



PLANNING COMMISSION MEETING

March 3, 2015
AGENDA

- I. **CALL TO ORDER – 7:00 p.m., Council Chambers**
- II. **ROLL CALL/ESTABLISHMENT OF QUORUM (Pledge of Allegiance)**
- III. **APPROVAL OF MINUTES**
 - A. **January 6, 2015**
- IV. **PUBLIC COMMENT**

Comment from the audience on any item not listed on the agenda for discussion or public hearing.
- V. **PLANNING DEPARTMENT REPORT**

Update on Planning and Development Department activities.
- VI. **PUBLIC HEARINGS**

There were no Public Hearing Items scheduled.
- VII. **OTHER BUSINESS**
 - A. **Communal Residence* (Tate)**

Summary: Discuss and review Communal Housing.
- VIII. **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

January 6, 2015

MINUTES

I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:00 p.m. in Annex Conference Room 2 located on the second floor of One Main Professional Plaza, One East 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, Commissioner Pondelick, and Commissioner Smith.

Staff present included: Assistant Director of Community Development Jeff Tate, City Attorney Dan Heid, Planning Services Manager Jeff Dixon, Urban Design Planner Lauren Flemister, Senior Planner Thaniel Gouk, Planner II Gary Yao, and Community Development Secretary Tina Kriss.

III. APPROVAL OF MINUTES

A. November 5, 2014

Staff informed the Commission that a Scrivener's error has been corrected; the word "Agenda" in the heading has been replaced by the word "Minutes".

Vice-Chair Copple moved and Commissioner Baggett seconded to approve the minutes from the November 5, 2014 meeting as corrected.

MOTION CARRIED UNANIMOUSLY. 7-0

After consulting with staff, the Commission determined that at the beginning of each Planning Commission meeting, after the "Call to Order", they would like to begin reciting the Pledge of Allegiance.

IV. PUBLIC COMMENT

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

V. PLANNING DEPARTMENT REPORT

Assistant Director Tate distributed a table showing the valuation and number of SFR – Single Family Residential building permits issued; the valuation and number of commercial year-end building permits approved, the number of code violations, and number of inspections from 2002 to 2014. He also reviewed the pre-application conferences for 2014 which is an indicator of future development activity.

Assistant Director Tate distributed and reviewed the Community Development Division organizational chart and also discussed the new process where the City of Auburn transitioned from standing Council committees to Council Study Session. Council Study Sessions are the 2nd, 4th and 5th Monday's of every month at 5:30 PM in Council Chambers.

VI. ACTION

A. Election of Planning Commission Chair and Vice Chair

Chair Roland called for nominations for the election of a Chairperson of the City of Auburn Planning Commission for the 2015 year.

Commissioner Mason nominated Commissioner Roland as the 2015 Chairperson. Commissioner Copple seconded the nomination. No other Commissioners were nominated.

By majority vote of the Commissioners, 7-0, Chair Roland was re-elected as the Planning Commission Chairperson for 2015.

Motion carried. 7-0.

Chair Roland called for nominations for the election of Vice-Chairperson of the City of Auburn Planning Commission for the 2015 year. Commissioner Mason nominated Commissioner Copple as Vice-Chairperson. Commissioner Baggett seconded the nomination. No other Commissioners were nominated.

By majority vote of Commissioners, 7-0, Vice-Chair Copple was elected as the Planning Commission Vice-Chairperson for 2015.

Motion Carried. 7-0

VII. OTHER BUSINESS

A. Comprehensive Plan Update Schedule

After generally discussing the workload to complete the Comprehensive Plan update before the Planning Commission, the Commission determined they would like to begin meeting from 6:00 p.m. to 9:00 p.m. the 1st and 3rd Tuesdays in March and April to begin with. Staff will forward a calendar to confirm the 2015 meeting dates.

B. Value Statement Discussion

Assistant Director Tate provided background information on the draft value statements section of the Comprehensive Plan Update under development. The draft values statements are derived from the 2014 "Imagine Auburn" community visioning effort; feedback and input from the public; the City Council visioning exercises that occurred during their annual retreats; general conversations with Council Sub-Committees and the Planning Commission; and ideas generated internally by staff.

After reviewing and discussing the draft Value Statements for the Comprehensive Plan the Commission provided the following comments regarding the value statements:

- The Commission explained that the public may not be able to understand the value statement summary term “Place”, noted on page 3, and would like to consider changing the word to convey the message and intent of this term as used in the value statement and summary term.
- The Commission emphasized that they like the term: “One Auburn” found on page 3 and discussed using it as a horizontal acronym within the draft Value Statement.
- The Commission felt the word “infrastructural”, on page 3 in the “What it means” section of “Place” needs to be changed to provide clarity on what is being referred to.

The Commission and staff determined that at future meetings, an ongoing electronic list will be used to keep track of topics and ideas that are identified for future discussion; tracking these will allow the Commission to keep records of items to potentially revisit these topics at a later date.

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 9:37 p.m.



Memorandum

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

From: Jeff Tate, Assistant Director of Community Development Services

Date: February 23, 2015

Re: Communal Residences

Background

On September 3, 2013, under Ordinance 6477, City Council accepted the Planning Commission's recommendation to adopt new rules that established regulations and procedures for the licensing of Communal Residences. These rules were adopted in large part because of an increase in the amount of shared student housing within non-owner occupied homes that are near Green River Community College. Ordinance 6477 established an effective date of January 1, 2014 in order to allow property owners ample opportunity to bring their property into compliance with the new rules. City staff prepared and mailed notification to all property owners on Lea Hill south of SE 304th Street.

On June 16, 2014 City Council enacted Resolution 5079 which established a one year moratorium on the acceptance and issuance of communal residence business licenses and permits. City Council took this action because it appeared as though the rules adopted under Ordinance 6477 did not fully address the issues and impacts of communal residence uses. In particular, the lack of an occupant limit, the ability of the conditional use permit process to be used to exceed 4 occupants, and the lack of integration that the communal residence standards has with other shared housing arrangements.

Overview of Proposal

Attachment A outlines a series of draft code amendments for consideration by Planning Commission. These draft amendments attempt to accomplish 3 objectives:

1. Add clarity to the difference between the various shared housing scenarios. In order to accomplish this, staff has included a number of draft amendments to all of the definitions contained in Chapter 18.04 that reference different types of shared housing or living arrangements. The changes simply clarify that those housing scenarios are not a communal residence and that the communal residence definition stands on its own. For example, by stating that an "Adult Family Home" is not a communal residence eliminates the need to ask whether an adult family home is a type of communal residence that therefore invokes additional procedural standards.

2. Establish a maximum occupancy for communal residences. The occupancy limit is a function of the number of approved bedrooms in a house with an upper limit of 4 individuals.
3. Establish an additional maximum occupancy standard for higher density communities that also utilizes the number of dedicated parking spaces to establish the limit. The purpose of this limitation is that many high density communities rely upon shared guest parking that is not intended to be available for full time tenant use.

Additional Considerations

1. This proposal would not vest any existing communal residences that had not already obtained the proper business license and permits prior to June 16, 2014 (the date of the adoption of the moratorium). There were 7 communal licenses issued between the time of adoption of Ordinance 6477 (establishing the communal housing regulations) and Resolution 5079 (establishing the moratorium). Those 7 licenses are the only licenses that vest to the previous regulations. None of those licenses were issued in the type of high density communities described in item 3 above.
2. Over the course of the last year one idea that has been discussed is creating a geographic boundary in which shared housing rules may apply differently than in other areas of the city (e.g. within a defined radius of Green River Community College). Staff has explored this option and has opted not to include this concept within the draft amendments. The reasons for not including this concept are as follows:
 - a. Wherever the line is drawn on the map there will be a distinct competitive advantage immediately adjacent to the line.
 - b. While there may be a greater concentration of shared housing near Green River Community College there the same neighborhood issues occur throughout the city. And since staff has received the same type of complaints regarding shared housing throughout the city the rules have application elsewhere.
3. The reason that staff suggests that all other shared housing definitions include clarifying language that distinguishes them differently than communal residences is because their impacts are different and a number of those arrangements are protected under other state and federal statutes. For example, under state law local municipalities can not prohibit Adult Family Homes of up to 6 adults in residential zones.

Conclusion

The moratorium established under Resolution 5079 expires on June 15, 2015. Staff has prepared a series of draft code amendments for Planning Commission consideration and seeks to schedule a public hearing for March 17, 2015.

Attachment A: Draft Code Amendments

EXHIBIT A

18.04.031 Adult family home.

"Adult family home" means a residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. Adult Family Homes are not Communal Residences.

18.04.125 Assisted living facility.

"Assisted living facility" means a combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. An establishment with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential. An Assisted Living Facility is not a Communal Residence.

18.04.249 Communal residence.

"Communal residence" means a dwelling, without an owner occupant, that is rented to a group of unrelated individuals. Adult Family Homes, Foster Care Homes, Group Residence Facilities, Special Needs Housing, and Supportive Housing are not Communal Residences.

18.04.390 Foster care home.

"Foster care home" means a home which provides regular care for up to four developmentally disabled adults, or up to four adults who are recipients of state or federal financial assistance services, or up to four foster children under the age of 18, or up to three expectant mothers in a residential structure of the person or persons under whose direct care and supervision the people are placed. A Foster Care Home is not a Communal Residence.

18.04.440 Group residence facility.

"Group residence facility" means a facility licensed by the state and operated with full-time supervision for housing resident persons who, by reasons of their mental or physical disability, addiction to drugs or alcohol, or family and social adjustment problems, require a transitional nonmedical treatment program for rehabilitation and social readjustment. For the purposes of this title, a nonmedical treatment program consists of counseling, vocational guidance, training, group therapy and other similar rehabilitative services but does not include drug and/or alcohol detoxification. Monitoring the taking of prescription medication shall be permitted. The use of medication by any resident shall be incidental to that person's residence in the facility and shall not be a

criterion for residence in the facility. This definition does not include residential dwellings which meet all other requirements of this title, that provide programs related to this definition or which provide services of a nursing home as defined by ACC 18.04.660. A Group Residence Facility is not a Communal Residence.

18.04.660 Nursing home.

"Nursing home," "rest home," "convalescent home," "guest home" and "home for the aged" means a home operated similarly to a boardinghouse but not restricted to any number of guests or guest rooms, the operator of which is licensed by the state or county to give special care and cure to his or her charges, and in which nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, and in which homes are performed no surgery, maternity or any other primary treatments such as customarily provided in hospitals, and in which no persons are kept or served who normally would be admitted to a mental hospital or to a group residence facility. This definition does not include group residence facilities as defined in this title. A Nursing Home is not a Communal Residence.

18.04.794 Renting of rooms.

"Renting of rooms" means the provision of rooms for lodging purposes to not more than two persons in addition to the owner occupied unit, and/or family who lives in the residence.

18.04.835 Special needs housing.

"Special needs housing" is housing that meets the definition of nursing home, group home, or other housing that meets the needs of special populations that need assistance or special accommodation in housing. See Chapter 18.49 ACC. Special Needs Housing is not a Communal Residence.

18.04.891 Supportive housing.

"Supportive housing" means a multiple-family dwelling owned or sponsored by a nonprofit corporation or government entity, designed for occupancy by individual adults that are either (A) homeless or at risk of homelessness; (B) are experiencing a disability that presents barriers to employment and housing stability; or (C) generally require structured supportive services to be successful living in the community; is permitted at a greater unit density than otherwise allowed within a particular zone; and is intended to provide long-term, rather than transitional, housing. Long-term housing is approximately longer than two years, whereas transitional housing is no more than two years. Supportive Housing is not a Communal Residence.

18.071.020 Permitted Use Table – Residential Zoning Designations

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
A. Residential Uses.							
Communal residence four or less unrelated individuals	P	P	P	P	P	P	P

18.31.130 Communal residence.

A. Parking Requirements. There must be one off-street parking stall per renter. A landlord may reduce the off-street parking requirement if an affidavit is signed that a tenant does not own a vehicle.

B. Solid Waste Management Requirements.

1. ACC 8.08.070 requires all occupied units to have minimum garbage service. The landlord is required to provide tenants with adequate garbage and recycle receptacles meeting the minimum garbage service level.

2. The landlord is responsible to provide each tenant with the solid waste collection schedule and that schedule is to be posted within the unit.

C. An annual building inspection is required for a communal residence as part of the required rental housing business license.

D. International Property Maintenance Code occupancy requirements are applicable to a communal residence regardless of the number of individuals living in the residence.

E. The occupancy limit for a Communal Residence shall conform to the following:

1. No more than one occupant per approved bedroom is allowed, provided that two adults who are bonded under a legal union that is recognized under State law, may occupy a single bedroom once it has been verified that the bedroom meets the minimum square footage requirements established in the International Property Maintenance Code. The King County Assessor records will be used to determine the number of approved bedrooms, provided that a city building permit that has been approved, issued and inspected and that adds additional bedrooms may supplement the County records.

2. Within the R16 and R20 zones the occupancy limit for a Communal Residence shall comply with subsection 1 above and shall also not exceed the number of on site parking spaces that are exclusively dedicated to the residence. Within apartment complexes, condominium complexes, and other high density housing layouts, shared community parking spaces may not be used when demonstrating satisfaction with this requirement unless the applicant can provide documentation that the owner or responsible Association has authorized exclusive use of the parking space. For example, if there are two on-site parking spaces there shall be no more than 2 occupants because single family residential communities are designed with a minimum parking requirement of 2 spaces per dwelling unit.

3. Under no circumstance are more than four occupants allowed.

F. Amortization Schedule. Existing communal residences have until December 31, 2013, to become compliant with the regulations outlined in this title and ACC Title 5 as it pertains to communal residences.