



## STAFF REPORT & RECOMMENDATION to the Planning Commission

**To:** City of Algona Planning Commission

**From:** Blueline  
Chase Killebrew, Planner & Lee Ann Ryan, Planner

**Date:** July XX, 2020

**Project:** Proposed Amendments to AMC Title 19 – Land Divisions and Title 22 – Zoning

### **A. INTRODUCTION**

The proposed changes to Algona Municipal Code (AMC) Title 19, the City's Land Division Code, as well as AMC Title 22, the City's Zoning Code, is a City-initiated project. The code will be updated to reflect zoning regulation changes funded by a Growth Management grant from the Washington State Department of Commerce (Commerce) through Engrossed Second Substitute House Bill (E2SHB) 1923 to increase residential building capacity and regulatory streamlining. The project will also introduce code changes for better consistency and clarity throughout the City's Zoning Code.

### **B. GENERAL INFORMATION**

#### **Project Description:**

The proposed code amendments affect the following Chapter of Title 19 of the AMC:

1. Chapter 19.16 – Short Subdivision
2. Chapter 19.20 – Subdivision

The amendments also affect the following Chapters of Title 22 of the AMC:

1. Chapter 22.08 – Definitions
2. Chapter 22.20 – R-L Low Density Residential District
3. Chapter 22.24 – R-M Median Density Residential District
4. Chapter 22.28 – C-1 Mixed Use commercial District
5. Chapter 22.29 – C-2 General Commercial District
6. Chapter 22.30 – C-3 Heavy Commercial District
7. Chapter 22.32 – M-1 Light Industrial District
8. Chapter 22.33 – Land Use Table
9. Chapter 22.34 – Manufactured Homes
10. Chapter 22.40 – Off-street Parking and Loading
11. Chapter 22.42 – Recreational Vehicles



12. Chapter 22.45 – Home Occupation Permits
13. Chapter 22.48 – Development Guidelines
14. Chapter 22.60 – Landscaping

### **Requested Action from Planning Commission:**

Provide Blueline with direction on potential amendments and feedback on policy issues the Planning Commission would like addressed. Blueline also recommends that the Planning Commission identify any additional information that would be helpful in advancing this project. Based on direction provided, Blueline will revise draft code amendments for review at a future study session.

### **Exhibit:**

The following exhibit is included with this report:

1. Proposed amendments to Chapter 19.16, Chapter 19.20, and Title 22

### **C. BACKGROUND**

Passed in the 2019 state legislative session, E2SHB 1923 allowed cities to apply for funding to increase their residential building capacity or regulatory streamlining through the implementation of at least two eligible actions from a list of twelve or through adoption of a housing action plan. The City was successful in its application by committing to implement three of the eligible actions which are as follows:

- *Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences.*
- *Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.*
- *Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW.*

These actions can be implemented through Municipal Code amendments as shown in the attached exhibit. The conditions of the grant mandate that funded actions be adopted by April 1, 2021. However, the Commerce-Algona contract outlines a more expedited schedule. The two deliverables to Commerce and their due dates are:

1. Deliverable 1 is this staff report and attached draft proposed amendments. Its due date to Commerce is June 22, 2020.
2. Deliverable 2 is the adopted ordinance. Its due date to Commerce is November 9, 2020.

Beyond the E2SHB 1923 actions, the Zoning Code warrants updating. The current code has inconsistencies across chapters and a lack of definitions, both of which can make it difficult to execute fairly. The goal of the attached ordinance is to correct errors and eliminate text ambiguities for better consistency and more clarity within the City's Zoning Code. We believe this enhancement to user-friendliness can lead to more efficient code enforcement and increased economic development.

### **The “Missing Middle”**

Communities across the state and the rest of the U.S. are experimenting with ways to increase housing affordability that reflects the differing needs and income levels of residents. Across the Puget Sound region, housing affordability challenges are intensified by the shortage and cost of buildable land.

Traditional upzoning involves low-density residential areas being rezoned to allow for higher density, multifamily development. However, some communities are opting for an infill approach that is more neighborhood-compatible by encouraging small scale residential uses that appear and function similarly to single-family residential development.

The term “missing middle housing” (MMH) refers to a range of residential buildings with multiple units that are compatible in scale and form with detached single-family homes. These residential uses fill the gap between detached single-family homes and larger multifamily apartment buildings. Some common examples of MMH are duplexes, triplexes, townhomes, and courtyard apartments. Typically, due to their smaller size and need for less land, MMH units are more affordable than traditional single-family homes. They are also meant to contribute to a more walkable neighborhood located near local-serving commercial uses.

Encouraging these uses was a primary driver of the adoption of E2SHB 1923. While MMH units were already allowed in Algona, the proposed E2SHB 1923 amendments expand those allowances. We believe the demand for these units in our region supports these changes. Along with the amendments to the permitted use table, we would like to work with the Planning Commission and the City Council to enhance the development standards and design guidelines for these units to ensure their development is compatible with Algona’s existing uses.

#### **D. POLICY SUPPORT**

The Algona Comprehensive Plan is a planning and visioning document that ensures growth and development in the urban area is consistent with the goals of the Washington State Growth Management Act (RCW 36.70A). The plan was updated in 2015 to reflect the growth of the community, the development patterns, and the changing environment. The plan includes numerous goals and policies that support the effort to review and update the development regulations. Taken directly from the plan, the following goals and policies support the zoning code revisions:

#### **Applicable Policies from the Land Use Element**

- LU-1.2: Implement ordinances to achieve compatible and attractive new residential, commercial and industrial uses.*
- LU-1.4: Review and amend zoning and subdivision regulations to ensure adequate setbacks, landscaping, and buffering are required where land use conflicts may occur.*
- LU-2.1: Review development regulations to remove unnecessary requirements and to balance development goals for housing and economic development, with public opinion, public participation and environmental protection.*
- LU-3.1: Provide for innovative design options that support residential neighborhoods and provide for more efficient use of single-family residential lands.*
- LU-4.1: Identify a diversity of zoning designations within this plan that permit a full range of residential dwelling types within Algona, with minimum densities of four dwellings per acre.*
- LU-5.2: Encourage a variety of affordable housing types in addition to single-family homes.*



**Applicable Policies from the Housing Element**

- HU-1.1: Encourage the use of affordable housing techniques and incentives to assure housing opportunities for people of all incomes, ages, and assistance needs. This could include siting of manufactured housing.*
- HU-2.1: Encourage the development of a wide range of housing types to meet the needs of all citizens of Algona.*
- HU-2.2: Balance the housing needs of the entire community when determining development regulations.*
- HU-2.4: Encourage the development of townhomes or other housing types in appropriate zones to promote affordable housing.*
- HU-2.5: Allow manufactured housing in all residential zones, subject to City development regulations.*
- HU-2.6: Support opportunities to accommodate home buyers and renters with varying income levels.*
- HU-2.7: Maintain a balance of percentages of housing availability for low, moderate and high income residents.*
- HU-2.8: Maintain the ability of different types of group homes to locate in appropriate residential neighborhoods.*
- HU-3.1: Continue to allow home occupations.*
- HU-3.2: Promote flexibility and creativity in the layout and design of new residential development.*
- HU-3.3: Design guidelines should be developed and added to the Algona Municipal Code to implement this strategy.*
- HU-3.2: Promote flexibility and creativity in the layout and design of new residential development.*
- HU-3.2: Promote flexibility and creativity in the layout and design of new residential development.*

**E. PROPOSED AMENDMENTS**

The City’s goals in amending AMC Title 19 and Title 22 are summarized below:

1. Through funding receiving from Commerce from the passing of E2SHB 1923, adopt regulations that:
  - a. Increase Algona’s residential building capacity by allowing more “missing middle” residential uses throughout the City.
  - b. Reduce a regulatory barrier for development by increasing the short subdivision threshold to the maximum number of lots allowed in the RCW.
2. Adopt amendments that make the zoning code clearer and more concise through the addition of components such as tables and diagrams. Also, adopt amendments that remove ambiguities and inconsistencies, so the code can be administered by the City in a more consistent and predictable manner. The amendments can also make the code more responsive to the needs of the development community, the market, and the public.



The draft amendments include revisions and additions to the various sections of the code including:

- Chapter 19.16 – Short Subdivision:
  - Amended Application of short plat code and Purpose Sections to read nine lots instead of four
  - *Note: This has been done to fulfill the E2SHB 1923 eligible action: “Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW.” This action meets the intent of the bill to increase regulatory streamlining.*
  
- Chapter 19.20 – Subdivision:
  - Amended Application of Algona subdivision code, Purpose, and Subdivision divided into five or more lots Sections to read ten lots instead of five
  - *Note: This has been done to fulfill the E2SHB 1923 eligible action: “Allow for the division or redivision of land into the maximum number of lots through the short subdivision process provided in chapter 58.17 RCW.” This action meets the intent of the bill to increase regulatory streamlining.*
  
- Chapter 22.08 – Definitions:
  - Added the following definitions:
    - “Accessory building or structure”
    - “Adult cabaret”
    - “Affordable housing”
    - “Auction house”
    - “Cafeteria or limited service restaurant”
    - “Community park”
    - “Courtyard apartment”
    - “Duplex”
    - “Essential public facilities”
    - “Frontage”
    - “Gambling premises”
    - “General service establishment”
    - “Heavy commercial planned unit development”
    - “Heavy retail”
    - “Home-based day care”
    - “Low-income household”
    - “Low-income household, extremely”
    - “Low-income household, very”
    - “Marijuana processor”
    - “Marijuana producer”
    - “Marijuana retailer”
    - “Maximum lot coverage”
    - “Neighborhood park”
    - “Office, business or professional”
    - “Permanent supportive housing”
    - “Public agency or utility yard”

- “Public facilities”
- “Public safety facilities”
- “Public service facilities”
- “Recreation – indoor commercial”
- “Recreation – outdoor commercial”
- “Regional park”
- “Religious institution”
- “Secure community transition facility”
- “Self-serve storage facility”
- “Social service facility”
- “Solid waste transfer station”
- “Specified anatomical areas”
- “Specified sexual activities”
- “Transportation facility”
- “Triplex”
- “Utility facility”
- “Yard”
- Removed the following definitions:
  - “Accessory building or use”
  - “Active space”
  - “Antiques and antique shop”
  - “Breezeway”
  - “Church”
  - “Convenience store”
  - “Dwelling, two-family”
  - “Garage, public automotive repair”
  - “Grocery store”
  - “Motel”
  - “Multiple building complex”
  - “Multiple tenant building”
  - “Nursery school”
  - “Public utility facility”
  - “Retail services”
  - “School”
  - “School, vocational”
  - “Service station, automobile”
  - “Supermarket”
  - “Veterinary clinic”
- Amended the following definitions:
  - “Accessory dwelling unit”
  - “Bed and breakfast facilities”
  - “Day care center, nursery school, preschool”
  - “Dwelling, multiple-family”
  - “Live/work unit”
  - “Lot lines”
  - “Lot types”
  - “Personal service”



- “Story”
- “Vehicle repair, major”
- “Vehicle repair, minor”
- “Yard, front”
- “Yard, rear”
- “Yard, side”
- Added a diagram after the side yard definition.
  - *Note: This diagram is an illustration of the “yard, front”, “yard, rear”, “yard, side”, “through lot”, and “corner lot” definitions. This adds clarity.*
- Notes:
  - *There were a few questions used to guide our proposed amendments to the Definitions chapter:*
    - *Is there a current use in the Land Use Table that is undefined?*
    - *Is there a proposed addition to the Land Use Table that needs to be defined?*
    - *Is this term used elsewhere in the code?*
    - *Is there a term used elsewhere in the code that should be defined?*
    - *Is this definition redundant?*
    - *Is this definition unclear or confusing?*
  - *Many of the added definitions have been taken from other municipal codes. A major source is the Ellensburg City Code, which won a Governor’s Smart Communities Award in 2014. Other sources include the codes of King County and the Cities of Duvall, Kirkland, Redmond, Seattle, Olympia, Carnation, East Wenatchee, Tacoma, Kenmore, and Everett.*
- Chapter 22.20 – R-L Low Density Residential District:
  - Consolidated all the development standards (lot area, lot dimensions, lot coverage, yards, dwelling unit floor area, and building height) into a Development Standards table and removed the corresponding Sections
    - *Note: The development standards can be presented more clearly and efficiently in a table, so this is one way the code has been made more user-friendly.*
  - Added a diagram that shows the condition that allows a duplex or triplex to reach an alternative maximum height when stacked above a garage
    - *Note: The diagram adds clarity.*
  - Removed all listed permitted, conditional, and prohibited uses and replaced them with a reference to Chapter 22.33, Land Use Table
    - *Note: One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for determining which uses are allowed in which zone removes these inconsistencies.*
  - Removed Temporary buildings for use during construction from the Permitted uses Section and placed in it in Chapter 22.48 which has been renamed Supplementary Use Regulations as described below.
    - *Note: Instead of placing it in the Land Use Table, this makes the most sense for this use.*



- Removed the Supplemental standards Section for Community Residential Facilities from this Chapter and placed it in Chapter 22.48 which has been renamed Supplementary Use Regulations as described below
  - *Note: The standards for Community Residential Facilities are repeated across multiple District chapters. The code becomes more concise by moving them to one place in a new Supplementary Use Regulations chapter.*
- Chapter 22.24 – R-M Medium Density Residential District:
  - Simplified the existing Development Standards table that has standards organized by various uses by replacing it with two tables: one for multiple-family dwellings; one for all other uses
    - *Note: Most of the standards for the different uses were already very similar and what differences did exist seemed arbitrary. Also, some of the uses listed in the current table have been removed from the code entirely because they were never properly defined. The table specific to multiple-family dwellings was created from the standards listed in the Conditional uses Section for Apartments.*
  - Added two diagrams: one that shows the condition that allows a duplex or triplex to reach an alternative maximum height when stacked above a garage; one that allows the minimum street frontage to be reduced for flag lots
    - *Note: The diagrams add clarity.*
  - Removed the Standards for the Following Conditional Uses subsection that was after current Development Standards table and placed it in a new chapter called Design Guidelines which is described below.
    - *Note: These standards are incompatible with the proposed amendments since some of these uses have been removed from the code entirely because they were never properly defined. Additionally, these standards are confusing, and it is hard to determine their original intent. We believe it may be possible to incorporate them into the design guidelines for the new uses that have been introduced with the proposed amendments, if the Planning Commission determines design guidelines should be created.*
  - Removed all listed permitted, conditional, and prohibited uses and replaced them with a reference to Chapter 22.33, Land Use Table
    - *Note: One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for determining which uses are allowed in which zone removes these inconsistencies.*
  - Removed the Performance standards section and placed it in a new chapter called Additional Development Standards which is described below
    - *Note: These standards are applicable for all uses, not just uses within the R-M zone. They should be in a location outside of the R-M District Chapter to make that clear.*
  - Removed the Supplemental standards Section for Community Residential Facilities from this Chapter and placed it in Chapter 22.48 which has been renamed Supplementary Use Regulations as described below



- *Note: The standards for Community Residential Facilities are repeated across multiple District chapters. The code becomes more concise by moving them to one place in a new Supplementary Use Regulations chapter.*
- Chapter 22.28 – C-1 Mixed Use Commercial District:
  - Simplified the existing Development Standards table that has standards organized by various use types by replacing a table that standards for all C-1 uses
    - *Note: The way the standards were broken into different uses types seems arbitrary. Also, those use types aren't defined elsewhere in the code. The simplified table provides more clarity.*
  - Added two diagrams: one that shows the condition that allows a duplex or triplex to reach an alternative maximum height when stacked above a garage; one that allows the minimum street frontage to be reduced for flag lots
    - *Note: The diagrams add clarity.*
  - Removed the Standards for the Following Conditional Uses subsection that was after current Development Standards table and placed it in a new chapter called Design Guidelines which is described below.
    - *Note: These standards are incompatible with the proposed amendments since some of these uses have been removed from the code entirely because they were never properly defined. Additionally, these standards are confusing, and it is hard to determine their original intent. We believe it may be possible to incorporate them into the design guidelines for the new uses that have been introduced with the proposed amendments, if the Planning Commission determines design guidelines should be created.*
  - Removed all listed permitted, conditional, and prohibited uses and replaced them with a reference to Chapter 22.33, Land Use Table
    - *Note: One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for determining which uses are allowed in which zone removes these inconsistencies.*
  - Removed the Performance standards section and placed it in a new chapter called Additional Development Standards which is described below
    - *Note: These standards are applicable for all uses, not just uses within the R-M zone. They should be in a location outside of the R-M District Chapter to make that clear.*
  - Removed the Supplemental standards Section for Community Residential Facilities from this Chapter and placed it in Chapter 22.48 which has been renamed Supplementary Use Regulations as described below
    - *Note: The standards for Community Residential Facilities are repeated across multiple District chapters. The code becomes more concise by moving them to one place in a new Supplementary Use Regulations chapter.*
- Chapter 22.29 – C-2 General Commercial District:
  - Consolidated all the development standards (yards, building height, and lot area and width) into a Development Standards table and removed the corresponding Sections



- *Note: The development standards can be presented more clearly and efficiently in a table, so this is one way the code has been made more user-friendly.*
  - Removed all listed permitted, conditional, and prohibited uses and replaced them with a reference to Chapter 22.33, Land Use Table
    - *Note: One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for determining which uses are allowed in which zone removes these inconsistencies.*
- Chapter 22.30 – C-3 Heavy Commercial District:
  - Consolidated all the development standards (yards, building height, and lot area and width) into a Development Standards table and removed the corresponding Sections
    - *Note: The development standards can be presented more clearly and efficiently in a table, so this is one way the code has been made more user-friendly.*
  - Removed all listed permitted, conditional, and prohibited uses and replaced them with a reference to Chapter 22.33, Land Use Table
    - *Note: One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for determining which uses are allowed in which zone removes these inconsistencies.*
- Chapter 22.32 – M-1 Light Industrial District:
  - Consolidated all the development standards (yard requirements, maximum lot coverage, and permitted height) into a Development Standards table and removed the corresponding Sections
    - *Note: The development standards can be presented more clearly and efficiently in a table, so this is one way the code has been made more user-friendly.*
  - Removed all listed permitted, conditional, and prohibited uses and replaced them with a reference to Chapter 22.33, Land Use Table
    - *Note: One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for determining which uses are allowed in which zone removes these inconsistencies.*
- Chapter 22.33 – Land Use Table:
  - Added a Section titled Clarification of Uses and Special Conditions
    - *Note: This new Section explains the user-friendly touches that have been added to the Land Use Table: All uses that are defined in Chapter 22.08 are followed by an asterisk; Special standards for certain uses that are contained in other Chapters are referenced after the use; Development conditions for certain uses have been added as superscripts that correspond to conditions following the table.*
  - Added the following uses (listed in order of their appearance in the table):
    - “Boarding (lodging or rooming) house”

- *Note on Permissions: The permissions mirror “Bed and breakfast facility” since they are somewhat similar uses.*
- **“Courtyard apartment”**
  - *Note: This use has been added as part of the E2SHB 1923 amendments.*
  - *Note on Permissions: The permissions mirror “Triplex” since this is also a medium-density residential use. Also, making this use permitted in the C-1 zone fulfills the E2SHB 1923 eligible action: “Authorize at least one duplex, triplex, or courtyard apartment on each parcel in one or more zoning districts that permit single-family residences.” The C-1 zone already permitted single-family residences, duplexes, and triplexes.*
- **“Dwelling, multiple-family”**
  - *Note on Permissions: Because this is intended to be a more intense use than “Courtyard apartment,” it is proposed as a conditional use in the R-M zone but a permitted use in the C-1 zone. It is also permitted in the C-2 zone with the condition that it must be a part of a mixed-use development, and it is permitted in the C-3 zone with the condition that it must be a “Heavy commercial planned unit development.”*
- **“Manufactured home”**
  - *Note on Permissions: The permissions are based on the R-L and R-M District Chapters which currently list this as a permitted use. Since the other District Chapters make no mention of this use, it is not permitted in those zones.*
- **“Mobile home”**
  - *Note on Permissions: This use is not allowed in any zone per AMC 22.34.030.*
- **“Permanent supportive housing”**
  - *Note: This use has been added since E2SHB 1923 requires permanent supportive housing to be an allowed use in all zones where multifamily housing is permitted.*
  - *Note on Permissions: To comply with the above note, the permissions mirror the permissions for “dwelling, multiple-family” except the use is prohibited in the R-M zone since “dwelling, multiple-family” is a conditional use in that zone and not outright permitted.*
- **“Secure community transition facility”**
  - *Note: This use was already listed in the District Chapters but not in the table.*
  - *Note on Permissions: This use is listed as a conditional use in the C-3 District Chapter. Since the other District Chapter make no mention of this use, it is not permitted in those zones.*
- **“Charitable or welfare institution”**
  - *Note on Permissions: This use is listed as a conditional use in the R-M District Chapter. The amendments propose for it also to be a conditional use in the R-L, C-1, and C-2 Chapters but not permitted in the C-3 or M-1 Chapters.*
- **“Pet shop”**

- *Note on Permissions: The permissions mirror “Animal clinic/hospital” since they are similar uses.*
  - “Public parking area”
    - *Note on Permissions: This use is listed as a conditional use in the R-L and R-M District Chapters. Because it is conditional in the residential zones, it is proposed as conditional in the other zones. A condition has also been added that says Public parking areas in the R-L zone must be on a lot adjoining commercial or light industrial districts and must have a 20-foot landscaped area adjacent to residential districts or uses. This was a condition in the R-L District Chapter.*
  - “Retail trade, medium scale (2,000 – 20,000 sf floor area)”
    - *Note: Three tiers of Retail trade have been added as uses to the table; the other two (small scale and large scale) are described below since they replace previous uses. This tier was added to fill the gap between them.*
    - *Note on Permissions: The permissions seek to strike a balance between the small scale and large scale tiers, which are described below.*
  - *Note: “Boarding (lodging or rooming) house”, “Dwelling, multiple-family”, “Manufactured home”, “Mobile home”, “Charitable or welfare institution”, “Pet shop”, and “Public parking area” were terms already in the Definitions Chapter but were not listed as uses in the table.*
- Added the following uses to replace a previous use (listed in order of their appearance in the table):
  - “Accessory dwelling unit”
    - Replaces “Attached bungalow or cottage”
    - *Note: This use was already regulated in the Development Guidelines chapter, and it is commonly listed in the land use table of other municipal codes.*
    - *Note on Permissions: The permissions are based on 22.48.010 which says ADUs are permitted in all residential zoning districts. It is also permitted in the C-1 zone since it should be permitted in all zones where single-family dwellings are permitted.*
  - “Duplex”
    - Replaces “Duplex, townhome”
    - *Note on Permissions: The permissions mirror the former “duplex, townhome” use. However, instead of being a conditional use in the R-L zone, it is now permitted with a condition that states the use will be permitted on corner lots where building entries are provided on separate streets. This fulfills the E2SHB 1923 eligible action: “Authorize a duplex on each corner lot within all zoning districts that permit single-family residences.” The condition also says duplexes are a conditional use on all other lots in the R-L zone since that was already the case.*
  - “Dwelling, single-family”
    - Replaces “Single-family detached homes”
    - *Note: The term was revised in the Definitions chapter to read “Dwelling, single-family” instead of “Dwelling, one-family” since the former is the*

*more common term, so the use was added to the table to match the term.*

- “Home-based day care”
  - Replaces “Home-based day care as regulated by Chapter 35.63 RCW and through receipt of an approved city business license”
  - *Note: The language after “care” was removed since this is now covered within the term’s definition and in a Development Condition.*
- “Home occupation”
  - Replaces “Bed and breakfast facility”
  - *Note: This term was already in the Definitions Chapter but was not listed as a use in the table.*
  - *Note on Permissions: This use is permitted in all zones that permit single-family dwellings since single-family dwellings are where home occupations occur.*
- “Nursing home/convalescent home”
  - Replaces “Nursing home”
- “Triplex”
  - Replaces “Triplex, townhome”
- “Day care center”
  - Replaces “Day care center, limited to large day care center, nursery school, preschool, small day care center”
  - *Note: The language after “center” was removed since all the limitations are already clear in the definition.*
  - *Note on Permissions: Permissions are taken from the District Chapters. A condition is added for the R-L zone since only small day care centers are allowed.*
- “Educational institution”
  - Replaces “Schools”
- “Public agency or utility yard”
  - Replaces “Utility yard”
- “Public safety facilities”
  - Replaces “Emergency services”
- “Public service facilities”
  - Replaces “Post office”; “Public libraries”
  - *Note: This term was also added because “Publicly owned buildings” was listed in a couple of the RL and RM District Chapters.*
  - *Note on Permissions: Publicly-owned buildings are listed as permitted uses in the District Chapters. Making Public service facilities a conditional use in all other zones feels appropriate.*
- “Social service facilities”
  - Replaces “Human services”
- “Utility facility”
  - Replaces “Basic utilities”; “Major utility facility”
  - *Note on Permissions: Utility facilities should be allowed in all zones. A condition has been added that says wireless communication facilities are*

*subject to provisions of the Chapter that regulates them (the exact chapter will be added once it's adopted).*

- “Animal clinic/hospitals”
  - Replaces “Animal hospitals”
- “Boat sales and repair”
  - Replaces “Boat sales”; “Boat repair”
- “Cafeteria or limited service restaurant”
  - Replaces “Café/diner”
- “Gambling premises”
  - Replaces “Casinos/card rooms”
- “General service establishment”
  - Replaces "Rental, heavy equipment"; "Rental, small equipment"; "Laundromats"; "Drycleaners"; "Appliance equipment repair"; "Gas stations including car washes"; "Light equipment sales and repair"
  - *Note on Permissions: Permissions are based on comparison of the permissions of the uses this use has replaced. A condition has been added which says the use should be enclosed entirely within a building since Gas stations and Light equipment sales and repair were conditional and the rental equipment uses were prohibited. This still prohibits any rental uses that would have outside storage, and it also excludes gas stations since there are currently none in the C-1 zone and probably should not exist in the mixed-use zone (one of the stated intentions of the zone in the District Chapter is to be less reliant on automobiles). This use is conditional in the M-1 zone because "Laundromats", "Drycleaners", and "Gas stations" were previously prohibited and the other uses were permitted, so conditional is a compromise.*
- “Heavy retail”
  - Replaces “Lumberyards, retail”; “Building materials and storage”
  - *Note on Permissions: Permissions are based on comparisons of permissions of the uses this use has replaced. Lumberyards, retail was conditional in the C-1 zone, but "Heavy retail" seems inappropriate for the C-1 zone. Lumberyards, retail was permitted in the C-2 and C-3 zones, but Building materials was prohibited. Therefore, having the use be conditional in these zones is a compromise. Both uses were permitted in the M-1 zone.*
- “Kennel”
  - Replaces “Animal shelters”
- “Marijuana retailer”
  - Replaces “Recreational marijuana retail stores/sales”
- “Medical or dental clinic”
  - Replaces “Medical office/clinic”
- “Office, business or professional”
  - Replaces “General office”; “Professional services”
  - *Note on Permissions: Permissions are based on comparison of the permissions of the uses this use has replaced. The exception is for the C-*

*3 and M-1 zones. General office was a conditional use and Professional services was prohibited in both zones, so making this a conditional use in these zones seems appropriate. This use is permitted in the R-M zone with an added condition that it must be within a live/work unit.*

- “Personal service establishment”
  - Replaces “Beauty salons and barber shops”
  - *Note on Permissions: Permissions are taken from Beauty salons and barber shops, the but use is also now permitted in the R-M zone with an added condition that it must be within a live/work unit.*
- “Recreation – indoor commercial”
  - Replaces "Theaters and other enclosed commercial recreational establishments such as bowling alleys and arcades"; "Athletic facilities"
  - *Note on Permissions: Permissions mirror Theaters. Athletic facilities was a conditional use in the commercial zones, but it seems appropriate to make indoor commercial recreation permitted in these zones. The use is also conditional in the M-1 zone since it is a conditional use in the M-1 District Chapter.*
- “Recreation – outdoor commercial”
  - Replaces "Unenclosed commercial recreational establishments such as driving ranges and miniature golf"
  - *Note on Permissions: Unenclosed commercial recreational establishments was only a conditional use in the C-1 zone and prohibited elsewhere, which seems illogical. The proposed amendments make it a conditional use in all commercial zones and the M-1 zone. Making it a conditional use in the M-1 zone is consistent with the M-1 District Chapter.*
- “Restaurant, full-service”
  - Replaces "Restaurants with no bar or lounge selling alcoholic beverages"
  - *Note on Permissions: The permissions mirror the use this use has replaced. The exception is that is now a conditional use in the M-1 zone instead of a permitted use since this is consistent with the M-1 District Chapter and seems more appropriate.*
- “Retail trade, small scale (<2,000 sf floor area)”
  - Replaces “Bakery, retail”; “Convenience store”
  - *Note on Permissions: Permissions are based on comparison of the permissions of the uses this use has replaced. The exception is for the M-1 zone where Bakery and Convenience store differ. Prohibiting small scale retail in the M-1 zone seems appropriate. The use is also permitted in the R-M zone with an added condition that it must be within a live/work unit.*
- “Retail trade, large scale (>20,000 sf floor area)”
  - Replaces “Big box regional retail center greater than twenty thousand square feet”; “Grocery store greater than twenty thousand square feet”
- “Tavern”
  - Replaces “Restaurants with bar and/or lounge/tavern”

- “Heavy duty equipment sales and repair”
    - Replaces “Heavy machinery equipment sales and repair”
  - “Manufacturing, processing or assembly of heavy duty equipment”
    - Replaces “Manufacturing, processing or assembly of heavy equipment or vehicles”
  - “Marijuana processor”
    - Replaces “Processing of marijuana”
  - “Marijuana producer”
    - Replaces “Producing of marijuana”
  - “Self-serve storage facility”
    - Replaces “Self service storage”
  - “Solid waste transfer station”
    - Replaces “Recycling collection station”
  - *Note on Permissions: The permissions for these uses primarily mirror the uses they have replaced. The exceptions have been noted above.*
- Removed the following uses (listed in order of their appearance in the table):
  - “Row house”
  - “Semi-attached single-family”
  - “Single-family detached on small lots”
  - “Medical centers”
  - “Transportation facility”
  - “Artist studio and workshop having a retail component”
  - “Civic center”
  - “Public facilities”
  - “Veterinary clinics, excluding outdoor boarding kennels”
  - “Wholesale/retail food processing facilities”
  - “Food manufacturing, processing, or package plant”
  - “Medical equipment manufacturing plant”
  - “Printing and reprographic businesses”
  - “Truck terminals and distribution facilities”
  - *Note: In general, these uses are proposed for removal because they are either too specific, redundant, or not properly defined.*
- Moved these uses from use category to another (listed in order of their appearance in the table):
  - “Essential public facilities”
    - Moved to “Public and Institutional” from “Commercial”
  - “Bakery, wholesale”
    - Moved from “Commercial” to “Light Industrial”
  - “Commercial nurseries/greenhouses”
    - Moved from “Commercial” to “Light Industrial”
- Renamed the use category “Civic (Institutional)” to “Public and Institutional”
  - *Note: This adds clarity.*
- *Notes:*
  - *One of the major issues preventing proper enforcement of the current code is the inconsistencies between uses listed in the District Chapters and the uses listed in the Land Use Table. Dedicating the Land Use Table as the single source for*

*determining which uses are allowed in which zone removes these inconsistencies.*

- *Another issue is the lack of definitions for certain uses. While land use tables should list umbrella-term uses that capture multiple, more specific uses, these terms need to be defined. Even some of the more specific use types should be defined for consistent clarity. The proposed amendments to the table and the Definitions Chapter seek to accomplish this.*
  - *The current table relies on overly detailed lists of allowed uses. For example, instead of broadly defining “Retail trade” and separating the uses by size, the current code lists several specific types of stores with little logic about why one is permitted and another is not permitted in certain zones. The same is true of service uses and other business types. The proposed amendments attempt to simplify the table into a more logical, well-defined system. By having uses that are not so specific, the City can better respond to economic and technological changes over time.*
- Chapter 22.34 – Manufactured Homes:
    - Removed this Chapter and placed it a new Supplementary Use Regulations Chapter
    - *Note: This seems more logical since these are regulations related to a specific use. This is part of cleaning up the code by grouping similar Sections of the code into one place.*
  - Chapter 22.40 – Off-Street Parking and Loading:
    - In Section 22.04.020, replaced “Two-family (duplex)” with “Duplex, Triplex, and Courtyard apartments” and replaced “Multifamily” with “Multiple family dwellings” and replaced “Churches” with “Religious institutions”
    - *Note: This is to be consistent with the changes made elsewhere in the code.*
    - *Note: This Chapter should probably be updated in future proposed amendments to the AMC. Like the other Chapters of the AMC, it could also be clearer and more concise.*
  - Chapter 22.42 – Recreational Vehicles:
    - Removed this Chapter and placed it a new Supplementary Use Regulations Chapter
    - *Note: This seems more logical since these are regulations related to a specific use. This is part of cleaning up the code by grouping similar Sections of the code into one place.*
  - Chapter 22.45 – Home Occupation Permits:
    - Removed this Chapter and placed it a new Supplementary Use Regulations Chapter
    - *Note: This seems more logical since these are regulations related to a specific use. This is part of cleaning up the code by grouping similar Sections of the code into one place.*
  - Chapter 22.48 – Development Guidelines:
    - Renamed Chapter “Supplementary Use Regulations”
      - *Note: This title is more logical for what is contained in this Chapter.*
    - Removed Accessory dwelling units, Multiple resident and high density buildings, Commercial street frontage, and Flood protection Sections and placed them in a new Design Guidelines Chapter



- *Note: These regulations pertain to the design of these uses rather than how they are permitted, so they should be placed in a separate Chapter.*
  - Renamed “Bed and breakfast inns” to “Bed and breakfast facilities” and “Churches” to “Religious institutions”
    - *Note: This is to match their term name in the Definitions Chapter.*
  - Added Community residential facilities, Live/work units, Home occupations, Manufactured homes, Recreational vehicles, and Temporary buildings for use during construction Sections
    - *Note: These Sections were taken from other areas of the Code. It makes more sense for these regulations that pertain to how these specific uses are permitted to be consolidated into this Chapter. For the uses that are defined in the Definitions or listed in the Land Use Table, a reference to this Chapter has been added in those places.*
- Chapter 22.60 – Landscaping:
  - Added a Section for R-L low density residential
  - *Note: In the Landscaping Section of the R-L District Chapter, it states minimum landscaping requirements in the R-L zone shall be as provided in Chapter 22.60 for conditional use permits. However, the Landscaping Chapter had no mention of this. Based on the current standards for the other zones adjacent to the R-L zone, it makes most sense for the standard to be 5 feet of site screening for conditional uses in the R-L zone adjacent to all zones.*
  - *Note: This Chapter should probably be updated in future proposed amendments to the AMC. Like the other Chapters of the AMC, it could also be clearer and more concise.*
- Chapter 22.XX – Design Guidelines:
  - Added this new Chapter
    - *Note: There were design guidelines listed in other areas of the code, but it makes sense to consolidate them all into one Chapter.*
  - Added Miscellaneous standards from R-M and C-1 chapters (this will be renamed), Accessory dwelling units, Multiple family dwellings, Commercial street frontage, and Flood protection Sections
    - *Note: These are all from other areas of the code. This Chapter needs further development, but this offers a starting point. The miscellaneous standards from the R-M and C-1 Chapters can be salvaged for the Duplex, Triplex, and Courtyard apartments design guidelines, if the Commission wants those to be developed.*
- Chapter 22.XX – Additional Development Standards:
  - Added this new Chapter
    - *Note: There were development standards listed in other areas of the code that should be applicable to all uses. In their current locations, this was not clear, so they have been consolidated here.*
  - Added Garages and vehicular access, Exterior mechanical devices, Yard projections, and Trash receptacles Sections.
    - *Note: These are all from other areas of the code. This Chapter likely needs further development, but this offers a starting point.*



## **F. REGULATORY REQUIREMENTS**

1. SEPA COMPLIANCE:  
The amendments to the City's Zoning Code will be subject to the provisions of the State Environmental Policy Act (SEPA) and AMC Chapter 16.04.
2. PUBLIC NOTIFICATION/INVOLVEMENT:
  - a. Presentations and/or updates on the proposed code changes to the Planning Commission will occur on July XX, 2020, August XX, 2020, and September XX, 2020.
  - b. Two Public Hearings will be held at Planning Commission, located at City Hall, on August XX, 2020 and September XX, 2020.
  - c. The City will present information and advertise the Public Hearings regarding the Proposed Changes to AMC Title 22 – Zoning in the Auburn Reporter via posting at City Hall, and through area wide mailing.
3. WASHINGTON STATE DEPARTMENT OF COMMERCE COMPLIANCE:
  - a. Per the City's contract with Commerce for the E2SHB 1923 funded amendments, two deliverables must be submitted to Commerce for the City to receive its funding:
    - i. Deliverable 1 is this staff report and attached draft ordinance. It is due to Commerce on June 22, 2020.
    - ii. Deliverable 2 is the adopted ordinance. It is due to Commerce on November 9, 2020.
  - b. Prior to adoption, the Proposed Changes to AMC Title 22 – Zoning will be submitted to Commerce, and Commerce will notify the City if it is in procedural compliance with RCW 36.70A.106.

## **G. NEXT STEPS AND SUMMARY**

Blueline would like to leave this first meeting with clear input and direction from the Planning Commission on the following questions:

- Are the recommendations contained within this staff report a sufficient starting point?
- Does the Planning Commission have further insight for Blueline to consider, in order to achieve the stated goals of this project?
- Do you agree basic design guidelines are needed to ensure the introduced housing types explored in this memo are compatible with single-family residences?

Following the July XX Planning Commission meeting, Blueline will refine the amendment concepts presented above and within the draft ordinance for further consideration by the Planning Commission.