



STAFF REPORT

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Planning Commission
FROM: Chris Pasinetti, AICP, Community Development Director
DATE: For the October 26, 2017 Meeting
SUBJECT: 2017 Work Plan and Comprehensive Plan Amendments Public Hearing

I. OLD BUSINESS

2017 Planning Commission Work Plan and Comprehensive Plan Amendments.

In January 2017, the Docket for the yearly Comprehensive Plan Amendments and the Planning Commission work plan was approved by the Planning Commission. That work plan was later approved by the City Council at their February 27, 2017 meeting. The work plan includes the following items:

1. Impact Fee Deferrals for light industrial and medical uses*
2. Frontage Improvements Code amendment
3. Zoning Code Amendment for Farmers' Markets
4. Single Family Residential Design Standards
5. Enumclaw School District Revised CFP
6. Sign code revisions**

*This also included a fee resolution as well as adopting impact fees for Fire and Schools, this was recommended by the Planning Commission in January.

**This item will likely be carried over to next year's work plan and is following a separate public process due to the necessary work for this task.

One additional item is being added by staff to the work plan and this is a yearly maintenance update; the adoption of the School District's Capital Facilities Plan for 2017 (this plan is updated as an appendix to the comprehensive plan as the school's CFP was adopted in 2016). These amendments are done yearly to keep the plans updated.

1. Impact Fee Deferrals for light industrial and medical uses: In February, the commission reviewed the Impact Fee Deferral Program. The program would defer impact fees to Certificate of Occupancy or until the property is sold (see Policy 1.4, Economic Development Element). At that time, the commission determined that deferring impact would not benefit or encourage the Economic Development Goal of bringing new business into the City or increase employment. The recommendation would be to remove policy and replace with a new policy.

"1.4 Consider "Impact Fee Discount Program" for Light Industrial, Medical developments and other uses as appropriate."

2. Frontage Improvements Code amendment: In February, the commission reviewed an amendment to the municipal code addressing the requirements to make frontage improvements for

development/and or redevelopment. The existing code establishes a bright line cost of \$50,000 expenditure as being the trigger for frontage improvements. The Planning Commission and staff finds that this is unreasonable given that the cost or type of improvements may not reflect the impact of the project. Planning Commission and staff suggests EMC 12.18.010 be amended as follows:

No building or structure shall be erected, relocated, expanded or altered ~~in an amount exceeding \$50,000~~ and no building permit shall be issued therefor on any lot unless one-half of the street abutting thereon has been dedicated and improved with curb, gutter, sidewalk, drainage structure and street paveout for the full width of the lot in accordance with city standards, or such dedication and improvements have been assured to the satisfaction of the city engineer, subject to the following limitations:

B. The City Engineer and the Community Development Director may permit modification of streetscape improvement standards where the required streetscape is not, in the opinion of the City Engineer and the Community Development Director, roughly proportionate to the impact, type, scale, and cost of the proposed development action.

C. The streetscape design alternatives shall be documented as an administrative determination.

~~A~~ D. The maximum area of land required to be so dedicated shall not exceed 25 percent of the area of any such lot nor shall such dedication reduce the lot between the required minimum lot sizes, widths and areas required, unless a variance for the same has been granted, and in no case shall such dedication be required if the remaining lot area has a width less than 50 feet or an area less than 5,000 square feet.

~~B-E.~~ No such dedication may be required with respect to the portion of a lot occupied by a main building.

~~C-F.~~ EMC 12.18.056(D) and (E) shall apply to the construction of a single-family dwelling or customary accessory building in the R-1, R-2 and R-3 zones.

~~D-G.~~ The requirements of this section shall not apply to alterations that do not change the use of a building to a use with a higher average trip generation rate as defined in the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers.

3. Zoning Code Amendment to allow famers’ market in the Public Use (P) Zoning District:

In April, the commission reviewed the amendment to allow “Farmer’s Markets” as an allowed use within the Public Use Zoning District. The commission finds that the use is not inconsistent with the other uses within the zone and recommends to amend the zoning code as follows (underline indicates change):

KEY	COMMERCIAL/INDUSTRIAL ZONES
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P – Permitted Use C – Conditional Use S – Special Use	General Office	General Office-Hospital	Neighborhood Business	Highway Community Business	Central Business 1	Central Business 2	Light Industrial	Public Use	Hospital
SPECIFIC LAND USE	GO	GO-H	NB	HCB	CB-1	CB-2	LI	P	H
Farm stand, retail sales of produce and crops			P	P				<u>P</u>	

4. Single Family Residential Design Standards: In June, July, August (sub-committee meeting) and September the commission reviewed proposals for Single Family Residential Design Standards. As part of implementing Goal LU-7 of the Land Use Element of the comprehensive plan, the commission developed a set of design standards to implement the goal. The standards are simple and easy to implement through the building permit process. The commission finds that the proposed standards implement the goals of the comprehensive plan. The proposed design standards are attached to this staff report in Exhibit “A”.

5. Enumclaw School District Revised CFP: The Enumclaw School District CFP was reviewed as part of the 2015/2016 Comprehensive Plan Cycle. This would adopt the new plan would be adopted as part of the Comprehensive Plan by reference. The plan includes revised projects and gives the city the authority to collect impact fees on behalf of the school district to help growth pay for growth as it is related to schools.

FINDINGS AND CONCLUSIONS:

Title 15 outlines the findings required to approve comprehensive plan amendments/code amendments. EMC section 15.32.038 outlines three general requirements and six consistency statements to be used when evaluating the merits of the proposals.

The code states (in part) under EMC 15.32.038 that the planning commission may recommend, and the city council may approve, the proposed amendment[s] to the comprehensive plan only if the following general criteria are met:

- 1. The amendment will not result in development that will adversely affect the public health, safety and general welfare.**

Staff response: The proposed policy amendment and the proposed code amendments will not adversely affect the public health, safety and general welfare.

A. Staff and the Planning Commission find that an impact fee discount policy change is consistent with the Comprehensive Plan policy to encourage economic development. Impact fee deferrals have not been widely utilized, and will not have as great an impact enticing companies to locate within the City as an impact fee discount.

B. Staff and the Planning Commission find that the proposed amendment to EMC section 12.18.010 will allow staff the flexibility to make decisions regarding the requirements for frontage improvements. This will allow department heads to evaluate the impacts of the proposal against the requirement for frontage improvements. This will improve the permitting process overall.

C. Staff and the Planning Commission find that allowing Farmer's Markets within the Public Use (P) Zoning District as a permitted use will make it easier for a market to locate in the downtown core. This will increase foot traffic and help create synergy within the downtown. A farmer's market is not inconsistent with the uses that are currently permitted within the Public Use Zoning District.

D. Staff and the Planning Commission find that the proposed single family design standards will help preserve the characteristics of existing neighborhoods and improve the quality and appearance of new homes.

E. Staff and the Planning Commission find that the adoption of the School District's revised Capital Facilities Plan will not adversely affect the public, health, safety and general welfare.

2. The amendment is based upon new information that was not available at the time of adoption of the comprehensive plan, or that circumstances have changed since the adoption of the plan that warrant an amendment to the plan.

Staff response: Staff and the Planning Commission find that the amendments to the comprehensive plan and development regulations are warranted because in 2016 the City adopted a new Comprehensive Plan that included new policies and the need to implement new regulations for those policies.

3. The amendment[s] is consistent with other goals and policies of the comprehensive plan, and that the amendment will maintain concurrency between the land use, transportation, and capital facilities element of the plan.

Staff response: Staff and the Planning Commission find that the amendments to the comprehensive plan and development regulations are consistent with the goals and policies of the comprehensive plan as follows:

Economic Development Element Goal 1 states: "Promote Employment Growth in Retail/Services, Medical and Light Industrial Sectors." Staff and the Planning Commission find that a reduction in impact fees or other measures, rather than a deferral of impact fees would facilitate that goal and other goals of the Comprehensive Plan and would not cause any concurrency conflicts within the various elements of the Comprehensive Plan.

Transportation Element Policy 1.9 states: "Require adequate right of way dedication and associated improvements as part of new development." Staff and the Planning Commission finds that the amendments to the municipal code will not detrimentally affect the policy stated or other elements of the comprehensive plan as improvements would be measured against their impacts as opposed to project cost.

Economic Development Element states: “Develop a permanent Farmer’s Market to include vendors, producers, entertainers and related activities.” Staff and the Planning Commission find that allowing a farmer’s market as a permitted use would implement the Comprehensive Plan and would not be inconsistent with other uses within the Public Use Zoning district thereby not cause any concurrency conflicts.

Land Use Element policy 7.1 states: “Create and adopt design standards for new single family development that will ensure that new development fits into the character of existing neighborhoods in terms for scale, density and design.” Staff and the Planning Commission find that the proposed design regulations will implement the Comprehensive Plan goals and policies to maintain high quality design. The standards will not conflict with other elements of the comprehensive plan.

Capital Facilities Element Goal CF-5 states: “Encourage adequate school facilities and quality education through the coordination of planning efforts.” Staff and the Planning Commission find that the revised Enumclaw School District CFP will implement Goal 5 of the Capital Facilities Element as related to schools.

The code states (in part) under EMC 15.32.038 that the planning commission shall use the following detailed criteria in evaluating the merit of a proposal:

1. The amendment[s] should address an existing, significant need for a public necessity or convenience.

Staff response: Staff and the Planning Commission find that the proposed amendment to the comprehensive plan and development regulations are addressing existing public needs as well as implementing goals of the comprehensive plan. Increasing employment, assessing frontage improvements against impacts, allowing farmer’s markets on public zoned property and adopting regulations for Single Family residential designs and updated the School District’s Capital Facilities Plan are all implementing goals and policies of the comprehensive plan and addressing gaps within the municipal code.

2. The amendment[s] should be in the public’s best interest.

Staff response: Staff and the Planning Commission find that the proposed amendments are in the public’s best interest. Implementing the Comprehensive Plan by adopting revised policies as well as code amendments to implement policies regarding frontage improvements, permitting farmer’s markets in more zones within the City and adopting code requirements for single family residential home designs, are all intended to be in the public interest.

3. The amendment should be compatible with all adjacent comprehensive plan and zoning map designations.

Staff response: The proposed amendments are not site specific or include and zoning or land use map amendments.

4. The amendment should be compatible with all elements of the comprehensive plan and zoning code.

Staff response: Staff and the Planning Commission find that the proposed amendments are compatible with all elements of the comprehensive plan and the zoning code. The proposed amendments implement the goals and policies of the comprehensive plan as adopted in 2016 and make policy improvements to that plan.

5. The amendment[s] should be compatible with and should not adversely impact related ordinances, regulations and development standards.

Staff response: Staff and the Planning Commission find that the proposed amendments are compatible with existing ordinances, regulations and development standards. The amendments are not inconsistent with existing goals and policies in the comprehensive plan and development regulations.

6. The amendment should not adversely impact the health, safety and general welfare of the public; the city design; development interests; neighborhoods; environmentally sensitive areas; and historic areas.

Staff response: Staff and the Planning Commission find that the proposed amendments will not adversely impact health, safety, and the general welfare of the public; the amendments will improve City design and further development interests and neighborhoods. The amendments will not adversely affect sensitive areas or historic areas.

RECOMMENDATION:

Staff recommends that the Planning Commission open the public hearing and receive testimony on the proposed 2017 Comprehensive Plan Amendments and Planning Commission Work Plan items. After receiving testimony, close the public hearing.

After close of the public hearing staff recommends that the Planning Commission review the Findings and Conclusions in the staff report and make a recommendation to the Enumclaw City Council as follows:

1. The City of Enumclaw Planning Commission makes a recommendation to the Enumclaw City Council to adopt the proposed 2017 Comprehensive Plan Amendments and Planning Commission Work plan items as provided in the staff report dated October 26, 2017; OR
2. The City of Enumclaw Planning Commission makes a motion to amend the proposed 2017 Comprehensive Plan Amendments and Planning Commission Work plan as provided in the staff report dated October 26, 2017 and upon approval of the amendments make a recommendation to the City Council to adopt as amended.

Exhibits:

- A. Final Design Standards
- B. Enumclaw School District CFP 2017-2022