



# CITY OF SEATAC

## PLANNING COMMISSION MEETING

Riverton Room, SeaTac City Hall, 4800 S. 188<sup>th</sup> Street  
May 20, 2014, 5:30 p.m.

### MEETING AGENDA

- 1) Call to Order/Roll Call – 5:30 p.m.
- 2) Approve Minutes of April 15 and May 6, 2014 Planning Commission Meetings (Exhibit A)
- 3) Public Comment: Public comment will be accepted on items not scheduled for a public hearing
- 4) Continued discussion on Recreational Marijuana/I-502 (Exhibit B)
- 5) Briefing on National APA Conference – Joe Scorcio and Mike Scarey
- 6) Community & Economic Development 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.*

**CITY OF SEATAC  
PLANNING COMMISSION  
Minutes of April 15, 2014  
Regular Meeting**

**Members Present:** Joe Adamack, Jim Todd, Roxie Chapin, Tom Dantzler, Robert Scully  
**Members Absent:** None

**Staff present:** Joe Scorcio, CED Director; Steve Pilcher, Planning Manager; Kate Kaehny, Senior Planner; Mike Scarey, Senior Planner; Al Torrico, Senior Planner

**1. Call to Order**

Chairman Adamack called the meeting to order at 5:31 p.m. New Commissioner Robert Scully was introduced to the Commission.

**2. Approve minutes of April 1, 2014 Meeting**

Moved and seconded to approve the minutes as written. Passed 5-0.

**3. Discussion regarding public input at Planning Commission meetings**

CED Director Joe Scorcio noted that when all Planning Commission meetings were held in the Council Chambers, the layout of the room made it easier for the Commission to regulate public input. With moving study sessions to the more informal setting of the Riverton Room, it has become evident that some protocol should be developed. He noted that language has been added to the bottom of the agenda, explaining the role of the Commission and also asking that any member of the public be recognized by the Chair prior to speaking. Staff is also suggesting that a place on the agenda be added to provide the public with the opportunity to address the Commission on any topic of concern.

The Commission concurred with the changes.

**4. Public Comment**

None.

## **5. Briefing on Angle Lake Station Area Plan process**

Senior Planner Kate Kaehny presented a PowerPoint presentation of the selected design for the light rail station parking garage and plaza. This information had been presented to the City Council in March. The parking garage will feature an innovative “skin”, while the plaza will be spacious enough to allow for public events. The garage structure also features approx. 2500 sq. ft. of retail space and public restrooms. The plaza itself is approx. 10,000 sq. ft. in area.

The overall layout of the “triangle” property will allow for a good-size site at the southwest corner that can be developed with future transit-oriented development.

Commissioners indicated their support for the design of site.

Ms. Kaehny then presented slides outlining the progress on the Station Area Plan. She noted that an existing conditions report has been prepared by the consultant and is under review. She also advised the Commission of upcoming public participation activities, which include a meeting at Willow Lake Apartments this Saturday morning; a “visioning” workshop on May 1<sup>st</sup>; and an “urban design” workshop on May 29<sup>th</sup>. Both of the latter activities will be held at Madrona Elementary School.

Ms. Kaehny also presented information about the effort conducted with students from Global Connections High School. Their work included walking both 10 & 15 minutes from the station site in four directions, noting the distance traveled and the pedestrian experience. The students also were involved in a “mini-charrette,” where they defined desired uses in the station area. They will be making a brief presentation of their findings at the May 27<sup>th</sup> City Council meeting.

## **6. Briefing on Major Comprehensive Plan update**

Senior Planner Mike Scarey reminded the Commission that once each month, staff is bringing forward one element of the Comprehensive Plan with suggested revisions. This month’s chapter concerns Utilities.

He noted two issues: 1) the City does not require individuals to connect to sanitary sewer service even if it is available and 2) solid waste service is not required to all land uses. Staff is suggesting that both these utilities, plus high-speed internet, be considered as basic urban services.

The Commission inquired what the City is doing to facilitate the provision of sanitary sewer service, especially since it is not the service provider. Chair Adamack related issues concerning connecting his neighborhood to sewer service. Mr. Scarey noted that changes to the implementation strategy should be made.

Mr. Scarey summarized other changes that have been drafted and handed out a supplement of further revisions that were made since the Commission packet was prepared the previous Friday. There was general consensus with the changes as drafted.

## **7. Discussion of potential code amendments concerning housing & home occupations**

Planning Manager Steve Pilcher reminded the Commission of that staff is proposing to both reduce the number of definitions in the code that concern various types/forms of housing and also, to add definitions and strategies to accommodate various types of senior housing. He reviewed the proposed changes to the definitions, noting that several of the recommended changes were being proposed as part of the Major Zoning Code Update.

New definitions being suggested include: assisted living facility; dwelling unit, caretaker/manager; hostel; and retirement apartments.

Mr. Pilcher also noted that a table has been prepared, suggesting how assisted living facilities, nursing homes and retirement apartments should be addressed in terms of where allowed; at what density; and how much parking should be required. He noted that in general, greater densities are allowed for these types of housing, as seniors typically are not as active and the general population and do not (collectively) own as many cars.

Concerning home occupations, research was conducted to determine how some other jurisdictions address this issue. Mr. Pilcher drew the Commission's attention to a table indicating how the cities of Burien, Kent, Auburn, Puyallup and SeaTac regulate home occupations. He noted that SeaTac's regulations are the most permissive, being they have been extant since the original Zoning Code was adopted in 1992 and were probably modeled after King County's regulations. He stated that at this time, staff is looking for direction from the Commission regarding any potential code changes.

CED Director Scorcio noted the primary issue is protecting residential neighborhoods; once a home occupation begins to detract from the residential character of a neighborhood, it probably should not be allowed. He cited allowing two outside employees as being problematic.

The Commission discussed various issues concerning home occupations. It was agreed to address this matter further at an upcoming meeting.

## **8. CED Director's Report**

Mr. Scorcio handed out an article from the most recent Planning magazine (published by the American Planning Association), which addressed the results of a survey concerning the background of planning commissioners.

He also handed out information regarding an upcoming "Planning Short Course," being offered by the State Dept. of Commerce, Planning Association of Washington and the State's APA chapter. The event will be held at Medina City Hall and is free.

Mr. Scorcio noted the department is making progress on filling the vacant Code Compliance Coordinator position and an Engineering Technician position. Offers for both positions will probably be made soon.

He indicated he will be attending the National APA Conference in Atlanta at the end of the month and will report back at the May 6<sup>th</sup> Commission meeting.

**9. Commissioner's Comments**

Commissioner Dantzer noted that the General Services Administration has announced the FAA is renewing its proposal to construct a regional center, this time at a smaller scale.

**10. Adjournment**

Moved and seconded to adjourn. Motion passed 5-0. The meeting adjourned at 7:22 p.m.

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**CITY OF SEATAC  
PLANNING COMMISSION  
Minutes of May 6, 2014  
Regular Meeting**

**Members Present:** Joe Adamack, Roxie Chapin, Tom Dantzler, Robert Scully  
**Members Absent:** Jim Todd

**Staff present:** Joe Scorcio, CED Director; Steve Pilcher, Planning Manager; Al Torrico, Senior Planner; Julia Yoon, Asst. City Attorney; Jeff Robinson, Economic Development Manager

**1. Call to Order**

Chairman Adamack called the meeting to order at 5:32 p.m.

**2. Approve minutes of April 15, 2014 Meeting**

The minutes were not provided in the Commission packet, so could not be considered.

**3. Public Comment**

None.

**4. Briefing /Discussion on Recreational Marijuana (I-502)**

Planning Manager Steve Pilcher reminded the Commission that the City Council has asked for the Commission to consider this issue and make a recommendation as to what course of action the City should take regarding whether to legalize the production, processing and retail sales of marijuana for recreational use. Staff is scheduled to present the Commission's recommendation at the May 27<sup>th</sup> City Council meeting. In order to meet that deadline, staff is not planning to bring forth any other items for the Commission's consideration at either of its two May meetings. Mr. Pilcher asked that the Commission provide direction to staff regarding any additional information that may be provided before the next regularly scheduled meeting on May 20<sup>th</sup>.

Senior Planner Al Torrico presented a series of slides that reviewed the status of marijuana regulations both within the city and at the state level. He noted that all forms of marijuana uses (medical or recreational) are currently not allowed within the city limits due to a Zoning Code amendment adopted in January 2013. However, staff has received notice from the State Liquor

Control Board (LCB) for three producer or processor license. He also noted that the LCB website indicates two businesses were in the lottery system for securing a retail license.

Mr. Torrico noted that the City would receive its share of sales tax revenues (\$.0085 /\$1) and a business license fee of \$35. The majority of the tax benefit of recreational marijuana will accrue to the State. There are no special taxes associated with this activity.

Mr. Torrico noted that the State regulations provide standards for these uses, including a 1000 ft. separation required from any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center or library. A map produced by the City's GIS staff depicts "exclusion areas" where marijuana businesses could not locate. These exclusion areas do not include required separation from the listed land use from within adjacent jurisdictions. Generally, areas along International Blvd. would potentially be eligible for retail businesses, while there are industrial areas located to the north and south of the airport that could be eligible for all aspects of the recreational marijuana business. Asst. City Attorney Julia Yoon commented that a new map is being prepared that will include local zoning information.

The Port of Seattle has indicated in conversations that it does not intend to allow any recreational marijuana businesses on any of its properties.

Mr. Torrico advised the Commission that medical marijuana and collective gardens remain a prohibited land use within the city limits. The passage of I-502 did not change the state law regarding medical marijuana. Efforts in the past State Legislative session to address issues of possible conflict between medical and recreational marijuana laws and regulations failed to be approved.

The Washington State Attorney General has issued an opinion that local government has the right, under its exercise of zoning powers, to prohibit marijuana. However, the issue has not been adjudicated by a court of law.

The Commission inquired whether the Council wants to legalize recreational marijuana. Staff replied that at this time, they have only asked the Commission to look at the issue and render a recommendation of whether to legalize and if so, what are some issues to consider.

The Commission also inquired whether the City could impose additional standards that go beyond those required by the LCB. Staff indicated the City can add greater restrictions, but cannot relax any State standards.

Chairman Adamack asked the Commissioners whether they feel there is a need to consider potential legalization. The majority of those present agreed the matter should be further explored.

The Commissioners asked a variety of questions of staff and of a representative of Seaweed Farms, a potential production business that has applied for a license to operate within the city limits. Concerns raised included:

- what are some of the operational issues associated with these facilities?

- information concerning number of employees, trips/day, material used;
- differences between the “tiers” of producers;
- whether this should be considered like urban farming or an industrial use.

Staff asked the Commission to provide any other questions within the next few days so it will have time to research and respond in advance of the next meeting.

Earl Gipson, SeaTac resident, voiced his concern that the City should allow production and processing as soon as possible. He indicated that retail sales could be addressed separately.

**5. CED Director’s Report**

Mr. Scorcio stated that he and Senior Planner Mike Scarey attended the National APA Conference in Atlanta last week and will have a report for the next Commission meeting.

**6. Commissioner’s Comments**

None.

**7. Adjournment**

Moved and seconded to adjourn. Motion passed 4-0. The meeting adjourned at 6:35 p.m.

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# MEMORANDUM

## COMMUNITY & ECONOMIC DEVELOPMENT

Date: May 15, 2014  
To: Planning Commission  
From: Steve Pilcher, Planning Manager  
Subject: Continued discussion re: Recreational Marijuana/Medical Marijuana

On February 11, 2014, the City Council directed CED staff to prepare a schedule for formally examining the issue of recreational marijuana and the potential implementation of Initiative 502 in the City of SeaTac. Specifically, the Council directed the Planning Commission to review the issue and formulate a recommendation of how to proceed. A proposed schedule was accepted by the Council on March 25, 2014. This schedule calls for Planning Commission review during the month of May, with the staff presenting the Commission's recommended direction at the May 27, 2014 Council meeting.

The City Council did not provide specific direction as to whether the City's codes and regulations should be amended to allow recreational marijuana. Rather, it asked the Commission to review the issue and then recommend a direction for the City to take. The Council will then decide whether staff should draft amendments for formal Commission consideration this summer.

Staff briefed the Commission on issues concerning both recreational and medical marijuana at its May 6, 2014 regular meeting. The purpose of discussion at the May 20<sup>th</sup> meeting will be for the Commission to formulate a recommendation.

A revised map depicting "exclusion areas" for any aspect of recreational marijuana activities (producing, processing or retail sales) will be available at the meeting. At this point, the map's use would be for illustrative purposes, as it is premature to discuss specifics about potential regulation. (The City Council will need to direct the staff and Commission to develop regulations if it decides some or all aspects of recreational marijuana should be allowed in the city).

We look forward to continuing this discussion and assisting the Commission in arriving at a recommendation to present to the City Council on May 27<sup>th</sup>.

# MARIJUANA EXCLUSION AREAS AND ZONING

BASED ON LCB RULES MARIJUANA LICENSES, APPLICATION PROCESS, REQUIREMENTS, AND REPORTING



## I-502 RULES

WAC 314-55 effective 11/21/13 defines areas of exclusion for marijuana licenses.

- Exclusion Area
- Marijuana licenses may not be issued within 1,000 feet of the following land uses:
  - Child Care
  - Library
  - School
  - Parks and Recreation

1,000 ft buffers around protected sites in adjacent cities may result in marijuana retail exclusion areas in SeaTac.

## ZONING CLASSIFICATION

- Urban Low Density Residential
  - UL-15,000
  - UL-9,600
  - UL-7,200
  - UL-5,000
- Urban Medium Density Residential
  - UM-3,600
  - UM-2,400
  - Townhouse
- Urban High Density Residential
  - UH-1,800
  - UH-900
  - UH-UCR
- 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 Urban Center (CB-C)
- Business Park (BP)
- Aviation Business (ABC)
- Aviation Commercial (AVC)
- Aviation Operations (AVO)
- Industrial (I)
- Park (P)
- North SeaTac Park
- Bow Vista Neighborhood
- City Limits
- Urban Center Boundary
- City Center Boundary
- S 154TH ST Station Area
- Angle Lake Station Area 1/4 Mile Radius (Proposed)
- Future SR-509 Right-of-Way
- Link Light Rail

\* North SeaTac Park is covered under the "Tri-Party Agreement" between King County, the City of SeaTac, and the Port of Seattle, dated July 9, 1991, that provides for its use as a park until January 21, 2045.

\* Subject to conditions and procedures of Ordinance 00-1056.

0 1,000 2,000 Feet

0 0.2 0.4 Miles

Date Prepared: May 15, 2014

Sources:  
City of SeaTac, King County GIS, WA State Legislature,  
WA OSPI, Highline School District, Sound Transit, NAVTEQ.

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1. Working\PublicRequests\20130505MarijuanaRetailExclusionAreas\MarijuanaRetailExclusionZoning04\_08\_20130515.mxd

