



PLANNING COMMISSION MEETING

May 6, 2014
AGENDA

SPECIAL WORK SESSION – 6:30 - 7:00 p.m., Council Chambers

I. ZOA14-0002 - Amendment to Zoning Code Section 18.23.*

Staff: Jeff Dixon, Principal Planner

Summary: Amendment to zoning code section 18.23., "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

II. ADJOURNMENT

REGULAR MEETING – 7:00 p.m., Council Chambers

I. CALL TO ORDER

II. APPROVAL OF MINUTES

A. April 8, 2014*

III. PUBLIC COMMENT

Comment from the audience on any item not listed on the agenda for discussion or public hearing.

IV. PLANNING DEPARTMENT REPORT

Update on Planning and Development Department activities.

V. PUBLIC HEARINGS

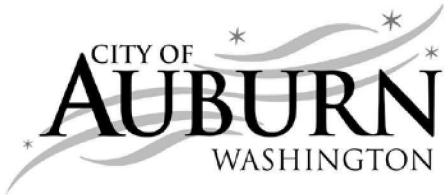
A. ZOA14-0002 - Amendment to Zoning Code Section 18.23.* (Dixon)

Summary: Amendment to zoning code section 18.23., "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

VI. ADJOURNMENT

The City of Auburn Planning Commission is an eight 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 are not final decisions; they are in the form of recommendations to the City Council who must ultimately make the final decision.



DRAFT
PLANNING COMMISSION

April 8, 2014

MINUTES

I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:01 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

II. ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were: Chair Judi Roland, Vice-Chair Copple, Commissioner Couture, Commissioner Mason, Commissioner Baggett, and Commissioner Smith. Commissioner Pondelick was excused.

Staff present included: City Attorney Dan Heid, Planning Services Manager Elizabeth Chamberlain, Police Commander Mark Callier, and Community Development Secretary Tina Kriss.

Members of the public present: Thomas Lee

III. APPROVAL OF MINUTES

A. March 4, 2014

Staff pointed out a Scrivener's error under item II. Roll Call/Establishment of Quorum, Scot Pondelick was added as present. The following information was also added: "After the approval of Minutes, Commissioner Pondelick voluntarily recused himself on the matter of Recreational Marijuana and abstained from participation, he excused himself from the meeting".

Commissioner Mason moved and Commissioner Smith seconded to approve the minutes from the April 8, 2014 meeting as corrected.

Motion unanimously carried. 6-0

IV. PUBLIC COMMENT

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

V. PLANNING DEPARTMENT REPORT

Planning Services Manager Elizabeth Chamberlain updated the Commission on the status of the Imagine Auburn process. The online survey has been completed and the City received 556 responses. The community neighborhood outreach meetings are complete, staff will conduct a three grocery store polling events to obtain further input before reviewing the vision results in May with the community. After a final report is complete, staff will review the results with the Planning and Community Development Committee and Planning Commission. Staff will begin the Comprehensive Plan update work in June.

The Student Life building at Green River Community College has started construction and the new Jimmy John's restaurant off Auburn Way North has opened. A Temporary Certificate of Occupancy was recently issued for Orion Industries located in Auburn.

VI. PUBLIC HEARING

There were no Public Hearing items.

VII. OTHER BUSINESS

A. Recreational Marijuana (Chamberlain)

Planning Services Manager Elizabeth Chamberlain presented the staff report on Recreational Marijuana. At the March 4, 2014 Planning Commission meeting the Planning Commission requested additional information on the topic of recreational marijuana.

Staff briefed the Commission on the disposal of liquid cannabis waste as covered in Section R 307 – Waste Disposal, of the Permanent Rules Related to the Colorado Retail Marijuana Code, dated September 9, 2013. Ms. Chamberlain explained that the state of Colorado does not identify a quantity of waste limit that is allowed to be stored on-site prior to be taken off-site to a solid waste or compost facility. The waste product, if properly mixed as 50/50 with other compostable elements is allowed to be composted on-site at the facility owned by the generator of waste.

In response to the Commission's previous question, how the City of Auburn residents voted on I-502, 56% (12,567) people voted yes and 44% (10,561) voted no. There were a total of 1,896 more YES votes in Auburn.

The Committee and staff discussed Option 3. Ms. Chamberlain explained that Option 3 would dissolve the City's current prohibition regulations on medical cannabis. Per ACC Chapter 9.22 code prohibits the City from permitting any activity that is illegal under state or federal law.

Staff reviewed the tentative schedule for future adoption of regulations in regards to I-502 and the outline for the public workshop presentation. The Commission was supportive of the outline and asked if the workshop could be held May 20th, 2014, staff confirmed May 20, 2014 as tentative date. The Commission requested that as part of the overview, staff provide zoning maps showing reflective of where cannabis could potentially be an allowed use under one of the options. The Committee and staff reviewed the City of Kent Court of Appeals decision and how that impacts medical marijuana.

The next Planning Commission meeting will be held May 6, 2014. The Commission concurred that they would hold a work session on the proposed Warehouse and Distribution code amendments at 6:30 p.m. with the regular meeting at 7:00 p.m.

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 7:41 p.m.



AGENDA BILL APPROVAL FORM

Agenda Subject: Amendment to zoning code Section 18.23.030, to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district. (File No. ZOA14-0002).		Date: April 24, 2014
Department: Community Development and Public Works	Attachments: See exhibit list (at end of report)	Budget Impact: N/A
Administrative Recommendation: Planning Commission to hold a public hearing on amendments to Auburn City Code Chapter Section 18.23 and make a recommendation to the City Council.		

Summary:

The City proposes to amend Section 18.23.030, "Uses (of the Commercial and Industrial Zones)" of the zoning code to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district. The current language of the code prohibits warehousing and distribution uses in the EP zone and requires a Conditional Use Permit in the M1, Light Industrial zone. The City seeks to revise the regulations to allow the use outright in the M1, Light Industrial zone and outright, if legally established prior to the zoning change in the EP zone.

Reviewed by Council & Committees: ☐ Arts Commission ☐ Airport ☐ Hearing Examiner ☐ Human Services ☐ Park Board ☒ Planning Comm.	COUNCIL COMMITTEES: ☐ Finance ☐ Municipal Serv. ☒ Planning & CD ☐ Public Works ☐ Other _____	Reviewed by Departments & Divisions: ☐ Building ☐ Cemetery ☐ Finance ☐ Fire ☒ Legal ☐ Public Works ☐ Information Services	☐ M&O ☐ Mayor ☐ Parks ☒ Planning ☐ Police ☐ Human Resources
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Action:

Committee Approval: ☐ Yes ☐ No
 Council Approval: ☐ Yes ☐ No
 Referred to _____ Until ____/____/____
 Tabled _____ Until ____/____/____
 Call for Public Hearing ____/____/____

Councilmember:	Staff: Dixon
Meeting Date: May 6, 2014	Item Number:

Background

Since the zoning code dating back to at least the year 1987, the “warehousing and distribution” land use has historically been allowed in the City’s Industrial zoning districts. Specifically, this use was allowed outright in the two main industrial zoning districts that existed at the time; the M1, Light Industrial, and the M2, Heavy Industrial zoning districts. These districts make up a large part of the western, (Region Serving Area) valley floor portion of the City.

In Title 18.23, ‘Commercial and Industrial Zones’, and specifically, Table 18.23.030, ‘Permitted, Administrative, Conditional and Prohibited Uses by Zone’ this use is listed as: “warehousing and distribution”.

Since, warehousing and distribution uses are prominent locally, and the nature of this use is self-explanatory, the zoning code does not contain a specific definition for this use.

This proposed change affects two industrial zones in the city. A discussion of the historical changes affecting each zone leading to the current circumstances and proposed revision follows.

Relation of Streamlined Sales Tax Changes to the M1, Light Industrial Zoning District

In 2005 the State of Washington adopted streamlined sales tax (SST) legislation. Prior to SST legislation, sales tax collection in Washington State was based on the site of origin, rather than on the site of destination. Under the SST tax structure, sales tax is collected at the site of delivery rather than from those areas from which they were shipped. This change in tax structure puts the City of Auburn at a disadvantage and negatively impacts its tax revenue.

Specifically, Auburn and similar cities have historically invested in infrastructure to support businesses engaged in warehouse and distribution activities that ship goods to other destinations. Another concern for Auburn and similar cities that have invested in infrastructure include how the debt that has already been extended for such infrastructure will be paid and how the loss of a significant source of revenue will affect bond ratings.

In November 2004 based on the then potential passage of SST, the Auburn City Council approved Resolution No. 3782. Resolution No. 3782 outlines an approach and actions the City will take related to land use planning, zoning and other matters in the event a streamlined sales tax proposal or other similar proposals that change the tax structure are adopted.

Because of the State of Washington’s implementation of sales tax mitigation payments to cities such as Auburn, the impact resulting from streamlined sales tax has been somewhat lessened. However, the continued availability of these payments is not certain due in part to the State’s current and anticipated fiscal challenges. In addition, the amount of payments does not equal the total loss in revenue to the City. The City’s economic development strategies are dependent upon the City being able to continue a strong public investment program in infrastructure and services. The City’s ability to continue this public investment is contingent upon maintaining solvent public revenue streams, particularly sales tax. Sales tax comprises the largest source of monies to the City’s General Fund, approximately 30 percent in 2010. The City anticipates that current and long-term fiscal challenges facing the State of Washington will likely result in the dissolution of the current sales tax revenue mitigation program. The eventual loss of the

aforementioned sales tax revenue will directly and adversely affect the City's ability to adequately fund the capital infrastructure and services necessary to support the realization of the City's economic development strategies. This is especially applicable to industrial areas supporting warehouse and distribution centers that are origin-based in nature.

In 2011, the City amended the City's Comprehensive Plan by Ordinance No. 6394 to identify that warehouse and distribution land uses are not a preferred long-term economic development and land use priority for industrial zoned areas in the City due to the loss of sales tax revenue associated with the State's implementation of streamlined sales tax legislation, no substantive contribution to an increase in per capita income for Auburn residents, no reduction in the tax burden of Auburn residents, low employment densities, lower property values and land use inefficiencies. These changes specified that increases in manufacturing and other non-warehousing and distribution industrial land uses should be the City's preferred economic development and land use priority for industrial zoned areas of the City currently dominated by warehousing and distribution land uses. These changes specified that the City should revise current comprehensive policies and regulations to provide for and require the conversion of existing warehousing and distribution land uses to manufacturing and industrial land uses. To implement the policy direction of the Comprehensive Plan, the zoning regulations affecting industrial zoning districts were changed by Ordinance No. 6433 near the end of 2012. Among other more minor changes, the Ordinance established that any new or expansion of existing warehouse and distribution uses in the M1, Light Industrial and M2, Heavy Industrial zone would require the land use application process of a Conditional Use Permit (CUP).

Since the time of these comprehensive plan and zoning changes, the City has heard from a number of property owners and property management companies responsible for warehouse and distribution facilities located in the M1, Light Industrial zones expressing concern. The majority of concerns expressed were related to misunderstanding the effect of the changes to pre-existing warehouse and distribution uses. However, as a result of these comprehensive plan and zoning changes, the property owners, property managers and their professional organizations of warehouse and distribution uses have supported and advocated for the City with the state legislature. As a result of this support, the City determined it was appropriate to amend the policy guidance in its Comprehensive Plan to revise and "soften" the policy direction to promote and encourage through incentives the transition from warehousing and distribution uses rather than require the conversion of these uses. As a result of this support, the City also determined it was appropriate to amend the zoning code use regulations.

On October 22, 2013 the Planning Commission conducted a public hearing and considered the proposed comprehensive plan policy/text amendments affecting industrial zones as part of the items docketed for the annual comprehensive plan amendments. And following the public hearing, the Planning Commission forwarded its recommendation for approval to the City Council.

The 2013 Comprehensive Plan Amendments were reviewed by the Planning and Community Development Committee of the City Council on November 12, 2013 and the Committee forwarded a recommendation of approval to the City Council at its November 25, 2013 regular meeting.

The Public Works Committee of the City Council reviewed the amendments and the Planning Commission recommendations at their November 18, 2013 meeting. Ordinance No. 6489 approving the comprehensive plan policy/text amendments was approved by the City Council at their December 2, 2013 regular meeting. Warehousing and distribution uses are still not preferred land uses in the Comprehensive Plan, but are no longer proposed to be transitioned to other uses.

Proposed Zoning Code Change

This proposal revises the zoning code to allow warehousing and distribution uses outright in the M1, Light Industrial zoning district to align with the previous year 2013 Comprehensive Plan text amendments and to reverse the previous zoning code changes in 2012. Specifically, the “C” designating: “Conditionally Permitted Use” is proposed to change to “P” to indicate: “Permitted” in Table 18.23.030 shown as ~~strike through~~ and underline in the attached code section.

Relation to EP, Environmental Park Zoning District

The area north of West Main Street extending north to 15th ST NW and including Clay and Western Streets was identified by the 2005 comprehensive plan as a ‘problem area’ in relation to disparate mixture of land uses including remaining single family residential uses within an area transitioning to light industrial uses. The designation also recognized that the area was underserved by infrastructure; roads, water sewer and storm drainage. The comprehensive plan designation and zoning were for light industrial development and several industrial buildings were built.

The City’s eventual ownership of the wetland mitigation site constructed as compensation for the wetland filling and impacts associated with the construction of the Emerald Downs Thoroughbred Racetrack (a.k.a. Thormod Wetland Mitigation Site) served as the catalyst for the city’s acquisition of additional adjacent parcels and formal establishment of the approximately 120-acre “Auburn Environmental Park”; a wetland natural resources park for open space and passive recreation.

On August 7, 2006 the City Council adopted Ordinance No. 6036 that established a new industrial zoning classification termed the EP, Environmental Park Zoning district after the Planning Commission conducted a public hearing on the proposal on June 6, 2006. The EP zone consists of a larger approximately 276-acre area. The stated purpose of the Environmental Park zoning district is to allow uses in proximity to the Auburn Environmental Park that benefit from that location and will complement the park and its environmental focus. The uses to be 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.

This change no longer allowed “warehousing and distribution facilities, to include wholesale trade not open to the general public”. As a result, the properties that were already developed as this use were made “legally-established, non-conforming uses”. Under the City’s regulations

in ACC 18.54, 'Nonconforming Structures, Land and Uses', these legally-established, non-conforming uses are allowed to remain if continuously occupied, but if the space become vacant for more than 180 days, then the space may only be re-occupied by tenants meeting the more recent, current land use regulations. Also, with this change, owners of these non-conforming uses may only expand their nonconforming use or structure up to 25 percent after a 'Special Exception' is secured (land use approval by the Hearing Examiner).

Since the time of these zoning changes, the City has heard from several owners of properties that were developed as warehousing and distribution facilities and located in the EP, zoning district expressing concern. Their concerns were related to the effect of the EP regulation changes to their pre-existing warehousing and distribution uses. In response to these concerns, the City wants to allow those sites that were developed as warehousing and distribution uses to prior the EP, Environmental Park zoning in 2006, additional regulatory flexibility to re-use and modify their use and/or structures.

The City does not however wish to allow further or continued development and construction of new warehousing and distribution uses in the EP, Environmental Park zoning district. Further refinement of the zoning regulations of this zoning district to more effectively encourage and promote "green" development and sustainable design and environmentally sensitive building practices have previously been discussed by the City Council and are planned.

Proposed Zoning Code Change

This proposal revises the zoning code to allow those warehousing and distribution uses and structures pre-existing prior to the effective date of the EP, Environmental Park zoning district (August 17, 2006) to be an outright permitted use in the zone. Specifically, a footnote is added to Table 18.23.030 to denote:

"Any warehousing and distribution facility legally established as of the effective date of Ordinance No, 6036 (August 17, 2006) enacting the EP, Environmental Park Zoning District and codified in this section, is an outright permitted use in the EP, Environmental Park zone and not a nonconforming use. Also, any maintenance, alteration and addition to an existing warehousing and distribution facility in the EP zone that is consistent with ACC 18.23.040, Development standards, is permitted."

The proposed change to Table 18.23.030 are shown as ~~strike through~~ and underline in the attached code section.

Findings of Fact

1. In summary, the intent of the proposed code amendment is to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district. The current language of the code prohibits warehousing and distribution uses in the EP zone and requires a Conditional Use permit in the M1, Light Industrial zone. The City seeks to revise the regulations to allow the use outright in the M1, Light Industrial zone and outright if legally established prior to the zoning change in the EP zone.

2. To implement the policy direction of the Comprehensive Plan of the time, the zoning regulations affecting industrial zoning districts were changed by Ordinance No. 6433 near the end of 2012. The Ordinance established that any new or expansion of existing warehouse and distribution uses in the M1, Light industrial zone would require the land use application process of a Conditional Use Permit (CUP).
3. At their December 2, 2013 regular meeting, the City Council by Ordinance No. 6489 adopted 2013 Comprehensive Plan Amendments that provide for and re-prioritize warehousing and distribution facilities uses in the industrial zoning districts.
4. On August 7, 2006 the City Council adopted Ordinance No. 6036 that established a new industrial zoning classification titled the EP, Environmental Park Zoning district for areas previously zoned M1, Light industrial. This designation does not allow "warehousing and distribution facilities, to include wholesale trade not open to the general public".
5. The City of Auburn contains numerous properties that are developed as or suitable for development as "warehousing and distribution facilities, to include wholesale trade not open to the general public".
6. Since the time of these comprehensive plan and zoning changes, the City has heard from a number of property owners and property management companies responsible for warehouse and distribution facilities located in the M1, Light industrial and EP, Environmental Park zones expressing concern.
7. In response to these concerns, the City proposes to reverse prior zoning changes and allow "warehousing and distribution facilities", in the M1, Light Industrial zoning district.
8. Also, in response to these concerns, the City proposes to allow those sites that were developed as warehousing and distribution uses to prior the EP, Environmental Park zoning in 2006, additional regulatory flexibility to re-use and modify their use and/or structures.
9. The proposed amendment of the city's zoning regulations is exempt from the "Notice of Application" procedures under ACC 14.02.070, "Project permit or project permit application" and ACC 14.02.040, "Development regulations", since the adoption or amendment of zoning regulation is a type of "development regulation" that is not a "Project permit" or "project permit application". The Notice of Application is required only for project permits and not development regulations.
10. The code amendment is subject to environmental review process under the Washington State Environmental Policy Act (SEPA). A Determination of Non-Significance (DNS) was issued April 28, 2014 (SEP14-0002) and the city observed a fourteen-day public comment period. The City has not received any comments in response to notice of the public comment period.
11. Pursuant to RCW 36.70A.106, the proposed zoning code amendment was sent to the Washington State Department of Commerce and other state agencies as required for the state review of modifications of development regulations. The amendments were

sent on April 28, 2014. The City requested expedited review, as allowed by their procedures. The Department of Commerce granted expedited review and acknowledged receipt on April 28, 2014.

12. The general approach of these code amendments was discussed with and reviewed by the Planning and Community Development Committee of the City Council on March 7, 2014 at their regular meeting. The Council Committee was supportive of the general approach.
13. The public hearing notice was published on April 21, 2014 in the Seattle Times newspaper at least 10 days prior to the Planning Commission public hearing scheduled for May 6, 2014.
14. The following conclusions support the proposed amendments to Chapter 18.23.030, scheduled for the Planning Commission's May 6, 2014 public hearing with a staff recommendation of approval.

Conclusions

1. These code amendments are supported by the City of Auburn's Comprehensive Plan. The Comprehensive Plan contains several goals, objectives, and policies that promote predictability and flexibility in the City's development regulations. The Comprehensive Plan also has sections that provide for, establish and maintain a balance of industrial uses that respond to local and regional needs and enhance the city's image through optimal siting and location. The following goals, objectives, and policies excerpted from the Comprehensive Plan relate to this proposal:

2. Excerpt from : CHAPTER 3 – PLAN BACKGROUND

“GOAL 2 – FLEXIBILITY: To provide predictability in the regulation of land use and development, especially where residential uses are affected, but to also provide flexibility for development through performance standards that allow development to occur while still protecting and enhancing natural resources, cultural resources and critical lands and in overall compliance with this Comprehensive Plan.”

“Discussion: Predictability of land development regulation is important to both existing and future property owners and to new development. It assures property owners that adjacent properties will develop in a consistent manner and it helps new development to plan for their development based on knowing what is allowed and what is not. Since all parcels are not identical, however, it is helpful to have some flexibility in land development regulation. While a variance can sometimes resolve some of these issues, regulations which provide some flexibility in the form of performance standards can help to provide development which better meets the goals and policies of this Comprehensive Plan rather than strict adherence to a set standard established in the zoning ordinance.”
(Emphasis added)

“A discussion of issues and policies related to this goal can be found in Chapter 2: General Approach to Planning.”

Complies: This goal sets out that all of the City’s regulations should be designed to provide predictability while maintaining the ability for flexibility. These proposed changes that allow continuation of warehousing and distribution uses provide better predictability and consistency.

3. Excerpt from : CHAPTER 3 – LAND USE

“GOAL 11. INDUSTRIAL DEVELOPMENT

To provide for, establish and maintain a balance of industrial uses that respond to local and regional needs and enhance the city's image through optimal siting and location, taking into consideration tax policy impacts of streamlined sales tax and/or other similar legislation.

Type of Industrial Uses

There is a wide variety of possible industrial uses that could be sited in Auburn. As with the mix of residential uses, the mix of industry also affects the image of the city. The regional image of the city is that of an industrial suburb. This image is quite apparent as one travels along Highway 167 where there is an almost unending view of high-bay warehouse buildings.

Different types of industrial areas should be separated since some types of industrial activities conflict with other industrial activities (especially those of a more desirable character). Such separation should be based primarily on performance standards.

Location of Industrial Uses

Before the adoption of the 1986 Comprehensive Plan, there had been little separation of various types of industrial uses. At the time, there was no well understood policy basis regarding the separation of different types of industrial uses and some areas very suitable for high quality light industrial uses were committed to heavier uses. High visibility corridors developed with a heavier industrial character and established a heavy industry image for the city. The Plan provides clear distinction between different industrial uses. It also reserves areas for light industrial uses.

Objective 11.1. To create a physical image for the city conducive to attracting light industry.

Policies:

LU-96 Highly visible areas which tend to establish the image of the city should not be used by heavy industrial uses.

LU-97 The City shall promote high quality development of all light industrial and warehouse areas.

Objective 11.6. To promote and incentivize new high value-added manufacturing and industrial uses over existing warehouse and distribution uses.

Policies:

LU-114 Existing warehouse and distribution uses are not preferred long term land uses in industrial zoning districts in the City. Through the development and application of incentives the city shall promote more beneficial manufacturing and industrial uses.

LU-115 Regulatory and financial incentives will be identified and implemented where appropriate to provide increased opportunities and encouragement for the establishment of new or expanded manufacturing and industrial uses and jobs in the City.

Complies: This goal sets out that the City's regulations should provide for, establish, and maintain a balance of industrial uses that respond to local and regional needs and enhance the city's image through optimal siting and location. The proposed code changes are consistent with previously adopted changes to the Comprehensive Plan which allow continuation of warehousing and distribution uses in order to provide better predictability and consistency and prescribe that warehousing and distribution uses. While warehousing and distribution still are not preferred land uses; they are no longer proposed to be transitioned to other uses.

Staff Recommendation

Planning Commission to recommend **approval** to the City Council.

Exhibits:

- Exhibit A: Proposed code changes to ACC 18.23.303, "Permitted, Administrative, Conditional and Prohibited Uses by Zone" –with changes shown in strike through and underline.
- Exhibit B: Acknowledgement of receipt of Request for WA Dept of Commerce for state review, April 28, 2014.
- Exhibit C: Affidavit of Publication -Seattle Times Newspaper, April 21, 2014.
- Exhibit D: Affidavit of Mailing
- Exhibit E: Affidavit of Posting
- Exhibit F: SEP14-0002 Determination of Non-Significance and completed environmental checklist application

Exhibit A - Proposed Draft of revisions of the Auburn Zoning Code to amend Section 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district. The current language of the code prohibits warehousing and distribution uses in the EP zone and requires a Conditional Use permit in the M1, Light Industrial zone. The City seeks to revise the regulations to allow the use outright in both zones. Additions are shown with underlines and deletions are shown with ~~strike-through~~.

18.23.030 Uses.

A. General Permit Requirements. Table 18.23.030 identifies the uses of land allowed in each commercial and industrial zone and the land use approval process required to establish each use.

B. Requirements for Certain Specific Land Uses. Where the last column in Table 18.23.030 ("Standards for Specific Land Uses") includes a reference to a code 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 18.23.030 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 Designation								Standards for Specific Land Uses
	C- N	C- 1	C- 2	C- 3	C- 4	M- 1	EP	M- 2	

INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING

Table 18.23.030 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 Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Building contractor, light	X	X	X	P	X	P	X	P	
Building contractor, heavy	X	X	X	X	X	A	X	P	
Manufacturing, assembling and packaging – light intensity	X	X	X	P	X	P	P	P	ACC 18.31.180
Manufacturing, assembling and packaging – medium intensity	X	X	X	A	X	P	A	P	ACC 18.31.180
Manufacturing, assembling and packaging – heavy intensity	X	X	X	X	X	X	X	A	ACC 18.31.180
Outdoor storage, incidental to principal permitted use on property	X	X	X	P	X	P	P	P	ACC 18.57.020(A)
Storage – Personal household storage facility (mini-storage)	X	P	X	P	X	P	X	P	ACC 18.57.020(B)
Warehousing and distribution	X	X	X	X	X	C ¹ P	X ¹	C	ACC 18.57.020(C) <u>Also, See Footnote No. 1</u>
Warehousing and distribution, bonded and located within a designated foreign trade zone	X	X	X	P	X	P	P	P	
Wholesaling with on-site retail as an incidental use (coffee, bakery, e.g.)	X	X	X	P	X	P	P	P	

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LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	

RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES

Commercial recreation facility, indoor	X	P	P	P	P	P	P	A	
Commercial recreation facility, outdoor	X	X	X	A	X	P	A	A	ACC 18.57.025(A)
Conference/convention facility	X	X	A	A	X	A	X	X	
Library, museum	X	A	A	A	X	A	P	X	
Meeting facility, public or private	A	P	P	P	X	A	P	A	
Movie theater, except drive-in	X	P	P	P	P	X	X	X	
Private school – specialized education/training (for profit)	A	A	P	P	P	P	P	P	
Religious institutions, lot size less than one acre	A	P	P	P	A	A	A	A	
Religious institutions, lot size more than one acre	C	P	P	P	A	A	A	A	
Sexually oriented businesses	X	X	X	P	X	P	X	P	Chapter 18.74 ACC
Sports and entertainment assembly facility	X	X	A	A	X	A	X	A	
Studio – Art, dance, martial arts, music, etc.	P	P	P	P	P	P	A	A	

RESIDENTIAL

Table 18.23.030 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 Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Caretaker apartment	X	P	P	P	X	P	P	P	
Live/work or work/live unit	X	P	P	P	P	P	P	X	
Multiple-family dwellings as part of a mixed-use development	X	P	P	P	P	P	P	X	ACC 18.57.030(A)
Multiple-family dwellings, stand-alone	X	X	X	X	X	X	X	X	ACC 18.57.030(B)
Nursing home, assisted living facility	X	P	P	P	C	X	X	X	
Senior housing	X	A	A	A	X	X	X	X	

RETAIL

Building and landscape materials sales	X	X	X	P	X	P	X	P	ACC 18.57.035(A)
Construction and heavy equipment sales and rental	X	X	X	X	X	A	X	P	
Convenience store	A	A	P	P	X	P	P	P	
Drive-through espresso stands	A	A	A	P	A	P	A	A	
Drive-through facility, including banks and restaurants	A	A	A	P	P	P	X	P	ACC 18.52.040
Entertainment, commercial	X	A	P	P	X	A	X	A	
Groceries, specialty food stores	P	P	P	P	P	P	P	X	ACC 18.57.035(B)

Table 18.23.030 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 Designation								Standards for Specific Land Uses
	C- N	C- 1	C- 2	C- 3	C- 4	M- 1	EP	M- 2	
Nursery	X	X	X	P	A	P	X	P	ACC 18.57.035(C)

Outdoor displays and sales associated with a permitted use (auto/vehicle sales not included in this category)	P	P	P	P	P	P	P	P	ACC 18.57.035(D)
Restaurant, cafe, coffee shop	P	P	P	P	P	P	P	P	
Retail									
Community retail establishment	A	P	P	P	P	P	X	P	
Neighborhood retail establishment	P	P	P	P	P	P	X	P	
Regional retail establishment	X	X	X	P	P	P	X	A	
Tasting room	P	P	P	P	P	P	P	P	
Tavern	P	P	X	P	P	P	X	A	
Wine production facility, small craft distillery, small craft brewery	A	P	P	P	P	P	P	P	

SERVICES

Animal daycare (excluding kennels and animal boarding)	A	A	A	P	A	P	X	P	ACC 18.57.040(A)
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Animal sales and services (excluding kennels and veterinary clinics)	P	P	P	P	P	P	X	P	ACC 18.57.040(B)
Banking and related financial institutions, excluding drive-through facilities	P	P	P	P	P	P	P	P	
Catering service	P	P	P	P	A	P	A	P	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	P	P	P	P	P	X	
Dry cleaning and laundry service (personal)	P	P	P	P	P	P	P	P	
Equipment rental and leasing	X	X	X	P	X	P	X	P	
Kennel, animal boarding	X	X	X	A	X	A	X	A	ACC 18.57.040(C)
Government facilities, this excludes offices and related uses that are permitted outright	A	A	A	A	A	A	A	A	
Hospital	X	P	P	P	X	P	X	P	
Lodging – Hotel or motel	X	P	P	P	P	A	P	A	
Medical – Dental clinic	P	P	P	P	P	P	X	X	
Mortuary, funeral home, crematorium	A	P	X	P	X	P	X	X	
Personal service shops	P	P	P	P	P	P	X	X	
Pharmacies	P	P	P	P	P	X	X	X	
Print and copy shop	P	P	P	P	P	P	X	X	
Printing and publishing (of books, newspaper and other printed matter)	X	A	P	P	P	P	P	P	
Professional offices	P	P	P	P	P	P	P	P	
Repair service – equipment, appliances	X	A	P	P	P	P	X	P	ACC 18.57.040(D)
Veterinary clinic, animal hospital	A	P	P	P	P	P	X	X	

TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE

Ambulance, taxi, and specialized transportation facility	X	X	X	A	X	P	X	P	
Broadcasting studio	X	P	X	P	X	P	X	P	

Heliport	X	X	X	C	X	C	X	C	
Motor freight terminal ¹⁻²	X	X	X	X	X	X	X	X	See Footnote No. ¹ <u>2</u>
Parking facility, public or commercial, surface	X	P	P	P	P	P	P	X	
Parking facility, public or commercial, structured	X	P	P	P	P	P	P	X	
Towing storage yard	X	X	X	X	X	A	X	P	ACC 18.57.045(A)
Utility transmission or distribution line or substation	A	A	A	A	A	A	A	A	
Wireless communication facility (WCF)	-	-	-	-	-	-	-	-	ACC 18.04.912, 18.31.100

VEHICLE SALES AND SERVICES

Automobile washes (automatic, full or self-service)	X	A	X	P	P	P	X	P	ACC 18.57.050(A)
Auto parts sales with installation services	X	A	A	P	P	P	X	P	
Auto/vehicle sales and rental	X	A	X	P	X	P	X	P	ACC 18.57.050(B)
Fueling station	X	A	A	P	P	P	X	P	ACC 18.57.050(C)
Mobile home, boat, or RV sales	X	X	X	P	X	P	X	P	
Vehicle services – repair/body work	X	X	A	P	X	P	X	P	ACC 18.57.050(D)

OTHER

Any commercial use abutting a residential zone which has hours of operations outside of the following: Sunday: 9:00 a.m. to 10:00 p.m. or Monday – Saturday: 7:00 a.m. to 10:00 p.m.	A	A	A	A	A	A	A	A	
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. See ACC 18.02.120(C)(6), Unclassified Uses.	P	P	P	P	P	P	P	P	

¹ Any warehousing and distribution facility legally established as of the effective date of Ordinance No. 6036 (August 17, 2006) enacting the EP, Environmental Park Zoning District and codified in this section, is an outright permitted use in the EP, Environmental Park zone and not a nonconforming use. Also, any maintenance, alteration and addition to an existing warehousing and distribution facility in the EP zone that is consistent with ACC 18.23.040, Development standards, is permitted.

¹~~2~~ Any motor freight terminal, as defined by ACC 18.04.635, in existence as of the effective date of the ordinance codified in this section, is an outright permitted use in the M-1 and M-2 zone. Any maintenance, alterations and additions to an existing motor freight terminal which are consistent with ACC 18.23.040, Development standards, are allowed.



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

April 28, 2014

Jeff Dixon
Principal Planner
City of Auburn
25 W Main Street
Auburn, Washington 98001-4998

Dear Mr. Dixon:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

City of Auburn - Proposed amendment to zoning code section ACC 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning distinct to allow uses outright; the warehousing and distribution facility uses are currently prohibited or conditionally permitted. These materials were received on April 28, 2014 and processed with the material ID # 20218. Expedited Review is requested under RCW 36.70A.106(3)(b).

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment requesting expedited review, then we have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services

The Seattle Times

RECEIVED

APR 29 2014

CITY OF AUBURN
PLANNING & DEVELOPMENT

City of Auburn, Finance Dept
City Clerk
25 W Main St

Auburn, WA 98001

Re: Advertiser Account # 107302
Ad #: 426798

Agency Account #: 0
Agency Name:

Affidavit of Publication

STATE OF WASHINGTON
Counties of King and Snohomish

The undersigned, on oath states that he/she is an authorized representative of The Seattle Times Company, publisher of The Seattle Times of general circulation published daily in King and Snohomish Counties, State of Washington. The Seattle Times has been approved as a legal newspaper by others of the Superior Court of King and Snohomish Counties.

The notice, in the exact form annexed, was published in the regular and entire issue of said paper or papers and distributed to its subscribers during all of the said period.

Newspaper and Publication Date(s)

Seattle Times

04/21/14

Agent MAUREEN E. DUGGAN Signature Maureen E Duggan

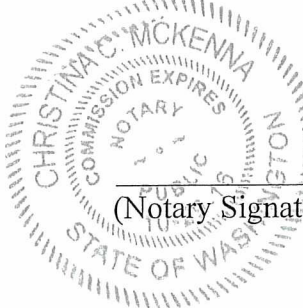
Subscribed and sworn to before me on

April 22 2014

DATE

Christina C. McKenna

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle



The Seattle Times

Re: Advertiser Account # 107302

Ad #: 426798

Agency Account #: 0

Agency Name:

AD TEXT

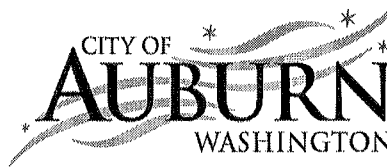
City of Auburn Notice of Public Hearing

The Planning Commission of the CITY OF AUBURN, Washington, will conduct a public hearing on May 6, 2014, at 7:00 P.M., in the Council Chambers of the Auburn City Hall located at 25 West Main Street on the following matter:

Case Number: ZOA14-0003 - Amendment to zoning code section 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the MI, Light Industrial zoning district.

The public hearing will be held in the Council Chambers, Auburn City Hall, located at 25 West Main Street. The public is invited to attend to express comments or opinions. Written comments may be submitted up until and at the public hearing. If you have further comments or questions, please contact Principal Planner, Jeff Dixon at jdixon@auburnwa.gov or 253-804-5033.

For citizens with speech, sight or hearing disabilities wishing to review documents pertaining to this hearing, should contact the City of Auburn within 10 calendar days prior to the meeting, as to the type of service or equipment needed. Each request will be considered individually according to the type of request, the availability of resources, and the financial ability of the City to provide the requested services or equipment.



AFFIDAVIT OF MAILING OF LEGAL NOTICE

Application No.: SEP14-0002 & ZOA14-0002

Description of Proposal: Amendment to zoning code section 18.23, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

Proponent: City of Auburn Community Dev. & Public Works Department
25 West Main Street, Auburn, WA 98001
Jeff Dixon, Principal Planner
(253) 931-3090
jdixon@auburnwa.gov

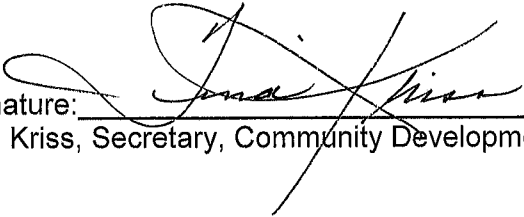
Location: City-wide

Lead Agency: City of Auburn

Date of Public Hearing: May 6, 2014

I certify that on April 28, 2014 I did send a Public Notice for the above referenced application, as required by Auburn City Code 14.07.040 and 18.66.130, to interested parties. Said Notice was mailed pre-paid stamped through the United States Postal Service.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Signature: 
Tina Kriss, Secretary, Community Development Services

**AFFIDAVIT OF POSTING
OF LEGAL NOTICE
BY STAFF**

Application No.: SEP14-0002 & ZOA14-0002

Description of Proposal: Amendment to zoning code section 18.23, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

Proponent: City of Auburn Community Dev. & Public Works Department
25 West Main Street, Auburn, WA 98001
Jeff Dixon, Principal Planner
(253) 931-3090
jdixon@auburnwa.gov

Location: City-wide

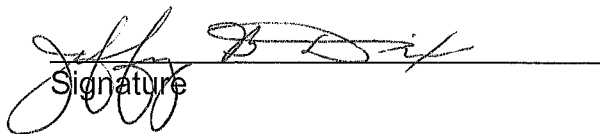
Lead Agency: City of Auburn

Date of Public Hearing: May 6, 2014

I certify that on April 21, 2014 I did affix a Notice of Public Hearing for the above referenced application, as required by Auburn City Code 18.68.040, by posting the notice in three general public locations. This notice was posted at least 10 days prior to the date of public hearing noted above.

I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Jeff Dixon
Name (please print or type)


Signature

4-24-14
Date

Determination of Non-Significance

Zoning Code Amendment to ACC 18.23.030, to change the use regulations applicable to warehousing and distribution facility uses

File No: SEP14-0002, Related File No: ZOA14-0002

Description of Proposal: Amendment to zoning code section 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

Proponent: City of Auburn Community Dev. & Public Works Department
25 West Main Street, Auburn, WA 98001
Jeff Dixon, Principal Planner
(253) 931-3090
jdixon@auburnwa.gov

Location: City-wide

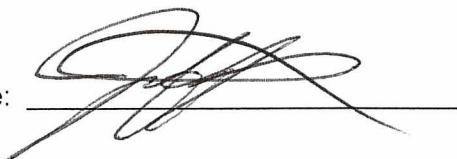
Lead Agency: City of Auburn

The lead agency for this proposal has determined that it does not have probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date issued below. Comments must be submitted by 5:00 p.m. on **May 12, 2014**. Any person aggrieved of the City's Determination may file an appeal with the Auburn City Clerk within 14 days of the close of the comment period, or by 5:00 pm on **May 26, 2014**.

Responsible Official: Jeff Tate
Position/Title: Assist Director, Community Development Department
Address: 25 West Main Street
Auburn, Washington 98001
Telephone: (253) 931-3090

Date Issued: **April 28, 2014**

Signature: 

Note: This determination does not constitute approval of the proposal. Approval of the proposal can only be made by the legislative or administrative body vested with that authority. The proposal will be required to meet all applicable regulations.

ENVIRONMENTAL CHECKLIST**A BACKGROUND**

1. **Name of proposed project, if applicable:** ZOA14-0002 – Amendment to zoning code section 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

2. **Name of applicant:**

City of Auburn, Community and Public Works Department

3. **Address and phone number of applicant and contact person:**

Community and Public Works Department
City of Auburn
25 West Main Street
Auburn, WA 98001
(253) 931-3090
Attn: Jeff Dixon, Principal Planner

4. **Date checklist prepared:**

April 14, 2014

5. **Agency requesting checklist:**

City of Auburn, Planning and Development Department

6. **Proposed timing or schedule (including phasing, if applicable):**

The non-project action is a proposal to amend zoning code section 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

The amendments are currently scheduled for Planning Commission review and public hearing in May 2014 and City Council consideration and adoption in June of 2014.

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

No.

8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

Other environmental information consists of previous SEPA documents related to past comprehensive plan amendments and code amendments as follows:

City of Auburn. Determination of Non-Significance SEP13-0026 – City of Auburn zoning Code Amendment – Amendment to Section 18.57.030 related to mixed use in the C1, Light Commercial zone. August 2013.

City of Auburn. Determination of Non-Significance SEP13-0020 – City of Auburn Critical Area Ordinance Amendment – Amendment to Section 16.10.110, "Mitigation standards, criteria and plan requirements" to allow mitigation to be located outside the city. July 2013.

City of Auburn. Determination of Non-Significance SEP12-0020 – City of Auburn zoning code amendment amending Section 18.02.020 Authority to adopt code for the addition of a new code section of 1.04.060, "Conflict of ordinances with state or federal law". June 2012.

City of Auburn. Determination of Non-Significance SEP12-0007 – City of Auburn Zoning code amendment to Section 18.35 to the P1 Public Use district to allow animal shelter use. March 2012.

City of Auburn. Determination of Non-Significance SEP12-0003 – City of Auburn Zoning code amendment to Section 18.56.025 related to Real Estate Signs. February 2012.

City of Auburn. Determination of Non-Significance SEP11-0006 – City of Auburn Zoning Code Amendments – Amending Chapters 18.50, 18.52, and 18.70 and Adding Chapter 18.55 Auburn City Code. September 15, 2011.

City of Auburn. Determination of Non-Significance SEP09-0025 – City of Auburn Zoning Code Amendments - Chapter 18.56 Auburn City Code. August 21, 2009.

City of Auburn. Determination of Non-Significance SEP09-0021 – City of Auburn Zoning Code Amendments - Chapters 18.04 and 18.26 ACC. July 30, 2009.

City of Auburn. Final Determination of Non-Significance SEP09-0012 - Amendments to Title 17-Subdivisions and Title 18-Zoning, of the Auburn City Code, and amendments to the Auburn Comprehensive Zoning Map. May 2009.

City of Auburn. Final Determination of Non-Significance – 2013 Comprehensive Plan amendments. September 2013, File No. SEP13-0028

City of Auburn. Final Determination of Non-Significance – 2012 Comprehensive Plan amendments. August 2012, File No. SEP12-0023

City of Auburn. Final Determination of Non-Significance – 2011 Comprehensive Plan amendments. August 2011.

City of Auburn. Final Determination of Non-Significance – 2010 Comprehensive Plan amendments. August 2010.

City of Auburn. Final Determination of Non-Significance – 2009 Comprehensive Plan amendments. August 2009.

City of Auburn. Final Determination of Non-Significance – 2008 Comprehensive Plan amendments. August 2008.

City of Auburn. Final Determination of Non-Significance—2007 Comprehensive Plan amendments. August 2007.

City of Auburn. Final Determination of Non-Significance – 2006 Comprehensive Plan amendments. August 2006.

City of Auburn. Final Determination of Non-Significance – 2005 Comprehensive Plan amendments. September 2005.

- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

No other approvals or proposal are pending. The proposal is a non-project action. The proposed amendment would apply City-wide

- 10. List any government approvals or permits that will be needed for your proposal, if known.**

The City of Auburn Planning Commission will hold a public hearing on the proposed Auburn City Code amendment addressed in this environmental checklist and will forward a recommendation to the Auburn City Council. The City Council may or may not hold a public hearing prior to taking action adopting, adopting in part, modifying or not adopting the amendments.

Although not an approval or permit, the proposed amendments area also subject to State Agency review pursuant to RCW 36.70A.106.

- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

Description of Proposal

The non-project action is a proposal to amend Chapter 18.23 of the Auburn City Code. More specifically, the amendments propose to amend section 18.23.030, "Uses (of the Commercial and Industrial Zones)" to change the use regulations applicable to warehousing and distribution facility uses in the EP, Environmental Park zoning district and the M1, Light Industrial zoning district.

The current language of the code prohibits warehousing and distribution uses in the EP zone and requires a Conditional Use permit in the M1, Light Industrial zone. The City seeks to revise the regulations to allow the use outright in both zones.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

This is a non-project action located within the City of Auburn municipal boundaries.

13. ENVIRONMENTAL ELEMENTS

1. Earth

- a. **General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other**

The City of Auburn is characterized by a relatively flat valley floor bordered by steep hillsides and upland plateaus overlooking the valley. See Section D, Nonproject Action.

- b. **What is the steepest slope on the site (approximate percent slope)?**

The slopes vary in the city and Potential Annexation Areas (PAA), but in some locations slopes associated with the valley walls reach 100%. See Section D, Nonproject Action.

- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

See Section D, Nonproject Action. The valley floor is made up primarily of soils of the Oridia, Renton, Snohomish, and Briscott series. These soils tend to be poorly drained and formed in the alluvium (river sediments) associated with the White and Green Rivers. These are considered good agricultural soils, though in many areas, are not well-drained. There is no designated farmland within the City of Auburn.

The hillsides and plateaus are made up of primarily Alderwood associated soils and a small amount of Everett associated soils (U.S. Department of Agriculture, 1973). Alderwood soils are moderately well drained gravelly sandy loams 20-40 inches deep. Beneath these soils is glacial till with low permeability. Roots penetrate easily to the hardpan layer. Runoff potential is slow to medium. Erosion and slippage hazard is moderate; ranging to severe on steeper slope phases. The Everett series consists of somewhat excessively drained soils that are underlain by very gravelly sand. These soils formed in very gravelly glacial outwash deposits under conifers. They are found on terraces and terrace fronts and are gently undulating to moderately steep.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

See Section D, Nonproject Action. Many factors affect slope stability including soil type, parent material, slope and drainage. These factors can be further affected by human intervention such as slope alteration, and vegetation removal. The city has identified categories of geologic hazard areas and inventoried these areas. Maps of the erosion and landslide hazard areas are provided as Maps 9.6 and 9.7, respectively in the City's Comprehensive Plan.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

See Section D, Nonproject Action. Not applicable. The proposed amendments to the Auburn City Code are non-project actions, no site alteration, construction, or earthwork is proposed.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

See Section D, Nonproject Action. Not applicable. The action does not involve site specific development proposal.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

See Section D, Nonproject Action. This is a non-project action, no site specific erosion control is proposed. However, the existing comprehensive plan includes numerous policies to reduce or control erosion through the use of best management practices, landscaping requirements, limitations on alteration of steep slopes and other critical areas protections. Impacts to earth will be identified and, if necessary, mitigated during the development review process as specific development proposals are made that might be associated with these plan amendments.

The city also has adopted a City Engineering Design Standards Manual and a City Construction Standards Manual that address erosion impacts (ACC Chapter 12.04 as referenced by ACC 15.74).

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

3. Water**a. Surface:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The proposal is a city-wide nonproject action - See Section D, Nonproject Action. The major bodies of water within Auburn are the Green River, the White River, Mill Creek, Bowman Creek, Cobble Creek, and White Lake. The city has conducted an inventory of wetlands within the city limits. These are shown on Map 9.3 of the City's Comprehensive Plan. The Green and White Rivers in Auburn are Type S streams designated as Shorelines of the State in the City of Auburn Shoreline Master Program.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) of the described waters? If yes, please describe and attach available plans.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

See Section D, Nonproject Action. Not applicable. This is non-project action.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

See Section D, Nonproject Action. Not applicable. This is non-project action.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

See Section D, Nonproject Action. Not applicable. The designated 100-year floodplain areas for the Green River, White River, and Mill Creek, as well as frequently flooded areas (as defined by the City of Auburn Public Works Department) are shown on Map 9.4 of the City's Comprehensive Plan.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

See Section D, Nonproject Action. Not applicable. This is non-project action.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

See Section D, Nonproject Action. Not applicable. This is non-project action.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

See Section D, Nonproject Action. Not applicable. This is non-project action.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

See Section D, Nonproject Action. Not applicable. This is non-project action.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

See Section D, Nonproject Action. Not applicable. This is non-project action.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

See Section D, Nonproject Action. Not applicable. This is non-project action.

4. Plants

- a. Check or circle types of vegetation found on the site:**

<u> X </u>	deciduous tree: alder, maple, aspen, other
<u> X </u>	evergreen tree: fir, cedar, pine, other
<u> X </u>	Shrubs
<u> X </u>	Grass
<u> X </u>	Pasture
<u> X </u>	crop or grain
<u> X </u>	wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
<u> X </u>	water plants: water lily, eelgrass, milfoil, other
<u> X </u>	other types of vegetation

See Section D, Nonproject Action.

- b. What kind and amount of vegetation will be removed or altered?**

See Section D, Nonproject Action. However, in general urban development can result in the removal or alteration of vegetation. Existing City standards currently address vegetation modification activities as they relate to critical areas protection (e.g. wetlands), and landscaping requirements.

- c. List threatened or endangered species known to be on or near the site.**

See Section D, Nonproject Action. None known at this time.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

City Comprehensive Plan includes policies on retaining vegetation, ACC Chapter 15.74 governs tree and vegetation retention, and the City's landscaping regulations (ACC 18.50) govern landscaping within the City. See Section D, Nonproject Action. This is a non-project action.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

_____ hawk, heron, eagle, songbirds, other: geese,
ducks, crows, etc.
_____ mammals: deer, bear, elk, beaver, other: urban
animals such as dogs, cats, squirrels, rodents,
_____ opossums, raccoons, etc. are also present in the city
_____ fish: bass, salmon, trout, herring, shellfish,
other:

See Section D, Nonproject Action.

b. List any threatened or endangered species known to be on or near the site.

See Section D, Nonproject Action. There are nesting/breeding sites of bald eagles, great blue herons and green back heron within Auburn as shown on Map 9.2 of the City's Comprehensive Plan. The Environmental Impact Statement for the Auburn Thoroughbred Racetrack indicates that peregrine falcons, bald eagles, and the Aleutian Canadian Goose have been seen in the Auburn area.

Chinook salmon are currently listed as a threatened species by the National Marine Fisheries Service (NMFS). Bull trout are also listed. Chinook salmon are known to use the Green and White Rivers.

c. Is the site part of a migration route? If so, explain.

See Section D, Nonproject Action. Auburn is a portion of the Pacific Flyway for migratory birds, and the Green and White Rivers are known fish migration routes.

d. Proposed measures to preserve or enhance wildlife, if any:

The City's Comprehensive Plan includes policies that encourage preservation of wildlife habitat and environmental features supportive of wildlife habitat. In addition, the City's critical areas regulations (ACC Chapter 16.10) offer protection for critical wildlife habitat, among other things. See Section D, Nonproject Action. This is a non-project action.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- 1) Describe special emergency services that might be required.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- 2) Proposed measures to reduce or control environmental health hazards, if any:**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

8. Noise

- a. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control noise impacts, if any:**

See Section D, Nonproject Action. Not applicable. This is a non-project action.

9. Land and shoreline use

- a. What is the current use of the site and adjacent properties?**

See Section D, Nonproject Action. The City contains a variety of land uses including residential, industrial, institutional, commercial, open space, and public land uses.

b. Has the site been used for agriculture? If so, describe.

See Section D, Nonproject Action. Much of Green River/White River Valley and the City of Auburn were used for agriculture at some time in the past. Over the last several decades, growth in the area resulted in much of the agricultural land converting to urban uses. No land within the city is designated as agricultural in city plans or zoning code, though some parcels continue to be farmed.

c. Describe any structures on the site.

See Section D, Nonproject Action. Structures within the city and Potential Annexation Areas (PAA) range from small single family detached homes to large industrial and warehousing facilities. Properties subject to the proposed code amendments include all areas of the city including vacant land, as well as properties improved with residential, commercial, industrial and public/institutional structures.

d. Will any structures be demolished? If so, what?

See Section D, Nonproject Action. Not applicable. This is a non-project action.

e. What is the current zoning classification of the site?

See Section D, Nonproject Action. Not applicable. This is a non-project action.

f. What is the current comprehensive plan designation of the site?

See Section D, Nonproject Action. Not applicable. This is a non-project action.

g. If applicable, what is the current shoreline master program designation of the site?

See Section D, Nonproject Action. Not applicable. This is a non-project action.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

See Section D, Nonproject Action. This is a non-project action. However, areas of the city do contain environmentally-sensitive areas and the regulation and protection of these environmentally sensitive areas are addressed through the city's critical areas ordinance, Chapter 16.10.

i. Approximately how many people would reside or work in the completed project?

See Section D, Nonproject Action. Not applicable. This is a non-project action and no specific development is proposed.

j. Approximately how many people would the completed project displace?

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action and no specific development is proposed.

k. Proposed measures to avoid or reduce displacement impacts, if any:

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action and no specific development is proposed.

l. Proposed measures to ensure the proposal are compatible with existing and projected land uses and plans, if any:

See Section D, Nonproject Action. This proposal is to amend the City of Auburn Zoning Code as described in response to the environmental checklist application Question A.11 above. The proposed amendments are consistent with Comprehensive Plan policies as described in Section D.

Also, the proposed amendments are circulated to State agencies for review in accordance with RCW 36.70A.106.

10. Housing**a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

See Section D, Nonproject Action. None. This proposal is a non-project action.

c. Proposed measures to reduce or control housing impacts, if any:

See Section D, Nonproject Action. None specifically, as this is a non-project action.

11. Aesthetics**a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

See Section D, Nonproject Action. None specifically, as this is a non-project action.

b. What views in the immediate vicinity would be altered or obstructed?

See Section D, Nonproject Action. None specifically, as this is a non-project action

c. Proposed measures to reduce or control aesthetic impacts, if any:

See Section D, Nonproject Action. None specifically, as this is a non-project action

12. Light and glare**a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

13. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?**

See Section D, Nonproject Action. The City of Auburn provides a full range of parks and recreational facilities. Map 11.1 of the City's Comprehensive Plan shows the location of these facilities.

- b. Would the proposed project displace any existing recreational uses? If so, describe.**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

14. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

See Section D, Nonproject Action. The following sites in the City of Auburn are listed on the National Register of Historic Places and the Washington State Heritage Register: Auburn Public Library, 306 Auburn Avenue NE; Auburn Post Office, 20 Auburn Avenue NE; Oscar Blomeen House, 324 B Street NE; Mary Olson Farm, 28728 Green River Road NE. Additionally, the Auburn Masonic Temple located at 310 East Main Street is designated as a City of Auburn Landmark.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

See Section D, Nonproject Action. Several Indian campsites have been identified along the Green and White rivers in the Auburn Thoroughbred Racetrack EIS and in preliminary work for the Army Corps of Engineers' Special Area Management Plan (SAMP).

c. Proposed measures to reduce or control impacts, if any:

See Section D, Nonproject Action. Auburn City Code Chapter 18.49-Flexible Development Alternatives and Chapter 18.25-Infill Residential Development Standards provide incentives for additional measures of protection and/or restoration beyond those otherwise required under Federal/State law and Auburn City Code for sites of historic or cultural significance.

This proposal is a non-project action. All non-exempt projects will be required to conduct project-level SEPA analysis.

15. Transportation**a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

See Section D, Nonproject Action. Figure 2-1 of the Comprehensive Transportation Plan (Transportation Element of the City's Comprehensive Plan) shows the City's current and future classified street system.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

See Section D, Nonproject Action. Figure 4-1 of the Comprehensive Transportation Plan (Transportation Element of the City's Comprehensive Plan) shows the location of public transit routes within the City. Also, a Sound Transit commuter rail station exists along the Burlington Northern Santa Fe railroad right-of-way just south of West Main Street and east of C Street SW.

c. How many parking spaces would the completed project have? How many would the project eliminate?

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

See Section D, Nonproject Action. There is no water transportation in the Auburn area other than for recreational uses. The area is particularly well served by rail. At this time, local freight service is available. Burlington Northern Santa Fe and Union Pacific both operate freight lines within Auburn. Auburn is also a commuter rail station site for the Sounder commuter rail line between Tacoma and Seattle. Service began September 18, 2000. Amtrak trains pass through Auburn but do not stop here. The Auburn Municipal Airport is located north of 15th Street NE.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

See Section D, Nonproject Action. Not applicable. This proposal is a non-project action.

- g. Proposed measures to reduce or control transportation impacts, if any:**

See Section D, Nonproject Action. Not applicable.

16. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

The proposal is not expected to affect the total number of housing units, the number or types of commercial developments that could be built, or to result in an increased need for public services as compared with the current regulations.

See Section D, Nonproject Action.

- b. Proposed measures to reduce or control direct impacts on public services, if any.**

See Section D, Nonproject Action. The comprehensive plan contains policies that seek to maintain a sufficient level of service for public services as development occurs. Also, Auburn reviews the impacts of significant development on these public services during project-level review and SEPA. Mitigation measures are required to reduce significant adverse impacts.

17. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

All of the above utilities are available within the City of Auburn.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

This is a non-project action. However, the Comprehensive Plan includes a utilities element (as required by the Growth Management Act), which describes the utilities that serve the Auburn area and includes policies for their provision.

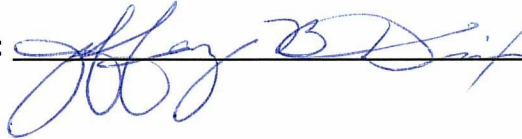
Also, the city actively engages in planning for public facilities. The Comprehensive Water Plan and Comprehensive Sewer Plan were adopted by the city in 2001. The Comprehensive Drainage Plan was adopted in 2002. A new six year Capital Facilities Plan was adopted in 2012 (2013-2018).

These plans ensure that utility impacts are adequately monitored and evaluated on a project level and city-wide basis.

C SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Date Submitted: _____

4-15-14

D SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would not be likely to increase discharge to water, emissions to air, production, storage, or release of toxic or hazardous substances; or production of noise.

The City seeks to change the city's code, similar to how it existed prior to year 2006. The current language of the code prohibits warehousing and distribution uses in the EP zone and requires a Conditional Use permit in the M1, Light Industrial zone. The City seeks to revise the regulations to allow the use outright in both zones.

Proposed measures to avoid or reduce such increases are:

The City of Auburn Comprehensive Plan contains provisions to reduce increases or emissions caused by new development. Emphasis in the Comprehensive Plan on reducing the reliance on the automobile for transportation should reduce the amount of emissions to the air. Policies in the Environment Chapter also provide guidance in the review of development proposals to encourage retention of and replanting of native vegetation. This supports wildlife habitat areas, particularly near streams, as the policies assist the City in addressing adverse impacts to water quality and wildlife habitat from runoff since native plantings may require less pesticide use.

Non-exempt development will be subject to SEPA requirements to evaluate and mitigate impacts related to discharges, emissions, and the release of toxic substances. Evaluation of the site specific proposals will be based on the policies of the Comprehensive Plan and appropriate mitigation will take place on a case by case basis.

City development standards including but not limited to the critical areas ordinance (ACC 16.10), shoreline master program regulations (ACC 16.08), the City's Engineering Design Standard and Construction Standard Manuals (ACC 12.04) also provide additional protection for these types of impacts.

Auburn City Code contains performance standards towards uses and activities within the City (ACC 18.31 – Supplemental Developmental Standards). These standards regulate noise, emissions to air; production, storage, or release of toxic or hazardous substances.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

It is unlikely the proposed code amendment will have any adverse effect on plants, animals, fish, or marine life.

The City seeks to change the city's code similar to how it existed prior to year 2006. The current language of the code prohibits warehousing and distribution uses in the EP zone and requires a Conditional Use permit in the M1, Light Industrial zone. The City seeks to revise the regulations to allow the use outright in both zones.

The proposed amendments are not expected change the developable area of the City.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Generally, the adopted Auburn Comprehensive Plan and critical areas ordinance seek to protect and conserve plants, animals, fish, and marine life. SEPA environmental review of all non-exempt development is conducted to evaluate, reduce and avoid or mitigate impacts. The evaluation is based on the policies of the Auburn Comprehensive Plan and appropriate mitigation will take place for each future development proposal on a case-by-case basis.

Policies within the Environment Chapter 9 also provide guidance in the review of development proposals to encourage use of native vegetation and the retention of native vegetation. This should support wildlife habitat areas, particularly near streams as the policies assist the city in addressing adverse runoff impacts to water quality and wildlife habitat since native plantings may require less pesticide use.

City development standards including but not limited to the critical areas ordinance and the shoreline master program regulations also provide additional protection for these types of impacts.

3. How would the proposal be likely to deplete energy or natural resources?

There are no expected significant increases in the use of energy or natural resources resulting from the amendments being proposed.

Proposed measures to protect or conserve energy and natural resources are:

None specifically, as this is a non-project action. However, in addition to the provisions of the Auburn Energy Management Plan (adopted in 1986), which encourages energy conservation in public buildings, street lighting, and recycling, the comprehensive plan places an emphasis on providing for alternative methods of travel to the automobile such as transit, walking, and biking.

An environmental review under SEPA of all non-exempt development will be conducted to measure the project impacts.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal is unlikely to affect environmentally sensitive areas or areas designated for governmental protection.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The comprehensive plan and, in particular, the critical areas ordinance (ACC 16.10), seek to protect environmentally sensitive areas (wetlands, streams, geologically hazard

areas, floodplain, wildlife habitat, and aquifer recharge areas) and to reduce the impacts of development on them. The Auburn Comprehensive Plan provides for the implementation of innovative land management techniques to protect these resources. Among the innovative land management techniques, the Flexible Development Alternatives Chapter (ACC 18.49) includes incentives for enhancement or restoration of critical area buffers, and/or encouraging development to locate farther from critical areas than currently required by code.

SEPA environmental review for all non-exempt development will be conducted to evaluate impacts.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Amendments can only be approved if the Applicant can assure to the city that future development is consistent with the Comprehensive Plan and its policies and related regulations. Those proposals that are not consistent with the comprehensive plan policies or other existing plans will not be approved.

Comprehensive Plan Text amendments (File # CPA13-0003) were previously adopted to ensure consistency with the proposed zoning code changes.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The comprehensive plan, critical areas ordinance, and other development regulations, such as the zoning ordinance and shoreline master program, seek to protect these land and shoreline resources and to reduce the effects of development on them. An environmental review under SEPA of all future development that is non-exempt will also be conducted to evaluate a proposal's land use and environmental impacts.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal is not expected to affect the total number of housing units or the number or types of commercial developments that could be built in the City of Auburn, therefore the proposal is not expected to increase demands on transportation or public services and utilities as compared with the current zoning regulations.

Proposed measures to reduce or respond to such demand(s) are:

The City has adopted a six-year Transportation Improvement Program (2014-2019) that identifies projects to meet safety needs, capacity needs, access needs, projected funding. The Comprehensive Transportation Plan is an element of the City's overall Comprehensive Plan. It is the City's long-range plan for developing its transportation system over the next 15 years. This plan helps ensure that transportation impacts are adequately monitored and evaluated on a project level and city-wide basis.

The City has an adopted 2014-2019 Capital Facilities Plan. Also, the city actively engages in planning for public facilities. The Comprehensive Water Plan and new Comprehensive Sewer Plan were adopted by the city in 2001. The Comprehensive Drainage Plan was adopted in 2002. A Comprehensive Transportation Plan was adopted in 2005 with updates during the 2012 Comprehensive Plan amendment cycle.

These plans help ensure that utility impacts are adequately monitored and evaluated on a project level and city-wide basis.

An environmental review under SEPA for all non-exempt development will be conducted to evaluate environmental impacts. Environmental impacts that must be addressed during the SEPA review process include traffic, public services, and utilities.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal does not conflict with local, state, or federal laws or requirements for protection of the environment.