



CITY OF SEATAC

PLANNING COMMISSION MEETING

City Council Chambers, SeaTac City Hall, 4800 S. 188th Street
December 3, 2013, 5:30 p.m.

MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Approve Minutes of November 5, 2013 Planning Commission Meeting (Exhibit A)
- 3) Old Business: None
- 4) New Business:

Public Hearing on miscellaneous code amendments, including: SEPA Categorical Exemptions; accessory dwelling unit reporting requirements; public notice procedures; and economic stimulus signs.
- 5) Detailed Commission Liaisons' Reports
- 6) Community & Economic Development Director's Report
- 7) Planning Commission Comments (including suggestions for next meeting agenda)
- 8) Adjournment

DRAFT
CITY OF SEATAC
PLANNING COMMISSION
Minutes of November 5, 2013
Regular Meeting

Members Present: Daryl Tapio, Roxie Chapin, Tom Dantzler, Joe Adamack, Jim Todd

Members Absent: None

Staff present: Joe Scorcio, CED Director; Steve Pilcher, Planning Manager

1. Call to Order

Chairman Tapio called the meeting to order at 5:34 p.m.

2. Recognition of Commissioner Dantzler for 20 years of service

CED Director Joe Scorcio reported that at last week's Volunteer Recognition luncheon, Mr. Dantzler was noted for 20 years of service to the City. As Mr. Dantzler was unable to attend, Mr. Scorcio presented him with a certificate of recognition and a pin commemorating his years of service.

Mr. Dantzler commented on his motivation for giving back to the community through service.

3. Approve minutes of October 15, 2013 Meeting

Moved and seconded to approve the minutes as presented. Approved 5-0.

4. Potential code amendments regarding SEPA Categorical Exemption Thresholds, public notification procedures

Planning Manager Steve Pilcher noted this topic had been discussed with the Commission at prior meetings and that staff wishes to solidify proposed thresholds before proceeding to public hearing at the Commission's December 3rd meeting. It is also necessary to provide a 21-day comment period to the State Dept. of Ecology, interested tribes, and other agencies prior to taking any action. He stated that staff is recommending establishing higher thresholds that are consistent with the highest threshold of neighboring jurisdictions. A chart of those jurisdiction's thresholds was provided in the Commission's packet.

After discussion, the Commission directed that the following thresholds be proposed for public comment:

- Single family residential: 9 units
- Multifamily residential: 20 units
- Barns, etc.: 10,000 sq. ft.

- Offices, commercial, etc.: 12,000 sq. ft.
- Parking lots: 50 stalls
- Landfill or excavation: 750 cubic yards

Public notification procedures were also discussed at prior meetings. Staff is proposing reducing the size of mailed notification districts to 300 feet for Type II project permits (administrative decisions) and 500 feet for Type III project permits (these require public hearings). The only exception would be for Essential Public Facilities Conditional Use Permits, where the existing 1000 feet notification district would be maintained.

The Commission raised the issue of the notification signs that are required to be erected on the site of a proposed project. These are typically expensive to obtain, as each sign must be individually fabricated at a local sign shop. The required dimensions (3' x 4') were also noted as difficult. It was suggested that perhaps the City could produce the basic sign and then sale those to project proponents. It was agreed that staff will draft some amendment language to address this concern.

Mr. Pilcher noted that the amendment packet for public hearing on December 3rd will also include the change to eliminate the ADU report requirement.

5. Potential code amendments regarding “Economic Stimulus Signs” and “Micro-Apartments”

Planning Manager Steve Pilcher noted that the Sign Code had been amended in 2011 to allow the use of “economic stimulus signs” to assist in the sales, lease or rental of properties. This provision contains a sunset date of December 31, 2013.

There appears to be only one property currently using these types of signs, the SeaTac Office Center on International Blvd. (Mr. Pilcher handed out a photograph of the building and sign). When staff contacted the building manager earlier this year to remind them of the need to remove the sign at years' end, they requested consideration of extending the time period in which they can be used. Any extension will require an amendment to the code; staff is requesting direction from the Commission of whether an extension should be considered and, if so, for what duration of time.

After discussion, the Commission agreed that a two-year extension should be considered. Staff will add that proposal to the list of code amendments to be considered at the December 3rd public hearing.

The second issue concerns “micro-apartments,” sometimes known as “efficiency apartments” or “apodments” (which is a copyrighted name). Earlier this year, staff was contacted by a local developer who has built several of these projects in Seattle and other area cities. He had expressed interest in developing a project in the 154th St. Station area. Staff is bringing this issue forward to the Commission for initial discussion and to determine if there is interest in pursuing it further.

Typically, these projects provide no off-street parking, as they do not cater to tenants who own cars. In fact, bicycle parking is usually a greater need. In addition, these projects often do not have significant on-site open space or community gathering areas, instead relying upon the local area to provide gathering spaces. Staff has noted that these features of an urban area are not yet found in the 154th St. Station area.

CED Director Scorcio noted that as the Transit Oriented Development (TOD) market becomes saturated at the light rail stations to the north, developers will begin to look at sites in suburban locations. He indicated that it is possible that future amendments to the Growth Management Act may require local jurisdictions to provide accommodation for this housing type in certain locations.

The Commission discussed that future tenants could spend their dollars in the local market, which would help it to grow businesses related to their needs. However, they also expressed a concern of these projects turning into low-income housing. There was also concern about the lack of off-street parking. Concern was also expressed regarding the potential conversion of older buildings into this housing type.

Staff was asked to check the building codes to determine if there is a minimum required size for a dwelling unit. They were also asked to contact Tukwila and see if they are also considering this housing type.

It was noted that these projects could meet a housing need for certain groups and since they are a unique type, they could be highly regulated as to location, new construction only, number of occupants per unit, etc.

The Commission agreed to continue consideration at a future meeting and requested staff to invite a developer of micro-apartments to attend an upcoming meeting.

6. CED Director's Report

CED Director Joe Scorcio reported that as part of on-going internal process improvements, City staff has recently examined the right-of-way use permit process. He reported that for one type of ROW permit, staff had determined ways to reduce the time of processing from 12 to 3 days.

Planning Manager Pilcher informed the Commission of an upcoming "Puget Sound Equity Summit" to be held this Friday evening and Saturday at Highline Community College.

7. Planning Commission Comments

None.

8. Adjournment

Moved and seconded to adjourn the meeting at 7:13 p.m. Passed 5-0.

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STAFF REPORT

COMMUNITY & ECONOMIC DEVELOPMENT

Date: November 26, 2013
To: Planning Commission
From: Steve Pilcher, Planning Manager
Subject: Miscellaneous Code Amendments (File No.: CAM13-0002)

Over the past two months, the Planning Commission has discussed four distinct areas of code amendments that are intended to provide improvements for both the public and city operations. These were presented by staff as part of an overall initiative to increase operational efficiencies.

Notice

As required by law, notice of these proposed amendments was sent to the State Department of Commerce, with a request for expedited review. In addition, the proposed changes to the SEPA Categorical Exemption thresholds also required a 21-day notification process to the Department of Ecology, agencies with expertise, tribes, adjacent jurisdictions, etc. As of the date of writing this report, no comments have been received from any public agency or member of the public.

In addition to the notice above, notice of this hearing was also advertised in the Seattle Times on November 19, 2013. Notice has also been posted to the City's website.

SEPA Compliance

Pursuant to WAC 197-11-800(19), procedural actions are exempt from SEPA review. All four of the proposed amendments can be classified as procedural in nature.

Proposed Amendments

1. SEPA Categorical Exemptions

The State Environmental Policy Act was adopted in the early 1970s, before the advent of Shorelines Management, the Growth Management Act, Critical Area regulations, impact fees, etc. The SEPA Rules (found in the Washington Administrative Code at 197-11), which fall under the jurisdiction of the State Department of Ecology, have seen some changes over the years, with more changes under currently under discussion with a variety of stakeholders.

Some of the changes that have occurred are in the area of "categorical exemptions," which define governmental actions that are, except in certain instances, exempt from the SEPA process. For land use and building permit actions, being exempted can save a considerable amount of time for both staff and applicants, as the SEPA process typically takes from 60-90 days to complete. It also provides the opportunity for any concerned individual to file an

appeal of a SEPA determination to the Hearing Examiner, which can result in time delays for project applicants and/or the City.

The SEPA Rules allow a local government to adopt higher thresholds for exemptions for “minor new construction.” Currently, the City’s threshold levels are typically below those of neighboring jurisdictions and significantly below the maximums allowed by the SEPA Rules. (See attached). The Commission is recommended increasing the City’s categorical thresholds to a level consistent with the “upper end” of those found in surrounding jurisdictions.

As part of the evaluative process for considering increasing the threshold exemptions, existing regulations that address the various elements of the environment were identified. A table addressing outlining those regulations is attached.

As noted in the introductory comments, 21-day notice of these proposed changes was sent to the Department of Ecology, tribes, agencies with expertise, etc. Notice of all of the proposed amendments under consideration was also provided to the State Department of Commerce, which in turn distributes the changes to other State agencies.

Staff Recommendation

Adopt the changes as recommended. This will allow for efficiency gains for both private applicants and City operations.

2. Accessory Dwelling Unit Reporting requirements

Currently, SeaTac Municipal Code 15.37.050 states that the Community and Economic Development Department is to prepare a report every two years, stating the number and location of new Accessory Dwelling Units (ADUs) permits that have been issued. Although this has been a part of the code since November 2004, there is no evidence that a report has ever been prepared, nor has there been any request for such a report.

Staff Recommendation

Eliminate this section of the Code, while retaining the remainder of the ADU provisions.

3. Public Notice Procedures

In the mid-1990s, the State legislature passed what was known as the “Regulatory Reform Act,” a bill aimed at providing greater certainty and timeliness to individuals pursuing development permits. (This is the bill that created the 120-day permit review timeline). The bill also included provisions to provide notice to the public when project permit applications were received, giving the public an opportunity to provide comment on project, even before any public hearing (if required) might occur. (This notification process is known as a “Notice of Application.”)

The City’s provisions for public notice are contained in Chapter 16A.09 of the Municipal Code. Section .030 establishes standards by which public notice is to be provided, including the posting of a “notice board” on the site of a development proposal. Currently, the code includes exact specifications for the size and text to be included on a sign. The Planning Commission indicated a desire that these standards be modified; staff is recommending that

the instead of including the standards in code, that authority be granted to the City Manager or designee to establish these standards. This will allow for greater flexibility to respond to changing needs and methods for erecting signs.

Mailed notice is required to be sent to all property owners within a specified distance of a development site. Currently, the notification districts are either 1,000 or 500 feet in size, radiating out from all corners of the development site. This is larger than typically found in other jurisdictions. Staff is recommending reducing the size of the notification district for administrative land use approvals from 500 to 300 feet. For actions requiring a public hearing, the recommendation is to reduce from 1,000 to 500 feet, except for Conditional Use Permits for Essential Public Facilities (which have a higher potential of being more controversial).

In conjunction with these reductions, staff is intending to institute more robust use of the City's website for posting various land use actions and also emphasizing the ability of interested parties to receive electronic notifications.

Finally, the proposal also includes an amendment to not require a Determination of Completeness for Type I ministerial permits (this is not a requirement of State law) and to also redefine a Shoreline Exemption as a Type I action (this would be consistent with State law).

Staff Recommendation

Staff recommends approval of the proposed amendments, as a way to increase operating efficiencies.

4. Economic Stimulus Signs

In 2011, the Sign Code (SMC 15.16) was amended to establish a provision for use of "economic stimulus signs," which could be used to advertise a property for sale, lease or rent (see SMC 15.16.080). This special provision included a "sunset date" of December 31, 2013.

Earlier this year, staff contacted the only known user of this provision (SeaTac Office Center) regarding the impending sunset date. The property manager requested the City consider extending this provision, as the property still had significant vacancies.

The Commission has suggested extending the "sunset date" for this exemption for two more years, until December 31, 2015.

Staff Recommendation

Staff supports the proposed extension. There is no record of any registered complaints regarding the sign currently in use.