



## PLANNING COMMISSION

March 7, 2017

### MINUTES

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#### I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:00 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

##### a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were: Chair Judi Roland, Commissioner Mason, Commissioner Lee, Commissioner Stephens, Commissioner Copple, Commissioner Shin, Commissioner Moutzouris, and Commissioner Smith.

Staff present included: City Attorney Dan Heid; Director of Community Development & Public Works Kevin Snyder; Assistant Community Development Director Jeff Tate, Planning Services Manager Jeff Dixon; Senior Planner Thaniel Gouk; Planner II Alex Teague; and Planning Administrative Assistant Tina Kriss.

Members of the public present: Craig Kruger

##### b.) PLEDGE OF ALLEGEANCE

#### II. APPROVAL OF MINUTES

##### A. February 22, 2017 Special Meeting,

Commissioner Copple moved and Commissioner Lee seconded to approve the minutes from the February 22, 2017 meeting as written.

MOTION CARRIED UNANIMOUSLY. 8-0

#### III. PUBLIC COMMENT

There was no public present for comments.

#### IV. PUBLIC HEARING

##### A. Ordinance No. 6644, ZOA16-0004 – Amending the Residential Uses allowed in the C-1 Zone, and Development Standards for Mixed-Use Developments

Senior Planner Thaniel Gouk provided the staff report for Ordinance No. 6644. He reviewed the purpose of the proposed code revisions; he explained that they were to resolve the City Council moratorium on residential uses in the C-1 Zone and to be responsive to a private code amendment application about the commercial uses allowed as part of a mixed use project (File No. ZOA16-0004) along with some changes to clarify and increase consistency. He also indicated that some of the changes resolve the City Council moratorium on residential uses in the C1 zone, were the subject of a previous planning commission public hearing and recommendation.

Chair Roland opened the public hearing on Ordinance No. 6644, ZOA16-0004 – Amending the Residential Uses allowed in the C-1 Zone, and Development Standards for Mixed-Use Developments at 7:05 p.m.

Craig Krueger, 15506 NE 103<sup>rd</sup> Way, Redmond, Washington  
Mr. Krueger stated he is a Planner working on behalf of Promenade Apartments LLC and is in support of Ordinance No. 6644. The Promenade apartments is a mixed use residential and commercial development project in the C-1 Zone in a Lea Hill neighborhood. He thanked the Commission for allowing him to testify and expressed his appreciation for the work of the Planning Commission and staff in drafting up the language addressing the private code amendments regarding non-residential uses vested in the mixed-use project. He stated the amendments would allow the YMCA child development center to be located within the Promenade Apartments as envisioned from the onset as part of the mixed use development. Mr. Krueger stated the YMCA child development center will be a great addition to the Promenade Apartments, the Lea Hill neighborhood, and the City of Auburn and is hopeful that you recommend Ordinance No. 6644 to City Council for approval.

At 7:07 with no other public testimony, Chair Roland Closed the public hearing on Ordinance No. 6644, File No. ZOA16-0004 – Amending the Residential Uses allowed in the C-1 Zone, and Development Standards for Mixed-Use Developments. The Commission deliberated.

Vice-Chair Copple moved and Commissioner Moutzouri seconded to recommend moving forward Ordinance No. 6644, ZOA16-0004 – Amending the Residential Uses allowed in the C-1 Zone, and Development Standards for Mixed-Use Developments to City Council for approval.

MOTION CARRIED. 7-1

## **V. OTHER BUSINESS**

### **A. Discussion of Mixed Use Zone**

Senior Planner Thaniel Gouk provided the staff report on an introductory discussion on the creation of a new Mixed Use Zoning district.

Staff explained that policies and guidance in the 2015 Comprehensive Plan created a new Mixed Use Residential land use map designation and described a new zoning district to implement this map designation. Staff is presenting the proposed language which is the set of uses and zoning regulations for this proposed mixed use zone.

Staff explained that Auburn currently allows mixed use (MUR) in a variety of zones but the emphasis of the MUR would be the residential component. Staff clarified that if a developer wanted to build an apartment building with no mixed use it would be

allowed in the MUR zone and if the developer wanted the mixed use component the focus would be on residential component. No standalone commercial buildings or big box stores would be allowed as standalone uses as this could be otherwise be allowed in a commercial zone. The MUR designation for the 2015 Comprehensive Plan is proposed to be applied to areas that are existing multi-family or an older multi-family building that have the potential for mixed use along with the residential use. Staff explained that they are not requiring a retail component as everything is market driven, but to accommodate greater flexible for uses that will encourage a more walkable pedestrian oriented neighborhood. As the market changes an update can be made.

The Commission asked if an existing multi-family dwelling in existing higher density residential zoning districts wanted to add mixed use would it be a consideration. Staff explained the goal would be to provide code language that is flexible enough that folks could request a conversion to mixed use residential by applying for a rezone to this designation.

The Commission and staff discussed parking within a mixed use in a residential setting and the demand for pedestrian friendly, walkable residential areas. There was discussion about the struggle between enough parking to meet user needs and requiring less parking to promote walkability. Staff explained this is generally market driven and staff is proposing flexibility within the code to allow the market to drive the demand.

The Commission asked staff if they could include with the proposed draft language a map and a land use table showing the location, allowed uses and a listing of businesses that are not allowed within specific locations of the C-1 zone. Staff explained that they will bring back the updated draft code language at the April 4, 2017 Planning Commission meeting.

**B. Temporary Uses, Mobile Vendors and Food Trucks – Draft Code Changes**

Assistant Director Tate highlighted the proposed draft code amendment for ZOA16-0008, Temporary Uses, Mobile Vendors and Food Trucks. The code amendments apply to Chapter 18.46A (Temporary Uses) and amendments to Chapter 5.20 (business licensing).

Staff pointed out that the temporary use modifications were discussed with the Commission at their December 9, 2016 meeting. He pointed out that Chapter 18.46A (Temporary Uses) is under the review authority of the Planning Commission and will be included in a public hearing however, Amendments to Chapter 5.20 (business licensing) were shared for information and will not be included as part of the code amendments for the public hearing as they are not part of the land use regulations.

The Commission and staff discussed Chapter 18.46A.040 (K), (Temporary Use Exemptions). The Commission felt the exemption for 30 days or less per year for the placement and use of portable storage containers was too short and felt providing 45 to 60 days was a timeframe more consistent with the combination of household

moving/storage and the length of time for purchase and closing of the sale of a home. Staff concurred and will update the draft language.

Regarding proposed ACC 18.46.060, the Commission asked if vendors from the Auburn Farmers Market are subject to the temporary use regulations or are exempt and staff reported the vendors are under a separate organizational structure and noted that proposed language will be added to provide clarification.

Staff clarified that temporary storage containers are allowed for up to 6 months but thereafter a Temporary Use Permit would be required. The Commission asked staff to make sure the timeframes are consistent throughout the proposed code amendment and include the appropriate provisions for extension of the temporary use permits.

A discussion was held as to the types of accessory structures are allowed and the regulations associated with the use. Staff will bring back the updated draft code language for the Public Hearing on April 4<sup>th</sup>, 2017.

#### **C. Discussion of Open Space Zone**

Planner II Alex Teague provided the staff report for the Open Space Zoning district.

Staff explained the intent statement for the proposed open space zoning district as described in Auburn City Code Section 18.02.070 "Establishment of Zones" is constructed to be consistent with the overall description of the corresponding land use map designation and is important to guide the future interpretation and application of the land use regulations and what land uses fit in with the characterization of the zone. The Commission and staff discussed the Open Space Zone intent statement.

A discussion was held as to the ability for a single family home to be located in an open space zoned property. The Commission asked if mobile homes and manufactured homes are allowed to be placed on a property within the open space zone. Staff explained if it is a manufactured home, and is setup in accordance with the zoning standards (pitched roof and permanent foundation) to meet the definition of a single family residence, it is allowed. She stated that a mobile home is generally allowed only in mobile home parks. Also, if a use is included in a land-use table in one zone but excluded from another zone; then it is considered a prohibited use where not listed.

The Commission and staff discussed open space zones that currently have a single family residence located on the property; after discussion the Commission asked staff to provide a map in the future showing the properties that have a single family residence located on the site.

A discussion was held regarding the open space designation of cemeteries. One commissioner expressed an intention to have the designation changed. Staff explained that a review of the designation of cemeteries will be brought back during the annual Comprehensive Plan Amendments to the Commission for review and discussion.

A questions was asked by the Commission if staff was aware of development plans for vacant Muckleshoot Indian Tribe (MIT) property within Auburn. Staff was not aware of future development plans but staff can make a request to the MIT and report back to the Commission.

The Commission and staff discussed the Comprehensive Plan of 2015 and how the designation to Open Space impacts private property. The Commission asked staff to provide more information on the designation to Open Space of the Property owned by Segale and located in the vicinity of Stuck River Road SE. Staff will bring back the information requested by the Commission for further discussion at the next meeting.

#### **D. Modification of PC Rules and Procedures**

Assistant Director Tate provided a brief overview of the annual review by the Commission of their written Rules and Procedures document. He explained that the rules were reviewed at their last meeting and staff provided some suggested language for the Commission to consider in response to the topic the Commission wanted to discuss related to conduct by persons attending the meetings.

The Commission and staff discussed the current language in the city code used for City Council Meetings regarding disruptive conduct. The Commission concurred that they do not believe the current language of the Planning Commission Rules and Procedures addresses disruptive conduct and would like staff to add language that is consistent with City Council language to regulate the conduct of persons in attendance.

Staff also discussed options for time limitations and procedures for audience participation during public hearings. It was concluded that language to Rules and Procedures under Section X. **Public Hearings** needs to be updated so the language is consistent with the City Council language regarding time limitations.

The Commission and staff discussed how the public in attendance is informed of the public hearing rules and staff pointed out that a written summary of the rules for participation is provided as a handout at all planning commission meetings which provides information on the public hearing testimony. The Commission asked staff to review the language within the document to make sure it is consistent with any changes to the Planning Commission Rules and Procedures. Staff will bring back additional updates to the Rules and Procedures for review at the next meeting.

#### **VI. COMMUNITY DEVELOPMENT REPORT**

Assistant Director Tate reported that on February 21, 2017 City Council adopted Ordinance No. 6638, amending the City of Auburn Downtown Urban Center Design Standards Pedestrian Street Map.

Staff informed the Commission that they have been signed up for a 2017 American Planning Association (APA) membership and will be receiving publications and emails from the APA.

Staff provided an overview of the 2016 Year in Review statistics of Community Development activities (statistics on code enforcement and permit activity and valuation).

Staff remarked that during the February 22, 2017 Planning Commission meeting on an introductory discussion on proposed Ordinance No. 6642, for proposed code amendments that relate to marijuana and related activities, the Commission requested more information from staff. In partial response, this evening a memorandum was distributed to the Commission that includes a "Heat Map", school district owned property information identifying current properties not presently operating as a school, and draft polling questions and the polling strategies.

The Commission and staff discussed the timeline that would be used to conduct the poll. The Commission requested the poll be active for 10 days. The Commission expressed their appreciation for the polling questions and discussed minor changes to the questions (typos). Staff will bring back further information requested by the Planning Commission for discussion at the March 21, 2017 meeting.

## **VII. ADJOURNMENT**

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 9:19 p.m.