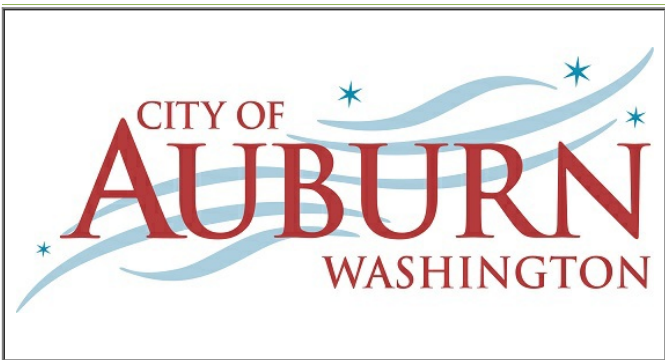


	City Council Study Session PWCD SFA December 14, 2020 - 5:30 PM Virtual AGENDA Watch the meeting LIVE! Watch the meeting video Meeting videos are not available until 72 hours after the meeting has concluded.
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I. CALL TO ORDER

II. VIRTUAL PARTICIPATION LINK

A. Virtual Participation Link

The Auburn City Council Meeting scheduled for Monday, December 14, 2020 at 5:30 p.m. will be held virtually and telephonically. To attend the meeting virtually please click the link or enter the meeting ID into the Zoom app or call into the meeting at the phone number listed below.

Per the Governor's Emergency Proclamation 20-28, the City of Auburn is prohibited from holding an in-person meeting at this time.

City of Auburn Resolution No. 5533, designates City of Auburn meeting locations for all Council, Board and Commission meetings as virtual. All meetings will be held virtually and telephonically until King County enters into Phase 3 of Governor Inslee's Safe Start — Washington's Phased Reopening plan.

The link to the Virtual Meeting or phone number to listen to the Council Meeting is:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join. <https://zoom.us/j/94479532944>

Or join by phone:

253 215 8782
877 853 5257 (Toll Free)

Webinar ID: 944 7953 2944

B. Roll Call

III. ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

IV. AGENDA MODIFICATION

V. AGENDA ITEMS FOR COUNCIL DISCUSSION

- A. Facility Needs Assessment and Master Plan - Draft Recommendations Briefing (Gaub)(40 Minutes)
- B. Auburn Symphony Update (Faber)(20 Minutes)
- C. 2021 Special Focus Area Chair and Vice Chair Selections (Council)(15 Minutes)
- D. Ordinance No. 6808 (Hinman)(10 Minutes)
An Ordinance amending section of Chapter 2.07 of the Auburn City Code relating to Auburn Junior City Council membership nominations and meetings
- E. Resolution No. 5563 (Tate)(20 Minutes)
A Resolution adopting the 2021 Community Development Block Grant Action Plan for the Consolidated Plan Years 2020-2024
- F. Resolution No. 5567 and 5568 (Tate)(20 Minutes)
This presentation will provide an overview of two proposed substantial amendments to existing Community Development Block Grant Annual Action Plans, making \$746,197 available for public service and planning activities related to Coronavirus response

VI. PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

- A. End of Year Capital Projects Status Report (Gaub)(10 Minutes)
- B. Ordinance No. 6763 (Tate)(30 Minutes)
Staff to present a brief overview of significant updates to the International and State building codes that have been adopted by Washington State and are scheduled to be in effect February 1, 2021. Staff will also present proposed ACC Title 15 updates recommended by the Planning Commission for adoption and amendment of updated building codes in preparation for the effective date
- C. Ordinance No. 6799 (Tate)(15 Minutes)
An Ordinance amending and repealing language of the Auburn City Code relating to regulation of underground utilities, infrastructure conduit, and wireless communication facilities

VII. OTHER DISCUSSION ITEMS

VIII. NEW BUSINESS

Agendas and minutes are available to the public at the City Clerk's Office, on the City website (<http://www.auburnwa.gov>), and via e-mail. Complete agenda packets are available for review at the City Clerk's Office.

IX. ADJOURNMENT



AGENDA BILL APPROVAL FORM

Agenda Subject:

Facility Needs Assessment and Master Plan - Draft
Recommendations Briefing (Gaub)(40 Minutes)

Date:

December 8, 2020

Department:

Public Works

Attachments:

[Draft Recommendation Briefing Presentation](#)
[Slides](#)

Budget Impact:

Current Budget: \$0
Proposed Revision: \$0
Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

The purpose of this discussion is to brief Council on the Draft Recommendations that were prepared as part of the Facility Needs Assessment and Master Plan project. This Draft Recommendations briefing is the third of four Council Checkpoints scheduled as part of this project. This briefing will cover progress since the Draft Needs Assessment briefing to Council held on January 27, 2020, including the alternatives that have been evaluated and the draft recommendations.

The Facilities Master Plan project is conducting a planning level effort, with the assistance of a consultant, to identify and develop conceptual solutions and alternatives for future City facility needs. The evaluation includes an analysis of the potential staffing needs and provides the preferred land usage and building needs for the next 20 years, through a joint collaborative effort with Parks Maintenance & Operations, Public Works Maintenance & Operations, Police, and Departments located at City Hall and the Annex. The end product will be a prepared master plan document that will include recommendations for future facility space and land needs.

Reviewed by Council Committees:

Councilmember: Brown

Staff:

Gaub

Meeting Date: December 14, 2020

Item Number:

AUBURN

FACILITY NEEDS STUDY AND MASTER PLAN

Preferred Concept Council Briefing
December 14, 2020

AGENDA

Project Overview

Alternatives Evaluation

Draft Recommendations

Next Steps

PROJECT GOALS

- Create welcoming, safe spaces that improve service and connect to community
- Address issues and improve efficiency
- Understand how facilities needs impact funding priorities
- Recommend cost-effective investments to support Auburn into the future
- Create a plan that is compelling, achievable, and supported



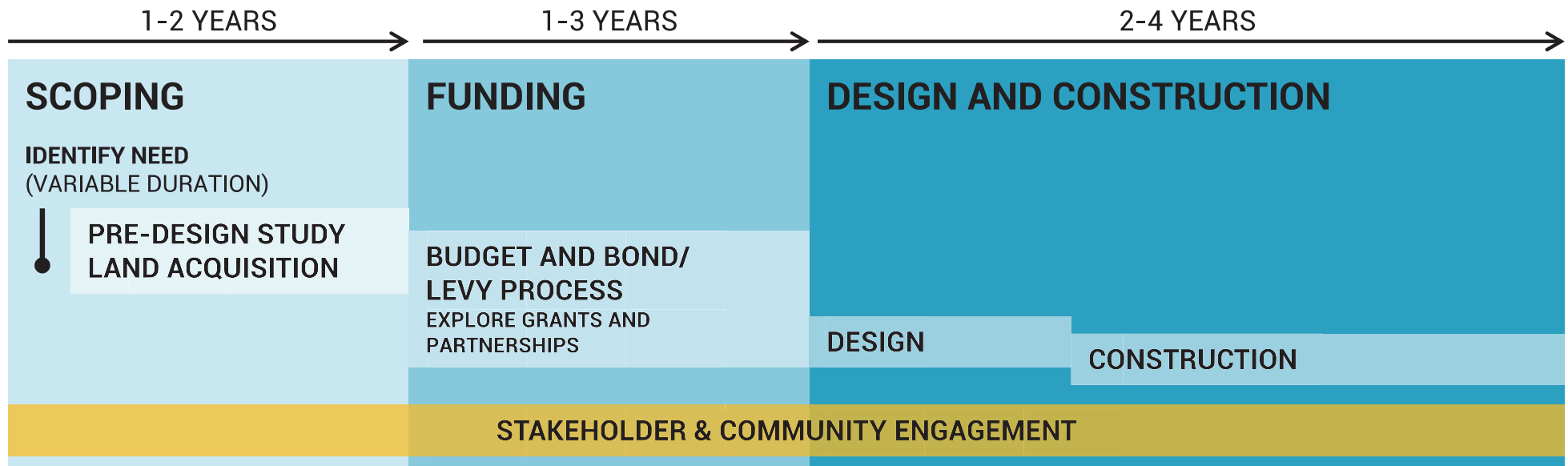
PROGRESS



★ Council Checkpoint

WHY DO THIS DURING A CRISIS?

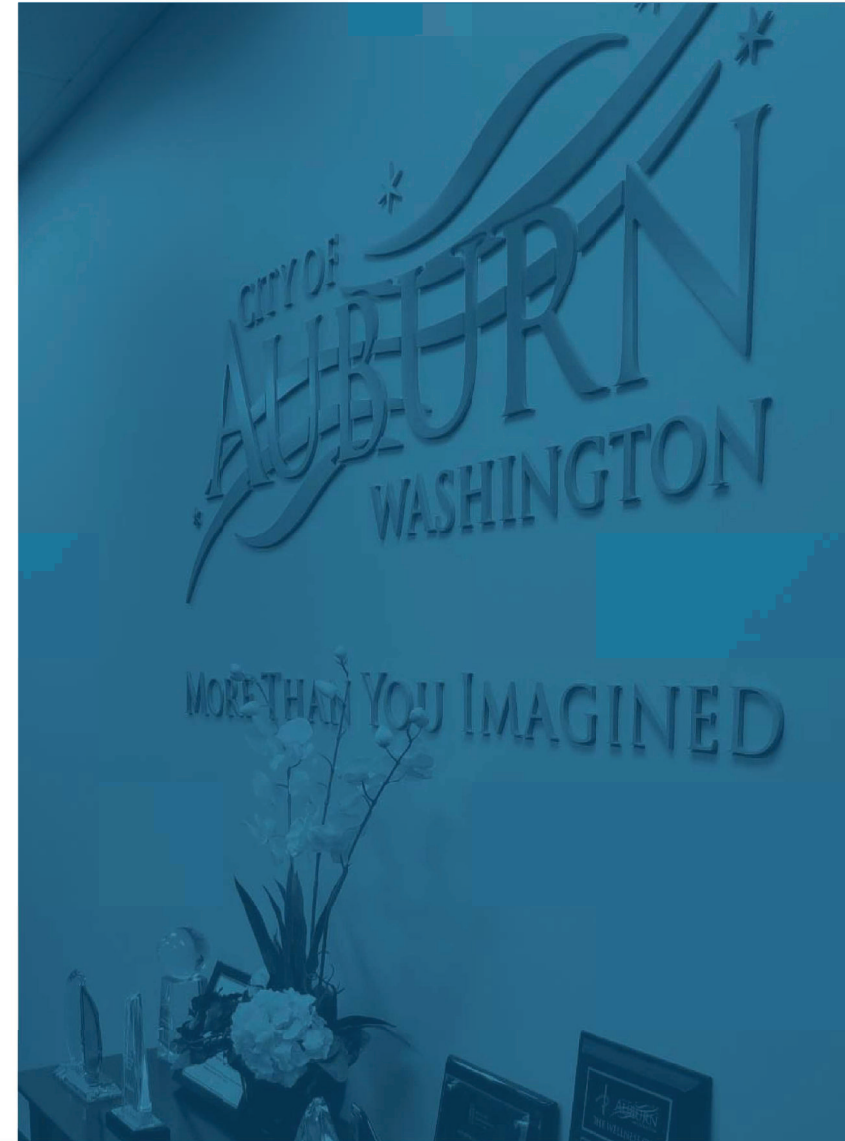
- Major facilities investments can take a decade to complete
- Planning during downtime prioritizes spending and positions the City to pursue grant funding and build partnerships



WHY ELSE?

STRATEGIC FACILITY PLANNING HELPS

- Protect the City's assets by targeting resources to address critical needs
- Identify opportunities to improve space use and gain efficiencies
- Plan for necessary investments and schedule spending when feasible
- Position the City to serve the community into the future



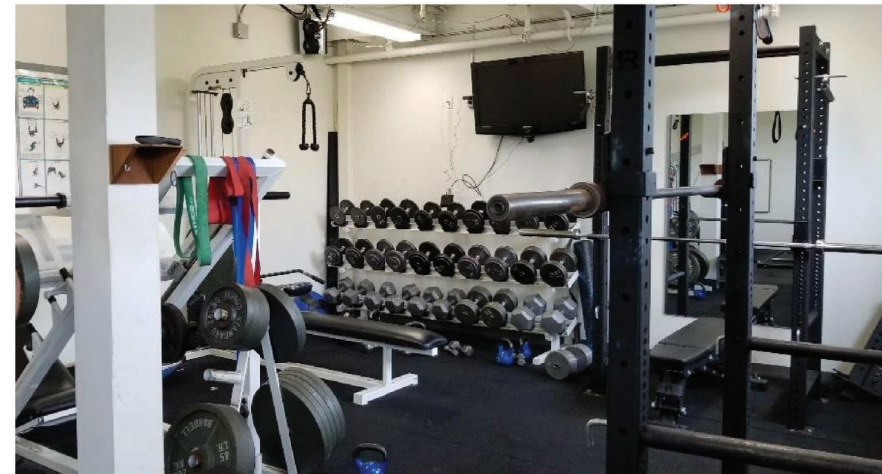
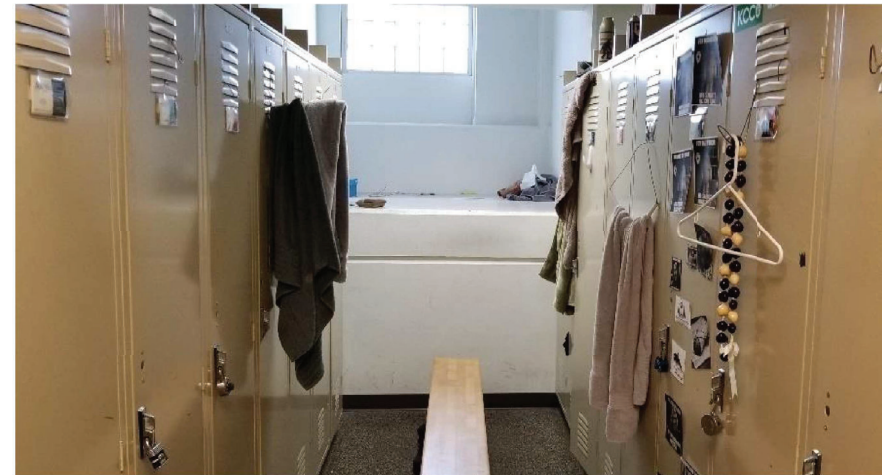


ALTERNATIVES EVALUATION

ISSUE SUMMARY RECAP

POLICE & COURT CHALLENGES

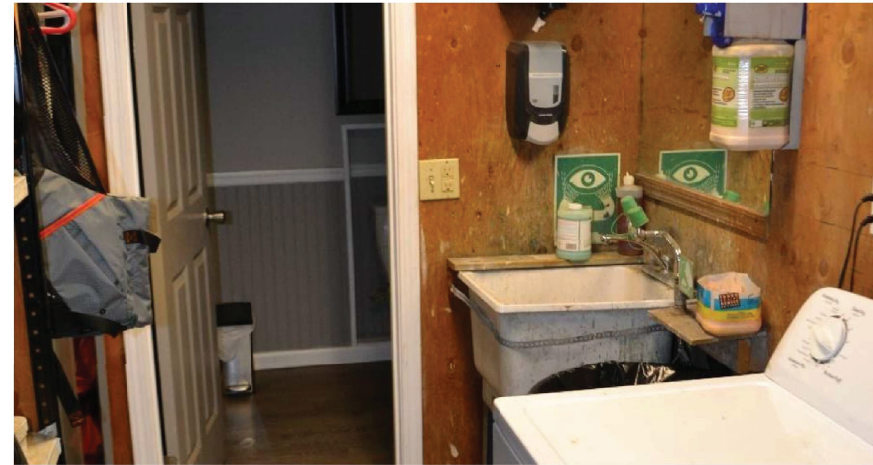
- Justice Center is cramped and unable to accommodate growth
- Facility is insufficient with unusable space due to seismic upgrades
- Shortage of support space (locker rooms, workout area)
- Undersized evidence storage and armory
- Inadequate parking and security



ISSUE SUMMARY RECAP

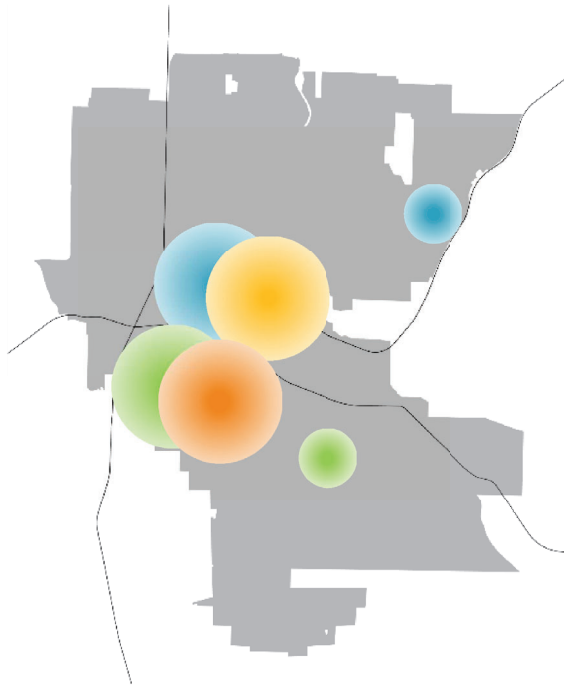
MAINTENANCE & OPERATIONS CHALLENGES

- Inadequately sized and configured crew support spaces
- Not enough warehouse and shop space
- Limited covered storage for high-value equipment and vehicles
- Aging facilities and site that require increased maintenance and do not support growth
- Limited capacity to service parks in northeast Auburn

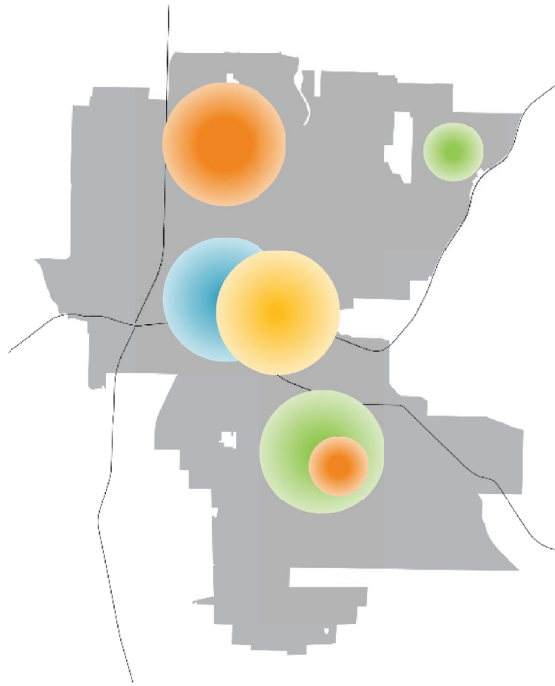


ALTERNATIVES OVERVIEW

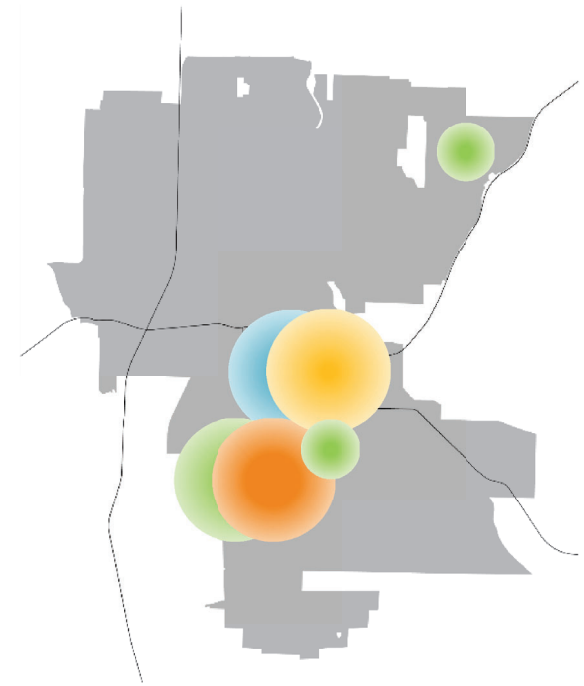
REMAIN IN PLACE



CIVIC NODES



DUAL CAMPUS



● POLICE ● PUBLIC WORKS M&O ● PARKS M&O ● ADMINISTRATIVE

GUIDING PRINCIPLES

 PURPOSE-BUILT	• Right-sized and efficiently designed • Facilitates management, coordination, and collaboration • Positioned well to serve customers
 SUSTAINABLE & RESILIENT	• Accommodates growth and change • Improves emergency response • Reduces emissions and energy costs
 COMMUNITY-FOCUSED	• Meets economic and community development goals • Easily accessible, welcoming, and safe for staff and the public
 ACTIONABLE	• Cost-effective • Feasible and reasonable to implement

MAJOR FINDINGS

POLICE

- Renovating the Justice Center is not a 50-year solution
- A future location near Les Gove or in downtown is ideal

MAINTENANCE & OPERATIONS (M&O)

- Leverage current properties to support Public Works and Parks M&O
- Parks M&O needs a northeast platform to serve new parks as they are developed

ADMINISTRATIVE

- Admin needs are less pressing relative to Police and M&O
- Improve space use and complete City Hall condition assessment to target investments and extend service life

INITIAL DRAFT RECOMMENDATIONS

★ ~\$65 M project

~\$142 M project

ADMINISTRATIVE

- ★ Invest as needed at Annex and City Hall; revisit in ~15 years

Estimates in 2024 \$

REFINED ANALYSIS

EXPLORE LOWER COST OPTIONS TO MEET CRITICAL NEEDS

- Make maximum use of existing buildings and property
- Use lower cost construction types where reasonable
- Address most-pressing issues
- Phase construction to lower annual payments and support department's ability to serve community into the future

~20-year
facilities

CREW BUILDING

Modular - \$261/SF



\$670/SF

~50-year
facilities





DRAFT RECOMMENDATIONS 2024-2038

POLICE DRAFT RECOMMENDATION

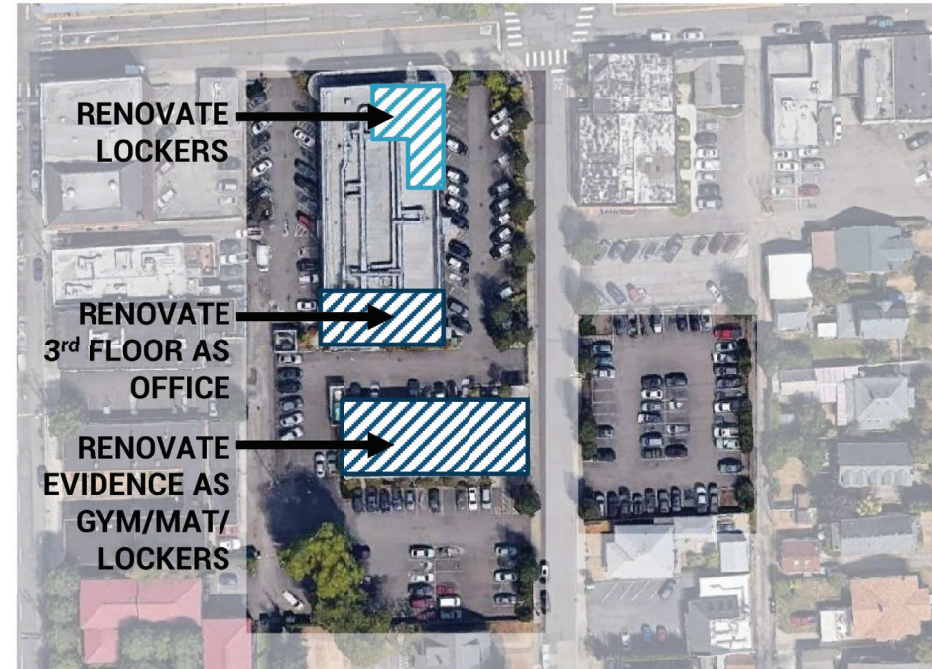
- Buy property for future PD headquarters; build Evidence facility on new site
- ★ Renovate existing Evidence ground floor as gym/mat training facility
- ★ Renovate Justice Center 3rd floor as office
- ★ Minor renovation of Justice Center lockers

COST ESTIMATE

~\$9.9 M (2024 \$)

LONG TERM

Construct new HQ on purchased site



POLICE DRAFT RECOMMENDATIONS

BENEFITS

- Meets long-term Evidence facility needs
- Provides near-term, cost-effective physical training space
- Site acquisition supports future bond measure for eventual HQ construction



M&O HQ DRAFT RECOMMENDATIONS

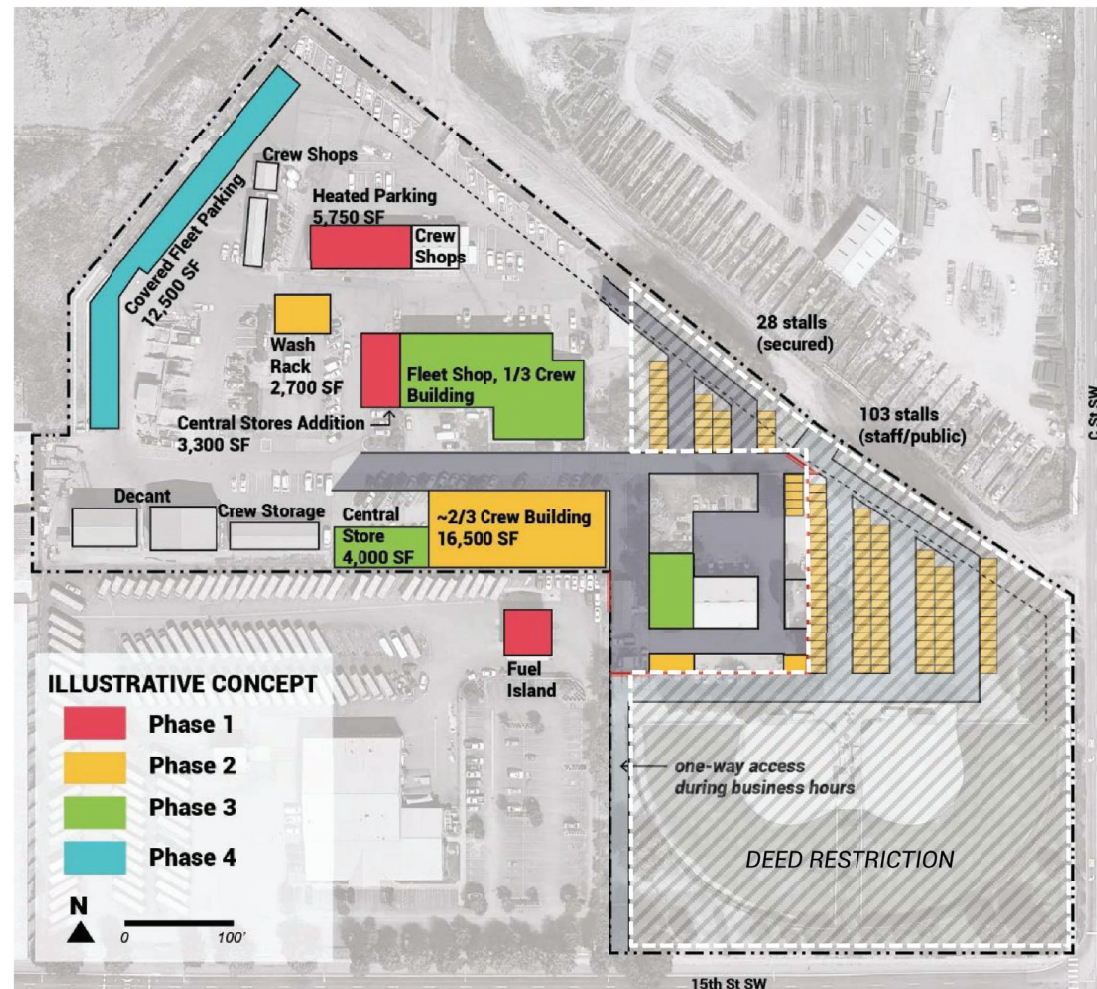
- PHASE 1** Critical projects in CFP
Transfer deed restriction
- PHASE 2** PW crew building, wash rack, and parking; clear access to 15th St SW
- PHASE 3** Remodel PW main building and Parks crew space; add storage
- PHASE 4** Cover high value fleet

COST ESTIMATE

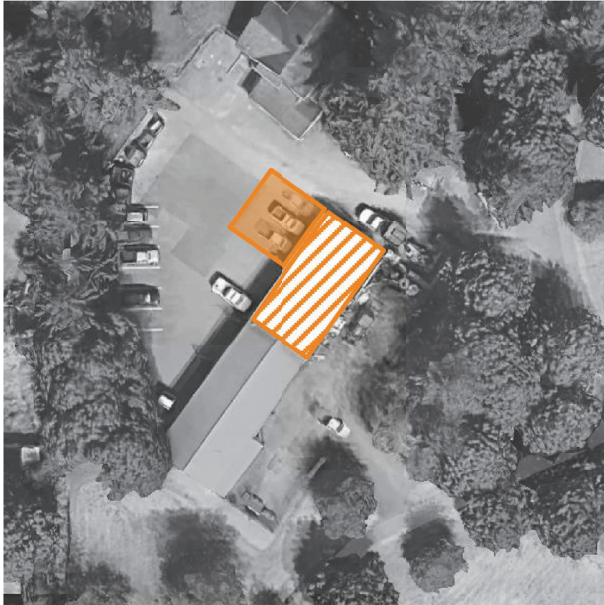
~\$24.1 M (2024 \$, does not include CFP projects)

LONG TERM

Develop former ballfield area to meet future needs

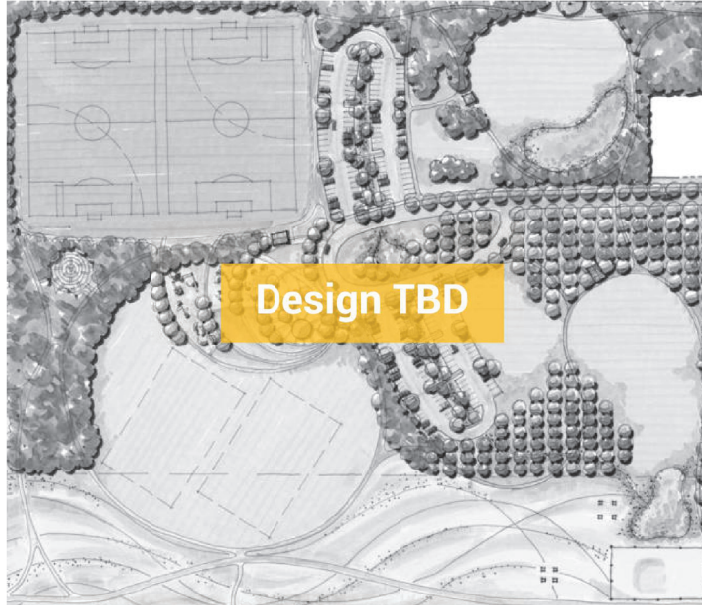


PARKS M&O DRAFT RECOMMENDATIONS



Game Farm Park

- Add crew space, remodel shop/storage
- Cost estimate: ~ \$2.3 M (2024 \$)



Jacobsen Tree Farm

- Add M&O satellite when Phase 2 Master Plan is constructed
- Replace ballfields from GSA Park
- Cost estimate: ~\$3.7 M (2024 \$)



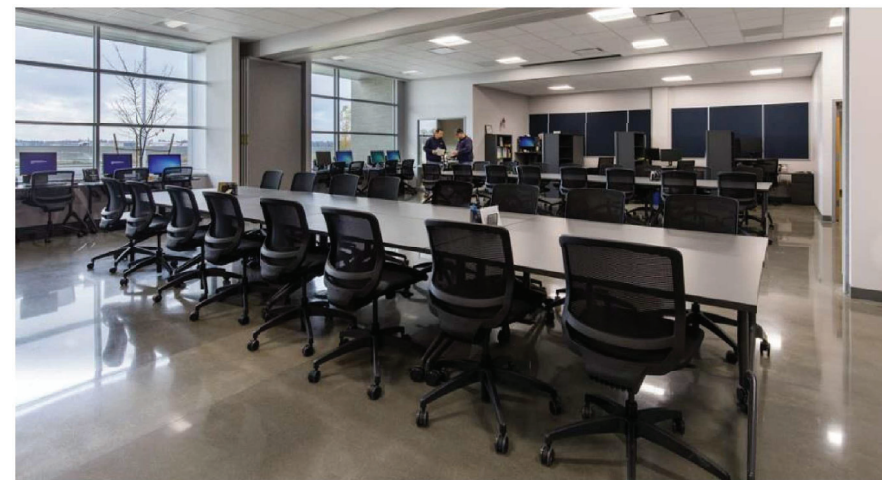
GSA Park

- Relocate greenhouse and bulk bins to access 15th
- Add storage and renovate crew space
- Cost included in M&O HQ estimate

M&O RECOMMENDATIONS

BENEFITS

- Addresses most critical crew needs throughout the system
- Increases fleet shop and storage capacity
- Places facilities to serve the growing community
- Protects high-value fleet



DRAFT RECOMMENDATIONS

POLICE

- ★ ~\$10 M Evidence on new property; JC renovation
- ★ ~\$48 M future HQ project (timed as funding allows)

FUNDING SOURCE: bonds

MAINTENANCE & OPERATIONS

- ★ ~\$24 M HQ investment
- ~\$6 M Parks M&O satellites at Game Farm Park and Jacobsen Tree Farm

FUNDING SOURCE: bonds, general fund, utility/impact fees, equipment rental funds

ADMINISTRATIVE

- ★ Invest in Annex and City Hall to extend service life; revisit in ~15 years

FUNDING SOURCE: general fund

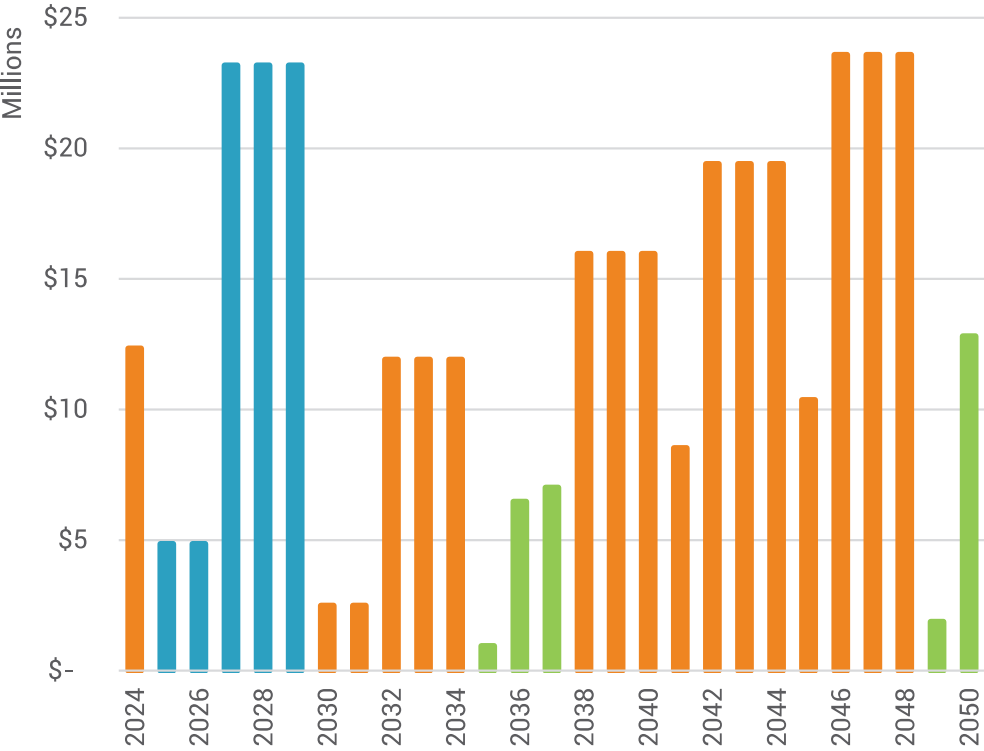
Rounded estimates in 2024 \$, does not include CFP or long-term projects



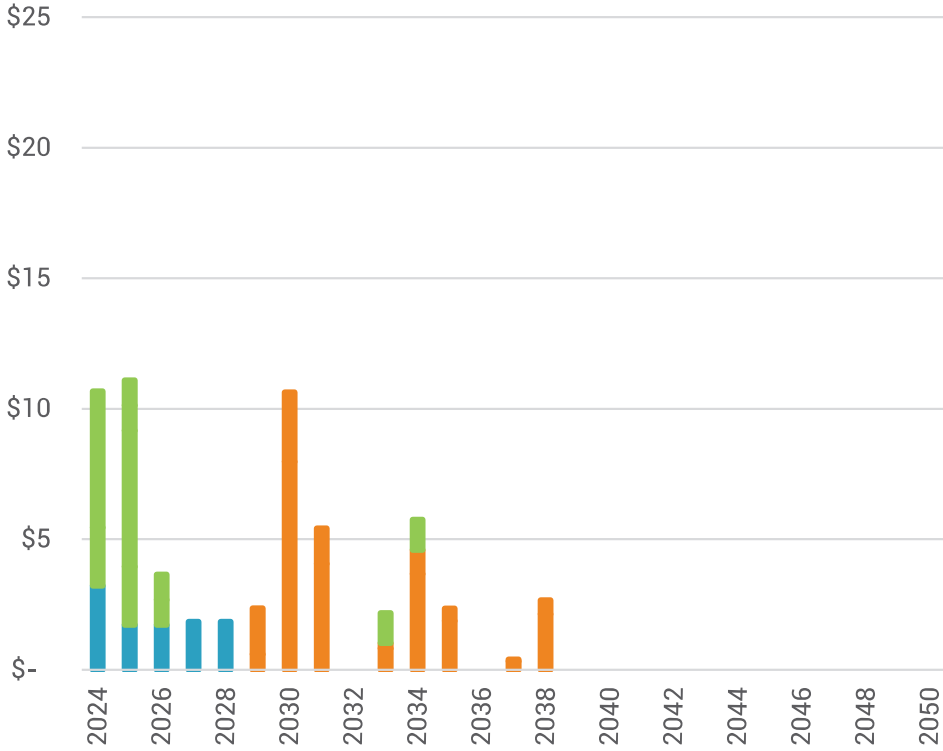
DRAFT PHASING PLANS

POLICE PARKS M&O PUBLIC WORKS M&O

INITIAL RECOMMENDATIONS



REVISED RECOMMENDATIONS

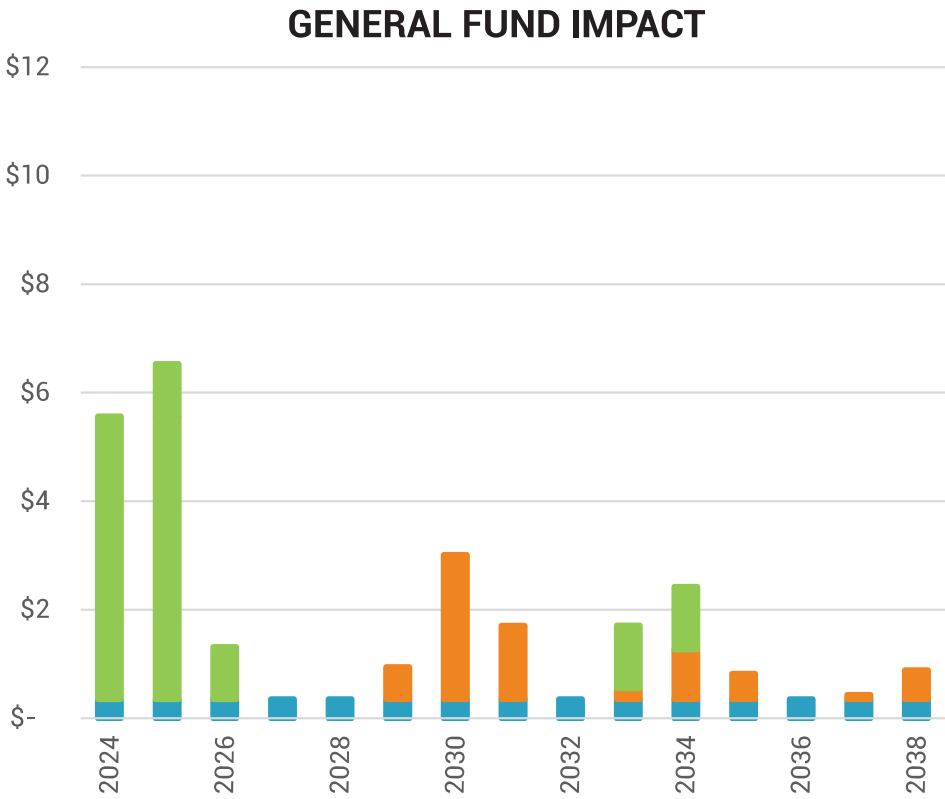
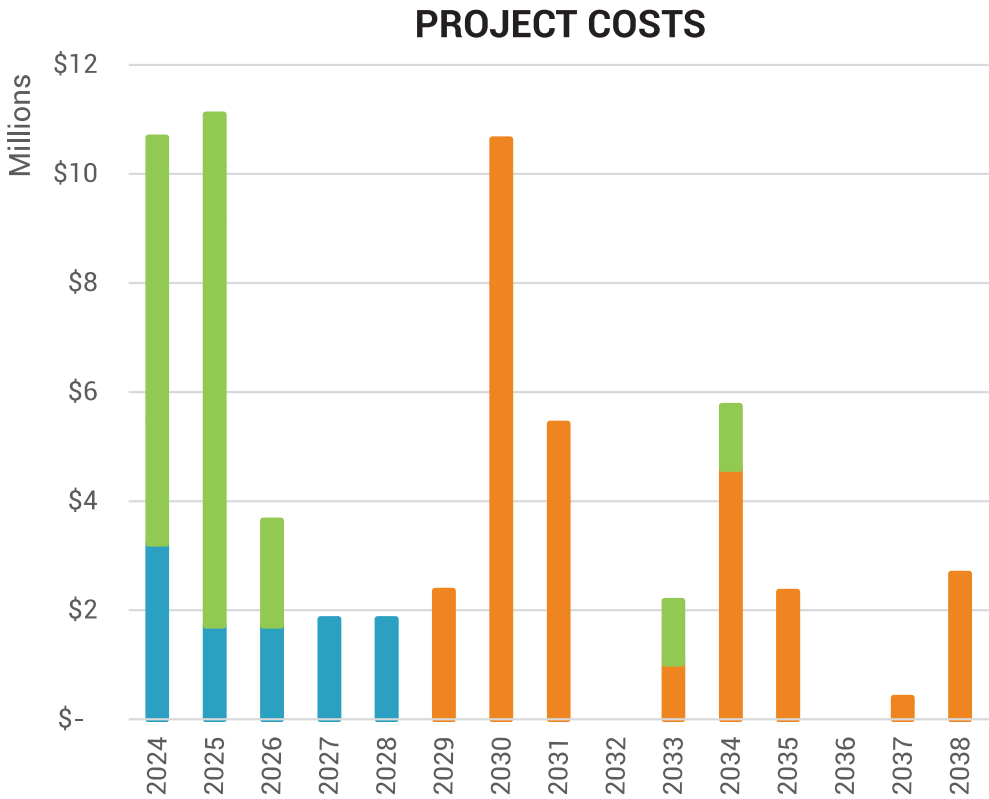


Construction estimates inflated to year of construction at 3.5%/year; property purchase estimates inflated to year of purchase at 5%/year. Facilities maintenance, Court renovation, and Public Works CFP projects not included. New police HQ not included in Revised Recommendation.

REVISED RECOMMENDATIONS

GENERAL FUND IMPACT

POLICE PARKS M&O PUBLIC WORKS M&O



Facilities maintenance not included. General fund contribution estimates provided by Auburn; Police assumes \$350,000 annual debt service on a Councilmanic bond, Parks M&O projects partially funded by impact fees (phase 1–30% and phase 3–50%; PW M&O projects partially funded by Utility Funds and Equipment Rentals (Phase 2–75%; Phases 3 and 4: 80%)

DOES THIS ACHIEVE GOALS?

RECOMMENDATIONS

- Address critical issues and needs
 - **Police:** 50+ year solution to evidence storage
 - **Public Works:** 20+ year facility addresses crew needs and protects high-value fleet
 - **Parks:** strategically invests to support crews and serve the growing community
- Prioritize investment in public safety property and other foundational projects
- Provide a cost-effective and achievable path forward supported by leadership





NEXT STEPS

NEXT STEPS

- Refine recommendations based on Council feedback
- Compile draft plan for City review
- Major checkpoint near end of first quarter
- Other checkpoints added as needed





THANK YOU!



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6808 (Hinman)(10 Minutes)

Department:

Administration

Attachments:

[Ordinance No. 6808](#)

Date:

December 10, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

The Auburn Junior City Council desires to have more flexibility in their meeting times and also a desire to make recruiting new members more efficient by changing some of the language of the Auburn City Code that dictates their operations.

Reviewed by Council Committees:**Councilmember:****Staff:**

Hinman

Meeting Date: December 14, 2020

Item Number:

ORDINANCE NO. 6808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 2.07.040(A), 2.07.040(E), AND 2.07.070(A) OF THE AUBURN CITY CODE RELATING TO THE AUBURN JUNIOR CITY COUNCIL MEMBERSHIP NOMINATIONS AND MEETINGS

WHEREAS, the Auburn Junior City Council (“AJCC”) was created and established in 2013 by Ordinance 6441; and

WHEREAS, the City Council established the AJCC to serve as an advisory body to the Auburn City Council, and other city boards, commissions, and City staff to provide the youth perspective on all City functions; and

WHEREAS, ACC 2.07.040(E) requires that the Mayor and City Council annually solicit nominations from the school principals for AJCC membership; and

WHEREAS, there is a desire to increase membership in AJCC; and

WHEREAS, the City Council desires to permit membership nominations for the AJCC more frequently to encourage and promote membership and participation in the AJCC; and

WHEREAS, City staff, the City Council, and the AJCC seeks to modify the application process to allow for an application packet supported by letters of recommendation for interested individuals to apply for membership; and

WHEREAS, ACC 2.07.060(A)(1) states that the AJCC will be responsible for holding regular public meetings at least once a month; and

WHEREAS, ACC 2.07.070(A)(1) states that the AJCC will be responsible for holding regular public meetings once a month; and

WHEREAS, ACC 2.07.070(A)(1) states that the AJCC shall hold meetings in the Auburn City Council Chambers at City Hall; and

WHEREAS, the AJCC desires to hold meetings more frequently and allow for flexibility to change regular meeting times and location; and

WHEREAS, City staff recommends modification to the code language for consistency and flexibility regarding meeting times and locations and to improve the AJCC membership processes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. Section 2.07.040 of the Auburn City

Code is amended to read as follows:

2.07.040 Membership

A. The Auburn junior city council shall consist of nine members and nine alternate members. The members and the alternate members shall be appointed by the mayor, and confirmed by the city council from among students who ~~have been nominated by the principals of the schools that they attend, with input from their teachers and counselors~~ submit a completed application. The nomination of members and alternates shall be based upon consideration of criteria including: interest in government, positive participation in civics classes, academic accomplishments, involvement in school and community activities and other factors that identify a prospective member as a valuable contributor to the Auburn junior city council. Those considering prospective members, making nominations and appointing or confirming members to the junior city council shall endeavor to include diverse members of the city's population, including one or more representatives of the Muckleshoot Indian Tribe.

....

E. Each member and alternate member shall serve a term of two years. Interested students shall submit a completed application that includes a letter of recommendation from the principal the of school they attend and one teacher or counselor to the mayor. The mayor and city council ~~will~~ shall solicit nomination from the school principals, and appoint and confirm new members and alternates to fill the expiring terms on the Auburn junior city council. The city council may remove an Auburn junior city council member or

alternate member at any time if the city council determines that member is not fulfilling their responsibilities to the satisfaction of the city council. Members and alternate members of the junior city council who fail to attend two consecutive regular meetings of the junior city council without being excused by the chairperson, or excused by a majority of the membership of the junior city council, shall forfeit their positions on and be removed from the junior city council.

Section 2. Amendment to City Code. Section 2.07.070(A) of the Auburn City

Code is amended to read as shown as follows:

2.07.070 Meetings

A. The regular meetings of the junior city council shall be held **at least** once per month at a regularly scheduled date and time, and shall be held in the Auburn ~~city council chambers~~ City Hall or at a location as published in the meeting notice.

Section 3. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 4. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 5. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, MMC, City Clerk

APPROVED AS TO FORM:

Kendra Comeau, City Attorney

Published: _____



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5563 (Tate)(20 Minutes)

Date:

December 8, 2020

Department:

Community Development

Attachments:

[Resolution No 5563](#)

[CDBG 2021 Annual Action Plan PowerPoint](#)

[2021 Draft Annual Action Plan](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

Every year, the City of Auburn is required to submit an Annual Action Plan to the Department of Housing and Urban Development (HUD) to guide the investment of Community Development Block Grant (CDBG) funds for the following program year. Auburn's current Action Plan ends in 2020 with the next plan year scheduled to start on January 1, 2021.

The 2021 Annual Action Plan is guided by the priorities and goals established in the 2020 – 2024 Consolidated Plan adopted by City Council in November 2019. The Action Plan outlines the specific programs and activities to be undertaken for the program year and the amount of funds that will be awarded to those projects. The program year for the City of Auburn begins January 1 and ends December 31.

A Public Hearing to consider this Plan and hear public comment was held before the City Council on December 7, 2020 in accordance with Auburn's Citizen Participation Plan for Community Development Block Grant funds.

Resolution No. 5563, if adopted by City Council, adopts the 2021 Annual Action Plan, and authorizes the Mayor to implement such administrative procedures as may be necessary to carry out directions of the legislation.

Reviewed by Council Committees:

Councilmember: Trout-Manuel

Staff:

Tate

Meeting Date: December 14, 2020

Item Number:

RESOLUTION NO. 5563

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, ADOPTING THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN FOR THE CONSOLIDATED PLAN YEARS 2020-2024

WHEREAS, the City of Auburn was designated as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) for its Community Development Block Grant (CDBG) Program; and

WHEREAS, the primary objective of the Consolidated Plan and CDBG Program is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-income and moderate-income; and

WHEREAS, to be eligible for funding, the City of Auburn must annually update the action plan for its Consolidated Plan that serves as a federally required planning document to guide the City of Auburn's human service and community development efforts; and

WHEREAS, the planning process to develop the Consolidated Plan involved citizen participation and guidance from non-profit and governmental agencies serving low income residents in the community; and

WHEREAS, the City Council of the City of Auburn heard and considered public comment about its proposed 2021 Action Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
HEREBY RESOLVES as follows:

Section 1. Pursuant to the provisions of 24 CFR 91, the City hereby adopts the 2021 Action Plan for the Consolidated Plan for Years 2020-2024.

Section 2. That the Mayor is authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2020.

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

Shawn Campbell, City Clerk

APPROVED AS TO FORM:

Kendra Comeau, City Attorney

CITY COUNCIL STUDY SESSION

CDBG 2021 ANNUAL ACTION PLAN

PRESENTED BY DEPARTMENT OF
COMMUNITY DEVELOPMENT
DECEMBER 14, 2020

Department of Community Development

Planning • Building • Development Engineering • Permit Center

Sustainability • Community Services • Code Enforcement

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AUBURN
VALUES

S E R V I C E
E N V I R O N M E N T
E C O N O M Y
C H A R A C T E R
S U S T A I N A B I L I T Y
W E L L N E S S
C E L E B R A T I O N

GENERAL FUND VS CDBG



■ General Fund Human Services dollars

- \$680,000
- Competitive funding for direct service nonprofit agencies
- Guided by Human Services Funding Priorities set by Council
- Approved by City Council every other year during budget process

■ CDBG dollars

- \$630,000*
- Funds support city's Housing Repair program, public facility ADA improvements, public services (limited), and some economic development activities
- Guided by Consolidated Plan and Annual Action Plans
- Approved by City Council every year

BACKGROUND

COMMUNITY DEVELOPMENT BLOCK GRANT

The CDBG Entitlement Program provides annual grants on a formula basis to entitled cities to develop viable urban communities.

Projects must:

- Align with HUD's National Objectives
- Be eligible under HUD's guidelines
- Benefit low and moderate income persons

CDBG ADMINISTRATIVE REQUIREMENTS

- Five Year Consolidated Plan
- Eligibility Reviews
- **Annual Action Plans**
- Consolidated Annual Performance Evaluation Report (CAPER)
- Annual Subrecipient Monitoring
- Financial Management
- Project Management
 - Environmental Reviews
 - Procurement Procedure
 - Lead Mitigation

- Acquisition of Real Property
- Public Facility ADA improvements
- Site Preparation
- Public Services (**up to 15% of annual allocation**)
- Home Rehabilitation
- Economic Development Activities
- Job Creation for Low-Income Individuals
- Microenterprise Assistance
- Homeownership Assistance
- Planning and Capacity Building
- Program Admin Costs (**up to 20% of annual allocation**)

EXAMPLES OF
ELIGIBLE
ACTIVITIES FOR
CBDG FUNDS

- **Housing Repair Program (*Rehabilitation*)**
- **Employment Training (*Public Service*)**
- **Healthcare to under and uninsured Auburn residents (*Public Service*)**
- **Les Gove Bathroom ADA Upgrade (*Public Facility Improvement*)**
- **Annual ADA Sidewalk Projects**

CONSOLIDATED PLAN GOALS

- **Affordable Housing** – Ensure access to healthy, affordable housing for low- and moderate-income households throughout the region and advance fair housing to end discrimination and overcome historic patterns of segregation.
- **Ending Homelessness** – Make homelessness rare, brief, and one-time and eliminate racial disparities.
- **Community and Economic Development** – Establish and maintain healthy, integrated, and vibrant communities by improving the well-being and mobility of low- and moderate-income residents, and focusing on communities with historic disparities in health, income, and quality of life.

2021 ANNUAL ACTION PLAN

TIMELINE: DRAFTING THE 2021 AAP

March – May: Application process for General Fund and CDBG Public Service funding



September 27: Recommendations for CDBG-funded Public Service activities approved by Human Services Committee.



October 26: First Public Hearing for 2021 AAP at Human Services Committee.



November 5 – December 7: 30 day public comment period for 2021 AAP. Draft available on City website and by request.



December 7: Second Public Hearing for 2021 AAP at City Council.

2021 ANNUAL ACTION PLAN AT A GLANCE

- **Expected CDBG Funding Allocation: \$630,000**
 - **Public Services (Subject to 15% Cap): \$90,000**
 - Based on priorities in the Council-adopted 2020-2024 Consolidated Plan
 - Solid Ground Housing Stability Project: \$55,000
 - Time limited rental assistance to Auburn residents paired with supportive services based on the progressive engagement model to support homelessness prevention and increased housing stability.
 - King County Housing Justice Project: \$15,000
 - Legal representation and support to low-income residents threatened with eviction
 - Fair Housing Public Service Activity: \$20,000
 - Via RFP in 2021
 - Based on the priorities established with the Analysis of Impediments to Fair Housing Choice
 - **Housing Repair: \$350,000**
 - At least 65 low- to moderate-income Auburn homeowners served
 - Over 70% Seniors or Disabled
 - **Sidewalk Accessibility Improvements: \$75,000**
 - Provide sidewalk ADA improvements in low- to moderate-income areas of Auburn, improving accessibility, safety, and community connectedness.
 - **Administration (Subject to 20% Cap): \$115,000**

NEXT STEPS

- **Resolution 5563 Adopting the 2021 Community Development Block Grant Action Plan for the Consolidated Plan Years 2020-2024 scheduled for December 21, 2020 Council meeting.**

THANK YOU

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

Each year the City of Auburn executes specific actions to implement the goals and strategies of the Consolidated Plan for Years 2020-2024. Actions that will be undertaken in 2021 are outlined in this Annual Action Plan.

The City of Auburn anticipates the receipt of approximately \$630,000 in Community Development Block Grant (CDBG) funds in 2021. In addition to CDBG funds, the City is planned to allocate approximately 0.92% of the City's General Funds to Human Services. The City's Human Services program, housed in the Community Services Division, oversees and is responsible for providing and managing financial resources to more than 30 non-profit agencies that serve the Auburn community. The Community Services division is also responsible for administering the local housing repair program and developing collaborations among community partners to strengthen the response to residents in need.

The 2020 Action Plan proposes to allocate \$90,000 of CDBG funds to public services. Most of those funds (\$70,000) will be used to support Homelessness Prevention and Intervention. The remaining \$20,000 will be allocated to Fair Housing public services, in keeping with our Consolidated Plan priorities and challenges identified in the 2019 Analysis of Impediments to Fair Housing Choice.

Approximately \$115,000 of the CDBG funds will be allocated to program administration, which includes planning, citizen participation, and administration of the City's CDBG-funded Housing Repair Program. The remaining \$350,000 will be allocated to residential rehabilitation, providing free minor home repair services to low- and very low-income Auburn residents.

The City of Auburn is committed to continuing to focus on achieving equitable outcomes for its community members and achieving a greater collaboration among service providers. Overall the implementation of the Consolidated Plan is progressing as planned and all of the activities included are underway.

2. Summarize the objectives and outcomes identified in the Plan

This Action Plan allocates a total of \$630,000 dollars in anticipated 2021 Community Development Block Grant funds, to support the Community Development Block Grant program. With the overall goal of reducing the number of people living in poverty within the City of Auburn, the following objectives and outcomes will be employed:

1. **Affordable Housing:** The City of Auburn will engage in housing activities, collaborations, and partnerships to enhance opportunities for the creation and preservation of affordable housing. The City will plan for and support fair housing strategies and initiatives designed to affirmatively further fair housing choice, and to increase access to housing and housing programs.
2. **Ending Homelessness:** The City of Auburn will support Public Service activities that work toward the following outcomes: 1) reduce the number of households becoming homeless; 2) reduce the length of time that households are homeless; 3) increase the rate of exits to permanent housing; and 4) reduce the number of households that re-enter the homeless system after exit to permanent housing.
3. **Community and Economic Development:** In an effort to meet the need of Auburn's economic and demographic growth the City intends to fund programs and activities that will enhance the economy, accessibility, safety, and physical appearance of neighborhoods. Activities that would be eligible for funding include fair housing public services, public infrastructure and ADA improvements for public facilities. These investments help to ensure equitable opportunities for good health, happiness, safety, self-reliance and connection to community.
4. **Planning and Administration:** Administer the Community Development Block Grant program to meet the community needs and HUD requirements

To accomplish these outcomes and objectives, the City invests in programs that meet the community basic needs, increase self-sufficiency, provide economic opportunity and develop a safe community.

3. Evaluation of past performance

During the past year Auburn has accomplished significant achievement on its programs and impacted the lives of thousands of residents. In 2019 alone, projects funded by the City completed the following:

- 59 very low- and low-income Auburn homeowners received housing repair services. Roughly 70% of these homeowners were seniors.
- Over 200 low to moderate income residents received free or low cost medical and/or dental care

- 9 Low-income Auburn residents received job training assistance. At least half obtained and maintained their job.
- 3 Sidewalk projects were completed to support greater ADA accessibility for Auburn residents, with an estimated direct impact for 8,585 residents.

4. Summary of Citizen Participation Process and consultation process

The city is engaged in a public participation process for the 2021 Annual Action Plan, as outlined below:

- Drafts of the Action Plan have been made available for public via mail and on the City's website and notices of its public view were publicized in the local newspaper as of November 5, 2020
- A public hearing was provided on October 26, 2020, during the City's Human Services Committee meeting to hear public comment and input on priorities to be included in the 2021 Annual Action Plan. Consistent with local health guidelines related to COVID-19, this public hearing was conducted virtually.
- An additional public hearing will be provided on December 7, 2020, during the Auburn City Council meeting, to hear public comment and input on the published draft of the 2021 Annual Action Plan. Consistent with local health guidelines related to COVID-19, this public hearing will be conducted virtually.

The City of Auburn in conjunction with the Consortium consulted with multiple public and private agencies during the development of the consolidated plan. Consultations occurred during regional meetings as well as in individual conversations. Agencies that participated in consultations regarding public services, fair housing, and other topics relevant to the drafting of the 2021 Annual Action Plan included: the King County Housing Authority, local legal assistance providers, other government human service providers and nonprofit agencies delivering services in Auburn and the sub-region.

In addition to conducting consultations during the development of the plan, the City of Auburn collaborates and works closely with numerous coalitions, committees and government entities.

5. Summary of public comments

Public comments received will be noted here. No public comments have been received at time of publishing.

6. Summary of comments or views not accepted and the reasons for not accepting them

Public comments received will be noted here. No public comments have been received at time of publishing.

7. Summary

Public comments received will be noted here. No public comments have been received at time of publishing.

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	AUBURN	Community Development Department
CDBG Administrator	AUBURN	Community Development Department
ESG Administrator	KING COUNTY	DCHS

Table 1 – Responsible Agencies

Narrative

The City of Auburn, as a member of the King County Consortium, administers its own CDBG funds and prepares its own Consolidated Plan and Annual Action Plans for the administration of those funds.

As a member of the King County Consortium, the City works closely with numerous nonprofit organizations in the region that implement programs funded by the City of Auburn CDBG program. A detailed list of agencies responsible for administering funded programs by CDBG can be found in the Action Plan section of this document.

Consolidated Plan Public Contact Information

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AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

This section describes the community consultation process followed by the City of Auburn in developing the 2021 Annual Action Plan and the coordination with other local governments, the Continuum of Care, service agencies, and community stakeholders. The City of Auburn consulted with multiple public and private agencies as well as community members during the development of the Consolidated Plan.

In addition to conducting consultations during the development of the plan, the City of Auburn collaborates and works closely with numerous coalitions, committees, and government entities throughout the duration of the plan in efforts to enhance strategies and systems to meet established goals and objectives of the plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

The City of Auburn works closely with partnering King County jurisdictions, public housing authorities and health providers to develop systems in order to improve the quality of service and access for low-income residents as well as the community as a whole within the city and throughout the region.

The City of Auburn, in partnership with the Seattle-King County Coalition on Homelessness, convenes a monthly group of service providers, faith communities, community advocates, and others, to coordinate efforts on serving individuals experiencing homelessness in South King County. The meeting provides a venue for resource sharing, collaboration, training, and best practice implementation. City staff also participate in regional collaborative and decision making bodies such as the King County Joint Recommendations Committee (JRC) and the South King County Human Services Planners group. The city is a member of the King County Human Services Funder Collaborative, which provides a more streamlined process for human service agencies to access funding from multiple cities.

Additionally, the City participates in monthly Homelessness Action Committee meetings with staff from King County Department of Community and Human Services, Public Health King County, the Housing Development Consortium, Valley Cities, the Multi-Service Center, and the King County Housing Authority to review program progress and delivery of homeless services funded through regional efforts. In addition to these groups, the City's regional collaboration

work on affordable housing is supported by the South King Housing and Homelessness Partners, which Auburn and other South King County Cities contribute to in order to build additional capacity to address issues related to housing and homelessness in the South King County region.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Since 2016, King County and All Home, our region's Continuum of Care (CoC) lead agency, launched the Coordinated Entry for All (CEA) system for homeless populations and has been refining the system since then. National research identifies coordinated entry as a key component for an effective homeless system because it improves the quality of client screening and assessment, matches clients to appropriately targeted services and resources, and promotes a more efficient use of resources. CEA processes and prioritizes assistance based on vulnerability and severity of service needs to ensure that people who need assistance the most can receive it in a timely manner.

A key feature of the CEA system includes a common assessment tool, the CEA Housing Triage Tool, which is based upon vulnerability and severity of service needs to ensure that people who need assistance the most can receive it in a timely manner. Chronically homeless individuals and families, families with children, veterans, unaccompanied youth, and young adults are a part of the coordinated system. In addition, CEA utilizes regional access points which serve as the primary "front door" for the homeless housing system.

Auburn's mayor has been connected to the county's transition from All Home to the newly created Regional Homeless Authority.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The ESG program focuses on assisting people to quickly regain stability in permanent housing after experiencing homelessness or a housing crisis. Auburn does not receive ESG funds directly.

Coordinating with King County's Continuum of Care (CoC) is critical to our region's implementation. The City will look for ways of participating in and collaborating with the newly established Regional Homelessness Authority and its Advisory Committee, which will serve as the Continuum of Care.

The City of Auburn supports the continuum of housing including prevention, emergency shelter, transitional housing, and permanent housing. The City provides financial support for these efforts with

City general funds and also commits staff and leadership time to the ongoing development and implementation of the system to address the needs of persons experiencing homelessness.

The City participates in and supports numerous coalitions and committees, such as the South King County Forum on Homelessness and the Homelessness Action Committee, focusing on developing resources in South King County. The City also participates in the annual Count Us In, Point in Time Count, which provides invaluable data for planning. The City provides both CDBG and local funds to agencies that serve chronically homeless individuals and families with children, veterans, and unaccompanied youth.

2. Agencies, groups, organizations and others who participated in the process and consultations

1	Agency/Group/Organization	KING COUNTY
	Agency/Group/Organization Type	Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	As a member of the King County Housing Consortium for the purpose of HOME funds, Auburn works closely with King County in the development of the City's and the County's Consolidated Plan. Because the two entities have a cardinal role in each other's program delivery there is active participation from both parties in the development of the plan. Staff from King County and Auburn met regularly prior to and during the development of the plan, and Auburn rotates as a regular voting member of the County's Joint Recommendations Committee.
2	Agency/Group/Organization	KENT
	Agency/Group/Organization Type	Other government - Local

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Lead-based Paint Strategy Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	As members of the Urban County Consortium, Auburn and Kent staff worked closely together during the development of the Consolidated Plan. Staff from both cities attend monthly meetings to discuss human services and housing trends, needs, and progress on ongoing initiatives.
3	Agency/Group/Organization	FEDERAL WAY
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Lead-based Paint Strategy Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	As members of the Urban County Consortium, Auburn and Federal Way staff worked closely together during the development of the Consolidated Plan. Staff from both cities attend monthly meetings to discuss human services and housing trends, needs, and progress on ongoing initiatives.
4	Agency/Group/Organization	Housing Development Consortium of Seattle-King County
	Agency/Group/Organization Type	Planning organization

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Auburn participates in monthly meetings convened by the Housing Development Consortium (HDC) on homeless response needs and strategy in SKC, and bimonthly meetings focused on affordable housing data and developments. The information collected by HDC helps to inform multiple pieces of our Consolidated Plan and Annual Action Plan, particularly those strategies related to homelessness and affordable housing in our community.
5	Agency/Group/Organization	Seattle-King County Coalition on Homelessness
	Agency/Group/Organization Type	Services-homeless Nonprofit agency
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Auburn is a member of the Seattle-King County Coalition on Homelessness (SKCCH), and co-convenes a monthly group of service providers working with people experiencing homelessness in our communities. The meetings provide a frequent check-in point, and the opportunity to hear from providers directly on the challenges and trends they're seeing in Auburn. The Coalition on Homelessness' organizational members include agencies and community groups that provide emergency shelter and services, transitional housing, and permanent, supported housing to the roughly 27,000 men, women, and children who are homeless in King County during one year.

6	Agency/Group/Organization	South King County Housing and Homelessness Partners
	Agency/Group/Organization Type	Other government - Local Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	South King Housing and Homelessness Partners (SKHHP) is a coalition formed by an interlocal agreement between the jurisdictions of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Normandy Park, Renton, Tukwila, and King County. The agreement allows for South King County jurisdictions to work together and share resources in order to effectively address affordable housing and homelessness. This collaborative model is based on similar approaches used in Snohomish County, East King County, and other areas of the country. The purpose of the coalition is to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

A wide range of groups and organizations participated in the process including public funders from Washington State and King County partner jurisdictions, public housing authorities, members from the Seattle-King County Housing Development Consortium, stakeholders, housing providers for low-and-moderate income persons, agencies who serve persons who are homeless, and Seattle-King County Public Health. In addition to the consultations referenced above, Auburn, King County and Consortium partner staff coordinate closely with each other and fan out to participate and attend a wide range of standing meetings with city planners, housing and service providers.

The only types of organizations not consulted with were corrections facilities. The rationale for not consulting with these facilities is that the City does not host this type of organization.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	King County Regional Homeless Authority	The goals of Auburn's Strategic Plan overlap with the goals of the CoC to address the needs of homeless residents in the community and reduce the risk of homelessness.

Table 3 - Other local / regional / federal planning efforts

Narrative

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

Citizen participation plays a crucial role in the success of the City's Annual Action Plan. The goals are to hear the community's feedback and recommendations on how CDBG funds should be invested and how services can coordinate to achieve the greatest impact. In addition to the targeted outreach listed below, the City regularly engages service providers and stakeholders in discussions regarding human services and local economic development needs. Organizations funded by the city are monitored throughout the year and report quarterly on progress, trends, and challenges. City staff co-host a monthly meeting of service providers working with individuals and families experiencing homelessness in the region to gather feedback and support increased capacity building through broad collaboration of regional providers. In addition, City staff meet regularly with other cities in the area and other funders to evaluate gaps in services and seek solutions to local and regional community development challenges.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1.	Public Hearing	Non-targeted/broad community				
2.	Newspaper Ad	Non-targeted/broad community				
3.	Web posting on City's Human Services page	Service providers in Auburn				

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City of Auburn anticipates funding for the duration of the Consolidated Plan from

- CDBG
- City of Auburn General Fund allocation for Human Services

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public-federal	Admin and Planning Fair Housing Public Improvements Public Services	Estimated: \$630,000	0	0	Estimated: \$630,000	\$2,520,000	Auburn is anticipating approximately \$630,000 per year in CDBG funds for the remainder of the Consolidated Plan period.
General Fund	Public - local	Public Services	Estimated: \$680,000	0	0	Estimated: \$680,000	\$2,720,000	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City of Auburn relies on CDBG funds to support community and economic development projects and activities in efforts to support low to moderate income populations to become self-sufficient and sustain affordable housing. However, CDBG funds are not the only source of funds the City uses to support community projects and activities.

The City's general funds are used to support direct services benefitting Auburn's at risk populations in addition to CDBG funds.

CDBG funds do not require matching funds.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

Discussion

The City of Auburn will use CDBG funds to support all eligible projects and activities that align with CDBG guidelines and regulations.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing	2020	2024	Affordable Housing Public Housing Homeless Non-Homeless Special Needs		Affordable Housing	CDBG: \$370,000	Homeowner Housing Rehabilitated: 65 Household Housing Unit Fair Housing Public Service Activities: 25 Persons Assisted
2	Ending Homelessness	2020	2024	Homeless		Ending Homelessness	CDBG: \$70,000	Public service activities other than Low/Moderate Income Housing Benefit: 96 Persons Assisted
3	Community and Economic Development	2020	2024	Non-Homeless Special Needs Non-Housing Community Development		Community and Economic Development	CDBG: \$75,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
4	Planning and Administration	2020	2024				CDBG: \$115,000	Other: 0 Other

Table 6 – Goals Summary

Goal Description

1	Goal Name	Affordable Housing
	Goal Description	The City of Auburn will engage in housing activities, collaborations, and partnerships to enhance opportunities for the creation and preservation of affordable housing. The City will plan for and support fair housing strategies and initiatives designed to affirmatively further fair housing choice, and to increase access to housing and housing programs.
2	Goal Name	Ending Homelessness
	Goal Description	The City of Auburn will support Public Service activities that work toward the following outcomes: 1) reduce the number of households becoming homeless; 2) reduce the length of time that households are homeless; 3) increase the rate of exits to permanent housing; and 4) reduce the number of households that re-enter the homeless system after exit to permanent housing.
3	Goal Name	Community and Economic Development
	Goal Description	In an effort to meet the need of Auburn's economic and demographic growth the City intends to fund programs and activities that will enhance the economy, accessibility, safety, and physical appearance of neighborhoods. Activities that would be eligible for funding include fair housing public services, public infrastructure and ADA improvements for public facilities. These investments help to ensure equitable opportunities for good health, happiness, safety, self-reliance and connection to community.
4	Goal Name	Planning and Administration
	Goal Description	General administration and project management

AP-35 Projects - 91.420, 91.220(d)

Introduction

Auburn's Annual Action Plan provides descriptions of proposals of how funds will be prioritized to achieve goals identified in the Consolidated Plan. Projects funded by the City will address the priority needs of providing assistance to prevent homelessness, ensure affordable housing and a suitable living environment. Projects and programs are selected through a competitive application process to ensure optimal quality services is provided to the community in use of the funds.

#	Project Name
1	HOUSING REPAIR
2	ADMINISTRATION
3	SOLID GROUND HOUSING STABILITY PROGRAM
4	HOUSING JUSTICE PROJECT
5	FAIR HOUSING PUBLIC SERVICES
6	ADA SIDEWALK IMPROVEMENTS

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocations proposed are based on the assessment of Auburn's needs, the resources available in the region, the availability of other funds also focusing on needs, and the purpose of Consolidated Plan funds.

Should CDBG revenues exceed the proposed amount, the additional resources shall be allocated in accordance to the following guidelines:

- Fill gaps in human services primarily healthcare, homeless prevention and intervention and affordable housing accessibility.
- Increase funding for community development projects and activities including housing, community facilities and economic development.

If increases are not significant enough to enhance projects or activities funds may be placed in contingency for programming later in the year or the following program year.

Should CDBG revenues come in lower than anticipated; the City will continue with its planned policy and to the extent allowed reduce funding allocations in homeowner rehabilitation

projects and administrative activities.

Should CDBG revenues come in less than originally proposed, the City will continue managing the programs with decreased resources to the extent possible and reduce funding allocations in administrative activities and not public services.

AP-38 Project Summary

Project Summary Information

1	Project Name	Housing Repair
	Target Area	None
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$350,000
	Description	Maintain the affordability of decent housing for low-income Auburn residents by providing repairs necessary to maintain suitable housing for low income Auburn homeowners.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 65 low- and very low-income families will benefit from the housing repair program. As the City's largest homeless prevention program, housing repair ensures the sustainability of a safe home for some of Auburn's most vulnerable residents. Of the 65 low to moderate income residents who apply for the program, over half of them are of the senior and disabled population.
	Location Description	n/a
	Planned Activities	Activities include minor home repairs.
2	Project Name	Administration
	Target Area	None
	Goals Supported	All
	Needs Addressed	Planning and Administration
	Funding	CDBG: \$115,000
	Description	General administration and project management

	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	n/a
	Planned Activities	General planning and administration of the CDBG programs include: management of the housing repair program, management of all CDBG related finances, all grant reporting, monitoring of subrecipients and providing guidance of program implementation in Auburn.
3	Project Name	Solid Ground Housing Stability Program
	Target Area	
	Goals Supported	End Homelessness
	Needs Addressed	Ensure a Suitable Living Environment
	Funding	CDBG: \$55,000
	Description	Provide time limited emergency subsistence/rental assistance to Auburn residents paired with supportive services based on the progressive engagement model to support homelessness prevention and increased housing stability. This is a public service activity.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	26 low to moderate income Auburn residents will benefit from the housing stability program.
	Location Description	n/a
4	Project Name	Housing Justice Project
	Target Area	none
	Goals Supported	End Homelessness

	Needs Addressed	Ensure a Suitable Living Environment
	Funding	CDBG: \$15,000
	Description	The King County Housing Justice project provides legal representation and support to low income residents threatened with eviction.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	70 low to moderate income Auburn residents will benefit from the improvements.
	Location Description	n/a
	Planned Activities	Planned activities include free legal assistance via attorney consultations. This is a public service activity.
5	Project Name	Fair Housing Public Services
	Target Area	
	Goals Supported	Affordable Housing
	Needs Addressed	Ensure a Suitable Living Environment.
	Funding	CDBG: \$20,000
	Description	Make funds available through an RFP process to nonprofit agencies to provide Fair Housing services to Auburn residents.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 25 low income households will benefit from the proposed activity.
	Location Description	n/a

6	Project Name	ADA Sidewalk Accessibility Improvements
	Target Area	none
	Goals Supported	Community and Economic Development
	Needs Addressed	Ensure a Suitable Living Environment
	Funding	CDBG: \$75,000
	Description	Provide sidewalk ADA improvements in low- to moderate-income areas of Auburn, improving accessibility, safety, and community connectedness.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	500 low to moderate income Auburn residents will benefit from the improvements.
	Location Description	TBD
	Planned Activities	Planned activities include sidewalk improvements to install missing sections or ADA-compliant curb ramps.

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Auburn intends on distributing funds throughout the jurisdiction.

Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Due to the fact that all areas of Auburn have low to moderate income families dispersed throughout the entire City, the City intends on investing throughout the entire jurisdiction to ensure that all populations throughout the region have access to beneficial programs and housing opportunities.

Discussion

Due to the fact that all areas of Auburn have low to moderate income families dispersed throughout the entire City, the City intends on investing throughout the entire jurisdiction to ensure that all populations throughout the region have access to beneficial programs and housing opportunities.

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

The City of Auburn will continue to work with service providers, the housing authority and residents in coordination to fully address and develop systems and strategies to promote their efforts in providing sustainable, affordable housing.

Auburn's partnerships with organizations such as the King County Housing Authority and the Housing Development Consortium of Seattle King County have allowed the City to explore new and innovative strategies to continue to offer affordable housing to its current and prospective residents.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City of Auburn will continue to look at policies that remove barriers to affordable housing. The City of Auburn's Comprehensive Land Use Plan includes several policies and objectives that will guide the city toward achieving its affordable and fair housing goals. These policies include maintaining flexibility in land use to achieve a balanced mix of affordable housing opportunities. The City will continue to pursue mixed use developments that are consistent with the transportation oriented developments located in Auburn's downtown. The City will look for opportunities with public and private agencies to implement policies and offer programs that help alleviate physical and economic distress, conserve energy resources, improve the quality and quantity of community services, and eliminate conditions that are detrimental to health, safety and public welfare.

In 2019, the Washington State Legislature adopted House Bill 1923, which awarded grants in the amount up to \$100,000 to cities for the purpose of increasing residential capacity. The City of Auburn partnered with five other South King County jurisdictions to establish a sub-regional framework of existing conditions. The results of that effort are being used to inform and aid in the development of Auburn's own Housing Action Plan.

Housing Action Plan efforts are focused on encouraging construction of additional affordable and market rate housing in a greater variety of housing types and at prices that are accessible to a greater variety of incomes, including strategies aimed at the for-profit single-family home market. The final Housing Action Plan will be required to be in compliance with state law, including adoption of grant-funded actions by City Council no later than April 1, 2021.

In 2020 the City of Auburn passed an ordinance adopting a new chapter of Rental Housing Code. Included in this ordinance were multiple housing stability strategies, including increased notice of rental increases, a cap on late fees, and a Just Cause Eviction Ordinance that requires landlords to have good cause in order to evict or terminate tenancy of a renter. Just Cause protections are especially helpful in addressing fair housing issues, and this adoption was consistent with the City's efforts related to the Analysis of Impediments to Fair Housing Choice. This builds on previous protections passed by Auburn City Council, including Source of Income Discrimination protections and enhanced rental inspections.

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The City of Auburn will continue to work with service providers throughout the region in coordination to develop systems and strategies to promote their efforts in providing optimal, easily accessible services. The City will work to reduce the number of families in poverty, sustain relationships with employment training agencies, and work to preserve and increase the affordable housing stock in our community.

Actions planned to address obstacles to meeting underserved needs

By establishing a strong foundation of networks between local service providers, stakeholders and government agencies through committees and coalitions, the City will work in partnership to address obstacles and ameliorate barriers to meeting underserved needs. The collaborated organizations will develop detailed strategic plans that will delegate tasks, build systems and ongoing assessment of service delivery.

Actions planned to foster and maintain affordable housing

The City will continue to maintain the affordability of decent housing for low income Auburn residents by allocating over \$300,000 of CDBG funds to the City's Housing Repair Program. The program provides emergency repairs necessary to maintain safe housing for at least 65 Auburn homeowners, many of whom are senior citizens and/or are experiencing barriers to safely accessing their homes due to physical disabilities.

In addition to Auburn's Housing Repair program, the City will maintain affordable housing by continuing to engage and partner with coalitions, committees and other government agencies to integrate and enhance efforts on the issue.

The City is currently developing a Housing Action Plan, as discussed in AP-75, that will help guide future efforts in this area. Adoption of that Action Plan should take place in mid-2021.

Auburn has been participating in multiple robust regional efforts to coordinate affordable housing activities in King County. One of these efforts, The South King Housing and Homelessness Partners (SKHHP) is a coalition formed by an interlocal agreement between the jurisdictions of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Normandy Park, Renton, Tukwila, and King County. The agreement allows for South King County jurisdictions to work together and share resources in order to effectively address affordable housing and homelessness. This collaborative model is based on similar approaches used in Snohomish County, East King County, and other areas of the country. The purpose of the coalition is to increase the available options for South King County residents to access affordable housing and

to preserve the existing affordable housing stock.

Additionally, the City of Auburn has been an active participant in the recently formed Affordable Housing Committee of the Growth Management Planning Council (GMPC), with a City Councilmember sitting on the Committee as a voting member. The Affordable Housing Committee serves as a regional advisory body to recommend action and assess progress toward implementing the Regional Affordable Housing Task Force (RAHTF) Five Year Action Plan. The Committee functions as a point in coordinating and owning accountability for affordable housing efforts across King County.

Actions planned to reduce lead-based paint hazards

The City of Auburn includes language in its CDBG contracts that require agencies to comply with HUD Lead-Based Paint Regulations (24 CFR Part 35) issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4831, et seq.) requiring prohibition of the use of lead-based paint whenever CDBG funds are used. In addition, the City notifies residents of potential lead-based paint hazards when it awards a Housing Repair grant. A copy of the pamphlet – "Protect Your Family from Lead In Your Home" is provided each Housing Repair client when the City conducts the initial inspection of their home.

The city takes additional measures when the age of the home indicates a possible presence of lead-based paint. Before housing repair work commences, the city contracts with a certified provider to undertake lead paint testing. When lead-based hazards are positively identified, the city works with the housing repair client and contractors certified in RRP Lead Abatement to implement the necessary mitigation and safety strategies.

Actions planned to reduce the number of poverty-level families

The City of Auburn's planned actions to reduce the number of poverty- level families within the context of this Annual Action Plan include but are not limited to:

- Allocating \$350,000 to the Housing Repair program, which serves low- and very low-income residents and supports households to remain in safe and affordable housing.
- Allocating \$75,000 to public service activities providing Homelessness Prevention and Intervention services.
- Participate and partner with coalitions, committees and agencies that provide antipoverty services to develop and enhance strategies and efforts to reduce poverty level families.
- Supporting the development and sustainability of affordable multi-family housing in

Auburn.

In addition, the city will continue to support and fund programs serving families living in poverty through a competitive human services funding process.

Actions planned to develop institutional structure

The City's planned actions to address the gaps and weaknesses identified in the strategic plan include:

- Maintaining partnerships with and participating in the South King County Housing and Homelessness Partnership, the Regional Homelessness Authority of King County and other regional human service providers, coalitions and committees who address homeless issues. The City will also continue to work collaboratively with partnering organizations and groups to integrate and enhance services to provide optimal services to individuals and families currently experiencing or at risk of homelessness. In addition the City plans to prioritize General Fund human services dollars for housing and homelessness interventions, and allocate more than \$150,000 to basic needs services such as food, financial assistance, clothing and healthcare.
- Take a comprehensive approach to consolidated and comprehensive planning to include all internal City departments, commissions, committees and task forces.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Auburn has heavily contributed and intends to continue cultivating relationships between public and private housing and social service agencies. In addition the City will continue to participate in collaborations with the South King County Forum on Homelessness, the South King County Council of Human Services, Seattle-King County Housing Development Consortium and the King County Joint Planners Meeting.

Discussion

The expressed goal of the City's Consolidated Plan is to reduce the number of people living in poverty within Auburn. The City intends to give funding priority to programs that in addition to complying with federal regulations and address a priority outlined in the Consolidated Plan are consistent with all of the goals and objectives identified.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan
3. The amount of surplus funds from urban renewal settlements
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.
5. The amount of income from float-funded activities

Total Program Income

Other CDBG Requirements

1. The amount of urgent need activities

Discussion



AGENDA BILL APPROVAL FORM

Agenda Subject:

Resolution No. 5567 and 5568 (Tate)(20 Minutes)

Department:

Community Development

Attachments:

[Resolution No. 5567](#)

[Resolution No. 5568](#)

[CDBG - CV Amendments PowerPoint](#)

[Proposed CDBG 2019 and 2020 Annual Action](#)

[Plan Amendments](#)

Date:

December 8, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Staff recommendation: Adopt Resolutions 5567 and 5568 at the December 21, 2020 City Council meeting.

Background Summary:

On March 27, 2020, the U.S. Congress passed The Coronavirus Aid, Relief, and Economic Security Act (H.R. 748), also known as the CARES Act. The bill allocates \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to the coronavirus (CDBG-CV).

In addition to making new CDBG-CV funds available, the Department of Housing and Urban Development (HUD) is allowing grantees to reallocate 2019 or 2020 program year CDBG funds to public services that respond to Coronavirus and lifting the 15% public service cap.

HUD notified the City of Auburn on September 16, 2020 of a third round of funding for CDBG-CV, making \$541,197 available for the City's CDBG Coronavirus response. In addition to these funds, staff identified \$205,000 of 2020 CDBG funds that can be reallocated to this purpose.

These substantial amendments of the 2019 and 2020 Action Plans are requirements of HUD in order for the City of Auburn to receive the allocation related to the third funding round of CDBG-CV from the CARES Act and reallocate the 2020 CDBG funds identified. The attached plans are amended to incorporate \$746,197 of CDBG and CDBG-CV funds to prevent, prepare for, and respond to the coronavirus. Of these CDBG-CV funds, the City is proposing that \$699,660 will be allocated to Public Services, including COVID-related emergency subsistence (rental assistance) programs, childcare assistance, food access, employment support, and behavioral health services for youth experiencing homelessness, with the remaining \$46,537 for program administration.

Through these resolutions, the Mayor is provided the authority to implement administrative procedures necessary to carry out the directives of this plan.

Reviewed by Council Committees:

Councilmember: Trout-Manuel

Staff: Tate

Meeting Date: December 14, 2020

Item Number:

RESOLUTION NO. 5567

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, ADOPTING THE SUBSTANTIAL AMENDMENT TO THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN TO INCORPORATE ADDITIONAL CDBG-CV FUNDS

WHEREAS, the City of Auburn was designated as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) for its Community Development Block Grant (CDBG) Program; and

WHEREAS, the primary objective of the Consolidated Plan and CDBG Program is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-income and moderate-income; and

WHEREAS, on March 27, 2020, the U.S. Congress passed The Coronavirus Aid, Relief, and Economic Security Act (H.R. 748), also known as the CARES Act, which allocates \$5 billion in supplemental CDBG funding for grants to prevent, prepare for, and respond to the coronavirus (CDBG-CV);

WHEREAS, to allocate additional funds received, a substantial amendment must be made to the 2019 Annual Action Plan that serves as a federally required planning document to guide the City of Auburn's human service and community development efforts; and

WHEREAS, the planning process to develop the Consolidated Plan involved citizen participation and guidance from non-profit and governmental agencies serving low income residents in the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, RESOLVES as follows:

Section 1. Pursuant to the provisions of 24 CFR 91, the 2019 Annual Action Plan previously adopted by the City of Auburn City Council is amended, consistent with the attached Exhibit "A", making approximately \$541,197 of CDBG-CV funds available for projects that are consistent with federal regulations and with the objectives and policies of the Auburn Community Development Block Grant Consolidated Plan, primarily to provide public services that prevent, prepare for, and respond to the coronavirus for low to moderate income Auburn residents.

Section 2. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

RESOLUTION NO. 5568

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, ADOPTING THE SUBSTANTIAL AMENDMENT TO THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

WHEREAS, the City of Auburn was designated as an entitlement community by the U.S. Department of Housing and Urban Development (HUD) for its Community Development Block Grant (CDBG) Program; and

WHEREAS, the primary objective of the Consolidated Plan and CDBG Program is the development of viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-income and moderate-income; and

WHEREAS, on March 27, 2020, the U.S. Congress passed The Coronavirus Aid, Relief, and Economic Security Act (H.R. 748), also known as the CARES Act, which allocates \$5 billion in supplemental CDBG funding for grants to prevent, prepare for, and respond to the coronavirus (CDBG-CV);

WHEREAS, to reallocate funds received, a substantial amendment must be made to the 2020 Annual Action Plan that serves as a federally required planning document to guide the City of Auburn's human service and community development efforts; and

WHEREAS, the planning process to develop the Consolidated Plan involved citizen participation and guidance from non-profit and governmental agencies serving low income residents in the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RESOLVES as follows:

Section 1. Pursuant to the provisions of 24 CFR 91, the 2020 Annual Action Plan previously adopted by the City of Auburn City Council is amended, consistent with the attached Exhibit "A", reallocating approximately \$205,000 of available CDBG funds for projects that are consistent with federal regulations and with the objectives and policies of the Auburn Community Development Block Grant Consolidated Plan, primarily to provide public services that prevent, prepare for, and respond to the coronavirus for low to moderate income Auburn residents.

Section 2. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 3. This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: _____

CITY OF AUBURN

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

CITY COUNCIL STUDY SESSION

CDBG 2019 AND 2020 COVID AMENDMENTS

PRESENTED BY DEPARTMENT OF
COMMUNITY DEVELOPMENT
DECEMBER 14, 2020

Department of Community Development

Planning • Building • Development Engineering • Permit Center

Sustainability • Community Services • Code Enforcement

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AUBURN
VALUES

S E R V I C E
E N V I R O N M E N T
E C O N O M Y
C H A R A C T E R
S U S T A I N A B I L I T Y
W E L L N E S S
C E L E B R A T I O N

GENERAL FUND VS CDBG



CDBG-CV dollars

■ General Fund Human Services dollars

- \$680,000
- Competitive funding for direct service nonprofit agencies
- Guided by Human Services Funding Priorities set by Council
- Approved by City Council every other year during budget process

■ CDBG dollars

- \$631,937*
- Funds support city's Housing Repair program, public facility ADA improvements, public services (limited), and some economic development activities
- Guided by Consolidated Plan and Annual Action Plans
- Approved by City Council every year

BACKGROUND

The Coronavirus Aid, Relief and Economic Security Act (CARES Act) makes available \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants)

The Department of Housing and Urban Development has announced the allocations of the first and third rounds in CARES Act funding for CDBG grantees

- Auburn's initial CDBG-CV allocation: \$371,805
- Auburn's third round CDBG-CV allocation: \$541,197

BACKGROUND

- In April 2020, HUD released a memo entitled “CARES Act Flexibilities for CDBG Funds Used to Support Coronavirus Response”
- This provides additional flexibilities for entitlement jurisdictions related to their PY 2019 and 2020 allocations
- Cities can reallocate unspent or unallocated funds from these years for Coronavirus response, and are not subject to the 15% public service cap
 - Due to COVID restrictions and limited agency capacity for previously planned activities, Auburn was able to identify **\$205,000** from PY 2020 that can be reallocated to support community Coronavirus Response.

COMPARISON OF CDBG FUNDS

CDBG-EN

- Allocated annually
- Supports Housing Repair, fair housing activities, some public services, and sidewalk ADA improvements
- Plan for spending is incorporated into an Annual Action Plan adopted by City Council in the 4th quarter of the prior year
- Typically subject to 15% Public Services Cap
- Includes robust public input process that starts mid-year

CDBG-CV

- In addition to our regular annual allocation
- Can only be used in direct response to COVID-19
- Requires substantial amendment to Annual Action Plan that details spending plan
- No Public Services Cap
- Waivers available to support rapid deployment of funds

CDBG-CV FUNDS

- Action plan amendment must provide plan for allocating all known CDBG-CV funds
- A portion of funds can be used for Planning and Administration (City staff time).
- CDBG-CV Funds cannot supplant any existing funding, including from the City's General Fund. For public services, funds may be used to support a new service or demonstrably increase or expand existing services.
- City must ensure that no duplication of benefits occurs with CDBG Funds
- Funds must support direct response to COVID-19.

PROCESS FOR CDBG AND CDBG-CV ACTION PLAN AMENDMENTS

September 16: HUD notifies the City of Auburn that they will receive a Round 3 allocation of CV funds in the amount of \$541,197

October 26: Human Services Committee approves NOFA process for CDBG and CDBG-CV funds totaling \$746,197

October 28: NOFA opens for agencies to apply to receive CDBG funds for responding to COVID in Auburn

November 23: After application review and scoring, Human Services Committee votes on recommended funding package for 2019 and 2020 Amendments

December 21: City Council adopts resolution approving AAP amendments for 2019 (CV funds) and 2020 (reallocated CDBG funds)

December 2-7: Public Comment Period

APPLICATION OVERVIEW

- Application period: October 28, 2020 – November 13, 2020
- Simplified application with checklist of additional requirements if selected
- Agencies had to complete eligibility review with staff prior to submitting application
- Technical assistance from staff was available for any interested agency prior to 5pm on November 10
- Applications received totaled \$999,660

RECOMMENDED PROGRAMS

■ YMCA- Food Assistance: \$75,000

- YMCA's Food assistance program is designed to deliver food to Auburn's senior population living in local low-income housing communities. This basic needs service is critical to seniors in Auburn and will provide additional and much needed food access to seniors in King County Housing Authority locations, especially as more Public Health restrictions are instituted and virus spread continues.

■ YMCA/NEXUS- Arcadia Shelter: \$50,000

- Funds will be used to provide additional staff capacity to provide mental health support to clients impacted by COVID-19. Access to mental and behavior health services has been identified as a area of importance by the Needs Assessment. Isolation and quarantining measures has exacerbated need for mental health resources.

RECOMMENDED PROGRAMS, CONTINUED

■ Orion- Employment Services: \$50,000

- Employment support is critical during this time when Auburn is seeing a high unemployment rate and residents will need training for a new field for employment. Orion has responded to this growing need for employment training and has the ability to provide both training for a path to employment and support to those entering a new field to maintain employment. Orion has demonstrated experience with managing federal funds.

■ YMCA- Childcare Assistance: \$150,000

- YMCA's Childcare program will serve Auburn families with school aged children, prioritizing BIPOC communities, to provide social and developmental support for children and the opportunity for parents to maintain or increase work productivity. There is a high community need to for childcare supports as families navigate and respond to remote learning structures. The YMCA has demonstrated experience with managing federal funds.

RECOMMENDED PROGRAMS, CONTINUED

- **YWCA- Eviction Prevention and Career Navigation: \$374,660**

- The combination of providing career and re-employment support along with rental assistance is an effective one to increase housing stability. This program would provide rental assistance for households to stabilize in the short term, along with employment retraining or placement services, to assist in long term stability. Of the \$374,660, \$300,000 would be made available for direct financial assistance.

- **Administration and Planning: \$46,537**

- **Contingency:**

- YMCA- Eviction Prevention: \$300,000
- This project is identified as a contingency project, recommended for a future CDBG-CV funding allocation (round 2) or if any of the identified projects are unable to utilize the funds awarded

PROCESS FOR CDBG AND CDBG-CV ACTION PLAN AMENDMENTS

September 16: HUD notifies the City of Auburn that they will receive a Round 3 allocation of CV funds in the amount of \$541,197

October 26: Human Services Committee approves NOFA process for CDBG and CDBG-CV funds totaling \$746,197

October 28: NOFA opens for agencies to apply to receive CDBG funds for responding to COVID in Auburn

November 23: After application review and scoring, Human Services Committee votes on recommended funding package for 2019 and 2020 Amendments

December 21: City Council adopts resolution approving AAP amendments for 2019 (CV funds) and 2020 (reallocated CDBG funds)

December 2-7: Public Comment Period

THANK YOU

Department of Community Development

Planning • Building • Development Engineering • Permit Center
Sustainability • Community Services • Code Enforcement

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AUBURN
VALUES

S E R V I C E

ENVIRONMENT

E C O N O M Y

C H A R A C T E R

S U S T A I N A B I L I T Y

W E L L N E S S

C E L E B R A T I O N

City of Auburn
Community Development Block Grant
Overview of Substantial Amendments to the
2019 and 2020 Annual Action Plans

A. BACKGROUND

- a. Each year the City of Auburn executes specific actions to implement the objectives and strategies of the five-year Consolidated Plan, which are outlined in the Annual Action Plan.
- b. As a result of the CARES Act signed by President Trump on March 27, 2020, Congress allocated additional CDBG funds to the City of Auburn “to prevent, prepare for, and respond to the coronavirus (COVID-19).” These funds, called CDBG-CV, are administered by the Department of Housing and Urban Development and are required to be incorporated into our CDBG planning documents.
- c. The Auburn City Council adopted the first substantial amendment to the 2019 Annual Action Plan in May, incorporating \$371,805 in CDBG-CV round 1 funding.
- d. On September 16, 2020, HUD notified the City of an additional (round 3) CDBG-CV funding allocation of \$541,197.
- e. Additionally, staff identified \$205,000 in unspent 2020 funds that can be reallocated to support public services in the community responding to COVID-19.
- f. The City of Auburn released a Notice of Funding Availability for these funds in October 2020. Applications were reviewed and scored by the City’s Human Services Committee, which voted unanimously on which programs to include in the draft Amendments.
- g. Therefore, the City is proposing the following plan amendment to address needs in the community related to COVID-19 with CDBG and CDBG-CV funds.

B. AMENDMENTS

- a. Amend the 2019 Annual Action Plan to allow for the allocation of \$541,197 in CDBG-CV funds.
- b. Amend the 2020 Annual Action Plan to allow for the reallocation of \$205,000 in unspent CDBG funds.
- c. Funds shall be awarded for the following purposes

Project	Total Allocation
Public Services – YWCA Eviction Prevention and Career Navigation (CV)	\$374,660
Public Services – YMCA Childcare Assistance (CDBG and CV)	\$150,000
Public Services – YMCA Food Assistance for Seniors (CDBG)	\$75,000
Public Services – Orion Employment Services (CDBG)	\$50,000
Public Services – YMCA Arcadia Shelter (CDBG)	\$50,000
Administration (CV)	\$46,537
Total Funds Included in Amendments:	\$746,147

City of Auburn CDBG 2019 Annual Action Plan Amendment

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

This substantial amendment of the 2019 Action Plan is a requirement of the U.S. Department of Housing and Urban Development (HUD), in order for the City of Auburn to receive the allocation related to the third funding round of Community Development Block Grant Coronavirus (CDBG-CV) from the CARES Act. This plan is amended to incorporate \$541,197 of CDBG-CV funds to prevent, prepare for, and respond to the coronavirus (COVID-19). Of these CDBG-CV funds, the City is proposing that \$494,660 will be allocated to Public Services, with the remaining \$46,537 for program administration.

2. Summarize the objectives and outcomes identified in the Plan

This Action Plan Amendment allocates a total of \$541,197 dollars in anticipated 2019 Community Development Block Grant Coronavirus funds (CDBG-CV), to support the Community Development Block Grant program. With the overall goal of preventing, preparing for, and responding to coronavirus, the following objectives and outcomes will be employed:

1. Support programs providing emergency subsistence and career support for low to moderate income Auburn residents
2. Support childcare assistance for families impacted by COVID-19.
3. Administer the Community Development Block Grant program to meet community needs related to COVID-19 and HUD requirements

4. Summary of Citizen Participation Process and consultation process

Consistent with the City of Auburn's amended Citizen Participation Plan, the amended 2019 Action Plan was made available for public review between December 2 and December 7, 2020 on the City of Auburn website and via email or mail, if requested.

Notice of CDBG-CV funds availability and the Amended 2019 Action Plan were posted on the City of Auburn Community Services webpage and in the Seattle Times on December 2, 2020.

5. Summary of public comments

Comments received will be reflected here.

6. **Summary of comments or views not accepted and the reasons for not accepting them**
7. **Summary**

AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The Amended 2019 Action Plan was available for public review between December 2, 2020 – December 7, 2020 on the City of Auburn website and by email or mail, if requested.

Notice of CDBG-CV funds availability and the Amended 2019 Action Plan were posted on the City of Auburn Community Services webpage and in the Seattle Times on December 2, 2020.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Newspaper Ad	Non-targeted/broad community		Any comments received will be reflected here.		

Table 1 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City of Auburn anticipates receiving an additional \$541,197 in CDBG-CV funds, for a total to date CDBG-CV allocation of \$913,002.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG-CV	public - federal	Admin and Planning Public Services	\$913,002	0	0	\$913,002		

Table 2 - Expected Resources – Priority Table

Discussion

The City of Auburn will use CDBG and CDBG-CV funds to support all eligible projects and activities that align with CDBG and CDBG-CV guidelines and regulations.

AP-35 Projects - 91.420, 91.220(d)

Introduction

Auburn's Annual Action Plan provides descriptions of proposals of how funds will be prioritized to achieve goals identified in the Consolidated Plan. Projects funded by the City will address the priority needs of providing assistance to prevent homelessness, ensure affordable housing and a suitable living environment. Projects and programs are selected through a competitive application process to ensure optimal quality services is provided to the community in use of the funds.

This amendment incorporates the following new projects:

#	Project Name
4	Public Services – Emergency Subsistence and Career Navigation
5	Public Services - Childcare

Table 3 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocations proposed are based on the assessment of Auburn's needs, the resources available in the region, the availability of other funds also focusing on needs, and the purpose of CDBG-CV funds. Data from the City's most recent Community Needs Assessment was used in making a funding determination, as well as consultation with regional partners, other entitlement jurisdictions, and service providers in the community.

The City of Auburn released a Notice of Funding Availability on October 28, 2020, detailing the CV funds being made available and the application and review process. Staff were available to provide technical assistance through November 10, 2020, to any agency seeking to apply.

Applications were reviewed and scored by the City's Human Services Committee, with recommendations for funding approved at the November 23, 2020 Committee meeting. The following Public Service program areas are reflected in this amendment:

YWCA Eviction Prevention and Career Navigation: The combination of providing career and re-employment support along with rental assistance is an effective one to increase housing stability. The City of Auburn has seen a significant increase in unemployment filings and housing and economic insecurity since the onset of the pandemic. YWCA is committed to serving those who are disproportionately impacted by job loss or housing instability due to COVID-19. YWCA has demonstrated experience with managing federal funds.

YMCA Childcare Services (funded with a combination of CDBG-CV and 2020 reallocated funds): YMCA's

Childcare program will serve Auburn families with school aged children, prioritizing BIPOC communities, to provide social and developmental support for children and the opportunity for parents to maintain or increase work productivity. There is a high community need to for childcare supports as families navigate and respond to remote learning structures. The YMCA has demonstrated experience with managing federal funds.

Should additional CDBG-CV revenue be made available or one of the identified projects not fulfill their full contract amount, the additional resources shall be allocated to the following contingency project:

YMCA Eviction Prevention: This program would provide up to three months of rental assistance to households facing housing instability or eviction due to the COVID-19 crisis. The program would work to stabilize households to prevent eviction.

AP-38 Project Summary
Project Summary Information

1	Project Name	Emergency Subsistence
	Target Area	
	Goals Supported	End Homelessness Ensure Decent, Affordable Housing
	Needs Addressed	
	Funding	CDBG-CV: \$246,805
	Description	Respond to the impacts of COVID-19 on Auburn residents by providing emergency subsistence support for low to moderate income renters or homeowners.
	Target Date	03/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 150 low to moderate income households in Auburn will benefit from this activity.
	Location Description	n/a
	Planned Activities	
2	Project Name	Administration
	Target Area	
	Goals Supported	Planning and Administration
	Needs Addressed	
	Funding	CDBG-CV: \$71,537
	Description	General CDBG-CV administration and project management
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	n/a
	Location Description	n/a
	Planned Activities	General planning and administration of the CDBG-CV programs include: management of all CDBG-CV related finances, contracting for services, all grant reporting, monitoring of subrecipients and providing guidance of program implementation in Auburn.

3	Project Name	COVID-Related Health Services
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	CDBG-CV: \$100,000
	Description	These funds will support COVID-related health services (testing and treatment) for Low to Moderate Income Individuals at a Community Healthcare Organization. Funds must be used to support Auburn residents.
	Target Date	12/31/2020
	Estimate the number and type of families that will benefit from the proposed activities	At least 100 low to moderate income Auburn residents will have benefitted from the proposed activities.
	Location Description	n/a
	Planned Activities	Providing healthcare services which include testing and treatment for COVID-19.

4	Project Name	Eviction Prevention and Career Navigation
	Target Area	
	Goals Supported	End Homelessness Ensure Decent, Affordable Housing
	Needs Addressed	
	Funding	CDBG-CV: \$374,660
	Description	Respond to the impacts of COVID-19 on Auburn residents by providing emergency subsistence support paired with career navigation services for low to moderate income renters experiencing housing instability as a result of COVID-19.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	At least 100 low to moderate income Auburn residents will have benefitted from the proposed activities.

	Location Description	n/a
	Planned Activities	Provide emergency subsistence support along with career navigation to residents facing housing instability, addressing both the immediate and long term financial needs.

5	Project Name	Childcare Assistance
	Target Area	
	Goals Supported	Ensure a Suitable Living Environment
	Needs Addressed	
	Funding	CDBG-CV: \$120,000 CDBG 2020 Funds: \$30,000
	Description	These funds will support a childcare program for Auburn families with school aged children impacted by COVID-19 to provide social and developmental support for children and the opportunity for parents to maintain or increase work productivity.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	At least 150 low to moderate income Auburn residents will have benefitted from the proposed activities.
	Location Description	n/a
	Planned Activities	Providing a childcare program for low to moderate income families impacted by COVID-19.

City of Auburn CDBG 2020 Annual Action Plan Amendment

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City of Auburn anticipates funding for the duration of the Consolidated Plan from

- CDBG
- City of Auburn General Fund allocation for Human Services

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition						Resources anticipated based on 2020 entitlement
		Admin and Planning						
		Economic Development						
		Housing						
		Public Improvements	631,937			683,119		
		Public Services	632,034	0	51,182	683,216	2,520,000	
General Fund	public - local	Public Services	490,000	0	0	490,000	2,000,000	General fund allocation to human services in the community.

Table 4 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local

funds), including a description of how matching requirements will be satisfied

The City of Auburn relies on CDBG funds to support community and economic development projects and activities in efforts to support low to moderate income populations in the community. However, CDBG funds are not the only source of funds the City uses to support public services and community projects and activities. The City's general funds are used to support public services in addition to CDBG funds.

CDBG funds do not require matching funds.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Discussion

The City of Auburn will explore possibilities to utilize publicly owned land to address needs identified in the Consolidated Plan.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing	2020	2024	Affordable Housing Public Housing Homeless Non-Homeless Special Needs		Affordable Housing	CDBG: \$380,000 <u>\$160,000</u>	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 5 Households Assisted Homeowner Housing Rehabilitated: 65 <u>40</u> Household Housing Unit
2	Ending Homelessness	2020	2024	Homeless		Ending Homelessness	CDBG: <u>\$265,000</u> 70,000	Public service activities other than Low/Moderate Income Housing Benefit: 165 Persons Assisted <u>Public Service Activities to respond to COVID-19 in the community (\$205,000): 173 persons assisted</u>
3	Community and Economic Development	2020	2024	Non-Homeless Special Needs Non-Housing Community Development		Community and Economic Development	CDBG: \$118,216	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 200 Persons Assisted
4	Planning and Administration	2020	2024				CDBG: \$109,903	Other: 0 Other

Table 5 – Goals Summary

Goal Descriptions

1	Goal Name	Affordable Housing
	Goal Description	The City of Auburn will engage in housing activities, collaborations, and partnerships to enhance opportunities for the creation and preservation of affordable housing. The City will plan for and support fair housing strategies and initiatives designed to affirmatively further fair housing choice, and to increase access to housing and housing programs.
2	Goal Name	Ending Homelessness
	Goal Description	The City of Auburn will support Public Service activities that work toward the following outcomes: 1) reduce the number of households becoming homeless; 2) reduce the length of time that households are homeless; 3) increase the rate of exits to permanent housing; and 4) reduce the number of households that re-enter the homeless system after exit to permanent housing.
3	Goal Name	Community and Economic Development
	Goal Description	In an effort to meet the need of Auburn's economic and demographic growth the City intends to fund programs and activities that will enhance the economy, accessibility, safety, and physical appearance of neighborhoods. Activities that would be eligible for funding include fair housing public services, public infrastructure and ADA improvements for public facilities. These investments help to ensure equitable opportunities for good health, happiness, safety, self-reliance and connection to community.
4	Goal Name	Planning and Administration
	Goal Description	General administration and project management

AP-35 Projects - 91.420, 91.220(d)

Introduction

Auburn's Annual Action Plan provides descriptions of proposals of how funds will be prioritized to achieve goals identified in the Consolidated Plan. Projects funded by the City will address the priority needs of providing assistance to prevent homelessness, ensure affordable housing and a suitable living environment. Projects and programs are selected through a competitive application process to ensure optimal quality services is provided to the community in use of the funds.

#	Project Name
1	Housing Repair
2	Healthpoint
3	Employment Training Program
4	Sidewalk Accessibility Improvements
5	Affordable Housing Capital Improvements
6	Planning and Administration
7	COVID-Related Food Assistance
8	COVID-Related Behavioral Health Services
9	COVID-Related Employment Services

Table 6 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The allocations proposed are based on the assessment of Auburn's needs, the resources available in the region, the availability of other funds also focusing on needs, and the purpose of Consolidated Plan funds.

Changes have been made to allocations and goals to make funds available for responding to the effects of COVID-19 on low to moderate income Auburn residents. These funds utilize the flexibilities that HUD provided lifting the Public Services cap for programs that prevent, prepare for, or respond to Coronavirus.

Should CDBG revenues exceed the proposed amount, the additional resources shall be allocated in accordance to the following guidelines:

- Fill gaps in human services primarily healthcare, homeless prevention and intervention and affordable housing accessibility.
- Increase funding for community development projects and activities including housing, community facilities and economic development.

If increases are not significant enough to enhance projects or activities funds may be placed in

contingency for programming later in the year or the following program year.

Should CDBG revenues come in lower than anticipated; the City will continue with its planned policy and to the extent allowed reduce funding allocations in homeowner rehabilitation projects and administrative activities.

Should CDBG revenues come in less than originally proposed, the City will continue managing the programs with decreased resources to the extent possible and reduce funding allocations in administrative activities and not public services.

AP-38 Project Summary

Project Summary Information

1	Project Name	Housing Repair
	Target Area	
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$350,000 160,000
	Description	Maintain the affordability of decent housing for low-income Auburn residents by providing repairs necessary to maintain suitable housing for low income Auburn homeowners.
	Target Date	12/31/2020
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 65 40 low to moderate income families will benefit from the housing repair program. As the City's largest homeless prevention program, housing repair ensures the sustainability of a safe home for some of Auburn's most vulnerable residents. Of the 65 40 low to moderate income residents who apply for the program, over half of them are of the senior and disabled population.
	Location Description	n/a
	Planned Activities	Activities include minor home repairs.
2	Project Name	Healthpoint
	Target Area	
	Goals Supported	Ending Homelessness
	Needs Addressed	Homeless Prevention and Intervention
	Funding	CDBG: \$60,000

	Description	Providing healthcare services which include medical and dental to 150 or more low to moderate income, Auburn residents. This project is a public service activity.
	Target Date	12/31/2020
	Estimate the number and type of families that will benefit from the proposed activities	At least 150 low to moderate income Auburn residents will have benefitted from the proposed activities.
	Location Description	n/a
	Planned Activities	
4	Project Name	Sidewalk Accessibility Improvements
	Target Area	
	Goals Supported	Community and Economic Development
	Needs Addressed	Ensure a Suitable Living Environment
	Funding	CDBG: \$ 118,216
	Description	Provide sidewalk ADA improvements in low- to moderate-income areas of Auburn, improving accessibility, safety, and community connectedness.
	Target Date	12/31/2020
	Estimate the number and type of families that will benefit from the proposed activities	At least 200 low to moderate income Auburn residents will benefit from the improvements.
	Location Description	n/a
	Planned Activities	Planned activities include sidewalk improvements to install missing sections or ADA-compliant curb ramps in the Forrest Villa area and on 2 nd St SE between N St SE and Pike St SE
5	Project Name	Affordable Housing Capital Improvements

	Target Area	
	Goals Supported	Affordable Housing
	Needs Addressed	Ensure a Suitable Living Environment.
	Funding	CDBG: \$30,000
	Description	Make funds available through an RFP process to nonprofit affordable housing providers in the City of Auburn for property improvements.
	Target Date	12/31/2019
	Estimate the number and type of families that will benefit from the proposed activities	5 low income households will benefit from the proposed improvements.
	Location Description	n/a
	Planned Activities	

6	Project Name	COVID-Related Food Assistance
	Target Area	
	Goals Supported	Ending Homelessness
	Needs Addressed	Food Access
	Funding	CDBG: \$75,000

	Description	YMCA's Food assistance program is designed to deliver food to Auburn's senior population living in local low-income housing communities. This basic needs service is critical to seniors in Auburn and will provide additional and much needed food access to seniors in King County Housing Authority locations, especially as more Public Health restrictions are instituted and virus spread continues.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	At least 100 low to moderate income Auburn residents will have benefitted from the proposed activities.
	Location Description	n/a
	Planned Activities	Meal distribution to low income housing complexes in Auburn

7	Project Name	COVID-Related Behavioral Health Services
	Target Area	
	Goals Supported	Ending Homelessness
	Needs Addressed	Homeless Intervention
	Funding	CDBG: \$50,000
	Description	Funds will be used to provide additional staff capacity to provide mental health support to young adult shelter clients impacted by COVID-19. Access to mental and behavior health services has been identified as a area of importance by the Needs Assessment. Isolation and quarantining measures has exacerbated need for mental health resources.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	At least 60 low to moderate income Auburn residents will have benefitted from the proposed activities.

	Location Description	n/a
	Planned Activities	

8	Project Name	COVID-Related Employment Services
	Target Area	
	Goals Supported	Ending Homelessness
	Needs Addressed	Homeless Prevention and Intervention
	Funding	CDBG: \$50,000
	Description	Employment support is critical during this time when Auburn is seeing a high unemployment rate and residents will need training for a new field for employment. Orion will provide both training for a path to employment and support to those entering a new field to maintain employment.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	At least 13 low to moderate income Auburn residents will have benefitted from the proposed activities.
	Location Description	n/a
	Planned Activities	

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Auburn intends on distributing funds throughout the jurisdiction.

Geographic Distribution

Target Area	Percentage of Funds

Table 7 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Due to the fact that all areas of Auburn have low to moderate income families dispersed throughout the entire City, the City intends on investing throughout the entire jurisdiction to ensure that all populations throughout the region have access to beneficial programs and housing opportunities.

Discussion

Due to the fact that all areas of Auburn have low to moderate income families dispersed throughout the entire City, the City intends on investing throughout the entire jurisdiction to ensure that all populations throughout the region have access to beneficial programs and housing opportunities.

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The City of Auburn will continue to work with service providers throughout the region in coordination to develop systems and strategies to promote their efforts in providing optimal, easily accessible services. The City will work to reduce the number of families in poverty, sustain relationships with employment training agencies, and work to preserve and increase the affordable housing stock in our community.

Actions planned to address obstacles to meeting underserved needs

By establishing a strong foundation of networks between local service providers, stakeholders and government agencies through committees and coalitions, the City will work in partnership to address obstacles and ameliorate barriers to meeting underserved needs. The collaborated organizations will develop detailed strategic plans that will delegate tasks, build systems and ongoing assessment of service delivery.

Actions planned to foster and maintain affordable housing

The City will continue to maintain the affordability of decent housing for low income Auburn residents by allocating ~~over \$300,000~~ \$160,000 of CDBG funds to the City's Housing Repair Program. The program provides emergency repairs necessary to maintain safe housing for at least ~~65~~ 40 Auburn homeowners, many of whom are senior citizens and/or are experiencing barriers to safely accessing their homes due to physical disabilities.

In addition to Auburn's Housing Repair program, the City will maintain affordable housing by continuing to engage and partner with coalitions, committees and other government agencies to integrate and enhance efforts on the issue.

Auburn has been participating in multiple robust regional efforts to coordinate affordable housing activities in King County. One of these efforts, The South King Housing and Homelessness Partners (SKHHP) is a coalition formed by an interlocal agreement between the jurisdictions of Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Normandy Park, Renton, Tukwila, and King County. The agreement allows for South King County jurisdictions to work together and share resources in order to effectively address affordable housing and homelessness. This collaborative model is based on similar approaches used in Snohomish County, East King County, and other areas of the country. The purpose of the coalition is to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock.

Additionally, the City of Auburn has been an active participant in the recently formed Affordable Housing Committee of the Growth Management Planning Council (GMPC), with a City Councilmember sitting on the Committee as a voting member. The Affordable Housing Committee serves as a regional advisory body to recommend action and assess progress toward implementing the Regional Affordable Housing Task Force (RAHTF) Five Year Action Plan. The Committee functions as a point in coordinating

and owning accountability for affordable housing efforts across King County.

Actions planned to reduce lead-based paint hazards

The City of Auburn includes language in its CDBG contracts that require agencies to comply with HUD Lead-Based Paint Regulations (24 CFR Part 35) issued pursuant to the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Sections 4831, et seq.) requiring prohibition of the use of lead-based paint whenever CDBG funds are used. In addition, the City notifies residents of potential lead-based paint hazards when it awards a Housing Repair grant. A copy of the pamphlet – "Protect Your Family from Lead In Your Home" is provided each Housing Repair client when the City conducts the initial inspection of their home.

The city takes additional measures when the age of the home indicates a possible presence of lead-based paint. Before housing repair work commences, the city contracts with a certified provider to undertake lead paint testing. When lead-based hazards are positively identified, the city works with the housing repair client and contractors certified in RRP Lead Abatement to implement the necessary mitigation and safety strategies.

Actions planned to reduce the number of poverty-level families

The City of Auburn's planned actions to reduce the number of poverty-level families within the context of this Annual Action Plan include but are not limited to:

- ~~Allocating \$10,000 to employment and training programs~~
- Allocating \$60,000 to healthcare services targeted at families who are uninsured or underinsured
- Prioritizing Public Service COVID response for low to moderate income households in Auburn, including food assistance for low-income seniors, behavioral health services for young adults experiencing homelessness, and employment services to help support re-training and re-employment. Additionally, \$30,000 of 2020 CDBG funds have been allocated to COVID-related childcare services through a 2019 AAP Amendment.
- Participate and partner with coalitions, committees and agencies that provide antipoverty services to develop and enhance strategies and efforts to reduce poverty level families
- Supporting the development and sustainability of affordable multi-family housing in Auburn

In addition, the city will continue to support and fund programs serving families living in poverty through

a competitive human services funding process.

Actions planned to develop institutional structure

The City's planned actions to address the gaps and weaknesses identified in the strategic plan include:

- Maintaining partnerships with and participating in the South King County Housing and Homelessness Partnership, All Home of King County and other regional human service providers, coalitions and committees who address homeless issues. The City will also continue to work collaboratively with partnering organizations and groups to integrate and enhance services to provide optimal services to individuals and families currently experiencing or at risk of homelessness. In addition the City plans to allocate \$250,000 to emergency shelters and homelessness intervention services, and more than \$60,000 to emergency services such as food, financial assistance, clothing and healthcare.
- Take a comprehensive approach to consolidated and comprehensive planning to include all internal City departments, commissions, committees and task forces.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Auburn has heavily contributed and intends to continue cultivating relationships between public and private housing and social service agencies. In addition the City will continue to participate in collaborations with the South King County Forum on Homelessness, the South King County Council of Human Services, Seattle-King County Housing Development Consortium and the King County Joint Planners Meeting.

In 2016 the City of Auburn started participating in Affordable Housing Week through the Housing Development Consortium along with other public and private housing agencies in King County to continue our partnerships in providing affordable housing in the region. The City will continue its participation in this annual event and look for other similar opportunities to raise build partnerships to support the preservation and enhanced affordability of housing in our community.

Discussion

The expressed goal of the City's Consolidated Plan is to reduce the number of people living in poverty within Auburn. The City intends to give funding priority to programs that in addition to complying with federal regulations and address a priority outlined in the Consolidated Plan are consistent with all of the goals and objectives identified.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

The City of Auburn does not anticipate receiving any program income during the 2020 Annual Action Plan year.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed
 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan
 3. The amount of surplus funds from urban renewal settlements
 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.
 5. The amount of income from float-funded activities
- Total Program Income



AGENDA BILL APPROVAL FORM

Agenda Subject:

End of Year Capital Projects Status Report (Gaub)(10 Minutes)

Date:

December 7, 2020

Department:

Public Works

Attachments:

[Capital Projects Status Report](#)
[Presentation](#)

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

For discussion only.

Background Summary:

The purpose of this discussion is to inform the Council and Public of the overall status of the City's Capital Project program managed by the Engineering Services Division.

The Capital Project Group of Engineering Services is currently managing 36 projects, totaling approximately \$60 million in total project costs. Of these projects, 20 are in design and 16 are under construction. Within the next 2 months, 5 projects that are currently in design are expected to enter the construction phase.

Reviewed by Council Committees:**Councilmember:****Staff:**

Gaub

Meeting Date: December 14, 2020

Item Number:

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP1416	F St SE Non-Motorized Improvements This project will reconstruct F St SE from 4th St SE to Auburn Way South, including adding new sidewalks, curb and gutter, street lighting, streetscape elements, and safety improvements. Some sections of water and sewer lines will be replaced and overhead utilities will be relocated underground. Some ROW acquisition was necessary. The project also includes bike boulevard and way-finding components between Auburn Station and Les Gove Community Campus.	\$4,320,387 (Includes Federal Grant Funds)	QTR 2 (APR-JUN) 20	QTR 3 (JUL-SEP) 21	Seth Wickstrom	Construction of the new sewer main is complete. Construction of the new watermain, storm drainage system, utility under-grounding and curbs/gutters underway. F St SE will be closed from 4th to 5th St SE starting Dec. 7, 2020 through Dec. 21, 2020. Construction work is anticipated to continue through the winter.	Jacobs	Sound Pacific Construction
Project Status: CONSTRUCTION								
CP1812	Sewer Pump Station Electrical Improvements The purpose of this project is to update the electrical systems at sewer pump stations throughout the City to meet current electrical code, improve safety and increase the efficiency of maintenance.	\$1,280,000	QTR 3 (JUL-SEP) 20	QTR 2 (APR-JUN) 21	Jeffrey Bender	The electrical panels are custom built for each site. They are currently being fabricated and work will be completed as the materials for each site become available.	Parametrix	Source Electric

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP1819	A Street SE Preservation The project will grind, repair, and overlay the roadway; upgrade non-ADA compliant curb ramps; replace traffic loops; upgrade pedestrian signal infrastructure as needed to meet ADA standards; and replace the water main and applicable appurtenances along the A St. SE corridor between East Main St. and 17th St. SE. The project will restore 4.77 lane miles (0.95 CL Miles) of roadway, upgrade up to 42 curb ramps, and replace approximately 1,000 feet of water main.	\$3,001,200 (Includes Federal Grant Funds)	QTR 2 (APR-JUN) 19	QTR 3 (JUL-SEP) 20	Kim Truong	Final payment was issued on November 23, 2020. Project closeout is underway.	N/A	Pivetta Brothers
Project Status: CONSTRUCTION								
CP1903	Auburn Way North Preservation Phase 2 This project will grind and overlay Auburn Way N from approximately 8th Street NE to 22nd Street NE, remove unused driveways, and upgrade curb ramps and pedestrian signals as needed to meet ADA requirements.	\$1,631,206 (Includes Federal Grant Funds)	QTR 2 (APR-JUN) 20	QTR 2 (APR-JUN) 21	Luis Barba	Contractor is currently working on installing underground utilities towards the south end of the project limits. It is anticipated that paving and other weather dependent work will not be completed until the Spring of 2021. This project is combined with CP1904 for construction.	N/A	Sound Pacific Construction

Capital Project Status Report

Public Works Department - Engineering General Services Division

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP1904	Auburn Way North Preservation Phase 3 This project will grind and overlay Auburn N from approximately 4th Street SE to 8th Street NE, remove unused driveways, and upgrade all curb ramps and pedestrian signals to meet ADA requirements.	\$2,465,339 (Includes Federal Grant Funds)	QTR 2 (APR-JUN) 20	QTR 2 (APR-JUN) 21	Luis Barba	Contractor is currently constructing intersection curb ramps, as well as installing electrical improvements at the intersections. It is anticipated that paving and other weather dependent work will not be completed until the Spring of 2021. This project is combined with CP1903 for construction.	N/A	Sound Pacific Construction
Project Status: CONSTRUCTION								
CP1618	Lake Tapps Parkway ITS Expansion Project Construction of new Intelligent Transportation System (ITS) infrastructure along Lake Tapps Parkway and A St SE. New infrastructure includes new communication lines, Variable Message Sign, ITS PTZ cameras, network upgrades, wireless connections, an interconnection with Sumner at 8th St E, & weather stations at Lakeland hills. The project will also replace some aerial copper communication lines along A St SE.	\$1,130,000 (Includes Federal Grant Funds)	QTR 3 (JUL-SEP) 20	QTR 2 (APR-JUN) 21	Jai Carter	Contactor is currently installing conduit and vaults for the fiberoptic cables on Terrace View Drive SE. It is anticipated that the contract will be suspended in early December 2020 for material procurement.	Transpo Group	Mill Plain Electric

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP1901	AWS - Poplar Curve Safety Improvements This Project will design and construct safety improvements in the vicinity of the Poplar Street curve along Auburn Way S. The specific elements of the project will install LED street lights, a speed-activated curve ahead warning sign, high friction surface treatment, guardrail, and reconstruct curb radii and driveways.	\$338,200 (Includes Federal Grant Funds)	QTR 3 (JUL-SEP) 20	QTR 4 (OCT-DEC) 20	Jeffrey Bender	The construction contract has been suspended awaiting material delivery. Construction work is anticipated to resume in early December 2020.	N/A	NW Cascade
Project Status: CONSTRUCTION								
CP1912	15th Street NW Dynamic Message Sign Construct a new dynamic message sign on the shoulder of eastbound 15th Street NW between C St NW and SR 167. Connect existing traffic signals at W Valley Hwy, C St NW, A St NE, and D St NE to existing City fiber system.	\$406,820	QTR 2 (APR-JUN) 20	QTR 2 (APR-JUN) 21	Seth Wickstrom	Work to connect the traffic signals within the project limits to the existing City fiberoptic system is anticipated in January 2021. Due to the long lead time to procure the materials, installation of the Dynamic Message Sign is anticipated to start in April 2021.	N/A	West Coast Signal

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
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Project Status: CONSTRUCTION

CP1929	Lea Hill AC Main Replacement Project The project purpose is to replace approximately 5,685 LF of 4" to 8" existing asbestos cement (AC) water mains with 8" or 12" ductile iron pipe (DIP) water mains and associated gate valves, fire hydrants, water meters, service lines and other appurtenances in the City's Lea Hill Service Area.	\$3,248,000	QTR 3 (JUL-SEP) 20	QTR 2 (APR-JUN) 21	Jai Carter	Water main on SE 295th St is now complete as is the water main and connection at 112th Ave SE. Contractor is completing service tie-ins and it is anticipated that the remaining contract work (paving and property restoration) will be suspended for the winter.	MurraySmith	Rodarte
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Project Status: CONSTRUCTION

CP1902	2020 Pedestrian Safety, Sidewalk and ADA Improvement Project Improves pedestrian accessibility & safety throughout the City. Numerous sites throughout the City where sidewalks are in need of repair or improvement, curb ramps are missing or need to be improved, and where pedestrian crosswalk improvements are desired. Sites were identified based on input from citizens, M&O, and other City Departments. Priority was given to sites that serve low-income, elderly, and disabled populations, school walking routes, and high volumes of general pedestrian traffic.	\$851,216 (Includes Federal Grant Funds)	QTR 3 (JUL-SEP) 20	QTR 4 (OCT-DEC) 20	Jeffrey Bender	The Contractor has completed work on all 17 sites. Some minor restoration and cleanup work remains.	N/A	R.W. Scott Construction
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Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP1926	2020 Arterial Street Preservation (15th St NW) Replace the pavement and replace and up-size of the existing 8" cast iron water main to a 16" ductile iron water main on 15th Street NW from R Street NW to West Valley Highway. The project will also grind and overlay of 15th Street NW from West Valley Highway to SR 167.	\$1,633,400	QTR 2 (APR-JUN) 20	QTR 2 (APR-JUN) 21	Seth Wickstrom	Construction of new water line is nearly complete. Construction of new curbs/gutters, sidewalk and the base lift of pavement west of West Valley Highway is anticipated to start soon. Construction work is anticipated to continue through the winter, however final paving is not expected until the Spring 2021.	N/A	Road Construction Northwest (RCNW)
Project Status: CONSTRUCTION								
CP1826	Mountain View Cemetery Paving This project will design and construct roadway/pavement improvements at Mountain View Cemetery.	\$355,000	QTR 2 (APR-JUN) 20	QTR 3 (JUL-SEP) 20	Jai Carter	Physical Completion was granted on October 14, 2020. Processing final payment. This construction contract is combined with CP1925.	N/A	Lakeside Industries

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP1925	2020 Local Street Reconstruction and Preservation The main purpose of this project is to improve the condition of the City's local streets. The project will design and construct the following: full-depth roadway replacement, grind/overlay, and curb ramp upgrades. The project construction contract is also anticipated to include re-application of thermoplastic markings throughout the City and preservation of pavement in Mountain View Cemetery (tracked as project CP1826).	\$2,575,000	QTR 2 (APR-JUN) 20	QTR 4 (OCT-DEC) 20	Jai Carter	Physical Completion was granted on October 14, 2020. Processing final payment. The construction contract is combined with CP1826.	Jacobs	Lakeside Industries
Project Status: CONSTRUCTION								
CP1920	Citywide LED and Streetlight Controls This project will retrofit existing City street lights with LED fixtures and street light controls for remote management.	\$2,700,000	QTR 2 (APR-JUN) 20	QTR 4 (OCT-DEC) 20	Scott Nutter	Installation of upgraded LED lights underway.	Washington Department of Enterprise Services	McKinstry

Capital Project Status Report

Public Works Department - Engineering General Services Division

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: CONSTRUCTION								
CP2023	2020 Crack Seal This project will implement maintenance of various classified streets by sealing newly formed cracks. Sealing the cracks will prolong the life of the pavement by stopping water from draining into the subbase of the pavement.	\$150,000	QTR 3 (JUL-SEP) 20	QTR 4 (OCT-DEC) 20	Seth Wickstrom	Final payment processed on October 29, 2020. Project closeout is underway.	N/A	C.R. Contracting
Project Status: CONSTRUCTION								
CP2024	Howard Road VFD Replacement This project will remove and replace the existing 480V, 200HP variable frequency drives (VFDs) for Pumps 1 and 2 at the Howard Road Corrosion Control Facility. The work also will include a new VFD enclosure and VFD programming for each pump (2 total). The VFD enclosure will house the new VFD, 5% line and load reactors, disconnect switch, cooling fan, and door mounted keypad (One control panel for each drive, 2 total)	\$120,000	QTR 3 (JUL-SEP) 20	QTR 1 (JAN-MAR) 21	Jeffrey Bender	Contract notice to proceed was issued on October, 14, 2020. The construction contract has been suspended for material procurement and fabrication. It is anticipated construction activities will resume in December 2020.	N/A	Custom Electric

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: DESIGN								
CP1603	Coal Creek Springs Transmission Main Repair The project will construct a second, parallel transmission pipeline over the White River suspended from a new pedestrian bridge, inspect the existing steel transmission main for possible leaks and repair the leaks, if any.	\$683,522	QTR 1 (JAN-MAR) 22	QTR 4 (OCT-DEC) 22	Seth Wickstrom	Environmental permitting submitted and under review. 90% design review complete. Construction funding is not yet secured. The City is applying for a Drinking Water State Revolving Fund Loan and a Parks Grant to supplement City funds to cover construction costs.	Jacobs	TBD
Project Status: DESIGN								
CP1724	37th St NW Flood Control The purpose of the project is to alleviate significant annual flooding at the 1000 block of 37th St NW of Auburn, Washington, by upgrading the drainage system with a box culvert.	\$291,000	TBD	TBD	Luis Barba	Completing storm modeling in support of the design effort. Coordinating with Ecology, Army Corps, MIT, and PSE regarding environmental concerns and permitting requirements.	N/A	TBD

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: DESIGN								
MS1811	Auburn Airport Runway Extension - Property Acquisition Phase Acquire a portion of the King County Park & Ride as part of the Auburn Airport Runway Enhancement Project (Project Number CP1516).	\$555,600 (Includes Federal Grant Funds)			Seth Wickstrom	Preliminary short plat application under review. Working with King County on the purchase and sale agreement language for sale of property.	N/A	N/A
Project Status: DESIGN								
CP1916	Academy Pump Station 1 Replacement Replacement of Pump Station 1, Improvements to Pump Station 2, Replacement of backup power systems, replacement/installation of underground water main.	\$4,352,479	QTR 1 (JAN-MAR) 21	QTR 1 (JAN-MAR) 22	Jeffrey Bender	The Department of Health Project Report and permits have been submitted and are currently under review. It is anticipated that this project will be advertised for bids in January 2021.	Carollo	TBD

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: DESIGN								
CP1622	Auburn Way South Improvements - Hemlock St SE to Poplar St SE Roadway widening to create a five-lane cross section with two general purpose travel lanes in each direction, and a two-way center left-turn lane. A new traffic signal is proposed near the Noble Court intersection to support access to Chinook Elementary School. Additionally, curb and gutter, 10 foot sidewalks, illumination, transit stop improvements, storm water improvements, water main extension, and access management (where feasible) with accommodation for U-turns are proposed.	\$1,500,000 (Includes Federal Grant Funds)	QTR 1 (JAN-MAR) 22	QTR 4 (OCT-DEC) 23	Jeffrey Bender	Design is currently on hold due to coordination efforts with WSDOT and Auburn School District related to the Chinook Elementary improvements. Design efforts are anticipated to resume in March 2021. Construction funding has not been secured. The City will apply for grants where available.	Parametrix	TBD
Project Status: DESIGN								
CP1927	Auburn Way N and 1st Street NE Signal Replacement This project will replace the existing traffic signal at Auburn Way North and 1st Street NE with a new traffic signal per the City of Auburn standards and the Downtown standards. The project also includes adding left turn pocket on 1st Street NE and flashing yellow arrows in all four directions.	\$1,156,513	QTR 2 (APR-JUN) 21	QTR 4 (OCT-DEC) 21	Matt Larson	City design team is working toward 90% design submittal which is anticipated to be completed in December 2020.	N/A	TBD

Capital Project Status Report

Public Works Department - Engineering General Services Division

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
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Project Status: DESIGN

CP2001	Deduct Meter Replacement, Phase 2 This Project will replace approximately 56 of the 128 remaining deduct meters within the City limits, including replacing related piping and restoration.	\$512,500	QTR 1 (JAN-MAR) 21	QTR 2 (APR-JUN) 21	Jeffrey Bender	Coordination with individual property owners for access is underway. City design team has finalizing contract documents and this project was advertised for bids on December 1, 2020. Bid opening is scheduled on December 15, 2020.	N/A	TBD
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Project Status: DESIGN

CP1922	Lead Service Line Replacement Project The purpose of this project is to provide improvements to the City's water distribution system, and avoid any potential public health issues associated with existing lead gooseneck service line infrastructure. The project will replace approximately 7,100 linear feet of water main, approximately 190 water services, potentially reconstruct 13 street segments and upgrade associated drainage, curb & gutter, curb ramps; as well as grind and overlay 4 street segments.	\$5,415,000	QTR 2 (APR-JUN) 21	QTR 4 (OCT-DEC) 21	Jai Carter	Consultant design team has completed the 60% design which was submitted on November 24, 2020. Team is working on project environmental documentation and permits. Geotechnical Report is expected to be complete in early December 2020. Public outreach has begun.	MurraySmith	TBD
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Capital Project Status Report

Public Works Department - Engineering General Services Division

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
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Project Status: DESIGN

CP2012	M Street SE Sidewalk Improvements Project will design and construct missing sections of sidewalk along M Street SE between Auburn Way S and 8th St SE. The project scope includes installation of sidewalk, ADA curb ramps and street lighting.	\$749,542 (Includes State Grant Funds)	QTR 2 (APR-JUN) 21	QTR 3 (JUL-SEP) 21	Luis Barba	City design team has completed the 60% design review and is currently working towards 90% design submittal which is anticipated to be delivered in January 2021.	N/A	TBD
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Project Status: DESIGN

CP2003	2nd Street SE Preservation Project This project will reconstruct the pavement on 2nd Street SE between A Street SE and Auburn Way S. The project will also replace 450 feet of sewer main, construct new curb ramps, install new LED Street lighting, replace curb & gutter as needed, and upgrade drainage infrastructure as needed.	\$1,163,755 (Includes State Grant Funds)	QTR 1 (JAN-MAR) 21	QTR 4 (OCT-DEC) 21	Jai Carter	City design team is working toward the 90% design submittal which is anticipated to be complete in early December 2020. Coordination with utilities regarding potholing and relocations is underway. Public outreach and geotechnical evaluation and pavement design is also underway.	N/A	TBD
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Capital Project Status Report

Public Works Department - Engineering General Services Division

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: DESIGN								
CP2010	2021 Sewer Repair and Replacement Project This project plans to replace a total of approximately 2585 LF of 8"-10" diameter sewer line at 9 separate sites and construct 10 spot repairs.	\$2,400,000	QTR 2 (APR-JUN) 21	QTR 4 (OCT-DEC) 21	Jai Carter	City design team is working toward the 50% submittal which is anticipated to be completed in early December 2020.	N/A	TBD
Project Status: DESIGN								
CP2011	Lakeland Hills Way Preservation Grind, patch, and overlay Lakeland Hills Way from 57th Drive SE to Lake Tapps Dr SE.	\$1,790,000	QTR 1 (JAN-MAR) 21	QTR 4 (OCT-DEC) 21	Seth Wickstrom	City design team is working toward 90% design submittal which is anticipated to be completed in December 2020.	N/A	TBD

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
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Project Status: DESIGN

CP2018	S. 330th St and 46th Place S Storm Improvements Relocate existing storm system located on private property, into approximately 350 linear feet of new 24-inch storm pipe within the public right-of-way. Improvements will include replacing existing outfall structure and connections of private drainage pipes.	\$379,000	QTR 2 (APR-JUN) 21	QTR 3 (JUL-SEP) 21	Luis Barba	The city design team is currently working towards the 90% design submittal which is anticipated to be completed in early December 2020.	N/A	TBD
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Project Status: DESIGN

CP2017	2021 Storm Renewal and Replacement Project The purpose of this project is to repair and replace storm system infrastructure throughout the City, at six different locations. Improvements will eliminate known drainage issues and reduce maintenance efforts.	\$1,100,000	QTR 2 (APR-JUN) 21	QTR 3 (JUL-SEP) 21	Luis Barba	City design team is working toward the 75% design submittal which is anticipated to be completed in early December 2020.	N/A	TBD
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Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: DESIGN								
CP2019	2021 Local Street Reconstruction and Preservation This project will design and construct the following improvements: Site #1 (G St SE from E Main to 4th St SE) - Full depth pavement re-build; replace water main incl. water services; upgrade storm drainage system as needed; and upgrade curb ramps to meet ADA. Site #2 (Riverwalk/Forest Ridge) - Grind and overlay the roadway; replace water main incl. water services; upgrade storm drainage system on 24th Ave/St. SE; and upgrade curb ramps to meet ADA.	\$5,660,000	QTR 1 (JAN-MAR) 21	QTR 3 (JUL-SEP) 21	Kim Truong	Consultant design team completed 60% design submittal on November 24, 2020 which is currently under review.	Jacobs	TBD
Project Status: DESIGN								
CP2007	Lea Hill Rd Bridge Deck Preservation The project will grind and overlay the Lea Hill bridge deck in an effort to extend the overall service life of the bridge.	\$647,850 (Includes Federal Grant Funds)	QTR 2 (APR-JUN) 21	QTR 3 (JUL-SEP) 21	Kim Truong	City has selected KPFF Consulting Engineers as the design consultant for this project. Scope and fee negotiations are underway. It is anticipated that design work will begin in January 2021.	KPFF	TBD

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
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Project Status: DESIGN

CP2006	3rd Street SW Bridge Decks Preservation The project will seal and overlay the 3rd Street SW bridge decks in an effort to extend the overall service life of the bridges.	\$673,540 (Includes Federal Grant Funds)	QTR 2 (APR-JUN) 21	QTR 3 (JUL-SEP) 21	Kim Truong	City has selected KPFF Consulting Engineers as the design consultant for this project. Scope and fee negotiations are underway. It is anticipated that design work will begin in January 2021.	KPFF	TBD
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Project Status: DESIGN

CP2009	Rainier Ridge Pump Station This project will replace the Rainier Ridge Sewer Pump Station and its associated force main (approximately 725 ft).	\$3,415,000	QTR 2 (APR-JUN) 22	QTR 4 (OCT-DEC) 22	Jai Carter	City has selected Kennedy Jenks as the design consultant for this project. Scope and fee negotiations are underway. It is anticipated that design work will begin in December 2020.	Kennedy Jenks	TBD
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Capital Project Status Report

Public Works Department - Engineering General Services Division

Project Number	Project Name & Description	Current Budget	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
Project Status: DESIGN								
CP2026	North Airport Area Storm Improvements The purpose of this work is to better utilize an existing storm pond and prevent flooding around the hangars on the north end of the airport. This project will also allow the City to eventually eliminate one or more of the existing storm ponds at the north end of the Airport in future.	\$276,000	QTR 4 (OCT-DEC) 20	QTR 2 (APR-JUN) 21	Seth Wickstrom	Bids were opened on November 19, 2020. The apparent low bidder was Reed Trucking. City staff is performing reference checks and other verifications to determine if the apparent low bidder meets the responsible bidding criteria. Construction is anticipated to start in January 2021.	N/A	Reed Trucking (Pending)
Project Status: DESIGN								
CP2022	Garden Avenue Realignment The project will create a new east/west connection between Garden Ave (102nd Ave SE) and 104th Ave SE and remove the existing Garden Ave connection to 8th St NE and replace it with a permanent cul-de-sac. The project will also demolish an existing building and acquire the ROW needed for the roadway. Utility improvements include storm drainage needed to support the roadway surface; approx. 1500 ft of new/replaced watermain; and approx. 220 ft of sewer line.	\$1,383,000	QTR 1 (JAN-MAR) 23	QTR 4 (OCT-DEC) 23	Kim Truong	The project charter was executed on November 24, 2020. Design survey is underway.	N/A	TBD

ENGINEERING SERVICES

END OF YEAR CAPITAL PROJECT STATUS REPORT UPDATE

**RYAN VONDRAK
CITY COUNCIL STUDY SESSION
DECEMBER 14, 2020**

Public Works Department

Engineering Services • Airport Services • Maintenance & Operations Services

AUBURN
VALUES

S E R V I C E
E N V I R O N M E N T
E C O N O M Y
C H A R A C T E R
S U S T A I N A B I L I T Y
W E L L N E S S
C E L E B R A T I O N

CAPITAL PROJECTS – 2020 STATS

23 projects entered or continued construction in 2020
(Approximate total value of \$32 million)

- Preservation or reconstruction of approximately 23 lanes miles of new pavement
- Replacing over 12,500 linear feet of water main
- Replacing 7 large water meters and vaults
- Replacing over 8,600 linear feet of storm drain pipe

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CAPITAL PROJECTS – 2020 STATS CONTINUED

- Replacing nearly 450 linear feet of sanitary sewer pipe
- Upgrading electrical components within 12 sanitary sewer pump stations
- Installing nearly 4 miles of new traffic signal communication lines
- Installing 5 Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossings

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CAPITAL PROJECTS – 2020 STATS CONTINUED

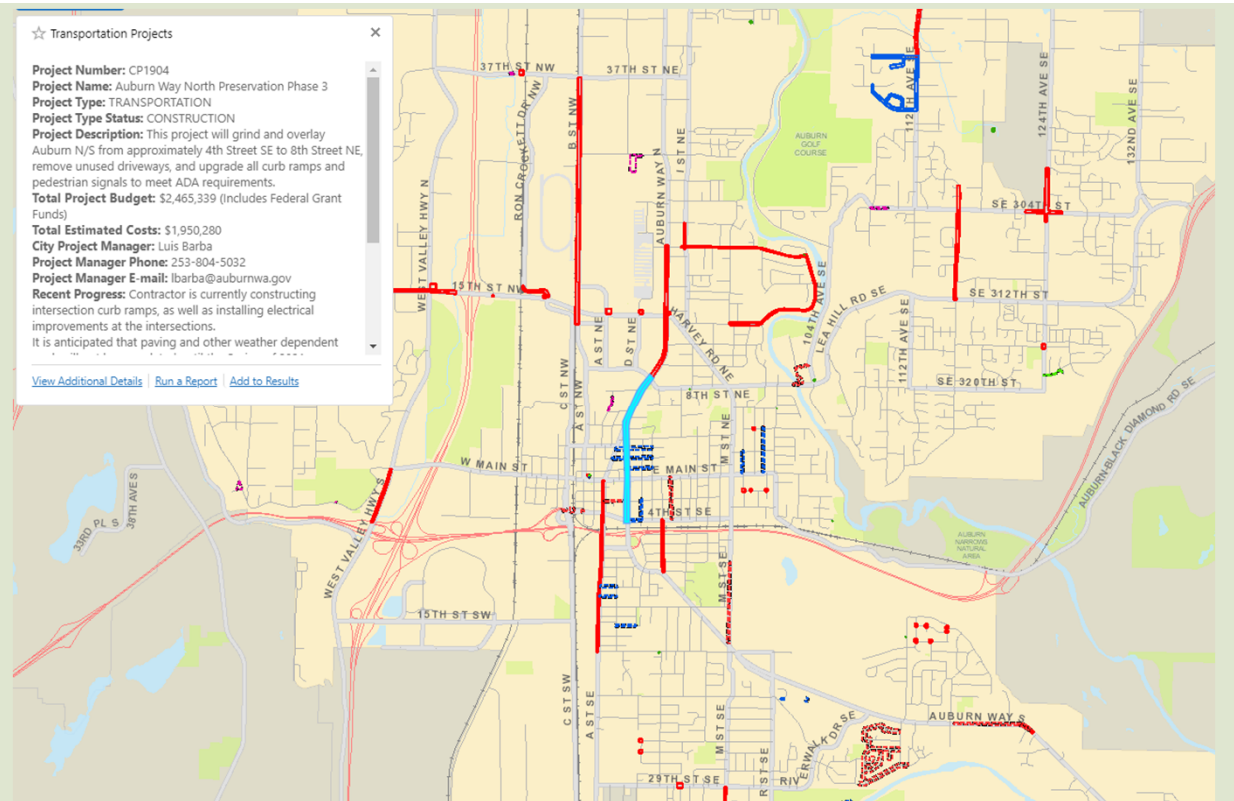
- Installing 3 new roadway Dynamic Message Signs
- Converting 2,850 cobra-head style city owned street lights citywide to LED fixtures
- Installing over 6,500 linear feet of new or replaced sidewalks and upgraded numerous curb ramps to meet Americans with Disabilities Act (ADA) requirements
- Lengthening the Auburn Municipal Airport runway by 441 feet

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STAYING INFORMED

- Capital Project Status Report Monthly Email
- Quarterly Council Update
- City Website - Interactive Project Mapping Tool

<https://maps.auburnwa.gov/Html5Viewer/index.html?viewer=capitalprojects>



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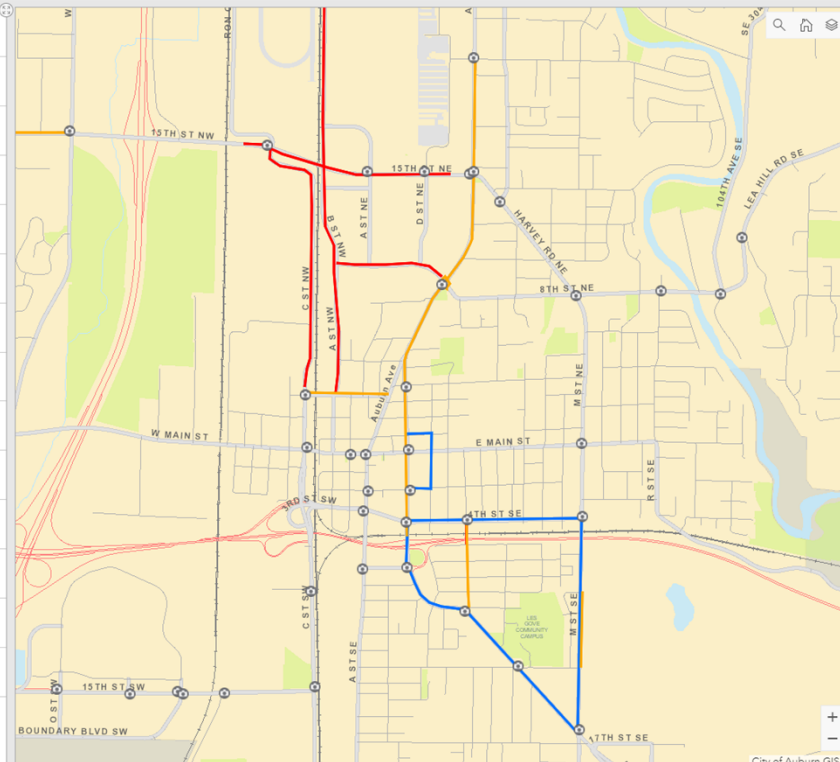
STAYING INFORMED CONTINUED

City Website – Interactive Traffic Advisory Mapping Tool

<https://auburn.maps.arcgis.com/apps/opsdashboard/index.html#/4a9141ef90fe4217a8a212705236ac66>

City of Auburn Traffic Advisories

F St SE between 4th St SE and 5th St SE	Road Closure
E Main St at Intersection with Auburn Way South	Road Closure
M Street SE between 12th Street SE and 6th Street SE	Lane Restrictions
Auburn Way North at the Intersection of 9th St NE	Lane Restrictions
3rd St NW/NE from C St NW to Auburn AVE	Lane Restrictions
Auburn Way North/South from 22nd St NE to SR 18	Lane Restrictions
F St SE from 4th St SE to Auburn Way S	Lane Restrictions
15th St NW between K St NW and West Valley Hwy	Lane Restrictions
A St NW / B St NW from 3rd St NW to 49th St NW	Lane Closure(s)
C St NW from 3rd St NW to 15th St NW	Lane Closure(s)
15th St NW from C St NW to D St NE	Lane Closure(s)
10th St NE from B St NW to Auburn Way North	Lane Closure(s)
E Main St at Intersection with Auburn Way South	Detour Route
F St SE between 4th St SE and 5th St SE	Detour Route



Traffic Cameras

Construction

Road Closure

Detour Route

Help:

- The left side list shows a list of all traffic advisories located within the current map window. As you zoom in, the list will shrink to show just those advisories within the window.
- You can click on any of the traffic advisories in the list on the left to give you more information about the advisory.
- The magnifying glass with a + sign located in the advisory pop up window will move the map to the specific advisory location.
- To zoom in to show specific locations on the map, you can also use your mouse or the + - symbol at the bottom right corner of the map.
- The map toolbar at the top right of the map window allows you to type in specific locations using an address, return to the home map view, or turn on and off map layers.

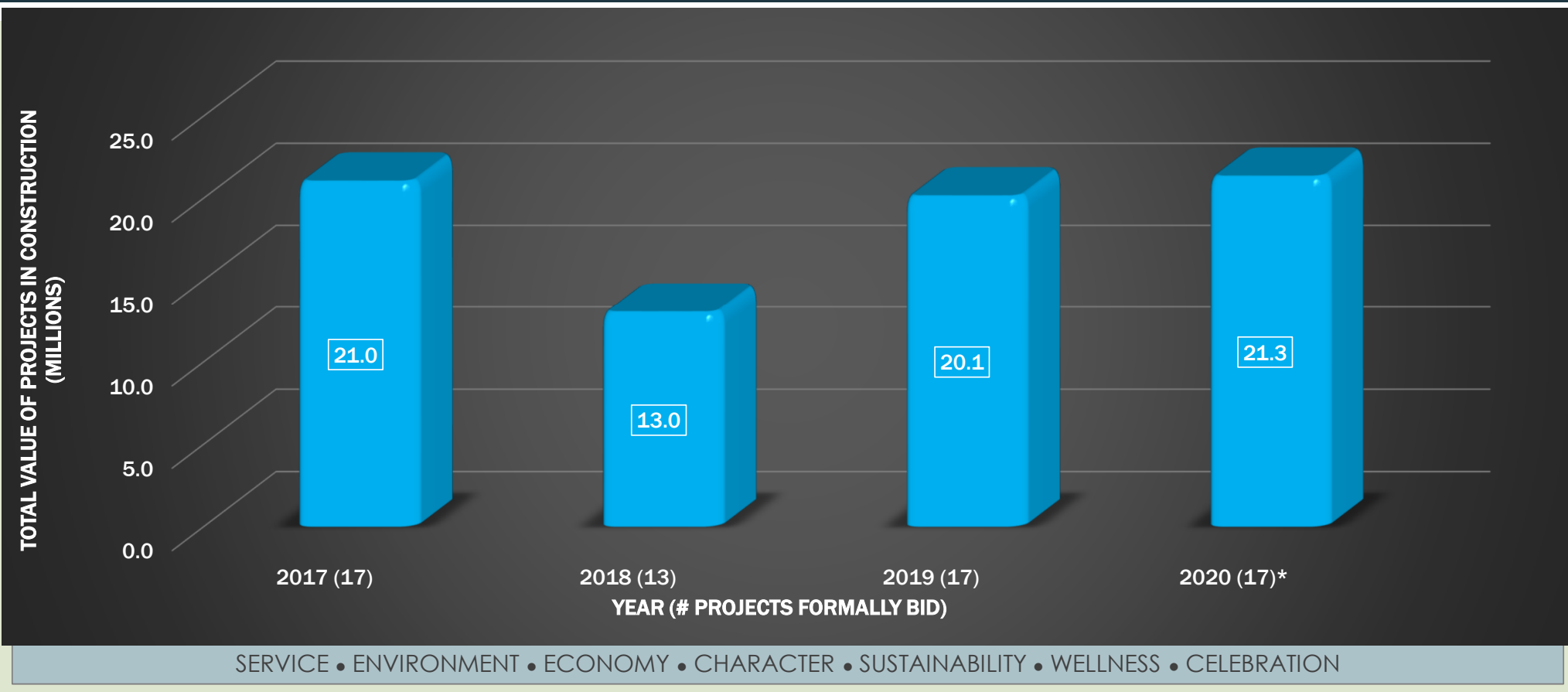
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CAPITAL PROJECTS – CURRENT STATUS

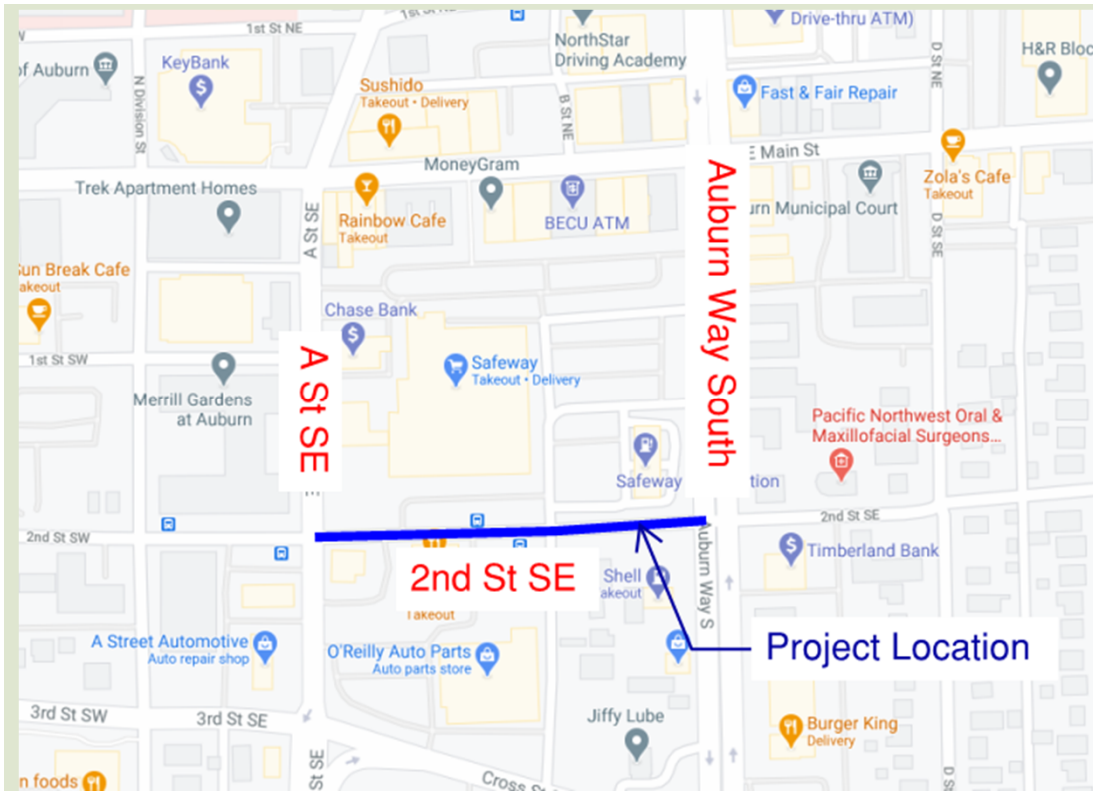
36 Active Capital Projects (Approximate total project value \$60 million)

- 20 in Design Phase (Approximate total project value \$26 million)
- 16 in Construction Phase (Approximate total project value \$34 million)

CAPITAL PROJECTS – ADVERTISED FOR CONSTRUCTION



CP2003 2ND STREET SE PRESERVATION

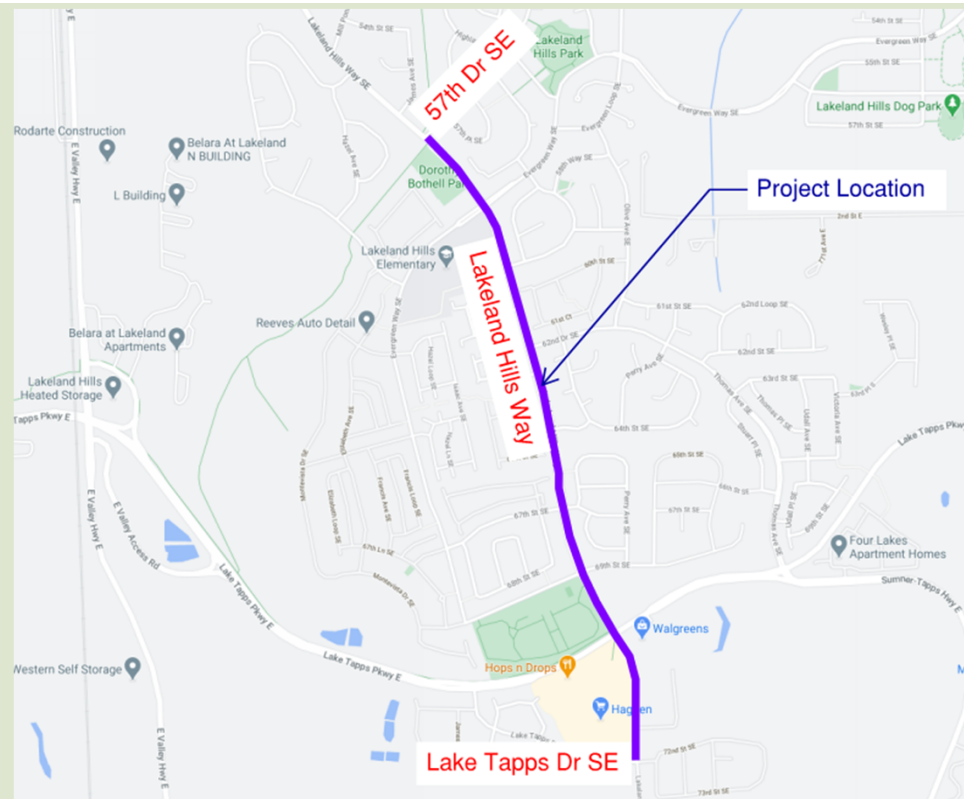


- (Page 13 of 19 in CPS Report)
- Roadway Reconstruction
- Street Lighting Improvements
- 450 ft of Sanitary Sewer Improvements
- Storm Drainage Improvements
- Upgrade Curb Ramps
- Design 2020 – Construction 2021



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CP2011 LAKELAND HILLS WAY PRESERVATION

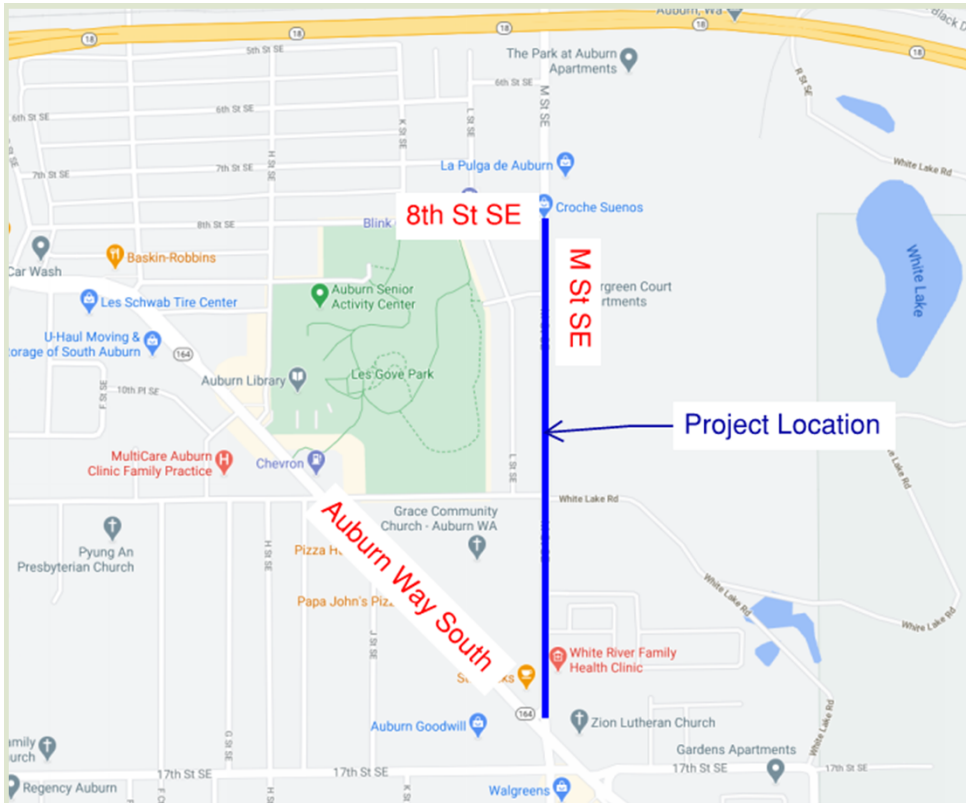


- (Page 14 of 19 in CPS Report)
- Patch, Grind and Overlay Pavement
- Upgrade Curb Ramps
- Replace Vehicle Detection Loops
- Design 2020 - Construction 2021



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CP2012 M STREET SE SIDEWALK IMPROVEMENTS



- (Page 13 of 19 in CPS Report)
- Construct Missing Sections of Sidewalk
- Upgrade Curb Ramps
- Design 2020 – Construction 2021



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CP2007 LEA HILL ROAD BRIDGE DECK PRESERVATION



- (Page 16 of 19 in CPS Report)
- Grind and Overlay Bridge Deck
- Design 2020 – Construction 2021



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CP2006 3RD STREET SW BRIDGE DECKS PRESERVATION

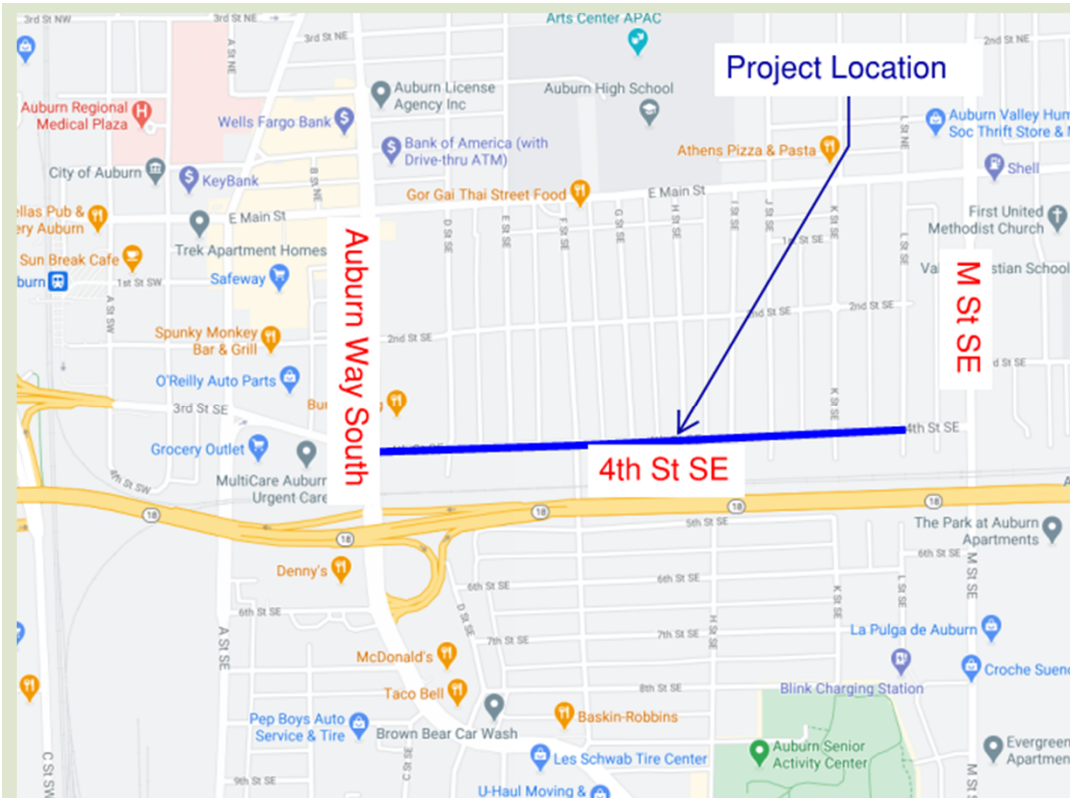


- (Page 17 of 19 in CPS Report)
- Grind and Overlay Bridge Decks
- Design 2020 – Construction 2021



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4TH ST SE FROM AUBURN WAY SOUTH TO L ST SE

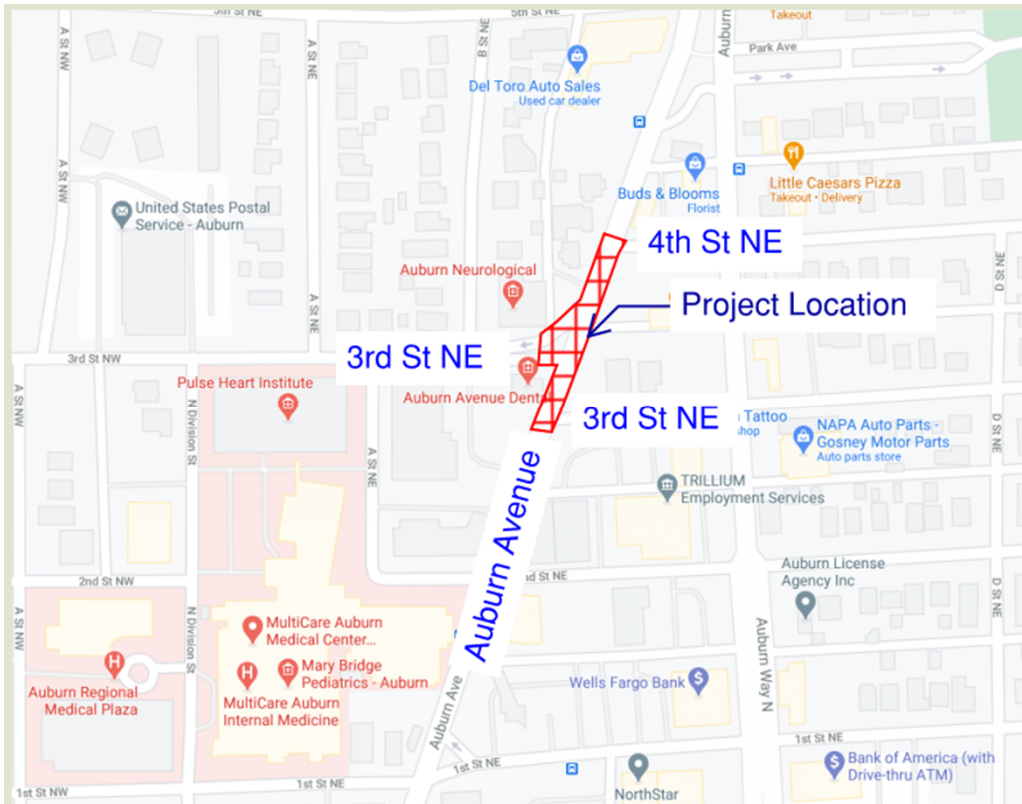


- Roadway Preservation and Reconstruction
- 1,700 LF of Water Improvements
- 880 LF of Sewer Improvements
- Replace sections of Sidewalk to meet ADA
- Street Lighting Improvements
- Design 2021 – Construction 2022



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REGIONAL GROWTH CENTER ACCESS IMPROVEMENTS

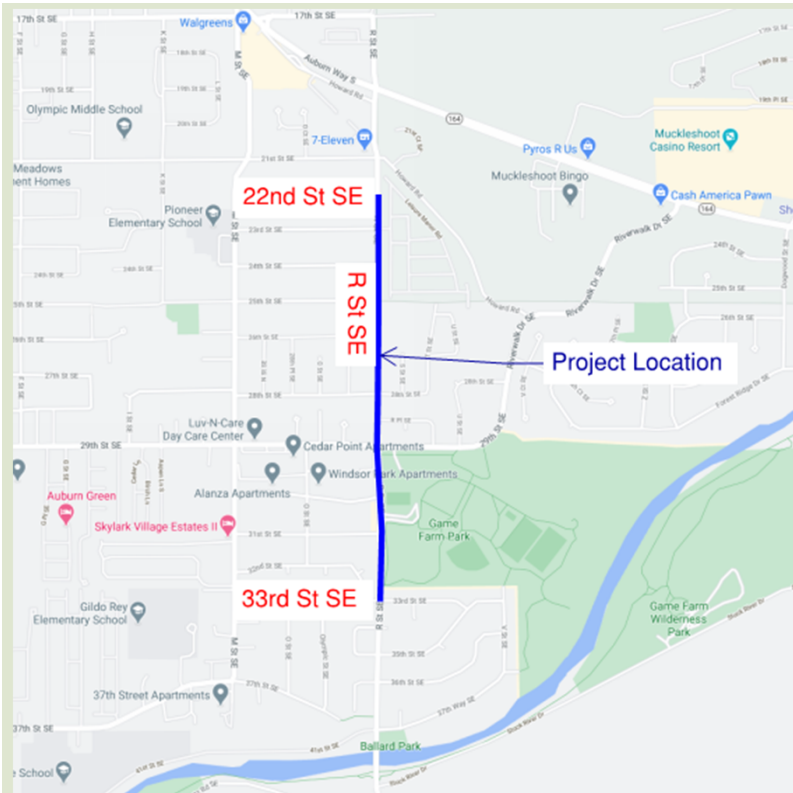


- New Northbound left turn lane onto 3rd St NE
- Pedestrian improvements including new north/south crosswalk at 3rd St NE
- Signal modifications at 4th St NE/Auburn Way North
- Design 2021 – Construction 2023



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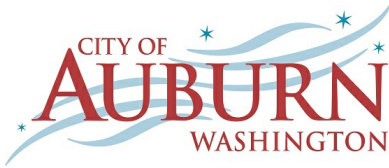
R ST SE/29TH ST SE INTERSECTION IMPROVEMENTS



- Construct a new signal at 29th St SE Intersection
- Pavement re-channelization and additional southbound through lane
- Design 2021 – Construction 2024



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AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6763 (Tate)(30 Minutes)

Department:

Community Development

Attachments:

[Ordinance No.6763](#)

[2018 Building Code Updates PowerPoint](#)

Date:

December 8, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Staff Recommendation: Schedule Ordinance No. 6763 for action by City Council at the regular meeting on January 4, 2021.

Background Summary:

The Washington State Building Code Council has adopted updated 2018 building codes and related standards and associated State amendments. This is a recurring update that typically occurs every three (3) years in response to the publication of updated codes and standards by the International Code Council and associated organizations. The 2018 codes were scheduled to go into effect on July 1, 2020. Due to COVID 19 the implementation date was delayed to February 1, 2021.

The Planning Commission recommendation to adopt amendments to ACC Title 15 is being brought forward to City Council to ensure that adoption of the new codes and associated amendments occurs in conjunction with the effective date as adopted by the Washington State Legislature.

Reviewed by Council Committees:

Councilmember: Brown

Staff:

Tate

Meeting Date: December 14, 2020

Item Number:

ORDINANCE NO. 6763

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO BUILDING CODES, AND AMENDING SECTIONS 15.04.080, 15.04.090, 15.06.010, 15.07.010, 15.07.20, 15.07.030, 15.07.050, 15.07.080, 15.07.090, 15.07.100, 15.07.110, 15.07.130, 15.08A.011, 15.08A.041, 15.08A.051, 15.36A.011, 15.36A.031, 15.36A.041, 15.36A.045, 15.36A.063, 15.36A.091, 15.48.040, AND 15.74.050, ADDING NEW SECTIONS TO CHAPTERS 15.36A AND 15.20, AND REPEALING SECTIONS 15.06.020, 15.06.040, 15.06.050 15.36A.025, 15.36A.041 AND CHAPTER 15.38A OF THE AUBURN CITY CODE

WHEREAS, the Auburn City Code includes a variety of chapters adopting various codes related to the building of structures;

WHEREAS, the State of Washington promulgates some of these codes, updates them periodically, and requires, through RCW 19.27, that local jurisdictions to adopt and implement the standard codes;

WHEREAS, the State of Washington has promulgated updated codes and has approved them for adoption by local jurisdictions; and

WHEREAS, city staff and VRFA staff have reviewed the city's building-related codes, have identified amendments to update or supplemented these codes, and have identified desired amendments to the provisions of the State-adopted codes; and

WHEREAS, in Ordinance No. 6744, the city council removed from Chapter 15.20 the amendments to the International Property Maintenance Code and moved them to Chapter 15.06. However, later revisions to the code revealed that relocating the amendments back into Chapter 15.20 is more consistent with the overall organization of title 15 and clearer.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. Sections 15.04.080 and 15.04.090 of Chapter 15.04, General Provisions, of the Auburn City Code are amended to read as follows.

15.04.080 Violation – Penalty.

Unless another penalty is expressly provided by the chapters of this title, the codes adopted by this title, or other law, any violation of this chapter title shall be enforced pursuant to the provisions of Chapter 1.25 ACC. (Ord. 6601 § 3, 2016; Ord. 4502 § 14, 1991; Ord. 3609 § 4, 1981.)

Commented [JK1]: Updated to clarify that enforcement of all of Title 15 applies, not just the specific chapter.

15.04.090 Enforcement.

Pursuant to ACC 15.07.030 ~~and 15.07.040~~ the building official is authorized to enforce the provisions of this title.

Commented [JK2]: Enforcement provisions appear in 15.07.030, 15.07.040 repealed due to conflict.

Recognizing the authority and responsibility vested in the director under the codes adopted by this title, the building official is authorized to promulgate such rules, policies and/or procedures as deemed necessary to carry out the intent of this title and provide for the efficient operation of the permit process as it may be administered by the building official and staff. In so doing, the building official may, from time to time, and notwithstanding other provisions of this title:

- A. Record with the county auditor's office notices of building permit and/or land use compliance related activity regarding a specific site, which, after reasonable efforts in working with a property owner, is not brought into conformance with the provisions of this title, or notices and orders as called for under the dangerous buildings code; and/or
- B. Call upon the auburn police chief to assist in the enforcement of this title. The chief or designee is authorized to issue criminal citations for violations of this title when criminal sanctions are appropriate under the Auburn City Code. (Ord. 5874 § 2, 2004.)

Section 2. Amendment to City Code. Section 15.06.010 of Chapter 15.06,

International Codes, of the Auburn City Code is amended to read as follows.

15.06.010 International codes and other standards adopted.

There is adopted by reference, upon the effective date of the ordinance codified in this chapter and upon filing with the city clerk one copy thereof, the following described chapters of the Washington Administrative Code, International Codes and standards, and Uniform Plumbing Code and standards together with appendix chapters, amendments, deletions and additions as set forth in this section or in the appropriate chapters in this code.

A. *International Building Code Adopted.* The 201~~85~~ Edition of the International Building Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-50](#) WAC, is adopted by reference with amendments, deletions and additions thereto as provided in Chapter [15.08A](#) ACC, Building Code.

B. *International Residential Code Adopted.* The 201~~85~~ Edition of the International Residential Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-51](#) WAC, is adopted by reference, ~~including~~[excluding](#) Chapter 11, "Energy Efficiency," Chapters 25 through 33, "Plumbing," and Chapters 34 through 43, "Electrical."

C. *International Mechanical Code Adopted.* The 201~~85~~ Edition of the International Mechanical Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

D. *International Fire Code Adopted.* The 201~~85~~ Edition of the International Fire Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-54A](#) WAC, is

Commented [JK3]: Prior language in error, WSBC has not adopted Chapters 11 and 25-43 of the IRC. Chapter 11 regulated by 51-11R WAC (Washington State Energy Code - Residential); Chapters 25-33 regulated by 51-56 WAC (Uniform Plumbing Code); Chapters 34-43 regulated by 296-46B WAC (National Electrical Code).

adopted by reference with amendments, deletions and additions thereto as provided in Chapter [15.36A](#) ACC, Fire Code.

E. *National Fuel Gas Code (NFPA 54) Adopted.* The 201~~8~~⁵ Edition of ANSI Z223.1/NFPA 54 National Fuel Gas Code, as published by NFPA, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

F. *Liquefied Petroleum Gas Code (NFPA 58) Adopted.* The 201~~8~~⁵ Edition of the Liquefied Petroleum Gas Code, as published by NFPA, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

G. *International Fuel Gas Code Adopted.* The 201~~8~~⁵ Edition of the International Fuel Gas Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

H. *Uniform Plumbing Code Adopted.* The 201~~8~~⁵ Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted and hereafter amended by the State Building Code Council in Chapter [51-56](#) WAC, is adopted by reference, including Chapter 12, "Fuel Piping," Chapter 15, "Firestop Protection," Appendix A, "Recommended Rules for Sizing the Water Supply System," Appendix B, "Explanatory Notes on Combination Waste and Vent Systems," Appendix C, "Alternate Plumbing Systems," Appendix I, "Installation Standards," and those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and those portions of the code addressing building sewers.

I. *International Energy Conservation Code Adopted.* The 201~~8~~⁵ Edition of the International Energy Conservation Code, as published by the International Code Council, as amended by the State Building Code Council in Chapters [51-11C](#) and [51-11R](#) WAC. The most current Washington State Energy Code as established under Chapter [19.27A](#) RCW (most recently amended in 2012). The

Washington State Energy Code, as adopted and hereafter amended by the State Building Code Council in Chapters [51-11C](#) and [51-11R](#) WAC, is adopted.

J. *International Property Maintenance Code Adopted.* The 2018~~5~~ Edition of the International Property Maintenance Code, as published by the International Code Council, is adopted by reference subject to the ~~following~~ deletions, exceptions and conditions in Chapter 15.20 ACC.

~~1. Code Official. For the purposes hereof, where the International Property Maintenance Code references the code official, that shall refer to and be construed to mean the building official as used in the city code. Unless the context clearly indicates otherwise, the terms "code official" and "building official" shall be synonymous.~~

~~2. Appendices Adopted. International Property Maintenance Code Appendix Chapter A, Boarding Standard, is hereby adopted. A copy of the International Property Maintenance Code Appendix Chapter A, Boarding Standard, shall be on file in the office of the city clerk.~~

~~3. Sections 103.1 and 103.5 amended. Sections 103.1 and 103.5 of the International Property Maintenance Code are amended to read as follows:~~

~~103.1 Department of property maintenance inspection. The department of community development and public works is responsible for implementation and enforcement of the International Property Maintenance Code.~~

~~103.5 Fees. The fees for activities and services performed by the city in carrying out its responsibilities under this code, including hearings conducted by the hearing examiner, shall be as indicated in the City of Auburn Fee Schedule.~~

~~4. Sections 107.2 and 107.3 amended. Sections 107.2 and 107.3 of the International Property Maintenance Code are amended to read as follows:~~

~~107.2 Notices and orders. Such notice prescribed in Section 107.1 shall be in accordance with the provisions of Chapter 1.25 regarding the form of notices.~~

Commented [JK4]: 15.06.010 J 1-9 relocated to ACC 15.20. Specific amendments to adopted model codes currently are located within separate chapters. Relocation of amendments to the International Property Maintenance Code (IPMC) relocated to be consistent with this layout.

~~107.3 Method of service. Notices shall be deemed to be properly served if delivered in accordance with the provisions of Chapter 1.25 regarding the method of services of notices.~~

~~5. Section 110 amended — Demolition. International Property Maintenance Code Section 110.1 is amended to read as follows:~~

~~Section 110.1 General. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Unless the code official determines that other measures are appropriate based on the circumstances, boarding the building up for future repair shall comply with appendix A and the structure shall not remain boarded beyond thirty (30) days, except where a non-opaque material is used that provides the same level of security as provided by the requirements of Appendix A, the boarding may remain in place for no more than one year. Timeframe extensions may be approved by the code official.~~

~~6. Section 111 amended — Means of appeal. Section 111 of the International Property Maintenance Code is deleted in its entirety and is replaced with the following:~~

~~111 Means of appeal. Any person directly affected by a decision of the code official or a notice or order issued under the international property maintenance code shall have the right to appeal the decision, notice, or order, accept notices to correct and the notices described in section 107.~~

~~The means for appealing shall be that provided in ACC 15.07.130, as hereafter amended.~~

~~7. Sections 112.2 and 112.4 amended — Stop work order. Sections 112.2 and 112.4 of the International Property Maintenance Code are amended to read as follows:~~

~~112.2 Issuance. The provisions of Auburn City Code Chapter 1.25 regarding stop work orders shall govern the issuance of a stop work order under this code.~~

~~112.4 Failure to comply. The provisions of Auburn City Code Chapter 1.25 shall govern the enforcement of stop work orders and the penalty for failing to comply with an order.~~

~~8. Sections 302.4 and 304.14 amended — General requirements. Sections 302.4 and 304.14 of the International Property Maintenance Code are amended to read as follows:~~

~~302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.~~

~~Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, according to the abatement process contained in ACC 8.12, and the costs of such removal shall be paid by the owner or agent responsible for the property.~~

~~304.14 Insect Screens. During the period from April 1 to October 31, every door, window and other outside opening required for ventilation of habitable~~

~~rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.~~

~~9. Sections 602.3 and 602.4 amended — Mechanical and electrical requirements. Sections 602.3 and 602.4 of the International Property Maintenance Code are amended to read as follows:~~

~~602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during year-round to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.~~

~~Exceptions:~~

~~a. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.~~

~~b. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.~~

~~602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat year-round to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.~~

~~Exceptions:~~

~~a. Processing, storage and operation areas that require cooling or special temperature conditions.~~

~~b. Areas in which persons are primarily engaged in vigorous physical activities.~~

K. *International Swimming Pool and Spa Code Adopted.* The 201~~8~~⁵ Edition of the International Swimming Pool and Spa Code, as published by the International Code Council, excluding Chapter 4, "Public Swimming Pools," Chapter 5, "Public Spas and Public Exercise Spas," and Chapter 6, "Aquatic Recreation Facilities," is adopted by reference.

L. *International Existing Building Code Adopted.* The 201~~8~~⁵ Edition of the International Existing Building Code, as published by the International Code Council, and hereafter amended by the State Building Code Council in WAC [51-50-480101](#), is adopted.

M. *International Green Construction Code Adopted.* The 201~~8~~⁵ Edition of the International Green Construction Code, as published by the International Code Council, is adopted by reference as an optional reference for developers who choose to utilize elements of the code for guidance.

N. *National Healthy Housing Standard Adopted.* The 2014 edition of the National Healthy Housing Standard, as published by the National Center for Healthy Housing, is adopted by reference as a guideline and expression of intent to assist interpretation of the codes adopted in this Chapter.

(Ord. 6744; Ord. 6615 § 17, 2016; Ord. 6601 § 4, 2016; Ord. 6469 § 1, 2013; Ord. 6310 § 1, 2010; Ord. 6104 § 1, 2007; Ord. 5874 § 3, 2004; Ord. 5184 § 2, 1998; Ord. 4754 § 2, 1995; Ord. 4566 § 5 (Exh. A), 1992.)

Section 3. Amendment to City Code. Sections 15.07.010, 15.07.020, 15.07.030, 15.07.050, 15.07.80, 15.07.090, 15.07.100, 15.07.110, and 15.07.130 of Chapter 15.07, Construction Administrative Code, of the Auburn City Code are amended to read as follows.

15.07.010 General.

A. *Title.* These regulations shall be known as the Construction Administrative Code of the city of Auburn.

B. *Scope.* The provisions of this ~~code~~chapter shall apply to the administration of the technical codes ~~as~~ adopted in ACC 15.06 and by the state of Washington, and as listed:

1.

- a. 201~~85~~ International Building Code – Chapter 51-50 WAC;
- b. 201~~85~~ International Residential Code – Chapter 51-51 WAC;
- c. 201~~85~~ International Mechanical Code – Chapter 51-52 WAC;
- d. 201~~85~~ International Fire Code – Chapter 51-54A WAC;
- e. 201~~85~~ National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- f. 201~~85~~ Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- g. 201~~85~~ International Fuel Gas Code – Chapter 51-52 WAC;
- h. 201~~85~~ Uniform Plumbing Code – Chapter 51-56 WAC;
- i. 201~~85~~ International Energy Conservation Code – Chapters 51-11C and 51-11R WAC;
- j. 201~~85~~ International Property Maintenance Code;
- k. 201~~85~~ International Swimming Pool and Spa Code;
- l. 201~~85~~ International Existing Building Code;
- m. 201~~85~~ International Green Construction Code;
- n. 2014 ed. National Healthy Housing Standard.

Commented [JK5]: Added reference to 2014 NHHS as previously adopted under Ordinance 6744 on December 16, 2019

2. *Exceptions.* The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures.

3. *Definitions.* For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this subsection. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine; provided, that any reference to "fire department" in this title or the codes adopted hereunder shall be understood to include the Valley Regional Fire Authority. (Ord. 6601 § 5, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 2, 2010; Ord. 6104 § 2, 2007; Ord. 5874 § 4(101), 2004.)

15.07.020 Conflicts between codes and Applicability.

A. General. In case of conflict between codes referenced in ACC

15.07.010. ~~Where~~ where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, ~~the most restrictive shall govern except that~~ the hierarchy of the codes named in Chapter 19.F27 RCW shall govern. Otherwise, the most restrictive provision shall govern, or ~~Where~~ where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. In the case of a conflict between the International Green Construction Code and the City of Auburn design standards, surface water manage manual, or construction standards, the City of Auburn standards shall govern.

B. Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

Commented [JK6]: Conflict between codes sections in 15.06.020 and 15.07 were inconsistent. 15.06.20 repealed and one consolidated conflict section created here. The hierarchy noted here is based on the one adopted by the state, RCW 19.27.

C. Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

D. Referenced Codes and Standards – ~~Conflict with chapter~~. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

E. Partial Invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions. (Ord. 6469 § 2, 2013; Ord. 6310 § 3, 2010; Ord. 6104 § 3, 2007; Ord. 5874 § 4(102), 2004.)

15.07.030 Enforcement ~~agency~~.

A. Enforcement agency. The department of community development ~~and public works department~~ is ~~hereby~~ designated as the agency responsible for enforcement of building codes, and the official in charge thereof shall be known as the building official, and Section 103 of Chapter 1 of the 20182 International Building Code is ~~hereby~~ amended consistent therewith.

B. Venue. Unless specifically directed or assigned otherwise, violations of or failures to comply with any of the codes referenced by this chapter shall be prosecutable in the court of limited jurisdiction authorized to hear cases of the city.

C. Penalties by class and category of offenses. Unless a different city penalty is specifically provided for a violation of or failure to comply with any of the codes adopted by the chapters of this title, violations of and failures to comply with the requirements of the codes adopted by this chapter shall constitute offenses of the same description, class and category of offense as are indicated in the adopted code. The penalty for any such offense identified or identifiable as a misdemeanor for which no penalty is specifically provided shall be punishable by imprisonment in the appropriate city or county jail for a period of up to 90 days

Commented [JK7]: No proposed language change. Enforcement provisions of 15.06.04 moved to this location for consistent organization.

and a fine of up to \$1,000, or by both such fine and imprisonment. The penalty for any such offense identified or identifiable as a gross misdemeanor for which no penalty is specifically provided shall be punishable by imprisonment in the appropriate city or county jail for a period of up to one year and a fine of up to \$5,000, or by both such fine and imprisonment. The penalty for any such offense identified or identifiable as an infraction for which no penalty is specifically provided shall be punishable in accordance with ACC 1.25.050.

D. Non-exclusive remedy. The penalty provisions hereof are in addition to other enforcement and remedy provisions of the codes adopted by the chapters of this title. (Ord. 6601 § 6, 2016; Ord. 6469 § 2, 2013; Ord. 5874 § 4(103), 2004.)

15.07.050 Permits.

A. *Application for Permit.* Applicants shall file an application in writing on a form furnished by the ~~building~~-department of community development for that purpose. Applications determined by the building official to be in compliance with this section shall be deemed as complete. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done with the tax parcel number assigned pursuant to RCW 84.40.160, and the street address, when available.
3. Indicate the use, occupancy, and construction type for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in this code.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.

7. Give such other data and information as required by the building official.
8. Include the property owner's name, address, and phone number.
9. Include the prime contractor's business name, address, phone number, current state contractor registration number and city business license.

B. The information required on the building permit application of this section shall be set forth on the building permit, approved construction documents, or ~~which is issued to the owner, and~~ on the inspection record card which shall be posted at the construction site;

1. The information required by this section and information supplied by the applicant after the permit is issued shall be kept on record in the office where building permits are issued and made available to any person on request in a manner consistent with public disclosure requirements of the state.
2. If any of the information required by this section is not available at the time the application is submitted, the applicant shall note what information is not available. The unavailability of that information shall not cause the application to be deemed incomplete for the purposes of vesting under this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information. (Ord. 6601 § 7, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 4, 2010; Ord. 6266 § 1, 2009; Ord. 6104 § 4, 2007; Ord. 5874 § 4(105), 2004.)

15.07.080 Fees.

A. *Work Performed without a Permit.* An investigation fee, in addition to the permit fee, may be collected. The investigation fee shall be equal to either the amount of the permit fee required by this code or the cost of the labor to perform the investigation. The payment of such investigation fee shall not exempt any

person from compliance with all other provisions of this code nor from any penalty prescribed by law.

B. *Plan Review and Permit Fees.*

1. When submittal documents are required by ACC [15.07.050](#), a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official and/or the fire code official may have the option to charge a deposit in lieu of the full plan review fee, if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in IBC Section 107.3.4.2, an additional plan review fee shall be charged at the rate shown in the fee code established by the jurisdiction.

2. *Stock Plan Program.* When plans are submitted under the "stock plan program," a plan review fee shall be paid at the time of application for each stock plan. The building official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The plan review fees specified in this subsection are separate fees from the permit fees specified in the fee code, and are in addition to the permit fees.

C. *Refunds.*

1. Application Fee Before Permit Issuance. The building official may authorize refunding of not more than the full amount of the application or plan review fee paid, less the current rate of the additional re-submittal fee adopted by the city of Auburn fee schedule in effect at the time of request ~~80 percent of the plan review fee paid~~ when an application for a permit for which ~~such a plan review~~ fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of application.

Commented [JK8]: Modified to be consistent with permit fee refund.

2. Permit Fee Before Permit Issuance. The building official may authorize refunding of not more than the full amount of the permit fee paid, less the current rate of the additional re-submittal fee adopted by the city of Auburn fee schedule in effect at the time of request when an application for a permit for which such fee has been paid is withdrawn or canceled prior to issuance. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of payment.

Commented [JK9]: Added new clarification of refund eligibility at step between approval and issuance, previously unaddressed.

3. Permit Fee After Permit Issuance. The building official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. When no work has been done under a permit issued in accordance with this code, the building official may authorize refunding of not more than the full amount of the permit fee paid, less the current rate of the additional resubmittal fee adopted by the city of Auburn fee schedule; except that no refunds will be processed for permits ~~360~~ 180 days from date of ~~expiration~~ issuance where no work has been done. (Ord. 6601 § 9, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 6, 2010; Ord. 6104 § 5, 2007; Ord. 5874 § (108), 2004.)

Commented [JK10]: Revised refund deadline to be consistent with permit expiration timeline of 180-days from issuance and above refund deadlines.

Note that permit expiration date is subject to change during construction and is not recommended to be referenced for establishment of a deadline as currently written.

15.07.090 Inspections.

The city will conduct inspections as prescribed in the latest adopted copy of the International Building Code with the exceptions as noted below:

A. *IMC/UPC/IFGCGas/NEC Rough – in Inspection.* Rough-in mechanical, gas piping, plumbing and electrical shall be inspected when the rough-in work is complete and under test. No connections to primary utilities shall be made until the rough-in work is inspected and approved.

Commented [JK11]: Updated reference to the International Fuel Gas Code

B. *Energy Efficiency Inspection – Envelope.*

1. *Wall Insulation Inspection.* To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.
2. *Glazing Inspection.* To be made after glazing materials are installed in the building.
3. *Exterior Roofing Insulation.* To be made after the installation of the roof insulation, but before concealment.
4. *Slab/Floor Insulation.* To be made after the installation of the slab/floor insulation, but before concealment.

C. *Special Inspections.* In addition to the inspections specified above, the building official is authorized to make or require special inspections above the requirements as stated in Chapter 17 of the 2015 International Building Code for any type of work related to the technical codes by an approved agency at no cost to the jurisdiction. (Ord. 6601 § 10, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 7, 2010; Ord. 6104 § 6, 2007; Ord. 5874 § 4(109), 2004.)

15.07.100 Certificate of occupancy.

A. *Use and Occupancy.* No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion of the building or structure shall be made until the building official has issued a certificate of occupancy as provided for in this section. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction.

B. *Exception.* Certificates of occupancy are not required for work exempt from permits under Section 105.2 of the 2015 International Building Code and 2015 International Residential Code or for R-3 and U occupancies.

C. The building official is authorized under ACC [12.66.080](#) to evaluate the condition of public improvements that service and/or are adjacent to the lot upon which the building has been constructed. ~~For development projects that require public improvements and the improvements remain incomplete or when~~ the building activity has damaged adjacent public sidewalks, landscaping, streets or utilities the building official is authorized to withhold ~~final inspection approval~~ certificate of occupancy until the facilities are corrected and completed. The building official with the city engineer's approval may accept a bond or other financial security to guarantee ~~of repair~~ or completion of required public improvements under special circumstances as determined by the city.

Commented [JK12]: Added clarification for consistency with Community Development and Public Works process for issuance of Certificate of Occupancy as it relates to required public improvements.

D. Section 111 of Chapter 1 of the 2015 International Building Code and International Residential Code is hereby amended consistent therewith. (Ord. 6601 § 11, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 8, 2010; Ord. 5874 § 4(110), 2004.)

15.07.110 Maintenance.

A. *Maintenance of Safeguards.* Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this code and applicable referenced standards. Such device, equipment, system, condition, arrangement, level of protection, or any other feature shall be maintained in accordance with the currently adopted International Property Maintenance Code and associated adopted codes. ~~IFC Sections 107.1 through 107.6.~~ (Ord. 6469 § 2, 2013; Ord. 5874 § 4(111), 2004.)

Commented [JK13]: Updated reference to IPMC and associated codes rather than just the International Fire Code.

15.07.130 Appeals – Hearing examiner.

In order to hear and decide appeals of orders, decisions or determinations made by the building official or fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of the city of Auburn's appointed hearing examiner.

A. *Appeal to Hearing Examiner.*

1. *Appointment and Term.* In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, except as provided in Chapter [70.92](#) RCW, a hearing examiner shall be appointed by the mayor as provided elsewhere in this code.
2. *Duties.* The examiner shall conduct an appeal hearing as provided herein, enter findings of fact and conclusions of law based upon those facts and a decision which is final action subject to appeal as provided herein.
3. *Conflict of Interest.* The examiner shall not conduct or participate in any hearing or decision in which the examiner has a direct or indirect personal interest which might exert such influence upon the examiner that might interfere with their decision-making process. Any actual or potential conflict of interest shall be disclosed by the hearing examiner to the parties immediately upon discovery of such conflict. Participants in the hearing process have the right, insofar as possible, to have the examiner free from personal interest or pre-hearing contacts on issues considered by them. It is recognized that there is a countervailing public right to free access to public officials on any matter. If such personal or pre-hearing interest contact impairs the examiner's ability to act on the matter, the hearing examiner shall state and shall abstain therefrom to the end that the proceeding is fair and has the appearance of fairness, unless all parties agree in writing to have the matter heard by said examiner. If all parties do not agree and the hearing examiner must abstain, the mayor

shall be notified and the mayor shall appoint a hearing examiner pro tem to sit in the hearing examiner's stead.

4. *Freedom from Improper Influence.* No council member, city official, or any other person shall attempt to interfere with or improperly influence the examiner or examiner pro tempore in the performance of their designated duties.

5. *Duties of the Examiner – Applications and Decisions.* For cases and actions as prescribed by ordinance, the examiner shall receive and examine available information, conduct public hearings, prepare a record thereof, and enter findings of fact, conclusions based upon those facts, and a decision. As provided herein, such decision is final action subject to appeal as provided herein.

6. *Application of Appeal and Filing Fee – Form of Appeal.* Any person receiving a decision or determination made by the building official relative to the application and interpretation of this code may appeal such determination or decision under this code within 20 calendar days of receipt of the decision, or by the end of the following business day when the 20th day falls on a non-business day, by paying the filing fee as set forth in the city of Auburn fee schedule and filing at the office of the building official with the department of community development a written application of appeal containing:

- a. A heading in the words: "Before the Hearing Examiner of the City of Auburn."
- b. A caption reading: "Appeal of Building Official or Fire Code Official Decision or Determination," giving the names of all appellants participating in the appeal.
- c. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the determination or decision.

Commented [JK14]: Added specification for term for appeal previously undefined. Appeal deadline terms established by other sections of ACC vary. 20 calendar days is consistent with the International Building Code Appendix B.

- d. A brief statement in ordinary and concise language of the specific action protested, together with any material facts claimed to support the contentions of the appellant.
- e. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested action should be reversed, modified or otherwise set aside.
- f. The signatures of all parties named as appellants and their official mailing addresses.
- g. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

7. *Processing Application of Appeal.* Upon receipt of any application of appeal filed pursuant to this section together with the filing fee in the amount as set forth in the city of Auburn fee schedule, the building official or fire code official shall, within two working days of receipt of an application, determine whether the application is complete. If complete, the application shall be accepted. If not complete, the building official or fire code official shall request that the applicant provide additional information as necessary to complete the application. The applicant shall be advised of the date of acceptance of the application.

8. *Scheduling and Noticing Appeal for Hearing.* As soon as practicable after acceptance of the written application of appeal, the examiner shall fix a date, time and place for the hearing of the appeal. Such date shall be not less than 10 days nor more than 90 days from the date the application of appeal was filed with the building official or fire code official. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the examiner either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at their address shown on the appeal.

9. *Effect of Failure to Appeal.* Failure of any person to file an appeal in accordance with provisions of this section shall constitute a waiver of any right to an administrative hearing and adjudication of the building official's or fire code official's decisions or determinations.

10. *Scope of Hearing on Appeal.* Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

11. *Hearing Procedures.*

a. *Record.* A record of the entire proceedings shall be made by tape recording or by any other means of permanent recording determined to be appropriate by the examiner.

b. *Reporting.* The proceedings at the hearing shall also be reported by a phonographic reporter if requested by any party thereto. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established by the examiner, but shall in no event be greater than the cost involved.

c. *Continuances.* The examiner may grant continuances for good cause shown.

d. *Oaths – Certification.* In any proceedings under this section, the examiner has the power to administer oaths and affirmations and to certify to official acts.

e. *Reasonable Dispatch.* The examiner shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

f. *Notice of Hearing.* The notice to appellant shall be substantially in the following form, but may include other information: "You are hereby notified that a hearing will be held before (name of hearing examiner) at _____ on the ____ day of _____,

20__ at the hour of ____, upon the notice and order served upon you. You may be present at the hearing. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefor with (name of hearing examiner)."

g. *Subpoenas.*

i. The examiner may issue subpoenas for the attendance of witnesses or the production of other evidence at a hearing upon the written demand of any party. The issuance and service of such subpoena shall be obtained upon the filing of an affidavit therefor which states the name and address of the proposed witness; specifies the exact things sought to be produced and the materiality thereof in detail to the issues involved; and states that the witness has the desired things in their possession or under their control. A subpoena need not be issued when the affidavit is defective in any particular.

ii. *Penalties.* Any person who refuses without lawful excuse to attend any hearing or to produce material evidence in their possession or under their control as required by any subpoena served upon such person as provided for herein shall be guilty of a misdemeanor punishable as provided in ACC [1.24.010](#).

h. *Conduct of Hearing.*

i. *Rules.* Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

ii. *Oral Evidence.* Oral evidence shall be taken only on oath or affirmation.

iii. *Hearsay Evidence.* Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state.

iv. *Admissibility of Evidence.* Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.

v. *Exclusion of Evidence.* Irrelevant and unduly repetitious evidence shall be excluded.

vi. *Rights of Parties.* Each party shall have these rights among others:

- (A) To call and examine witnesses on any matter relevant to the issues of the hearing;
- (B) To introduce documentary and physical evidence;
- (C) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
- (D) To impeach any witness regardless of which party first called them to testify;
- (E) To rebut the evidence against them;
- (F) To represent themselves or to be represented by anyone of their choice who is lawfully permitted to do so.

vii. *Official Notice.*

(A) *What May Be Noticed.* In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or official records of departments and ordinances of the city.

(B) *Parties to Be Notified.* Parties present at the hearing shall be informed of the matters to be noticed, and these matters shall be noted in the record, referred to therein, or appended thereto.

(C) *Opportunity to Refute.* Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the official noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the hearing examiner.

(D) *Inspection of the Premises.* The hearing examiner may inspect any building or premises involved in the appeal during the course of the hearing; provided, that (1) notice of such inspection shall be given to the parties before the inspection is made, (2) the parties are given an opportunity to be present during the inspection, and (3) the hearing examiner shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn therefrom. Each party then shall have a right to rebut or explain the matters so stated by the hearing examiner.

viii. *Limitation of Testimony.* The examiner has the right to limit the time a witness may testify.

12. *Form and Effective Date of Decision.* The decision shall be in writing and shall contain findings of fact, conclusions of law, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered to the appellant personally or sent to them by certified mail, postage prepaid, return receipt requested. The effective date of the decision shall be as stated therein.

13. *Rights Granted – Right to Appeal.* Nothing in this section shall be construed as granting any right of judicial review which does not previously exist in law. The decision of the examiner or examiner pro tem shall be final and exclusive. A writ of review must be sought in the superior court of King or Pierce County, if at all, by an aggrieved party or person.

14. *Limitations of Authority.* The examiner shall have no authority relative to interpretation of the administrative provisions of this code or the technical codes nor shall the examiner be empowered to waive requirements of this code or the technical codes. (Ord. 6469 § 2, 2013; Ord. 6104 § 7, 2007; Ord. 5874 § 4, 2004.)

Section 4. Amendment to City Code. Sections 15.08A.011, 15.08A.041 and 15.08A.051 of Chapter 15.08A, Building Code, of the Auburn City Code are amended to read as follows.

15.08A.011 Adoption of international building code.

The 201~~8~~⁵ International Building Code, as adopted and hereafter amended by the State Building Code Council, and included in Chapter 51-50 WAC, is adopted as the building code of the city; provided, that the amendments, deletions and additions thereto as provided in this chapter shall govern over the published provisions of the International Building Code. (Ord. 6601 § 12, 2016; Ord. 6469 § 3, 2013; Ord. 6310 § 10, 2010; Ord. 6104 § 9, 2007; Ord. 5874 § 6, 2004.)

15.08A.051 Section 516 added – Recyclable materials and solid waste storage.

Commented [JK15]: Updated recycle and solid waste storage area requirements for Wholesale, Warehouse, and Education uses in Table No. 5-F that were previously unspecified. Area requirements included are consistent with other local jurisdictions.

A new Section 516 and Table No. 5-F are added to Chapter 5 of the International Building Code to read as follows:

A. Recyclable Materials and Solid Waste Storage.

1. For the purpose of this section, the following definition shall apply:
Recycled Materials means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass.
2. All new buildings shall provide space in accordance with Table No. 5-F for the storage of recycled materials and solid waste; EXCEPTION: Group R, Division 3 and Group U Occupancies.
3. The storage area shall be designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers.
4. Storage and Handling of Recyclables and Solid Waste shall comply with the 2003 Edition of the International Fire Code, Chapter 3, Section 304.

TABLE NO. 5-F – RECYCLABLE MATERIALS AND SOLID WASTE STORAGE AREA REQUIREMENT

OCCUPANCY	AREA REQUIREMENTS
OFFICE	2 SF Per 1,000 SF of Gross Floor Area
RETAIL	5 SF Per 1,000 SF of Gross Floor Area
WHOLESALE	<u>3 SF per 1,000 SF of Gross Floor Area</u>

WAREHOUSE	<u>3 SF per 1,000 SF of Gross Floor Area</u>
INDUSTRIAL	3 SF Per 1,000 SF of Gross Floor Area
EDUCATIONAL	<u>2 SF per 1,000 SF of Gross Floor Area</u>
INSTITUTIONAL	2 SF Per 1,000 SF of Gross Floor Area
RESIDENTIAL	Min. 12 SF Plus 1.5 SF Per Unit; One Collection Area Per 30 Units located within 200 feet

(Ord. 5874 § 6, 2004.)

15.08A.051 Section 903.1 amended – General.

International Building Code Section 903.1 is amended to read as follows:

Section 903.1 General. Fire extinguishing systems required in this code shall be installed in accordance with the requirements of this section and ~~See~~ Auburn City Code 15.368A.

~~Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the fire department.~~

~~The location of fire department hose connections shall be approved by the fire department.~~

~~In buildings used for high piled combustible storage, fire protection shall be in accordance with the Fire Code.~~ (Ord. 5874 § 6, 2004.)

Commented [JK16]: Proposing combining amendments to the International Fire Code (IFC) in ACC 15.36A and ACC 15.38A into one section.

Commented [JK17]: These requirements are addressed through the City of Auburn Engineering Design Standards 7.01.6.1

Commented [JK18]: This requirement addressed by the adopted IFC.

Section 5. Amendment to City Code. Sections 15.36A.011, 15.36A.031,

15.36A.041, 15.36A.045, 15.36A.063, and 15.36A.091 of Chapter 15.36A, Fire Code, of

the Auburn City Code are amended and new sections 15.36A.015, 15.36A.031 (E), 15.36A.051 and 15.36A.67 are created to read as follows.

15.36A.011 Adoption.

The 201~~8~~⁵ Edition of the International Fire Code, as published by the International Code Council, and as adopted and ~~hereafter~~ amended by the State Building Code Council in Chapter 51-54A WAC including Appendix D, "Fire Apparatus Access Roads," Appendix E, "Hazard Categories," ~~and~~ Appendix H, "Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions," and Appendix L, "Requirements for Fire Fighter Air Replenishment," is adopted by reference with the amendments, additions, and deletions ~~thereto as~~ provided in this chapter. Chapter 15.38A ACC and this chapter shall be controlling within the jurisdiction of the city. The manufacture, storage, handling, sale, and use of fireworks shall be governed by Chapter 70.77 RCW and by Chapter 212-17 WAC and Chapter 8.24 ACC, Fireworks, consistent with Chapter 212-17 WAC. (Ord. 6601 § 17, 2016; Ord. 6469 § 5, 2013; Ord. 6310 § 13, 2010; Ord. 6104 § 11, 2007; Ord. 5874 § 10, 2004.)

Commented [JK19]: Proposing adoption of Appendix L as recommended by the Valley Regional Fire Authority. Additional comments below.

NEW SECTION 15.36A.015 Section 105.3.2 Extensions amended

Chapter 1 of the International Fire Code entitled "Scope and Administration" is adopted with the following amendment:

A. Section 105.3.2 Extensions. is deleted in its entirety and is replaced with the following:

105.3.2 Extensions. The *fire code official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Commented [JK20]: Added new clarification on permit extension policy for Fire Permits to be consistent with language published by the International Building Code (IBC) and International Residential Code (IRC). Existing language in IFC for permit extensions could be interpreted to not apply to already expired permits creating a difficult obstacle for a permittee in need of an extension.

Note that Chapter 1 is considered an optional reference and is subject to jurisdictional adoption/modification.

15.36A.031 Fire service features.

Chapter 5 of the International Fire Code, entitled "Fire Service Features," is adopted with the following amendments:

A. *Fire Apparatus Access Roads*—~~Marking~~. Section 503 of the International Fire Code, entitled "Fire Apparatus Access Roads," is amended by ~~adding~~ substituting subsections 503.2, 503.3 and 503.4 with the following subsections:

Sec. 503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with the City of Auburn Engineering Design Standards as applicable based on the type of access.

Sec. 503.3 Marking. Fire apparatus access roads shall be marked whenever necessary to maintain the unobstructed minimum required width of roadways. Subject to the fire code official's prior written approval, marked fire apparatus access roads, or "fire lanes" as defined in section 202 of the code, may be established or relocated at the time of plan review, pre-construction site inspection, and/or post construction site inspection as well as any time during the life of the occupancy. ~~Only those fire apparatus access roads established by the fire code official can utilize yellow marking paint and the term "fire lane."~~ Fire lanes shall be marked as directed by the fire code official in accordance with shall be identified in accordance with ACC 10.36.175. Means of identification shall be maintained in clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Sec. 503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Widths and clearances established by the City of Auburn Engineering Design Standards shall be maintained at all times.

Sec. 503.4.1 Traffic calming devices. This section is not adopted.

Commented [JK21]: Current road access standards published in Chapter 5 of IFC can be in conflict with established minimums specified in the City of Auburn Engineering Design Standards in some circumstances. Added clarification that Auburn Standards govern.

Note that 503.2 of the IFC has not been adopted by the State and is subject to jurisdictional adoption/modification.

Commented [JK22]: Modified to eliminate conflicts and be consistent with established marking requirements of ACC 10.36.175.

Note that 503.3 of the IFC has not been adopted by the State and is subject to jurisdictional adoption/modification.

Commented [JK23]: As with 503.2 above, modified to eliminate conflicts for specified minimum standards established by Auburn Standards.

Note that 503.4 of the IFC has not been adopted by the State and is subject to jurisdictional adoption/modification.

Commented [JK24]: Clarification that subsection of adopted 503.4 requiring traffic calming devices to be approved by the fire code official is not adopted. Traffic calming devices are approved via Public Works and the City Engineer.

~~B. *Fire Apparatus Access Roads – Marking.* Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following subsection:~~

Commented [JK25]: This section already included as modified above in 15.36A.031 A.

~~Sec. 503.3.1 Alternate materials and methods. The fire code official may modify, on a case-by-case basis, any of the marking provisions in this subsection 503.3 where practical difficulties exist. Modification requests shall be submitted in writing to the fire code official setting forth a suggested alternative.~~

~~B. *Premises Identification.* Section 505 of the International Fire Code, entitled “Premises Identification” is amended by substituting subsection 505.1 with the following subsection:~~

Commented [JK26]: Updated to reference already adopted address identification amendments in 15.52.

~~Sec. 505.1 Address identification. New and existing buildings shall be provided with approved address identification in accordance with ACC 15.52.~~

C. *Fire Protection Water Supplies – Where Required.* Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by substituting subsection 507.5.1 with the following:

Sec. 507.5.1 Where required. Where a portion of ~~the a~~ building or structures hereafter constructed or moved into the city is more than 150 feet in vehicular travel from a hydrant, as measured by an approved route, on-site fire hydrants and mains shall be provided where required by the fire code official.

~~Exception: For Group R-3 and Group U occupancies, the distance requirement shall be 450-feet.~~

Commented [JK27]: Updated to be consistent with City of Auburn Engineering Design Standards for typical single family residential applications.

D. *Clear Space around Hydrants.* Section 507 of the International Fire Code, entitled “Clear Space Around Hydrants,” is amended by substituting subsection 507.5.5 with the following:

Note that Auburn Design Standards are more restrictive than IFC. IFC requires hydrants 600-ft for R-3 and U occupancies and 400-ft for all other building types.

Sec. 507.5.5 Clear space around hydrants. A 5-foot clear space shall be maintained around the circumference of fire hydrants except as

otherwise required or approved. (Ord. 6601 § 18, 2016; Ord. 6310 § 14, 2010; Ord. 5874 § 10, 2004.)

NEW SECTION E. Section 510 amended - Emergency Responder Radio Coverage

E. Emergency Responder Radio Coverage. Section 510 of the International Fire Code, entitled “Emergency Responder Radio Coverage” is amended by substituting the following:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within the buildings meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. There are floors used for human occupancy more than 30 feet below the finished floor of the lowest level of exit discharge.
5. Buildings or structures where the Fire or Police Chief determines that in-building radio coverage is critical because of its unique design, location, use or occupancy.

The radio coverage system shall be installed in accordance with Sections 510.4 through 510.5.5 of this code and with the provisions of NFPA 1221 (2019). This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.

Commented [JK28]: New section amending Section 510 of IFC to provide specifications for regional design and testing requirements for Emergency Responder Radio Coverage to be consistent with local communications infrastructure.

Language proposed by regional task force for consistency throughout King County.

2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire marshal* shall have the authority to accept an automatically activated emergency responder radio coverage system.

3. One- and two-family dwellings and townhouses.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Chapter 11.

510.3 Permit required. A construction permit for the installation of or modification to emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

510.4 Technical requirements. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways,

elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire marshal, shall be provided with 99 percent floor area radio coverage.

[W]510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire marshal. The inbound signal level shall be a minimum of -95dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire marshal. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King County Regional 800 MHz Radio System when transmitted from within the building.

510.4.1.3 System performance. Signal strength shall be sufficient to meet the requirements of the applications being utilized by public safety for emergency operations through the coverage area as specified by the radio system manager in Section 510.4.2.2.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

[W]510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.
Exception: Listed battery systems that are contained in integrated battery cabinets.
2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.
3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.
4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.
5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC.
6. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC.
7. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.

8. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.4.2.6 Additional frequencies and change of frequencies.
The emergency responder radio coverage system shall be capable of modification or expansion in the event frequency changes are required by

the FCC or other radio licensing authority, or additional frequencies are made available by the FCC or other radio licensing authority.

510.4.2.7 Design documents. The fire marshal shall have the authority to require “as-built” design documents and specifications for emergency responder communications coverage systems. The documents shall be in a format acceptable to the fire marshal.

510.4.2.8 Radio communication antenna density. Systems shall be engineered to minimize the near-far effect. Radio enhancement system designs shall include sufficient antenna density to address reduced gain conditions.

Exceptions:

1. Class A narrow band signal booster devices with independent AGC/ALC circuits per channel.
2. Systems where all portable devices within the same band use active power control.

[W]510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators license.

2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is in accordance with Section 510.4.1. The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.

3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by

the agency's radio communications system or other equipment approved by the fire marshal. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.

4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.

Exception: Critical areas shall be provided with 99 percent floor area coverage.

5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than two nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.

6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test

location shall be considered to be a failure of that test area.
Additional test locations shall not be permitted.

7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.
8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.
9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.
10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS enclosure or

the building engineer's office. The records shall be available to the fire marshal and maintained by the building owner for the life of the system:

- a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.
- b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).
- c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).
- d. A diagram showing device locations and wiring schematic.
- e. A copy of the electrical permit.

11. Acceptance test reporting to fire marshal. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire marshal a report of the acceptance test by way of the department's third-party vendor thecomplianceengine.com.

510.5.4 FCC compliance. The emergency responder radio coverage system installation and components shall comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219.

WS 510.5.5 Mounting of the donor antenna (s). To maintain proper alignment with the system designed donor site, donor antennas shall be permanently affixed on the highest possible position on the building or where approved by the fire marshal. A clearly visible sign shall be placed near the antenna stating, "movement or repositioning of this antenna is

prohibited without approval from the fire marshal.” The antenna installation shall be in accordance with the applicable requirements in the International Building Code for weather protection of the building envelope.

510.5.6 Wiring. The backbone, antenna distribution, radiating, or any fiber-optic cables shall be rated as plenum cables. The backbone cables shall be connected to the antenna distribution, radiating, or copper cables using hybrid coupler devices of a value determined by the overall design. Backbone cables shall be routed through an enclosure that matches the building's required fire-resistance rating for shafts or interior exit stairways. The connection between the backbone cable and the antenna cables shall be made within an enclosure that matches the building's fire-resistance rating for shafts or interior exit stairways, and passage of the antenna distribution cable in and out of the enclosure shall be protected as a penetration per the International Building Code.

510.5.7 Identification Signs. Emergency responder radio coverage systems shall be identified by an approved sign located on or near the Fire Alarm Control Panel or other approved location stating “This building is equipped with an Emergency Responder Radio Coverage System. Control Equipment located in room _____”.
A sign stating “Emergency Responder Radio Coverage System Equipment” shall be placed on or adjacent to the door of the room containing the main system components.

510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6. 7.

[W]510.6.1 Testing and proof of compliance. The owner of the building or owner's authorized agent shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following items (1) through (7):

1. In-building coverage test as required by the *fire marshal* as described in Section 510.5.3 "Acceptance test procedure" or 510.6.1.1 "Alternative in-building coverage test".

Exception: Group R Occupancy annual testing is not required within dwelling units.

2. Signal boosters shall be tested to verify that the gain/output level is the same as it was upon initial installation and acceptance or set to optimize the performance of the system.
3. Backup batteries and power supplies shall be tested under load of a period of 1 hours to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.
4. If a fire alarm system is present in the building, a test shall be conducted to verify that the fire alarm system is properly supervising the emergency responder communication system as required in Section 510.4.2.5. The test is performed by simulating alarms to the fire alarm control panel. The certifications in Section 510.5.2 are sufficient for the personnel performing this testing.

5. Other active components shall be checked to verify operation within the manufacturer's specifications.

6. At the conclusion of the testing, a report, which shall verify compliance with Section 510.6.1, shall be submitted to the fire marshal by way of the department's third-party vendor thecomplianceengine.com

7. At the conclusion of testing, a record of the inspection and maintenance along with an updated grid diagram of each floor showing tested strengths in each grid square and each critical area shall be added to the documentation maintained on the premises in accordance with Section 510.5.3.

510.6.1.1 Alternative In-building coverage test. When the comprehensive test documentation required by Section 510.5.3 is available, or the most recent full five-year test results are available if the system is older than six years, the in-building coverage test required by the fire marshal in Section 510.6.1(1), may be conducted as follows:

1. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire marshal. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets in the following locations shall be tested: between the fire command center or fire alarm control panel and a location outside the building; between the fire alarm control panel and each landing in each stairwell.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for:

(a) Three grid areas per floor. The three grid areas to be tested on each floor are the three grid areas with poorest

performance in the acceptance test or the most recent annual test, whichever is more recent; and

(b) Each of the critical areas identified in acceptance test documentation required by Section 510.5.3, or as modified by the fire marshal, and

(c) One grid square per serving antenna.

3. The test area boundaries shall not deviate from the areas established at the time of the acceptance test, or as modified by the fire marshal. The building shall be considered to have acceptable emergency responder radio coverage when the required signal strength requirements in 510.4.1.1 and 510.4.1.2 are located in 95 percent of all areas on each floor of the building and 99 percent in Critical Areas, and any non-functional serving antenna are repaired to function within normal ranges. If the documentation of the acceptance test or most recent previous annual test results are not available or acceptable to the fire marshal, the radio coverage verification testing described in 510.5.3 shall be conducted.

510.6.2 Additional frequencies. The building owner shall modify or expand the emergency responder radio coverage system at his or her expense in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

510.6.3 Nonpublic safety system. Where other nonpublic safety amplification systems installed in buildings reduce the performance or cause interference with the emergency responder communications

coverage system, the nonpublic safety amplification system shall be corrected or removed.

510.6.4 Field testing. Agency personnel shall have the right to enter onto the property at any reasonable time to conduct field testing to verify the required level of radio coverage or to disable a system that due to malfunction or poor maintenance has the potential to impact the emergency responder radio system in the region.

15.36A.041 ~~Section Chapter 903~~ amended – ~~Automatic sprinkler systems~~ Fire protection and life safety systems.

Chapter 9 of the International Fire Code, entitled “Fire Protection and Life Safety Systems,” is adopted with the following amendments:

A. ~~Construction~~ documents. Section 901.2 of the International Fire Code, entitled “Construction documents,” is amended by adding the following new subsection:

Commented [JK29]: No proposed language change.
Moved from 15.38A.041F.

Section 901.2.2 Plans. In addition to the requirements in the building and fire codes, all plans for automatic fire extinguishing systems, including sprinkler system underground piping, shall bear the stamp and signature of a Washington State professional engineer who is registered as qualified in fire protection engineering, or registered as a certified sprinkler contractor through the Washington State Fire Marshal’s Office, or as approved by the fire code official.

B. ~~Fire Areas~~. Section 901.4.3 of the International Fire Code, entitled “Fire areas,” is amended by adding the following new subsection:

Commented [JK30]: Moved from 15.38A.041E. Minor language modification included for clarity.

Sec. 901.4.3.1 Fire Area Applicability. For purposes of this chapter, a “fire wall,” “fire barrier,” or “horizontal assembly” shall only be considered to separate a building so as to not exceed the limits established for requiring

an automatic fire extinguishing system and only upon approval of the building official and/or the fire code official.

C. General. Section 903.1 of the International Fire Code, entitled "General," is amended by substituting with the following:

Commented [JK31]: Moved from 15.38A.041A B C D G.
Minor language modifications included for clarity.

903.1 General. Automatic sprinkler systems shall comply with this section. Systems shall be installed and maintained in an operable condition as specified in this chapter in the following locations as determined by the building and fire code official:

a. All new buildings that do not have adequate fire flow to achieve the minimum fire flows required by the city of Auburn design standards or do not have adequate emergency fire vehicle access as required in the fire code and as determined by the fire code official. Additional fire suppression or other safety measures may be required when additional fire flows are required by the fire code official as referenced in Appendix B of the International Fire Code.

b. All new buildings except those classed as Group R-3 and Group U, when any of the following occur:

1. The building has more than 10,000 square feet of floor area, or is higher than 30 feet, or requires more than 2,500 gallons per minute of fire flow.

c. All new buildings that contain more than 8,000 square feet of Group A occupancies.

d. All buildings which undergo any alteration, or repair which changes the character of the occupancy or use and which increases the fire or life safety or structure hazard.

e. All buildings which undergo any additions that increase the floor area of a building beyond the thresholds above. For such additions, exiting building areas shall comply with this chapter.

~~AD. Automatic Sprinkler Systems—~~ Speculative Use Warehouses. Section 903.2.11 of the International Fire Code, entitled “Specific buildings areas and hazardsAutomatic Sprinkler Systems,” is amended by adding the following new subsections: 903.2.11.1.4 and 903.7:

Sec. 903.2.11.1.4 Speculative use warehouses. Where the occupant, tenant, or use of the building or storage commodity has not been determined or it is otherwise a speculative use warehouse or building, the automatic sprinkler system shall be designed and installed in accordance with the following:

1. The design area shall be not less than 2,000 square feet.
2. The density shall be not less than that for class IV non-encapsulated commodities on wood pallets, with no solid, slatted, or wire mesh shelving, and with aisles that are 8 feet or more in width and up to 20 feet in height.
3. Sprinkler piping that is 4 inches and larger in width shall be used and the structural engineer of record shall provide written verification approving of the point and dead loads.

~~E. Automatic sprinkler riser rooms. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding the following new subsection:~~

Sec. 903.7. Automatic sprinkler riser rooms. All automatic sprinkler system risers shall be located in a dedicated room. The room enclosure shall meet minimum code requirements for applicable fire resistive ratings and be provided with an exterior door, lighting, and

Commented [JK32]: No proposed language change. Moved from 15.38A.051.

Commented [JK33]: Updated for clarity and to add specific requirement that sprinkler riser rooms require a ceiling.

heat, ~~and a smoke barrier ceiling~~. This requirement shall include any NFPA 13, ~~and 13R~~ fire sprinkler systems.

EXCEPTION: Fire sprinkler systems installed according to the IRC shall have an approved location for the riser~~13D single family dwellings or Townhomes defined within the IRC.~~

Commented [JK34]: Updated to clarify that IRC project (single family dwellings and Townhomes) applications do not require a riser room in accordance with IFC but are required to have an approved location.

15.36A.045 Section 3205 amended – Housekeeping and maintenance.

Commented [JK35]: Redundant section, previously adopted in 15.36A.041 above.

~~A. Automatic Sprinkler Systems – Speculative Use Warehouses. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding the following new subsections 903.2.9.3 and 903.7:~~

~~Sec. 903.2.9.3. Speculative use warehouses. Where the occupant, tenant, or use of the building or storage commodity has not been determined or it is otherwise a speculative use warehouse or building, the automatic sprinkler system shall be designed and installed in accordance with the following:~~

~~1. The design area shall be not less than 2,000 square feet.~~

~~2. The density shall be not less than that for class IV non-encapsulated commodities on wood pallets, with no solid, slatted, or wire mesh shelving, and with aisles that are 8 feet or more in width and up to 20 feet in height.~~

~~3. Sprinkler piping that is 4 inches and larger in width shall be used and the structural engineer of record shall provide written verification approving of the point and dead loads.~~

~~Sec. 903.7. Automatic sprinkler riser rooms. All automatic sprinkler system risers shall be located in a dedicated room with an exterior door, lighting and heat. This requirement shall include any NFPA 13, 13R and 13D systems which serve more than one (1) dwelling unit or unit of occupancies.~~

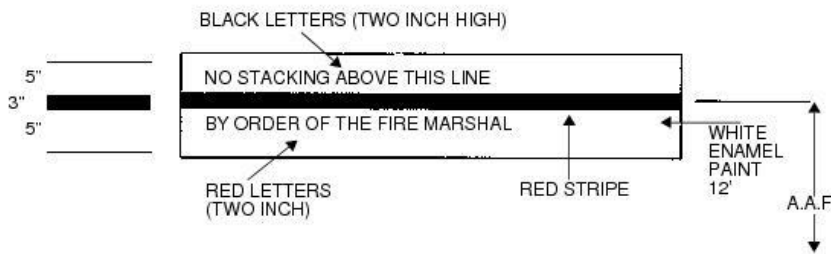
~~EXCEPTION: 13D single family dwellings or Townhomes defined within the IRC.~~

B. International Fire Code Section 3205 is amended to read as follows:

3205.6.1 – Signage.

Facilities designed in accordance with this section shall include the appropriate signage (as shown below) and shall be properly posted.

Example of approved signage required for use of Section 3205.6.1, as amended:



1. This sign must be posted prior to building being stocked and/or occupied.
2. Mount signs at 50'0" O.C. on all walls starting 25'0" from any exterior corner; also on two sides of each column or other location approved by the fire marshal.
3. Signage required on end of racks, if installed.
4. In accordance with the International Fire Code as amended. (Ord. 6601 § 19, 2016.)

NEW SECTION 15.36A.051 Section 6107 amended – Safety Precautions and Devices

International Building Code Section 6107 is amended by adding the following new subsections:

Sec. 6107.5 Protecting containers from displacement. LP-gas containers greater than or equal to 125-gallons must be anchored or strapped to prevent lateral displacement. Anchors or straps must be an approved, listed device. Methods of securing LP-gas containers 2,000-gallons or greater must be designed by a licensed professional.

Sec. 6107.6 Earthquake shut-off valves. LP-gas containers greater than or equal to 125-gallons must be protected with an approved, listed earthquake shut-off device.

6107.7 Non-compliant installed LP-gas containers. Existing, non-compliant LP-gas containers must be upgraded to comply with sections 6107.5 and 6107.6 when accessory to a building undergoing a change in use or when tank is replaced or modified.

Commented [JK36]: Proposed new additional amendments to address potential safety concerns for liquid petroleum gas tanks of 125-gallons or more. Proposing additional measures beyond the minimums required by State adopted codes to include methods to secure tanks and incorporate automatic shutoff valve for seismic events.

Note that this recommended change does not include retroactive requirements for existing tanks but propose that requirements apply for future replacement, modification, or associated building change of use for existing tanks.

15.36A.063 Appendix D amended – Fire apparatus access roads.

A. Sections, D104, D105, D106 and D107 of Appendix D of the International Fire Code, entitled “Fire Apparatus Access Roads,” ~~is~~ are adopted with the following amendments: ~~additions to sections D104, D106 and D107:~~

Sec. D104.3.1 Where the area to be served is adjacent to only one public access road or remoteness distance is not feasible due to topography, waterways, nonnegotiable grades, existing improvements or other similar conditions, secondary fire apparatus access roads shall be located as distant as possible or waived.

Sec. D106.3.1 Where the area to be served is adjacent to only one public access road or remoteness distance is not feasible due to topography, waterways, nonnegotiable grades, existing improvements or other similar conditions, secondary fire apparatus access roads shall be located as distant as possible or waived.

Commented [JK37]: Added additional guidance regarding remote access requirements for commercial, multi-family, and residential applications where required remote access cannot be achieved.

Note that Appendix D is considered an optional reference not adopted by the State and is subject to jurisdictional adoption/modification.

Sec. D107.2.1 Where the area to be served is adjacent to only one public access road or remoteness distance is not feasible due to topography, waterways, nonnegotiable grades, existing improvements or other similar conditions, secondary fire apparatus access roads shall be located as distant as possible or waived.

B. In case of conflict between the requirements contained in Appendix D of the 2015~~8~~ International Fire Code, and the City of Auburn Design Standards, the requirements of the City of Auburn Design Standards shall govern.

NEW SECTION 15.36A.067 Appendix L amended – Requirements for Fire Fighter Air Replenishment Systems

Appendix L of the International Fire Code entitled “Requirements for Fire Fighter Air Replenishment Systems” is adopted with the following amendment:

A. Section L101.1 Scope. is deleted in its entirety and is replaced with the following:

L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in all new buildings meeting the IBC definition of a high-rise building.

Commented [JK38]: Proposing adoption of Appendix K as recommended by the Valley Regional Fire Authority.

Additional amendment proposed to clarify the applicability of this requirement is for “high-rise building” applications defined by the IBC as buildings with an occupied floor 75-ft or greater from the lowest level of fire department vehicle access.

Note that there are no existing or currently proposed projects within the city limits that meet this definition. ACC 18 limits building height to a maximum of 75-ft currently. Proposed adoption is intended to be in place for potential high-rise development in the future.

15.36A.091 Fire alarm and detection systems.

A. International Fire Code Chapter 9 is amended to read as follows:

907.1.3 Equipment. Equipment systems and their components shall be listed and approved for the purposes for which they were installed. All new systems shall be addressable. Each device shall have its own address and annunciate individual device addresses at a UL Central Station.

907.1.4 Approved Fire Alarm and Detection Systems. In addition to any requirement of 907.2 or 907.3, all new buildingsoccupancies exceeding 5,000 square feet gross floor area or additions increasing the total area to greater than 5,000 square feet shall be required to

Commented [JK39]: Clarification that alarm requirements of this section is not retroactive but applies to new construction and additions. As written, it is open to interpretation about whether it is retroactive.

provide an approved automatic fire detection and alarm system. Fire walls shall not be considered to separate a building to enable deletion of the required fire detection system.

EXCEPTIONS:

1. Group "U" Occupancies.

~~2. Occupancies protected throughout by an approved monitored automatic sprinkler system may delete heat and smoke detectors from the system.~~

~~3. One and Two Family residences.~~

907.5.2.3.1 Employee Work Areas. Visible and audible alarm notification appliances shall be provided in employee work areas.

B. For purposes of this chapter, a "fire wall," "fire barrier," or "horizontal assembly" shall not be considered to separate a building so as to avoid the required automatic fire alarm and detection system. A building shall have a minimum distance of five feet from any point of the building to any point of another building and from the property line in order to be considered a separate building. (Ord. 6601 § 21, 2016; Ord. 6310 § 16, 2010; Ord. 6104 § 14, 2007.)

Section 6. Amendment to City Code. Section 15.48.40 of Chapter 15.48,

Moving Buildings, of the Auburn City Code is amended to read as follows.

15.48.040 Permit – Application – Form.

The application shall be made in writing, upon forms provided by ~~the department of community development and public works department~~ the department of community development, and shall be filed with the ~~department of community development and public works department~~. (Ord.

Commented [JK40]: Proposed removal of this exception as recommended by VRFA. The was intended to offer an exception to required detection systems inside interior environments that could result in false trigger of sprinkler system. However blanket exception has resulted in situations unintended by code. The IFC offers opportunities for exception to heat and smoke detection for certain uses that are more appropriate.

Commented [JK41]: Updated to clarify applicable department.

6601 § 24, 2016; Ord. 6310 § 22, 2010; Ord. 2856 § 2, 1974; 1957 code § 2.14.030(A).)

Section 7. Amendment to City Code. Chapter 15.20, Vacant Property Management, of the Auburn City Code is amended by adding new sections 15.20.010, 15.20.020, 15.20.030, 15.20.040, 15.20.050, 15.20.060, 15.20.070, 15.20.080, 15.20.090 and amending the chapter title to read as follows.

Chapter 15.20

PROPERTY MAINTENANCE CODE AND VACANT PROPERTY MANAGEMENT

Commented [JK42]: No language change proposed.
Moved from 15.06 as previously discussed.

Sections:

- 15.20.010 ~~Vacant property registration~~ Adoption of international property maintenance code.
- 15.20.020 Appendices adopted.
- 15.20.030 Sections 103.1 and 103.5 amended.
- 15.20.040 Sections 107.2 and 107.3 amended.
- 15.20.050 Section 110 amended – Demolition.
- 15.20.060 Section 111 amended – Means of appeal.
- 15.20.070 Sections 112.2 and 112.4 amended – Stop work order.
- 15.20.080 Sections 302.4 and 304.14 amended – General requirements.
- 15.20.090 Sections 602.3 and 602.4 amended – Mechanical and electrical requirements.
- 15.20.100 Vacant property registration.(Ord . 6744, 6708 § 6, 2018.)

NEW SECTIION 15.20.010 Adoption of International Property Maintenance Code.

The International Property Maintenance Code adopted in Chapter 15.06 shall be on file in the office of the City Clerk. The code as amended in this chapter shall govern over the published provisions of that code. Where the International Property Maintenance Code references the code official, that shall refer to and be construed to mean the building official as used in the city code. Unless the context

clearly indicates otherwise, the terms “code official” and “building official” shall be synonymous.

NEW SECTION 15.20.020 Appendices Adopted.

International Property Maintenance Code Appendix Chapter A, Boarding Standard, is hereby adopted. A copy of the International Property Maintenance Code Appendix Chapter A, Boarding Standard, shall be on file in the office of the city clerk.

NEW SECTION 15.20.030. Sections 103.1 and 103.5 amended.

Sections 103.1 and 103.5 of the International Property Maintenance Code are amended to read as follows:

103.1 Department of property maintenance inspection. The department of community development and public works is responsible for implementation and enforcement of the International Property Maintenance Code.

103.5 Fees. The fees for activities and services performed by the city in carrying out its responsibilities under this code, including hearings conducted by the hearing examiner, shall be as indicated in the city of Auburn fee schedule.

NEW SECTION 15.20.040 Sections 107.2 and 107.3 amended.

Sections 107.2 and 107.3 of the International Property Maintenance Code are amended to read as follows:

107.2 Notices and orders. Such notice prescribed in Section 107.1 shall be in accordance with the provisions of Chapter 1.25 regarding the form of notices.

107.3 Method of service. Notices shall be deemed to be property served if delivered in accordance with the provisions of Chapter 1.25 regarding the method of services of notices.

NEW SECTION 15.20.050 Section 110 amended – Demolition.

International Property Maintenance Code Section 110.1 is amended to read as follows:

Section 110.1 General. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Unless the code official determines that other measures are appropriate based on the circumstances, boarding the building up for future repair shall comply with appendix A and the structure shall not remain boarded beyond thirty (30) days, except where a non-opaque material is used that provides the same level of security as provided by the requirements of Appendix A, the boarding may remain in place for no more than one year. Timeframe extensions may be approved by the code official.

NEW SECTION 15.20.060. Section 111 amended – Means of appeal.

Section 111 of the International Property Maintenance Code is deleted in its entirety and is replaced with the following:

111 Means of appeal. Any person directly affected by a decision of the code official or a notice or order issued under the international property maintenance code shall have the right to appeal the decision, notice, or order, accept notices to correct and the notices described in section 107. The means for appealing shall be that provided in ACC 15.07.130, as hereafter amended.

NEW SECTION 15.20.070. Sections 112.2 and 112.4 amended – Stop work order.

Sections 112.2 and 112.4 of the International Property Maintenance Code are amended to read as follows:

112.2 Issuance. The provisions of Auburn City Code Chapter 1.25 regarding stop work orders shall govern the issuance of a stop work order under this code.

112.4 Failure to comply. The provisions of Auburn City Code Chapter 1.25 shall govern the enforcement of stop work orders and the penalty for failing to comply with an order.

NEW SECTION 15.20.080. Sections 302.4 and 304.14 amended – General requirements.

Sections 302.4 and 304.14 of the International Property Maintenance Code are amended to read as follows:

302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and

vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, according to the abatement process contained in ACC 8.12, and the costs of such removal shall be paid by the owner or agent responsible for the property.

304.14 Insect Screens. During the period from April 1 to October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.

NEW SECTION 15.20.090. Sections 602.3 and 602.4 amended – Mechanical and electrical requirements.

Sections 602.3 and 602.4 of the International Property Maintenance Code are amended to read as follows:

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during year-round to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

a. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

b. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat year-round to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

a. Processing, storage and operation areas that require cooling or special temperature conditions.

b. Areas in which persons are primarily engaged in vigorous physical activities.

Section 8. Amendment to City Code. Section 15.74.040 of Chapter 15.74,

Land Clearing, Filling and Grading, of the Auburn City Code is amended to read as follows.

15.74.050 Exemptions.

A. The following are exempt from the requirements of this chapter:

1. Removal of dead or diseased trees, shrubs, or ground cover.
2. EE Clearing and grading not to exceed 6,999 square feet of area within individual lots, for the purpose of the construction of a single-family home or duplex, provided a building permit has been issued by the city prior to commencing the clearing and grading activities and construction of the structure starts within 90 days of commencing clearing and grading activities.
4. The removal of up to six trees per lot within any 12-month period, or for lots greater than one acre, up to six trees per acre within any 12-month period, with fractional acres of one-half acre or more considered to be a whole acre.
5. Clearing and grading for the construction and maintenance of public facilities as approved by the city engineer to include water, sanitary sewer, streets, highways, storm drainage and related facilities.
6. Removal of trees, shrubs, and ground cover in emergency situations involving immediate danger to life or property.
7. Routine landscape maintenance and minor repair.
8. Removal of trees and vegetation consistent with an approved surface mining permit.
9. Removal of a tree from property zoned residential that endangers a permanent structure by being closer to the structure than the distance from the base of the tree to its top, regardless of whether the tree is located on the same property as the structure.

10. Upon approval of the city engineer or designee, clearing and grading not to exceed 500 cubic yards consisting of excavations of less than five feet in vertical depth and/or fills less than eight inches of vertical depth.

11. Upon approval of the city engineer or designee, the temporary stockpiling of less than 500 cubic yards, combined, of topsoils, crushed rock, sawdust, mulch, bark, chips, or similar materials on a lot, tract, or parcel of land for a period not to exceed 12 months; provided, that the stockpile has adequate coverage to prevent erosion.

12. Upon approval of the city engineer or designee, the temporary stockpiling of organic or inorganic materials used in an approved construction project, provided the use, location, duration, and extent of the stockpile was disclosed through the environmental or development review process. In no case shall a temporary stockpile remain beyond a 24-month period.

13. ~~The New plus replaced hardereation of impervious~~ surfaces which have a surface area less than 2,000 square feet.

Commented [JK43]: Minor change proposed to be consistent with Auburn Engineering Design Standards.

14. Emergency temporary sandbagging, diking, ditching, filling or similar work during or after periods of extreme weather conditions when done to protect life or property, provided such measures do not adversely impact adjacent properties or public facilities.

B. An exemption from clearing, filling, and grading permit requirements does not exempt a property owner from the policies, criteria, and standards contained in this chapter or other applicable local, state, or federal regulations or permit requirements.

C. The property owner is responsible to ensure that clearing of any trees that are within striking distance of a structure or have the potential to cause damage to others is performed by a licensed and bonded contractor. (Ord. 6617 § 20, 2016; Ord. 6601 § 33, 2016; Ord. 6283 § 14, 2009; Ord. 6146 § 1, 2007; Ord. 4861 § 1, 1996; Ord. 4266 § 1, 1988.)

1 Note: This section identifies exceptions internal to this chapter. The listed exceptions set forth herein do not preclude the application of requirements of other chapters of the city code thereto.

Section 9. Repealing City Code. Sections 15.06.020, 15.06.040, 15.06.050, 15.36A.025, 15.36A.041 and Chapter 15.38A of the Auburn City Code are repealed.

Section 10. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 11. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 12. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law, but no earlier than February 1, 2021.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

Published: _____

**CITY COUNCIL
STUDY SESSION**

BUILDING CODE UPDATE

**PRESENTED BY DEPARTMENT OF
COMMUNITY DEVELOPMENT**

**JASON KRUM
DECEMBER 14, 2020**

Department of Community Development
Planning • Building • Development Engineering • Permit Center
Sustainability • Community Services • Code Enforcement

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AUBURN
VALUES

S E R V I C E
ENVIRONMENT
E C O N O M Y
C H A R A C T E R
SUSTAINABILITY
W E L L N E S S
CELEBRATION

INTERNATIONAL BUILDING CODE

- The International Code Council (ICC) published 2018 I-codes in 2017



2018 COMPLETE
COLLECTION

WASHINGTON STATE BUILDING CODE

- The State Building Code Council (SBCC) published proposed amendments to the 2018 codes in 2019
- The 2018 codes and amendments were adopted in July 2019
- Originally scheduled for effective date of 07/2020
- Effective date postponed to 02/2021



WASHINGTON STATE BUILDING CODE

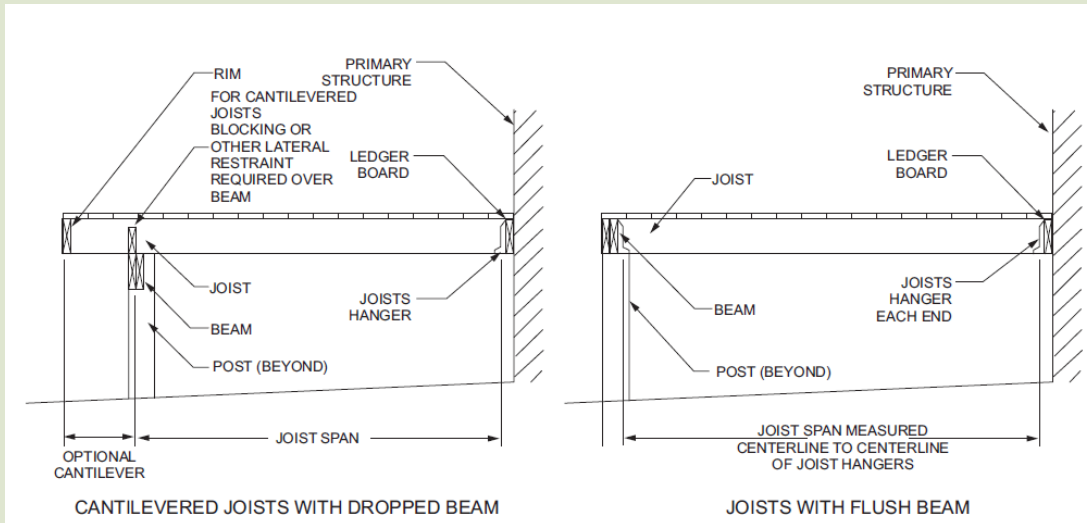
- **2018 International Building Code**
 - 2018 Int. Existing Building Code
 - 2018 Int. Pool and Spa Code
 - ICC/ANSI A117.1-2009 Accessible and Usable Buildings and Facilities
- **2018 International Residential Code**
- **2018 International Mechanical Code**
 - 2018 International Fuel Gas
 - 2018 NFPA 58 National Fuel Gas Code
 - 2017 NFPA 54 Liquefied Petroleum Gas Code
- **2018 International Fire Code**
- **2018 Uniform Plumbing Code**
- **2018 Washington State Energy Code – Commercial**
- **2018 Washington State Energy Code – Residential**

SIGNIFICANT UPDATES – ICC: IBC

- **Occupiable Roof Areas**
- **Cooking Facilities & Smoke Barriers – I-1, R**
- **Medical Gas**
- **Higher Education Laboratories**
- **Security Access Turnstiles**
- **Carbon Monoxide Alarms - Alterations**

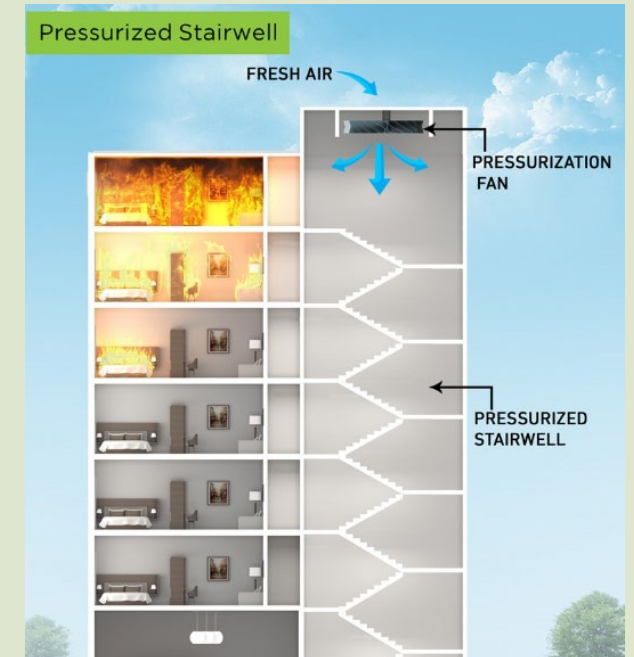
SIGNIFICANT UPDATES – ICC: IRC

- Solar Roof Access and Pathways
- Deck design



SIGNIFICANT UPDATES – WSBCC: IBC

- **Occupancy Class: Marijuana Processing, F-1**
- **Mass Timber**
- **Fire Pumps**
- **Pressurized Stairwell Standby Power**



SIGNIFICANT UPDATES – WSBCC: IRC

- Submittal documents - Digital form
- ADU in Duplex
- Basement Sleeping Rooms
- Habitable Attics & Sleeping Lofts
- Townhomes >4 = Fire Sprinklers
- Heat Detection New Garages



SIGNIFICANT UPDATES – WSBCC: IRC

- **15.06.010(B) International Residential Code: Adoption of New Appendix Q, “Tiny Houses”**
 - Definition: A dwelling that is 400-sf or less in floor area excluding lofts
 - Includes alternative minimums for ceiling height, loft areas, stair width, stair risers, and headroom



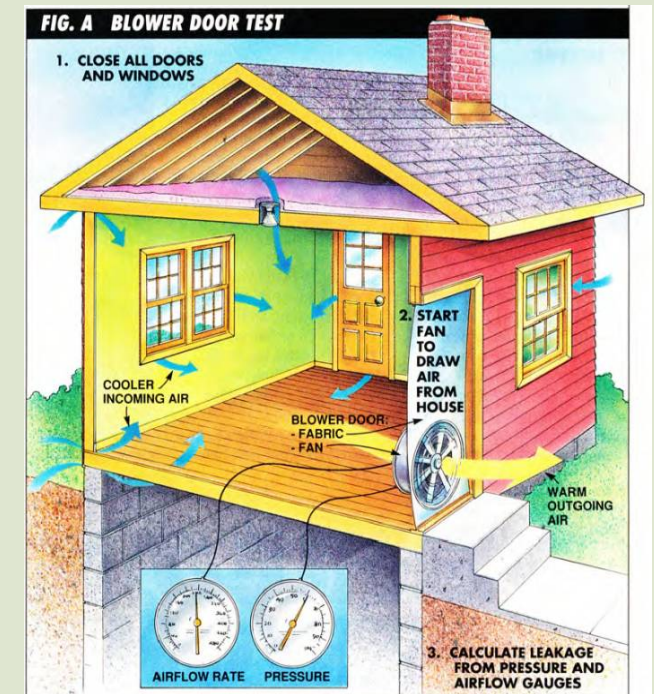
SIGNIFICANT UPDATES – WSBCC: ENERGY CODE

- WA State Energy Code Progress toward 2030
- RCW 19.27A.160 Construction Energy Use Reduction 2031 required to use 70% less energy than a building constructed in 2006
- 2006 WSEC = 100% Energy Use
- 2018 WSEC = 55% Energy Use
- 2031 WSEC = 30% Energy Use



SIGNIFICANT UPDATES – WSBCC: RESIDENTIAL ENERGY CODE

- Fuel Normalization – Carbon Emissions
- Building Envelope – Floor, wall, ceiling insulation, Window glazing, Slab
- Air Leakage & Ventilation
- HVAC
- Water Heater
- Renewable Energy (Solar or Wind)
- Appliances



SIGNIFICANT UPDATES – WSBCC: MULTI-FAMILY ENERGY CODE / COMMERCIAL

- **Balanced Ventilation System**
- **Compartmentalization**
- **Continuous Insulation**
- **Doors & Windows**
- **Air Leakage Testing – Mandatory**
- **Dedicated Outdoor Air Systems**
- **Total System Performance Ratio**
- **Alterations to existing buildings**

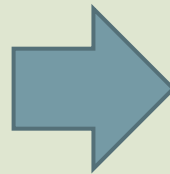
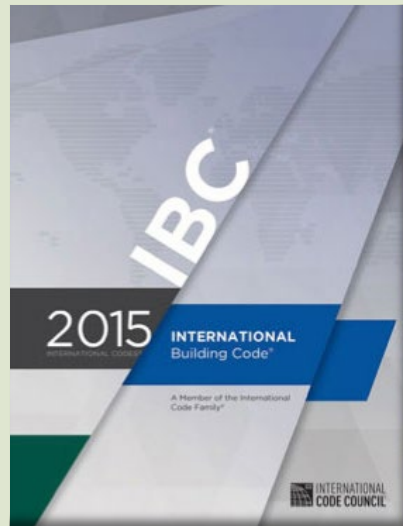


AUBURN CITY CODE

- City of Auburn adopts codes and amendments in ACC Title 15 – Buildings and Construction
 - Title 15 currently includes 15 Chapters
- Planning Commission has recommendations for Title 15 updates to adopt and amend the 2018 codes in preparation for the 02/01/2021 effective date

ACC TITLE 15 UPDATES: MINOR

- Updated references to 2018 codes
- Updated reference titles & minor clarifications
- Updated references to Community Development



ACC TITLE 15 UPDATES: MINOR

- **15.06.010(J) International Property Maintenance Code**
 - Re-locating to 15.20 / No Code language changes
- **15.06.040 Penalties and enforcement**
 - Re-locating to 15.07/ No Code language changes
- **Combine Chapter 15.36A & 15.38A Fire Code**
 - 15.36A Fire Code, amendments to IFC
 - 15.38A Fire Protection Requirements

ACC TITLE 15 UPDATES

- **15.07.050 Permits**



- Revision of refund language from 80% to full amount less resubmittal fee for administrative costs
- Additional refund language for previously unaddressed step between permit approval and issuance
- Revised term of expiration for permit refund from 360-days from expiration to coincide with permit expiration



ACC TITLE 15 UPDATES

- **15.07.100 Certificate of occupancy**
 - Updated language regarding public improvements and the relationship to final inspection and certificate of occupancy



ACC TITLE 15 UPDATES

- **15.36A.031 Fire service features**
 - Added some clarification on adopted elements of Chapter 5 of IFC regarding fire access & service features for consistency with Auburn Engineering Design Standards

ACC TITLE 15 UPDATES

- **15.36A.041(E) – Automatic Sprinkler Riser Rooms**
 - Added clarification on riser room enclosure requirements
- **15.36A.051 Liquid Petroleum Tanks**
 - Added a requirement for LP Tanks to be secured and include earthquake shut-off device
 - Not proposed as retroactive but applies to modifications



ACC TITLE 15 UPDATES

- **15.36A.031(E) – Emergency Responder Radio Coverage**
 - Replacing Section 510 of IFC with proposed by regional task force to prepare for PSERN
- **15.36A.67 Fire Fighter Air Replenishment Systems**
 - Proposed adoption of new appendix to IFC (as of 2015 IFC) and clarification language on applicability to apply to “high-rise buildings”

Thank you for your time

Any Questions?

Department of Community Development

Planning • Building • Development Engineering • Permit Center
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AUBURN VALUES

S E R V I C E
E N V I R O N M E N T
E C O N O M Y
C H A R A C T E R
S U S T A I N A B I L I T Y
W E L L N E S S
C E L E B R A T I O N



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6799 (Tate)(15 Minutes)

Department:

Community Development

Attachments:

[Staff Report](#)

[Ordinance No 6799](#)

[Exhibit A-1 to Ordinance No 6799](#)

Date:

December 9, 2020

Budget Impact:

Current Budget: \$0

Proposed Revision: \$0

Revised Budget: \$0

Administrative Recommendation:

Planning Commission recommends to City Council approval of the staff recommended changes to Title 17, (Land Divisions and Adjustments) and Title 18, (Zoning) related to updating provisions for wireless telecommunications facilities.

Background Summary:

See attached Staff Report - Exhibit A

Reviewed by Council Committees:

Councilmember: Brown

Staff: Tate

Meeting Date: December 14, 2020

Item Number:

Title: Ordinance No. 6799	Agenda Category: ☐ Consent ☐ Resolution ☐ Ordinance ☒ Discussion	Date: 12/7/2020
Department: Community Development	Budget Impact: \$0	
Item Description (Appears on the Cover Agenda only): An Ordinance amending and repealing language of the Auburn City Code related to updating provisions for wireless telecommunications facilities.		
Administrative Recommendation (Appears on Agenda Bill): Introduce and discuss Ordinance No. 6799		
Background Summary: This is second part of the subject that was introduced and discussed at the Study Session on November 23, 2020. This a separate and companion ordinance and is considered subsequently because the two titles of City code proposed for change by this ordinance are subject to Planning Commission review and recommendation. Due to changes in Federal and State regulations that govern the regulation of utilities, telecommunications and cable facilities in the public ways, on city property and on private property, staff has determined that updates to seven titles of the Auburn City Code are necessary. Because the proposed amendments or repealing of language in each Title, Chapter, and Section for each Ordinance are related, they ultimately will be presented to City Council all together. However, the changes to two of the Titles of City Code, Titles 17, (Land Divisions and Adjustments) and 18, (Zoning) are development regulations subject to review and recommendation by the Planning Commission. As a result, the schedule for these is different. While the first five Titles and their corresponding three Ordinances No. 6790, 6797, and 6798 were reviewed and discussed by the City Council at the Study Session held on November 23, 2020. Titles 17 and 18 have been deferred to provide time for a public hearing before the Planning Commission and their decision in the form of a recommendation. The Planning Commission recommendation for approval of the code changes as presented by staff is scheduled for review and discussion by the City Council at the Study Session on December 14, 2020. Staff intends to bring all four related Ordinances forward to City Council on December 21, 2020 for approval. Ordinance No. 6799 amends Section 17.14.080, repeals Chapter 17.28, amends Sections 18.02.040, 18.04.912, 18.07.020, 18.23.030, 18.31.100, 18.31.110, and 18.35.030 of the Auburn City Code. Key changes to these Sections and Chapter are as follows: • Repeal of Chapter 17.28 ACC as it is duplicative and addressed in Chapter 13.32A ACC. • Update Auburn City Code in conformance with current federal and state requirements related to wireless communication facilities. • Modernize procedural provisions to reflect actual process. • Minor changes to improve clarity and correct references throughout. The City of Auburn Planning Commission reviewed the proposed amendments and changes to Title 17 and 18 at a special meeting on October 20, 2020, held a public hearing at a regular meeting on November 4, 2020 and considered public comment. The Planning Commission closed the record and continued the public hearing to November 17, 2020 and again to December 8, 2020, and at this meeting recommended approval. Ordinance No. 6799 authorizes amendments or repealing of language in Titles 17 and 18 of the Auburn City Code as shown in Exhibits A through I of the Ordinance. The proposed amendments or repealing of language to the Auburn City Code are also subject to review by the Washington State Department of Commerce for State agency review and subject to the State Environmental Policy Act and these steps were completed in October 2020.		
List Attachments: Agenda bill, Ordinance No. 6799, and Exhibits A-I		
Reviewed by Council Ad Hoc Committees or Commissions:		
Other:		
Meeting Date: Study Session 12/14/2020	Staff: Tate	

ORDINANCE NO. 6799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO REGULATION OF UNDERGROUND UTILITIES, INFRASTRUCTURE CONDUIT, AND WIRELESS COMMUNICATION FACILITIES, AND AMENDING SECTION 17.14.080, REPEALING CHAPTER 17.28, AND AMENDING SECTIONS 18.02.040, 18.04.912, 18.07.020, 18.23.030, 18.31.100, 18.31.110, AND 18.35.030 OF THE AUBURN CITY CODE

WHEREAS, the City of Auburn adopted Ordinance No. 4296 on July 18, 1988 repealing the previous Title 17 and enacting a new Title 17 entitled Land Adjustments and Divisions, which contains standards, regulations and processes for the division of land and adjustment of property boundaries within the City; and

WHEREAS, the City of Auburn adopted Ordinance No. 6414 on July 16, 2012 creating a new Chapter 17.28 ACC relating to the requirement for construction of infrastructure conduits; and

WHEREAS, the City of Auburn adopted Ordinance No. 4229 on June 1, 1987 repealing the previous Title 18 and enacting a new Title 18 entitled Zoning, which divides the City into zones wherein the location, height, use of buildings, land, and zoning development standards are established, regulated and restricted in accordance with the comprehensive plan for the City; and

WHEREAS, the City of Auburn adopted Ordinance No. 5020 on September 15, 1997, Ordinance No. 6245 on June 1, 2009, and Ordinance Nos. 6433 and 6434 on November 5, 2012, relating to the definition, siting and zoning of wireless communication facilities in Title 18; and

WHEREAS, the City of Auburn has made updates and amendments as necessary within Title 17 and Title 18 for the regulation of wireless communication facilities since the adoption of Ordinance Nos. 4296, 4229, 5020, 6245, 6414, 6433, and 6434; and

WHEREAS, the industry and technology of wireless communication facilities continues to evolve as does the public's reliance on this form of communication; and

WHEREAS, due to changes in Federal and State regulations that govern the regulation of such industries and their presence within the City, it is necessary to update the Auburn City Code in all titles, chapters and sections that authorize, regulate, affect or otherwise govern the review, construction, placement and siting of such telecommunications, cable and other utility facilities on public or on private property; and

WHEREAS, the City also seeks to clarify and update terms, procedural requirements and approval processes for permits, for telecommunications, cable and other utility facilities placed on public and on private property; and

WHEREAS, the City of Auburn Planning Commission reviewed staff's recommended changes at a special meeting on October 20, 2020, held a public hearing at a regular meeting on November 4, 2020, November 17, 2020, and December 8, 2020, and recommended approval of the changes to the Titles set forth herein; and

WHEREAS, the proposed amendments and changes to the Auburn City Code that are the subject of this Ordinance were also subject to state agency review by the Washington State Department of Commerce on or about October 9, 2020; and

WHEREAS, the proposed amendments and changes to the Auburn City Code that are the subject of this Ordinance were also subject to State Environmental Policy Act review and decision issued October 19, 2020.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. Section 17.14.080 of the Auburn City Code is amended to read as shown in Exhibit A.

Section 2. Amendment to City Code. Chapter 17.28 of the Auburn City Code is repealed as shown in Exhibit B.

Section 3. Amendment to City Code. Section 18.02.040 of the Auburn City Code is amended to read as shown in Exhibit C.

Section 4. Amendment to City Code. Section 18.04.912 of the Auburn City Code is amended to read as shown in Exhibit D.

Section 5. Amendment to City Code. Section 18.07.020 of the Auburn City Code is amended to read as shown in Exhibit E.

Section 6. Amendment to City Code. Section 18.23.030 of the Auburn City Code is amended to read as shown in Exhibit F.

Section 7. Amendment to City Code. Section 18.31.100 of the Auburn City Code is amended to read as shown in Exhibit G.

Section 8. Amendment to City Code. Section 18.31.110 of the Auburn City Code is amended to read as shown in Exhibit H.

Section 9. Amendment to City Code. Section 18.35.030 of the Auburn City Code is amended to read as shown in Exhibit I.

Section 10. Implementation. The Mayor is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

Section 11. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 12. Effective date. This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law, or on January 1, 2021, whichever is later.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Kendra Comeau, City Attorney

Published: _____

ORDINANCE 6799

EXHIBIT A

17.14.080 Underground utilities.

A. Consistent with ~~ACC~~ Titles 12 and 13 ACC and the city's ~~design and construction standards~~ Engineering Design and Construction Standards, all utility lines serving the subdivision, including but not limited to power, telephone and television cables, shall be installed underground. Adequate easements shall be provided for all such utility lines which will not be located within public ~~right-of~~-way. Television conduit and miscellaneous hardware shall be installed according to the requirements of Chapter ~~13.36~~ 20.06 ACC.

B. Whenever an intersection of an arterial and any other street is constructed or improved under the requirements of this title, and when the city engineer has determined that traffic signalization of such intersection will be needed in the future, the city engineer may require the installation, at the ~~subdivider's~~ applicant's expense, of underground conduit which will be necessary for and will facilitate such future signalization. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.240.)

ORDINANCE 6799

EXHIBIT B

Chapter 17.28 INFRASTRUCTURE CONDUIT

[\[Repealed\]](#)

Sections:

~~17.28.010 — Infrastructure conduit in streets.~~

~~17.28.010 — Infrastructure conduit in streets.~~

~~In addition to the other requirements set forth in this title, any time street improvements or right-of-way improvements are to be provided in connection with development activity governed hereby, the city review process shall determine in consultation with public works, police, parks, arts, and recreation, planning and development departments, information services, and with the local fire authority, whether conduit at least three inches in diameter should be included therein, in which cases, if so required, the applicant shall construct said improvement in conformance with the public facility extension requirements of Chapter 13.40 AGC. (Ord. 6414 § 3, 2012.)~~

ORDINANCE 6799 EXHIBIT C

18.02.040 Applicability.

A. The provisions of this title shall apply to both public and private use of land within the corporate limits of the city.

B. Hereafter, no use shall be conducted, and no building, structure and appurtenance shall be erected, relocated, remodeled, reconstructed, altered or enlarged unless in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. It shall be unlawful to build or use any building or structure or to use premises in the city for any purpose or use other than the uses listed as being permitted in the zone in which such building, land, or premises is located.

C. Any building, structure or use lawfully existing at the time of passage of this title, although not in compliance herewith, may continue as provided in Chapter 18.54 ACC.

D. No division of land shall occur unless in compliance with the provisions of this title and ~~ACC~~ Title 17 ACC, Land Adjustments and Divisions.

E. This title is not intended to regulate the public ways as defined in ACC 20.02.020, ~~the erection, construction, or reconstruction of public streets, power poles, street lights, utility facilities, utility conveyance or storage systems, transmission lines, or other public uses necessary to support the general public welfare, carried on by the city, or agents of the city working under the appropriate contract or franchise.~~
(Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987. Formerly 18.02.030.)

ORDINANCE 6799 EXHIBIT D

18.04.912 Wireless communications - [Definitions](#).

~~“Wireless communications” means the provision of any personal wireless service, as defined in the Telecommunications Act of 1996, and for the purposes of this title includes the following terms:~~

A. “Alternative Tower Structure” means man-made trees, clock towers, bell steeples, light poles, buildings, and similar alternative design mounting structures that are compatible with the natural setting and surrounding structures, and camouflages or conceals the presence of Antennas or Towers so as to make them architecturally compatible with the surrounding area pursuant to this title. This term also includes any Antenna or Antenna array attached to an Alternative Tower Structure. A stand-alone pole that that accommodates Small Wireless Facilities is considered an Alternative Tower Structure to the extent it meets the concealment standards of this Code.

B. “Antenna” means any devise used to transmit and/or receive radio or electromagnetic waves such as, but not limited to panel antennas, reflecting discs, microwave dishes, whip antennas, directional and non-directional antennas consisting of one or more elements, multiple antenna configurations, or other similar devices and configurations, and exterior apparatus designed for telephone, radio, or television communications through the sending and/or receiving of wireless communications signals.~~a device used in wireless communications which transmits and/or receives radio signals. Antennas include the following types:~~

~~1.—Accessory: Antennas including, but not limited to, test mobile antennas and Global Positioning System (GPS) antennas which are less than 12 inches in height or width and do not directly provide personal wireless communication.~~

~~2.—Directional or panel: An antenna or array of antennas designed to transmit a radio signal in a particular direction typically encompassing an arc of 120~~

degrees. ~~Panel antennas, also called directional antennas, are typically flat, rectangular devices approximately six square feet in size.~~

~~3. Dish or parabolic: A bowl-shaped device for the reception and/or transmission of radio frequency communications signals in a specific directional pattern.~~

~~4. Whip, rod or omni-directional antenna: An antenna, tubular in shape, that transmits and receives signals throughout a 360-degree range.~~

~~5. Other: All other transmitting or receiving equipment not specifically described herein shall be regulated in conformity with the type of antenna defined herein which most closely resembles such equipment.~~

~~B. "Antenna array" means one or more rods, panels, discs or similar devices attached to a support structure used for the transmission or reception of radio frequency signals.~~

C. "Attached wireless communications facility ~~(WCF)~~" means a wireless communication facility that is affixed to an existing structure other than a Tower. Examples of attached wireless communication facilities include antennas affixed to or erected upon existing buildings, water tanks, or other existing structures or replacement structures (such as in the case of a replacement stadium/ballfield light pole or a parking lot light standard). ~~an antenna array which is attached to an existing building or structure.~~

D. "Base station" means the structure or equipment at a fixed location that enables wireless communications, licensed or authorized by the FCC, between user equipment and a communications network. By way of example, a building, ballfield structure or a utility pole, becomes a base station once wireless facilities are permitted and attached. The term does not encompass a wireless communication tower as defined in this title or any equipment associated with a wireless communication tower.

E. "Concealment", or "concealment design techniques" means that a wireless communication facility is concealed or utilizes concealment, when any measures are

used in the design and siting of wireless communication facilities intended to make the facility look like something other than a wireless tower or base station. For example, a wireless communication facility site utilizes concealment design techniques when it (1) is integrated in an outdoor fixture such as a flagpole, or (2) uses a design which mimics and is consistent with the nearby natural or architectural features (such as an artificial tree), or (3) is incorporated into (including, without limitation, being attached to the exterior of such facilities and painted to match it) (such as a belvedere or a dormer), or replaces existing permitted facilities (including without limitation, freestanding light standards) so that the presence of the wireless communication facility is not readily apparent. The terms do not include fencing and landscape screening that is used to enhance visual compatibility at ground level.

FD. “Carrier” means a company providing wireless communication services, also referred to as a wireless service provider.

EG. “Co-location” means: (1) mounting or installing a WCF on a pre-existing structure, and/or (2) modifying a structure for the purpose of mounting or installing a WCF on that structure. Provided that, for purposes of Eligible Facilities Requests, “Co-location” means the mounting or installation of transmission equipment on an Eligible Support Structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes. ~~the use of a common WCF or site by two or more wireless license holders, or by one wireless license holder for more than one type of communications technology.~~

H. “Eligible facilities request” (EFR) means any request for modification of an existing wireless communication tower or base station that was previously authorized by the local permitting jurisdiction and that does not substantially change, as defined in this Section, the physical dimensions of such wireless communication tower or base station from the original authorization involving: (1) co-location of new transmission equipment, (2) removal of transmission equipment, or (3) replacement of transmission equipment.

I. "Eligible Support Structure" means an existing wireless communication tower or base station as defined in this title and that has proposed alterations that meet the standards of an eligible facilities request

~~FJ~~. "Equipment facility" means a structure used to contain ancillary equipment for a WCF which may include cabinets, shelters, an addition to an existing structure, pedestals and other similar structures.

K. "Emergency wireless communication facility (EWCF)" means any structure not entirely within an enclosed building or vehicle, including antennas, guy wires, microwave dishes or horns, structures or towers to support receiving and/or transmitting devices, accessory buildings, i.e., equipment storage buildings, energy power generating housing, and the leased or owned property surrounding the wireless communication tower and any access or utility easements, that is used for the transmission or reception of electromagnetic waves for emergency communication purposes, operated by a local public agency responsible for providing emergency services

L. "Existing" means a constructed tower or base station if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

~~GM~~. "Microcells" are ~~typically located in and exclusively benefit residential neighborhoods. Microcells~~ Small Wireless Facilities consisting of an antenna that is either: (1) ~~a dish or parabolic antenna that is~~ no more than four feet in height and with an area of not more than five hundred eighty~~580~~ square inches; or (2) ~~if~~ a tubular antenna, ~~that is~~ no more than four inches in diameter and no more than six feet in height; ~~or (3) one or more panel antennas that are no more than six feet in height, and their width or depth is no more than six inches and the aggregate area of such panel antenna(s) would not exceed 580 square inches that would be visible from any one viewpoint; or (4) similar antennas that are of comparable size and shape.~~

N. “Monopole” means a single, freestanding pole-type structure supporting one or more antennas.

H.O. “Separation” means minimum distance required by city regulation between the base of Towers~~primary support structures.~~

P. “Site” for purposes of this chapter means for wireless communication towers other than wireless communication towers in the public way, the current boundaries of the leased or owned property surrounding the wireless communication tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground. The current boundaries of a site are the boundaries that existed as of the date that the original support structure or a modification to that structure was last reviewed and approved by a State or local government, if the approval of the modification occurred prior to February 22, 2012 or otherwise outside of the Spectrum Act’s Section 6409(a) process.

Q. “Small wireless facilities” shall mean the definition contained in Chapter 20.14 ACC, including Microcells, and may be permitted either within or outside of the public way, in accordance with applicable law.

R. “Substantial change” for purposes of this chapter means a modification that alters the physical dimensions of an eligible support structure if, after the modification, the structure meets any of the following criteria:

1. For towers other than towers in the public way, it increases the height of the tower by more than ten percent or by the height of one additional antenna array with separation from the top of nearest existing antenna to the bottom of the new antenna, not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

2. For towers other than towers in the public way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the

tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for base stations, it involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure;

4. It entails any excavation or deployment outside the current site as that term is defined in this section except that, for towers other than towers in the public way, it entails any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction. The site boundary from which the 30 feet is measured excludes any access or utility easements currently related to the site;

5. It would defeat the concealment elements of the eligible support structure; or

6. It does not comply with conditions associated with the original approval of the construction or modification of the eligible support structure or base station equipment, unless noncompliance is only in a manner that would exceed the thresholds identified in subsections (1) through (4) of this definition.

For purposes of determining whether a substantial change exists, changes in height are measured from the original support structure as it existed at the time the first Eligible Facilities Request was approved for that structure in cases where facilities are or will be separated horizontally, in other circumstances, changes in height are measured from the dimensions of the wireless communication tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

I.S. "Support structure" means a structure designed to support WCFs including, but not limited to, towers, alternative tower structures, replacement poles, and other freestanding self-supporting pole structures.~~the structure to which the antenna and other necessary associated hardware are attached. Support structures include but are not limited to the following:~~

- ~~1. Lattice tower: A structure of varying height that consists of a network of crossed metal braces forming a tower which is usually triangular or square in cross section. To be considered a primary support structure.~~
- ~~2. Monopole: A structure of varying height consisting of a single spire sunk into the ground and/or attached to a foundation. To be considered a primary support structure.~~
- ~~3. Other structures: This may include existing buildings, water towers, athletic field light poles, or other similar structures. To be considered a secondary support structure.~~

T. "Toll" and "Tolling" means to delay, suspend or hold off on the imposition of a deadline, statute of limitations or time limit.

U. "Tower" means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

V. "Wireless communications" means the provision of any personal wireless service, as defined in the Telecommunications Act of 1996, as amended, or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services.

~~JW.~~ “Wireless communications facility (WCF)” means a facility used to provide personal wireless services as defined at 47 U.S.C. Section 332 (c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services. A WCF does not include a facility entirely enclosed within a permitted building where the installation does not require a modification of the exterior of the building; nor does it include an accessory wireless communications antenna, used for serving that building only and that is otherwise permitted under other provisions of the ACC. A WCF includes an antenna or antennas, including without limitation, direction, omni-directional and parabolic antennas, support equipment, alternative tower structures, and wireless communication towers. It does not include the support structure to which the WCF or its components are attached if the use of such structures for WCFs is not the primary use. The term does not include mobile transmitting devices used by wireless service subscribers, such as vehicle or hand-held radios or telephones and their associated transmitting antennas, nor does it include other facilities specifically exempted from the coverage of this title~~any nonstaffed facility for the transmission and/or reception of wireless telecommunications services, typically consisting of an antenna array, an equipment facility and/or a support structure.~~

~~K. “Emergency wireless communication facility (EWCF)” means a wireless communications facility for the purpose of an emergency communication system operated by a local public agency responsible for providing emergency services.~~

(Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 5645 § 1, 2002; Ord. 5020 § 1, 1997.)

ORDINANCE 6799 EXHIBIT E

18.07.020 Uses.

Table 18.07.020. Permitted Use Table – Residential ~~Zones~~~~Zoning Designations~~

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
A. Residential Uses.							
Accessory dwelling units	P	P	P	P	X ¹	X ¹	X ¹
Accessory use, residential	P	P	P	P	P	P	P
Adult family home	P	P	P	P	P	P	P
Bed and breakfast	P	P	P	P	P	P	P
Communal residence four or less individuals	P	P	P	P	P	P	P
Duplexes; provided, that minimum lot size of zoning designation is met and subject to compliance with Chapter 18.25 ACC (Infill Residential Development Standards)	X	X	A	P	P	P	X
Foster care homes	P	P	P	P	P	P	P
Group residence facilities (7 or more residents)	X	X	X	X	C	C	C
Group residence facilities (6 or fewer residents)	P	P	P	P	P	P	P
Keeping of animals ⁴	P ²	P ²	P ²	P ²	P ²	P ²	P ²

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Multiple-family dwellings	X	X	X	X	A	P	P
Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association	A ⁶	A ⁶	A ⁶	A ⁶	A ⁶	P	P
Use as dwelling units of (1) recreational vehicles that are not part of an approved recreational vehicle park, (2) boats, (3) automobiles, and (4) other vehicles	X	X	X	X	X	X	X
Renting of rooms, for lodging purposes only, to accommodate not more than two persons in addition to the family or owner occupied unit ⁸	P	P	P	P	P	P	P
Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities	P	P	X	X	A	P	P
Single-family detached dwellings, new	P	P	P	P	P	P	X
Supportive housing, subject to the provisions of ACC 18.31.160	X	X	X	X	X	P	P
Swimming pools, tennis courts and similar outdoor recreation uses only accessory to residential or park uses	P	P	P	P	P	P	P
Townhouses (attached)	X	X	X	X	P	P	P

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
B. Commercial Uses.							
Commercial horse riding and bridle trails	A	X	X	X	X	X	X
Commercial retail, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC	X	X	X	X	A	A	A
Daycare, limited to a mini daycare center. Daycare center, preschool or nursery school may also be permitted but must be located on an arterial	X	A	A	A	A	A	A
Home-based daycare as regulated by RCW 35.63.185 and through receipt of approved city business license	P	P	P	P	P	P	P
Home occupations subject to compliance with Chapter 18.60 ACC	P	P	P	P	P	P	P
Marijuana cooperative	X	X	X	X	X	X	X
Marijuana processor	X	X	X	X	X	X	X
Marijuana producer	X	X	X	X	X	X	X
Marijuana related business	X	X	X	X	X	X	X
Marijuana researcher	X	X	X	X	X	X	X
Marijuana retailer	X	X	X	X	X	X	X
Marijuana transporter business	X	X	X	X	X	X	X
Mixed-use development ³	X	X	X	X	P	P	P

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Nursing homes	X	X	X	X	C	C	C
Private country clubs and golf courses, excluding driving ranges	X	X	C	C	C	X	X
Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area	X	A	A	A	A	P	P
Professional offices, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC	X	X	X	X	A	A	A
C. Resource Uses.							
Agricultural enterprise: ⁷							
When 50 percent, or more, of the total site area is dedicated to active agricultural production during the growing season, and with 52 or less special events per calendar year	A ⁷	X	X	X	X	X	X
When less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or with more than 52 special events per calendar year	C ⁷	X	X	X	X	X	X
Agricultural type uses are permitted provided they are incidental and secondary to the single-family use:							

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Agricultural crops and open field growing (commercial)	P	X	X	X	X	X	X
Barns, silos and related structures	P	X	X	X	X	X	X
Commercial greenhouses	P	X	X	X	X	X	X
Pasturing and grazing ⁴	P	X	X	X	X	X	X
Public and private stables ⁴	P	X	X	X	X	X	X
Roadside stands, for the sale of agricultural products raised on the premises. The stand cannot exceed 300 square feet in area and must meet the applicable setback requirements	P	X	X	X	X	X	X
Fish hatcheries	C	X	X	X	X	X	X
D. Government, Institutional, and Utility Uses.							
Civic, social and fraternal clubs	X	X	X	X	A	A	A
Government facilities	A	A	A	A	A	A	A
Hospitals (except animal hospitals)	X	X	X	X	X	C	C
Municipal parks and playgrounds	A	P	P	P	P	P	P
Museums	X	X	X	X	A	A	A
Religious institutions, less than one acre lot size	A	A	A	A	A	A	A
Religious institutions, one acre or larger lot size	C	C	C	C	C	C	C
Transmitting towers	C	C	C	C	C	C	C

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Type 1-D wireless communication facility (see ACC 18.04.912(W J) and ACC 18.31.100)	P	P	P	P	P	P	P
Eligible facilities request (EFR) (Wireless communication facility – See ACC 18.04.912(H))	P	P	P	P	P	P	P
Utility facilities and substations	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵
Small wireless facilities (ACC 18.04.912(Q))	P	P	P	P	P	P	P

1 An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120.

2 Please see the supplemental development standards for animals in ACC 18.31.220.

3 Individual uses that make up a mixed-use development must be permitted within the zone. If a use making up part of a mixed-use development requires an administrative or conditional use permit, the individual use must apply for and receive the administrative or conditional use approval, as applicable.

4 Proximity of pasture or livestock roaming area to wells, surface waters, and aquifer recharge zones is regulated by the King or Pierce County board of health, and property owners shall comply with the provisions of the board of health code.

5 Excludes all public and private utility facilities addressed under ACC 18.02.040(E).

6 Administrative use permit not required when approved as part of a subdivision or binding site plan.

7 Agricultural enterprise uses are subject to supplemental development standards under ACC 18.31.210, Agricultural enterprises development standards.

8 An owner occupant that rents to more than two persons but no more than four persons is required to obtain a city of Auburn rental housing business license and shall meet the standards of the International Property Maintenance Code.

(Ord. 6642 § 4, 2017; Ord. 6600 § 9, 2016; Ord. 6565 § 2, 2015; Ord. 6560 § 9, 2015; Ord. 6477 § 8, 2013; Ord. 6369 § 2, 2011; Ord. 6363 § 3, 2011; Ord. 6269 § 3, 2009; Ord. 6245 § 5, 2009.)

ORDINANCE 6799 EXHIBIT F

18.23.030 Uses.

A. *General Permit Requirements.* Table 18.23.030 identifies the uses of land allowed in each commercial and industrial zone and the land use approval process required to establish each use.

B. *Requirements for Certain Specific Land Uses.* Where the last column in Table 18.23.030 (“Standards for Specific Land Uses”) includes a reference to a code section number, the referenced section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

Table 18.23.030. Permitted, Administrative, Conditional and Prohibited Uses by Zone, [Commercial and Industrial Zones.](#)

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING									
Building contractor, light	X	X	X	P	X	P	X	P	
Building contractor, heavy	X	X	X	X	X	A	X	P	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Manufacturing, assembling and packaging – Light intensity	X	X	X	P	X	P	P	P	ACC 18.31.180
Manufacturing, assembling and packaging – Medium intensity	X	X	X	A	X	P	A	P	ACC 18.31.180
Manufacturing, assembling and packaging – Heavy intensity	X	X	X	X	X	X	X	A	ACC 18.31.180
Marijuana processor	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Marijuana producer	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Marijuana researcher	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Marijuana retailer	X	X	X	C	X	C	C	C	Chapter 18.59 ACC
Marijuana transporter business	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Outdoor storage, incidental to principal	X	X	X	P	X	P	P	P	ACC 18.57.020(A)

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
permitted use on property									
Storage – Personal household storage facility (mini-storage)	X	P	X	P	X	P	X	P	ACC 18.57.020(B)
Warehousing and distribution	X	X	X	X	X	P	P	C	ACC 18.57.020(C)
Warehousing and distribution, bonded and located within a designated foreign trade zone	X	X	X	P	X	P	P	P	
Wholesaling with on-site retail as an incidental use (coffee, bakery, e.g.)	X	X	X	P	X	P	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES									
Commercial recreation facility, indoor	X	P	P	P	P	P	P	A	
Commercial recreation facility, outdoor	X	X	X	A	A	P	A	A	<u>ACC 18.57.025(A)</u>

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Conference/convention facility	X	X	A	A	X	A	X	X	
Library, museum	X	A	A	A	X	A	P	X	
Meeting facility, public or private	A	P	P	P	X	A	P	A	
Movie theater, except drive-in	X	P	P	P	P	X	X	X	
Private school – Specialized education/training (for profit)	A	A	P	P	P	P	P	P	
Religious institutions, lot size less than one acre	A	P	P	P	A	A	A	A	
Religious institutions, lot size more than one acre	C	P	P	P	A	A	A	A	
Sexually oriented businesses	X	X	X	P	X	P	X	P	Chapter 18.74 ACC

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Sports and entertainment assembly facility	X	X	A	A	X	A	X	A	
Studio – Art, dance, martial arts, music, etc.	P	P	P	P	P	P	A	A	
RESIDENTIAL									
Caretaker apartment	X	P	P	P	X	P	P	P	
Live/work unit	X	X	P	P	P	P	P	X	
Work/live unit	X	P	P	P	P	P	P	X	
Marijuana cooperative	X	X	X	X	X	X	X	X	
Multiple-family dwellings as part of a mixed-use development ²	X	X	P	P	P	P	P	X	ACC 18.57.030
Multiple-family dwellings, stand-alone	X	X	X	X	X	X	X	X	
Nursing home, assisted living facility	X	P	P	P	C	X	X	X	
Senior housing ²	X	X	A	A	X	X	X	X	
RETAIL									

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Building and landscape materials sales	X	X	X	P	X	P	X	P	ACC 18.57.035(A)
Construction and heavy equipment sales and rental	X	X	X	X	X	A	X	P	
Convenience store	A	A	P	P	X	P	P	P	
Drive-through espresso stands	A	A	A	P	A	P	A	A	
Drive-through facility, including banks and restaurants	A	A	A	P	P	P	X	P	ACC 18.52.040
Entertainment, commercial	X	A	P	P	X	A	X	A	
Groceries, specialty food stores	P	P	P	P	P	P	P	X	ACC 18.57.035(B)
Nursery	X	X	X	P	A	P	X	P	ACC 18.57.035(C)
Outdoor displays and sales associated with a permitted use	P	P	P	P	P	P	P	P	ACC 18.57.035(D)

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
(auto/vehicle sales not included in this category)									
Restaurant, cafe, coffee shop	P	P	P	P	P	P	P	P	
Retail									
Community retail establishment	A	P	P	P	P	P	X	P	
Neighborhood retail establishment	P	P	P	P	P	P	X	P	
Regional retail establishment	X	X	X	P	P	P	X	A	
Tasting room	P	P	P	P	P	P	P	P	
Tavern	P	P	X	P	P	P	X	A	
Wine production facility, small craft distillery, small craft brewery	A	P	P	P	P	P	P	P	
SERVICES									

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Animal daycare (excluding kennels and animal boarding)	A	A	A	P	A	P	X	P	ACC 18.57.040(A)
Animal sales and services (excluding kennels and veterinary clinics)	P	P	P	P	P	P	X	P	ACC 18.57.040(B)
Banking and related financial institutions, excluding drive-through facilities	P	P	P	P	P	P	P	P	
Catering service	P	P	P	P	A	P	A	P	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	P	P	P	P	P	X	
Dry cleaning and laundry service (personal)	P	P	P	P	P	P	P	P	
Equipment rental and leasing	X	X	X	P	X	P	X	P	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Kennel, animal boarding	X	X	X	A	X	A	X	A	ACC 18.57.040(C)
Government facilities; this excludes offices and related uses that are permitted outright	A	A	A	A	A	A	A	A	
Hospital	X	P	P	P	X	P	X	P	
Lodging – Hotel or motel	X	P	P	P	P	A	P	A	
Medical – Dental clinic	P	P	P	P	P	P	X	X	
Mortuary, funeral home, crematorium	A	P	X	P	X	P	X	X	
Personal service shops	P	P	P	P	P	P	X	X	
Pharmacies	P	P	P	P	P	X	X	X	
Print and copy shop	P	P	P	P	P	P	X	X	
Printing and publishing (of books, newspaper and other printed matter)	X	A	P	P	P	P	P	P	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Professional offices	P	P	P	P	P	P	P	P	
Repair service – Equipment, appliances	X	A	P	P	P	P	X	P	ACC 18.57.040(D)
Veterinary clinic, animal hospital	A	P	P	P	P	P	X	X	
Youth community support facility	X	P	X	X	X	X	X	X	ACC 18.57.040(E)
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE									
Ambulance, taxi, and specialized transportation facility	X	X	X	A	X	P	X	P	
Broadcasting studio	X	P	X	P	X	P	X	P	
Heliport	X	X	X	C	X	C	X	C	
Motor freight terminal ¹	X	X	X	X	X	X	X	X	See Footnote No. 1
Parking facility, public or commercial, surface	X	P	P	P	P	P	P	X	
Parking facility, public or commercial, structured	X	P	P	P	P	P	P	X	
Towing storage yard	X	X	X	X	X	A	X	P	ACC 18.57.045(A)

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Utility transmission or distribution line or substation	A	A	A	A	A	A	A	A	
Wireless communication facility (WCF) (See ACC 18.04.912(W))	—*	—*	—*	—*	—*	—*	—*	—*	ACC 18.04.912, *See ACC 18.31.100 for use regulations and zoning development standards.
Eligible facilities request (EFR) (Wireless communication facility (See ACC 18.04.912(H)))	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Small wireless facilities (ACC 18.04.912(Q))	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
VEHICLE SALES AND SERVICES									

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Automobile washes (automatic, full or self-service)	X	A	X	P	P	P	X	P	ACC 18.57.050(A)
Auto parts sales with installation services	X	A	A	P	P	P	X	P	
Auto/vehicle sales and rental	X	A	X	P	X	P	X	P	ACC 18.57.050(B)
Fueling station	X	A	A	P	P	P	X	P	ACC 18.57.050(C)
Mobile home, boat, or RV sales	X	X	X	P	X	P	X	P	
Vehicle services – Repair/body work	X	X	A	P	X	P	X	P	ACC 18.57.050(D)
OTHER									
Any commercial use abutting a residential zone which has hours of operation outside of the following: Sunday: 9:00 a.m. to 10:00 p.m. or Monday – Saturday: 7:00 a.m. to 10:00 p.m.	A	A	A	A	A	A	A	A	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted. See ACC 18.02.120(C)(6), Unclassified Uses.	P	P	P	P	P	P	P	P	

1 Any motor freight terminal, as defined by ACC 18.04.635, in existence as of the effective date of the ordinance codified in this section, is an outright permitted use in the M-1 and M-2 zones. Any maintenance, alterations and additions to an existing motor freight terminal which are consistent with ACC 18.23.040, Development standards, are allowed.

2 Any mixed-use development or senior housing project vested prior to Resolution No. 5187 (December 7, 2015) is an outright permitted use in the C-1 zone. Subsequently, if a nonresidential use within a vested mixed-use development changes, then the nonresidential use shall maintain a minimum of 10 percent of the cumulative building ground floor square footage consisting of the uses permitted

outright, administratively, or conditionally, listed under “Recreation, Education, and Public Assembly,” “Retail,” or “Services” of the C-1 zone.

(Ord. 6728 § 3 (Exh. C), 2019; Ord. 6688 § 1 (Exh. 1), 2018; Ord. 6644 § 2, 2017; Ord. 6642 § 9, 2017; Ord. 6508 § 1, 2014; Ord. 6433 § 26, 2012.)

ORDINANCE 6799

EXHIBIT G

18.31.100 Wireless communications facilities siting standards.

The following siting standards are intended to guide the location and development of wireless communications facilities (WCF as defined by ACC 18.04.912(W)) ~~but not including microcells~~ on properties regulated under this title. The siting of ~~microcells~~ small wireless facilities shall also be in accordance with ~~siting of microcells found in~~ ACC 18.31.110.

A. *Types of Wireless Communication Facilities (WCFs)*. For the purposes of determining in which zones wireless communications facilities are to be permitted, and which land use approval process applies, they will be classified pursuant to the following types. Refer to the table in subsection L of this section to determine which zones allow for the following types of facilities:

1. *Type 1*. Type 1 ~~are new antennas erected on existing buildings or nonresidential structures~~ is a new wireless communication facility (WCF) that is affixed to an existing structure other than a “wireless communication support structure” (also known as, an “Attached wireless communication facility”). Examples of attached wireless communications facilities include antennas affixed to or erected upon existing buildings, water tanks, or other existing structures.

There are four separate Type 1 categories described as follows:

- a. 1-A. The combined height of the ~~antenna~~ WCF together with the height of the existing ~~building~~ structure cannot be 25 percent greater than the existing ~~building~~ structure or exceed the height limitation of the zone in which the ~~building~~ structure is located.
- b. 1-B. The combined height of the ~~antenna~~ WCF together with the height of the existing ~~building~~ structure cannot be 50 percent greater than the existing ~~building~~ structure or exceed the height limitation of the zone in which the ~~building~~ structure is located.

c. 1-C. The combined height of the ~~antenna~~ WCF together with the height of the existing ~~building structure~~ is 50 percent greater than the existing ~~building structure~~ or exceeds the height limitation of the zone in which the ~~building structure~~ is located. The height limitation of the zone can only be exceeded by 25 percent.

d. 1-D. ~~Antenna~~ The WCF is located on an existing non-habitable structure such as a water towers, athletic field light poles, or similar public utility infrastructure not located within a public ~~street right-of-way~~ or that is located on an existing non-residential structure such as a fire station, school, church or other similar type of institutional use whose site does not contain dwellings. The height limitation of the WCF will be 10 percent of the existing structure height, but may be increased to a maximum of 20 percent with an administrative use permit and may be increased to a maximum of 30 percent with a conditional use permit. The height limitation of the zone may be exceeded relative to the above provisions allowed for a 1-D facility.

Any increases in height above the limits of the zoning district, as permitted for Type1 facilities must include concealment techniques approved by the city.

2. *Type 2.* Type 2 are new ~~antennas~~ equipment erected on existing ~~(primary) support structures~~ towers that have previous ~~city~~ approvals. There are two separate Type 2 categories described as follows:

a. 2-A. Any request for modification of an existing wireless communication tower or base station that was previously authorized by the local permitting jurisdiction and that would exceed a "Substantial change", and the combined height of the WCF and structure cannot be 20 percent greater than the existing structure and ~~Must meet height requirements of previous approval~~ ~~and~~ is limited to 50 percent total (cumulative) expansion of equipment area.

b. 2-B. Any request for modification of an existing wireless communication tower or base station that was previously authorized by the local permitting jurisdiction and that that would exceed a "Substantial change", and the combined height of the WCF and structure cannot be 50 percent greater than

the existing structure and allow for more than 50 percent (cumulative) expansion of equipment area. ~~Has greater height requirements than previous approval and allows for more than a 50 percent expansion of the equipment area.~~

Any increases in height above the limits of a particular zone, as permitted for Type 2 facilities must include concealment techniques approved by the city.

3. *Type 3.* Type 3 is the erection of a new ~~(primary) support structures~~ "Tower". There are three separate Type 3 categories described as follows:

- a. 3-A. ~~Monopoles~~ "Towers" that are 75 feet or less in height.
- b. 3-B. ~~Monopoles~~ "Towers" that are more than 75 feet in height or lattice towers of any height.
- c. 3-C. ~~Monopoles or lattice towers~~ "Towers" that meet the definition of an ~~EWCF~~ Emergency wireless communication facility (EWCF) and are 185 feet or less in ~~structure~~ height.

~~4. Type 4.~~ Type 4 are new antennas erected on existing EWCF (primary) support structures that have previous city approvals. There is one Type 4 category, which is described as follows:

- ~~a. 4-A. Mounting of antennas cannot exceed the following thresholds:~~
 - ~~i. Increase the height of an existing primary support structure by 10 percent, or 20 feet (whichever is less).~~
 - ~~ii. Add an appurtenance to the body of the tower that would protrude from the outside edge of the tower more than 20 feet.~~
 - ~~iii. Install more than four ancillary equipment facilities.~~

~~1 This section is intended to be interpreted consistent with 47 CFR 1.40001, as amended.~~

B. *Separation between Facilities.*

1. *New, Freestanding ~~Primary Support Structures~~ Towers.*

a. The minimum separation, i.e., distance, between a proposed ~~monopole tower~~ (that is 75 feet or less in height) and any other existing ~~primary support structure~~ tower, of any height, shall be the height of the proposed ~~monopole~~ tower, including antenna, multiplied by a factor of 10.

b. The minimum separation, i.e., distance, between a proposed ~~monopole tower~~ (that is more than 75 feet in height, or lattice towers of any height) and any other existing ~~primary support structure~~ tower, of any height, shall be the height of the proposed ~~monopole~~ tower, including antenna, multiplied by a factor of 20.

c. The Community Development director may exempt an applicant from these separation requirements if (1) the applicant demonstrates to the city's satisfaction that despite diligent efforts, other options are neither available to lease nor technologically feasible to address a service provider's demonstrated gap in coverage or demonstrated lack of system capacity. Documentation regarding inability to lease shall include names and addresses of owners contacted, date of contact, method of contact and owner response, and failure to approve the exemption would be an effective prohibition of the applicant being able to provide wireless communications, or (2) the director determines, when considering the surrounding topography; the nature of adjacent uses and nearby properties; and, the height of existing structures in the vicinity, that placement of a tower at a distance less than the minimum separation from another tower will reduce visibility and reduce visual clutter to a greater extent.

2. The distance between ~~primary support structures~~ towers shall be measured by following a straight line, without regard to intervening buildings, from the base of one ~~support structure~~ tower to the base of the other ~~support structure~~ tower(s).

3. A ~~primary support structure~~ tower would be considered "existing" if it was reviewed, approved, and lawfully constructed in accordance with all requirements of applicable law as of the time it was built. For example, a tower that exists as a

legal, non-conforming use and was lawfully constructed is existing. It shall be the applicant's responsibility to provide evidence of lawful construction. Subsequent city permitted modifications of a tower that qualify as an Eligible Facilities Request and do not amount to a "Substantial Change", do not make an existing tower non-conforming.
~~a conditional use permit or administrative use permit has been issued and is still valid for sites which have not been built upon.~~

C. *Co-Location Requirements.*

1. For ~~monopoles-towers~~ that are more than 75 feet in height and lattice towers of any height ~~(Type 3-B facilities)~~, the owner of the property tower shall execute and provide evidence of a nonexclusive lease with the ~~carrier~~ underlying property owner, if the property owner is different, that allows for other carriers to place antennas and equipment on the structure unless specific approval not to is provided in accordance with subsection. 3 below.

2. Any application for a Type 3-B or 3-C ~~facility~~ Towers that are more than 75 feet in height or lattice towers of any height or tower shall include technical, environmental, or regulatory justification that an existing ~~Type 3-B or 3-C facility~~ WCF with a nonexclusive lease could not be used instead of constructing a new tower.

3. Towers shall be designed and constructed to allow the tower to accommodate WCFs from at least two (2) carriers on the same tower; one in addition to the original. No property owner or carrier shall unreasonably exclude another carrier from using the same facility or location. Design and construction for co-location shall not be required when it would materially compromise the camouflage design intent of the tower, or when, in the reasonable discretion of the Community Development director, such construction is not technically feasible based upon construction, engineering and design standards of the industry, or based upon evidence provided, a tower designed for co-location will not be commercially viable. An applicant, owner, or operator seeking Community Development director approval to waive the co-location requirements described

herein shall provide evidence explaining why co-location is not possible at a particular tower.

D. *Height.*

1. Unless otherwise provided for, the height of any ~~primary support structure and/or antenna~~tower with appurtenances shall not exceed the height limitations of the zone.
2. The maximum height of any ~~primary support structure~~tower shall not exceed 120 feet except as an eligible facility request.
3. There shall be no variances allowed to the height limitations.
4. The ~~carrier~~applicant shall provide evidence that the Federal Aviation Administration (FAA) has approved the location ~~of a primary support structure~~and any future increases in height or other modifications that would otherwise be permissible as an eligible facilities request (EFR) for any tower relative to the Auburn Municipal Airport.
5. Unless otherwise restricted by this section, building- or structure-mounted antennas may extend a maximum of 15 feet above the maximum height permitted for structures within the zone.
6. Antennas that are mounted on structures that do not otherwise have a height restriction may be allowed to increase the overall height of the structure by no more than 10 percent of the height of the structure unless additional approvals are obtained.

E. *Setbacks.*

1. All equipment shelters, cabinets, support structures or other above-ground facilities shall meet the setback requirements of the zone in which located except as follows. All equipment shelters, cabinets, or other above-ground facilities used to support ~~primary support structures~~WCFs shall be set back the same distance required of the ~~primary support structure~~WCF except as an eligible facility

request. All equipment shelters, cabinets, or other above-ground facilities within a nonresidential zone shall be set back a minimum of 50 feet from any adjacent ~~R residential~~ zone except as an eligible facility request.

2. The minimum distance from any ~~primary support structure~~tower, of any height, to any residentially zoned parcel of property, including mixed use zones that include residential uses shall be a distance equal to the overall height of the ~~primary support structure~~tower (including antennas) multiplied by a factor of two.

3. Where ~~possible~~technically feasible, roof-mounted antennas and equipment shelters and/or cabinets are to be placed towards the center of the building, or away from public views. Equipment shelters and/or cabinets shall be screened by a parapet or similar architectural feature.

F. *Fencing and Landscaping.*

1. *Fencing.* Fencing is required to enclose all above-ground support equipment that is associated with ~~primary support structures~~towers. Fencing will be 100 percent sight-obscuring, as defined in ACC 18.31.020(C)(2), if visible from a public ~~right-of~~ way or from a less intense zone. Equipment shelters and/or cabinets shall be enclosed by fencing a minimum of six feet in height. Fencing shall meet the sight distance requirements of the city ~~design and construction standards~~Engineering Design and Construction Standards.

2. *Landscaping.*

a. Where above-ground support equipment is visible from a public ~~right-of~~ way, a minimum width of five feet of ~~Type II~~ landscaping ~~as defined in ACC 18.50.040~~ will be provided on the exterior of the enclosing fence in order to effectively screen the equipment from the public ~~right-of~~ way. The landscaping shall consist of evergreen and deciduous trees with no more than 50 percent being deciduous, and shrubs and groundcover shall be provided. Landscaping shall meet the sight distance requirements of the city ~~design and construction standards~~Engineering Design and Construction Standards.

- b. Where facilities are visible from adjacent residential or mixed use zoning districts~~uses~~, a minimum width of five feet of ~~Type I~~ landscaping ~~as defined in ACC 18.50.040~~ will be provided on the exterior of the enclosing fence in order to effectively screen the equipment from the adjacent residential uses. The landscaping shall consist of evergreen trees or tall shrubs, a minimum of six feet in height at planting which will provide a 100 percent sight-obscuring screen within three years from the time of planting; or a combination of evergreen and deciduous trees with no more than 30% being deciduous, backed with a 100 percent sight-obscuring fence, as defined in ACC 18.31.020(C)(2), with shrubs and groundcover provided.
- c. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. Existing on-site vegetation may be used to meet the landscape requirements if approved by the ~~planning~~ Community Development director.

G. *Aesthetics.*

1. Concealment Design Techniques. All WCFs and any transmission equipment shall, to the extent technically feasible, use concealment design techniques including, but not limited to the use of materials, colors, textures, screening, undergrounding, or other design options that will blend the components of the WCF and the WCF to the surrounding natural setting and/or built environment. Design, materials, and colors of WCFs shall be compatible with the surrounding environment. Designs shall be compatible with structures and vegetation located on the site and parcel and on adjacent parcels.

- a. At a minimum, all tower-mounted WCF equipment shall be colored to match the tower color.
- b. Concealment design may be of heightened importance where findings of particular sensitivity are made (e.g., proximity to historic or aesthetically significant structures and/or natural or community features). Should the Community Development director determine that WCFs are located adjacent to or viewable from impression corridors as defined by the Comprehensive

Plan, they shall (where possible) be designed (including but not limited to placement underground, depressed, or located behind earth berms) to minimize aesthetic impacts at the request of the Community Development director.

c. The concealment design may include the use of alternative tower structures should the Community Development director determine that such design meets the intent of this section and the community is better served.

d. All WCFs, shall be constructed out of or finished with non-reflective materials (visible exterior surfaces only).

24. In order to minimize any potential negative aesthetic impacts from new ~~primary support structures~~ WCFs including protecting views to and from residential neighborhoods, mitigation may be required to blend the facilities in with the adjacent ~~development or environs~~ natural setting and/or built environment. Typical solutions for ~~the support structure~~ concealment design might include: an extension of the building, a component of a sign structure, disguising the facility as a tree, planting of tall trees, moving the location of the facility, painting or texturing the facility, etc.

WCFs shall be additionally sited in a manner that is sensitive to the proximity of the facility to residential structures. When placed near a residential or mixed use zoned property, the WCF shall be placed adjacent to the common side yard property line between adjoining residential properties, such that the WCF minimizes visual impacts equitably among adjacent properties. In the case of a corner lot, the WCF may be placed adjacent to the common side yard property line between adjoining residential or mixed use zoned properties, or on the corner formed by two intersecting streets. If these requirements are not reasonably feasible from a construction, engineering, or design perspective, the applicant may submit a written statement to the Community Development director requesting the WCF be exempt from these requirements using the procedure for an administrative waiver elsewhere in this chapter.

32. Building- or roof-mounted antennas will be painted or textured to blend with the adjacent surfaces.

43. No lettering, symbols, images or trademarks large enough to be legible to occupants of vehicular traffic on any adjacent street shall be placed on or affixed to any part of the WCF, unless required by the FCC or FAA.

54. Except as specifically required by the FAA (but must be approved by the city), freestanding ~~primary support structures~~towers shall be painted a color that best allows them to blend into the surroundings. The use of grays, blues and greens might be appropriate; however, each application shall be evaluated individually.

6. Concealment Design Standards for Accessory Equipment and Transmission Equipment. Accessory equipment and transmission equipment for all WCFs shall meet the following requirements:

a. All transmission equipment and accessory equipment shall be grouped as closely together as technically possible.

b. Transmission equipment and accessory equipment shall be located out of sight whenever possible by locating within equipment enclosures. Where such alternate locations are not available, the transmission equipment and accessory equipment shall be concealed.

c. Transmission equipment and accessory equipment shall be of a neutral, non-reflective color that is identical to, or closely compatible with, the color of the supporting structure or uses other concealment design techniques so as to make the equipment as visually unobtrusive as possible, including, for example, painting the equipment to match the structure.

7. Administrative Waiver.

a. An administrative waiver of any of the above concealment design standards may be requested of the Community Development director by filing a written application form provided by the city and payment of an application fee. The application will be evaluated for, and must demonstrate conformance with the following waiver criteria, for approval:

i. The concealment design standard prohibits or has the effect of prohibiting the provision of wireless communication service through the proposed WCF at the location because the standard will not allow the technology to function at that location; and

ii. The applicant demonstrates to the City's satisfaction that despite diligent efforts, other options are neither available to lease nor technologically feasible to address a service provider's demonstrated gap in coverage or demonstrated lack of system capacity. Documentation regarding inability to lease shall include manes and addresses of owners contacted, date of contact, method of contact and owner response; and

iii. The proposal for varying from the design standard represents a reasonable and best approximation of achieving the same objective as the specific standard sought to be waived; and

iv. The proposed alternative does not and will not conflict with public health, safety, or welfare.

b. If any concealment design standard is approved for waiver, the WCF proposed shall nevertheless meet all other applicable design standards not approved for waiver.

c. If a waiver request is denied for failure to meet any of the criteria specified above and there is no alternative for installation of the WCF at the particular location in a manner that meets the applicable design standards, then such application for the WCF for such specific location shall be denied

H. *Lighting.*

1. Freestanding support structures shall not be artificially lighted, unless required by the FAA or other applicable authority, or the WCF is mounted on a light pole or other similar structure primarily used for lighting purposes on property located outside of the public way. If lighting is required, the City may review lighting alternatives and approve the design that would cause the least illumination disturbance to the surrounding views. Any proposed lighting shall, at a minimum, comply with the standards of Chapter 18.55 ACC, (Outdoor Lighting) and shall be submitted at the time of the initial application. Any lighting must be reviewed and approved by the city.
2. Security lighting used to light the equipment facility shall be directed downward, shielded and kept within the boundaries of the site.

I. *Abandoned Facilities.*

1. Any WCF which is not utilized for a period of nine months or more will be considered abandoned.
2. Any WCF which falls into a state of disrepair as determined by the Community Development ~~planning~~ director will be considered abandoned.
3. Any WCF considered to be abandoned must be removed completely within 90 days from the date of notification by the city to the owner, owner's agent and/or the operator of the WCF, based upon the contact information that has previously been provided to the city's code enforcement personnel. The ~~city code enforcement personnel~~ may extend the 90-day period should a valid application for use of the facility be submitted to the city. The owner of such WCF shall remove the same within ninety (90) days of receipt of written notice from the city. If such WCF is not removed within ninety (90) days, the city may remove it at the owner's expense and any approved permits for the WCF shall be deemed to have expired.

J. *Noise*. For the purposes of this section, WCF will be considered a Class B, commercial, noise source pursuant to WAC 173-60-040.

K. *Supplemental Information Required for Applications*. In addition to the information that is otherwise required for an application for a permit for a WCF, the following is also required:

1. For all new WCFs~~a new primary support structure and related equipment~~, the applicant shall provide the carrier's master network plan for the city showing the carrier's existing WCF locations and narrative explaining the potential WCF locations over the next year, if known. The applicant shall also provide technical justification supporting the need for the height of the WCF and for any new tower~~primary support structure~~ and why a shorter support structure could not be utilized. Any application for a ~~Type 3-B facility~~ new tower greater than 75 feet in height shall provide technical justification as to why a ~~Type 3-A facility tower of 75 feet or less in height~~ could not be utilized instead to adequately serve the Auburn community.
2. Narrative description of the facility including whether there is capacity on the proposed structure for more antennas~~, methods for minimizing visual impacts of the facilities, etc.~~ The applicant shall provide evidence of the ability to execute a non-exclusive lease between the carrier and the underlying property owner, if the property owner is different, that allows for other carriers to place antennas and equipment on the structure. This ability for co-location must be demonstrated, unless relief from this requirement is requested and ultimately approved in accordance with the provisions in this Chapter.
3. A color ~~swatch~~ sample for the proposed ~~primary support structure~~ tower.
4. Narrative description of proposed concealment design techniques intended to make the facility look like something other than a tower or base station. Photographs, photo simulations, or similar illustrations that show a reasonable likeness of the proposed facility including the antennas~~s~~ arrays and above-ground support equipment.

L. *Zones in Which WCF Are Permitted.* The following table illustrates which zones the types of facilities as defined by ACC 18.04.912(~~JK~~) and (~~WK~~) [and ACC 18.31.100\(A\)](#) are allowed in and which [land use approval process, if any is](#) ~~permits are~~ required. Microcells, as defined by ACC 18.04.912(~~GM~~) ([not located in public ways](#)), are allowed only in residential zones and shall be permitted outright pursuant to the provisions of ACC 18.04.912(~~GM~~).

Zone	Type of Permit Required		
	Permitted Outright	Administrative Use Permit	Conditional Use Permit
All Zones	1-D	1-D ¹	1-D ²
RO RO-H	1-A	1-B	1-C
C-N	1-A	1-B	1-C
C-1	1-A	1-B	1-C
C-2, DUC	1-A	1-B	1-C
C-3 C-4	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-1, EP	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-2	1-B, 2-A	1-C, 2-B, 3-A	3-B
P-1	1-B, 2-A	1-C, 2-B	3-A ³
I	1-A	1-B	1-C
LF	1-A	1-B	1-C

1 Allowance for the WCF to extend to a height of 20 percent of the supporting structure.

2 Allowance for the WCF to extend to a height of 30 percent of the supporting structure.

3 The maximum height allowed, including antennas, is 45 feet.

M. *Exemptions.*

1. Unless otherwise provided for, the [Mobile Testing Facilities/Equipment used to test network limitations](#)~~following~~ are exempt from the provisions of this section.∴

~~a. Microcells as defined by ACC 18.04.912(G).~~

~~b. Mobile Testing Facilities/Equipment Used to Test Network Limitations.~~

The facilities/equipment shall not be at any one location for more than 14 days and shall otherwise meet the requirements of any other ordinance, regulation or code provision.

2. EWCFs are exempt from the provisions of subsections B, Separation between Facilities; (C)(1), Co-Location Requirements; D, Height (except (D)(4)); and E, Setbacks, of this section. (Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 15, 2009.)

N. [Eligible Facilities Requests \(EFR\)](#)

[1. Application and Review Requirement for Eligible Facilities Requests.](#)
[Applicants seeking approval of eligible facility requests must complete an application form furnished by the city and comply with any requirements set forth in applicable city ordinances. The application form shall be limited to the information necessary for the city to consider whether an application is an eligible facilities request. The application may not require the applicant to demonstrate a need or business case for the proposed modification or co-location. Such information may include, without limitation, whether the project:](#)

[a. Would result in a substantial change, as defined in ACC 18.04.912\(R\);](#)

b. Violates a generally applicable law, regulations, or other rule codifying objective standards reasonably related to public health, safety, and welfare.

2. Review Procedures for Eligible Facilities Requests. This section applies to any eligible facilities requests for co-location on, or modification to an existing tower or base station that does not substantially change the physical dimensions of such tower or base station.

a. Review Required for Eligible Facilities. No co-location or modification to any existing tower or base station may occur except after a written request from an applicant is reviewed and approved by the director. Upon receipt of an application for an eligible facilities request pursuant to this section, the city shall review such application to determine whether the application so qualifies.

b. Review Criteria. Upon receipt of an application for an eligible facilities request pursuant to this section, the city shall administratively review such application to determine whether the application meets the following criteria for an eligible facilities request:

i. Does not result in a substantial change, as defined in ACC 18.04.912(R);

ii. Does not violate a generally applicable law, regulation, or other rule reasonably related to public health, safety, and welfare and complies with generally applicable building, structural, electrical, and safety codes;

iii. Complies with the original application concealment design techniques or conditions of approval, including but not limited to colors, textures, surfaces, scale, character, and siting, or any approved amendments thereto, subject to the thresholds established in the definition of substantial change; and

3. Timeframe for Reviewing and Deciding Eligible Facilities Requests. Subject to the tolling provisions below, within sixty (60) days of the date on which an applicant submits a complete application, as determined by the director, the city shall approve the application unless it determines that the application does not qualify as an “eligible facility request”, or does not comply with other applicable code requirements.

a. Tolling of the Timeframe for Review. The 60-day review period deadline begins to run when the application is filed and may be tolled (halted) only by mutual agreement of the city and the applicant, or in cases where the director determines that the application is “incomplete”.

b. To toll the timeframe for incompleteness, the city must provide written notice to the applicant within thirty (30) days of receipt of the application, specifically delineating all missing documents or information required in the application;

c. The timeframe for review continues running again the following business day after the applicant makes a supplemental written submission in response to the city’s notice of incompleteness; and

d. Following a supplemental submission, the city will notify the applicant within ten (10) days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified above in (a) and (b). In the case of a second or subsequent notice of incompleteness, the city may not specify missing information or documents that were not delineated in the original notice of incompleteness.

4. Interaction with Telecommunications Act Section 332(c)(7). If the city determines that the applicant’s request is not an eligible facilities request as delineated in this section of the Code, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC’s Shot Clock order in WT Docket No. 08-165 (Adopted November 18, 2009), will begin to run from the

issuance of the city's decision that the application is not a covered request. To the extent such information is necessary, the city may request additional information from the applicant to evaluate the application under Section 332(c)(7) reviews.

ORDINANCE 6799

EXHIBIT H

18.31.110 Siting of ~~microcells~~small wireless facilities.

The following siting standards are intended to guide the location and development of ~~microcells~~small wireless facilities as defined by ACC 18.04.912(Q) but not including other wireless communications facilities (WCF). The siting of other wireless communications facilities shall be in accordance with siting of wireless communication facilities found in ACC 18.31.100.

A. Siting Criteria for ~~Microcells~~small wireless facilities (not located in public ways).

1. Panel antennas shall be incorporated into the design of the existing structure using painting, flush mounting or other concealment methods.
2. The equipment cabinets and other ground support equipment shall be located in an area that is no larger than ~~16 square~~17 cubic feet in volume, except that the following associated equipment may be located outside the primary equipment enclosure and if so located, are not included in the calculation of equipment volume: electric meter, concealment, telecom demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch. The height of the equipment shall be no more than four feet. The equipment shall be designed to be compatible with the residential neighborhood the project shall provide a minimum width of five feet of ~~Type II~~ landscaping ~~as defined in ACC 18.50.040~~ or fencing or a combination of these or similar features. The landscaping shall consist of evergreen and deciduous trees with no more than 50 percent being deciduous, and shrubs and groundcover shall be provided.
3. There shall be a 300-foot separation between any ~~microcells~~small wireless facilities used by the same carrier.

4. ~~The antennas must be located on light poles, power poles or similar public utility poles that are either owned/operated by the city of Auburn or owned/operated by a utility provider operating with an appropriate franchise if approved by the city engineer. The equipment cabinets may be located on private property.~~

54. Anyone wishing to establish a ~~microcell~~ small wireless facility or associated components shall make application to the community development~~planning~~ director upon application forms provided by the ~~planning~~ director. The ~~planning~~ director shall review each application and may be empowered to approve, deny or modify the proposal. (Ord. 6245 § 15, 2009.)

ORDINANCE 6799 EXHIBIT I

18.35.030 Uses.

A. *General Permit Requirements.* Table 18.35.030 identifies the uses of land allowed in each special purpose zone and the planning permit required to establish each use.

B. *Requirements for Certain Specific Land Uses.* Where the last column in Table 18.35.030 (“Standards for Specific Land Uses”) includes a section number, the referenced section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

Table 18.35.030. Permitted, Administrative, Conditional and Prohibited Uses by Zone

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
MARIJUANA RELATED BUSINESSES						
Marijuana processor	X	X	X	X	X	
Marijuana producer	X	X	X	X	X	
Marijuana researcher	X	X	X	X	X	
Marijuana retailer	X	X	X	X	X	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
Marijuana transporter business	X	X	X	X	X	
PUBLIC						
Animal shelter, public	X	X	P	X	X	
Government facilities, this excludes offices and related uses that are permitted outright	A	A	P	P	C	
Municipal parks and playgrounds	P	P	P	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY						
Campgrounds	X	X	X	P	P	
Recreational vehicle parks, private	X	X	X	P	X	
Cemetery, public	X	X	P	A	X	
Cemetery, private	X	X	X	A	X	
College, university, public	X	X	A	A	X	
Commercial recreation facility – Indoor	X	X	X	P	X	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
Commercial recreation facility – Outdoor	X	X	X	A	C	ACC 18.57.025(A)
Conference/convention facility	X	X	X	A	X	
Library, museum	X	X	P	P	A	
Meeting facility, public or private	A	A	P	P	A	
Private school – specialized education/training (for profit)	P	P	X	P	X	
Public schools (K-12) and related facilities	X	X	P	P	X	
Religious institutions, lot size less than one acre	A	P	X	P	X	
Religious institutions, lot size more than one acre	C	A	X	P	X	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
Studio – Art, dance, martial arts, music, etc.	P	X	X	X	X	
RESIDENTIAL						
Duplex	P ¹	X	X	A	X	
Home occupation	P	P	X	P	P	Chapter 18.60 ACC
Live/work, work/live unit	A	P	X	A	X	
Marijuana cooperative	X	X	X	X	X	
Multiple-family dwellings, stand-alone	P ²	A ³	X	A	X	
One detached single- family dwelling	P	X	X	X	P ⁵	
Nursing home, assisted living facility	A	A	X	P	X	
Senior housing	A	A	X	A	X	
RETAIL						
Restaurant, cafe, coffee shop, excluding drive-through facilities	A	A	P	A	X	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
SERVICES						
Banking and related financial institutions, excluding drive-through facilities ⁴	P	P	X	X	X	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	X	P	A	
Home-based daycare	P	P	X	P	P	
Medical services – Clinic or urgent care ⁴	P	P	X	X	X	
Mortuary, funeral home, crematorium	X	P	X	X	X	
Professional offices	P	P	X	A	A	
Personal service shops	P	P	X	X	X	
Pharmacies	X	P	X	X	X	
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE						

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
Utility facilities, substations, utility transmission or distribution line	X	X	X	X	A	See ACC 18.02.040(E)
Wireless communication facility (WCF) (See ACC 18.04.912(W))	* –	* –	* –	* –	* –	*See ACC
Eligible facilities request (EFR) (Wireless communication facility (See ACC 18.04.912(H))	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Small wireless facilities (ACC 18.04.912(Q))	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Emergency wireless communication facility (EWCF)	X	X	X	P	X	See ACC 18.04.912 and 18.31.100
OTHER USES THAT ARE NOT LISTED						

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted	P	P	P	P	P	

Notes:

1 Duplexes, 3,600 square feet of lot area per dwelling unit is required.

2 Multifamily dwellings; provided, that 2,400 square feet of lot area is provided for each dwelling unit.

3 Multifamily dwellings; provided 1,200 square feet of lot area is provided for each dwelling unit.

4 Permitted within a public college or university as an amenity or service provided to students: A stand-alone bank or medical services/clinic is not permitted.

5 One single-family detached dwelling unit per existing legal lot. No residential subdivisions permitted in the open space zone.

(Ord. 6716 § 1 (Exh. A), 2019; Ord. 6677 § 3, 2018; Ord. 6642 § 11, 2017; Ord. 6434 § 1, 2012.)