



CITY OF SEATAC

PLANNING COMMISSION MEETING

Riverton Room, SeaTac City Hall, 4800 S. 188th Street
January 19, 2016, 5:30 p.m.

MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Approve Minutes of January 5, 2016 Planning Commission meeting (Exhibit A)
- 3) Public Comment: Public comment will be accepted on items not scheduled for a public hearing
- 4) Briefing on GMA Consistency Amendments, Phase 2 (Exhibit B)
- 5) Briefing on Phase 1, Zoning Code streamlining (Exhibit C)
- 6) Briefing on Zoning/Comprehensive Plan consistency (Exhibit D)
- 7) CED Director's Report
- 8) Planning Commission Comments (including suggestions for next meeting agenda)
- 9) Adjournment

The Planning Commission consists of five members appointed by the Mayor and confirmed by the City Council. The Commission primarily considers plans and regulations relating to the physical development of the city, plus other matters as assigned. The Commission is an advisory body to the City Council.

All Commission meetings are open to the public and comments are welcome. Please be sure to be recognized by the Chair prior to speaking.

**CITY OF SEATAC
PLANNING COMMISSION
Minutes of January 5, 2016
Regular Meeting**

Members present: Joe Adamack, Roxie Chapin, Tom Dantzer, Robert Scully, Jim Todd
Members absent: None
Staff present: Joseph Scorcio, CED Director; Steve Pilcher, Planning Manager; Mike Scarey, Senior Planner; Justin Rowland, Planning Intern

1. Call to Order

Chair Adamack called the meeting to order at 5:30 p.m.

2. Approval of minutes

Moved and seconded to approve the minutes of the December 15, 2015 meeting as presented.

Passed 4-0.

3. Briefing on GMA Consistency program

Senior Planner Mike Scarey reminded the Commission that there are nine code amendments that are necessary to accomplish by June 16, 2016 in order to ensure there is consistency between the City's Comprehensive Plan and its development regulations. Included within those amendments are changes to the City's wetland regulations; these were identified in a communication received from Department of Ecology staff in 2015. Four of the nine amendments were presented.

The first amendment will specify that Critical Area special studies must be based on the Best Available Science as defined in State law and must be completed by a qualified professional. The Commission requested that staff define what constitutes a "qualified professional."

The second amendment includes "anadromous fisheries" in Habitat Conservation Areas and also updates the definition to exclude certain man-made features. The Commission concurred with this change.

The third amendment proposes update the definition of a "wetland edge" to be consistent with current typology. The Commission concurred with this change.

The final amendment addresses the definition of an "isolated wetland" to ensure it is consistent with Department of Ecology guidance. The Commission also concurred with this change.

Mr. Scarey mentioned he will be back at the next Commission meeting with two more amendments for review.

4. Wireless Communication Facilities regulations

Planning Manager Steve Pilcher reminded the Commission of past discussions on this issue and the need to amend City code to ensure it is consistent with changes in Federal law. The basic issue is that per Federal regulations, there is now a class of antenna improvements (“eligible facilities requests”) that local governments must approve within 60 days of receipt of an application. The short time frame does not allow time for these to be considered through any type of special review process (i.e., a conditional use permit), meaning these applications will only require building permits.

After reviewing several options, staff is recommending adopting the City of Olympia’s approach, which is to add a new chapter to the Code addressing Eligible Wireless Communication Facilities Modifications. A minor cross reference in the main WCF chapter will direct users to these provisions as appropriate.

Mr. Pilcher noted that there may be other desirable amendments to the City’s WCF regulations; he will be coordinating with a representative of AT&T and the Port of Seattle regarding these other potential amendments.

6. CED Directors’ Report

Director Joe Scorcio noted there would be a special City Council meeting at 6:30 and that staff is recommending the Commission adjourn its meeting in time to allow the Commission to attend the Council meeting.

He handed out a copy of the recently published Comprehensive Plan, reminding the Commission that staff had received praise from both the State’s Growth Management Services division and also PSRC.

Mr. Scorcio mentioned that staff has received a report from Smart Growth America regarding the workshop held in October. Staff is reviewing and will provide comments back to SGA.

Mr. Scorcio also noted that the City Council voted in December to extend the interlocal agreement with the Port of Seattle for an additional two years.

8. Adjournment

Moved and seconded to adjourn. Motion passed 5-0. The meeting adjourned at 6:28 p.m.



Exhibit: B-1

Date: 01-19-2016

Code Amendments to Implement the 2015 Comprehensive Plan



SeaTac Planning Commission

January 19, 2016

Background

- The Growth Management Act (GMA) requires:
 1. That certain development regulations are consistent with other state laws
 - E.g., critical areas regulations,
 - AND
 2. That development regulations implement the Comprehensive Plan's policies

Current Focus

Nine code amendments identified through:

1. WA Department of Ecology (ECY) correspondence regarding critical areas regulations , AND
2. WA Department of Commerce Growth Management Services (GMS) checklist

Due to June 30, 2016 statutory adoption deadline, staff will bring these forward first.

Tonight's Review – Draft Amendment 5

Amendment 5 does **three** things:

1. Updates the definition of “wetland” consistent with RCW 36.70A.030(21), as required
2. Removes language describing identification and rating of wetlands from definition,
and
Puts that in a new section – “Identification and Rating,” citing the current resource documents
3. Deletes redundant definition – “Regulated Wetland”

Next Steps

Next Planning Commission meeting, Feb. 2

- Review amendments to wetland buffers and setbacks

and

- Review amendments to wetland mitigation requirements

DRAFT Schedule

For the Critical Areas regulation amendments
which must be adopted by 6/30/16*

All dates in 2016

Planning Commission Review	January – April
1 st Council Review	March 8
Public Hearing	April 19
Planning Commission Recommendation	May 3
Council Review.....	May 10
CSS	May 24
Council Action	June 14

* Council action may occur earlier if work is completed

END OF PRESENTATION

Questions? Comments?



SeaTac Planning Commission
January 19, 2016

Code Amendments to Implement the 2015 Comprehensive Plan

[Amendment 5 “Show Changes Version”]

Amendment

Source

Amendment #5GMS Checklist & ECY Communication

15.700.015 Wetland [Definition]

Those areas in the City ~~which that~~ are inundated or saturated by ~~ground or~~ surface water or ground water at a frequency and duration sufficient to support, and ~~that~~ under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. ~~According to the 33 CFR 328.3 (1988), w~~Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites including but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

~~Where the vegetation has been removed or substantially altered, a wetland shall be determined by the presence or evidence of hydric or organic soil, as well as by other documentation, such as aerial photographs of the previous existence of wetland vegetation. When the areas of any wetlands are hydrologically connected to each other, they shall be added together to determine which of the following categories of wetlands apply:~~

~~A. Class I Wetland. Only includes wetlands assigned the Unique/Outstanding #1 rating in the 1983 King County Wetlands Inventory (or the most recent City inventory) or which meet any of the following criteria:~~

- ~~1. Are wetlands which have present species listed by the Federal or State government as endangered or threatened or outstanding actual habitat for those;~~
- ~~2. Are wetlands which have forty percent (40%) to sixty percent (60%) permanent open water in dispersed patches with two (2) or more classes of vegetation;~~
- ~~3. Are wetlands equal to or greater than one (1) acre in size and have three (3) or more wetland classes;~~
- ~~4. Are wetlands with frequent occurrence;~~
- ~~5. Spagnum or peat wetlands;~~
- ~~6. Forested wetlands equal to or greater than one (1) acre in size.~~

Note: This section replaced by a new section, “Identification and Rating,” as 15.700.275.

~~B. Class II Wetland. Only includes wetlands assigned the Significant #2 rating in the 1983 King County Wetlands Inventory (or the most recent City inventory) or which meet any of the following criteria:~~

- ~~1. Are wetlands greater than one (1) acre in size; or~~
- ~~2. Are wetlands equal to or less than one (1) acre in size and have three (3) or more wetland classes; or~~

~~3. Are forested wetlands less than one (1) acre in size but are larger than two thousand five hundred (2,500) square feet; or~~

~~4. Are wetlands which have present heron rookeries or raptor nesting trees.~~

~~C. Class III Wetland. Only includes wetlands assigned the Lesser Concern #3 rating in the 1983 King County Wetlands Inventory (or most recent City inventory) or which are wetlands equal to or less than one (1) acre in size and have two (2) or fewer wetland classes. This does not include drainage ditches used as part of an approved public storm drainage system that may support wetland vegetation or retention/detention systems. (Ord. 92-1041 § 1)~~

15.700.275 Wetlands – Identification and Rating [New section]

A. Identification of wetlands and delineation of their boundaries pursuant to this Chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the City meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this Chapter. Wetland delineations are valid for five years; after such date the City shall determine whether a revision or additional assessment is necessary.

B. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the *Washington State Wetland Rating System for Western Washington* (Ecology Publication #04-06-025, or as revised and approved by Ecology), which contains the definitions, methods and criteria for determining a wetland’s categorization as Category I, II, III or IV.

C. Wetland rating categories shall not change due to illegal modifications.

Note: The language in the section above (15.700.275) comes from a sample ordinance in the ECY publication “Wetland and CAO Updates: Guidance for Small Cities – Western Washington Version”

SMC 15.700.275 Regulated Wetland [Definition]

~~A wetland that meets one or more of the following criteria:~~

~~A. Serves significant biological functions;~~

~~B. Serves significant drainage and sedimentation functions~~

~~C. Shields other areas from wave action, erosion or storm damage;~~

~~D. Serves as valuable storage area for storm and flood waters;~~

~~E. Is a prime natural recharge area;~~

~~F. Serves significant water purification functions~~

~~Although a site specific wetland may not meet the criteria described above, it will be considered a regulated wetland if it is functionally related to another wetland that meets the criteria. Within the wetlands classification process there are the following classes: Class I, Class II, and Class III (See “Wetland” definition.).~~

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Code Amendments to Implement the 2015 Comprehensive Plan

[Amendment 5 “Clean Version” i.e., changes not shown]

Amendment **Source**

Amendment #5GMS Checklist & ECY Communication

15.700.015 Wetland [Definition]

Those areas in the City that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites including but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

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- C. Wetland rating categories shall not change due to illegal modifications.

Exhibit: C1

Date: 1-19-2016

Zoning Code Streamlining Phase 1



Planning Commission

January 19, 2016



PRESENTATION OUTLINE

- 1) Project History and Goals**
- 2) References to Title 15 Update**
- 3) Clarification of Zones in 15.200**

1) PROJECT HISTORY AND GOALS

- **In 2015, the Planning Commission reviewed and SeaTac City Council authorized the reformatting of the Zoning Code, SMC Title 15.**
- **The new format of Title 15 was adopted under Ord. 15-1018 and was implemented on 1-13-2016.**
- **The goal for 2016 is to continue to clarify and streamline the code.**

2) REFERENCES TO TITLE 15 UPDATE

- **Out of 18 titles in the SeaTac Municipal Code, eleven titles contained at least one reference to the Zoning Code.**
- **Due to the reformatting of the Zoning Code, these references found in the other titles of the Municipal Code are now out of date.**
- **Exhibit C-2 is the list of sections that contain a reference to sections within the Zoning Code.**

3) CLARIFICATION OF ZONES IN 15.200

- **As a continued effort to clarify the Zoning Code, we recommend updating the zoning table under Chapter 15.200 to reflect the subcategories of specific zones.**
- **The changes can be seen in Exhibit C-3**

4) *Next Steps*

- These revisions will be sent through a Public Hearing with another project for efficiency.
- Council review and action.
- More amendments to streamline the Zoning Code on the way.

Zoning Code Reference Changes Needed In Other Titles

Exhibit C-2
Date: 1-19-2016

Title	Section	Current Reference(s)	New Reference	Additional Notes
<i>Title 1</i>	1.15.025(D)	15.30	15.700	
	1.15.160(E)	15.22.065(G)	15.115.070 or 16A,16A.17	New numbering References Title 16A chapter 17
	1.20.210	15.22.065	15.115.070 or 16A,16A.17	New numbering References Title 16A chapter 17
<i>Title 2</i>	2.15.120(F)	15.28.070(A)	15.315.010(A)	
	2.25.140	15.10	15.105	
<i>Title 6</i>	6.05.020	15.12.015	15.440.100	
<i>Title 7</i>	7.15.010	15.10	15.105	
	7.25.090	15.10	15.105	
<i>Title 9</i>	9.05.050	15.11	15.200	
<i>Title 12</i>	12.10.227	15.10.435	15.105 Open Space	
<i>Title 13</i>	13.190.070	15.30	15.700	
	13.270.070	15.16	15.600	
<i>Title 14</i>	14.16.028	15.13.010	15.400.100 and 15.400.200	The Standards chart in 15.13.010 was split into two charts
	14.16.058	15.10.564	15.700.015 Sensitive Areas	
	14.16.110	15.22	15.115	
	14.16.130	15.10.370	15.105 Lot Area	
	14.16.138	15.10.385	15.105 Lot, Substandard	
	14.17.100	15.22.020	15.115.010	
	14.17.110	15.22	15.115	
	14.19.060	15.13.080(F)	15.435	Subsection was converted into its own chapter
	14.21.010(E)	15.10	15.105	
	14.21.010(E)	15.30	15.700	
	14.22.010(B)	15.23	15.215	
	14.22.030	15.23	15.215	
	14.22.050	15.23.360	15.215.170	
	14.22.050	15.23.440	15.215.250	
	14.23.010(E)	15.10	15.105	
	14.23.010(E)	15.30	15.700	
	14.23.010(I)(1)	15.23.350	15.215.160	
	14.23.010(I)(2)	15.30	15.700	
	14.23.010(I)(4)	15.19.560	15.510.560	
	14.25.010(C)	15.22	15.115	
<i>Title 16A</i>	16A.03.030(D)(1)	15.22.020(C)	15.115.010(C)	
	16A.03.030(D)(2)	15.22.030(B)	15.115.020(B)	
	16A Appendix 3	15.17	15.465.500	

Zoning Code Reference Changes Needed In Other Titles

Exhibit C-2
Date: 1-19-2016

Title	Section	Current Reference(s)	New Reference	Additional Notes
	16A Appendix 3	15.13	15.400	Needs a second set of eyes, the chapter was divided up heavily but the section refers to lot standards
	16A Appendix 3	15.16	15.600	
	16A Appendix 3	15.20	15.475	
	16A Appendix 3	15.22.020	15.115.010	
	16A Appendix 3	15.12	15.205.040	
	16A Appendix 3	15.22.030	15.115.020	
	16A Appendix 3	15.41		
	16A Appendix 3	15.05.040	15.100.020	
	16A Appendix 3	15.22.035	15.115.040	
	16A Appendix 3	15.22.050	15.115.050	
<i>Title 17</i>	17.20.040	15.14	15.445	
	17.56.020(A)(2)	15.14.020	15.445.010	
	17.56.020(C)(A)	15.14	15.445	
	17.60.030(A)	15.35.620	15.300.620	
	17.60.030(A)	15.35.100 through 15.35.160	15.300.055	City Center Use Chart was collapsed into single chart found in 15.300.055
<i>Title 18</i>	18.200	15.30	15.700	
	18.315	15.14	15.445	
	18.405(C)	15.13	15.400	Needs a second set of eyes, the chapter was divided up heavily but the section refers to the development regulations.
	18.520(l)	15.17	15.465.500	
				If no note is recorded, the change was 1-to-1

Chapter 15.200

Establishment of Zones

SECTIONS:

-
- 15.200.010** Zones and Map Designations – Established
15.200.020 Official Zoning Map
15.200.030 Zones and Map Designations – Purpose Statements
-

15.200.010 Zones and Map Designations – Established

In order to accomplish the purposes of the code, the following zone classifications and zoning map symbols are established:

ZONE	MAP SYMBOLS
Urban Low Density (followed by a designation indicating minimum lot area in square feet)	UL-15,000 UL-9,600 UL-7,200
Urban Medium Density (followed by a designation indicating minimum lot area required per unit in square feet)	UM-3,600 UM-2,400
Urban High Density (followed by a designation indicating minimum lot area required per unit in square feet)	UH-1,800 UH-900
Urban High – Urban Center Residential	UH-UCR
Townhouse	T
Mobile Home Park	MHP
Neighborhood Business	NB
Office/Commercial/Mixed-Use	O/C/MU
Office/Commercial Medium	O/CM
Community Business	CB
Community Business in the Urban Center	CB-C
Aviation Business Center	ABC
Business Park	BP
Industrial	I
Park	P
Aviation Commercial	AVC
Aviation Operations	AVO

POTENTIAL REZONE OPTIONS: PROS & CONS

ISSUES TO CONSIDER	OPTION #1: INITIATE CITY-SPONSORED REZONE	OPTION #2: INITIATE CITY-SPONSORED REZONE ON REQUEST	#3: WAIT FOR INDIVIDUAL REZONE
Comprehensive Plan Consistency	<p style="text-align: center;">PRO</p> <p>Fully implements the Comp Plan; ensures consistency between Plan and implementing regulations</p>	<p style="text-align: center;">CON</p> <p>Delays attaining consistency with Comp Plan</p>	<p style="text-align: center;">CON</p> <p>Maintains inconsistency indefinitely; fails to implement Comp Plan</p>
Rezoning Timeline	<p style="text-align: center;">PRO</p> <p>Quick rezoning; ensures GMA compliance</p>	<p style="text-align: center;">CON</p> <p>Delayed timeline for rezones; allows property owner to decide to maintain inconsistency</p>	<p style="text-align: center;">CON</p> <p>Unknown timeline for rezones; potential of establishing or expanding non-conforming uses</p>
Impact on Existing Uses	<p style="text-align: center;">PRO/CON</p> <p>Pro: Assists property owners interested in developing to potential per Comp Plan Con: An existing use may not be able to expand if it becomes "legal non-conforming"</p>	<p style="text-align: center;">PRO/CON</p> <p>Pro: Allows property owners to decide when to rezone Con: Maintains inconsistency; may allow development contrary to Comp Plan</p>	<p style="text-align: center;">PRO/CON</p> <p>Pro: Provides property owners flexibility and control Con: Maintains inconsistency; may allow development contrary to Comp Plan</p>
Impact on Adjacent Development	<p style="text-align: center;">PRO</p> <p>Provides certainty to adjacent properties regarding type & quality of neighboring uses; some zoning standards relate to zone/use of adjacent parcel</p>	<p style="text-align: center;">CON</p> <p>Potential expansion of uses that detract from adjacent properties' development opportunities; some zoning standards relate to zone/use of adjacent parcel</p>	<p style="text-align: center;">CON</p> <p>Lack of rezone could mean expansion of uses that could detract from adjacent properties' development opportunities</p>
Property Owner Cost	<p style="text-align: center;">PRO</p> <p>No cost to property owner; (Planning Commission and Council action)</p>	<p style="text-align: center;">PRO</p> <p>No cost to property owner; (Planning Commission and Council action)</p>	<p style="text-align: center;">CON</p> <p>\$7,050 cost for rezone, plus SEPA (\$2,180): cost borne by property owner; (Hearing Examiner)</p>

Property-Owner Support	<p align="center">CON</p> <p>May not be fully supported by all property owners; possible objections from area property owners/residents</p>	<p align="center">PRO/CON</p> <p>Pro: Would have support of property owner Con: Possible objections from area property owners/residents</p>	<p align="center">PRO/CON</p> <p>Pro: Some may prefer individual choice of when to rezone their property Con: Some property owners may only rezone if City covers cost; possible objections from area property owners/residents</p>
Property Tax Potential Effect	UNKNOWN*	UNKNOWN*	UNKNOWN*
<p><i>*Note:</i> While effect of rezone on each property is not known, the City’s information from the Tax Assessor’s Office to date is that no increase in property taxes is generally assessed for properties with existing structures, while vacant land tends to see increases. The zoning of a parcel is only one of a variety factors that are considered when determining property valuation.</p>			