



## AGENDA BILL APPROVAL FORM

<b>Agenda Subject:</b> 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		<b>Date:</b> November 28, 2017
<b>Department:</b> Community Development & Public Works Dept.	<b>Attachments:</b> Ordinance # 6667 See separate map amendment & policy/text amendment sections of working binder	<b>Budget Impact:</b> N/A
<b>Administrative Recommendation:</b> 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).		
<b>Background Summary:</b> 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"> <li>Nine policy/text amendments</li> <li>Seventeen map amendments</li> </ul> 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"> <li>CPA17-0001, Comprehensive Plan <b>Text</b> Amendments (P/T) # 1-9 – <b>City-initiated applications</b></li> <li>CPA17-0001, Comprehensive Plan <b>Map</b> Amendment (CPM) # 1–17 - <b>City-initiated applications</b></li> <li>CPA17-0002, Comprehensive Plan <b>Map</b> Amendment – <b>private-initiated application</b></li> </ul> 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.		
<b>Reviewed by Council &amp; Committees:</b> <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%;"> <b>COUNCIL COMMITTEES:</b>  <input type="checkbox"/> Finance  <input type="checkbox"/> Municipal Services  <input type="checkbox"/> Planning &amp; Dev.  <input type="checkbox"/> Public Works  <input type="checkbox"/> Other _____         </div> </div>		<b>Reviewed by Departments &amp; Divisions:</b> <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&amp;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>
<b>Action:</b> 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 ____/____/____		
<b>Councilmember:</b>		<b>Staff:</b> Snyder
<b>Meeting Date:</b> December 4, 2017		<b>Item Number:</b>

## **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).

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**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

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.

**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 <sup>3</sup>	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**

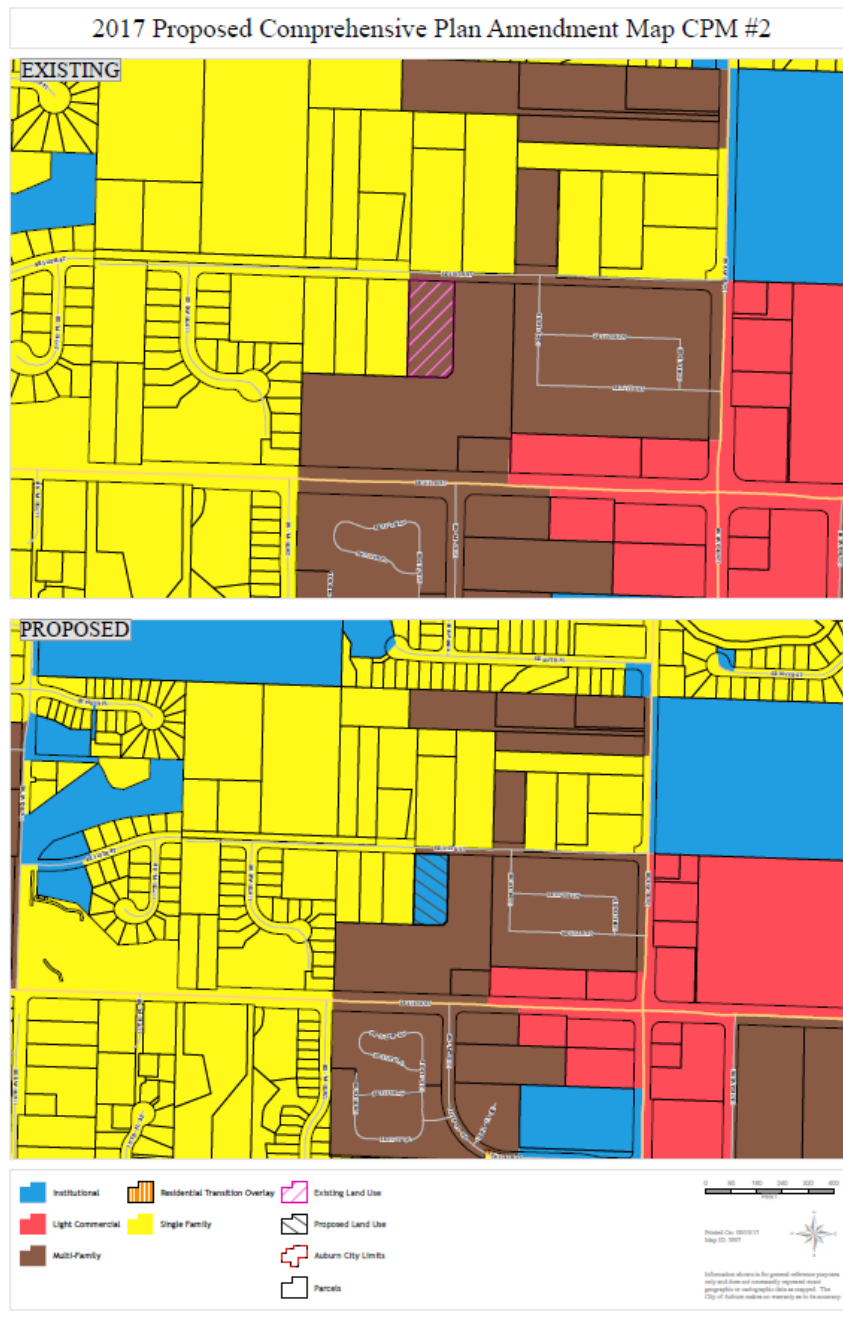
In 1996 the 0.98-acre property was part of a larger 2.23-acre property ownership by Schneider Homes Inc. that was proposed for development as the 'Pasafino Apartments' while in unincorporated King County prior to annexation to the City of Auburn. In 1996 a 'Petition for Annexation Agreement and Declaration 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:

<b>Parcel ID Number/ address</b>	<b>Property owner</b>	<b>Parcel Size</b>	<b>Comprehensive Plan Designation</b>	<b>Zoning Classification</b>	<b>Current Land Use</b>
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**

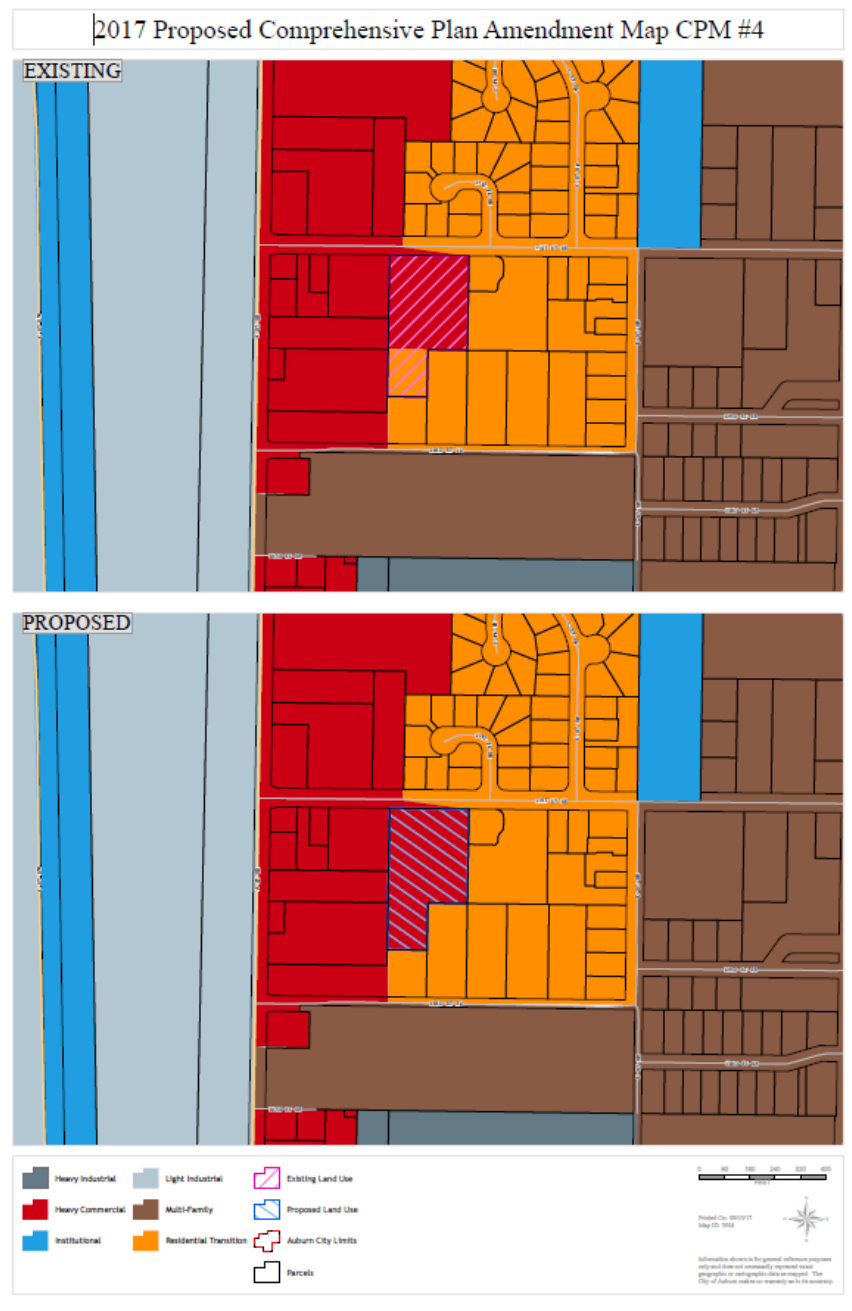
**Change the mapped land use designation of south part of 2.15-acre, privately-owned, developed parcel from "Residential Transition" to "Heavy Commercial".**

**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

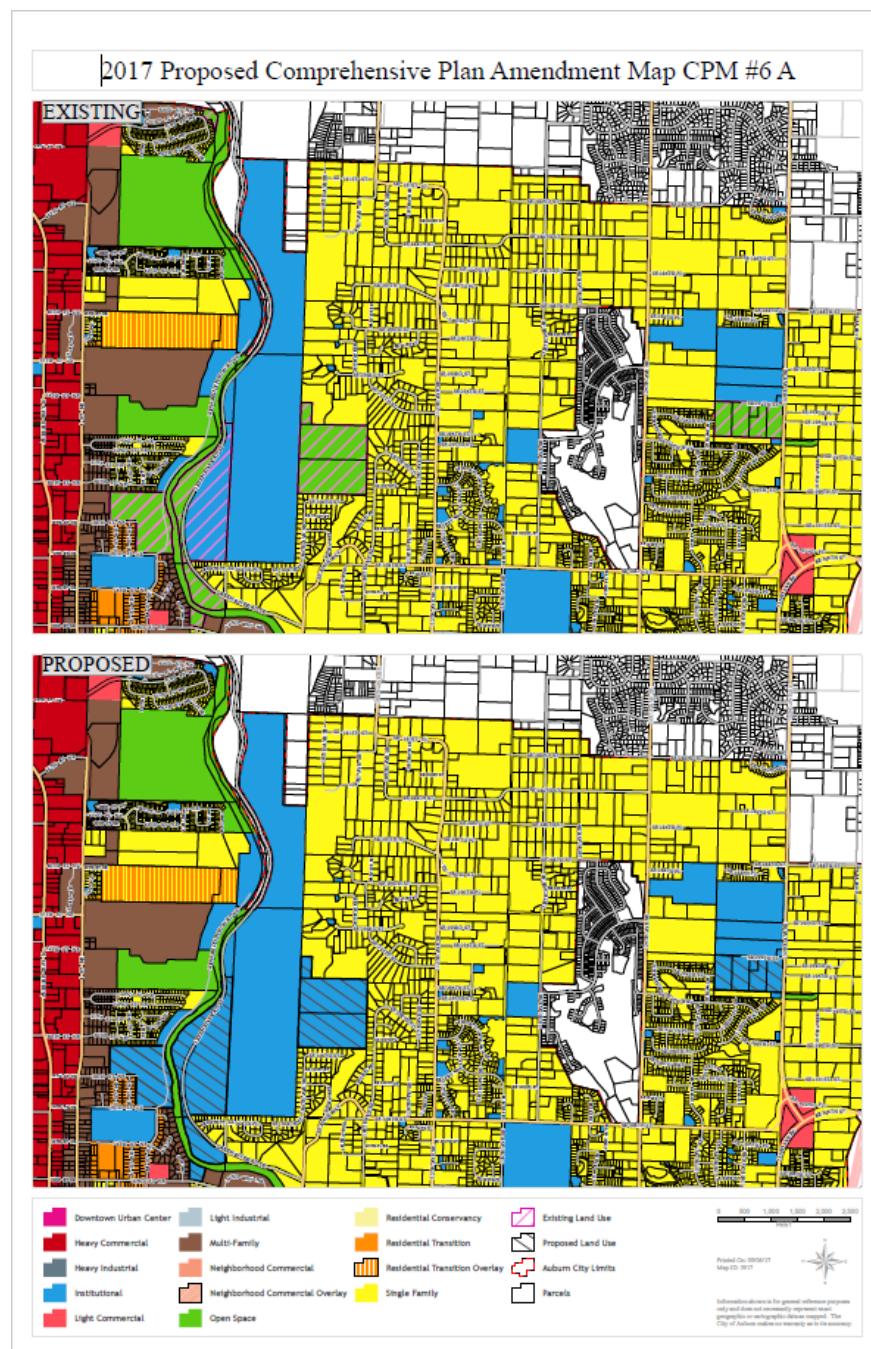
This city-initiated request is to change the land use designation of 46 parcels **46 city-owned, parks properties** from **"Open Space" to "Institutional" land use designation.**

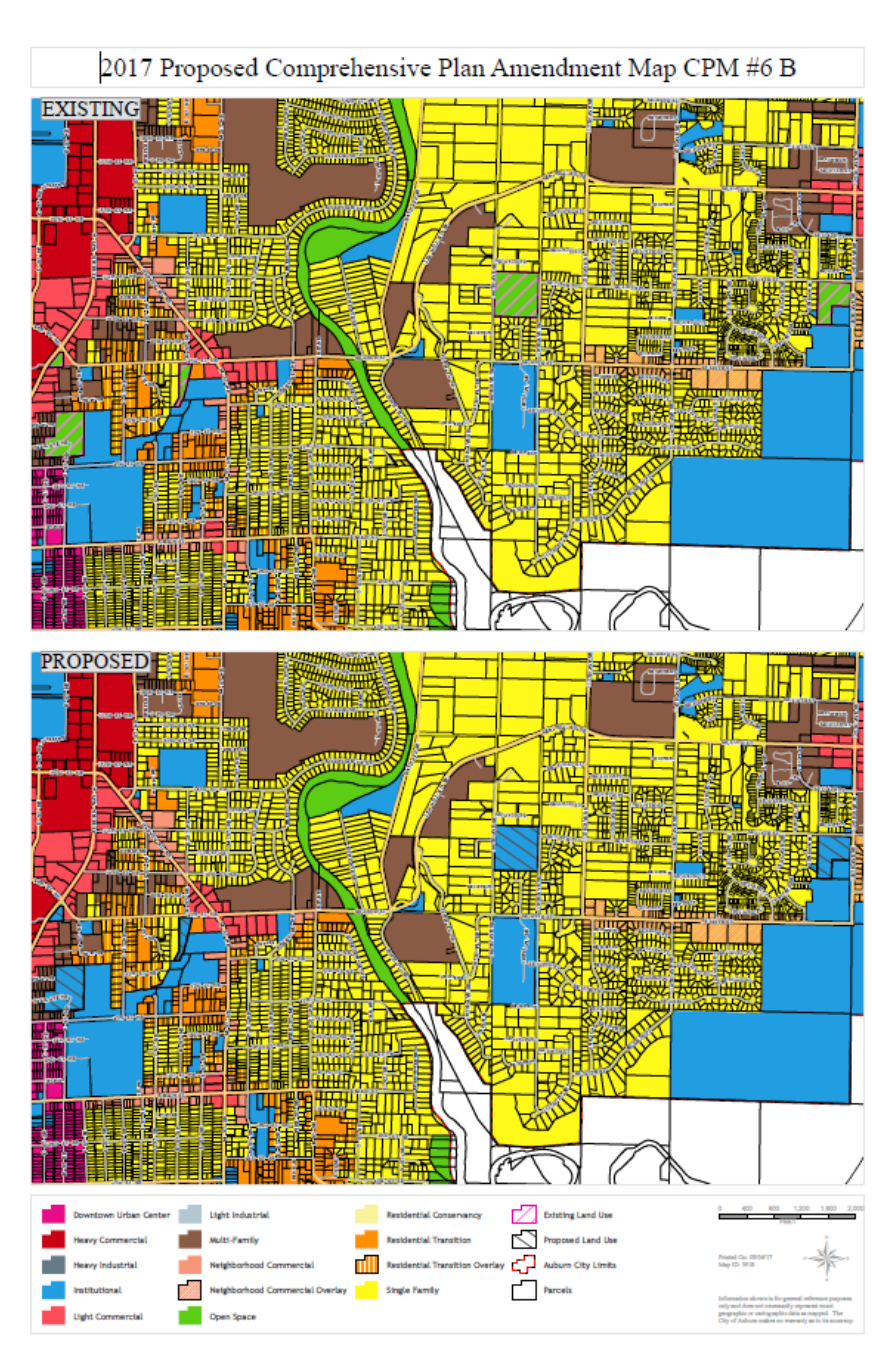


Parcel Nos. 0821059017, 7345300160, 6347000055, 6347000065, 0001000081, 1313500310, 3021059044, 3021059080, 3021059089, 1421049011, 1821059117, 0520061060, 0721059038, 7749501070, 0521059010, 0521059029, 0421059062, 0421059061, 0421059060, 0421059071, 0421059004, 3845000080, 7299602140, 4137070990, 7002181950, 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.

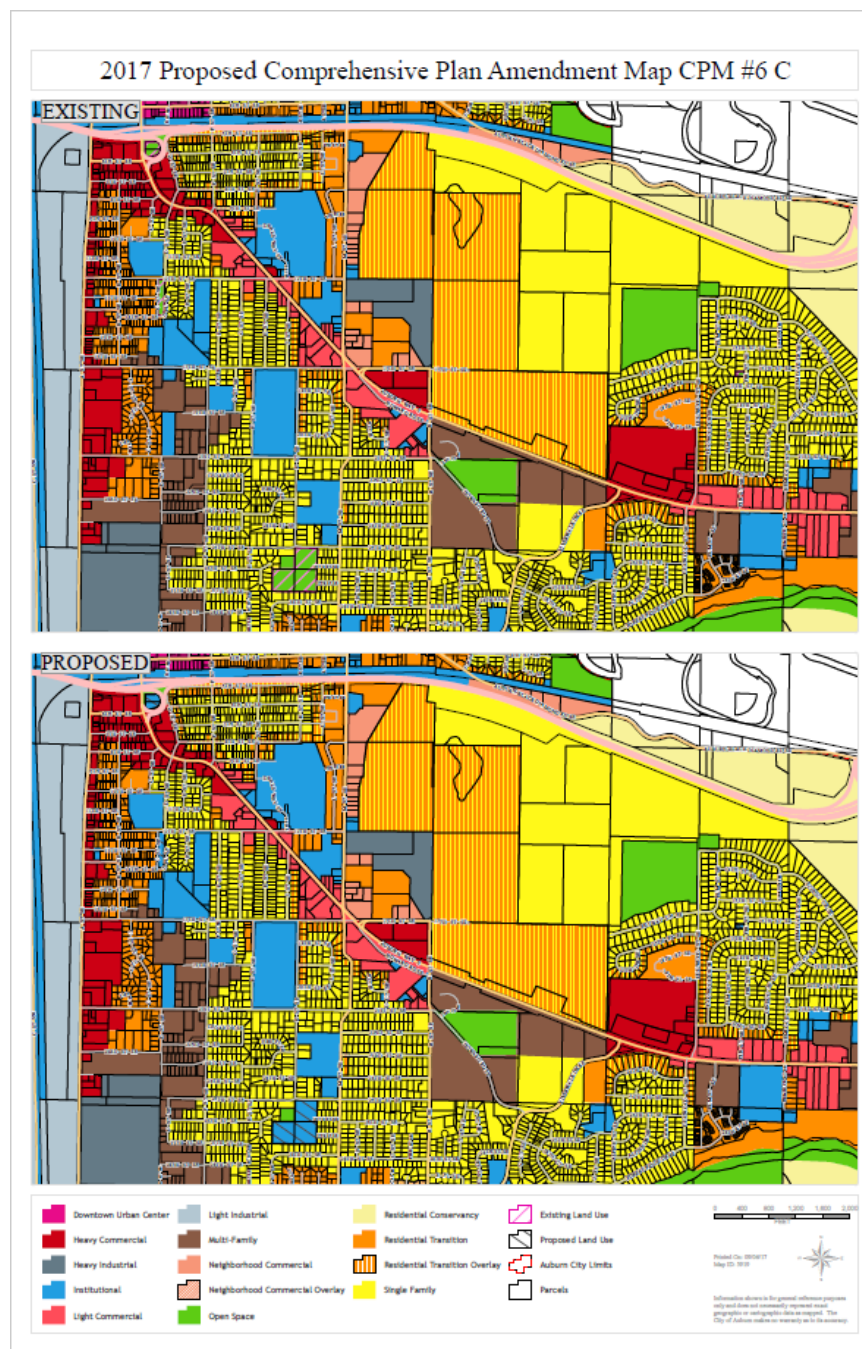
**Staff Recommendation**

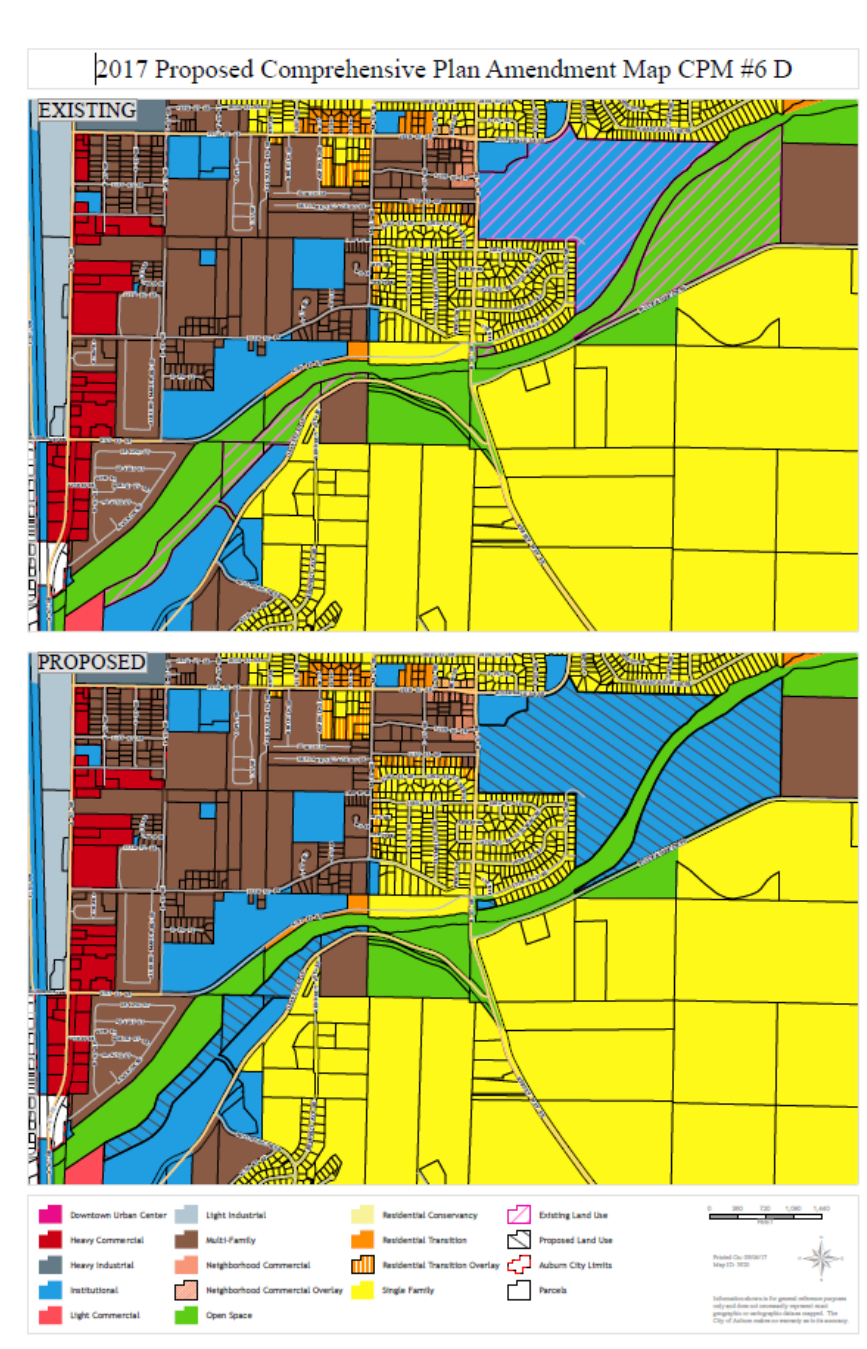
Planning Commission to recommend approval of a map amendment CPM #6 to change the mapped land use designation of multiple City-owned, parks properties from "Open Space" to "Institutional" land use designation and to change the zoning designation (File No. REZ17-0002), to correspond to the "I, Institutional"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



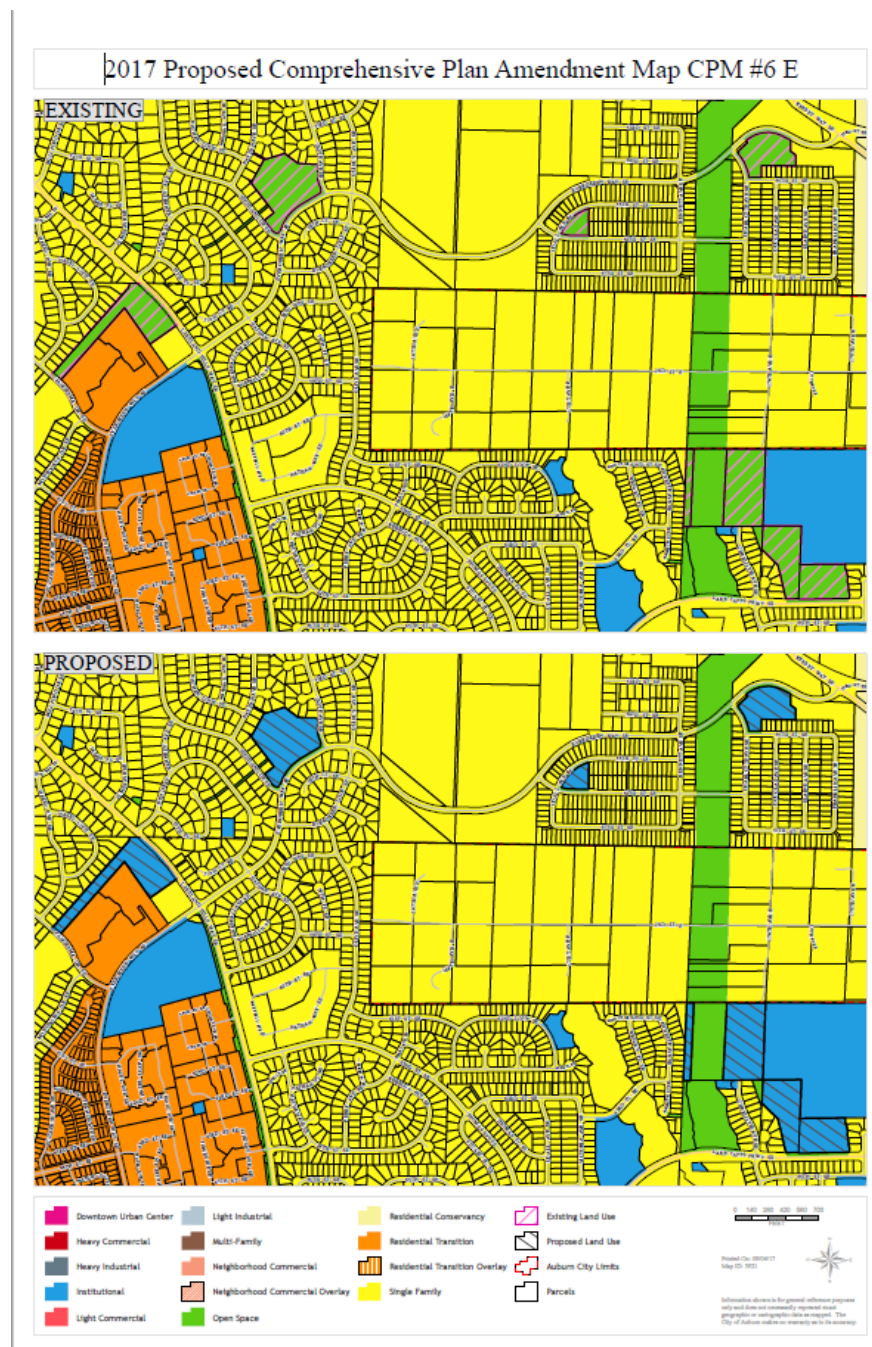


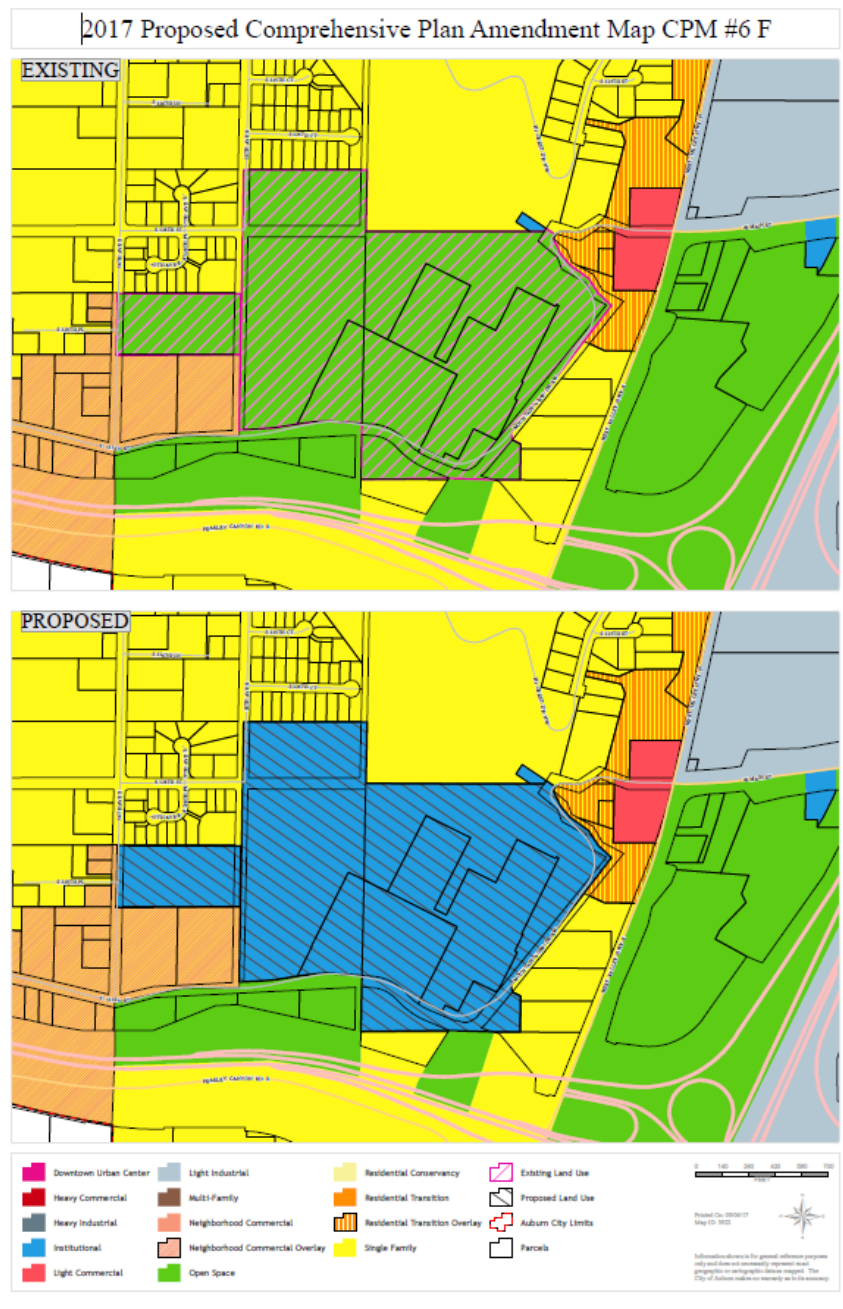


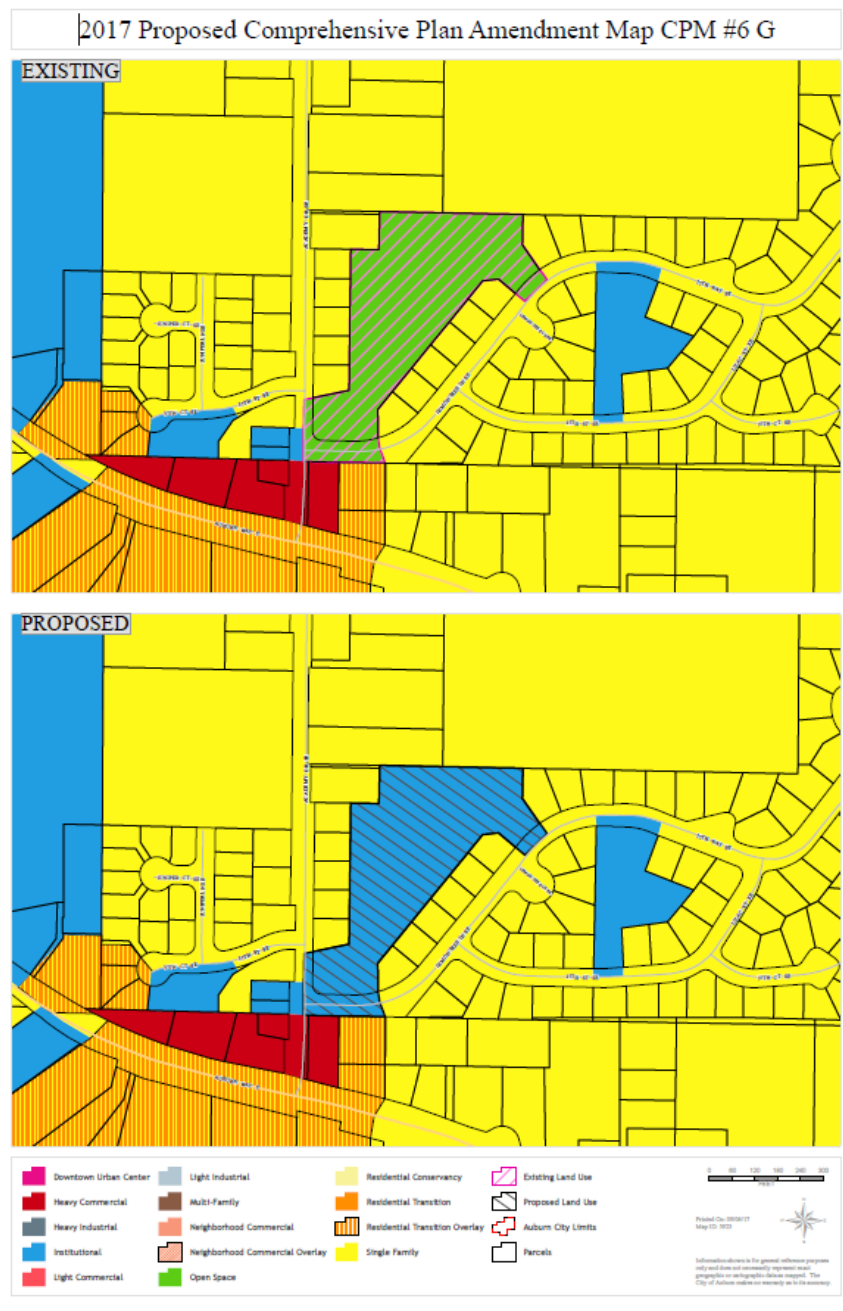












**CPM #7 - Change the mapped land use designation of 3 Tribal parcels from the "Open Space" to the "Institutional" Land Use designation. Also, change the zoning designation from "OS, Open Space" to "I, Institutional" to agree.**

### **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".

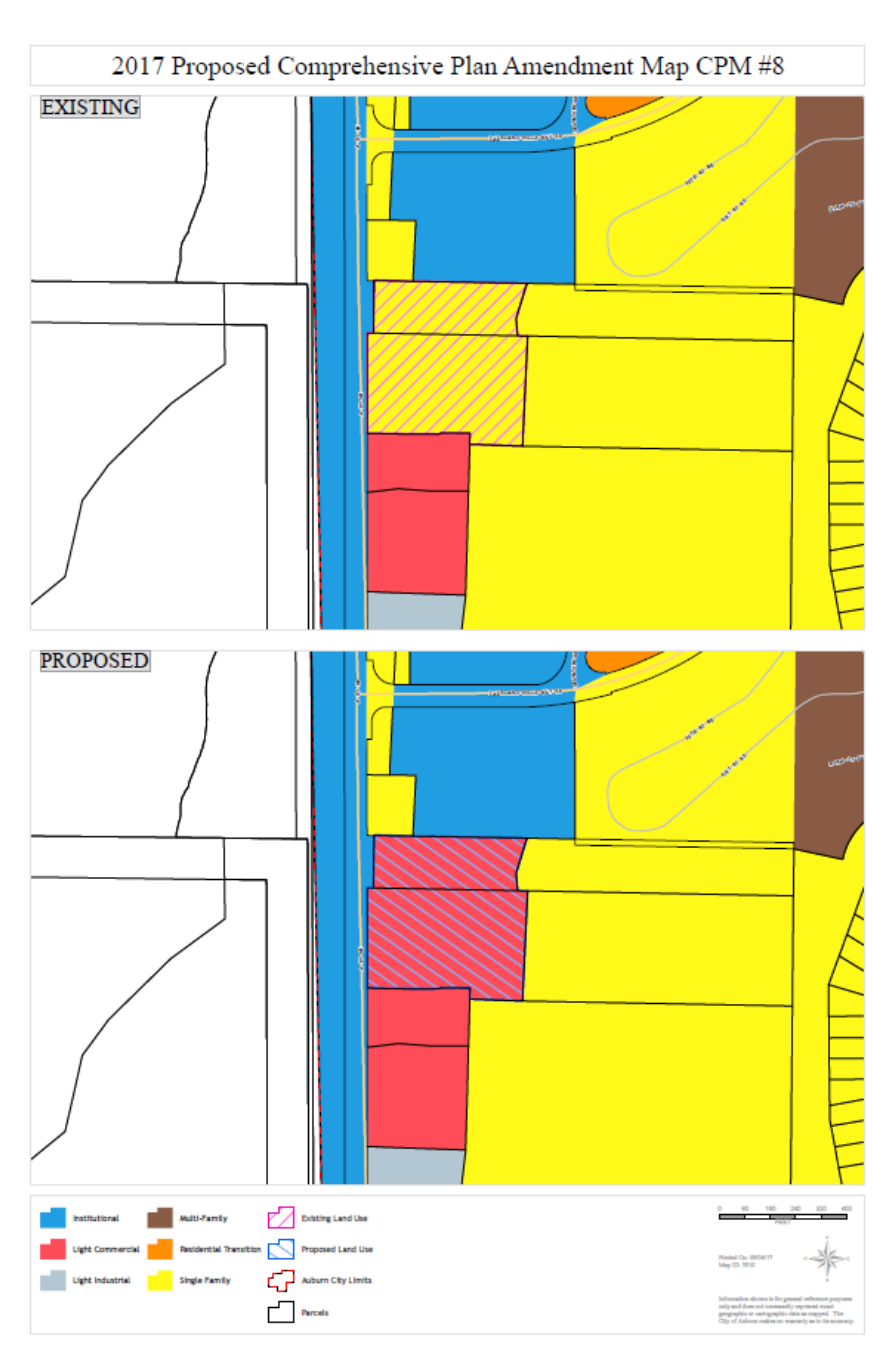
While the comprehensive plan designation was changed in 2015 to "Single Family Residential", to align with the property's R-5 Residential zoning, it is the zoning classification that should have been changed. The City now seeks to rectify the circumstances by changing the both the comprehensive plan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

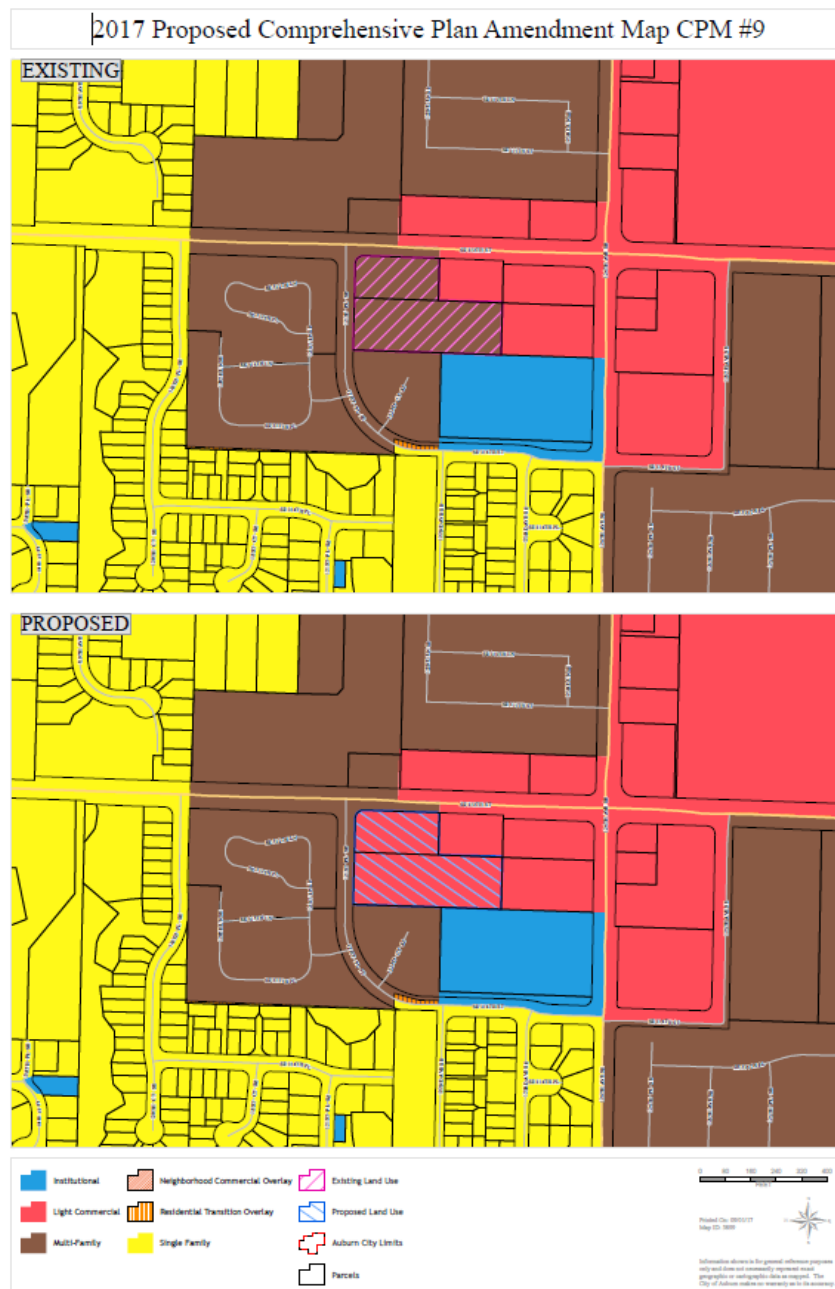
**Discussion**

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

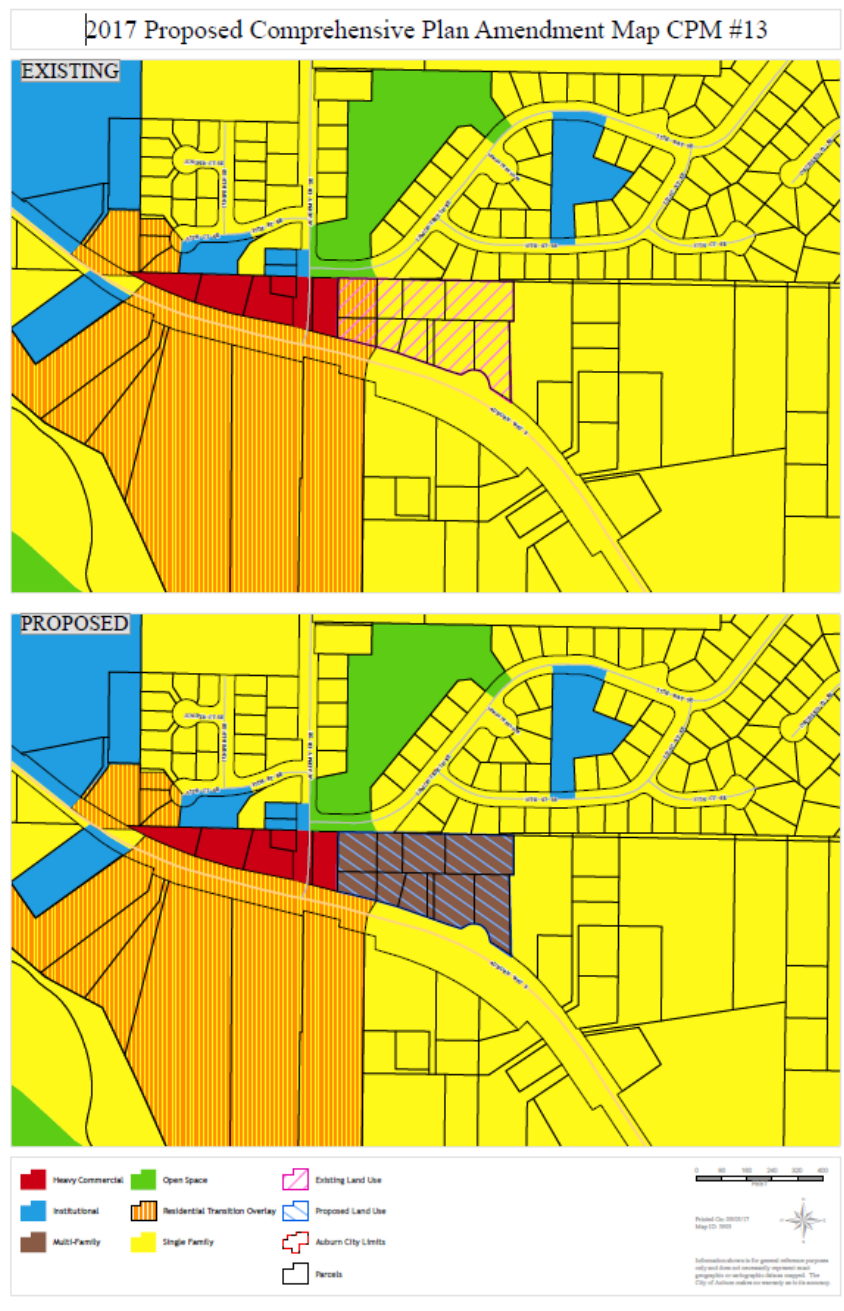
This city-initiated request is to change the land use designation of a group of 10 contiguous parcels from "Single Family Residential" and with "Residential Transition Overlay" to "Multiple Family Residential". Parcel Nos. 2721059053, 2721059063, 2721059066,

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".**

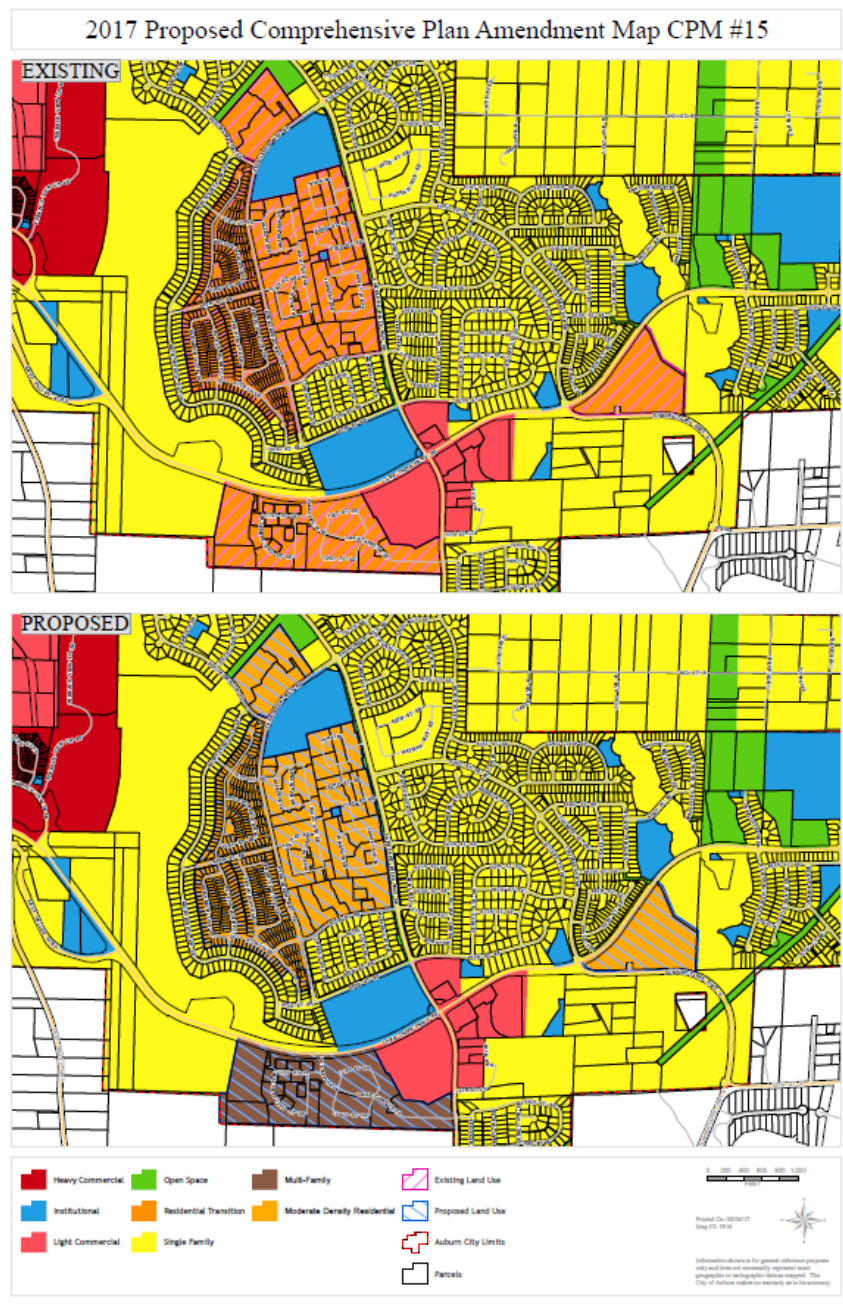
### Discussion

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".**

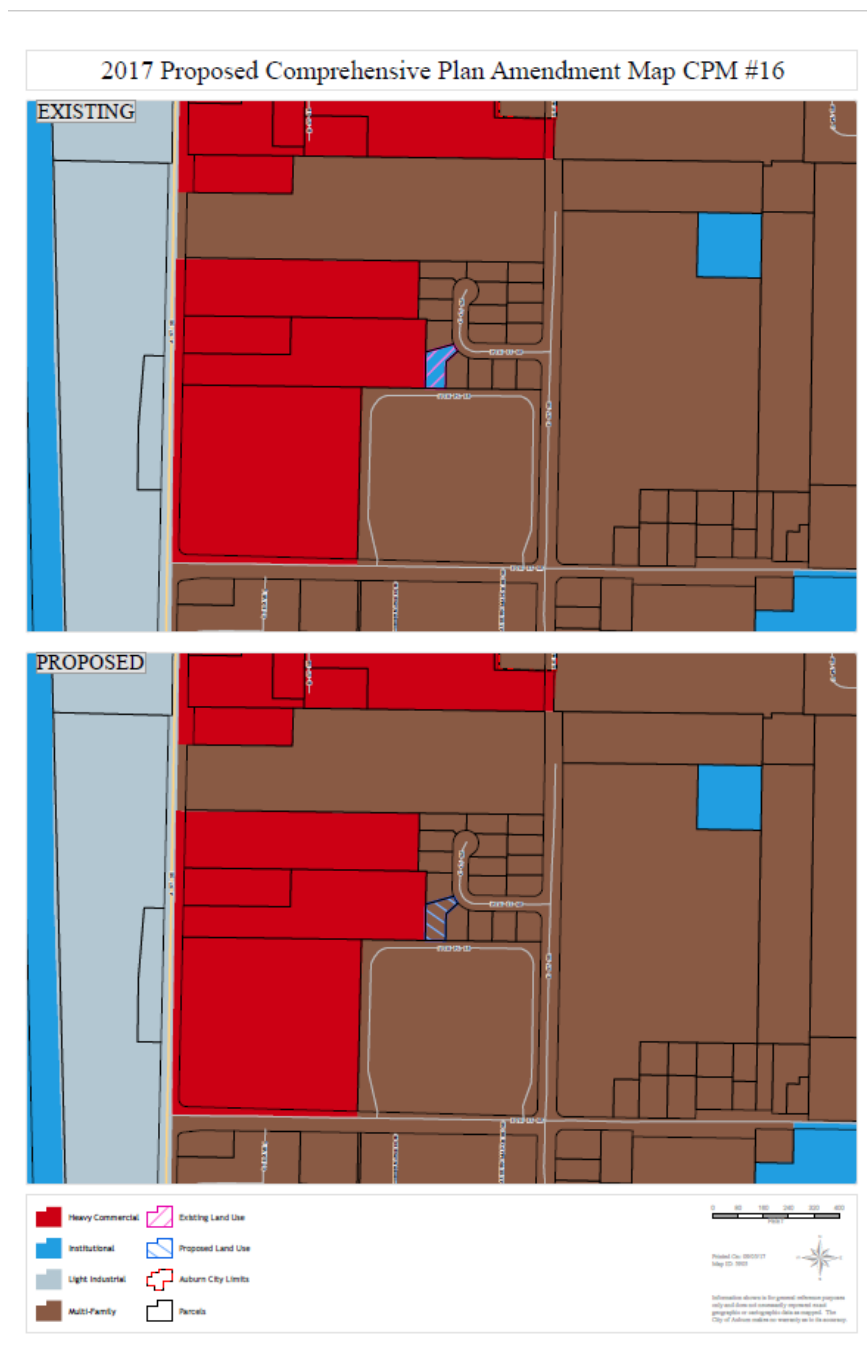
### Discussion

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

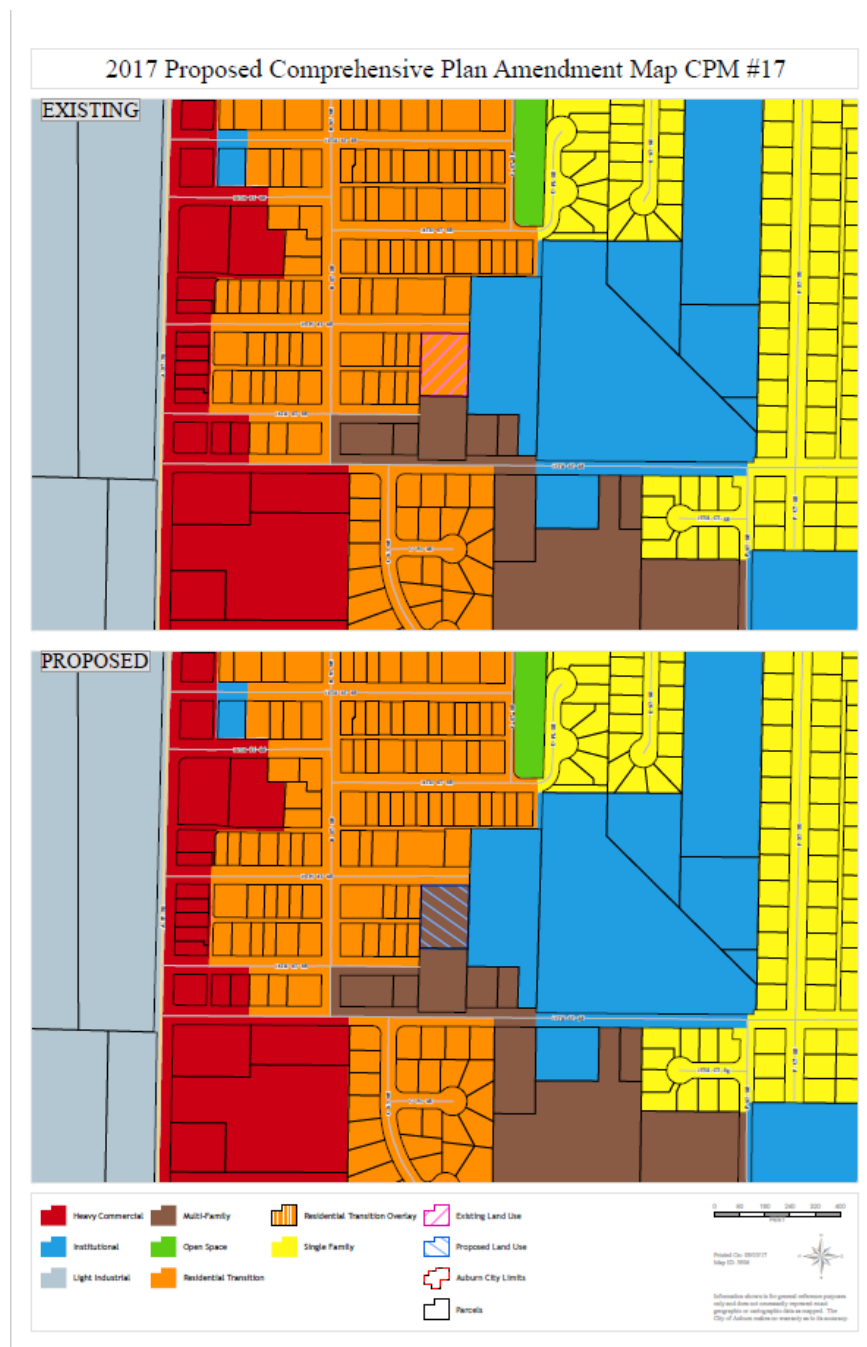
This city-initiated request is to change the land use designation of an approximately 0.71- acre privately-owned and developed parcel from "Residential Transition" to "Multiple Family". Parcel No. 1921059271 owned by Mayfield TNC LLC is located east of end of B



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).

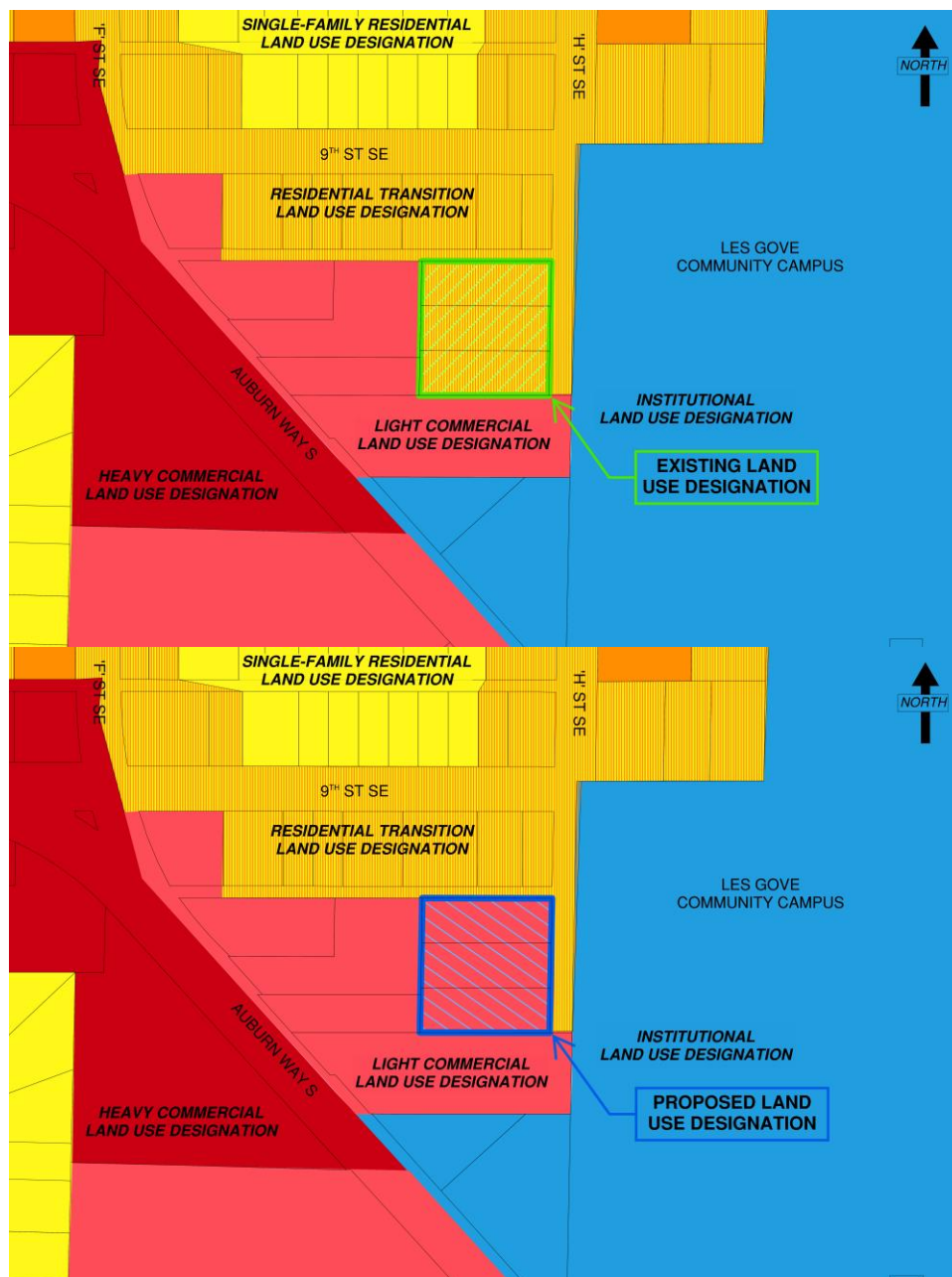
2. The Comprehensive Plan amendment seeks to change the designation of three parcels from “Single Family Residential” with a “Residential Transition Overlay” to “Light Commercial”. The parcels are King Co. Parcel Nos. 192105-9142, 192105-9145, and 192105-9077; and the addresses are 911 ‘H’ St. SE, 915 ‘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
<b>On-Site</b>	“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
<b>North</b>	“Single Family Residential” w/ “Residential Transition Overlay”	R-7, Residential	Single-family homes
<b>South</b>	“Light Commercial”	C-1, Light Commercial	Nexus Clinic
<b>East</b>	“Institutional”	I, Institutional	Les Gove Community Campus
<b>West</b>	“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 9<sup>th</sup> 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