Livable Community

HISTORY—And a Path Forward

The Auburn Gateway Plan was set forth by a Development Agreement in 2011 that established expectations by the former developer (and current owner) Auburn Properties, Inc (RPG), a California based real estate company. The concept was a mixed-use commercial and residential development on 70+ acres of vacant land east of Auburn Way North between 277th and 45th.

RPG had decided to no longer pursue the development of Auburn Gateway and instead has elected to sell the property. Inland Group, a multi-family housing developer and general contractor, has entered into an agreement to purchase the property from RPG.

Based in Spokane, Washington Inland does a significant amount of development along the I-5 corridor. In order to respond to current market conditions and the constraints of the enlarged flood plain, Inland will be proposing modifications to the original Development Agreement to provide certainty of development moving forward.

The community of Auburn has waited a considerable time to see the vision of Auburn Gateway come to be. Inland is proposing a path forward to develop a vibrant community with a design philosophy rooted in providing healthy living options to residents and visitors.

Auburn Gateway

Building a Livable Community

THE VISION

Inland intends to maintain the original vision of Auburn Gateway while creating more flexibility and certainty of development through a modification to the residential component of the plan that allows for a vertical and horizontal mixed-use configuration. This will allow the ability for the first phase of development – 500 units of housing, to commence by the end of 2019.

A Master Plan designed for:

- Amenity rich living options that are environmentally sustainable and built with healthy living choices in the community.
- The creation of development ready commercial and retail pads, which will ease the ability of future commercial developers to build out space.
- A focus on the community by creating amenity space that benefits residents of north Auburn.
- The completion of public infrastructure improvements to provide connectivity to the surrounding community.

Auburn Gateway

Building a Livable Community

“What makes a City Livable?”

Simple. Sidewalks, architecture, affordable housing, green spaces, access to food, and short distances to daily needs.”

-Hannelore Sudermann
University of Washington

Activate the Corners

Provide pedestrian interest and add activity.

1/2 Mile to
Green
River Trail

1/2 Mile to
Interurban Trail

Commercial Business Opportunity

Development could provide access to medical service providers. Support the overall well-being of the community.

Permeability

Allow the development to breathe! Integrate into its surroundings inviting people in to the community.

1/2 Mile to Proposed
Green River Trails

Access to Trails

Healthy communities reduce the use of private motor vehicles and promote other means of transportation such as bicycling, walking and public transit.

HEART

The primary gathering space: A flexible green space to host community events, foster connectivity, and provide an intuitive connection between residents, retail, commerce and transit paths.

Open Space

A connection to nature -- people need nature to support good mental health and well-being.

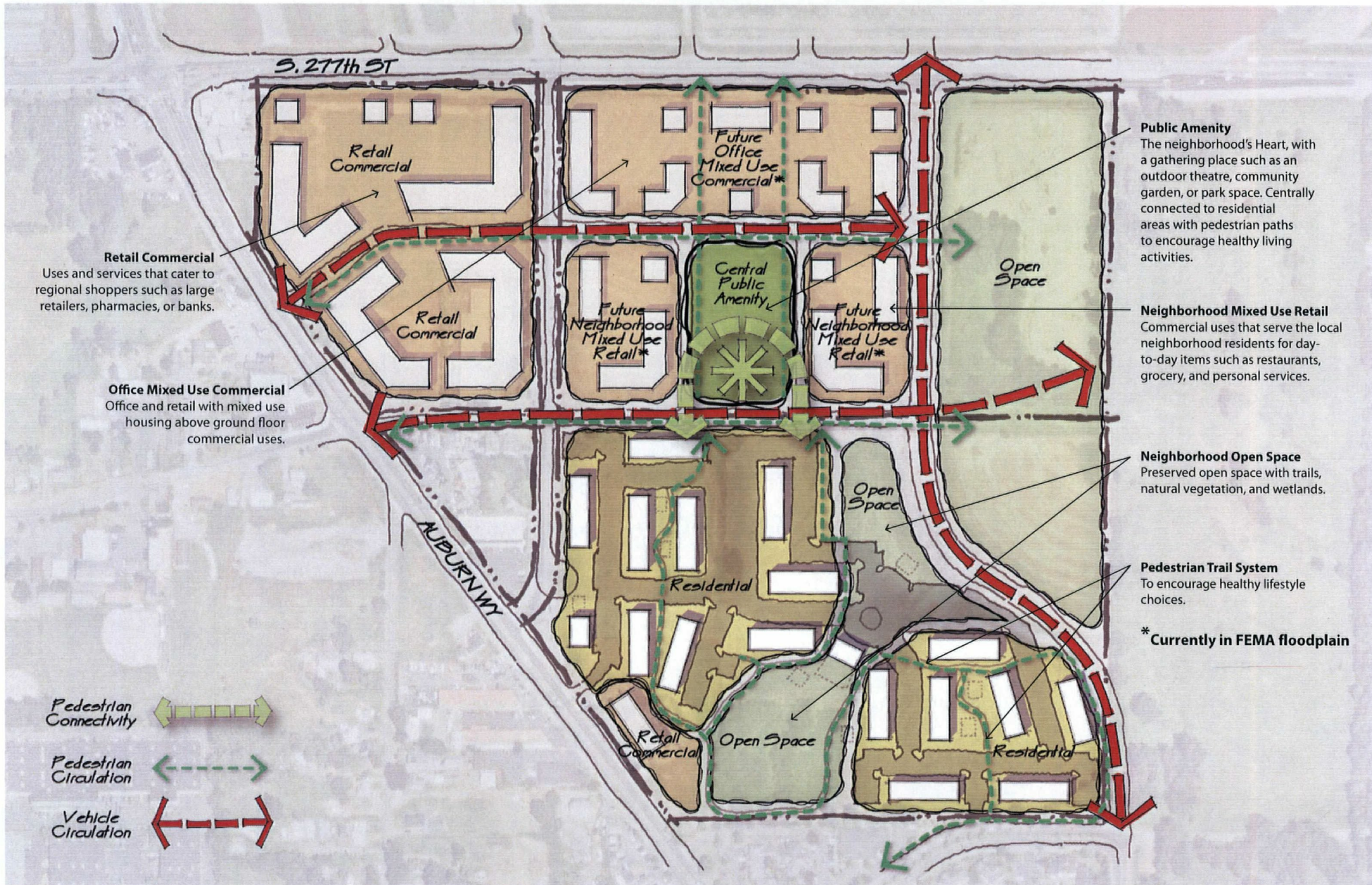
Showcase Retail Corner

With two important street frontages, parking will be internalized on the site.

Interurban Trail

Existing Trail

Existing Trail



Auburn Gateway

Building a Livable Community

THE MARKETPLACE

A retail and commercial destination for north Auburn that could include a mix of uses from neighborhood scale retail, to medium and big box commercial, as well as office space and medical facilities. Current space for at least 90,000SF of space with options for more with a FEMA floodplain modification.

Designed for certainty of development for future retail and businesses:

- Inland's development plan will complete the land-use development process and allow retail and commercial users to only require a building permit to develop a commercial pad.
- Off-site infrastructure improvements will be completed to attract smaller neighborhood level retailers that do not have the ability to complete large scale development on their own.
- Development ready pads that extend wet and dry utilities to future retail and commercial sites within the master plan will be completed.
- Integrate pedestrian and transit connectivity between commercial uses and the surrounding neighborhood.



Auburn Gateway

Building a Livable Community

THE RESIDENCES

Copper Gate Apartments will be located on the south portion of the site between 49th and 45th street. It will consist of 500 units of multi-family housing with a mix of one, two, three- and four-bedroom unit mix, providing options for larger families in the community.

Designed for affordability and healthy living:

- Certified to Evergreen Sustainable Design Standards, which provides healthy interiors (No-VOC & formaldehyde free products), and energy efficiency (built 15% more efficient than code with solar integration).
- Designed to CPTED principles to reduce incidents of crime.
- Two separate Club Houses with a business center, theatre, indoor play ground, fitness center and sport court (allowing healthy living options year round).
- Outdoor amenities will include covered and secured centralized bike storage, sport courts, playgrounds, pool, splash pad, trail system and community gardens.
- Utilization of the existing wetlands as a focal point for outdoor recreation and amenity space.
- Resident orientation that will provide information to encourage sustainable and healthy living habits.



Auburn Gateway

Building a Livable Community

THE HEART—A new gathering place

Community is at the heart of Auburn Gateway. The history of this site holds a special place for many in the community. When the Valley 6 Drive-In was in operation it created a destination place for the neighborhood and many memories for the residents that attended movies. Inland will attempt to capture the nostalgia of this place in a new way.

Designed for the neighborhood:

- A new outdoor venue for people—not cars—will be created to host summer movie and theatre events.
- Centrally located at the crossroads of a master planned pedestrian trail system that will provide access to the neighborhood.
- Flexible venue space for a possible farmers market or food truck destination.
- Options for healthy living activities and recreation space.

