



# CITY OF SEATAC

## PLANNING COMMISSION MEETING

City Council Chambers, SeaTac City Hall, 4800 S. 188<sup>th</sup> Street  
July 19, 2016, 5:30 p.m.

### MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Public Comment: Public comment will be accepted on items not scheduled for a public hearing
- 3) Approval of minutes of July 5, 2016 regular meeting (Exhibit A)
- 4) Public hearing: Amendments to SMC 15.205.040 related to commercial requirements for multi-family projects in zones outside of the overlay districts. (Exhibit B)
- 5) Briefing on L.I.D. (Low Impact Development) Code Integration (Exhibit C)
- 6) CED Director's Report
- 7) Planning Commission Comments (including suggestions for next meeting agenda)
- 8) 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.*

*A quorum of the City Council may be present.*

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

**Members present:** Joe Adamack, Roxie Chapin, Tom Dantzler, Robert Scully, Jim Todd  
**Members absent:** None  
**Staff present:** Acting City Manager Joe Scorcio; Steve Pilcher, Planning Manager; Kate Kaehny, Senior Planner

**1. Call to Order**

Chair Adamack called the meeting to order at 5:31 p.m.

**2. Public Comment**

Earl Gipson commented on a letter sent by Commissioner Scully regarding City Council member's participation at Planning Commission meetings and asked that Mr. Scully resign his position on the Commission.

**3. Approval of Minutes**

Moved and seconded to approve the minutes of the June 21, 2016 regular meeting. **Passed 5-0.**

**4. Urban Agriculture Code Amendments**

Senior Planner Kate Kaehny overviewed this topic, noting that as part of a PICH (Partners in Community Health) grant, a consultant has been working with the staff to develop potential code a language to allow "urban agriculture" uses. To date, SeaTac citizens have been asked to provide opinions on this matter through a questionnaire that remains available on the website through July 22 and has also been available at City Hall, special events and other locations. Of the 95 responses received to date, the majority of individual are supportive of allowing "market gardens," produced stands and farmers markets. She explained how public notification of the questionnaires has been given.

Ms. Kaehny noted that the potential of "urban farms" (which are larger in scale than market gardens) was not asked on the questionnaire. However, the consultant has indicated that in general, communities actively considering urban agriculture allow urban farms, together with community gardens and market gardens. Farmers' markets and produce stands are typically allowed as temporary uses in residential zones and as permanent uses in non-residential zones.

Ms. Kaehny also noted that currently, SeaTac's Zoning Code allows "agricultural crop sales, farm only," which are basically the same as "market gardens."

The issue of food trucks was discussed; it was agreed that future discussion on this topic would occur as a separate issue. Other questions asked by the Commission included finding out what other surrounding communities are doing and if there is a way to prioritize “food deserts.”

At this time, staff is asking for Commission concurrence with continuing to investigate allowances for: community gardens, market gardens, urban farms (large scale), produce stands and farmers markets. The Commission concurred with staff further exploring these issues; staff will return with more information in August.

#### **5. Animal regulations in residential zones**

Planning Manager Steve Pilcher reviewed this issue, noting that staff has received a number of complaints regarding roosters, but also some concerning chickens and other animals. He noted that the current code is fairly liberal in terms of the types and numbers of animals allowed to be kept on residential lots and that staff was suggesting a holistic overview of how animals are regulated. A comparison of regulations in surrounding cities was provided.

The Commission inquired whether there are other ways of dealing with these issues, such as stronger noise regulations and/or animal management techniques. Staff will explore these alternatives and return with possible code amendment language in August.

#### **6. CED Director’s Report**

Acting City Manager Joe Scorcio reported on pending actions that will be considered at the July 26 City Council meeting. He also noted the pending departures of several members of city staff, including Finance Director Aaron Antin, Engineering Review Technician Mike Bryan and Code Compliance Program Coordinator Heidi Skinner. Mr. Scorcio also announced that the Angle Lake Station Overlay District was approved as recommended by the Commission.

Planning Manager Steve Pilcher reported that future Commission meetings will be held in the Council Chambers, due to potential conflicts with Council committee meetings. He also noted that the Council approved a resolution establishing a 90-day delay for action on the Critical Areas Ordinance.

#### **7. Commissioner Comments**

Commissioner Dantzler commented on the letter from Commissioner Scully, noting that he feels the presence of Council members at Commission meetings is a positive.

Commissioner Chapin stated her support for Commissioner Scully remaining as a member of the Commission.

#### **8. Adjournment**

Moved and seconded to adjourn. Motion passed 5-0. The meeting adjourned at 6:50 p.m.

Public Hearing  
Amending Ground Floor Commercial  
Requirements for Multi-Family Projects



Planning Commission  
July 19, 2016



## *PRESENTATION OUTLINE*

- 1) Project Goals**
- 2) Proposed Amendments**
- 3) Next Steps**

## 1) *PROJECT GOALS*

### **Amend Zoning Code to:**

- Reduce potential barriers to residential development by eliminating or reducing some ground floor commercial requirements in multi-family projects.
- Maintain opportunities for commercial and retail development in commercial zones.

### **Areas Affected:**

- Zones outside of overlay districts (City Center, S. 154<sup>th</sup> St. and Angle Lake station areas)

## 2) PROPOSED AMENDMENTS

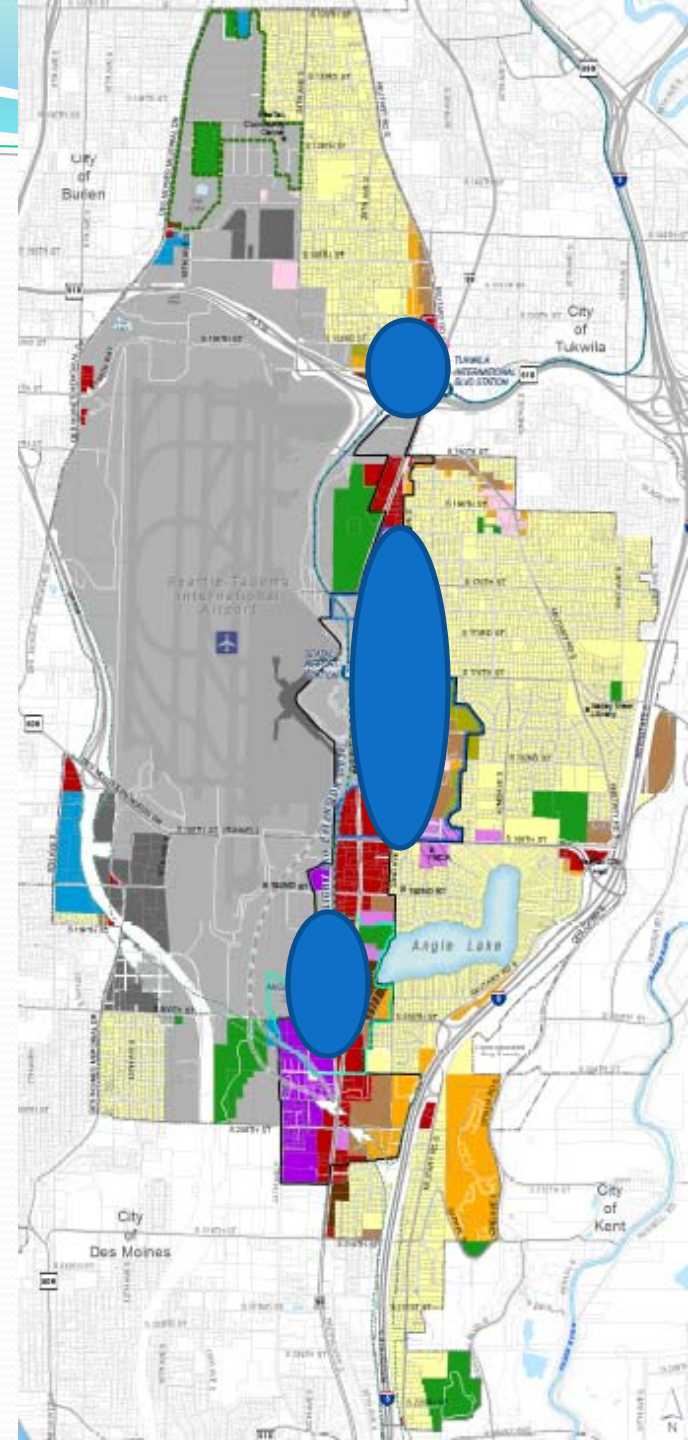
### Summary of Proposed Changes:

#### Residential Focused Zones:

- Eliminate ground floor commercial requirement, allow as optional

#### Commercial Focused Zones:

- Reduce requirement in commercial medium & high density zones along Principal Arterials, allow as optional elsewhere



## 2) PROPOSED AMENDMENTS (cont.)

### Proposed Changes to Residential Focused Zones:

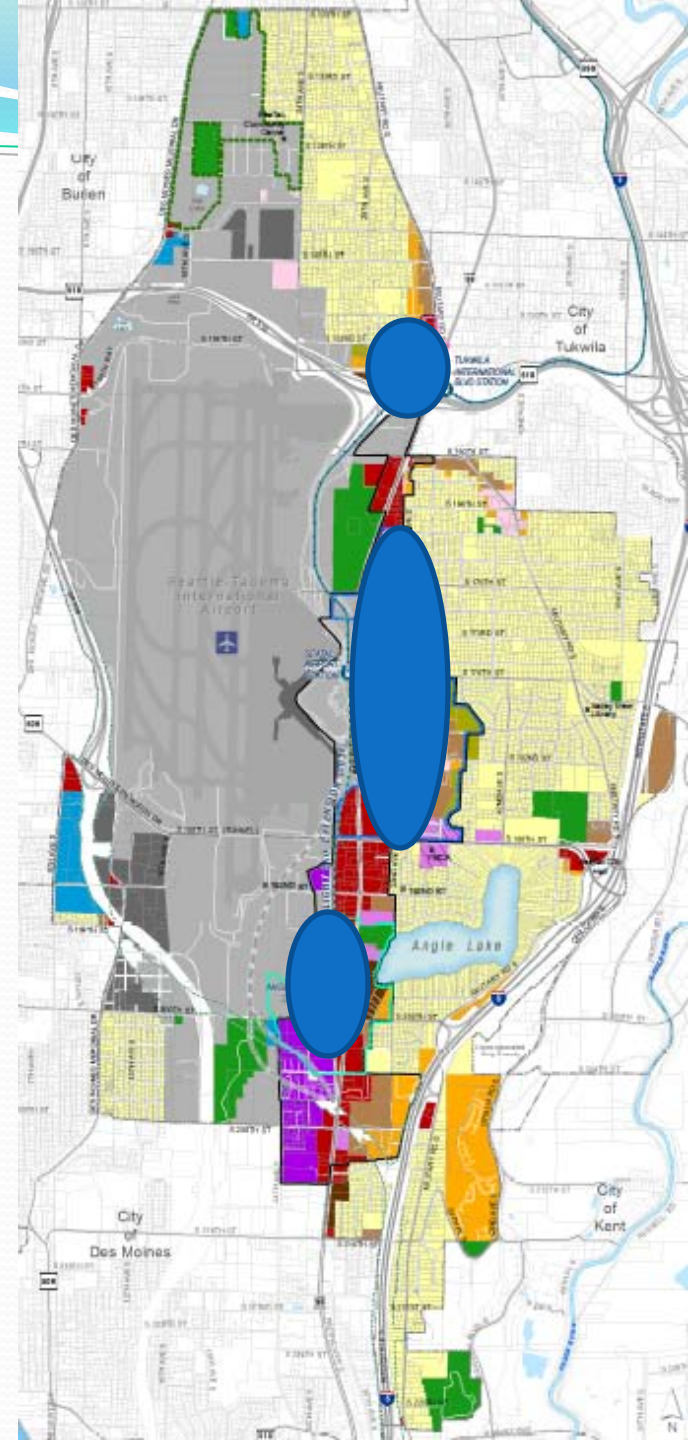
**UH-UCR** 

(Urban High Urban Center Residential)

**O/C/MU** 

(Office/Commercial/Mixed Use)

- **Currently:** 50% ground floor commercial required
- **Proposed:** Allow but do not require





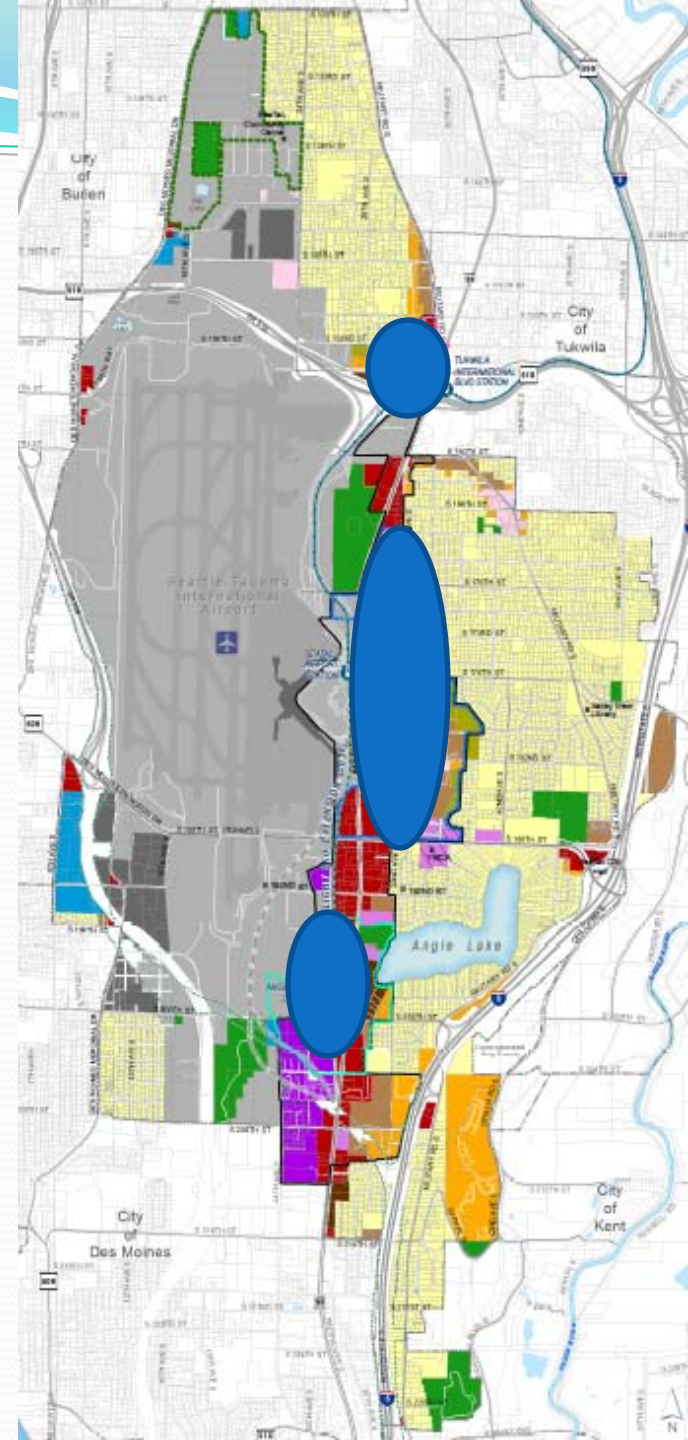
## 2) PROPOSED AMENDMENTS (cont.)

### Proposed Changes to Commercial Focused Zones:

O/CM 

(Office/Commercial Medium)

- **Currently:** 100% ground floor commercial required
- **Proposed:** 50% required on Principal Arterials Int'l Blvd and S. 188<sup>th</sup> St. (otherwise optional)



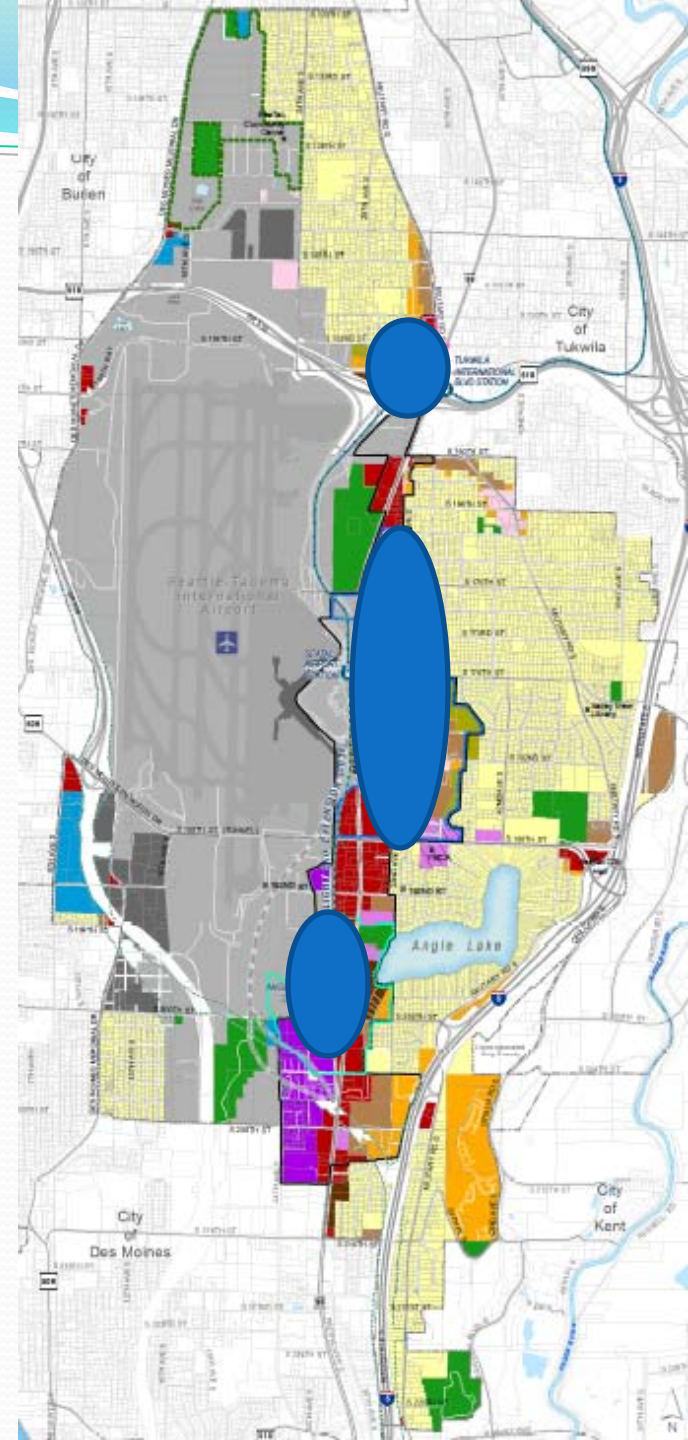
## 2) PROPOSED AMENDMENTS (cont.)

### Proposed Changes to Commercial Focused Zones:

**CB-C** 

(Community Business in the Urban Center)

- **Currently:** 100% ground floor commercial required
- **Proposed:** 50% required on Principal Arterials Int'l Blvd and S. 188<sup>th</sup> St. (otherwise optional)



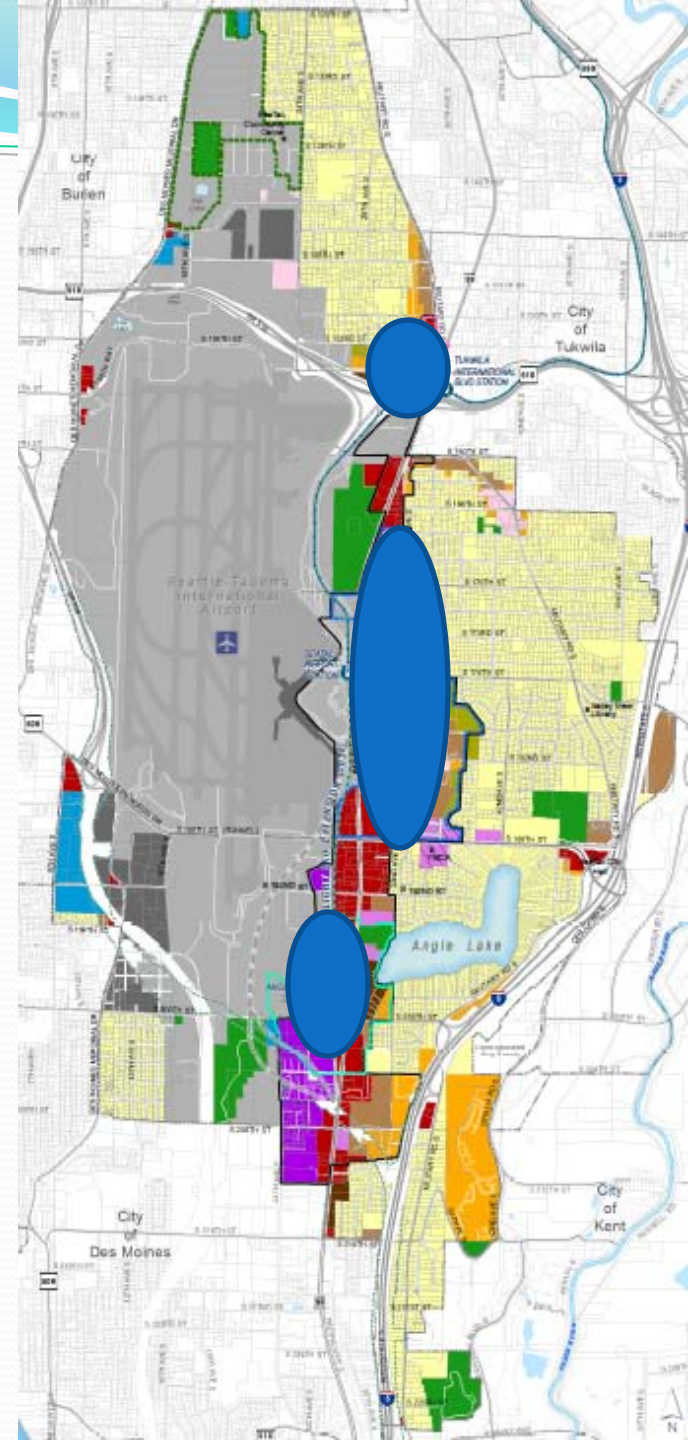
## 2) PROPOSED AMENDMENTS (cont.)

### Proposed Changes to Commercial Focused Zones:

CB 

(Community Business)

- **Currently:** 100% ground floor commercial required
- **Proposed:** 50% required on Principal Arterials Int'l Blvd and S. 188<sup>th</sup> St. (otherwise optional)
  - *Also change existing front yard setbacks to match adjacent commercial & multi-family zones*



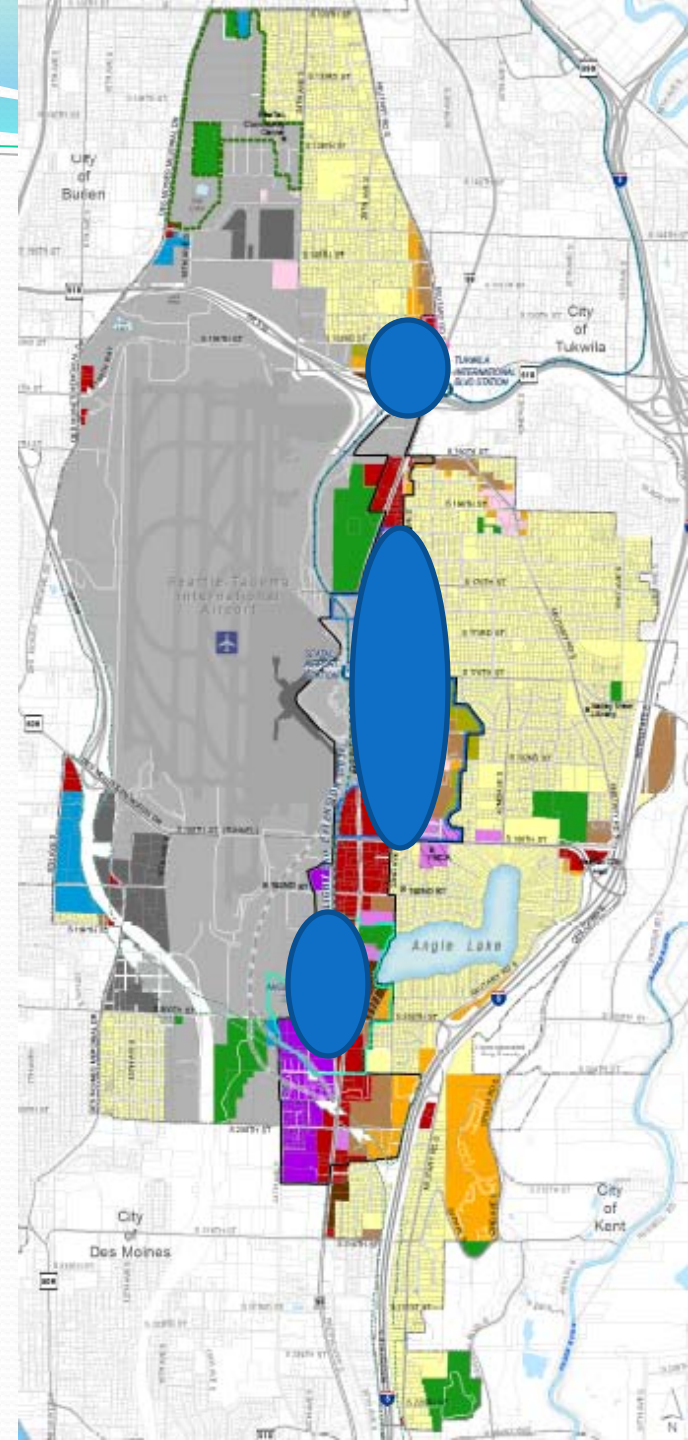
## 2) PROPOSED AMENDMENTS (cont.)

### Proposed Changes to Commercial Focused Zones:

ABC 

(Aviation Business Center)

- **Currently:** Allowed as Conditional Use with 100% ground floor commercial
- **Proposed:** Allow as Conditional Use with 50% required on Principal Arterials Int'l Blvd and S. 188<sup>th</sup> St. (otherwise optional)



### *3) ANTICIPATED NEXT STEPS*

#### **Planning Commission:**

- **Today:** Public Hearing & recommendation

#### **City Council:**

- **August/ Sept:** Review proposal & PC recommendation, then potential action

**Amendments to Ground Floor Commercial Requirements for Multi-Family Uses Outside of Overlay Districts**

**15.205.040 Use Chart**

ZONES:

- UL-Urban Low
- UM-Urban Medium
- UH-Urban High
- UH-UCR-Urban High-Urban Center Residential
- T-Townhouse
- MHP-Mobile Home Park
- NB-Neighborhood Business

- O/C/MU-Office/Commercial/Mixed Use
- O/CM-Office/Commercial
- CB-Community Business
- CB-C-Community Business in the Urban Center
- ABC-Aviation Business Center
- BP-Business Park
- I-Industrial
- P-Park

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UL	UM	UH	UH-UCR	T	MHP	NB	O/C/MU	O/CM	CB	CB-C	ABC	BP	I	P	ADDITIONAL STANDARDS
Multi-Family		P	P	P (+)			C	P (3)	P(1) (2)	P(1)(2) (2)	P(1) (2)	C(1) (2)				<p>(1) For projects fronting International Blvd and S 188<sup>th</sup> St, at least 50% of the building's ground floor shall be a retail, service, or commercial use as described in SMC 15.520.300 Mixed Use in Residential Projects.</p> <p>(2) Front yard setbacks for projects fronting International Blvd and S 188<sup>th</sup> St shall be as follows: 0' minimum/10' maximum. These front yard setbacks supersede those in SMC 15.400.200 Commercial, Industrial, Park Standards Chart.</p> <p>(1) For new development and redevelopment for residential projects, at least 50% of the building's ground floor shall be retail, service, or commercial use as described in SMC 15.520.300 Mixed Use in Residential Projects.</p> <p>(2) Ground floor uses must be retail, service or commercial uses as described in SMC 15.520.300, Mixed Use in Residential Projects.</p> <p>(3) Permitted as part of a mixed use development, as described in SMC 15.520.200 Ground Floor Uses in Mixed Use Projects, and arranged on site as described in SMC 15.520.100 Definition of Mixed Use.</p>

# Overview of Low Impact Development Code Integration & Manual Adoption

Planning Commission July 19, 2016

Don Robinett, MRP, CPESC  
Stormwater Manager

Steve Pilcher, AICP  
Planning Division Manager

Rebecca Dugopolski, P.E.  
Senior Engineer,  
Herrera Environmental



# Terminology

- **NPDES – National Pollutant Discharge Elimination System** is a component of the Clean Water Act intended to reduce point source and non-point source discharges to receiving waters
- **NPDES Phase II Municipal Stormwater Permit** – applies to cities and counties with < 100,000 population
  - General Permit
  - Administered by EPA, Delegated to Ecology (State)
  - Five year permit term (2013 – 2018)



DEPARTMENT OF  
**ECOLOGY**  
State of Washington



# Terminology

- **NPDES Phase II Permit includes six major components:**
  - Public Education and Outreach
  - Public Involvement
  - Illicit Discharge Detection and Elimination
  - **Controlling Run-off from Construction Sites**
  - Operations and Maintenance
  - Monitoring
- **Controlling Run-off from Construction Sites** section identifies requirements for:
  - Stormwater standards
  - Development review & inspection procedures and mandates

# Why Are We Here

- **The 2013-2018 NPDES Phase II Permit** requires all permittees to update their City codes, policies, plans and standards by January 1 of 2017
- **Updates include:**
  - Development Codes (including zoning, building, clearing & grading, subdivisions, etc.)
  - Roads and Stormwater Standards
  - Recommends changes for Growth Management and Shoreline Plans
    - Recommended changes to be implemented at next plan update.

# The LID Mandate

## Specific Permit Requirements

- **Review, revise, and make effective** local development-related codes, rules, standards, and enforceable documents to incorporate and require low impact development (LID) where feasible
- **Intent of revisions** to make LID the preferred and commonly-used approach to development
- **Overarching Guidance:** revisions shall be designed to minimize: impervious surfaces, native vegetation loss, and stormwater runoff in all types of development situations

# What is LID

## **Low Impact Development (LID)**

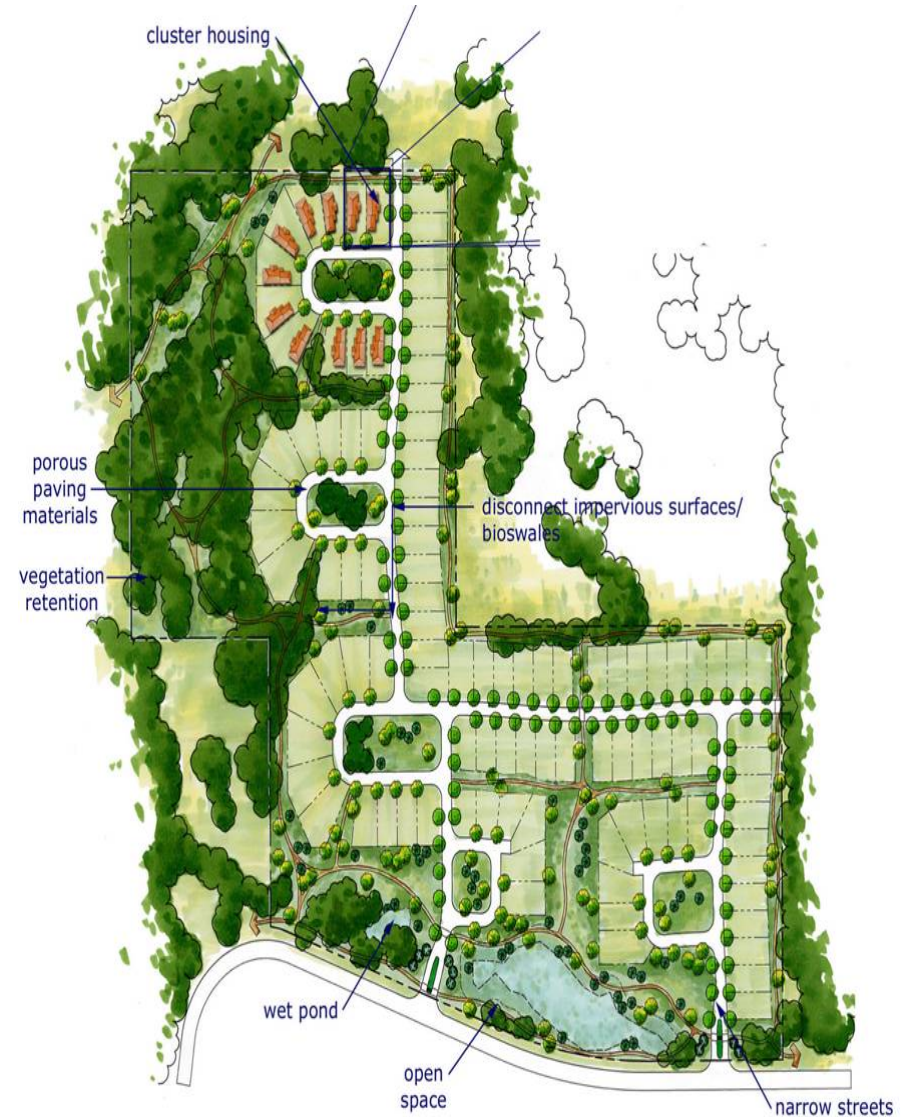
A stormwater and/or land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design

## **Low Impact Development (LID) Best Management Practice (BMP)**

Distributed stormwater management practices, integrated into a project design, that emphasize pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention, permeable pavement, limited infiltration systems, roof downspout controls, dispersion, soil quality and depth, and minimal excavation foundations.

# Examples of LID

## LID Principle: Clustered Development



# Examples of LID

## LID BMP: Bioretention/Rain Gardens



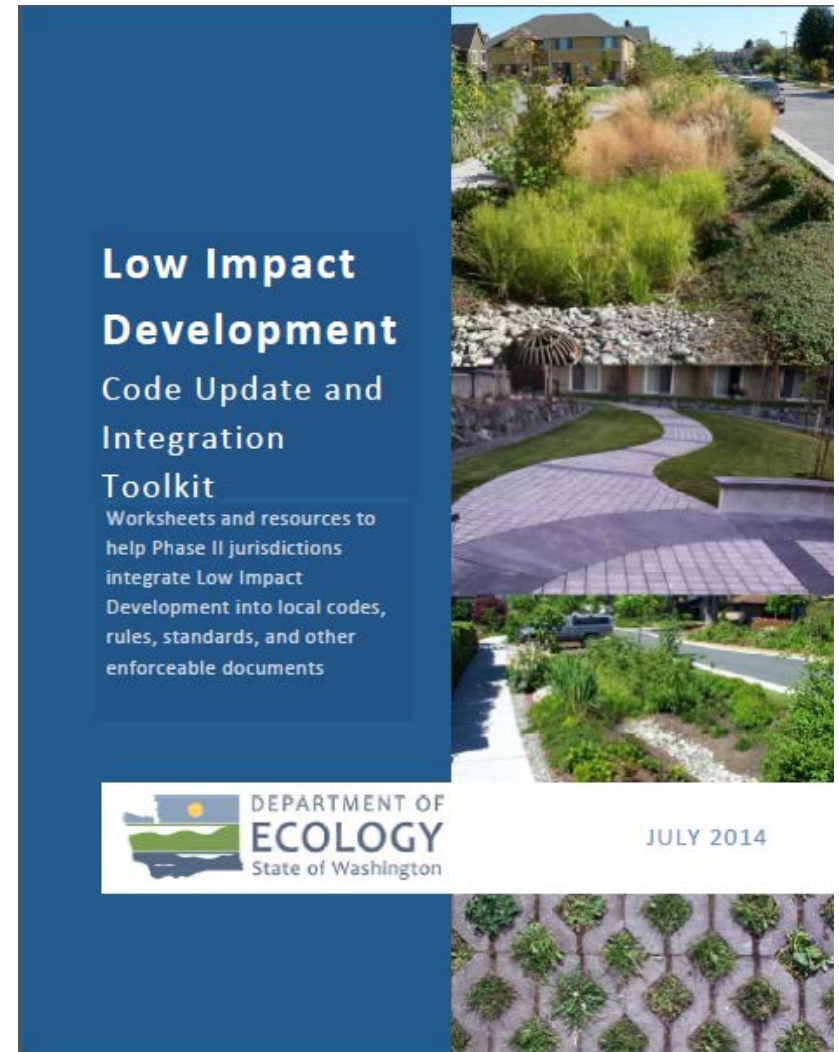
# Examples of LID

## LID BMP: Permeable Pavement



# The Path Thus Far

- Hired a consulting firm with expertise in LID
- Assembled a multi-department LID Team
- Conducted Gap Analysis of codes, standards and plans
- Drafted amendments to codes, standards and plans
- Met with Development Stakeholders Committee to provide overview and collect initial input.





# Codes and Plans Under Review

- Right-of-way Use Code (SMC 11.10)
- Surface and Stormwater Management (SMC 12.10)
- Buildings and Construction (SMC 13)
- Subdivisions (SMC 14)
- Development Review Code (SMC 16A)
- SeaTac Shoreline Management Code (SMC 18)
- SeaTac Shoreline Master Program
- SeaTac Comprehensive Plan

# Concerns About LID

## Issues Raised by Cities, Counties and Development Stakeholders

- Increased cost for implementing LID BMPs
  - Especially for small development projects
- Reliability and longevity of LID BMPs
- Untested maintenance techniques and tools (e.g. permeable pavement)

# Concerns About LID

## **Cities & Counties Appealed the 2013 NPDES Permit**

- The Pollution Control Hearing Board (PCHB) ruled primarily in favor of Ecology
  - LID mandate was upheld (required where feasible)
- PCHB recognized the limitations of LID and expanded infeasibility criteria
  - Makes it easier for developers to identify LID BMPs as infeasible without having to conduct expensive soil analyses and infiltration tests

# LID Requirements - A Federal Mandate

## Potential Consequences for Non-compliance

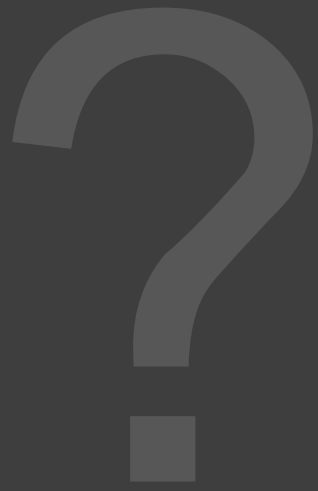
- State (DOE) fines \$10,000/day/violation
- Federal (EPA) fines \$37,500/day/violation
  - King and Pierce County examples
- Difficulty in attaining state and federal grants \$\$\$
- Subject to 3<sup>rd</sup> party lawsuits
  - For example: Puget Soundkeeper Alliance

# Key Revisions Proposed

- Adopting the 2016 King County Surface Water Design Manual (stormwater standards)
- Amending road standards to allow use of LID BMPs where feasible
- Enhancing protection of native vegetation
- Minimizing impervious surfaces
- Clarifying and expanding areas where LID BMPs can be used
- Modifying landscaping requirements to allow for vegetated LID BMPs

# The Path Forward / Public Process

- August 9 Council Study Session  
(Request for Direction)
- September 6 Planning Commission  
(Code Amendment Review)
- September 20 Transportation & Public Works  
Committee (Overview)
- October 18 Transportation & Public Works  
Committee (Code Amendment  
Review)
- November 8 Council Study Session (Ordinance)
- November 22 Regular Council Meeting (Action)



*Questions?*

