



PLANNING COMMISSION

February 4, 2020

MINUTES

I. CALL TO ORDER

At 7:10 p.m. Assistant City Attorney, Doug Ruth called the meeting to order in Auburn City Council Chambers located at 25 West Main Street, Auburn, WA 98001.

a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Commissioners present: Commissioner Moutzouris, Commissioner Khanal and Commissioner Stephens.

Vice-Chair Lee, Commissioner Mason and Chair Judi Roland were excused.

Staff present: Assistant City Attorney Doug Ruth; Planning Services Manager Jeff Dixon; Senior Planner Thaniel Gouk; Administrative Assistant Jennifer Oliver.

Members of the public present: No audience members were present.

Assistant City Attorney Ruth confirmed that there was no quorum present and as a result, the approval of minutes or action items would not be discussed or acted upon.

Agenda Items II A. and III C. will be continued to the next regular meeting when a quorum is present. Assistant City Ruth confirmed with Staff and the Commission to proceed with Agenda Items III A. and III B. Commissioner Stephens assisted with proceeding through the agenda.

b.) PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

A. January 7, 2020 – Regular Meeting Minutes

Due to the lack of quorum approval of minutes was not discussed and will be completed at the March 3, 2020 Meeting.

III. OTHER BUSINESS

A. Open Public Meetings Act (OPMA), Public Records Act (PRA) and Preservation and Destruction of Public Records Act Training.

City Assistant Attorney Doug Ruth introduced the topic and said that he had a short video to share with the Commission. He proceeded to play video prepared by City Legal Dept and the City Clerk's Office staff on requirements of state laws to the Commission. The training topics presented were the Open Public Meetings Act (RCW 42.30), the Public Records Act (RCW 42.56) and the Preservation and Destruction of Public Records Act Requirements (RCW 40.14).

B. Update to Zoning Text and Map Amendments

Senior Planner Gouk, introduced the topic of a code revision related to the city's Zoning Code Text and Map Amendment Regulations. He reviewed the contents of Chapter 18.68 of the Auburn City Code (ACC). Chapter 18.68 contains the City's regulations for amending both the text of Title 18 ('Zoning') as well as amending the official Zoning Map (aka "rezones"). The latest updates to this code section were some minor changes adopted in 1996. The currently proposed changes are being originated by staff to address both clarifying the procedural steps, the categories of applications, as well as, the substantive issues such as specifying the criteria for decision making. The proposed changes are shown by strikeout/underline code sections that are attached to memo as "Exhibit A".

Zoning Map Amendments (Rezoning) consists of three types of rezoning.

- If the rezoning request implements the Comprehensive Plan (Comp. Plan) (It is a zoning classification listed in the Comp. Plan as implementing the particular Comp. Plan Land Use Map designation (See Land Use Map)) then the request is forwarded to the Hearing Examiner for his consideration. The Hearing Examiner, after a public hearing, then makes a recommendation to the City Council, who make the final decision. Under the proposed changes this would be referred to as a "*Site-Specific Rezone, Category 1*". An example of this would be a property zoned "R-10, Residential" which has a Comp. Plan Land Use Map designation of "Light Commercial"; the owner could submit a rezoning application to change the zoning of the property to "C-1, Light Commercial" as this request would be implementing the Comp. Plan.
- If the rezoning request does not implement the Comp Plan (in other words if in the above described situation the Land Use Map designation was "Moderate Density Residential" instead of "Light Commercial") then the owner would also have to simultaneously apply for a Comp. Plan amendment. This is the type of request that the Planning Commission is used to considering. Instead of the Hearing Examiner making the recommendation to the City Council, the Planning Commission does. Under the proposed changes this would be referred to as a "*Site-Specific Rezone, Category 2*".
- The third type of rezoning is referred to as an "*Area-Wide Rezone*". These are typically utilized when there have been changes in the Comp. Plan or the Zoning Code that necessitate all properties with a particular zoning classification to be changed. These are generally City-initiated and occur over a larger geographic area rather than one or a few parcels. The most recent instance of this was removal of the "EP, Environmental Park" zone from the Comp Plan, which then resulted in an Area-Wide Rezone which the Planning Commission considered (and recommended approval of) in 2017.

There are currently there no decision-making criteria for rezone requests specified in the City's Zoning Code; however, Staff for the last several years has used three criteria that are the result of case-law. These three criteria that are based on past court decisions are proposed to be included in the changes under ACC 18.68.040, 'Rezone Approval Criteria'.

Staff went on to explain the changes proposed for Zoning Text Amendments include clarifying why/when City-initiated amendments are proposed and clarifying that the Mayor, as the executive of the City, can direct Staff to initiate such amendments.

He said the proposed changes to Chapter 18.68 ACC will help both the public and Staff in processing and understanding zoning amendments. Staff asked if the Planning Commission feels like the proposed code changes are understandable and if they do not have further questions, Staff will move forward with the next step in processing which is to conduct the environmental review and to schedule a public hearing.

After a brief discussion, Assistant City Attorney Doug Ruth clarified that without a quorum, it was still ok for the Commissioners to indicate a readiness to proceed to a Public Hearing for the Update to Zoning Text and Map Amendments at a future meeting. It was referenced that Planning Commissioners that are not in attendance tonight will need to listen to a recording of the proceeding to be able to act on the proposal. The Planning Commissioners agreed the item was ready to schedule a Public Hearing.

C. Review of Planning Commission Rules of Procedures

Due to the lack of quorum, this item was not discussed and the agenda Item was moved to the March 3, 2020 Meeting.

IV. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager, Jeff Dixon provided an update on the status of the Sound Transit Parking Garage in downtown. He said that Sound Transit has issued their environmental documents for public review and that a public comment period is being observed through February 12th.

He also mentioned that the King Co. Metro is still considering two sites in Auburn and one in the City of Kent for a future development of an electric bus barn facility,. Metro is still evaluating the perspective sites and has a briefing presentation planned for City Council next week.

Commissioner Stephens noted that the former house and shed had been removed from the site of what was business: English Home and Garden site on A ST SW. He inquired if there were plans for redevelopment. Staff was unaware of any plans for redevelopment of the site but will look into his inquiry, and report back at the next Planning Commission Meeting.

V. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:48 p.m.