



STAFF REPORT TO THE PLANNING COMMISSION

Prepared October 10, 2016

FILE NUMBERS: L16-0050 Low Impact Development Code Amendments
E16-0008 SEPA Checklist

REQUEST: Public Hearing regarding the proposed low impact development code changes to the Zoning and Vehicle Parking Storage regulations. Based on direction from the Planning Commission staff will revise the ordinances and then the Planning Commission’s recommendations will be forwarded to the City Council for review.

PUBLIC HEARING: October 27, 2016

LOCATION: City wide

STAFF: Moira Bradshaw, Senior Planner

ATTACHMENTS: Titles 8.25 and 18 Draft Ordinance
Bioretention Plant List

Introduction

The National Pollutant Discharge Elimination System (NPDES) permit program, created in 1972 by the Clean Water Act (CWA), helps address water pollution by regulating point sources that discharge pollutants to waters of the United States. Due to recent regulatory changes at the Federal and State levels Tukwila needs to modify its regulations to better control water pollution.

The City’s NPDES Phase II permit allows the City to drain the collected surface water from its system into the Green River. The permit is conditioned upon the City reviewing, revising, and making effective changes to the City’s development related codes, standards, and other enforceable documents. The stipulation is that the City incorporate into its development codes the low impact development (LID) principles and LID Best Management Practices no later than December 31, 2016.

LID is a stormwater and land use management strategy that strives to mimic pre-disturbance natural hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. It emphasizes conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

BACKGROUND

The Tukwila Planning Commission advises the Mayor and City Council on matters relating to land use, comprehensive planning and zoning (TMC2.36.030.) Additionally, all code cities are required to adopt development regulations that are consistent with and implement the City's Comprehensive Plan. (RCW 35A.63.105)

The Tukwila Comprehensive Plan has the following policies regarding surface water management and design. Any proposed regulation must implement and be consistent with these policies.

Natural Environment Element 4.1.5 *Develop and implement programs that encourage Tukwila residents and businesses to take active measures to protect and enhance Tukwila's natural environment. Such measure could include the use of Low Impact Development (LID) techniques, natural stream bank restoration, non-toxic lawn care, composting and recycling, among others.*

Natural Environment 4.8.1 *Demonstrate implementation of low impact development techniques through grant-funded public projects. Where feasible incorporate such techniques into City Capital facilities projects. Provide technical assistance to developers, and encourage the use of such techniques for storm water management.*

Natural Environment 4.8.2 *Require that all proposed development applications identify hydrologic features, both on and off-site, that could be impacted by the project. Evaluate and prevent project impacts on on-site and off-site watercourses, wetlands, drainage features and springs to avoid adverse impacts to existing sensitive area hydrology.*

Shoreline 5.10.1 *Design, locate and manage shoreline development including streets, flood control projects, surface water drainage and sewer systems, clearing and grading activities, and landscaping in a manner that minimizes opportunities for pollutants to enter the river, provides erosion control, and otherwise protects water quality.*

Utilities Element 12.1.26 *Apply an adopted surface water design manual as the minimum requirement for all development projects and other actions that could cause or worsen flooding, erosion, water quality and habitat problems, for both upstream and downstream development.*

Utilities 12.1.29 *Encourage the retention and planting of trees for their beneficial effects on surface water runoff, including flow attenuation, water quality enhancements and temperature reduction.*

DISCUSSION OF PROPOSED CHANGES

The draft ordinance (Attachment A) contains proposed changes to the City's Vehicle Parking and Storage Section of the Tukwila Municipal Code (TMC) as well as a variety of changes to the Zoning Code. Below is a summary of each section of the draft ordinance.

Section 1.

Vehicle Storage and Parking on Single-family Residential Property (TMC8.25) is being moved into the Zoning Code. Three chapters of the Zoning Code will be changed to include the items being moved - the Definitions, Low Density Residential – Basic Development Standards, and Off-street Parking Chapters. The existing standard is that no more than 10% of a lot's surface or 1,200 square feet, whichever is greater, be covered with a durable uniform surface (TMC 8.25.020(D).) That is proposed for replacement with the development coverage standard of 75% for single family homes. See the definition of "development area" below. See Sections 3, 7, and 14 below for how the other elements of existing TMC 8.25 are being carried over into the Zoning Code.

Section 2.

Lot coverage and development area are interchangeable terms and both are defined in the Zoning code. Development area is more prevalently used. "Lot coverage" is therefore being deleted and where it was used (See Section 15,) "development area" is substituted.

Section 3.

The definition of "Development area" is being modified to distinguish between pervious and impervious surfaces and provide an incentive to use pervious surfaces. The goal of low impact development is to preserve native soils and vegetation, hence the allowance for only 75% of new pervious surfaces/area. The exception for pedestrian and recreation space in MDR and HDR is being moved out of the Definition to the Supplemental Development Standards section (TMC 18.50.) See Section 10.

Section 4.

The definition for "native vegetation" is proposed for modification to allow a wider range of materials that may be used in planting plans.

Section 5.

The "durable uniform surface" definition is being moved from the Vehicle Parking and Storage Chapter (TMC8.25) to the Zoning Code and updated to reflect the goal of using pervious (or permeable) surfaces.

Section 6.

A "pervious surfaces" definition is being added in order to encompass low impact development materials. The Appendix shows images of pervious surfaces.

Section 7.

A “development area” standard is being proposed for single family development. Single family lots are divided into two categories: 75% on lots less than 13,000 square feet up to a maximum of 5,850 square feet and 45% for those equal to and larger than 13,000. A 50% standard currently exists for multi-family and 75% exists for townhomes.

Below is a table showing the development area coverage for single family homes permitted in 2015.

Permit #	Lot size	Structure coverage	amount of site impervious area - other than structures	amount of pervious improvements	total impervious area	Lot coverage
D15-0021	6,780	2276	710		2,986	0.44
D15-0157	98,446	1694	2345		4,039	0.04
D15-0161	9,459	1274	1308		2,582	0.27
D15-0163	9,400	2451	1279		3,730	0.40
D15-0285	15,387	3907	1455	2643	5,362	0.35
D15-0302	6,635	1870	1765		3,635	0.55
D13-179	4,218	1315	338	192	1653	0.39

Section 8.

In the chapter for Residential Commercial Center Zone (RCC,) the development standards table has a description of what may be included in landscape areas. Bioretention facilities are being proposed for addition as they are a low impact development technique for landscape areas. Bioretention is defined in the 2016 Surface Water Design Manual, which is being adopted by the City as part of its update to the Surface Water Management Section of the TMC. It means, “A stormwater best management practice consisting of a shallow landscaped depression designed to temporarily store and promote infiltration or stormwater runoff. Standards for bioretention design, including soil mix, plants, storage volume and feasibility criteria are specified in the Design manual.” Biorretention area use plants and soils to retain surface water and slowly absorb this water into the ground instead of into man-made pipes and area streams and the River. The proposed Biorretention Plant list is attached. Images of Biorretention facilities are contained in this Report’s Appendix.

Section 9.

The proposed amended language is to update the code with respect to structural soils and to ensure that the standards reflect the best available science with respect to landscape health.

Section 10

This section repeats the standards for development area that was noted in Section 7 above and includes the exception from the development area standard for pedestrian, landscape and recreation facilities in MDR and HDR. It also provides a reference to the Surface Water Design Manual for

evaluation of low impact development proposals. Minor changes in wording are incorporated to clarify standards without changing the substance for senior housing and townhouse developments.

Section 11 and 12.

Proposed language to allow Biorretention as a viable landscaping technique and references a City of Tukwila biorretention plant list. (See also Attachment B.)

Section 13.

Proposed language clarifies the off-street parking standards for low density residential development, references “pervious pavement” as the preferred surface for parking areas and adds a stipulation that any “additional” parking – that is any additional stalls greater than the minimum numbers - shall use pervious surfaces.

Section 14.

The Residential Parking Requirements section of the Zoning Code is being updated to:

- Delete the reference to the number of stalls required as that exists in Figure 7 – “Required Number of Parking Spaces for Automobiles and Bicycles.”
- Include the standards from “Vehicle Parking and Storage Chapter of TMC (8.25.) See Section 1 above.
- Eliminate a standard from TMC 8.25 that limits the amount of durable uniform surfaces to 10% of a lot’s area. The development area standard is being substituted for this requirement. See Section 7 above.
- Eliminates the reference to “Vehicle Parking and Storage Section of the Public Peace and Morals Chapter (TMC 8.25) because that has all been brought into the Zoning Chapter.

Section 15.

Substitutes the term “development area” for “lot coverage.”

Section 16.

Eliminates the largest size parking stall in order to minimize the amount of impervious surface that is allowed for automobile parking.

REQUESTED ACTION

Hold the public hearing on the proposed changes, deliberate and make a recommendation to the City Council.

Appendix

Bio-retention Images

