	<p style="text-align: center;">City Council Meeting December 4, 2017 - 7:00 PM City Hall Council Chambers AGENDA Watch the meeting LIVE!</p> <p style="text-align: center;">Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.</p>
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I. CALL TO ORDER

- A. **Pledge of Allegiance**
- B. **Roll Call**

II. ANNOUNCEMENTS, PROCLAMATIONS, AND PRESENTATIONS

- A. **Proclamation - Stress Less Week**
Mayor Backus to proclaim December 2-9, 2017, as Stress Less Week in the city of Auburn.
- B. **Proclamation - 2017 Tree Steward**
Mayor Backus to proclaim First United Methodist Church as our "2017 Tree Steward" in the city of Auburn.

III. APPOINTMENTS

IV. AGENDA MODIFICATIONS

V. CITIZEN INPUT, PUBLIC HEARINGS AND CORRESPONDENCE

A. Public Hearings

- 1. **2017-2018 Mid Biennial Budget Public Hearing No. 2**
(Coleman)
City Council to conduct a public hearing to receive public comments and suggestions with regard to the proposed modifications to the 2017-2018 Biennial Budget.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.

C. Correspondence - (There is no correspondence for Council review.)

VI. COUNCIL AD HOC COMMITTEE REPORTS

Council Ad Hoc Committee Chairs may report on the status of their ad hoc Council Committees' progress on assigned tasks and may give their recommendation to the City Council, if any.

VII. **CONSENT AGENDA**

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

- A. Minutes of the November 20, 2017 Regular City Council Meeting
- B. Claims Vouchers
Claims vouchers 446641 through 446794 in the amount of \$1,157,155.14 and five wire transfers in the amount of \$659,562.33 and dated December 4, 2017.
- C. Payroll Vouchers (Coleman)
Payroll check numbers 537610 through 537676 in the amount of \$506,337.35, electronic deposit transmissions in the amount of \$1,960,977.52 for a grand total of \$2,467,314.87 for the period covering November 16, 2017 to November 29, 2017.
- D. Parks Project No. CP1721 (Faber)
City Council award Contract No. 17-31 to Christensen, Inc. on their low bid of \$343,411.51 plus Washington State sales tax of \$34,341.15 for a total contract price of \$377,752.56 for Project No. CP1721 – Les Gove Restroom Building Replacement.

(RECOMMENDED ACTION: City Council approve the Consent Agenda.)

VIII. **UNFINISHED BUSINESS**

IX. **NEW BUSINESS**

X. **ORDINANCES**

- A. Ordinance No. 6659 (Heid)
An Ordinance of the City Council of the City of Auburn, Washington, amending Section 1.24.010 of the Auburn City Code and creating a new Chapter 9.24 of the Auburn City Code relating to new gross misdemeanor violations concerning drug-related activities

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6659.)

- B. Ordinance No. 6665 (Coleman)
An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6621, the 2017-2018 Biennial Budget, as amended by Ordinance No. 6646 and Ordinance No. 6656, authorizing amendment to the City of Auburn 2017-2018 Budget as set forth in Schedule "A" and Schedule "B"

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6665.)

C. Ordinance No. 6666 (Coleman)

An Ordinance of the City Council of the City of Auburn, Washington, amending Ordinance No. 6621, the 2017-2018 Biennial Budget Ordinance, as amended by Ordinance No. 6646, Ordinance No. 6656, and Ordinance No. 6665, authorizing amendment to the City of Auburn 2017-2018 Budget as set forth in Schedule "A" and Schedule "B"

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6666.)

D. Ordinance No. 6667 (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington, relating to planning; adopting the 2017 Annual Comprehensive Plan Map and Text Amendments pursuant to the provisions of RCW Chapter 36.70A and adopting corresponding rezones related to certain map amendments

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6667.)

E. Ordinance No. 6668 (Snyder)

An Ordinance of the City Council of the City of Auburn, Washington amending Sections 19.02.115, 19.02.120, 19.02.130 and 19.02.140 of the Auburn City Code relating to School Impact Fees

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6668.)

F. Ordinance No. 6669 (Faber)

An Ordinance of the City Council of the City of Auburn, Washington, amending Section 2.82.020 of the Auburn City Code relating to the Auburn Poet Laureate

(RECOMMENDED ACTION: City Council adopt Ordinance No. 6669.)

XI. RESOLUTIONS

A. Resolution No. 5330 (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute the Deed Restriction-Restrictive Covenant for city-owned parcels 1221049037, 1221049038, 1221049039, 1221049007 required as a condition of Washington Department of Ecology grant funding

(RECOMMENDED ACTION: City Council adopt Resolution No. 5330.)

B. Resolution No. 5331 (Snyder)

A Resolution of the City Council of the City of Auburn, Washington, endorsing use of the 2018 Valley Regional Fire Authority Fee Schedule as adopted by the VRFA Board of Governance

(RECOMMENDED ACTION: City Council adopt Resolution No. 5331.)

XII. MAYOR AND COUNCILMEMBER REPORTS

At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

A. From the Council

B. From the Mayor

XIII. ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.aubumwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.



AGENDA BILL APPROVAL FORM

Agenda Subject:

2017-2018 Mid Biennial Budget Public Hearing No. 2
(Coleman)

Date:

November 28, 2017

Department:

Finance

Attachments:

No Attachments Available

Budget Impact:**Administrative Recommendation:**

City Council to conduct a public hearing to receive public comments and suggestions with regard to proposed modifications to the 2017-2018 Biennial Budget.

Background Summary:

This is the final public hearing held prior to the review of the 2017-2018 mid-biennial budget correction. The purpose of the correction is to evaluate and assess any changes needed to the budget for the remainder of the 2017-2018 biennium. This public hearing provides an opportunity for any citizens to make comments or suggestions prior to publication of the mid-biennial correction.

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

Coleman

Meeting Date: December 4, 2017

Item Number:

PH.1

AGENDA BILL APPROVAL FORM

Agenda Subject:

Minutes of the November 20, 2017 Regular City Council Meeting

Date:

November 29, 2017

Department:

Administration

Attachments:

[Minutes](#)

Budget Impact:**Administrative Recommendation:****Background Summary:****Reviewed by Council Committees:****Councilmember:**

Meeting Date: December 4, 2017

Staff:

Item Number: CA.A



**CITY COUNCIL
MEETING MINUTES**

November 20, 2017 7:00 PM

I. CALL TO ORDER

A. Pledge of Allegiance

Mayor Nancy Backus called the meeting to order at 7:00 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street, and led those in attendance in the Pledge of Allegiance.

B. Roll Call

City Councilmembers present: Deputy Mayor Largo Wales, Bob Baggett, Claude DaCorsi, John Holman, Bill Peloza, Yolanda Trout-Manuel and Rich Wagner.

Mayor Nancy Backus was in attendance, and the following department directors and staff members were present: Director of Administration Dana Hinman, Finance Director Shelley Coleman, City Attorney Dan Heid, Police Commander Steve Stocker, Assistant Director of Innovation and Technology Ashely Riggs, Assistant Director of Engineering Services/City Engineer Ingrid Gaub, Community Development and Public Works Director Kevin Snyder, Parks, Arts and Recreation Director Daryl Faber, and Deputy City Clerk Shawn Campbell

II. ANNOUNCEMENTS, PROCLAMATIONS AND PRESENTATIONS

There was no announcement, proclamation or presentation.

III. APPOINTMENTS

There was no appointment for Council consideration.

IV. AGENDA MODIFICATIONS

Ordinance No. 6659 was removed from the agenda and an updated agreement related to Resolution No. 5326 was provided to Council.

V. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Public Hearings

1. **2017-2018 Mid Biennial Budget Public Hearing No. 1**
City Council to conduct a public hearing on the 2017-2018 Mid Biennial Budget.

Mayor Backus opened the public hearing at 7:01 p.m. No one from the audience requested to speak, and the hearing was closed.

2. **2018 Property Tax Levy Public Hearing**
Mayor Backus opened the public hearing at 7:02 p.m.

Virginia Haugen, 2503 R Street SE, Auburn
Ms. Haugen stated the citizens have to pay property taxes and the businesses in the BIA are also taxed.

No further speakers came forward, and the Mayor closed the public Hearing at 7:04 p.m.

B. Audience Participation

This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided

Bob Zimmerman, 33039 46th Place S, Auburn
Mr. Zimmerman stated he recently graduated from the City's Citizen Academy. He thanked the City for the opportunity. He expressed a concern he has with the building department and a structure that is across from his property. He stated there is not a mechanism for disputing the City's findings without taking the City to court.

Virginia Haugen 2503 R Street SE, Auburn
Ms. Haugen stated she attended the BIA meeting on Friday. Businesses are required to pay and belong to the BIA. She does not feel the BIA is providing benefit to those businesses.

C. Correspondence

There was no correspondence for Council review.

VI. COUNCIL AD HOC COMMITTEE REPORTS

Councilmember Baggett, chair of the Finance ad hoc committee that reviews claims and payroll vouchers, reported he and Councilmember Wagner reviewed the payroll vouchers and electronic deposits in the approximate amount of \$2.1 million and claims vouchers and wire transfers in the amount of approximately \$8.7 million for the periods November 2, 2017 to November 15, 2017 and November 20, 2017, respectively. The ad hoc committee recommends approval of the claims and payroll vouchers as described on the Consent Agenda.

VII. CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

A. Minutes of the November 6, 2017 Regular City Council Meeting**B. Claims Vouchers**

Claims vouchers 446444 through 446640 in the amount of \$8,207,993.91 and four wire transfers in the amount of \$525,151.58 and dated November 20, 2017.

C. Payroll Vouchers

Payroll check numbers 537587 through 537609 in the amount of \$251,331.17, electronic deposit transmissions in the amount of \$1,873,851.26 for a grand total of \$2,125,182.43 for the period covering November 2, 2017 to November 15, 2017

D. 2018 Annual On-Call Agreements

City Council to approve the 2018 On-Call Professional Services Agreements

Deputy Mayor Wales moved and Councilmember Baggett seconded to approve the Consent Agenda.

MOTION CARRIED UNANIMOUSLY. 7-0

VIII. UNFINISHED BUSINESS

There was no unfinished business.

IX. NEW BUSINESS

There was no new business.

X. ORDINANCES

A. Ordinance No. 6664

An Ordinance of the City Council of the City of Auburn, Washington, establishing the levy for regular property taxes by the City of Auburn for collection in 2018 for general city operational purposes in the amount of \$21,548,429.00

Councilmember Baggett moved and Councilmember DaCorsi seconded to approve Ordinance No. 6664.

MOTION CARRIED UNANIMOUSLY. 7-0

XI. RESOLUTIONS

A. Resolution No. 5317

A Resolution of the City Council of the City of Auburn, Washington, approving the grant management administrative policy

Councilmember Wagner moved and Councilmember Holman seconded to approve Resolution No. 5317.

MOTION CARRIED UNANIMOUSLY. 7-0

B. Resolution No. 5319

A Resolution of the City Council of the City of Auburn, Washington, amending the City of Auburn Fee Schedule to adjust for 2018 fees

Councilmember Pelosa moved and Councilmember DaCorsi seconded to approve Resolution No. 5319.

MOTION CARRIED UNANIMOUSLY. 7-0

C. Resolution No. 5326

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor to execute an addendum to the agreement with the Auburn Valley Humane Society to provide animal licensing services

Deputy Mayor Wales moved and Councilmember Holman seconded to approve the Resolution No. 5326.

MOTION CARRIED UNANIMOUSLY. 7-0

D. Resolution No. 5327

A Resolution of the City Council of the City of Auburn, Washington, authorizing and supporting its grant funding application to the Port of Seattle for Economic Development Partnership Program funds

Councilmember Holman moved and Councilmember DaCorsi seconded to approved Resolution No. 5327.

MOTION CARRIED UNANIMOUSLY. 7-0

XII. MAYOR AND COUNCILMEMBER REPORTS

A. From the Council

Deputy Mayor Wales noted Holy Family Church is providing dinner for those who need help. She also noted Dave Harris Auto Clinic contacted her regarding homeless people on his lot and living on the north end of town. She thanked the Police Department for being very responsive to citizen concerns.

Councilmember DaCorsi reported he attended the King County Regional Transit Authority meeting.

Councilmember Wagner reported he attended the Puget Sound Regional Council Policy Board meeting.

Councilmember Holman noted Athens Pizza will be holding their 6th annual holiday meal on November 23rd for all who would like to attend.

Councilmember Baggett noted the Red Lotus will offer a free meal for those in need the day after Thanksgiving. He also reported he attended the Emergency Management Advisory Committee meeting.

Councilmember Trout-Manual reported she attended the National League of Cities Conference.

Councilmember Pelosa reported he attended the National League of Cities Conference and the Water Resource Inventory Area (WRIA) 9 meeting.

B. From the Mayor

Mayor Backus reported she attended a veterans luncheon, the Green River College Scholarship banquet, the Veterans Day Parade, various Veterans Day celebrations, the Leadership Institute Luncheon for South Puget Sound, the City of Auburn and Muckleshoot Indian Tribe Joint meeting, the Citizens Academy graduation, swearing in of a new police officer, the Civics Academy graduation, the Northwest University Command Class graduation and the CERT Class graduation. Mayor Backus also noted the City of Auburn Senior Center will provide two Thanksgiving lunch seating's Tuesday November 21, 2017 and the Quarters Restaurant will provide a free Thanksgiving dinner to those in need.

XIII. ADJOURNMENT

There being no further business to come before the Council, the meeting adjourned at 7:57 p.m.

APPROVED THE _____ DAY OF _____, 2017.

NANCY BACKUS, MAYOR

Shawn Campbell, Deputy City Clerk

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Internet: <http://www.auburnwa.gov>



AGENDA BILL APPROVAL FORM

Agenda Subject:

Claims Vouchers

Date:

November 28, 2017

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:**Administrative Recommendation:**

City Council approve Claims Vouchers.

Background Summary:

Claims vouchers 446641 through 446794 in the amount of \$1,157,155.14 and five wire transfers in the amount of \$659,562.33 and dated December 4, 2017.

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

Coleman

Meeting Date: December 4, 2017

Item Number:

CA.B



AGENDA BILL APPROVAL FORM

Agenda Subject:

Payroll Vouchers (Coleman)

Date:

November 28, 2017

Department:

Administration

Attachments:

No Attachments Available

Budget Impact:**Administrative Recommendation:**

City Council approve payroll vouchers.

Background Summary:

Payroll check numbers 537610 through 537676 in the amount of \$506,337.35, electronic deposit transmissions in the amount of \$1,960,977.52 for a grand total of \$2,467,314.87 for the period covering November 16, 2017 to November 29, 2017.

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

Coleman

Meeting Date: December 4, 2017

Item Number:

CA.C

AGENDA BILL APPROVAL FORM

Agenda Subject:

Parks Project No. CP1721 (Faber)

Date:

November 28, 2017

Department:

Parks/Art and Recreation

Attachments:

[Bid Tabulation](#)

Budget Impact:**Administrative Recommendation:**

City Council award Contract No. 17-31 to Christensen, Inc. on their low bid of \$343,411.51 plus Washington State sales tax of \$34,341.15 for a total contract price of \$377,752.56 for Project No. CP1721 Les Gove Restroom Building Replacement.

Background Summary:

The City received eight (8) responsive bids. The apparent low bidder claimed error and withdrew its bid. The second low bid is Christensen, Inc., which was approximately 9% above the engineer's estimate. Staff has performed reference checks and other verifications to determine that Christensen, Inc. meets the responsible bidding criteria and recommends award.

The purpose of this project is to demolish the existing restroom facility in the Les Gove Campus and replace it with a new facility.

The total amount budgeted for this project is \$411,552.00 in the project cp1721 budget. The anticipated project costs are as follows: General Construction Contract w/5% authorized contingency, \$396,640.29; Architect Design Fees, \$50,000.00; Testing and Other Costs, \$5,000.00; Total Project Costs = \$451,640.29. An in-fund adjustment transferring project funds from cp1606 (Auburn Teen & Comm. Center – H Street SE Ext) to cp1721 has been executed to cover the anticipated increase in project costs.

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

Jamie Kelly

Meeting Date: December 4, 2017

Item Number:

CA.D

**BID TABULATION
BID TOTALS SUMMARY**

Project Name: CP1721: Les Gove Restroom Building, Contract 17-31

Prepared by: City of Auburn

Bid Date: 11/16/17

ENGINEER'S ESTIMATE:	\$353,637.90
AVERAGE BASIC BID AMOUNT:	\$383,651.51
BASIC BID SPREAD AMOUNT:	\$145,338.49

	Basic BID Amount	Spread \$	Spread %
LOW BIDDER:	\$343,411.51	-\$10,226.39	-2.89%
Second Bidder:	\$ 347,000.00	\$ (6,637.90)	-1.88%

	Basic BID (Tax not Included)	Total BID (Tax Included)
Christensen, Inc	\$343,411.51	\$377,752.66
Diverse Contractors & Asso.	\$347,000.00	\$381,700.00
RC Walsh & Company, LLC	\$361,671.07	\$397,838.18
LBC Construction	\$367,290.00	\$404,019.00
Westmark Construction	\$372,159.96	\$409,375.96
Harkness Construction	\$405,278.00	\$445,805.80
CG Construction Services	\$488,750.00	\$537,625.00
Rick Turner Construction	Claimed Error	Claimed Error
Local Pros Painting	Unresponsive	Unresponsive

NOTE: An evaluation of whether a bidder is responsible or non-responsible was only made for the low bidder. This does not indicate, one way or the other, how other bidders would be considered if they were the low bidder.

Project Name: Les Gove Park Restroom Building

Contract #: Contract 17-31

Schedule: Schedule A - Les Gove Park Restroom Building Complete

Prepared By City of Auburn

Bid Date: 11/16/17

Sales Tax Rate: 10.00%

Item No.	Item Description	Qty.	Unit	Engineer's Estimate		Christensen, Inc 2840 Crites St NW, Suite 100 Tumwater, WA 98512		Diverse Contractors & Asso. 60 East Amy Court Shelton, WA 98584		RC Walsh & Company, LLC 7045 38th Lane NW Olympia, WA 98502	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Les Gove Park Restroom Building Complete	1	LS	321,489.00	\$321,489.00	343,411.51	\$ 343,411.51	347,000.00	\$ 347,000.00	361,671.07	\$ 361,671.07

Schedule Subtotal	\$	321,489.00	\$	343,411.51	\$	347,000.00	\$	361,671.07
Washington State Sales Tax, Schedule A	\$	32,148.90	\$	34,341.15	\$	34,700.00	\$	36,167.11
SCHEDULE TOTAL	\$	353,637.90	\$	377,752.66	\$	381,700.00	\$	397,838.18

LBC Construction 624 170th Place NE Bellevue, WA 98008		Westmark Construction 6102 N 9th Street, Suite 400 Tacoma, WA 98406		Harkness Construction 2045 McHugh Avenue Enumclaw, WA 98022		CG Construction Services 22601 88th Avenue S Kent, WA 98031		Rick Turner Construction 414 Alonna Place NE Olympia, WA 98506		Local Pros Painting 21803 SE 246th Street Maple Valley, WA 98038	
Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
367,290.00	\$ 367,290.00	372,159.96	\$ 372,159.96	405,278.00	\$ 405,278.00	488,750.00	\$ 488,750.00		\$ -		\$ -
	\$ 367,290.00		\$ 372,159.96		\$ 405,278.00		\$ 488,750.00		\$ -		\$ -
	\$ 36,729.00		\$ 37,216.00		\$ 40,527.80		\$ 48,875.00		\$ -		\$ -
	\$ 404,019.00		\$ 409,375.96		\$ 445,805.80		\$ 537,625.00	Claimed Error		Unresponsive	



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6659 (Heid)

Date:

November 28, 2017

Department:

City Attorney

Attachments:

[Ord 6659](#)

Budget Impact:**Administrative Recommendation:**

City Council adopt Ordinance No. 6659.

Background Summary:

Ordinance No. 6659 proposes to add a new Chapter 9.24 to the City Code. This chapter, patterned after a similar code provisions in cities across the state, seeks to identify certain areas within the City as being subject to an anti-drug emphasis. Those portions of the City that are identified as anti-drug emphasis areas could be used as an enforcement tool for people engaging in illegal drug activity in certain areas could be ordered to stay out of those areas, and there failing to do so could constitute a public nuisance and a violation of the law for which penalties could be assessed. Samples of similar ordinances are included here with, including samples from Tacoma, Lakewood, Marysville, Everett, Bothell, Shoreline, University Place and Arlington (proposed). Each of these ordinances, seeks to accomplish the same thing that Auburn's proposed ordinance seeks to accomplish. Checking with prosecutors involved with some of these jurisdictions, the assessment, we received was that this is a valuable tool for the police, prosecutors, and courts to address recurring illegal drug activities in certain areas. This ordinance would/could result in additional prosecution to address illegal drug activity, but it gives the police an additional tool that would not otherwise be available. If a person were convicted of a crime involving illegal drug activity in a certain area of the city that has been identified as a drug emphasis area, the court order in the violation could include a provision that restricts the violator from returning to that area. Other than where the violator lives within one of the identified drug enforcement areas, it would be advantageous for the city, the police and neighbors to have people restricted from returning to locations where drug activities were occurring. Again, the cities with whom we were able to check regarding their similar ordinances expressed support for the use of such an ordinance.

Also, in connection with Ordinance No. 6659, although the drug emphasis areas are defined in the ordinance, to assist in visualizing where those drug emphasis areas are within the city, maps showing the identified drug emphasis areas and city parks (also drug emphasis areas) are included as well.

Reviewed by Council Committees:

Councilmember:

Staff:

Heid

Meeting Date: December 4, 2017

Item Number:

ORD.A

ORDINANCE NO. 6 6 5 9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING SECTION 1.24.010
OF THE AUBURN CITY CODE AND CREATING A NEW
CHAPTER 9.24 OF THE AUBURN CITY CODE RELATING TO
NEW GROSS MISDEMEANOR VIOLATIONS CONCERNING
DRUG-RELATED ACTIVITIES

WHEREAS, the current provisions of the Auburn City Code include prohibitions on certain drug-related activities but do not, at this point, identify target areas for enforcement - identifying those areas where drug-related activities are most problematic; and

WHEREAS, in connection with a more effective enforcement of illegal drug related activities and an intent to target those areas most adversely affected by such activities, it is appropriate for the City to establish areas where illegal drug enforcement should be emphasized and procedures for such enforcement; and

WHEREAS, under a Stay Out of Designated Area (SODA) ordinance, citizens convicted of drug- related crimes may be prevented from entering a specific area of the city known for drug problems, and judges would be able to issue these SODA orders which would be effective for designated periods of time, during which time, the person could be arrested if the order is violated.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

SECTION 1. AMENDMENT TO CITY CODE. Section 1.24.010 of the Auburn city code be, and the same hereby is, amended to read as follows:

1.24.010 Criminal penalties generally.

A. Unless a specific penalty is expressly provided, for all violations of ordinances of the city which are identified as misdemeanors, upon conviction, such violations are punishable by imprisonment in the appropriate city or county jail for a period of up to ninety (90) days and a fine of up to \$1,000.00, or by both such fine and imprisonment.

B. Unless a specific penalty is expressly provided, for all violations of ordinances of the city which are identified as gross misdemeanors, upon

conviction, such violations are punishable by imprisonment in the appropriate city or county jail for a period of up to three hundred sixty-four (364) days and a fine of up to \$5,000.00, or by both such fine and imprisonment.

C. Any violations of ordinances of the city that are identified as criminal violations, including being punishable by criminal penalties, but not identified as to whether they are misdemeanors or gross misdemeanors, shall be deemed misdemeanors or gross misdemeanors, as follows:

1. Criminal violations that are punishable by up to and including imprisonment in the appropriate city or county jail for a period of up to three hundred sixty-four (364) days and a fine of up to \$5,000.00, or by both such fine and imprisonment, shall be deemed gross misdemeanors; provided, that criminal violations that are punishable by not more than imprisonment in the appropriate city or county jail for a period of up to ninety (90) days and a fine of up to \$1,000.00, or by both such fine and imprisonment, shall be deemed misdemeanors;

2. Criminal violations that are adopted by reference from state statutes, or extrapolated with the same or substantially the same language from state statutes, shall be classified as misdemeanors or gross misdemeanors consistent with their classification by state statutes, and shall be punishable accordingly;

3. Criminal violations that are not identifiable as either misdemeanors or gross misdemeanors shall be deemed misdemeanors and shall be punishable accordingly.

D. In addition, a defendant may be assessed court costs, jury fees and such other fees or costs as may be authorized in statute or court rules. In any court proceeding to enforce this section, the city shall have the burden of proving by evidence beyond a reasonable doubt that a violation occurred. In a proceeding under this section a defendant shall be accorded each and every right protected under the Constitutions of the United States of America and the state of Washington, all applicable federal, state and local laws, and applicable court rules promulgated by the Washington Supreme Court and the inferior courts under the authority of the Washington Supreme Court. (Ord. 5677 § 1, 2002; Ord. 4285 § 2, 1988; Ord. 3618 § 1, 1981; Ord. 2754 § 1, 1973.)

SECTION 2. NEW CHAPTER TO CITY CODE. A new Chapter 9.24 is hereby created and added to the Auburn City Code, to read as follows:

Chapter 9.24
DRUG RELATED ACTIVITIES

Sections:

- | | |
|----------|---|
| 9.24.010 | Loitering with the intent of engaging in drug-related activity. |
| 9.24.020 | Designation of anti-drug emphasis areas. |
| 9.24.030 | Violation of conditions of release, suspension or deferral as separate crime. |
| 9.24.040 | Places of illegal drug activity declared public nuisances. |
| 9.24.050 | Evidence of use for illegal drug purposes. |

- 9.24.060 Conviction as prima facie evidence.
- 9.24.070 Penalties for maintenance of public nuisance.
- 9.24.080 Violation - Penalty.

9.24.010 Loitering with the Intent of engaging in drug-related activity.

A. It is unlawful for any person to loiter in or near any public rights-of-way, or any public or private property in a manner and under circumstances manifesting the intent to engage in illegal drug-related activity contrary to RCW chapters 69.41, 69.50, 69.53 or 69.53, or to chapter 9.22 of the city code.

B. Among the circumstances which may be considered in determining whether such intent is manifested are the following:

1. Such person is a known unlawful drug user, possessor, or seller. For purposes of this chapter, a "known unlawful drug user, possessor, or seller" is a person who has been convicted in any court within this state of any violation involving the use, possession, or sale of any of the substances referred to in chapters 69.41, 69.50, 69.52 and 69.53 RCW, or substantially similar laws of any political subdivision of this state or of any other state; or who is known to have been arrested for a drug related violation not resulting in a conviction because the person participated in a diversionary program, deferral program, drug court or a similar program; or a person who displays physical characteristics of drug intoxication or usage, such as "needle tracks"; or who possesses marijuana in a manner not authorized by RCW 69.50.4013 (1), RCW 69.50.4013 (2) and or in amounts that exceed those set forth in RCW 69.50.360(3);

2. Such person is currently subject to an order from any court prohibiting his/her presence in a high drug activity geographic area;

3. Such person behaves in such a manner as to raise a reasonable suspicion that he or she is about to engage in or is then engaged in an unlawful drug-related activity, including by way of example only, such person acting as a "lookout";

4. Such person is physically identified by a police officer, based on articulable factors, as a member of a "gang," or an association which engages in illegal drug activity. Factors that support an officer physically identifying a person as a member of such a gang or association include, but are not limited to clothing, tattoos, known association and/or affiliation with such gang or association, specific and observed acts or circumstances consistent with drug related activity, and gestures, signs, greetings and movements that are consistent with gang related activity, provided that clothing alone shall not be sufficient, without more, to support an officer physically identifying a person as a member of such a gang or association;

5. Such person transfers small objects or packages for currency in a furtive fashion;

6. Such person takes flight upon the appearance of a police officer;

7. Such person manifestly endeavors to conceal himself or herself or any object which reasonably could be involved in an unlawful drug-related activity;

8. The area involved is by public repute known to be an area of unlawful drug use and trafficking;

9. The premises involved are known to have been reported to law enforcement as a place suspected of drug activity pursuant to chapter 69.53 RCW.

10. Any vehicle involved is registered to a known unlawful drug user, possessor, or seller, or a person for whom there is an outstanding warrant for a crime involving drug-related activity.

9.24.020 Designation of anti-drug emphasis areas.

A. Certain areas of the city shall be designated as and identified to be anti-drug emphasis areas based on the repeat incidents of illegal drug activities occurring therein, and enhanced penalties shall be applied in event of conviction of unlawful drug related acts or loitering for drug purposes, within the said areas. The areas to be so designated shall be identified by the city council in an ordinance or resolution passed after consultation with the mayor, city attorney and the chief law enforcement officer of the city, and the list identifying such areas shall be kept on file in the office of the city clerk. Additional areas may also be identified by the judge of the municipal or district court hearing drug related cases arising from within the city. If a defendant is convicted of a drug related case occurring from within an area designated as an anti-drug emphasis area, a condition or term of sentence, deferral, or suspension, shall be that such defendant shall stay out of all areas of the city designated as an anti-drug emphasis areas, unless there are significant and substantial extenuating circumstances in the defendant's particular case justifying avoidance of the requirement for such condition or term of sentence, deferral, or suspension. In such case, the significant and substantial extenuating circumstances shall be identified and recited in the record of the case.

B. The following areas, generally depicted (for illustrative purposes only) on the maps appended hereto as Exhibits "A" and "B," are hereby designated as and identified to be anti-drug emphasis areas:

AREA I. DOWNTOWN AREA:

BEGINNING AT THE INTERSECTION OF E STREET NE AND 23RD STREET NE; THENCE EASTERLY TO THE INTERSECTION OF N STREET NE AND 24TH STREET NE; THENCE CONTINUING ALONG SAID TANGENT EAST TO THE GREEN RIVER; THENCE EASTERLY, SOUTHERLY AND WESTERLY ALONG THE GREEN RIVER TO A POINT THAT IS EAST OF 14TH STREET NE; THENCE WEST ALONG 14TH STREET NE, AS EXTENDED, TO AUBURN WAY NORTH; THENCE SOUTHERLY ALONG AUBURN WAY NORTH TO 4TH STREET NE; THENCE EASTERLY ALONG 4TH STREET NE TO J STREET NE; THENCE SOUTHERLY ALONG J STREET NE AND SE AS EXTENDED TO STATE HIGHWAY 18; THENCE EASTERLY ALONG STATE HIGHWAY 18 TO M STREET SE; THENCE SOUTH ALONG M STREET SE TO 8TH STREET SE; THENCE WESTERLY ALONG 8TH STREET SE TO A POINT THAT IS SOUTH OF J STREET SE, AS EXTENDED; THENCE SOUTHERLY ALONG SAID J STREET SE EXTENSION TO 9TH STREET SE; THENCE WESTERLY ALONG 9TH STREET SE TO H STREET SE; THENCE SOUTH ALONG H STREET SE TO THE ALLEY SOUTH OF AND RUNNING GENERALLY PARALLEL TO 9TH

STREET SE; THENCE WESTERLY ALONG SAID ALLEY TO ITS INTERSECTION WITH AUBURN WAY, SOUTH; THENCE NORTHWESTERLY ALONG AUBURN WAY SOUTH TO ITS INTERSECTION WITH F STREET SE; THENCE NORTHEASTERLY ALONG F STREET SE TO ITS INTERSECTION WITH 9TH STREET SE; THENCE WESTERLY ALONG 9TH STREET SE, AS EXTENDED, TO THE INTERURBAN TRAIL; THENCE NORTHERLY ALONG THE INTERURBAN TRAIL TO 2ND STREET NW; THENCE EASTERLY ALONG 2ND STREET NW TO C STREET NW; THENCE NORTHERLY TO A POINT THAT IS WEST OF 18TH STREET NE, AS EXTENDED, THENCE EAST TO E STREET NE; THENCE NORTHERLY ALONG E STREET NE TO THE POINT OF BEGINNING.

AREA II. THE OUTLET COLLECTION:

BEGINNING AT THE INTERSECTION OF 15TH STREET SW AND STATE HIGHWAY 167; THENCE NORTHERLY ALONG STATE HIGHWAY 167 TO STATE HIGHWAY 18; THENCE EASTERLY ALONG STATE HIGHWAY 18 TO THE INTERURBAN TRAIL; THENCE SOUTHERLY ALONG THE INTERURBAN TRAIL TO 15TH STREET SW; THENCE WESTERLY ALONG 15TH STREET SW TO THE POINT OF BEGINNING.

AREA III. MUCKLESHOOT CASINO:

BEGINNING AT THE INTERSECTION OF AUBURN WAY SOUTH (STATE HIGHWAY 164) AND 17TH STREET SE; THENCE EASTERLY ALONG 17TH STREET SE TO R STREET SE; THENCE NORTHERLY ALONG R STREET SE, AS EXTENDED, A DISTANCE OF 1170 FEET; THENCE EAST TO THE INTERSECTION OF ELM STREET SE AND SCENIC DRIVE SE; THENCE NORTHERLY ALONG THE MOST NORTHERLY WEST LINE OF THE PLAT OF SHERMAN ACRES, VOLUME 71, PAGE 94, RECORDS OF KING COUNTY, TO THE MOST NORTHWEST CORNER OF SAID SHERMAN ACRES; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SHERMAN ACRES TO THE NORTHWEST CORNER OF THE PLAT OF FOREST VILLA NO. 3, VOLUME 68, PAGE 49, RECORDS OF KING COUNTY; THENCE SOUTHEASTERLY ALONG THE PLAT BOUNDARY OF SAID FOREST VILLA NO. 3 TO THE MOST NORTHERLY CORNER OF LOT 5 OF SAID FOREST VILLA NO. 3; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID FOREST VILLA NO. 3, AS EXTENDED, TO AUBURN WAY SOUTH (STATE HIGHWAY 164); THENCE WESTERLY ALONG AUBURN WAY SOUTH (STATE HIGHWAY 164) TO HEMLOCK STREET SE THENCE SOUTHERLY ALONG THE CENTERLINE OF HEMLOCK STREET SE AND ITS SOUTHERLY EXTENSION A DISTANCE OF 1000 FEET; THENCE WEST TO THE INTERSECTION OF DOGWOOD STREET SE AND FOREST RIDGE DRIVE SE; THENCE NORTHERLY ALONG DOGWOOD STREET SE TO AUBURN WAY S. (STATE HIGHWAY 164); THENCE WESTERLY ALONG AUBURN WAY SOUTH (STATE HIGHWAY 164) TO RIVERWALK DRIVE SE; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG RIVERWALK DRIVE SE TO HOWARD ROAD; THENCE NORTHWESTERLY ALONG HOWARD ROAD ITS INTERSECTION WITH R STREET SE; THENCE NORTHWESTERLY TO THE POINT OF BEGINNING.

AREA IV. SOUTH END:

BEGINNING AT THE INTERSECTION OF THE WHITE RIVER AND A STREET SE; THENCE NORTHERLY ALONG A STREET SE TO 21ST STREET SE; THENCE EASTERLY ALONG 21ST STREET SE TO R STREET SE; THENCE SOUTHERLY ALONG R STREET SE TO 29TH STREET SE; THENCE WESTERLY ALONG 29TH STREET SE TO M STREET SE.; THENCE SOUTHERLY ALONG M STREET SE, AS EXTENDED, TO THE WHITE RIVER; THENCE SOUTHWESTERLY ALONG THE WHITE RIVER TO THE POINT OF BEGINNING.

AREA V. CITY PARK PROPERTY:

ALL CITY PARK PROPERTY THROUGHOUT THE CITY IS DESIGNATED AS AN ANTI-DRUG EMPHASIS AREA. FOR THE PURPOSES HEREOF, CITY PARK PROPERTY INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING PARK PROPERTIES AND ALL FACILITIES, AMENITIES AND COMPONENTS THEREIN:

Park	Address	Proximate Acres
21st Street Playground	405 21 st St. SE	0.17
104th Ave SE (Green River Park)	31495 104 th Ave. SE	14.73
Auburndale	31802 108 th Ave. SE	9.64
Auburndale II	29725 118 th Ave. SE	9.34
Auburn Environmental Park	413 Western Ave. NW	120
Auburn Golf Course	29630 Green River RD SE	180
Ballard	1612 37 th Way SE	0.66
Bicentennial Park	502 Auburn Way S.	1.07
B Street Plaza	148 E. Main Street	0.10
Brannan	1019 28 th St. NE	26.63
Cameron	3727 Lemon Tree Lane	3.83
Cedar Lanes	1002 25 th St. SE	8.27
Centennial Viewpoint	402 Mountain View Dr.	0.7
City Hall Plaza	25 West Main Street	1.10
Clark Plaza	1420 Auburn Way N.	0.25
Park	Address	Proximate Acres

Clark Property	1300 block, Oravetz Road - Parcel No. 302105-9025 SE ¼ OF SE ¼ Lying South of Stuck River, less Roads, Sec. 30, Twp. 21 N., Rge. 5 E. WM	26.68
Community Garden	1030 8 th Street NE	1.04
Dorothy Bothell Park	1087 Evergreen Way SE	4
Dykstra	1487 22 nd St. NE	1.78
Fenster Nature Park	2033 4 th St. SE	12.58
Forest Villa	1647 Fir St. SE	0.23
Fulmer Park	1101 5 th St. NE	5.13
Gaines Park	1008 Pike St. NW	1.34
Game Farm	3030 R St. SE	53.0
Game Farm Wilderness	2401 Stuck River Dr. SE	72.0
GSA Park	413 15 th St. SW	6.13
Indian Tom Park	1316 6 th St. NE	0.43
Isaac Evans	29827 Green River RD SE	19.87
Jacobsen Tree Farm	29387 132 nd Ave. SE	29.3
Jornada Park	1433 U Ct. NW	1.89
Kersey Way A	5480 Charlotte Ave. SE	2.73
Kersey Way B	5530 Udall Ave. SE	0.79
Lakeland Hills	1401 Evergreen Way SE	5.05
Lea Hill	31693 124 th Ave. SE	9.0
Lea Hill Tennis Courts	32121 105 th Pl. SE	1.18
Les Gove	910 9 th St. SE	20.86
Mary Olson Farm	28728 Green River RD SE	67
Mill Pond	4582 Mill Pond Dr. SE	4
Park	Address	Proximate Acres

Mountain View Cemetery	2020 Mountain View Dr.	60
Pioneer Cemetery	8 th St. NE & Auburn Way North	0.76
Plaza Park	2 West Main Street	0.19
Riverpoint Park	1450 32 nd St. NE	3.8
Riversands Park	5014 Pike St. NE	1.76
Roegner Park	601 Oravetz Road SE	21.25
Rotary Park	2635 Alpine St. SE	4.14
Scottie Brown Park	1403 Henry Rd. NE	1.34
Shaughnessy Park	3302 21 st St. SE	3.46
Slaughter Memorial	2988 Auburn Way N.	0.02
Sunset park	1420 69 th St. SE	15
Terminal Park	1292 C St. SE	1.2
Veterans Memorial	405 E St. NE	7.65
Village Square Park	12111 SE 310 th St.	1.10
West Hill Lake Property	32054 58 th Ave. S	9.25

In addition to the above described park properties, the city park property anti-drug emphasis area includes any and all properties, whether owned by the city or not on which any part thereof is used for trail and/or recreational purposes and which is maintained, in whole or in part, by the city of Auburn, including but not limited to the following:

- (a) Interurban Trail: This trail parallels the Union Pacific Railroad for much of its length. The Interurban Trail currently runs north to south through Tukwila, Kent, Auburn, Algona and Pacific, and is approximately 17 miles long, with 4.5 miles in Auburn.
- (b) White River Trail: The White River Trail, within Roegner Park, extends along the White River to the Game Farm Wilderness Park for 2.25 miles.
- (c) Lakeland Linear Trail: Lakeland Linear Trail meanders from Evergreen Way along Lakeland Hills Way connecting to Sunset Park.
- (d) Reddington Levee Trail: This trail goes from Brannan Park/Brannan St., North to I St. along the Green River, for 1.7 miles.

(e) C Street Trail: The C Street Trail extends from Ellingson Road SW, along C Street SW, to 15th Street SW.

C. Each of the above described/designated anti-drug emphasis areas includes all rights-of-way located within the described areas and also includes any and all rights-of-way adjacent to the outer perimeter thereof.

D. Each of the above described/designated anti-drug emphasis areas includes the total real estate parcel area of all parcel where any part of which is located within any of the above described designated anti-drug emphasis areas.

9.24.030 Violation of conditions of release, suspension or deferral as separate crime.

The presence of any person within an anti-drug emphasis area in violation of court-imposed conditions of release or conditions of suspension or deferral of any sentence shall constitute a separate crime hereby designated a gross misdemeanor and any such person may be apprehended and arrested without the necessity for any warrant or additional court order. Upon conviction, any person so violating the conditions of release or conditions of suspension or deferral shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than three hundred sixty-four days, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both such imprisonment and fine.

9.24.040 Places of illegal drug activity declared public nuisances.

Any building, structure or place within the city used for drug related activity or for loitering with the intent of engaging in drug-related activity as defined in this chapter is hereby declared to be a public nuisance.

9.24.050 Evidence of use for illegal drug purposes.

A. Two or more criminal convictions of persons for drug related offenses in a building, structure or place, within the one-year period preceding the commencement of an action under this chapter shall give rise to a rebuttable presumption that the building, structure or place has been used for illegal drug purposes and is a public nuisance. In any action under this chapter, evidence of the common fame and general reputation of the building or place, of the inmates or occupants thereof, or of those resorting thereto, shall be admissible as evidence to prove the existence of the public nuisance but must be supported by additional evidence. Evidence of the general reputation of the building or place, or of the inmates or occupants thereof that is sufficient to establish the existence of the public nuisance, shall be prima facie evidence of knowledge thereof and acquiescence and participation therein and responsibility for the nuisance by persons or legal entities having an interest in the property. Responsibility for the nuisance shall extend to the owners, lessors, lessees and all those in interest in any form in the property, real or personal, used in conducting or maintaining the public nuisance.

B. Evidence of cooperation by owners, agents or managers of a building or place with police investigations or operations to control drug related activity may be used to rebut the presumptions created in this chapter.

9.24.060 Conviction as prima facie evidence.

Any conviction of any owner, manager, operator, agent or employee for any illegal drug activity, or for loitering with the intent of engaging in drug-related activity, when such offense was related to any business or commercial enterprise, shall be prima facie evidence that the building, structure or place upon or in which business or commercial enterprise is or was conducted, was used for illegal drug activities.

9.24.070 Penalties for maintenance of public nuisance.

Maintenance of a public nuisance as declared herein, in addition to any other civil or criminal penalties, shall result in a civil penalty not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00) for a first conviction of maintaining a public nuisance and by abatement by closure of such business or commercial enterprise for the period of thirty (30) days for each subsequent conviction of maintaining a public nuisance, the enforcement of which shall be in accordance with the procedures identified in chapter 1.25 of the city code.

9.24.080 Violation - Penalty.

Unless otherwise specifically provided otherwise, any person who violates the provisions of this chapter is guilty of a gross misdemeanor and, upon conviction, shall be imprisoned in jail for a period of up three hundred sixty-four days or fined an amount of not more than \$5,000.00 or both such jail time and fine.

SECTION 3. IMPLEMENTATION. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

SECTION 4. SEVERABILITY. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

Introduced: _____

Passed: _____

Approved: _____

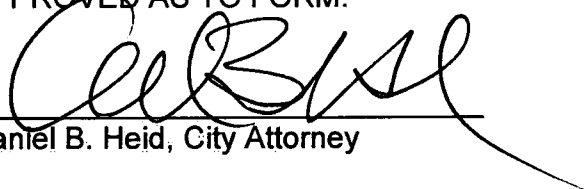
CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

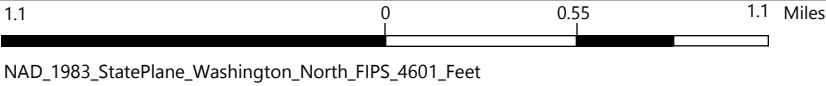
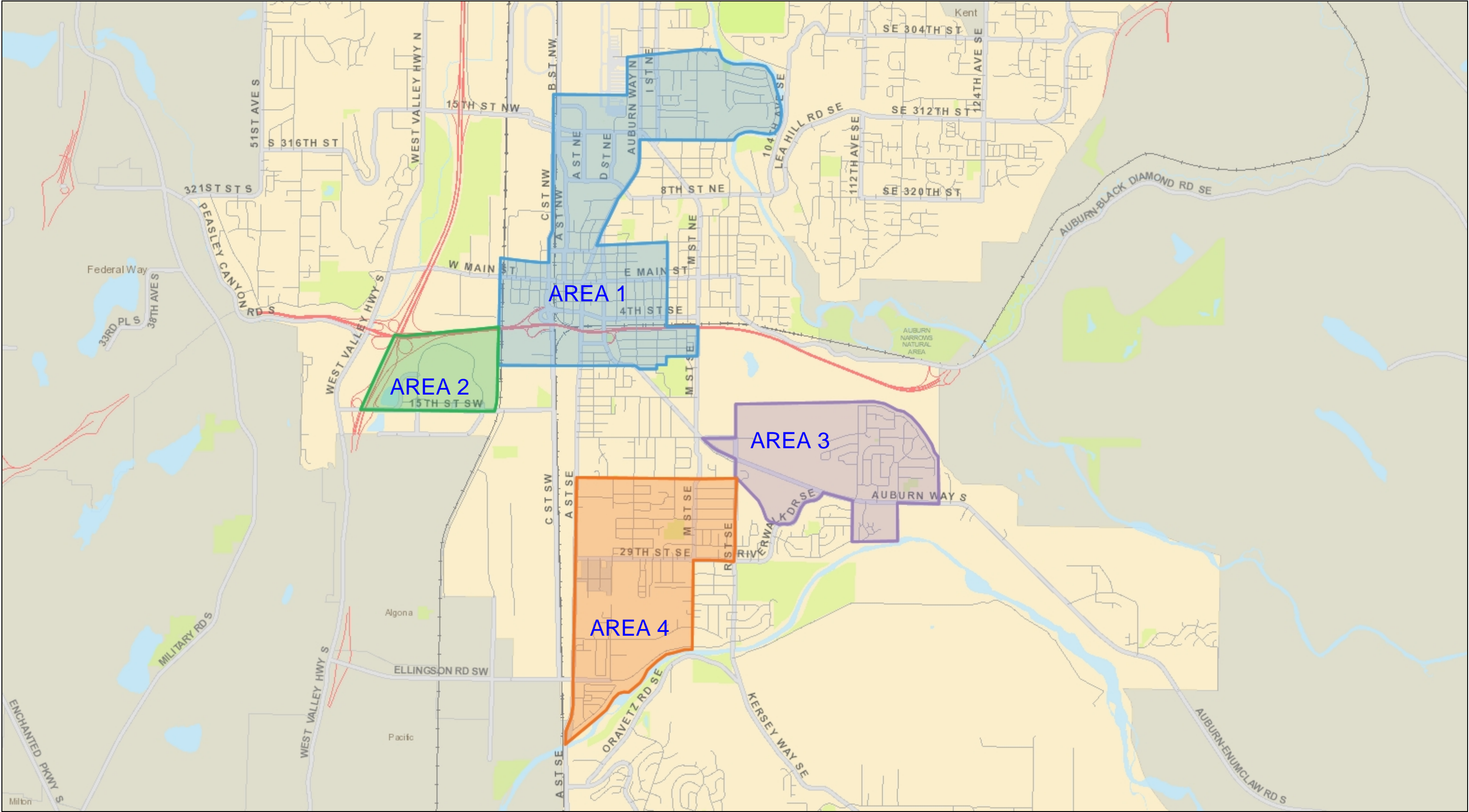
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



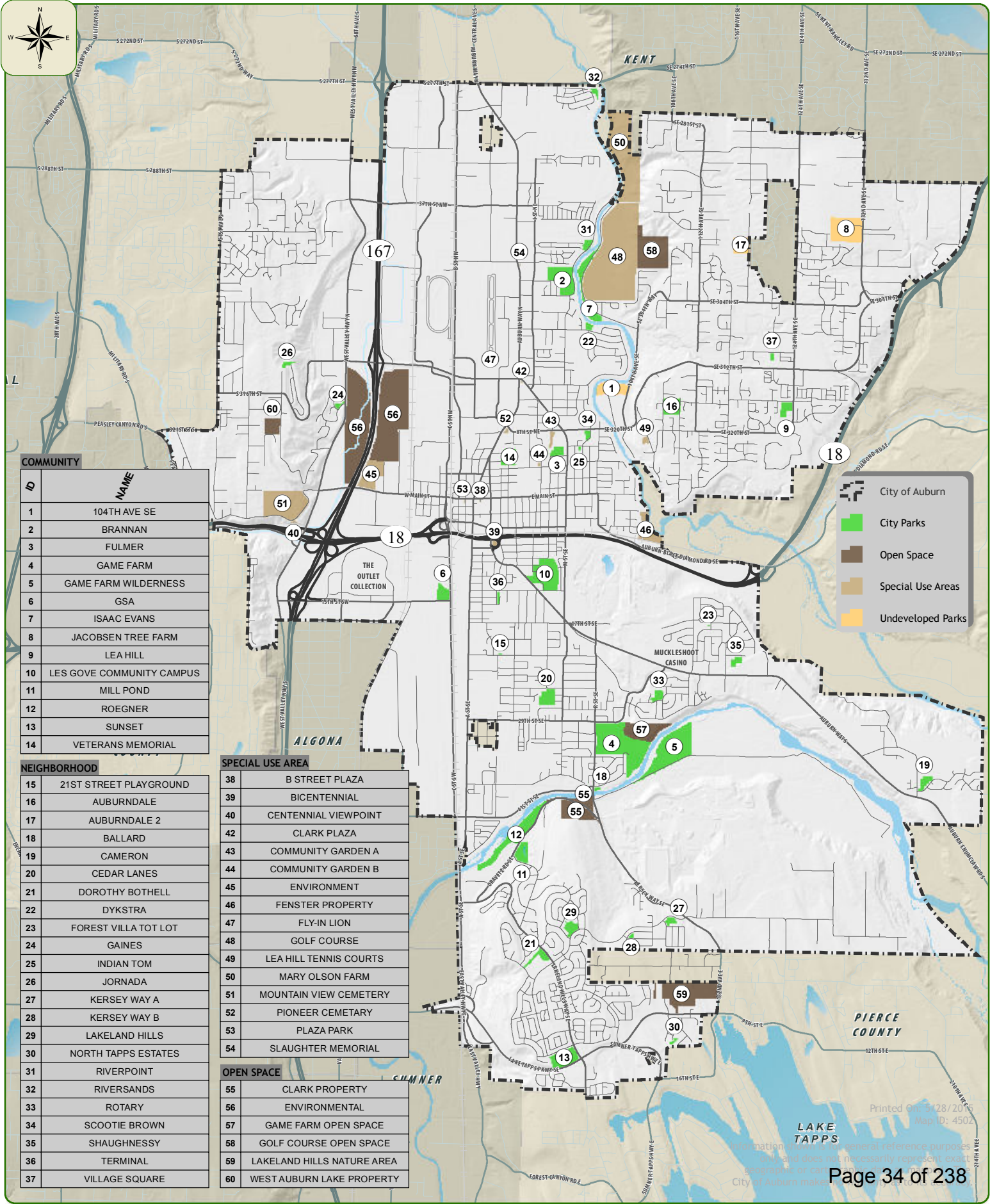
Daniel B. Heid, City Attorney

PUBLISHED: _____



Ordinance No. 6659 Exhibit "B"

City of Auburn Parks Inventory Map



COMMUNITY	
ID	NAME
1	104TH AVE SE
2	BRANNAN
3	FULMER
4	GAME FARM
5	GAME FARM WILDERNESS
6	GSA
7	ISAAC EVANS
8	JACOBSEN TREE FARM
9	LEA HILL
10	LES GOVE COMMUNITY CAMPUS
11	MILL POND
12	ROEGNER
13	SUNSET
14	VETERANS MEMORIAL

NEIGHBORHOOD	
15	21ST STREET PLAYGROUND
16	AUBURNDALE
17	AUBURNDALE 2
18	BALLARD
19	CAMERON
20	CEDAR LANES
21	DOROTHY BOTHELL
22	DYKSTRA
23	FOREST VILLA TOT LOT
24	GAINES
25	INDIAN TOM
26	JORNADA
27	KERSEY WAY A
28	KERSEY WAY B
29	LAKELAND HILLS
30	NORTH TAPPS ESTATES
31	RIVERPOINT
32	RIVERSANDS
33	ROTARY
34	SCOOTIE BROWN
35	SHAUGHNESSY
36	TERMINAL
37	VILLAGE SQUARE

SPECIAL USE AREA	
38	B STREET PLAZA
39	BICENTENNIAL
40	CENTENNIAL VIEWPOINT
42	CLARK PLAZA
43	COMMUNITY GARDEN A
44	COMMUNITY GARDEN B
45	ENVIRONMENT
46	FENSTER PROPERTY
47	FLY-IN LION
48	GOLF COURSE
49	LEA HILL TENNIS COURTS
50	MARY OLSON FARM
51	MOUNTAIN VIEW CEMETERY
52	PIONEER CEMETARY
53	PLAZA PARK
54	SLAUGHTER MEMORIAL

OPEN SPACE	
55	CLARK PROPERTY
56	ENVIRONMENTAL
57	GAME FARM OPEN SPACE
58	GOLF COURSE OPEN SPACE
59	LAKELAND HILLS NATURE AREA
60	WEST AUBURN LAKE PROPERTY

- City of Auburn
- City Parks
- Open Space
- Special Use Areas
- Undeveloped Parks



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6665 (Coleman)

Date:

November 28, 2017

Department:

Finance

Attachments:

[Memo](#)

[Ordinance No. 6665](#)

[Schedule A](#)

[Schedule B](#)

Budget Impact:**Administrative Recommendation:**

City Council to introduce and adopt Ordinance No. 6665.

Background Summary:

Ordinance No. 6665 (Budget Amendment #3) amends the 2017 budget as presented in the attached transmittal memorandum and supporting attachments.

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

Coleman

Meeting Date: December 4, 2017

Item Number:

ORD.B



Interoffice Memorandum

To: City Council
From: Shelley Coleman, Finance Director
CC: Nancy Backus, Mayor
Date: November 20, 2017
Re: Ordinance #6665 – 2017-2018 Budget Amendment #3

This amendment is the third budget amendment for the 2017-2018 biennium and the final amendment for calendar year 2017. All projects/programs are underway and a budget amendment is requested to ensure sufficient budget authority to meet anticipated expenditures by year end. Proposed amendments to the 2017 budget are as follows:

General Fund:

Community Development:

- Increase grant revenue for Area-Wide Redevelopment project \$ 5,200

Parks Department

- Authority to spend tourism grants \$ 5,000

Non-Departmental

- Reimburse IT Fund for PEG-eligible digital camera system \$ 10,000

Total General Fund \$ 20,200

Other Funds:

Hotel/Motel Tax Fund (F104)

- Increase professional services budget for final payments for 2016 contracts \$ 35,600

Housing & Community Development Fund (F119)

- Increase budget to reflect anticipated grant-reimbursable expenditures \$ 140,000

Mitigation Fees Fund (F124)

- Increase revenue for fire impact fees and transfers to VRFA for CIP \$ 350,000

Capital Improvements Fund (F328)

- Budget for overrun on Council Chambers project (from F505) \$ 32,000
 - Amend budget to reflect reduced Build America Bonds (BAB) subsidy \$ 17,400
- Subtotal \$ 49,400

Water Fund (F430)	
• Amend budget to reflect reduced Build America Bonds (BAB) subsidy	\$ 5,800
Sewer Fund (F431)	
• Amend budget to reflect reduced Build America Bonds (BAB) subsidy	\$ 5,800
Storm Drainage Fund (F432)	
• Amend budget to reflect reduced Build America Bonds (BAB) subsidy	\$ 5,800
Sewer Metro Sub Fund (F433)	
• Increase budget to accrue January billing charges from King County	\$ 65,000
Solid Waste Fund (F434)	
• Increase rolloff revenue and expenditure to reflect increased quantities	\$ 500,000
Facilities Fund (F505)	
• Provide funding for overrun on Council Chambers project	\$ 32,000
Innovation & Technology Fund (F518)	
• Reimbursement from General Fund for PEG-eligible digital camera	(\$ 10,000)

Council approval of proposed Ordinance 6665 would amend the 2017 budget as follows:

Table 1: 2017 Budget as Amended

2017 Budget as Amended	\$ 330,564,422
Budget Amendment #3 (Ord #6665)	<u>757,200</u>
Budget as Amended	\$ 331,321,622

Attachments:

- ❖ 1. Proposed Ordinance #6665 (budget adjustment #3)
- ❖ 2. Summary of proposed 2017 budget adjustments by fund and department (Schedule A)
- ❖ 3. Summary of approved changes to adopted 2017 budget by fund (Schedule B)

ORDINANCE NO. 6 6 6 5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING ORDINANCE NO. 6621, THE 2017-2018 BIENNIAL BUDGET ORDINANCE, AS AMENDED BY ORDINANCE NO. 6646 AND ORDINANCE NO. 6656, AUTHORIZING AMENDMENT TO THE CITY OF AUBURN 2017-2018 BUDGET AS SET FORTH IN SCHEDULE "A" AND SCHEDULE "B"

WHEREAS, the Auburn City Council at its regular meeting of November 21, 2016, adopted Ordinance No. 6621 which adopted the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the Auburn City Council at its regular meeting of April 3, 2017, adopted Ordinance No. 6646 (BA#1) which amended Ordinance No. 6621 which adopted the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the Auburn City Council at its regular meeting of July 3, 2017, adopted Ordinance No. 6656 (BA#2) which amended Ordinance No. 6646 which amended the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the City of Auburn deems it necessary to appropriate additional funds to the various funds of the 2017 budget as outlined in this Ordinance (BA#3); and

WHEREAS, this Ordinance has been approved by one more than the majority of all councilpersons in accordance with RCW 35A.34.200.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. **Amendment of the 2017-2018 Biennial Budget.** The 2017-2018 Biennial Budget of the City of Auburn is amended pursuant to Chapter 35A.34 RCW, to reflect the revenues and expenditures as shown on Schedule "A" attached hereto and incorporated herein by reference. The Mayor of the City of Auburn, Washington is hereby authorized to utilize revenue and expenditure amounts shown on said Schedule "A" and Schedule "B". A copy of said Schedule "A" and Schedule "B" is on file with the City Clerk and available for public inspection.

Section 2. **Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the remainder of such code, ordinance or regulation or the application thereof to other person or circumstance shall not be affected.

Section 3. **Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 4. **Effective Date.** This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

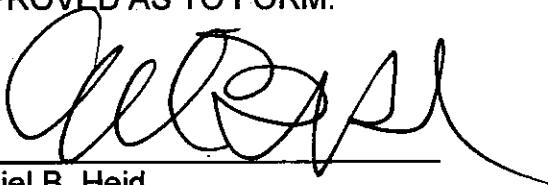
APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam
City Clerk

APPROVED AS TO FORM:



Daniel B. Heid
City Attorney

PUBLISHED: _____

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #3 (Ordinance #6665)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
General Fund (#001)				
2017 Adopted Budget	16,191,731	65,919,560	69,487,982	12,623,309
Previous Budget Amendments	4,836,935	1,349,230	3,674,144	2,512,021
2017 Amended Budget	21,028,666	67,268,790	73,162,126	15,135,330
BA#3 (Ordinance #6665, Proposed):	-	5,200	20,200	(15,000)
Community Development:				
Increase state grant revenue for Area-Wide Redevelopment project (gr1304)	-	5,200	5,200	-
Parks Department:				
Authority to expend tourism grants for Petpalooza & Veterans Day parade	-	-	5,000	(5,000)
Non-Departmental:				
Reimburse IT Fund for purchase of digital camera system (PEG fee eligible)	-	-	10,000	(10,000)
Revised 2017 Budget - Fund 001	21,028,666	67,273,990	73,182,326	15,120,330
Hotel/Motel Tax Fund (#104)				
2017 Adopted Budget	84,044	110,400	110,400	84,044
Previous Budget Amendments	96,102	-	-	96,102
2017 Amended Budget	180,146	110,400	110,400	180,146
BA#3 (Ordinance #6665, Proposed):	-	-	35,600	(35,600)
Increase professional services budget for 2016 contracts	-	-	35,600	(35,600)
Revised 2017 Budget - Fund 104	180,146	110,400	146,000	144,546
Housing & Comm Develop Fund (#119)				
2017 Adopted Budget	54,905	710,000	712,450	52,455
Previous Budget Amendments	(10,001)	-	-	(10,001)
2017 Amended Budget	44,904	710,000	712,450	42,454
BA#3 (Ordinance #6665, Proposed):	-	140,000	140,000	-
Increase budget to reflect anticipated grant-reimbursable expenditures	-	140,000	140,000	-
Revised 2017 Budget - Fund 119	44,904	850,000	852,450	42,454

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #3 (Ordinance #6665)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Mitigation Fees Fund (#124)				
2017 Adopted Budget	4,274,362	1,520,200	1,365,081	4,429,481
Previous Budget Amendments	6,820,143	400,000	2,622,961	4,597,182
2017 Amended Budget	11,094,505	1,920,200	3,988,042	9,026,663
BA#3 (Ordinance #6665, Proposed):	-	70,000	350,000	(280,000)
Incr budgeted revenue for Fire Impact fees and transfers to VRFA for CIP	-	70,000	350,000	(280,000)
Revised 2017 Budget - Fund 124	11,094,505	1,990,200	4,338,042	8,746,663
City Hall Annex 2010 A&B Bond Fund (#230)				
2017 Adopted Budget	-	1,683,192	1,683,192	-
Previous Budget Amendments	-	-	-	-
2017 Amended Budget	-	1,683,192	1,683,192	-
BA#3 (Ordinance #6665, Proposed):	-	-	-	-
Amend budget to reflect reduced Build America Bonds (BAB) subsidy	-	-	-	-
230.397.100 OPERATING TRANSFERS IN		34,800		
230.332.212 FEDERAL ENTITLEMENTS BAB SUBSIDY		(34,800)		
Revised 2017 Budget - Fund 230	-	1,683,192	1,683,192	-
Capital Improvements Fund (#328)				
2017 Adopted Budget	7,347,302	3,172,114	2,722,117	7,797,299
Previous Budget Amendments	2,685,207	669,943	2,664,864	690,286
2017 Amended Budget	10,032,509	3,842,057	5,386,981	8,487,585
BA#3 (Ordinance #6665, Proposed):	-	32,000	49,400	(17,400)
Provide funding for overrun on Council Chambers project (T/F from F505)	-	32,000	32,000	-
Amend budget to reflect reduced Build America Bonds (BAB) subsidy	-	-	17,400	(17,400)
Revised 2017 Budget - Fund 328	10,032,509	3,874,057	5,436,381	8,470,185

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #3 (Ordinance #6665)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Water Fund (#430)				
2017 Adopted Budget	4,639,074	14,953,450	14,916,531	4,675,993
Previous Budget Amendments	3,338,592	-	1,916,286	1,422,306
2017 Amended Budget	7,977,666	14,953,450	16,832,817	6,098,299
BA#3 (Ordinance #6665, Proposed):	-	-	5,800	(5,800)
Amend budget to reflect reduced Build America Bonds (BAB) subsidy	-	-	5,800	(5,800)
Revised 2017 Budget - Fund 430	7,977,666	14,953,450	16,838,617	6,092,499
Sewer Fund (#431)				
2017 Adopted Budget	1,765,613	8,195,290	8,726,193	1,234,710
Previous Budget Amendments	1,044,797	-	188,540	856,257
2017 Amended Budget	2,810,410	8,195,290	8,914,733	2,090,967
BA#3 (Ordinance #6665, Proposed):	-	-	5,800	(5,800)
Amend budget to reflect reduced Build America Bonds (BAB) subsidy	-	-	5,800	(5,800)
Revised 2017 Budget - Fund 431	2,810,410	8,195,290	8,920,533	2,085,167
Storm Drainage Fund (#432)				
2017 Adopted Budget	2,077,239	9,318,627	9,618,886	1,776,980
Previous Budget Amendments	(71,447)	-	187,560	(259,007)
2017 Amended Budget	2,005,792	9,318,627	9,806,446	1,517,973
BA#3 (Ordinance #6665, Proposed):	-	-	5,800	(5,800)
Amend budget to reflect reduced Build America Bonds (BAB) subsidy	-	-	5,800	(5,800)
Revised 2017 Budget - Fund 432	2,005,792	9,318,627	9,812,246	1,512,173

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #3 (Ordinance #6665)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Sewer Metro Sub Fund (#433)				
2017 Adopted Budget	2,374,705	17,238,490	17,294,700	2,318,495
Previous Budget Amendments	297,317	-	-	297,317
2017 Amended Budget	2,672,022	17,238,490	17,294,700	2,615,812
BA#3 (Ordinance #6665, Proposed):	-	-	65,000	(65,000)
Increase budget to accrue January billing charges from King County	-	-	65,000	(65,000)
Revised 2017 Budget - Fund 433	2,672,022	17,238,490	17,359,700	2,550,812
Solid Waste Fund (#434)				
2017 Adopted Budget	3,849,877	14,912,500	14,528,476	4,233,901
Previous Budget Amendments	561,976	-	68,642	493,334
2017 Amended Budget	4,411,853	14,912,500	14,597,118	4,727,235
BA#3 (Ordinance #6665, Proposed):	-	500,000	500,000	-
Increase rolloff revenue and expenditure to reflect increased quantities	-	500,000	500,000	-
Revised 2017 Budget - Fund 434	4,411,853	15,412,500	15,097,118	4,727,235
Facilities Fund (#505)				
2017 Adopted Budget	1,330,105	3,462,500	3,507,030	1,285,575
Previous Budget Amendments	522,911	-	544,814	(21,903)
2017 Amended Budget	1,853,016	3,462,500	4,051,844	1,263,672
BA#3 (Ordinance #6665, Proposed):	-	-	32,000	(32,000)
Provide funding for overrun on Council Chambers project (T/F to F328)	-	-	32,000	(32,000)
Revised 2017 Budget - Fund 505	1,853,016	3,462,500	4,083,844	1,231,672

Schedule A
Summary of 2017 Budget Adjustments by Fund
Budget Amendment #3 (Ordinance #6665)

	Beg. Fund Balance	2017 Revenues	2017 Expenditures	Ending Fund Balance
Innovation & Technology Fund (#518)				
2017 Adopted Budget	229,416	6,184,022	5,978,710	434,728
Previous Budget Amendments	835,297	511,965	243,695	1,103,567
2017 Amended Budget	1,064,713	6,695,987	6,222,405	1,538,295
BA#3 (Ordinance #6665, Proposed):				
	-	10,000	-	10,000
Reimbursement from General Fund for digital camera system (PEG fee eligible)				
	-	10,000	-	10,000
Revised 2017 Budget - Fund 518	1,064,713	6,705,987	6,222,405	1,548,295
Grand Total - All Funds				
2017 Adopted Budget	88,839,185	180,241,144	186,485,122	82,595,207
Previous Budget Amendments	39,247,044	22,237,049	40,347,572	21,136,521
2017 Amended Budget	128,086,229	202,478,193	226,832,694	103,731,728
TOTAL BA#3 (Ordinance #6665, Proposed)	-	757,200	1,209,600	(452,400)
Revised 2017 Budget	128,086,229	203,235,393	228,042,294	103,279,328
		331,321,622		331,321,622

Schedule B 2017 Appropriations by Fund

Fund	2017 Adopted Budget	BA#1 (Ord #6646)	BA#2 (Ord #6656)	BA#3 (Ord #6665)	Total Amendments	Revised Budget
General Fund (#001)	82,111,291	1,260,227	4,925,938	5,200	6,191,365	88,302,656
Arterial Street Fund (#102)	4,171,632	13,688,682	126,525	-	13,815,207	17,986,839
Local Street Fund (#103)	3,310,982	713,354	309,491	-	1,022,845	4,333,827
Hotel Motel Fund (#104)	194,444	-	96,102	-	96,102	290,546
Arterial Street Preservation Fund (#105)	5,134,478	2,927,084	47,717	-	2,974,801	8,109,279
Drug Forfeiture Fund (#117)	444,997	-	95,555	-	95,555	540,552
Housing and Community Development Grant Fund (#119)	764,905	-	(10,001)	140,000	129,999	894,904
Recreation Trails Fund (#120)	56,998	-	164	-	164	57,162
Business Improvement Area Fund (#121)	103,716	-	9,956	-	9,956	113,672
Cumulative Reserve Fund (#122)	7,566,699	1,042,138	1,121,600	-	2,163,738	9,730,437
Mitigation Fees Fund (#124)	5,794,562	1,615,961	5,604,182	70,000	7,290,143	13,084,705
1998 Library Fund (#229)	283,850	-	-	-	-	283,850
2010 Annex A&B Bond Debt Fund (#230)	1,683,192	-	-	-	-	1,683,192
2010 C&D Local Revitalization Debt Fund (#231)	589,071	-	-	-	-	589,071
SCORE Debt Service Fund (#238)	2,033,474	-	-	-	-	2,033,474
LID Guarantee Fund (#249)	-	-	1,588	-	1,588	1,588
LID #350 (#275)	19,205	-	(1,349)	-	(1,349)	17,856
Golf/Cemetery 2016 Refunding (#276)	554,393	-	-	-	-	554,393
Municipal Park Construction Fund (#321)	2,640,222	891,089	633,660	-	1,524,749	4,164,971
Capital Improvements Fund (#328)	10,519,416	1,683,013	1,672,137	32,000	3,387,150	13,906,566
Local Revitalization Fund (#330)	326,251	39,239	25,600	-	64,839	391,090
Water Fund (#430)	19,592,524	106,324	3,232,268	-	3,338,592	22,931,116
Sewer Fund (#431)	9,960,903	55,424	989,373	-	1,044,797	11,005,700
Storm Drainage Fund (#432)	11,395,866	55,423	(126,870)	-	(71,447)	11,324,419
Sewer Metro Fund (#433)	19,613,195	-	297,317	-	297,317	19,910,512
Solid Waste Fund (#434)	18,762,377	-	561,976	500,000	1,061,976	19,824,353
Airport Fund (#435)	1,001,865	-	67,084	-	67,084	1,068,949
Cemetery Fund (#436)	1,405,886	-	16,243	-	16,243	1,422,129
Water Capital Fund (#460)	7,202,039	4,588,991	(577,498)	-	4,011,493	11,213,532
Sewer Capital Fund (#461)	9,253,119	1,425,318	3,531,858	-	4,957,176	14,210,295
Storm Drainage Capital Fund (#462)	13,142,343	1,480,104	657,253	-	2,137,357	15,279,700
Airport Capital Fund (#465)	475,077	275,000	213,592	-	488,592	963,669
Cemetery Capital Fund (#466)	157,301	-	99,332	-	99,332	256,633
Insurance Fund (#501)	1,314,189	670,715	72,996	-	743,711	2,057,900
Workers Compensation Self Insurance Fund (#503)	1,843,922	-	310,346	-	310,346	2,154,268
Facilities Fund (#505)	4,792,605	431,914	90,997	-	522,911	5,315,516
Innovation and Technology Fund (#518)	6,413,438	505,270	769,297	10,000	1,284,567	7,698,005
Equipment Rental Fund (#550)	5,251,597	-	480,745	-	480,745	5,732,342
Equipment Rental Capital Fund (#560)	3,175,144	681,236	1,258,580	-	1,939,816	5,114,960
IT Capital Fund (#568)	1,762,983	332,232	393,594	-	725,826	2,488,809
Fire Pension Fund (#611)	2,501,899	-	(5,323)	-	(5,323)	2,496,576
Cemetery Endowment Fund (#701)	1,758,279	-	23,330	-	23,330	1,781,609
Total	269,080,329	34,468,738	27,015,355	757,200	62,241,293	331,321,622

AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6666 (Coleman)

Date:

November 28, 2017

Department:

Finance

Attachments:

[Memo](#)

[Ordinance No. 6666](#)

[Schedule A](#)

[Schedule B](#)

[Attachment 1](#)

[Attachment 2](#)

Budget Impact:**Administrative Recommendation:**

City Council adopt Ordinance No. 6666.

Background Summary:

Budget Amendment #4 represents the fourth budget amendment for the 2017-2018 biennium and the first budget amendment for 2018. For details, see the attached transmittal memorandum and supporting materials.

Changes from the proposed budget amendment reviewed by Council at the September 25 study session include:

- Increased costs associated with the Central Parking Garage; and
- Restoration of funding for projects for which REET funding was diverted to Street Preservation projects.
- Inclusion of the effects of proposed BA#3 (which amends the 2017 budget) on 2018 beginning fund balances.

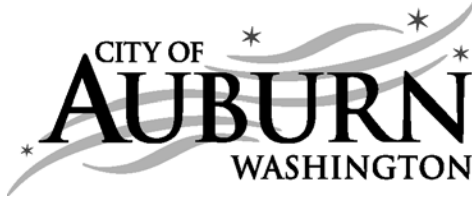
Reviewed by Council Committees:**Councilmember:****Staff:**

Coleman

Meeting Date: December 4, 2017

Item Number:

ORD.C



Interoffice Memorandum

To: City Council
From: Shelley Coleman, Finance Director
CC: Nancy Backus, Mayor
Date: November 29, 2017
Re: Ordinance #6666 – 2017-2018 Budget Amendment #4

The City's biennial 2017-2018 budget was approved by Council as two one-year appropriations. Budget Amendments #1 and #2 amended the budget for calendar year 2017. Budget Amendment #3, which will also amend the 2017 budget, will be brought to Council for consideration on December 4, 2017.

This amendment will be the fourth budget amendment for the biennium and the first budget amendment for calendar year 2018. The purpose of this amendment is to 1) amend the 2018 budget for changes that occurred in 2017 for which there is an ongoing fiscal impact; 2) to carry forward capital project budgets that are not anticipated to be completed in 2017 and adjust other project budgets to match the 2018-2023 Capital Facilities Plan (CFP); 3) to establish budget spending authority for new programs and other expected changes in 2018; and 4) to allocate REET funds to three new street projects. Proposed amendments to the 2018 budget are as follows:

Adjustments of 2018 beginning fund balance due to 2017 budget amendments. Each approved budget amendment in 2017 (in BAs #1 and #2, and proposed BA#3) that amended the 2017 budgeted ending fund balance also affects the budgeted 2018 beginning fund balance. These adjustments, which affect most funds, increase 2018 budgeted fund balance by \$20,734,121.

Continuation of previously approved requests by Council. Items in this category were previously approved by Council in 2017 and are ongoing items that need to be included in the 2018 budget. In total, these items reduce budgeted 2018 ending fund balance by \$465,400, and include:

- Revenue adjustments that are expected to continue in 2018 (such as property and utility taxes);
- Ongoing costs associated with the new Administrative Assistant FTE added in BA#2; and
- Corrections for unbudgeted items, not included in the adopted 2018 budget.

New funding requests. This category includes project adjustments as well as new funding requests and other adjustments. In aggregate, these items increase budgeted 2018 ending fund balance by \$2,612,400.

Project adjustments include requested project expenses that were previously approved in 2017 but will require carry forward to 2018, as well as other changes to project budgets to align with the 2018-2023 Capital Facilities Plan (CFP) that is scheduled to be adopted in December. Please refer to Attachment 1 for project revenue and expense budget changes in the Arterial Street Fund (#102), Local Street Fund (#103), Arterial Street Preservation Fund (#105), Mitigation Fees Fund (#124), Parks

Construction Fund (#321), Capital Improvements Fund (#328), Local Revitalization Fund (#330), Water Utility Capital Fund (#460), Sewer Utility Capital Fund (#461), Storm Drainage Utility Capital Fund (#462), Facilities Fund (#505), and the Equipment Rental Capital Fund (#560).

This budget amendment also restores REET funding, which had been diverted to street projects, to the Tenth Green and Surrounds Rebuild project and Public Art program.

Other requests include revenue adjustments to reflect new revenue sources and increases in existing revenue streams; requests to add new staffing; requests for increased funding for existing programs, and funding requests for new projects or programs.

This budget amendment adds budget for the Auburn central parking garage and includes painting the exterior and ramp work.

In this budget amendment, three new positions are being requested:

- Economic Development Coordinator, Administration Department (1.0 FTE, \$121,400): Funding is requested to hire an Economic Development Coordinator to provide capacity to implement the strategies identified in the 10-Year Economic Development Strategic Plan.
- Maintenance Worker I-CDL, Storm Utility Fund (2.0 FTEs; \$173,500): Funding is requested to hire two additional maintenance workers to focus on inspection, cleaning, and repair of the storm drainage system based on the requirements of the Department of Ecology's National Pollution Discharge Elimination System (NPDES) permit.

Funding for street preservation projects. Based on the recommendation of the *ad hoc* committee on \$20 car tab fees, this amendment would reduce 2018 ending fund balance by \$2,212,400 by:

- Reallocating REET funds within the Capital Improvements Fund (Fund 328) by deferring certain projects (see Attachment 2), plus adding a one-time transfer of \$1,300,000 from the Cumulative Reserve Fund.
- Funding three streets projects from those funds:
 - West Valley Highway Paving \$ 350,000
 - Arterial Street Preservation Program \$ 1,200,000
 - S. 277th Street Pavement Preservation \$ 662,400
 - Balance to Fund 328 for future projects \$ 679,100

The following table summarizes the current and revised budget as a result of this amendment.

Table 1: 2017 Budget as Amended

2018 Adopted Budget	\$ 266,871,607
Budget Amendment #4 (Ord #6666)	<u>25,731,421</u>
2018 Budget as Amended	\$ 292,603,028

Attachments:

- ❖ 1. Summary of CIP changes per 2018-2023 CFP.
- ❖ 2. Recommended reallocation of REET funds and transfer from cumulative reserves for street preservation projects, per the *ad hoc* committee on \$20 car tab fees.

ORDINANCE NO. 6666

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING ORDINANCE NO. 6621, THE 2017-2018 BIENNIAL BUDGET ORDINANCE, AS AMENDED BY ORDINANCE NO. 6646, ORDINANCE NO. 6656, AND ORDINANCE NO. 6665, AUTHORIZING AMENDMENT TO THE CITY OF AUBURN 2017-2018 BUDGET AS SET FORTH IN SCHEDULE "A" AND SCHEDULE "B"

WHEREAS, the Auburn City Council at its regular meeting of November 21, 2016, adopted Ordinance No. 6621 which adopted the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the Auburn City Council at its regular meeting of April 3, 2017, adopted Ordinance No. 6646 (BA#1) which amended Ordinance No. 6621 which adopted the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the Auburn City Council at its regular meeting of July 3, 2017, adopted Ordinance No. 6656 (BA#2) which amended Ordinance No. 6646 which amended the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the Auburn City Council at its regular meeting of December 4, 2017, adopted Ordinance No. 6665 (BA#3) which amended Ordinance No. 6656 which amended the City of Auburn 2017-2018 Biennial budget; and

WHEREAS, the City of Auburn deems it necessary to appropriate additional funds to the various funds of the 2018 budget as outlined in this Ordinance (BA#4); and

WHEREAS, this Ordinance has been approved by one more than the majority of all councilpersons in accordance with RCW 35A.34.200.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. **Amendment of the 2017-2018 Biennial Budget.** The 2017-2018 Biennial Budget of the City of Auburn is amended pursuant to Chapter 35A.34 RCW, to reflect the revenues and expenditures as shown on Schedule "A" attached hereto and incorporated herein by reference. The Mayor of the City of Auburn, Washington is hereby authorized to utilize revenue and expenditure amounts shown on said Schedule "A" and Schedule "B." A copy of said Schedule "A" and Schedule "B" is on file with the City Clerk and available for public inspection.

Section 2. **Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance is held to be invalid, the remainder of such code, ordinance or regulation or the application thereof to other person or circumstance shall not be affected.

Section 3. **Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 4. **Effective Date.** This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam
City Clerk

APPROVED AS TO FORM:



Daniel B. Heid
City Attorney

PUBLISHED: _____

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
General Fund (#001)				
2018 Adopted Budget	12,623,309	66,091,810	72,860,044	5,855,075
BA#4 (Ordinance #6XXX, Proposed):	2,497,021	897,200	1,938,200	1,456,021
General Fund Revenues:				
Incr property tax revenues to reflect use of banked capacity (from BA#1)	-	500,000	-	500,000
Revenue from City Traffic School (from BA#2)	-	40,000	-	40,000
Adjust budget for expected utility taxes (from BA#2)	-	170,900	-	170,900
Mayor's Office / Administration:				
New FTE: Administrative Assistant (from BA#2)	-	-	93,200	(93,200)
Funding for homeless resources and sheltering	-	-	337,400	(337,400)
Web-based business licensing database system (with partial grant funding)	-	65,000	122,500	(57,500)
New FTE: Economic Development Coordinator	-	-	121,400	(121,400)
Finance Department:				
Correct budget for position #1430-002 (from BA#1)	-	-	85,100	(85,100)
Police Department:				
Incr pension budget for Records Division (underbudgeted) (from BA#1)	-	-	46,800	(46,800)
Add budget for holidays worked (previously unbudgeted) (from BA#1)	-	-	300,000	(300,000)
Add budget for comp time and other cashouts (from BA#1)	-	-	400,000	(400,000)
Transfer appropriation for Police vehicles in POL.0023 to Fund 560 (T/F to F560)	-	-	-	-
001.21.521.200.64 MACHINERY & EQUIPMENT			(130,300)	
001.98.597.100.55 OPERATING TRANSFERS OUT			130,300	
Accept reimb from CJTC / add supernumerary position (from BA#1)	-	121,300	118,600	2,700
Automatic vehicle location for Police vehicles	-	-	22,500	(22,500)
Human Resources Department:				
Increase budget for King County District Court costs	-	-	135,000	(135,000)
Streets Department:				
Restore funding for position #4270-001, not included in 2018 budget	-	-	68,100	(68,100)
Non-Departmental:				
Adjust beginning fund balance for budget amendments in 2017	2,497,021	-	-	2,497,021
Increase budget for Central Parking Garage O&M expenses	-	-	87,600	(87,600)
Revised 2018 Budget - Fund 001	15,120,330	66,989,010	74,798,244	7,311,096

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Arterial Street Fund (#102)				
2018 Adopted Budget	1,376,814	6,215,417	6,643,292	948,939
BA#4 (Ordinance #6XXX, Proposed):	425,575	(4,353,700)	(4,089,800)	161,675
Adjust beginning fund balance for budget amendments in 2017	80,675	-	-	80,675
Add'l funding for transit partnership services related to increased Sounder service	-	-	140,000	(140,000)
Adjustments to capital projects per 2018-2023 CFP	344,900	(4,423,700)	(4,299,800)	221,000
Rebudget funding for Kersey Way study (asbd11) (Transfer In from F124)	-	20,000	20,000	-
Rebudget funding for A St SE/Lakeland Hills Way Intersection proj (T/F frm F124)	-	50,000	50,000	-
Revised 2018 Budget - Fund 102	1,802,389	1,861,717	2,553,492	1,110,614
Local Street Fund (#103)				
2018 Adopted Budget	893,143	1,909,100	2,418,270	383,973
BA#4 (Ordinance #6XXX, Proposed):	459,491	-	150,000	309,491
Adjust beginning fund balance for budget amendments in 2017	309,491	-	-	309,491
Adjustments to capital projects per 2018-2023 CFP	150,000	-	150,000	-
Revised 2018 Budget - Fund 103	1,352,634	1,909,100	2,568,270	693,464
Hotel/Motel Tax Fund (#104)				
2018 Adopted Budget	84,044	113,700	113,700	84,044
BA#4 (Ordinance #6XXX, Proposed):	60,502	-	-	60,502
Adjust beginning fund balance for budget amendments in 2017	60,502	-	-	60,502
Revised 2018 Budget - Fund 104	144,546	113,700	113,700	144,546

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Arterial Street Preservation Fund (#105)				
2018 Adopted Budget	366,008	3,067,340	2,880,440	552,908
BA#4 (Ordinance #6XXX, Proposed):	1,043,817	2,658,000	2,290,500	1,411,317
Funding for West Valley Highway paving project (T/F from F328)	-	350,000	350,000	-
Funding for Arterial Street Preservation projects (T/F from F328)	-	1,200,000	1,200,000	-
Adjust beginning fund balance for budget amendments in 2017	247,717	-	-	247,717
Adjust budget for expected utility taxes (from BA#2)	-	34,100	-	34,100
Funding for S. 277th St. Pavement Preservation project (T/F from F328)	-	1,324,800	1,324,800	-
Adjustments to capital projects per 2018-2023 CFP	796,100	(250,900)	(584,300)	1,129,500
Revised 2018 Budget - Fund 105	1,409,825	5,725,340	5,170,940	1,964,225
Drug Forfeiture Fund (#117)				
2018 Adopted Budget	193,981	87,100	253,221	27,860
BA#4 (Ordinance #6XXX, Proposed):	95,555	-	-	95,555
Adjust beginning fund balance for budget amendments in 2017	95,555	-	-	95,555
Revised 2018 Budget - Fund 117	289,536	87,100	253,221	123,415
Housing & Comm Develop Fund (#119)				
2018 Adopted Budget	52,455	460,000	468,446	44,009
BA#4 (Ordinance #6XXX, Proposed):	(10,001)	-	-	(10,001)
Adjust beginning fund balance for budget amendments in 2017	(10,001)	-	-	(10,001)
Revised 2018 Budget - Fund 119	42,454	460,000	468,446	34,008
Recreation Trails Fund (#120)				
2018 Adopted Budget	56,998	7,340	-	64,338
BA#4 (Ordinance #6XXX, Proposed):	164	-	-	164
Adjust beginning fund balance for budget amendments in 2017	164	-	-	164
Revised 2018 Budget - Fund 120	57,162	7,340	-	64,502

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
BIA Fund (#121)				
2018 Adopted Budget	48,716	55,200	55,000	48,916
BA#4 (Ordinance #6XXX, Proposed):	9,956	-	-	9,956
Adjust beginning fund balance for budget amendments in 2017	9,956	-	-	9,956
Revised 2018 Budget - Fund 121	58,672	55,200	55,000	58,872
Cumulative Reserve Fund (#122)				
2018 Adopted Budget	7,366,699	20,500	250,000	7,137,199
BA#4 (Ordinance #6XXX, Proposed):	2,121,600	-	1,300,000	821,600
Adjust beginning fund balance for budget amendments in 2017	2,121,600	-	-	2,121,600
Transfer reserves to Fund 328 for street preservation projects	-	-	1,300,000	(1,300,000)
Revised 2018 Budget - Fund 122	9,488,299	20,500	1,550,000	7,958,799
Mitigation Fees Fund (#124)				
2018 Adopted Budget	4,429,481	1,520,200	1,219,817	4,729,864
BA#4 (Ordinance #6XXX, Proposed):	4,593,782	-	160,600	4,433,182
Adjust beginning fund balance for budget amendments in 2017	4,367,182	-	-	4,367,182
Trail and other improvements to West Auburn Lake Property (Transfer to F321)	-	-	100,000	(100,000)
Adjustments of transfers for capital projects per 2018-2023 CFP	226,600	-	(9,400)	236,000
Rebudget funding for Kersey Way study (asbd11) (Transfer to F102)	-	-	20,000	(20,000)
Rebudget funding for A St SE/Lakeland Hills Way Intersection proj (T/F to F102)	-	-	50,000	(50,000)
Revised 2018 Budget - Fund 124	9,023,263	1,520,200	1,380,417	9,163,046
LID Guarantee Fund (#249)				
2018 Adopted Budget	-	-	-	-
BA#4 (Ordinance #6XXX, Proposed):	1,588	-	-	1,588
Adjust beginning fund balance for budget amendments in 2017	1,588	-	-	1,588
Revised 2018 Budget - Fund 249	1,588	-	-	1,588

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
LID 350 Fund (#275)				
2018 Adopted Budget	11,959	7,812	7,246	12,525
BA#4 (Ordinance #6XXX, Proposed):	(1,349)	-	-	(1,349)
Adjust beginning fund balance for budget amendments in 2017	(1,349)	-	-	(1,349)
Revised 2018 Budget - Fund 275	10,610	7,812	7,246	11,176
Parks Construction Fund (#321)				
2018 Adopted Budget	282,116	664,590	872,000	74,706
BA#4 (Ordinance #6XXX, Proposed):	550,460	750,000	816,400	484,060
Adjust beginning fund balance for budget amendments in 2017	484,060	-	-	484,060
Trail and other improvements to West Auburn Lake Property (Transfer from F124)	-	100,000	100,000	-
Adjustments to capital projects per 2018-2023 CFP	66,400	623,000	689,400	-
Restore Tenth Green and Surrounds Rebuild project with unobligated REET funds	-	27,000	27,000	-
Revised 2018 Budget - Fund 321	832,576	1,414,590	1,688,400	558,766
Capital Improvements Fund (#328)				
2018 Adopted Budget	7,797,299	3,869,857	4,015,148	7,652,008
BA#4 (Ordinance #6XXX, Proposed):	967,886	1,101,600	1,584,000	485,486
Adjust beginning fund balance for budget amendments in 2017	672,886	-	-	672,886
Adjustments to capital projects per 2018-2023 CFP	210,000	(398,400)	(970,400)	782,000
Transfer from Cumulative Reserve Fund for street preservation projects	-	1,300,000	-	1,300,000
Web based HVAC upgrade for Council chambers (Transfer from F505)	-	200,000	200,000	-
Restore Tenth Green and Surrounds Rebuild project with unobligated REET funds	-	-	27,000	(27,000)
Restore Public Art project with unobligated REET funds	85,000	-	115,000	(30,000)
Funding for West Valley Highway paving project (Transfer to F105)	-	-	350,000	(350,000)
Funding for Arterial Street Preservation program projects (Transfer to F105)	-	-	1,200,000	(1,200,000)
Funding for S. 277th St. Pavement Preservation project (Transfer to F105)	-	-	662,400	(662,400)
Revised 2018 Budget - Fund 328	8,765,185	4,971,457	5,599,148	8,137,494

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Local Revitalization Fund (#330)				
2018 Adopted Budget	-	-	-	-
BA#4 (Ordinance #6XXX, Proposed):	41,100	-	40,500	600
Adjust beginning fund balance for budget amendments in 2017	600	-	-	600
Adjustments to capital projects per 2018-2023 CFP	40,500	-	40,500	-
Revised 2018 Budget - Fund 330	41,100	-	40,500	600
Water Fund (#430)				
2018 Adopted Budget	4,675,993	15,432,455	15,464,336	4,644,112
BA#4 (Ordinance #6XXX, Proposed):	1,454,006	-	135,800	1,318,206
Adjust beginning fund balance for budget amendments in 2017	1,416,506	-	-	1,416,506
Correct budget for position #1430-002 (from BA#1)	-	-	4,000	(4,000)
Adjust budget for expected utility taxes (from BA#2)	-	-	95,000	(95,000)
Increase budget for Central Parking Garage O&M expenses	-	-	11,800	(11,800)
Adjust operating transfers to F560 for capital projects per 2018-2023 CFP	37,500	-	25,000	12,500
Revised 2018 Budget - Fund 430	6,129,999	15,432,455	15,600,136	5,962,318
Sewer Fund (#431)				
2018 Adopted Budget	1,234,710	8,237,670	7,793,219	1,679,161
BA#4 (Ordinance #6XXX, Proposed):	887,957	-	101,300	786,657
Adjust beginning fund balance for budget amendments in 2017	850,457	-	-	850,457
### Correct budget for position #1430-002 (from BA#1)	-	-	3,000	(3,000)
Adjust budget for expected utility taxes (from BA#2)	-	-	65,000	(65,000)
Adjust operating transfers to F560 for capital projects per 2018-2023 CFP	37,500	-	25,000	12,500
Increase budget for Central Parking Garage O&M expenses	-	-	8,300	(8,300)
Revised 2018 Budget - Fund 431	2,122,667	8,237,670	7,894,519	2,465,818

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Storm Drainage Fund (#432)				
2018 Adopted Budget	1,776,980	9,320,902	9,561,770	1,536,112
BA#4 (Ordinance #6XXX, Proposed):	(227,307)	-	257,200	(484,507)
Adjust beginning fund balance for budget amendments in 2017	(264,807)	-	-	(264,807)
Increase budget for Central Parking Garage O&M expenses	-	-	10,700	(10,700)
Correct budget for position #1430-002 (from BA#1)	-	-	3,000	(3,000)
Adjust operating transfers to F560 for capital projects per 2018-2023 CFP	37,500	-	25,000	12,500
NEW FTEs: two Maintenance Worker I positions	-	-	173,500	(173,500)
Adjust budget for expected utility taxes (from BA#2)	-	-	45,000	(45,000)
Revised 2018 Budget - Fund 432	1,549,673	9,320,902	9,818,970	1,051,605
Sewer Metro Sub Fund (#433)				
2018 Adopted Budget	2,318,495	18,190,923	18,250,200	2,259,218
BA#4 (Ordinance #6XXX, Proposed):	232,317	-	-	232,317
Adjust beginning fund balance for budget amendments in 2017	232,317	-	-	232,317
Revised 2018 Budget - Fund 433	2,550,812	18,190,923	18,250,200	2,491,535
Solid Waste Fund (#434)				
2018 Adopted Budget	4,233,901	16,065,850	15,691,927	4,607,824
BA#4 (Ordinance #6XXX, Proposed):	493,334	(1,012,900)	(751,700)	232,134
Adjust beginning fund balance for budget amendments in 2017	493,334	-	-	493,334
Correct budget for position #1430-002 (from BA#1)	-	-	1,000	(1,000)
Adjust budget to reflect extension of solid waste contract with Republic Services	-	(1,012,900)	(752,700)	(260,200)
Revised 2018 Budget - Fund 434	4,727,235	15,052,950	14,940,227	4,839,958

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Airport Fund (#435)				
2018 Adopted Budget	324,165	829,800	693,975	459,990
BA#4 (Ordinance #6XXX, Proposed):	26,635	19,000	90,100	(44,465)
Adjust beginning fund balance for budget amendments in 2017	26,635	-	-	26,635
Add budget to repay interfund loan (from BA#1)	-	-	40,100	(40,100)
Increase revenues for change in security charge (from BA#2)	-	19,000	-	19,000
Competitive Market Assessment / Long-Term Rate Study for the Auburn Airport	-	-	50,000	(50,000)
Revised 2018 Budget - Fund 435	350,800	848,800	784,075	415,525
Cemetery Fund (#436)				
2018 Adopted Budget	243,909	1,183,800	1,197,391	230,318
BA#4 (Ordinance #6XXX, Proposed):	16,243	-	1,000	15,243
Adjust beginning fund balance for budget amendments in 2017	16,243	-	-	16,243
Correct budget for position #1430-002 (from BA#1)	-	-	1,000	(1,000)
Revised 2018 Budget - Fund 436	260,152	1,183,800	1,198,391	245,561
Water Capital Fund (#460)				
2018 Adopted Budget	946,053	5,000,000	5,086,586	859,467
BA#4 (Ordinance #6XXX, Proposed):	(309,998)	287,500	(777,400)	754,902
Adjust beginning fund balance for budget amendments in 2017	(862,498)	-	-	(862,498)
Adjustments to capital projects per 2018-2023 CFP	552,500	287,500	(777,400)	1,617,400
Revised 2018 Budget - Fund 460	636,055	5,287,500	4,309,186	1,614,369

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Sewer Capital Fund (#461)				
2018 Adopted Budget	7,821,219	600,000	1,414,000	7,007,219
BA#4 (Ordinance #6XXX, Proposed):	3,881,858	-	257,000	3,624,858
Adjust beginning fund balance for budget amendments in 2017	3,531,858	-	-	3,531,858
Incr budget for Pump Station Telemetry Imprvmnts from 2017 savings in other proj	140,000	-	140,000	-
New: Pump Station Electrical Improvements funded from savings in other project	-	-	-	-
New Project 461.00.590.100.65 CONSTRUCTION PROJECTS			141,000	
Sewer Pump Station Repl Proj 461.00.590.100.65 CONSTRUCTION PROJECTS			(141,000)	
Adjustments to capital projects per 2018-2023 CFP	210,000	-	117,000	93,000
Revised 2018 Budget - Fund 461	11,703,077	600,000	1,671,000	10,632,077
Storm Drainage Capital Fund (#462)				
2018 Adopted Budget	10,347,143	1,800,000	1,536,000	10,611,143
BA#4 (Ordinance #6XXX, Proposed):	1,097,153	-	638,100	459,053
Adjust beginning fund balance for budget amendments in 2017	314,053	-	-	314,053
Auburn Way South, 2nd to Main St. Storm Improvements (cpXXXX)	-	-	125,000	(125,000)
Adjustments to capital projects per 2018-2023 CFP	783,100	-	513,100	270,000
Revised 2018 Budget - Fund 462	11,444,296	1,800,000	2,174,100	11,070,196
Airport Capital Fund (#465)				
2018 Adopted Budget	111,743	1,741,667	1,853,334	76
BA#4 (Ordinance #6XXX, Proposed):	92,892	527,800	555,600	65,092
Adjust beginning fund balance for budget amendments in 2017	92,892	-	-	92,892
Move funding for purchase of runway safety area from 2021 to 2018	-	527,800	555,600	(27,800)
Revised 2018 Budget - Fund 465	204,635	2,269,467	2,408,934	65,168

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Cemetery Capital Fund (#466)				
2018 Adopted Budget	157,301	-	-	157,301
BA#4 (Ordinance #6XXX, Proposed):	99,332	75,000	75,000	99,332
Adjust beginning fund balance for budget amendments in 2017	99,332	-	-	99,332
Fund asphalt repair work at Mountain View Cemetery (Transfer from F701)	-	75,000	75,000	-
Revised 2018 Budget - Fund 466	256,633	75,000	75,000	256,633
Insurance Fund (#501)				
2018 Adopted Budget	1,084,209	1,500	241,230	844,479
BA#4 (Ordinance #6XXX, Proposed):	743,711	-	-	743,711
Adjust beginning fund balance for budget amendments in 2017	743,711	-	-	743,711
Revised 2018 Budget - Fund 501	1,827,920	1,500	241,230	1,588,190
Workers' Comp Fund (#503)				
2018 Adopted Budget	993,145	1,103,700	862,683	1,234,162
BA#4 (Ordinance #6XXX, Proposed):	227,246	-	-	227,246
Adjust beginning fund balance for budget amendments in 2017	227,246	-	-	227,246
Revised 2018 Budget - Fund 503	1,220,391	1,103,700	862,683	1,461,408
Facilities Fund (#505)				
2018 Adopted Budget	1,285,575	3,875,400	3,911,293	1,249,682
BA#4 (Ordinance #6XXX, Proposed):	(53,903)	(285,000)	(85,000)	(253,903)
Adjust beginning fund balance for budget amendments in 2017	(53,903)	-	-	(53,903)
Adjustments to capital projects per 2018-2023 CFP	-	(450,000)	(450,000)	-
Web based HVAC upgrade for Council chambers (Transfer to F328)	-	-	200,000	(200,000)
Increase budget for Central Parking Garage O&M expenses	-	165,000	165,000	-
Revised 2018 Budget - Fund 505	1,231,672	3,590,400	3,826,293	995,779

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
Innovation & Technology Fund (#518)				
2018 Adopted Budget	435,128	6,598,327	6,063,932	969,523
BA#4 (Ordinance #6XXX, Proposed):	1,113,567	362,400	135,000	1,340,967
Funding for major upgrade to the City's CRW system	-	-	50,000	(50,000)
Adjust beginning fund balance for budget amendments in 2017	1,113,567	-	-	1,113,567
Correct interfund revenue to match charges to departments/funds	-	362,400	-	362,400
Migrate help desk software to service desk solution	-	-	80,000	(80,000)
New FTE: Administrative Assistant (from BA#2)	-	-	5,000	(5,000)
Revised 2018 Budget - Fund 518	1,548,695	6,960,727	6,198,932	2,310,490
Equipment Rental Fund (#550)				
2018 Adopted Budget	2,483,429	3,049,383	2,829,409	2,703,403
BA#4 (Ordinance #6XXX, Proposed):	440,448	-	(88,800)	529,248
Adjust beginning fund balance for budget amendments in 2017	440,448	-	-	440,448
Correct budget for position #1430-002 (from BA#1)	-	-	2,100	(2,100)
Move budget for capital lease from capital to oper subfund (from BA#1)	-	-	41,500	(41,500)
Remove salary and benefits for deactivated M&O Support Manager position	-	-	(132,400)	132,400
Revised 2018 Budget - Fund 550	2,923,877	3,049,383	2,740,609	3,232,651
Equipment Rental Capital Fund (#560)				
2018 Adopted Budget	1,376,943	1,703,631	1,506,851	1,573,723
BA#4 (Ordinance #6XXX, Proposed):	1,066,352	230,300	188,800	1,107,852
Adjust beginning fund balance for budget amendments in 2017	1,066,352	-	-	1,066,352
Move budget for capital lease from capital to oper subfund (from BA#1)	-	-	(41,500)	41,500
Transfer appropriation for Police vehicles in POL.0023 to Fund 560 (T/F from GF)	-	130,300	130,300	-
Adjust operating transfers to F560 for capital projects per 2018-2023 CFP	-	100,000	100,000	-
Revised 2018 Budget - Fund 560	2,443,295	1,933,931	1,695,651	2,681,575

Schedule A
Summary of 2018 Budget Adjustments by Fund
Budget Amendment #4 (Ordinance #6666)

	Beg. Fund Balance	2018 Revenues	2018 Expenditures	Ending Fund Balance
IT Capital Fund (#568)				
2018 Amended Budget	1,079,683	205,000	1,033,800	250,883
BA#4 (Ordinance #6XXX, Proposed):	337,694	22,500	22,500	337,694
Adjust beginning fund balance for budget amendments in 2017	337,694	-	-	337,694
Automatic vehicle location for Police vehicles	-	22,500	22,500	-
Revised 2018 Budget - Fund 568	1,417,377	227,500	1,056,300	588,577
Fire Pension Fund (#611)				
2018 Adopted Budget	2,324,182	84,000	178,225	2,229,957
BA#4 (Ordinance #6XXX, Proposed):	(48,293)	-	42,800	(91,093)
Correct budget for position #1430-002 (from BA#1)	-	-	1,000	(1,000)
Adjust beginning fund balance for budget amendments in 2017	(48,293)	-	-	(48,293)
Incr salary & benefits for Battalion Chief and Fire Marshall per CBA (from BA#1)	-	-	41,800	(41,800)
Revised 2018 Budget - Fund 611	2,275,889	84,000	221,025	2,138,864
Cemetery Endowment Fund (#701)				
2018 Adopted Budget	1,758,279	39,900	-	1,798,179
BA#4 (Ordinance #6XXX, Proposed):	23,330	-	75,000	(51,670)
Adjust beginning fund balance for budget amendments in 2017	23,330	-	-	23,330
Fund asphalt repair work at Mountain View Cemetery (Transfer to F466)	-	-	75,000	(75,000)
Revised 2018 Budget - Fund 701	1,781,609	39,900	75,000	1,746,509
Grand Total - All Funds				
2018 Adopted Budget	82,595,207	184,276,400	192,349,311	74,522,296
TOTAL BA#4 (Ordinance #6XXX, Proposed)	24,451,721	1,279,700	5,062,700	20,668,721
Revised 2018 Budget	107,046,928	185,556,100	197,412,011	95,191,017
		292,603,028		292,603,028

Schedule B

2018 Appropriations by Fund

Fund	2018 Adopted Budget	BA#4 (Ord #6666)	Total Amendments	Revised Budget
General Fund (#001)	78,715,119	3,394,221	3,394,221	82,109,340
Arterial Street Fund (#102)	7,592,231	(3,928,125)	(3,928,125)	3,664,106
Local Street Fund (#103)	2,802,243	459,491	459,491	3,261,734
Hotel Motel Fund (#104)	197,744	60,502	60,502	258,246
Arterial Street Preservation Fund (#105)	3,433,348	3,701,817	3,701,817	7,135,165
Drug Forfeiture Fund (#117)	281,081	95,555	95,555	376,636
Housing and Community Development Grant Fund (#119)	512,455	(10,001)	(10,001)	502,454
Recreation Trails Fund (#120)	64,338	164	164	64,502
Business Improvement Area Fund (#121)	103,916	9,956	9,956	113,872
Cumulative Reserve Fund (#122)	7,387,199	2,121,600	2,121,600	9,508,799
Mitigation Fees Fund (#124)	5,949,681	4,593,782	4,593,782	10,543,463
1998 Library Fund (#229)	282,150	-	-	282,150
2010 Annex A&B Bond Debt Fund (#230)	1,675,120	-	-	1,675,120
2010 C&D Local Revitalization Debt Fund (#231)	589,595	-	-	589,595
SCORE Debt Service Fund (#238)	2,021,294	-	-	2,021,294
LID Guarantee Fund (#249)	-	1,588	1,588	1,588
LID #350 (#275)	19,771	(1,349)	(1,349)	18,422
Golf/Cemetery 2016 Refunding (#276)	554,367	-	-	554,367
Municipal Park Construction Fund (#321)	946,706	1,300,460	1,300,460	2,247,166
Capital Improvements Fund (#328)	11,667,156	2,069,486	2,069,486	13,736,642
Local Revitalization Fund (#330)	-	41,100	41,100	41,100
Water Fund (#430)	20,108,448	1,454,006	1,454,006	21,562,454
Sewer Fund (#431)	9,472,380	887,957	887,957	10,360,337
Storm Drainage Fund (#432)	11,097,882	(227,307)	(227,307)	10,870,575
Sewer Metro Fund (#433)	20,509,418	232,317	232,317	20,741,735
Solid Waste Fund (#434)	20,299,751	(519,566)	(519,566)	19,780,185
Airport Fund (#435)	1,153,965	45,635	45,635	1,199,600
Cemetery Fund (#436)	1,427,709	16,243	16,243	1,443,952
Water Capital Fund (#460)	5,946,053	(22,498)	(22,498)	5,923,555
Sewer Capital Fund (#461)	8,421,219	3,881,858	3,881,858	12,303,077
Storm Drainage Capital Fund (#462)	12,147,143	1,097,153	1,097,153	13,244,296
Airport Capital Fund (#465)	1,853,410	620,692	620,692	2,474,102
Cemetery Capital Fund (#466)	157,301	174,332	174,332	331,633
Insurance Fund (#501)	1,085,709	743,711	743,711	1,829,420
Workers Compensation Self Insurance Fund (#503)	2,096,845	227,246	227,246	2,324,091
Facilities Fund (#505)	5,160,975	(338,903)	(338,903)	4,822,072
Innovation and Technology Fund (#518)	7,033,455	1,475,967	1,475,967	8,509,422
Equipment Rental Fund (#550)	5,532,812	440,448	440,448	5,973,260
Equipment Rental Capital Fund (#560)	3,080,574	1,296,652	1,296,652	4,377,226
IT Capital Fund (#568)	1,284,683	360,194	360,194	1,644,877
Fire Pension Fund (#611)	2,408,182	(48,293)	(48,293)	2,359,889
Cemetery Endowment Fund (#701)	1,798,179	23,330	23,330	1,821,509
Total	266,871,607	25,731,421	25,731,421	292,603,028

Attachment 1

Summary of CIP Changes per 2018-2023 CFP

GRAND TOTAL \$ 3,717,600 \$ (3,865,500) \$ (3,402,800) \$ 3,254,900

<u>Fund</u>	<u>Project</u>	<u>Beginning Fund Balance</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Ending Fund Balance</u>
102 Arterial Streets	cp1502 37th St SE & A St SE Traffic Signal Safety Imp	34,400	355,600	390,000	-
	cp1707 A St SE Corridor Signal Safety & Op. Imp	35,500	319,700	355,200	-
	cp1110 A Street SE Safety Improvements	55,000	-	55,000	-
	asbd24 Auburn Regional Growth Center Access Imp		(500,000)	(500,000)	-
	cp1114 Auburn Way S & 12th St SE Intersection Improvements	150,000	-	150,000	-
	asbd05 AWN & 1st Street NE Signal Improvements		-	(50,000)	50,000
	asbd23 AWS / SR-164 Sidewalk Improvements		(208,000)	(260,000)	52,000
	cp1705 AWS / SR-164 Sidewalk Improvements		-	52,000	(52,000)
	asbd07 Citywide Arterial Bicycle & Safety Improvements		-	(100,000)	100,000
	asbd14 Evergreen Heights Safe Routes to School Improvements		(410,000)	(210,000)	(200,000)
	cp1416 F Street SE Non-Motorized Improvements		(2,352,000)	(2,502,000)	150,000
	cp1701 ITS Dynamic Message Signs		(120,000)	(50,000)	(70,000)
	asbd18 Lea Hill Segment 1 - R St NE to 105th PI SE		200,000	200,000	-
	asbd12 M Street NE - E Main St to 4th St NE		(300,000)	(300,000)	-
	asbd21 M Street SE & 29th St SE Intersection Safety Imp	50,000	-	50,000	-
	cp1406 Main Street Signal Upgrades	20,000	-	20,000	-
	asbd26 Riverwalk Drive SE Non-Motorized Improvements		(125,000)	(250,000)	125,000
	asbd25 Stewart Road - Lake Tapps Parkway Corridor		(34,000)	(100,000)	66,000
	asbd20 West Valley Highway Improvements		(100,000)	(100,000)	-
	cp1513 22nd St NE & I St NE Intersection		(1,175,000)	(1,175,000)	-
	asbd11 Kersey Way Study		20,000	20,000	-
	asbd15 A St SE & Lakeland Hills Wy SE Intersection Sfty & Imp		50,000	50,000	-
	asbd13 West Valley Highway Improvements		25,000	25,000	-
	TOTAL	344,900	(4,353,700)	(4,229,800)	221,000
103 Local Streets	sobd02 Local Street Improvement Program	150,000	-	150,000	-
	TOTAL	150,000	-	150,000	-
105 Arterial Street Preservation	cp1521 15th St NE/NW Preservation	750,000	750,000	1,500,000	-
	cp1502 37th St SE & A St SE Traffic Signal Safety Imp	46,100	-	46,100	-
	spbd01 Annual Street Preservation Program		-	(400,000)	400,000
	spbd04 Auburn Way N Preservation Phase 2		(889,700)	(1,508,000)	618,300
	spbd05 Auburn Way N Preservation Phase 3		(111,200)	(222,400)	111,200
	TOTAL	796,100	(250,900)	(584,300)	1,129,500

Attachment 1

Summary of CIP Changes per 2018-2023 CFP

<u>Fund</u>	<u>Project</u>	<u>Beginning Fund Balance</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Ending Fund Balance</u>
124 Mitigation Fees	asbd24 Auburn Regional Growth Center Access Imp			(100,000)	100,000
	cp1315 City Wetland Mitigation projects	26,600		26,600	-
	asbd14 Evergreen Heights Safe Routes to School Improvements			(57,000)	57,000
	cp1416 F Street SE Non-Motorized Improvements			(190,000)	190,000
	gpbd11 Lakeland Hills Nature Area			150,000	(150,000)
	asbd18 Lea Hill Segment 1 - R St NE to 105th PI SE			200,000	(200,000)
	asbd12 M Street NE - E Main St to 4th St NE			(20,000)	20,000
	gpbd13 Mary Olson Farm - Watts Property Acquisition			125,000	(125,000)
	asbd25 Stewart Road - Lake Tapps Parkway Corridor			(34,000)	34,000
	gpbd06 Sunset Park	200,000		200,000	-
	asbd20 West Valley Highway Improvements			(100,000)	100,000
	cp1513 22nd St NE & I St NE Intersection			(235,000)	235,000
	West Auburn Lake Property			100,000	(100,000)
	asbd11 Kersey Way Study			20,000	(20,000)
	asbd15 A St SE & Lakeland Hills Wy SE Intersection Sfty & Imp			50,000	(50,000)
	asbd13 West Valley Highway Improvements			25,000	(25,000)
	TOTAL	226,600	-	160,600	66,000
321 Parks Construction	gpbd22 Les Gove Campus Security Cameras	20,000	-	20,000	-
	gpbd13 Mary Olson Farm - Watts Property Acquisition		250,000	250,000	-
	gpbd04 Park Acquisitions / Development	46,400	-	46,400	-
	gpbd06 Sunset Park		400,000	400,000	-
	Public Art	-	-	-	-
	West Auburn Lake Property		100,000	100,000	-
	TOTAL	66,400	750,000	816,400	-
328 Capital Improvements	cp1611 Auburn Environmental Park Boardwalk - Phase 2		(800,000)	(800,000)	-
	cp1705 AWS / SR-164 Sidewalk Improvements	210,000	375,000	670,000	(85,000)
	cp1315 City Wetland Mitigation projects		26,600	26,600	-
	erbd02 M&O Lunchroom Expansion		-	37,500	(37,500)
	gcdb05 Restore Public Art project with unobligated REET funds	85,000	-	115,000	(30,000)
	10thgrn Restore 10th Green rebuild proj w/ unobligated REET func		-	27,000	(27,000)
	TOTAL	295,000	(398,400)	76,100	(179,500)

Attachment 1

Summary of CIP Changes per 2018-2023 CFP

<u>Fund</u>	<u>Project</u>	<u>Beginning Fund Balance</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Ending Fund Balance</u>
330 Local Revitalization	cp1616 City Downtown Public Parking Lot Reconfiguration	40,500	-	40,500	-
	TOTAL	40,500	-	40,500	-
430 Water Operations	erbd02 M&O Lunchroom Expansion	37,500	-	37,500	-
	erbd03 M&O Master Planning	-	-	(12,500)	12,500
	TOTAL	37,500	-	25,000	12,500
431 Sewer Operations	erbd02 M&O Lunchroom Expansion	37,500	-	37,500	-
	erbd03 M&O Master Planning	-	-	(12,500)	12,500
	TOTAL	37,500	-	25,000	12,500
432 Storm Operations	erbd02 M&O Lunchroom Expansion	37,500	-	37,500	-
	erbd03 M&O Master Planning	-	-	(12,500)	12,500
	TOTAL	37,500	-	25,000	12,500
460 Water Capital					
	cp1513 22nd St NE & I St NE Intersection		-	(275,000)	275,000
	wabd08 Algona Well 1 Decommissioning		-	(39,000)	39,000
	wabd14 Auburn Regional Growth Center Access Improvements		-	(50,000)	50,000
	cp1218 Auburn Way S Muckleshoot Plaza to Dogwood	10,000	-	10,000	-
	wabd07 Coal Creek Springs Rehabilitation		-	(800,000)	800,000
	cp1603 Coal Creek Springs Transmission Main Rpl		-	(183,400)	183,400
	cp1416 F Street SE Non-Motorized Improvements		-	(250,000)	250,000
	cp1107 Fulmer Well Field Improvements	10,000	-	10,000	-
	cp1617 Lea Hill PRV Stations Improvement	10,000	-	10,000	-
	wabd13 M Street NE Widening		-	(20,000)	20,000
	cp1709 Reservoir 1 Seismic Control Valve	12,500	87,500	100,000	-
	wabd04 Utilities Field Operations Center	100,000	200,000	300,000	-
	cp1317 Water Meter & Billing System Improvements	400,000	-	400,000	-
	cp1417 West Hill Springs Improvements	10,000	-	10,000	-
	TOTAL	552,500	287,500	(777,400)	1,617,400

Attachment 1

Summary of CIP Changes per 2018-2023 CFP

<u>Fund</u>	<u>Project</u>	<u>Beginning Fund Balance</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Ending Fund Balance</u>
461 Sewer Capital	cp1520 B Street NW Reconstruction	10,000	-	10,000	-
	cp1416 F Street SE Non-Motorized Improvements		-	(88,000)	88,000
	sebd08 M Street NE Widening		-	(5,000)	5,000
	sebd06 Siphon Assessment	100,000	-	100,000	-
	wabd04 Utilities Field Operations Center	100,000	-	100,000	-
	sebd09 Pump Station Telemetry Improvements	140,000	-	140,000	-
	cp1512 Pump Station Electrical Improvements		-	(141,000)	141,000
	sebd05 Pump Station Replacement / Improvements	-	-	141,000	(141,000)
TOTAL		350,000	-	257,000	93,000
462 Storm Capital	cp1312 Academy Dr, SE 312 St Se, & D St Storm Improvements	600,000	-	600,000	-
	cp1316 East Ridge Manor Storm Drainage Improvements	83,100	-	83,100	-
	sdbd07 Hillside Drainage Assessment		-	(125,000)	125,000
	sdbd14 Riverwalk Drive SE Non-Motorized Improvements		-	(50,000)	50,000
	sdbd13 S. 330th St. & 46th Pl. S. Storm Improvement		-	(20,000)	20,000
	wabd04 Utilities Field Operations Center	100,000	-	100,000	-
	sdbd12 Vegetation Sorting Facility		-	(75,000)	75,000
	TOTAL	783,100	-	513,100	270,000
560 ER&R Capital	erbd02 M&O Lunchroom Expansion		150,000	150,000	-
	erbd03 M&O Master Planning		(50,000)	(50,000)	-
	TOTAL	-	100,000	100,000	-

Attachment 2

Funding for street preservation projects (in Fund 328) per the recommendation of the *ad hoc* committee on \$20 car tab fees

Source	Dept	Project/Program	CIP	Amount	
				2017	2018
REET					
	CDPW	Auburn Environmental Boardwalk - Phase 2	CP1611	75,000	
		Downtown Wayfinding Program	GCBD03	25,000	35,000
		Citywide Bridge Railing Replacements	GCBD08	99,000	100,000
		Citywide Street Lighting Improvements	CP1711	50,000	100,000
	Parks	Mary Olson Farm/Watts Property Acquisition	GPBD13	125,000	
		Public Art	GCBD02	133,000	30,000
		Lakeland Hills Nature Area	GPBD11	25,000	150,000
		Rebuild the Tenth Green and Surrounds			27,000
	Facilities	M&O Vehicle Storage Bay Improvements	CP0711	25,000	
		M&O Vehicle Bay Maintenance	CP1223	62,500	
		M&O Fuel Tank Replacement	ERBD01	17,500	
		M&O Lunchroom Expansion	ERBD02	37,500	
		M&O Master Planning	ERBD03	12,500	12,500
		City Hall Exterior Structural Repairs			250,000
		City Hall Roof Replacement			200,000
Fund Balance					
	GF	Projected surplus fund balance		1,300,000	
Total				1,987,000	904,500
GRAND TOTAL				\$ 2,891,500	



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6667 (Snyder)

Date:

November 28, 2017

Department:

Community Development &
Public Works

Attachments:

[Agenda Bill](#)

[Ordinance No. 6667](#)

Budget Impact:**Administrative Recommendation:**

City Council adopt Ordinance no. 6667.

Background Summary:

See the attached agenda bill.

Reviewed by Council Committees:

Other: Legal, Planning

Councilmember:**Staff:**

Snyder

Meeting Date: December 4, 2017

Item Number:

ORD.D



AGENDA BILL APPROVAL FORM

Agenda Subject: Ordinance #6667 CPA17-0001, CPA17-0002, REZ17-0001, REZ17-0002, REZ17-0003, & REZ17-0004, 2017 Comprehensive Plan Map and Policy/Text Amendments and Assoc. Rezones		Date: November 28, 2017
Department: Community Development & Public Works Dept.	Attachments: Ordinance # 6667 See separate map amendment & policy/text amendment sections of working binder	Budget Impact: N/A
Administrative Recommendation: City Council to introduce and approve Ordinance # 6667 amending the Comprehensive Plan to include 2017 Annual Comprehensive Plan Map and Policy/Text Amendments and four associated rezones (zoning map amendments).		
Background Summary: The City of Auburn adopted amendments to its Comprehensive Plan in 1995 in response to the Washington State Growth Management Act (GMA) requirements, as amended. Since then the Auburn Comprehensive Plan has been amended annually. The City adopted a substantially revised Comprehensive Plan in December 2015. Comprehensive plan amendments can be initiated by the City of Auburn (city-initiated) and by private citizens (privately-initiated). This year the city is initiating: <ul style="list-style-type: none"> Nine policy/text amendments Seventeen map amendments Also, the city received one private-initiated plan map amendment by the June 9, 2017 submittal deadline. This staff report and Planning Commission recommendation addresses all of this year's amendments consisting of: <ul style="list-style-type: none"> CPA17-0001, Comprehensive Plan Text Amendments (P/T) # 1-9 – City-initiated applications CPA17-0001, Comprehensive Plan Map Amendment (CPM) # 1–17 - City-initiated applications CPA17-0002, Comprehensive Plan Map Amendment – private-initiated application Comprehensive plan amendments are initially reviewed during a public hearing process before the City of Auburn Planning Commission, who then provides a recommendation to the City Council for final action. City Council consideration and action on the amendments generally occurs but is not required prior to the end of the year.		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Services <input type="checkbox"/> Planning & Dev. <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____		
Councilmember:		Staff: Snyder
Meeting Date: December 4, 2017		Item Number:

I. Background

The Planning Commission conducted two hearings on Comprehensive Plan Annual Amendments, consisting of map and policy/text amendments.

At its **October 18, 2017 public hearing**, the Planning Commission considered the following set of Annual Comprehensive Plan Amendments:

A. Policy/Text (P/T) Amendments (File #CPA17-0001 – City-Initiated):

- P/T #1 – Incorporate Auburn School District Capital Facilities Plan
- P/T #2 – Incorporate Dieringer School District Capital Facilities Plan
- P/T #3 – Incorporate Federal Way School District Capital Facilities Plan
- P/T #4 – Incorporate Kent School District Capital Facilities Plan
- P/T #5 – Incorporate City of Auburn Capital Facilities Plan
- P/T #6 - Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and from the Land Use Map. The R10, R16, and R20 residential zoning districts already allow for mixed uses (comprised of residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table).
- P/T #7 - Add text to add back the R5, Residential zoning district back in as an implementing zone for the "Single Family" Land Use Designation. The 2015 Comp Plan this zone was inadvertently omitted as an implementing zoning district of any Comp. Plan land use designation and must be corrected.
- P/T #8 - Change the title of the land use designation of "Residential Transition" to "Moderate Density Residential". Requested to revert to pre-2015 title of the category. Provide a distinct and logical title for the category to address and reflect the range of residential densities.
- P/T #9 - Add the "R-10, Residential" and R-16, Residential" zoning districts back as implementing zones for the "Residential Transition" or if recommended, to the "Moderate Density Residential" Land Use Designation. In the 2015, Comp Plan these zoning districts were inadvertently omitted as an implementing zoning districts of any Comp. Plan land use designation.

B. Map (CPM) Amendments (CPA17-0001 – City-Initiated)

- CPM #1 - Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and remove category from the Land Use Map. "The R-10, R-16 and R-20 residential zoning districts already allow for mixed uses residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table). (See also related P/T #6)
- CPM #2 - Change the mapped land use designation of a 2.23-acre city-owned park parcel from "Multiple Family Residential" to "Institutional". Parcel No. 0921059073 is located south of SE 310th ST, 820 feet west of 124th Ave SE.
- CPM #3 - Change the mapped land use designation of a group of 4 privately-owned, previously developed parcels from "Downtown Urban Center" to "Light Industrial" to recognize and be more compatible with developed status of the properties at the perimeter of the land use designation. The sites contain existing uses of warehouses, bulk propane tank distribution and outdoor storage.

At its **November 1, 2017 public hearing**, the Planning Commission considered the following set of Annual Comprehensive Plan Amendments:

A. Map (CPM) Amendments (CPA17-0001 – City-Initiated)

- CPM #4 - Change the mapped land use designation of south part of 2.15-acre, privately-owned developed parcel from "Residential Transition" to "Heavy Commercial". Parcel owned by Quality Fence Co. and located on south side of 21st ST SE, 390 feet east of A ST SE.
- CPM #5 - Change the mapped land use designation of 3 parcels (2 privately owned and 1 city-owned) from the "Open Space" to "Downtown Urban Center" land use designation. Parcels are located at the SW corner of Main and Division Street.
- CPM #6 - Change the mapped land use designation of 46 city-owned, parks properties from "Open Space" to "Institutional" land use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree, except for Parcel Nos. 1821059327, 1821059117 & 8581400530.
- CPM #7 - Change the mapped land use designation of 3 Tribal jurisdiction parcels from the "Open Space" to the "Institutional" Land Use designation. The 3 parcels controlled by the Muckleshoot Tribe are developed as a cemetery and thus, the land use designation is inconsistent with the designation criteria and purpose of the "Open Space" land designation of the Comprehensive Plan. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.
- CPM #8 - Change the mapped land use designation of 2 parcels from "Single Family Residential" to "Light Commercial". Both parcels are located on east side of A ST SE, south of Lakeland Hills WY SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation of "Light Commercial". Also, change the zoning designation from "R5, Residential" to "C1, Light Commercial" to agree.
- CPM #9 - Change the mapped land use designation of 2 privately owned vacant parcels from "Multiple Family Residential" to "Light Commercial". Both parcels are located at SE corner of SE 312th ST & 121st PL SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #10 - Change the mapped land use designation of a privately owned 0.91-acre parcel containing a single family house from "Multiple Family Residential" to "Single Family Residential". Parcel is located 130 feet south of intersection of 124th AV SE & SE 307th PL. (30811 124TH AVE SE). Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #11 - Change the mapped land use designation of a privately-owned, 13.84 -acre parcel developed with a warehouse from "Heavy Industrial" to "Light Industrial". Parcel is located south of SR 18 at west end of 8th ST SW. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #12 - Change the mapped land use designation of 7.2-acre private developed parcel from "Single Family Residential" to "Multiple Family Residential". Parcel is located NW of intersection of Mill Pond DR SE and Kennedy AV SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #13 - Change the mapped land use designation of a group of 10 parcels from "Single Family Residential" to "Multiple Family Residential". Parcels are located

on the north side of Auburn WY S, east of Academy DR SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.

CPM #14 - Change the mapped land use designation of 23 parcels from "Institutional" to "Downtown Urban Center". Parcels are at various locations in downtown. Some are City-owned; others are privately owned. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.

CPM #15 - Change the mapped land use designation of numerous parcels within the Lakeland Hills South PUD from "Residential Transition" to "Moderate Density Residential". Parcels are at various locations. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan.

CPM #16 - Change the mapped land use designation of 0.21-acre city-owned stormwater facility serving a plat from "Institutional" to "Multiple Family Residential" to agree with rest of the plat. Parcel is owned by the City and located on south side of 35th St SE, 290 feet west of D ST SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.

CPM #17 - Change the mapped land use designation of a 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family". Parcel is located east of end of B ST SE between 15th and 16th ST SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.

B. Map (CPM) Amendments (CPA17-0002 – Private-Initiated)

Application by Nexus Youth & Families to change the mapped land use designation of 3 parcels from "Single Family" with a "Residential Transition Overlay" to "Light Commercial" and change the zoning designation from "R-7, Residential" to "C-1, Light Commercial". The parcels totaling 0.72 acres are owned or proposed for purchase by Nexus Youth & Families are located between Auburn Way S. and 'H' St. SE, approximately 120 ft. south of 9th St. SE. The addresses are 911 'H' St. SE, 915 'H' St. SE, and 921 'H' St. SE.

In short, with conclusion of the two hearings the Planning Commission has forwarded its recommendation for **"approval" to the City Council on all of the year 2017 Comprehensive Plan Amendments.**

At the November 27, 2017 City Council Study Session, the Council reviewed and discussed the set of annual comprehensive plan amendments and four associated rezones (zoning map amendments).

II. Comprehensive Plan Related Findings

1. The purpose of the City's Comprehensive Plan is to provide a policy basis for development regulations to ensure that the Comprehensive Plan and implementing regulations are consistent, as required by the Washington State Growth Management Act (GMA) and the following City Code provision:

“14.22.050 Conformance and consistency.

The zoning, land division and other development codes contained or referenced within Auburn City Code shall be consistent with and implement the intent of the comprehensive plan. Capital budget decisions shall be made in conformity with the comprehensive plan.”

2. RCW 36.70A.130 (The Washington State Growth Management Act (GMA)) provides the process for amendments to locally adopted GMA-compliant comprehensive plans. Except in limited circumstances provided for in State law and repeated in City Code Section 14.22.060, comprehensive plan amendments shall be considered by the city no more frequently than once per year.
3. The City of Auburn established a Friday, June 9, 2017 deadline for the submittal of private-initiated comprehensive plan applications (map or policy/text). Notice to the public of the application filing deadline was provided on the City’s website, published in the Seattle Times Newspaper, and sent to a compiled notification list in April 2017. The City received only one private-initiated plan map amendment (Nexus Youth & Families CPA17-0002 & REZ17-0001). The City received no applications for policy/text amendments by the submittal deadline.
4. The City of Auburn received annual updates to the four school district Capital Facilities Plans whose districts occur within the City of Auburn. These Capital Facilities Plans, as well as the City’s Capital Facilities Plan are referenced in the Capital Facilities element, of the Auburn Comprehensive Plan and are processed as Policy/Text (P/T) amendments.
5. The environmental review under the State Environmental Policy Act (SEPA) for the school district capital facilities plans were prepared individually by each school district acting as their own lead agency, as allowed by state law.
6. The City conducted the environmental review under the State Environmental Policy Act (SEPA) for the city-initiated policy/text and map amendments. This resulted in a Determination of Non-Significance (DNS) (File #SEP17-0014) issued for the City-initiated Comprehensive Plan Amendments on September 19, 2017. The comment period ended October 3, 2017 and the appeal period ended October 17, 2017. The City did not receive any comments in response to the issuance of the Determination of Non-Significance (DNS). A copy of the DNS and environmental checklist application is provided in the working binder.

Also, the City conducted the environmental review under the State Environmental Policy Act (SEPA) for the private-initiated Comprehensive Plan Map Amendment (File #CPA 17-0002) and Rezone. This resulted in a Determination of Non-Significance (DNS) (File # SEP17-0012), for the Comprehensive Plan amendment and Rezone request issued on August 24, 2017. The comment period ended September 8, 2017 and the appeal period ended September 22, 2017. One public comment was submitted (See Exhibit 8 under “CPA 17-0002” at end of working binder); no appeal was filed.

7. Auburn City Code Chapter 14.22, (Amendments) outlines the process for submittal of private-initiated amendments and the general processing of comprehensive plan amendments as follows:

“Section 14.22.100, (Public Hearing Required by Planning Commission.)

- A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:*
 - 1. For site-specific plan map amendments:*
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;*
 - b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;*
 - 2. For area-wide plan map amendments:*
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;*
 - b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;*
 - c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.*
 - B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.*
 - C. Planning Commission Recommendation. The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.*
 - D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.*
 - E. State Review. All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.*
 - F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)”*
8. Thus, Comprehensive Plan amendments are initially reviewed during a public hearing process before the City of Auburn Planning Commission, who then provides a recommendation to the City Council for final action. City Council consideration and action on the amendments generally occurs, but is not required, prior to the end of the year.
 9. Pursuant to RCW 36.70A.106, the proposed comprehensive plan amendments outlined in this agenda bill were sent to the Washington State Office of Commerce and other state agencies as required for the 60-day state review. No comments have been received from the Washington State Department of Commerce or other state agencies as of the writing of this report.
 10. Due to the nature of the city-initiated amendments and the scope and limited number of private-initiated amendments, the optional process available in the city code for staff to hold a public open house was not conducted.

11. With the City adoption of a substantially revised Comprehensive Plan in December 2015, the need for some policy/text amendments and map amendments is needed to correct some inadvertent changes. The changes are necessary to increase the consistency of the Comprehensive Plan and zoning as required by ACC 14.22.050, “Conformance and Consistency”. **Each of the Policy/Text (P/T) and map (CPM) changes are shown in greater detail behind the respective tabs of the ‘Working Binder’.**
12. Three public notices were provided for the two different hearings. A public hearing notice was published on October 5, 2017 in the Seattle Times newspaper which is at least 10-days prior to the Planning Commission public hearing conducted on October 18, 2017 and public hearing notices were published on October 17, 2017 (CPA17-0002-The private-initiated map amendment was noticed separately.) and on October 21, 2017 (CPA17-0001) in the Seattle Times newspaper which is at least 10-days prior to the Planning Commission public hearing conducted on November 1, 2017.

III. Zoning Code Related Findings

13. In June 2017 the City Council adopted Ordinance No. 6655 which allows the Planning Commission and City Council to consider associated map changes (for Comprehensive Plan and Zoning map amendments), concurrently. This eliminates the need for the rezone (zoning map amendment) to subsequently be heard and decided by the Hearing Examiner through a separately scheduled hearing when it is related to a Comprehensive Plan map amendment.
14. Chapter 18.68 ACC (Zoning) Amendments)) outlines the process for submittal of private-initiated zoning amendments and the process. Per ACC 18.68.030(B)(1)(b), when the Planning Commission is considering a rezone (zoning map amendment) which requires a Comprehensive Plan Land Use Map amendment, the public hearings shall be conducted concurrently and a recommendation on both shall be forwarded to the City Council.

-----OCTOBER 18, 2017 PLANNING COMMISSION PUBLIC HEARING-----

Comprehensive Plan Policy/Text (P/T) Amendments (File No. CPA17-0001, City initiated)

P/T #1

Incorporate the Auburn School District Capital Facilities Plan 2017 - 2023 into the City of Auburn Comprehensive Plan.

Discussion

The Auburn School District has provided the City with its annually updated Capital Facilities Plan (CFP) covering from 2017-2023. The CFP was prepared by the district staff and adopted by the Auburn School District School Board of Directors on June 26, 2017 and has been subject to separate SEPA review and a Determination of Non-Significance (DNS). Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the Auburn School District Capital Facilities Plan into the City's Comprehensive Plan.

A review of the Auburn School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family

dwelling is proposed to be \$3,321.86, a decrease of \$2,147.51 and the requested fee for multiple-family dwellings is \$2,081.29, an increase of \$441.59. The actual impact fees are established by ordinance through subsequent City Council action.

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the Auburn School District Capital Facilities Plan 2017 - 2023 to the City Council.

P/T#2

Incorporate the Dieringer School District Capital Facilities Plan 2018 - 2023 into the City of Auburn Comprehensive Plan.

Discussion

The Dieringer School District has provided the City with its annually updated Capital Facilities Plan 2018 - 2023. The CFP was adopted by the Dieringer School District Board of Directors on May 30, 2017. The CFP has been subject to separate SEPA review and a DNS. Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the School District Capital Facilities Plan into the City's Comprehensive Plan.

A review of the Dieringer School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be \$3,760.00, an increase of \$360.00 and the requested fee for multiple family dwellings is \$1,081.00; a decrease of \$678.00. The actual impact fees are established by ordinance through subsequent City Council action.

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the Dieringer School District Capital Facilities Plan 2018-2023 to the City Council.

P/T #3

Incorporate the Federal Way School District 2018 Capital Facilities Plan into the City of Auburn Comprehensive Plan.

Discussion

The Federal Way School District has provided the City with its annually updated Capital Facilities Plan 2018. The CFP was adopted by the Federal Way School District School Board July 25, 2017 by Resolution No. 2017-12. The CFP has been subject to separate SEPA review and a DNS. Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the School District Capital Facilities Plan into the City's Comprehensive Plan.

A review of the Federal Way School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be \$6,842.00, representing an increase of \$3,644.00 and the requested fee for multi-family dwellings is \$20,086.00, an increase of \$11,700.00. The actual impact fees are established by ordinance through subsequent City Council action.

According to communication from Tanya Nascimento, Student & Demographic Forecaster of the Federal Way Public Schools, there are several factors which have driven the multiple family impact fees to increase quite significantly in this plan. One factor is the steady increase in observed multiple-family student generation rates. In 2015, the first of three multi-family developments was opened and fully occupied in the City of Federal Way. The second was opened and occupied in late 2016 and the third was opened in fully occupied in summer of 2017. The first two developments have been included in the generation rate calculation for this plan. The specific generation rates can be found on Page 29. These multiple-family complexes are generating more than one student per unit which is significantly higher than past developments within the school district.

In addition to the high student generation rates, the district completed work with its Facilities Planning Committee which determined a need for additional capacity at a number of schools. As a result of this work, Phase II of the District's plan will be placed on the November ballot for a bond request. The facilities impacted during Phase II can be found on Page 7 of the Capital Facilities Plan. Anticipated funding for this project can be found on the Six-Year Finance Plan on Page 9. The Finance Plan outlines the anticipated timeline for beginning and completion of the various projects. It is important to note that not all projects within Phase II will create additional capacity. Only costs associated with increasing needed capacity are used in the formula for calculating Impact Fees. The specific cost calculations are outlined on Page 32 of the Capital Facilities Plan.

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the Federal Way School District's 2018 Capital Facilities Plan to the City Council

P/T #4

Incorporate the Kent School District Capital Facilities Plan 2017-2018 to 2022-2023 into the City of Auburn Comprehensive Plan.

Discussion

The Kent School District has provided its annually updated 2017-2018 to 2022-2023 Capital Facilities Plan. The CFP was adopted by the Kent School District School Board on April 26, 2017 and has been subject to separate SEPA review and a DNS. Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the School District Capital Facilities Plan into the City's Comprehensive Plan.

A review of the Kent School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be \$2,267.00, representing an increase of \$57.00 and the requested fee for multi-family dwellings is \$5,235.00, an increase of \$135.00. The actual impact fees are established by ordinance through subsequent City Council action.

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the Kent School District Capital Facilities Plan 2017-2018 to 2022-2023 to the City Council.

P/T #5

Incorporate the City of Auburn's 6-year Capital Facilities Plan 2018-2023, into the City's Comprehensive Plan.

Discussion

A Capital Facilities Plan is one of the comprehensive plan elements required by the Washington State Growth Management Act (GMA) (RCW 36.70A). More specifically, RCW 36.70A.070(3) of the GMA requires the following:

“A capital facilities plan element consisting of:

- (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- (b) a forecast of the future needs of such capital facilities;
- (c) the proposed locations and capacities of expanded or new capital facilities;
- (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
- (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.”

A capital facility is defined as a structure, street or utility system improvement, or other long-lasting major asset, including land. Capital facilities are provided for public purposes. Capital facilities include, but are not limited to, the following: streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreation facilities, and police and fire protection facilities. These capital facilities include necessary ancillary and support facilities.

The memo dated September 27, 2017 prepared by the City's Finance Department contained in the working binder highlights the major changes in the CFP from last year's CFP by projects completed (removed) and projects added. The City of Auburn 6-year Capital Facilities Plan 2018-2023 is proposed to be incorporated by reference in the Comprehensive Plan, Capital Facilities Element (Volume No. 3).

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the City of Auburn's 6-year Capital Facilities Plan 2018-2023 to the City Council.

P/T #6

Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and from the Land Use Map. The R-10, R-16, and R-20 Residential zoning districts already allow for mixed uses (comprised of residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table).

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-6 provides for a mapped land use designation of "Mixed Use". This designation is found under the

heading of “Residential Land Use Designations” (Page LU-2), so it is appropriately predominantly a “residential” designation. This focus is reinforced by the stated ‘description’ and ‘designation criteria’ of the Comprehensive Plan, which say:

“Description

This category shall be applied to those areas that are either now developed or are reserved for multiple family dwellings. Densities may range from 20 to 24 units per acre. These communities are served by transit, have non-motorized connections to surrounding amenities and services, or have access to on-site nonresidential amenities and services.”

“Designation Criteria

1. *Previously developed high-density residential; or*
2. *Properties that are connected to single-family and nonresidential designations by the Residential Transition designation or are adjacent to the Multifamily designation, and meet the development parameters of the mixed-use designation.”*

However, the R-10, R-16, and R-20 Residential zoning districts already allow for mixed uses (comprised of residential & other uses) as permitted uses (See Table 18.07.020, Permitted Use Table).

Table 18.07.020

Permitted Use Table – Residential Zoning Designations (*Excerpt*)

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
Mixed-use development ³	X	X	X	X	P	P	P
Nursing homes	X	X	X	X	C	C	C

3. Individual **uses** that make up a **mixed-use development** must be permitted within the **zone**. If a **use** making up part of a **mixed-use development** requires an administrative or **conditional use** permit, the individual **use** must apply for and receive the administrative or **conditional use** approval, as applicable.

Also, at Section ACC 18.04.625, the Code provides the following definition of “mixed use development”:

“18.04.625 Mixed-use development.

“Mixed-use development” means a single unified development that incorporates the planned integration of two or more different land uses consisting of some combination of office, light industrial, hotel, retail, entertainment, public uses, along with residential uses. Mixed-use development may be vertically oriented in one or more buildings, or horizontally distributed on a development site. When horizontally distributed, the different uses may be constructed concurrently and in separate phases, and should incorporate common and/or complementary

features and/or elements such as pedestrian walkways, access driveways, parking areas, architectural themes, or other techniques that provide integration between uses on the site.”

The Comprehensive plan language goes on to provide that this designation would be implemented by the “Mixed Use Residential” zoning district. This zoning classification does not currently exist and there are no properties that have this zoning classification or a “Mixed Use” land use map designation; therefore elimination of the “Mixed Use” land use designation from the text of the Plan and from the Land Use Map does not negatively affect any properties. It also does not reduce development potential since mixed use is already allowed by the zoning code. Mixed use is currently allowed in the same areas that are described as appropriate for the designation.

Staff does not question the value of having portions of the city where mixed use development is allowed, but does not require a unique comprehensive plan designation to achieve. See Exhibit: “Excerpt of Volume 1 – Land Use Element”, Page 4 in the working binder

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended approval of the text amendment to remove the discussion of a “Mixed Use” land use designation from the text of the Plan to the City Council, as presented by staff.

P/T #7

Add text to add back the R-5, Residential zoning district back in as an implementing zone for the “Single Family Residential” Land Use Designation. A significant portion of the city is zoned R-5, Residential. In the 2015 Comp Plan this zone was inadvertently omitted as an implementing zoning district of any Comprehensive Plan land use designation and must be corrected.

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-4 provides for a mapped land use designation of “Single Family Residential”. This designation is found under the heading of “Residential Land Use Designations” (Page LU-2). The stated ‘description’ and ‘designation criteria’ of this land use designation provides:

“Description

This designation is the predominant land use category in the City. Maintaining and creating a diverse arrangement of interconnected subdivisions, neighborhoods, and communities that have a mix of densities and housing types; linkages with other residential areas and commercial hubs through non-motorized modes, such as pedestrian and bicycling, and vehicular modes will be encouraged.”

“Designation Criteria

- 1. Previously developed single-family residential areas;*
- 2. Undeveloped areas that do not meet the designation criteria for other Residential, Commercial, Industrial, or Public/Quasi- Public designations; or*
- 3. Residential Conservancy areas that contain limited critical areas, are served by public utilities (water, sewer, storm services), and meet the development parameters of the single-family designation.”*

“Implementing Zoning Designations

Residential 1 (1 dwelling unit per acre): All properties located within the Urban Separator Overlay is zoned R-1, as consistent with King County county-wide planning policies.

Residential 7 (7 dwelling units per acre): All properties not located within the Urban Separator Overlay is zoned R-7.”

The R-5 Residential (Five dwelling units per acre) zoning classification is not currently identified as an implementing zoning district for any comprehensive plan land use designation and needs to be. A significant portion of the city is zoned R-5, Residential. In the 2015 Comprehensive Plan this zone was inadvertently omitted as an implementing zoning district of any Comprehensive Plan land use designation and must be corrected by adding the R-5, Residential (Five dwelling units per acre) zoning classification as an implementing zoning district for the “Single Family Residential” land use designation. Some other minor wording corrections proposed by staff are also shown. See exhibit “Excerpt of Volume 1 – Land Use Element”, Page 1, in the working binder.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended approval of the text amendment to add a listing of R-5 Residential zoning district as an implementing zone of the “Single Family Residential” land use designation.

P/T #8

Change the title of the land use designation of "Residential Transition" to "Moderate Density Residential". It is requested to revert to pre-2015 title of the category. Provide more logical title for the category to address and reflect the range of residential densities. The implementing zones "R-10, Residential" and "R-16, Residential" are proposed to be added.

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-5 provides for a land use designation of “Residential Transition”. This was formerly the “Moderate Density Residential” designation prior to adoption of the updated Comprehensive Plan in 2015. It is requested to revert to the pre-2015 title of the category since the ‘description’ and ‘designation criteria’ remain similar. The stated ‘description’ and ‘designation criteria’ of this land use designation in the latest Plan provides:

“Description

Residential transition areas are planned to accommodate moderate densities of varying residential dwelling types. Varying intensities within a transition area may be permitted based on adjacent density, intensity, and/or character. Appropriate densities in these areas range from 7 to 20 dwelling units per acre. Dwelling types generally range from single-family dwelling to multiple-family dwellings, with larger structures allowed (within the density range) where offsetting community benefits can be identified.”

“Designation Criteria

- 1. Previously developed moderate density residential areas; or*
- 2. Areas that provide a transition between single-family and multifamily, single-family and nonresidential, multifamily and nonresidential zones or development are adjacent and meet the development parameters of the Residential Transition designation.”*

The reversion back to the former name provides a distinct and logical title for the category to address and reflect the range of residential densities. The name change also avoids confusion that would likely occur to potential users by the similarly sounding “Residential Transition Overlay” that was also part of the changes made in the 2015 Comprehensive Plan. Also, the description does not provide for any different uses to serve as a ‘transition’, only intermediate residential densities.

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the text amendment to change the title of the land use designation of "Residential Transition" to "Moderate Density Residential"

P/T #9

Add the "R-10, Residential" and "R-16, Residential" zoning districts back as implementing zones for the "Residential Transition" or if recommended, to the "Moderate Density Residential" Land Use Designation. Areas of the city are zoned "R-10, Residential" but no areas are currently zoned "R-16, Residential". However, in the 2015, Comp Plan these zoning districts were inadvertently omitted as an implementing zoning districts of any Comprehensive Plan land use designation. To be corrected by adding R-10 and R-16 as implementing zones to either the "Residential Transition" or "Moderate Density" Land Use Designation.

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-5 provides for a land use designation of “Residential Transition”. This was formerly the “Moderate Density Residential” designation prior to adoption of the updated Comprehensive Plan in 2015. The title of the category is proposed to change as requested in the preceding text amendment, P/T #8.

The implementing zones "R-10, Residential" and "R-16, Residential" are proposed to be added as implementing zoning districts. The City currently contains properties zoned R-10 Residential; however, there are no properties currently zoned R-16, Residential. The R-10 Residential and R-16 Residential are not currently identified as implementing zoning districts for any comprehensive plan land use designation and needs to be. The "R-10, Residential" and "R-16, Residential" are proposed as implementing zoning districts for the “Moderate Density Residential” land use designation. Some other minor corrections to the wording of this section as proposed by staff are shown. See exhibit “Excerpt of Volume 1 – Land Use Element”, Page 2.

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the text amendment to add a listing of R-10 Residential and R-16 Residential zoning districts as implementing zones of the "Residential Transition" or if recommended, to the "Moderate Density Residential" Land Use Designation.

Comprehensive Plan Map (CPM) Amendments (File No. CPA17-0001, City initiated)

CPM #1

Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and remove category from the Land Use Map (This is the same as P/T #6, above). The R-10, R-16 and R-20 residential zoning districts already allow for mixed uses residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table). Thus it was unnecessary to establish a unique land use designation to achieve a zoning district to allow.

Discussion

(This is the same topic as policy/text amendment P/T #6, but is repeated as a map amendment since it requires revision to both the text and map of the comprehensive plan document. See discussion and analysis under text amendment P/T #6. Also, note that a map is not provided as an Exhibit since the "Mixed Use" is not shown on any properties on the map; except in the legend because it does not apply to any properties.)

PLANNING COMMISSION RECOMMENDATION

Planning Commission [recommended approval](#) of the map amendment to remove the "Mixed Use" land use designation from the Comprehensive Plan map (Map No. 1.1).

CPM #2

Change the mapped land use designation of a 0.98-acre city-owned park parcel from "Multiple Family Residential" to "Institutional". Parcel No. 0921059073 is located south of SE 310th ST, 820 feet west of 124th Ave SE.

Discussion

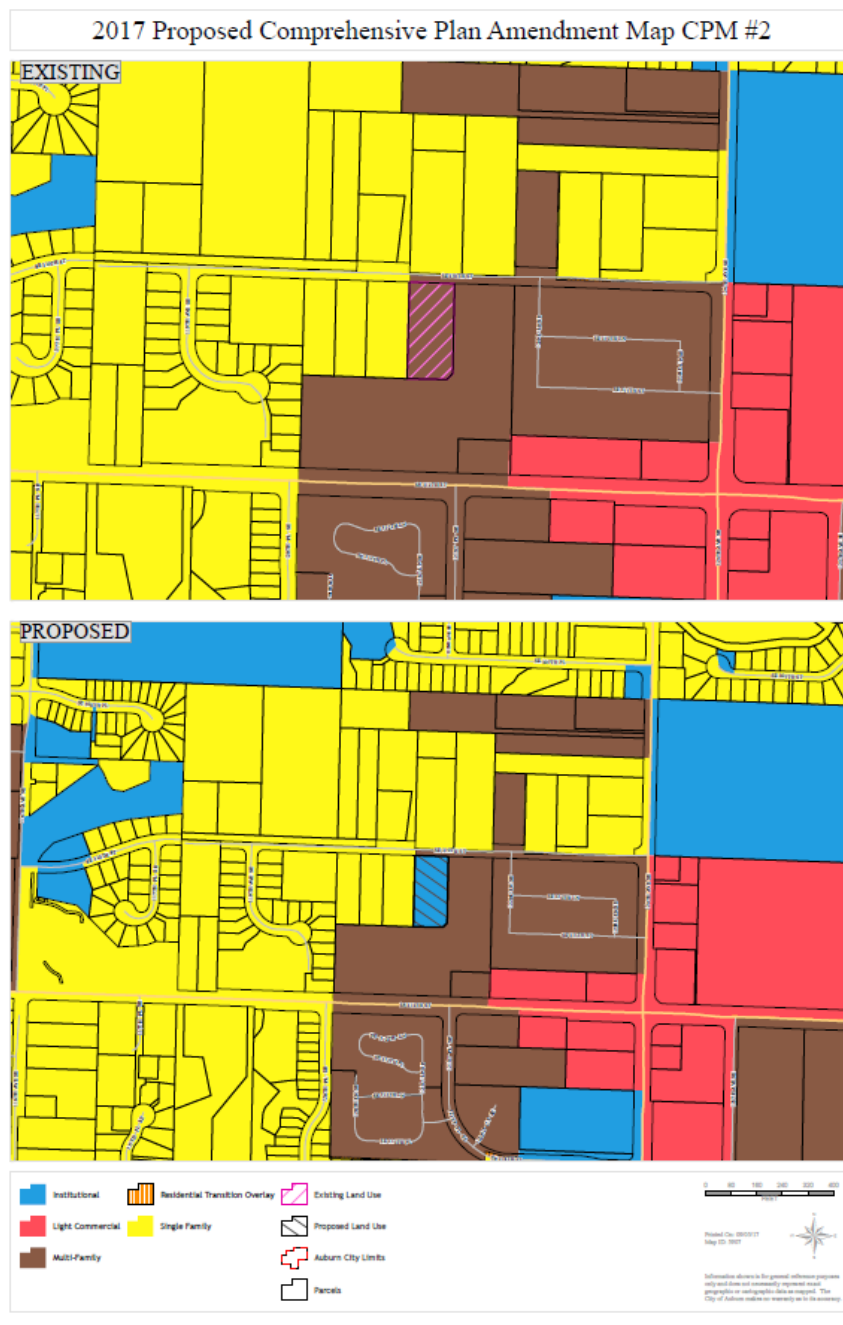
In 1996 the 0.98-acre property was part of a larger 2.23-acre property ownership by Schneider Homes Inc. that was proposed for development as the 'Pasafino Apartments' while in unincorporated King County prior to annexation to the City of Auburn. In 1996 a 'Petition for Annexation Agreement and Declaration of Covenant' was executed between the City and Schneider Homes Inc. in order for the City to provide water and sewer services to the proposed apartment development located outside the city, but within the city's established utility service area. An 'Amended Petition for Annexation Agreement and Declaration of Covenant' was executed on April 21, 1997. The Agreements provided that as a condition of the City providing utility services, Schneider Homes Inc. would develop a park, and after annexation, convey the developed park land to the City of Auburn without obligation or cost. At the time of transfer, the city parks department would assume maintenance responsibility. The property was annexed to the City of Auburn effective in 2008 by Ordinance No. 6121; however, the transfer of ownership of the park land did not take place for many more years since the park land was not a separate parcel that could be deeded separately to the City. A Boundary Line Adjustment (BLA) application (File #BLA14-0005) was filed by Schneider Homes Inc. in May of 2014 to establish the park land as a separate parcel. The processing of the BLA was delayed due to changes in property ownership interest on the part of Schneider Homes Inc. for refinancing purposes. The BLA

was subsequently approved by the City and recorded on November 2, 2016 (Recording #20161102900004) and the property subsequently conveyed to the City.

It was previously appropriate to have the Comprehensive Plan land use designation of "Multiple "Family Residential" applicable to the site when it was privately-owned and part of a larger parcel that is mainly developed with apartments. However, now that Parcel No. 0921059073 is a separate parcel, owned by the City and developed for park purposes, it is appropriate for it to have an "Institutional" land use designation by the Comprehensive Plan consistent with other park properties.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended approval of the map amendment to change the mapped land use designation of 0.98-acre city-owned park parcel (Parcel No. 0921059073) from "Multiple Family Residential" to "Institutional" (Map No 1.1).



CPM #3

Change the mapped land use designation of a group of four privately-owned, previously-developed parcels from "Downtown Urban Center" to "Light Industrial". Parcel No. 5401600200 (0.06 acres) and Parcel No. 5401600175 (0.7 acres) are owned by Ho & Nancy Kim. Parcel No. 5401600235 (0.34 acres) is owned by CHS Inc. Parcel No. 5401600260 (0.24 acres) is owned by Gary & Karen Stamps. This proposal is to change the Comprehensive Plan land use map designation to recognize and be more compatible with

developed status of the properties located at the perimeter of the land use designation. The sites contain existing uses of warehouses, bulk propane tank distribution, and outdoor storage.

Discussion

This is a city-initiated comprehensive plan map amendment to change a group of four adjacent, privately-owned and mostly developed parcels from "Downtown Urban Center" to "Light Industrial". The purpose of this change is to recognize and be more compatible with the developed status of the properties. The characteristics of the affected parcels are as follows:

Parcel ID Number/ address	Property owner	Parcel Size	Comprehensive Plan Designation	Zoning Classification	Current Land Use
5401600175/ 232 C ST NW	Ho & Nancy Kim	0.7 acres	Downtown Urban Center	DUC, Downtown Urban Center	Former Dels Farm Supply consisting of 5,238 sq. ft. of warehouse & 1,500 sq. ft. of attached office/store. Currently unoccupied/
5401600200/ (No address)	Ho & Nancy Kim	0.06 acres	Downtown Urban Center	DUC, Downtown Urban Center	Former railroad spur line bisecting parcel -0200 currently vacant
5401600235/ 301 2nd ST NW	CHS Inc.	0.34 acres	Downtown Urban Center	DUC, Downtown Urban Center	Cenex bulk propane storage tanks
5401600260/ (No address)	Gary & Karen Stamps	0.24 acres	Downtown Urban Center	DUC, Downtown Urban Center	Parking lot /vacant

The sites have a "Downtown Urban Center" land use designation by the Comprehensive Plan and are zoned DUC, Downtown Urban Center. The contiguous sites are located at the northern edge of the "Downtown Urban Center" land use designation and bordered to the north and the east by properties with an industrial designation. The sites align in a row north to south and are bordered by public streets of C ST NW to the west; 3rd ST NW to the north and by the Burlington Northern railroad to the east. The automobile body shop of A-1 Collision borders the sites to the south.

The two largest parcels, Parcel No. 5401600175 (0.7 acres) and Parcel No. 5401600235 (0.34 acres) have been developed for more than 25 years with structures and facilities that are more appropriate characterized as "industrial uses" than suburban downtown development. The configuration and location of the properties sandwiched between transportation corridors makes them less suitable for redevelopment as downtown service or retail type uses geared to leisure shopping. Also, due to the number of zoning inquiries, the City staff has increasingly become aware of the difficulty of the property owner in finding tenants that can occupy the former farm supply building and meet the zoning use regulations of the DUC zoning district. Also, few uses are capable of using the building with limited physical alterations in order to avoid triggering consistency with Downtown Design Standards and significant upgrades.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended approval of the map amendment to change a group of four privately-owned, mostly developed parcels from "Downtown Urban Center" to "Light Industrial" (Parcel No. 5401600175, 5401600200, 5401600235, and 5401600260)



-----**NOVEMBER 1, 2017 PLANNING COMMISSION PUBLIC HEARING**-----

Comprehensive Plan Map (CPM) Amendments (File No. CPA17-0001, City initiated)

CPM #4

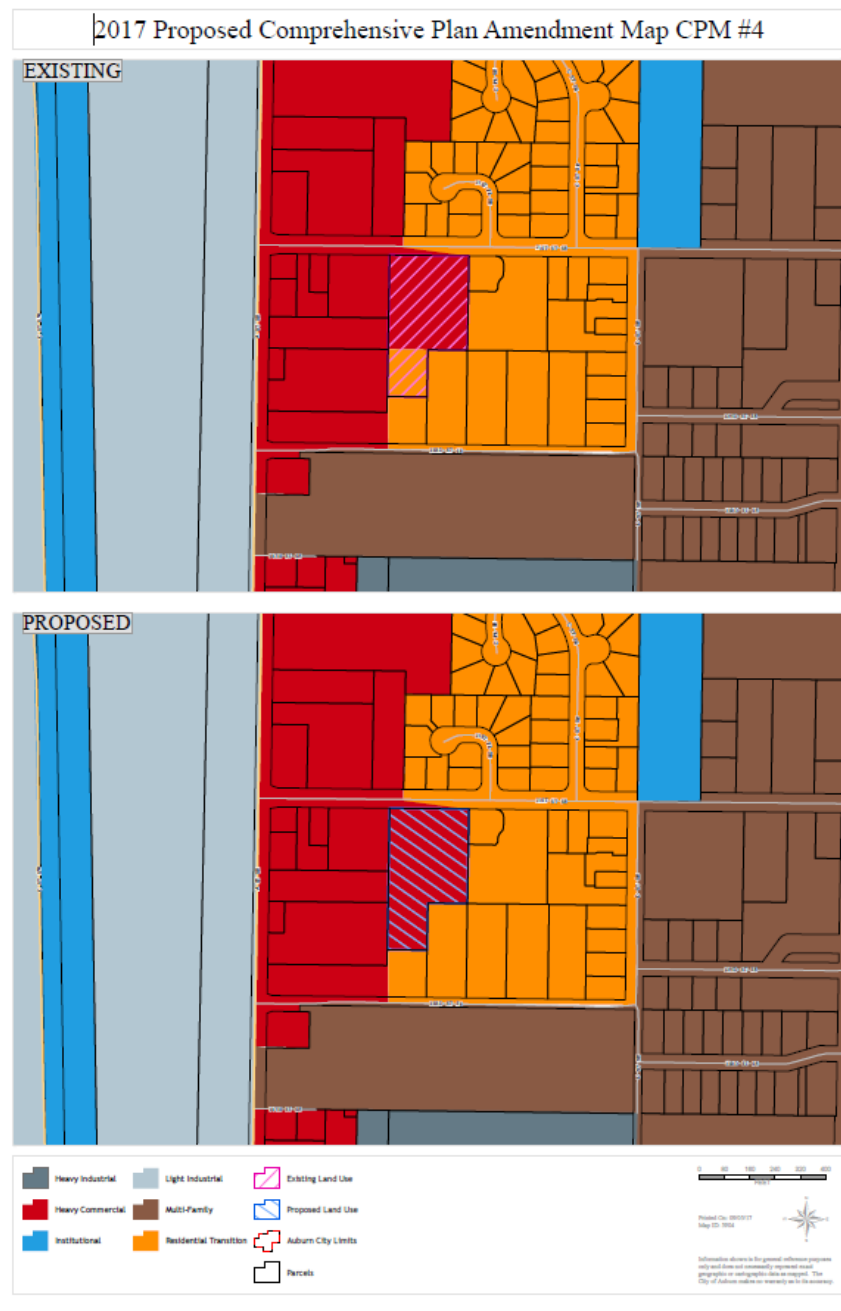
Change the mapped land use designation of south part of 2.15-acre, privately-owned, developed parcel from "Residential Transition" to "Heavy Commercial".

Discussion

The 2.15-acre property was previously a smaller parcel and the comprehensive plan designation boundary followed this original property boundary. In 2004, a boundary line adjustment application was filed (File No. LLA04-0010), approved by the City, and recorded (Recording No. 20040712003209). The boundary line adjustment expanded the parcel boundary to include additional area to the south. The Comprehensive Plan land use designation boundary was not simultaneously changed to correspond to the property boundary change. In the intervening time, the fence contractor business has using the expansion area as part of their yard. It is appropriate to make the change to avoid split designation of a parcel where warranted by existing development pattern and setting. The "Residential Transition" designation makes up a smaller portion of the lot, while the balance is used by a fencing contractor. As shown on the map below, the designation change is consistent with adjacent property located to the west.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #4 to change the mapped land use designation of the southern part of a 2.15-acre, privately-owned, parcel from "Residential Transition" to "Heavy Commercial" (Parcel No. 8695200020).



CPM #5

Change the mapped land use designation of 3 parcels (2 privately-owned and 1 city-owned) from the "Open Space" to "Downtown Urban Center" land use designation.

Discussion

This city-initiated request is to change the land use designation of 2 privately owned parcels, Nos. 7815700095 (0.17 acres – vacant) and 7815700135 (0.33 acres – parking lot) are owned by Levan Auburn Development LLC and the City-owned Parcel No. 7815700085 (0.19 acres - Plaza park). These contiguous properties are located at the SW corner of W

Main ST and Division ST. With adoption of the 2015 Comprehensive Plan and its associated map changes, the properties were assigned an "Open Space" land use designation. The change is requested to remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan. It is requested to revert to former designation of "Downtown Urban Center". These 3 mostly undeveloped parcels are currently zoned "DUC, Downtown Urban Center". Due to their location in the heart of the city center and economic development potential, these parcels should have the designation "Downtown Urban Center".

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current comprehensive Plan Designation	Current Zoning Classification	Current Land Use
7815700095	Levan Auburn Development LLC	0.17 acres	"Open Space"	"DUC, Downtown Urban Center"	Vacant lot
7815700135	Levan Auburn Development LLC	0.33 acres	"Open Space"	"DUC, Downtown Urban Center"	Parking lot
7815700085	City of Auburn	0.19 acres	"Open Space"	"DUC, Downtown Urban Center"	City's Plaza Park

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #5 to change the mapped land use designation of 3 parcels from the "Open Space" to the "Downtown Urban Center" land use designation. (Parcel Nos. 7815700095, 7815700135, & 7815700085)



CPM #6

Change the mapped land use designation (and zoning district) of 46 city-owned, parks properties from "Open Space" to "Institutional" land use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.

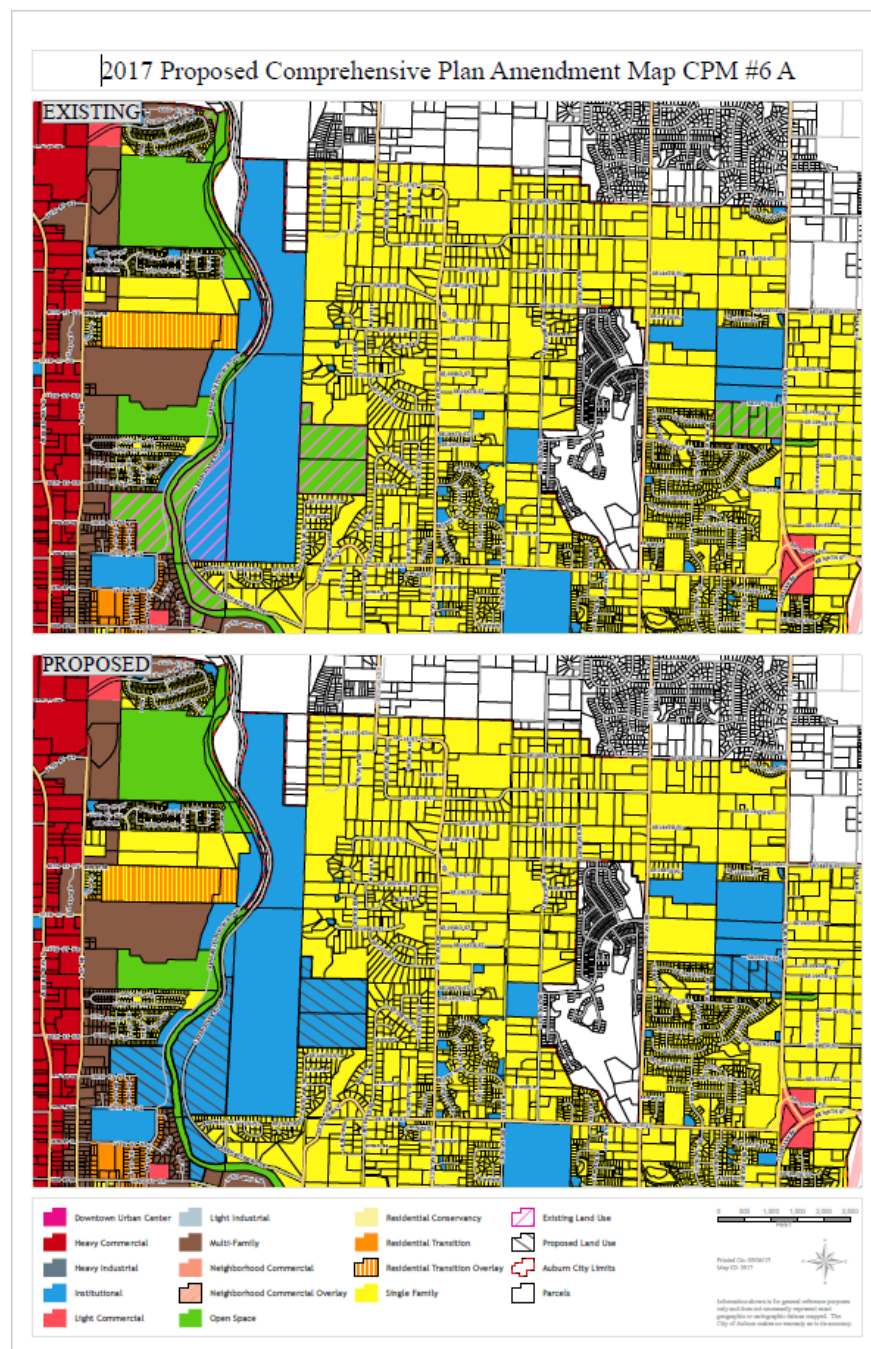
Discussion

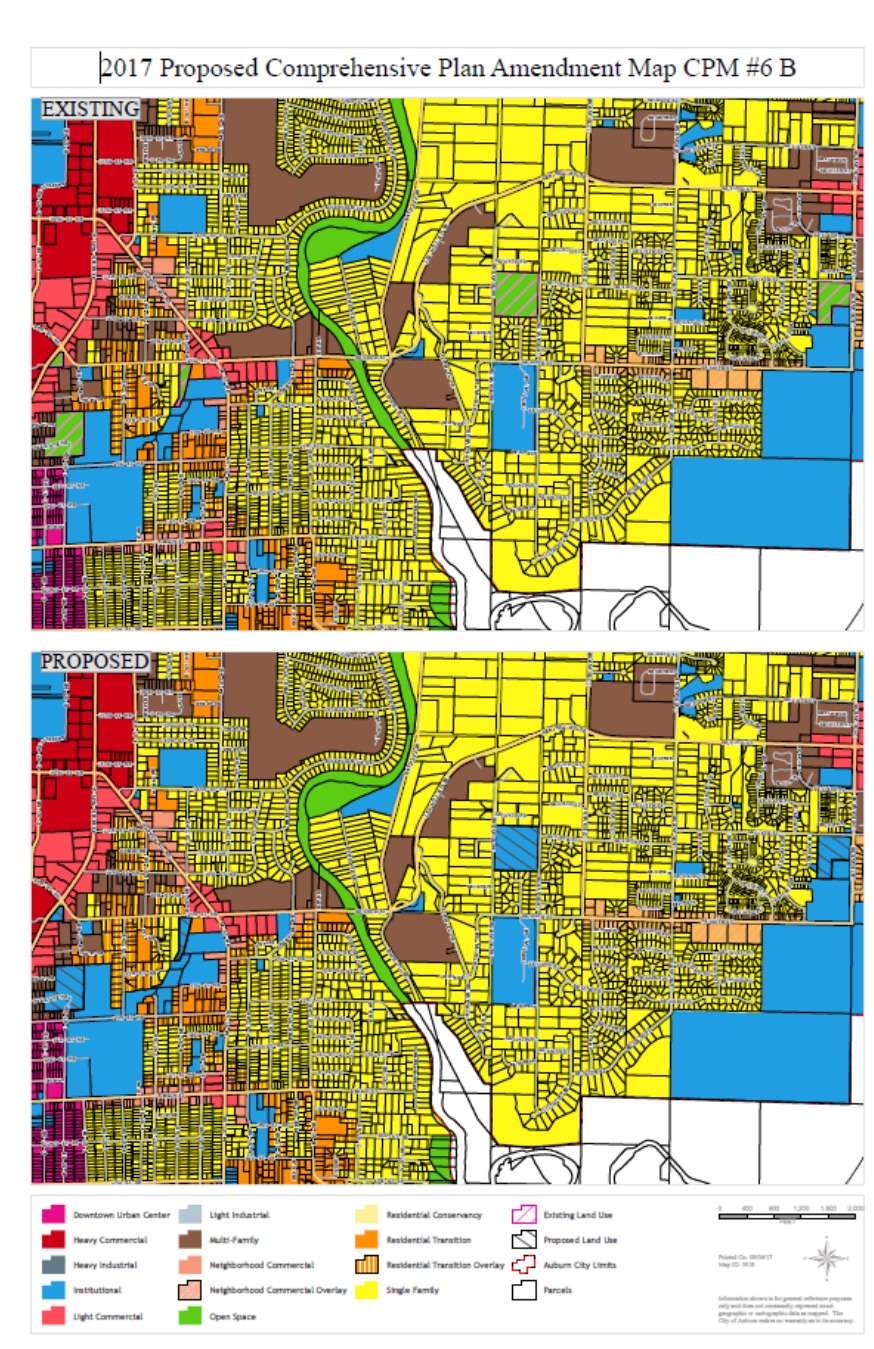
This city-initiated request is to change the land use designation of 46 parcels **46 city-owned, parks properties** from **"Open Space" to "Institutional" land use designation.**

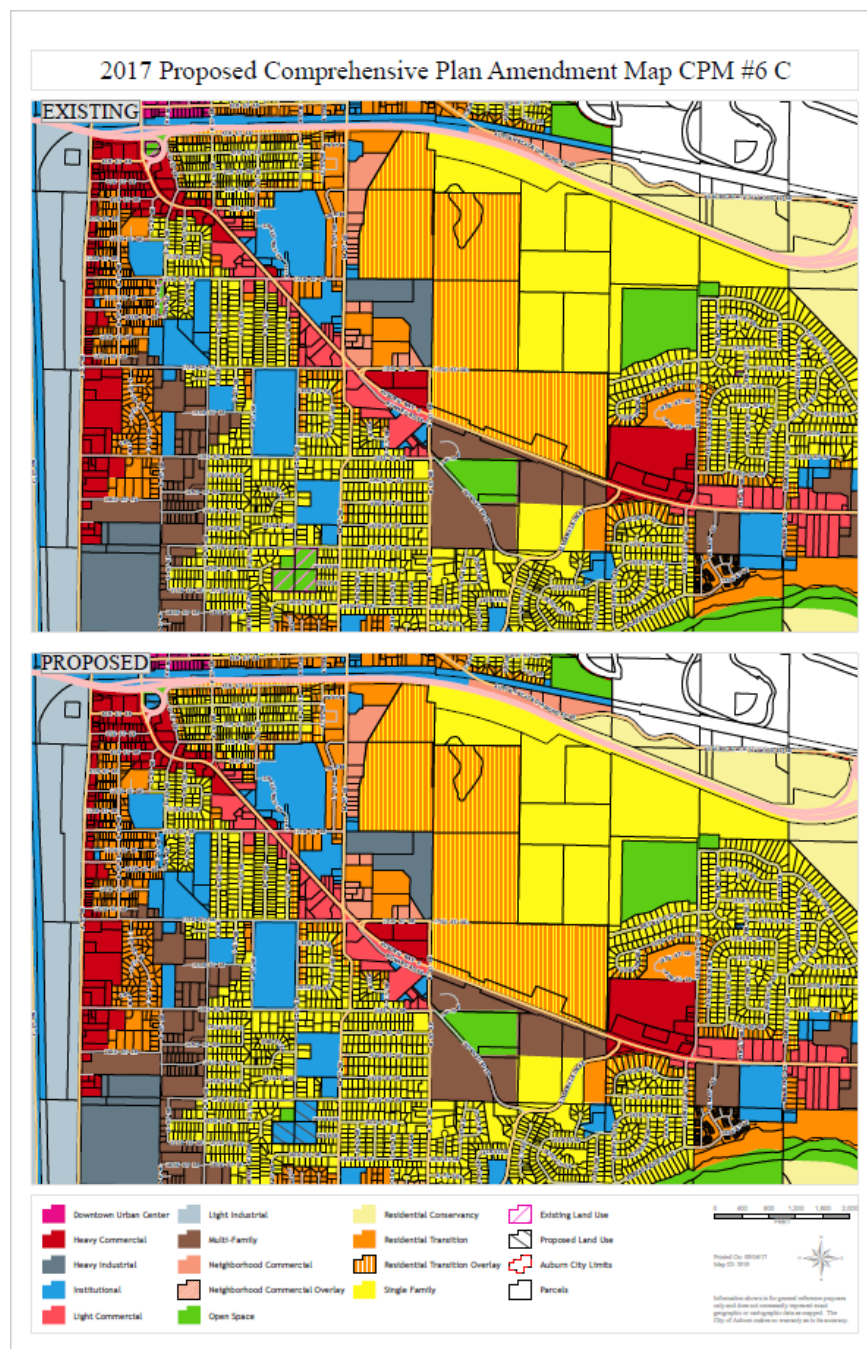
Parcel Nos. 0821059017, 7345300160, 6347000055, 6347000065, 0001000081, 1313500310, 3021059044, 3021059080, 3021059089, 1421049011, 1821059117, 0520061060, 0721059038, 7749501070, 0521059010, 0521059029, 0421059062, 0421059061, 0421059060, 0421059071, 0421059004, 3845000080, 7299602140, 4137070990, 7002181950, 0520051035, 0520051006, 0921059018, 6655000105, 6655000021, 1421049067, 9262800330, 9262800341, 1421049017, 9262800285, 0721059020, 8669150810, 6655000024, 6655000030, 3021059325, 3121059017, 3021059375, 8581400530, 1821059327, 0821059017, & 0621059007 are scattered at various sites. With adoption of the 2015 Comprehensive Plan and its associated map changes, the properties were assigned an "Open Space" land use designation. These properties are city-owned developed parks and contain play areas and active recreational space. And the "Open Space" land use designation is not appropriate to apply to these properties based on the discussion and clarification that occurred with the Planning Commission during discussion of the "OS, Open Space zoning district in July and August of this year. The land use designation is inconsistent with the designation criteria and purpose of the "Open Space" land designation of the Comprehensive Plan (e.g. cemeteries and active and mainly developed parks should not be designated "Open Space"). Also, for most parcels the zoning map classification also needs to change from "OS, Open Space" to "I, Institutional" to agree.

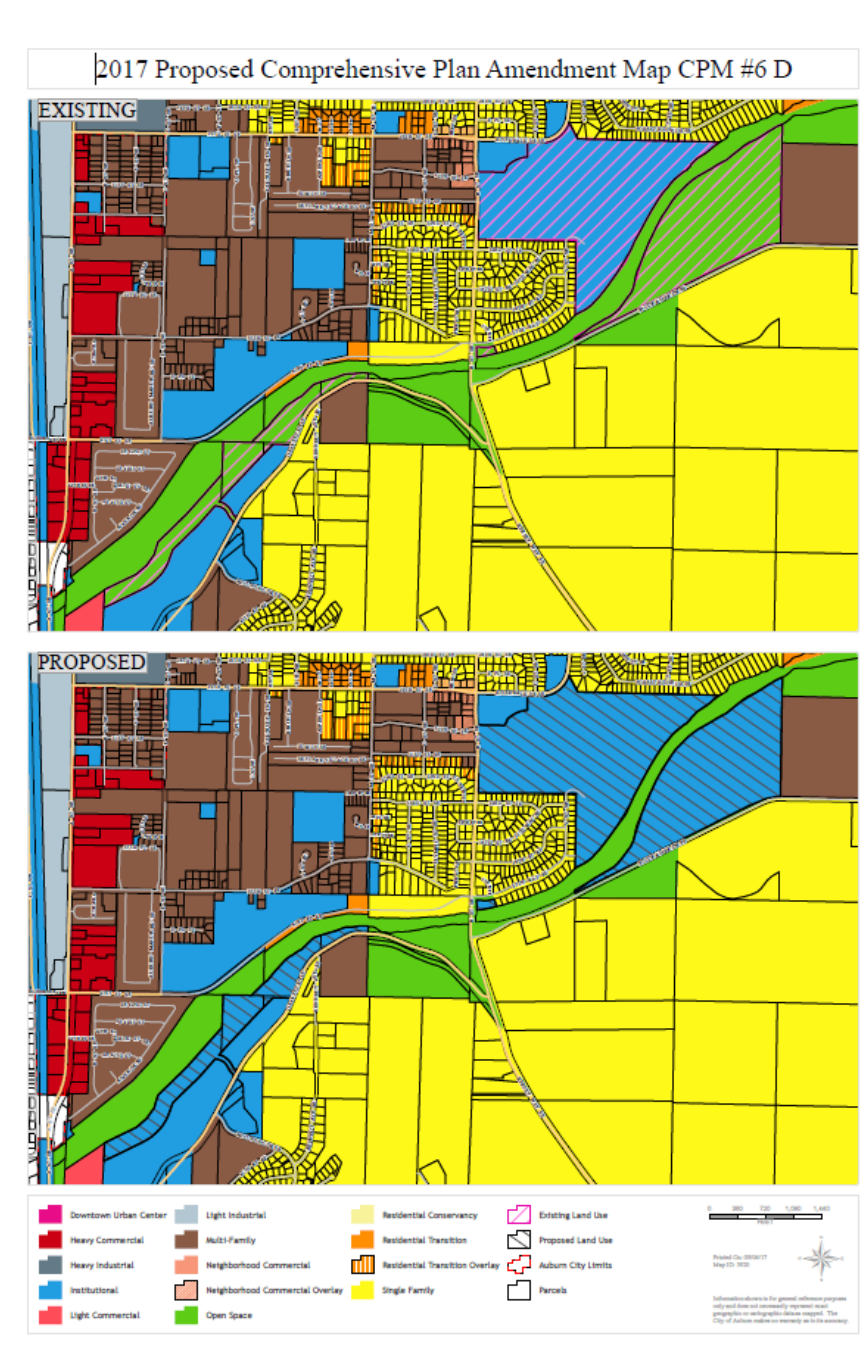
Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #6 to change the mapped land use designation of multiple City-owned, parks properties from "Open Space" to "Institutional" land use designation and to change the zoning designation (File No. REZ17-0002), to correspond to the "I, Institutional" implementing zoning classification, except for Parcel Nos. 1821059327, 1821059117, & 8581400530 which are already zoned: "I, Institutional".

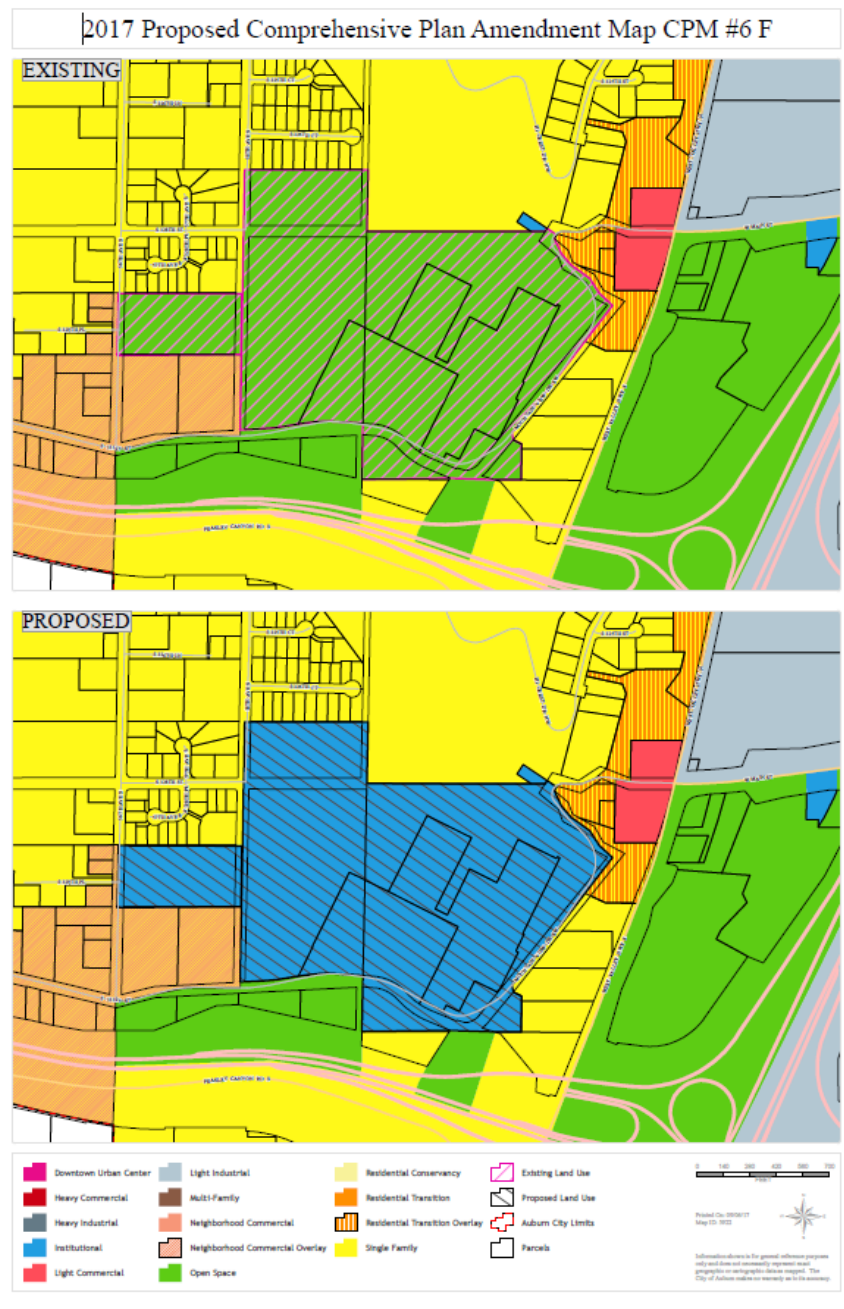


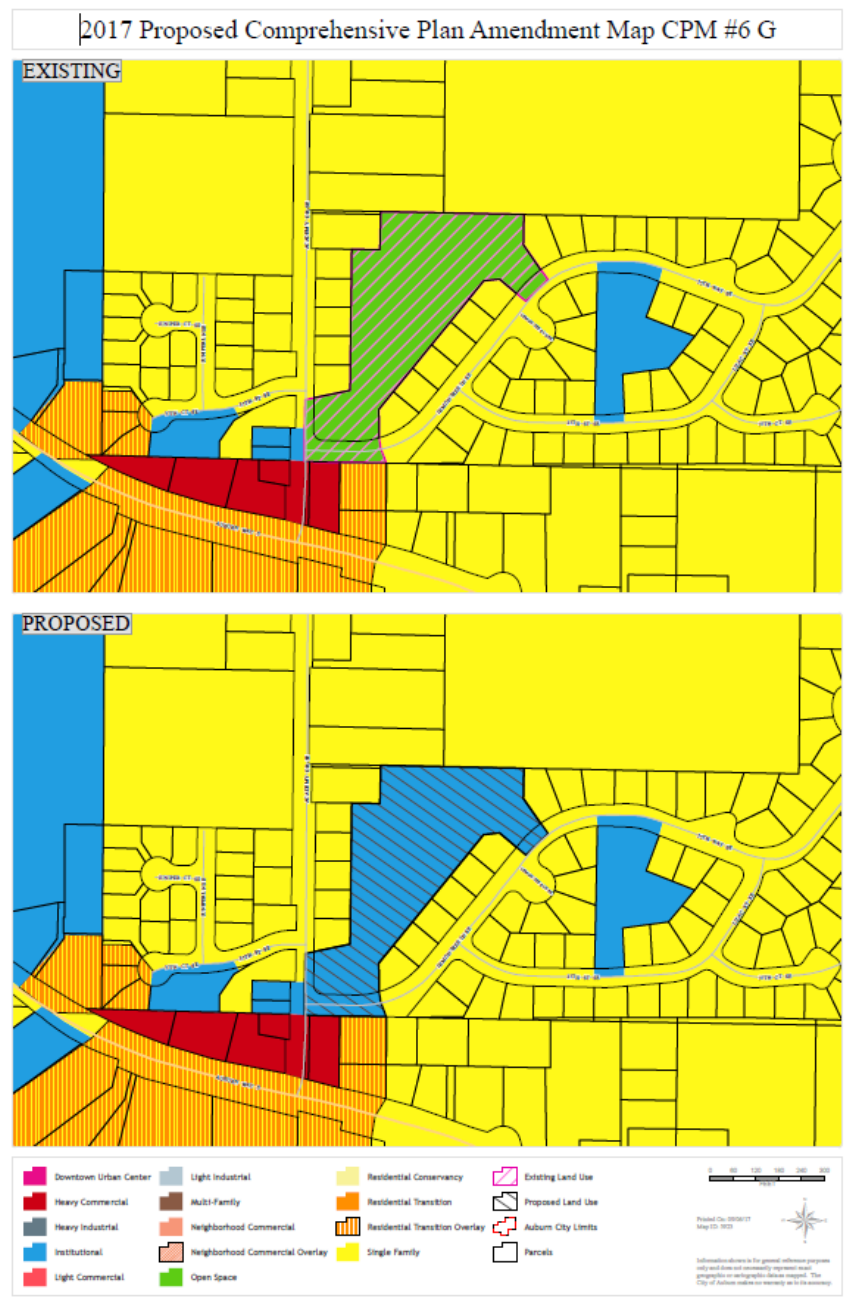












CPM #7 - Change the mapped land use designation of 3 Tribal parcels from the "Open Space" to the "Institutional" Land Use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.

Discussion

This city-initiated request is to change the land use designation of 3 Muckleshoot Tribal parcels from the "Open Space" to the "Institutional" Land Use designation. Parcel No. 2021059041 (1.45 acres US Government)), 2021059047 (24.46 acres, Tribe), & 2021059037 (0.07 acres, Tribe) are proposed for change. With adoption of the 2015

Comprehensive Plan and its associated map changes, the properties were assigned an "Open Space" land use designation. These properties are Muckleshoot Tribal owned properties that are developed as cemeteries. In addition, the "Open Space" land use designation is not appropriate to apply to these properties based on the discussion and clarification that occurred with the Planning Commission during discussion of the "OS, Open Space zoning district in July and August of this year. The land use designation is inconsistent with the designation criteria and purpose of the "Open Space" land designation of the Comprehensive Plan (e.g., cemeteries or parks developed for active recreation should not be designated "Open Space").

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
2021059041	US Government	1.45 acres	"Open Space"	"P1, Public Use"	Historic Tribal cemetery
2021059047	Muckleshoot Indian Tribe	24.46 acres	"Open Space"	"P1, Public Use"	Tribal Cemetery
2021059037	Muckleshoot Indian Tribe	0.07 acres	"Open Space"	"P1, Public Use"	Street frontage portion of historic Tribal cemetery

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #7 to change the mapped land use designation of 3 Muckleshoot Tribal properties from "Open Space" to "Institutional" land use designation and to change the zoning designation (File No. REZ17-0002), to correspond to the "I, Institutional" implementing zoning classification (Parcel Nos. 2021059041, 2021059047, & 2021059037).



CPM #8 - Change the mapped land use designation of 2 parcels from "Single Family Residential" to "Light Commercial" and to change the zoning designation from "R5, Residential" to "C1, Light Commercial" to agree.

Discussion

This city-initiated request is to change the land use designation of 2 privately-owned parcels from "Single Family Residential" to "Light Commercial". Parcels Nos. are 3121059069, 1.79 acres owned by Alan Clayton and Parcel No. 3121059027, 3.67 acres, owned by John Nixon. Both are located on east side of A ST SE, approx. 600 feet south of Lakeland Hills

WY SE. The change is requested to remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. It is requested to revert to pre-2015 designation of "Light Commercial". Also, change the zoning designation from "R5, Residential" to "C1, Light Commercial" to agree.

Both properties were annexed to the City of Auburn from the City of Pacific in the year 2003 by City of Auburn Ordinance No. 3643. Prior to the annexation, the northern parcel (owned by Mr. Clayton) was zoned "C, Commercial" and the southern parcel (now owned by John Nixon) was zoned "RMH, Multiple Family Residential" in the City of Pacific. Mr. Clayton's zoning designation of "C, Commercial" was a result of an application for zone change requested by Mr. Clayton and approved by the City of Pacific in August of 1992 by Ordinance No. 1177 (The rezone was to the zoning classification of "BC, Business Commercial" which subsequently became "C, Commercial".) At annexation to the City of Auburn, the property assumed an "R-5, Residential" zoning designation by default, while the comprehensive plan designation was made "Light Commercial".

Of late, Mr. Clayton has been contacting the City almost annually requesting that the city initiate a change in the zoning designation back to a commercial category. He has always had the ability to submit a private application to initiate the zoning map change himself, and has been advised of this, but was reluctant.

The 'working binder' under the 'Map Amendments' tab and CPM #8, contains a letter from Mr. Clayton dated July 18, 2017 and supporting information in which he describes the history and his request to have the zoning changed.

The southern parcel prior to 2015 had a comprehensive plan designation of "Light Commercial" and was previously was zoned "R-5, Residential". These 2 parcels are the only parcels on the east side of A ST SE, in the vicinity that have a Comprehensive Plan designation of "Single Family Residential". The adjacent properties to the south were changed to "light Industrial" due to private com plan application last year. The properties to the north have a comprehensive plan designation of "Institutional".

While the comprehensive plan designation was changed in 2015 to "Single Family Residential", to align with the property's R-5 Residential zoning, it is the zoning classification that should have been changed. The City now seeks to rectify the circumstances by changing the both the comprehensive plan designation and zoning for both parcels

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
3121059069 (northern)	Alan B Clayton	1.79 acres	"Single Family Residential"	R-5, Residential	vacant
3121059027/ 5340 A ST SE (southern)	John Nixon	3.67 acres	"Single Family Residential"	R-5, Residential	Single family residence

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #8 to change 2 privately-owned parcels from "Single Family Residential" to "Light Commercial" and to change the zoning designation (File No. REZ17-0004) to correspond to the "C1, Commercial" implementing zoning classification. Parcels Nos. are 3121059069 and Parcel No. 3121059027



CPM #9

Change the mapped land use designation of 2 privately owned vacant parcels at SE corner of SE 312th ST & 121st PL SE from "Multiple Family Residential: to "Light Commercial".

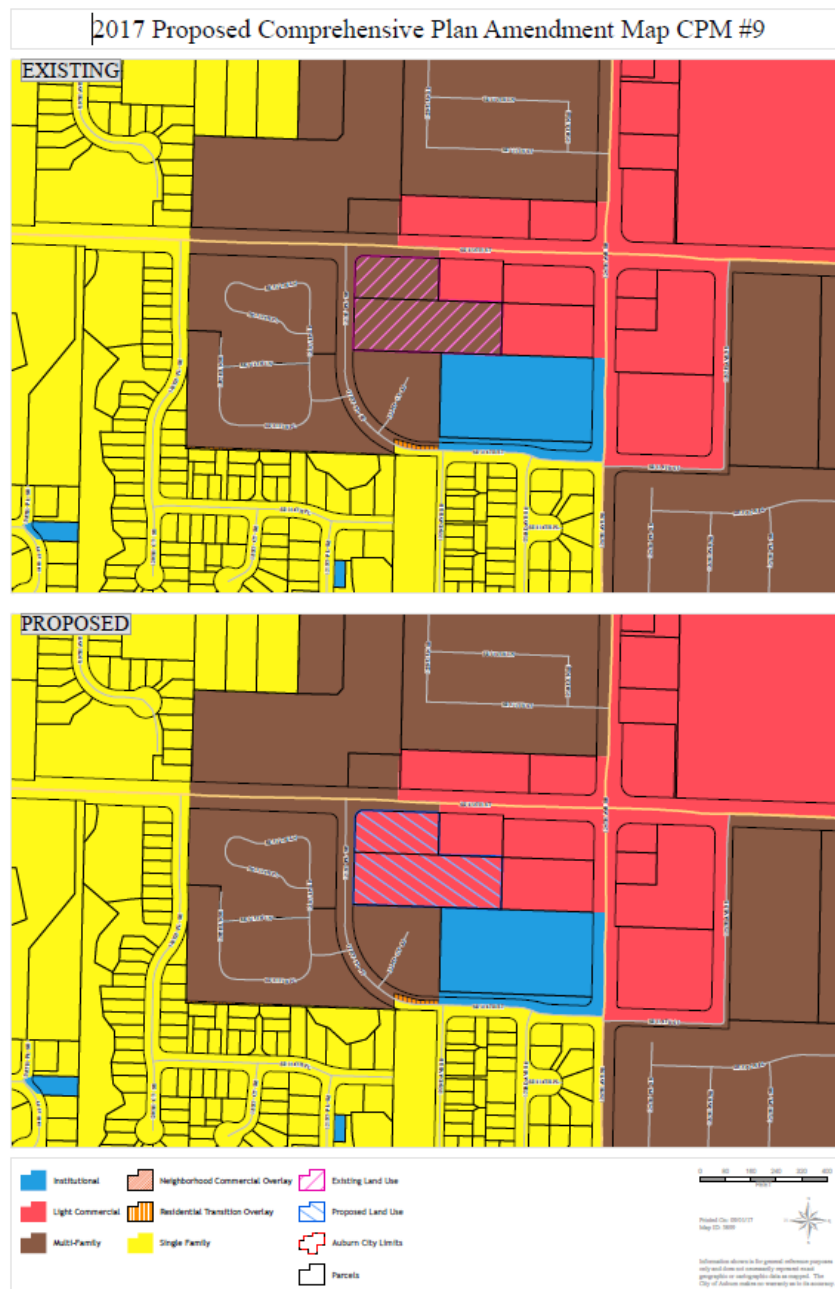
Discussion

This city-initiated request is to change the land use designation of 2 privately owned vacant parcels from "Multiple Family Residential" to "Light Commercial". The 1.75 -acre Parcel No. 0921059042 owned by Highlane Prop. LLP and 0.81-acre parcel No. 0921059113 owned by Jennifer & James Hunt both are located at SE corner of SE 312th ST & 121st PL SE. The change is requested to remedy an inadvertent change of mapped land use designation with adoption of 2015 plan and revert to the former designation.

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
0921059042	Highlane Prop. LLP	1.75 -acre	"Multiple Family Residential"	"C1, Light Commercial"	Vacant
0921059113	Jennifer & Eric Hunt	0.81-acre	"Multiple Family Residential"	"C1, Light Commercial"	Vacant

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #9 to change 2 privately-owned parcels from "Multiple Family Residential" to "Light Commercial". (Parcels Nos. are 0921059042 and 0921059113).



CPM #10

Change the mapped land use designation of a privately owned 0.91-acre parcel near the intersection of 124th AV SE & SE 307th PL from "Multiple Family Residential" to "Single Family Residential".

Discussion

This city-initiated request is to change the land use designation of privately owned 0.91-acre parcel containing a single family house from "Multiple Family Residential" to "Single Family Residential". The Parcel No. 0921059101 is owned by Ram Singh Dhaliwal is located 130

feet south of intersection of 124th AV SE & SE 307th PL (Address is 30811 124th AVE SE). The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of map amendment CPM #10 to change the land use designation of a 0.91-acre parcel from "Multiple Family Residential" to "Single Family Residential" (Parcel No. 0921059101).



CPM #11

Change the mapped land use designation of a privately-owned, 13.84-acre parcel addressed as 521 - 8TH ST SW. from "Heavy Industrial" to "Light Industrial".

Discussion

This city-initiated request is to change the land use designation of privately-owned approximately 13.84 -acre parcel developed with a single 286,000 square foot multiple tenant warehouse from "Heavy Industrial" to "Light Industrial". Parcel No. 1321049019 is owned by Western B NW WA LLC and located south of State Route 18 (SR) at the west end of 8th ST SW (Address is 521 8TH ST SW.) The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #11 to change the land use designation of an approximately 13.84-acre parcel from "Heavy Industrial" to "Light Industrial" (Parcel No. 1321049019).



CPM #12

Change the mapped land use designation of 7.2-acre private parcel located NW of intersection of Mill Pond DR SE and Kennedy AV SE from "Single Family Residential" to "Multiple Family Residential".

Discussion

This city-initiated request is to change the land use designation of privately-owned approximately of 7.2-acre private developed parcel from "Single Family Residential" to "Multiple Family Residential". Parcel No. 5530200000, owned by Lois Maathuis, is located

NW of intersection of Mill Pond DR SE and Kennedy AV SE. The site is developed as a series of 13 multiple-family, 2-story buildings containing a total of 102 dwelling units, known as the 'Mill Pond at Lakeland Condominiums'. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #12 to change the land use designation of privately-owned approximately of 7.2-acre private parcel developed with condominiums from "Single Family Residential" to "Multiple Family Residential". (Parcel No. 5530200000).



CPM #13

Change the mapped land use designation of a group of 10 adjacent parcels located north side of Auburn WY S, east of Academy DR SE from "Single Family Residential" to "Multiple Family Residential".

Discussion

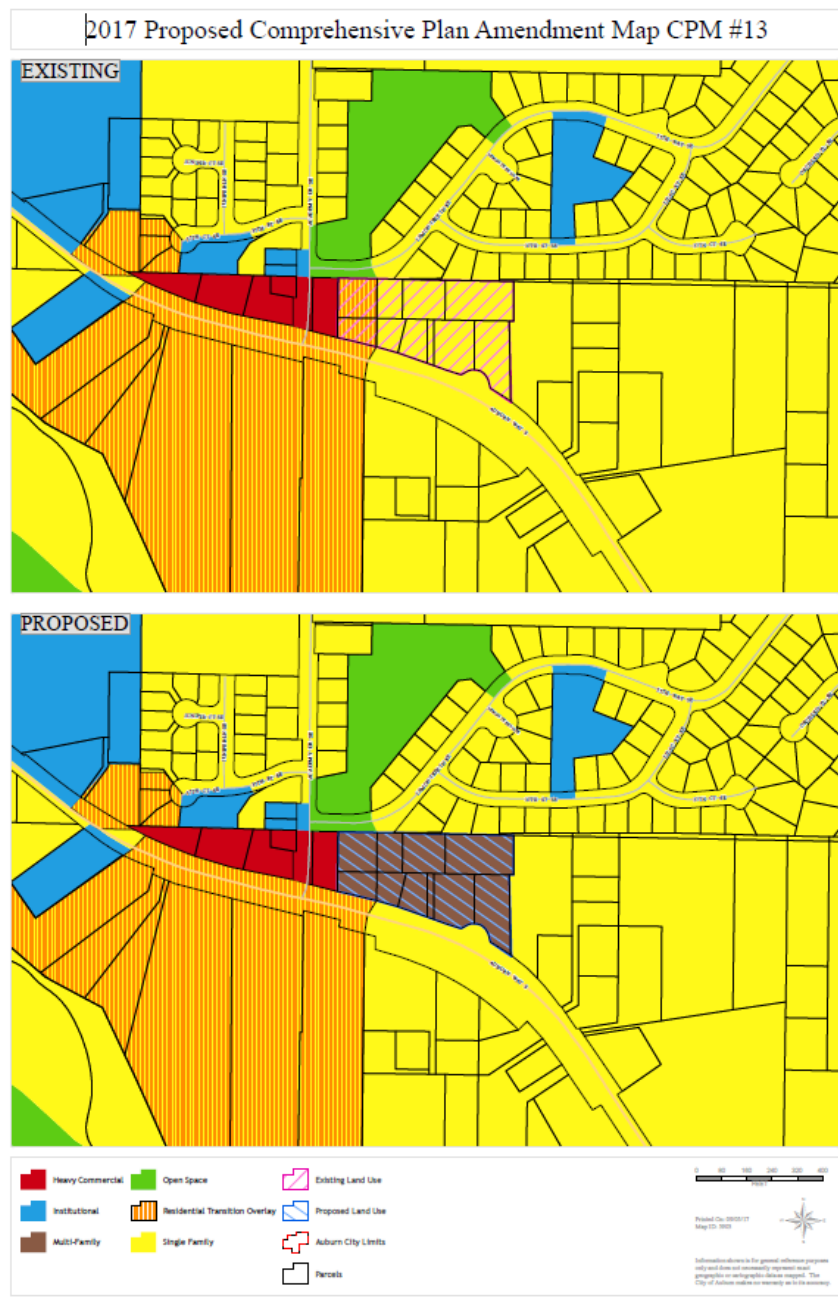
This city-initiated request is to change the land use designation of a group of 10 contiguous parcels from "Single Family Residential" and with "Residential Transition Overlay" to "Multiple Family Residential". Parcel Nos. 2721059053, 2721059063, 2721059066,

2721059126, 2721059156, 2721059157, 2721059162, 2721059168, 2721059179, & 2721059197 are owned by various property owners & located on the north side of Auburn WY S, east of Academy DR SE. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
2721059053	Muckleshoot Tribe	0.22 acres	"Single Family Residential" with "Residential Transition Overlay"	"R-20, Residential"	Duplex
2721059063	Muckleshoot Tribe	0.06 acres	"Single Family Residential"	"R-20, Residential"	Access Tract
2721059066	Orrozco, Salvador and Val	0.23 acres	"Single Family Residential"	"R-20, Residential"	Single Family Residence
2721059126	Muckleshoot Tribe	0.52 acres	"Single Family Residential"	"R-20, Residential"	Duplex
2721059156	Muckleshoot Tribe	0.39 acres	"Single Family Residential"	"R-20, Residential"	Duplex
2721059157	Muckleshoot Tribe	0.36 acres	"Single Family Residential" with "Residential Transition Overlay"	"R-20, Residential"	Duplex
2721059162	Huang, Angelina and Yao	0.63 acres	"Single Family Residential"	"R-20, Residential"	Single Family Residence
2721059168	Bunkhan, Chakkaphan and Suphawan	0.19 acres	"Single Family Residential"	"R-20, Residential"	Single Family Residence
2721059179	Muckleshoot Tribe	0.42 acres	"Single Family Residential"	"R-20, Residential"	Triplex
2721059197	Muckleshoot Tribe	0.23 acres	"Single Family Residential"	"R-20, Residential"	Duplex

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #13 to change the land use designation of a group of 10 contiguous parcels from "Single Family Residential" to "Multiple Family Residential" (Parcel Nos. 2721059053, 2721059063, 2721059066, 2721059126, 2721059156, 2721059157, 2721059162, 2721059168, 2721059179, & 2721059197).



CPM #14

Change the mapped land use designation of 23 parcels located at various locations in downtown from "Institutional" to "Downtown Urban Center".

Discussion

This city-initiated request is to change the land use designation of 23 parcels at various locations in downtown from "Institutional" to "Downtown Urban Center". Some are City-owned; others are privately owned. Parcel Nos. 0492000460, 0492000461, 0492000463,

7816200100, 7816200060, 0498500005, 0492500100, 0303450000, 0492500240, 0492500275, 0492500260, 0483000085, 0483000080, 0489000040, 7331400135, 0489000005, 7331400460, 7331400485, 7331400486, 7331400500, 8698100030, 8698100035, & 8698100040. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan. Requested to revert to pre-2015 designation of "Downtown Urban Center". The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #14 to change the land use designation of 23 parcels at various locations in downtown from "Institutional" to "Downtown Urban Center" (Parcel Nos. 0492000460, 0492000461, 0492000463, 7816200100, 7816200060, 0498500005, 0492500100, 0303450000, 0492500240, 0492500275, 0492500260, 0483000085, 0483000080, 0489000040, 7331400135, 0489000005, 7331400460, 7331400485, 7331400486, 7331400500, 8698100030, 8698100035, & 8698100040).

2017 Proposed Comprehensive Plan Amendment Map CPM #14



CPM #15

Change the mapped land use designation of numerous parcels within the Lakeland Hills South PUD from "Residential Transition" to "Moderate Density Residential" and to "Multiple Family Residential".

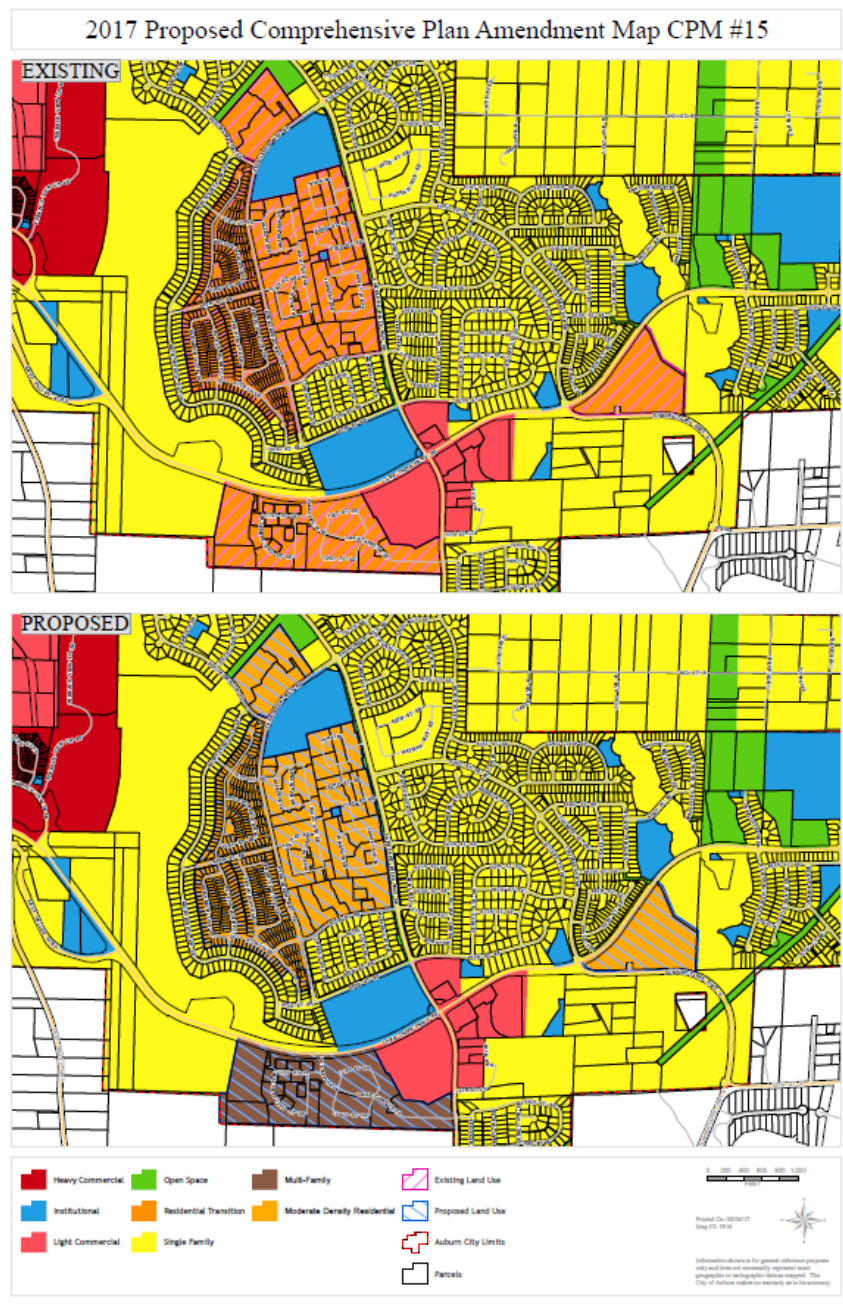
Discussion

This city-initiated request is to change the land use designation of numerous parcels within the Lakeland Hills community from "Residential Transition" to "Moderate Density

Residential" and to "Multiple Family Residential". The location of the parcels within the Lakeland special planning area is shown on the map. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #15 to change the land use designation of change the land use designation of numerous parcels within the Lakeland Hills South PUD from "Residential Transition" to "Moderate Density Residential" and to "Multiple Family Residential".



CPM #16

Change the mapped land use designation of 0.21-acre city-owned stormwater facility on the south side of 35th St SE, from "Institutional" to "Multiple Family Residential".

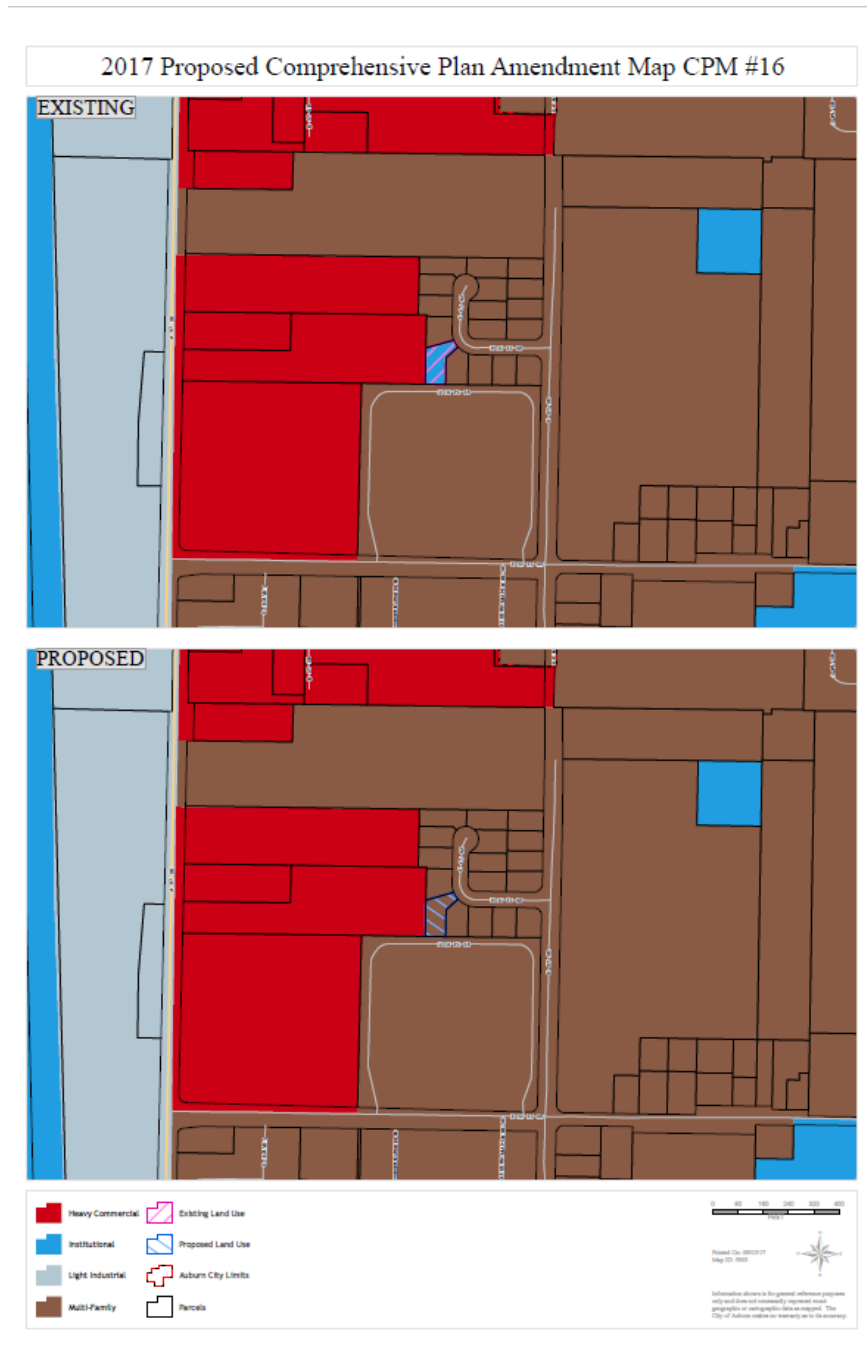
Discussion

This city-initiated request is to change the land use designation of a 0.21-acre city-owned stormwater facility serving a plat from "Institutional" to "Multiple Family Residential" to agree with designation applicable to the balance of the plat. Parcel No. 1877100170 is owned by

the City and located on south side of 35th St SE, 290 feet west of D ST SE. The lot for the stormwater facility was created from the "D ST SE Plat" and should retain the same comprehensive plan designation as the balance of the plat. It is not the intention of the Comprehensive Plan designation to apply a separate classification to each special purpose lot or tract needed to support the overall subdivision. Land use designations should apply to broad geographic areas based on compatibility and generally not on an individual parcel basis. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #16 to change the land use designation of change the land use designation of 0.21-acre city-owned stormwater facility serving a plat from "Institutional" to "Multiple Family Residential" (Parcel No. 1877100170).



CPM #17

Change the mapped land use designation of an approximately 0.71- acre privately-owned parcel located east of end of B ST SE between 15th and 16th ST SE from "Residential Transition" to "Multiple Family Residential".

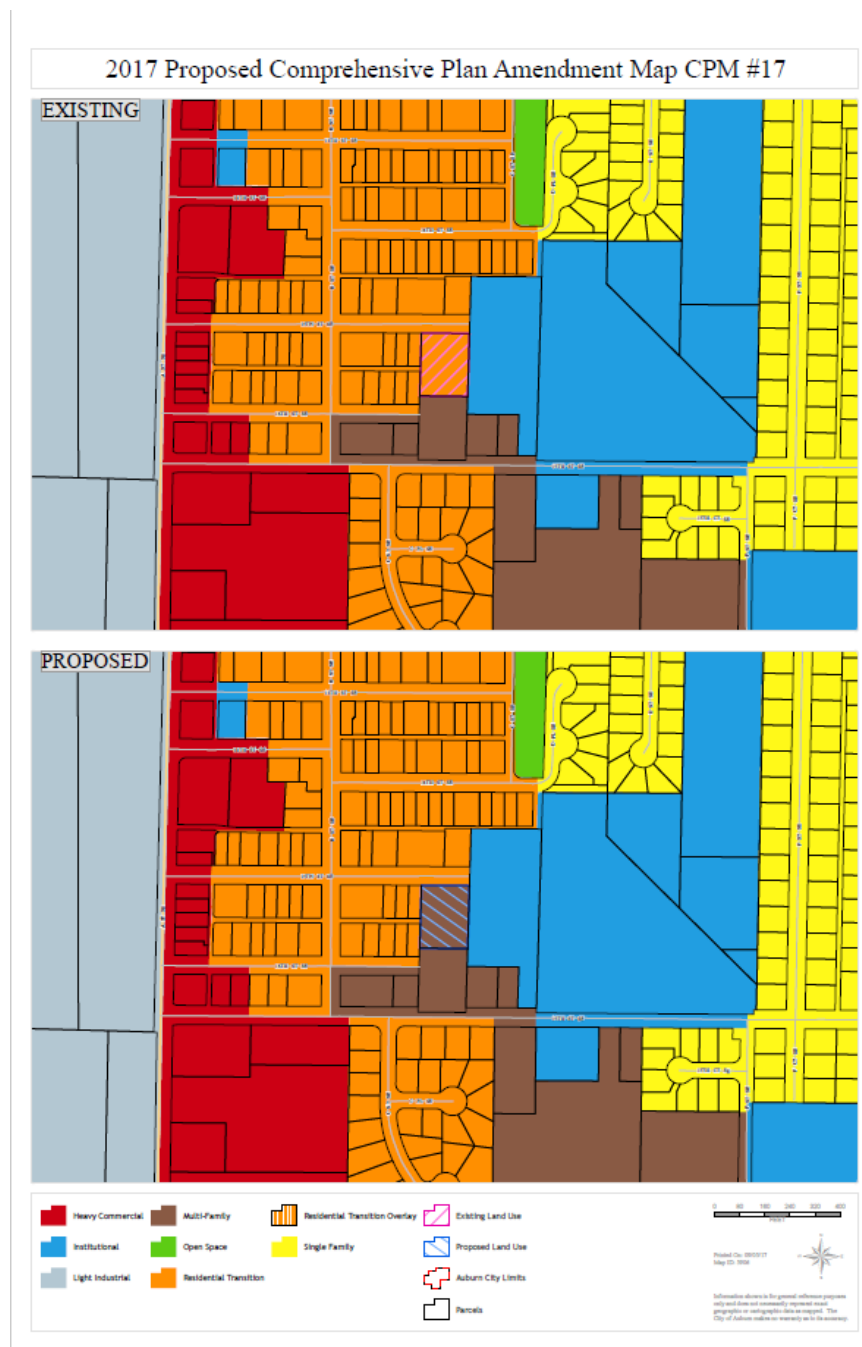
Discussion

This city-initiated request is to change the land use designation of an approximately 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family". Parcel No. 1921059271 owned by Mayfield TNC LLC is located east of end of B

ST SE between 15th and 16th ST SE. According to KC Assessor records, the property is developed with two, 2-story buildings as the "Mayfield Apartments" containing 31 dwelling units. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #17 to change the land use designation of an approximately 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family" (Parcel No. 1921059271).



Private-Initiated Map Amendment (File # CPA17-0002) and Rezone (File #REZ17-0001) Nexus Youth and Families (Please refer to the last section in the working binder for the exhibits referenced for the Nexus Youth & Families applications.)

1. The Applicant, Sylvia Fuerstenberg, representing Nexus Youth & Families ("Nexus"), submitted a Comprehensive Plan Map Amendment (City File No. CPA17-0002) and Rezone request (REZ17-0001) applications on June 8, 2017, before the year 2017 application deadline for Comprehensive Plan amendments (June 9, 2017).

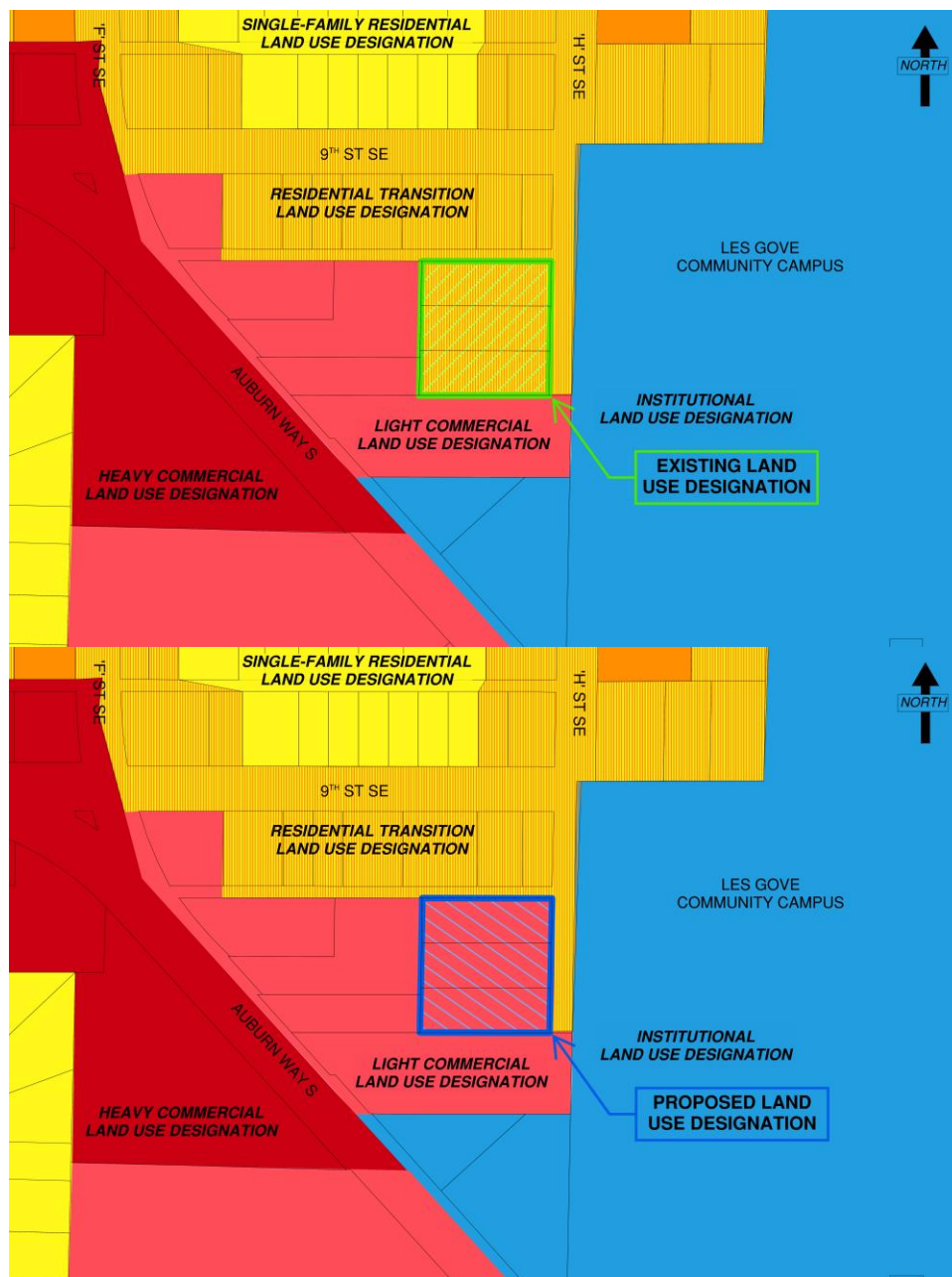
2. The Comprehensive Plan amendment seeks to change the designation of three parcels from “Single Family Residential” with a “Residential Transition Overlay” to “Light Commercial”. The parcels are King Co. Parcel Nos. 192105-9142, 192105-9145, and 192105-9077; and the addresses are 911 ‘H’ St. SE, 915 ‘H’ St. SE, and 921 ‘H’ St. SE. The three parcels total approximately 0.72 acres. See [Exhibit 10](#).
3. Similarly, the Rezone (zoning map amendment) seeks to change the classification of the same three parcels from “R-7, Residential Seven Dwelling Units per Acre” to “C-1, Light Commercial”. The parcels are King Co. Parcel Nos. 192105-9142, 192105-9145, and 192105-9077; and the addresses are 911 ‘H’ St. SE, 915 ‘H’ St. SE, and 921 ‘H’ St. SE. See [Exhibit 11](#).
4. As indicated by the Applicant’s narratives (See [Exhibit 12](#) and [Exhibit 13](#)), the requested changes are to accommodate future expansion of the Nexus Youth & Families Campus. Nexus Youth & Families (formerly Auburn Youth Resources (AYR)) is a non-profit organization that provides mental health counseling for youth, groups and families through chemical dependency prevention, treatment and aftercare and homeless services of emergency shelter, intercept homeless youth through a street outreach program and provide supportive housing across South King County. The facilities at this location include a clinic, 2 administrative buildings, 2 youth shelters, storage buildings, and the Arcadia House which will be under construction soon (Arcadia House is a replacement building for an existing supportive house, which will be demolished). See [Exhibit 14](#) for reference.
5. At its ultimate buildout, the Nexus Campus will intend to serve homeless youth and single mothers through provision of permanent supportive housing, clinic services, and case management and support services. Nexus has also requested in the Rezone request for a new use to be added to the C-1, Light Commercial zoning district that fully encompasses their proposed uses; this text amendment will be subsequently considered under a separate application and presented to Planning Commission after review of the 2017 Comprehensive Plan amendments have been completed.
6. The current Comprehensive Plan Land Use designation, zoning classification, and current land uses of the subject properties and surrounding properties are as follows:

	Comp Plan Designation	Zoning Classification	Existing Land Use
On-Site	“Single Family Residential” w/ “Residential Transition Overlay”	R-7, Residential	3 single-family homes; 2 are currently used as shelters by Nexus, the other is used as a residence by the Bartholomews
North	“Single Family Residential” w/ “Residential Transition Overlay”	R-7, Residential	Single-family homes
South	“Light Commercial”	C-1, Light Commercial	Nexus Clinic
East	“Institutional”	I, Institutional	Les Gove Community Campus
West	“Light Commercial”	C-1, Light Commercial	Nexus Admin.

7. The three parcels front onto ‘H’ St. SE, which is classified as a ‘Local Residential’ street; ‘H’ St. SE is then connected to Auburn Way S (‘Principal Arterial’ classified street) via 9th St. SE (‘Local Residential’) and the unnamed alley on the north side of the project site. Part of the western portion of the alley will be widened to 20 ft. to support emergency services in conjunction with the Arcadia House construction (the alley is currently approximately 12 ft. wide). The remainder of the alley will be widened with subsequent / future development of the Nexus Campus. Circulation plans for eventual

buildout would be to direct a majority of the traffic either directly onto Auburn Way S or via the alley to Auburn Way S. See the Conceptual Campus Site Plan, Exhibit 14.

8. Based on historic zoning maps, the subject properties have had similar single-family zoning designations since at least 1964 (note these parcels were annexed into the City in 1948). The Comprehensive Plan designation has also been single-family since at least 1960.



COMPREHENSIVE PLAN RELATED – CONCLUSIONS:

The City code provides that applicant requesting a comprehensive plan amendment must demonstrate that the request complies with the following decision criteria:

“ACC 14.22.110 Decision criteria for plan amendments.

A. The comprehensive plan was developed and adopted after significant study and public participation. The principles, goals, objectives and policies contained therein shall be granted substantial weight when considering a proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant, who must demonstrate that the request complies with and/or relates to the following decision criteria:

1. The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent;
2. Whether the capacity to provide adequate services is diminished or increased;
3. Assumptions upon which the comprehensive plan is based are found to be invalid;
4. A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment;
5. If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2040: Growth and Transportation Strategy for the Puget Sound Region.”

These criteria are repeated in bold below, followed by a Staff Analysis indicated in italics. The Applicant's responses to these criteria are included as Exhibit 12.

Criterion #1 – ACC 14.22.110(A)(1): The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent.

Staff Analysis: The Comprehensive Plan (Land Use Element, Page LU-9) provides the following explanation for the “Light Commercial” Land Use Designation:

“Light Commercial

Description

This category represents the prime commercial designation for small to moderate scale commercial activities. These commercial areas should be developed in a manner, which is consistent with and attracts pedestrian oriented activities. Such areas should encourage walkability, leisure shopping, engaging public space, and should provide other amenities conducive to attracting shoppers.

Designation Criteria

- 1. Previously developed light commercial areas buffered from more intense commercial or industrial designations by landscaping or environmental features; or*
- 2. Located along arterial or collector streets;*
- 3. Properties that are buffered from the Single Family designation by landscaping, environmental features, or the Residential Transition designation; and*
- 4. Meets the development parameters of the Light Commercial designation.*

Implementing Zoning Designations
Light Commercial

Policies

- Policy LU-60. A wide range of consumer-oriented goods and services are compatible within this designation since creating an attractive shopping environment is a primary emphasis. Permitted uses would consist of local-serving and community-serving retail trade, offices, personal services, eating establishments, financial institutions, governmental offices, and similar uses.
- Policy LU-61. Parking lots must be located and designed in a manner that softens their appearance from adjacent public roads. This is accomplished through landscaping, pedestrian spaces, and the location of buildings on the property. Where practicable, low impact development techniques and landscaping should be used to promote on site stormwater infiltration and shading of hard surfaces. Minimum and maximum parking ratios must be established for each type of permitted use.
- Policy LU-62. Development incentives should be established that encourage the creation of electric car charging stations, use of sustainable building and/or operational practices, development of non-motorized infrastructure, and proximity and connection to public transit.
- Policy LU-63. Multiple family dwellings are only allowed as part of mixed-use developments where they do not interfere with the shopping character of the area, such as within the upper stories of buildings.
- Policy LU-64. Drive in windows should only be allowed accessory to a permitted use, and only when carefully sited under the administrative use process, in order to ensure that an area's pedestrian environment is not compromised.
- Policy LU-65. Large scale regional retail uses and uses which rely on direct access by vehicles or involve heavy truck traffic (other than for merchandise delivery) are not appropriate in this category.
- Policy LU-66. Unsightly outdoor storage and similar activities should be prohibited.
- Policy LU-67. Encourage adaptive reuse, particularly of historic properties.
- Policy LU-68. Upzone requests to the next zone should be approved based on the innovations in transportation and stormwater management and public amenities proposed for the development associated with the request."

Per ACC 18.23.030(C), the intent of the C-1, Light Commercial zoning district is:

"...intended for lower intensity commercial adjacent to residential neighborhoods. This zone generally serves as a transition zone between higher and lower intensity land uses, providing retail and professional services. This zone represents the primary commercial designation for small- to moderate-scale commercial activities compatible by having similar performance standards and should be developed in a manner which is consistent with and attracts pedestrian-oriented activities. This zone encourages leisure shopping and provides amenities conducive to attracting shoppers and pedestrians."

As identified in the C-1 intent statement above, this zoning district allows provisions for retail uses as well as professional services. Nexus does not engage in any retail or commercial uses, however, does provide professional services such as counseling for homeless youth and single mothers. Nexus has also applied for a zoning text amendment to include their specific unique set of uses and facility as an allowed use in the C-1 zoning district (to be reviewed by the Planning Commission and City Council at a future date).

With the described emphasis on commercial uses, an argument could be made that the C-1 zone may not be the most suitable location for this type of facility. However, an argument could also be made that this is a suitable use for this location; 1) with the exception of the Bartholomew parcel, the other 2 parcels as well as two located to the west are already owned and operated by Nexus as similar uses (although to a much-lesser scale), 2) the campus fronts-on and has direct access to Auburn Way S, a principal arterial, 3) there is an existing Metro transit stop in front of the campus that can serve the population, 4) the campus has an intervening alley right-of-way to the north, providing a delineated separation to the existing single-family homes, and 5) there are existing public services and facilities located in close proximity to the campus, including the library, community center, and Nexus' other service (e.g. clinic) that the homeless occupants can utilize.

Other applicable policies from the City's Comprehensive Plan that support the Nexus application are as follows:

From the 'Core Plan':

Policy 11. Participate in and support efforts to provide solutions for persons experiencing homelessness.

Policy LU-30. Encourage development of permanent supportive housing to address the homeless population and those with special needs.

Policy H-10. Provide a land use plan and zoning that offers opportunities to achieve a variety of housing styles and densities for private and non-profit housing providers.

Policy H-31. Encourage and support human and health service organizations that offer programs and facilities for people with special needs. Support programs in particular that help people to remain within the community, including those that are veterans, disabled, seniors, single parent households, and the homeless.

Policy H-43. Work with other jurisdictions and health and social service organizations to implement a coordinated, regional approach to homelessness.

Policy H-47. Support nonprofit organizations during all stages of siting and project planning and when applying for county, state, and federal funding.

Criterion #2 – ACC 14.22.110(A)(2): Whether the capacity to provide adequate services is diminished or increased.

Staff Analysis: The proposed application for a change in the Comprehensive Plan designation has been reviewed by the City's Utilities division, Traffic division, and the Valley Regional Fire Authority. Based on these reviews, the change would not adversely affect the provision of services. As is typical with development in the City, adequate infrastructure improvements will be required to be provided concurrent with future development. Although the specific construction activity for the three subject parcels is still in the master planning stages and thus not exactly known, future development is not anticipated to be detrimental to public services. Traffic impacts will be reviewed once the campus planning by the applicant has been finalized to ensure accurate mitigation measures are provided (through Applicant preparation and City review of a Traffic Impact Analysis).

Criterion #3 – ACC 14.22.110(A)(3): Assumptions upon which the comprehensive plan is based are found to be invalid.

Staff Analysis: While the policies of the Comprehensive Plan are not invalid, the Applicant's request to change three parcels from residential to commercial designations are consistent with the

designations and uses in the immediate vicinity. The subject parcels are bordered by other parcels owned by Nexus that are part of the campus and campus is bordered on three sides by public rights-of-way and to the south is a City-owned parking lot (west of the Library). The requested change is a logical expansion of the Light Commercial land use designation for this particular use.

Criterion #4 – ACC 14.22.110(A)(4): A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment.

Staff Analysis: A change is proposed for three parcels to Light Commercial which is consistent with the adjacent parcels to the south and west, all of which are also owned by Nexus. A change in conditions or circumstances would be the increasing number of homeless persons. Nexus seeks to assist the community and help vulnerable homeless populations of the youth/young adults and single mothers. Also, as stated under Criterion #1, above, the Comprehensive Plan lists numerous goals/policies to respond to homelessness.

Criterion #5 – ACC 14.22.110(A)(5): If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2040: Growth and Transportation Strategy for the Puget Sound Region.

Staff Analysis: The change, if approved, would continue to be consistent with the Growth Management Act (Chapter 36.70A RCW), the King County Countywide Planning Policies and Puget Sound Regional Council's Vision 2040. The proposal is consistent because it furthers provision of services and housing for the homeless population.

Criterion #6 – ACC 14.22.110(A)(6): If the request is to change the land use designation of a specific property on the comprehensive plan land use map, the applicant must demonstrate one of the following:

- a. The current land use designation was clearly made in error or due to an oversight;
- b. The proposed land use designation is adjacent to property having a similar or compatible designation, or other conditions are present to ensure compatibility with surrounding properties;
- c. There has been a change in conditions since the current land use designation came into effect.

Staff Analysis: The requested change is consistent with Item b in that the adjacent properties to the west and south also have the comprehensive plan designation of "Light Commercial".

REZONE (Zoning Map Amendment) RELATED – CONCLUSIONS:

Chapter 18.68 ACC ((Zoning Code) Amendments) specifies the intent and process for zoning code amendments; in this case, a site-specific zoning map amendment has been requested. While the City Code does not contain any rezone criteria; case law offers some criteria ("A Little Bit Pregnant: The Multi-Personalities of Site Specific Rezones - Or - A Cheat Sheet for Everything You Need to Know about Site-Specific Rezones", by Phil Olbrechts on MSRC.org, April 1, 2013) as follows:

"...require that the proponents of a rezone must establish that conditions have substantially changed since the original adoption and that the rezone must bear a substantial relationship to the public health, safety, morals or welfare. If a rezone implements the comprehensive plan, a showing that a change of circumstances has occurred is not required."

With the change in City procedures by Ordinance No. 6655 to allow concurrent recommendations by the Planning Commission on both the Comprehensive plan and zoning map changes, the recommendations

on each should be consistent and therefore the rezone will implement the comprehensive plan designation, making it unnecessary to demonstrate that a change in circumstances has occurred.

Related to the other criteria, the requested rezone bears a substantial relationship to the public health, safety, morals, and welfare. Adequate public facilities such as water and sewer services are capable of being provided for the parcels at future development and would therefore not be detrimental to public health. The rezone itself is not anticipated to allow uses that would pose any detrimental effects on the morals or welfare of the public; the uses planned by Nexus as a redeveloped campus generally are beneficial to the community by serving a vulnerable population. As for impacts to public safety, the proposed Nexus facilities could be seen to have either favorable or unfavorable impacts. Providing services for homeless youth could attract this special population to the neighborhood that may not already be present, however, the services are also intended to assist by providing shelter and integration into productive society.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended approval of the Nexus Youth & Families request for a Comprehensive Plan Land Use Map amendment for three parcels from “Single Family Residential” with a “Residential Transition Overlay” to “Light Commercial”; and a rezone (zoning map amendment) from “R-7, Residential” to “C-1, Light Commercial”.

EXHIBIT LIST:

(Please see the last divider in the ‘working binder’ for these exhibits.)

- Exhibit 1. CPA17-0002 and REZ17-0001 Staff Report
- Exhibit 2. Comprehensive Plan Amendment Application
- Exhibit 3. Rezone Application
- Exhibit 4. Vicinity Map
- Exhibit 5. Ownership Map
- Exhibit 6. Chapter 14.22 ACC
- Exhibit 7. Chapter 18.68 ACC
- Exhibit 8. SEPA Comment Letter
- Exhibit 9. Dept. of Commerce 60-Day Acknowledgement Letter, received August 22, 2017
- Exhibit 10. Comprehensive Plan Land Use Maps

ORDINANCE NO. 6 6 6 7

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO PLANNING; ADOPTING 2017 ANNUAL COMPREHENSIVE PLAN MAP AND TEXT AMENDMENTS PURSUANT TO THE PROVISIONS OF RCW CHAPTER 36.70A AND ADOPTING CORRESPONDING REZONES RELATED TO CERTAIN OF THE MAP AMENDMENTS

WHEREAS, on August 18, 1986, the City Council of the City of Auburn adopted a Comprehensive Plan by Resolution No. 1703 which includes a Map establishing the location of the Comprehensive Plan Land Use Designations throughout the City; and

WHEREAS, on April 17, 1995, the Auburn City Council adopted Comprehensive Plan Amendments by Resolution No. 2635 to comply with the Washington State Growth Management Act; and

WHEREAS, on September 5, 1995, the Auburn City Council reaffirmed that action by its adoption of Ordinance No. 4788; and

WHEREAS, on December 14, 2015, the Auburn City Council adopted an updated Comprehensive Plan which includes a Map establishing the location of the Comprehensive Plan Land Use Designations throughout the City by Ordinance No. 6584; and

WHEREAS, in April 2017 the City of Auburn published in the *Seattle Times Newspaper* an advertisement that the City was accepting comprehensive plan amendment applications and established a deadline for submittal of June 9, 2017; and

WHEREAS, the City of Auburn received one private-initiated map amendment for the year 2017 annual amendments; (Nexus Youth & Families, File No. CPA17-0002); and

WHEREAS, the City of Auburn initiated seventeen map amendments (CPA17-0001) and nine policy/text amendments (File No. CPA17-0001); and

WHEREAS, in June 2017 the City Council adopted Ordinance No. 6655 allowing the Planning Commission and City Council to consider zoning map changes associated with comprehensive map changes (for Comprehensive Plan and Zoning map amendments), concurrently, thereby eliminating the need for a subsequent hearing conducted by the Hearing Examiner on the rezone (zoning map amendment) as under the previous regulations; and

WHEREAS, three of the City-initiated map amendments (CPA17-0001, REZ17-0002, REZ17-0003, & REZ17-0004) and the one private initiated map amendment (CPA17-0002 & REZ17-0001) have an associated rezone (zoning map amendment) to maintain consistency with the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan text/policy amendments and map amendments were processed by the Community Development & Public Works Department as proposed Year 2017 annual amendments to the City of Auburn Comprehensive Plan; and

WHEREAS, maintaining a current Capital Facilities Plan is required of the City in order to meet regulations of the Growth Management Act under RCW 36.70A; and

WHEREAS, the environmental impacts of the proposed Year 2017 Comprehensive Plan amendments and rezones were considered in accordance with procedures of the State Environmental Policy Act (File No. SEP17-0014 (city-initiated amendments) & SEP17-0012 (Nexus Youth & Families, private-initiated amendment)) and were determined to have no environmental significance; and

WHEREAS, the proposed amendments were transmitted to the Washington State Department of Commerce, Growth Management Services Division and other State agencies for the 60-day review period in accordance with RCW 36.70A.106; and

WHEREAS, after proper notice published in the City's official newspaper at least ten (10) days prior to the date of the hearings, the Auburn Planning Commission on October 18, 2017 and on November 1, 2017, conducted public hearings on the proposed amendments; and

WHEREAS, at the public hearings the Auburn City Planning Commission heard and considered the public testimony and the evidence and exhibits presented to it; and

WHEREAS, the Auburn City Planning Commission thereafter made recommendations to the City Council on the proposed Year 2017 annual Comprehensive Plan map and text amendments and for certain amendments, on the associated rezone; and

WHEREAS, on November 27, 2017, the Auburn City Council reviewed the Planning Commission's recommendations to the City Council; and

WHEREAS, on December 4, 2017, the Auburn City Council considered the proposed Comprehensive Plan amendments and rezones as recommended by the City of Auburn Planning Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Application CPA17-0002 & REZ17-0001, Nexus Youth & Families Comprehensive Plan Map Amendment, requesting a land use designation change from "Single Family Residential" with a "Residential Transition Overlay" to "Light Commercial"; and a rezone (zoning map amendment) from "R-7, Residential" to "C-1,

Light Commercial” for three parcels totaling 0.72 acres, identified by parcel numbers: 192105-9142, 192105-9145, and 192105-9077 is approved as set forth in Exhibit “A” attached hereto and incorporated herein by reference. Council adopts the Planning Commission’s action taken on November 1, 2017 recommending approval, and Council further adopts the findings and conclusions outlined in the October 24, 2017 (private-initiated) staff report, attached as Exhibit “B.”

Section 2. The 2017 Comprehensive Plan city-initiated Map Amendments (CPA17-0001) and associated rezones (REZ17-0002, REZ17-0003, & REZ17-0004) are adopted and approved as set forth in Exhibit “C” as attached hereto and incorporated herein by reference. The City Clerk shall file Exhibit “C” along with this Ordinance and keep them available for public inspection.

Section 3. The 2017 annual Comprehensive Plan city-initiated Text Amendments (CPA17-0001), as set forth in Exhibit "D" attached hereto and incorporated herein by reference, are adopted and approved. The City Clerk shall file Exhibit "D" along with this Ordinance and keep them available for public inspection. The full text of the Capital Facilities Plan of the City and the four school district’s Capital Facilities Plans are adopted with the City’s Comprehensive Plan, copies of which shall be on file with the Office of the City Clerk. The City Clerk shall file them along with this Ordinance and keep them available for public inspection. Council adopts the Planning Commission’s action taken on October 18, 2017 and November 1, 2017 recommending approval, and Council further adopts the Findings and Conclusions outlined in the October 3, 2017 (Group #1) and October 19, 2017 (Group #2), staff reports, attached as Exhibit "C."

Section 4. The 2017 Comprehensive Plan amendments modify the Comprehensive Plan adopted on August 18, 1986, by Resolution No. 1703; and adopted by Ordinance No. 4788 on September 5, 1995; and adopted December 14, 2015 by Ordinance No. 6584.

Section 5. The adopted Comprehensive Plan as amended is designated as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act by the City's responsible environmental official in accordance with RCW. 43.21C.060.

Section 6. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation to include incorporating into one document the adopted Comprehensive Plan map and text amendments, attached hereto as Exhibit "A," Exhibit "B," Exhibit "C," and Exhibit "D," and preparing and publishing the amended Comprehensive Plan.

Section 7. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 8. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____


CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam,
City Clerk

APPROVED AS TO FORM:



Daniel B. Heid,
City Attorney

Published: _____

Exhibit "A"

Colored Map as an excerpt of the City's Comprehensive Plan Map showing a change from "Single Family Residential" with a "Residential Transition Overlay" to "Light Commercial," for three parcels totaling 0.72 acres, identified by parcel numbers: 192105-9142, 192105-9145, and 192105-9077 for Nexus Youth & Families. (CPA17-0002)

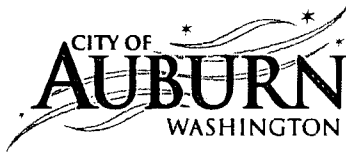
Colored Map as an excerpt of the City's Zoning Map showing a change from "R-7, Residential" to "C-1, Light Commercial" for three parcels totaling 0.72 acres, identified by parcel numbers: 192105-9142, 192105-9145, and 192105-9077 for Nexus Youth & Families. (REZ17-0001)

(Please see "Comp. Plan Map Amendments CPA17-0002" tab in the working binder).

Exhibit "B"

Agenda bill/staff report dated October 24, 2017.

CPA17-0002 & REZ17-0001, land use designation change from "Single Family Residential" with a "Residential Transition Overlay" to "Light Commercial"; and a rezone (zoning map amendment) from "R-7, Residential" to "C-1, Light Commercial" for three parcels totaling 0.72 acres, for Nexus Youth & Families.



AGENDA BILL APPROVAL FORM

Agenda Subject: CPA17-0002 & REZ17-0001, Nexus Youth & Families Comprehensive Plan Land Use Amendment and Rezone		Date: October 24, 2017		
Department: Community Development & Public Works, Planning Services	Attachments: (See exhibit listing at the end of this report)	Budget Impact: N/A		
Administrative Recommendation: Planning Commission to conduct a public hearing and recommend to City Council approval of the Nexus Youth & Families Comprehensive Plan Amendment and Rezone (zoning map amendment) request.				
Background Information:				
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> APPLICANT: Sylvia Fuerstenberg Nexus Youth & Families 1000 Auburn Way South Auburn, WA 98002 </div> <div style="width: 45%;"> PROPERTY OWNERS: Nexus Youth & Families (Parcels 192105-9142, 9145) Jay & Daniel Bartholomew (Parcel 192105-9077) </div> </div>				
REQUEST: File Nos. CPA17-0002 & REZ17-0001: Request to amend the Comprehensive Plan Land Use Map Designation of three parcels from "Single Family Residential" with a "Residential Transition Overlay" to "Light Commercial"; and the zoning (zoning map amendment) from "R-7, Residential" to "C-1, Light Commercial". Two of the three parcels are owned by Nexus Youth & Families ("Nexus"), the other is owned by Jay & Daniel Bartholomew.				
LOCATION: The proposal consists of three adjacent parcels located between Auburn Way S. and 'H' St. SE, approximately 120 ft. south of 9th St. SE, King Co. Parcel Nos. 192105-9142, 192105-9145, and 192105-9077. The addresses for the three parcels are 911 'H' St. SE, 915 'H' St. SE, and 921 'H' St. SE. See "Vicinity Map", <u>Exhibit 3</u> , and "Ownership Map", <u>Exhibit 4</u> .				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission COUNCIL COMMITTEES: <input type="checkbox"/> Airport <input type="checkbox"/> Finance <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Human Services <input type="checkbox"/> Planning & CD <input type="checkbox"/> Park Board <input type="checkbox"/> Public Works <input type="checkbox"/> Planning Comm. <input type="checkbox"/> Other _____ </td> <td style="width: 50%; vertical-align: top;"> Reviewed by Departments & Divisions: <input checked="" type="checkbox"/> Building <input type="checkbox"/> M&O <input type="checkbox"/> Cemetery <input type="checkbox"/> Mayor <input type="checkbox"/> Finance <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Legal <input type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Human Resources <input type="checkbox"/> Information Services </td> </tr> </table>			Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission COUNCIL COMMITTEES: <input type="checkbox"/> Airport <input type="checkbox"/> Finance <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Human Services <input type="checkbox"/> Planning & CD <input type="checkbox"/> Park Board <input type="checkbox"/> Public Works <input type="checkbox"/> Planning Comm. <input type="checkbox"/> Other _____	Reviewed by Departments & Divisions: <input checked="" type="checkbox"/> Building <input type="checkbox"/> M&O <input type="checkbox"/> Cemetery <input type="checkbox"/> Mayor <input type="checkbox"/> Finance <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Legal <input type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Human Resources <input type="checkbox"/> Information Services
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Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Tabled _____				
<div style="display: flex; justify-content: space-between;"> <div> Until _____ Until _____ </div> <div> Call for Public Hearing ____/____/____ </div> </div>				
Councilmember:		Staff:		
Meeting Date:		Item Number:		

FINDINGS OF FACT:

1. The Applicant, Sylvia Fuerstenberg, representing Nexus Youth & Families ("Nexus"), submitted a Comprehensive Plan Map Amendment (City File No. CPA17-0002) and Rezone request (REZ17-0001) applications on June 8, 2017, before the year 2017 application deadline for Comprehensive Plan amendments (June 9, 2017).
2. The City of Auburn first adopted amendments to its Comprehensive Plan in compliance with the Washington State Growth Management Act (GMA) requirements, as amended, in 1995. The Auburn Comprehensive Plan has been amended annually each year since, generally for housekeeping items and for coordination with the Capital Facilities Plan.
3. The City of Auburn adopted a substantially revised Comprehensive Plan (including map amendments) in response to periodic updates required by the GMA under Ordinance No. 6584 on December 15, 2015.
4. RCW 36.70A.130 (GMA) provides for annual amendments to locally adopted comprehensive plans. Except in limited circumstances, these amendments shall be considered by the City's Legislative body no more frequently than once per year. The annual limitation and exceptions are also restated under ACC 14.22.060.

Comprehensive Plan Related Findings

5. In June 2017 the City Council adopted Ordinance No. 6655 which allows the Planning Commission and City Council to consider associated map changes (for Comp. Plan and Zoning map amendments), concurrently. This eliminates the need for the Hearing Examiner to subsequently consider a zoning map amendment public hearing when it is related to a Comprehensive Plan map amendment.
6. Auburn City Code (ACC) Chapter 14.22 outlines the process for submittal of privately-initiated comprehensive plan amendments and the general processing as follows:

"Section 14.22.100

- A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:
 1. For site-specific plan map amendments:
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;
 - b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;
 2. For area-wide plan map amendments:
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;
 - b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;
 - c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.
- B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.
- C. Planning Commission Recommendation. The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a

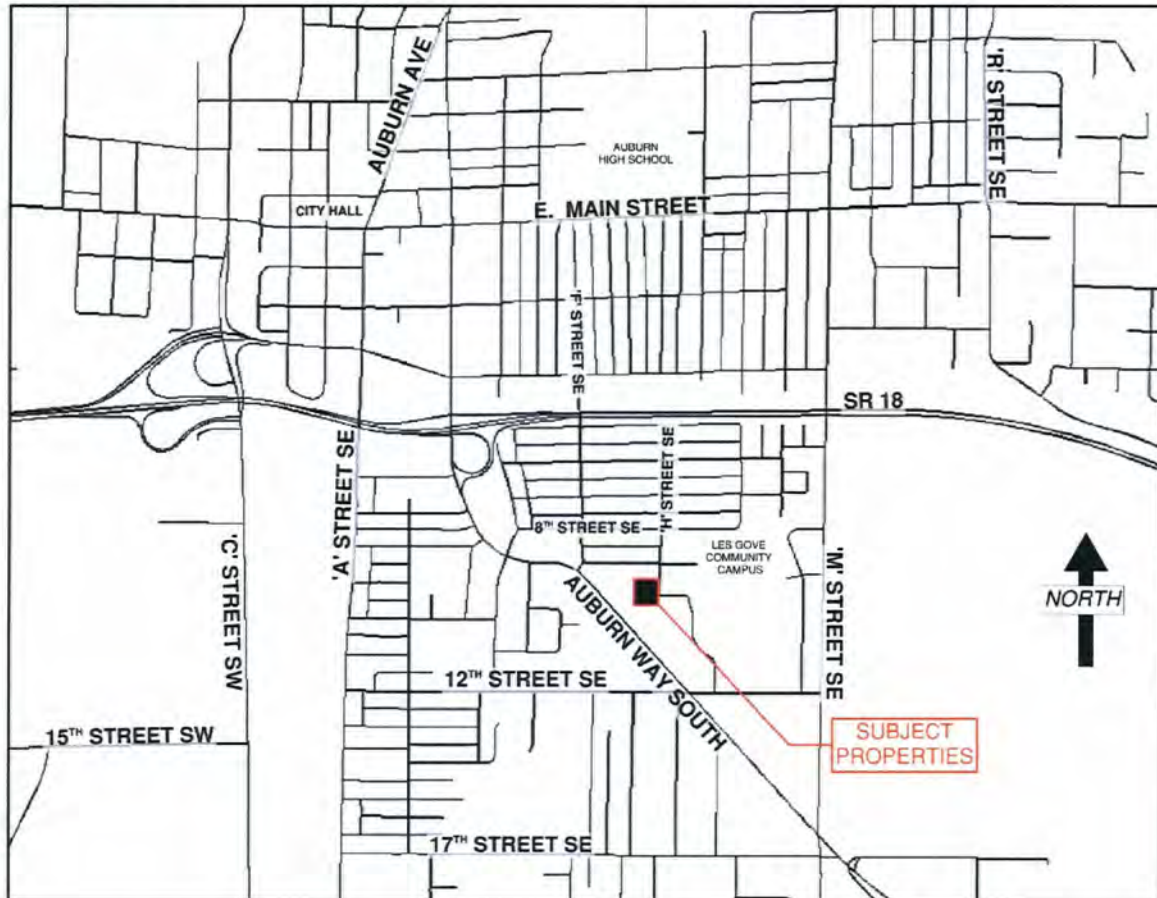
- recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.
- D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.
 - E. State Review. All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.
 - F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)"
7. Per Chapter 14.22 Auburn City Code ("ACC"), privately-initiated amendments to the Comprehensive Plan shall have at least one public hearing before the Planning Commission who then forward on a recommendation to the City Council. City Council consideration and action on the amendments generally occurs, but is not required, prior to the end of the year. Chapter 14.22 ACC 'Comprehensive Plan' is attached as Exhibit 6 for reference.
8. Due to the nature of policy/text changes, and the minimal amount of private-initiated map amendments, the optional process for conducting a public open house on the docket of comprehensive plan amendments as provided for in the city code, was not conducted.

Zoning Code Related Findings

9. Chapter 18.68 ACC (Zoning) Amendments)) outlines the process for submittal of privately-initiated zoning amendments and the general processing. Per ACC 18.68.030(B)(1)(b), when the Planning Commission is considering a rezone (zoning map amendment) which requires a Comprehensive Plan Land Use Map amendment, the public hearings shall be conducted concurrently and a recommendation on both shall be forwarded to the City Council. Chapter 18.68 ACC 'Amendments' is attached as Exhibit 7 for reference
10. Pursuant to Chapter 197-11 WAC and Chapter 16.06 ACC, this project is subject to State Environmental Policy Act ("SEPA") environmental review. A Determination of Non-Significance ("DNS"), for the Comprehensive Plan amendment and Rezone request was issued under City File No. SEP17-0012 on August 24, 2017; with the comment period ending September 8, 2017 and an appeal period ending September 22, 2017. One public comment was submitted (See Exhibit 8); no appeal was filed.
11. Pursuant to RCW 36.70A.106, the proposed Comprehensive Plan amendment outlined in this agenda bill were sent to the Washington State Dept. of Commerce and other State agencies as required for the 60-day State review. See Exhibit 9. No comments have been received from the Dept. of Commerce or other State agencies as of the date of this report.
12. The public hearing notice was published on October 17, 2017 in the Seattle Times, at least 10 days prior to this November 1, 2017 Planning Commission public hearing. Public notice was also mailed to property owners within 300 feet and those requesting said notice, posting on the City's website, and posting on the subject properties.
13. The following Staff Report and recommendation describes and addresses the Comprehensive Plan Land Use Map amendment and Rezone request by Nexus.

COMPREHENSIVE PLAN AMENDMENT AND REZONE REQUEST – STAFF ANALYSIS:

1. The Comprehensive Plan amendment seeks to change the designation of three parcels from "Single Family Residential" with a "Residential Transition Overlay" to "Light Commercial". The parcels are King Co. Parcel Nos. 192105-9142, 192105-9145, and 192105-9077; and the addresses are 911 'H' St. SE, 915 'H' St. SE, and 921 'H' St. SE. The three parcels total approximately 0.72 acres. See Exhibit 10 and the following vicinity map:



2. Similarly, the Rezone request seeks to change the classification of the same three parcels from "R-7, Residential Seven Dwelling Units per Acre" to "C-1, Light Commercial". The parcels are King Co. Parcel Nos. 192105-9142, 192105-9145, and 192105-9077; and the addresses are 911 'H' St. SE, 915 'H' St. SE, and 921 'H' St. SE. See Exhibit 11.
3. As indicated by the Applicant's narratives (See Exhibit 12 and Exhibit 13), the requested changes are to accommodate future expansion of the Nexus Youth & Families Campus. Nexus Youth & Families (formerly Auburn Youth Resources (AYR)) is a non-profit organization that provides mental health counseling for youth, groups and families through chemical dependency prevention, treatment and aftercare and homeless services of emergency shelter, intercept homeless youth through a street outreach program and provide supportive housing across South King County. The facilities at this location include a clinic, 2 administrative buildings, 2 youth shelters, storage buildings, and the Arcadia House which will be under construction soon (Arcadia House is a replacement building for an existing supportive house, which will be demolished). See Exhibit 14 for reference.

4. At its ultimate buildout the Nexus Campus will intend to serve homeless youth and single mothers through provision of permanent supportive housing, clinic services, and case management and support services. Nexus has also requested in the Rezone request for a new use to be added to the C-1, Light Commercial zoning district that fully encompasses their proposed uses; this text amendment will be subsequently considered under a separate application and presented to Planning Commission after review of the 2017 Comprehensive Plan amendments have been completed.
5. The current Comprehensive Plan Land Use designation, zoning classification, and current land uses of the subject properties and surrounding properties are as follows:

	Comp Plan Designation	Zoning Classification	Existing Land Use
On-Site	"Single Family Residential" w/ "Residential Transition Overlay"	R-7, Residential	3 single-family homes; 2 are currently used as shelters by Nexus, the other is used as a residence by the Bartholomews
North	"Single Family Residential" w/ "Residential Transition Overlay"	R-7, Residential	Single-family homes
South	"Light Commercial"	C-1, Light Commercial	Nexus Clinic
East	"Institutional"	I, Institutional	Les Gove Community Campus
West	"Light Commercial"	C-1, Light Commercial	Nexus Admin.

6. The three parcels front onto 'H' St. SE, which is classified as a 'Local Residential' street; 'H' St. SE is then connected to Auburn Way S ('Principal Arterial' classified street) via 9th St. SE ('Local Residential') and the unnamed alley on the north side of the project site. Part of the western portion of the alley will be widened to 20 ft. to support emergency services in conjunction with the Arcadia House construction (the alley is currently approximately 12 ft. wide). The remainder of the alley will be widened with subsequent / future development of the Nexus Campus. Circulation plans for eventual buildout would be to direct a majority of the traffic either directly onto Auburn Way S or via the alley to Auburn Way S. See the Conceptual Campus Site Plan, Exhibit 14.
7. Based on historic zoning maps, the subject properties have had similar single-family zoning designations since at least 1964 (note these parcels were annexed into the City in 1948). The Comprehensive Plan designation has also been single-family since at least 1960.

COMPREHENSIVE PLAN RELATED – CONCLUSIONS:

The purpose of the City's Comprehensive Plan is to provide a policy basis for potential future zoning changes to ensure that the Comprehensive Plan and Zoning Ordinance are consistent, as required by the following City Code provision:

"14.22.050 Conformance and consistency.

The zoning, land division and other development codes contained or referenced within Auburn City Code shall be consistent with and implement the intent of the comprehensive plan. Capital budget decisions shall be made in conformity with the comprehensive plan."

The City Code provides certain criteria for decisions on amending the Comprehensive Plan under ACC 18.14.22.110. These criteria are listed below, followed by a Staff Analysis in *italics*. The Applicant's responses to these criteria are included in Exhibit 12.

1. Criterion #1 – ACC 14.22.110(A)(1): The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent.

Staff Analysis: The Comprehensive Plan (Land Use Element, Page LU-9) provides the following explanation for the "Light Commercial" Land Use Designation:

"Light Commercial

Description

This category represents the prime commercial designation for small to moderate scale commercial activities. These commercial areas should be developed in a manner which is consistent with and attracts pedestrian oriented activities. Such areas should encourage walkability, leisure shopping, engaging public space, and should provide other amenities conducive to attracting shoppers.

Designation Criteria

1. Previously developed light commercial areas buffered from more intense commercial or industrial designations by landscaping or environmental features; or
2. Located along arterial or collector streets;
3. Properties that are buffered from the Single Family designation by landscaping, environmental features, or the Residential Transition designation; and
4. Meets the development parameters of the Light Commercial designation.

Implementing Zoning Designations

Light Commercial

Policies

- Policy LU-60. A wide range of consumer-oriented goods and services are compatible within this designation since creating an attractive shopping environment is a primary emphasis. Permitted uses would consist of local-serving and community-serving retail trade, offices, personal services, eating establishments, financial institutions, governmental offices, and similar uses.
- Policy LU-61. Parking lots must be located and designed in a manner that softens their appearance from adjacent public roads. This is accomplished through landscaping, pedestrian spaces, and the location of buildings on the property. Where practicable, low impact development techniques and landscaping should be used to promote on site stormwater infiltration and shading of hard surfaces. Minimum and maximum parking ratios must be established for each type of permitted use.
- Policy LU-62. Development incentives should be established that encourage the creation of electric car charging stations, use of sustainable building and/or operational practices, development of non-motorized infrastructure, and proximity and connection to public transit.
- Policy LU-63. Multiple family dwellings are only allowed as part of mixed-use developments where they do not interfere with the shopping character of the area, such as within the upper stories of buildings.
- Policy LU-64. Drive in windows should only be allowed accessory to a permitted use, and only when carefully sited under the administrative use process, in order to ensure that an area's pedestrian environment is not compromised.
- Policy LU-65. Large scale regional retail uses and uses which rely on direct access by vehicles or involve heavy truck traffic (other than for merchandise delivery) are not appropriate in this category.
- Policy LU-66. Unsightly outdoor storage and similar activities should be prohibited.
- Policy LU-67. Encourage adaptive reuse, particularly of historic properties.

Policy LU-68. Upzone requests to the next zone should be approved based on the innovations in transportation and stormwater management and public amenities proposed for the development associated with the request."

Per ACC 18.23.030(C), the intent of the C-1, Light Commercial zoning district is:

"...intended for lower intensity commercial adjacent to residential neighborhoods. This zone generally serves as a transition zone between higher and lower intensity land uses, providing retail and professional services. This zone represents the primary commercial designation for small- to moderate-scale commercial activities compatible by having similar performance standards and should be developed in a manner which is consistent with and attracts pedestrian-oriented activities. This zone encourages leisure shopping and provides amenities conducive to attracting shoppers and pedestrians."

As identified in the C-1 intent statement above, this zoning district allows provisions for retail uses as well as professional services. Nexus does not engage in any retail or commercial uses, however, does provide professional services for homeless youth and single mothers. Nexus has also applied for a zoning text amendment to include their specific type of facility as an allowable use in the C-1 zoning district (to be reviewed by the Planning Commission at a future date).

Although an argument could be made that the C-1 zone may not be the most suitable location for this type of facility, looking at certain facts an argument could also be made that this is a suitable use for this location; 1) with the exception of the Bartholomew parcel, the other four parcels within the Nexus campus are already owned and operated by Nexus as similar uses (although to a much-lesser scale), 2) the campus fronts-on and has direct access to Auburn Way S, a principal arterial, 3) there is an existing Metro transit stop in front of the Arcadia House, 4) the campus has an intervening alley right-of-way to the north, providing a delineated buffer to the existing single-family homes, and 5) there are existing public services and facilities located in close proximity to the campus, including the library, community center, and Nexus' other service (e.g. clinic) that the homeless occupants could utilize.

Other applicable policies from the City's Comprehensive Plan that support the Nexus application are as follows:

From the 'Core Plan':

Policy 11. Participate in and support efforts to provide solutions for persons experiencing homelessness.

Policy LU-30. Encourage development of permanent supportive housing to address the homeless population and those with special needs.

Policy H-10. Provide a land use plan and zoning that offers opportunities to achieve a variety of housing styles and densities for private and non-profit housing providers.

Policy H-31. Encourage and support human and health service organizations that offer programs and facilities for people with special needs. Support programs in particular that help people to remain within the community, including those that are veterans, disabled, seniors, single parent households, and the homeless.

Policy H-43. Work with other jurisdictions and health and social service organizations to implement a coordinated, regional approach to homelessness.

Policy H-47. Support nonprofit organizations during all stages of siting and project planning and when applying for county, state, and federal funding.

2. Criterion #2 – ACC 14.22.110(A)(2): Whether the capacity to provide adequate services is diminished or increased.

Staff Analysis: The proposed application for a change in the Comprehensive Plan designation has been reviewed by the City's Utilities, Traffic division, and the Valley Regional Fire Authority. Based on these reviews, the change would not adversely affect the provision of services. As is typical with development in the City, adequate infrastructure improvements will be required to be provided concurrent with future development. Although no specific construction activity is proposed or permitted with this amendment, eventual buildout of these three parcels in relation to the overall Nexus Campus is not anticipated to be detrimental to public services. Traffic impacts will be reviewed once the campus planning by the applicant has been finalized to ensure accurate mitigation measures are provided (through Applicant preparation and City review of a Traffic Impact Analysis).

3. Criterion #3 – ACC 14.22.110(A)(3): Assumptions upon which the comprehensive plan is based are found to be invalid.

Staff Analysis: While the policies of the Comprehensive Plan are not invalid, the Applicant's request to change three parcels from residential to commercial designations are not out of character with the designations or uses in the immediate vicinity. The Nexus Campus is bordered on three sides by public rights-of-way and to the south is a City-owned parking lot. The requested change is a logical expansion of the Light Commercial land use for this particular use.

4. Criterion #4 – ACC 14.22.110(A)(4): A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment.

Staff Analysis: The proposed change is for three parcels to Light Commercial which is consistent with the adjacent parcels to the south and west, all of which are also owned by Nexus. A change in conditions or circumstances would be the ever-increasing number of homeless people. Nexus seeks to help with the especially vulnerable homeless populations, the youth/young adults and single mothers. Also, as stated under Criterion #1, above, the Comprehensive Plan lists numerous goals/policies to address homelessness.

5. Criterion #5 – ACC 14.22.110(A)(5): If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2040: Growth and Transportation Strategy for the Puget Sound Region.

Staff Analysis: The change, if approved, would continue to be consistent with the Growth Management Act (Chapter 36.70A RCW), the King County Countywide Planning Policies and Vision 2040. The proposal is consistent because it furthers provision of services and housing for the homeless population.

6. Criterion #6 – ACC 14.22.110(A)(6): If the request is to change the land use designation of a specific property on the comprehensive plan land use map, the applicant must demonstrate one of the following:
 - a. The current land use designation was clearly made in error or due to an oversight;
 - b. The proposed land use designation is adjacent to property having a similar or compatible designation, or other conditions are present to ensure compatibility with surrounding properties;
 - c. There has been a change in conditions since the current land use designation came into effect.

Staff Analysis: The requested change is consistent with item b in that the adjacent properties to the west and south are designated Light Commercial.

REZONE RELATED – CONCLUSIONS:

The Applicant has requested a rezone from “R-7, Residential” to “C-1, Light Commercial”. Per ACC 18.68.030(B)(1)(b) if the rezone request also requires changes to the Comprehensive Plan, the Planning Commission shall hold a public hearing and make a recommendation to the City Council. Chapter 18.68 ACC contains the intent and process for zoning code amendments, in this case a site-specific zoning map amendment has been requested. Auburn City Code does not contain any specific rezone criteria for City Staff to review; however, Case Law offers some rezone criteria (“*A Little Bit Pregnant: The Multi-Personalities of Site Specific Rezones - Or - A Cheat Sheet for Everything You Need to Know about Site-Specific Rezones*”, by Phil Olbrechts on mrsc.org, April 1, 2013) as follows:

“...require that the proponents of a rezone must establish that conditions have substantially changed since the original adoption and that the rezone must bear a substantial relationship to the public health, safety, morals or welfare. If a rezone implements the comprehensive plan, a showing that a change of circumstances has occurred is not required.”

With the change in City procedures by ordinance No. 6655 to allow concurrent recommendations by the Planning Commission on both the Comprehensive plan and zoning map changes, the recommendations on each should be consistent and therefore does not need to show a change in circumstances has occurred.

The requested rezone bears a substantial relationship to the public health, safety, morals and welfare. Adequate public facilities such as water, sewer, and electricity, are capable of being provided for the parcels upon future development and would therefore not be detrimental to public health. The rezone itself is not anticipated to allow any uses or acts that would pose any detrimental effects on the morals or welfare of the public; the uses planned by Nexus for future development of the campus would be a benefit to the community by serving a vulnerable population. As for impacts to public safety, the proposed Nexus facilities could be seen to have favorable or unfavorable impacts. Providing services for homeless youth could attract users to the neighborhood that may not typically be there, however, the services are also intended to assist homeless youth to provide shelter and integrate into productive society.

STAFF RECOMMENDATION:

Planning Commission to recommend to City Council **approval** of the Nexus Youth & Families request for a Comprehensive Plan Land Use Map amendment for three parcels from “Single Family Residential” with a “Residential Transition Overlay” to “Light Commercial”; and a rezone from “R-7, Residential” to “C-1, Light Commercial”.

EXHIBIT LIST:

(Please see the last divider in the ‘working binder’ for these exhibits.)

- Exhibit 1. CPA17-0002 and REZ17-0001 Staff Report
- Exhibit 2. Comprehensive Plan Amendment Application
- Exhibit 3. Rezone Application
- Exhibit 4. Vicinity Map
- Exhibit 5. Ownership Map
- Exhibit 6. Chapter 14.22 ACC
- Exhibit 7. Chapter 18.68 ACC
- Exhibit 8. SEPA Comment Letter
- Exhibit 9. Dept. of Commerce 60-Day Acknowledgement Letter, received August 22, 2017
- Exhibit 10. Comprehensive Plan Land Use Maps

- Exhibit 11. Rezone Maps
- Exhibit 12. Comprehensive Plan Written Statement from Applicant
- Exhibit 13. Rezone Written Statement from Applicant
- Exhibit 14. Conceptual Nexus Campus Plan
- Exhibit 15. Notice of Application and Determination of Non-Significance
- Exhibit 16. Notice of Public Hearing

Exhibit "C"

Agenda bill/staff report dated October 3, 2017 (Group #1).

Agenda bill/staff report dated October 19, 2017 (Group #2).

Annual Comprehensive Plan Map (CPM) Amendments (CPA17-0001 – City Initiated)

CPM #1 - Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and remove category from the Land Use Map. "The R-10, R-16 and R-20 residential zoning districts already allow for mixed uses residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table). (See also related P/T #6)

CPM #2 - Change the mapped land use designation of a 2.23-acre city-owned park parcel from "Multiple Family Residential" to "Institutional." Parcel No. 0921059073 is located south of SE 310th ST, 820 feet west of 124th Ave SE.

CPM #3 - Change the mapped land use designation of a group of 4 privately-owned, previously developed parcels from "Downtown Urban Center" to "Light Industrial" to recognize and be more compatible with developed status of the properties at the perimeter of the land use designation. The sites contain existing uses of warehouses, bulk propane tank distribution and outdoor storage.

CPM #4 - Change the mapped land use designation of south part of 2.15-acre, privately-owned developed parcel from "Residential Transition" to "Heavy Commercial." Parcel owned by Quality Fence Co. and located on south side of 21st ST SE, 390 feet east of A ST SE.

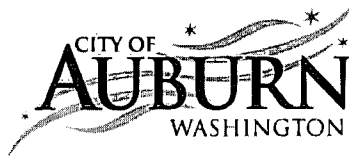
CPM #5 - Change the mapped land use designation of 3 parcels (2 privately owned and 1 city-owned) from the "Open Space" to "Downtown Urban Center" land use designation. Parcels are located at the SW corner of Main and Division Street.

CPM #6 - Change the mapped land use designation of 46 city-owned, parks properties from "Open Space" to "Institutional" land use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree, except for Parcel Nos. 1821059327, 1821059117 & 8581400530.

CPM #7 - Change the mapped land use designation of 3 Tribal jurisdiction parcels from the "Open Space" to the "Institutional" Land Use designation. The 3 parcels controlled by the Muckleshoot Tribe are developed as a cemetery and thus, the land use designation is inconsistent with the designation criteria and purpose of the "Open Space" land designation of the Comprehensive Plan. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.

CPM #8 - Change the mapped land use designation of 2 parcels from "Single Family Residential" to "Light Commercial" Both parcels are located on east side of A ST SE, south of Lakeland Hills WY SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation of "Light Commercial". Also, change the zoning designation from "R5, Residential" to "C1, Light Commercial" to agree.

- CPM #9 - Change the mapped land use designation of 2 privately owned vacant parcels from "Multiple Family Residential" to "Light Commercial." Both parcels are located at SE corner of SE 312th ST & 121st PL SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #10 - Change the mapped land use designation of a privately owned 0.91-acre parcel containing a single family house from "Multiple Family Residential" to "Single Family Residential." Parcel is located 130 feet south of intersection of 124th AV SE & SE 307th PL. (30811 124TH AVE SE). Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #11 - Change the mapped land use designation of a privately-owned, 13.84 -acre parcel developed with a warehouse from "Heavy Industrial" to "Light Industrial." Parcel is located south of SR 18 at west end of 8th ST SW. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #12 - Change the mapped land use designation of 7.2-acre private developed parcel from "Single Family Residential" to "Multiple Family Residential." Parcel is located NW of intersection of Mill Pond DR SE and Kennedy AV SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #13 - Change the mapped land use designation of a group of 10 parcels from "Single Family Residential" to "Multiple Family Residential." Parcels are located on the north side of Auburn WY S, east of Academy DR SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #14 - Change the mapped land use designation of 23 parcels from "Institutional" to "Downtown Urban Center." Parcels are at various locations in downtown. Some are City-owned; others are privately owned. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #15 - Change the mapped land use designation of numerous parcels within the Lakeland Hills South PUD from "Residential Transition" to "Moderate Density Residential." Parcels are at various locations. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan.
- CPM #16 - Change the mapped land use designation of 0.21-acre city-owned stormwater facility serving a plat from "Institutional" to "Multiple Family Residential" to agree with rest of the plat. Parcel is owned by the City and located on south side of 35th St SE, 290 feet west of D ST SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.
- CPM #17 - Change the mapped land use designation of a 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family." Parcel is located east of end of B ST SE between 15th and 16th ST SE. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan adoption. Requested to revert to pre-2015 designation.



AGENDA BILL APPROVAL FORM

Agenda Subject CPA17-0001, 2017 Annual Comprehensive Plan Amendments – Group # 1 , City Initiated Plan Policy/Text Amendments		Date: October 3, 2017
Department: Community Development & Public Works	Attachments: See separate text & map amendment sections of working binder	Budget Impact: N/A
Administrative Recommendation: Planning Commission to recommend to City Council approval of Group #1 of the 2017 City-Initiated Comprehensive Plan Amendments.		
Background Summary: The City of Auburn adopted amendments to its Comprehensive Plan in 1995 in response to the Washington State Growth Management Act (GMA) requirements, as amended. Since then the Auburn Comprehensive Plan has been amended annually. At the end of 2015 the City adopted a substantially updated Comprehensive Plan in compliance with state-required periodic updates. Annual Comprehensive plan amendments can be initiated by the City of Auburn (city-initiated) and by private citizens (private-initiated). This year the city is initiating: <ul style="list-style-type: none"> Nine policy/text amendments Seventeen map amendments Also, the city received one private-initiated plan map amendment by the submittal deadline which will be presented in a separate staff report in advance of a subsequent hearing. Due to the number of amendments and Planning Commission's request to phase consideration, this staff report and recommendation addresses a portion of the amendments (Group #1) and specifically: <ul style="list-style-type: none"> Policy/Text (P/T) Amendments P/T # 1 through # 9 and Map Amendments # 1 through # 3. The remaining amendments will be addressed in subsequently provided staff reports and scheduled for a subsequent hearing(s) before the Planning Commission. In terms of process, the Comprehensive plan amendments are initially reviewed during a public hearing process before the City of Auburn Planning Commission, who then provides a recommendation to the City Council for final action. City Council consideration and action on the amendments generally occurs but is not required prior to the end of the year.		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Services <input type="checkbox"/> Planning & Dev. <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Call for Public Hearing __/__/__ Referred to _____ Until __/__/__ Tabled _____ Until __/__/__		
Councilmember: _____		Staff: Dixon
Meeting Date: October 18, 2017		Item Number: _____

A. Findings

1. RCW 36.70A.130 (Washington State Growth Management Act (GMA)) provides for amendments to locally adopted GMA comprehensive plans. Except in limited circumstances provided for in State law and City Code, comprehensive plan amendments shall be considered by the city legislative body no more frequently than once per year.
2. The City of Auburn established a June 9, 2017 deadline for the submittal of private-initiated comprehensive plan applications (map or policy/text). Notice to the public of the application filing deadline was provided on the City's website, the Seattle Times Newspaper, and sent to a compiled notification list in April 2017. The City received one private-initiated map amendment by the submittal deadline.
3. The City of Auburn received annual updates to the four school district Capital Facilities Plans whose districts occur within the City of Auburn. These Capital Facilities Plans, as well as the City's Capital Facilities Plan are proposed to be incorporated by reference in the current Capital Facilities Element (Volume 3), of the 2015 Auburn Comprehensive Plan and are processed as Policy/Text (P/T) amendments.
4. The environmental review decision under the State Environmental Policy Act (SEPA) for the school district capital facilities plans were prepared separately by each school district acting as their own lead agency, as allowed by state law.
5. The environmental review under the State Environmental Policy Act (SEPA) for the remaining amendments, the City Capital Facilities Plan, and the remaining policy/text and map amendments resulted in a Determination of Non-Significance (DNS) issued for the City-initiated Comprehensive Plan Amendments on September 19, 2017 (City File # SEP17-0014). The comment period ended October 3, 2017 and the appeal period ended October 17, 2017. The City did not receive any comments in response to the issuance of the Determination of Non-Significance (DNS). A copy of the DNS and environmental checklist application is provided in the working binder.
6. Auburn City Code (ACC) Chapter 14.22 outlines the process for submittal of privately-initiated amendments and the general processing of comprehensive plan amendments as follows:

"Section 14.22.100

- A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:
 1. For site-specific plan map amendments:
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;
 - b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;
 2. For area-wide plan map amendments:
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

- b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;
 - c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.
 - B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.
 - C. Planning Commission Recommendation. The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.
 - D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.
 - E. State Review. All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.
 - F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)"
- 7. As provided in the City code, the Comprehensive Plan amendments are initially reviewed during a public hearing process before the City of Auburn Planning Commission, who then provides a recommendation to the City Council for final action which generally occurs, but is not required to, prior to the end of the year.
- 8. Pursuant to RCW 36.70A.106, the proposed comprehensive plan amendments outlined in this agenda bill were sent to the Washington State Department of Commerce and other state agencies for the required state review. The Washington State Department of Commerce acknowledged receipt on September 25, 2017 by letter and Material ID #24153. No comments have been received from the Washington State Department of Commerce or other state agencies as of the writing of this report. A copy of the transmittal and acknowledgement is provided in the working binder.
- 9. Due to the nature of policy/text changes, and the minimal amount of private-initiated map amendments, the optional process for conducting a public open house as provided for in the city code, was not conducted.
- 10. The notice of public hearing was published on October 5, 2017 in the Seattle Times Newspaper which is at least 10 days prior to the Planning Commission public hearing scheduled for October 18, 2015. A copy of the request to publish is provided in the working binder. Also, a notice was mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendments.
- 11. The following report identifies Comprehensive Plan Policy/Text (P/T) and Map (CPM) amendments scheduled for the Planning Commission's October 18, 2017 public hearing with a staff recommendation.

Comprehensive Plan Policy/Text Amendments (File No. CPA17-0001, City initiated)

P/T #1

Incorporate the Auburn School District Capital Facilities Plan 2017 through 2023 into the City of Auburn Comprehensive Plan.

Discussion

The Auburn School District has provided the City with its annually updated Capital Facilities Plan (CFP) covering from 2017-2023. The CFP was prepared by the district staff and adopted by the Auburn School District School Board of Directors on June 26, 2017 and has been subject to separate SEPA review and a Determination of Non-Significance (DNS). Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the Auburn School District Capital Facilities Plan into the City's Comprehensive Plan.

The CFP includes the following:

- six-year enrollment projections
- Auburn school district level of service standards
- An inventory of existing facilities
- The district's overall capacity of the 6-year period
- District capital construction Plan
- Impact fee calculations

A review of the Auburn School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be \$3,321.86, a decrease of \$2,147.51 and the requested fee for multiple-family dwellings is \$2,081.29, an increase of \$441.59. The actual impact fees are established by ordinance through subsequent City Council action.

Recommendation

Planning Commission to recommend approval of the Auburn School District Capital Facilities Plan 2017 through 2023 to the City Council.

P/T#2

Incorporate the Dieringer School District Capital Facilities Plan 2018-2023 into the City of Auburn Comprehensive Plan.

Discussion

The Dieringer School District has provided the City with its annually updated Capital Facilities Plan 2018 - 2023. The CFP was adopted by the Dieringer School District Board of Directors on May 30, 2017. The CFP has been subject to separate SEPA review and a DNS. Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the School District Capital Facilities Plan into the City's Comprehensive Plan.

The CFP includes the following:

- Overview
- An inventory of existing facilities
- six-year enrollment projections
- standard of service
- Capacity projects
- Finance plan
- Impact fee calculations

A review of the Dieringer School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be \$3,760.00, an increase of \$360.00 and the requested fee for multiple family dwellings is \$1,081.00; a decrease of \$678.00. The actual impact fees are established by ordinance through subsequent City Council action.

Recommendation

Planning Commission to recommend approval of the Dieringer School District Capital Facilities Plan 2018-2023 to the City Council.

P/T #3

Incorporate the Federal Way School District 2018 Capital Facilities Plan into the City of Auburn Comprehensive Plan.

Discussion

The Federal Way School District has provided the City with its annually updated Capital Facilities Plan 2018. The CFP was adopted by the Federal Way School District School Board July 25, 2017 by Resolution No. 2017-12. The CFP has been subject to separate SEPA review and a DNS. Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the School District Capital Facilities Plan into the City's Comprehensive Plan.

The CFP includes the following:

- Introduction
- Inventory of educational facilities & non-instructional facilities
- Needs forecast, existing & new facilities
- Six-year finance plan
- Maps of district boundaries
- Building capacities & portable locations
- Student forecast
- Capacity summaries
- Impact fee calculations
- Summary of changes from the 2017 plan

A review of the Federal Way School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be \$6,842.00, representing an increase of \$3,644.00 and the requested fee for multi-family dwellings is \$20,086.00,

an increase of \$11,700.00. The actual impact fees are established by ordinance through subsequent City Council action.

According to communication from Tanya Nascimento, Student & Demographic Forecaster of the Federal Way Public Schools, there are several factors which have driven the impact fees to increase quite significantly in this plan. One factor is the steady increase in observed multiple-family student generation rates. In 2015, the first of three multi-family developments was opened and fully occupied in the City of Federal Way. The second was opened and occupied in late 2016 and the third was opened in fully occupied this summer. The first two developments have been included in the generation rate calculation for this plan. The specific generation rates can be found on Page 29. These multiple-family complexes are generating more than one student per unit which is significantly higher than past developments within the school district.

In addition to the high student generation rates, the district completed work with its Facilities Planning Committee which determined a need for additional capacity at a number of schools. As a result of this work, Phase II of the District's plan will be placed on the November ballot for a bond request. The facilities impacted during Phase II can be found on Page 7 of the Capital Facilities Plan. Anticipated funding for this project can be found on the Six-Year Finance Plan on Page 9. The Finance Plan outlines the anticipated timeline for beginning and completion of the various projects. It is important to note that not all projects within Phase II will create additional capacity. Only costs associated with increasing needed capacity are used in the formula for calculating Impact Fees. The specific cost calculations are outlined on Page 32 of the Capital Facilities Plan.

Recommendation

Planning Commission to recommend approval of the Federal Way School District's 2018 Capital Facilities Plan to the City Council

P/T #4

Incorporate the Kent School District Capital Facilities Plan 2017-2018 to 2022-2023 into the City of Auburn Comprehensive Plan.

Discussion

The Kent School District has provided its annually updated 2017-2018 to 2022-2023 Capital Facilities Plan. The CFP was adopted by the Kent School District School Board on April 26, 2017 and has been subject to separate SEPA review and a DNS. Information contained in the School District CFP serves as the basis for the City's collection of school impact fees on behalf of the school district. The Planning Commission action is to incorporate the School District Capital Facilities Plan into the City's Comprehensive Plan.

The CFP includes the following:

- Executive Summary
- Six-year enrollment projection & history
- District standard of service
- Inventory, capacity & maps of existing schools
- Six-year planning & construction plan

- Portable classrooms
- Projected classroom capacity
- Finance Plan, cost basis and impact fee schedules
- Summary of changes to previous plan

A review of the Kent School District's updated Capital Facilities Plan indicates the District is requesting a change in the fee obligations. The net fee obligation for single-family dwellings is proposed to be ~~\$5,100.00~~~~\$4,990.00~~, representing a ~~decrease~~~~increase~~ of ~~\$110.00~~~~\$496.00~~ and the requested fee for multi-family dwellings is ~~\$2,210.00~~~~\$2,163.00~~, a ~~increase~~~~decrease~~ of ~~\$47.00~~~~\$1,215.00~~. The actual impact fees are established by ordinance through subsequent City Council action.

Recommendation

Planning Commission to recommend approval of the Kent School District Capital Facilities Plan 2017-2018 to 2022-2023 to the City Council.

P/T #5

Incorporate the City of Auburn's 6-year Capital Facilities Plan 2018-2023, into the City's Comprehensive Plan.

Discussion

A Capital Facilities Plan is one of the comprehensive plan elements required by the Washington State Growth Management Act (GMA) (RCW 36.70A). The GMA requires that a capital facilities plan include an inventory of existing capital facilities (showing locations and capacities), a forecast of future needs for such capital facilities, proposed locations and capacities of new or expanded capital facilities, and a minimum of a six-year plan to finance capital facilities with identified sources of funding. The proposed City of Auburn 6-year Capital Facilities Plan 2018-2023 satisfies the GMA requirements for a capital facilities element as part of the Comprehensive Plan.

Each comprehensive plan prepared under the GMA must include a capital facilities plan element. More specifically, RCW 36.70A.070(3) of the GMA requires the following:

"A capital facilities plan element consisting of:

- (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities;
- (b) a forecast of the future needs of such capital facilities;
- (c) the proposed locations and capacities of expanded or new capital facilities;
- (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
- (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element."

A capital facility is defined as a structure, street or utility system improvement, or other long-lasting major asset, including land. Capital facilities are provided for public purposes. Capital facilities include, but are not limited to, the following: streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreation facilities, and police and fire protection facilities. These capital facilities include necessary ancillary and support facilities.

The memo dated September 27, 2017 prepared by the City's Finance Department contained in the working binder highlights the major changes in the CFP from last year's CFP by projects completed (removed) and projects added. The City of Auburn 6-year Capital Facilities Plan 2018-2023 is proposed to be incorporated by reference in the Comprehensive Plan, Capital Facilities Element (Volume No. 3).

Recommendation

Planning Commission to recommend approval of the City of Auburn's 6-year Capital Facilities Plan 2018-2023 to the City Council.

P/T #6

Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and from the Land Use Map. The R-10, R-16, and R-20 Residential zoning districts already allow for mixed uses (comprised of residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table).

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-6 provides for a mapped land use designation of "Mixed Use". This designation is found under the heading of "Residential Land Use Designations" (Page LU-2), so it is appropriately predominantly a "residential" designation. This focus is reinforced by the stated 'description' and 'designation criteria' of the Comprehensive Plan, which say:

"Description

This category shall be applied to those areas that are either now developed or are reserved for multiple family dwellings. Densities may range from 20 to 24 units per acre. These communities are served by transit, have non-motorized connections to surrounding amenities and services, or have access to on-site nonresidential amenities and services."

"Designation Criteria

1. Previously developed high-density residential; or
2. Properties that are connected to single-family and nonresidential designations by the Residential Transition designation or are adjacent to the Multifamily designation, and meet the development parameters of the mixed-use designation."

However, the R-10, R-16, and R-20 Residential zoning districts already allow for mixed uses (comprised of residential & other uses) as permitted uses (See Table 18.07.020, Permitted Use Table).

Table 18.07.020

Permitted Use Table – Residential Zoning Designations (Excerpt)

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
Marijuana researcher	X	X	X	X	X	X	X
Marijuana retailer	X	X	X	X	X	X	X
Marijuana transporter business	X	X	X	X	X	X	X
Mixed-use development ³	X	X	X	X	P	P	P
Nursing homes	X	X	X	X	C	C	C

3. Individual uses that make up a mixed-use development must be permitted within the zone. If a use making up part of a mixed-use development requires an administrative or conditional use permit, the individual use must apply for and receive the administrative or conditional use approval, as applicable.

Also, at Section ACC 18.04.625, the Code provides the following definition of “mixed use development”:

“18.04.625 Mixed-use development.

“Mixed-use development” means a single unified development that incorporates the planned integration of two or more different land uses consisting of some combination of office, light industrial, hotel, retail, entertainment, public uses, along with residential uses. Mixed-use development may be vertically oriented in one or more buildings, or horizontally distributed on a development site. When horizontally distributed, the different uses may be constructed concurrently and in separate phases, and should incorporate common and/or complementary features and/or elements such as pedestrian walkways, access driveways, parking areas, architectural themes, or other techniques that provide integration between uses on the site.”

The Comprehensive plan language goes on to provide that this designation would be implemented by the “Mixed Use Residential” zoning district. This zoning classification does not currently exist and there are no properties that have this zoning classification or a “Mixed Use” land use map designation; therefore elimination of the “Mixed Use” land use designation from the text of the Plan and from the Land Use Map does not negatively affect any properties. It also does not reduce development potential since mixed use is already allowed by the zoning code. Mixed use is currently allowed in the same areas that are described as appropriate for the designation.

Staff does not question the value of having portions of the city where mixed use development is allowed, but does not require a unique comprehensive plan designation to achieve. See exhibit: "Excerpt of Volume 1 – Land Use Element", Page 4.

Recommendation

Planning Commission to recommend approval of a text amendment to remove the discussion of a "Mixed Use" land use designation from the text of the Plan to the City Council, as presented by staff.

P/T #7

Add text to add back the R-5, Residential zoning district back in as an implementing zone for the "Single Family Residential" Land Use Designation. A significant portion of the city is zoned R-5, Residential. In the 2015 Comp Plan this zone was inadvertently omitted as an implementing zoning district of any Comprehensive Plan land use designation and must be corrected.

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-4 provides for a mapped land use designation of "Single Family Residential". This designation is found under the heading of "Residential Land Use Designations" (Page LU-2). The stated 'description' and 'designation criteria' of this land use designation provides:

"Description

This designation is the predominant land use category in the City. Maintaining and creating a diverse arrangement of interconnected subdivisions, neighborhoods, and communities that have a mix of densities and housing types; linkages with other residential areas and commercial hubs through non-motorized modes, such as pedestrian and bicycling, and vehicular modes will be encouraged."

"Designation Criteria

1. Previously developed single-family residential areas;
2. Undeveloped areas that do not meet the designation criteria for other Residential, Commercial, Industrial, or Public/Quasi- Public designations; or
3. Residential Conservancy areas that contain limited critical areas, are served by public utilities (water, sewer, storm services), and meet the development parameters of the single-family designation."

"Implementing Zoning Designations

Residential 1 (1 dwelling unit per acre): All properties located within the Urban Separator Overlay is zoned R-1, as consistent with King County county-wide planning policies.

Residential 7 (7 dwelling units per acre): All properties not located within the Urban Separator Overlay is zoned R-7."

The R-5 Residential (Five dwelling units per acre) zoning classification is not currently identified as an implementing zoning district for any comprehensive plan land use designation and needs to be. A significant portion of the city is zoned R-5, Residential. In the 2015 Comp Plan this zone was inadvertently omitted as an implementing zoning district of any Comprehensive Plan land use designation and must be corrected by

adding wording to list the R-5. Residential (Five dwelling units per acre) zoning classification as an implementing zoning district for the “Single Family Residential” land use designation. Some other minor wording corrections proposed by staff are also shown. See exhibit “Excerpt of Volume 1 – Land Use Element”, Page 1.

Recommendation

Planning Commission to recommend approval of a text amendment to add a listing of R-5 Residential zoning district as an implementing zone of the “Single Family Residential” land use designation.

P/T #8

Change the title of the land use designation of “Residential Transition” to “Moderate Density Residential”. It is requested to revert to pre-2015 title of the category. Provide more logical title for the category to address and reflect the range of residential densities. The implementing zones “R-10, Residential” and “R-16, Residential” are proposed to be added.

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-5 provides for a land use designation of “Residential Transition”. This was formerly the “Moderate Density Residential” designation prior to adoption of the updated Comprehensive Plan in 2015. It is requested to revert to the pre-2015 title of the category since the ‘description’ and ‘designation criteria’ remain similar. The stated ‘description’ and ‘designation criteria’ of this land use designation in the 2015 Plan provides:

“Description

Residential transition areas are planned to accommodate moderate densities of varying residential dwelling types. Varying intensities within a transition area may be permitted based on adjacent density, intensity, and/or character. Appropriate densities in these areas range from 7 to 20 dwelling units per acre. Dwelling types generally range from single-family dwelling to multiple-family dwellings, with larger structures allowed (within the density range) where offsetting community benefits can be identified.”

“Designation Criteria

1. Previously developed moderate density residential areas; or
2. Areas that provide a transition between single-family and multifamily, single-family and nonresidential, multifamily and nonresidential zones or development are adjacent and meet the development parameters of the Residential Transition designation.”

The reversion back to the former name provides a more logical title for the category to address and reflect the range of residential densities. The name change also avoids confusion that would likely occur to potential users by the similarly sounding “Residential Transition Overlay” that was also part of the changes made in the 2015 Comprehensive Plan. Also, the description does not provide for any different uses to serve as a ‘transition’, only intermediate residential densities.

Recommendation

Planning Commission to recommend approval of a text amendment to change the title of the land use designation of "Residential Transition" to "Moderate Density Residential"

P/T #9

Add the "R-10, Residential" and "R-16, Residential" zoning districts back as implementing zones for the "Residential Transition" or if recommended, to the "Moderate Density Residential" Land Use Designation. Areas of the city are zoned "R-10, Residential" but no areas are currently zoned "R-16, Residential". However, in the 2015, Comp Plan these zoning districts were inadvertently omitted as an implementing zoning districts of any Comprehensive Plan land use designation. To be corrected by adding R-10 and R-16 as implementing zones to either the "Residential Transition" or "Moderate Density" Land Use Designation.

Discussion

The Land Use Element (Volume No. 1) of the Comprehensive Plan at Page LU-5 provides for a land use designation of "Residential Transition". This was formerly the "Moderate Density Residential" designation prior to adoption of the updated Comprehensive Plan in 2015. The title of the category is proposed to change as requested in the preceding text amendment, P/T #8.

The implementing zones "R-10, Residential" and "R-16, Residential" are proposed to be added as implementing zoning districts. The City currently contains properties zoned R-10 Residential; however, there are no properties currently zoned R-16, Residential. The R-10 Residential and R-16 Residential are not currently identified as implementing zoning districts for any comprehensive plan land use designation and needs to be. The "R-10, Residential" and "R-16, Residential" are proposed as implementing zoning districts for the "Moderate Density Residential" land use designation. Some other minor corrections to the wording of this section as proposed by staff are shown. See exhibit "Excerpt of Volume 1 – Land Use Element", Page 2.

Recommendation

Planning Commission to recommend approval of a text amendment to add a listing of R-10 Residential and R-16 Residential zoning districts as implementing zones of the "Residential Transition" or if recommended, to the "Moderate Density Residential" Land Use Designation.

Comprehensive Plan Map Amendments (File No. CPA17-0001, City initiated)

CPM #1

Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and remove category from the Land Use Map (See P/T #6, above). The R-10, R-16 and R-20 residential zoning districts already allow for mixed uses residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table). Thus it was unnecessary to establish a unique land use designation to achieve a zoning district to allow.

Discussion

(This is the same topic as text amendment P/T #6, but is repeated as a map amendment since it requires revision to both the text and map of the comprehensive

plan document. See discussion and analysis under text amendment P/T #6. Also, note that a map is not provided as an exhibit since the "Mixed Use" is not shown on the map except in the legend because it does not apply to any properties.)

Recommendation

Planning Commission to recommend approval of a map amendment to remove the "Mixed Use" land use designation from the Comprehensive Plan map (Map No. 1.1).

CPM #2

Change the mapped land use designation of a 0.98-acre city-owned park parcel from "Multiple Family Residential" to "Institutional". Parcel No. 0921059073 is located south of SE 310th ST, 820 feet west of 124th Ave SE.

Discussion

The 0.98-acre property was part of a larger 2.23-acre property ownership by Schneider Homes Inc. that was proposed for development as the Pasafino Apartments while in unincorporated King County prior to annexation to the City of Auburn. In 1996 a 'Petition for Annexation Agreement and Declaration of Covenant' was executed between the City and Schneider Homes Inc. in order for the City to provide water and sewer services outside the city limits, but within the city's established utility service area, to the proposed apartment development. An 'Amended Petition for Annexation Agreement and Declaration of Covenant' was executed between the City and Schneider Homes Inc. on April 21, 1997. The Agreements provided that as a condition of the City providing utility services, Schneider Homes Inc. would develop a park to city standards and after annexation, convey the developed park land to the City of Auburn without obligation or cost. At the time of transfer, the city parks department would assume maintenance responsibility. The property was annexed to the City of Auburn effective in 2008 by Ordinance No. 6121, however, the transfer of ownership of the park land did not take place for many more years since the park land was not a separate parcel that could be deeded separately to the City. A Boundary Line Adjustment (BLA) application (File No. BLA14-0005) was filed by Schneider Homes Inc. in May of 2014 to establish the park land as a separate parcel. The processing of the BLA was delayed due to changes in property ownership interest on the part of Schneider Homes Inc. for refinancing purposes. The BLA was subsequently approved by the City and recorded on November 2, 2016 (Recording No. 20161102900004) and the property subsequently conveyed to the City.

It was previously appropriate to have the Comprehensive Plan land use designation of "Multiple "Family Residential" applicable to the site when it was privately-owned and part of a larger property that is mainly developed with apartments. However, now that Parcel No. 0921059073 is a separate parcel that is owned by the City and developed for park purposes, it is appropriate for it to have an "Institutional" land use designation by the Comprehensive Plan consistent with other park properties.

Recommendation

Planning Commission to recommend approval of a map amendment to change the mapped land use designation of 0.98-acre city-owned park parcel (Parcel No. 0921059073) from "Multiple Family Residential" to "Institutional" (Map No 1.1).

CPM #3

Change the mapped land use designation of a group of four privately-owned, previously-developed parcels from "Downtown Urban Center" to "Light Industrial". Parcel No. 5401600200 (0.06 acres) and Parcel No. 5401600175 (0.7 acres) are owned by Ho & Nancy Kim. Parcel No. 5401600235 (0.34 acres) is owned by CHS Inc. Parcel No. 5401600260 (0.24 acres) is owned by Gary & Karen Stamps. This proposal is to change the Comprehensive Plan land use map designation to recognize and be more compatible with developed status of the properties located at the perimeter of the land use designation. The sites contain existing uses of warehouses, bulk propane tank distribution, and outdoor storage.

Discussion

This is a city-initiated comprehensive plan map amendment to change a group of four adjacent, privately-owned and mostly developed parcels from "Downtown Urban Center" to "Light Industrial". The purpose of this change is to recognize and be more compatible with the developed status of the properties. The characteristics of the affected parcels are as follows:

Parcel ID Number/ address	Property owner	Parcel Size	Comprehensive Plan Designation	Zoning Classification	Current Land Use
5401600175/ 232 C ST NW	Ho & Nancy Kim	0.7 acres	Downtown Urban Center	DUC, Downtown Urban Center	Former Dels Farm Supply consisting of 5,238 sq ft of warehouse & 1,500 sq ft of attached office/store. Currently unoccupied/
5401600200/ (No address)	Ho & Nancy Kim	0.06 acres	Downtown Urban Center	DUC, Downtown Urban Center	Former railroad spur line bisecting parcel -0200 currently vacant
5401600235/ 301 2nd ST NW	CHS Inc.	0.34 acres	Downtown Urban Center	DUC, Downtown Urban Center	Cenex bulk propane storage tanks
5401600260/ (No address)	Gary & Karen Stamps	0.24 acres	Downtown Urban Center	DUC, Downtown Urban Center	Parking lot /vacant

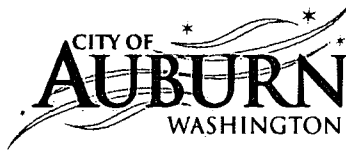
The sites have a "Downtown Urban Center" land use designation by the Comprehensive Plan and are zoned DUC, Downtown Urban Center. The contiguous sites are located at the northern edge of the "Downtown Urban Center" land use designation and bordered to the north and the east by properties with an industrial designation. The sites align in a row north to south and are bordered by public streets of C ST NW to the west; 3rd ST NW to the north and by the Burlington Northern railroad to the east. The automobile body shop of A-1 Collision borders the sites to the south.

The two largest parcels, Parcel No. 5401600175 (0.7 acres) and Parcel No. 5401600235 (0.34 acres) have been developed for more than 25 years with structures and facilities that are more appropriate characterized as "industrial uses" than suburban downtown development. The configuration and location of the properties sandwiched between transportation corridors makes them less suitable for redevelopment as downtown

service or retail type uses geared to leisure shopping. Also, due to the number of zoning inquiries, the City staff has increasingly become aware of the difficulty of the property owner in finding tenants that can occupy the former farm supply building and meet the zoning use regulations of the DUC zoning district. Also, few uses are capable of using the building with limited physical alterations in order to avoid triggering consistency with Downtown Design Standards and significant upgrades.

Recommendation

Planning Commission to recommend approval of a map amendment to change a group of four privately-owned, mostly developed parcels from "Downtown Urban Center" to "Light Industrial" (Parcel No. 5401600175, 5401600200, 5401600235, and 5401600260)



AGENDA BILL APPROVAL FORM

Agenda Subject CPA17-0001, 2017 Annual Comprehensive Plan Amendments – Group # 2 , City-Initiated Plan Map Amendments and associated rezones REZ17-0002, REZ17-0003, & REZ17-0004		Date: October 19, 2017
Department: Community Development & Public Works, Planning Services Div.	Attachments: See Exhibit list at end of report and the separate text & map amendment sections of working binder	Budget Impact: N/A

Administrative Recommendation: Planning Commission to recommend to City Council approval of Group #2 of the 2017 City-Initiated Comprehensive Plan Map Amendments and associated rezones (zoning map amendments).

Background Summary:

The City of Auburn adopted amendments to its Comprehensive Plan in 1995 in response to the Washington State Growth Management Act (GMA) requirements, as amended. Since then the Auburn Comprehensive Plan has been amended annually. At the end of 2015 the City adopted a substantially updated Comprehensive Plan in compliance with state-required periodic updates.

Annual Comprehensive plan amendments can be initiated by the City of Auburn (city-initiated) and by private citizens (private-initiated). This year the city is initiating:

- 9 policy/text amendments
- 17 map amendments

Also, the city received one private-initiated plan map amendment by the submittal deadline which will be presented in a separate staff report in advance of a subsequent hearing.

Due to the number of amendments and Planning Commission's request to phase consideration, this staff report and recommendation addresses a portion of the amendments (Group #2) and specifically:

- Map Amendments # 4 through # 17.

These map amendments are the remaining amendments that were not part of Group #1, previously addressed at the Planning Commission's October 19, 2017 meeting.

In terms of process, the Comprehensive Plan amendments are initially reviewed during a public hearing process before the City of Auburn Planning Commission, who then provides a recommendation to the City Council for final action. City Council consideration and action on the amendments generally occurs, but is not required, prior to the end of the year.

Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm.	COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Services <input type="checkbox"/> Planning & Dev. <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____	Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input checked="" type="checkbox"/> Public Works </div> <div> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
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Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____		Call for Public Hearing ____/____/____
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Councilmember: _____	Staff: Dixon
Meeting Date: November 1, 2017	Item Number: _____

A. Findings

1. RCW 36.70A.130 (Washington State Growth Management Act (GMA)) provides for amendments to locally adopted GMA comprehensive plans. Except in limited circumstances provided for in State law and City Code, comprehensive plan amendments shall be considered by the city legislative body no more frequently than once per year.
2. The City of Auburn established a June 9, 2017 deadline for the submittal of private-initiated comprehensive plan applications (map or policy/text). Notice to the public of the application filing deadline was provided on the City's website, the Seattle Times Newspaper, and sent to a compiled notification list in April 2017. The City received one private-initiated map amendment by the submittal deadline. This private-initiated amendment is addressed in a separate staff report (File No. CPA17-0002).
3. The environmental review under the State Environmental Policy Act (SEPA) for the policy/text and map amendments resulted in a Determination of Non-Significance (DNS) issued for the City-initiated Comprehensive Plan Amendments on September 19, 2017 (City File # SEP17-0014). The comment period ended October 3, 2017 and the appeal period ended October 17, 2017. The City did not receive any comments in response to the issuance of the Determination of Non-Significance (DNS). A copy of the DNS and environmental checklist application is provided in the working binder.
4. Auburn City Code (ACC) Chapter 14.22 outlines the process for submittal of privately-initiated amendments and the general processing of comprehensive plan amendments as follows:

"Section 14.22.100

- A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:
 1. For site-specific plan map amendments:
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;
 - b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;
 2. For area-wide plan map amendments:
 - a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;
 - b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;
 - c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.
- B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.
- C. Planning Commission Recommendation. The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission

- shall adopt written findings and make a recommendation consistent with those findings to the city council.
- D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.
 - E. State Review. All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.
 - F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)”
5. As provided in the City code, the Comprehensive Plan amendments are initially reviewed during a public hearing process before the City of Auburn Planning Commission, who then provides a recommendation to the City Council for final action which generally occurs, but is not required to, prior to the end of the year.
 6. Pursuant to RCW 36.70A.106, the proposed comprehensive plan amendments outlined in this agenda bill were sent to the Washington State Department of Commerce (Commerce) and other state agencies for the required state review. The Washington State Department of Commerce acknowledged receipt on September 25, 2017 by letter and Material ID #24153. No comments have been received from the Washington State Department of Commerce or other state agencies as of the writing of this report. A copy of the transmittal by the City and written acknowledgement of receipt by Commerce is provided in the working binder.
 7. Due to the nature of policy/text changes, and the minimal amount of private-initiated map amendments, the optional process for conducting a public open house as provided for in the city code, was not conducted.
 8. The notice of public hearing was published on October 21, 2017 in the Seattle Times Newspaper which is at least 10 days prior to the Planning Commission public hearing scheduled for November 1, 2017. A copy of the request to publish is provided in the working binder. Also, a notice was mailed by first class mail to all property owners of record.
 9. Many of these comprehensive plan changes are corrections to the mapped land use designations made after adoption of the updated comprehensive plan in 2015. The changes increase the consistency of the Comprehensive Plan and zoning as required by ACC 14.22.050, “Conformance and Consistency”. The maps related to these proposed changes are also available to review in the ‘Comp. Plan Map Amendments’ tab of the ‘Working Binder’.
 10. The following report identifies Comprehensive Plan Map (CPM) amendments scheduled for the Planning Commission’s November 1, 2017 public hearing with a staff recommendation. All of the Policy/Text (P/T) amendments were presented at the October meeting; so no Policy/Text (P/T) amendments are described in this report.

Comprehensive Plan Map Amendments (File No. CPA17-0001, City initiated)

CPM #4

Change the mapped land use designation of south part of 2.15-acre, privately-owned, developed parcel from "Residential Transition" to "Heavy Commercial".

Discussion

The 2.15-acre property was previously a smaller parcel and the comprehensive plan designation boundary followed this original property boundary. In 2004, a boundary line adjustment application was filed (File No. LLA04-0010), approved by the City, and recorded (Recording No. 20040712003209). The boundary line adjustment expanded the parcel boundary to include additional area to the south. The Comprehensive Plan land use designation boundary was not simultaneously changed to correspond to the property boundary change. In the intervening time, the fence contractor business has using the expansion area as part of their yard. It is appropriate to make the change to avoid split designation of a parcel where warranted by existing development pattern and setting. The "Residential Transition" designation makes up a smaller portion of the lot, while the balance is used by a fencing contractor. As shown on the map below, the designation change is consistent with adjacent property located to the west.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #4 to change the mapped land use designation of the southern part of a 2.15-acre, privately-owned, parcel from "Residential Transition" to "Heavy Commercial" (Parcel No. 8695200020).

2017 Proposed Comprehensive Plan Amendment Map CPM #4



CPM #5

Change the mapped land use designation of 3 parcels (2 privately-owned and 1 city-owned) from the "Open Space" to "Downtown Urban Center" land use designation.

Discussion

This city-initiated request is to change the land use designation of 2 privately owned parcels, Nos. 7815700095 (0.17 acres – vacant) and 7815700135 (0.33 acres – parking lot) are owned by Levan Auburn Development LLC and the City-owned Parcel No. 7815700085 (0.19 acres - Plaza park). These contiguous properties are located at the SW corner of W Main ST and Division ST. With adoption of the 2015 Comprehensive

Plan and its associated map changes, the properties were assigned an "Open Space" land use designation. The change is requested to remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan. It is requested to revert to former designation of "Downtown Urban Center". These 3 mostly undeveloped parcels are currently zoned "DUC, Downtown Urban Center". Due to their location in the heart of the city center and economic development potential, these parcels should have the designation "Downtown Urban Center".

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current comprehensive Plan Designation	Current Zoning Classification	Current Land Use
7815700095	Levan Auburn Development LLC	0.17 acres	"Open Space"	"DUC, Downtown Urban Center"	Vacant lot
7815700135	Levan Auburn Development LLC	0.33 acres	"Open Space"	"DUC, Downtown Urban Center"	Parking lot
7815700085	City of Auburn	0.19 acres	"Open Space"	"DUC, Downtown Urban Center"	City's Plaza Park

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #5 to change the mapped land use designation of 3 parcels from the "Open Space" to the "Downtown Urban Center" land use designation. (Parcel Nos. 7815700095, 7815700135, & 7815700085)

2017 Proposed Comprehensive Plan Amendment Map CPM #5



CPM #6

Change the mapped land use designation (and zoning district) of 46 city-owned, parks properties from "Open Space" to "Institutional" land use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.

Discussion

This city-initiated request is to change the land use designation of 46 parcels **46 city-owned, parks properties from "Open Space" to "Institutional" land use designation.** Parcel Nos. 0821059017, 7345300160, 6347000055, 6347000065,

0001000081, 1313500310, 3021059044, 3021059080, 3021059089, 1421049011, 1821059117, 0520061060, 0721059038, 7749501070, 0521059010, 0521059029, 0421059062, 0421059061, 0421059060, 0421059071, 0421059004, 3845000080, 7299602140, 4137070990, 7002181950, 0520051035, 0520051006, 0921059018, 6655000105, 6655000021, 1421049067, 9262800330, 9262800341, 1421049017, 9262800285, 0721059020, 8669150810, 6655000024, 6655000030, 3021059325, 3121059017, 3021059375, 8581400530, 1821059327, 0821059017, & 0621059007 are scattered at various sites. With adoption of the 2015 Comprehensive Plan and its associated map changes, the properties were assigned an "Open Space" land use designation. These properties are city-owned developed parks and contain play areas and active recreational space. And the "Open Space" land use designation is not appropriate to apply to these properties based on the discussion and clarification that occurred with the Planning Commission during discussion of the "OS, Open Space" zoning district in July and August of this year. The land use designation is inconsistent with the designation criteria and purpose of the "Open Space" land designation of the Comprehensive Plan (e.g. cemeteries and active and mainly developed parks should not be designated "Open Space"). Also, for most parcels the zoning map classification also needs to change from "OS, Open Space" to "I, Institutional" to agree.

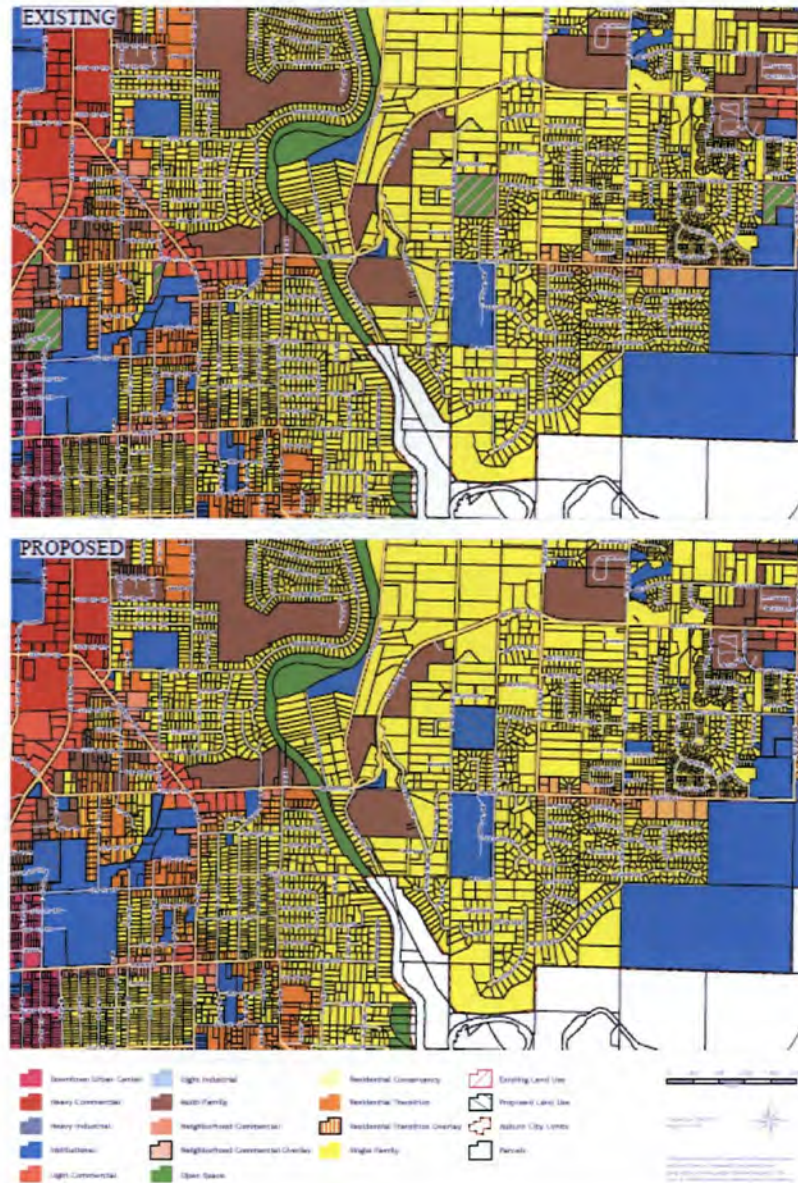
Staff Recommendation

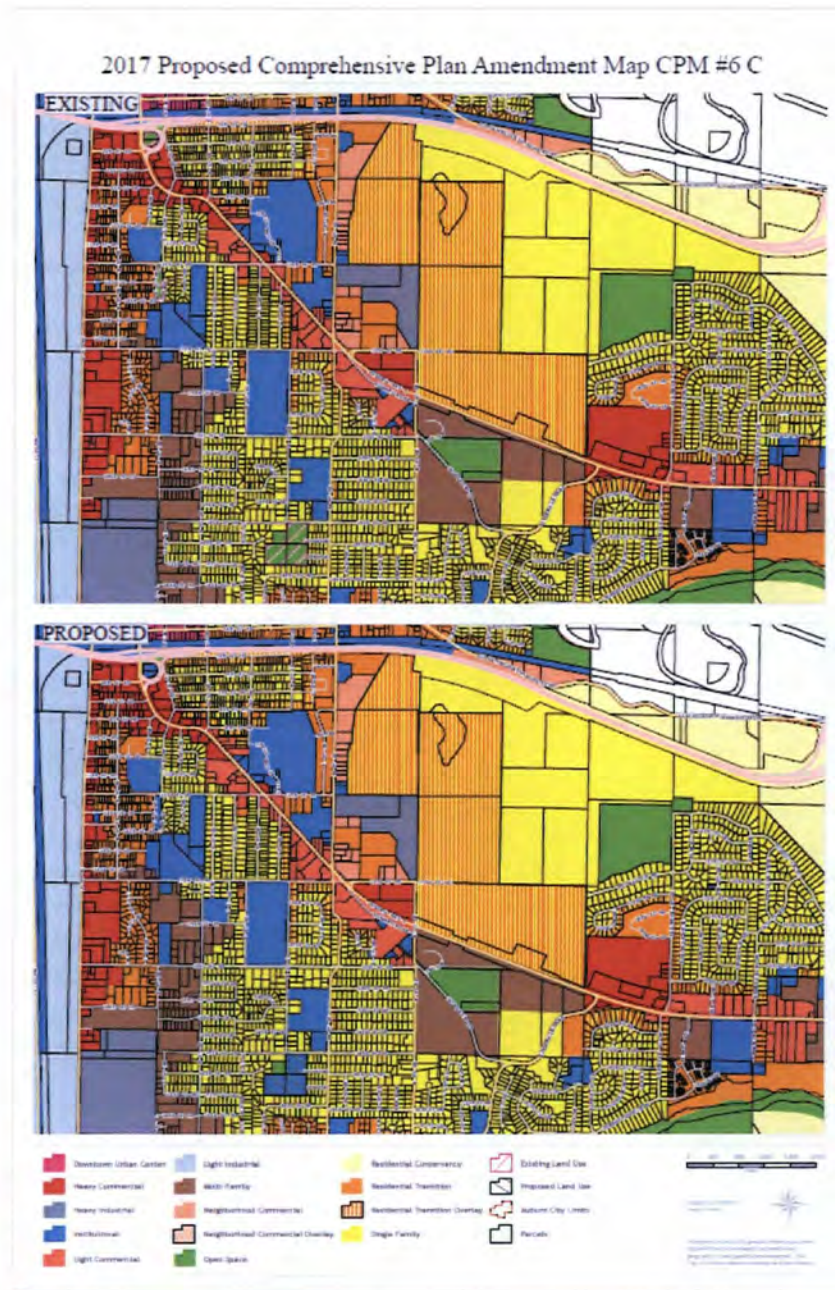
Planning Commission to recommend approval of a map amendment CPM #6 to change the mapped land use designation of multiple City-owned, parks properties from "Open Space" to "Institutional" land use designation and to change the zoning designation (File No. REZ17-0002), to correspond to the "I, Institutional" implementing zoning classification, except for Parcel Nos. 1821059327, 1821059117, & 8581400530 which are already zoned: "I, Institutional".

2017 Proposed Comprehensive Plan Amendment Map CPM #6 A

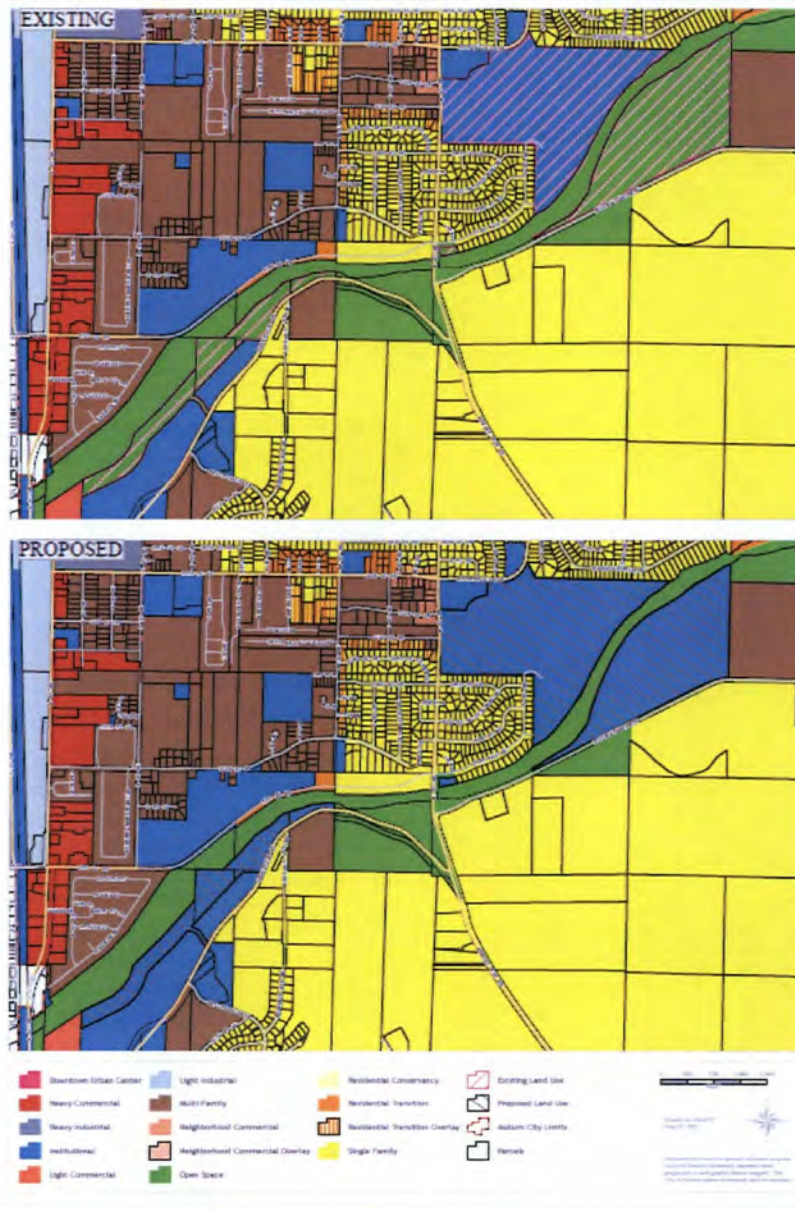


2017 Proposed Comprehensive Plan Amendment Map CPM #6 B

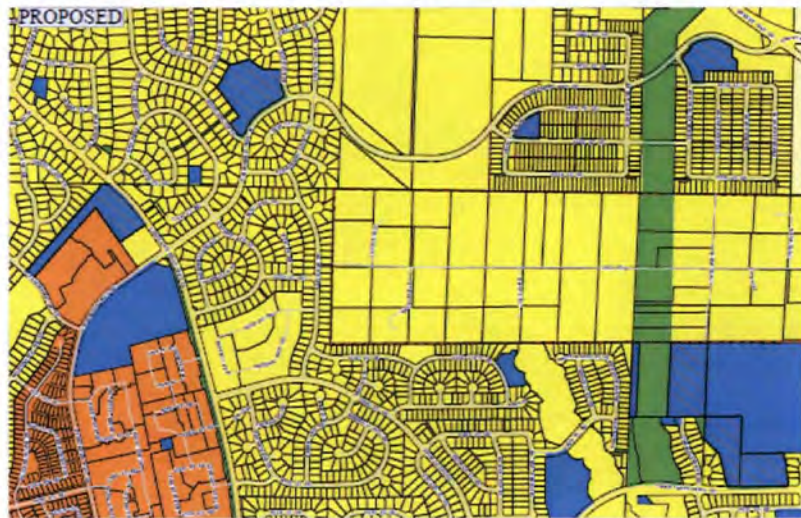
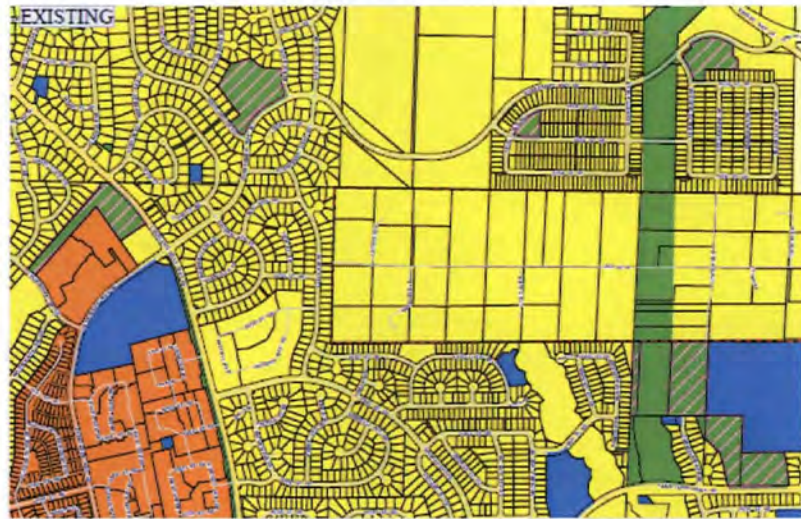




2017 Proposed Comprehensive Plan Amendment Map CPM #6 D



2017 Proposed Comprehensive Plan Amendment Map CPM #6 E



2017 Proposed Comprehensive Plan Amendment Map CPM #6 F



2017 Proposed Comprehensive Plan Amendment Map CPM #6 G



CPM #7 - Change the mapped land use designation of 3 Tribal parcels from the "Open Space" to the "Institutional" Land Use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.

Discussion

This city-initiated request is to change the land use designation of 3 Muckleshoot Tribal parcels from the "Open Space" to the "Institutional" Land Use designation. Parcel No. 2021059041 (1.45 acres US Government)), 2021059047 (24.46 acres, Tribe), & 2021059037 (0.07 acres, Tribe) are proposed for change. With adoption of the 2015 Comprehensive Plan and its associated map changes, the properties were assigned an

"Open Space" land use designation. These properties are Muckleshoot Tribal owned properties that are developed as cemeteries. And the "Open Space" land use designation is not appropriate to apply to these properties based on the discussion and clarification that occurred with the Planning Commission during discussion of the "OS, Open Space zoning district in July and August of this year. The land use designation is inconsistent with the designation criteria and purpose of the "Open Space" land designation of the Comprehensive Plan (e.g. cemeteries and active and mainly developed parks should not be designated "Open Space").

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
2021059041	US Government	1.45 acres	"Open Space"	"P1, Public Use"	Historic Tribal cemetery
2021059047	Muckleshoot Indian Tribe	24.46 acres	"Open Space"	"P1, Public Use"	Tribal Cemetery
2021059037	Muckleshoot Indian Tribe	0.07 acres	"Open Space"	"P1, Public Use"	Street frontage portion of historic Tribal cemetery

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #7 to change the mapped land use designation of 3 Muckleshoot Tribal properties from "Open Space" to "Institutional" land use designation and to change the zoning designation (File No. REZ17-0002), to correspond to the "I, Institutional" implementing zoning classification (Parcel Nos. 2021059041, 2021059047, & 2021059037).



CPM #8 - Change the mapped land use designation of 2 parcels from "Single Family Residential" to "Light Commercial" and to change the zoning designation from "R5, Residential" to "C1, Light Commercial" to agree.

Discussion

This city-initiated request is to change the land use designation of 2 privately-owned parcels from "Single Family Residential" to "Light Commercial". Parcels Nos. are 3121059069, 1.79 acres owned by Alan Clayton and Parcel No. 3121059027, 3.67 acres, owned by John Nixon. Both are located on east side of A ST SE, approx. 600 feet south of Lakeland Hills WY SE. The change is requested to remedy an inadvertent

change of mapped land use designation with adoption of map as part of 2015 plan adoption. It is requested to revert to pre-2015 designation of "Light Commercial". Also, change the zoning designation from "R5, Residential" to "C1, Light Commercial" to agree.

Both properties were annexed to the City of Auburn from the City of Pacific in the year 2003 by City of Auburn Ordinance No. 3643. Prior to the annexation, the northern parcel (owned by Mr. Clayton) was zoned "C, Commercial" and the southern parcel (now owned by John Nixon) was zoned "RMH, Multiple Family Residential" in the City of Pacific. Mr. Clayton's zoning designation of "C, Commercial" was a result of an application for zone change requested by Mr. Clayton and approved by the City of Pacific in August of 1992 by Ordinance No. 1177 (The rezone was to the zoning classification of "BC, Business Commercial" which subsequently became "C, Commercial".) At annexation to the City of Auburn, the property assumed an "R-5, Residential" zoning designation by default, while the comprehensive plan designation was made "Light Commercial".

Of late, Mr. Clayton has been contacting the City almost annually requesting that the city initiate a change in the zoning designation back to a commercial category. He has always had the ability to submit a private application to initiate the zoning map change himself, and has been advised of this, but was reluctant.

The 'working binder' under the 'Map Amendments' tab and CPM #8, contains a letter from Mr. Clayton dated July 18, 2017 and supporting information in which he describes the history and his request to have the zoning changed.

The southern parcel prior to 2015 had a comprehensive plan designation of "Light Commercial" and was previously was zoned "R-5, Residential". These 2 parcels are the only parcels on the east side of A ST SE, in the vicinity that have a Comprehensive Plan designation of "Single Family Residential". The adjacent properties to the south were changed to "light Industrial" due to private com plan application last year. The properties to the north have a comprehensive plan designation of "Institutional".

While the comprehensive plan designation was changed in 2015 to "Single Family Residential", to align with the property's R-5 Residential zoning, it is the zoning classification that should have been changed. The City now seeks to rectify the circumstances by changing the both the comprehensive plan designation and zoning for both parcels

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
3121059069 (northern)	Alan B Clayton	1.79 acres	"Single Family Residential"	R-5, Residential	vacant
3121059027/ 5340 A ST SE (southern)	John Nixon	3.67 acres	"Single Family Residential"	R-5, Residential	Single family residence

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #8 to change 2 privately-owned parcels from "Single Family Residential" to "Light Commercial" and to change the zoning designation (File No. REZ17-0004) to correspond to the "C1, Commercial" implementing zoning classification. Parcels Nos. are 3121059069 and Parcel No. 3121059027



CPM #9

Change the mapped land use designation of 2 privately owned vacant parcels at SE corner of SE 312th ST & 121st PL SE from "Multiple Family Residential: to "Light Commercial".

Discussion

This city-initiated request is to change the land use designation of 2 privately owned vacant parcels from "Multiple Family Residential" to "Light Commercial". The 1.75 -acre Parcel No. 0921059042 owned by Highlane Prop. LLP and 0.81-acre parcel No. 0921059113 owned by Jennifer & James Hunt both are located at SE corner of SE 312th ST & 121st PL SE. The change is requested to remedy an inadvertent change of mapped land use designation with adoption of 2015 plan and revert to the former designation.

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
0921059042	Highlane Prop. LLP	1.75 - acre	"Multiple Family Residential"	"C1, Light Commercial"	Vacant
0921059113	Jennifer & Eric Hunt	0.81-acre	"Multiple Family Residential"	"C1, Light Commercial"	Vacant

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #9 to change 2 privately-owned parcels from "Multiple Family Residential" to "Light Commercial". (Parcels Nos. are 0921059042 and 0921059113).

2017 Proposed Comprehensive Plan Amendment Map CPM #9



CPM #10

Change the mapped land use designation of a privately owned 0.91-acre parcel near the intersection of 124th AV SE & SE 307th PL from "Multiple Family Residential" to "Single Family Residential".

Discussion

This city-initiated request is to change the land use designation of privately owned 0.91-acre parcel containing a single family house from "Multiple Family Residential" to "Single Family Residential". The Parcel No. 0921059101 is owned by Ram Singh Dhaliwal is located 130 feet south of intersection of 124th AV SE & SE 307th PL (Address is 30811

124th AVE SE). The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of map amendment CPM #10 to change the land use designation of a 0.91-acre parcel from "Multiple Family Residential" to "Single Family Residential" (Parcel No. 0921059101).

2017 Proposed Comprehensive Plan Amendment Map CPM #10



CPM #11

Change the mapped land use designation of a privately-owned, 13.84 -acre parcel addressed as 521 - 8TH ST SW. from "Heavy Industrial" to "Light Industrial".

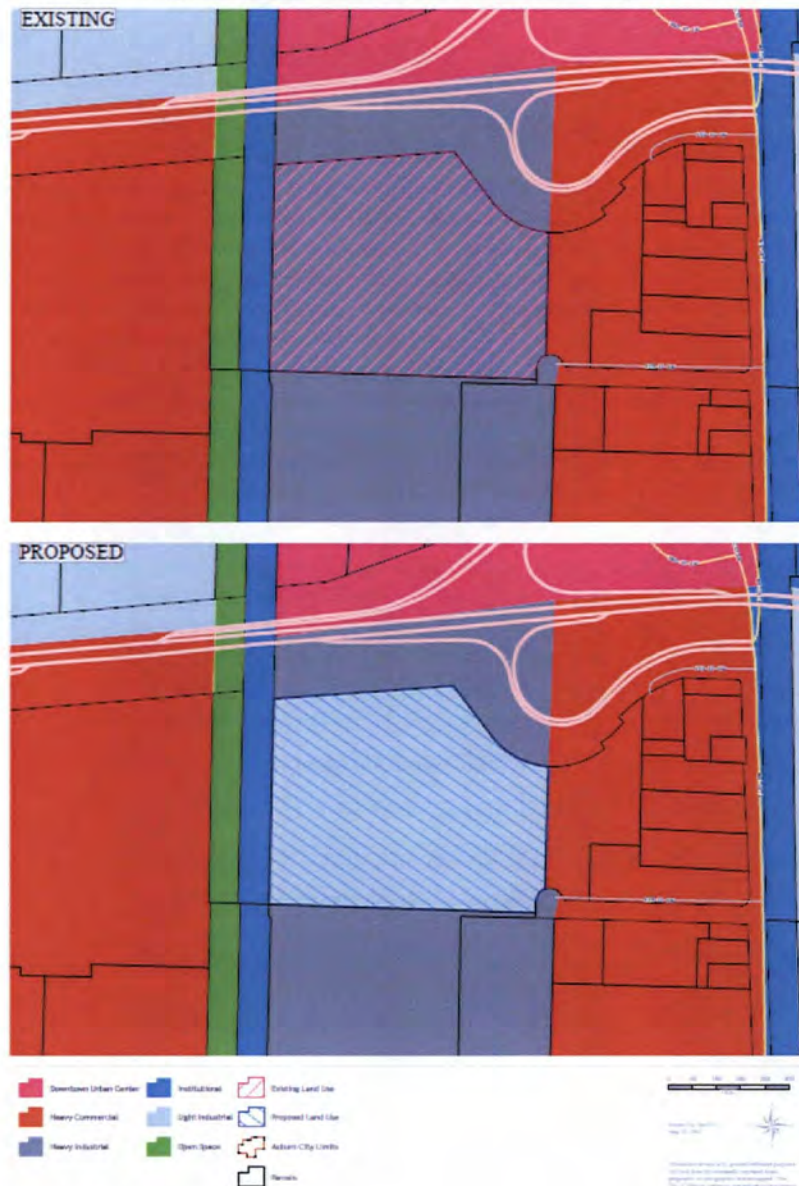
Discussion

This city-initiated request is to change the land use designation of privately-owned approximately 13.84 -acre parcel developed with a single 286,000 square foot multiple tenant warehouse from "Heavy Industrial" to "Light Industrial". Parcel No. 1321049019 is owned by Western B NW WA LLC and located south of State Route 18 (SR) at the west end of 8th ST SW (Address is 521 8TH ST SW.) The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #11 to change the land use designation of an approximately 13.84-acre parcel from "Heavy Industrial" to "Light Industrial" (Parcel No. 1321049019).

2017 Proposed Comprehensive Plan Amendment Map CPM #11



CPM #12

Change the mapped land use designation of 7.2-acre private parcel located NW of intersection of Mill Pond DR SE and Kennedy AV SE from "Single Family Residential" to "Multiple Family Residential".

Discussion

This city-initiated request is to change the land use designation of privately-owned approximately of 7.2-acre private developed parcel from "Single Family Residential" to "Multiple Family Residential". Parcel No. 5530200000, owned by Lois Maathuis, is located NW of intersection of Mill Pond DR SE and Kennedy AV SE. The site is

developed as a series of 13 multiple-family, 2-story buildings containing a total of 102 dwelling units, known as the 'Mill Pond at Lakeland Condominiums'. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #12 to change the land use designation of privately-owned approximately of 7.2-acre private parcel developed with condominiums from "Single Family Residential" to "Multiple Family Residential". (Parcel No. 5530200000).



CPM #13

Change the mapped land use designation of a group of 10 adjacent parcels located north side of Auburn WY S, east of Academy DR SE from "Single Family Residential" to "Multiple Family Residential".

Discussion

This city-initiated request is to change the land use designation of a group of 10 contiguous parcels from "Single Family Residential" and with "Residential Transition Overlay" to "Multiple Family Residential". Parcel Nos. 2721059053, 2721059063, 2721059066, 2721059126, 2721059156, 2721059157, 2721059162, 2721059168, 2721059179, & 2721059197 are owned by various property owners & located on the north side of Auburn WY S, east of Academy DR SE. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Parcel ID Number/ address	Property owner	Parcel Size (Approx.)	Current Comprehensive Plan Designation	Current Zoning Classification	Current Land Use
2721059053	Muckelshoot Tribe	0.22 acres	"Single Family Residential" with "Residential Transition Overlay"	"R-20, Residential"	Duplex
2721059063	Muckelshoot Tribe	0.06 acres	"Single Family Residential"	"R-20, Residential"	Access Tract
2721059066	Orrozco, Salvador and Val	0.23 acres	"Single Family Residential"	"R-20, Residential"	Single Family Residence
2721059126	Muckelshoot Tribe	0.52 acres	"Single Family Residential"	"R-20, Residential"	Duplex
2721059156	Muckelshoot Tribe	0.39 acres	"Single Family Residential"	"R-20, Residential"	Duplex
2721059157	Muckelshoot Tribe	0.36 acres	"Single Family Residential" with "Residential Transition Overlay"	"R-20, Residential"	Duplex
2721059162	Huang, Angelina and Yao	0.63 acres	"Single Family Residential"	"R-20, Residential"	Single Family Residence
2721059168	Bunkhan, Chakkaphan and Suphawan	0.19 acres	"Single Family Residential"	"R-20, Residential"	Single Family Residence
2721059179	Muckelshoot Tribe	0.42 acres	"Single Family Residential"	"R-20, Residential"	Triplex
2721059197	Muckelshoot Tribe	0.23	"Single Family Residential"	"R-20, Residential"	Duplex

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #13 to change the land use designation of a group of 10 contiguous parcels from "Single Family Residential" to "Multiple Family Residential" (Parcel Nos. 2721059053, 2721059063, 2721059066, 2721059126, 2721059156, 2721059157, 2721059162, 2721059168, 2721059179, & 2721059197).

2017 Proposed Comprehensive Plan Amendment Map CPM #13



CPM #14

Change the mapped land use designation of 23 parcels located at various locations in downtown from "Institutional" to "Downtown Urban Center".

Discussion

This city-initiated request is to change the land use designation of 23 parcels at various locations in downtown from "Institutional" to "Downtown Urban Center". Some are City-owned; others are privately owned. Parcel Nos. 0492000460, 0492000461, 0492000463, 7816200100, 7816200060, 0498500005, 0492500100, 0303450000, 0492500240, 0492500275, 0492500260, 0483000085, 0483000080, 0489000040, 7331400135, 0489000005, 7331400460, 7331400485, 7331400486, 7331400500, 8698100030, 8698100035, & 8698100040. Remedy an inadvertent change of mapped land use designation with adoption of map as part of 2015 plan. Requested to revert to pre-2015 designation of "Downtown Urban Center". The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #14 to change the land use designation of 23 parcels at various locations in downtown from "Institutional" to "Downtown Urban Center" (Parcel Nos. 0492000460, 0492000461, 0492000463, 7816200100, 7816200060, 0498500005, 0492500100, 0303450000, 0492500240, 0492500275, 0492500260, 0483000085, 0483000080, 0489000040, 7331400135, 0489000005, 7331400460, 7331400485, 7331400486, 7331400500, 8698100030, 8698100035, & 8698100040).

2017 Proposed Comprehensive Plan Amendment Map CPM #14



CPM #15

Change the mapped land use designation of numerous parcels within the Lakeland Hills South PUD from "Residential Transition" to "Moderate Density Residential" and to "Multiple Family Residential".

Discussion

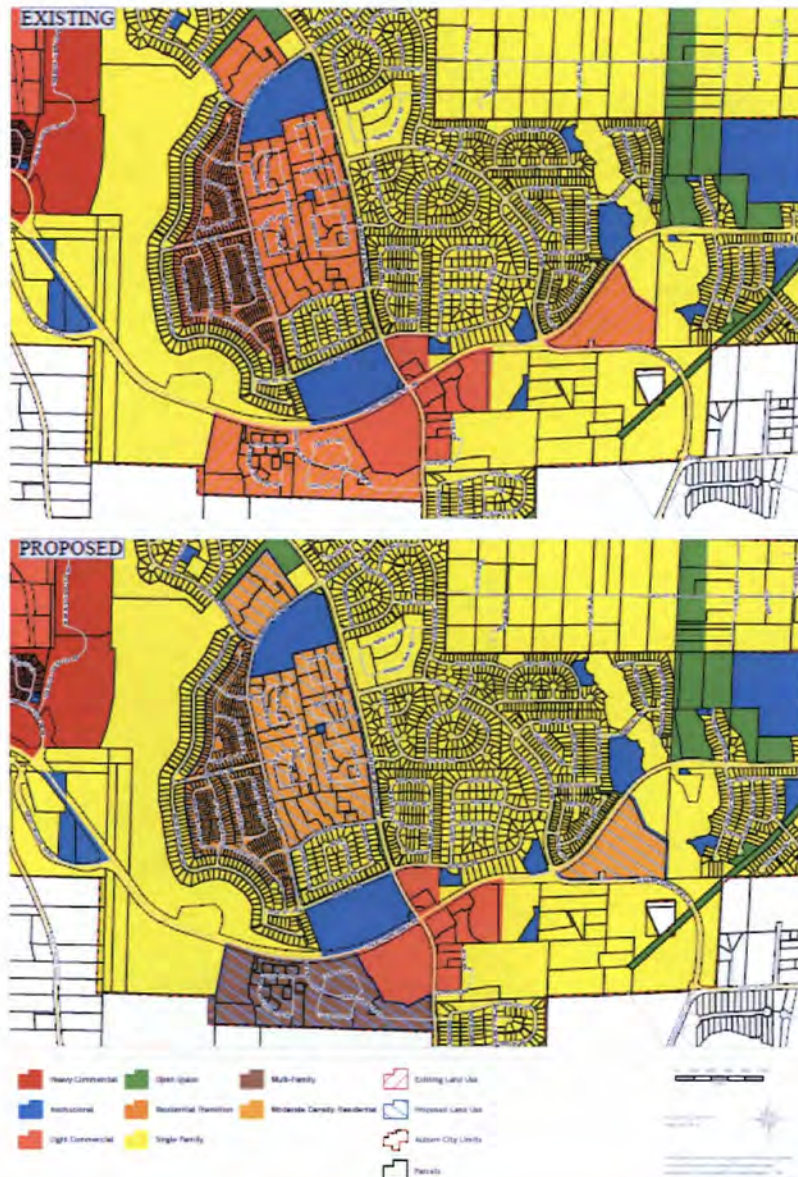
This city-initiated request is to change the land use designation of numerous parcels within the Lakeland Hills community from "Residential Transition" to "Moderate Density Residential" and to "Multiple Family Residential". The location of the parcels within the

Lakeland special planning area is shown on the map. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #15 to change the land use designation of change the land use designation of numerous parcels within the Lakeland Hills South PUD from "Residential Transition" to "Moderate Density Residential" and to "Multiple Family Residential".

2017 Proposed Comprehensive Plan Amendment Map CPM #15



CPM #16

Change the mapped land use designation of 0.21-acre city-owned stormwater facility on the south side of 35th St SE, from "Institutional" to "Multiple Family Residential".

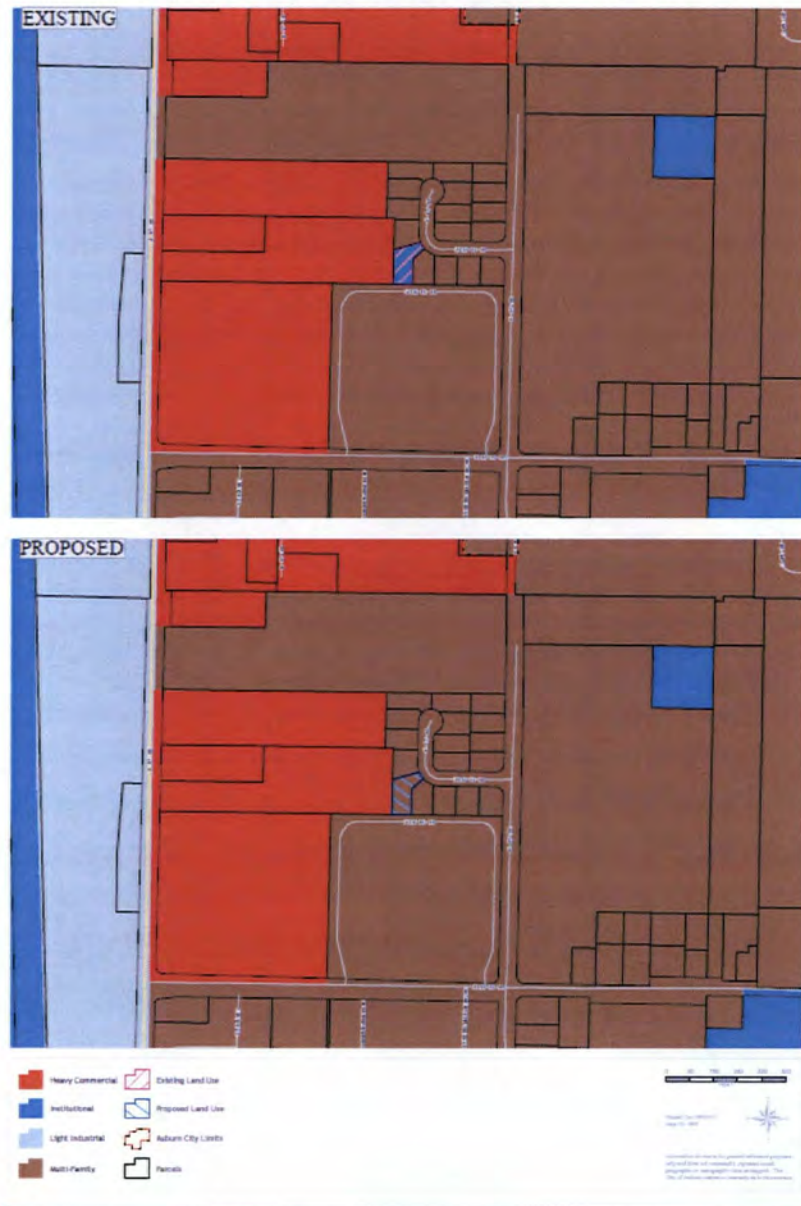
Discussion

This city-initiated request is to change the land use designation of a 0.21-acre city-owned stormwater facility serving a plat from "Institutional" to "Multiple Family Residential" to agree with designation applicable to the balance of the plat. Parcel No. 1877100170 is owned by the City and located on south side of 35th St SE, 290 feet west of D ST SE. The lot for the stormwater facility was created from the "D ST SE Plat" and should retain the same comprehensive plan designation as the balance of the plat. It is not the intention of the Comprehensive Plan designation to apply a separate classification to each special purpose lot or tract needed to support the overall subdivision. Land use designations should apply to broad geographic areas based on compatibility and generally not on an individual parcel basis. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #16 to change the land use designation of change the land use designation of 0.21-acre city-owned stormwater facility serving a plat from "Institutional" to "Multiple Family Residential" (Parcel No. 1877100170).

2017 Proposed Comprehensive Plan Amendment Map CPM #16



CPM #17

Change the mapped land use designation of an approximately 0.71- acre privately-owned parcel located east of end of B ST SE between 15th and 16th ST SE from "Residential Transition" to "Multiple Family Residential".

Discussion

This city-initiated request is to change the land use designation of an approximately 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family". Parcel No. 1921059271 owned by Mayfield TNC LLC is located east of end of B ST SE between 15th and 16th ST SE. According to KC Assessor records,

the property is developed with two, 2-story buildings as the "Mayfield Apartments" containing 31 dwelling units. The change would remedy an inadvertent change of mapped land use designation as part of 2015 plan adoption and revert to the former designation.

Staff Recommendation

Planning Commission to recommend approval of a map amendment CPM #17 to change the land use designation of an approximately 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family" (Parcel No. 1921059271).

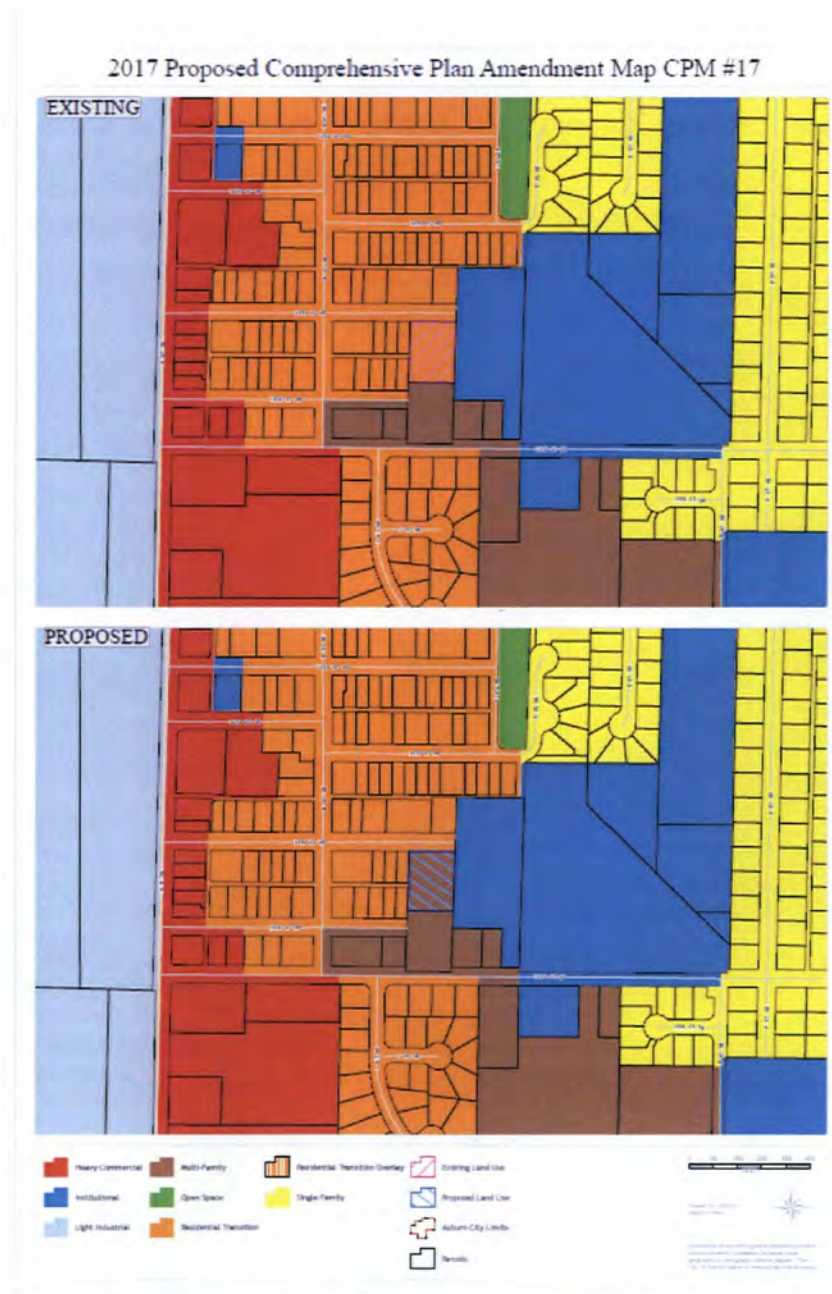


EXHIBIT LIST:

- Exhibit 1. Staff Report Group #2 Amendments - CPA17-0001 and REZ17-0002, REZ17-0003 & REZ17-0004
- Exhibit 2. Comprehensive Plan Land Use Maps (Thumbnails of maps are provided in the staff report and full size maps are available in the 'working binder')
- Exhibit 3. Rezone Maps (Full size maps are in the 'working binder')
- Exhibit 4. WA State Dept. of Commerce 60-Day Acknowledgement Letter dated September 26, 2017 (in the 'working binder')
- Exhibit 5. Notice of Application and Determination of Non-Significance (in the 'working binder')
- Exhibit 6. Notice of Public Hearing (Attached)

Exhibit "D"

The Auburn, Dieringer, Federal Way, and Kent School District Capital Facilities Plans

City of Auburn Capital Facilities Plan

*Excerpt of "Volume 1 - Land Use Element" of the City
Comprehensive Plan (Pages LU-4 through LU-7) with strike
through and underlines to show changes (Four of the nine text
amendments are contained within this excerpt).*

- P/T #6 - Remove the discussion of a "Mixed Use" land use designation from the text of the Plan and from the Land Use Map. The R10, R16, and R20 residential zoning districts already allow for mixed uses (comprised of residential & commercial) as permitted uses (See Table 18.07.020, Permitted Use Table).
- P/T #7 - Add text to add back the R5, Residential zoning district back in as an implementing zone for the "Single Family" Land Use Designation. The 2015 Comp Plan this zone was inadvertently omitted as an implementing zoning district of any Comp. Plan land use designation and must be corrected.
- P/T #8 - Change the title of the land use designation of "Residential Transition" to "Moderate Density Residential." Requested to revert to pre-2015 title of the category. Provide a distinct and logical title for the category to address and reflect the range of residential densities.
- P/T #9 - Add the "R-10, Residential" and R-16, Residential" zoning districts back as implementing zones for the "Residential Transition" or if recommended, to the "Moderate Density Residential" Land Use Designation. In the 2015, Comp Plan these zoning districts were inadvertently omitted as an implementing zoning districts of any Comp. Plan land use designation.

(See "Comp. Plan Policy/Text Amendments" tab in the working binder)

AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6668 (Snyder)

Date:

November 28, 2017

Department:

Community Development &
Public Works

Attachments:

[Agenda Bill for Ordinance No. 6668](#)
[Ordinance No. 6668](#)

Budget Impact:**Administrative Recommendation:**

City Council adopt Ordinance No. 6668.

Background Summary:

See the attached agenda bill.

Reviewed by Council Committees:

Other: Legal & Planning

Councilmember:**Staff:**

Snyder

Meeting Date: December 4, 2017

Item Number:

ORD.E



AGENDA BILL APPROVAL FORM

Agenda Subject: ZOA17-0007; Ordinance # 6668 to revise school district impact fees for year 2018		Date: November 28, 2017
Department: Community Development & Public Works Dept.	Attachments: Ordinance No. 6668	Budget Impact: (none)
Administrative Recommendation: City Council to introduce and adopt Ordinance No. 6668 to revise school impact fees for 2018.		
Background Summary: <p>Title 19 (Impact Fees) of the Auburn City Code contains standards and regulations pertaining to the collection of impact fees in the City of Auburn. Specifically, Chapter 19.02 (School Impact Fees) addresses the establishment, calculation, collection and amendment of school impact fees within the municipal boundaries of the City of Auburn. The city originally established school impact fees in 1998 by Ordinance No. 5078. Portions of four school districts occur within the City limits.</p> <p>Pursuant to Code Section 19.02.060 (Annual Council Review) of the Auburn City Code, on at least an annual basis, the Auburn City Council shall review the information submitted by the Districts pursuant to ACC 19.02.050. The review shall be in conjunction with any update of the capital facilities plan element of the city's comprehensive plan. The City Council may also at this time determine if an adjustment to the amount of the impact fees is necessary.</p> <p>The City of Auburn Annual Comprehensive Plan Amendment process for 2017 included requests for City approval of the Capital Facilities Plans of the four districts as follows:</p> <ul style="list-style-type: none"> * 2017 - 2023 Auburn School District Capital Facilities Plan; * 2018-2023 Dieringer School District Capital Facilities Plan; * 2018 Federal Way School District Capital Facilities Plan; and * 2017-2018 through 2022-2023 Kent School District Capital Facilities Plan. <p>These requests were submitted in accordance with the provisions of Section 19.02.050 (Submission of District Capital Facilities Plan and Data) of the Auburn City Code.</p> <p>The School Districts' Capital Facilities Plans are contained in the working notebooks (three-ring binders) for the 2017 Annual Comprehensive Plan Amendments, distributed to the City Council prior to the 11-27-17 study session.</p>		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input checked="" type="checkbox"/> Planning Comm. </div> <div> COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input checked="" type="checkbox"/> Planning & CD <input type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Public Works </div> <div> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Call for Public Hearing ____/____/____ Referred to _____ Until ____/____/____ Tabled _____ Until ____/____/____		
Councilmember:		Staff: Snyder
Meeting Date: December 4, 2017		Item Number:

Definition

The city's code section 19.02 contains the city's regulations governing school impact fees. It provides the following definition:

"Impact fee" means a payment of money imposed upon development as a condition of development approval to pay for school facilities needed to serve new growth and development that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the school facilities, and that is used for such facilities that reasonably benefit the new development.

Related Authority

Other key points of the city's regulations include:

- ❖ The impact fee shall be based on a capital facilities plan adopted by the school district and incorporated by reference by the city as part of the capital facilities element of the city's comprehensive plan, adopted pursuant to Chapter 36.70A RCW, for the purpose of establishing the fee program.
- ❖ Separate fees shall be calculated for single-family and multifamily types of dwelling units, and separate student generation rates must be determined by the district for each type of dwelling unit.
- ❖ The fee shall be calculated on a district-wide basis using the appropriate factors and data supplied by the district. The fee calculations shall also be made on a district-wide basis to assure maximum utilization of all available school facilities in the district which meet district standards.
- ❖ As a condition of the city's authorization and adoption of a school impact fee ordinance, the city and the applicable district shall enter into an interlocal agreement governing the operation of the school impact fee program, and describing the relationship and liabilities of the parties. The agreement must provide that the district shall hold the city harmless for all damages.
- ❖ On an annual basis (by July 1st or on a date agreed to by district and the city and stipulated in the interlocal agreement), any district for which the city is collecting impact fees shall submit the Capital facilities plan and supporting information to the city.
- ❖ Applicants for single-family and multifamily residential building permits shall pay the total amount of the impact fees assessed before the building permit is issued, using the impact fee schedules in effect, unless the fee has been deferred pursuant to City Ordinance No. 6341.
- ❖ The impact fee calculation shall be based upon the formula set forth in ACC 19.02.110, "Impact fee formula". The formula is the city's determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020. Based on this formula, the "Fee Obligation" is the "Total Unfunded Need" x 50% = Fee Calculation.

The Capital Facilities Plans that were approved by each of the school boards contain proposed school impact fees for each of the Districts. The requests for adjustment of the school impact fees are required to be submitted concurrent with the submittal of the Capital Facilities Plans. Under City regulations a separate letter request is only required to be submitted to the city when the fee adjustment is requested to increase.

Council Review and Decision

The establishment of the actual fees occurs through separate Council action amending Chapter 19.02 of the Auburn City Code. Section 19.02.060, (Annual Council Review) specifies the following:

“On at least an annual basis, the city council shall review the information submitted by the district pursuant to ACC 19.02.050. The review shall be in conjunction with any update of the capital facilities plan element of the city's comprehensive plan. The city council may also at this time determine if an adjustment to the amount of the impact fees is necessary; provided, that any school impact fee adjustment that would increase the school impact fee shall require the submittal of a written request for the adjustment by the applicable school district concurrent with the submittal of the annual capital facilities plan pursuant to ACC 19.02.050. In making its decision to adjust impact fees, the city council will take into consideration the quality and completeness of the information provided in the applicable school district capital facilities plan and may decide to enact a fee less than the amount supported by the capital facilities plan.”

Section 19.02.060 establishes that the Auburn City Council is not obligated to accept the fees proposed by the School Districts within their submitted Capital Facilities Plans and may establish fees that the Council determines are more appropriate and consistent with the public's interest in reasonably mitigating school impacts within the affected portion of the City.

Recommendation (Contained in draft Ordinance No. 6668)

Auburn School District:

The Auburn School District indicated by letter submitted with their Capital Facilities Plan, that they are requesting an increase in school impact fees for the year 2018. The year 2018 for single-family dwellings is proposed to be \$3,321.86, a decrease of \$2,147.51 and the requested fee for multiple-family dwellings is \$2,081.29, an increase of \$441.59. The actual impact fees are established by ordinance through subsequent City Council action.

Dieringer School District:

The Dieringer School District indicated by letter submitted with their Capital Facilities Plan that they are requesting an increase in school impact fees for year 2018. The year 2018 fees for single-family dwellings as identified in the CFP is proposed to be \$3,760.00, an increase of \$360.00 and the requested fee for multiple family dwellings is \$1,081.00; a decrease of \$678.00. The actual impact fees are established by ordinance through subsequent City Council action.

While, a proposed fee calculation of \$3,760.00 for single family residential and \$1,081.00 for multiple family residential is identified based on their Capital Facilities Plan, related to this, the Pierce County Council by Ordinance No. 2017-78 adopted November 7, 2017; effective January 1, 2018, establishing a school impact fee for the Dieringer School District of \$3,485.00 for single family residential and \$1,081.00 for multiple family residential (See Exhibit). Pierce County routinely establishes a uniform rate for all districts within their jurisdiction and only makes yearly adjustments based on the Consumer Price Index. The Dieringer School District is the only school district common to both the jurisdictions of the City of Auburn and Pierce County.

It appears appropriate to establish a fee applicable in the City of Auburn for the Dieringer School district that is the same as the fee implemented in Pierce County's fee since it is more appropriate and consistent with the public's interest in reasonably mitigating school impacts within the affected portion of the City. The draft Ordinance No. 6668 has been prepared to reflect school impact fees that are the same as Pierce County's school impact fee and differs from what the Dieringer School District has requested, as historically has been done.

Federal Way School District:

The Federal Way School District indicated by letter submitted with their Capital Facilities Plan that they are requesting an increase in school impact fees for year 2018. The year 2018 fees for single-family dwellings is proposed to be \$6,842.00, representing an increase of \$3,644.00 and the requested fee for multi-family dwellings is \$20,086.00, an increase of \$11,700.00. The actual impact fees are established by ordinance through subsequent City Council action.

According to communication from Tanya Nascimento, Student & Demographic Forecaster of the Federal Way Public Schools, there are several factors which have driven the multiple family impact fees to increase quite significantly in this plan. One factor is an increase in observed multiple-family student generation rates. When calculating the impact fees for their capital facilities plan, the District can only use actual student generation rates, either based on district or the King County average. Prior to 2016, there had been no multi-family developments in our District, so we were using the King County average. In 2015, the first of three multi-family developments was opened and fully occupied in the City of Federal Way. The second was opened and occupied in late 2016 and the third was opened in fully occupied in summer of 2017. The first two developments have been included in the generation rate calculation for this plan. The specific generation rates can be found on Page 29. These multiple-family complexes are generating more than one student per unit which is significantly higher than past developments within the School District.

In addition to the high student generation rates, the District completed work with its Facilities Planning Committee which determined a need for additional capacity at a number of schools. As a result of this work, Phase II of the District's plan will be placed on the November ballot for a bond request. The facilities impacted during Phase II can be found on Page 7 of the Capital Facilities Plan. Anticipated funding for this project can be found on the Six-Year Finance Plan on Page 9. The Finance Plan outlines the anticipated timeline for beginning and completion of the various projects. It is important to note that not all projects within Phase II will create additional capacity. Only costs associated with increasing needed capacity are used in the formula for calculating Impact Fees. The specific cost calculations are outlined on Page 32 of the Capital Facilities Plan.

Kent School District

The Kent School District indicated by letter submitted with their Capital Facilities Plan that they are requesting an increase in school impact fees for year 2018. The year 2018 fees for single-family dwellings is proposed to be \$2,267.00, representing an increase of \$57.00 and the requested fee for multi-family dwellings is \$5,235.00, an increase of \$135.00. The actual impact fees are established by ordinance through subsequent City Council action.

Scheduling of Actions

A review and discussion of the School District Capital Facilities Plans school impact fee changes and Ordinance No. 6668 was held by City Council at the Study Session November 27, 2017. City Council consideration is planned for December 4, 2017.

ORDINANCE NO. 6 6 6 8

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF AUBURN, WASHINGTON AMENDING SECTIONS
19.02.115, 19.02.120, 19.02.130 AND 19.02.140 OF THE
AUBURN CITY CODE RELATING TO SCHOOL IMPACTS
FEES**

WHEREAS, the City of Auburn has adopted a school impact fee ordinance and collects school impact fees on behalf of certain school districts located or located in part within the City of Auburn; and

WHEREAS, the Auburn School District, Dieringer School District, Federal Way School District, and the Kent School District, each being located in part within the City of Auburn, have provided the City of Auburn with updated capital facilities plans to be considered during the City's 2017 annual comprehensive plan amendment process that addresses among other things, the appropriate school impact fee for single family residential dwellings and multi- family residential dwellings for each district; and

WHEREAS, the Auburn School District issued a Determination of Non-Significance for the 2017 - 2023 Auburn School District Capital Facilities Plan June 9, 2017; the Dieringer School District issued a Determination of Non- Significance for the 2018-2023 Dieringer School District Capital Facilities Plan May 16, 2017; the Federal Way School District issued a Determination of Non-Significance for the 2018 Federal Way School District Capital Facilities Plan May 12, 2017; and the Kent School District issued a Determination of Non-Significance for the 2017-2018 through 2022-2023 Kent School District Capital Facilities Plan May 9, 2017; and

WHEREAS the City of Auburn issued a Determination of Non-Significance (DNS) on September 19, 2017 for the City of Auburn Year 2017 city-initiated comprehensive plan map and text amendments (File No. SEP17-0014), and

WHEREAS, after proper notice published in the City's official newspaper at least ten (10) days prior to the date of hearing, the Auburn Planning Commission on October 18, 2017 and November 1, 2017 conducted public hearings on the proposed Auburn School District 2017-2023 Capital Facilities Plan, the proposed Dieringer School District 2018 - 2023 Capital Facilities Plan; the proposed Federal Way School District 2018 Capital Facilities Plan; and for the proposed Kent School District 2017-2018 through 2022-2023 Capital Facilities Plan; and

WHEREAS, following the conclusion of the public hearing on October 18, 2017 and November 1, 2017, and subsequent deliberations, the Auburn Planning Commission, following individual positive motions, made separate recommendations to the Auburn City Council on the approval of the Auburn School District 2017-2023 Capital Facilities Plan, the Dieringer School District 2018 - 2023 Capital Facilities Plan; the Federal Way School District 2018 Capital Facilities Plan; and for the Kent School District 2017-2018 through 2022-2023 Capital Facilities Plan; and

WHEREAS, the Auburn City Council reviewed the recommendations of the Auburn Planning Commission on the school district capital facilities plans at a regularly scheduled study session on November 27, 2017; and

WHEREAS, the Auburn City Council considered the recommendations of the Auburn Planning Commission on the capital facilities plans at a regularly scheduled

meeting on December 4, 2017, and a positive motion approved the Auburn School District 2017-2023 Capital Facilities Plan, the Dieringer School District 2018 - 2023 Capital Facilities Plan; the Federal Way School District 2018 Capital Facilities Plan; and for the Kent School District 2017-2018 through 2022-2023 Capital Facilities (Ordinance No. 6667); and

WHEREAS, on November 27, 2017 the Auburn City Council at a regularly scheduled study session reviewed amendments to Title 19 (Impact Fees) and more specifically, Chapter 19.02 (School Impact Fees) pertaining to school impact fees for single family residential dwelling units and multi-family dwelling units to be applied in the City of Auburn for the Auburn School District; Dieringer School District, Federal Way School District, and the Kent School District; respectively, based on the aforementioned capital facilities plans for each of these districts; and

WHEREAS, the Auburn City Code provides for adjustments to school impact fees based on a review of the capital facilities plans for each of the districts; and

WHEREAS, Section 19.02.060 (Annual Council Review) of the Auburn City Code specifies that the Auburn City Council will in making its decision to adjust impact fees take into consideration the quality and completeness of the information provided in the applicable school district capital facilities plan and may decide to enact a fee less than the amount supported by the capital facilities plan. NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment to the City Code. Section 19.02.115 of the Auburn City Code is hereby amended to read as follows.

Ordinance No. 6668
November 16, 2017
Page 3 of 7

19.02.115 Impact fee calculation and schedule for the Dieringer School District.

The impact fee calculation and schedule below is based upon a review of the impact fee calculation for single-family residences and for multifamily residences set forth in the most recent version of the Dieringer School District Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

Effective January 1, 2017~~2018~~, or the effective date of this ordinance whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$3,400.00~~\$3,485.00

Per Multifamily Dwelling Unit ~~\$1,759.00~~\$1,081.00

(Ord. 6627 § 1, 2016; Ord. 6581 § 1, 2016; Ord. 6542 § 1, 2014; Ord. 6488 § 1, 2013; Ord. 6445 § 1, 2012; Ord. 6393 § 1, 2011; Ord. 6341 § 2, 2011; Ord. 6340 § 1, 2010; Ord. 6279 § 1, 2009; Ord. 6214 § 1, 2008; Ord. 6134 § 1, 2007; Ord. 6060 § 1, 2006; Ord. 5950 § 2, 2005.)

Section 2. Amendment to the City Code. Section 19.02.120 of the Auburn City

Code is hereby amended to read as follows.

19.02.120 Impact fee calculation and schedule for the Auburn School District.

The impact fee calculation and schedule is based upon a review of the impact fee calculation for single-family residences and for multifamily residences set forth in the most recent version of the Auburn School District's Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

Effective January 1, 2017~~2018~~, or the effective date of this ordinance
whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$5,469.37~~ \$3,321.86

Per Multifamily Dwelling Unit ~~\$1,639.70~~ \$2,081.29

(Ord. 6627 § 1, 2016; Ord. 6581 § 2, 2016; Ord. 6542 § 2, 2014; Ord.
6488 § 2, 2013; Ord. 6445 § 2, 2012; Ord. 6393 § 2, 2011; Ord. 6341 § 2,
2011; Ord. 6340 § 2, 2010; Ord. 6279 § 2, 2009; Ord. 6214 § 2, 2008;
Ord. 6134 § 2, 2007; Ord. 6060 § 2, 2006; Ord. 5950 § 1, 2005; Ord. 5793
§ 1, 2003; Ord. 5232 § 1, 1999.)

Section 3. Amendment to the City Code. Section 19.02.130 of the Auburn City

Code is hereby amended as follows.

19.02.130 Impact fee calculation and schedule for the Kent School
District.

The impact fee calculation and schedule is based upon a review of the
impact fee and calculation for single-family residences and for multifamily
residences set forth in the most recent version of the Kent School District's
Capital Facilities Plan adopted by the Auburn city council as an element of
the Auburn comprehensive plan. The calculation is the determination of
the appropriate proportionate share of the costs of public school capital
facilities needed to serve new growth and development to be funded by
school impact fees based on the factors defined in ACC 19.02.020.

Effective January 1, 2017~~2018~~, or the effective date of this ordinance
whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$5,100.00~~ \$5,235.00

Per Multifamily Dwelling Unit ~~\$2,210.00~~ \$2,267.00

(Ord. 6627 § 1, 2016; Ord. 6581 § 3, 2016; Ord. 6542 § 3, 2014; Ord.
6488 § 3, 2013; Ord. 6445 § 3, 2012; Ord. 6393 § 3, 2011; Ord. 6341 § 2,
2011; Ord. 6340 § 3, 2010; Ord. 6279 § 3, 2009; Ord. 6214 § 3, 2008;
Ord. 6134 § 3, 2007; Ord. 6060 § 3, 2006; Ord. 5950 § 1, 2005; Ord. 5233
§ 1, 1999.)

Section 4. Amendment to the City Code. Section 19.02.140 of the Auburn City

Code is hereby amended to read as follows.

19.02.140 Impact fee calculation and schedule for the Federal Way School District.

The impact fee calculation and schedule is based upon a review of the impact fee and calculation for single-family residences and for multifamily residences set forth in the most recent version of the Federal Way School District's Capital Facilities Plan adopted by the Auburn city council as an element of the Auburn comprehensive plan. The calculation is the determination of the appropriate proportionate share of the costs of public school capital facilities needed to serve new growth and development to be funded by school impact fees based on the factors defined in ACC 19.02.020.

Effective January 1, ~~2017~~2018, or the effective date of this ordinance whichever is later, the school impact fee shall be as follows:

Per Single-Family Dwelling Unit ~~\$3,198.00~~\$6,842.00

Per Multifamily Dwelling Unit ~~\$8,386.00~~\$20,086.00

(Ord. 6627 § 1, 2016; Ord. 6581 § 4, 2016; Ord. 6542 § 4, 2014; Ord. 6488 § 4, 2013; Ord. 6445 § 4, 2012; Ord. 6393 § 4, 2011; Ord. 6341 § 2, 2011; Ord. 6340 § 4, 2010; Ord. 6279 § 4, 2009; Ord. 6214 § 4, 2008; Ord. 6134 § 4, 2007; Ord. 6060 § 4, 2006; Ord. 6042 § 1, 2006.)

Section 5. Constitutionality and Invalidity. If any section, subsection sentence, clause, phrase or portion of this Ordinance, is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 6. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 7. Implementation. The Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 8. Effective Date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

CITY OF AUBURN

ATTEST:

NANCY BACKUS, MAYOR

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6669 (Faber)

Date:

November 28, 2017

Department:

Parks/Art and Recreation

Attachments:

[Ordinance No. 6669](#)

Budget Impact:**Administrative Recommendation:**

City Council adopt Ordinance No. 6669.

Background Summary:

The ordinance modifies the existing requirement of the Auburn Poet Laureate to broaden the residency requirements or geographical restriction and allows the selection and recruitment of a Poet Laureate to be based on their work, the quality and subject matter, their involvement in the literary community, and how their experiences and sensibilities could relate to Auburn. The residency requirement is extended to north Pierce and South King County.

Reviewed by Council Committees:**Councilmember:**

Meeting Date: December 4, 2017

Staff:

Item Number: ORD.F

ORDINANCE NO. 6 6 6 9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING SECTION 2.82.020
OF THE AUBURN CITY CODE RELATING TO THE
AUBURN POET LAUREATE

WHEREAS, the study of literature forms a vital part of our shared and diverse culture; and

WHEREAS, the City of Auburn has an active and united community; and

WHEREAS, the City Council has provided for the appointment of a Poet Laureate to encourage the appreciation of poetry and literary life in Auburn with the adoption of Ordinance No. 6383 and creation of Chapter 2.82 of the City Code; and

WHEREAS, in order to assure the City of a broad pool of poetic talent for the appointment of a person to fill the poet laureate position, it would be appropriate to amend the qualification criteria, allowing for individuals involved in the Auburn creative community, even if not a resident of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code.

That Section 2.82.020 of the

Auburn City Code be and the same hereby is amended to read as follows:

2.82.020 Qualifications, Appointment, and Term of Office.

A. The Poet Laureate shall be at least 18 years old, be still living at the time of his or her appointment, ~~have been~~ be a resident of South King County or North Pierce County and shall have been actively engaged in Auburn's creative community for at least one year prior to appointment, and shall have demonstrated the following:

1. Excellence as evidenced by the submitted poetry sample.
2. Exemplary professionalism as evidenced by an established history of publication in journals and books, special honors, awards, fellowships, and/or other recognition;

3. Advancement of poetry in Auburn communities as evidenced by a history of activity in Auburn's literary community through readings, publications, public presentations and/or teaching.

Employees (or members of their immediate family or household) of the City of Auburn, and members or staff (or members of their immediate family or household) are ineligible.

B. The Poet Laureate shall be appointed by the Mayor from three finalists chosen by the Auburn Arts Commission. The Arts Commission is authorized to promulgate rules and procedures consistent with this Chapter for the purpose of conducting the nomination process.

C. The term of appointment shall be for three years. Provided, that the Mayor may remove the incumbent without cause.

D. The Poet Laureate shall serve without compensation.

Section 2. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. Effective date. This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

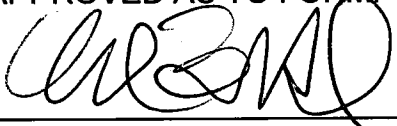
CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5330 (Snyder)

Date:

November 28, 2017

Department:

Community Development &
Public Works

Attachments:

[Resolution No. 5330](#)
[Exhibit I - Deed Restriction - Restrictive
Covenant](#)
[Exhibit A - Exhibit A Legal Description to Exhibit
I](#)

Budget Impact:**Administrative Recommendation:**

City Council to adopt Resolution No. 5330.

Background Summary:

In May 2014, the City of Auburn was awarded a \$532,000.00 Competitive Floodplain Management and Control Grant (Agreement No. G1400661 – Mill Creek Restoration Project) from the Washington State Department of Ecology appropriated through the 2013 Washington State legislature under §3069 of the Capital Budget for purchase price and real estate transaction costs and pre-construction activities (invasive species removal) for the Mill Creek Wetland 5K Ecosystem Restoration Project. The Auburn City Council adopted Resolution No. 5083 on July 21, 2014, authorizing the purchase of approximately 21.12 acres of land comprised of four (4) parcels from Willis M. Calhoun and Carolyn M. Calhoun, husband and wife, adjacent to Mill Creek within the corporate municipal limits of the City of Auburn, King County, Washington. The City of Auburn purchased the 21.12 acres from Willis M. Calhoun and Carolyn M. Calhoun for \$511,979.04 utilizing the awarded Competitive Floodplain Management and Control Grant. The City of Auburn utilized remaining awarded grant funds to support needed pre-construction activities that consisted of invasive species removal. The Washington State Department of Ecology required the City of Auburn, as a condition of grant acceptance, to execute and record deed placing a restrictive covenant on the purchased properties. The recorded deed restriction – restrictive covenant is intended to enable floodplain protection and/or restoration and to prevent future development of the affected parcels of land.

The deed restriction and legal description were reviewed by the City Attorney's Office and the Washington Department of Ecology. Resolution No. 5330 is currently scheduled for City Council consideration at its December 4, 2017 regular meeting. If approved by the City Council, the deed restriction will be signed by Mayor Backus and recorded with the King County Recorder's Office and transmitted to the Washington State Department of Ecology.

Reviewed by Council Committees:

Other: Legal

Councilmember:

Staff:

Snyder

Meeting Date: December 4, 2017

Item Number:

RES.A

RESOLUTION NO. 5 3 3 0

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, AUTHORIZING
THE MAYOR TO EXECUTE THE DEED
RESTRICTION-RESTRICTIVE COVENANT FOR CITY-
OWNED PARCELS 1221049037, 1221049038,
1221049039, 1221049007 REQUIRED AS A
CONDITION OF WASHINGTON DEPARTMENT OF
ECOLOGY GRANT FUNDING

WHEREAS, in May 2014, the City of Auburn was awarded a \$532,000.00 Competitive Floodplain Management and Control Grant (Agreement No. G1400661 – Mill Creek Restoration Project) from the Washington State Department of Ecology appropriated through the 2013 Washington State legislature under §3069 of the Capital Budget for purchase price and real estate transaction costs and pre-construction activities (invasive species removal); and

WHEREAS, the Auburn City Council adopted Resolution No. 5083 on July 21, 2014, authorizing the purchase of approximately 21.12 acres of land comprised of four (4) parcels from Willis M. Calhoun and Carolyn M. Calhoun, husband and wife, adjacent to Mill Creek within the corporate municipal limits of the City of Auburn, King County, Washington; and

WHEREAS, the City of Auburn purchased the 21.12 acres from Willis M. Calhoun and Carolyn M. Calhoun for \$511,979.04 in July 2014; and

WHEREAS, the City of Auburn utilized remaining authorized grant funds to support needed pre-construction activities; and,

WHEREAS, the Washington State Department of Ecology required the City of Auburn to execute and record a deed placing a restrictive covenant on the purchased properties as a condition of grant acceptance; and

WHEREAS, the City of Auburn has prepared a deed restriction – restrictive covenant suitable to meet the requirements of the Washington State Department of Ecology Competitive Floodplain Management and Control Grant Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, HEREBY RESOLVES as follows:

Section 1 Authorization to Execute. That the Mayor is authorized to execute and have recorded the Deed Restriction – Restrictive Covenant to meet the requirements of the Washington State Department of Ecology Competitive Floodplain Management and Control Grant Program in substantial conformity with the document and any and all of its affiliated exhibits attached hereto, marked as Exhibit "I" and incorporated herein by this reference.

Section 2. Implementation of Other Administrative Procedures. That the Mayor is authorized to implement such other administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. Full Force and Effect. This Resolution shall be in full force and effect upon passage and signatures hereon.

SIGNED and DATED this _____ day of _____, 2017

CITY OF AUBURN

NANCY BACKUS, Mayor

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

Return Address:
Adam P. Sant
Floodplain Project Manager
SEA Program, Headquarters
Washington State Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Above this line reserved for recording information.

DEED RESTRICTION - RESTRICTIVE COVENANT

(City of Auburn, WA Mill Creek Restoration Project, Washington Department of Ecology
Grant No. G1400661)

Reference # (if applicable):	N/A
Dedicator:	City of Auburn
Legal Description/STR:	Lots 2, 3, 4 and Tract "B" of City of Auburn Short Plat Number SP 2-86 recorded under Recording No. 8606050395
Assessor's Tax Parcel ID#:	1221049037, 1221049038, 1221049039, 1221049007

This Deed Restriction - Restrictive Covenant for the purposes of Floodplain Protection and/or Restoration (referred to hereinafter as "DEED RESTRICTION") is made and entered into this ____ day of _____, 2017, by the CITY OF AUBURN, a Washington Municipal Corporation organized under Title 35A RCW, hereinafter referred to as the "CITY".

WHEREAS, the CITY is owner in fee simple of certain real property purchased in August 2014 located in the City of Auburn, King County, Washington, legally described on Exhibit A attached hereto and incorporated herein by reference, which properties are intended to be subject to this DEED RESTRICTION and burdened in perpetuity with this DEED RESTRICTION ("SUBJECT PROPERTY"); and

WHEREAS, the CITY or the representative of the CITY executing this DEED RESTRICTION has the authority to burden the SUBJECT PROPERTY to certain use restrictions enforceable by the Washington State Department of Ecology

(Ecology). The purpose of this DEED RESTRICTION is to ensure that the SUBJECT PRPOERTY will be used to enable floodplain protection and/or restoration and to prevent this land from future development. These restrictions are a condition of the grant funding (Grant No. G1400661, Mill Creek Restoration Project) appropriated by the State of Washington Department of Ecology through the 2013 Washington State legislature under §3069 of the Capital Budget; and

WHEREAS, in order to satisfy a grant funding requirement of the July 2014 Ecology Grant Agreement No. G1400661 between the State of Washington Department of Ecology and the City of Auburn, the CITY agrees to record this DEED RESTRICTION to enable floodplain protection and/or restoration and to prevent the SUBJECT PROPERTY from future development for the benefit of public health, safety, and welfare; and

WHEREAS, the CITY understands that preservation of floodplain protection and/or restoration is an essential public health, safety and welfare measure and that this is best accomplished through the prevention of any future development of the affected parcels of land and that floodplain management as stated herein is in conformity with the CITY'S Comprehensive Plan; and

WHEREAS, the CITY has acknowledged the important environmental value of this DEED RESTRICTION and agrees not to undertake any activity which will in any way be inconsistent with floodplain protection and/or restoration on the SUBJECT PROPERTY.

NOW, THEREFORE, in consideration of funding provided by the Washington State Department of Ecology to assist the CITY in purchasing the SUBJECT PROEPTY, the CITY hereby causes to be recorded against the SUBJECT PROPERTY in perpetuity, a DEED RESTRICTION and restrictive covenants to enable floodplain protection and/or restoration and to prevent the SUBJECT PROPERTY from future development for the benefit of the public, as follows:

1. **Authority to Burden Subject Property.** The CITY is the owner in fee simple of the SUBJECT PROPERTY referred to above and has full power and authority to burden the SUBJECT PROPERTY in perpetuity for the benefit of the public.
2. **No Merger.** The rights that are set forth herein are usually secured by means of an easement, but in this instance there is no separate legal entity to which the City can grant such an easement. Since an easement granted by an

entity to itself would merge into the fee ownership, it would have no legal effect. The City intends by recording of this DEED RESTRICTION to provide actual and constructive notice to the successors, assigns, purchasers, transferees, and lessees of the SUBJECT PROPERTY of the restrictions imposed by this DEED RESTRICTION.

3. **Deed Restriction in Perpetuity.** The CITY intends that the restrictions contained in this DEED RESTRICTION not merge into the fee title and thereby be removed or eliminated. The CITY hereby dedicates in perpetuity and covenants that this DEED RESTRICTION shall run with the land included in the SUBJECT PROPERTY legally described in Exhibit A attached hereto. This DEED RESTRICTION shall burden the SUBJECT PROPERTY and benefit the CITY and the public.
4. **Heirs, Successors, and Assigns.** This DEED RESTRICTION shall be binding on the City's heirs, successors, and assigns.
5. **Scope of Deed Restriction.** This DEED RESTRICTION shall allow the CITY to enter upon the SUBJECT PROPERTY for the purposes of constructing, monitoring, maintaining, preserving, and enhancing the SUBJECT PROPERTY legally described on Exhibit "A" attached hereto. The CITY covenants not to in any way impair or interfere with the function and use of the SUBJECT PROPERTY, and the CITY further covenants to take reasonable and necessary steps to restrict access to the SUBJECT PROPERTY and prohibit construction of any structures or artificial surfaces or alteration of any floodplain area within the SUBJECT PROPERTY. No activity of any kind may take place within the SUBJECT PROPERTY without the prior approval by the CITY's Director of Community Development and Public Works or other CITY official authorized by the Mayor of the CITY and prior written notification to the State of Washington Department of Ecology, except the CITY shall be permitted to enter onto the SUBJECT PROPERTY at all reasonable times for monitoring and maintenance purposes.
6. **Use Restrictions for Subject Property.** Uses of the SUBJECT PROPERTY shall be restricted to:
 - a. Restoring the land to natural habitat conditions by removing human structures, materials, waste, etc.;
 - b. Enhancing the river, stream and/or floodplain to protect Mill Creek from flooding;

- c. Planting of the riparian area and/or floodplain;
- d. Providing vegetation management of exotic species (e.g., reed canary grass, purple loosestrife, etc.);
- e. Allowing for maintenance, repair, and necessary reconstruction of the restoration project and all associated elements;
- f. Allowing for pervious site access;
- g. Enhancement of the river, stream, floodplain, and/or riparian area for fish and wildlife habitat; and
- h. Providing open space and recreation.

The restrictions and obligations described above are intended to run with the land and are intended to be binding on any and all persons who acquire an interest in the SUBJECT PROPERTY. In the event the SUBJECT PROPERTY is no longer included as part of the current undeveloped and/or restored floodplain system, CITY fails to manage the property as outlined above, or ownership interest changes, Ecology may, at its sole discretion, direct CITY to either: 1) to sell the property and pay Ecology one hundred (100) percent based on a \$511,979.04 purchase price and Ecology's contribution of \$511,979.04) of the net sales proceeds (sale price minus actual and reasonable selling expenses, if any); OR 2) to pay Ecology either one hundred (100) percent of the current appraised value of the property or \$511,979.04, whichever is higher.

7. **Reserved Rights.** The CITY reserves to itself all rights, title, interest, and obligations incident to ownership of the SUBJECT PROPERTY.
8. **Enforcement.** In the event that the CITY is no longer the owner of the SUBJECT PROPERTY and a violation of the terms of this DEDICATION is noted to the CITY in writing, the CITY shall notify the then-current owner that the owner has thirty (30) days from receipt of said notice to cure the violation. If the owner does not cure the violation, the CITY may initiate an enforcement action as provided for by law. The CITY, at its option, may take action to preserve and protect the SUBJECT PROPERTY and its floodplain protection or floodplain restoration function, after first giving written notice, and, in such case, the reasonable expenses incurred by the CITY shall be recoverable from the party that is found to be in violation of this DEDICATION.

9. **Costs and Liabilities.** The CITY retains all responsibilities and will bear all costs and liabilities of any kind related to or incidental to the ownership of the SUBJECT PROPERTY and agrees to pay all assessments and taxation (if any) against said SUBJECT PROPERTY assessed by any governmental authority as they become due for as long as the CITY remains the fee owner of the SUBJECT PROPERTY.
10. **Recordation.** The CITY agrees to incorporate the terms of this Agreement in any deed, lease or other agreement which divests the CITY of any interest in any portion of the SUBJECT PROPERTY. The CITY shall record this Dedication immediately in the Office of the King County Department of Records and Elections.
11. **Construction.** This DEDICATION shall be liberally construed to effect the purpose and intent hereof.
12. **Severability.** If any provision of this DEDICATION is ruled invalid or unenforceable for any reason by a court of competent jurisdiction, the remaining provisions hereof shall remain in force and effect.

This DEED RESTRICTION shall be effective as of the date first written above.

DEED RESTRICTOR:

CITY OF AUBURN, a municipal corporation

By: _____

Name: Nancy Backus

Title: Mayor

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I certify that I know or have satisfactory evidence that NANCY BACKUS was the person who appeared before me, and said person acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the MAYOR of the CITY OF AUBURN to be the free and voluntary act of said city for the uses and purposes mentioned in this instrument.

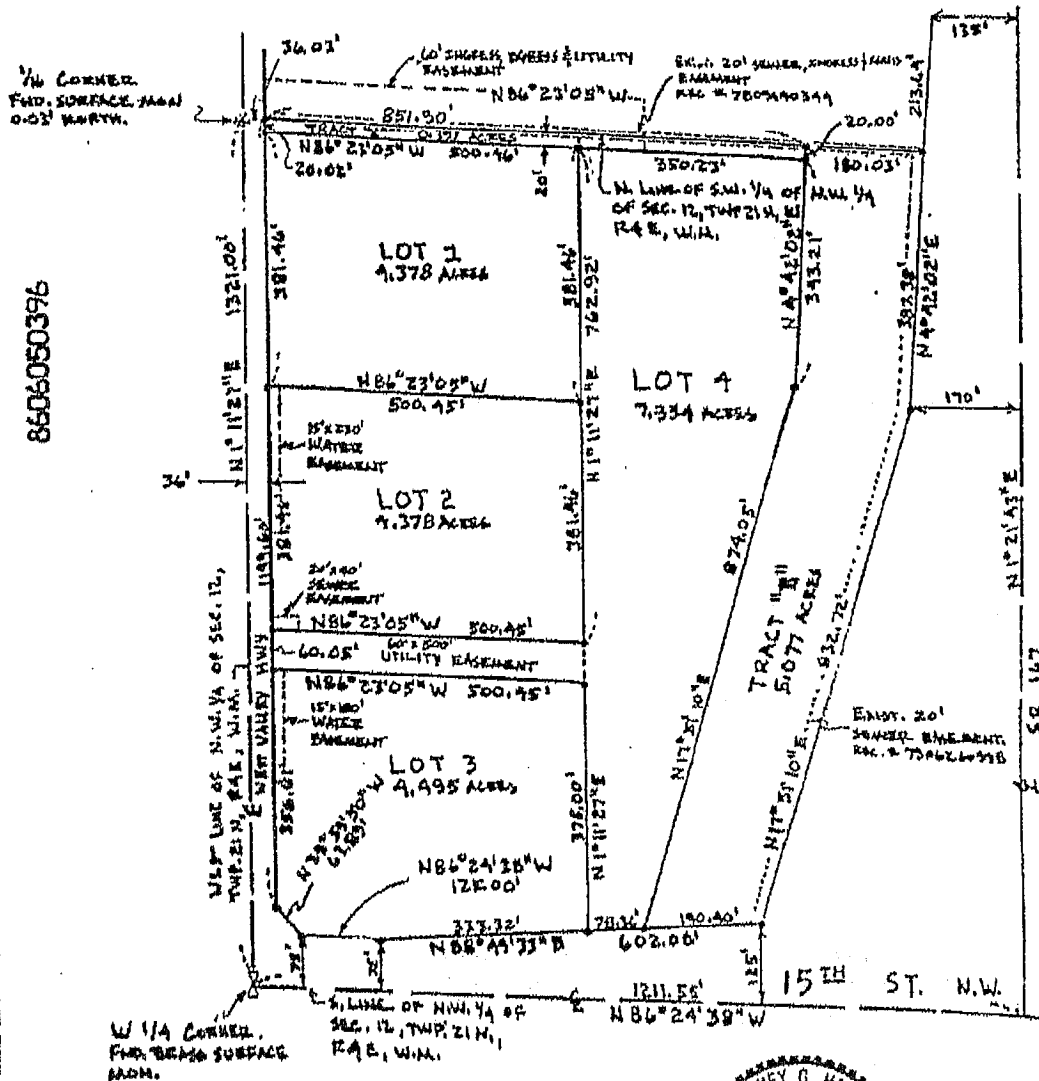
Dated _____

Notary Public in and for the State of Washington
Residing at _____
My appointment expires: _____

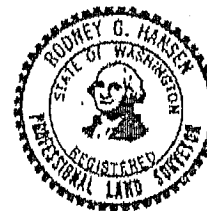
Exhibit "A"

SHORT SUBDIVISION NO. SP-2-86

PLEASE NOTE: ALL EXISTING STRUCTURES MUST BE IDENTIFIED AND LOCATED, AND ALL SETBACKS INDICATED, THAT ARE SITUATED WITHIN THE SHORT SUBDIVISION.



NOTE: NO DIRECT ACCESS IS ALLOWED TO 15TH AVE. N.W. & ACCESS TO W. VALLEY HWY. IS LIMITED TO ONE PER LOT. ACCESS WIDTH SHALL BE 45' FOR LOTS 1, 2, AND 3.

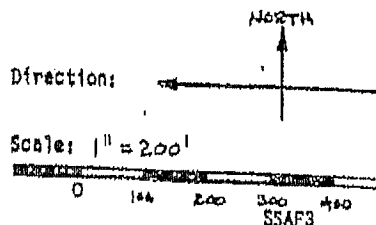


Land Surveyor's Certificate:

This short subdivision correctly represents a survey made by me or under my direction in conformance with the requirements of appropriate State and County statute and ordinance.

Date 5-13-86 Signature R. G. Hansen

Certificate No.: 211661



SP-2-86

ATTACHMENT "A"

LEGAL DESCRIPTIONS:

TOTAL PARCEL:

8606050396
The Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington; EXCEPT the West 30 feet for Road Number 69 as conveyed to King County by Recording Number 694380; EXCEPT the East 6 feet of the West 36 feet as conveyed to the City of Auburn for 68th. Avenue South by deeds recorded under Recording Numbers 8107150751 and 8107150752;

EXCEPT that portion thereof condemned in King County Superior Court Cause Number 718093 for State Highway SR 167;
ALSO EXCEPT that portion thereof condemned in King County Superior Court Cause Number 733305 for 15th. Street Northeast and Northwest in the City of Auburn.

LOT 1:

The North 401.12 feet of the East 500.00 feet of the West 536.00 feet of the Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington; EXCEPT the North 20.00 feet thereof.

LOT 2:

The South 381.12 feet of the North 782.24 feet of the East 500.00 feet of the West 536.00 feet of the Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington.

SUBJECT to an easement for waterline purposes over, under and across the West 15 feet of the North 230 feet of said Lot 2 as described above;
ALSO SUBJECT to an easement for sanitary sewer purposes over, under and across the South 20 feet of the West 40 feet of said Lot 2 as described above.

LOT 3:

The East 500.00 feet of the West 536.00 feet of the Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington; EXCEPT the North 842.24 feet thereof; and EXCEPT that portion thereof condemned in King County Superior Court Cause Number 733305 for 15th. Street Northeast and Northwest in the City of Auburn.

SUBJECT to an easement for waterline purposes over, under and across the West 15 feet of the North 180 feet of said Lot 3 as described above.

SP-2-86

ATTACHMENT "A"

LEGAL DESCRIPTIONS CONT:

LOT 4:

The Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington; EXCEPT the West 536.00 feet thereof; and EXCEPT the North 20.00 feet thereof; EXCEPT that portion thereof condemned in King County Superior Court Cause Number 718093 for State Highway SR 167; and EXCEPT that portion thereof condemned in King County Superior Court Cause Number 733305 for 15th. Street Northeast and Northwest in the City of Auburn; ALSO EXCEPT "TRACT B" as described below; TOGETHER WITH the South 60.00 feet of the North 842.24 feet of the East 500.00 feet of the West 536.00 feet of said Southwest Quarter; TOGETHER WITH an easement for ingress and egress and utilities over, under and across the South 60.00 feet of the East 600.00 feet of the West 636.00 feet of the Northwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington; SUBJECT TO an easement for utilities over, under and across the South 60.00 feet of the North 842.24 feet of the East 500.00 feet of the West 536.00 feet of said Southwest Quarter.

TRACT "B":

That portion of the Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington, described as follows:

Beginning at the intersection of the North line of said Southwest Quarter with the West margin of SR 167 as condemned in King County Superior Court Cause Number 718093; thence West along said North line 180.05 feet; thence S 4°42'02"W parallel with said West margin 363.21 feet; thence S 17°51'10"W parallel with said West margin 874.05 feet to the North margin of 15th. Street Northwest as condemned in King County Superior Court Cause Number 733305; thence East along said North margin of 15th. Street Northwest to the West margin of SR 167; thence North along said West margin to the point of beginning.

TRACT "X":

The North 20.00 feet of the Southwest Quarter of the Northwest Quarter of Section 12, Township 21 North, Range 4 East, Willamette Meridian, in King County, Washington, lying West of "TRACT B" as described above; EXCEPT the West 36.00 feet of said Southwest Quarter.

XX
XX

SUBJECT TO a storm drainage easement over, under and across said Tract "X" as described above.



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5331 (Snyder)

Date:

November 28, 2017

Department:

Community Development &
Public Works

Attachments:

[Resolution No. 5331](#)

[Exhibit A - 2018 VRFA Fee Schedule](#)

Budget Impact:**Administrative Recommendation:**

City Council adopt Resolution No. 5331.

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

Other: Legal

Councilmember:**Staff:**

Snyder

Meeting Date: December 4, 2017

Item Number:

RES.B

RESOLUTION NO. 5331

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF AUBURN, WASHINGTON, ENDORSING
USE OF THE 2018 VALLEY REGIONAL FIRE
AUTHORITY FEE SCHEDULE AS ADOPTED BY
THE VRFA BOARD OF GOVERNANCE

WHEREAS, the Valley Regional Fire Authority (VRFA) was established in 2007 under the authority of RCW 52.26 and operates as a separate municipal corporation, with independent taxing authority, and within an independent taxing district; and

WHEREAS, VRFA serves the cities of Algona, Auburn, and Pacific and is guided by a Governance Board comprised of elected officials representing each city; and

WHEREAS, the VRFA Governance Board has adopted an updated fee schedule for 2018 the covers a portion of the direct cost of permit review, plan review, and inspection services performed out of the Fire Marshal's office; and

WHEREAS, the City of Auburn collects direct service fees on behalf of VRFA in order to support the concept of a one-stop-shop for development and permitting services; and

WHEREAS, in order to collect direct service fees on behalf of VRFA, the City of Auburn must incorporate VRFA fees into city procedures, city permitting software systems, and city financial systems.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
HEREBY RESOLVES as follows:

Section 1. The Valley Regional Fire Authority Fee Schedule is hereby adopted as set forth in the attached "Exhibit A" and

Section 2. The Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. That this Resolution shall take effect and be in full force upon passage and signatures hereon and on January 1, 2018.

Dated and Signed this _____ day of _____, 2017.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

Exhibit A

Valley Regional Fire Authority 2018 Fee Schedule		
Effective January 1, 2018 and will remain in effect unless amended by the VRFA Board of Governance		
	Activity	Fee
1	Building Department Review (Includes Initial Inspection)	
1.1	Commercial Occupancy Review	35% of Jurisdictional Fee ¹
1.2	Multi-Family Occupancy Review (R2)	20% of Jurisdictional Fee ¹
1.3	Other Permit Fees (mechanical, plumbing etc...)	\$216.00 ³
1.4	Revisions to previously reviewed plans	\$216.00 ³
1.5	Single Family Occupancy Review (R3)	15% of Jurisdictional Fee ²
2	Land Use Reviews	
2.1	Boundary Line Adjustment	\$108.00 ³
2.2	Civil Reviews (hydrant placement, fire flow, fire department access, grading)	\$216.00 ³
2.3	Preliminary Plat and Plat Reviews (subdivisions)	\$216.00 ³
2.4	Other Permit Fees (miscellaneous, administrative, etc...)	\$108.00 ³
2.5	SEPA review	\$216.00 ³
2.6	Short Plat Review	\$216.00 ³
2.7	Variances	\$108.00 ³
2.8	Water Availability Reviews	\$108.00 ³
3	Fire Protection Systems (Includes Plan Review and Initial 2 Inspections) ⁴	
3.1	Commercial Automatic Fire Protection System (Fire Sprinkler)	\$356.00 + \$0.75 per sprinkler head over 10 heads ³
3.2	Commercial and Residential Automatic Fire Protection System (Underground Fire Sprinkler Line) (WAC 105.7.20)	\$356.00 per system / building ³
3.3	Commercial Automatic or Manual Fire Alarm Systems	\$356.00 + \$5.00 per device over 5 devices ³
3.4	Commercial Kitchen Fire Protection System	\$356.00 + \$0.75 per sprinkler head over 10 heads ³
3.5	Commercial: Other Fire Protection Systems (clean agent, FM200, wet or dry chemical, CO2, foam, mist, inert gas, and other systems)	\$356.00 + \$0.75 per sprinkler head over 10 heads ³
3.6	Emergency Responder Radio Coverage System (DAS)	\$356.00 + \$0.75 per device ³
3.7	Fireworks Display Permit	\$356.00 ³
3.8	Fireworks Sales Permit	\$108.00 ³

	Activity	Fee
3.9	Other Miscellaneous Plan Review not listed	\$356.00 ³
3.10	Over the Counter Permit (fire sprinkler with less than 10 sprinkler heads, or fire alarm with less than 5 devices)	\$108.00 ³
3.11	Residential (R3) Fire Sprinkler System	\$108.00 + \$0.75 per device over 10 devices ³
	Spray Booth Installation	
3.12	Spray Booth Fire Protection System	\$356.00 + \$0.75 per device over 10 devices ³
3.13	Spray Booth Fire Alarm System	\$356.00 + \$5.00 per device over 5 devices ³
4	Other Fire Permits (Includes Plan Review and Initial 2 inspections)⁴	
4.1	Battery Systems	\$648.00 ³
4.2	New Business License Review	Included with Fire Benefit Charge
4.3	Compressed Gases	\$648.00 ³
4.4	Cryogenic Fluids	\$648.00 ³
4.5	Fire Pump & Equipment	\$648.00 ³
4.6	Flammable and Combustible Liquids (including above ground tanks, below ground tanks, dip tanks, etc...)	\$648.00 ³
4.7	Hazardous Materials Facility	\$648.00 ³
4.8	Industrial Ovens	\$648.00 ³
4.9	LP Gas Commercial	\$648.00 ³
4.10	LP Gas Residential	\$356.00 ³
4.11	Marijuana Extraction Systems (WAC 105.7.19)	\$648.00 ³
4.12	Commercial Heating Tank Removal	\$356.00 ³
4.13	Residential Home Heating Tank Removal	\$108.00 ³
4.14	Solar Photovoltaic Power Systems, Residential	\$393.00 ³
4.15	Solar Photovoltaic Power Systems, Commercial	\$648.00 ³
4.16	Temporary Tent/Membrane Structure > 400 square feet	\$216.00 ³
4.17	Working without a permit or ahead of the permit	Double the permit and inspection fee
5	Inspection Fees	
5.1	Initial Inspection	Included in the permit fee
5.2	1st Re-inspection	Included in the permit fee
5.3	2nd Re-inspection	\$216 for first 2 hours ³
5.4	Any subsequent (after 2nd) re-inspection	\$216 for first 2 hours ³

	Activity	Fee
5.5	After Hours Inspection (Outside of normal business hours)	\$162.00 per hour (2 hour minimum) ³
5.6	Progressive Inspections (beyond the first 2 inspections)	\$108.00 per hour (2 hour minimum) ³
5.7	Re-inspection (due to a failure to cancel appointment or work not ready for inspection at time of appointment)	\$108.00 per hour (2 hour minimum) ³
6	Pre-Application Fees	
6.1	Pre-Application Fees	Included with Fire Benefit Charge
7	Consultant Fees	
7.1	Use of Outside Consultants for Plan Review and Inspection, and Rapid Access Equipment	Actual Costs
8	Other Fire Authority Fees	
8.1	Fire Ambulance Transport Fee	\$821.26
8.2	Fire Ambulance Transport Mileage Fee	\$16.87 per mile
	False Alarm Responses (within a calendar year)	
8.3	Preventable Nuisance or Malfunction Alarm - 1st and 2nd violation	No Penalty
8.4	Preventable Nuisance or Malfunction Alarm - 3rd violation	\$75.00
8.5	Preventable Nuisance or Malfunction Alarm - 4 or more violations	\$150.00
9	Public Records Requests RCW70.020.010 & WAC 246-08-400	
	Description	Rate (effective 01/01/2018)
9.1	General Records - paper copies	\$0.15 per page
9.2	General Records - electronic copies	\$0.10 per page + cost of media
9.3	Medical Incident Reports - Clerical Fee	\$25.00 per report
9.4	Medical Incident Reports - paper copies - Pages 1-30	\$1.12 per page
9.5	Medical Incident Reports - paper copies - Pages 31+	\$0.84 per page
9.6	Medical Incident Reports - electronic copies	\$0.10 per page + cost of media
9.7	Records mailed or shipped	Actual cost of postage and container
9.8	Video and audio tapes	Actual cost to reproduce
10	Classes and Training	
10.1	Public CPR Certification Training	\$25.00 per student

11	OPERATIONAL PERMITS	
The International Fire Code 105.6 Required Operational Permits authorizes the fire code official to issue operational permits for operations listed below.		
	Permit type	Fee
11.1	Aerosol products	Included with the Fire Benefit Charge
11.2	Amusement building	Included with the Fire Benefit Charge
11.3	Aviation facilities	Included with the Fire Benefit Charge
11.4	Carbon dioxide systems	Included with the Fire Benefit Charge
11.5	Carnivals and fairs	Included with the Fire Benefit Charge
11.6	Combustible dust producing operations	Included with the Fire Benefit Charge
11.7	Combustible fibers	Included with the Fire Benefit Charge
11.8	Compressed gases	Included with the Fire Benefit Charge
11.9	Cover and open mall buildings	Included with the Fire Benefit Charge
11.10	Cryogenic fluids	Included with the Fire Benefit Charge
11.11	Cutting and welding	Included with the Fire Benefit Charge
11.12	Dry cleaning	Included with the Fire Benefit Charge
11.13	Exhibits and trade shows	Included with the Fire Benefit Charge
11.14	Explosives	Included with the Fire Benefit Charge
11.15	Flammable and combustible liquids	Included with the Fire Benefit Charge
11.16	Fruit and crop ripening	Included with the Fire Benefit Charge
11.17	Fumigation and insecticidal fogging	Included with the Fire Benefit Charge
11.18	Hazardous materials	Included with the Fire Benefit Charge
11.19	High piled storage	Included with the Fire Benefit Charge
11.20	Hot work operations	Included with the Fire Benefit Charge
11.21	Industrial ovens	Included with the Fire Benefit Charge
11.22	Lumber yards and woodworking plants	Included with the Fire Benefit Charge
11.23	Liquid or gas fueled vehicles or equipment in assembly buildings	Included with the Fire Benefit Charge
11.24	Liquid Petroleum (LP) gas	Included with the Fire Benefit Charge
11.25	Magnesium	Included with the Fire Benefit Charge
11.26	Miscellaneous combustible storage (tires, empty packing cases, rubber)	Included with the Fire Benefit Charge
11.27	Motor fuel dispensing facilities	Included with the Fire Benefit Charge
11.28	Organic coatings	Included with the Fire Benefit Charge
11.29	Place of assembly	Included with the Fire Benefit Charge
11.30	Private fire hydrants	Included with the Fire Benefit Charge
11.31	Refrigeration equipment	Included with the Fire Benefit Charge
11.32	Repair garages and motor fuel dispensing facilities	Included with the Fire Benefit Charge
11.33	Spraying or dipping operation using flammable or combustible liquids or powders	Included with the Fire Benefit Charge
11.34	Storage of tires, scrap tires, and by-products or rebuilding plants	Included with the Fire Benefit Charge
11.35	Temporary membrane structure and tents	Included with the Fire Benefit Charge
11.36	Waste handling	Included with the Fire Benefit Charge
11.37	Wood products	Included with the Fire Benefit Charge
11.38	Commercial kitchens with type I or type II hoods (ACC 10.36A.025)	Included with the Fire Benefit Charge

Explanatory notes:

1. The VRFA establishes its review and inspection fees on a percentage of the permit fee assessed by the authority having jurisdiction. Using a percentage of the jurisdictional fee as the basis of VRFA fees eliminates the need to adjust the VRFA fee schedule every time a jurisdictional fee changes.
2. The fee only applies to single family occupancies that require fire protection systems.
3. Hourly rate is based on the direct costs of VRFA staff time, salary, benefits, overhead, administrative costs, and resources.
4. Includes plan review and first two inspections.
5. Preventable nuisance and malfunction false alarms exist to reduce unwarranted calls that remove emergency apparatus from service. Though there is no penalty for 1st and 2nd violations, it provides the opportunity for the VRFA to educate owners about any mechanical problems within a system that may not be the fault of occupancy tenants. It further grants the opportunity for repair technicians to correct any deficiencies that may exist. Subsequent false alarms incur a penalty in an attempt to encourage needed repairs of the associated systems.
6. The VRFA Fire Marshal is authorized to reduce or waive any fees for permits. In compelling cases where the applicant - the party responsible for payment of such fees - is an organization exempt from taxation under 26 USC 501(c)(3), and where the permit relates directly to the provision of charitable services to residences of the VRFA service area, the VRFA Fire Marshal is vested with discretion to reduce any fees for permits, publications, and actions by up to 50%.
7. Permits that are not completed and no project improvements are made can, in writing, ask for the inspection fees to be refunded.