



PRESENTATION(S)

Meeting on May 3, 2023

<u>Agenda Item(s)</u>	<u>Page</u>
1. 2023 Amendment Public Hearing Debrief (PowerPoint slides for Discussion Item F1)	3 – 20
2. 2023 Amendment Public Hearing Debrief – “Electrified Fences” & “Shipping Containers” (PowerPoint slides for Discussion Item F1)	21 – 34



2023 Amendment

to the Comprehensive Plan and Land Use Regulatory Code

PLANNING COMMISSION PUBLIC HEARING DEBRIEFING
05.03.2023



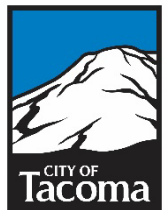
AGENDA

Purpose of the Meeting:

- Debrief Planning Commission on public comments received during public hearing & comment period for the 2023 Amendment
- Get direction from the Commission on next steps for recommendations

Presentation:

- Recap & Timeline/Next Steps
- 2023 Amendment Applications
- Commission Review/Direction



TIMELINE/NEXT STEPS (TENTATIVE)

Date	Actions
April 19 & May 3, 2023	Planning Commission Review & Direction on Applications*
May 17, 2023	Planning Commission Recommendations**
June 27, 2023	City Council Study Session City Council Public Hearing
July 25, 2023	City Council 1 st Reading
August 1, 2023	City Council Final Reading (adoption)



*Opportunity to request additional information, propose modifications, clarify rationale, draft recommendations

**Vote on Recommendations (Target date)



PUBLIC HEARING/COMMENTS RECAP

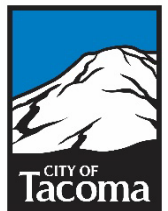
Informational Meeting
March 29, 2023

Public Hearing
April 5, 2023

Written Comments
April 7, 2023
5 p.m. Closing

Application (Type of Amendment)	Comments Received
Mor Furniture (Plan) ●	13
Electric Fences (Code) ●	7
Shipping Containers (Code) ●	1
Delivery-Only Retail Businesses (Code) ●	0
Commercial Zoning Update (Code) ●	0
Minor Plan & Code Amendments (7) (Plan/Code) ●	0
TOTAL	21

- Under Commission Review
- Staff Drafting Recommendations



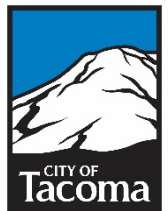
APPLICATION: MOR FURNITURE LAND USE DESIGNATION

Applicant: Wesco Management, LLC

Location: 1824 S 49th St.

Proposal: Change land use designation for a 1.24-acre site from “Low Scale Residential” to “General Commercial” (enabling future rezone request for furniture outlet store)

***13 Comments Received**



MOR FURNITURE – STATUS OVERVIEW

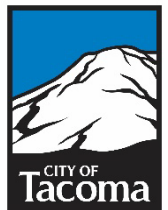
What We Heard

Planning Commission - April 19 Public Hearing Debrief *	
Indicated opposition to approving application	Critical Areas (slopes) ●
Concerns about compatibility	Tree canopy & buffers ●
AQ concerns ●	Parks/Rec Map designation
Traffic & Safety ● (Baseline vs Proposed land use)	No public comments received in support of proposal



● Requests for staff to provide additional information/clarification

*Overlap with Public Comments received



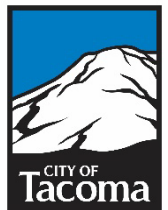
MOR FURNITURE – DISCLOSURE LETTER

Disclosure – Letter from Applicant’s Representative

- Applicant no longer considering future development of Mor Furniture store & outlet store (Subject Parcel AND associated Commercial-zoned parcels)

Planning Commission Consideration

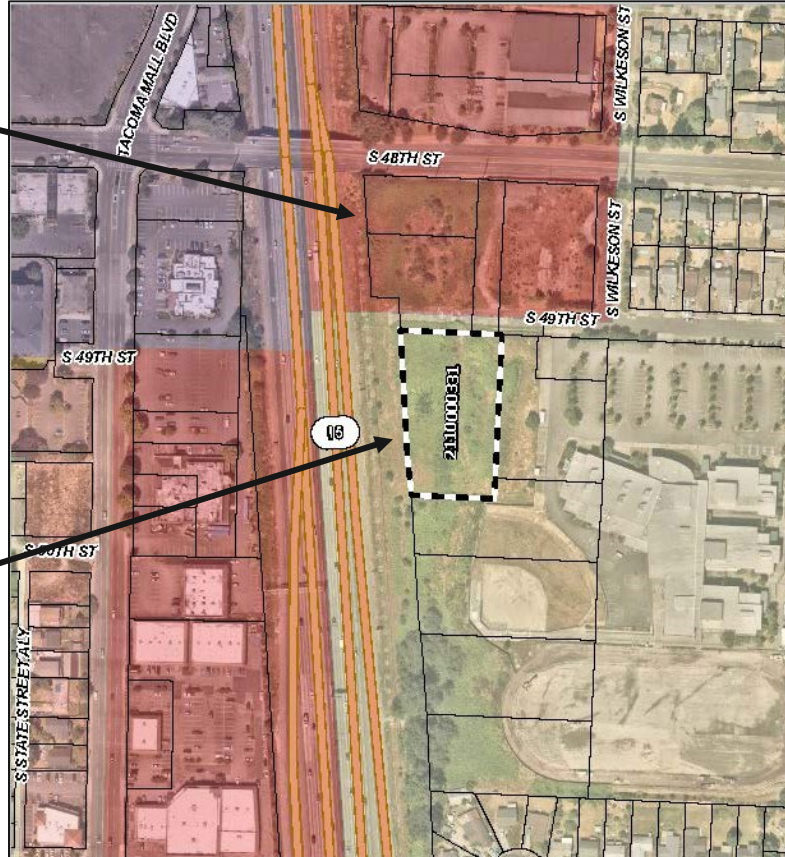
- Land use designation change request at Subject Parcel
- Spectrum of uses allowed under current & proposed land uses (Not Project-Specific)
- Determination Criteria:
 - Bears a reasonable relationship to the public health, safety, & welfare
 - Conforms to applicable provisions of State statutes, case law, regional policies, & the Comprehensive Plan



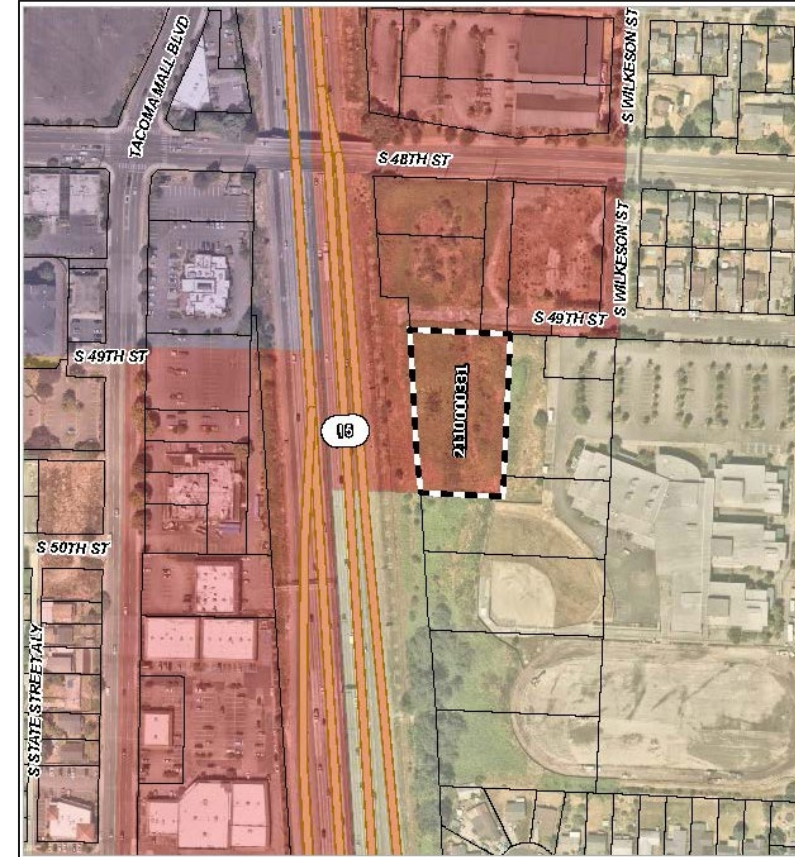
MOR FURNITURE – EXHIBIT A: LAND USE DESIGNATION CHANGE REQUEST (FLUM)

Applicant-owned Commercial Zoned parcels (not under consideration)

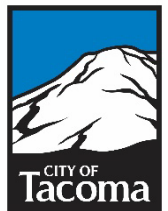
Subject site parcel under L-U change consideration



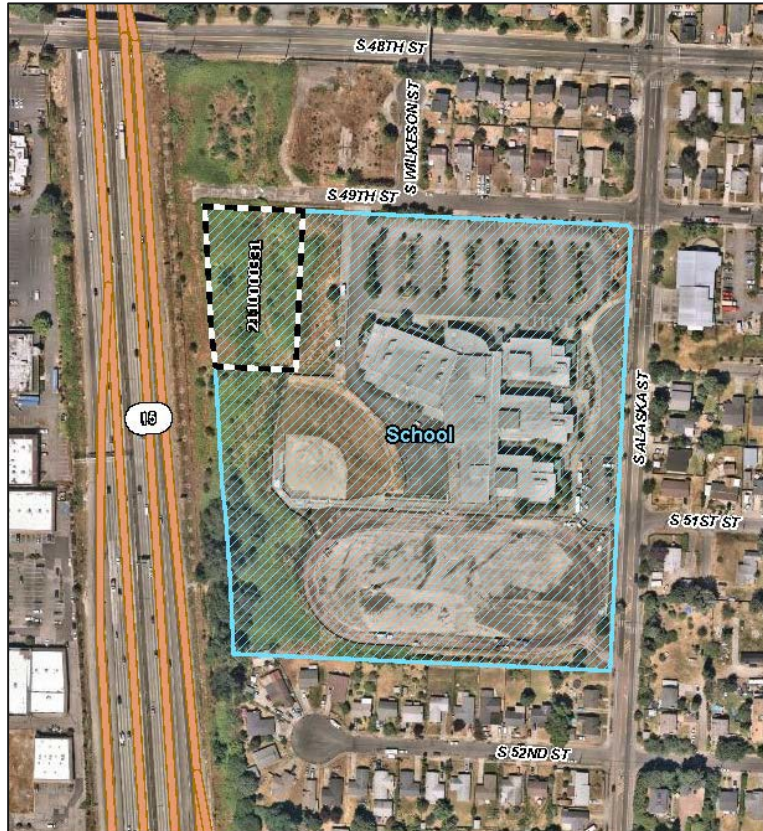
Current: Low-Scale Residential on Future Land Use Map



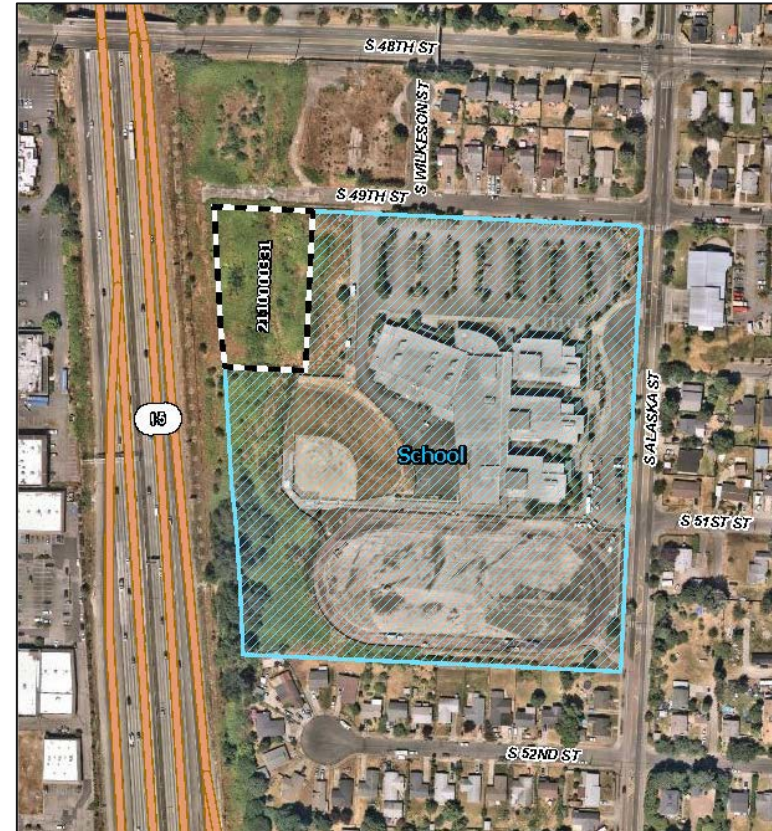
Proposed: General Commercial on Future Land Use Map



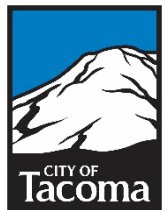
MOR FURNITURE – EXHIBIT B: PARKS + RECREATION MAP FACILITIES DESIGNATION CHANGE



**Current: Subject Site has
"School" Designation**



**Proposed: Remove Subject Site
from "School" Designation**



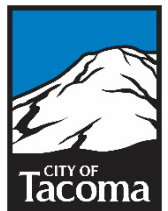
MOR FURNITURE – CRITICAL AREAS

Planning Commission Questions

- What critical area standards apply; how?
- Are steep slopes a critical area concern?

Key Takeaways

- Area is in STGPD and aquifer recharge; any development would be subject to groundwater standards
- Slopes characteristics would trigger review & would be assessed for geological hazards - 13.11.700
- Geotechnical report required at rezone/permit stages



MOR FURNITURE - BUFFER CONSIDERATIONS

Planning Commission Questions

- What does code say about buffers and transitions between zones for Commercial Development?
- Tree canopy onsite?

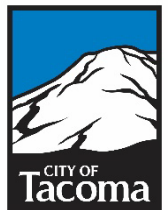
Key Takeaways

- Baseline: No tree canopy onsite; Residential zoning has no tree canopy or buffer requirements
- If General Commercial: Residential Transition standards - Landscaping & buffer standards for more intensive district abutting R-District property



Photos taken 1.29.2023

Looking at subject parcel from across I-5 (top photo), and from S 48th St (bottom photo); limited, if any, tree canopy on subject site



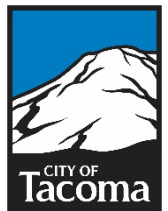
MOR FURNITURE – AIR QUALITY

Planning Commission Questions

- What is air quality at the site?
- What would be impact of proposal on air quality?

Key Takeaways

- Baseline: Assumption is development occurs along 48th + residential development at subject site
- We are meeting the Federal and State standards; Project proposal would not put area over standards
- Monitoring is not neighborhood or site specific
- Proximity to Interstate is understood to correlate with increased air pollution
- Multiple sources that contribute to air pollution throughout the region, including at subject site

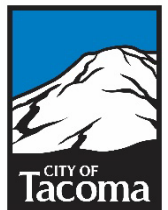


MOR FURNITURE – NEXT STEPS

Commission Comment & Direction

- April 19 Hearing Debrief – Concerns around compatibility, traffic, & health/safety
- Staff provided responses to Public Comment & Commissioner’s questions; Did we answer the questions & cover everything?
- Does any information provided by staff change the Commission’s perspective on the application?
- Any final findings or conclusions you want captured in the recommendations documentation?

*May 17 – Planning Commission vote on recommendations



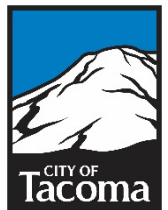
APPLICATION: MINOR PLAN/CODE AMENDMENTS

#	Subject	Objective
1	Standards for Ground-level Utilities	Enhance code clarity and applicability
2	Landmarks Preservation Commission Membership	Maintain consistency with City Charter
3	Critical Areas Preservation Ordinance Clarifications	Enhance code clarity and applicability
4	Home Address Signage ●	Maintain consistency with State law; Prevent undesired consequences
5	Overlay Zoning Maps	Enhance code clarity and applicability
6	Platting and Subdivision Vesting	Maintain consistency with State permitting
7	Land Use Table Re-organization	Enhance code clarity and applicability

***0 Comments Received**



● Requests for staff to provide additional information/clarification



MINOR AMENDMENT – HOME ADDRESS SIGNAGE

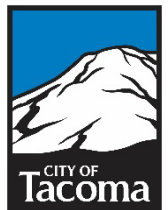
Why Proposed?

- Provide clarity to the code as more residential density is allowed in the city (ADUs, additional units allowed on residential lots, etc.)
- Only applies to residential address signage

What is the Proposed Amendment?

Add code language in TMC 13.06.090.I.3 – Sign Standards – General Sign Regulations

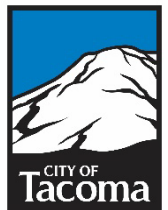
(17) Home address signage, including name of resident or owner, one per street face, per unit, including ADUs, must be located entirely on private property, may not be larger than 10 inches by 24 inches in size, and may not be an advertisement or wording other than name of resident/owner.



MINOR PLAN & CODE AMENDMENTS – NEXT STEPS

Commission Comment & Direction

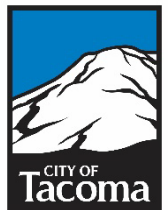
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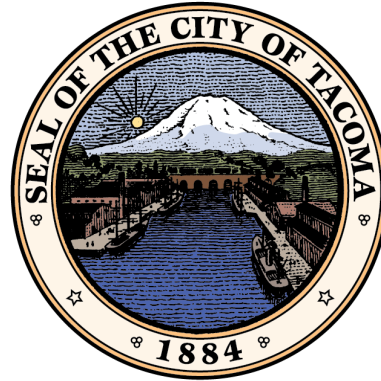


NEXT STEPS

Next Commission meeting

- **May 17**
 - Draft findings & recommendations
 - Request Commission finalize recommendations





Electrified Fences & Shipping Containers Application for 2023 Amendment

**Planning Commission
May 3, 2023**



PRESENTATION OUTLINE



- Overview
- Electric Fences
 - Public Comment Document
 - Public Comment Summary
 - Staff Response
- Shipping Containers
 - Public Comment Document
 - Public Comment Summary
 - Staff Response



OVERVIEW



- City Council passed Resolution No. 40955 on May 10, 2022
 - This resolution updated and amended Resolution Nos. 40794 (shipping container) and 40881 (electric fence)
- The Resolutions instructed Planning Commission to consider changes to the Land Use Code related to Electric Fences and Shipping Containers
- Today seeking input on final draft of code based on public comment.

● ● ● PUBLIC DOCUMENT — Electric Fence



- Allow in C-1 and C-2 Commercial Districts; CIX Commercial Industrial Mixed-use; WR Warehouse Residential
- Allow 10 feet tall.
- Prohibit between building and front property line
- Setback fence 5 feet from property line
- Require a secondary non-electric fence
- Prohibit adjacent to critical areas

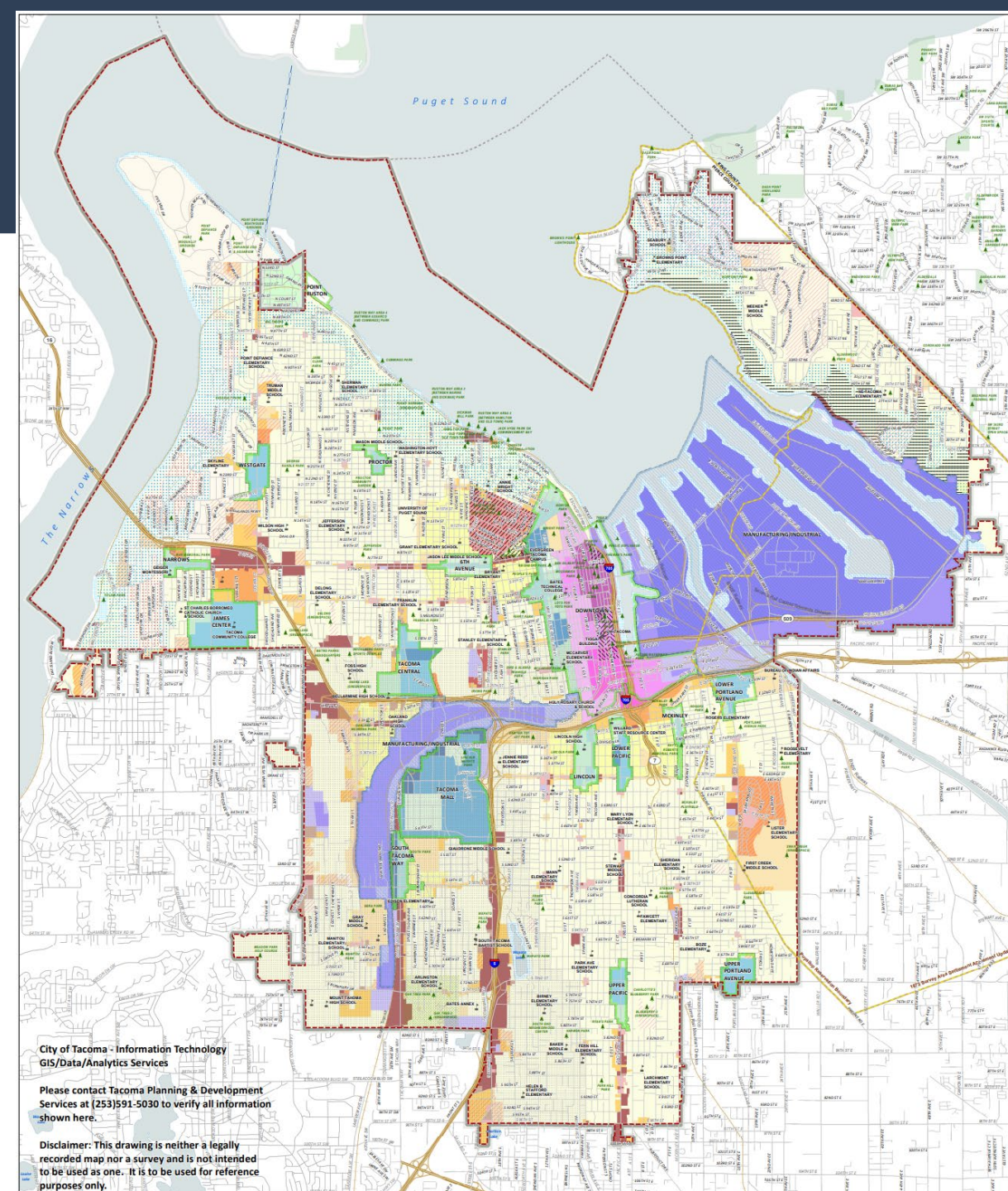
ZONING MAP

Current district allowance:

- Industrial districts

Public Review document proposed allowing in the following districts:

- C-1 and C-2 Commercial Districts;
- CIX Commercial Industrial Mixed-use;
- WR Warehouse Residential



● ● ● PUBLIC COMMENTS– Electric Fences



- Follow Olympia model to allow electric fences around outdoor storage in more districts
- Remove prohibition between building and front property line
- Allow perimeter fence along property line and electric fence 1-foot from perimeter fence
- Allow chain link as a perimeter fence
- Specify electric fence must be minimum of 15 feet from edge of wetland buffer

● ● ● STAFF RESPONSE – Electric Fences



- Olympia model related to uses and zoning districts is a reasonable approach. Planning Commission options:
 - Keep code as proposed (not the Olympia approach)
 - Allow for all uses in C-1, C-2, CIX, and WR *and* allow for around outdoor storage in other districts (hybrid)
 - Allow only around outdoor storage in zoning districts allowing the outdoor storage (Olympia approach)

● ● ● STAFF RESPONSE – Electric Fences



- Allowing the electric fence between front of building and street would be a significant departure from current code.
- Planning Commission options:
 - Require applicant to seek a Variance (keep code as is)
 - Allowing electric fences in between the front of building and the street for outdoor storage only AND subject to certain development standards. These could include items such as landscape screening, additional setback, reduced height, etc.

● ● ● STAFF RESPONSE – Electric Fences



- Allowing perimeter fence along **side and rear** property line would be consistent with current code regulations. Planning Commission considerations:
 - Olympia requires the electric fence to be no more than 8 inches from the perimeter fence.
 - Olympia allows electric fence within rear and side setback but limits height to 8 feet.
 - Auburn allows electric fence within yard setback

● ● ● STAFF RESPONSE – Electric Fences



- Comments from WDFW provide clarity and staff recommends inclusion

● ● ● PUBLIC DOCUMENT – Shipping Container



- Allow in Commercial Districts, subject to development standards:
 - Do not allow stacking
 - Must be behind main building AND screened
 - Must be setback 5 feet from property line
- Allow in Residential Districts when on a site with a Conditional Use subject to similar standards as above
- Allow in all districts as a temporary use for storage or agricultural use

● ● ● PUBLIC COMMENTS– Shipping Containers



- Only one comment received. Want to make sure shipping containers are screened and that they do not become an eye sore.

● ● ● STAFF FEEDBACK– Shipping Containers



- Proceed with code as written



NEXT STEPS



- Incorporate Planning Commission recommendations into draft code
- Present draft code at May 17 Planning Commission