



CITY OF SEATAC

PLANNING COMMISSION MEETING

City Council Chambers, SeaTac City Hall, 4800 S. 188th Street
December 5, 2017, 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 public hearing
- 3) Approval of minutes of November 21, 2017 regular meeting (Exhibit A)
- 4) Worksession: Food Trucks/Mobile Vending (Exhibit B)
- 5) CED Director's Report
- 6) Planning Commission Comments (including suggestions for next meeting agenda)
- 7) Adjournment

A quorum of the City Council may be present

The Planning Commission consists of seven 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 November 7, 2017
Regular Meeting

Members present: Tej Basra, Roxie Chapin, Tom Dantzler, Pam Pollock, Stanley Tombs
Members absent: Jim Todd (excused)
Staff present: CED Director Jeff Robinson; Steve Pilcher, Planning Manager; Kate Kaehny, Senior Planner; Brianna Burroughs, Associate Planner

1. Call to Order

Vice-Chair Pollock called the meeting to order at 5:32 p.m.

2. Public Comment

Earl Gipson, reported on the recommendation of the City Council's Land Use and Parks Committee, which is not recommending approval of Comprehensive Plan Text Amendment T-4; he asked for the same from the Commission. He also spoke regarding food trucks.

Barbara McMichael expressed her interest in proposed Map Amendments M-2 and M-2A, noting that many people had come to the meeting to express their concern.

3. Approval of Minutes

Commissioner Chapin noted that both she and Vice-Chair Pollock were absent from the last meeting. Moved and second to approve the minutes of the October 17, 2017 meeting as amended. **Passed 5-0.**

4. Public Hearing on 2017 Biennial Comprehensive Plan amendments (continued, testimony closed)

Vice-Chair Pollock opened the public hearing at 5:37 p.m. She asked the Commission if they wished to re-open the hearing to receive additional testimony.

Moved and seconded to re-open the hearing to allow additional testimony. Approved 5-0.

Nicholas Goraas, 21102 Military Rd., expressed concern that development in the area is negatively impacting creative people and the environment. He advocated preserving SeaTac and that Map Amendments M2 and M2-A should not be approved.

Joseph Valleroy, 3415 S. 208th St., spoke in opposition to Map Amendments M2 and M2-A, citing traffic impacts.

Luciana Bosio, 20660 Military Rd., spoke in opposition to Map Amendments M2 and M2-A, citing traffic impacts, the challenges of developing steeply sloping property, and the loss of wildlife habitat.

Rick Forschler, City Council, reported on the recommendations of the Land Use and Parks Committee. He noted that while they voted against Map Amendments M2 and M2-A, he subsequently heard from Councilmember Kwon that he is changing his mind and therefore, the LUP Committee will be recommending approval.

Dan Lenz, 20816 Military Rd., stated that he opposes Map Amendments M2 and M2-A.

Ralph Olson, 21245 Military Rd., spoke in opposition to Map Amendments M2 and M2-A.

Bruce Bickford, 21102 Military Rd., spoke in opposition to Map Amendments M2 and M2-A.

Rhonda Martin, 3400 S. 209th St., spoke in opposition to Map Amendments M2 and M2-A, citing potential crime and noise impacts.

Barbara McMichael, 20816 Military Rd., spoke in opposition to Map Amendments M2 and M2-A.

Commissioner Basra recommended that concerned citizens should attempt to speak with the proponent to increase their understanding of the proposal and express their concerns.

Sidd Jha, New York City, spoke in favor of Map Amendment M2. He stated that staff's concerns are most appropriately addressed during development review, not as part of this amendment process. Mr. Jha also indicated that landslide hazard information is not definitive, per a disclaimer on the map. He cited a 1967 memorandum from the State Dept. of Transportation files. Mr. Jha also indicated that the environmental constraints on the site are due to past actions (surface mining) and this property should not be penalized due to that. The proposed increase in density is necessary in order to accomplish his desired use of the property for senior housing. Finally, he noted that many of the opponents of the property are located outside of the public hearing notification district.

In response to an inquiry from the Commission, Mr. Jha indicated that they intend to secure needed land entitlements by June 2018 and begin construction shortly thereafter. He was also asked to explain how the proposed structures he had submitted would be located on the site.

Vice-Chair Pollock closed the hearing to further testimony at 6:28 p.m.

Senior Planner Kate Kaehny reviewed the Comprehensive Plan schedule and then guided the Commission through making their recommendations on each proposed amendment, as follows:

M-1 Segale	Approve (5-0)
M-2 Jha	Approve (5-0)
M-2A Tombs	Approve (4-0) (Commissioner Tombs recused)

- M-3 #1 & 2 Approve (5-0)
- #3 & 4 Disapprove (5-0)
- #5 Approve (5-0)
- #6 Disapprove (5-0)
- #7-17 Approve (5-0)
- M-4 all Approve (4-0), (Commissioner Basra recused)
- M-5 all Approve (5-0)
- M-6 all Approve (5-0)

- T-1 Approve (5-0)
- T-2 Approve (4-1)
- T-4 Disapprove (5-0); also eliminate associated implementation strategy
- T-5-7 Approve (5-0)

5. Worksession on Sign Code amendments

Associate Planner Brianna Burroughs provided an update on the issue of content neutrality and sign regulations. She noted that in August, the 9th District Court of Appeals issued an opinion that the standard of content neutrality does not apply commercial speech. For non-commercial speech, the content neutrality standard applies: don't base sign regulations upon their content.

Ms. Burroughs reviewed some of the areas of the Sign Code staff will be examining to determine what amendments may be necessary. Staff will continue to examine the legal basis for regulations and return at a future meeting with draft code language.

6. Briefing in Food Trucks

Planning Manager Steve Pilcher gave a quick briefing on the issue of food trucks, noting that the Land Use and Parks Committee has indicated a desire to review potential code changes to allow these types of businesses within the city. He noted that staff has already completed a substantial amount of work on this issue and should be able to begin more thorough discussions with the Commission. He also stated staff will be coordinating with the Washington State Food Truck Association and also local restaurants.

7. Director's Report

CED Director Jeff Robinson commended the Commission for their service to the community.

8. Commissioners' Reports

None.

9. Adjournment

Moved and seconded to adjourn. Motion passed 5-0. The meeting adjourned at 7:12 p.m.



MEMORANDUM

COMMUNITY & ECONOMIC DEVELOPMENT

Date: November 30, 2017
To: Planning Commission
From: Steve Pilcher, Planning Manager
Subject: Food Trucks/Mobile Food Vending

At your last meeting, the Commission had a spirited discussion regarding the issue of food trucks: whether they should be allowed in the city and if so, under what type of standards/regulations. Staff asked the Commission a series of “framing” questions to provide a basis for developing draft code amendments.

As noted previously, Planning staff had done prior work on this issue and had drafted some potential amendment language over one year ago. That draft has been updated to reflect the direction of the Commission and is why in its reading, the “track changes” highlights may appear to be from multiple authors.

Based upon the discussion at your last meeting, it appeared the Commission was highly supportive of allowing food trucks to operate in the city and with a minimal amount of regulations. The attached amendments to the Zoning Code were drafted with that overall concept in mind. (Any necessary amendments to the Business License code have yet to be drafted).

Some of the language included in the draft was based upon the City of Yelm’s code, which is cited on the Washington State Food Truck Association’s website. (We haven’t found a lot of suburban communities that are allowing food trucks to operate other than as part of special events).

The draft does the following:

- adds a definition of “mobile food vending”
- allows mobile food vending in all non-residential zones in both the primary use charts and those used in the various overlay districts
- Eliminates the restriction in the Angle Lake Station Area District that only allowed mobile vending within the District Center
- Establishes a few specific standards in Chapter 15.415:
 - allows the activity as both the primary use of a parcel or as an accessory use
 - indicates that mobile vending may also occur in non-commercial zones in specific locations such as parks or schools, subject to the granting of either a Temporary Use Permit (which is granted by the CED Director) or a Special Use Permit (which is granted by the Parks Director when a City park is involved)
 - Prohibits mobile food vending from the public right-of-way
 - Defers to Health Department regulations for standards they enforce (water/grey water; trash/garbage service, etc.)

- Prohibits drive-up/drive-through operations
- Requires vendors to be set up on paved surfaces
- Suggests that when a food truck is the primary use of a site, there should be a minimum parking standard (to be discussed)
- Suggests that when an accessory use, mobile food vending could occupy required parking stalls for the primary use of the property, there should be a limit to the extent of that impact (to be discussed)
- authorizes the use of secondary signage (e.g., sandwich board signs)

If the Commission is satisfied with this approach, the next step would be for staff to finalize a draft, conduct the SEPA process and send to State agencies for expedited review. We will plan on presenting to the Land Use and Parks Committee at their 12/14/17 meeting and scheduling for a Planning Commission public hearing in January 2018. It is also our intent to present to the Hotel/Motel Advisory Committee and to reach out to restaurant owners to give them the opportunity to comment.

We look forward to continuing the discussion at your meeting on December 5th.

15.105.130 Mobile Food Vending

Sales of food to the general public from a motor vehicle designed and approved for such activity.

Chapter 15.205

LAND USE CHART

15.205.040 Use Chart

ZONES:

- | | |
|---|--|
| UL – Urban Low | O/C/MU – Office/Commercial/Mixed Use |
| UM – Urban Medium | O/CM – Office/Commercial Medium |
| UH – Urban High | CB – Community Business |
| UH-UCR – Urban High-Urban Center Residential | CB-C – Community Business in the Urban Center |
| T – Townhouse | ABC – Aviation Business Center |
| MHP – Mobile Home Park | BP – Business Park |
| NB – Neighborhood Business | 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	
RETAIL AND COMMERCIAL																	
<u>Mobile Food Vending</u>								<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See SMC 15.415.300 Mobile Food Vending</u>

Chapter 15.300

CITY CENTER OVERLAY DISTRICT

15.300.055 City Center Overlay District Use Chart

ZONES:

UM – Urban Medium

O/CM – Office/Commercial Medium

UH – Urban High

O/C/MU – Office/Commercial/Mixed Use

UH-UCR – Urban High-Urban Center Residential

T – Townhouse

NB – Neighborhood Business

P – Park

CB-C – Community Business in the Urban Center

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UM	UH	UH-UCR	NB	CB-C	O/CM	O/C/MU	T	P	Additional Regulations
RETAIL AND COMMERCIAL										
Mobile Food Vending				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	See SMC 15.415.300 Mobile Food Vending

Chapter 15.305

SOUTH 154TH STREET STATION AREA OVERLAY DISTRICT

15.305.055 S. 154th Street Station Area Overlay District Use Chart

ZONES:

UL – Urban Low

CB-C – Community Business in the Urban Center

UM – Urban Medium

T – Townhouse

UH – Urban High

P – Park

UH-UCR – Urban High-Urban Center Residential

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UL	UM	UH	UH-UCR	CB-C	T	P	Additional Regulations
RETAIL AND COMMERCIAL								
Mobile Food Vending					<u>P</u>		<u>P</u>	See SMC 15.415.300 Mobile Food Vending

Chapter 15.310

ANGLE LAKE STATION AREA OVERLAY DISTRICT

15.310.050 Use Chart

A. Use Chart Guide.

1. **About the Use Chart.** The following chart lists all of the permitted and conditional land uses allowed in each zone.

2. **How to Use the Use Chart.** The land uses are listed vertically along the left hand side and the zones are listed horizontally across the top. Each square in the chart shows the following possibilities for the use and the zone:

P: The use is permitted.

C: The use is allowed subject to a conditional use permit.

If the square is blank, the use is not permitted in that zone.

3. **Additional Standards According to Use.** Additional standards that apply to a particular use and zone are noted by number and described in the column on the far right of the chart. If the standard is not preceded by a number, the standard applies to all zones. (Ord. 16-1009 § 1)

15.310.055 Angle Lake Station Area Overlay District Use Chart

ZONES:

UM – Urban Medium

ABC – Aviation Business Center

UH – Urban High

CB-C – Community Business in the Urban Center

UH-UCR – Urban High-Urban Center Residential

I – Industrial

P – Park

P – Permitted Use; C – Conditional Use Permit required

LAND USE	UM	UH	UH-UCR	ABC	CB-C	I	<u>P</u>	Additional Regulations
RETAIL AND COMMERCIAL								
Mobile Vending				P(+)	P(+)	<u>P</u>	<u>P</u>	See SMC 15.415.300 Mobile Food Vending (+) Permitted outside the public-right of way within the District-Center. See map in SMC 15.310.010.

Chapter 15.415

COMMERCIAL STANDARDS AND REGULATIONS

Sections:

- 15.415.005 Purpose
- 15.415.010 Authority and Application
- 15.415.100 Fueling/Service Stations
- 15.415.200 Sexually Oriented Business
- 15.415.300 Mobile Food Vending

15.415.005 Purpose

The purpose of this chapter is to delineate regulations that apply to the following commercial uses: fueling/service stations, sexually oriented businesses and mobile food vending.

15.415.010 Authority and Application

The provisions of this chapter shall apply to all fueling/service stations, sexually oriented businesses and mobile food vending uses, regardless of where located.

15.415.300 Mobile Food Vending

A. Application. The provisions of this section shall apply to all mobile food vending businesses in all zones where such use is permitted.

B. Mobile Food Vending as Permitted Uses. Mobile food vending is may be permitted as follows:

1. Mobile food vending is permitted as a primary or accessory use in applicable zones.
2. Mobile food vending may be allowed within parks, plazas, or schools as part of a special event, approved pursuant to either a Temporary Use Permit or a Special Use Permit.
3. Mobile food vending shall not locate within any public right-of-way.

C. Standards for Mobile Food Vending.

1. Mobile food vendors shall obtain a City of SeaTac business license and conform to all King County – Seattle Health Department standards.
2. Mobile food vending operations shall be self-contained.
3. Parking & Circulation.
 - i. Drive-up and/or drive-through facilities are prohibited.
 - ii. All mobile vending shall locate on a paved surface and maintain adequate pedestrian and vehicular circulation through parking lots.
 - iii. Mobile food vending as a primary use shall provide paved customer parking of no less than X stalls.
 - iv. Mobile food vending located within a parking lot serving a primary use shall not occupy more than X percent of the number of stalls required for the primary use of the property.
4. Signage.

Secondary signage only shall be allowed pursuant to SMC 15.600.070.

Chapter 15.445

LANDSCAPING AND TREE RETENTION

15.445.210 Landscaping Standards Chart

LAND USE	STREET FRONTAGE (Type/Width)	BUILDING FACADE IF >30 FT. HIGH OR >50 FT. WIDE (Type/Width)	SIDE/REAR YARDS (Type/Width)	SIDE/REAR BUFFER FOR NONCOMPATIBLE ZONES (Type/Width)	PARKING LOT LANDSCAPE STANDARDS APPLICABLE (See SMC 15.445.250)	ADDITIONAL REGULATIONS
RETAIL and COMMERCIAL						
Mobile Vending	N/A	N/A	N/A	N/A	N/A	

Chapter 15.455

PARKING AND CIRCULATION

15.455.120 Parking Chart for Required Off-Street Spaces

LAND USE	MINIMUM SPACES REQUIRED	ADDITIONAL REGULATIONS
RETAIL AND COMMERCIAL		
Mobile Vending	<u>X if the primary use of a site.-</u>	<u>None required if an accessory use..</u>