Planning Commission Meeting
October 8, 2024 - 6:30 PM
City Hall Council Chambers
AGENDA

I. PUBLIC PARTICIPATION

A. Public Participation Information

The City of Auburn Planning Commission Meeting scheduled for Tuesday, October 8, 2024, at 6:30 p.m., will be held in-person and virtually. To attend the meeting virtually, please click one of the links below, or call into the meeting at one of the phone numbers listed:

Join Zoom Meeting
https://us06web.zoom.us/j/7999102307

Meeting ID: 799 910 2307
One tap mobile
+12532158782,,7999102307# US (Tacoma)
+12532050468,,7999102307# US
Dial by your location
• +1 253 215 8782 US (Tacoma)
• +1 253 205 0468 US
• 888 475 4499 US Toll-free
• 877 853 5257 US Toll-free

Meeting ID: 799 910 2307
Find your local number: https://us06web.zoom.us/u/kbLsn6aJ7H

II. CALL TO ORDER

A. **ROLL CALL/ESTABLISHMENT OF QUORUM**

B. **PLEDGE OF ALLEGIANCE**

III. PUBLIC COMMENT

Comment from the audience on any proposal for action by the Commission. If the comment is related to an action subsequently listed here as a public hearing, the comment should be provided at the time of the public hearing.

IV. APPROVAL OF MINUTES

A. August 20, 2024 Minutes from the Planning Commission Meeting

V. PUBLIC HEARINGS

A. Parks and Recreation PROS Plan (Gouk)

Planning Commission deliberation and action on the proposed changes to the PROS Plan.

B. Proposed Amendments to Title 14 (Teague)

Staff to present key changes to Title 14 "Project Review". Planning Commission deliberation and action on the proposed changes to Title 14 Zoning to implement the Periodic Comprehensive Plan Update.

VI. OTHER BUSINESS

A. **Proposed Amendments to Title 18 (Teague)**

Staff to present key changes to Title 18 Zoning to implement the Periodic Comprehensive Plan Update.

VII. COMMUNITY DEVELOPMENT REPORT

VIII. ADJOURNMENT

The City of Auburn Planning Commission is a seven member advisory body that provides recommendations to the Auburn City Council on the preparation of and amendments to land use plans and related codes such as zoning. Planning Commissioners are appointed by the Mayor and confirmed by the City Council.

Actions taken by the Planning Commission, other than approvals or amendments to the Planning Commission Rules of Procedure, are not final decisions; they are in the form of recommendations to the city council which must ultimately make the final decision.

AGENDA BILL APPROVAL FORM

Agenda Subject:
August 20, 2024 Minutes from the Planning Commission Meeting

Date:
September 19, 2024

Department:
Community Development

Attachments:
August 20, 2024 Draft Minutes

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

Administrative Recommendation:

Background for Motion:

Background Summary:

Reviewed by Council Committees:

Councilmember:

Staff: Alexandria Teague

Meeting Date: October 8, 2024

Item Number:

Planning Commission Meeting
August 20, 2024 - 6:30 PM
City Hall Council Chambers
MINUTES

I. PUBLIC PARTICIPATION

A. Public Participation Information

The City of Auburn Planning Commission Meeting was held in person and virtually.

II. CALL TO ORDER

Chair Judi Roland called the meeting to order at 6:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street.

A. ROLL CALL/ESTABLISHMENT OF QUORUM

Commissioners present: Chair Judi Roland, Vice Chair Phillip Stephens, Kent Sprague, William Stewart, and Aaron Vanderpol. Commissioner Julie Berry and, Commissioner Lynn Walters were excused.

Staff members present: Planning Services Manager Alexandria Teague, Deputy City Attorney Paul Byrne, Planner Alyssa Tatro, Planner Owen Goode, City Clerk Shawn Campbell, and Acting Deputy City Clerk Gerri Blackwell.

B. PLEDGE OF ALLEGIANCE

Chair Roland led those in attendance in the Pledge of Allegiance.

III. PUBLIC COMMENT

There was no public comment.

IV. APPROVAL OF MINUTES

A. July 2, 2024 Minutes from the Planning Commission Meeting

Commissioner Sprague moved and Vice Chair Stephens seconded to approve the July 2, 2024 Planning Commission Meeting Minutes.

MOTION CARRIED UNANIMOUSLY. 5-0

V. OTHER BUSINESS

A. **Proposed Amendments to Title 18**

Staff to present key changes to Title 18 Zoning to implement the Periodic Comprehensive Plan Update.

Planning Services Manager Teague presented an overview on key changes to the Auburn City Code (ACC) Title 18 regarding Zoning, she explained the changes are needed to implement the Periodic Comprehensive Plan Update. She discussed the Code update overview, 2024 Comprehensive Plan Elements, Land Use Element updates, Housing Element updates, Zoning Code changes, Subdivision Code updates, Middle Housing standards, updated housing terms, growth centers, ACC Title 17 unit lot subdivisions, and House Bill (HB) 5290 mandates on how the City processes permits.

The Commissioners discussed Middle Housing language change, how changes effect adult family homes, multiple homes on single lots, new regulation requirements by the State, usable space definitions, Zoning changes, and the Tree Preservation Code.

VI. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager Teague provided an update on the Auburn Avenue Theater destruction scheduled for September, and Diamond Valley development construction phases.

The Commissioners discussed the Auburn Avenue Theater destruction, land located next to the Theater, and land clearing at the Diamond Valley development.

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:42 p.m.

APPROVED this 17th day of September, 2024.

_____ _____

JUDI ROLAND, CHAIR Gerri Blackwell, Acting Deputy City Clerk

The City of Auburn Planning Commission is a seven member advisory body that provides recommendations to the Auburn City Council on the preparation of and amendments to land use plans and related codes such as zoning. Planning Commissioners are appointed by the Mayor and confirmed by the City Council.

Actions taken by the Planning Commission, other than approvals or amendments to the Planning Commission Rules of Procedure, are not final decisions; they are in the form of recommendations to the city council which must ultimately make the final decision.

AGENDA BILL APPROVAL FORM

Agenda Subject:
Parks and Recreation PROS Plan (Gouk)

Date:
September 30, 2024

Department:
Community Development

Attachments:
PROS Plan Memorandum
Attachment A - Parks and Recreation PROS Plan
Attachment B - Parks Department Presentation

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

Administrative Recommendation:

Background for Motion:

Background Summary:
See attached Memorandum.

Reviewed by Council Committees:

Councilmember:

Staff: Thaniel Gouk

Meeting Date: October 8, 2024

Item Number: PH.1

Memorandum

To: Judi Roland, Chair, Planning Commission
Planning Commission Members

From: Alexandria Teague, Planning Services Manager, Comm. Dev. Dept

Date: September 20, 2024

Re: **2024 Comprehensive Plan – PROS Plan**

Each city and county in Washington state is required to conduct a periodic update of its comprehensive plan and development regulations per RCW 36.70A.130 (The Growth Management Act or GMA). In general, the purpose is to ensure consistency with the Puget Sound Regional Council Vision 2050, the Countywide Planning Policies (for Auburn this means both Pierce and King County), any changes in state laws over the intervening time, and to respond to changing conditions within the local community.

Tonight, Planning Commission will deliberate and take action on acceptance of the Parks and Recreation Pros Plan. This plan is listed under "Package 2". Future Planning Commission deliberation and action (recommendation to City Council) on remaining Elements and Systems Plans, under "Package 2", is expectedat the October 23, 2024, meeting.

This meeting is open to the public and has been advertised appropriately as a regular meeting. The table below illustrates current, past, and upcoming Planning Commission meetings for the Comprehensive Plan update, as well as subject.

Subject	Public Meeting	Public Hearing	Deliberation and Action
Planning Commission – Package 1			
Land Use	✓	✓	July 16
Housing	✓	✓	July 16
Historic Preservation	✓	✓	July 16
Economic Development	✓	✓	July 16
Climate	✓	✓	July 16
Planning Commission – Package 2			

Sewer Plan	✓	✓	September 17
Stormwater Plan	✓	✓	✓
Transportation	✓	✓	✓
Parks and Open Space Element	✓	✓	✓
Parks PROS Plan	September 17	October 8	October 23
Stormwater Plan	✓	✓	✓
Capital Facilities	✓	✓	October 23
Water System Plan	✓	October 23	TBD
Utilities Element	✓	✓	October 23
Planning Commission Action – Recommendation for Adoption to City Council			
Package 1			✓
Package 2			TBD

For reference, the current adopted Comprehensive Plan Elements can be found here.

Feel free to contact Alexandria Teague, Planning Services Manager, at ateague@auburnwa.gov or 253-931-3003 with any questions.

Included Attachments:
Attachment A – Parks and Recreation PROS Plan
Attachment B – Parks Dept. Presentation

ATTACHMENT A

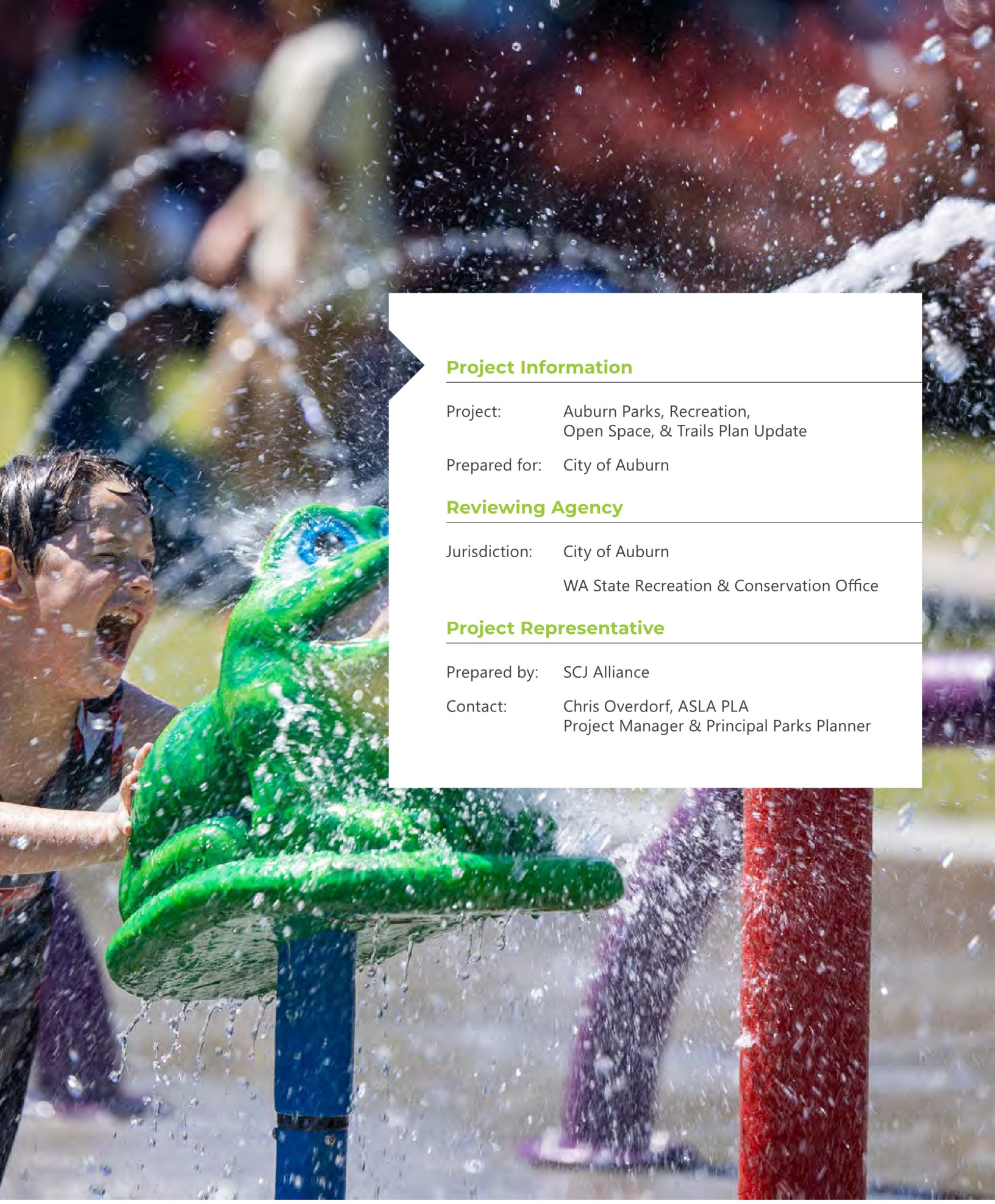


AUBURN

Parks, Recreation, Open Space, & Trails Plan Update

September 2024

CITY OF AUBURN
PARKS, ARTS & RECREATION



Project Information

Project: Auburn Parks, Recreation, Open Space, & Trails Plan Update

Prepared for: City of Auburn

Reviewing Agency

Jurisdiction: City of Auburn

WA State Recreation & Conservation Office

Project Representative

Prepared by: SCJ Alliance

Contact: Chris Overdorf, ASLA PLA
Project Manager & Principal Parks Planner



Table of Contents

Introduction 9

Purpose 10

Regulatory Requirements 11

Process 13

Inventory & Assessment 13

INVENTORY & ASSESSMENT 14

Planning Context 15

Physical Context 15

DEMOGRAPHIC CONTEXT 17

System Inventory 19

Public Involvement 42

Engagement Goals 43

Public Engagement Plan Overview 44

Age Range 46

Ethnicity 46

Household Size 46

Home Location 47

Neighborhood of Residence 47

Frequency 48

Length of Visit 48

Season 48

Types of Facilities Used 48

Recreational Facility Use 49

Recreational Facilities Outside Auburn 51



Barriers to Use 51
The City Needs... 52

Demand & Needs 54

Quantifications vs Qualifications 55
Park Equity & Access 56
The "10-Min Walk" Metric 56
Recreation Trends 56
Level-of-Service (LOS) 63

Goals & Objectives 71

Capital Improvement Program 77

Developing The Capital Improvement Program 79

Park Impact Fee Analysis 103

Approvals 107

Adoption Process 108
Council Resolution 109

A - Terms & Definitions 117

B - Standards & Guidelines 119

C - Park Needs & Assessment Survey Comments 122

Summary

The City of Auburn's Parks, Recreation, and Open Space (PROS) Plan is an ambitious and visionary blueprint designed to elevate the city's parks and recreation facilities to meet the evolving needs of its vibrant community. This comprehensive plan, which spans from 2024 to 2030, is the result of extensive public engagement, reflecting the community's collective aspirations for a higher quality of life through enhanced recreational services and access to diverse outdoor opportunities.

The PROS Plan outlines a strategic Capital Improvement Program (CIP) that prioritizes both immediate enhancements and long-term projects, ensuring that Auburn's parks and open spaces continue to be cherished assets for generations to come. It reaffirms the city's commitment to fostering a healthy, walkable community, promoting environmental stewardship, and creating spaces that inspire connection, well-being, and a sense of place.

To bring this vision to life, the plan is designed with flexibility, allowing for adjustments as community needs evolve, new opportunities arise, and funding sources become available. The city is committed to leveraging a mix of municipal budgets, grants, and the passionate efforts of community volunteers to realize these improvements. Through ongoing review and adaptive management, Auburn aims to create a parks and recreation system that not only meets the current needs of its residents but also anticipates and shapes the future, ensuring that the city remains a dynamic, engaging, and inclusive place to live, work, and play.



Auburn is proud of its public parks, arts and recreation programs and facilities which include over 50 parks, community, teen and senior centers, the 18-hole Auburn Golf Course, Postmark Center for the Arts, White River Valley Museum and Mary Olson Farm, as well as two beautiful cemeteries. Our parks include something for everyone, from picnic areas to sports fields. The whole family can enjoy our extensive recreation trail system, enjoy community events such as Petpaloozza, Kids Day, Veterans Day Parade, Farmers Market as well as participate in youth and adult recreation programs as well as our beautiful open spaces and trails.

This PROS Plan is used to develop strategies to deliver the "right parks and programs in the right places" and bring those places to life through events and public programming. Active use of our Parks, Arts and Recreation system improves your health as well as the health of our community.

We continue to grow and change for the betterment of our community and the enjoyment of our citizens, visitors, and patrons. I invite you to visit our parks and facilities and enjoy the quality of life they offer – the benefits are endless.

Sincerely,

Daryl Faber

Director of Auburn

Parks, Arts and Recreation



Introduction









Welcome to the City of Auburn's Parks, Recreation, and Open Space Plan Update (PROS Plan). This document fulfills the requirements of the Growth Management Act (GMA), ensuring the City's eligibility for funding from the Washington State Recreation and Conservation Office (RCO) and other sources over the next six to ten years. It provides a comprehensive overview of Auburn's parks, recreation areas, open spaces, and non-motorized trails.

The PROS Plan incorporates public input gathered through surveys, outreach, and online tools to assess recreational needs and preferences. It evaluates the current conditions of the city's parks and open spaces, establishing a vision and goals based on community demand.

A critical component of this document is the Capital Improvement Plan (CIP). Upon approval, the CIP will finalize the PROS Plan by recommending enhancements aimed at improving services for Auburn residents over the next six years and beyond. These recommendations are strategically linked to potential grant funding sources, guiding the City in prioritizing projects that align with the community's desired quality of life.

Purpose

In Washington State, communities like Auburn rely on Parks, Recreation, and Open Space (PROS) Plans to shape the future of their outdoor spaces, serving as vital roadmaps for growth, development, and preservation. These plans are not just state mandates; they are essential tools for balancing growth with environmental protection and enhancing residents' quality of life.

For Auburn, the PROS Plan is crucial for complying with the Growth Management Act (GMA), which ensures thoughtful planning to accommodate growth while protecting the environment and enhancing residents' quality of life.

However, the PROS Plan goes beyond mere compliance. It embodies a vision and a commitment to community engagement, providing a platform for residents to express their needs and desires for parks, trails, and recreational areas. Through surveys, outreach, and online tools, the city gathers valuable input to ensure the plan reflects the diverse interests and aspirations of its people.

At its core, the PROS Plan is about dreaming big while remaining practical. It sets ambitious goals for improving access to recreational amenities, enhancing existing facilities, and expanding green spaces. These goals are not just lofty ideals; they are actionable steps toward creating a community where residents can live, work, and play.

Within the PROS Plan is the Capital Improvement Plan (CIP), a strategic blueprint for turning vision into action. The CIP outlines specific projects and improvements designed to enhance services for Auburn's residents over the next six years and beyond. These projects are carefully aligned with the community's goals and values, ensuring that every dollar spent brings tangible benefits.

In essence, the PROS Plan is Auburn's promise to its residents: a commitment to vibrant parks, thriving green spaces, and abundant opportunities for outdoor adventure. It is a testament to the city's dedication to building a sustainable future where nature and community flourish together.

Regulatory Requirements

Growth Management Act Requirements

RCW 36.70A.140, known as the Growth Management Act (GMA), is crucial to all Comprehensive Parks, Recreation, and Open Space (PROS) Plans in Washington State. This law mandates that local governments, such as cities and counties, plan for growth through comprehensive plans that consider natural resources, economic development, and residents' quality of life.

Specifically, the GMA requires local governments to adopt comprehensive plans that address various aspects, including parks and recreation. Additionally, it outlines the requirements for a Capital Facilities Plan (CIP) that includes:

- An inventory of existing public facilities, including green spaces.
- Forecasts for future needs of these facilities.
- Plans for expanding or building new facilities.
- A six-year funding plan with identified public funding sources.
- A requirement to reassess plans if funding falls short, ensuring all elements are coordinated. Parks and recreation facilities are integral to the CIP.

The Parks and Recreation element of the GMA further specifies that the plan should include:

- Estimates of park and recreation demand for at least ten years.
- An evaluation of existing facilities and service needs.
- Exploration of opportunities for regional collaboration on park and recreation services.

In the context of a PROS Plan, RCW 36.70A.140 provides the legal framework for integrating parks, recreation, and open space considerations into overall planning. The PROS Plan becomes a specific component of the broader comprehensive plan, focusing on developing, maintaining, and enhancing these aspects within the community.

By adhering to RCW 36.70A.140, cities like Auburn ensure their PROS Plans align with state goals for sustainable growth and development. Compliance with the GMA is essential for Auburn to access state funding and effectively manage its parks, recreation, and open spaces.

Washington Recreation and Conservation Office (RCO) Requirements

The Recreation and Conservation Office (RCO) promotes outdoor recreation and conservation in Washington State through grants and technical assistance, ensuring that all residents have access to well-maintained parks and protected natural spaces. However, their role extends beyond funding.

1. The RCO recognizes the importance of well-planned park systems, which not only serve local communities but also contribute to a statewide network of parks and open spaces. A well-implemented Parks, Recreation, and Open Space (PROS) Plan acts as a roadmap for a city's park system, communicating the current state of parks, recreation facilities, budgeting, and programs to the RCO. It identifies gaps in current and future service levels and develops an actionable vision for the community's future. This roadmap assures the RCO that grant money will be used effectively to meet community needs aligned with statewide goals.

The RCO requires a PROS Plan, updated every six years, to comply with the Growth Management Act (GMA). These plans should cover the following key elements:

2. Existing Conditions & Baseline Analysis: Establishes the groundwork by reviewing past plans, demographics, and park system trends.
3. Community & Systems Needs Assessment: Identifies gaps and needs in park infrastructure, assesses facility conditions, and sets service level benchmarks.
4. Priorities, Strategies, and Implementation Plan: Compiles the analyses and proposes recommendations. It prioritizes goals, outlines implementation strategies, and establishes a potential capital improvement plan for park development.

By following RCO's guidelines and creating a strong PROS Plan, Auburn can secure grant funding, improve its park system, and enhance the quality of life for its residents. To ensure compliance with RCO's framework

and alignment with the GMA, communities must submit the PROS Plan along with the RCO's Self-Certification Form (see Approvals Section). By adhering to this framework, Washington communities can develop a robust vision for their parks and recreation systems and strengthen their grant applications by demonstrating clear vision and strategic priorities.

More information can be found in RCO's Manual 2: Planning Guidelines (January 2024), available at:

https://rco.wa.gov/recreation-and-conservation-office-grants/grant-manuals/.

Process

While RCO has no specific requirements for the number of pages, number of chapters, or format for comprehensive parks plans, it is expected that the plan will capture the needs of the organization and, more importantly, the quality of life desired by the community.

The process used to develop the City of Auburn's Park's PROS Plan Update is modeled after six minimum elements noted in RCO Manual 2: Planning Policies & Guidelines. Whether this plan supports a grant application for a capital project (facility development and land acquisition) or a non-capital project (architectural, engineering, planning, etc.,) the organization of this plan and the process followed is purposefully designed to capture the elements expected by RCO.

Aside from this, the first section, the project overview, this plan is structured around six primary sections or elements needed for an effective comprehensive parks plan:

Existing Conditions (Systems Inventory)

A description of the planning or service area, including the physical setting, the community profile, other mutually supportive planning efforts, and a summary of conditions of the complete inventory of each existing outdoor recreation asset or program.

Public Involvement

A description of how the planning process gave the public ample opportunity to be involved in plan development and adoption.

Demand & Needs Analysis

An analysis that takes your inventory work and public involvement into consideration, balancing public demand with your organization's current capacity and future expectations.

Goals and Objectives

The plan must support the applicant's park and recreation mission, including the current project, with broad statements of intent, or goals that capture a community's desired outdoor recreation resources.



Capital Improvement Program

A list of the desired capital improvements or capital facility programs of at least 6 years that lists and prioritizes desired land acquisition, development, renovation, and restoration projects.

Approvals

A resolution, ordinance, or other adoption instrument showing formal approval of the plan and planning process by the governing entity.

The process diagram below identifies the priority sections needed to develop a GMA-compliant and RCO-certified PROST plan, however, many steps ran concurrently.



Inventory & Assessment





INVENTORY & ASSESSMENT

This section aims to provide a comprehensive understanding of the current conditions of Auburn's parks, recreation programs, open space, and trail system. It examines the condition of the City's parks system, the population served by these parks, and the regional context and planning efforts that shape the system.

The City of Auburn manages a diverse range of parks and recreation assets, including 10 neighborhood parks, 14 community parks, 6 parcels of dedicated open space, 13 pocket parks and tot lots, and 16 special use facilities, including a golf course and trail systems. Given Auburn's current population of 90,096 in 2024, this equates to approximately 11.8 acres of parkland per 1,000 residents. This ratio aligns Auburn with other communities across the country, which have a median of 11.2 acres of parkland per 1,000 residents. A more detailed analysis of the composition of Auburn's parks and recreation system is provided in the Demand & Needs section of this report.

The inventory and assessment section, and the information that follows, is divided into four distinct contexts that capture the structure upon which the parks system is a part of.

- **Physical Context**
- **Demographic Context**
- **Planning Context**
- **Site Evaluations**

Pocket Parks

21st Street Playground • North Tapps Estates
Riversands Park • Terminal Park
Village Square Park • Ballard Park
Dorothy Bothell Park • Dykstra Park
Edgeview Park • Forest Villa Tot Lot
Gaines Park • Indian Tom Park • Jordana Park

Neighborhood Parks

Auburndale 2 Park • Shaughnessy Park
Auburndale Park • Cameron Park
Cedar Lanes Park • Evergreen Park
Lakeland Hills Park • Riverpoint Park
Scootie Brown Park • Trail Run

Community Parks

104th Ave SE • Brannan Park • Fulmer Park
Game Farm Park • Game Farm Wilderness
GSA Park • Isaac Evans Park
Jacobsen Tree Farm (und.) • Lea Hill Park
Les Gove Park • Mill Pond Park • Roegner Park
Sunset Park • Veterans Memorial Park

Open Space

Auburn Environmental • Clark Property
Game Farm Open Space • Golf Course
Lakeland Nature Area • Mary Olson Farm
West Auburn Lake

Special Use Areas

B Street Plaza • Bicentennial Park
Centennial Viewpoint Park • City Hall Plaza
Clark Plaza • Community Garden A
Community Garden B • Environmental Park
Fenster Nature Park • Fly-in Lion
Mary Olson Farm • Mountain View Cemetery
Pioneer Cemetery • Plaza Park
Slaughter Memorial

Planning Context

Auburn: A History of Transformation

The Auburn area has a rich history of human settlement, with indigenous populations being the first inhabitants. Tribal groups such as the Skopamish, Smalhkamish, and Stkamish thrived at the confluence of local rivers, establishing trade routes over the Cascade Mountains, interacting with eastern tribes, and using the waterways for resource gathering and commerce with coastal groups.

In the mid-1800s, the first European pioneers arrived in the White River Valley. The following decades, particularly the 1880s, saw the arrival of railroads, which attracted settlers from various regions, including the eastern and Midwestern United States, Europe, and Asia. Early European and Japanese farmers began cultivating the fertile land, leading to bountiful harvests and establishing the White River Valley as a prominent agricultural center.

Auburn's central location between Seattle and Tacoma played a significant role in its development. The construction of a hydroelectric power plant on the upper White River in 1911 provided electricity for Auburn, Seattle, and Tacoma, and powered the Interurban Railway. Additionally, the selection of Auburn by the Northern Pacific Railroad in 1910 as the site for its western freight terminal spurred a population boom, driven by the influx of permanent rail workers in need of housing.

World War II had a profound impact on Auburn's trajectory. The federal government's wartime relocation of Japanese American citizens to internment camps resulted in the loss of numerous businesses, homes, and farms. Unfortunately, most of these families never returned.

Although Auburn remained an agricultural hub for some time, the city began transitioning towards increased industrialization in the post-war period. In the 1960s, the establishment of a Boeing aircraft plant in the city marked a pivotal shift. Efforts to address historical flooding issues, including the construction of Mud Mountain and Howard Hanson Dams by the U.S. Army Corps of Engineers, further supported Auburn's transformation from a frontier settlement to a developed industrial center.

Auburn's strategic position within south King County made it a desirable location during the 1990s, a period coinciding with a population surge across the Puget Sound region. The city's population, estimated to be around 30,000 in 1990, grew significantly over the next few decades, reaching approximately 76,347 by 2014—a 154.5% increase. However, from around 2014 onward, growth slowed to approximately 11%, marking a significant deceleration from the previous pace.

This slowdown during the 2000s can be attributed to a combination of economic and demographic factors. The region faced the aftermath of the dot-com bust and the early 2000s economic recession, which impacted job creation and investment. Additionally, the housing market crisis that culminated in the 2008 financial crash significantly affected real estate development and home purchases, leading to a decrease in population influx. Infrastructure limitations and congestion also played a role, as the city's capacity to accommodate rapid growth was stretched thin, particularly considering its physical context. Moreover, competition from nearby cities offering more attractive amenities or better economic opportunities may have diverted potential residents and businesses away from Auburn. These factors collectively contributed to a period of slower growth for the city during that decade.

Today, Auburn remains an attractive community known for its family-oriented, small-town atmosphere. With more affordable housing compared to most of King County, convenient highway access, and a charming small-town feel, Auburn is poised for continued, stable, and sustainable growth. This growth will increase the demand for quality of life elements that the community expects, including the demand for and access to recreational facilities.

Physical Context

Auburn's location in the Puget Sound region has profoundly influenced its historical development and future growth. The city's geography has been central to its evolution, with its proximity to rivers making it an essential transportation hub for both Native Americans and early settlers. The fertile valley attracted cultivation, and railways were later built to transport crops and timber from Auburn to larger cities like Tacoma and Seattle.

Today, Auburn is traversed by two major rivers, the White River and the Green River, along with two critical transportation corridors, SR-167 and SR-18. These natural and man-made features divide the city, with a flat valley floor surrounded by steep ascents leading to the West Hill and East Hill. The valley is further segmented by Highway 167 and distinct zoning designations, creating identifiable areas such as Downtown and the Industrial Valley.

The Green River is fed by numerous creeks that carve through the East Hill, forming ravines and preserving natural spaces, which in turn limit mobility within this region. East Hill is primarily a residential area with pockets of retail, and it is crossed by major roads like Highway 515 and E James Street. In contrast, West

Hill is somewhat isolated from the rest of the city, bounded by the Green River and Highway 516, and further divided by I-5.

Topography

Nestled within the Puget Sound Lowland region of the Pacific Northwest, Auburn is a city shaped by the enduring legacy of ancient glacial epochs and the ongoing influence of geological forces. Positioned between the eastern foothills of the Cascade Range and the shores of Puget Sound, Auburn features a diverse range of terrain types.

To the east, the Cascade foothills rise gradually, giving the landscape a gentle undulation that ascends toward the towering peaks of the Cascade Range. These foothills provide a rich tapestry of topographical variety, offering panoramic vistas and numerous recreational opportunities.

The city's landscape is marked by a broad, flat valley bordered by the Green River and Lea Hill to the east, and West Hill to the west. These green slopes define Auburn's contours, creating natural boundaries within the urban expanse while offering breathtaking views of the Cascade Range and the iconic silhouette of Mount Rainier.

To the west, Auburn's proximity to Puget Sound imparts a maritime character to its climate and geography. Located near the southern edge of the sound, the city benefits from easy access to waterfront areas and the thriving marine ecosystems they support. This maritime influence moderates the climate, resulting in milder winters and cooler summers compared to the more extreme conditions experienced further inland.

Hydrology

Auburn's intricate network of rivers and creeks holds deep significance for the community, serving a variety of crucial functions and enriching the local landscape. These waterways act as natural drainage systems, contribute to flood mitigation, provide vital habitats for diverse fish and wildlife, offer scenic beauty, hold historical importance, and create opportunities for recreation.

The history of Auburn's watercourses, particularly the White River, highlights the complex interaction between natural forces and human intervention. Before 1906, the White River flowed through King County, merging with the Green River before emptying into Elliot Bay. However, a significant debris blockage in 1906 altered the river's course, diverting floodwaters away from King County and redirecting them down the Stuck River into the Puyallup River. To manage this change, a permanent diversion wall was built at Game Farm Park in Auburn, directing the White River to its current path.

Today, the White River in southern Auburn serves as a natural boundary, separating the more developed urban core from the rural areas beyond. Historically, the city developed within the river valley, where many of its parks are located. However, with the valley reaching its developmental capacity, urban growth has expanded into newly annexed areas to the west, east, and south. Various water bodies, including the Green River, Mill Creek, Bowman Creek, Olson Creek, Mill Pond, and White Lake, have significantly influenced Auburn's spatial development. The wetlands along much of Mill Creek have limited extensive urbanization in that area, though some industrial properties have been established.

Among Auburn's water features, White Lake and West Auburn Lake are the only naturally occurring lakes or ponds. West Auburn Lake, acquired by the city within the past decade, offers recreational opportunities within a highly urbanized setting. In contrast, White Lake, located south of Highway 18, remains privately owned and inaccessible to the public, preserving its natural state.

Climate

Nestled within a temperate maritime climate, Auburn experiences a nuanced interplay of meteorological forces, shaping its seasonal identity with distinct variability.

Summer (June to August) brings warmth to the region, with temperatures typically ranging from 75°F to 85°F (24°C to 29°C). While the season is mostly dry, occasional light rainfall may punctuate the otherwise arid conditions.

Autumn (September to November) ushers in cooler temperatures, settling between 60°F and 70°F (15°C to 24°C). During this period, Auburn transitions to a wetter climate, with more frequent showers that cast the familiar Pacific Northwest veil of precipitation over the landscape.

Winter (December to February) sees temperatures dip to an average of 45°F to 50°F (7°C to 10°C). While cold air intrusions can briefly push temperatures below freezing, such occurrences are typically short-lived. Precipitation increases during the winter months, and although snowfall is rare, it occasionally blankets the city. When snow is accompanied by freezing rain, it can significantly impact local traffic.

Spring (March to May) signals a gradual warming, with temperatures rising to a moderate 55°F to 65°F (13°C to 18°C). Intermittent showers persist, remnants of the previous seasons' precipitation, as the landscape undergoes its annual rejuvenation.

Auburn receives approximately 37 inches (940 mm) of annual precipitation, evenly distributed across the seasons, reflecting its maritime influence. The city's proximity to the Pacific Ocean helps moderate extreme temperatures, tempering both the summer heat and winter chill.

Auburn's diverse topography, with its varying elevations and water bodies like the Green River, fosters the development of microclimates within the city. These microclimates create subtle weather patterns and temperature differences, adding richness and complexity to Auburn's overall climate.

DEMOGRAPHIC CONTEXT

Auburn, Washington, is a vibrant city with a diverse demographic profile. Based on the latest U.S. Census data, here is a detailed breakdown of key demographic aspects:

Population Size & Growth

Auburn is a mid-sized city in King County, Washington, with a population of approximately 90,096 as of July 2023. The city has experienced steady growth, reflecting broader trends in the Seattle metropolitan area. Since 2000, Auburn's population has increased by 54.4%. With a population density of about 3,046 people per square mile, the city continues to see urban development and residential expansion.

In recent years, Auburn's growth rate has moderated. Between 2020 and 2023, the population grew at an annual rate of about 0.99%. Looking ahead, the growth rate is projected to decelerate to approximately 0.31% annually from 2023 to 2028.

Employment

Auburn's economy is diverse, with key industries including retail, manufacturing, healthcare, education, and various service sectors. Major employers in the city reflect this diversity. Among them are Boeing, which operates a significant aerospace manufacturing facility in Auburn, employing thousands of workers and playing a central role in the city's industrial base. Multicare Health System and CHI Franciscan Health are also significant employers, providing a wide range of healthcare services to the region.

In addition to these, The Muckleshoot Indian Tribe is a major contributor to the local economy, not only through its government operations but also through its enterprises, such as the Muckleshoot Casino and Muckleshoot Bingo. Auburn School District is another key employer, reflecting the city's strong focus on education.

Many residents of Auburn work within the city, benefiting from the presence of these major employers. However, a significant portion of the population commutes to nearby employment hubs such as Seattle, Tacoma, and Bellevue, which are easily accessible due to Auburn's strategic location and robust transportation infrastructure, including major highways and rail services.

Auburn's accessibility and central location make it a vital center for both residential living and employment opportunities within the Puget Sound region. The combination of local employment and the city's position within a broader regional economy enhances Auburn's role as both a residential community and a significant economic hub.

Race and Ethnicity

Auburn stands out for its notable ethnic and racial diversity, which is somewhat unique compared to other cities in Washington State. According to recent data, the racial composition of Auburn's population is approximately 59.7% White, 11.6% Asian, 7.3% Black or African American, 2.1% American Indian or Alaska Native, and 2.8% Native Hawaiian or other Pacific Islander. Additionally, 16.5% of the population identifies as Hispanic or Latino. The city's diversity is further highlighted by the fact that 21.4% of Auburn's residents are foreign-born, a figure that exceeds the state average.

Auburn's significant Asian and Hispanic or Latino populations are particularly noteworthy. While many cities in Washington have diverse communities, Auburn's proportion of Asian residents stands out, reflecting broader trends in the Seattle-Tacoma-Bellevue metropolitan area, yet distinguishing itself from smaller or less urban areas in the state.

Moreover, Auburn is home to a significant population of Marshall Islanders, who have migrated to the United States primarily under the Compact of Free Association (COFA). This treaty allows citizens of the Marshall Islands, along with those from Micronesia and Palau, to live and work in the U.S. without visas. Auburn has become a notable center for Marshallese migrants, following Arkansas, which hosts the largest population on the mainland.

The migration of Marshallese to the U.S. has been driven

by various factors, including economic opportunities and better access to healthcare. Additionally, many Marshallese migrate due to environmental degradation and health issues linked to the legacy of nuclear testing conducted by the United States in the Marshall Islands during the mid-20th century. This has resulted in health concerns such as cancer and other chronic diseases, prompting many to seek better healthcare in the U.S.

In Auburn, the Marshallese community has maintained strong cultural ties, frequently gathering in local churches and community events to support one another and preserve their traditions. This tight-knit community aspect is crucial as they navigate the challenges of migration, including language barriers and economic adjustments.

Auburn's demographic diversity is rooted in its historical development as a key agricultural and industrial hub, which has attracted various immigrant communities over the years. This has created a rich cultural fabric that continues to shape the city's identity today.

Languages

While English is the primary language spoken in Auburn, with 69.36% of residents speaking it exclusively, the city's cultural diversity means that a variety of languages can be heard in everyday life. Spanish is the most common non-English language, spoken by 13.28% of the population. Additionally, other languages, including various Slavic languages, contribute to the city's linguistic landscape.

The Auburn School District reflects this diversity, with over 80 languages spoken in the homes of its students. More than 40% of students use multiple languages in their daily lives. The district's Multilingual Learner Program is designed to help students develop English language skills while also promoting the preservation of their home languages. Although the exact number of students speaking each language at home is not disclosed due to privacy concerns, the fact that the district's Multilingual Learners department serves students from over 80 different language backgrounds illustrates the rich tapestry of languages spoken in Auburn.

Moreover, the district offers translation services for a variety of languages, including Afrikaans, Burmese, Hmong, Marshallese, Russian, Spanish, and Ukrainian. While this is not an exhaustive list, it highlights some of the prominent languages spoken in the community alongside English.

These languages likely represent just a portion of Auburn's diverse linguistic landscape. However, by examining the languages supported by the school district, we can gain insight into the multilingual character of the city.

Age

Auburn has a diverse age distribution among its population of approximately 90,096 people. The largest age group consists of residents aged 35 to 54, comprising about 27% of the population. This is followed by children and teenagers (ages 5 to 17), who make up roughly 18%. Young adults aged 25 to 34 represent around 15%, while those in the 55 to 64 age bracket account for approximately 12%. The senior population (over 65 years) comprises about 13% of the population, and those aged 18 to 24 constitute around 9%. The youngest segment, children under 5 years old, represents about 7% of Auburn's population.

Recent trends in Auburn's age distribution have shown relative stability across the different age groups. However, there has been a slight increase in the senior population, mirroring broader national trends of an aging demographic. This shift suggests a growing need for services and amenities that cater to older residents, while also maintaining support for families and younger adults.

Gender

Auburn's gender distribution is close to an even split between males and females, with a slightly higher percentage of males. According to the latest U.S. Census Bureau data, Auburn has approximately 46,922 males (52.1%) and 43,174 females (47.9%), indicating a clear majority of males over females in the city. This trend is somewhat uncommon in many parts of the United States, where women typically outnumber men.

Income

Auburn's residents represent a wide range of income levels, reflecting the diverse economic profiles of its neighborhoods and communities. While some areas of Auburn are affluent, others have a higher percentage of lower-income households. The city's economic structure includes a mix of blue-collar and white-collar workers, contributing to this diversity. As of the most recent data, the median household income in Auburn is approximately $83,881, with a per capita income around $41,440. The city's poverty rate is 10.7%, and 14.9% of children live below the poverty line. Housing is a significant aspect of the local economy, with the median home value around $561,000 (per 2024 Zillow Home Value Index). This reflects a community with varied economic experiences, encompassing both substantial earning potential and areas in need of economic support.

Education

Auburn is served by a variety of educational institutions, including both public and private schools. The Auburn School District is a key provider, operating numerous elementary, middle, and high schools, such as Auburn High School, Auburn Riverside High School, and Auburn Mountainview High School, along with various elementary and middle schools spread throughout the city. The district serves a substantial student population, with an enrollment of over 17,000 students.

Private education options in Auburn include Valley Christian School, which offers a Christian-centered education from preschool through 12th grade, and Auburn Adventist Academy, a Seventh-day Adventist high school. Additionally, the Muckleshoot Tribal School, managed by the Muckleshoot Indian Tribe, provides education from kindergarten through high school, addressing the specific needs of its tribal community.

Green River College is a notable public institution in the area, offering a range of associate degrees, certificates, and transfer programs. Collectively, these educational institutions contribute to the diverse and comprehensive learning environment in Auburn.

Housing

Auburn's housing market is diverse, featuring a mix of single-family homes, apartments, and affordable housing options. As of mid-2024, the median home price in Auburn is approximately $621,000 (per 2024 Zillow Home Value Index), reflecting a 5.5% increase over the past year. The market remains highly competitive, with homes typically selling within a week of listing. Rental prices are also significant, with median rents around $1,919 per month. The city supports a range of affordable housing programs through the King County Housing Authority, including Section 8 vouchers and subsidized housing designed for low-income families, seniors, and individuals with disabilities.

This varied housing landscape influences Auburn's parks and recreation system by increasing the demand for accessible and inclusive recreational spaces. The presence of affordable housing communities, such as Burndale Homes and Firwood Circle, which offer on-site services and are located near parks, highlights the importance of maintaining and expanding public recreational facilities. These parks provide essential amenities and green spaces for residents of all income levels, promoting community well-being and environmental sustainability.

Commuters

Auburn is often considered a commuter city due to its strategic location in the Puget Sound region and its proximity to major employment centers such as Seattle, Tacoma, and Bellevue. The city's population fluctuates during the day as residents commute to jobs in these areas. The average one-way commute time for Auburn residents is approximately 31.6 minutes, covering an average distance of around 10.75 miles.

Here's an overview of key cities to which Auburn residents commonly commute for work and the respective employment opportunities:

1. Tacoma is a major city in the Puget Sound region offering a wide range of employment opportunities across various industries.
2. As a neighboring city, Puyallup provides job options in retail, healthcare, education, and other sectors.
3. Although farther from Auburn, some residents commute to Seattle for jobs in tech, finance, healthcare, and various other industries.
4. Located to the north, Kent offers job opportunities in logistics, manufacturing, and retail.
5. Also north of Auburn, Renton is home to companies in aerospace, technology, healthcare, and other industries.
6. To the west, Federal Way has a diverse job market, including opportunities in retail, healthcare, and education.

System Inventory

Auburn takes great pride in its expansive parks system, designed to cater to a variety of recreational interests while preserving the natural beauty of the area. Among the many parks throughout the city, Les Gove Park stands out as a tranquil oasis in downtown Auburn, offering verdant green spaces, meandering pathways, and designated picnic areas, providing a peaceful retreat amid the urban bustle. Game Farm Park, a premier destination for sports enthusiasts and families alike, spans 80 acres and features sports fields for soccer, baseball, and softball, along with tennis courts, a skate park, and playgrounds. Isaac Evans Park, located along the scenic Green River, delights visitors with riverside trails, scenic viewpoints, and inviting picnic spots, allowing nature lovers to immerse themselves in a serene environment. Brannan Park, near the Green River, is a picturesque spot for outdoor recreation, offering walking trails, picnic shelters, and a boat launch for water enthusiasts. For those seeking a more botanical experience, Soos Creek Botanical

Garden (privately owned) showcases a stunning array of native and exotic flora, inviting visitors to explore its themed gardens, winding paths, and tranquil ponds.

Auburn's park system extends beyond recreation to include educational and environmental initiatives. Auburn Environmental Park combines recreational amenities with interactive exhibits and interpretive trails, serving as a platform for environmental education and awareness. These programs enrich the community's understanding of local ecosystems and foster a deeper appreciation for the natural world. In essence, Auburn's parks system is more than just a collection of green spaces; it's a vibrant tapestry of recreational opportunities, natural wonders, and educational endeavors that enrich the lives of residents and visitors alike.

Auburn prioritizes the development of park spaces that align with the community's values. To determine what improvements are needed or desired, the first step is to catalog and assess the current conditions of all the city's existing parks, open spaces, and trail resources. This process involves identifying the assets that Auburn currently owns, manages, and maintains, and evaluating them to ensure they meet or exceed park development standards, safety criteria, liability and risk concerns, recreational trends, aesthetic appeal (placemaking), and landscape and climate change resiliency objectives.

To effectively plan for budgeting and resource allocation based on each park's level of service or area of influence, parks are also assessed to determine the individual contributions they provide to the community.

Physical & Mental Health: Assessing a park by expected or projected use helps visitors know what to expect and allows park managers to establish rules and guidelines that ensure visitors' safety and preserve the park's resources.

Ecological Diversity: Parks often vary in terms of their ecosystems and biodiversity. Assessing parks based on their ecological features can aid in understanding and protecting these unique natural environments.

Cultural and Historical Significance: Some parks are often assessed based on their cultural or historical importance. These designations help preserve and showcase sites of cultural heritage, such as historical landmarks, archaeological sites, and areas with indigenous significance.

Tourism & Branding Benefits: Classifying parks can aid in promoting tourism and attracting visitors. Visitors often have varying interests, so categorizing parks allows tourism agencies to target specific audiences with appropriate marketing strategies.

Educational and Interpretive Benefits: Classification helps in developing educational programs and interpretive materials tailored to the park's unique characteristics. This enhances visitor experiences by providing relevant information about the park's natural, cultural, and historical attributes.

Research and Conservation Planning: Scientists and conservationists can use classification systems to prioritize research efforts and develop conservation plans. By understanding the different types of parks and their specific features, they can focus on areas that are most in need of study and protection.



Categorized Recreation Programs

The City of Auburn offers a wide range of recreation programs designed to meet the diverse interests and needs of its community members. These programs, categorized by age group and activity type, provide opportunities for fitness, personal growth, social engagement, and community involvement.:

Fitness Programs:

- Fitness memberships
- Fitness classes
- Open gym sessions
- Equipment and weight room access at the Auburn Community & Event Center

Preschool Programs (Ages 1-5):

- Indoor playground
- Classes and programs
- Birthday party packages
- Youth Programs (Ages 6-12):
- Rec n Roll (mobile recreation unit)
- Summer camps
- Classes and programs
- Family programs
- Birthday party packages

Teen Programs (Ages 13-18):

- The REC Teen Center
- Classes and programs
- Camps
- MakerSpace

Adult Programs (Ages 18+):

- Art classes
- MakerSpace
- Fitness classes
- Open gym

Senior Programs (Ages 50+):

- Senior Activity Center
- Fitness classes
- Social activities
- Educational workshops

Family Programs:

- Various family-oriented activities and events

Specialized Recreation:

- Programs for individuals with disabilities
- Sports & Athletics:
- Youth leagues
- Youth sports classes

Community Events and Special Programs:

- Auburn Farmers Market
  (June-September at Les Gove Park)
- National Recreation and Park Month events
  Various special events throughout the year

Cultural Arts Programs:

- Performing arts
- Public art installations

Outdoor Recreation:

- MTB Trailblazers biking program
- Hiking and trail activities

Volunteer Opportunities:

- Community service and volunteer programs

Facility Rentals:

- Athletic fields
- Campground
- Meeting and banquet rooms
- Picnic shelters

Overall, the City of Auburn's diverse array of programs and services supports a healthy, active, and engaged community and highlights Auburn's commitment to providing diverse and inclusive recreational opportunities for its residents, promoting community well-being and engagement

Existing Parks & Recreation Facilities

The City of Auburn offers a wide array of recreational opportunities and park spaces for both residents and visitors, with a strong emphasis on developing park spaces that align with the community's values. Auburn's park system currently encompasses approximately 980 acres of mostly developed or partially developed parklands, along with non-contiguous trail segments along the White River that aim to connect to the downtown core.

To identify necessary or desired improvements, the City first catalogs and assesses the current conditions of all its existing parks, open spaces, and trail resources. This assessment process involves identifying and evaluating the assets that the City of Auburn owns, manages, and maintains, ensuring they meet or exceed park development standards, safety criteria, and liability and risk concerns. Additionally, this evaluation addresses recreational trends, enhances aesthetic appeal through placemaking, and supports landscape resiliency.

Assessment Methodology

Modeled after RCO's suggested Level-of-Service (LOS) grading system and NRPA's "system level" approach, a custom assessment methodology was used in this study to inventory and assess the current range of recreation and open space opportunities within any particular area. The methodology used in this report is ranked on a scale of 5 to 0, from high to low, across a number of different criteria, including:

- Location
- Park Classification
- Facility Age
- History
- Funding Encumbrances or Regulatory Framework
- Condition of Individual Components & Amenities
- Maintenance / Known Issues

Table 2-1: Assessment Rankings

Ranking (High to Low)	Description
0	n/a - Not Present
1	Major liability and structural failures present and imminent. Needs to be closed.
2	Condition is poor with major structural, cosmetic, maintenance, and liability issues observed.
3	Condition is moderate with some major cosmetic or maintenance issues that create minor liability concerns.
4	Condition is very nice with only minor cosmetic or maintenance issues observed.
5	Perfect condition with a long life cycle and no risk or liability issues.

Please note that park areas developed by private entities e.g., a HOA, or and public or private schools were not included on the overall City Park map, therefore they were not part of the assessment procedure.

Process

The following steps were executed to capture the institutional knowledge of City staff, while allowing the consultant team to assess each park and trail component.

1. Inventory and build maps of the existing parks.
2. Develop a detailed inventory of each park from the previous planning process and geospatial sources, including encumbrances research and park / funding histories.
3. Distribute inventory information to City for review.

Park Classifications

Classification systems provide a standardized method to develop, organize, operate, and manage parks based on certain criteria, which can include factors such as their size, ecological importance, recreational opportunities provided, historical or cultural significance, placemaking potential, economic development, and ability to support conservation & climate resiliency goals.

Table 2-2: Park Classifications

Key*	Classification
C	Community
N	Neighborhood
O	Natural Areas & Greenspaces (Open Space)
S	Special Use Facilities
P	Pocket Parks / Mini-Parks / Tot Lots
T	Trails, Bikeways & Pathways

* to be used when referring to the parks system key map, Figure 2-1.

Washington State Parks & RCO use different classification definitions but are built on the same premise - consistent methodology is critical to best manage our public spaces and to ensure the public are active and able to enjoy a quality mix of structured and natural environments and all the benefits that they provide.

There are six basic park and greenspace facility types typically classified and utilized by municipalities the size of Auburn of which are currently exhibited:

Pocket Parks / Mini-Parks / Tot Lots

Pocket parks are very small and serve a limited radius (up to ¼-mile) from the site; they provide passive and play-oriented recreational opportunities. Examples of pocket parks can include a tot lot with play equipment such as a climber, slide or swings; a viewpoint; or waterfront access areas such as at street ends.

A small urban plaza or civic recognition project may also be considered a pocket park. Parking is not often provided at pocket parks, although lighting may be used for security and safety.

Neighborhood (Local) Park

Generally considered the basic unit of traditional park systems, neighborhood or local parks are small park areas designed for unstructured play and limited active and passive recreation. They are generally up to around 5 acres in size, but can be larger depending on a variety of factors including neighborhood need, physical location and opportunity, and should meet a minimum size of 2 acre in size when possible.

Community Park

Larger multi-acre sites developed for organized play, contain a wider array of facilities and, as a result, appeal to a more diverse group of users. Community parks are generally 20 to 50 acres in size, meet a minimum size of 20 acres when possible and serve residents within a 1-mile radius of the site.

Natural Areas (Open Space)

Natural areas are those which are preserved to maintain the natural character of the site and are managed to protect valuable ecological systems, such as riparian corridors and wetlands, and to preserve native habitat and biodiversity. In managing for their ecological value, these natural areas may contain a diversity of native vegetation that provides fish and wildlife habitat and embodies the beauty and character of the local landscape. Low-impact activities, such as walking, nature observation, and fishing are allowed, where appropriate, and horseback riding is also permitted on certain sites.

Trails, Bikeways & Pathways

Trails are non-motorized transportation networks separated from roads. Trails can be developed to accommodate multiple uses or shared uses, such as pedestrians, in line skaters, bicyclists, and equestrians. Bikeways are different than trails in that their principal focus is on safe and efficient non-motorized transportation. Bikeways & pathways serve distinctly different user groups than trail users. For shared-use trails, it is important that the alignment and cross sections be designed with flexibility to accommodate higher speeds, passing zones and greater widths. Surfaces will vary with intended use and environmental considerations.

More information on the other classification types not used can be found in Appendix B.

Current Inventory

Over its 133-year history, Auburn, WA, has developed a robust park system under the guidance of its past and present Mayors and City Councils. The City has expanded its parkland through various means, including donations, dedications, and purchases. Each park undergoes regular evaluations and renovations to ensure they align with evolving recreational trends, aesthetic standards, safety protocols, and government regulations. To meet the needs of both current and future residents, Auburn must continue to acquire new parkland while also maintaining and enhancing its existing parks and facilities.

This section provides an overview of each park and open space, detailing the neighborhood it is located in, its year of establishment, classification, and acreage. As a prelude, the following table identifies the quantity and total acreage of the entire system, based on its classification.

Parks, Open Space & Special Use Facilities

The core of Auburn, WA's parks system is characterized by its diverse parklands, expansive open spaces, and specialized use facilities, all of which contribute to the community's recreational and aesthetic needs.

Auburn's parklands consist of a variety of mini-parks, neighborhood parks, community parks, open spaces, and special use facilities that provide residents with access to green spaces for leisure, sports, and recreational activities. These parks are equipped with amenities such as playgrounds, sports fields, picnic areas, and walking trails, ensuring they cater to the needs of individuals and families alike. Open spaces offer residents opportunities for passive recreation, such as hiking, bird-watching, and enjoying the scenic beauty of nature. The city's commitment to maintaining these open spaces ensures that natural resources are protected and accessible to the community.

Table 2-3: Existing Parks & Open Spaces

Key	Classification	Count	Acres
C	Community	14	283.30
N	Neighborhood	10	51.23
O	Open Space	6	321.42
S	Special Use Facilities	14	307.69
P	Tot-Lots	13	16.71
	Totals:	**57**	**980.35***

* does not include other non-park related properties, or other landbanked right-of-ways and easements.

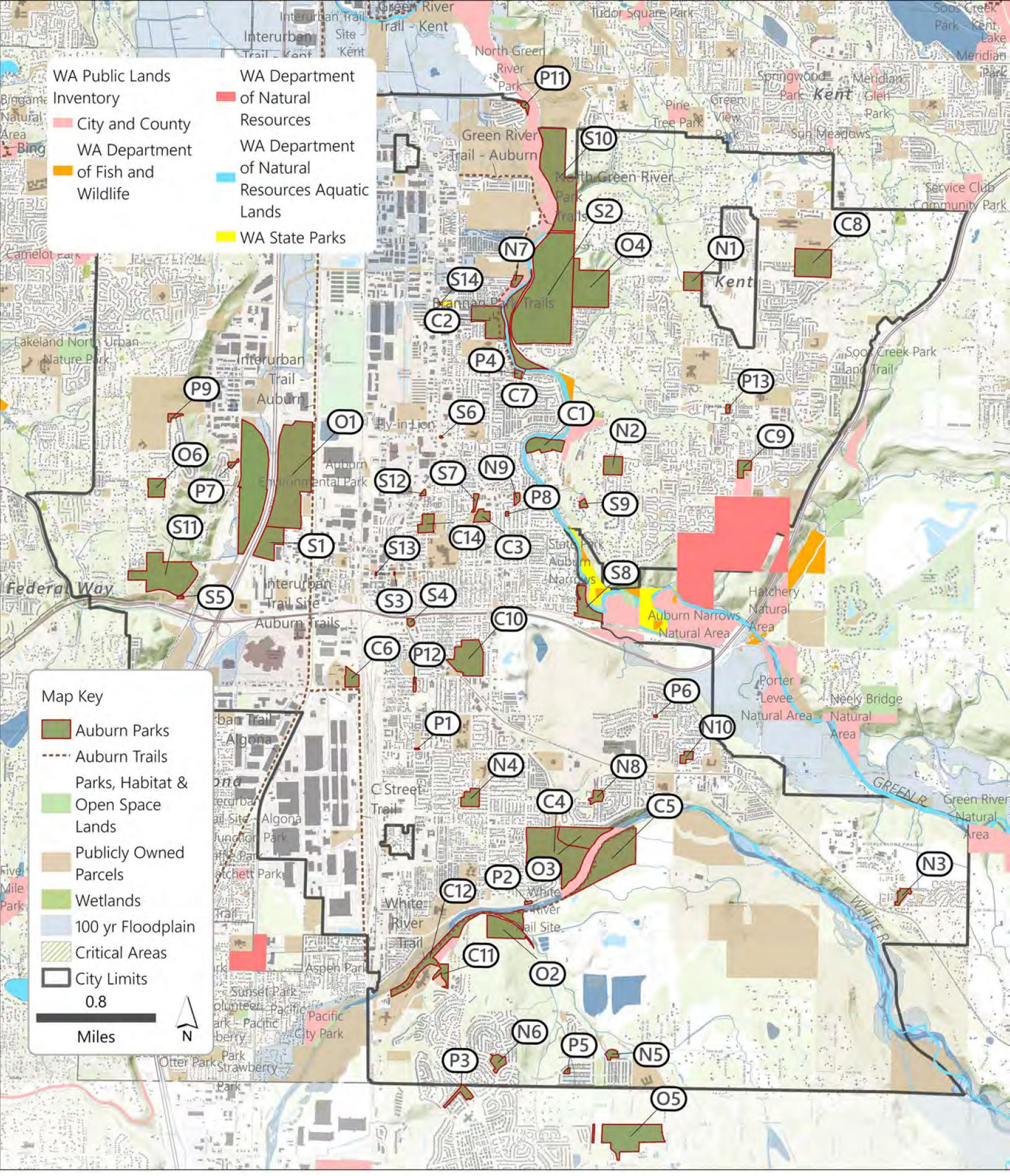

WA Public Lands Inventory
City and County
WA Department of Fish and Wildlife
WA Department of Natural Resources
WA Department of Natural Resources Aquatic Lands
WA State Parks
Map Key
Auburn Parks
Auburn Trails
Parks, Habitat & Open Space Lands
Publicly Owned Parcels
Wetlands
100 yr Floodplain
Critical Areas
City Limits
0.8
Miles
N
P11
S10
S2
O4
N7
S14
C2
N1
C8
P4
P13
C7
C1
S6
N2
C9
P9
O1
O6
P7
S12
S7
N9
P8
S9
S11
S1
S13
C14
C3
S8
S5
S3
S4
C10
C6
P12
P6
P1
N10
N4
N8
C4
C5
O3
P2
C12
N3
C11
O2
N6
P5
N5
P3
O5
Green River Trail - Kent
Tudor Square Park
North Green River Park
Green River Trail - Auburn
Springwood Park
Kent
Meridian Glen Park
Pine Tree Park
Green View Park
Sun Meadows Park
Service Club Community Park
Lakeland North Urban Nature Park
Interurban Trail - Auburn
Soos Creek Park and Trail
Fly-in Lion
Auburn Environmental Park
Auburn Narrows State Park
Federal Way
Interurban Trail Site - Auburn Trails
Auburn Narrows Natural Area
Hatchery Natural Area
Porter Levee Natural Area
Neely Bridge Natural Area
GREEN R
Green River Natural Area
WHITE R
C Street Trail
Algona
Algona Park
White River Trail
White River Trail Site
Aspen Park
Sunset Park
Pacific City Park
Otter Park
Strawberry Park

Table 2-4: Existing Parks Inventory				
Key	Name	Classification	Acres	Rating
C1	104TH AVE SE PARK	COMMUNITY	13.22	3
C2	BRANNAN PARK	COMMUNITY	23.55	3.5
C3	FULMER PARK	COMMUNITY	4.88	4
C4	GAME FARM PARK	COMMUNITY	56.94	4
C5	GAME FARM WILDERNESS	COMMUNITY	48.59	3
C6	GSA PARK	COMMUNITY	6.34	3
C7	ISAAC EVANS PARK	COMMUNITY	17.94	3.75
C8	JACOBSEN TREE FARM	COMMUNITY	29.34	3
C9	LEA HILL PARK	COMMUNITY	5.32	3.5
C10	LES GOVE PARK	COMMUNITY	27.83	4.5
C11	MILL POND PARK	COMMUNITY	4.85	3
C12	ROEGNER PARK	COMMUNITY	21.79	4
C13	SUNSET PARK	COMMUNITY	15.46	3
C14	VETERANS MEMORIAL PARK	COMMUNITY	7.25	3
	Subototals	14	283.31	
N1	AUBURNDALE 2 PARK	NEIGHBORHOOD	9.39	3
N10	SHAUGHNESSY PARK	NEIGHBORHOOD	3.32	3
N2	AUBURNDALE PARK	NEIGHBORHOOD	10.14	4
N3	CAMERON PARK	NEIGHBORHOOD	3.79	3
N4	CEDAR LANES PARK	NEIGHBORHOOD	8.38	3.5
N5	EVERGREEN PARK	NEIGHBORHOOD	2.74	3
N6	LAKELAND HILLS PARK	NEIGHBORHOOD	5.15	3
N7	RIVERPOINT PARK	NEIGHBORHOOD	2.65	3
N8	ROTARY PARK	NEIGHBORHOOD	3.89	3
N9	SCOOTIE BROWN PARK	NEIGHBORHOOD	1.77	3
	Subototals	10	51.23	
O1	AUBURN ENVIRONMENTAL PARK OPEN SPACE	OPEN SPACE	180.17	3
O2	CLARK PROPERTY OPEN SPACE	OPEN SPACE	27.42	3
O3	GAME FARM OPEN SPACE	OPEN SPACE	22.67	3
O4	GOLF COURSE OPEN SPACE	OPEN SPACE	40.97	3
O5	LAKELAND HILLS NATURE AREA	OPEN SPACE	41.02	3
O6	LEWIS LAKE NATURE PARK	OPEN SPACE	9.17	3
	Subototal:s	6	321.42	
P1	21ST STREET PLAYGROUND	POCKET PARK / MINI-PARK / TOT LOT	0.21	3

Table 2-4: Existing Parks Inventory				
P11	TRAIL RUN PARK	POCKET PARK / MINI-PARK / TOT LOT	1.73	3
P12	TERMINAL PARK	POCKET PARK / MINI-PARK / TOT LOT	1.16	3
P13	VILLAGE SQUARE PARK	POCKET PARK / MINI-PARK / TOT LOT	0.97	3
P2	BALLARD PARK	POCKET PARK / MINI-PARK / TOT LOT	0.64	3
P3	DOROTHY BOTHELL PARK	POCKET PARK / MINI-PARK / TOT LOT	4.83	3
P4	DYKSTRA PARK	POCKET PARK / MINI-PARK / TOT LOT	1.73	2
P5	EDGEVIEW PARK	POCKET PARK / MINI-PARK / TOT LOT	0.80	3
P6	FOREST VILLA TOT LOT	POCKET PARK / MINI-PARK / TOT LOT	0.24	3
P7	GAINES PARK	POCKET PARK / MINI-PARK / TOT LOT	1.34	3
P8	INDIAN TOM PARK	POCKET PARK / MINI-PARK / TOT LOT	0.41	3
P9	JORNADA PARK	POCKET PARK / MINI-PARK / TOT LOT	1.87	3
	Subototal:s	13	16.71	
S1	AUBURN ENVIRONMENTAL PARK	SPECIAL USE AREA	18.81	3
S10	MARY OLSON FARM	SPECIAL USE AREA	68.78	3
S11	MOUNTAIN VIEW CEMETERY	SPECIAL USE AREA	50.29	3
S12	PIONEER CEMETERY	SPECIAL USE AREA	0.75	3
S13	PLAZA PARK	SPECIAL USE AREA	0.15	3
S14	SLAUGHTER MEMORIAL	SPECIAL USE AREA	0.15	3
S2	AUBURN GOLF COURSE	SPECIAL USE AREA	150.52	3.5
S3	B STREET PLAZA	SPECIAL USE AREA	0.13	3
S4	BICENTENNIAL PARK	SPECIAL USE AREA	1.34	3
S5	CENTENNIAL VIEWPOINT	SPECIAL USE AREA	0.50	3
S6	CLARK PLAZA	SPECIAL USE AREA	0.17	3
S7	COMMUNITY GARDEN	SPECIAL USE AREA	1.84	3
S8	FENSTER PROPERTY	SPECIAL USE AREA	12.72	3
S9	LEA HILL TENNIS COURTS	SPECIAL USE AREA	1.54	3.5
	Subototal:s	14	307.69	
	Totals:	**57**	**980.35**	

* does not include other non-park related properties, or other landbanked right-of-ways and easements.

P1



21st Street Playground

405 21st Street SE
0.17 acres – Dedicated in 2006
Classification: Pocket Park
Status: Developed

This small pocket park is situated adjacent to a City stormwater detention pond. Park amenities include a playground, picnic table, and benches. The park is on a short list of parks that need to go through the naming process.

N1



Auburndale Park

31700 108th ST SE
9.74 acres –Transferred in 2003
Classification: Neighborhood Park
Status: Developed

Auburndale Park falls into the neighborhood park category, and like many in this classification, is underused. The City recently constructed an entrance on the east side of the park in order to provide better access to the surrounding neighborhoods in an effort to increase use in the park. The main feature of the park is a natural wooded area with a loop trail. There is a play area, picnic tables and barbecue grill.

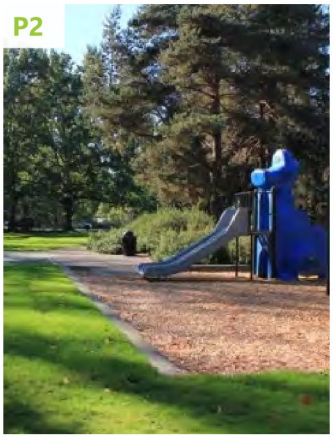
N1

Auburndale Park II

29725 118th ST SE
9.34 acres – Transferred in 2003
Classification: Neighborhood Park
Status: Undeveloped

Auburndale II is an undeveloped park with a mix of native over-story, and an under-story that is dominated by Himalayan blackberry and scotch b room. A future trail connecting Lea Hill to the valley floor is being considered, which would likely run east to west along the northern boundary of the park.

P2



Ballard Park

1612 37th Way SE
0.68 acres - Dedicated in 1966
Classification: Pocket Park
Status: Developed

Ballard Park is a neighborhood park with a distinctive stone picnic shelter. In 2003, a new playground and irrigation system was installed, as well as pathways and an entrance gate. Two new tables and benches were installed and a new concrete fence constructed at that same time. Ballard Park is situated high above the White River and benefits from an appealing view of the river. There is not direct river access.



Cameron Park

3727 Lemon Tree Lane
3.85 acres – Dedicated in 1989
Classification: Neighborhood Park
Status: Developed

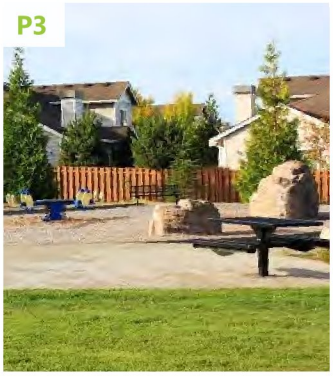
Cameron Park is a nestled between two rows of houses, east of the Muckleshoot Indian Reservation. The park has two entrances, one near the intersection of Lemon Tree Lane SE and Academy Drive SE, and the other off of Lemon Tree Lane SE. Visitors can take an asphalt path into the heart of the park that winds through a large grassy open field, planted with occasional trees. A colorful play structure is located in the northeast corner of the park. Picnic tables next to the playground provide seating for picnics or for caretakers of young children. The layout of the path provides a good opportunity to integrate the play area into the rest of the park using landscaping to create a more lush and cohesive setting. A limiting factor in achieving this is the utility easement of Northwest Pipeline, which reduces the ability to landscape and improve some parts of the park.



Cedar Lanes Park

1002 25th Street SE
8.36 acres – Dedicated in 1969
Classification: Neighborhood Park
Status: Developed

Cedar Lanes Park is a unique combination of native woodland, well-kept lawn, and a formal playground. The forested area contains a mix of western red cedar, big leaf maple, and cottonwood trees. The park includes a bike skills park with drop zones, a flow track and other features that was constructed in 2023. In 2024 an asphalt pump track, new restroom, and storage/shelter were constructed.

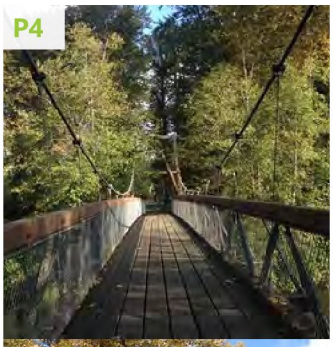


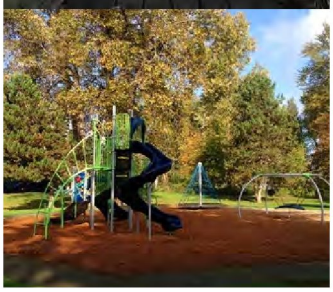
Dorothy Bothell Park

1087 Evergreen Way SE
4.35 acres – Dedicated in 2009
Classification: Pocket Park
Status: Developed

Located adjacent to the Lakeland Hill Community Center, Dorothy Bothell Park is a an attractive neighborhood park in Lakeland Hills. Park amenities include a playground, climbing boulders, and a trail that connects with other trails beyond the park. Dinosaur bones have been buried in the play area for the kids to uncover.

P4





Dykstra Park

1487 22nd Street NE

1.67 acres – Dedicated in 1979

Classification: Neighborhood Park

Status: Developed

Dykstra Park is a small, attractive park along the Green River. Its linkage to the larger Isaac Evans Park via a suspension bridge increases its value to the community. The bridge was substantially repaired in 2002, with major structural repair completed on the north end of the structure.

Dykstra is primarily a playground neighborhood park, and its proximity to the river also makes it popular with walkers and wildlife lovers. A new playground was installed in April 2015 made possible by a Dr. Pepper/ Kaboom! Playground grant. The playground was constructed using volunteer labor during the City's annual Clean Sweep volunteer event. In addition to the three new playground pieces, approximately 150 cubic yards of playground fiber wood chips were placed within the play area.

P6

Forest Villa Park

1647 Fir St. SE

0.23 acres – Dedicated in 1971

Classification: Pocket Park

Status: Developed

The Forest Villa Park is located on a single lot in a single family residential neighborhood. The play structure is the primary focus of the park.

P7



Gaines Park

1008 Pike Street NW

1.33 acres – Dedicated in 1999

Classification: Neighborhood Park

Status: Developed

Gaines Park is located in the Vistaria/Sunning Hills residential area. This park is a joint project between the City's Storm Water Division and Parks and Recreation. There is a short section of boardwalk through a wetland area on the east edge of the park. The park has a picnic area, play area, ½ basketball court, and a walking trail through the park.

P8



Indian Tom Park

1316 6th Street NE

0.42 acres – Deeded to the City in 1979 from King County

Classification: Pocket Park

Status: Developed

This small park is located on a single lot in the middle of a residential block. A playground was installed in April 2014 made possible by a Dr. Pepper/ Kaboom! Playground grant. The playground was constructed using volunteer labor at the City's annual Clean Sweep volunteer event.



Jornada Park

1433 U Court. NW
1.89 acres – Dedicated in 2004
Classification: Pocket Park
Status: Developed

This small park is located on a single lot in the middle of a residential block. It contains a play structure, climbing wall, picnic tables and a short loop trail.



Evergreen Park

5480 Charlotte Ave. SE
2.73 acres – Dedicated in 2014
Classification:Neighborhood Park
Status: Developed

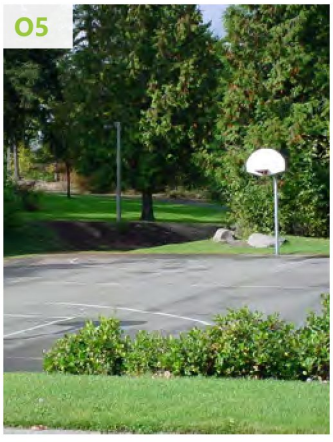
This park was constructed to meet level of service needs for a neighborhood park within in newly developed Kersey III neighborhood. A paved walking trail with picnic tables and benches connects the ball field, to the playground and the basketball court.



Edge View Park

1433 U Court. NW
0.79 acres – Dedicated in 2014
Classification: Pocket Park
Status: Developed

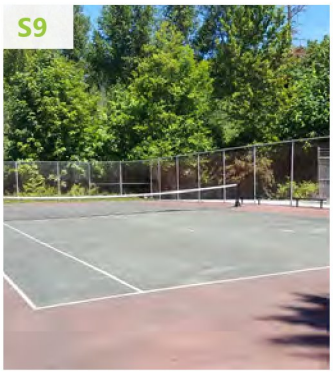
This park has similar features and amenities as nearby Evergreen Park, but on a smaller scale.



Lakeland Hills Park

1401 Evergreen Way SE
5.06 acres – Dedicated in 1993
Classification: Neighborhood Park
Status: Developed

Lakeland Hills Park serves the Lakeland development in south Auburn. This five-acre park is nestled into a wooded hillside, where many native trees were saved and integrated into the design of the park. The park provides active recreation facilities at a neighborhood scale, and also a paved trail around the circumference of the park. Restroom facilities were built in this park and share a common structure with some water utility equipment.



Lea Hill Tennis Courts

32121 105th Pl. SE.
1.18 acres
Classification: Special Use Facility
Status: Developed

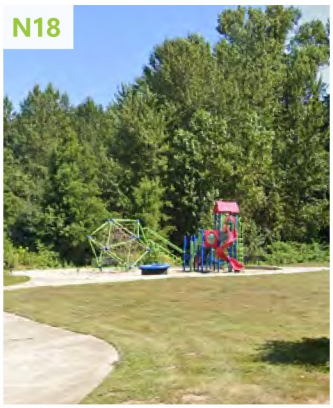
The Lea Hill Tennis Court has a unique location on top of a City of Auburn water reservoir. Originally, two courts were constructed, but one of these is now being used as a basketball court. The court is on Lea Hill, surrounded by an adjacent apartment complex. Standing water is evident in several low areas.



Riverpoint Park

1450 32nd St. NE
3.8 acres – Dedicated in 2005
Classification: Neighborhood Park
Status: Developed

Built in 2005, the park is adjacent to the Green River and provides an access point to the Green River Trail.



Trail Run

5014 Pike Street NE
1.76 acres – Dedicated in 2015
Classification: Neighborhood Park
Status: Developed

This pocket neighborhood park located is along the Green River near the northern City Limits. Visitors can gain direct access from the park to a bridge across the river that connects to the City of Kent's S. 277th Street Trail (1.1 miles). The future Green River Trail will run along the eastern boundary of the park if the trail is ever extended through Auburn.



Rotary Park

2635 Alpine Street SE
3.89 acres – Dedicated in 1966
Classification: Neighborhood Park
Status: Developed

Rotary Park was developed in 1966 by the Auburn Rotary Club. At first glance the playground is the only apparent facility here. The rolling topography, unusual shape of the site and the location of conifers obscure the presence of the other major recreation facilities, including the basketball court and informal softball field. An additional acre, and a half-court basketball was added to Rotary Park in connection with the development of the Riverwalk neighborhood.



Scootie Brown Park

1403 Henry Road NE
1.68 acres – Dedicated in 1973
Classification: Neighborhood Park
Status: Developed

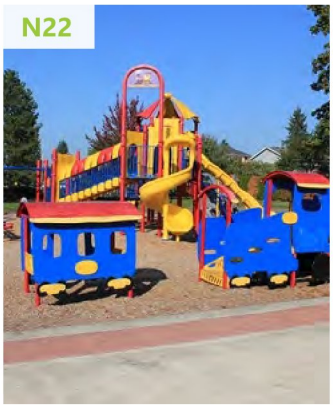
The park is located at a junction between commercial and residential zones. Bounded on the north by 8th Street N.E., the park has a busy, open feel, with minimal landscaping. The City's youth baseball programs use this park for practice.



Shaughnessy Park

3302 21st Street SE
3.46 acres – Dedicated in 1973
Classification: Neighborhood Park
Status: Developed

Shaughnessy Park is located in an attractive setting of mature Douglas Firs on a quiet residential street. Several recreational courts are located in close proximity to the street. An open play field with a backstop is in a corner of the park and is not readily apparent from other parts of the park and street. The adjacent residential neighbors have erected fences between their backyards and the playing field. Recent park improvements were made possible by a Neighborhood Block Grant in the amount of $50,000.



Terminal Park

1292 C Street SE
1.22 acres – Dedicated in 1913
Classification: Neighborhood Park
Status: Developed

Terminal Park is a small park along a quiet residential street. The newly renovated playground at the center of the park is the focal point here. The remainder of the park contains a slightly rolling lawn, with mature trees scattered throughout. Improved irrigation has also been added. In 2013 broken patio pavers were replaced with colored concrete in the patio adjacent to the playground.



Village Square

12111 SE 310th Street
1.10 acres – Transferred in 2007
Classification: Pocket Park
Status: Developed

This is a small pocket park is located in the middle of an apartment complex. The park has a short loop trail with a small grassy area in the middle. Access to the park can either be gained from the adjacent apartment complex or from SE 310th Street.



104th Ave SE

31495 104th Ave. SE

14.73 acres – Transferred in 2006

Classification: Community Park

Status: Undeveloped

This undeveloped riverside property is comprised of two parcels along the Green River. A nice sandy beach along the Green River is popular for swimmers in the summer, and fishermen in the fall and winter months. Nearly two-thirds of the park is located within the 100-year floodplain so given the location of the park along the river and regulatory constraints, the park will likely be designed as a passive use nature park.



Brannan Park

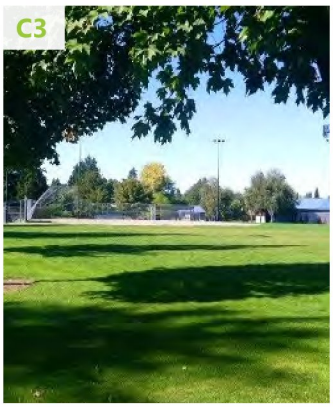
1019 28th St. NE

21.68 acres – Dedicated in 1973

Classification: Community Park

Status: Developed

Brannan Park contains one of Auburn's most heavily used sports complexes. The City sponsors many sports events at Brannan Park; Cascade Middle School users and a variety of organizations – youth soccer leagues, and Little League - also use the playing fields extensively. Brannan Park is on a flat, open site, with the Green River forming the park's eastern boundary. The remaining sides are bounded by residential housing to the north and west, and Cascade Middle School to the south.



Fulmer Park

1005 5th Street NE

5.04 acres – Dedicated in 1979

Classification: Community Park

Status: Developed

Fulmer Park is primarily an active sports facility. In 2015 an undeveloped area on the north side of the park was bladed, all of the blackberry bushes were removed, and a new perimeter fence was installed. New irrigation, perimeter landscaping, and grass seed was added in 2014. New backstops, fencing, dugouts and drinking fountains, as well as scorekeeper tables, were added to the park in 1998. A new playground was installed in 2023.



Game Farm Park

3030 R ST SE
57.20 acres – Dedicated in 1988
Classification: Community Park
Status: Developed

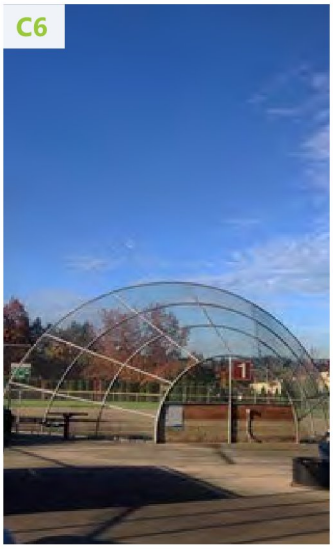
Game Farm Park continues to be one of the largest and most frequented parks in Auburn. The park contains a wide variety of facilities for organized sports activities as well as a distinctive natural setting. The hillside backdrop and the White River along its southern edge create an intimate setting for park for users to enjoy. The park with its many courts, fields and picnic facilities is heavily used. Game Farm Park was dedicated in 1988 and exhibits many successful design features. Designing and building the park in one phase resulted in functional architectural features and site layout. Passive uses such as trails or open grassy slopes are located where the park abuts residences. Good pedestrian access is available to the surrounding neighborhood at several points along the park's perimeter. A trail head off of Forest Ridge Drive SE provides access to a relatively unimproved gravel trail along the river in the eastern portion of the park. A pedestrian bridge was constructed in 2024 connecting the two Game Farm parks across the White River.



Game Farm Wilderness Park

2407 Stuck River Dr. SE 48.50acres –
Dedicated in 1989
Classification: Community Park
Status: Developed

Game Farm Wilderness Park emphasizes a connection between park users and the natural environment. It has limited development and has preserved most of the native woodland along the White River. The White River Trail continues along the river on the north side of the park from Kersey Way beyond the east end of the park. The park is designed for both overnight and daytime visitors. The camping area is designed to accommodate recreation vehicles, providing each unit with water and power hook-ups. An 18-hole disc golf course is located in the wooded area between the campground and White River.



GSA Park

413 15th St. SW
5.31 acres – Dedicated in 1966
Classification: Community Park
Status: Developed

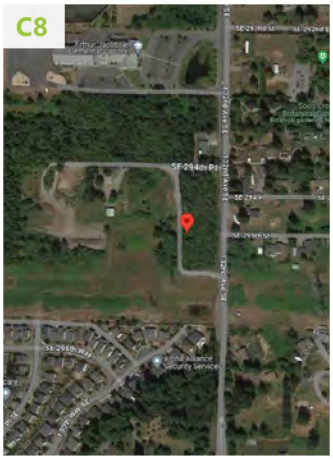
The land for GSA Park was donated to the City by the U.S. General Services Administration. Its location in a heavily trafficked industrial zone has resulted in an atypical park setting. Currently the park has two youth softball/baseball fields, a parks maintenance building, and dugouts. New dugout covers were recently added, made possible by donations from Auburn Little League. A greenhouse is located on the property near the maintenance that is used by the City's horticulturist to propagate new plants. The two ball fields were completed in 2003, including drinking fountains and an asphalt trail to the ball fields.



Isaac Evans Park

29827 Green River Road SE
19.87 acres – Dedicated in 1989
Classification: Community Park
Status: Developed

Isaac Evans Park is a riverfront park providing valuable passive recreation opportunities for the citizens of Auburn. The park's connection to Dykstra Park via the suspension bridge increases its accessibility to local residents and is an appealing feature for visitors. The pedestrian bridge may also accommodate future trail connections between the eastern and western sides of the river. A internal paved trail runs around the circumference of the park. The forested riparian area along the Green River remains in a natural condition with recent restoration plantings added to accommodate the Reddington Levee Setback project located across the river from the park. Scattered throughout the grassy space on the inside of the trail are clusters of picnic tables, a picnic shelter, restroom facilities, and playground equipment.



Jacobsen Tree Farm Park

29387 132nd Ave. SE
29.30 acres – Transferred in 2003
Classification: Community Park
Status: Undeveloped

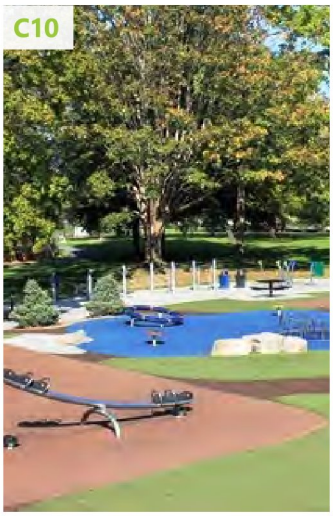
The Jacobsen Tree Farm property is an undeveloped park located in the Lea Hill area of Auburn. The City went through a master planning process for the future park, which was completed in 2010. Future elements of the park include soccer fields, baseball fields, play grounds, and passive recreational opportunities. The park is adjacent to Arthur Jacobsen Elementary and Auburn Mountainview High School, and has magnificent views of Mount Rainier. A bond or levy will be needed in order to develop this large community park property.



Lea Hill Park

31693 124th Ave. SE
5.26 acres –Dedicated in 2013
Classification: Community Park
Status: Developed

Lea Hill Park is a community park that serves the Lea Hill neighborhood and is located adjacent to the Green River Community College Campus. Park amenities include a skate park, pervious walking pathways, a rentable picnic shelter, an amphitheater, baseball field, free game synthetic sport area, half basketball court, and a play area featuring a tractor and climbing toys. An ADA accessible restroom facility with two unisex bathrooms and drinking fountains was completed in the spring 2015.



Les Gove Park/Les Gove Community Campus

910 9th St. SE
26.07 acres –Dedicated in 1966
Classification: Community Park
Status: Developed

Les Gove Park is a recreational and educational facility serving the entire community. The Library, Parks and Recreation Administration Building, Community Center, Teen Center, Senior Center, the White River Valley Museum, and a variety of recreational features make Les Gove a very popular destination.



Mill Pond Park

4582 Mill Pond Dr. SE
4.20 acres – Dedicated in 1997
Classification: Community Park
Status: Developed

Mill Pond is unique in several ways. The park is a joint project between the Parks and Public Works Departments, the Auburn School District, and the developer of Lakeland Hills. All of these groups came together to create a park with a dual purpose: to provide a recreational experience in a natural setting, and to provide stormwater detention and filtering for a 400 acre area. The site includes a permanent pond, a grass-lined bio-swale that becomes a temporary pond during storms, a 1/4 mile paved trail around the circumference of the ponds, and a fishing dock. Fishing in the pond is limited to children under 15.



Roegner Park

601 Oravetz Road SE
19.22 acres – Dedicated in 1994
Classification: Community Park
Status: Developed

This community park is located along the banks of the White River, adjacent to Auburn Riverside High School. A trail system includes both hard and soft-surfaced sections that meet the needs of many different users, including equestrians from the near- by Hidden Valley neighborhood. Trail construction began in 1997 from the east side of Roegner Park to Kersey Way, and continuing east along the river to Game Farm Wilderness Park. An approximate ½- acre off-leash fenced dog park is located near the trail, and can be easily accessed from the parking area off of Oravitz Road. Commissioned artwork for the park includes a uniquely designed bench with a salmon motif, placed to allow views of the river.



Sunset Park

1420 69th St. SE
15.15 acres – Dedicated in 2003
Classification: Community Park
Status: Developed

Sunset Park was developed by the developer in Lakeland Hills. It is unique in several ways. The community park serves the Lakeland Hills neighborhood but also the community. The site includes a picnic shelter, two youth baseball/softball fields, trails, basketball court and skate park.



Veterans Memorial Park

405 E St. NE
7.67 acres – Dedicated in 1926
Classification: Community Park
Status: Developed

Veteran's Memorial Park, formerly City Park, is a popular community park located close to downtown Auburn and adjacent to Auburn High School's Memorial Stadium. The park is distinctive for its Veterans Memorial structure, shady woods and underlying expanse of green lawn. The Veterans Memorial structure was funded with donations and fund-raising events by local veterans groups. Its design and construction were accomplished with use of volunteer labor.

Special use facilities include unique recreational and cultural amenities that serve specific community interests. This includes the Auburn Golf Course, the White River Valley Museum, and various sports complexes and community centers, all enhancing the quality of life for Auburn residents.

Trails, Bikeways & Pathways

Auburn's parks system is designed to offer a balanced mix of recreational opportunities, natural preservation, and specialized facilities, which fosters a vibrant and active community. The city's mild climate, combined with a strong culture of outdoor activities, significantly contributes to the high usage and support of its extensive trail network.

The city categorizes its trails into three primary types:

1. Recreational loop trails
2. Linear trails
3. Recreation/transportation trails.

Recreational loop trails are typically short paths that form loops within a single park or site. These trails are designed for activities such as walking, bicycling, hiking, or skating, and they often connect various activity areas within a park or provide access to natural preserves or nearby neighborhoods. These trails can be constructed with either hard surface materials and are usable in all weather conditions, while soft surface trails offer a more rustic and natural experience.

Linear trails in Auburn are designed to connect different areas of the city or activity centers, leading to key destinations. These trails are generally hard-surfaced, making them suitable for activities like walking, bicycling, and skating, even in varying weather conditions. Notable examples of linear trails include the Green River (Reddington) Trail, Lakeland Hills Linear Trail, Lake Tapps Parkway Trail, and the White River Trail. The White River Trail, for example, stretches from Game Farm Wilderness Park through Roegner Park and ends at A Street SE, featuring both paved sections and soft surface areas that accommodate a variety of users, including mountain bikers, horseback riders, and hikers.

Recreation/transportation trails serve a dual purpose by connecting various parts of the city or activity centers for both recreational and transportation uses. Refer to Table 2-6 for the primary or major examples of these trails. These trails are typically linear, hard-surfaced, and designed to accommodate a variety of transportation modes, such as walking, bicycling, and skating. Sometimes referred to as "multi-modal trails," they are built to stricter standards and are generally designed for two-way traffic.

Table 2-5: Existing Trails					
Park/Trail	Description	Linear Trails Total (miles)	Recreational Loop Trails Total (miles)	Recreation / Transportation Trails Total (miles)	Total Length
Auburndale Park	Paved loop path around park		0.41		0.14
Auburn Environmental Park	Board Walk Trail		0.23		0.23
Brannan Park	Paved loop path around Park to Reddington levee. A paved surface linear trail extends along the levee.	1.7	0.72		2.42
C' Street SE Trail	Ellington Rd. SW to 15th Street SW			1.6	1.6
Cameron Park	Paved loop path through park and loops through Lemon Tree Lane		0.33		0.33
Cedar Lanes Park	Informal path through wooded area		0.25		0.25
Dorothy Bothell	Loop trail		0.25		0.25
Game Farm Park	Paved loop path around meadow, play structure, ball fields. Extensive sidewalk throughout park		3.3		3.3
Game Farm Wilderness Park	Paved trail along the White River and around the group camp area.	See White R. Trail			
Interurban Trail	Paved 12' wide trail runs alongside the Union Pacific railroad, from the city's northern to southern limits			4.5	4.5
Isaac Evans Park	Paved loop through wood and along the Green River		1.07		1.07
Jornada Park	Paved loop through wood and around park		0.1		0.1
Lakeland Hills Linear	Extensive sidewalk path on Lake- land Hills Way from Evergreen Way to Lake Tapps Parkway	0.73			0.73
Lakeland Hills Park Trail	Paved loop path around recreational fields		0.39		0.39
Lake Tapps Pkwy Trail	Paved sidewalk and asphalt trail	1.62			1.62
Les Gove Park Trail	Paved loop path around open space		0.58		0.58
Mill Pond Park Trail	Paved loop path around pond. Connects to Lakeland Hills Trail.		0.29		0.29
PSE (Lakeland)		0.4			0.4
Roegner Park	Both hard and soft surface trails are present in the park. A paved loop path is marked.	See White River Trail Below			
Sunset Park	Paved loop path around park.		1.19		1.19
West Auburn Lake			0.25		0.25
White River Trail	Paved and soft surface trail	3.5			2.3
Total		**7.95**	**9.11**	**6.1**	**23.16**

The Interurban Trail is managed by King County Parks for the sections outside specific municipal boundaries. However, within Auburn's city limits, the Auburn Parks Department is responsible for maintaining the segment of the trail that runs through the city. This collaborative effort ensures the trail remains well-maintained and accessible throughout its route. On the other hand, the White River Trail is primarily maintained by the City of Auburn Parks Department, which ensures its upkeep and accessibility as it connects several key parks within the city. The Interurban Trail is a prominent example of this type, serving as a major non-motorized route that runs north to south through several cities, including Tukwila, Kent, Auburn, Algona, and Pacific. This 12-foot-wide path follows the Puget Power right-of-way and parallels the Union Pacific Railroad for much of its length, making it a key transportation and recreational asset. The trail also provides access to several of Auburn's major employers, including Boeing, GSA, the Outlet Collection, and Auburn Environmental Park. Located less than half a mile from downtown Auburn, the Interurban Trail is a vital link for the community.

Table 2-6: Auburn Maintained Trails (Dedicated)

Type	Length
Interurban Trail (South)	4.5 mi
White River Trail	3.5 mi
Green River Trail*	TBD
	8.0 mi

* Future proposed extension

Both the Interurban Trail and the White River Trail are also designed to accommodate equestrians, making them versatile for a range of users. Additionally, informal trails in the open space areas of southeast Auburn and the shoulders of some rural roads are also used by equestrians, although these are not specifically designed or managed for this purpose. Auburn's commitment to providing diverse and accessible recreational options ensures that the city's parks and trails continue to meet the needs of its growing population.

Schools & Other Outdoor Recreation Amenities

In Auburn, recreational opportunities extend beyond city parks, encompassing other public lands and private facilities, which play a crucial role in assessing the adequacy of the City's park system. Among these, schools are one of the largest contributors to recreational space outside of city-managed parks.

Schools naturally serve as neighborhood gathering places and are often within walking distance of most homes in the city. School grounds typically feature sports fields, open grassy areas for play, playground equipment, and basketball courts. However, the accessibility and availability of these school facilities can vary. During the school year, these spaces are primarily used by the schools throughout the day and often during after-school hours, limiting their availability for individual use or non-school sports leagues. Additionally, some sports fields may be too small or not maintained to the standards required for organized league play. Therefore, while school facilities are valuable components of the community's overall recreational resources, they cannot substitute for a robust public park system.

Table 2-7 in the following pages summarizes the recreational facilities available at Auburn School District properties. It's important to note that the Auburn School District's boundaries extend beyond the Auburn city limits, resulting in a service area that does not fully align with that of the City of Auburn. As a result, the availability and utilization of these school facilities for Auburn residents may vary based on geographic and jurisdictional differences.

In addition to school properties, several other lands used informally for recreation are owned by other public entities. The Auburn Water Utility manages several watershed areas with restricted access to maintain water quality. The Coal Creek Spring Watershed in south Auburn is the city's primary water source, while the West Hill Watershed serves as a secondary source. Despite the proximity of these areas to neighborhoods, public access is generally discouraged to protect water quality.

King County Parks also owns several developed and undeveloped properties near Auburn. While Auburn's parks are more convenient for residents, many recreational users also utilize nearby King County parks, regardless of civic boundaries. A significant regional project, the Green River Trail, managed by King County, spans over 19 miles from Cecil Moses Park near Seattle's southern boundary to North Green River Park near Auburn. Extending the Green River Trail south from Kent has indeed faced challenges due to private property issues. However, plans are still in development to continue this extension through Auburn and eventually to Flaming Geyser State Park at the Green River Gorge. The project remains in the design and planning stages, with ongoing efforts to resolve these challenges and facilitate the trail's expansion further south.

Additionally, the State of Washington owns an easement along certain sections of the west side of the Green River within the city. This easement, which runs directly behind several residences, permits access for fishing only, limiting broader public use.

Table 2-7: Auburn School District Facilities	
School	Available Facilities
Elementary Schools	
Alpac	2 youth baseball/softball fields
Chinook	4 youth baseball/softball fields
Evergreen Heights	2 youth baseball/softball fields
Gildo Rey	2 youth baseball/softball fields
Ilalko	2 youth baseball/softball fields
Lakeview	3 youth baseball/softball fields
Lea Hill	2 youth baseball/softball fields
Dick Scobee	2 youth baseball/softball fields
Pioneer	3 youth baseball/softball fields
Terminal Park	2 youth baseball/softball fields
Washington	2 youth baseball/softball fields
Middle Schools	
Cascade	1 Football Field with Track,
	Gymnasium with 1 basketball court, Annex 2 Baseball/Softball Fields, 90′ & 65′ fields
Mt. Baker	1 Football Field with Track, 2 Gymnasium
	3 Baseball Fields, 90′ & 65′ fields
	3 Softball Fields
Olympic	1 Football Field, Track,
	Gymnasium with 1 basketball court
	2 Baseball/Softball Fields, 90′ & 65′ fields
Rainier	1 Football Field, Track
	Gymnasium with 2 basketball court
	2 Baseball/Softball Fields, 90′ & 65′ fields
Senior High Schools	
Auburn Riverside High	1 Football Field synthetic turf with Track (Lighted), 8 Tennis Courts
	5 Gymnasiums
	1 Baseball Field, 90′ infield, 3 softball fields
Auburn Senior High	1 Football Field synthetic turf with Track (Lighted), 8 Lighted Tennis Courts
	Gymnasium with 2 basketball court 1 Baseball Field, 90′ infield
Auburn Mountain View High	1 Football Field with Track,
	6 Gymnasiums, 8 Tennis Courts
	2 Baseball Fields, 90′ & 65′ fields, 2 Softball Fields
West Auburn High	1 Baseball/Softball Field, 65′ infield
	1 Gymnasium

Existing Major Public Art Projects

The City of Auburn Parks Department plays a vital role in maintaining the city's vibrant public art installations. These installations not only enhance the beauty of public spaces but also reflect the cultural and artistic spirit of the community. Below is a list of the major public art installations that the Auburn Parks Department is responsible for maintaining, ensuring they remain in excellent condition for all residents and visitors to enjoy.



Table 2-8: Existing Public Art Inventory

Year	Artist	Piece	Location
1989	Meg Pettibone	Steelhead	Isaac Evans Park
1991	Richard Beyer	Children Playing Train at the Switch	City Hall
1993	Michele Van Slyke	Every Year the Salmon Return	Roegner Park
1994	Nancy Hammer	Burlington Northern Railroad Bridge	Auburn Way S & Hwy 18
1995	Garth Edwards	B Street Plaza	E Main & B St. SE
1996	Timothy Siciliano	Bus Shelter Murla	15th St SW
1996	Gerald Tsutukawa	Sun Circle	Game Farm Park
1997	Timothy Siciliano	The Equine Amusement	15th St. NE @ Metro P&R
1998	Deborah Merksy	Pioneer Cemetery Entryway	Auburn Way N & 8th St. NE
1999	Kulzer & Spitzer	Xtreme AtmosFearic Oscillator	Auburn Skate Park
2000	Evans & Mee	Mnemosyne's Opus	King County Library
2001	Phillip Levine	Threshold	Les Gove Park
2001	Ries Niemi	5 Moments Senior Center	Les Gove Park
2003	Paul Sorey	Running Figures	Sound Transit Plaza
2004	Brandon Zebold	Sighting	LL Hills Way & Evergreen Way
2004	Sidney Genette	Blue Neutron	Auburn Justice Center
2005	Ingrid Lahti	Les Gove Community Campus Sign	Auburn Way S & F Street
2006	Darel Grothaus	Evergreen-Washelli Cemetery: Seattle, WA	Cemetery Admin Building
2007	Greg Boudreau	Veteran's Day Parade	Veteran's Memorial Building
2008	Tom Askman Le Anne Lake	Tobu Bo	West Main Street
2008	Jesse Brown	Urban Art Works Mural	233 W. Main Street (A1 Collision Building)
2009	Susan Zoccola	Swing and Flight	Auburn Golf Course
2011	Bruce Meyers	Auburn Valley Topography	Les Gove Park
2011	Sheila Klein	Civic Lanterns	25 W. Main, City Hall
2011	Rachael Dotson	Utility Boxes	Various– Throughout Down- town
2011	Mauricia Robalino	Ride the Wave	116 A Street
2012	Chris Sharp	Railroads our Beginning Mural	364 W Main Street
1013	Michael Laughlin	Strawberry Calf	Lea Hill Park
2013	Lin McJunkin	Riparian Totem	Auburn Justice Center
2013	Patricia Vader	Watch My Tail	4910 A Street SE
2014	Kenneth Hall	Origami #2 – Fuchia	Sunset Park
2016	Virginia Paquette	Confluence/ Community	9910 Ninth Street SE
2016	Steve Tyree	Hawk	Game Farm Park
2017	David Varnau	Joie de Vivre	Auburn Community & Event Center
2019	Jacob Novinger	Heirloom Hare	Les Gove Park
2019	Peter Reiquam	Crow with Fries	Les Gove Park
2019	Nicholas Goettling	Pillow Fight Mural	F Street Bridge Underpass
2021	MacRae Wylde	Truth	Postmark Center for the Arts

Public Involvement









The successful development and implementation of a community's parks system ultimately relies on listening to the needs, demands, and ideas the community has to improve or suggest new additions to the system. Knowing that "the people who show up get to make the decisions", it was imperative that a successful public involvement process be implemented that allowed Auburn's citizens, and its visitors, multiple opportunities to inform the process and results. These opportunities hosted during this planning process included:

- Community Needs Assessment Survey
- Community Visioning Survey

With grant programs and other decision makers focusing on understanding a community's desired quality of life, public involvement is the most crucial and time-consuming element of the PROS planning process, allowing a correct assessment of a community's desired quality of life. This is where the public and users can share their ideas, goals, and objectives for their parks system and communicate these needs and desires to the City.

The intention behind the public involvement approach was to maximize an equitable distribution of needs, wishes, and ideas from the public. To ensure that the PROS Plan is reflective of the Auburn community and their interests, needs, and priorities, a series of engagement goals and methodologies were discussed and developed.

Engagement Goals

As this process began and continued through the COVID-19 pandemic, many public events were canceled or postponed due to safety concerns and government restrictions, leading to a substantial decline or, in many cases, the elimination of in-person participation. To adapt, more focus was placed on virtual engagement techniques, which provided a safer alternative for community engagement, though they could not fully replace in-person experiences. There was also a notable increase in the use of parks and outdoor spaces as people sought safe ways to engage in recreational activities while maintaining social distancing, with activities like hiking, biking, and outdoor fitness classes gaining popularity. The pandemic prompted a reevaluation of public health and safety practices, resulting in changes to engagement planning and execution. As restrictions eased, participation rates began to recover gradually, although some individuals still remained cautious about returning to large in-person events. Additionally, there was an increased focus on health

and wellness, driving interest in related programs offered by parks and recreation departments and encouraging the development of more diverse and inclusive programming to meet community needs. Overall, COVID-19 brought about significant changes in public participation, with a lasting impact on how events are conducted and attended. To overcome this potential lack of participation, a series of goals for the engagement plan was developed.

1. Continue to Build On or Validate Public Sentiment From Previous Surveys

The goal is to recognize that in communities like Auburn, public communication often relies heavily on informal channels such as word-of-mouth and conversations among neighbors. This approach is effective for disseminating information and fostering discussions about local events. Auburn also has other planning processes, such as the Comprehensive Plan and Downtown Master Plan, ongoing during this time. The current planning effort aims to incorporate a review of these past surveys to identify relevant data that can inform the understanding of the community's desired quality of life.

2. Ensure equitable distribution of new survey results throughout the city.

To gain a holistic understanding of a city's diverse communities and their needs, conducting surveys at the neighborhood level is crucial. This approach ensures that the concept of "quality of life" is not skewed towards a specific demographic. Ideally, the surveys are designed to capture respondents' residential locations within the city. This allows for the identification of localized needs and the development of tailored strategies for equitable resource allocation, targeted interventions, and effective community engagement. Using a GIS-based tool to identify the locations of comments will ensure we can achieve a desired level of response equity across all neighborhoods of Auburn.

3. Deploy multiple engagement opportunities

The inclusion of multiple participation methods effectively broadens the reach of the survey and addresses potential accessibility challenges. In addition to online and virtual surveys, the public is invited to participate in multiple engagement events online and complete paper surveys distributed at designated locations like City Hall, the Senior Center, and the Museum. This multi-modal approach ensures inclusivity by catering to residents with varying technological access and preferences.

4. Provide a broad range of constituents the ability to supply both broad and specific action-oriented feedback.

The goal is to transcend the collection of broad public needs and desires by implementing an online map-based engagement tool that uniquely incorporates opportunities for residents to actively participate in the "design" of their parks, generating site-specific suggestions. This approach will align with the principles of an inclusive planning framework, emphasizing citizen engagement in shaping service delivery. The aim is to create avenues for the public to contribute "real" ideas and concepts, fostering a sense of ownership and impact. Additionally, measures will be taken to ensure participant demographics accurately reflect the Auburn community profile.

Public Engagement Plan Overview

The engagement plan was organized around a series of both virtual and in-person events, noting the specific time dates. With the primary goal of the City always being to engage with the public about its park and recreation needs, the City developed a public engagement plan centered around two different kinds of virtual engagement techniques: 1) an online Needs & Assessment Survey, and 2) an online map-based project.

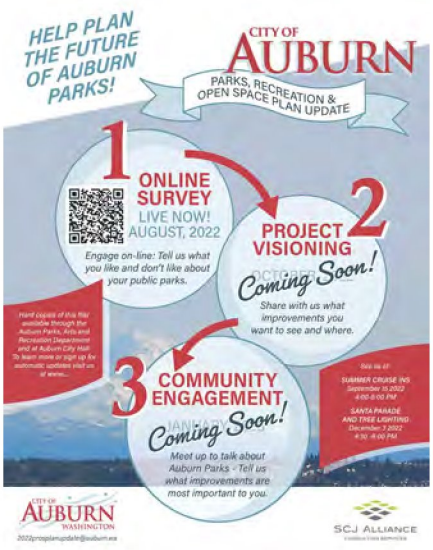
A successful engagement process harnesses the community's energy and inspires community ownership of the process, while also adapting to new insights and feedback. Stakeholders and community members supply the local knowledge, context, and information necessary to make informed project decisions.

As part of this engagement process, public comment was collected via an online community needs assessment survey, conducted in the Fall of 2022 and linked through the City's website. The project team will use the collected input, summarized in this report, to inform and drive the PROS Plan update.

Kickoff Meeting

SCJ met with City of Auburn Staff to conduct a kickoff meeting. At this meeting, the following was reviewed and discussed:

1. Determine the current parks, recreation, and open space issues
2. Brainstorm and finalize stakeholder interview list
3. Share and finalize the Public Engagement Plan







Engagement Marketing

With a primary goal of the City to always be engaging with the public about its park & recreation needs, the City developed a public engagement plan centered around two different kinds of virtual engagement techniques, 1) A online Needs & Assessment Survey, and 2) a on-line map-based project

A successful engagement process harnesses the community's energy and inspires community ownership of the process, while also adapting to new insights and feedback. Stakeholders and community members supply the local knowledge, context, and information necessary to make informed project decisions.

As part of this engagement process, public comment was collected via an online community needs assessment survey, conducted in the Fall of 2022 and linked through the City's website. The project team will use the collected input, summarized in this report, to inform and drive the PROS Plan update.

Note that all the engagement marketing, flyers, and surveys were all translated and offer in multiple languages, including Chinese, Russian, and Spanish. A Marshaleese translator was found but was not able to process the survey information in time.

Parks Needs & Assessment Survey

To assess how people were using Auburn's park and trail system, an online survey was conducted in the fall of 2022. This initiative aimed to gather valuable insights from both residents and visitors. The survey specifically focused on understanding current usage patterns of existing parks and trails, identifying any barriers that hinder their use, and gauging resident interest in adding or removing specific park and recreation features. The online survey consisted of both multiple-choice and open-ended questions focusing on community needs and issues with regards to Auburn's park facilities and recreation programs.

Additionally, the survey sought to identify the most popular parks and amenities among residents and visitors. To ensure broad participation, the survey was offered in both English, Spanish, Chinese, and Russian.

The list of questions asked, minus typical demographic inquiries, included:

How frequently do you use the City's park and recreation facilities?

How long is your average visit to these facilities?

What are the existing barriers to your use of parks in Auburn?

The survey was live for several months in the Fall of 2022, and a total of 619 completed surveys were received in that time. A summary of the responses to each question is provided on the following pages.

How much do you or would you use specific recreational elements?

What does Auburn need more or less of?

What is your connection to Auburn?

Other typical demographic questions were asked as well, in order to better understand the survey audience, identify any trends and ensure that a balanced representation was captured.

Full survey results are found in Appendix C, with key takeaways and highlights summarized here.

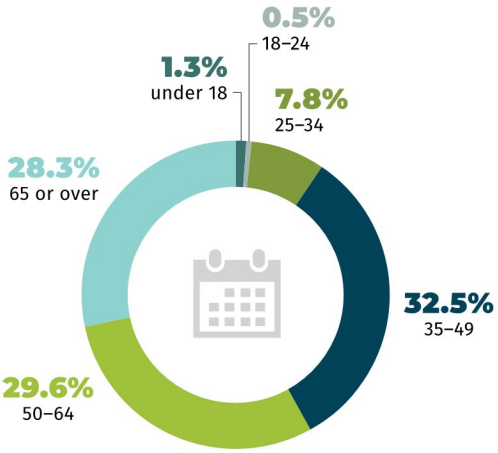


Demographics

Demographic information was collected to help ensure survey responses are representative of the community and amenities are tailored to patrons and residents. All responses were voluntary and were collected anonymously.

Age Range

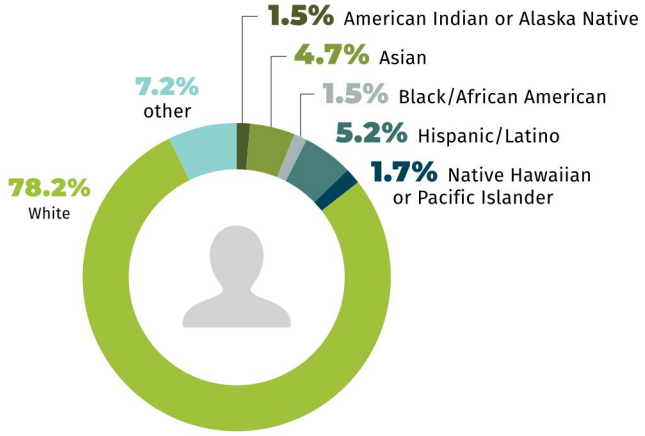
When asked the question, "What age range are you in?" the largest percentage (33%) were in the 35–49 age range. Another 30% were in the 50–64 range, and 28% were 65 or over. Only 10% of respondents were under the age of 35.



Ethnicity

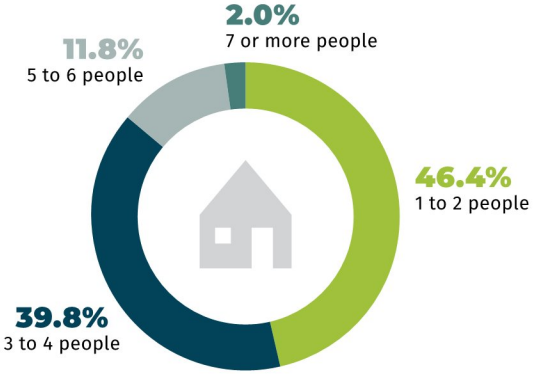
When asked "What is your ethnicity?" the largest percentage (78%) identified as "White", with another 5% identifying as "Hispanic/Latino" and 5% identifying as "Asian."

"American Indian or Alaska Native," "Black/ African American," and "Native Hawaiian or Pacific Islander" each accounted for less than 2% of the respondent population, and about 7% of respondents identified as "Other."



Household Size

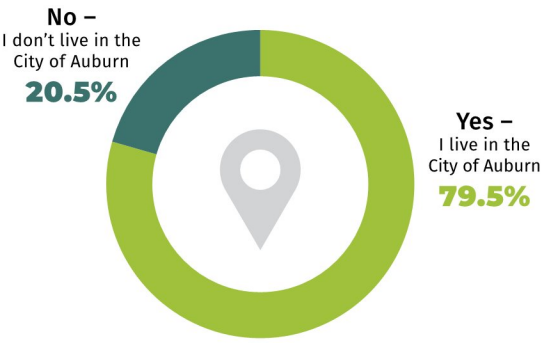
Nearly half of respondents (46%) indicated their household consists of only 1 to 2 people, and another 40% indicated their household consists of 3 to 4 people.

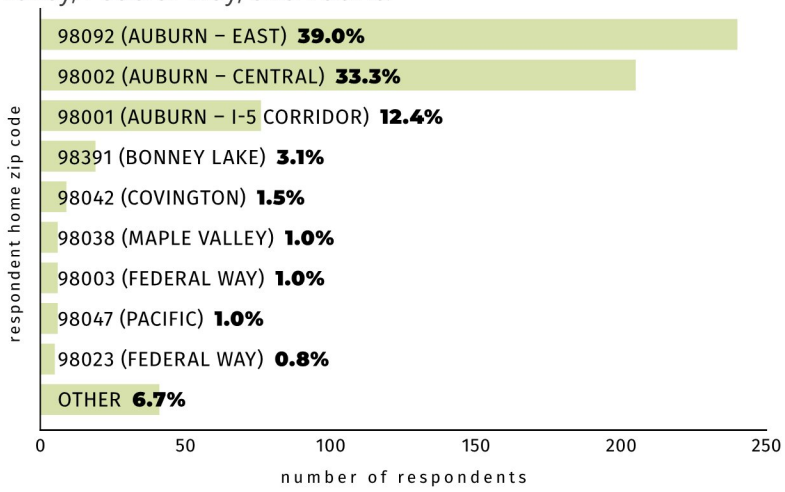


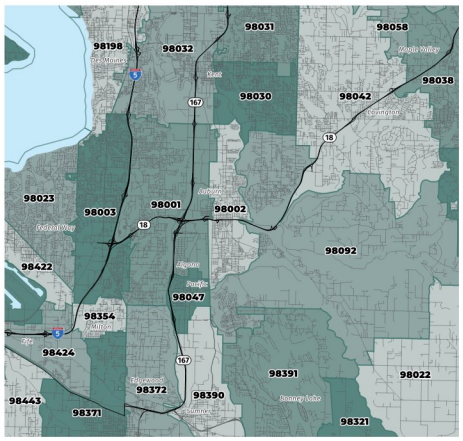
Demographics

Home Location

A majority of survey participants (79.5%) indicated they live in the City of Auburn. In order to better understand where Auburn's park users live, survey participants were also asked what zip code they live in. Nearly 40% of participants responded that they live in zip code 98092 (Auburn – east), with another third of participants in 98002 (Auburn – central) and 12% in 98001 (Auburn – I-5 corridor). The survey also saw a significant number of participants who lived in Bonney Lake, Covington, Maple Valley, Federal Way, and Pacific.

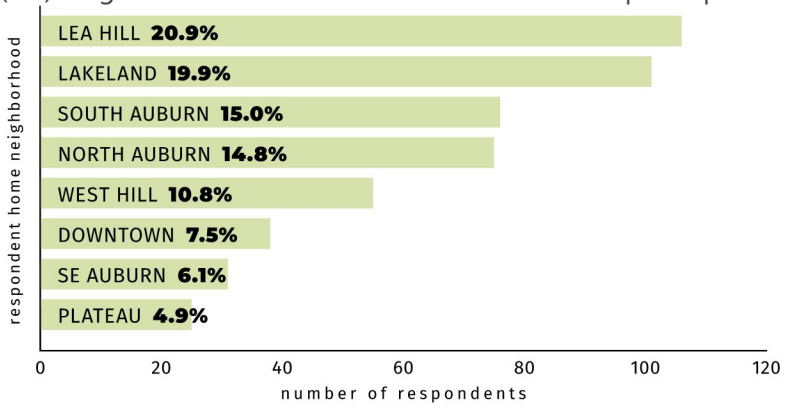


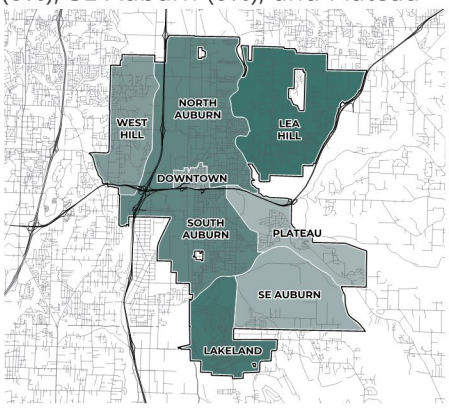




Neighborhood of Residence

Of the 507 survey participants who indicated they live in the City of Auburn, the highest percentages live in the Lea Hill (21%) and Lakeland (20%) neighborhoods. The Downtown (8%), SE Auburn (6%), and Plateau (5%) neighborhoods had the smallest numbers of participants.

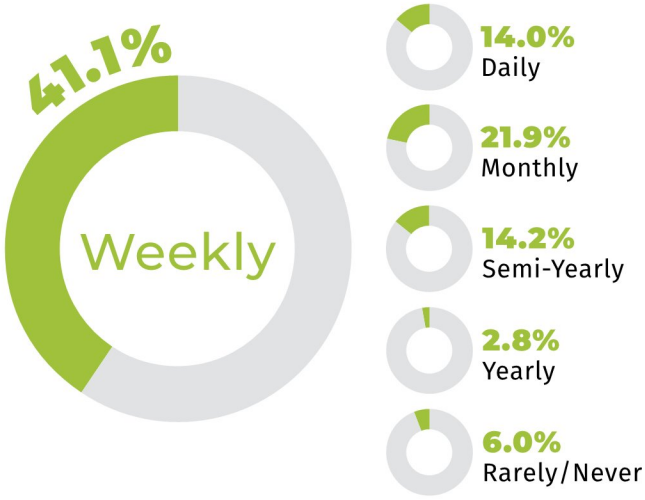




Use of Auburn's Existing Facilities

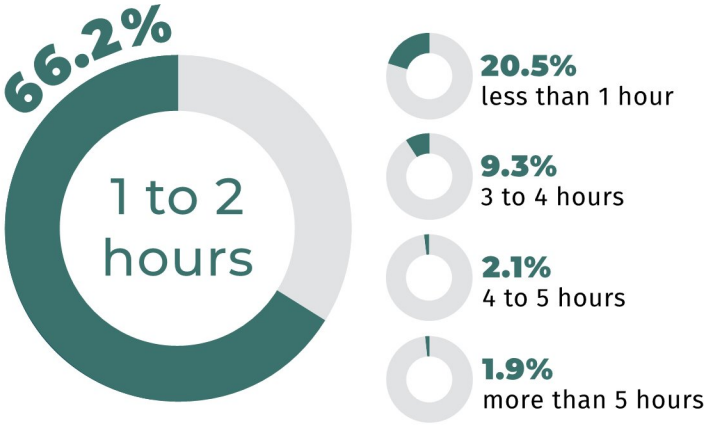
Frequency

Survey participants were asked, "How frequently do you visit the parks or recreational facilities within the City of Auburn?" Over 40% indicated they visit Auburn's parks weekly, with another 22% visiting monthly.



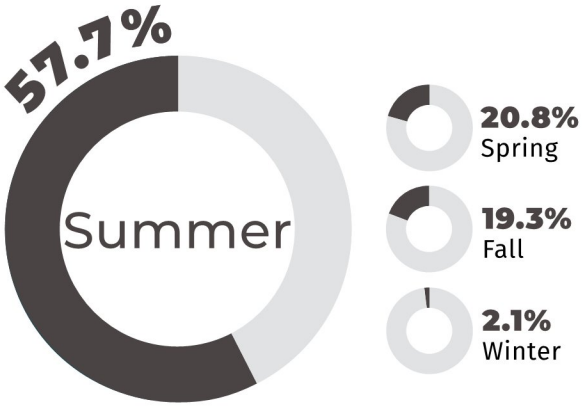
Length of Visit

When asked, "How long is your average visit to a park or recreational facility within the City of Auburn?" nearly two-thirds of participants responded with 1 to 2 hours, with another 21% indicating their average visits last less than 1 hour. Only 13% of respondents indicated their average visits were longer than 2 hours.



Season

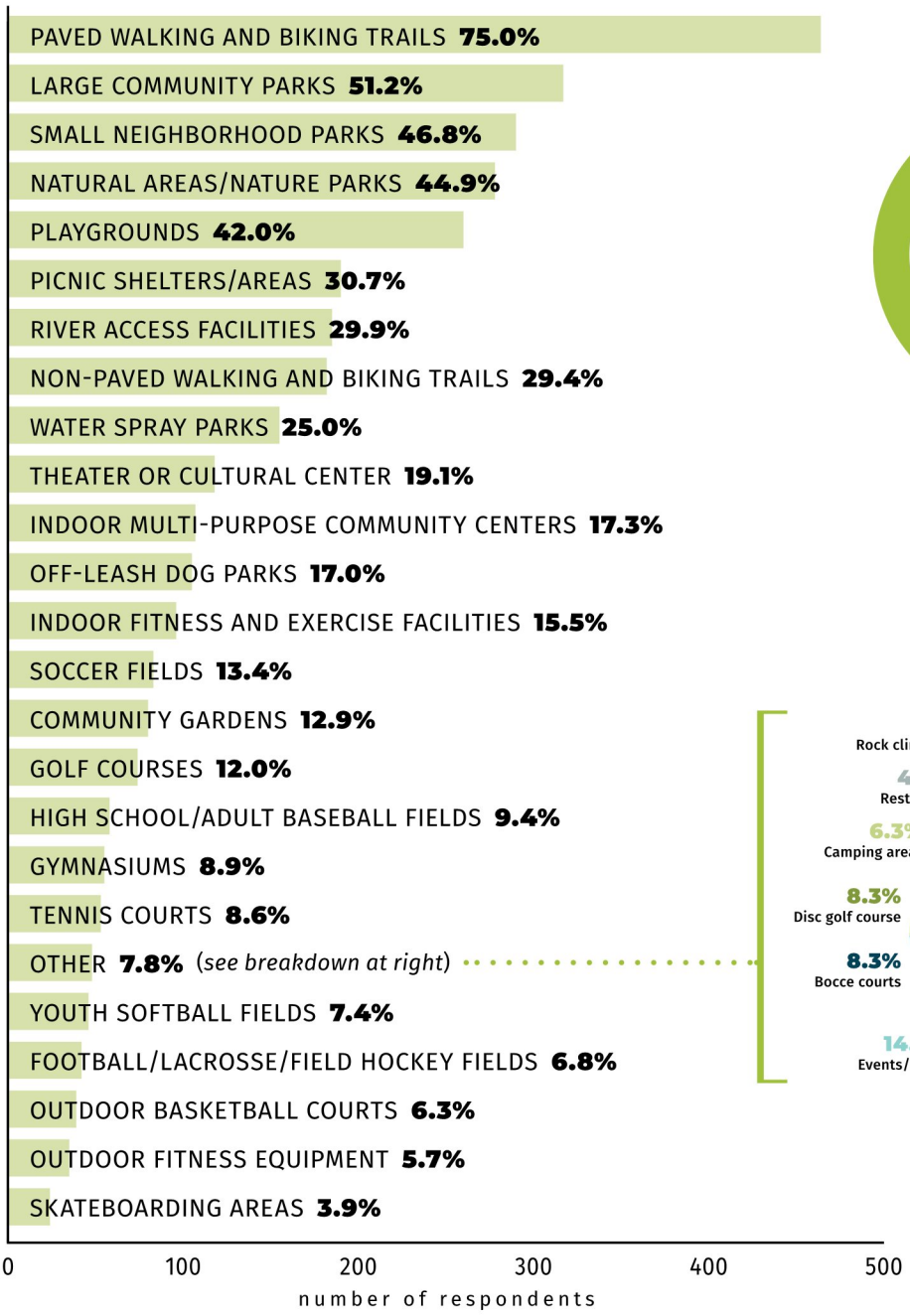
Participants were asked, "What is your favorite season to visit parks and recreational facilities in the City of Auburn?" Summer was the favorite time to visit for 58% of respondents, with Spring and Fall each garnering about 20% of the vote. Only 2% of respondents indicated winter was their favorite season for a parks visit.

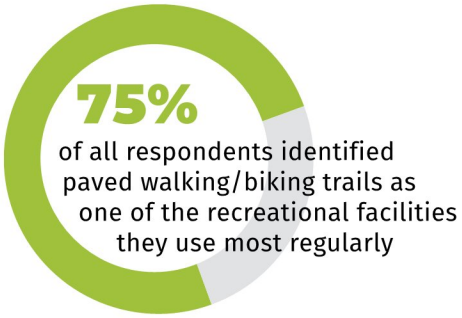


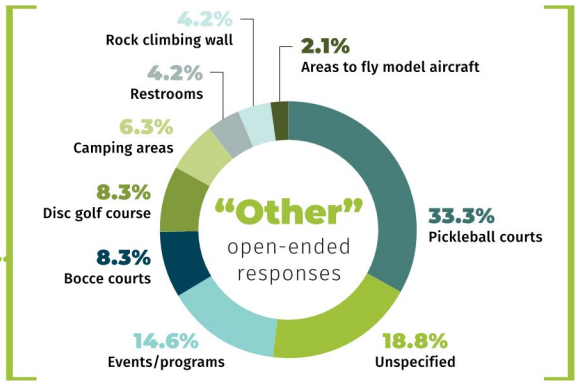
Recreational Facility Use

Types of Facilities Used

Respondents were asked to select from a multiple-choice list to answer the question, "What are the types of recreational amenities/facilities that you most regularly use?" Respondents could select as many choices as applicable for them/their household, regardless of whether the facilities were located in Auburn or not.



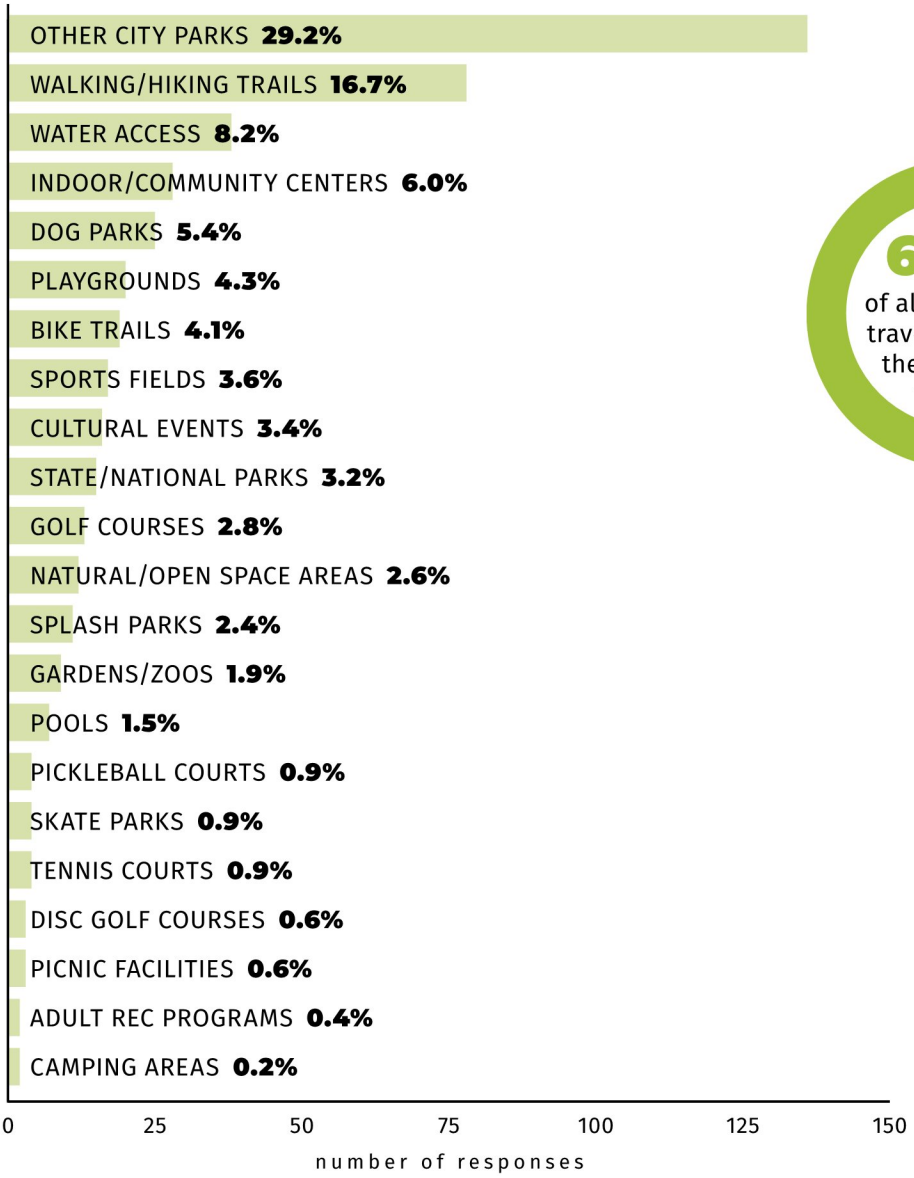




Recreational Facility Use

Recreational Facilities Outside Auburn

As a follow-up question to what types of recreational amenities/facilities they use most regularly, survey participants were asked, "Do you currently travel outside the City of Auburn for any of these amenities?" They were then asked to list the facilities they currently travel outside the City of Auburn to use. The open-ended answers provided by participants can be broadly broken into the categories below.



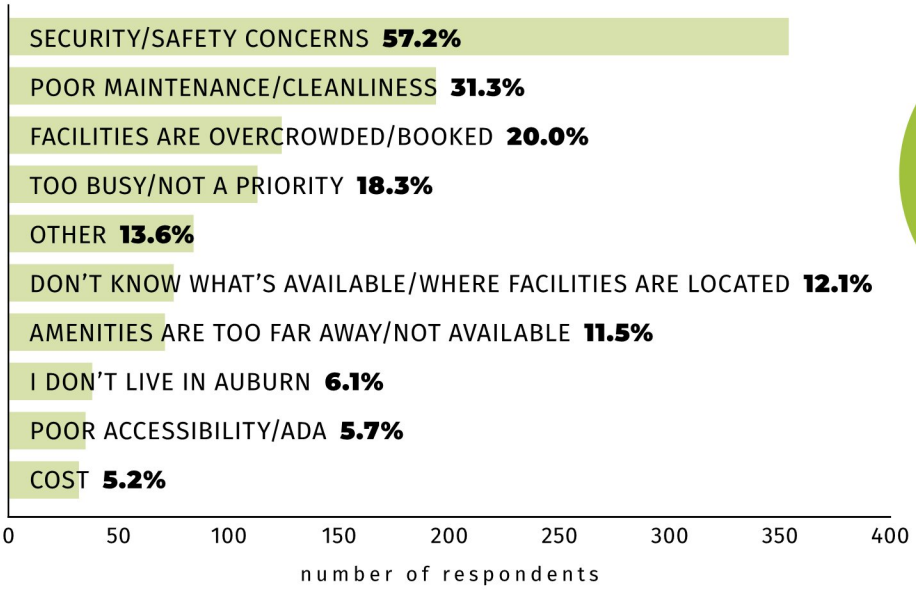


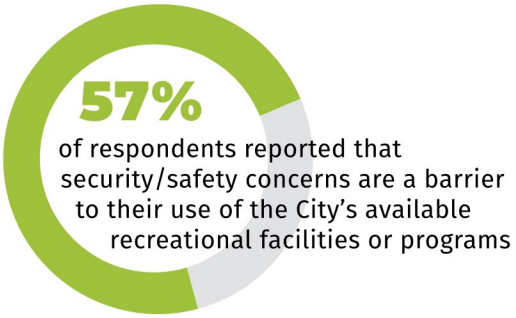
of all respondents indicated they travel outside of Auburn to access the recreational amenities/facilities they use most frequently

Recreational Facility Use

Barriers to Use

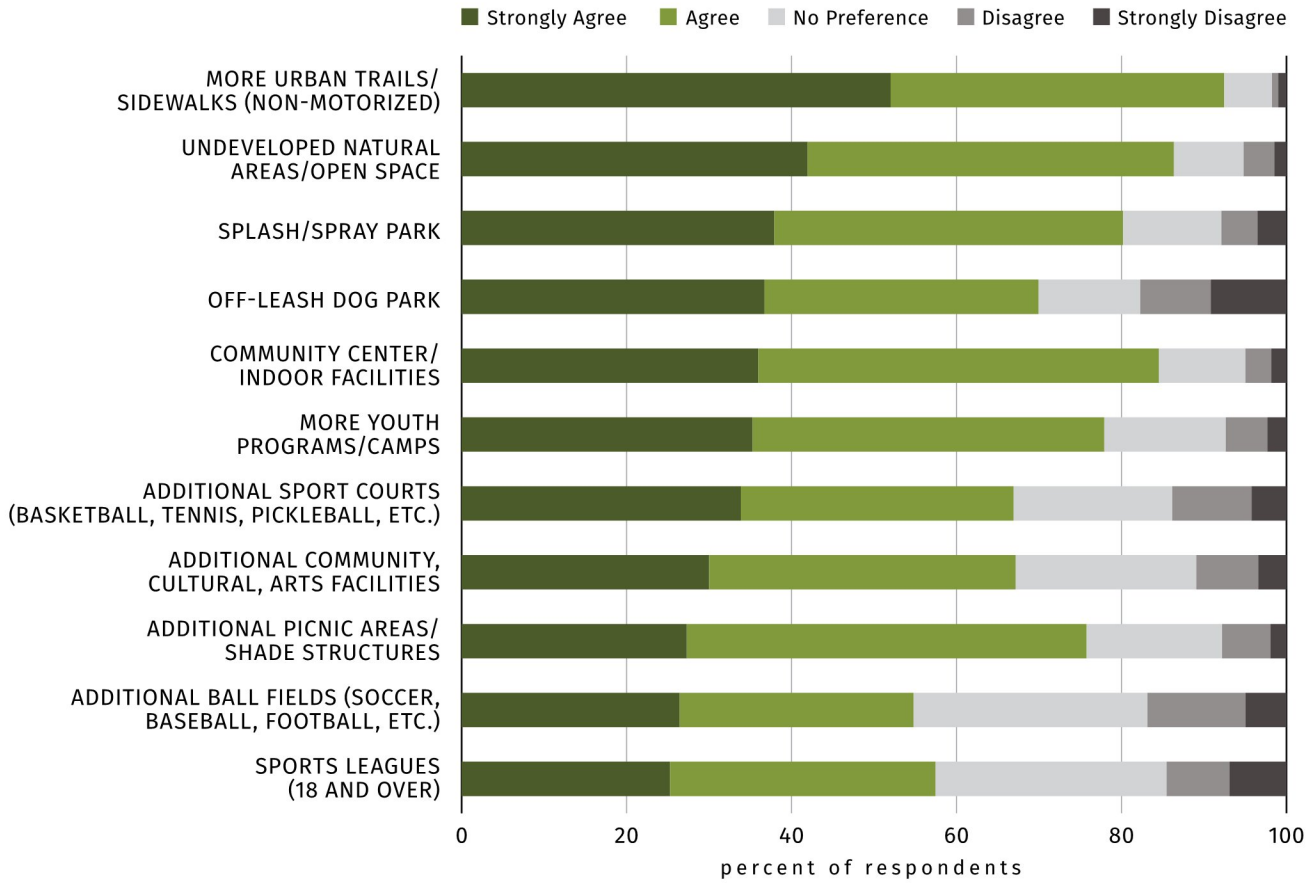
Survey participants were asked to select from a multiple-choice list to answer the question, "What are some of the existing barriers or reasons why you may not use available recreational facilities or participate in parks and recreational programs within the City of Auburn?" Participants were invited to select as many choices as applied for them/their household. Security/safety concerns (57%) were the top barrier to participants' use of existing facilities, followed by maintenance/cleanliness (31%) and overcrowded/booked facilities (20%).





Parks and Recreation Needs

The City Needs...



Survey participants were provided with a list of recreational facilities and amenities, each framed as a statement ("The City needs [facility/amenity]"). Participants were asked to select how strongly they agreed or disagreed with each statement on a sliding scale of one to five (5 = strongly agree, 4 = agree, 3 = no preference, 2 = disagree, 1 = strongly disagree). Responses are summarized in the above chart.

At the top of the list, over 90% of participants either agreed or strongly agreed that the City needs more urban trails/sidewalks (non-motorized). Strong support was also given for undeveloped natural areas/ open space, splash/spray parks, off-leash dog parks, community center/indoor facilities, and more youth programs/camps.

Key Takeaways

The project team will use the input collected through the community survey to inform and drive the PROS Plan update. Key takeaways from the survey data include:

- Survey respondents' **most-used** recreational facilities include **paved walking/biking trails** (used by 75% of respondents), **large community parks** (51%), **small community parks** (47%), small neighborhood parks (47%), **natural areas/nature parks** (45%), and **playgrounds** (42%).
- Survey respondents' **least-used** recreational facilities include **skateboarding areas** (used by 4% of respondents), **outdoor fitness equipment** (6%), **football/lacrosse/hockey fields** (7%), and **youth softball fields** (7%).
- 63% of survey participants indicated they **travel outside of Auburn** to access the recreational amenities/facilities they use most frequently. These facilities include other (nearby) **city parks** (29%), **walking/hiking trails** (17%), **water access** (8%), and **indoor community centers** (6%). These responses suggest there could be a need for more of these facility types in the City of Auburn, or a need to improve those that already exist within the city.
- **Barriers to use** indicate existing issues that need to be addressed by the City in order to improve Auburn parks users' experience. The largest barriers to use of the City's available recreation facilities or programs, as reported by survey respondents, are **security/safety concerns** (57% of respondents), **poor maintenance/cleanliness** (31%), and **overcrowded/booked facilities** (20%).
- According to survey respondents, the City of Auburn's biggest parks and recreation needs include:
  - More non-motorized urban trails/sidewalks (92.5% of respondents)
  - Undeveloped natural areas/open space (86.4%)
  - Community centers/indoor facilities (84.5%)
  - Splash/spray parks (80.2%)
  - More youth programs/camps (77.9%)
  - Off-leash dog parks (69.9%)

Demand & Needs









The purpose of the demand and needs analysis is to evaluate, quantify, and understand the current and future demand for recreational facilities and parkland. This analysis also identifies the existing and anticipated needs for providing parkland, facilities, and open spaces, both now and in the future. "Needs" in this context includes both the preservation of existing services and resources, as well as the projected future requirements based on population forecasts and economic outlooks.

This update reflects the community's needs, desires, and recommended priorities, establishing a foundation for the next 6 to 10 years. It also outlines longer-term aspirations for the next 15 to 20 years.

Quantifications vs Qualifications

Traditionally, quantitative standards have been used to assess the need for and identify potential actions to acquire or develop additional parks and recreation elements. Based on the National Recreation and Park Association's (NRPA) guidelines and its online database "Park Metrics," simple comparisons of adequate land, derived from normalized averages across the country, were used to determine the minimum amount of parkland required to effectively provide parks and recreation services.

While this plan is primarily focused on the needs identified by the public, it also evaluates the recreational demands of the City of Auburn using traditional level-of-service (LOS) standards, recreation trends, and a gap analysis of access within the current park system.

However, while quantifiable metrics allow for straightforward comparisons, they fall short when it comes to understanding the "quality" of life that a community expects or demands. Developing strong strategies and identifying potential improvements requires engaging with community members through surveys, public meetings, and other forms of public consultation. The previous section of this report outlines this process in detail.

This section concludes with a comparison of the quantitative and qualitative findings to refine a methodology for testing and ultimately selecting improvements that will enhance Auburn's quality of life, aligned with its demonstrated values and preferences.

Park Equity & Access

To better understand where the demand and need for park lands should occur, a service area map was created on the following pages that identifies the current service area of each existing park and the new service areas created by proposed improvements.

To develop the service maps, Open Street Map data was used to identify and verify known sidewalk data and the City's transportation grid that the City of Auburn provided. Sidewalks are considered to be safe walking routes. All the existing access points to each existing park and/or trail space were digitized and a network analysis of the safe walking routes to each access point was developed. The analysis would initially stop even if the end of a sidewalk was encountered before the 10-min range (approximately 1/2 mile) was reached.

A second analysis ignored the known sidewalks and trails but followed the City's existing transportation grid, essentially identifying known gaps in the walkshed that could be addressed by extending existing sidewalks.

Additional maps on pages 60 and 61 highlight specific areas of the City where residents identified gaps in the current park system, with a particular emphasis on the need for more sports fields, courts, and other recreational amenities, as indicated through public involvement responses.

The "10-Min Walk" Metric

A 10-minute walk is considered an important park access metric for several reasons. A 10-minute walk (approximately 1/2 mile on level ground) as a park access metric is important because it promotes physical activity, equity, sustainability, social interaction, and overall community well-being (see 'Benefits of the 10-min Walk' on the next page.) It aligns with various health, environmental, and social goals the City has and should encourage staff and policymakers to prioritize accessible green spaces as a fundamental part of Auburn's development and the community's desired quality of life.

The figure on the following page identifies the service areas, AKA the 10-minute "walksheds", for each existing park as well as showing the current gaps on the page after that.

Gap Analysis

As outlined in the Goals & Objectives and related policies, ensuring that residents have fair and easy access to parks located within a half-mile of their homes is crucial for the overall health and well-being of the community. This previous figure offer insights into population density and conducts a network analysis of park accessibility. This analysis examines each property's ability to reach a nearby park within a half-mile, either via a street or a trail. The service area maps are designed to demonstrate how accessible parks with various amenities are to the community and how accessibility could be enhanced through improvements to parks that currently offer limited amenities. It's worth noting that these accessibility gaps can be reduced by ensuring safe access to parks can be increased with new sidewalks and transportation improvements.

City of Auburn Projections

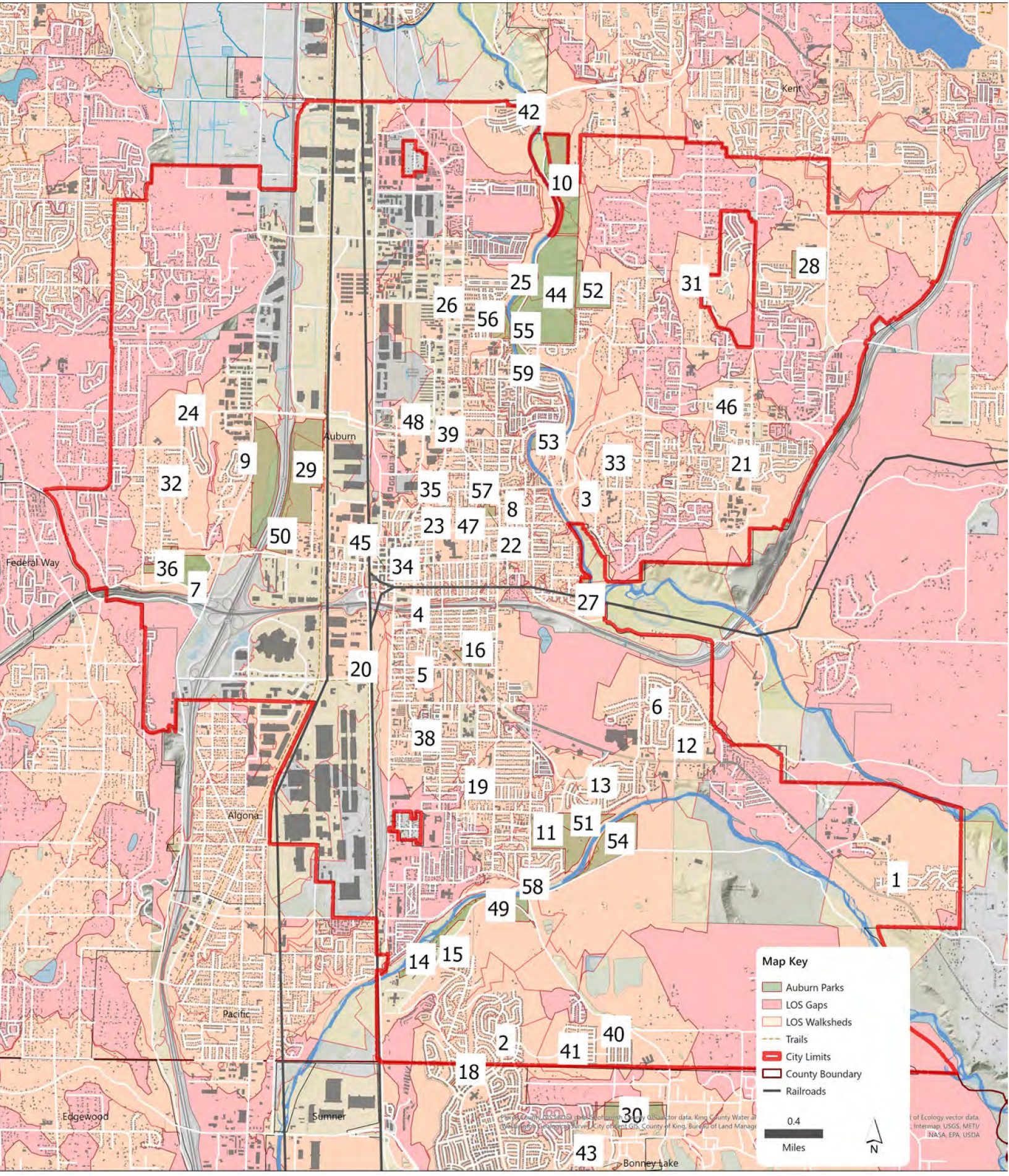
The City of Auburn, out of 635 named cities and populated areas, is currently ranked #14 in the list of cities in the State of Washington based on population size, and is located in the county with the highest desnity of people living per sq mile.

The Office of Financial Management (OFM) predicts population projections under the Growth Management Act (GMA) to accommodate growth over the next 20 years. While the most recent census data available is from 2020, it shows the population has grown to over 88,000. The rapid growth experienced during the '90's and '00's may have slowed, but Auburn remains an attractive community known for its family-oriented, small-town atmosphere. With affordable housing compared to most of King County, convenient highway access, and a charming small-town feel, Auburn is poised for continued, stable growth that will support the demand for recreational facilities.

Recreation Trends

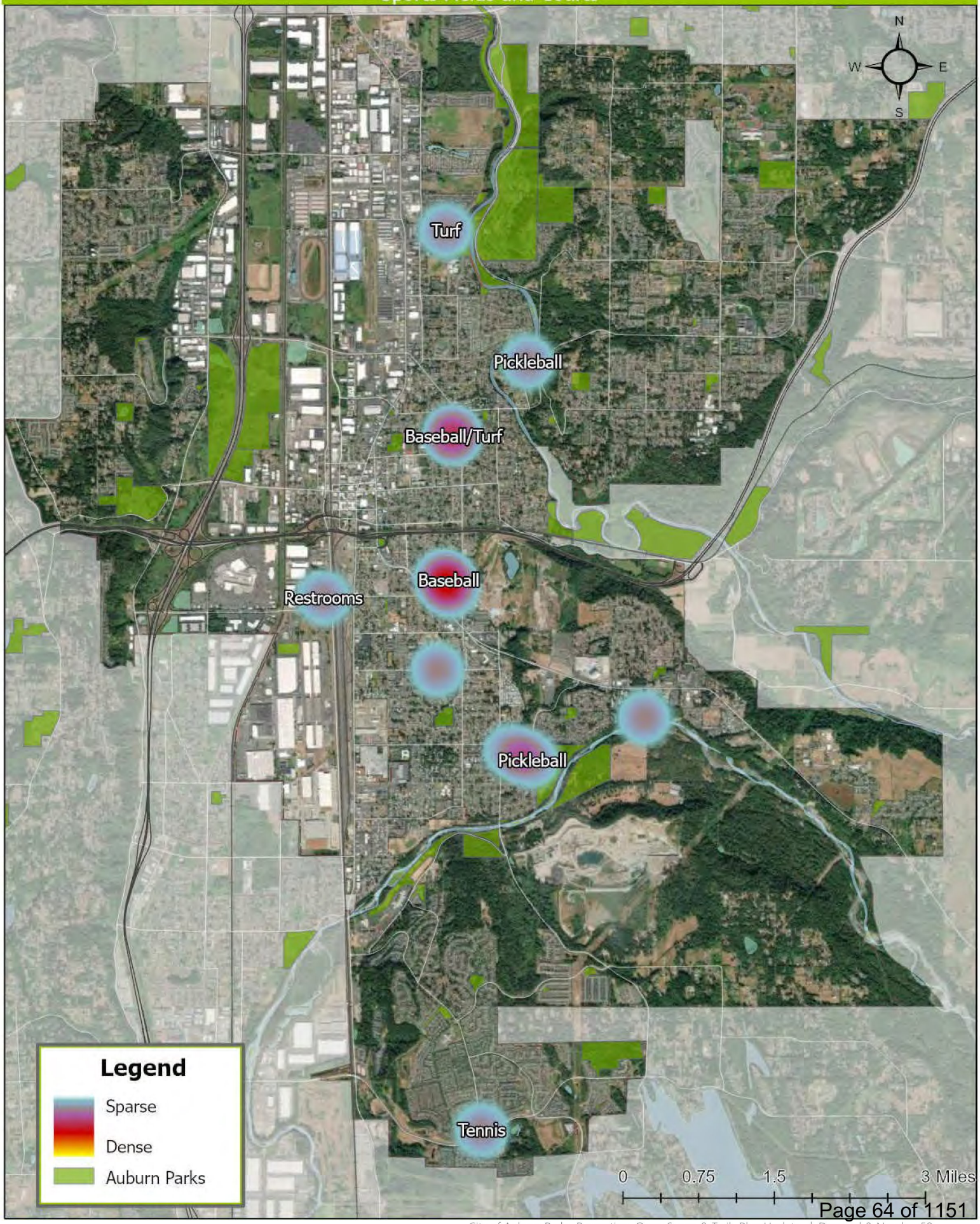
Outdoor recreation is on the rise nationwide, and Washington State and all its communities is no exception. Since 2019, and especially throughout the Covid pandemic, outdoor recreation equipment sales saw a significant increase across all major product categories. In Washington, there has been a notable surge in the participation rates of 20 outdoor activities since 2017. Among these activities, non-motorized trails, nature and wildlife viewing, camping, paddling, winter recreation, and leisure activities in nearby parks are consistently in high demand among Washington residents. With an expected statewide population increase of 2 million residents in the next 25 years, it's more critical for cities such as Auburn to plan for the future demand on outdoor recreation facilities.

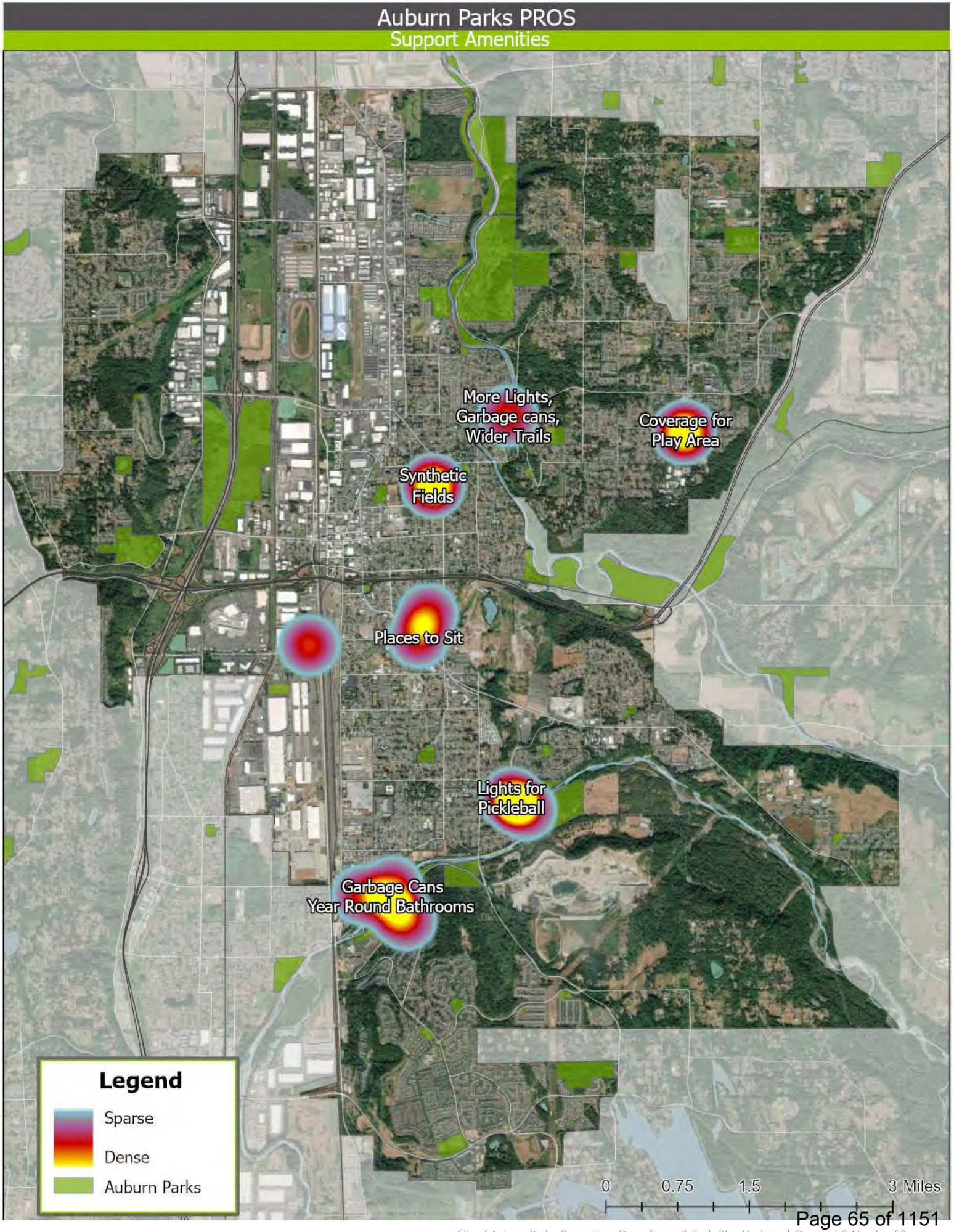
Outdoor recreation not only supports local economies


Kent
Auburn
Federal Way
Algona
Pacific
Edgewood
Sumner
Bonney Lake
42
10
25
44
52
26
56
55
59
28
31
46
24
48
39
53
33
21
9
29
32
35
57
8
3
50
23
47
45
22
36
34
7
27
4
16
20
5
6
38
12
19
13
11
51
54
1
58
49
14
15
2
40
41
18
30
43
Map Key
Auburn Parks
LOS Gaps
LOS Walksheds
Trails
City Limits
County Boundary
Railroads
0.4
Miles
N

Auburn Parks PROS

Sports Fields and Courts




Auburn Parks PROS
Support Amenities
More Lights, Garbage cans, Wider Trails
Coverage for Play Area
Synthetic Fields
Places to Sit
Lights for Pickleball
Garbage Cans Year Round Bathrooms
Legend
Sparse
Dense
Auburn Parks
0
0.75
1.5
3 Miles

but also connects people with the natural world, promoting physical and mental well-being. With the rise of work-from-home arrangements post-pandemic and housing shifts from larger cities to smaller communities, residents are increasingly seeking convenient access to a variety of outdoor experiences, both developed and primitive, that allow them to integrate nature-based recreation into their busy schedules while avoiding crowds and traffic.

However, striking a balance between providing access to outdoor recreation and safeguarding natural and cultural resources remains a significant concern statewide. The heavy concentration of outdoor recreation at popular sites has led to resource degradation and reduced user satisfaction. Many communities face disparities in access to meaningful outdoor recreation opportunities, and residents often struggle with the time, cost, and information needed to support their outdoor pursuits. As the state aims to promote equitable access to the social, health, and economic benefits of outdoor recreation, a careful approach to outdoor recreation management is essential to ensure the protection of natural and cultural resources.

2030 Statewide Comprehensive Outdoor Recreation Plan

The 2023 Recreation and Conservation Plan, or commonly referred to as the Statewide Comprehensive Outdoor Recreation Plan (SCORP), is a comprehensive document outlining the state's vision for outdoor recreation and public land conservation. Developed by the Recreation and Conservation Office (RCO), the plan guides investments for the next 5-10 years. It considers challenges and benefits of outdoor recreation, assesses current demand, and inventories existing opportunities. By establishing statewide priorities and goals, the plan serves a crucial role in securing funding, guiding investments strategically, and fostering collaboration between land managers. Public input through surveys and outreach ensures the plan reflects the needs of Washington residents. Ultimately, the WA State RCO SCORP Plan serves as a blueprint for a sustainable future where outdoor recreation and public lands are preserved and accessible for all.

RCO's 2022 Assessment of Resident Demand

In the 2022 Assessment of Resident Demand report, participation rates for 45 activities were compared to 2017. All but two of those activities (Technology-based games and Collecting or Gathering Things in Nature) showed an increase in participation. Activities that had the greatest increase in participation include the following:

- Wildlife or nature viewing increased by 28%
- Paddle sports increased by 28%
- Visiting outdoor cultural or historical facility increased by 27%
- Tent camping (undeveloped area) increased by 26%
- Backpacking increased by 25%
- Playing yard games (in a park) increased by 25%
- Snowshoeing increased by 23%
- Tent camping (developed area) increased by 19%
- Hanging out (in a park) increased by 19%
- Mountain biking increased by 18%

The SCORP document classifies Auburn within the 'Seattle King" region, encompassing King CVounty soley. Note that a portion of Auburn stretches into Pierce County. Regardless, the SCORP survey reveals a significant trend – "walking in a park or trail setting" that boasts the highest participation rate in the region (92% compared to the statewide average of 82%). This preference for walking holds true across diverse demographics, including age, gender, race, and income groups.

An interesting observation is the increasing popularity of walking as a recreational activity since the previous RCO survey in 2012. Additionally, participation in boating and swimming has also risen, with swimming now ranking among the top 10 recreational activities in the Seattle King region. Other favored activities include nature-based pursuits like visiting rivers, streams, and beaches, wildlife viewing, attending outdoor events like farmer's markets and fairs, and day hiking. These findings from the SCORP planning outreach program align with the trends identified in state-level surveys, underscoring the importance of walking/hiking opportunities and nature-based recreation in King County.

Trails

Trails, both within parks and connecting parks, schools, shops, and destinations are generally the top demand seen across the country. Providing trail connections between these popular destinations enhances a community's walkability and encourages active lifestyles. Trail usage has seen a significant uptick in recent years, with data suggesting a surge starting in 2020. Recent studies by both American Trails report increases ranging from 79% to 171% and can

attributed to several factors, especially as a response to the COVID-19 pandemic. With access to traditional forms of exercise and leisure activities significantly impacted due to closures and safety concerns, many people turned to outdoor recreation, including hiking and other trail-based activities as safe and accessible options. This trend has continued post-pandemic, with increased trail use likely due, in part, to the population continuing to seek alternative ways to exercise and maintain mental well-being.

While some pandemic restrictions have eased, evidence from the National Parks Service and the Washington State SCORP suggests a continued rise, or at least a steady hold, in trail use. This trend underscores the growing importance of well-maintained trail networks. This applies not just within parks themselves, but also in connecting parks and open spaces together. As demand for these outdoor spaces rises, so too does the need for additional supporting infrastructure to ensure their continued enjoyment by all.

Canines

The trend of dog ownership in the United States is experiencing a significant upswing, with estimates suggesting a population exceeding 89 and 94 million canine companions nationwide. This surge translates to a parallel rise in demand for designated dog parks across the country. These parks, particularly larger facilities, have become popular destinations, attracting dog owners and potentially boosting agency revenue through user fees and contributing to tourism.

In Washington State, the growing human-canine bond is likely influencing public land use plans. With dogs increasingly viewed as cherished family members, especially in urban environments, families are actively seeking opportunities to include their furry companions in outdoor activities. Cities are likely taking note of this trend, potentially leading to the inclusion of designated dog walking areas or off-leash spaces within their planning strategies.

Pickleball & Padel

The participation in pickleball has witnessed a remarkable surge, growing by 159% in just three years, reaching 8.9 million participants in 2022, as reported by the Sports & Fitness Industry Association.

This swift expansion has presented challenges for public parks and recreation departments, which must strike a balance between the competing interests of diverse recreational activities while working within constraints of limited space and budgets. Parks agencies are becoming more confronted with the task of accommodating pickleball enthusiasts, who favor this tennis-like sport with a smaller court, without causing discomfort or inconvenience to others. The noise and disruption generated by pickleball is becoming more a source of frustration for some neighbors, tennis enthusiasts, parents with young children, and other community members.

In various towns and cities, homeowners' associations and local residents have begun to impose restrictions on pickleball activities and thwart the construction of new courts. They have initiated petitions, pursued legal actions, and voiced their concerns at council and town hall meetings, all in an effort to temper the widespread enthusiasm for pickleball and its unique auditory characteristics.

Similar to pickleball, Padel is a racket sport of Mexican origin gaining popularity across the United States. This game is a cross between tennis, racquetball, and squash. It's currently estimated that Padel has over 100,000 players in the United States, and the number of courts has more than doubled in the last two years, expecting to grow to 30,000 courts by 2030. It is expected that the sport will grow substantially in communities with growing Hispanic populations, including Auburn.

Youth Sports

Participation in youth sports leagues has undergone a complex transformation in recent years. While traditional team sports remain popular, data suggests a decline in children (ages 6-12) consistently playing on teams. The Aspen Project reports a drop from 45% in 2008 to 38% in 2018, and the Sports & Fitness Industry Association (SFIA) confirms this trend with a 6% decline in core participation (ages 6-17) between 2019 and 2022. This translates to roughly 1.2 million fewer participants. Several factors may contribute to this decline, including the financial burden of participation fees, equipment, and travel expenses, concerns about over-specialization leading to burnout, and time constraints due to competing academic and extracurricular demands.

This changing landscape has potential implications for the need for large regional sports facilities. While the decline in regular participation suggests a decreased demand for facilities solely focused on traditional team sports, total team sports participation (including those playing at least once a year) remained stable between 2019 and 2022, suggesting a potential shift towards less structured forms of sports involvement. Basketball continues to be the most popular sport, with nearly a

quarter of youth (ages 6-17) participating at least once in 2022.

Multi-sport facilities catering to a wider range of activities and hosting tournaments or events attracting teams from a broader area are expected to see continued use. Well-designed facilities could also become community hubs, offering recreational activities for all ages and potentially incorporating amenities like fitness centers or indoor walking tracks that would noit be affected by inclement weather.

The future of youth sports will require adaptation in programs. Focusing on fun and inclusivity, offering flexible scheduling and shorter seasons, implementing strategies to reduce financial barriers, e.g. developing parks districts to help cover long-term operating & maintenance costs, and promoting foundational athletic skills applicable to various sports are all crucial considerations. By adapting to these trends, youth sports programs can ensure they continue to play a vital role in promoting physical activity, social development, and positive health outcomes for children.

Playground Trends

Modern playground design reflects a growing emphasis on inclusivity, fostering connections with nature, and catering to a wider range of users. A key trend to note is the creation of inclusive playgrounds, ensuring accessibility for children with various abilities through features like ramps, sensory panels, and equipment that accommodates different physical and cognitive needs.

Playgrounds are also increasingly designed to mimic natural environments, incorporating elements like logs, boulders, and water features. This reconnection with nature encourages open-ended and imaginative play.

The concept of multigenerational playgrounds is also gaining traction, offering adult fitness equipment and interactive features that promote intergenerational play within families and communities. Grant programs such as AARP's FitLot program is a great example.

Sensory play experiences are being actively integrated through musical instruments, textured panels, and fragrant plants. These elements stimulate different senses, enriching the play experience and catering to children with special needs.

While still emerging, some playgrounds are exploring seamless technology integration through augmented reality or interactive elements, adding a new layer to physical play.

Recognizing the limitations of shrinking green spaces in downtown cores or within communities, there's a growing focus on "playgrounds within reach." This involves maximizing the play value of smaller spaces through multifunctional equipment, innovative design, and better integration with surrounding areas.

Overall, these trends highlight a shift towards playgrounds that are not just fun, but also inclusive, educational, and promote holistic development in children.

Electrification

As electric technology develops, maintenance equipment, vehicles, mowers, and other equipment used in parks and recreation are transitioning from gas powered resources to electric assets. This transition provides long-term cost savings, environmental benefits, and decreased noise. Additionally, parks and trailheads should consider the addition of EV charging stations in parking lots, as the number of EV cars on the road continues to grow. Washington State has led this transition to electric vehicles, with over 18% of new cars sold in the first half of 2023 being fully electric or plug-in hybrids according to the Seattle Times. Vehicle chargers located at park facilities enable drivers to engage with park facilities while waiting for a full charge.

Climate Resiliency

The concept of electrification pertains to growing needs for climate resilience and the ways in which future park implementations can accommodate the increase of hotter days and nights, as well as the increase of storm and wildfire impacts. Parks create a great opportunity to address these goals through smart design and engineering. Parks and open space can mitigate urban heat islands, absorb flood and stormwater, and create fire breaks through green space and linear trail corridors. Climate change, stormwater/flooding implementations, and tree canopy coverage should be considered in future park renovations to increase resiliency.

Funding Threats & Availability

Funding for parks and municipal recreation services has been forced into a creative shift as municipalities have been forced to seek additional ways to fund operation and improvements. Long-standing grant and funding assistance programs have repeatedly come under threat at both the federal and state level. Congress let the Land and Water Conservation

Fund (LWCF) expire in 2015 for the first time in 50 years. In response to public outcry, several members in Congress fought for a short-term solution: an emergency authorization of three years. In 2016, Congress had another opportunity to permanently reauthorize LWCF, thanks to legislation championed by Washington's own Senator Maria Cantwell in the Energy Bill. While LWCF initially failed under the past administration, in September 2021, LWCF was permanently authorized with full funding through the Dingell Act. This act directed a significant portion of offshore oil and gas royalties to the LWCF for the preservation of public lands, waters, and recreational opportunities.

Since then, specific funding levels and appropriations for the LWCF have varied from year to year as part of the federal budgeting process. Funding for the LWCF depends on annual appropriations by Congress, hence the program's budget and funding levels can be subject to changes and priorities set by the federal government.

Investments in Parks Will Rise

Across other municipal agencies statewide, investment in state and local infrastructure, which had been depressed since the Great Recession of 2008, and especially since the COVID-related stimulus packages, e.g., ARPA, increased federal funding has helping that fund public works and park and recreation infrastructure improvements, such as buildings, restrooms, and roads.

State and local spending is up nearly 10 percent from last year, according to data from the Commerce Department, and spending on capital outlays continues to grow. The Commerce Department data also show that spending on amusement and recreation facilities is up 31 percent from a year ago. It appears that economic conditions will remain favorable for new investments in park and recreation infrastructure if local and state tax collections continue to rise and interest rates remain relatively low. Building on the momentum of the past few years, local and state governments will make even more park and recreation infrastructure investments in buildings, playground equipment, roads and bridges, and capital repairs to aging infrastructure, topping the highest level of infrastructure spending since the recession of 2008.

Level-of-Service (LOS)

To evaluate how different types of parks align with a community's desires, the National Recreation & Park Association (NRPA) developed and maintains simple demand standards as a guideline for identifying the number of park facilities potentially needed per community. While there are various methods to assess the service standards of a park system, the NRPA's standards focus primarily on comparing population size to the number and types of parks or recreational amenities offered.

Traditionally, the ratio of land acres per thousand people has been a widely adopted measure. However, this metric provides only a limited evaluation of a park system. A more comprehensive approach to determining service standards should consider the distribution of land and facilities throughout the community, the per capita value of the system, the availability of programs for all demographics, the characteristics of the park user base, the quality and upkeep of facilities, and, most importantly, public perception of the park system as an indicator of quality of life.

Recognizing that the vision, values, and needs of each community are unique, planners have acknowledged that simply applying local level-of-service (LOS) standards to a national benchmark is not an effective means of evaluating a community's specific needs and vision. Consequently, NRPA's LOS standards have evolved in recent decades, now recommending that each community develop its own standards based on local goals, priorities, and conditions.

NRPA Recommendations

The National Recreation and Park Association (NRPA) provides guidelines for Level of Service (LOS) standards, which help communities determine appropriate targets for parks and recreational facilities based on population. However, it's important to note that NRPA has moved away from prescribing specific numeric LOS standards (traditional benchmarks) for all communities, recognizing that each community has unique needs and contexts. Instead, they emphasize using data-driven approaches, including benchmarking against similar communities, community input, and local conditions to determine the appropriate LOS.

For communities with populations of 85,000 to 100,000 residents, the NRPA suggests the following general recommendations:

Total Parkland per 1,000 Residents

Traditional Benchmark: Historically, a common benchmark was to provide around 10 acres of parkland per 1,000 residents. However, this is no longer a one-size-fits-all recommendation. Communities are encouraged to set their own targets based on factors such as geographic constraints, population density, and specific recreational needs.

Contemporary Approach: Communities might set goals ranging from 5 to 20 acres per 1,000 residents, depending on their unique circumstances and priorities.

Park Access and Distribution

Accessibility: NRPA recommends that all residents should have access to a park or green space within a 10-minute walk (approximately 0.5 miles) from their home. This focus on accessibility ensures that park benefits are equitably distributed across the community.

Distribution: For larger communities, ensure that parks are evenly distributed across different neighborhoods and are easily accessible by diverse modes of transportation, especially safe walkable routes.

Programming and Services

Diversity: Communities should offer a wide range of recreational programs that meet the diverse needs of their population, including youth, adults, seniors, and special populations. This may include sports leagues, fitness classes, arts and culture programs, and environmental education.

Staffing Levels

Staffing is crucial for maintaining facilities and delivering quality programming. NRPA provides guidance on staffing ratios, often suggesting a mix of full-time, part-time, and seasonal staff based on the size and scope of the park system.

Staffing by Park Acreage Benchmark: NRPA recommends approximately 1 full-time equivalent (FTE) maintenance staff member per 10 to 20 acres of developed parkland. This number can vary depending on the complexity of the park, the intensity of maintenance required, and the specific facilities within the park (e.g., sports fields, playgrounds, trails).

Programming and Operations Staff: For every 50 to 100 acres of parkland, NRPA suggests having 1 FTE dedicated to programming and operations. This staff is responsible for organizing events, managing facilities, and overseeing day-to-day operations.

Staffing by Number of Parks: NRPA recommends approximately 1 FTE staff member (including maintenance, administrative, and programming roles) per park, assuming the park is of average size and complexity. Smaller parks might not require a full-time staff member and could be maintained by part-time

Budget and Funding

NRPA annually surveys parks organizations across the country to provide quantitative data on several budget and funding metrics:

Per Capita Spending: NRPA Park Metrics reports suggest that the average spending per capita by park and recreation agencies across the U.S. is around $85-$90 per resident. However, this can vary significantly depending on the size of the city, regional cost of living, and specific needs of the community.

Operating Budget Per Acre: NRPA's Park Metrics also indicate that the median operating expenditure is around $6,000 to $8,000 per park acre. This includes costs for maintenance, staffing, utilities, and other operational needs.

Capital Expenditures: A common benchmark is that capital expenses (new developments, major renovations, etc.) should be a significant portion of the overall budget. A rough guideline is allocating 20-30% of the total budget to capital projects, though this can fluctuate based on current needs and existing infrastructure.

Auburn's Quantitative LOS

With NRPA's recommendations in mind, a straightforward quantitative analysis of the City's Level of Service (LOS) can be conducted. The following section evaluates Auburn's current park system against expected NRPA benchmarks to identify current performance and future needs. Ultimately, these quantitative findings will be integrated with the public involvement findings to develop a customized set of LOS standards. This approach, grounded in extensive community engagement, ensures that Auburn's parks and recreation system reflects the community's priorities, whether that means more green spaces, enhanced sports facilities, expanded trails, or additional cultural amenities.

LOS Standards & Overview

Table 4.1 presents the current Level of Service (LOS) based on Auburn's park classifications and recreational amenities inventory. The LOS analysis utilizes assumed low to median values for each category, considering

Table 4-1: Existing Facility Type & LOS Targets					
Facility Type	Current	Recommended Standard*	Current Ratio	Current Difference	Projected Difference****
Park Classification					
Mini-Parks (Pocket Parks)	16.71 acres	0.25 to 0.5 acres	0.19	-0.06	-0.1
Neighborhood Parks	51.23 acres	1 to 2 acres	0.57	-0.43	-0.55
Community Parks	283.31 acres	5 to 8 acres	3.14	-1.86	-3.14
Open Space	321.42 acres	5 to 10 acres	3.57	-1.43	-2.19
Special Use Areas	307.69 acres	Variable			
Total Parkland	980.35 acres	10 acres	10.88	+0.88	-1.44
Total # of Parks	57	1 park per 2000	46	+11	-
Trails	21.96**	.25 to .5 miles	0.24	-	-6.67
Recreation Amenity					
Baseball/Softball Fields	7	1 per 5,000	18.02	-9	-13
Soccer Fields	4	1 per 10,000	9.01	-5	-11
Football Fields	2	1 per 20,000 to 25,000	3.6	-2	-4
Multi-use Fields	6	1 per 10,000	9.01	-3	-5
Basketball Courts	18	1 per 5,000	18.02	-	-5
Tennis Courts	8	1 per 4,000	22.52	-13	-20
Playgrounds	33	1 per 1,000 children under 12***	18	+15	+3
Pickleball Courts	16	1 per 4,000	22.52	-6	-12
Volleyball Courts	2	1 per 10,000	9.01	-7	-9
Recreation Centers	1	1 per 25,000	3.6	-2.6	+3.5
Splash Pads	2	1 per 25,000	3.6	-1.6	-2.5
Dog Parks	2	1 per 50,000	1.8	-	-
Skate Parks	4	1 per 25,000	3.6	-	-.5
Golf Courses (18-hole)	1	1 per 50,000	1.8	-1	-1
Community Gardens (Plots)	16	1 per 10,000	9.01	+7	+5
Amphitheaters	1	1 per 50,000	1.8	-0.8	-1

* measured as acres per 1000 population

** Includes other trails maintained by others

*** Projected 2044 Population = 114,540

**** Assumed # of childen under 12 approximately 20% of overall population

Auburn's current population of 90,096 (as of 2024) and a projected population of 114,540 by 2044. Below is an overview and guideline for LOS quantifications, structured around common park classifications and key recreational elements.

Total Parkland LOS Analysis

Overview: Currently, the City of Auburn boasts a diverse portfolio of parks and recreation assets, totaling 57 sites and covering over 980 acres. This exceeds the lower end of the expected range for parkland based on NRPA guidelines. The NRPA typically recommends between 10 to 20 acres of parkland per 1,000 residents as a general standard. With Auburn's current population of 90,096 (as of 2024), the expected median total acreage of parkland would range from approximately 900 to 1,800 acres. Auburn's park system is therefore well-aligned with these recommendations, supporting the recreational needs of its residents today.

- Total Number: 57 parks
- NRPA Target Number of Parks Based on Population: 57 Parks
- Total Acreage: 980.35 acres
- Average Size: 21.97 acres
- NRPA Target Acreage Based on Population: 10-20 acres per 1000
- Current LOS: 10.88 acres per 1,000 residents
- Projected LOS: 8.56 acres per 1,000 residents
- Auburn Target LOS: 10 acres per 1,000 residents or additional 164 acres of total parkland by 2024

Conclusion/Recommendations: Auburn's current total acreage of parkland is generally within the expected range for a community of its size and physical context. However, when analyzing the distribution and average size of its park types, especially neighborhood and community parks, there are notable discrepancies compared to national standards.

According to the National Recreation and Park Association (NRPA), the recommended level of service (LOS) for community parks is between 5 to 8 acres per 1,000 residents. Auburn currently averages only 3.14 acres per 1,000 residents, which is below this recommended standard. For neighborhood parks, the NRPA suggests an LOS of 1 to 2 acres per 1,000 residents, but Auburn's current average is just 0.57 acres per 1,000 residents. This indicates a significant shortfall in the provision of both neighborhood and community parks relative to the city's population.

Furthermore, the NRPA recommends 5 to 10 acres of open space per 1,000 residents, yet Auburn currently provides only 3.57 acres per 1,000 residents. When factoring in land managed by other organizations, such as King County's Department of Natural Resources, this figure improves and aligns more closely with the recommended range.

Auburn exceeds expectations in total acreage due to the significant footprint of its Special-Use Facilities. This surplus is largely attributed to the inclusion of extensive environmental areas and the golf course, both of which are managed differently from traditional parks and offer limited access to the general public. While reclassifying the golf course as open space might enhance Auburn's Level of Service (LOS) for open space, the specific use, management practices, and limited public access associated with the golf course support its continued classification as a special-use area.

In summary, while the overall size of Auburn's park system aligns with general recommendations, there is a clear shortfall in the distribution of neighborhood and community parks. Additionally, while the city maintains over 30 beautification areas that enhance its aesthetic appeal, these spaces do not replace the need for more neighborhood and community parks to meet national standards and adequately serve the recreational needs of Auburn's residents.

Parklets / Mini Parks / Tot-Lots LOS Analysis

Overview: These parks serve small areas, often a single neighborhood or part of one. They typically feature amenities like playgrounds, benches, and small open spaces with no restrooms. incorporating more parklets and mini-parks can be an effective strategy for addressing Level of Service (LOS) deficiencies, especially in urban areas where space is limited. These smaller parks can provide critical, but disconnected, green space, recreational opportunities, and social gathering spots within densely populated neighborhoods. They are often easier and quicker to implement than larger parks, making them a practical solution to improve accessibility and equity in park distribution. However, they generally require the same level of maintenance and operational purview as larger local or neighborhood parks and, factoring in the increased travel time, can potentially become a lrger burden on park staff.

- Number: 13 parks
- Acreage: 16.71 acres
- Average Size: 1.28 acres
- Target Size: Typically less than 1 acre
- NRPA Target LOS: 0.25 to 0.5 acres per 1,000 residents
- Current LOS (2024): 0.19 acres per 1,000 residents
- Projected LOS (2044): 0.15 acres per 1,000 residents
- Draft NEW LOS: 0.25 acres per 1,000 residents
- Projected Deficit (Acres): 11.29 acres
- Service Radius: 1/4 mile or less

Conclusion/Recommendations: To address the projected decline in the Level of Service (LOS) for mini-parks, parklets, and tot-lots, it is recommended that the City prioritize the strategic addition of these smaller park facilities only as opportunities arise. Currently, the LOS stands at approximately 0.19 acres per 1,000 residents, which close to NRPA's minimum of .25, but without intervention, this will decrease to 0.15 acres per 1,000 residents by 2044. To maintain an adequate LOS, the City should aim to add approximately 11 acres of new park areas in this classification by 2044, ensuring continued access to these essential recreational spaces for the growing population.

Neighborhood Parks LOS Analysis

Overview: Local or neighborhood parks serve as the recreational and social hubs of a neighborhood. These parks are designed to be accessible by foot or bicycle and typically feature amenities such as playgrounds, athletic fields, picnic areas, sports courts, and open play areas. Some parks may also include restrooms and other supportive facilities. Currently, there is a shortage of local or neighborhood parks based on current park classifications, but the total parkland acreage across the city exceeds the cumulative standard.

- Number: 10 parks
- Acreage: 51.23 acres
- Average Size: 5.12 acres
- Target Size: Generally 5 to 10 acres
- NRPA Target LOS: 1 to 2 acres per 1,000 residents
- Current LOS (2024): 0.57 acres per 1,000 residents
- Projected LOS (2044): 0.45 acres per 1,000 residents
- NEW LOS: 1 acres per 1,000 residents
- Projected Deficit (Acres): 63.31 acres
- Service Radius: 1/4 to 1/2 mile

Conclusion/Recommendations: The current Level of Service (LOS) for neighborhood parks in Auburn is 0.57 acres per 1,000 residents, which is projected to decline to 0.45 acres per 1,000 residents by 2044. This projected LOS falls significantly below the recommended minimum standard of 1 acre per 1,000 residents. To meet this new standard by 2044, Auburn will need to add approximately 63 acres of new neighborhood parks. This strategic addition is critical to ensuring that the growing population has sufficient access to neighborhood park facilities, maintaining a high quality of life and community well-being.

Community Park Inventory and Needs Analysis

A community park is planned primarily to provide active and structured recreation op- portunities for young people and adults. They often exceed 10 acres in size and may have sports fields, water bodies, gardens, nature trails or similar features as the central focus of the park. Community parks can also provide indoor facilities to meet a wide range of recre- ation interests. They require more support facilities such as parking and restrooms than neighborhood parks. Community parks serve a much larger area than neighborhood parks and offer more facilities. Where there are no neighborhood parks, the community park can also serve the neighborhood park function. The community park service area covers a one to two mile radius.

Community Parks LOS Analysis

Overview: Community parks serve broader community needs, often featuring larger facilities or arrays of facilities types, e.g., tournament baseball field complexes, and a wider range of amenities, such as swimming pools, and community centers that are intended to support the entire community. The number of community parks a city like Auburn, WA, should have depends on several factors, including NRPA guidelines, local demand, and geographic considerations. The target acreage for community parks typically ranges from 20 to 50 acres per park or 5-8 acres per 1000 residents, according to NRPA guidelines. Using those metrics, Auburn, WA, should have about 2 to 4 community parks based on its population, with an ideal total acreage between 40 - 200 acres. This ensures that the parks are large enough to accommodate a variety of amenities, such as sports fields, playgrounds, walking trails, and open spaces, while serving a significant portion of the population effectively.

- Number: 14 parks
- Acreage: 283.31 acres
- Average Size: 20.2 acres
- Target Size: Generally 20 to 50 acres
- NRPA Target LOS: 5 to 8 acres per 1,000 residents
- Current LOS (2024): 3.14 acres per 1,000 residents
- Projected LOS (2044): 2.47 acres per 1,000 residents
- NEW LOS: 3.5 acres per 1,000 residents
- Projected Deficit (Acres): 116.69 acres
- Service Radius: 1 to 2 miles

Conclusion/Recommendations: The current Level of Service (LOS) for community parks in Auburn is 3.14 acres per 1,000 residents, but it is projected to decline to 2.47 acres per 1,000 residents by 2044. This anticipated reduction highlights a significant shortfall, with a projected deficit of over 116 acres in this park classification. To meet the needs of Auburn's growing population and maintain the recommended LOS, the City will need to prioritize the addition of these 116 acres of new community parks by 2044.

Future community park sites should be strategically selected in areas like West Hill and Lea Hill, where development is ongoing, and large gaps exist between existing parks. Additionally, other residential areas, particularly in the northeast and southeast corners of the City, are on the edges of existing service areas and will require new community park acquisitions and development as population growth continues.

Two key sites, Jacobsen Tree Farm and the 104th Ave SE property along the Green River, offer significant potential for development into community parks. These sites account for 44 acres of undeveloped land that will be crucial in addressing the City's parkland needs. The development of these areas into community parks will help close the gap in service coverage and ensure that Auburn's residents continue to have access to ample recreational spaces, supporting the overall quality of life in the community.

Special Use Parks LOS Analysis

Overview: Unlike other recreational classifications, special use facilities serve very unique, often singular functions and include unique features that add depth and variety to the city's recreational and open space amenities. By integrating these specialized spaces, Auburn creates a vibrant public landscape that reflects the city's identity and enhances recreational opportunities for the community. Examples of these facilities include pocket landscape areas, community gardens, streetscapes, unique sections of the Environmental Park, viewpoints, historic sites, public art installations, and traffic islands.

- Number: 14
- Acreage: 307.69 acres
- Auburn Average Size: 21.9 acres
- Target Quanitity & Size: Varies depending on the facility type and use
- Target LOS: Depends on community needs; not typically defined by a strict LOS but considered based on demand.
- Service Radius: Typically serves the entire community or region.

Conclusion/Recommendations: Past and more recent survey comments indicate that residents have a strong desire to enhance the City's aesthetics by increasing the planting of street trees, flowers, and other greenery. Integrating these beautification efforts, along with the development of additional special-use areas as opportunities arise, presents a valuable chance to improve the overall appearance of the community.

However, there are currently no specific targets or goals for purposefully developing more special-use areas. Introducing a significant number of small, specialized facilities could result in higher-than-expected maintenance and operational costs for the department. As development continues and additional land is acquired—including smaller, less usable areas within the public right-of-way—it is essential to remain vigilant in assessing these opportunities. Evaluating them for their unique, heritage, natural, and activity-centric qualities that could provide community value is recommended.

The Parks Department should continue collaborating with relevant departments to ensure that landscaping standards support the inclusion of street trees and other plantings, further integrating existing green spaces and improving their connectivity. This will not only enhance the city's aesthetics but also contribute to public safety. Additionally, encouraging the development of boulevard-style streets in key locations can further improve the visual appeal and functionality of the urban environment.

Natural Resource Areas and Greenways (Open Space)

Overview: Open space areas are vital for protecting and preserving natural landscapes, wildlife habitats, and green corridors. The purpose of these amenities is to maintain natural landscapes, safeguard wildlife habitats, and protect critical natural infrastructure, while also providing residents with opportunities for passive recreation and environmental education, such as hiking and birdwatching.

NRPA provides general guidelines for the amount and size of open space and natural areas within a community. Typically, these guidelines recommend that a city should maintain between 7 to 10 acres of open space and natural areas per 1,000 residents. For a city the size of Auburn, with a population of 90,096 (as of 2024), this would equate to approximately 630 to 900 acres of open space and natural areas. Currently, Auburn has 321 acres of dedicated open space areas. However, when considering other greenways and open spaces within the city that are not maintained by the City of Auburn, the total approaches the minimum target of 630 acres.

Given Auburn's current inventory of open space areas available to residents, the city is close to meeting the lower range of the NRPA's recommendations for open space and natural areas. Auburn's commitment to preserving these areas aligns well with NRPA guidelines, and the city's existing acreage of natural areas and open spaces is well-positioned to support the ecological and recreational needs of its residents. This ensures that Auburn continues to provide valuable natural amenities as the community grows.

- Number: 6 Open Space and Natural Areas
- Total Acreage: 321.42
- Average Size: 53.57 acres
- Target Acreage: 630-900 acres
- NRPA Target LOS: 5 to 10 acres per 1,000 residents
- Current LOS (2024): 3.57 acres per 1,000 residents
- Projected LOS (2044): 2.81 acres per 1,000 residents

- NEW LOS: 4 acres per 1,000 residents
- Projected Deficit (Acres): 136.58 acres
- Service Radius: Typically regional, with users traveling farther to access these areas

Conclusion/Recommendations: Auburn's current Level of Service (LOS) for open space areas is 3.57 acres per 1,000 residents as of 2024. However, with the city's projected population growth, this LOS is expected to decline to 2.81 acres per 1,000 residents by 2044. This decrease places Auburn below both the National Recreation and Park Association's (NRPA) target LOS of 5 to 10 acres per 1,000 residents and the City's draft new LOS standard of 4 acres per 1,000 residents.

The decision to increase the LOS for open space reflects a growing recognition of the critical role these areas play in promoting climate change resiliency, managing flood hazards, supporting wildlife habitats, and mitigating the effects of urban heat on aging populations. As climate change continues to impact weather patterns, open spaces can serve as vital buffers, absorbing excess rainfall and reducing the risk of flooding, particularly in vulnerable areas along rivers and low-lying regions.

Furthermore, open spaces provide essential habitats for wildlife, helping to preserve biodiversity within the city. These natural areas are increasingly important as urbanization encroaches on green spaces, putting pressure on local ecosystems. By expanding and protecting open space, Auburn can help ensure that wildlife populations continue to thrive, maintaining ecological balance and enhancing the natural beauty of the community.

In addition to their environmental benefits, open spaces are crucial for the health and well-being of Auburn's residents, especially as the population ages. Access to nature has been shown to reduce the effects of heat islands in urban areas, where concrete and asphalt trap heat, leading to higher temperatures. These elevated temperatures can be particularly harmful to older adults, who are more susceptible to heat-related illnesses. Expanding open space provides shaded areas and cooling effects that are vital for protecting vulnerable populations.

To meet the new LOS standard of 4 acres per 1,000 residents by 2044, Auburn will need to acquire and develop an additional 136.58 acres of open space. This strategic expansion is essential not only to meet recreational needs but also to ensure the city's resilience in the face of climate change and urbanization. By investing in open spaces, Auburn can enhance its ability to manage environmental challenges, protect its natural heritage, and promote the long-term health and well-being of all its residents.

Trails LOS Analysis

Auburn, WA, boasts an extensive network of trails that weave through the city's diverse landscapes, offering residents and visitors a range of recreational opportunities. These trails, often referred to as linear parks, typically follow natural and man-made features such as stream corridors, abandoned railroads, or power line easements. They serve multiple purposes, including providing pathways for walking, running, and biking, as well as creating interpretive areas, open spaces, and landscaped zones.

The city's trail system is designed with minimal development to preserve the natural environment, focusing on essentials such as trailheads, educational signage, benches, and picnic tables. However, in areas with more space, like wide power line easements, there is potential for more extensive development, allowing for a broader range of recreational uses while still maintaining the primary function of these linear parks.

Auburn currently has 21 different trail segments of varying purposes covering a total of 21.96 miles across the city, however 6.75 miles of those trails are within existing parks (see Table 2-5.)

- Total Miles of Trails (All): .25 to .5 miles per 1,000 residents
- Total Miles of Trails (All): .25 to .5 miles per 1,000 residents
- Expected NRPA Standard: .25 to .5 miles per 1,000 residents
- Existing Ratio: Total: 0.28 miles per 1,000 residents
- Existing Inventory: 21.96 miles
- Current Need: 0.0 miles
- Future Need (2044): 6.69 miles
- NEW LOS: 0.125 miles per 1,000 residents

Conclusion/Recommendations: Auburn's current ratio of 0.24 miles of developed trail parkland per 1,000 residents aligns closely with the minimum expected average. However, with the projected population increase, there is an anticipated need for an additional 6 miles of trails by 2044. Given the existing opportunities for new trail development and the high level of public interest in trails, it is recommended to slightly adjust the standard to 0.125 miles of developed trail parkland per 1,000 residents. Although Auburn's current inventory of trails already exceeds the adopted standards, further expansion and development are essential to ensure connectivity across different areas of the city and beyond. The demand for an interconnected trail system is expected to grow, particularly as residents, especially post-pandemic, continue to express a strong interest in trails for

recreation and as an alternative means of commuting, as identified in the Statewide Comprehensive Outdoor Recreation Plan (SCORP). This underscores the importance of enhancing Auburn's trail network to meet the evolving needs of its community.

Future Trails/Linear Park Development:

There are several opportunities to develop additional trails and linear parks in Auburn providing local and regional trail systems. Considering the interest in trail activities as demonstrated by public invovlement results and national recreation trends, these additional trails are worth pursuing. Identified locations for potential loop trails within parks, new linear parks, or extensions of existing linear parks include:

- BPA Power Line Easement (Lea Hill to Green River Road)
- Green River TRail (Planned)
- White River Trail (A Street to Interurban Trail)
- Mill Creek Corridor
- Rotary Park
- Shaughnessy Park
- Fulmer Park

Goals & Objectives









The Auburn Parks, Arts, and Recreation Department is dedicated to preserving the city's natural beauty through a vibrant and well-maintained system of parks, open spaces, and trails. Our mission is to enrich the lives of Auburn's residents by providing diverse recreational and cultural opportunities that foster a strong sense of community, promote health and well-being, and celebrate the unique natural landscapes that define our city.

The goals and objectives outlined in this chapter have been meticulously crafted to align with the requirements of the Growth Management Act (GMA) and are the result of an extensive and thoughtful planning process. This process drew upon a range of valuable resources, including insights from the 2015 Park, Arts, and Recreation Open Space Plan, findings from the 2023 Parks, Recreation, and Open Space Survey, and input from dedicated Parks and Recreation staff. Additionally, we carefully analyzed recreation trends, participation rates, and the current state of our parks to ensure that these goals are both forward-looking and responsive to the evolving needs of our community.

Through this comprehensive approach, we aim to create a park system that not only meets the present demands but also anticipates future growth and challenges. Our commitment is to maintain and enhance Auburn's parks and recreation offerings, ensuring that they continue to serve as vital community assets for generations to come.

Goal 1: Serve all residents and provide a broad range of programs and facilities in order to serve all residents regardless of age or ability.

The Auburn Parks, Arts, and Recreation Department is committed to providing accessible leisure and recreational programs for all residents, with a focus on accommodating special needs. To ensure awareness of these programs, the City has adapted its marketing strategies, blending innovative social media with traditional outreach to engage the community effectively.

Goal 1: Objectives

1A. Provide a variety of recreation facilities and programs that will improve the physical and mental well being of community members.

1B. Provide a system of neighborhood and community parks so that residents live within a half mile walking distance to a developed park.

1C. Develop multi-use facilities to increase flexibility to meet recreational trends as demonstrated by community input.

1D. Continue to identify under-served segments of the population and develop programs that will satisfy unmet needs.

1E. Develop marketing strategies allowing the widest possible distribution of information concerning park facilities and recreation programs.

1F. Provide programs and facilities designed for maximum affordability to local residents.

1G. Continue to improve upon and expand the Fee Waiver and Scholarship Programs, where possible, to allow more low income youth and seniors to participate at reduced rates.

1H. Continue to improve access for the disabled and seniors by providing wheelchair ramps and other appropriate facilities in parks where they do not currently exist.

1I. Continue to maintain an open decision-making process that allows opportunity for resident input.

1J. Parks and Recreation Department staffing levels shall be sufficient to maintain and improve the existing cultural and recreation programs. As programs expand or additional parks are developed, the impact on current staff levels and the need for additional staff will be evaluated.

Goal 2: Provide a balanced mix of passive and active recreation opportunities to promote healthy and balanced activities.

The Auburn Parks and Recreation Department recognizes the importance of offering diverse recreational opportunities that cater to all residents. To promote a healthy and balanced lifestyle, our goal is to provide a well-rounded mix of both active and passive recreation options. This approach ensures that everyone, regardless of their activity level, can enjoy and benefit from the City's parks and recreational facilities.

Goal 2: Objectives

2A. Develop a park system that provides facilities for social, cultural and physical activities.

2B. Provide parks areas that accommodate passive recreation opportunities such as picnicking and walking.

2C. Provide park areas that accommodate active recreation such as ballfields, skate parks, spray parks, sports courts, etc.

2D. Track changing trends at the local, state, and national levels. Respond with appropriate programs and facilities to meet changing needs as funding and budgets are available and meet the level of service expectations of the residents of Auburn.

2E. Provide access to healthy foods through the continued operation of the Auburn Farmer's Market and Community Gardens.

Goal 3: Provide a system of high quality parks that are well maintained and aesthetically pleasing.

Parks are one of the most visible public features in a City, their design and maintenance can influence people's perceptions of the community. Long term maintenance, good design, and the use of high quality materials will all affect the appearance of a park for years to come.

Goal 3: Objectives

3A. Develop Level of Service Standards that are consistent with NRPA standards to assure that residents' expectations are met.

3B. Parks shall be intentionally designed to require low maintenance, and low water and energy consumption. Higher maintenance features like fountains or annual beds are reserved for high visibility locations or as appropriate.

3C. Select environmentally friendly materials that are durable and aesthetically pleasing.

3D. Parks shall exhibit a "cared for" appearance through close attention to maintenance.

3E. In order to maintain parks in a safe and attractive condition, maintenance staff levels will be evaluated with additions of new park land or facilities.

3F. Renovate deteriorating features. Identify conditions that require redesign or construction of new facilities; schedule and budget necessary changes in the City's Capital Facilities Plan.

3G. Conduct regularly scheduled inspections to identify necessary repairs and upgrades to ensure safe conditions.

Goal 4: Provide a park system that contributes to a positive city image for Auburn.

Auburn's Comprehensive Plan contains goals and objectives to enhance the City's identity by ensuring a quality visual environment. Parks are an effective tool in improving visual appearance, but many of Auburn's parks are tucked away in residential neighborhoods, unseen and unknown except to residents. This lack of visibility hinders the parks from effectively contributing to the city's overall appearance. Increased visibility and high quality design are paramount to "advertising" our community as a good place in which to live and work.

Goal 4: Objectives

4A. Select new park sites with high visibility and access. This may be accomplished by locating at least one side of larger parks along arterial streets.

4B. Increase the quantity of trees, shrubs and ground covers in parks.

4C. Continue to work on Tree City USA goals for better Urban Forestry design and tree preservation.

4D. Create a green spaces in the downtown core that will be a focal point for community activities and stimulate economic growth.

4E. Incorporate artwork as part of new park development or when upgrading existing parks or other public facilities.

Goal 5: Acquire and manage important open spaces in the City of Auburn.

Undeveloped open spaces contribute to the well-being of our community in many ways. We value them for their ability to provide buffers from urban encroachment; to provide opportunities for recreation; to provide public access to creeks, rivers and other water bodies; to create distinctive settings within the city; to provide connections between different areas for both people and wildlife; as well as offering health and safety benefits.

Goal 5: Objectives

5A. Maintain and protect a system of forested corridors and buffers to provide separation between natural areas and urban land uses.

5B. Target significant open space areas in the City, with emphasis on their planning and acquisition. Target areas include the land along the Green and White Rivers, steep hillsides, Mill Creek Corridor and West Hill Watershed.

5C. Explore all possible funding mechanisms to enable the acquisition of open space on a regular basis to identify properties as they become available.

5D. City owned open space lands shall be accessible to the public wherever possible and appropriate.

5E. Provide adequate management and maintenance of public open spaces, ensuring their ability to provide environmental benefits and wildlife habitat.

5F. When mitigation is required, develop a monitoring and maintenance plan to ensure successful establishment.

5G. Involve the community in habitat restoration activities through the City's annual Clean Sweep event, community service days, and an adopt a park program.

5H. Determine the ecosystem service value reach open space and park space continues to address climate resiliency goals.

Goal 6: Provide a network of pedestrian and bicycle trails.

To enhance Auburn's recreational and transportation infrastructure, we aim to create a comprehensive network of bike and pedestrian trails that serves both commuters and recreational users. This network will be strategically developed to connect key areas within the city and extend to neighboring communities. By prioritizing the acquisition of land, especially along the Green River, and focusing on trail designs that highlight Auburn's unique natural landscapes, we can offer diverse experiences to residents and visitors alike. Our commitment also includes ensuring accessibility for all users, enhancing safety through thoughtful design, and implementing a cohesive wayfinding system. To sustain this network, securing ongoing funding for maintenance will be essential. Through these objectives, Auburn will establish a robust and interconnected trail system that promotes active transportation, environmental stewardship, and community well-being.

Goal 6: Objectives

6A. Develop a network of trails created or extended to provide adequate coverage for both commuting and recreational cyclists. Locations for east/west trails shall be identified and developed.

6B. Acquisition of land for the proposed Green River Trail shall continue to be a priority.

6C. Trail design and layout shall take advantage of unique natural locations and provide access to a variety of landscapes and habitats.

6D. Participate in planning activities for regional trails in South King County and North Pierce County.

6E. Explore possibilities for new trail connections between Auburn and neighboring communities.

6F. Develop and maintain trails to comply with Americans with Disabilities Act.

6G. Provide safe trail system by discouraging crime through environmental design concepts.

6H. Develop a standardized interpretive and way-finding program to be used through- out our trail system.

6I. Identify and provide funding to maintain existing trail systems.

Goal 7: Expand our existing park inventory where level of service standards are not being met, with an emphasis on the West Hill and Lea Hill areas of the City.

Our goal is to prioritize the development of community and linear parks with trail systems, focusing on larger, multi-use spaces to meet Auburn's diverse needs. We will actively pursue funding to acquire and preserve key parklands, emphasizing shoreline properties for public access. To minimize land use conflicts, particularly in residential areas, we will implement thoughtful design and strategic placement. High-quality design standards will guide new park developments, supported by comprehensive Master Plans and public input. Additionally, we aim to create vibrant public gathering spaces in the downtown core to enhance community life.

Goal 7: Objectives

7A. Make the development of community parks and linear parks with trail systems a priority over small neighborhood parks when possible and appropriate.

7B. Apply for King County Conservation Futures and Recreation & Conservation Office grants and other available funding sources to acquire and preserve park land and natural areas.

7C. Acquisition of community amenities, such as shoreline property, shall be emphasized, to preserve or allow public access to these special places.

7D. Minimize land use conflicts between parks and other uses, and use sensitive design measures when locating parks in residential neighborhoods.

7E. Criteria for new park development ensures consistent high quality design meeting the needs of the community.

7F. Develop Master Plans for undeveloped park properties and incorporate future park development costs into the Capital Facilities plan as appropriate.

7G. Schedule public meetings as a part of the Master Planning process to ensure that residents' voices are heard and needs are met when developing new parks.

7H. Develop public gathering spaces in the downtown core.

Goal 8: Establish park and trail levels of service provided in the PROS plan.

To ensure Auburn's parks and recreational spaces continue to meet the needs of a growing population, we are committed to maintaining a consistent level of investment per capita. Currently, the City provides over 10 acres of parkland per 1,000 residents, a standard we aim to uphold even as our community expands. By sustaining this investment, Auburn will preserve its high quality of life and ensure that all residents have ample access to well-maintained and accessible parks and green spaces.

Goal 8: Objectives

8A. Fields, Courts, Tracks, Gyms: Improve the equivalent population per Auburn facility type based on expected demand and need ideintified by public survey responses.

8B. Informal Recreation Facilities: Increase the number of Picnic Shelters, Off Leash Areas, Playgrounds, Paths, Community Gardens, Flexible Open Turf Areas, Gathering Spaces and Amphitheaters: Resident equivalent population per facility consistent with the current ratio.

8C. Trails: Increase the number of per trail miles to be consistent with .25 miles per 1000 residents.

8D. Parks: Maintain a minimum total parkland Level of Service (LOS) of over 10 acres per 1,000 residents, regardless of park classification.

Capital Improvement Program









The vision articulated in this PROS Plan is not only a mandate of the Growth Management Act but is also essential to enhancing the quality of life and driving economic development in the City of Auburn. This plan is both pragmatic, addressing the immediate needs of current residents, and forward-looking, preparing the park system to meet future demands while delivering economic, social, and environmental benefits. This section outlines the City's approach to incorporating public feedback through a comprehensive Capital Improvement Program (CIP), presented initially in tabular form and followed by detailed descriptions of conceptual improvements planned for the next six years.

Serving as a crucial blueprint, this plan significantly impacts residents' quality of life via Auburn's Parks & Recreation system. The effective administration of these services by the City's limited staff requires a committed allocation of budget resources. Realizing this vision also depends on grant funding and the continued dedication of community volunteers. Annual investments in personnel, equipment, and supplies are vital for maintaining a diverse range of outdoor recreational opportunities, ensuring safety, and meeting public expectations.

Aligned with Auburn's strategic goals and integrated into the principles of the Comprehensive Plan, this PROS Plan promotes a safe, healthy, and walkable community, cultural enrichment, and environmental conservation, reflecting the aspirations and quality of life desired by the city's residents.

This section emphasizes Auburn's commitment to addressing public feedback and improving system deficiencies by detailing a comprehensive CIP. This program includes specific park-related projects and broader recommendations aimed at closing service gaps. The proposals, summarized in tables and elaborated upon in detail, outline enhancements and conceptual improvements scheduled for implementation over the next six years. Additionally, the inclusion of long-term visionary projects shows a readiness to seize opportunistic improvements based on market conditions or funding availability.

At the core of this plan are key recommendations designed to address current challenges, anticipate future needs, maximize funding flexibility, and align with public preferences. It thoroughly considers the range of parks and recreation amenities available within the city, ensuring that Auburn's park system evolves in a balanced and sustainable manner.

Developing The Capital Improvement Program

This plan spans a six-year period from 2024 through 2030, aiming to guide park and recreation improvements while also presenting a conceptual vision for additional long-term enhancements aligned with Auburn's projected growth. It is designed to be flexible and dynamic, recognizing that funding availability, public needs, and political priorities may shift over time. As such, the plan is not a rigid script but rather a strategic guide adaptable to unforeseen opportunities that may better serve the public.

The listed capital improvement projects are initially categorized into six-year and long-term (20-year) CIP lists based on specific recommendations. However, the implementation timeline is subject to various factors, including design and permitting durations, other critical public works projects, grant funding cycles, available budgets, and city staff capacity. These timelines are for planning purposes only and do not represent a commitment to implementation in any particular year. The plan should remain a living document, continually updated as conditions evolve.

The CIP project list reflects public demand and needs, validated through input from city staff, commission members, and the City Council. The actual implementation over the next six years will depend on available funding, success in securing grants, and essential maintenance and repair needs. In developing the CIP, several aspects were considered to ensure it is robust yet flexible, capable of adapting to changing circumstances and opportunities.

Strategic Project Development and Funding Opportunities

Improving the parks system is a collaborative effort, not solely reliant on city funding. Auburn should actively pursue grants and donations from various sources to maximize public investment in parks, recreation, and open space facilities. Specific improvements should be matched with appropriate Recreation Conservation Office programs, such as the Youth Athletic Field or Land Water Conservation Fund grants, which have a history of being funded. Additionally, many trail and access projects can integrate with Safe Route to School grants and other transportation-related projects. Combining park projects with transportation and economic development initiatives will enhance implementation flexibility and open up further funding opportunities from county, state, and federal programs.

Auburn's Fiscal Sources

Auburn, WA's parks budget is supported by a diverse mix of funding sources. The City's General Fund, which includes revenues from property and sales taxes, is a primary source of funding for the Parks, Arts, and Recreation Department. Additional revenue comes from fees collected for recreational programs, facility rentals, and special events. The City also actively pursues grants from sources like the Washington State Recreation and Conservation Office (RCO), King County Conservation Futures, and federal programs such as the Land and Water Conservation Fund (LWCF). To address the demands of population growth, Auburn charges impact fees on new developments to fund the expansion of parks and recreational facilities. The budget is further supplemented by a portion of the Real Estate Excise Tax (REET) and a dedicated sales tax, which is 1/10th of 1% of the countywide sales tax. Occasionally, the City issues bonds for large-scale park projects, which are repaid over time. Additional funding comes from donations, sponsorships, and partnerships with local businesses, non-profits, and other governmental agencies, all of which contribute to maintaining and enhancing Auburn's park system.

Estimate of Probable Cost

This CIP includes preliminary estimates of construction costs for recommended improvements at each park and city-wide. These estimates are intended for budgeting and scoping future design and construction projects and are subject to change based on site conditions, final design, and market circumstances. The estimates are based on current park master planning projects and include considerations for inflation, annual cost escalators, design contingencies, permitting, and other soft costs. However, staff time costs are not included in these estimates.

Performance and Monitoring

Auburn's plan addresses the level of service and needs for parks, recreation, open spaces, and trails identified at the time of the plan's creation. Recognizing the dynamic nature of communities and outdoor spaces, this plan is designed to be flexible and adaptable in its implementation. To monitor progress and adapt to changing circumstances, including new grant and funding sources, the following actions should be taken annually during the capital improvement budgeting cycle:

Annual Prioritization Review:

City staff and volunteers should conduct annual evaluations to determine if any changes to the park system are necessary, especially considering funding availability or demographic shifts.

Plan Update:

Beginning in early-to-mid 2030, a formal update process should engage Auburn residents, staff, and committee members to review changing service needs, propose new capital improvements, and renew eligibility for the Washington Recreation and Conservation Office (RCO) programs for the next performance period. By maintaining this proactive and adaptive approach, Auburn can ensure that its parks and recreational facilities continue to meet the evolving needs of its community.

Park Development:

The development of more mini-parks (under one or two acres) is not encouraged. Mini-parks have not been found to be as successful as larger community parks, because they tend to serve very small populations and are difficult and expensive to maintain. Developers may have the opportunity to develop neighborhood parks that are maintained by the local homeowners association but meet the City's park standards.

Unforeseen Threats to the CIP Strategy

Several unforeseen threats could impact the strategy and implementation of Auburn's Capital Improvement Program (CIP):

Economic Downturns:

A significant economic recession could reduce available funding from local, state, and federal sources, impacting the ability to finance planned projects.
Natural Disasters: Events such as earthquakes, floods, or wildfires could damage existing infrastructure and necessitate reallocation of funds for emergency repairs and rebuilding efforts.
Pandemics or Public Health Crises: Situations similar to the COVID-19 pandemic could disrupt project timelines, reduce workforce availability, and shift funding priorities towards health and safety measures.
Policy and Regulatory Changes: New laws or regulations at the local, state, or federal level could alter funding eligibility, increase costs, or impose new requirements on project implementation.
Environmental Issues: Unforeseen environmental challenges, such as soil contamination or endangered species habitats, could delay or complicate project execution.
Community Opposition: Public opposition or legal challenges to specific projects could result in delays or necessitate project modifications.
Technological Changes: Rapid advancements in technology may require updates to project plans or could render certain planned improvements obsolete.
Market Fluctuations: Changes in the cost of materials and labor due to market volatility can significantly impact project budgets and timelines.
Considering these potential threats, the CIP must remain adaptable, ensuring that Auburn can respond effectively to changing conditions and continue to meet the needs of its residents.



Table 5-1: Capita;l Facilities Plan Projects & Financing Municipal Parks Construction Fund (See the Capital Facilities Plan sheets for details on the following numbers.)								
Capacity Projects:		**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**Total**
Auburndale Park II								
	Capital Costs	-	-	$125,000	-	$2,000,000	-	$2,125,000
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	-	-	-	-	$1,000,000	-	$1,000,000
	Other (TBD)	-	-	$125,000	-	$1,000,000	-	$1,125,000
BPA Trail on Lea Hill								
	Capital Costs	-	-	-	-	150,000	-	$150,000
	Funding Sources:							
	Fund Balance	-	-	-	-	150,000	-	$150,000
	Grants (Fed,State,Local)	-	-	-	-	-	-	-
	KC Prop 2	-	-	-	-	-	-	-
Fulmer Park Turf Fields								
	Capital Costs	-	-	-	-	-	-	-
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	-	-	1,800,000	-	-	-	1,800,000
	Park Impact Fees	-	-	-	-	-	-	-
	KC Prop 2	-	-	-	-	-	-	-
Game Farm Park Improvements								
	Capital Costs	200,000	-	-	-	-	-	200,000
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	200,000	1,500,000	-	-	-	-	1,700,000
	Park Impact Fees	-	500,000	-	-	-	-	500,000
Jacobsen Tree Farm Development								
	Capital Costs	125,000	5,000,000	-	-	5,000,000	-	10,125,000
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	-	1,000,000	-	-	1,000,000	-	2,000,000
	KC Prop 2	-	-	-	-	-	-	-
	Other (TBD)	-	2,000,000	-	-	2,000,000	-	4,000,000
	Park Impact Fees	125,000	2,000,000	-	-	2,000,000	-	4,125,000

Table 5-1: Capita;l Facilities Plan Projects & Financing Municipal Parks Construction Fund (See the Capital Facilities Plan sheets for details on the following numbers.)								
Capacity Projects:		**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**Total**
Lakeland Hills Nature Area								
	Capital Costs	-	-	400,000	-	-	-	400,000
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	-	-	200,000	-	-	-	200,000
	Park Impact Fees	-	-	200,000	-	-	-	200,000
Miscellaneous Parks Improvements								
	Capital Costs	150,000	150,000	150,000	150,000	150,000	150,000	900,000
	Funding Sources:							
	Fund Balance	50,000	50,000	50,000	50,000	50,000	50,000	300,000
	Grants (Fed,State,Local)	-	-	-	-	-	-	-
	KC Prop 2	150,000	150,000	150,000	150,000	150,000	150,000	900,000
	Park Impact Fees	100,000	100,000	50,000	50,000	50,000	50,000	400,000
Park Acquisitions/Development								
	Capital Costs	125,000	125,000	125,000	125,000	125,000	125,000	750,000
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	-	-	-	-	-	-	-
	KC Prop 2	125,000	125,000	125,000	125,000	125,000	125,000	750,000
Sunset Park Improvements								
	Capital Costs	-	-	-	-	-	-	-
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Park Impact Fees	350,000	-	1,500,000	-	-	-	1,850,000
	Other (TBD)	-	-	500,000	-	-	-	500,000
West Hill Park Acquisition and Development								
	Capital Costs	-	-	750,000	1,000,000	-	-	1,750,000
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	-
	Grants (Fed,State,Local)	-	-	400,000	500,000	-	-	900,000
	Park Impact Fees	-	-	350,000	500,000	-	-	850,000

Table 5-1: Capita;l Facilities Plan Projects & Financing
Municipal Parks Construction Fund

(See the Capital Facilities Plan sheets for details on the following numbers.)

Capacity Projects:	2025	2026	2027	2028	2029	2030	Total
Subtotal, Capacity Projects:							
Capital Costs	600,000	5,275,000	1,550,000	1,275,000	7,425,000	275,000	16,400,000
Non-Capacity Projects:							
Dykstra Footbridge							
Capital Costs	-	-	-	-	-	-	-
Funding Sources:							
Fund Balance	-	-	-	-	-	-	-
ARPA funding	40,000	-	-	-	-	-	40,000
Other (TBD)	-	-	-	-	-	-	-
Fairway Drainage Improvement							
Capital Costs	30,000	30,000	30,000	30,000	30,000	30,000	180,000
Funding Sources:							
Fund Balance	-	-	-	-	-	-	-
Grants (Fed,State,Local)	-	-	-	-	-	-	-
REET 2	30,000	30,000	30,000	30,000	30,000	30,000	180,000
Capacity Projects:	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**Total**
Capacity Projects	600,000	5,275,000	1,550,000	1,275,000	7,425,000	275,000	16,400,000
Non-Capacity Projects	30,000	30,000	30,000	30,000	30,000	30,000	180,000
Total Costs	630,000	5,305,000	1,580,000	1,305,000	7,455,000	305,000	16,580,000
Fund Balance	50,000	50,000	50,000	50,000	200,000	50,000	450,000
Grants (Fed,State,Local)	200,000	2,500,000	2,400,000	500,000	2,000,000	-	7,600,000
Grants - Private	-	-	-	-	-	-	-
KC Prop 2	275,000	275,000	275,000	275,000	275,000	275,000	1,650,000
ARPA funding	40,000	-	-	-	-	-	40,000
Park Impact Fees	575,000	2,600,000	2,100,000	550,000	2,050,000	50,000	7,925,000
REET 2	30,000	30,000	30,000	30,000	30,000	30,000	180,000
Other (TBD)	-	2,000,000	625,000	-	3,000,000	-	5,625,000
Total Funding	1,170,000	7,455,000	5,480,000	1,405,000	7,555,000	405,000	23,470,000

TABLE PR-2

CAPITAL FACILITIES PLAN PROJECTS AND FINANCING
MUNICIPAL PARKS CONSTRUCTION FUND

		2025	2026	2027	2028	2029	2030	Total
	Capacity Projects:							
gpbd05	**Auburndale Park II**							
	Capital Costs	-	-	-	-	-	-	**-**
	Unsecured Capital Costs	-	-	125,000	-	2,000,000	-	**2,125,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	Unsecured Grants	-	-	125,000	-	2,000,000	-	**2,125,000**
gpbd23	**BPA Trail on Lea Hill**							
	Capital Costs	-	-	-	-	150,000	-	**150,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	150,000	-	**150,000**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	KC Prop 2	-	-	-	-	-	-	**-**
cpxxxx	**Brannan Park Improvements**							
	Capital Costs	-	-	-	-	-	500,000	**500,000**
	Unsecured Capital Costs	300,000	-	-	-	-	1,000,000	**1,300,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	Park Impact Fees	-	-	-	-	-	500,000	**500,000**
	Unsecured Grants	300,000	-	-	-	-	1,000,000	**1,300,000**
ms2405, c	**Downtown Plaza and Alleyway Improvements**							
	Capital Costs	1,200,000	-	-	-	-	-	**1,200,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	1,200,000	-	-	-	-	-	**1,200,000**
	KC Prop 2	-	-	-	-	-	-	**-**
cp2416	**Game Farm Park Improvements (Lighting)**							
	Capital Costs	-	500,000	-	-	-	-	**500,000**
	Unsecured Capital Costs	200,000	1,500,000	-	-	-	-	**1,700,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	Park Impact Fees	-	500,000	-	-	-	-	**500,000**
	Unsecured Grants	200,000	1,500,000	-	-	-	-	**1,700,000**
cpxxxx	**Golf Course Maintenance Building**							
	Capital Costs	-	-	-	650,000	-	-	**650,000**
	Funding Sources:							
	Fund Balance	-	-	-	350,000	-	-	**350,000**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	REET 2	-	-	-	300,000	-	-	**300,000**
cp2020	**Jacobsen Tree Farm Development -Phase 2**							
	Capital Costs	125,000	2,000,000	-	-	2,000,000	-	**4,125,000**
	Unsecured Capital Costs	-	3,000,000	-	-	3,000,000	-	**6,000,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	KC Prop 2	-	-	-	-	-	-	**-**
	Park Impact Fees	125,000	2,000,000	-	-	2,000,000	-	**4,125,000**
	Unsecured Grants	-	3,000,000	-	-	3,000,000	-	**6,000,000**
gpbd11	**Lakeland Hills Nature Area**							
	Capital Costs	-	-	400,000	-	-	-	**400,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Other (Pierce Co. Zoo Taxes)	-	-	200,000	-	-	-	**200,000**
	Park Impact Fees	-	-	200,000	-	-	-	**200,000**
cp2232	**Les Gove Park Improvements**							
	Capital Costs	-	-	1,500,000	-	-	-	**1,500,000**
	Unsecured Capital Costs	-	-	750,000	-	-	-	**750,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	Park Impact Fees	-	-	750,000	-	-	-	**750,000**
	REET 2	-	-	750,000	-	-	-	**750,000**

TABLE PR-2

CAPITAL FACILITIES PLAN PROJECTS AND FINANCING
MUNICIPAL PARKS CONSTRUCTION FUND

	Unsecured Grants	-	-	750,000	-	-	-	**750,000**
gpbd03	**Miscellaneous Parks Improvements**							
	Capital Costs	300,000	300,000	250,000	250,000	250,000	250,000	**1,600,000**
	Funding Sources:							
	Fund Balance	50,000	50,000	50,000	50,000	50,000	50,000	**300,000**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	KC Prop 2	150,000	150,000	150,000	150,000	150,000	150,000	**900,000**
	Park Impact Fees	100,000	100,000	50,000	50,000	50,000	50,000	**400,000**
gpbd04	**Park Acquisitions/Development**							
	Capital Costs	-	-	-	-	-	-	**-**
	Unsecured Capital Costs	125,000	125,000	125,000	125,000	125,000	125,000	**750,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	KC Prop 2	-	-	-	-	-	-	**-**
	Unsecured Grants	125,000	125,000	125,000	125,000	125,000	125,000	**750,000**
gpbd06	**Sunset Park Improvements**							
	Capital Costs	350,000	-	2,000,000	-	-	-	**2,350,000**
	Unsecured Capital Costs	-	-	1,500,000	-	-	-	**1,500,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	Park Impact Fees	350,000	-	1,500,000	-	-	-	**1,850,000**
	Other (Pierce Co. Zoo Taxes)	-	-	500,000	-	-	-	**500,000**
	Unsecured Grants	-	-	1,500,000	-	-	-	**1,500,000**
	Subtotal, Capacity Projects:							
	Secured Capital Costs	**1,975,000**	**2,800,000**	**4,150,000**	**900,000**	**2,400,000**	**750,000**	**12,975,000**
	Unsecured Capital Costs	**625,000**	**4,625,000**	**2,500,000**	**125,000**	**5,125,000**	**1,125,000**	**14,125,000**
	Total Capital Costs	**2,600,000**	**7,425,000**	**6,650,000**	**1,025,000**	**7,525,000**	**1,875,000**	**27,100,000**
	Non-Capacity Projects:							
cp2214	**Dykstra Footbridge**							
	Capital Costs	-	-	-	-	-	-	**-**
	Unsecured Capital Costs	40,000	-	-	-	-	-	**40,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	Unsecured Grants	40,000	-	-	-	-	-	**40,000**
gpbd19	**Fairway Drainage Improvement**							
	Capital Costs	30,000	30,000	30,000	30,000	30,000	30,000	**180,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	REET 2	30,000	30,000	30,000	30,000	30,000	30,000	**180,000**
gpbd32	**Mary Olson Farm Mobile Home Replacement**							
	Capital Costs	40,000	-	-	-	-	-	**40,000**
	Unsecured Capital Costs	40,000	-	-	-	-	-	**40,000**
	Funding Sources:							
	Fund Balance	-	-	-	-	-	-	**-**
	Grants (Fed,State,Local)	-	-	-	-	-	-	**-**
	KC Prop 2	40,000	-	-	-	-	-	**40,000**
	Unsecured Grants	40,000	-	-	-	-	-	**40,000**
	Subtotal, Non-Capacity Projects:							
	Capital Costs	**70,000**	**30,000**	**30,000**	**30,000**	**30,000**	**30,000**	**220,000**
	Unsecured Capital Costs	**80,000**	**-**	**-**	**-**	**-**	**-**	**80,000**
	Total Capital Costs	**150,000**	**30,000**	**30,000**	**30,000**	**30,000**	**30,000**	**300,000**

	2025	2026	2027	2028	2029	2030	Total
SUMMARY:							
CAPITAL COSTS							
Capacity Projects	1,975,000	2,800,000	4,150,000	900,000	2,400,000	750,000	12,975,000
Non-Capacity Projects	70,000	30,000	30,000	30,000	30,000	30,000	220,000

TABLE PR-2

CAPITAL FACILITIES PLAN PROJECTS AND FINANCING
MUNICIPAL PARKS CONSTRUCTION FUND

Capital Costs (Secured)	**2,045,000**	**2,830,000**	**4,180,000**	**930,000**	**2,430,000**	**780,000**	**13,195,000**
Unsecured Capital Costs	**705,000**	**4,625,000**	**2,500,000**	**125,000**	**5,125,000**	**1,125,000**	**14,205,000**
Total	**2,750,000**	**7,455,000**	**6,680,000**	**1,055,000**	**7,555,000**	**1,905,000**	**27,400,000**
FUNDING SOURCES:							
Fund Balance	50,000	50,000	50,000	400,000	200,000	50,000	800,000
Grants (Fed,State,Local)	1,200,000	-	-	-	-	-	1,200,000
Other (Pierce Co. Zoo Taxes)	-	-	700,000	-	-	-	700,000
KC Prop 2	190,000	150,000	150,000	150,000	150,000	150,000	940,000
Park Impact Fees	575,000	2,600,000	2,500,000	50,000	2,050,000	550,000	8,325,000
REET 2	30,000	30,000	780,000	330,000	30,000	30,000	1,230,000
Total Funding (Secured)	**2,045,000**	**2,830,000**	**4,180,000**	**930,000**	**2,430,000**	**780,000**	**13,195,000**
Unsecured Funding	**705,000**	**4,625,000**	**2,500,000**	**125,000**	**5,125,000**	**1,125,000**	**14,205,000**
Total	**2,750,000**	**7,455,000**	**6,680,000**	**1,055,000**	**7,555,000**	**1,905,000**	**27,400,000**

Project Title: **Auburndale Park II**
Project No: **gpbd05**
Project Type: **Capacity**
Project Manager: **Thaniel Gouk**

Description:

Develop a Master Plan, improve the existing trail system and install signage and play structure.

Progress Summary:

n/a

Future Impact on Operating Budget:

Increased utility costs of $2,000 per year once the park is fully developed.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
REET	-	-	-	-	-
Impact Fees	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
REET	-	-	-	-	-
Impact Fees	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Unsecured Non-Budgeted Funding

Funding Sources:	2025	2026	2027	2028-2030	Total 2025-20230
RCO Local Parks Grant	-	-	125,000	2,000,000	2,125,000
Total Funding Sources:	**-**	**-**	**125,000**	**2,000,000**	**2,125,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	125,000	-	125,000
Right of Way	-	-	-	-	-
Construction	-	-	-	2,000,000	2,000,000
Total Expenditures:	**-**	**-**	**125,000**	**2,000,000**	**2,125,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **BPA Trail on Lea Hill**
Project No: **gpbd23**
Project Type: **Capacity**
Project Manager: **Thaniel Gouk**

Description:

Develop a feasibility study related to constructability of a pedestrian trail linking the Jacobsen Tree Farm site to the west end of Lea Hill. This trail would follow the alignment of the Bonneville Power Administration (BPA) transmission lines from 132nd to 108th Avenue SE. Construction would be in phases based on constructability.

Progress Summary:

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
REET	-	-	-	-	-
Other (KC Prop. 2)	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	150,000	-	150,000
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
REET	-	-	-	-	-
Other (KC Prop. 2)	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**150,000**	**-**	**150,000**
Capital Expenditures:					
Predesign	-	-	25,000	-	25,000
Design	-	-	125,000	-	125,000
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**150,000**	**-**	**150,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Brannan Park Improvements**
Project No: **cpxxxx**
Project Type: **Capacity**
Project Manager: **Thaniel Gouk**

Description:

Court upgrades, trail improvements, and new synthetic fields.

Progress Summary:

N/A

Future Impact on Operating Budget:

Lessened maintenance requirements and water for grass fields, savings of approx. $10,000/year.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Impact Fees	-	-	-	-	-
REET	-	-	-	-	-
Other	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Impact Fees	-	-	-	500,000	500,000
REET	-	-	-	-	-
Other	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**500,000**	**500,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	50,000	50,000
Right of Way	-	-	-	-	-
Construction	-	-	-	450,000	450,000
Total Expenditures:	**-**	**-**	**-**	**500,000**	**500,000**

Unsecured Non-Budgeted Funding

Funding Sources:	2025	2026	2027	2028-2030	Total 2025-20230
Recreation Conservation Office (RCO) Youth Athletic Facilities and Community Outdoor Athletic Facilities Grants	300,000	-	-	1,000,000	1,300,000
Total Funding Sources:	**300,000**	**-**	**-**	**1,000,000**	**1,300,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	300,000	-	-	1,000,000	1,300,000
Total Expenditures:	**300,000**	**-**	**-**	**1,000,000**	**1,300,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Downtown Plaza and Alleyway Improvements**
Project No: **ms2405, cpxxxx**
Project Type: **Capacity**
Project Manager: **Thaniel Gouk**

Description:

Create a new open space plaza in the downtown area near the Auburn Avenue Theater site. A portion of the project would be contingent on receiving King County Grant funds to purchase a property and demolishing a building. Also included would be alleyway improvements to the area between the Postmark Center for the Arts and theater building.

Progress Summary:

An application has been submitted for a King County Conservation Futures grant; a decision will be made in Fall of 2024 by KC Council. A portion of the funding would be from the direct appropriation monies for the rebuild of the theater.

Future Impact on Operating Budget:

Increased utility costs of $1,000.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	250,000	-	250,000
Grants- Unsecured (King County CFT)	-	-	950,000	-	950,000
REET	-	-	-	-	-
KC Parks Prop Levy	-	10,000	-	-	10,000
Total Funding Sources:	**-**	**10,000**	**1,200,000**	**-**	**1,210,000**
Capital Expenditures:					
Predesign	-	10,000	-	-	10,000
Design	-	-	75,000	-	75,000
Acquisition	-	-	700,000	-	700,000
Construction	-	-	425,000	-	425,000
Total Expenditures:	**-**	**10,000**	**1,200,000**	**-**	**1,210,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	250,000
Grants- Unsecured (King County CFT)	-	-	-	-	950,000
REET	-	-	-	-	-
KC Parks Prop Levy	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**1,200,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	75,000
Acquisition	-	-	-	-	700,000
Construction	-	-	-	-	425,000
Total Expenditures:	**-**	**-**	**-**	**-**	**1,200,000**

Grants / Other Sources: King County Conservation Futures Grant & RCO Grant

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Game Farm Park Improvements (Lighting)**
Project No: **cp2416**
Project Type: **Capacity**
Project Manager: **Daryl Faber**

Description:

Improve interior lighting and pathways and provide access from the newly acquired property on southwest corner of the park. The project will also add lighting to pickleball and basketball court. New turf infields.

Progress Summary:

N/A

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
REET 1	-	-	-	-	-
Park Impact Fees	-	-	-	500,000	500,000
Total Funding Sources:	**-**	**-**	**-**	**500,000**	**500,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	150,000	150,000
Right of Way	-	-	-	-	-
Construction	-	-	-	350,000	350,000
Total Expenditures:	**-**	**-**	**-**	**500,000**	**500,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
REET 1	-	-	-	-	-
Park Impact Fees	-	-	-	-	500,000
Total Funding Sources:	**-**	**-**	**-**	**-**	**500,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	150,000
Right of Way	-	-	-	-	-
Construction	-	-	-	-	350,000
Total Expenditures:	**-**	**-**	**-**	**-**	**500,000**

Unsecured Non-Budgeted Funding

Funding Sources:	2025	2026	2027	2028-2030	Total 2025-20230
RCO Youth Athletic Facilities Grant	-	1,000,000	-	-	1,000,000
KC Youth and Amatuer Sports Grant	200,000	500,000	-	-	700,000
Total Funding Sources:	**200,000**	**1,500,000**	**-**	**-**	**1,700,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	200,000	1,500,000	-	-	1,700,000
Total Expenditures:	**200,000**	**1,500,000**	**-**	**-**	**1,700,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Golf Course Maintenance Building**
Project No: **cpxxxx**
Project Type: **Capacity**
Project Manager: **Thaniel Gouk**

Description:

Replace dilapidated mechanics building (built in 1970) at the Auburn Golf Course. A new approx. 1,000 sq.-ft. building would provide mechanics space for the Golf Course Fleet.

Progress Summary:

N/A

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
REET 2	-	-	-	-	-
Park Impact Fees	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Municipal Parks Construction Fund	-	350,000	-	-	350,000
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
REET 2	-	300,000	-	-	300,000
Park Impact Fees	-	-	-	-	-
Total Funding Sources:	**-**	**650,000**	**-**	**-**	**650,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	50,000	-	-	50,000
Right of Way	-	-	-	-	-
Construction	-	600,000	-	-	600,000
Total Expenditures:	**-**	**650,000**	**-**	**-**	**650,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Jacobsen Tree Farm Development -Phase 2**
Project No: **cp2020**
Project Type: **Capacity**
Project Manager: **Daryl Faber**

Description:

Develop the 29.3 acre site into a Community Park. Phase 1 would include a new Master Plan (to replace 2009 plan); Phase 2 would include parking and frontage improvements, some park amenities; Phase 3 would include building out the property with expanded parking, restrooms, and sport fields.

Progress Summary:

A master plan was completed in 2009, however, is out of date and Phase 1 would include updating this plan for a more modern park layout.

Future Impact on Operating Budget:

No significant impact due to master plan. Future park development will result in maintenance and utility expenses undeterminable at this time.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	333,500	-	-	333,500
Grants- Secured (Fed,State,Local)	-	-	-	-	-
King County Prop 2	14,165	-	-	-	-
Park Impact Fees	-	-	125,000	2,000,000	2,125,000
Other	-	-	-	-	-
Total Funding Sources:	**14,165**	**333,500**	**125,000**	**2,000,000**	**2,458,500**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	14,165	333,500	125,000	500,000	958,500
Right of Way	-	-	-	-	-
Construction	-	-	-	1,500,000	1,500,000
Total Expenditures:	**14,165**	**333,500**	**125,000**	**2,000,000**	**2,458,500**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
King County Prop 2	-	-	-	-	-
Park Impact Fees	-	-	2,000,000	-	4,125,000
Other	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**2,000,000**	**-**	**4,125,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	500,000	-	1,125,000
Right of Way	-	-	-	-	-
Construction	-	-	1,500,000	-	3,000,000
Total Expenditures:	**-**	**-**	**2,000,000**	**-**	**4,125,000**

Unsecured Non-Budgeted Funding

Unsecured Grants	2025	2026	2027	2028-2030	Total 2025-20230
RCO WA Wildlife & Recreation Prgm.	-	1,000,000	-	-	1,000,000
King County Parks Grant	-	2,000,000	-	-	2,000,000
RCO Community Outdoor Athletic Funds	-	-	-	1,500,000	1,500,000
RCO Youth Athletic Facilities Grant	-	-	-	1,500,000	1,500,000
Total Funding Sources:	**-**	**3,000,000**	**-**	**3,000,000**	**6,000,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	3,000,000	-	3,000,000	6,000,000
Total Expenditures:	**-**	**3,000,000**	**-**	**3,000,000**	**6,000,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

MUNICIPAL PARKS CONSTRUCTION FUND (321)

Capital Facilities Plan

Six Year Capital Facilities Plan, 2025-2030

Capital Projects Fund

Project Title: **Lakeland Hills Nature Area**
Project No: **gpbd11**
Project Type: **Capacity**
Project Manager: **Daryl Faber**

Description:

Complete Master Plan to include the development and construction of an environmental community park. Trails, fencing, parking and visitor amenities are included in the project.

Progress Summary:

Future Impact on Operating Budget:

Increased maintenance costs of $5,000

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Other (Pierce Co. Zoo Taxes)	-	-	-	-	-
Park Impact Fees	-	25,000	-	-	25,000
Park Mitigation Fees	-	-	-	-	-
Total Funding Sources:	**-**	**25,000**	**-**	**-**	**25,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	25,000	-	-	25,000
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**25,000**	**-**	**-**	**25,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Other (Pierce Co. Zoo Taxes)	200,000	-	-	-	200,000
Park Impact Fees	200,000	-	-	-	200,000
Park Mitigation Fees	-	-	-	-	-
Total Funding Sources:	**400,000**	**-**	**-**	**-**	**400,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	400,000	-	-	-	400,000
Total Expenditures:	**400,000**	**-**	**-**	**-**	**400,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Les Gove Park Improvements**
Project No: **cp2232**
Project Type: **Capacity**
Project Manager: **Thaniel Gouk**

Description:

Construction of a covered multi-use pavilion building at the south end of Les Gove Park. Uses could include pickleball and farmers market, among others.

Progress Summary:

N/A

Future Impact on Operating Budget:

Future impacts are undeterminable at this time. Potential impacts include general building maintenance.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Municipal Parks Construction Fund	15,259	79,430	-	-	79,430
Grants Secured (Fed,State,Local)	-	100,000	-	-	100,000
Park Impact Fees	-	-	-	-	-
REET 2	-	-	-	-	-
Other	-	-	-	-	-
Total Funding Sources:	**15,259**	**179,430**	**-**	**-**	**179,430**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	15,259	179,430	-	-	179,430
Total Expenditures:	**15,259**	**179,430**	**-**	**-**	**179,430**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Municipal Parks Construction Fund	-	-	-	-	-
Grants Secured (Fed,State,Local)	-	-	-	-	-
Park Impact Fees	750,000	-	-	-	750,000
REET 2	750,000	-	-	-	750,000
Other	-	-	-	-	-
Total Funding Sources:	**1,500,000**	**-**	**-**	**-**	**1,500,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	100,000	-	-	-	100,000
Right of Way	-	-	-	-	-
Construction	1,400,000	-	-	-	1,400,000
Total Expenditures:	**1,500,000**	**-**	**-**	**-**	**1,500,000**

Unsecured Non-Budgeted Funding

Unsecured Grants	2025	2026	2027	2028-2030	Total 2025-20230
KC Parks Capital and Open Space Grant	-	-	750,000	-	750,000
Total Funding Sources:	**-**	**-**	**750,000**	**-**	**750,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	750,000	-	750,000
Total Expenditures:	**-**	**-**	**750,000**	**-**	**750,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

MUNICIPAL PARKS CONSTRUCTION FUND (321)

Capital Facilities Plan

Six Year Capital Facilities Plan, 2025-2030

Capital Projects Fund

Project Title: **Miscellaneous Parks Improvements**
Project No: **gpbd03**
Project Type: **Capacity/Non-Capacity**
Project Manager: **Daryl Faber**

Description:

Minor park improvements including shelters, roofs, playgrounds, irrigation and restrooms.

Progress Summary:

Completed projects include: security cameras at Mary Olson Farm. At Les Gove installed gates at 12th Street parking lot, added a bench, art pedestals, poem etching, senior center walkway, and improvements at the spray park and playground. At Auburndale park added new playground and replaced dilapidated pathway. New split rail fence at Isaac Evans.

Future Impact on Operating Budget:

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	247,700	50,000	50,000	347,700
Grants Secured (Fed,State,Local)	-	-	-	-	-
KC Prop 2	-	100,000	150,000	150,000	400,000
Park Impact Fees	-	213,869	100,000	100,000	413,869
Total Funding Sources:	**-**	**561,569**	**300,000**	**300,000**	**1,161,569**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	50,000	50,000	100,000
Right of Way	-	-	-	-	-
Construction	-	561,569	250,000	250,000	1,061,569
Total Expenditures:	**-**	**561,569**	**300,000**	**300,000**	**1,161,569**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	50,000	50,000	50,000	50,000	300,000
Grants Secured (Fed,State,Local)	-	-	-	-	-
KC Prop 2	150,000	150,000	150,000	150,000	900,000
Park Impact Fees	50,000	50,000	50,000	50,000	400,000
Total Funding Sources:	**250,000**	**250,000**	**250,000**	**250,000**	**1,600,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	100,000	100,000	100,000	100,000	500,000
Right of Way	-	-	-	-	-
Construction	150,000	150,000	150,000	150,000	1,100,000
Total Expenditures:	**250,000**	**250,000**	**250,000**	**250,000**	**1,600,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Park Acquisitions/Development**
Project No: **gpbd04**
Project Type: **Capacity**
Project Manager: **Daryl Faber**

Description:

Land and other property acquisitions to occur based on demand and deficiencies including parks, open space, trails, corridors and recreational facilities.

Progress Summary:

The City purchased the Auburn Avenue Theater and the Qares property in 2020. The City will be purchasing a downtown open space plaza.

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants Secured (Fed,State,Local)	-	-	-	-	-
KC Prop 2	-	195,000	-	-	195,000
REET1	-	-	-	-	-
Other Sources	-	-	-	-	-
Total Funding Sources:	**-**	**195,000**	**-**	**-**	**195,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Acquisition	-	195,000	-	-	195,000
Construction	-	-	-	-	-
Total Expenditures:	**-**	**195,000**	**-**	**-**	**195,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants Secured (Fed,State,Local)	-	-	-	-	-
KC Prop 2	-	-	-	-	-
REET1	-	-	-	-	-
Other Sources	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Acquisition	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Unsecured Non-Budgeted Funding

Unsecured Grants	2025	2026	2027	2028-2030	Total 2025-20230
Local Grant KC Conservation Futures	125,000	125,000	125,000	375,000	750,000
Total Funding Sources:	**125,000**	**125,000**	**125,000**	**375,000**	**750,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Acquisition	125,000	125,000	125,000	375,000	750,000
Construction	-	-	-	-	-
Total Expenditures:	**125,000**	**125,000**	**125,000**	**375,000**	**750,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Sunset Park Improvements**
Project No: **gpbd06**
Project Type: **Capacity**
Project Manager: **Daryl Faber**

Description:

Phase 2 improvements to include looking at options for new or modified court uses (e.g. pickleball). Phase 3 to include replacing the grass base/softball fields with new multi-sport synthetic turf fields.

Progress Summary:

RCO Community Outdoor Athletic Funds grant applied for in Spring 2024; decision expected Fall 2024. Phase 1 included drainage improvements to the playground area and were completed in 2022.

Future Impact on Operating Budget:

Less water use (Bonney Lake Water) for fields would save money for the City.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants Secured (Fed,State,Local)	-	-	-	-	-
Park Impact Fees	-	88,161	350,000	-	438,161
Other (Pierce Co. Zoo Tax)	-	-	-	-	-
Total Funding Sources:	**-**	**88,161**	**350,000**	**-**	**438,161**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	88,161	350,000	-	438,161
Total Expenditures:	**-**	**88,161**	**350,000**	**-**	**438,161**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants Secured (Fed,State,Local)		-	-	-	-
Park Impact Fees	1,500,000	-	-	-	1,850,000
Other (Pierce Co. Zoo Tax)	500,000	-	-	-	500,000
Total Funding Sources:	**2,000,000**	**-**	**-**	**-**	**2,350,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	50,000	-	-	-	50,000
Right of Way	-	-	-	-	-
Construction	1,950,000	-	-	-	2,300,000
Total Expenditures:	**2,000,000**	**-**	**-**	**-**	**2,350,000**

Unsecured Non-Budgeted Funding

Unsecured Grants	2025	2026	2027	2028-2030	Total 2025-20230
Local Grant KC Conservation Futures	-	-	1,500,000	-	1,500,000
Total Funding Sources:	**-**	**-**	**1,500,000**	**-**	**1,500,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	1,500,000	-	1,500,000
Total Expenditures:	**-**	**-**	**1,500,000**	**-**	**1,500,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Dykstra Footbridge**
Project No: **cp2214**
Project Type: **Non-Capacity**
Project Manager: **Faber**

Description:

Engineering study was completed and results were better then expected. Most fixes have already been completed and remaining items to be done by a contractor.

Progress Summary:

Minor fixes by mainteance staff completed in 2023; remaining items will be completed in 2024 & 2025.

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Municipal Parks Construction Fund	-	-	-	-	-
Grants Secured (Fed,State,Local)	-	-	-	-	-
REET	-	-	-	-	-
Other (ARPA)	10,582	-	-	-	-
Total Funding Sources:	**10,582**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	10,582	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**10,582**	**-**	**-**	**-**	**-**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Municipal Parks Construction Fund	-	-	-	-	-
Grants Secured (Fed,State,Local)	-	-	-	-	-
REET	-	-	-	-	-
Other (ARPA)	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Unsecured Non-Budgeted Funding

Unsecured Grants	2025	2026	2027	2028-2030	Total 2025-20230
King County	40,000	-	-	-	40,000
Total Funding Sources:	**40,000**	**-**	**-**	**-**	**40,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	40,000	-	-	-	40,000
Total Expenditures:	**40,000**	**-**	**-**	**-**	**40,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Fairway Drainage Improvement**
Project No: **gpbd19**
Project Type: **Non-capacity**
Project Manager: **Daryl Faber**

Description:

Apply top dressing sand to the approaches to numerous holes in order to firm up these landing areas so that the holes are playable year-round. Emphasis will also be on the practice area to increase our lesson program and prepare for the driving range. Sand will be applied with a three-yard top dressing machine.

Progress Summary:

Drainage improvements have greatly impacted the increase in play during the winter months as well as the quality of the turf year around. Continuing with the practice will ensure quality course conditions as well as an increase in rounds.

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
REET 2	-	30,000	30,000	30,000	90,000
Other	-	-	-	-	-
Total Funding Sources:	**-**	**30,000**	**30,000**	**30,000**	**90,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	30,000	30,000	30,000	90,000
Total Expenditures:	**-**	**30,000**	**30,000**	**30,000**	**90,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Municipal Parks Construction Fund	-	-	-	-	-
Grants- Secured (Fed,State,Local)	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
REET 2	30,000	30,000	30,000	30,000	180,000
Other	-	-	-	-	-
Total Funding Sources:	**30,000**	**30,000**	**30,000**	**30,000**	**180,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	30,000	30,000	30,000	30,000	180,000
Total Expenditures:	**30,000**	**30,000**	**30,000**	**30,000**	**180,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Mary Olson Farm Mobile Home Replacement**
Project No: **gpbd32**
Project Type: **Non-Capacity**
Project Manager: **Thaniel Gauk**

Description:

This project consists of removing and replacing the 25+ year old mobile home (caretaker's residence) with a new/slightly used mobile home to be relocated on the existing pad. The existing caretaker residence is past its anticipated lifespan and in need of extensive repairs, that are not financially prudent as the repair costs are in excess of 50% of the replacement cost.

Progress Summary:

The existing mobile home condition has been accessed. Numerous repairs are required that are not financially prudent.

Future Impact on Operating Budget:

None

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants - Unsecured (Fed,State,Local)	-	-	-	-	-
KC Parks Prop Levy	-	-	40,000	-	40,000
Total Funding Sources:	**-**	**-**	**40,000**	**-**	**40,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Construction	-	-	40,000	-	40,000
Total Expenditures:	**-**	**-**	**40,000**	**-**	**40,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Fund 321 -Unrestricted Fund Balance	-	-	-	-	-
Grants - Unsecured (Fed,State,Local)	-	-	-	-	-
KC Parks Prop Levy	-	-	-	-	40,000
Total Funding Sources:	**-**	**-**	**-**	**-**	**40,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Construction	-	-	-	-	40,000
Total Expenditures:	**-**	**-**	**-**	**-**	**40,000**

Unsecured Non-Budgeted Funding

Unsecured Grants	2025	2026	2027	2028-2030	Total 2025-20230
King County Open Doors	40,000	-	-	-	40,000
Total Funding Sources:	**40,000**	**-**	**-**	**-**	**40,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Construction	40,000	-	-	-	40,000
Total Expenditures:	**40,000**	**-**	**-**	**-**	**40,000**

Grants / Other Sources:

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

LOCAL REVITALIZATION FUND (330)

Six Year Capital Facilities Plan, 2025-2030

Capital Facilities Plan

Capital Projects Fund

Project Title: **Downtown Infrastructure Improvements (Incl. Theater Pre-Design)**
Project No: **cp2321**
Project Type: **Non-Capacity**
Project Manager: **Matt Larson**

Description:
The purpose of this project is to construct infrastructure improvements in Downtown Auburn that will support existing development and future re-development activities and to replace infrastructure that is at or near the end of its useful service life. Specifically, this project will remove overhead utilities and poles from the alley between the existing Auburn Ave Theater and the Postmark Center for the Arts, construct a new sewer line in Auburn Avenue and East Main Street, construct a new water main on East Main Street, re-construct the traffic signal at the intersection of East Main Street/Auburn Ave, re-construct the roadway and sidewalks on East Main Street from Auburn Ave to the B Street Plaza, and re-construct the B Street Plaza. East Main Street and the B Street Plaza will be constructed with overhead crossing decorative lights and other features to enhance the areas. The project also includes preliminary design of the Auburn Avenue Theater replacement. Full design and construction of the new theater is included as a separate project listed in the General Municipal Buildings (328 Fund).

Progress Summary:
Prior to this project, Project CP1616 added catenary lighting and planters to the B Street Plaza as short/medium term improvement to increase safety and to create visual interest. In 2022, the City identified ARPA funding to be used in the downtown to complete infrastructure improvements to address economic and equity impacts from the pandemic. In addition, the fire and subsequent demo of the Max House property have created a potential opportunity for re-development within the downtown area that may require infrastructure investments to be successful. In 2022, Construction of the Heritage Building (Divine Court) began and is anticipated to be completed in late 2023. Due to all of these factors, the remaining improvements that were originally planned to be part of Project CP1616 have been re-scoped to include additional improvements beyond the re-configuration of the City's parking lot adjacent to Safeway and have become this current project CP2321

Future Impact on Operating Budget:
None anticipated.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Unrestricted 102 Funds	3,963	-	1,000,000	-	1,000,000
Local Revitalization Fund 330	656	438,642	-	-	438,642
Grants- Secured	-	1,598,650	-	-	1,598,650
REET 2	-	550,000	-	-	550,000
WCIA	-	46	-	-	46
ARPA	33,857	2,081,866	-	-	2,081,866
Transfer In - (General Fund)	-	261,400	-	-	261,400
Total Funding Sources:	**38,476**	**4,930,604**	**1,000,000**	**-**	**5,930,604**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	38,476	900,000	-	-	900,000
Right of Way	-	-	-	-	-
Construction	-	2,525,553	1,000,000	-	3,525,553
Total Expenditures:	**38,476**	**3,425,553**	**1,000,000**	**-**	**4,425,553**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Unrestricted 102 Funds	-	-	-	-	1,000,000
Local Revitalization Fund 330	-	-	-	-	-
Grants- Secured	-	-	-	-	-
REET 2	-	-	-	-	-
WCIA	-	-	-	-	-
ARPA	-	-	-	-	-
Transfer In - (General Fund)	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**1,000,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	1,000,000
Total Expenditures:	**-**	**-**	**-**	**-**	**1,000,000**

Grants / Other Sources: Grants: 2024 $100k King County, $1,498,650 WA Dept of Commerce

** Funding and expenditures prior to 2024 are not shown for on-going programs .*

Project Title: **Cemetery Development -10th addition**
Project No: **cp2228**
Project Type: **Capacity**
Project Manager: **Immer Chevalier**

Description:

Develop 1 acre of existing property to add 1,200 new grave sites to the cemetery.

Progress Summary:

Landscape design to begin in 2022 with land development started in May 2024 and it's currently in progress. Trees have been cut down and debris are being removed. Next step would be the removal of huge boulders, grading, irrigation, grass seeding and plotting the area. It is expected to be completed in 2025.

Future Impact on Operating Budget:

This project will create additional revenues for the cemetery.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Unrestricted Cemetery Revenue	54,362	150,000	50,000	-	200,000
Grants	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
Cemetery Endowed Care	-	-	-	-	-
Total Funding Sources:	**54,362**	**150,000**	**50,000**	**-**	**200,000**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Pre-Construction & Construction	54,362	150,000	50,000	-	200,000
Total Expenditures:	**54,362**	**150,000**	**50,000**	**-**	**200,000**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Unrestricted Cemetery Revenue	-	-	-	-	50,000
Grants	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
Cemetery Endowed Care	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	50,000
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Pre-Construction & Construction	-	-	-	-	50,000
Total Expenditures:	**-**	**-**	**-**	**-**	50,000

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Project Title: **Forest Walk -Phase 3b**
Project No: **cmxxxx**
Project Type: **Capacity**
Project Manager: **Immer Chevalier**

Description:

Develop existing cemetery property to add approximately 1,500 new cremation sites. The project was divided in two parts, Phase III-A and Phase III-B.

Progress Summary:

ForestWalk III work was started in March 2023. Phase III-A is expected to be completed in 2024. Phase III-B will be initiated in 2030.

Future Impact on Operating Budget:

This new development will create future revenue through sales with no significant impact on operating budget.

Activity:

Funding Sources:	Prior to 2024*	2024 Budget	2025 Budget	2026 Budget	Budget 2024-2026
Unrestricted Cemetery Revenue	-	-	-	-	-
Grants	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
Cemetery Endowed Care	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**-**	**-**
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	-	-
Total Expenditures:	**-**	**-**	**-**	**-**	**-**

Forecasted Project Cost:

Funding Sources:	2027	2028	2029	2030	Total 2025-2030
Unrestricted Cemetery Revenue	-	-	-	350,000	350,000
Grants	-	-	-	-	-
Bond Proceeds	-	-	-	-	-
Cemetery Endowed Care	-	-	-	-	-
Total Funding Sources:	**-**	**-**	**-**	**350,000**	350,000
Capital Expenditures:					
Predesign	-	-	-	-	-
Design	-	-	-	-	-
Right of Way	-	-	-	-	-
Construction	-	-	-	350,000	350,000
Total Expenditures:	**-**	**-**	**-**	**350,000**	350,000

** Funding and expenditures prior to 2024 are not shown for on-going programs.*

Park Impact Fee Analysis









Park Impact Fees (PIFs) are charges imposed on new residential developments to fund the acquisition, improvement, and expansion of public parks and recreational facilities. These fees are collected by local governments from developers or property owners when they construct new homes or residential units. The primary purpose of PIFs is to ensure that as communities grow, there are sufficient parks and recreational spaces to meet the needs of the increasing population.

The calculation of PIFs typically involves various factors, including the size and type of the new residential development, the projected increase in population, and the costs associated with providing additional park services to the new residents. Local governments often use specific formulas or criteria to determine the fee amount. The revenue generated from PIFs is earmarked for specific purposes related to parks and recreation, such as purchasing land for new parks, developing new recreational facilities, upgrading existing parks.

Implemented through local ordinances, PIFs are part of broader parks, recreation, and open space plans that outline the level of service standards for parks and recreational facilities. These standards ensure that the funds are used effectively to meet community needs. The underlying philosophy of PIFs is that growth should pay for growth, meaning that the financial burden of expanding public infrastructure to accommodate new residents should be borne by those who contribute to the growth, rather than existing residents. Overall, Park Impact Fees are a crucial tool for cities and municipalities to manage urban growth sustainably and ensure that all residents have access to quality parks and recreational facilities.

This document specifically addresses the impact fees related to parks and recreational facilities in Auburn. These fees are applied to all residential developments to ensure that the city's parks and recreational infrastructure can support the demands of a growing population.

Regulatory Framework for Impact Fees

Pursuant to state statute (RCW 82.02.050 - 82.02.100), Washington counties and cities, including Auburn, are authorized to collect impact fees to "ensure adequate facilities are available to serve new growth and development." These fees are designed to fund public facilities that support new developments, ensuring that the infrastructure required by a growing population is adequately financed.

Impact fees must be spent on projects related to the impacts of new development and cannot be used to correct pre-existing deficiencies or to pay for maintenance costs. They also cannot exceed a development's proportionate share of the total cost for system improvements. The fees must be based on a formula or other method that calculates this fair share, ensuring equity and effectiveness in funding public infrastructure.

Impact fees can be collected for four types of public facilities: public streets and roads, publicly owned parks, open spaces and recreational facilities, school facilities, and fire protection facilities (in areas not served by a fire district), as specified in RCW 82.02.050(2) and (4), and RCW 82.02.090(7). These fees must be used for "system improvements" that serve the broader community rather than "project improvements" specific to individual developments, as outlined in RCW 82.02.050(3)(a) and RCW 82.02.090(6) and (9).

Local governments must establish reasonable service areas and develop impact fee rate categories for various land uses, as mandated by RCW 82.02.060(6). The improvements funded by these fees must benefit new development and be reasonably related to it, ensuring that the new infrastructure meets the needs generated by growth.

In 2011, the Washington Legislature extended the period during which impact fees must be spent from six to ten years. According to RCW 82.02.070(3), if impact fees are not spent within ten years following their collection, they must be refunded. This extension provides local governments with more flexibility in planning and implementing necessary infrastructure projects to support new development.

By incorporating these statutes, Auburn ensures that its impact fees are used effectively to fund essential public facilities, maintaining a high quality of life for its residents while accommodating growth.

Auburn Municipal Code:

Chapter 19.08 of the Auburn Municipal Code establishes the legal framework for assessing parks impact fees, as authorized by RCW 82.02. These fees are imposed on new residential developments to ensure that adequate parks and recreational facilities are available to support growth. The assessment of these fees is based on a specific schedule and is typically due at the time of building permit issuance. The funds collected must be used exclusively for improvements to parks and recreational facilities that serve the new development, and cannot be used for maintenance or to address existing deficiencies. A dedicated account is established for managing these funds, with stringent reporting and management requirements to ensure transparency. The code also provides for refunds if the impact fees are not spent within ten years, as well as adjustments and credits under certain conditions, such as when developers provide on-site recreational facilities. Additionally, there are provisions for exemptions and an appeals process for disputing fee assessments.

Assessing the Need for Impact Fees

To establish appropriate impact fee rates in Auburn, several critical factors must be considered. These include determining which public facilities the city is responsible for, identifying the demand for additional parks and recreational spaces, securing the necessary revenue to support these facilities, and understanding the benefits these amenities bring to new developments.

The City of Auburn is responsible for its parks and recreational facilities, and impact fees can only be applied to public facilities, including those managed by other government entities, as outlined in RCW 82.02.090(7). Evaluating the need for new parks involves comparing current service levels with future demands based on population growth, identifying any gaps, and ensuring compliance with statutory requirements. Auburn's approach includes analyzing per capita investment in existing facilities to determine the need for additional parks and recreational spaces.

Revenue from impact fees is crucial for funding the development and maintenance of these facilities, ensuring that new developments contribute to the infrastructure they require. This process involves evaluating current funding levels and forecasting the additional revenue needed to support Auburn's growth. New parks and recreational facilities not only enhance the attractiveness of new developments but also improve residents' quality of life and provide significant economic and social benefits. Therefore, ensuring that new developments contribute to these amenities is essential for sustainable and balanced growth in the city.

Evaluating the Benefit of Impact Fees in Auburn

Impact fee laws in Auburn ensure that the fees imposed on new developments are justified and beneficial through several key principles and tests. These principles ensure that the fees are fair, equitable, and directly related to the needs generated by new development.

Rational Nexus Test

The rational nexus test requires a clear connection between the need for new public facilities and the development being charged the impact fees. In Auburn, this means that the fees must be used to fund improvements that directly address the impacts of new development. This test ensures that the impact fees are justified and applied appropriately.

Proportionality Test

The proportionality test ensures that the amount of the impact fee is proportional to the development's impact on public facilities. This means that the fees collected in Auburn should not exceed the cost of the facilities needed to accommodate the new development. The fees must be fair and reflect the actual cost of providing the necessary public services and infrastructure.

Specific Benefit

Auburn's impact fee laws require that the fees collected provide a specific benefit to the new development paying the fees. This ensures that the improvements funded by the impact fees directly enhance the facilities and services available to the new development, supporting growth in a way that benefits those contributing developments.

Compliance with Statutory Requirements

Impact fees in Auburn must comply with statutory requirements, which include detailed documentation and analysis to support the fees. This includes identifying existing deficiencies, reserve capacity, and new capacity needs. These statutory requirements ensure transparency and accountability in the use of impact fees.

In summary, Auburn's impact fee laws evaluate the benefit provided by these fees through the rational nexus and proportionality tests, ensuring that the fees are directly related to and proportional to the impact of new development. The laws also mandate that the fees provide a specific benefit to the development and comply with statutory requirements to maintain fairness, transparency, and accountability.

Methodology and Relationship to Capital Facilities Plan

In the City of Auburn, the calculation of impact fees for parks and recreational facilities is anchored in the per capita value of the city's capital improvements for these amenities. The purpose is to ensure that new housing and other private and public developments contribute their fair share of the investment necessary to support, often needing to improve, the city's level of service objectives for its parks and recreational facilities. This investment is typically supported by a combination of general revenue, capital improvement funds, grant funding, and impact fees.

To determine the amount of the impact fee, Auburn multiplies the average number of residents per dwelling unit by the per capita investment needed for new development. This per capita investment reflects the cost of future parks projects identified in the City's Capital Facilities Plan. By using this approach, Auburn ensures that the infrastructure required to support population growth is adequately financed and fairly shared.

This method is consistent with Auburn's municipal regulations and complies with RCW 82.02, which mandates that impact fees be equitable, proportional, and dedicated to system improvements that benefit new developments. This ensures transparency and fairness in funding the necessary expansions and enhancements to Auburn's parks and recreational facilities.

Current Impact Fee Summary

The City of Auburn, WA, has implemented impact fees to finance necessary infrastructure improvements due to new developments, ensuring that the cost of growth is shared equitably among developers. These fees cover transportation, schools, and parks, with a special focus on park impact fees. Park impact fees are authorized by RCW 82.02.090 (7) and are designed to support the acquisition, expansion, and development of parks, open spaces, and recreational facilities. In Auburn, "parks" include both developed recreational facilities and open spaces preserved for their natural and ecological value.

The impact fees are calculated based on the type and intensity of new development, ensuring a proportional distribution of costs. Different land uses, such as residential, commercial, and industrial developments, are assessed varying fees. Residential developments are categorized similarly to the transportation impact fee system for ease of understanding and administration. The City of Auburn ensures proper administration of these fees through regular updates, transparency, and accountability, with funds earmarked for specific park projects. The benefits of park impact fees include equitable cost distribution, enhanced quality of life, and sustainable growth.

Projected Growth and Density per Dwelling Unit Population Growth:

Between 2024 and 2044, Auburn, WA, is projected to experience significant population growth. The population is expected to increase from approximately 90,096 residents in 2024 to around 114,540 residents by 2044, the projected population growth rate for Auburn between 2024 and 2044 is approximately 27.13%, representing an addition of approximately 24,444 residents over the 20-year period, which will significantly impact housing demand and density. This growth underscores ongoing urban development, rising housing demand, and Auburn's attractiveness as a residential and economic hub in the region. To sustain the quality of life for both current and future residents, this projected growth necessitates careful planning and substantial investment in infrastructure, including parks and recreational facilities.

Per Unit Occupancy:

The most recent estimates from the Washington State Office of Financial Management indicate the following average number of occupants per dwelling unit for Auburn:

Single-Family Residential: 2.864 persons per unit
Multi-Family Residential: 1.907 persons per unit
Using these OFM estimates and the City's existing inventory of single-family and multi-family residential units, we have calculated a weighted average occupancy of 2.559 persons per unit. This average is used for a uniform impact fee calculation, ensuring equitable distribution of costs associated with accommodating the city's growth.

Using these estimates and the city's current inventory of single-family and multi-family residential units, the weighted average number of persons per unit is calculated to be approximately 2.545 persons. This figure is instrumental in calculating uniform impact fees and supporting future planning needs as Auburn continues to grow.

Level of Service Standards for Parks, Recreation, and Open Space

Auburn's previous Parks, Recreation, and Open Space Plan Update (2015) included a comprehensive demand and needs analysis including specific recreation facility types, that were used to develop proposed Level of Service (LOS) standards established within the same plan. After further review, and as detailed in this plan's Demand & Needs, it was determined these standards are no longer aligned with Auburn's current demographics, community needs, and future parks development plans. Consequently, this plan is adopting and revising the following recommended LOS standards:

Parks:

Neighborhood Parks: 1.25 acres per 1,000 population
Community Parks: 5 acres per 1,000 population

Trails: 0.25 miles per 1,000 population

The following analysis includes an update to the parks impact fees based on the updated standards. Importantly, as outlined in the Capital Improvement Program section, the City of Auburn has identified the need to exclude football fields and indoor pool facilities from the impact fee cost basis, as there are no immediate plans to develop additional amenities of this type. City staff determined that excluding these facilities more accurately reflects the current and future recreational needs of Auburn's residents, ensuring that the impact fees are aligned with planned improvements and community priorities.

Projected Costs for Parks and Facilities, and Total Cost Basis for the Parks Impact Fees

Based on this detailed analysis to update its parks impact fees, based on revised Level of Service (LOS) standards needed for this parks, recreation, and open space update, the 2002 standards were found to be outdated and not reflective of the city's current demographics, needs, or future development plans. As a result, the City adopted new standards, including 1.25 acres of neighborhood park per 1,000 residents, 5 acres of community park per 1,000 residents, and 0.25 miles of multi-use trail per 1,000 residents.

The total cost required to meet these standards through 2044, included developing 63.31 acres of neighborhood parks, 116 acres of community parks, and 6.68 miles of multi-use trails, had an estimated total cost of almost $56M.

After adjusting the total cost by accounting for external funding sources, including transfers from the General Fund and sales tax, as well as anticipated grant money. After these adjustments, the net cost basis for the parks impact fees was calculated to be approximately $6.134 million. This cost was then used to determine the per-household impact fee, ensuring that new developments contribute their fair share towards maintaining Auburn's parks and recreational facilities at the revised LOS standards.

Using the number of parks facilities needed to meet the revised standards for growth over the next six years and the unit cost estimates, the total cost of the growth was calculated. Based on the information provided and the calculations we discussed earlier, the calculated impact fee per household is approximately $4,612.

Table 6-: PIF Analysis					
City	Current Population 2024	Projected Population 2044	% Growth	Single-family fee	Multifamily fee
Renton	108,555	140,000	28.97	$2,915	$1,978
Tukwila	21,798	30,000	37.63	$3,006	$2,618
Woodinville	14,330	20,000	39.57	$3,175	$3,175
Auburn	83,870	120,000	43.08	$3,500	$3,500
University Place	35,500	50,000	40.85	$3,644	$2,660
Puyallup	42,861	65,000	51.65	$3,675	$3,675
Shoreline	61,353	80,000	30.39	$4,692	$3,077
Redmond	80,280	110,000	37.02	$5,124	$3,557
Kirkland	91,194	120,000	31.59	$5,629	$4,278
Lynnwood	40,592	60,000	47.81	$5,899	$4,238
Sammamish	65,116	90,000	38.21	$6,739	$4,362
Issaquah	40,380	70,000	73.35	$9,107	$5,590

This fee was determined by dividing the net cost basis of $6.134 million (after accounting for grants and other funding sources) by the projected population growth, and then calculating the fee on a per-household basis using the average occupancy of 2.545 persons per household.

Comparison Analysis

With an updated park impact fee of $4,612 per household, Auburn is positioned competitively compared to similar-sized communities in the region. This fee closely aligns with those charged by cities like Kent and Federal Way, reflecting a similar commitment to funding park infrastructure. Auburn's fee is slightly higher than those in Renton, Puyallup, and Lakewood, indicating a modestly greater investment in parks to accommodate future growth. However, it remains significantly lower than the fees in areas like Redmond, where higher development costs drive more substantial impact fees. Overall, Auburn's impact fee ensures a balanced approach to maintaining and enhancing park services while staying competitive within the region.



Approvals







Adoption Process

In order for this Plan to be formally adopted, the plan must be reviewed by several bodies, including the public, ultimately culminating with a resolution, ordinance, or other adoption instrument showing formal approval of the plan and planning process by the governing entity. Only after RCO approves the plan, may the organization may apply for grants for up to six calendar years from the date when the governing body adopted the plan.

With the depth of public and staff involvement made over the execution of this planning process, the following review and approvals have been included:

1. City Council Ordinance
2. RCO Self-Certification Checklist



Council Resolution

This page intentionally left blank

Planning Eligibility Self-Certification Form

Use this form to certify that the need for any grant projects have been developed through an appropriate planning process. Provide the completed form with the subject plans and adoption documentation to RCO via e-mail or other means of electronic access (i.e. Web link, Box.com, etc.).

Organization Name: City of Auburn

Contact Name: Thaniel Gouk

Adoption Date of Submitted Documents: September, 2024

Seeking Eligibility for: ☐ Recreation Grants ☐ Conservation Grants ■ Both

Initial Each to Certify Completion	Plan Element Certification	Document and Page Number Location of Information
TG	**1. Goals, objectives:** The attached plan supports our project with broad statements of intent (goals) *and* measures that describe when these intents will be attained (objectives). Goals may include a higher level of service.	73
TG	**2. Inventory:** The plan includes a description of the service area's facilities, lands, programs, and their condition. *(This may be done in a quantitative format or in a qualitative/narrative format.)*	15
TG	**3. Public involvement**: The planning process gave the public ample opportunity to be involved in plan development and adoption.	44
TG	**4a. Demand and need analysis:** In the plans: • An analysis defines priorities, as appropriate, for acquisition, development, preservation, enhancement, management, etc., and explains why these actions are needed. • The process used in developing the analysis assessed community desires for parks, recreation, open space, and/or habitat, as appropriate, in a manner appropriate for the service area (personal observation, informal talks, formal survey(s), workshops, etc.).	56
TG	**4b. Level of Service assessment (optional)**: An assessment of the criterion appropriate to your community. Possibly establish a higher level of service as a plan goal (above).	65
TG	**5. Capital Improvement Program:** The plan includes a capital improvement/facility program that lists land acquisition, development, and renovation projects by year of anticipated implementation; include funding source. The program includes any capital project submitted to the Recreation and Conservation Funding Board for funding.	79
TG	**6. Adoption:** The plan and process has received formal governing body approval *(that is, city/county department head, district ranger, regional manager/supervisor, etc., as appropriate)*. Attach signed resolution, letter, or other adoption instrument.	110

Certification Signature

I certify that this information is true and complete to the best of my knowledge.

Print/Type Name: Thaniel Gouk

Signature (Hand Written or Digital): 

Title: Parks Planning & Development Manager

Date: August 30, 2024

This page intentionally left blank

This page intentionally left blank



SCJ ALLIANCE
CONSULTING SERVICES

CITY OF AUBURN
PARKS, ARTS & RECREATION



Appendices/Attachments

A - Terms & Definitions

Washington State Recreation & Conservation Office (RCO) has found that many terms commonly used in recreation planning do not have consistent definitions from one plan to another. RCO suggests, but does not require, the following definitions compiled from various sources, including Washington Administrative Code, Department of Natural Resources, and Washington State Parks & Recreation Commission used in this master parks plan include:

Table A1: Terms & Definitions	
Term	**Definition#**
Access	The public's ability to physically use land or water.
Active Recreation	Predominately human muscle powered recreational activities.
Camping	An overnight stay in a tent or other non-permanent structure.
Capital Improvement Program (CIP)	A list or description of proposal capital projects.
Capital Project	A project that results in redevelopment of an existing property, acquisition of new property, or a new built facility with a budget that excess $10,000.00
Consumptive	Recreation that physically consumes resources; examples include berry picking, shellfish harvest, hunting, fishing.
Development	A development project is construction or work resulting in new elements, including but not limited to structures, facilities, and/or materials to enhance outdoor recreation resources.
Dispersed	Recreation that is scattered or spread across the landscape and not concentrated at a specific site. Examples include trail uses, camping, walking, cycling, and jogging.
Impact (Low, Medium, High)	The effect that recreational uses have on resources including but not limited to soils, water, species, habitat, sites, and facilities.



Table A1: Terms & Definitions	
Term	**Definition#**
Improve	Expanding an existing site or facility to serve more uses or more types of use.
Level of Service	Measure of the current status of a park and recreation system as a whole based on either quantitative or qualitative characteristics.
Maintain	To maintain existing areas and facilities through repairs and upkeep for the benefit of outdoor recreationists.
Multiple-use	Use by more than one type of recreation on the same facility.
Non-consumptive	Resource recreation that depends on, but does not consume, resources; for example, photographing wildlife.
Park	Land or an area set aside for a special purpose, but particularly for leisure or recreation. • **Totlot/Mini-Park/Pocket Park** – a small local park or civic space accessible to the general public without the capacity for large outdoor recreation activities like field sports and often associated with playground equipment for toddlers and young children. • **Neighborhood Park** – a local-scale park with a service area of a reasonable walking distance, typically ½ mile, but up to 1 mile. • **Community Park** – a community-scale park facility has a service area typically of 1-5 miles that includes the city limits of a town or city. • **Regional Park** – a larger park facility intended to serve populations and uses from multiple jurisdictions. • **State Park** – a park facility owned and managed by the State of Washington. • **Marine Park** – a state or regional park facility intended to serve populations spanning multiple jurisdictions with primary access via watercraft . • **Day-use Park** – any kind of park facility that does not allow overnight uses such as camping. • **Seasonal Parks** – any kind of parks intended for use in specific seasons.
Passive	Activities usually conducted in place and requiring minimal physical exertion such as picnicking, watching a sports event, sun bathing, or relaxing.
Qualitative	An adjective relating to the quality of something interpreted by its intrinsic non-numerical characteristics other than some quantity or measured value.
Quantitative	Relating to, measuring, or measured by the quantity of something obtained using a numerical measurement process.
Recreation	Activities of a voluntary and leisure time Nature that aid in promoting entertainment, pleasure, play, relaxation, or instruction.
Renovate (Renovation)	The activities intended to improve an existing site or structure in order to increase its useful service life beyond original expectations or functions. This does not include maintenance activities to maintain the facility for its originally expected useful life.
Restoration	Bringing a site back to its historic function as part of a natural ecosystem or improving the ecological functionality of a site.
Shared Use	Use by more than one type of recreation on the same facility.
Trail	According to the Washington State Trails Plan (RCO, 2013): *"...a path, route, way, right-of-way, or corridor posted, signed, or designated as open for travel or passage by the general public but not normally designated as open for the transportation of commercial goods or services by motorized vehicles."* A trail is a recreational facility that also can serve as a non-motorized route for transportation.

B - Standards & Guidelines

There are six basic park and greenspace facility types typically utilized by municipalities:

- Pocket Parks / Mini-Parks / Tot Lots
- Neighborhood Parks
- Community Parks
- Natural Areas & Greenspaces
- Trails, Bikeways & Paths
- Special Facilities

POCKET PARKS / MINI-PARKS / TOT LOTS

Pocket parks are very small and serve a limited radius (up to ¼-mile) from the site; they provide passive and play-oriented recreational opportunities. Examples of pocket parks can include a tot lot with play equipment such as a climber, slide or swings; a viewpoint; or waterfront access areas such as at street ends.

A small urban plaza or civic recognition project may also be considered a pocket park. Parking is not often provided at pocket parks, although lighting may be used for security and safety.

LOCAL / NEIGHBORHOOD PARK

Neighborhood parks are generally considered the basic unit of traditional park systems. They are small park areas designed for unstructured play and limited active and passive recreation. They are generally 3-5 acres in size, depending on a variety of factors including neighborhood need, physical location and opportunity, and should meet a minimum size of 2 acre in size when possible.

Neighborhood parks are intended to serve residential areas within short walking distance (up to ½-mile radius) of the park and should be geographically distributed throughout the community. Access is mostly pedestrian, and park sites should be located so that persons living within the service area will not have to cross a major arterial street or other significant natural or man-made barrier, such as ravines and railroad tracks, to get to the site.

Additionally, these parks should be located along road frontages to improve visual access and community awareness of the sites.

Generally, developed neighborhood parks typically include amenities such as pedestrian paths, picnic tables, benches, play equipment, a multi-use open field for youth soccer and baseball, sport courts or multi-purpose paved areas, landscaping and irrigation. Restrooms are not provided due to high construction and maintenance costs. Parking is also not usually provided; however, on-street, ADA accessible parking stall(s) may be included.

Neighborhood park development may proceed in phases.

COMMUNITY PARKS

Community parks are larger sites developed for organized play, contain a wider array of facilities and, as a result, appeal to a more diverse group of users. Community parks are generally 20 to 50 acres in size, meet a minimum size of 20 acres when possible and serve residents within a 1-mile radius of the site.

In areas without neighborhood parks, community parks can also serve as local neighborhood parks. In general, community park facilities are designed for organized or intensive recreational activities and sports, although passive components such as pathways, picnic areas and natural areas are highly encouraged and complementary to active use facilities.

Since community parks serve a larger area and offer more facilities than neighborhood parks, parking and restroom facilities are provided. Community parks may also incorporate community facilities, such as community centers, senior centers or aquatic facilities.



NATURAL AREAS & GREENSPACES

NATURAL AREAS

Natural areas are those which are preserved to maintain the natural character of the site and are managed to protect valuable ecological systems, such as riparian corridors and wetlands, and to preserve native habitat and biodiversity. In managing for their ecological value, these natural areas may contain a diversity of native vegetation that provides fish and wildlife habitat and embodies the beauty and character of the local landscape. Low-impact activities, such as walking, nature observation, and fishing are allowed, where appropriate, and horseback riding is also permitted on certain sites.

GREENSPACES

Greenspaces are passive-use open spaces and turf areas without developed amenities or structured functions.

TRAILS & BIKEWAYS

Trails are non-motorized transportation networks separated from roads. Trails can be developed to accommodate multiple uses or shared uses, such as pedestrians, in line skaters, bicyclists, and equestrians. Trail alignments aim to emphasize a strong relationship with the natural environment and may not provide the most direct route from a practical transportation viewpoint.

Bikeways are different than trails in that their principal focus is on safe and efficient non-motorized transportation. Bikeways serve distinctly different user groups than trail users. Typical bikeway user groups would include bicycle commuters, fitness enthusiasts and competitive athletes. Their emphasis is on speed, which can create conflicts with recreation-type trails and their respective user groups.

For shared-use trails, it is important that the alignment and cross sections be designed with flexibility to accommodate higher speeds, passing zones and greater widths. Surfaces will vary with intended use and environmental considerations. Additionally, parking, consistent signage (wayfinding, access, use hierarchy) and interpretive markers or panels should be provided as appropriate.

SPECIAL FACILITIES

Special facilities include single-purpose recreational areas such as skateparks and display gardens, along with community centers, aquatic centers and public plazas in or near the downtown core. Additionally, publicly-accessible sport fields and play areas of public schools are classified as special facilities; while they often serve as proxies to public parks, school sites have restricted daytime access and offer limited recreational use during non-school hours. No standards are proposed concerning special facilities, since facility size is a function of the specific use.

C - Park Needs & Assessment Survey Comments

ADDITIONAL COMMENTS

resources, costs and good staff who maintain the massive areas. Thank you for planning to address continuing future needs."

"Auburn has one of the best senior activity centers in King County. Keep up the good work."

"Bring parks to the west hill!!!"

"Did you miss my request for a park on West Hill with a playground???? Please please please. I've been asking for 4 years. My kids will be out of the house by the time it happens. You've been goldilocksing a park up here since you acquired West Hill 14 years ago. The lake park isn't for kids, theres no where for them to play. I know it's expensive but it's never going to be perfect or the right time, just get us a playground please!!!!!"

> "I absolutely love the community center and the activities they provide."

"Disability friendly off leash park with safe and secure parking area! Needs to be large enough to throw a ball, not a tiny fenced in area."

"Do better to rid the drug activity, homelessness n make trails more wheelchair friendly "

"Do whatever needs to be done so people will feel safe spending time at the parks. I know young mothers who would never come without their husbands to certain parks. Also, prioritize the needs and desires of law abiding citizens over those of the homeless."

"Doing a great job. Would like to see more open spaces. Thank you."

> "I appreciate all the community events and the close, friendly collaboration with the Muckleshoot Tribe."

"Emphasis on sports for elementary age kids. I called recently and was told basketball is not offered. "

"For an indigenous people to have an identity, we must have land on which we can reclaim our ancestral ways. Not "borrowed" day use land by portioned out indigenous owned and indigenous tended land. Auburn has PLENTY of open natural land that can be up for "reclaiming" by indigenous groups of people. Some king of process towards ownership. Open natural space for planting, harvesting, inipi temazcal (sweat ceremony) other relevant ceremonies around our calendar, outdoor kitchens ie stone, mud, brick, yurts, overnight amenities. A communal space for healing and reclaiming the ways of our ancestors."

"I absolutely love the community center and the activities they provide"

"I am a 72 year old active person and I love to walk, bike and hike, go to the gym for exercise. So, don't forget that older folks are sometimes a lot more active than younger folks. I have many neighbors that do not encourage their children to go or play outside. We need to get them out there. I think being inside all the time, and rushing from one activity to the next is causing societal stress. The out doors, green space, and activity is perfect for stress reduction and a healthy life."

"I am happy with the park facilities but do not feel safe at most community areas anymore. I have been robbed, my car window broken out well playing at a park with my family and most recently

ADDITIONAL COMMENTS

confronted by a homeless drug addicted man yelling at me to get him cigarettes. I no longer visit a majority of parks in the city as it's just not safe. "

"I am in my second career as a high school teacher and coach. I became a high school teacher and coach because I saw the need. I care about kids in my community and I want to help them be as successful as possible. They are the literal future. As a teacher I'm able to see behind the scenes at what our most at risk kids need. Please steward our money wisely. I see a crisis on the horizon and right now there is something we can do about it. Thank you! "

"I appreciate all the community events and the close, friendly collaboration with the Muckleshoot Tribe."

"I appreciate the recreational opportunities Auburn provides. One thing I don't like is maintaining so much grass and would like to see more of that converted to planting beds. Reducing fertilizing and mowing would be good for our city."

"I believe Auburn Parks to be the best part of Auburn. Thank you for all that you do."

"I just wanted to share with you my appreciation for being asked for input on this. Having safe, welcoming spaces is a hallmark of a healthy community."

> "As a single mother on a tight budget it helps me out so much to have so many free and low-cost activities available for me and my 8 year old."

"I live in West Hill Auburn, and I feel like we are almost a forgotten area. We are sometimes closer to Federal Way for things, but our address is Auburn, and our school district is Federal Way, so it makes being a part of a community difficult when we are sorta spread out."

"I love all the free activities you have for children!"

"I love Auburn parks. Lets keep them safe and beautiful!"

> "I live in West Hill Auburn, and I feel like we are almost a forgotten area."

"I love our parks and hope they are around for my grandkids to enjoy many years from now"

"I love the parks we have, but they are starting to feel unsafe and dirty. "

"I really appreciate that the parks department put a walkway in our neighborhood park. The park gets a lot more use since we don't have to get shoes wet on the grassy. Also the increased foot traffic makes the park safer. It would be fantastic if the park department would bring summer programs for kids to our local park. Arts and crafts or a nature education would be fabulous for our neighborhood kids."

"I really love Auburn and their Parks and Rec department, as a single mother on a tight budget it helps me out so much to have so many free and low-cost activities available for me and my 8 year old. Keep up the good work!"

"I think the biggest concern for all of Auburn residents is the safety issues because of the crime

ADDITIONAL COMMENTS

rate associated with the homeless drug problem plaguing our once safe city."

"I work in Auburn so I like to use your parks and facilities before and after work."

"I would love more lighting on darker streets, especially this time of year when it's dark and cold. We've lived here for 5 years after over 15 years in Seattle, I was surprised at the slow response to the traffic lights for pedestrians, especially on Auburn Way, I hit the button and wait FOREVER, and often no traffic or people driving like 50MPH because the lights aren't requiring them to stop. I don't feel safe standing on the corners with my toddlers/stroller etc. When it's cold and rainy, the pedestrian WALK light response should be faster. Traffic should stop and pedestrians should be able to cross and not stand and wait. Your traffic control people should talk to the Seattle planners because they are so pedestrian focused. I think I would opt to walk more if it wasn't clear the automobiles have priority."

"I'd like to see a park in the downtown core, close to coffee shop. There was benches at train station but have been removed. No homeless but nobody else. I use to see lots of folks visiting."

"In the last couple of years, there is a new trend to run motorized vehicles on our walking trails, mostly motorbikes. Either people don't read or ignore the no motorized vehicle signs. Its multiple times a week I'm seeing this, i get the police is busy but its getting pretty bad"

"It would be nice if the City of Auburn worked with the YMCA to provide more services and facilities for senior citizens to keep physically active at a cost that is affordable. Thanks for listening."

"I've lived here in Auburn all my life and have always enjoyed our beautiful parks. Thank you to the Auburn parks employees"

> "Keep parks safer. Add better lighting. Deter homeless and drug users. Update equipment. Replace/ repair missing/broken equipment."

"Keep growing the parks and public spaces. We love the free summer events or low cost including music, movies, art."

"Keep parks safer. Add better lighting. Deter homeless and drug users. Update equipment. Replace/repair missing/broken equipment. Les Gove was amazing when it opened- its horrible now."

"Keep prioritizing the needs of the citizens. :) And thanks for asking."

"Keep up the good work. Thanks for all you do."

"Lea Hill seems to be the area most ignored. The high school is the only place with nice fields and they are constantly locked."

"Les Gove and Game Farm get way too crowded during events and parking is impossible. Offering shuttles to events would be great."

"Lights in a dog park!!"

"Loved your Farmer's Market!"

"Make our parks safe again, please. We have some great recreation areas but they're just not safe anymore."

"Maybe a way to link the parks and such facilities to the walking trail along the rail road tracks/!!"

"More biking classes and ninja classes for kids would be so wonderful. It's really needed. Look at marymor park in Redmond. They are a perfect

ADDITIONAL COMMENTS

example. A bike track for riders would be a full family and healthy sport. "

"More safety efforts, more community outreach, more public and community focused events"

> "Overall, we have a great park system in Auburn. Keep up the good efforts to sustain and improve the wonderful parks we have."

"More support for agricultural businesses. More care needed for some of historic mature trees. Both trees and agriculture are part of the city's culture, so the cultural staff need to be kept in the loop and have input on these issues."

"My grandchildren and I love and appreciate the parks in Lakeland Hills! Thank you!"

"Our kids need more contact with mentors and good role models. The Scouts are having a hard time finding a permanent place to meet."

"Overall, we have a great park system in Auburn. Keep up the good efforts to sustain and improve the wonderful parks we have."

"perhaps list pickleball as an activity"

"Please build a playground a fulner asap"

"Please continue to work on the homeless problem. I know it is a very complex issue. I would like to see a more permanent solution. The camps have been cleared out by the Green River three times now. Within days they all move back. Stolen cars are routinely dumped and stripped there and the garbage just piles up again and again. I am also concerned about the river being polluted by all this as well as human waste. Shootings are a regular occurrence. I have had to call 911 numerous times while golfing on our City Golf Course because of gun shots during my golf game. One person was shot and killed on the road there. This is just so unsafe!!!"

"Please work to build the park maintenance crew as they are very understaffed from what I have learned this year. Also, it's VERY difficult for me to report concerns as I see them. I used to tell Mike Miller direct via text / cell but now I have no one to call and I have left numerous messages for the new head of maintenance and parks, with zero returned calls. I am disappointed."

"Safety, graffiti, equipment repair needs to be done in a more expeditious fashion. Parks and rec and the city police and City Hall need to work more closely together to make our community safer and cleaner"

"Shout out for all the work Auburn already does to provide great parks and recreation. Thanks for making these spaces and activities available to all."

"Thank you for asking for public opinion! I will feel safer using Auburn parks when the homeless/drug addict situation is under control."

"Thank you for creating this survey. I think that the main question Auburn should be concerned with is whether we can handle all the incoming people successfully as a city. It seems that the homeless population is growing exponentially, as is the low income population. We need to make sure that there are adequate jobs and services available

> "Parks and rec and the city police and City Hall need to work more closely together to make our community safer and cleaner."

ADDITIONAL COMMENTS

before we add any more folks who need them, if we want to have a safe and successful city."

"Thank you for having recreational facilities available as well as a way for the community to provide feedback."

"Thank you for putting out this survey, please consider Lea Hill Area for development and please look at safety. Slow down the vehicles before there is a serious accident. Walking and biking options are not provided"

"The farmers market is the place I most enjoy. and I appreciate how it has grown. To that end I would like to see the market manager get some needed help."

"The more Green Space available for people of any age, the more we can beautify our city!"

"The summer kids activities at the parks are great: disc golf, parkour, inflatable water slide."

"The trail along the White river is nice but too flat. Need more trails with some variety."

"The youth and adult tennis programs are very good. I appreciate the level of coaching."

"This is a well-designed and thoughtful survey! Before I retired I developed surveys for state government and school districts, so I appreciate the care that went into this. I especially liked the use of the map to identify where in Auburn we live. Please have more opportunities for local artists. Right now, unless the Auburn Arts Commission already knows you, there is slim chance of having your artwork posted or displayed. I know this is beyond the scope of this survey, but Renton and Burien, for example, are much friendlier to their community artists. Unfortunately, Auburn Arts Commission seems a bit clique-ish to me. There could be better use of the REC, for example, to display artwork. The Senior Center displays art but usually not from the people who take art classes there or have taken them there. Too much competition to get your artwork shown!!"

> "The more green space available for people of any age, the more we can beautify our city!"

> "I love that there are a lot of community events and the parks are great."

"We appreciate all of the programming and fun activities that you provide year round - thank you!"

"We appreciate seeing how Auburn takes care of itself and wants to be a place for community."

"We love Auburn parks and nice maintenance all the time. Sometimes I see homeless people at parking lots or next to green river. We wish we could do something for them, we hope we can kind a share each other those parks or trails nicely."

"We love Auburn. I love that there are a lot of community events and activities and the parks are great. Would love to see even more additions and/or improvements to make them even better!"

"We need to find ways to acknowledge and welcome the full diversity of our neighbors. The unsheltered neighbor is still my neighbor! As I would not seek to remove my trailer house living neighbor, nor apartment living, nor too fancy

ADDITIONAL COMMENTS

home for my taste neighbor – nor do I seek to remove these neighbors. How to help us be better neighbors to one another is a real question! What would help them to be better neighbors to me? Restrooms, showers, places to stay warm, cook food, share healthy interactions, places for dumping garbage, transportation opportunities .... hmmmm... hope we are finding a way to positively seek all these neighbors input on these vital questions! Thank you"

> "Working parents need options that are available during non-work hours."

"Working parents need options that are available during non work hours. And toddlers need places to play especially with the COVID baby boom"

"Would like to see the farmers market back on main street"

"Would like to use the parks/facilities again without fearing for my safety or theft."

"Would love an indoor playground near the Lea Hill area"


safe
people
great
love
kids
need
please
like
appreciate
thank
park security
see
good
area
also
feel
keep
years
time
work
friends
spaces
neighbors
safety
activities
events
facilities
playground
community
Just
public
stop
river
hope
downtown
places
things
farm
make
think
better
activity
traffic
walk
hill
job
game
place
way
one
lot
lighting
areas
road
clean
much
living
used
rec
lived
nature
summer
enjoy
beautiful
unsafe
friendly
year
help
les gove
safer
live
trail
new
take
needed
family
going
available
library
provide
get
life
space
citizens
green
sports
staff
free
can
well
children
know
getting
thanks
hard
now
something
groups
walking
went
use
care
folks
drug
trails
parking
best
play
will
asking
school
weeks
want
many
needs
nice
open
crime
anymore
really
senior
lives
lives
lives

KEY TAKEAWAYS

The project team will use the input collected through the community survey to inform and drive the PROS Plan update. Key takeaways from the survey data include:

- Survey respondents' **most-used** recreational facilities include **paved walking/biking trails** (used by 75% of respondents), **large community parks** (51%), **small community parks** (47%), small neighborhood parks (47%), **natural areas/nature parks** (45%), and **playgrounds** (42%).
- Survey respondents' **least-used** recreational facilities include **skateboarding areas** (used by 4% of respondents), **outdoor fitness equipment** (6%), **football/lacrosse/hockey fields** (7%), and **youth softball fields** (7%).
- 63% of survey participants indicated they **travel outside of Auburn** to access the recreational amenities/facilities they use most frequently. These facilities include other (nearby) **city parks** (29%), **walking/hiking trails** (17%), **water access** (8%), and **indoor community centers** (6%). These responses suggest there could be a need for more of these facility types in the City of Auburn, or a need to improve those that already exist within the city.
- **Barriers to use** indicate existing issues that need to be addressed by the City in order to improve Auburn parks users' experience. The largest barriers to use of the City's available recreation facilities or programs, as reported by survey respondents, are **security/safety concerns** (57% of respondents), **poor maintenance/cleanliness** (31%), and **overcrowded/booked facilities** (20%).
- According to survey respondents, the City of Auburn's biggest parks and recreation needs include:
  - More non-motorized urban trails/sidewalks (92.5% of respondents)
  - Undeveloped natural areas/open space (86.4%)
  - Community centers/indoor facilities (84.5%)
  - Splash/spray parks (80.2%)
  - More youth programs/camps (77.9%)
  - Off-leash dog parks (69.9%)



ATTACHMENT B

PARKS, ARTS & RECREATION

2024 PARKS, RECREATION, AND OPEN SPACE PLAN

THANIEL GOUK, PARK PLANNING & DEVELOPMENT MANAGER

PLANNING COMMISSION MEETING

OCTOBER 8, 2024

AUBURN VALUES

SERVICE

ENVIRONMENT

ECONOMY

CHARACTER

SUSTAINABILITY

WELLNESS

CELEBRATION

2024 PARKS, RECREATION, AND OPEN SPACE PLAN

- **Auburn Comprehensive Plan Elements**
  - Core Plan (Community Development)
  - Land Use Element (Community Development)
  - Housing Element (Community Development)
  - Historic Preservation (Community Development)
  - Climate Change – NEW (Community Development)
  - Economic Development (Community Development)
  - Capital Facilities Element (Public Works)
  - Transportation Element (Public Works)
  - Utilities Element (Public Works)
  - **Parks, Arts & Recreation (Parks)**

IMAGINE AUBURN
~COMPREHENSIVE PLAN UPDATE 2024~

Citywide effort involving all departments coordinating together to create a cohesive, consistent, and forward-thinking Plan covering range of subject areas

2024 PARKS, RECREATION, AND OPEN SPACE (PROS) PLAN

What is the PROS Plan?

- The PROS plan provides a:
  - Vision
  - Inventory
  - Goals & Objectives
  - Identify Short & Long-Term Projects
  - Funding Strategies
- One element of the City's overall Comprehensive Plan
- Required document to be eligible for State and Federal grants
- What does it include?

What Public Outreach was conducted?

- City-wide online surveys – text & map-based
- E-blasts to 34,000 subscribers w/12,000 opened
- Social media postings to promote survey
- Signage with QR code to survey in EVERY park
- Surveys available in 7 languages
- 619 survey responses

PROS PLAN CORE CHANGES

- **Inventory & Assessment**
  - Methodology / Assessment Ranking
  - Based on Parks Staff & Public Input
  - Updates to parks based on additions / changes since 2015
- **Projected Parks and Rec Needs**
  - Public outreach and input drives new Capital Facility projects
- **Recreation Trends**
  - Changed over the last 10 years
  - More outdoor activities
    - Pickleball, dog parks, etc.
  - Inclusive playgrounds and facilities
    - Multi-generational, nature-focused, etc.
- **Levels of Service (LOS)**
  - New guidance from NRPA and RCO
  - City is slightly deficient in most LOS ratio categories – OK overall

LEVELS OF SERVICE

Proposed

Current

Classification	Count	Acres	2015 LOS	2024 LOS
Community	14	283.30	4.5 acres**	3.5 acres**
Neighborhood	10	51.23	1.32 acres**	1.0 acres**
Open Space	6	321.42	n/a	4.0 acres**
Special Use Facilities	14	307.69	n/a	n/a
Tot-Lots	13	16.71	n/a	0.25 acres**
Trails		307.69	0.19 miles	0.25 miles
Total Parkland:	**57**	**980.35***	**6.03 acres****	**10 acres****

* does not include other non-park related properties, or other landbanked right-of-ways and easements

** per 1,000 residents

LOS Levels – lower, but more attainable.

E.g. – Community Parks dropping from 4.5 to 3.5? Currently at 3.14, but 3.5 still requires 120 new acres

PROS PLAN CORE CHANGES CONT.

- Goals & Policies
  - Reflective of public input
  - Make facilities / parks:
    - More inclusive
    - Lower maintenance
    - More diverse amenities and visual appearance (e.g. art in parks, locate in areas with easy access)
    - Trail connections

- Capital Improvement Program
  - Based on public needs and input
  - Projects based on 6-year (near term) & 30-year (long term) periods
  - Explore add'l grant opportunities
  - Potential impacts to CIP funds
  - List of 2025-2030 projects and funding sources

PROS PLAN CORE CHANGES CONT.

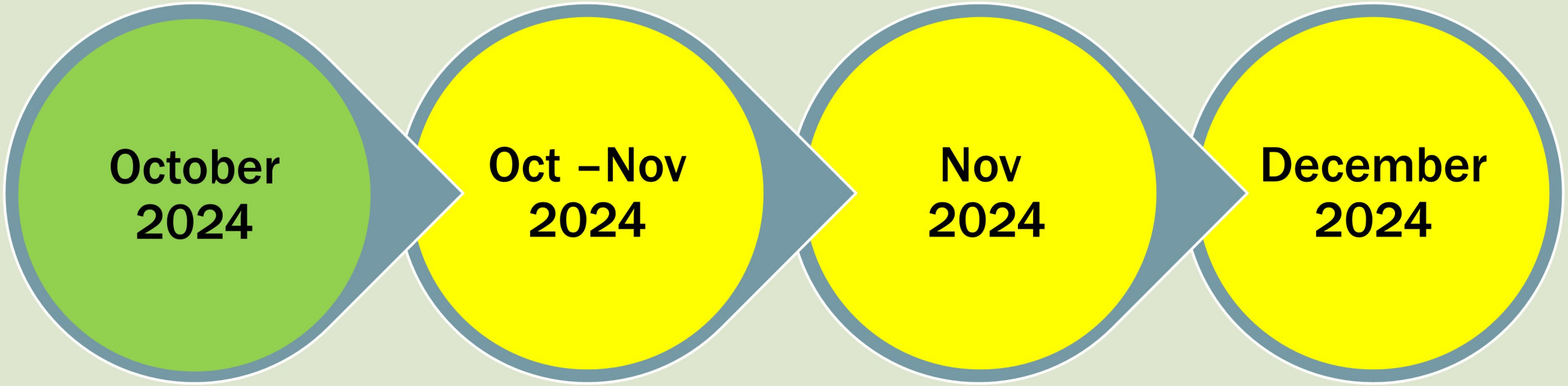
- Park Impact Fees
  - Charged to new Residential developments
  - Ensures parks keep up with population growth
  - Current fee $3500/res. unit
  - Proposed $4612 / res. unit
    - Based on 6-year project costs (approx. $6.134 mil.) divided by projected population growth (~90k) divided by 2.545 persons per household (27.13% growth)

- Park Impact Fee Comparison to nearby cities:

Table 6 -: PIF Analysis

City	Current Population 2024	Projected Population 2044	% Growth	Impact fee
Renton	108,555	140,000	28.97	$2,915
Tukwila	21,798	30,000	37.63	$3,006
Woodinville	14,330	20,000	39.57	$3,175
Auburn	83,870	120,000	43.08	$3,500
University Place	35,500	50,000	40.85	$3,644
Puyallup	42,861	65,000	51.65	$3,675
Shoreline	61,353	80,000	30.39	$4,692
Redmond	80,280	110,000	37.02	$5,124
Kirkland	91,194	120,000	31.59	$5,629
Lynnwood	40,592	60,000	47.81	$5,899
Sammamish	65,116	90,000	38.21	$6,739

NEXT STEPS



- Planning Commission Public Hearing and Deliberation – Tonight
- RCO Review
- Draft Plan Discussion with Council
- Resolution for Adoption

2024 PROS PLAN UPDATE

Any Questions?

AGENDA BILL APPROVAL FORM

Agenda Subject:
Proposed Amendments to Title 14 (Teague)

Date:
September 19, 2024

Department:
Community Development

Attachments:
Planning Commission Staff Report
Exhibit 1 - SB 5290 Related Text Amendment (strikeout-underline version)
Exhibit 2 - SB 5290 Related Text Amendment (clean version)
5290 Code Updates Presentation

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

Administrative Recommendation:

Background for Motion:

Background Summary:
See attached Staff Report

Reviewed by Council Committees:

Councilmember:

Staff: Alexandria Teague

Meeting Date: October 8, 2024

Item Number: PH.2

PLANNING COMMISSION
STAFF REPORT

TO: Judi Roland, Chair, Planning Commission
Philip Stevens, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Guardians of the Timeline
Department of Community Development

DATE: September 12, 2024

RE: City File No. ZOA24-0001 – SB 5290 Related Code Update

I. PROPOSAL

Staff is proposing to amend Chapters 14.01 (Purpose and Scope), 14.02 (Definitions), 14.03 (Types of Project Permit Decisions), 14.04 (Pre-Application Conferences), 14.05 (Applications), 14.06 (Notice of Determination of Completeness), 14.07 (Notice of Application), 14.11 (Notice of Final Decision), 14.13 (Administrative Appeals), 14.14 (Exclusions), 14.15 (Project Review Time Periods), and 14.18 (Water and Sewer Availability Certificates) of Title 14 (the Project Review Ordinance). Staff also proposes to amend Chapter 17.01 (User Guide) of Title 17 (the Land Adjustments and Divisions Ordinance), and Chapters 18.59 (the "Marijuana" chapter) and 18.76 (the "Lakeland Hills South PUD" chapter) of Title 18 (the Zoning Ordinance). The purpose of the text amendment is to update the City's existing permit review timelines, requirements, and processes to conform with Senate Bill 5290. This bill was passed by the State Legislature in 2023 and modifies RCW 36.70B, the state code that regulates permit review by local jurisdictions.

II. SUMMARY OF KEY CODE CHANGES

Chapter 14.01 "Purpose and Scope"

- Minor revisions to punctuation and grammar.

Chapter 14.02 "Definitions"

- Revise the definition of "Project permit or project permit application" to conform with changes to same in SB 5290.

Chapter 14.03 "Types of Project Permit Decisions"

- Revise 14.03.010 "Type I Decisions" to reflect current permit name (Construction permit) and remove a permit name that is no longer used (Special permit).
- Revise 14.03.020 "Type II Decisions" to include new language introduced by SB 5290.
- Move "Public facility extension agreement" permits from "Type II Decisions" to "Type III Decisions".

- Minor punctuation revision in 14.03.020.

Chapter 14.04 "Pre-application Conferences"

- Revise Chapter 14.04 "Pre-application Conferences" title to "Pre-application Conferences and Project Review Meetings".
- Revised 14.04.010 "Availability" to state that pre-application meeting conferences are optional for all project permit types and are not required for any project permit type.
- Added subsection (B) to 14.04.010 "Availability" to define project review meeting availability, purpose, and process.

Chapter 14.05 "Applications"

- Revise 14.05.010 "Designation" to include current email address as a basic application requirement.
- Minor revisions to 14.05.020 "Submittal Requirements" updating language to reflect current application processes.

Chapter 14.06 "Notice of Determination of Completeness"

- Minor revisions to 14.06.010 "Notice to Applicant" updating language to reflect current application processes.
- Revised 14.06.010 "Notice to Applicant" to clarify language about notification timeline following resubmittals after a determination of incompleteness.

Chapter 14.07 "Notice of Application"

- Revise 14.07.030 "Notice if open record predecision hearing required" to make text consistent with RCW 36.70B.110.

Chapter 14.11 "Notice of Final Decision"

- Revise 14.11.010 "Time limits" to expand section and incorporate the new time limits for each project type as required by SB 5290.
- Add sections to 14.11.010 "Time limits" to include new language introduced by SB 5290 outlining the conditions where restarting or suspending the new time limits is allowable.
- Add sections to 14.11.020 "Exceptions" defining the permit types for facility extension agreements and grading permits and establishing the review timelines these applications are subject to.
- Relocated text from 14.15.010 "Weekends and holidays" to 14.11.050 "Weekends and holidays" for consistency and clarity.

Chapter 14.13 "Administrative Appeals"

- Revised 14.13.010 "Administrative appeals" to clarify the process and timeline extension required to appeal SEPA Determinations of Non-Significance.

Chapter 14.14 "Exclusions"

- Revise 14.14.010 "Permit process exclusions" to clarify language and remove approvals relating to the use of public areas or facilities as being excluded from the consolidated permit process and any time periods established in Chapter 14.06.

Chapter 14.15 "Project Review Time Periods"

- Delete Chapter 14.15 "Project Review Time Periods" to consolidate text with Chapter 14.11 "Notice of Final Decision".

Chapter 14.18 "Water and Sewer Availability Certificates"

- Revise 14.18.010 "Preapplication conference" to reflect current application process, and to clarify that preapplication conferences are optional rather than required.
- Revise title of 14.18.020 "Application, submittal and contents" to be "Water and Sewer Availability Certificates" in order to clarify purpose of section.

Chapter 17.01 "User Guide"

- Revise 17.01.030 "How is a plat reviewed?" to make pre-application conferences associated with plats as being optional and recommended instead of required.

Chapter 18.59 "Development Standards for Marijuana Related Businesses"

- Revise 18.59.100 "Pre-application conference meeting required" to make pre-application conferences optional and recommended instead of required for business license applications for all marijuana related businesses within the City.

Chapter 18.76 "Planned Unit Development District (PUD) – Lakeland Hills South

- Revise 18.76.090 "Application for approval of major amendment to the PUD" to make pre-application conferences associated with major amendments to the Lakeland Hills South PUD as being optional and recommended instead of required.
- Revise 18.76.090 "Site plan approval" to make pre-application conferences associated with site plan approval within the Lakeland Hills South PUD as being optional and recommended instead of required.

III. FINDINGS OF FACT

Background Summary:

1. In 2023 Senate Bill (SB) 5290 was introduced into the Washington State Legislature. The bill was passed on April 20, 2023, and signed into law by the Governor on May 8, 2023. SB 5290 became effective on July 23, 2023.
2. SB 5290 amends RCW 36.70B.140, 36.70B.020, 36.70B.070, 36.70B.080, and 36.70B.160; reenacts and amends RCW 36.70B.110; and adds new sections to Chapter 36.70B RCW.
3. Chapter 36.70B RCW "Local Project Review" was established in 1995 following the passage of the Growth Management Act (GMA). This Chapter establishes regulations and requirements for local government land use planning and development permitting.
4. Auburn City Code Title 14 "Project Review" was established by Ordinance 4835 in 1996 to comply with the requirements of Chapter 36.70B RCW "Local Project Review".
5. Title 14 establishes standard procedures for all project permit decisions made by the City. This includes establishing permit types, permit review timelines, and procedures related to combining the environmental review process with project permit decisions.
6. In order to remain in compliance Chapter 36.70B RCW following the changes enacted by SB 5290, the City must revise Auburn City Code Title 14 "Project Review".
7. City staff with the Department of Community Development have prepared draft revisions to Title 14 to update City code to meet the new requirements established by SB 5290. Additional revisions of Titles 17 ("Land Adjustments and Divisions") and 18 ("Zoning") have been prepared to meet additional, optional, provisions of SB 5290.
8. The overall goals of the changes are to maintain compliance with Chapter 36.70B RCW without impacting project permitting services, correct minor grammatical and spelling errors in existing City code, and introduce new optional provisions from SB 5290 that help mitigate penalties incurred by exceeding new timelines established in the bill.
9. The text amendment will be discussed with the Planning Commission on October 8, 2024. On the same evening, Planning Commission will hold a public hearing on the text amendment.

Procedural Steps:

1. Pursuant to Revised Code of Washington (RCW) 36.70A, the text amendment was transmitted to the Washington State Department of Commerce on August 16, 2024. The 60-day notice period ends October 15, 2024.
2. A State Environmental Policy Act (SEPA) non-project environmental checklist was prepared that evaluates the environmental impacts of the text amendment.
3. A SEPA Determination of Non-Significance (DNS), City File No. SEP24-0012, was issued on August 30, 2024, and the City observed a fourteen-day public comment period, which expired on September 13, 2024. No comments were received. The appeal period ends September 27, 2024.
4. A Notice of Public Hearing (NOH) was issued on September 17, 2024. Pursuant to Chapter 18.68 ACC, the following methods of noticing for the Planning Commission public hearing were conducted:
   a. The NOH was published in the Seattle Times on September 17, 2021.
   b. The NOH was posted in two general public locations (City Hall, City Annex, and the City's Public Land Use Notice webpage).

IV. STAFF RECOMMENDATION

Planning Commission to conduct a public hearing and recommend the City Council to review and adopt the text amendment to the project review regulations of Titles 14, 17, and 18, Auburn's Project Review, Land Adjustments, and Zoning Codes, specifically Chapter 14.01 Auburn City Code (ACC) "Purpose and Scope", Chapter 14.02 ACC “Definitions”, Chapter 14.03 ACC "Types of Project Permit Decisions", Chapter 14.04 ACC “Preapplication Conferences”, Chapter 14.05 ACC “Applications”, Chapter 14.06 ACC “Notice of Determination of Completeness”, Chapter 14.07 ACC “Notice of Application”, Chapter 14.11 ACC “Notice of Final Decision”, Chapter 14.13 ACC “Administrative Appeals”, Chapter 14.14 ACC “Exclusions”, Chapter 14.18 ACC “Water and Sewer Availability Certificates”, Chapter 17.01 ACC “User Guide”, Chapter 18.59 ACC “Development Standards for Marijuana Related Businesses”, and Chapter 18.76 ACC “Planned Unit Development District (PUD)-Lakeland Hills South.

V. ATTACHMENTS

Exhibit 1 – SB 5290 Related Text Amendment (strikeout-underline version)
Exhibit 2 – SB 5290 Related Text Amendment (clean version)

Title 14

PROJECT REVIEW

Chapters:

14.01 Purpose and Scope
14.02 Definitions
14.03 Types of Project Permit Decisions
14.04 Preapplication Conferences and Project Review Meetings
14.05 Applications
14.06 Notice of Determination of Completeness
14.07 Notice of Application
14.08 Project Review Determinations
14.09 Issuance of Single Report
14.10 Hearings
14.11 Notice of Final Decision
14.12 Optional Consolidated Project Permit Process
14.13 Administrative Appeals
14.14 Exclusions
~~14.15 Project Review Time Periods~~
14.16 Immunity from Damage Claims
14.17 Judicial Review of Land Use Decisions Made by Local Jurisdictions
14.18 Water and Sewer Availability Certificates
14.20 Mobile Home Park Closure
14.21 Repealed
14.22 Comprehensive Plan

Chapter 14.01
PURPOSE AND SCOPE

Sections:

14.01.010 Purpose and scope.

14.01.010 Purpose and scope.

The purpose and scope of this title is to establish standard procedures for all project permit decisions made by the city of Auburn. The intent of the procedures is to combine the environmental review process, both procedural and substantive, with procedures for review of project permit decisions and, except for the appeal of a determination of significance as provided in RCW 43.21C.075, provide for consolidation of appeal processes for permit decisions. The goals are to allow for informed public participation, reduce redundancy in the application, permit review, and appeal processes, thereby minimizing delays and expense, and implementing the city's goals as set forth in the comprehensive plan.

Any project permit application submitted on or after April 1, 1996, shall be processed as provided in this title. If any requirements contained in this newly created Title 14 are in conflict with provisions or requirements contained in other titles of the Auburn City Code, a request for interpretation regarding applicability may be submitted to the director of the department which has authority to administer the provision, code, regulation, plan, rule or manual. The department director will provide a written response within 10 working days after receipt of the request. (Ord. 4835 § 1, 1996.)

Chapter 14.02
DEFINITIONS

Sections:

14.02.001	Generally.
14.02.010	Administrative decision.
14.02.020	Closed record appeal.
14.02.030	Optional consolidated permit review.
14.02.040	Development regulations.
14.02.050	Legislative decision.
14.02.060	Open record hearing.
14.02.070	Project permit or project permit application.
14.02.080	Public meeting.
14.02.090	Quasi-judicial decision.
14.02.100	Record.

14.02.001 Generally.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this title and the Auburn City Code. (Ord. 4835 § 1, 1996.)

14.02.010 Administrative decision.

An “administrative decision” is one which is made by one of the city’s department heads or designee. (Ord. 4835 § 1, 1996.)

14.02.020 Closed record appeal.

“Closed record appeal” means an administrative appeal to the city council or any agency thereof, as specified in applicable codes, of a decision or recommendation issued by the hearing examiner following an open record hearing conducted by the hearing examiner on a

project permit application. The appeal is on the record with no or limited new evidence or information allowed to be submitted. Argument of the appeal is allowed from the record; this may include comments from the record or questions regarding the record. (Ord. 6184 § 1, 2008; Ord. 4835 § 1, 1996.)

14.02.030 Optional consolidated permit review.

"Optional consolidated permit review" means review and decision on two or more project permits relating to a proposed project action, including a single application review and approval process covering all of the project permits requested by an applicant for either all or part of a project action. (Ord. 4835 § 1, 1996.)

14.02.040 Development regulations.

"Development regulations" means the controls placed on development or land use activities by the city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances (if permitted by city code) and subdivision ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in ACC 14.02.070, even though the decision may be expressed in a resolution or ordinance of the city. (Ord. 6187 § 1, 2008; Ord. 5991 § 1, 2006; Ord. 4835 § 1, 1996.)

14.02.050 Legislative decision.

A "legislative decision" is one which is an action which affects broad classes of people of the whole city. These actions include adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area wide zoning ordinances or the adoption of a zoning amendment that is area wide in significance. (Ord. 4835 § 1, 1996.)

14.02.060 Open record hearing.

"Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city's record through testimony and submission of evidence and information under procedures prescribed by the city by ordinance or resolution. An open record hearing may be held prior to a decision by the city on a project permit, to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit. (Ord. 4835 § 1, 1996.)

14.02.070 Project permit or project permit application.

"Project permit" or "project permit application" means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits, subdivisions, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones which do not require a comprehensive plan amendment ~~authorized by the comprehensive plan or subarea plan~~, but excluding the adoption or amendment of the comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection. (Ord. 4835 § 1, 1996.)

14.02.080 Public meeting.

"Public meeting" means an informal meeting, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the city's decision. A public meeting may include, but is not limited to, a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city's project permit application file. (Ord. 4835 § 1, 1996.)

14.02.090 Quasi-judicial decision.

A “quasi-judicial decision” is one where action is taken by the hearing examiner or city council or any agency thereof, which determines the legal rights, duties, or privileges of specific parties and which may be contested. (Ord. 6184 § 2, 2008; Ord. 4835 § 1, 1996.)

14.02.100 Record.

“Record” means everything submitted by the city, applicant, public or outside agencies, including but not limited to all testimony, exhibits, studies, information, and maps accepted by the hearing examiner at the open record hearing. (Ord. 4835 § 1, 1996.)

Chapter 14.03
TYPES OF PROJECT PERMIT DECISIONS

Sections:

14.03.001 Generally.
14.03.010 Type I decisions.
14.03.020 Type II decisions.
14.03.030 Type III decisions.
14.03.040 Type IV decisions.
14.03.050 Reserved.
14.03.060 Legislative nonproject decisions.

14.03.001 Generally.

Project permit decisions are classified into four types, based on whether a director, the hearing examiner or the city council makes the decision and the process by which that decision is made.
(Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 4835 § 1, 1996.)

14.03.010 Type I decisions.

Type I decisions are administrative decisions made by the city which are not subject to environmental review under the State Environmental Policy Act (SEPA) codified at Chapter 43.21C RCW. Type I decisions include, but are not limited to, the following project applications:

A. Building permit;

B. Plumbing permit;

C. Mechanical permit;

D. Utility permit;

~~E. Special permit;~~

E~~F~~. ~~Excavation~~ Construction permit;

~~G~~F. Land clearing permit;

~~H~~G. Grading permit;

~~I~~H. Floodplain development permit;

~~J~~I. Public facility extension agreement;

~~K~~J. Right-of-way use permit;

~~L~~K. Boundary line adjustment or boundary line elimination;

~~M~~L. Home occupation permit;

M~~N~~. Temporary use permit (administrative);

N~~O~~. Administrative use permit;

O~~P~~. Short subdivision (plat);

P~~Q~~. Mobile home closure plans;

Q~~R~~. Extensions or minor amendment to an approved master plan;

R~~S~~. Final plat. (Ord. 6654 § 1, 2017; Ord. 6385 § 1, 2011; Ord. 6295 § 1, 2010; Ord. 5746 § 2, 2003; Ord. 4835 § 1, 1996.)

14.03.020 Type II decisions.

Type II decisions are administrative decisions made by the city which ~~include threshold determinations under SEPA.~~ are subject to environmental review and threshold determination under the State Environmental Policy Act (SEPA) codified at Chapter 43.21C RCW. Type II decisions include, but are not limited to, the following project applications:

A. Building permit;

B. Grading permit;

C. Land clearing permit;

D. Public facility extension agreement;

E. Administrative use permit;

F. Short subdivision (plat);

G. Floodplain development permit. (Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 4835 § 1, 1996.)

14.03.030 Type III decisions.

Type III decisions are quasi-judicial final decisions made by the hearing examiner following a recommendation by staff. Type III decisions include, but are not limited to, the following project applications:

A. Temporary use permit;

B. Substantial shoreline development permit;

C. Variance;

D. Special exceptions;

E. Special home occupation permit;

F. Preliminary plat;

G. Conditional use permit;

H. Surface mining permit;

I. Master plan;~~.~~ (Ord. 6654 § 1, 2017; Ord. 6385 § 2, 2011; Ord. 6295 § 1, 2010; Ord. 6184 § 3, 2008; Ord. 4835 § 1, 1996.)

14.03.040 Type IV decisions.

Type IV decisions are quasi-judicial decisions made by the city council following a recommendation by the hearing examiner. Type IV decisions include, but are not limited to, the following project applications:

Site-Specific Rezone, Category 1. (Ord. 6779 § 5, 2020; Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 6184 § 4, 2008; Ord. 4835 § 1, 1996.)

14.03.050 Reserved.

(Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 6184 § 5, 2008; Ord. 4835 § 1, 1996.)

14.03.060 Legislative nonproject decisions.

Legislative nonproject decisions made by the city council under its authority to establish policies and regulations are not classified as a “type” of project permit decision. Legislative nonproject decisions include, but are not limited to, the following legislative actions:

A. Amendments to the text and map of the comprehensive plan or development regulations.

B. Amendments to the zoning map (rezones) on a city-wide or area-wide basis. (Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 4835 § 1, 1996.)

Chapter 14.04

PREAPPLICATION CONFERENCES AND PROJECT REVIEW MEETINGS

Sections:

14.04.010 Availability.

14.04.010 Availability.

A. A preapplication conference is available and encouraged prior to project permit application submittal. ~~submitting an application for a project permit. Preapplication conferences are optional, and are not a requirement for any project permit type.~~ Preapplication conferences are optional, and are not a requirement for any project permit type. ~~of permit application submittal for any permit type. (Ord. 4835 § 1, 1996.)~~

B. Project review meetings are available to applicants during the review process. The purpose of the project review meeting is to assist the applicant in interpreting and addressing outstanding City comments so that the project meets all City requirements and is approvable by the City.

1. Project review meetings shall be scheduled within 14 days following the return of comments from the second project permit review to the applicant.

2. If the responses to comments from the third submittal do not resolve outstanding City comments for the submittal the City shall issue a decision of approval or denial of the project permit application.

Chapter 14.05
APPLICATIONS

Sections:

14.05.010 Designation.
14.05.020 Submittal requirements.

14.05.010 Designation.

Each applicant submitting a project permit to the city shall designate a single person or entity to receive determinations and notices under this title. The applicant shall include the name, current address, current email address, and current telephone number of the designated person or entity. The applicant shall be responsible for immediately notifying the city of any change of name, address, email address, or telephone number of the designated person or entity. (Ord. 4835 § 1, 1996.)

14.05.020 Submittal requirements.

A. The city shall specify submittal requirements, including, but not limited to, the type of project permit application, detail required in application and application submittal process~~number of application copies~~. The city, at its sole discretion, may waive specific submittal requirements which it determines to be unnecessary for review of an application. Applicants may obtain application materials from the city.

B. The city may require additional material from applicants, including, but not limited to, maps, studies or models when the city determines such material(s) is needed to adequately assess the proposed project.

C. Applicants seeking approval of permits must submit a complete permit application through the application process defined by the city ~~complete an application form furnished by the city~~

and comply with any requirements set forth in applicable city ordinances, adopted codes and ~~any referenced~~ design standards ~~manuals~~. (Ord. 4835 § 1, 1996.)

Chapter 14.06
NOTICE OF DETERMINATION OF COMPLETENESS

Sections:

14.06.010 Notice to applicant.

14.06.010 Notice to applicant.

A. Within 28 days after ~~receiving~~ accepting a project permit application, the city shall ~~mail or~~ provide ~~in person~~ a written determination to the applicant or applicant's designee ~~to such person or entity designated in applicant's application to receive determination and notices~~ that the application is complete, or that it is incomplete and what is necessary to make the application complete.

B. The city's determination shall identify other agencies with jurisdiction over the project permit application, to the extent known by the city.

C. If the city does not provide a written determination within the 28-day period following the city's receipt of the project permit application as provided in subsection A above, the application shall be deemed to be complete.

D. When additional information has been provided by the applicant following a determination of incompleteness the city shall notify the applicant or the applicant's designee within 14 days whether the project permit application is complete or what additional information is necessary to make the application complete. ~~If additional information or studies is required to make the application complete, within 14 days after an applicant has submitted the additional information identified by the city as necessary the city shall notify the applicant, or to such~~

~~person or entity designated in the applicant's project permit application, whether the application is complete and if not, what additional information is needed.~~

E. If the city determines that the additional information submitted by the applicant is insufficient, the city shall notify the applicant of the deficiencies and the procedures under subsection D of this section shall apply as if a new request for information had been made.

F. An application is complete for purposes of this section when it meets the submittal requirements established in the Auburn City Code~~, and~~ the ordinances of the city, the project permit application, and is sufficient for continued processing, even though additional information might be required or project modifications might be undertaken subsequently. The determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently, if new information is required to complete the review of the application or if substantial changes in the permit application occur or are proposed.

G. An application will be considered withdrawn if the city does not receive the requested necessary additional information within 60 days of notice(s) to the applicant, or to such person or entity designated in the applicant's project permit application, that the application is not complete, unless the city and applicant have agreed in writing to an extension of time. (Ord. 4835 § 1, 1996.)

Chapter 14.07
NOTICE OF APPLICATION

Sections:

14.07.010 Notice to public and departments and agencies with jurisdiction.
14.07.020 Requirements.
14.07.030 Notice, when ~~if open record predecision hearing~~ required.
14.07.040 Methods of providing notice.
14.07.050 Integration of permit procedures with environmental review procedures.
14.07.060 Exemptions.
14.07.070 Applicant deemed participant.
14.07.080 Administrative interpretation of city's code and/or development regulations.

14.07.010 Notice to public and departments and agencies with jurisdiction.

The city shall provide a notice of application to the public and the departments and agencies with jurisdiction as provided in this chapter. (Ord. 4835 § 1, 1996.)

14.07.020 Requirements.

Within 14 days after issuance of a determination of completeness, the city shall provide notice of the application which shall include the following:

A. The date of application, date of notice of completeness, and the date of notice of application;

B. A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under Chapter 14.06 or 14.11 ACC;

C. Identification of other permits not included in the application to the extent known by the city;

D. Identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing the notice of application, the location where the application and any studies can be reviewed;

E. A statement of the public comment period, which shall be 15 days following the date of the notice of application together with a statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. The city may accept public comments at any time prior to the closing of the record of an open record predecision hearing, if any, or, if no open record predecision hearing is provided, prior to the decision on the project permit;

F. If applicable and scheduled at the time of the notice of application, the date, time, location and type of hearing;

G. A statement of preliminary determination, if one has been made at the time of notice of application, of those development regulations that will be used for project mitigation and of consistency as provided in Chapter 14.08 ACC;

H. Any other information determined to be appropriate by the city. (Ord. 4835 § 1, 1996.)

14.07.030 Notice, when ~~if open record predecision hearing~~ required.

A notice of application shall not be required for project permits that are categorically exempt under chapter 43.21C RCW, unless an open record predecision hearing is required. If an open record predecision hearing is required for the requested project permits, the notice of application shall be provided at least 15 days prior to the open record hearing. (Ord. 4835 § 1, 1996.)

14.07.040 Methods of providing notice.

Unless otherwise required in the city's code, the city shall use at a minimum the following methods to give notice of application to the public and agencies with jurisdiction:

A. Mailing notice to owners of real property within 300 feet of the project site.

B. Requiring the subject property posted in accordance with the applicable requirements of Chapter 1.27 ACC (for site-specific applications).

C. Publishing in a newspaper of general circulation of the area.

D. Mailing notice of application with information included in this section to each person who has requested such notice and paid any applicable fee as established by the city. (Ord. 5811 § 2, 2003; Ord. 4835 § 1, 1996.)

14.07.050 Integration of permit procedures with environmental review procedures.

A. If the city has made a determination of significance under Chapter 43.21C RCW concurrently with the notice of application, the notice of application shall be combined with the determination of significance and scoping notice. Nothing in this chapter prevents a determination of significance and scoping notice from being issued prior to the notice of application.

B. Except for a determination of significance, the city may not issue its threshold determination, or issue a decision or a recommendation on a project permit, until the expiration of the public comment period on the notice of application.

C. The city shall issue its threshold determination at least 15 days prior to the open record predecision hearing if the city's threshold determination requires public notice under Chapter 43.21C RCW.

D. Any comments shall be as specific as possible. (Ord. 4835 § 1, 1996.)

14.07.060 Exemptions.

A notice of application shall not be required for project permits that are categorically exempt under SEPA, unless a public comment period or open record predecision hearing is required. (Ord. 4835 § 1, 1996.)

14.07.070 Applicant deemed participant.

The applicant for a project permit is deemed to be a participant in any comment period, open record hearing or closed record appeal. (Ord. 4835 § 1, 1996.)

14.07.080 Administrative interpretation of city's code and/or development regulations.

An administrative interpretation of the city's code and/or development regulations may be obtained by submitting a written request to the director of the department which has authority to administer the code and/or development regulations. The department director will provide a written response within 10 working days after receipt of the request unless another time period is agreed upon in writing between the parties. (Ord. 4835 § 1, 1996.)

Chapter 14.08
PROJECT REVIEW DETERMINATIONS

Sections:

14.08.010 Required elements.
14.08.020 Determination of consistency.

14.08.010 Required elements.

A. During project review, the city or any subsequent reviewing body shall determine whether the following items are defined in the development regulations applicable to the proposed project or, in the absence of applicable regulations, the city's adopted comprehensive plan. At a minimum, such applicable regulations or plans shall be determinative of the:

1. Type of land use permitted at the site, including uses which may be allowed under certain circumstances, such as planned unit developments (if permitted by the city code) and conditional and special uses, if the criteria for their approval have been satisfied;

2. Density of residential development in urban growth areas; and

3. Availability and adequacy of public facilities identified in the comprehensive plan, if the plan or development regulations provide for funding of these facilities as required by Chapter 36.70A RCW.

B. During project review, the city or any subsequent reviewing body shall not re-examine alternatives to or hear appeals on the items identified in subsection A of this section, except for issues of code interpretation.

C. Nothing in this section limits the authority of the city to approve, condition, or deny a project as provided in its development regulations under Chapter 36.70A RCW and in its policies adopted under RCW 43.21C.060. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, transportation demand management, payment of impact fees or

other measures to mitigate a proposal's probable adverse environmental impacts, if applicable. (Ord. 6187 § 2, 2008; Ord. 5991 § 2, 2006; Ord. 4835 § 1, 1996.)

14.08.020 Determination of consistency.

A. A proposed project's consistency with the city's development regulations adopted under Chapter 36.70A RCW, or, in the absence of applicable development regulations, the appropriate elements of the comprehensive plan or subarea plan adopted under Chapter 36.70A RCW shall be determined by consideration of:

1. The type of land use;

2. The level of development, such as units per acre or other measures of density;

3. Infrastructure, including public facilities and services needed to serve the development; and

4. Character of the development, such as development standards.

B. In determining consistency, the determinations made pursuant to ACC 14.08.010(A) shall be controlling.

C. For purposes of this section, the term "consistency" shall include all terms used in this chapter and Chapter 36.70A RCW to refer to performance in accordance with this title and Chapter 36.70A RCW, including but not limited to compliance, conformity, and consistency.

D. Nothing in this section requires documentation, dictates an agency's procedures for considering consistency, or limits the city from asking more specific or related questions with respect to any of the four main categories listed in ACC 14.08.020 (A). (Ord. 4835 § 1, 1996.)

Chapter 14.09
ISSUANCE OF SINGLE REPORT

Sections:

14.09.010 Consolidation.

14.09.010 Consolidation.

A single report shall be issued stating all the decisions made as of the date of the report on all project permits included in the consolidated permit process that do not require an open record predecision hearing and any recommendations on project permits that do require an open record predecision hearing. The report shall state any mitigation required or proposed under the city's development regulations or the city's authority under RCW 43.21C.060. The report may be the local permit. If a threshold determination other than a determination of significance has not been issued previously by the city, the report shall include or append this determination. (Ord. 4835 § 1, 1996.)

Chapter 14.10
HEARINGS

Sections:

14.10.010 Limitations.
14.10.020 Multijurisdictional hearings.

14.10.010 Limitations.

Except for the appeal of a determination of significance as provided in RCW 43.21C.075, the city provides no more than one open record hearing and one closed record appeal. (Ord. 4835 § 1, 1996.)

14.10.020 Multijurisdictional hearings.

A. The city may combine any hearing on a project permit with any hearing that may be held by another local, state, regional, federal, or other agency; provided, that the hearing is held within the geographic boundary of the city. Hearings shall be combined if requested by an applicant, as long as the joint hearing can be held within the time periods specified in Chapter 14.11 ACC or the applicant agrees in writing to a different schedule in the event that additional time is needed in order to combine the hearings. The city and all state agencies participating in a combined hearing are authorized to issue joint hearing notices and develop a joint format, select a mutually acceptable hearing body or officer, and take such other actions as may be necessary to hold joint hearings consistent with each jurisdiction's respective statutory obligations.

B. All state and local agencies shall cooperate to the fullest extent possible with the city in holding a joint hearing if requested to do so, as long as:

1. The agency is not expressly prohibited by statute from doing so;

2. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance or rule; and

3. The agency has received the necessary information about the proposed project from the applicant to hold its hearing at the same time as the city's hearing.

C. Any public meeting or required open record hearing may be combined with any public meeting or open record hearing that may be held on the project by another local, state, regional, federal, or other agency, in accordance with Chapters 14.11 and 14.07 ACC. (Ord. 4835 § 1, 1996.)

Chapter 14.11
NOTICE OF FINAL DECISION

Sections:

14.11.010 Time limits.

14.11.020 Exceptions.

14.11.030 Late issuance of final decision.

14.11.040 Distribution.

14.11.050 Weekends and holidays.

14.11.010 Time limits.

A. Except as provided in ACC 14.11.020, the city shall issue a notice of final decision on a project permit application within the following Type of project permit timelines ~~120 days~~ after the applicant is notified in writing that the application is complete as provided in Chapter 14.06 ACC. The time period for the issuance of a final decision shall be the longest of the project permit application time periods of all associated permits for the project.

1. Type I decisions: 65 days.

2. Type II decisions: 100 days.

3. Type III decisions: 170 days.

B. ~~The following periods of time are excluded in determining the number of days which have elapsed~~: The number of days shall be calculated by counting every calendar day and excluding the following time periods:

1. Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information. ~~The period is calculated from the date the applicant is notified of the need for additional information until the earlier of: (1) the date the city determines whether the additional information satisfies the request for information, or (2) 14 days after the date the information has been provided. If the information submitted by the applicant under this subsection is insufficient, the city shall~~

~~notify the applicant of the deficiencies and the procedures described above shall apply as if a new request for studies had been made.~~

2. Any period during which an EIS is being prepared following a determination of significance pursuant to Chapter 43.21C RCW. The city and applicant will agree in writing on the time period for completion of an EIS.

3. Any period for administrative appeals of project permits, if an open record appeal hearing or closed record appeal, or both, are allowed. The time period shall not exceed: (1) 90 days for an open record appeal hearing; and (2) 60 days for a closed record appeal. The parties may agree in writing to extend the applicable time periods for appeal.

4. Any extension of time mutually agreed upon in writing by the applicant and city.

5. Any period after an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application until the time that the applicant notifies the local government, in writing, that they would like to resume the application. A local government may set conditions for the temporary suspension of a permit application. ~~(Ord. 4835 § 1, 1996.)~~

6. For quasi-judicial decisions by the Hearing Examiner, any period of time after staff recommendations have been provided to the Hearing Examiner until such time that the Hearing Examiner issues a formal written decision.

C. The time periods for a local government to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the local government under RCW 36.70B.070.

D. If, at any time, an applicant informs the local government, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the county or city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for local government action to issue a final decision for each type of project permit that is subject to this chapter. Any written notice from the local government to the applicant that additional information is required to further

process the application must include a notice that nonresponsiveness for 60 consecutive days may result in 30 days being added to the time for review. For the purposes of this subsection, "nonresponsiveness" means that an applicant is not making demonstrable progress on providing additional requested information to the local government, or that there is no ongoing communication from the applicant to the local government on the applicant's ability or willingness to provide the additional information.

14.11.020 Exceptions.

A. The time limits established above do not apply to the followingif a project application:

1. A. Project applications Rrequiringes an amendment to the comprehensive plan or a development regulation;

2. B. Project applications Rrequiringes approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200; or

3. C. Project applications that areIs substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined complete under Chapter 14.06 ACC.; or. (Ord. 4835 § 1, 1996.)

B. D. Requires approvalApprovals relating to the use of public areas or facilities, including the extension of public utilities and road facilities under a facility extension agreement permit, are subject to a Type III review deadline. . –

C. Grading permit approvals that exclude the use or extension of public areas or facilities are subject to a Type II review deadline.

14.11.030 Late issuance of final decision.

If the city is unable to issue the final decision within the prescribed time limits, the city shall provide written notice of this fact to the applicant. The notice shall include a statement of the reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. (Ord. 4835 § 1, 1996.)

14.11.040 Distribution.

The notice of decision shall be provided to the applicant and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted comments on the application. The notice shall be provided as specified in ACC 14.07.040. It shall include a statement of any threshold determination and procedures for administrative appeal, if applicable. It may be a copy of the report or decision on the project permit application. (Ord. 4835 § 1, 1996.)

14.115.050 Weekends and holidays.

Regardless of whether any period is minimum or maximum, when any permit review, notice or decision time limit of this title terminates upon a weekend or city holiday, such time limit shall automatically be extended to the first weekday following the weekend or city holiday.

Chapter 14.12

OPTIONAL CONSOLIDATED PROJECT PERMIT PROCESS

Sections:

14.12.010 Applicant option.
14.12.020 Hearing/appeal.
14.12.030 Public meeting.
14.12.040 Single report.

14.12.010 Applicant option.

A. An applicant may request an integrated and consolidated review and decision on two or more project permits relating to a proposed project action. The city will provide a single application review and approval process to cover all project permits requested by an applicant

for all or part of a project action. The city will provide a designated permit coordinator upon request of the applicant.

B. If an applicant elects the consolidated permit review process, the determination of completeness, notice of application and notice of final decision will include all project permits being reviewed in the consolidated process. (Ord. 4835 § 1, 1996.)

14.12.020 Hearing/appeal.

A. The consolidated review process shall include no more than one consolidated open record hearing and one closed record appeal/hearing. If an open record predecision hearing is provided prior to the decision on a project permit, the process shall not allow a subsequent open record appeal hearing.

B. The consolidated permit review may combine an open record predecision hearing on one or more permits with an open record appeal hearing on other permits. The project permits, if any, which are subject to a closed record appeal are determined pursuant to Auburn City Code. (Ord. 4835 § 1, 1996.)

14.12.030 Public meeting.

Any public meeting or required open record hearing may be combined with any public meeting or open record hearing that may be held on the project by another local, state, regional, federal, or other agency in accordance with provisions of Chapters 14.07 and 14.11 ACC. (Ord. 4835 § 1, 1996.)

14.12.040 Single report.

The city shall provide a single report stating all the decisions made as of the date of the report on all project permits included in the consolidated permit process that do not require an open record predecision hearing and any recommendations on project permits that do require an open record predecision hearing. The report shall state any mitigation required or proposed

under the development regulations or the city's authority under RCW 43.21C.060. The report may be the permit. If a threshold determination other than a determination of significance has not been issued previously by the city, the report shall include or append this determination. (Ord. 4835 § 1, 1996.)

Chapter 14.13
ADMINISTRATIVE APPEALS

Sections:

14.13.010 Administrative appeals.
14.13.020 Threshold determination appeals.

14.13.010 Administrative appeals.

Any administrative appeal of the project decision, combined with any environmental determinations, which are provided by the city shall be filed within 14 days after the notice of the decision or after other notice that the decision has been made and is appealable. In order to allow public comment on a Determination of Non-Significance prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven days if the appeal is of a Determination of Non-Significance~~DNS~~ for which public comment is required under Chapter 43.21C RCW or under county/city rules adopted under SEPA. For threshold determinations issued prior to a decision on a project action, any administrative appeal allowed by a county/city shall be filed within fourteen days after notice that the determination has been made and is appealable. ~~The city shall extend the appeal period for an additional seven days, if state or city rules adopted pursuant to Chapter 43.21C RCW allow public comment on a determination of nonsignificance issued as part of an appealable project permit decision. (Ord. 4835 § 1, 1996.)~~

14.13.020 Threshold determination appeals.

Except for the appeal of a determination of significance as provided in RCW 43.21C.075, the city provides for no more than one consolidated open record hearing on such appeal. Any appeal provided after the open record hearing shall be appealed to the superior court of the county in which the property subject of the threshold decision is located. (Ord. 6184 § 6, 2008; Ord. 4835 § 1, 1996.)

Chapter 14.14
EXCLUSIONS

Sections:

14.14.010 Permit process exclusions.

14.14.010 Permit process exclusions.

A. The following project permits are excluded from the provisions of the integrated and consolidated permit process, any time periods in development regulations and Chapters 14.06, 14.07, 14.11 and 14.12 ACC:

1. Landmark designations;

2. ~~Street~~ Right-of-way vacations;

3. ~~Other approvals relating to use of public areas or facilities, including but not limited to utility permit applications for water service, fire hydrant, fire hydrant use, sanitary sewer connections, storm drainage systems, right-of-way use permits and public facility extension agreements if categorically exempt under Chapter 43.21C RCW; or~~

~~4.~~ Other project permits which the city determines present special circumstances that warrant a review process different from that provided in this subsection, including but not limited to special permit applications for sidewalk, driveway, curb and gutter, excavation and floodplain development permits not subject to SEPA.

B. The following project permits are excluded from the provisions of the integrated and consolidated permit process and the requirements of Chapters 14.07, 14.11 and 14.12 ACC:

1. Lot line adjustments;

2. Building and other construction permits or similar administrative approvals, including but not limited to building, grading, land clearing permits and administrative temporary use permits, which are categorically exempt from environmental review under Chapter 43.21C RCW, or for which environmental review has been completed in connection with other project permits. (Ord. 6295 § 13, 2010; Ord. 4835 § 1, 1996.)

~~Chapter 14.15~~

~~PROJECT REVIEW TIME PERIODS~~

~~Sections:~~

~~14.15.010 Weekends and holidays.~~

~~14.15.010 Weekends and holidays.~~

~~Regardless of whether any period is minimum or maximum, when any permit review, notice or decision time limit of this title terminates upon a weekend or city holiday, such time limit shall automatically be extended to the first weekday following the weekend or city holiday. (Ord. 4835 § 1, 1996.)~~

Chapter 14.16
IMMUNITY FROM DAMAGE CLAIMS

Sections:

14.16.010 City liability.

14.16.010 City liability.

Pursuant to the Regulatory Reform Act, Chapter 403, Section 421 of the Laws of the State of Washington 1995, the city is not liable for damages due to the city's failure to make a final decision within the time limits established in Chapter 14.11 ACC. (Ord. 4835 § 1, 1996.)

Chapter 14.17
JUDICIAL REVIEW OF LAND USE DECISIONS MADE BY LOCAL JURISDICTIONS

Sections:

14.17.010 Requirements – Exceptions.

14.17.010 Requirements – Exceptions.

Judicial review of land use decisions shall be brought pursuant to the requirements contained in Chapter 36.70C RCW except for the following:

A. Judicial review of:

1. Land use decisions made by bodies that are not part of a local jurisdiction;

2. Land use decisions of a local jurisdiction that are subject to review by a quasi-judicial body created by state law, such as the shorelines hearings board or the growth management hearings board; and

B. Judicial review of applications for a writ of mandamus or prohibition; or

C. Claims provided by any law for monetary damages or compensation. If one or more claims for damages or compensation are set forth in the same complaint with a land use petition brought under Chapter 36.70C RCW, the claims are not subject to the procedures and standards, including deadlines, provided in Chapter 36.70C RCW for review of the petition. The judge who hears the land use petition may, if appropriate, preside at a trial for damages or compensation. (Ord. 4835 § 1, 1996.)

Chapter 14.18
WATER AND SEWER AVAILABILITY CERTIFICATES

Sections:

14.18.002 Purpose.
14.18.004 Property adjacent to city limits.
14.18.006 Definitions.
14.18.010 Preapplication conference meeting recommended.
14.18.020 ~~Application, submittal and contents.~~ Water and Sewer Availability Certificates.
14.18.030 Public hearing.
14.18.040 Administrative review.
14.18.050 Hearing examiner.
14.18.060 City council review.
14.18.070 Findings of fact.
14.18.074 Conditions of approval.
14.18.080 Notice of decision to applicant.
14.18.090 Adjustments of an approved development agreement.
14.18.094 Compliance with this chapter and the terms of a development agreement.
14.18.100 Time limitations.

14.18.002 Purpose.

The purpose of this chapter is to ensure that all development that occurs in unincorporated areas, that receives either water or sanitary sewer from the city of Auburn, is consistent with the development standards of the city of Auburn. In so doing the property at the time of annexation will be consistent with city development standards making it is less likely that the city will have to expend public funds to address a substandard development after annexation. An additional purpose is to ensure the property is obligated to annex to the city at the appropriate time as determined by the city. (Ord. 5306 § 1, 1999.)

14.18.004 Property adjacent to city limits.

If the property that is requesting water and/or sanitary sewer service is adjacent to the Auburn city limits, the subject property shall be annexed to the city prior to receiving water and/or sanitary sewer from the city. If it is determined by the city of Auburn that it would not be practical to immediately annex subject property due to constraints in providing adequate city services or for other reasons that would make the annexation impractical, at the present time, then a development agreement is required pursuant to this chapter. (Ord. 5306 § 1, 1999.)

14.18.006 Definitions.

A. "Development" means any construction to include excavation, filling, grading, paving, new construction or expansion of a building, structure or use or any change in the use of a building or structure, or any change in the use of land.

B. "Development agreement" means an agreement between the city of Auburn and the property owner(s)/developer(s) of land located outside the incorporated boundaries of the city of Auburn. The development agreement shall be in a form as prepared by the city attorney and shall contain provisions requiring the property owner(s)/developer(s) to conform to all applicable city development standards. The development agreement shall also provide to the city of Auburn a nonrevocable power of attorney that authorizes the city of Auburn to include the subject property in an annexation at any time.

C. "Development standards" mean standards or comprehensive plan policies adopted by the city of Auburn that regulate development of property and include but are not limited to those related to zoning, subdivision, shorelines, utilities, streets, parks, land use, or sensitive areas. (Ord. 5306 § 1, 1999.)

14.18.010 Preapplication conference meeting recommended.

A preapplication conference is available and encouraged prior to project permit application submittal. Preapplication conferences are optional, and are not a requirement for any project permit type. ~~Persons considering making application for water and/or sewer availability certificates other than for individual single-family homes are encouraged to request that a~~

~~preapplication conference be held with appropriate city staff. Such request shall be directed to the planning director, and upon its receipt the director shall schedule a conference between the prospective applicant and appropriate city staff. The purpose of a preapplication conference is for the prospective applicant and city staff to gain a common understanding of the proposed development, and any procedures, rules, standards and policies which may apply. The prospective applicant is encouraged to bring to the conference whatever information deemed appropriate to help describe the existing nature of the site and its surroundings and the proposed nature of the contemplated and subsequent development. Such information may include photographs, sketches, and maps. The director or the prospective applicant may request that an additional conference or conferences be held to further the purpose of this section. (Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)~~

14.18.020 ~~Application, submittal and contents~~Water and Sewer Availability Certificates.

Application for water and/or sewer availability certificates shall be submitted to the department of planning and development, shall be accompanied by applicable fees as established by ordinance and shall include the following:

A. A completed application form~~, blank copies of which are available from the department~~;

B. *Legal Description of the Property.* Description must be described with a "metes and bounds" legal description, unless the property is part of a recorded subdivision. Along with the legal description, the parcel number (tax I.D. number) must also be provided;

C. *Site Plan.*

1. Seven copies of the site plan or plat map including the following information:

    a. Vicinity map;

    b. Boundaries and dimensions of property;

    c. Adjacent public and private streets;

    d. Easements, existing and proposed;

e. Location of all fire hydrants;

f. Location of building, including setbacks;

g. Topography of site and surrounding area.

2. If application is for development other than an individual single-family home, the following additional information is necessary:

a. Boundaries and dimensions of any existing or proposed lots;

b. Proposed public and private streets with a typical cross-section and the proposed grade of the street;

c. Location and size of all existing and proposed utilities;

d. Location and layout of off-street parking;

e. Any additional information required by the planning director that may be needed to determine if the project is consistent with city development standards.

D. If, for some reason, the development cannot meet city development standards the property owner(s)/developer(s) may request a modification to the development standard as it applies to the particular development. The property owner(s)/developer(s) shall submit a letter to the city planning director requesting said modification that describes the particular circumstance and the development standard that cannot be met together with an explanation of why it cannot be met. The request for modification shall be considered as part of the public hearing required by ACC 14.18.030 and cannot be granted unless it is consistent with the findings of fact as outlined in ACC 14.18.070(B);

E. *Filing Fees.*

1. Individual single-family home: none;

2. All others: $250.00. (Ord. 6287 § 2, 2010; Ord. 5306 § 1, 1999; Ord. 5147 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.030 Public hearing.

A. Upon determination of a complete application for development, other than an individual single-family home, the director shall tentatively set a date for a public hearing to be held before the city's hearing examiner. Every hearing held for the purposes of this chapter shall be open to the public, and a record of the hearing shall be kept and made available for public inspection.

B. Any notice of public hearing required by this section shall include the hour, date and location of the hearing and a description of the property. The description may be in the form of either a vicinity location sketch or a written description other than a legal description.

C. The planning director shall cause notice of the hearing to be given in the following manner:

1. Notice shall be published not less than 10 days prior to the hearing in a newspaper of general circulation within the county where the real property is located;

2. Requiring the subject property posted in accordance with the applicable requirements of Chapter 1.27 ACC. (Ord. 6532 § 20, 2014; Ord. 6287 § 2, 2010; Ord. 5811 § 3, 2003; Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)

14.18.040 Administrative review.

The director shall forward to appropriate city departments and divisions one copy of the application for water and/or sewer availability, together with copies of any appropriate accompanying documents. The city departments and divisions shall review the proposal as to the availability of water and sewer, the conformance of the proposal to any plans, city policies or regulations pertaining to streets, utilities; and any other issues related to the interests and responsibilities of the department or division. The application will then be processed in the following manner:

A. *Individual Single-Family Home.* If upon review by city departments and divisions, it is found that the single-family home meets all relevant city development standards, a development agreement shall be prepared and signed by the city and the applicant(s). The development agreement must be recorded by the county assessor's office and returned to the city prior to the issuance of the water and/or sanitary sewer availability certificates. If it is found that, for

any reason, the individual single-family home cannot meet city development standards, the application shall be processed as an “other development” as described below.

B. *All Other Developments.* If upon completion of review by city departments and divisions it is found that the development meets or is capable of meeting all relevant city development standards, a development agreement will be drafted. If there are modifications to development standards those modifications shall be reflected in the agreement. The agreement will then be forwarded to the planning and development committee for a public hearing as outlined in ACC 14.18.030 and 14.18.050. (Ord. 6287 § 2, 2010; Ord. 5306 § 1, 1999; Ord. 5170 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.050 Hearing examiner.

The hearing examiner, following the closure of the public hearing, shall recommend to the city council that the city sign a development agreement with the applicant or to not sign a development agreement with the applicant. The hearing examiner shall not recommend approval of the development agreement unless it finds the proposal is in conformance with the findings of fact as outlined in ACC 14.18.070(A). (Ord. 6532 § 21, 2014; Ord. 6287 § 2, 2010; Ord. 4872 § 1, 1996.)

14.18.060 City council review.

A. Upon receipt of the hearing examiner’s recommendation, the city council shall, at its next public meeting, approve, remand the recommendation to the hearing examiner or schedule a closed record hearing. Any aggrieved person may request the council to conduct its own closed record hearing. The council can only amend or reject the hearing examiner’s recommendation.

B. If the council holds its own closed record hearing on a proposed development agreement, the council shall consider the findings, conclusions and recommendations of the hearing examiner’s public hearing. After conducting its own closed record hearing the council may approve, approve with conditions, reject or return the application to the applicant for corrections or modifications.

C. When the council makes its decision on the development agreement, it shall pass a resolution prepared by the city attorney. A resolution prepared under this subsection shall include formal findings of fact and conclusions supporting the decision. If the development meets all city development standards, the findings shall affirm that the development conforms with all applicable city development standards. If the development agreement allows modifications from some city standards, the modifications shall be specified in the resolution. (Ord. 6532 § 22, 2014; Ord. 6287 § 2, 2010; Ord. 5785 § 1, 2003; Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)

14.18.070 Findings of fact.

A. The development agreement shall be recommended for signing only if findings of fact are drawn to support the following:

1. The development is consistent with city development standards; and

2. The development is consistent with the city comprehensive plan; and

3. The property cannot be annexed immediately.

B. Modifications to city development standards may be granted only if findings of fact are drawn to support the following:

1. That special circumstances related to the size, shape, topography, location or surroundings of the subject property do not provide the owner with the development rights and privileges permitted to other similar properties in the vicinity and in the zoning district in which the subject property is located; or

2. That, because of the special circumstances, the development of the property in strict conformity with city standards will not allow a reasonable and harmonious use of the property; or

3. When applying city standards will result in a distinct “discontinuity” with adjacent development which was previously approved or constructed to county standards; or

4. When applying city standards puts the developer in a position where the county will not allow that development to take place. (Ord. 5170 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.074 Conditions of approval.

In order to ensure compliance with the terms of this chapter conditions of approval may be required as part of the development agreement. (Ord. 5306 § 1, 1999.)

14.18.080 Notice of decision to applicant.

A. Following passage of a resolution approving or rejecting a development agreement, the director shall notify the applicant of the decision. The notice shall be accompanied by a copy of the passed resolution. If the resolution is to approve the development agreement, the notice shall advise the applicant that the development agreement must be signed by the applicant and recorded by the county assessor's office. The development agreement must be returned to the city prior to the issuance of the water and/or sewer availability certificates.

B. The development agreement must be approved by the city prior to any application, plans or other submittals that are submitted to the county. Any such submittal shall be consistent with the requirements of the development agreement. (Ord. 5785 § 2, 2003; Ord. 5306 § 1, 1999; Ord. 5170 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.090 Adjustments of an approved development agreement.

A. *Minor Adjustments.* Minor adjustments may be made and approved by the planning director. Minor adjustments are those which do not violate the terms of the development agreement.

B. *Major Adjustments.* Major adjustments are those which, when determined by the planning director, violate the terms of the development agreement. When the planning director determines a change constitutes a major adjustment, an amendment to the development agreement is required and the process is the same as a new application. (Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)

14.18.094 Compliance with this chapter and the terms of a development agreement.

The city of Auburn reserves the right to withhold or terminate water and/or sanitary service to a development that does not comply with the terms of its development agreement and/or the provisions of this chapter. (Ord. 5306 § 1, 1999.)

14.18.100 Time limitations.

A. A development agreement shall run with the title of the property.

B. Water and sewer availability certificates expire in one year, but are renewable. It is not necessary to sign a new development agreement provided all of the terms of the original agreement can still be met. (Ord. 4872 § 1, 1996.)

Chapter 14.20
MOBILE HOME PARK CLOSURE

Sections:

14.20.010 Purpose.
14.20.020 Scope.
14.20.030 Enforcement – Inspection.
14.20.040 Exceptions.
14.20.050 Penalties.
14.20.060 Liability.
14.20.070 Eviction notices for change of use or closure of a mobile home park.
14.20.080 Relocation report and plan.
14.20.090 Certificate of completion of the relocation report and plan.
14.20.100 Notice of provisions.
14.20.110 Administration.
14.20.120 Appeal.
14.20.130 Closure and government sponsorship.

14.20.010 Purpose.

The purpose of this chapter is to provide rules, regulations, requirements, and standards for the closure or change of use of mobile home parks in the city, insuring that the public health, safety, and general welfare of the city shall be promoted and protected; that orderly growth, development, and proper use of land shall be insured; and that conformance with provisions set forth in the city comprehensive plan are followed. (Ord. 5746 § 1, 2003.)

14.20.020 Scope.

This chapter applies to the closure or change in use of mobile home parks. This chapter shall apply to all lands within the corporate boundaries of the city. Where this chapter imposes greater restrictions or higher standards upon the development of land than other laws,

ordinances, codes or restrictive covenants, the provisions of this chapter shall prevail. (Ord. 5746 § 1, 2003.)

14.20.030 Enforcement – Inspection.

Regarding the closure of mobile home parks, it shall be the duty of the planning director to enforce the applicable provisions of this chapter. The planning director and/or designee may inspect any mobile home park in order to verify compliance with this chapter. Failure to make such inspection shall not constitute a waiver of any of the provisions of this chapter. For inspection purposes, the planning director and/or their duly authorized representative shall have the right and is hereby empowered to enter any mobile home park. (Ord. 5746 § 1, 2003.)

14.20.040 Exceptions.

Upon proper application by the affected property owner to the city's hearing examiner, pursuant to the provisions of the Auburn City Code (ACC), and following a public hearing on the application, the hearing examiner may grant an exception from the requirements of this chapter when undue hardship may be created as a result of strict compliance with the provisions of this chapter. In deciding any exception, the hearing examiner may prescribe conditions that they deem necessary to or desirable for the public interest. No exceptions shall be granted unless the hearing examiner finds that:

A. There are special physical circumstances or conditions affecting the property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use or development of their land; and

B. The exception is necessary to insure such property the rights and privileges enjoyed by other properties in the vicinity and under similar circumstances; and

C. The granting of the exception will not be detrimental to the public health, safety and welfare or injurious to the property in the vicinity. (Ord. 5746 § 1, 2003.)

14.20.050 Penalties.

Any person, firm, corporation or association, or any agent of any person, firm, corporation or association who violates the provisions of this chapter shall be guilty of a misdemeanor and upon conviction be subject to a fine not to exceed $1,000 for each such violation, or imprisonment for a period not to exceed 90 days, or both such fine and imprisonment. (Ord. 5746 § 1, 2003.)

14.20.060 Liability.

This chapter shall not be construed to relieve from or lessen the responsibility of any person closing a mobile home park in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized herein. (Ord. 5746 § 1, 2003.)

14.20.070 Eviction notices for change of use or closure of a mobile home park.

A. Before a mobile home park owner may issue eviction notices pursuant to a closure or change of use under Chapter 59.21 RCW, the mobile home park owner must first submit to the planning and development department a relocation report and plan that meets the requirements of ACC 14.20.080. If applying for a change of use, the mobile home park owner shall submit the relocation report and plan together with all other necessary applications. Once the planning director determines that the relocation report and plan meets the requirements of ACC 14.20.080, the planning director shall approve the relocation report and plan and return a copy of the approved plan to the mobile home park owner. If the planning director determines that the relocation report and plan does not meet the requirements of ACC 14.20.080, the planning director may require the mobile home park owner to amend or supplement the relocation report and plan as necessary to comply with this chapter before approving it.

B. No sooner than upon approval of the relocation report and plan, the owner of the mobile home park may issue the 12-month closure notice to the mobile home park tenants. The

closure notice shall comply with RCW 59.20.080 and 59.21.030, as amended. No mobile home owner who rents a mobile home lot may be evicted until the 12-month notice period expires, except pursuant to the State Mobile Home Landlord-Tenant Act, Chapter 59.20 RCW. (Ord. 6287 § 2, 2010; Ord. 5746 § 1, 2003.)

14.20.080 Relocation report and plan.

A. The relocation report and plan shall describe how the mobile home park owner intends to comply with Chapters 59.20 and 59.21 RCW, relating to mobile home relocation assistance, and with ACC 14.20.070 through 14.20.120. The relocation report and plan must provide that the mobile home park owner will assist each mobile home park tenant household to relocate, in addition to making any state or federal required relocation payments. Such assistance must include providing tenants an inventory of relocation resources, referring tenants to alternative public and private subsidized housing resources, helping tenants obtain and complete the necessary application forms for state-required relocation assistance, and helping tenants to move the mobile homes from the mobile home park. Further, the relocation report and plan shall contain the following information:

1. The name, address, and family composition for each mobile home park tenant household, and the expiration date of the lease for each household;

2. The condition, size, ownership status, HUD and/or State Department of Labor and Industries certification status, and probable mobility of each mobile home occupying a mobile home lot;

3. Copies of all lease or rental agreement forms the mobile home park owner currently has in place with mobile home park tenants;

4. To the extent mobile home park tenants voluntarily make such information available, a confidential listing of current monthly housing costs, including space rent, mobile home rent or other payments and utilities, for each mobile home park tenant household;

5. To the extent mobile home park tenants voluntarily make such information available, a confidential listing of gross annual income for each mobile home park tenant household;

6. An inventory of relocation resources, including available mobile home spaces in King, Snohomish, Kitsap and Pierce Counties, as well as mobile home age or size restrictions each park may have in place;

7. Actions the mobile home park owner will take to refer mobile home park tenants to alternative public and private subsidized housing resources;

8. Actions the mobile home park owner will take to assist mobile home park tenants to move the mobile homes from the mobile home park;

9. Other actions the owner will take to minimize the hardship mobile home park tenant households suffer as a result of the closure or conversion of the mobile home park; and

10. A statement of the anticipated timing for park closure.

B. The planning director may require the mobile home park owner to designate a relocation coordinator to administer the provisions of the relocation report and plan and work with the mobile home park tenants, the planning and development department, and other city and state offices to ensure compliance with the relocation report and plan and with state laws governing mobile home park relocation assistance, eviction notification, and landlord/tenant responsibilities.

C. The owner shall make available to any mobile home park tenant residing in the mobile home park copies of the proposed relocation report and plan, with confidential information deleted. Within 14 days of the planning director's approval of the relocation report and plan, a copy of the approved relocation report and plan shall be mailed by the owner to each mobile home park tenant.

D. The mobile home park owner shall update with the planning and development department the information required under this section to include any change of circumstances occurring after submission of the relocation report and plan that affects the relocation report and plan's implementation. (Ord. 6287 § 2, 2010; Ord. 5746 § 1, 2003.)

14.20.090 Certificate of completion of the relocation report and plan.

No mobile home park owner may close a mobile home park, or obtain final approval of a comprehensive plan or zoning redesignation until the mobile home park owner obtains a certificate of completion from the planning and development department. The planning director shall issue a certificate of completion only if satisfied that the owner has complied with the provisions of an approved relocation report and plan, the eviction notice requirements of RCW 59.20.080 and 59.21.030, the relocation assistance requirements of RCW 59.21.021, and any additional requirements imposed in connection with required city applications. (Ord. 6287 § 2, 2010; Ord. 5746 § 1, 2003.)

14.20.100 Notice of provisions.

It is unlawful for any party who is required to submit a relocation report and plan to the city pursuant to this chapter to sell, lease or rent any mobile home or mobile home park rental space without providing a copy of such relocation report and plan to the prospective purchaser, lessee, or renter, and advising the same, in writing, of the provisions of ACC 14.20.070 through 14.20.120 and the status of such relocation report and plan. (Ord. 5746 § 1, 2003.)

14.20.110 Administration.

The planning director shall administer and enforce ACC 14.20.070 through 14.20.120. Whenever an owner or an owner's agent fails to comply with the provisions of ACC 14.20.070 through 14.20.120, the following may occur:

A. The planning director may deny, revoke, or condition a certificate of completion, a permit, or another approval;

B. Any other city permits or approvals may be conditioned on the owner's successful completion of remedial actions deemed necessary by the planning director to carry out the purposes of ACC 14.20.070 through 14.20.120. (Ord. 5746 § 1, 2003.)

14.20.120 Appeal.

Any appeal from an administrative determination under ACC 14.20.070(A), 14.20.090, and 14.20.110(A) shall be filed within 14 days of the determination and shall be processed in accordance with the procedures established for appeals of administrative decisions under ACC 18.70.050. (Ord. 6184 § 7, 2008; Ord. 5746 § 1, 2003.)

14.20.130 Closure and government sponsorship.

A. If an eminent domain action by a federal, state or local agency causes closure of a mobile home park and the procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 USC 4601 et seq., and the regulations of 49 CFR Part 24 or the Relocation Assistance – Real Property Acquisition Policy Act of Chapter 8.26 RCW and the regulations of Chapter 468-100 WAC are followed, the requirements of those acts and regulations will supersede the requirements of ACC 14.20.070 through 14.20.120.

B. If a condemnation action of the city causes closure of a mobile home park, the city will be responsible for fulfilling the requirements of the standards contained herein. If the city chooses to follow portions of the state act and regulations and the planning director determine that there is a conflict or redundancy between the portions of the state act and regulations being followed by the city, and the standards contained herein, the state act shall take precedence in such areas of conflict or redundancy. If the state act is followed in all respects, such act will supersede the requirements of this section and the standards contained herein. (Ord. 5746 § 1, 2003.)

Chapter 14.22
COMPREHENSIVE PLAN

Sections:

14.22.010 Purpose.
14.22.020 Comprehensive plan adopted.
14.22.030 Early and continuous public participation.
14.22.040 Definitions.
14.22.050 Conformance and consistency.
14.22.060 Amendments and exceptions.
14.22.070 Periodic assessment.
14.22.080 Docketing.
14.22.090 Proposals for amendments.
14.22.100 Public hearing required by planning commission.
14.22.110 Decision criteria for plan amendments.

14.22.010 Purpose.

The city of Auburn comprehensive plan establishes the principles, goals, objectives and policies guiding future development of the city in compliance with Chapter 36.70A RCW, the Washington State Growth Management Act. The purpose of this chapter is to establish procedures and review criteria for amending the comprehensive plan and to provide provisions for public participation in the planning process. (Ord. 6172 § 1, 2008.)

14.22.020 Comprehensive plan adopted.

The city of Auburn comprehensive plan, as amended in April 1995 to comply with the Growth Management Act and as may subsequently be amended thereafter, consisting of the following elements, is hereby adopted by reference:

A. *Chapters of the Comprehensive Plan.*

1. Core Comprehensive Plan.

2. The Land Use Element.

3. The Housing Element.

4. The Capital Facilities Element.

5. The Utilities Element.

6. The Transportation Element.

7. The Economic Development Element.

8. The Parks and Recreation Element.

9. Comprehensive Plan Map.

Appendix A – Auburn Community Vision Report.

Appendix B – Auburn Housing Needs and Characteristics Assessment.

Appendix C – Auburn Housing Element Checklist.

Appendix D – Auburn Health Impact Assessment.

Appendix E – Auburn Public Participation Plan.

Appendix F.1 – King County Buildable Lands Analysis.

Appendix F.2 – Pierce County Buildable Lands Analysis.

Appendix G – Auburn Airport Master Plan.

Appendix H – Auburn Community Profile.

Appendix I – Auburn Greenhouse Gas Inventory.

Appendix J – Parks, Arts and Recreation Open Space Plan.

B. *Additional Documents of the Comprehensive Plan, That Are Incorporated by Reference.*

1. Comprehensive Transportation Plan.

2. Capital Facilities Plan.

3. Shorelines Management Program.

4. Comprehensive Water Plan.

5. Comprehensive Sewer Plan.

6. Comprehensive Drainage Plan.

7. Auburn Downtown Plan (May 2001).

8. Lakeland Hills Plan (1988).

9. Auburn Adventist Academy Plan (1991).

10. Auburn North Business Area Plan (1992). (Ord. 6612 § 1, 2016; Ord. 6329 § 1, 2010; Ord. 6172 § 1, 2008.)

14.22.030 Early and continuous public participation.

A. The city of Auburn encourages early and continuous public participation in the comprehensive planning process, and in other city-initiated planning programs that may be carried out under the overall framework of the plan. This chapter contains procedures for the consideration of potential amendments to any chapter or element of the comprehensive plan.

B. The director shall broadly disseminate information regarding the annual docketing and amendment process and identify a deadline for submittal of applications for inclusion in the annual amendment cycle. Applications submitted after the established deadline will be considered during the following annual amendment process. (Ord. 6172 § 1, 2008.)

14.22.040 Definitions.

A. “Amendment” means any change in the wording, context or substance of the comprehensive plan or a change to the comprehensive land use map or any other map contained or referenced within any plan chapter or element.

B. "Area-wide map amendment" means an amendment to the comprehensive land use map involving four or more contiguous or adjacent parcels under different ownership that would be similarly affected by a proposed map amendment.

C. "City-initiated planning program" means a planning program begun by resolution of the city council, or the planning commission, addressing a geographic sub-area of the city's urban growth area (such as a special area plan) or addressing a specific functional area (such as a utility plan).

D. "Director" means the director of the department of planning and development or designee.

E. "Docket" means a list of suggested amendments to the comprehensive plan maintained by the director.

F. "Planning commission" is an appointed group serving in an advisory capacity to the city council as specified in Chapter 2.45 ACC. (Ord. 6532 § 23, 2014; Ord. 6287 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.050 Conformance and consistency.

The zoning, land division and other development codes contained or referenced within Auburn City Code shall be consistent with and implement the intent of the comprehensive plan. Capital budget decisions shall be made in conformity with the comprehensive plan. (Ord. 6172 § 1, 2008.)

14.22.060 Amendments and exceptions.

A. The comprehensive plan may only be amended pursuant to this chapter, no more frequently than once each calendar year as part of the annual cycle established herein, except as provided in subsection C of this section.

B. All amendments shall be considered concurrently so as to assess their cumulative impact.

C. *Exceptions.* Pursuant to Chapter 35A.70 RCW, under the following circumstances, amendments may be processed separately and in addition to the annual amendment cycle:

1. If an emergency exists, which is defined as an issue of community-wide significance that addresses the public health, safety, and general welfare;

2. To resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board or with the court;

3. To adopt or amend a shoreline master program under the procedures set forth in Chapter 90.58 RCW;

4. The initial adoption of a subarea plan or new element to the comprehensive plan;

5. The amendment of the capital facilities plan may occur concurrently with the adoption or amendment of the city budget;

6. Amendments of the comprehensive plan that are conducted in conjunction with an annexation as set forth in Titles 35 and 35A RCW. (Ord. 6853 § 1 (Exh. A), 2022; Ord. 6172 § 1, 2008.)

14.22.070 Periodic assessment.

A. The director will periodically monitor the comprehensive plan and development regulations that implement the plan, assess the need for any amendments, and may add potential changes to the docket as specified in ACC 14.22.080. The assessment shall be based on, at a minimum:

1. Whether growth and development are occurring at a faster or slower rate than envisioned in the plan;

2. Whether the capacity to provide adequate services has diminished or increased;

3. The availability of land to meet demand;

4. Whether the assumptions on which the plan is based remain valid;

5. The effect of the plan on land values and housing is contrary to plan goals;

6. Whether sufficient change or lack of change in circumstances dictates the need for an amendment.

B. The city shall complete a comprehensive review of the comprehensive plan and development regulations in order to update it as appropriate and to ensure continued compliance with the Growth Management Act pursuant to RCW 36.70A.130. (Ord. 6329 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.080 Docketing.

A. In accordance with RCW 36.70A.470, suggested changes to the comprehensive plan which are not specific to any site may be submitted by any individual, organization or general or special purpose government and shall be coordinated by the director. The director shall create appropriate forms for such submittals that require the submittal to address the criteria outlined in subsection C of this section. The list shall be known as the "docket" and is the means to suggest a change or identify a deficiency in the comprehensive plan. An item may be submitted to the docket at any time during the calendar year. There is no fee associated with submitting an item to the docket.

B. Annually, the director shall review such suggestions with the city council and determine whether to direct them to the planning commission for consideration. The city council may decline to consider any item from the docket.

C. Proposed amendments on the docket may be considered appropriate for action if the following criteria are met:

1. A proposed comprehensive plan text amendment addresses a matter appropriate for inclusion in the plan;

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the plan;

3. The proposal addresses the interests and changed needs of the entire city as identified in the plan;

4. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the city council;

5. The proposal can be reasonably reviewed and evaluated, given existing staff and budget resources; and

6. The proposal has not been voted on by the city council in the last three years. This time limit may be waived by the city council if it is demonstrated that there exists either an obvious technical error or a change in circumstances that justifies the need for the amendment.

D. Any item on the docket that is not determined to be appropriate for action may be proposed under ACC 14.22.090, provided it is timely and properly filed. (Ord. 6532 § 24, 2014; Ord. 6172 § 1, 2008.)

14.22.090 Proposals for amendments.

A. *Privately Initiated Amendments.* A proposed amendment to the comprehensive plan, other than docketing pursuant to ACC 14.22.080, may be submitted by any individual, organization, corporation or partnership; general or special purpose government other than the city; or entity of any kind; provided, that if the proposal involves specific real property, the property owner has provided written consent to the proposal.

B. *City – Initiated Amendments.* The city council or the planning commission may initiate a planning program or any type of amendment to the comprehensive plan, regardless of whether site-specific or area-wide in scope.

C. *Application.* Except for city-initiated planning programs or individual amendments, all proposed amendments shall be submitted to the director on an approved form, together with required filing fees. An environmental checklist shall also be submitted if required. A proposed amendment request shall include the following information:

1. Name, address, phone number and e-mail address of the applicant and contact person and written consent of the property owner if the proposal affects specific property;

2. If the amendment concerns specific property, both a general description and legal description of the property;

3. A description of the plan amendment being requested;

4. Written statements addressing the purpose of the amendment, why it is being requested, and how it is consistent with the criteria listed in ACC 14.22.110;

5. If the request is for an amendment to the comprehensive land use map, an indication of what concurrent change in zoning is also being requested.

D. *Department Report.* The director shall prepare an assessment and recommendation on all proposed amendment requests and include this within a report that evaluates all requests concurrently. (Ord. 6532 § 25, 2014; Ord. 6172 § 1, 2008.)

14.22.100 Public hearing required by planning commission.

A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:

1. For site-specific plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

   b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;

2. For area-wide plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

   b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;

   c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.

B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.

C. *Planning Commission Recommendation.* The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.

D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.

E. *State Review.* All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.

F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)

14.22.110 Decision criteria for plan amendments.

A. The comprehensive plan was developed and adopted after significant study and public participation. The principles, goals, objectives and policies contained therein shall be granted substantial weight when considering a proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant, who must demonstrate that the request complies with and/or relates to the following decision criteria:

1. The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent;

2. Whether the capacity to provide adequate services is diminished or increased;

3. Assumptions upon which the comprehensive plan is based are found to be invalid;

4. A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment;

5. If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2040: Growth and Transportation Strategy for the Puget Sound Region;

6. If the request is to change the land use designation of a specific property on the comprehensive land use map, the applicant must demonstrate one of the following:

a. The current land use designation was clearly made in error or due to an oversight;

b. The proposed land use designation is adjacent to property having a similar or compatible designation, or other conditions are present to ensure compatibility with surrounding properties;

c. There has been a change in conditions since the current land use designation came into effect. (Ord. 6172 § 1, 2008.)

Chapter 17.01
USER GUIDE

Sections:

17.01.010 Introduction.
17.01.020 What is a subdivision?
17.01.030 How is a plat reviewed?
17.01.040 What are the criteria for approval?
17.01.050 What happens after a plat is approved?
17.01.060 What about a simple boundary line adjustment or elimination?
17.01.070 How do you modify an existing subdivision?
17.01.080 How do you change a recorded subdivision?
17.01.090 How do you eliminate a recorded subdivision?
17.01.100 Is there another process by which you can subdivide land?
17.01.110 Can you cluster lots within a subdivision?

17.01.010 Introduction.

This title contains standards, regulations and processes for the division of land and adjustment of property boundaries within the city. (Ord. 6239 § 1, 2009.)

17.01.020 What is a subdivision?

The process of dividing land into smaller lots is often generically referred to as a subdivision. However, in this title, the term “subdivision” refers specifically to the division of land into five or more lots, while the division of land into four or fewer lots is called a “short subdivision.” Most of the regulations for subdivisions and short subdivisions are the same, but a short subdivision is an administrative process where an application is reviewed and decided upon by city staff whereas a subdivision is reviewed and decided upon by the city’s hearing examiner. A plat is the drawing or map which shows the subdivision or short subdivision. (Ord. 6239 § 1, 2009.)

17.01.030 How is a plat reviewed?

The plat review process for a short subdivision, including the infrastructure improvement requirements for approval, is set forth in Chapter 17.09 ACC. The plat review process for a subdivision, from the optional pre-application conference to preliminary approval by the hearing examiner, is set forth in Chapter 17.10 ACC. Chapter 17.16 ACC includes additional requirements for planning and other studies to be submitted for review along with the preliminary plat. (Ord. 6239 § 1, 2009.)

17.01.040 What are the criteria for approval?

A plat must be laid out in accordance with the standards and specifications set forth in Chapter 17.14 ACC. (Ord. 6239 § 1, 2009.)

17.01.050 What happens after a plat is approved?

Once the layout of a subdivision has been approved by the city, it is said to have preliminary approval. Then the applicant must submit construction drawings of the infrastructure that was proposed in the preliminary plat. Once these construction drawings are approved by the city and the infrastructure has been built, inspected and accepted by the city, the plat has final approval and can be recorded with the appropriate county. In the case of a subdivision, an additional application, review and approval process is required for this final approval. This final plat process is set forth in Chapter 17.12 ACC. (Ord. 6239 § 1, 2009.)

17.01.060 What about a simple boundary line adjustment or elimination?

Other land adjustment tools are also outlined in this title, including boundary line adjustments (Chapter 17.06 ACC) and boundary line eliminations (Chapter 17.08 ACC). Boundary line adjustments are the movement of a boundary line that does not result in the creation of a new

lot. Boundary line eliminations are the merging of two or more lots by eliminating one or more lot lines. (Ord. 6239 § 1, 2009.)

17.01.070 How do you modify an existing subdivision?

The applicant can request a modification of subdivision standards and specifications through the process set forth in Chapter 17.18 ACC. (Ord. 6239 § 1, 2009.)

17.01.080 How do you change a recorded subdivision?

After a subdivision has been recorded with the county in which it is located, any proposed change to the subdivision is called a subdivision alteration. The alteration process is set forth in Chapter 17.20 ACC. If the applicant proposes to make a change to an approved preliminary plat before final plat approval and recording, then the applicant may request an adjustment to the preliminary plat through the process set forth in ACC 17.10.100. (Ord. 6239 § 1, 2009.)

17.01.090 How do you eliminate a recorded subdivision?

A plat may also be vacated, or eliminated, after recording. Chapter 17.22 ACC outlines the process by which a plat may be vacated, and to whom the title to the vacated property shall vest. (Ord. 6239 § 1, 2009.)

17.01.100 Is there another process by which you can subdivide land?

The binding site plan process is an alternative form of land division. It may be used for the division of land for commercially or industrially zoned property, or for certain types of residential development. This process is set forth in Chapter 17.24 ACC. (Ord. 6239 § 1, 2009.)

17.01.110 Can you cluster lots within a subdivision?

The city of Auburn allows clustering of lots within a subdivision onto a portion of the site, while maintaining the density of the residential zone. Clustering allows future development to occur at an appropriate density for infrastructure services; it also protects environmentally sensitive areas or cultural/historic features by clustering lots away from these areas. The standards by which clustering is allowed are set forth in Chapter 17.26 ACC. (Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.59

DEVELOPMENT STANDARDS FOR MARIJUANA RELATED BUSINESSES

Sections:

18.59.010	Purpose.
18.59.020	Maximum number of marijuana retail businesses.
18.59.030	Required geographic separation.
18.59.040	Marijuana required to be grown in a structure.
18.59.050	Required odor control for marijuana related businesses.
18.59.060	First-in-time – Change in ownership, relocation and abandonment for marijuana retail stores – Nonconforming uses.
18.59.070	Signage.
18.59.080	Security required.
18.59.090	Specific standards for marijuana producers, processors, research and transportation businesses.
18.59.100	Pre-application conference meeting recommendedrequireded.
18.59.110	Public review meeting required.

18.59.010 Purpose.

The development standards contained in this chapter are intended to address the substantive impacts that marijuana related businesses may have on all or a portion of the community by providing clear and objective development standards that will reduce or mitigate said impacts and provide, when appropriate, opportunities for public awareness and input prior to an application being made to the city. In addition, the development standards will provide the city, adjacent property owners (residential or nonresidential) and adjacent business owners as well as the entire community the opportunity to be kept informed and aware through ongoing reporting for those marijuana related businesses that successfully obtain appropriate approvals and authorizations to operate in the city of Auburn. (Ord. 6642 § 30, 2017.)

18.59.020 Maximum number of marijuana retail businesses.

The total maximum number of marijuana retail businesses operating within the city at any given time shall be limited to a maximum of four properly licensed and permitted stores. For purposes of these regulations, these standards shall be considered in addition to the numeric allowances on these businesses specified now or in the future by the Washington State Liquor and Cannabis Board. (Ord. 6642 § 30, 2017.)

18.59.030 Required geographic separation.

Marijuana related businesses operating within the city shall be geographically separated as follows. For purposes of these regulations, these standards shall be considered in addition to those geographic siting standards specified by the Washington State Liquor and Cannabis Board:

A. A marijuana retailer authorized by the Washington State Liquor and Cannabis Board and the city to operate within the city shall be sited a minimum of one mile from another similarly authorized marijuana business.

B. A marijuana retailer business shall be sited a minimum of 1,320 feet from any properties zoned and utilized for single-family residential or multifamily residential land uses.

C. All marijuana related businesses shall not be located within the distances identified for the following uses or any use included in Chapter 314-55 WAC now or as hereafter amended:

1. Two thousand six hundred forty (2,640) feet for:

    a. Elementary or secondary school that is existing or that is planned and has a site-specific location identified in an adopted capital facilities plan;

    b. Public or private playgrounds inclusive of those located within a multifamily residential complex;

    c. Public or private recreation center or facility;

    d. Child care centers;

e. Public or private parks;

f. Any game arcade; and

2. One thousand three hundred twenty (1,320) feet for:

a. Public trails;

b. Public transit centers;

c. Religious institutions;

d. Public libraries;

e. Transit center or park-and-ride facility operated by a sovereign nation on trust or non-trust designated properties.

D. *Measurement.* All separation requirements shall be measured as the shortest straight line distance from the property line or right-of-way line of the proposed business location to the property line or right-of-way line of the use specified in this section. (Ord. 6642 § 30, 2017.)

18.59.040 Marijuana required to be grown in a structure.

For all marijuana related businesses and marijuana cooperatives, marijuana shall be grown in a structure. Outdoor cultivation is prohibited in all instances. (Ord. 6642 § 30, 2017.)

18.59.050 Required odor control for marijuana related businesses.

Marijuana odor shall be contained within the marijuana related business so that odor from the marijuana cannot be detected by a person with a normal sense of smell from any abutting use or property. If marijuana odor can be smelled from any abutting use or property, the marijuana related business shall be required to implement measures, including, but not limited to, the installation of the ventilation equipment necessary to contain the odor. (Ord. 6642 § 30, 2017.)

18.59.060 First-in-time – Change in ownership, relocation and abandonment for marijuana retail stores – Nonconforming uses.

A. Areas Where No Retail Marijuana Uses Are Located. If two or more marijuana retail applicants seek licensing from the state and propose to locate within less than one mile of each other, the city shall consider the entity that is licensed first by the State Liquor and Cannabis Board to be the "first in-time" applicant who is entitled to site the retail use. First-in-time determinations will be based on the date and time of the state-issued license or conditional license, whichever is issued first. The director or designee shall make the first-in-time determination.

B. First-in-time determinations are location-specific and do not transfer or apply to a new property or site, unless the new site is within the same tax parcel.

C. *Ownership.* The status of a first-in-time determination is not affected by changes in ownership.

D. *Relocation.* Relocation of a retail store to a new property voids any firstin-time determination previously made as to the vacated property. The determination shall become void on the date the property is vacated. Applicants who may have been previously denied a license due to a first-in-time determination at the vacated property may submit a new application after the prior first-in-time determination becomes void.

E. *Discontinuance.* If an existing marijuana retail use is discontinued or abandoned for a period of six months with the intention of abandoning that use, then the property shall forfeit first-in-time status. For purposes of this section, discontinuance shall not mean a legal change in business name or ownership or Washington State Unified Business Identifier (UBI) number. Discontinuance of a licensed retail use for a period of six months or greater constitutes a prima facie intent to abandon the retail use. Intent to abandon may be rebutted by submitting documentation adequate to rebut the presumption. Documentation rebutting the presumption of intent to abandon includes but is not limited to:

1. State licensing review or administrative appeal; or

2. Review of building, land use, other required development permits or approvals; or

3. Correspondence or other documentation from insurance provider demonstrating an intent to reestablish the use after either a partial or full loss or disruption of the use.

4. The director shall determine whether a retail use has been discontinued, abandoned, or voided, whether in connection with an application for an administrative conditional use permit or as otherwise appropriate.

F. *Accidental Destruction.* First-in-time status or cessation is not affected when a structure containing a state-licensed retail outlet is damaged by fire or other causes beyond the control of the owner or licensee; provided all necessary local, regional, state or other permits and approvals are successfully obtained and redevelopment commences within 12 months from the documented date of the accidental destruction or the licensee provides documentation demonstrating why redevelopment cannot commence within 12 months; provided, that redevelopment is completed within 24 months of the documented date of accidental destruction.

G. Marijuana related businesses that had lawfully obtained all state and local approvals prior to the adoption of these rules shall be considered legal conforming uses even if the business is unable to meet the standards for geographic separations and square footage requirements outlined in this chapter. (Ord. 6642 § 30, 2017.)

18.59.070 Signage.

All marijuana related businesses shall comply with applicable sign regulations and standards as specified in Chapter 18.56 ACC (Signs) as may be amended. (Ord. 6642 § 30, 2017.)

18.59.080 Security required.

In addition to the security requirements in Chapter 315-55 WAC, during nonbusiness hours, all marijuana producers, processors, and retailers shall store all marijuana concentrates, usable marijuana, marijuana-infused products, and cash in a safe or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into the building structure or securely attached thereto. For usable marijuana products that must be kept refrigerated or frozen, these

products may be stored in a locked refrigerator or freezer container in a manner approved by the director, provided the container is affixed to the building structure. (Ord. 6642 § 30, 2017.)

18.59.090 Specific standards for marijuana producers, processors, research and transportation businesses.

A. Marijuana production and processing facilities shall comply with the following provisions:

1. Marijuana production, processing research and transportation facilities shall be ventilated so that the odor from the marijuana cannot be detected by a person with a normal sense of smell from any adjoining use or property;

2. A screened and secured loading dock, approved by the director, shall be required. The objective of this requirement is to provide a secure, visual screen from the public right-of-way and adjoining properties, and prevent the escape of odors when delivering or transferring marijuana, marijuana concentrates, usable marijuana, and marijuana-infused products.

B. Any marijuana producer or marijuana processors operating within the city (1) shall strictly comply with all industrial, health and safety codes, including but not limited to WAC 314-55-104 and RCW 69.50.348, and (2) shall have at least 4,000 square feet of building utilized for its individual business, and the total square feet of all marijuana producers and processors in the city shall not exceed 90,000 square feet of building space; provided, that any such business that was licensed and existing prior to August 1, 2016, that did not have at least 4,000 square feet of building utilized for its individual business may continue operating, and shall be classified as a fully legal conforming use at its current location even though it did not have at least 4,000 square feet of building utilized for its individual business. (Ord. 6642 § 30, 2017.)

18.59.100 Pre-application conference meeting recommended~~required~~.

A pre-application conference is available and encouraged prior to the submittal of a formal business license. ~~A minimum of one pre-application conference meeting with the city of~~

~~Auburn and other relevant parties including but not limited to the Valley Regional Fire Authority shall be conducted prior to the submittal of a formal business license application for all marijuana related businesses within the city.~~ ~~(Ord. 6642 § 30, 2017.)~~

18.59.110 Public review meeting required.

A. A minimum of one public review meeting shall be conducted by applicant for any marijuana related business in the city. The purpose of the public review meeting is to allow adjacent property owners (residential and nonresidential) and adjacent business owners an opportunity to become familiar with the proposal and to identify any associated issues. The public review meeting is intended to assist in producing applications that are responsive to the concerns of adjacent property owners (residential and nonresidential) and adjacent business owners and to reduce the likelihood of delays and appeals. The city expects an applicant to take into consideration the reasonable concerns and recommendations of these parties when preparing an application. The city expects these parties to work with the applicant to provide reasonable concerns and recommendations. The requirements of this section shall apply to new businesses as well as businesses that are seeking to relocate to a different tax parcel.

B. Prior to submittal of an application for any marijuana related business, the applicant shall provide an opportunity to meet with adjacent property owners (residential or nonresidential) and adjacent business owners within whose boundaries the site for the proposed marijuana related business is located or within the notice radius to review the proposal. The applicant shall not be required to hold more than one public review meeting provided such meeting is held within six months prior to submitting an application for one specific site.

C. Public review meetings shall occur prior to submitting a formal business license application to the city of Auburn.

D. Public review meetings shall occur after the required pre-application conference with the city of Auburn.

E. The applicant shall hold a public review meeting in a publicly accessible location within one mile of the proposed business site; provided, that if no such place is immediately available, the applicant may submit a written request to the director proposing an alternate meeting location and the director may approve said location, in writing. The meeting starting time selected shall

be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a national holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act (ADA). A portable sign at least 22 inches by 28 inches in size with minimum two-inch lettering shall be placed at the main entrance of the building where the meeting will take place at least one hour prior to the meeting. Such sign will announce the meeting, subject matter of the meeting, and announce that the meeting is open to the public and that interested persons are invited to attend. This sign shall be removed by the applicant upon conclusion of the meeting.

F. The applicant shall send by regular mail a written notice announcing the public review meeting to the director, property owners pursuant to the most current public records of the King County assessor's office or Pierce County assessor's office within 1,320 feet on all sides of the property involved in the anticipated application and to all current businesses registered with the city of Auburn within 1,320 feet on all sides of the property involved in the anticipated application. At the request of the applicant, and upon payment of the applicable fee, the city will provide the required mailing lists for property owners and/or registered businesses.

G. Not less than 20 calendar days prior to the public review meeting, the applicant shall post a notice on the property which is subject of the proposed application. The notice shall be posted within 50 feet of an adjoining public right-of-way in a manner that can be read from the right-of-way. The notice shall state that the site may be subject to a proposed marijuana related business, the type of marijuana related business in sufficient detail for a reasonable person to ascertain the nature and type of business, the name of the applicant and the applicant's telephone number and electronic mail address where the applicant can be reached for additional information. The site shall remain posted until the conclusion of the public review meeting.

H. At the public review meeting, the applicant shall describe the proposed application to persons in attendance. The attendees may identify any issues that they believe should be addressed in the proposed application and recommend that those issues be submitted for city consideration and analysis.

I. At the public review meeting, the applicant shall take notes of the discussion on the proposed application.

J. To comply with this section, an applicant shall submit the following information with the business license application:

1. A copy of the notice sent to surrounding property owners pursuant to subsection F of this section.

2. A copy of the mailing list used to send out meeting notices pursuant to subsection F of this section.

3. A written statement and clear photographs containing the information posted on the property pursuant to subsection G of this section.

4. A notarized affidavit of mailing and posting notices.

5. Copies of written materials and eight-and-one-half-inch by 11-inch size plans presented at the public review meeting.

6. Typed notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.

K. If responses to the meeting notice were not received by the applicant and no one attended the public review meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

L. Failure of a property owner or business owner to receive notice shall not invalidate the public review meeting proceedings. (Ord. 6642 § 30, 2017.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.76
PLANNED UNIT DEVELOPMENT DISTRICT (PUD) – LAKELAND HILLS SOUTH

Sections:

18.76.010 Purpose.
18.76.020 Process.
18.76.030 Definitions.
18.76.040 Permitted uses.
18.76.045 Uses requiring an administrative use permit.
18.76.046 Marijuana related uses.
18.76.050 Calculation of number of dwelling units.
18.76.060 Development standards.
18.76.070 Design requirements.
18.76.075 Landscaping and screening requirements.
18.76.077 Sign requirements.
18.76.080 Public infrastructure requirements.
18.76.090 Application for approval of major amendment to the PUD.
18.76.100 Phased developments.
18.76.110 Concurrence with subdivision regulations.
18.76.120 Administrative review of major amendments.
18.76.130 Hearing examiner review.
18.76.140 Findings of fact.
18.76.150 City council action.
18.76.160 Site plan approval.
18.76.170 Adjustments to the PUD.
18.76.180 Property owners' association.

18.76.010 Purpose.

The comprehensive plan provides the Lakeland Hills South special area plan is intended to be consistent with the conditions of approval of the Lakeland Hills South PDD (Pierce County

Hearings Examiner Case No. Z15-90/UP9-70) as amended. The conditions of approval which remain applicable are attached to Ordinance No. 5092 as Exhibit A and incorporated herein by reference.

Auburn has accepted the Lakeland Hills South PUD as an approved PUD. Therefore, this purpose section shall apply to minor and major amendments to the Lakeland Hills South PUD.

The purpose of a planned unit development (PUD) district is to offer enhanced flexibility to develop a site through innovative and alternative development standards. A PUD district also allows for a greater range of residential development scenarios, provides for internal transfers of density, and may result in more dwelling units than may be realized by using the existing development standards. In exchange for this enhanced flexibility, the city will require the PUD to result in a significantly higher quality development, generate more public benefit and be a more sensitive proposal than would have been the case with the use of standard zoning or subdivision procedures.

In order for a PUD to be approved it will be the applicant's responsibility to demonstrate, to the city's satisfaction, that the proposed PUD achieves or is consistent with the following desired public benefits and expectations in whole or in part:

A. *Preservation of Natural Amenities.* Preservation of desirable site characteristics such as open spaces and the protection of sensitive environmental features including steep slopes, rivers, creeks, wetlands, lakes and scenic views.

B. *Pedestrian-Oriented Communities.* Use of traffic management and design techniques to reduce traffic congestion and increase the potential use of alternative modes of travel such as mass transit, pedestrian and bicycle traffic.

C. *Land Use Efficiencies.* Provide efficient and effective use of land, open space and public facilities that result in lower development cost and make housing more affordable.

D. *Implementation of the Comprehensive Plan.* Provide development that is consistent with the goals and policies of the comprehensive plan. PUDs may also allow for a small amount of development from other comprehensive plan designations if determined to be appropriate for the PUD and its surroundings.

E. *Enhanced Design Features.* Provide building and structural designs that complement surrounding land uses and their environment. Design standards should reflect quality site planning, landscaping and building architecture.

F. *Creation of Public Amenities.* Enhance parks and open spaces consistent with the comprehensive park plan and nonmotorized plan.

G. *Affordable Housing.* Provide affordable housing options in accordance with Auburn's comprehensive plan. (Ord. 5092 § 1, 1998.)

18.76.020 Process.

The approval process for major amendments to the Lakeland Hills South PUD is three steps. The first step is a recommendation by the hearing examiner and final approval of the PUD or major amendment by the city council using the process applicable to a rezone, Chapter 18.68 ACC. The second step is the approval of either a preliminary plat, a site plan, or a combination of both. Where a preliminary plat has been proposed, the third step is the approval of a final plat by the city council. Step two may be combined with step one.

A. *Step One – PUD Major Amendment Approval.* Approval of a major amendment to the Lakeland Hills South PUD shall be applied by the rezone process as specified in Chapter 18.68 ACC. Generally, a major amendment will be required because a specific proposal within a planning area necessitates an amendment. For the proposal triggering the need for the major amendment, the major amendment shall establish the land uses, density, number and types of dwelling units, number and distribution of lots/units, any modification of plat development standards, general street layout, street right-of-way widths, whether streets are public or private, the amount, type, and location of open space and park land, phasing plans if any, and the responsibilities of the owner/developer. If there is no specific proposal, the major amendment shall establish these parameters to the extent possible. Application for PUD major amendment approval shall be in accordance with ACC 18.76.090.

B. *Step Two – Preliminary Plat/Site Plan Approval.* For those major amendments to the Lakeland Hills South PUD that consist of only single-family or duplex platted lots, a preliminary plat may be filed pursuant to Chapter 17.06 ACC. For all other uses, a site plan must be approved by the director of planning pursuant to ACC 18.76.160. Preliminary plat and site plan approval must be

concurrent if a PUD requires both approvals. Preliminary plat/site plan applications may be for all or a portion of a planning area. Applications for a site plan shall be in accordance with ACC 18.76.160.

C. *Step Three – Final Plat Approval.* Final plats shall be approved pursuant to Chapter 17.10 ACC.
(Ord. 5092 § 1, 1998.)

18.76.030 Definitions.

For the purposes of this chapter:

A. "Community center/recreation facilities" means a building with associated amenities intended or designed to be used for community meetings and recreation and may include facilities within and adjacent to the building for offices, kitchen, storage space, bathrooms, sales and information, swimming pools, sportcourts, tennis courts, playgrounds, and an outdoor amphitheater.

B. "Density" means the maximum number of dwelling units per acre allowed within a given area.

C. "Department" shall refer to the city of Auburn department of planning and development.

D. "Gross area" (also referred to as "gross acreage" or "gross useable area") shall be defined as all of the area within the boundaries of the entire PUD site including all public and private parcels, rights-of-way, open spaces, common areas, and dedications.

E. *Lot Types.* These definitions apply to dwellings on fee simple lots:

1. "Detached lots" are lots on which the structure on the lot is set back from all the lot lines.

2. "Zero setback lots" are lots on which the structure on the lot does not have a setback from one of the interior side lot lines and is not attached to another structure on an adjoining lot. The structure is set back from all remaining lot lines.

3. "Semi-attached lots" are lots on which the structure on the lot does not have a setback from one of the interior side lot lines and is attached to another structure on an adjoining lot. The structure is set back from all remaining lot lines.

4. "Attached lots" are lots on which the structure on the lot does not have a setback from either of the interior side lot lines and is attached to another structure on both adjoining lots. The structure is set back from all remaining lot lines.

F. "Net area" (also referred to as "net acreage" or "net usable area") shall be defined as the gross area minus the area designated as nonbuildable areas and nonresidential uses.

G. "Nonbuildable areas" include slopes that exceed 25 percent measured between each 25-foot contour line, wetlands delineated pursuant to the definition of "wetlands" contained within ACC 16.06.030, or floodways as defined by ACC 15.68.100(Z). Slopes, wetlands, or floodways that are allowed to be modified by the city may be considered buildable. Wetland buffers are not considered nonbuildable areas. Nonbuildable areas for each planning area will be determined following the completion of mining for the planning area pursuant to Pierce County Permit UP9-70 as it may be amended.

H. "Official Lakeland plan map" is the final development plan for Lakeland attached to the ordinance codified in this chapter as Exhibit "B-REV" as amended by Ordinance No. 5546 and legally described in Exhibit "C." Exhibits "B-REV" and "C" are incorporated herein by reference. Exhibit "B" approved in Ordinance No. 5092 is no longer effective. It is replaced by Exhibit "B-REV."

I. "Open space" may include such features as landscaped areas, held in common ownership by a homeowners' association and part of a landscape plan common to the entire PUD, passive and active recreation uses, natural features, environmental amenities such as wetlands and their buffers, and storm water facilities that incorporate any or all of the above identified features. Open space areas shall be required to be enhanced if not already an existing amenity. Areas intended to be left in their natural state, including but not limited to wetlands and their buffers and steep slopes, shall be considered an existing amenity. The open space must be a permanent, integral, and functional amenity that is for the common good and enjoyment of the residents of the entire PUD and not just to an individual lot or resident. Landscaped areas, private parks, and improvements within open space areas shall be maintained by the homeowners' association. Open space for the Lakeland Hills South special area plan is shown on the official Lakeland plan map and shall be provided in accordance with the First

Amendment to Lakeland Annexation and Utilities Agreement as adopted by City Council Resolution No. 2955.

J. "Planning area" refers to the areas referred to as residential, senior, commercial, community center, school, and park/open space on the official Lakeland plan map.

K. "Private street" means any access easement, tract or street which is not a public street. Driveways which are not part of an access easement, tract or street shall not be considered a street.

L. "Public street" includes all streets, highways, freeways, avenues, lanes, courts, places or other public rights-of-way in the city held in public ownership and intended to be open as a matter of right to public vehicular traffic.

M. "Senior housing and services" means living accommodations where at least one member of the household is age 55 or over and all members of the household are at least 18 years of age. Dwelling units may consist of independent living units comprised of attached and detached single-family and multifamily dwellings where elderly individuals or families provide rooms, meals, personal care, supervision of self-administered medication, recreational activities, financial services, and transportation, and may include Alzheimer's care and health care facilities. For the purposes of this chapter, Alzheimer's care facilities which have no more than one congregate kitchen and dining area will be considered one dwelling unit. (Ord. 6287 § 2, 2010; Ord. 5553 § 1, 2001; Ord. 5092 § 1, 1998.)

18.76.040 Permitted uses.

A. *Residential.*

1. Housing concepts of all types limited only by the density allowed in the official Lakeland plan map. Examples include the following:

   a. Single-family detached homes;

   b. Condominiums, apartments, and townhouses;

   c. Customary accessory uses and structures common to single-family homes or multifamily dwellings;

d. Home occupations authorized by and subject to the standards of Chapter 18.60 ACC;

e. Storage or parking of recreational vehicles for residents of the individual development;

f. Nonresidential or municipal uses such as schools, churches, libraries, police, parks or fire facilities as authorized in the PUD;

g. Home-based daycare;

h. Community centers/recreation facilities;

i. Senior housing and services.

2. Parks.

B. *Nonresidential.* Uses permitted outright by Chapter 18.26 ACC as authorized in the development plan, except those uses requiring an administrative use permit under ACC 18.76.045. (Ord. 6269 § 25, 2009; Ord. 5777 § 1, 2003; Ord. 5092 § 1, 1998.)

18.76.045 Uses requiring an administrative use permit.

A. The following uses may be permitted throughout the PUD as specifically authorized by the development plan and when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Civic, social and fraternal clubs;

2. Mini-daycare and daycare centers;

3. Preschools or nursery schools;

4. Religious institutions;

5. Utility substations;

6. Municipal services:

a. Police;

b. Fire;

c. Library.

B. The following uses may be permitted in areas of the PUD with a comprehensive plan designation of "Light Commercial" as specifically authorized by the development plan and when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Automobile service stations;

2. Drive-through facilities, including banks and restaurants;

3. Brew pubs. (Ord. 6269 § 37, 2009.)

18.76.046 Marijuana related uses.

All marijuana related businesses and marijuana cooperatives shall not be permitted in any residential or nonresidential portion of the planned unit development. (Ord. 6642 § 29, 2017.)

18.76.050 Calculation of number of dwelling units.

The maximum number of dwelling units allowed in a planning area is calculated in the following manner:

A. Nonbuildable areas and land set aside for nonresidential land uses are subtracted from the gross area of the site to determine the net usable area of the site. For the purposes of this section, nonbuildable areas do not include public or private streets or driveways within a planning area.

B. The number of acres of the net usable area of the planning area is multiplied by the residential densities allowed in the official Lakeland plan map to produce the maximum number of dwelling units. Any fractions may be rounded up to the nearest whole number as long as the densities as outlined in subsection C of this section are not exceeded.

C. Residential densities within each planning area allowed by the official Lakeland plan map are as follows:

Allowable Residential Densities

Lakeland Hills South Comprehensive Plan Map Designation	Maximum Number of Dwelling Units Per Acre
Single-family	6 units per acre
Moderate density residential	14 units per acre
High density residential	19 units per acre

(Ord. 5092 § 1, 1998.)

18.76.060 Development standards.

The following development standards will apply for each development within the planning areas shown on the official Lakeland plan map. Except where modified by these standards, all standards of the Auburn City Code apply. Front yard setbacks are measured from the edge of the right-of-way for lots fronting on public streets and from the face of the curb, or the midpoint if a rolled curb is used, for private streets.

A. *Single-Family Planning Areas.* Single-family planning areas are those planning areas with a permitted density of one to four and two to six dwelling units per acre. Within these planning areas, the following development standards apply:

1. Single-Family Detached – One (SFD-1).
    a. Minimum lot area: 7,000 square feet.
    b. Minimum lot width: 65 feet.

c. Minimum lot depth: 100 feet.

d. Building footprint coverage: 55 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 20 feet to garage;

ii. Side: five feet;

iii. Side, street: 10 feet;

iv. Rear: 20 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

2. Single-Family Detached – Two (SFD-2).

a. Minimum lot area: 5,400 square feet.

b. Minimum lot width: 60 feet.

c. Minimum lot depth: 90 feet.

d. Building footprint coverage: 55 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 20 feet to garage;

ii. Side, interior: five feet;

iii. Side, street: 10 feet;

iv. Rear: 20 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

3. Single-Family Detached – Three (SFD-3).

a. Minimum lot area: 4,250 square feet.

b. Minimum lot width: 50 feet.

c. Minimum lot depth: 85 feet.

d. Building footprint coverage: 55 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: five feet;

iii. Side, street: 10 feet;

iv. Rear: 15 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

B. *Moderate Density.* The moderate density planning areas are those planning areas with a permitted density of two to 14 dwelling units per acre. Within these planning areas, the

following development standards apply in addition to those identified in subsection A of this section:

1. Single-Family Detached – Four (SFD-4).
    a. Minimum lot area: 3,375 square feet.
    b. Minimum lot width: 45 feet.
    c. Minimum lot depth: 65 feet.
    d. Building footprint coverage: 55 percent.
    e. Minimum Yard Setbacks.
        i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;
        ii. Side, interior: five feet;
        iii. Side, street: 10 feet;
        iv. Rear: 15 feet;
        v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.
    f. Maximum Building Height.
        i. Main building: 30 feet;
        ii. Accessory buildings: 24 feet.
2. Single-Family Detached – Five (SFD-5).
    a. Minimum lot area: 2,730 square feet.
    b. Minimum lot width: 40 feet.
    c. Building footprint coverage: 55 percent.
    d. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: three feet;

iii. Side, street: six feet;

iv. Rear: 10 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

e. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

3. Multifamily or Small Lot Detached – One (MFA-1).

a. Minimum lot area: 2,400 square feet.

b. Minimum site area per dwelling unit: 2,400 square feet.

c. Minimum lot width: 35 feet if detached; 20 feet if attached.

d. Building footprint coverage: 60 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: five feet, except zero feet when attached and three feet if detached single-family;

iii. Side, street: 10 feet or six feet if detached single-family;

iv. Rear: 10 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

C. *High Density.* The high density planning areas are those with a permitted density of 12 to 19 dwelling units per acre. Within these planning areas, the following development standards apply:

1. Multifamily – Two (MFA-2).

a. Minimum lot area: 1,800 square feet.

b. Minimum site area per dwelling unit: 1,800 square feet.

c. Minimum lot width: 20 feet.

d. Building footprint coverage: 60 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: five feet, except zero feet when attached;

iii. Side, street: 10 feet;

iv. Rear: 10 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

D. *Public.* As required by Chapter 18.40 ACC, P-1 Public Use District.

E. *Commercial.* As required by Chapter 18.26 ACC, Light Commercial District, except that the required setbacks from streets may be averaged and that multifamily units shall be permitted outright. The number and location of multifamily units shall be governed by ACC 18.76.170(A).

F. No recreational vehicle (RV) parking spaces will be required for multifamily complexes if there are perpetual restrictive covenants or a similar instrument recorded against the property that do not allow recreational vehicles to be parked in a multifamily complex. The language of the restrictive covenants precluding the RVs shall be approved by the city of Auburn and shall be recorded by the applicant prior to any certificates of occupancy issued by the city of Auburn for the subject multifamily structure. An original recorded copy shall be provided to the city of Auburn. Any subsequent amendments to the approved covenants regarding RV parking must be approved by the city of Auburn and recorded. Any recreational vehicles within a multifamily complex that are in violation of this covenant shall be considered a violation of this title and will be subject to the provisions of Chapter 1.25 ACC, Civil Penalties for Violations. The owner/manager and/or homeowners' association responsible for the multifamily complex will be the party responsible for complying with Chapter 1.25 ACC. (Ord. 5777 § 1, 2003; Ord. 5534 § 1, 2001; Ord. 5397 § 1, 2000; Ord. 5364 § 1, 2000; Ord. 5092 § 1, 1998.)

18.76.070 Design requirements.

A. *Open Space.* The Lakeland Hills South PUD will provide a minimum of 153 acres of open space in addition to public parks requirements. The open space is shown on the official Lakeland plan map.

B. *PUD Perimeters.* Setbacks from the perimeter of the PUD shall correspond to the requirements of the adjoining zoning districts. The city may determine a reduced setback is sufficient due to the use of natural topography, earth berms, existing and proposed foliage, and other features such as roadways, wetlands or natural waterways that would otherwise provide sufficient buffering of adjoining parcels. Sight distance conflicts shall be avoided for motorized and nonmotorized traffic.

C. *Pedestrian Movement.* A planning area shall provide public pedestrian access, which may require appropriate easements, to parks, schools or uses that may attract a significant number of pedestrians. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent developments if adequate safety and security, which

may include lighting, can be maintained. Convenient, barrier free, pedestrian access to transit stops, when applicable, shall be provided.

D. *Architectural Design Guidelines.* The purpose of this section is to provide design guidelines that will be utilized to insure the creation of high quality development that is internally consistent and harmonious throughout the PUD. The following design guidelines are suggested as a means to create a high quality, pedestrian-oriented community.

1. All residential buildings shall be designed and constructed to minimize visual intrusions into windows and private spaces of adjoining developments.

2. Within single-family planning areas, all buildings shall be designed and constructed consistent with approvals granted pursuant to the Auburn City Code.

3. Multifamily buildings within the moderate density planning areas shall incorporate design elements that are reflective of single-family housing. These design elements may include the use of pitched roof systems, limits on length of buildings and building massing, a limited number of entrances as viewed from any particular elevation, varied setbacks to avoid massing of buildings along setback lines of arterial and collector streets, and a combination of landscaping and fences within setbacks to create private space.

4. Multifamily buildings within the high density planning areas shall also incorporate design elements such as roof treatments and building articulation intended to minimize building mass to insure compatibility with adjoining lower density development, parking shall be clustered in locations that minimize visibility from public streets, or screened with berms and landscaping, solid waste and outdoor storage facilities shall be limited to enclosures that are architecturally compatible with the primary building, and pool and recreation areas shall be located away from property lines of adjoining lower density residential development.

5. Buildings located along the Lakeland Hills Parkway linear park or which front other public parks shall incorporate landscape features that compliment the design of the public park, in accordance with the approved master landscaping plan referenced in ACC 18.76.075.

6. Prior to or concurrent with the submittal of a commercial or nonresidential site plan, a design plan that incorporates the following elements shall be submitted to the planning director for review and approval:

a. A consistent design theme compatible with the balance of the PUD.

b. Exterior facades shall be softened by modulation, landscaping adjacent to buildings, and varied roof lines.

c. Buildings on the pads shall be designed to be compatible with the design of the commercial structure.

d. Rooftop equipment visible from adjoining development shall be designed such that it appears as an architectural feature and similar to the building with regard to color and/or texture. The equipment shall be arranged or screened in a manner to minimize visibility from adjoining development or public rights-of-way.

e. One or more buildings, such as buildings on pads, should be located adjacent to the street frontage with parking located to the "rear" of the building.

f. Truck loading areas should be screened from adjacent properties and streets.

g. Trash disposal areas should be enclosed.

E. *Fences.* Fences shall comply with the regulations of Chapter 18.31 ACC except on those lots that have two street frontages and abut Lakeland Hills Way, Evergreen Way, Lakeland Hills Loop, 62nd Street SE, Lakeland Hills Parkway or other future arterial streets. In such cases a six-foot-high fence may then encroach into the yard setback abutting the aforementioned streets subject to the following: if a six-foot-high fence is proposed, it must be for all or a majority of the street frontage the subject lots abut. Individual six-foot-high fences on independent lots will not be permitted in the required setback area. A five-foot width of landscaping is required between the fence and the back edge of the abutting sidewalk. The homeowners' association shall perpetually maintain the fence and the landscaping and the developer shall provide evidence of such perpetual maintenance. The fence and landscaping shall be installed prior to the occupancy of the home on the associated lot. The planning director shall approve of the fence material, landscaping and evidence of the homeowner's maintenance.

All fences shall be consistent with the sight distance requirements contained in Section 2.14, Intersection Design Elements of the Design and Construction Standards Manual, as may be amended. (Ord. 5777 § 1, 2003; Ord. 5364 § 1, 2000; Ord. 5092 § 1, 1998.)

18.76.075 Landscaping and screening requirements.

A. Within 120 days of the effective date of the ordinance codified in this chapter, a master landscape plan shall be submitted to the city planning director for review and approval. The master landscape plan shall designate the scope of the plan, plat material references, types of landscaping including screens and buffers, and regulations by planning area.

B. The purpose and goal of the master landscape plan is to achieve a harmonious and consistent appearance within the PUD area, including that of a well-planned residential area and a theme that carries into the nonresidential areas. Consideration of transitional areas and boundaries between different uses will be important. The city of Auburn landscape code shall be used as a guideline in the development of the plan, although ACC 18.50.060(L) shall not apply.

C. Until the master landscape plan in subsection A of this section is approved by the city planning director, the city of Auburn landscape code (excluding ACC 18.50.060(L)) shall apply to new development applications submitted to the city. The city planning director may approve variances from the code for specific submittals. (Ord. 5092 § 1, 1998.)

18.76.077 Sign requirements.

A. Within 120 days of the effective date of the ordinance codified in this chapter, a master sign plan must be submitted to the city planning director for review and approval. The master sign plan shall designate the location and design elements, the use of common elements, the size and scale of each type of sign, and the quality of materials to be used. The master sign plan shall include the design elements intended for various monuments, including major entrance monuments planned for major intersections, which may be similar in size and scale to the major entrance monuments located at the intersection of Lakeland Hills Boulevard and A Street, and secondary entrance monuments similar in size and scale to that planned for

Lakeland Hills Way and Evergreen Way. The sign on the monuments shall be designed in accordance with Chapter 18.56 ACC, however, the size of monument signs shall be governed by the master sign plan. In addition, the master sign plan shall include the typical uses and approximate location of temporary directional signs, model home signs, and A-boards.

B. Except as modified by this section, the requirements of Chapter 18.56 ACC shall be applicable throughout the PUD until such time as the city approves the master sign plan. Upon approval of a master sign plan, it shall control. Within each preliminary plat or site plan within the single-family, moderate density, and high density planning areas, the following signs shall also be permitted outright:

1. On-site directional signs.

2. Model home signs.

3. Monument signs at all plat entrances.

C. The signs referenced in subsection B of this section shall be designed and constructed consistent with the examples shown on Exhibit D, attached to Ordinance No. 5092, and of the size and scale of similar signs constructed within the King County portion of Auburn. In addition, entrance monument signs shall be designed and constructed to be low in scale and set in a landscaped bed. Monument signs shall be located on property that is held in common by the homeowners' association, and the homeowners' association shall be responsible for maintenance of the sign and landscaping on a private easement.

D. Within the commercial and nonresidential planning areas, signs shall be subject to Chapter 18.56 ACC except as follows:

1. Commercial areas within the PUD shall be limited to one pylon sign within each parcel. All other signs shall be monument style or wall mounted.

2. Nonresidential development within the PUD shall be limited to monument or wall mounted signs, except in subsection (D)(1) of this section.

3. Prior to or concurrent with the submittal of a site plan for development within a nonresidential area, a commercial sign master plan must be submitted to the planning director for review and approval. The commercial sign master plan shall include a

coordinated sign theme that is compatible with surrounding development. (Ord. 5092 § 1, 1998.)

18.76.080 Public infrastructure requirements.

The applicant for the PUD must provide all necessary public facilities to include, as a minimum, the following:

A. *Dedication of Public Utilities.* Public utilities being provided by the city must be dedicated to the city unless allowed to be private by the city.

B. *Water, Sewer and Drainage Facilities.* All water, sanitary sewer and drainage facilities must be constructed and installed in accordance with applicable city codes and standards, including design criteria, construction specifications, operational criteria, and approved engineering submittals.

C. *Underground Facilities.* All public utilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants, power vaults, telephone pedestals and open watercourses. The applicant is responsible for making the necessary arrangements with the appropriate entities for the installation of such services.

D. *Streets.*

1. All streets must be constructed to the city's standards. Variations from minimum standards for pavement and right-of-way widths or other dimensional or construction standards may be permitted when special design features of the PUD or topographic considerations warrant the variation. The applicant must submit a written justification for any proposed variation along with evidence that the minimal functional requirements of the proposed street improvements are being met. The city engineer shall review the proposed variation and shall determine if the minimal functional requirements are being met and shall make a recommendation to the city council whether the variation should be approved. The city council shall act upon the request and may require conditions of approval to ensure the minimal functional requirements are being met.

2. Private streets may be permitted within the PUD, provided they meet the following criteria:

a. Use of the private street is limited to those accessing property within the planning area or immediately adjacent to the planning area and is not needed by non-PUD residents to travel from one public street to another. The design of the private street shall be such that it will discourage any through traffic that is not related to the planning area itself.

b. The minimum pavement width for private streets shall be 28 feet; provided, that on-street parking is allowed only on one side of the street or 20 feet for alleys. The roadway section pavement depth for asphalt, crushed rock, and gravel base and the material specifications of these materials shall be the same as Auburn standards for public streets. Additional width may be required if determined to be needed to provide adequate circulation for the residents of the PUD. Factors to be considered include but are not limited to providing emergency equipment access, preventing conflicts between pedestrians and vehicle traffic, on-street parking, number of units, the need for sidewalks and bike paths. The pavement width and construction standards, to include but not limited to, illumination, signing, storm drainage, curbs, gutters, channelization, e.g., shall be determined by the city engineer at the time of preliminary plat or site plan approval. Private streets and/or access tracts and shared driveways that provide a second or additional access to lots/units shall be constructed to standards, as determined by the city engineer, considered to be appropriate for the situation. Factors to be considered include the number of units served, emergency access and traffic circulation.

c. All sites served by a private street greater than 600 feet in length shall have at least two access connections to a public street and provide for adequate emergency equipment access.

d. A legally incorporated property owners' association assumes the responsibility and cost to repair and maintain the proposed private streets. If the association fails to maintain the street, the by-laws of the association give the city the right to maintain the street and charge the cost of the maintenance, including any administrative costs, to the association members.

e. The by-laws establishing the association must state that if future owners should request that private streets be changed to public streets, then the owners fully agree that, before acceptance of such streets by the city, the owners will bear full expense of

reconstruction or any other action necessary to make the streets substantially consistent to the requirements of public streets, applicable at that time. (Ord. 6532 § 31, 2014; Ord. 5092 § 1, 1998.)

18.76.090 Application for approval of major amendment to the PUD.

A. *Pre-Application Conference Recommended.* Prior to filing an application for a major amendment to the PUD, it is recommended that the applicant ~~shall~~ attend a pre-application conference with the planning director and other interested department heads, or their designees, regarding the proposed development. The conference attendees will ~~shall~~ review the general outlines of the proposal, evidenced schematically by sketch plans and other documents provided by the applicant. The applicant ~~shall~~will receive suggestions and recommendations generated by the conference along with forms and guidelines for preparing the PUD application.

B. *Application Procedure.* ~~Following a pre-application conference, a~~Applicants must provide the planning director seven copies of the following:

1. *Application.* Forms provided by the department that ask the applicant for the following information:

a. The name of the proposed PUD or planning area and a general description of the proposed development requiring the major amendment, including descriptions of buildings, and other site improvements;

b. A proposed schedule that includes submittal of the site plan, preliminary plat, proposed phased developments, if any, and target dates for starting construction;

c. Proposed land uses including the type and amount or densities;

d. Number and types of dwelling units in the proposed development requiring the major amendment;

e. Total amount of open spaces, the designated or proposed use, and the amount of open space designated for public and private use;

f. Plans for the perpetual maintenance and preservation of private spaces and private streets;

g. Any requests for modifications to the street construction standards of the land division ordinance including substantiating information as to why the modifications are necessary;

h. The gross acreage of the PUD or planning area, the net usable acreage, and the acreage of any nonbuildable areas;

i. The name and address of the applicant. All land within the PUD or planning area shall be under the ownership of the applicant. Applicants are defined as an individual, partnership, corporation, or groups of individuals, partnerships or corporations; and

j. The name, address, stamp and signature of the professional engineer, professional architect or professional land surveyor who prepared the site plan.

2. *Environmental Checklist.* Form and instructions provided by the Department in accordance with Chapter 16.06 ACC, Environmental Review Procedures.

3. *Conceptual Design of Public Facilities.* Preliminary engineering plans and studies that include the following:

a. A general description and location of the proposed improvements necessary to properly handle the potable water, sanitary sewer, storm water drainage and other service needs within and adjacent to the proposed PUD.

b. In addition, for any major amendment to the PUD, the following:

i. Anticipated demand capacities for the proposed water distribution, storm drainage and sanitary sewage systems.

ii. The estimated, tentative horizontal and vertical alignment of all proposed streets and sidewalks and the estimated grade of any trails.

4. *Site Plan.*

a. *Preparation.* The site plan may be prepared by a professional engineer, architect or professional land surveyor registered or licensed by the state of Washington. They shall prepare and, by placing their signature and stamp upon the face of the planning

documents, certify that all information is portrayed accurately and that the proposed PUD complies with applicable standards and regulations.

b. *Scale and Format.* The site plan shall be drawn with reproducible black ink on mylar or similar material. All geographic information portrayed by the plan shall be accurate, legible, and drawn to an engineering (decimal) scale. The horizontal scale of a plan shall be 100 feet or fewer to the inch, except that the location sketch and typical street cross sections may be drawn to any other appropriate scale. The site plan shall be 24 inches by 36 inches in size. Each sheet shall be numbered consecutively. An index sheet orienting the other sheets shall be provided. If necessary, the planning director may authorize a different sheet size or scale.

c. *Contents.* The site plan must include each of the following:

i. *Vicinity Map.* A vicinity map sufficient to define the location and boundaries of the proposed PUD relative to surrounding property, streets and other major manmade and natural features.

ii. *Existing Geographic Features.* Except as otherwise specified, the following existing geographic features shall be drawn lightly in relation to proposed geographic features and developments:

(A) All existing property lines lying within the proposed PUD and all existing property lines lying within 100 feet of the PUD.

(B) The location of all existing streets within the PUD, both public or private, including the right-of-way widths, pavement widths and the names.

(C) Existing water features such as rivers, creeks, ponds, wetlands, storm water detention basins, watercourses, floodplains and areas subject to inundation or storm water overflow.

(D) Existing contour lines at intervals of five feet for average slopes exceeding five percent or at intervals of one foot for average slopes not exceeding five percent. Contour lines shall be labeled at intervals not to exceed two feet and shall be based upon city datum, e.g., NGVD.

(E) Location of any existing structures lying within the proposed PUD. Existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

iii. *Proposed Improvements.* The following proposed geographic features shall be shown:

(A) The location of any public or private streets and/or storm drainage facilities.

(B) The general location of the types of uses or densities and general distribution of lot types.

(C) The boundaries, dimensions and area of public park and common open space areas.

(D) Identification of all areas proposed to be dedicated for public use, together with the purpose and any conditions of dedication.

(E) Conceptual plans for pedestrian and bicycle circulation systems.

(F) The treatment proposed for the periphery of the site including setbacks, fencing, the approximate amount, location, and type of any landscaping. (Ord. 5092 § 1, 1998.)

18.76.100 Phased developments.

A. The applicant may propose a phased development.

B. Any phases being developed in the Lakeland Hills South PUD require a description of each phase, including the size, uses or densities and schedule for implementing each phase and corresponding public services. Phased sequences and intervals between scheduled phases become a condition of the PUD approval.

C. Each phase must be able to stand on its own without reliance upon development of subsequent phases. (Ord. 5092 § 1, 1998.)

18.76.110 Concurrence with subdivision regulations.

A. A preliminary plat may be processed concurrently with a major amendment to the PUD or a site plan. A preliminary plat must be submitted in accordance with ACC Title 17.

B. Approval of a major amendment to the PUD or a preliminary plat application may allow for the modification of the subdivision construction standards and specifications of Chapter 17.12 ACC. If modifications are proposed the request must be made part of the major amendment or preliminary plat application. The applicant must also provide substantiating evidence as to why the modifications are necessary. (Ord. 5092 § 1, 1998.)

18.76.120 Administrative review of major amendments.

A. The planning director shall forward the major amendment to the PUD application and/or preliminary plat or site plan application, together with copies of any appropriate accompanying documents, to the director of public works. The director of public works shall review the application(s) as to the adequacy of the proposed means of sewage disposal and water supply; the conformance of the proposal to any plans, policies or regulations pertaining to streets, storm drainage or utilities; and regarding any other issues related to the interests and responsibilities of the department of public works.

B. The planning director shall solicit the comments of any other appropriate city department, local utility provider, local school district, and any other appropriate public or private entity, concerning the proposed major amendment to the PUD. For a major amendment to the PUD or a PUD processed simultaneously with a preliminary plat, comments received in a timely manner, as well as any written comments received in response to a notice of public hearing, shall either be transmitted to the hearing examiner or incorporated into a report prepared by the planning director and submitted to the hearing examiner, prior to the scheduled public hearing.

C. The planning director shall approve the site plan if it conforms to the approved PUD, the submittal requirements of ACC 18.76.160(A), 18.76.060, and other applicable standards. (Ord. 5092 § 1, 1998.)

18.76.130 Hearing examiner review.

Pursuant to the provisions of Chapter 2.46 ACC the hearing examiner shall conduct a public hearing on all requests for a major amendment to a PUD. The examiner's decision shall be in the form of a recommendation to the city council. (Ord. 6442 § 29, 2012; Ord. 5092 § 1, 1998.)

18.76.140 Findings of fact.

Applications for a major amendment to a PUD shall only be approved if sufficient findings of facts are drawn to support the following:

A. Adequate provisions are made for the public health, safety and general welfare and for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, or sites for schools.

B. The proposed major amendment to the PUD is in accordance with the goals, policies and objectives of the comprehensive plan.

C. The major amendment is consistent with the purpose of this chapter, ACC 18.76.010, provides for the public benefits required of the development of PUDs and does not result in only increasing the number of units that would otherwise be attained through a development using the existing zoning and subdivisions standards.

D. The proposed major amendment to the PUD conforms to the general purposes of other applicable policies or plans which have been adopted by the city council.

E. The approval of the major amendment will have no more of an adverse impact upon the surrounding area than the approved Lakeland Hills South PUD as shown on the official Lakeland plan map. (Ord. 5092 § 1, 1998.)

18.76.150 City council action.

A. The city council may affirm, modify, or disaffirm the recommendations of the hearing examiner in accordance with ACC 2.46.170.

B. The majority of the city council shall instruct the city attorney to prepare an ordinance reflecting its decision. The ordinance shall include formal findings of fact and conclusions supporting the decision. If the decision is for approval with conditions, the conditions shall be specified in the ordinance. The ordinance shall be recorded in accordance with ACC 18.68.060. (Ord. 5092 § 1, 1998.)

18.76.160 Site plan approval.

A. *Pre-Application Conference Recommended*. Prior to filing an application for a site plan approval, it is recommended thatthe applicant shall attend a pre-application conference with the planning director and other interested department heads, or their designees, regarding the proposed development. The conference attendees willshall review the general outlines of the proposal, evidenced schematically by sketch plans and other documents provided by the applicant. The applicant will shall receive suggestions and recommendations generated by the conference along with forms and guidelines for preparing the site plan application.

B. An application shall be required for the site plan approval of any portions of a planning area except for those designed for detached single-family lots and shall include the following:

1. The ordinance approving the PUD, if previously done.
2. A site plan which shall illustrate the following:
    a. Vicinity map;
    b. Boundaries and dimensions of the PUD;
    c. If partial approval, illustrate the proposal within the boundaries of the entire PUD;
    d. Illustrate previous site plan approvals that may have occurred within the PUD;
    e. Acreage of proposal;
    f. Rights-of-way location and widths, the proposed name of each street or alley and whether the right-of-way will be dedicated as public or remain private. The designation of any fire lanes. Where final street grades are likely to exceed 10 percent in elevation and the estimated tentative grades of such streets;

g. Adjacent public streets;

h. Easements, existing and proposed including its purpose;

i. Location and size of all existing and proposed utilities including sanitary sewer, storm drainage, and water lines lying within or adjacent to the PUD or the phase of the PUD as appropriate;

j. Typical street cross section(s) including any pedestrian facilities;

k. Location of uses;

l. Location of buildings and structures, both existing and proposed, including setbacks;

m. Location and layout of off-street parking, loading and unloading areas;

n. Location of walls and fences, around the perimeter of the PUD or phase of the PUD, as appropriate, and an indication of their height and materials;

o. Location of any storage areas or refuse containers;

p. Location and size of signs;

q. Landscaping plan – conceptual;

r. Indication of height of buildings;

s. Proposed architectural treatment of structures;

t. Any covenants not previously approved;

u. Proposed final contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of two feet for average slopes not exceeding five percent. Final contours shall be indicated by solid lines (existing contours which are to be altered shall be shown by broken lines). Contour lines shall be labeled at intervals not to exceed 20 feet and shall be based upon city datum, e.g., NGVD. Contour lines around proposed geographic features shall be drawn tightly around the proposed features;

v. The site plan shall illustrate a north arrow, be properly dimensioned and drawn at a scale not less than one inch equals 40 feet and on a sheet size 24 by 36 inches, more sheets may be used if necessary. A reproducible mylar, or similar material, and seven copies of the site plan shall be submitted at the time of application. An alternative scale sheet size may be approved by the planning director;

w. The planning director may require the submittal of additional information in order to thoroughly evaluate the site plan.

3. The site plan application shall be accompanied by a current (within 30 days) title report which contains:

a. The legal description of the total parcel sought for final site plan approval.

b. Those individuals or corporations holding an ownership interest in said parcel all of which shall sign the application for final site plan approval.

c. Any easements or restrictions affecting the property with a description of its purpose and referenced by an auditor's file number and/or recording number.

4. A signed certification that the site plan has been made with the free consent, and in accordance with the desire of the owner or owners.

C. A site plan shall be reviewed in accordance with the provisions of ACC 18.76.120. The site plan shall only be approved if it is found to be consistent with and implements the provisions of the PUD and meets the submittal requirements of subsection A of this section. If necessary conditions of approval may be imposed to ensure consistency with the approved PUD. (Ord. 5092 § 1, 1998.)

18.76.170 Adjustments to the PUD.

A. The planning director may approve minor adjustments to the approved PUD. Minor adjustments are defined as changes that do not affect permitted densities within a planning area, basic character or conditions of the approved PUD or planning area. Adjustments are considered minor so long as they do not increase or decrease the perimeter boundaries of a planning area or the number of units indicated for that planning area as shown on the official Lakeland plan map by more than 10 percent. School sites identified in a PUD may be adjusted

as a minor amendment by condemnation or in accordance with an agreement executed by the appropriate school district(s) and the applicant; provided, that if the director determines that adjustment of schools would create significant park impacts or infrastructure requirements, they may process the amendment as a major amendment.

Transferring multifamily units into the commercial area at the southwest corner of Lakeland Hills Way and the Lake Tapps Parkway from a multifamily planning area may be a minor adjustment. The total number of multifamily units in the commercial area cannot exceed 100. Minor adjustments approved by the planning director must be in writing within 15 working days of submittal of the application. The planning director must forward copies of the approved adjustment to appropriate department heads and the applicant. The applicant may appeal the director's decision pursuant to ACC 18.70.050. If a minor amendment is approved which affects the official Lakeland plan map, the map shall be revised. The director shall keep the current map on file.

B. Adjustments that are not minor as defined in subsection A of this section are considered major amendments and will be processed in the same manner as a new PUD application. If a major amendment affecting the official Lakeland plan map is approved, the map and Exhibit B, attached to Ordinance No. 5092, shall be amended to reflect the change. If a major amendment changing conditions of approval is adopted, Exhibit A, attached to Ordinance No. 5092, shall be amended to reflect the change.

C. Any change in the exterior boundaries of the PUD or an increase in the total permitted dwelling units above 3,408 shall require a rezone.

D. The following approvals require a comprehensive plan amendment:

1. An increase in the total number of permitted dwelling units above 3,408.

2. An increase in the permitted number of high density multifamily dwelling units (i.e., more than 850 units).

3. An increase in the acreage permitted for light commercial development (i.e., more than 20 acres).

4. A major amendment to the external boundaries of the medium density or high density planning areas.

5. A reduction in required open space (i.e., below 153 acres). (Ord. 5397 § 1, 2000; Ord. 5092 § 1, 1998.)

18.76.180 Property owners' association.

If common open spaces or private streets are deeded to a property owners' association, then the applicant shall submit a declaration of the covenants and restrictions that create and govern such an association as part of the site plan or preliminary plat approval. The provisions must include, but are not limited to, the following:

A. The property owners' association must be established prior to the final plat approval or the approval of any occupancy permit related to the site plan.

B. Membership must be mandatory for each property owner affected by the common space or private street and any successive buyer.

C. The association assumes responsibility for liability insurance, local taxes, and the maintenance of common open spaces, private streets, recreational and other communally owned facilities. A financial plan shall also be submitted that outlines the anticipated expenses and revenues needed to implement the plan over a minimum of a 10-year period.

D. Members must pay a pro rata share of the association's cost; the assessment levied by the association can become a lien on the property. The association must be able to adjust its assessment fees relative to changed needs and conditions. (Ord. 5092 § 1, 1998.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Title 14

PROJECT REVIEW

Chapters:

14.01 Purpose and Scope
14.02 Definitions
14.03 Types of Project Permit Decisions
14.04 Preapplication Conferences and Project Review Meetings
14.05 Applications
14.06 Notice of Determination of Completeness
14.07 Notice of Application
14.08 Project Review Determinations
14.09 Issuance of Single Report
14.10 Hearings
14.11 Notice of Final Decision
14.12 Optional Consolidated Project Permit Process
14.13 Administrative Appeals
14.14 Exclusions
14.16 Immunity from Damage Claims
14.17 Judicial Review of Land Use Decisions Made by Local Jurisdictions
14.18 Water and Sewer Availability Certificates
14.20 Mobile Home Park Closure
14.21 Repealed
14.22 Comprehensive Plan

Chapter 14.01

PURPOSE AND SCOPE

Sections:

14.01.010 Purpose and scope.

14.01.010 Purpose and scope.

The purpose and scope of this title is to establish standard procedures for all project permit decisions made by the city of Auburn. The intent of the procedures is to combine the environmental review process, both procedural and substantive, with procedures for review of project permit decisions and, except for the appeal of a determination of significance as provided in RCW 43.21C.075, provide for consolidation of appeal processes for permit decisions. The goals are to allow for informed public participation, reduce redundancy in the application, permit review, and appeal processes thereby minimizing delays and expense and implementing the city's goals as set forth in the comprehensive plan.

Any project permit application submitted on or after April 1, 1996, shall be processed as provided in this title. If any requirements contained in this newly created Title 14 are in conflict with provisions or requirements contained in other titles of the Auburn City Code, a request for interpretation regarding applicability may be submitted to the director of the department which has authority to administer the provision, code, regulation, plan, rule or manual. The department director will provide a written response within 10 working days after receipt of the request. (Ord. 4835 § 1, 1996.)

Chapter 14.02
DEFINITIONS

Sections:

14.02.001 Generally.
14.02.010 Administrative decision.
14.02.020 Closed record appeal.
14.02.030 Optional consolidated permit review.

14.02.040 Development regulations.
14.02.050 Legislative decision.
14.02.060 Open record hearing.
14.02.070 Project permit or project permit application.
14.02.080 Public meeting.
14.02.090 Quasi-judicial decision.
14.02.100 Record.

14.02.001 Generally.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this title and the Auburn City Code. (Ord. 4835 § 1, 1996.)

14.02.010 Administrative decision.

An "administrative decision" is one which is made by one of the city's department heads or designee. (Ord. 4835 § 1, 1996.)

14.02.020 Closed record appeal.

"Closed record appeal" means an administrative appeal to the city council or any agency thereof, as specified in applicable codes, of a decision or recommendation issued by the hearing examiner following an open record hearing conducted by the hearing examiner on a project permit application. The appeal is on the record with no or limited new evidence or information allowed to be submitted. Argument of the appeal is allowed from the record; this may include comments from the record or questions regarding the record. (Ord. 6184 § 1, 2008; Ord. 4835 § 1, 1996.)

14.02.030 Optional consolidated permit review.

"Optional consolidated permit review" means review and decision on two or more project permits relating to a proposed project action, including a single application review and approval process covering all of the project permits requested by an applicant for either all or part of a project action. (Ord. 4835 § 1, 1996.)

14.02.040 Development regulations.

"Development regulations" means the controls placed on development or land use activities by the city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances (if permitted by city code) and subdivision ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in ACC 14.02.070, even though the decision may be expressed in a resolution or ordinance of the city. (Ord. 6187 § 1, 2008; Ord. 5991 § 1, 2006; Ord. 4835 § 1, 1996.)

14.02.050 Legislative decision.

A "legislative decision" is one which is an action which affects broad classes of people of the whole city. These actions include adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area wide zoning ordinances or the adoption of a zoning amendment that is area wide in significance. (Ord. 4835 § 1, 1996.)

14.02.060 Open record hearing.

"Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the city to conduct such hearings, that creates the city's record through testimony and submission of evidence and information under procedures prescribed by the city by ordinance or resolution. An open record hearing may be held prior to a decision by the city on a project permit, to be known as an "open record predecision hearing." An open record

hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit. (Ord. 4835 § 1, 1996.)

14.02.070 Project permit or project permit application.

"Project permit" or "project permit application" means any land use or environmental permit or license required from the city for a project action, including but not limited to building permits, subdivisions, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones which do not require a comprehensive plan amendment, but excluding the adoption or amendment of the comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection. (Ord. 4835 § 1, 1996.)

14.02.080 Public meeting.

"Public meeting" means an informal meeting, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the city's decision. A public meeting may include, but is not limited to, a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city's project permit application file. (Ord. 4835 § 1, 1996.)

14.02.090 Quasi-judicial decision.

A "quasi-judicial decision" is one where action is taken by the hearing examiner or city council or any agency thereof, which determines the legal rights, duties, or privileges of specific parties and which may be contested. (Ord. 6184 § 2, 2008; Ord. 4835 § 1, 1996.)

14.02.100 Record.

"Record" means everything submitted by the city, applicant, public or outside agencies, including but not limited to all testimony, exhibits, studies, information, and maps accepted by the hearing examiner at the open record hearing. (Ord. 4835 § 1, 1996.)

Chapter 14.03
TYPES OF PROJECT PERMIT DECISIONS

Sections:

14.03.001 Generally.

14.03.010 Type I decisions.
14.03.020 Type II decisions.
14.03.030 Type III decisions.
14.03.040 Type IV decisions.
14.03.050 Reserved.
14.03.060 Legislative nonproject decisions.

14.03.001 Generally.

Project permit decisions are classified into four types, based on whether a director, the hearing examiner or the city council makes the decision and the process by which that decision is made.
(Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 4835 § 1, 1996.)

14.03.010 Type I decisions.

Type I decisions are administrative decisions made by the city which are not subject to environmental review under the State Environmental Policy Act (SEPA) codified at Chapter 43.21C RCW. Type I decisions include, but are not limited to, the following project applications:

A. Building permit;

B. Plumbing permit;

C. Mechanical permit;

D. Utility permit;

E. Construction permit;

F. Land clearing permit;

G. Grading permit;

H. Floodplain development permit;

I. Public facility extension agreement;

J. Right-of-way use permit;

K. Boundary line adjustment or boundary line elimination;

L. Home occupation permit;

M. Temporary use permit (administrative);

N. Administrative use permit;

O. Short subdivision (plat);

P. Mobile home closure plans;

Q. Extensions or minor amendment to an approved master plan;

R. Final plat. (Ord. 6654 § 1, 2017; Ord. 6385 § 1, 2011; Ord. 6295 § 1, 2010; Ord. 5746 § 2, 2003; Ord. 4835 § 1, 1996.)

14.03.020 Type II decisions.

Type II decisions are administrative decisions made by the city which are subject to environmental review and threshold determination under the State Environmental Policy Act (SEPA) codified at Chapter 43.21C RCW. Type II decisions include, but are not limited to, the following project applications:

A. Building permit;

B. Grading permit;

C. Land clearing permit;

D. Public facility extension agreement;

E. Administrative use permit;

F. Short subdivision (plat);

G. Floodplain development permit. (Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 4835 § 1, 1996.)

14.03.030 Type III decisions.

Type III decisions are quasi-judicial final decisions made by the hearing examiner following a recommendation by staff. Type III decisions include, but are not limited to, the following project applications:

A. Temporary use permit;

B. Substantial shoreline development permit;

C. Variance;

D. Special exceptions;

E. Special home occupation permit;

F. Preliminary plat;

G. Conditional use permit;

H. Surface mining permit;

I. Master plan; (Ord. 6654 § 1, 2017; Ord. 6385 § 2, 2011; Ord. 6295 § 1, 2010; Ord. 6184 § 3, 2008; Ord. 4835 § 1, 1996.)

14.03.040 Type IV decisions.

Type IV decisions are quasi-judicial decisions made by the city council following a recommendation by the hearing examiner. Type IV decisions include, but are not limited to, the following project applications:

Site-Specific Rezone, Category 1. (Ord. 6779 § 5, 2020; Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 6184 § 4, 2008; Ord. 4835 § 1, 1996.)

14.03.050 Reserved.

(Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 6184 § 5, 2008; Ord. 4835 § 1, 1996.)

14.03.060 Legislative nonproject decisions.

Legislative nonproject decisions made by the city council under its authority to establish policies and regulations are not classified as a "type" of project permit decision. Legislative nonproject decisions include, but are not limited to, the following legislative actions:

A. Amendments to the text and map of the comprehensive plan or development regulations.

B. Amendments to the zoning map (rezones) on a city-wide or area-wide basis. (Ord. 6654 § 1, 2017; Ord. 6295 § 1, 2010; Ord. 4835 § 1, 1996.)

Chapter 14.04
PREAPPLICATION CONFERENCES AND PROJECT REVIEW MEETINGS

Sections:

14.04.010 Availability.

14.04.010 Availability.

A. A preapplication conference is available and encouraged prior to project permit application submittal. Preapplication conferences are optional, and are not a requirement for any project permit type.

B. Project review meetings are available to applicants during the review process. The purpose of the project review meeting is to assist the applicant in interpreting and addressing outstanding City comments so that the project meets all City requirements and is approvable by the City.

1. Project review meetings shall be scheduled within 14 days following the return of comments from the second project permit review to the applicant.

2. If the responses to comments from the third submittal do not resolve outstanding City comments for the submittal the City shall issue a decision of approval or denial of the project permit application.

Chapter 14.05
APPLICATIONS

Sections:

14.05.010 Designation.
14.05.020 Submittal requirements.

14.05.010 Designation.

Each applicant submitting a project permit to the city shall designate a single person or entity to receive determinations and notices under this title. The applicant shall include the name, current address, current email address, and current telephone number of the designated person or entity. The applicant shall be responsible for immediately notifying the city of any change of name, address, email address, or telephone number of the designated person or entity. (Ord. 4835 § 1, 1996.)

14.05.020 Submittal requirements.

A. The city shall specify submittal requirements, including, but not limited to, the type of project permit application, detail required in application and application submittal process. The city, at its sole discretion, may waive specific submittal requirements which it determines to be unnecessary for review of an application. Applicants may obtain application materials from the city.

B. The city may require additional material from applicants, including, but not limited to, maps, studies or models when the city determines such material(s) is needed to adequately assess the proposed project.

C. Applicants seeking approval of permits must submit a complete permit application through the application process defined by the city and comply with any requirements set forth in applicable city ordinances, adopted codes and design standards. (Ord. 4835 § 1, 1996.)

Chapter 14.06
NOTICE OF DETERMINATION OF COMPLETENESS

Sections:

14.06.010 Notice to applicant.

14.06.010 Notice to applicant.

A. Within 28 days after accepting a project permit application, the city shall provide a written determination to the applicant or applicant's designee that the application is complete, or that it is incomplete and what is necessary to make the application complete.

B. The city's determination shall identify other agencies with jurisdiction over the project permit application, to the extent known by the city.

C. If the city does not provide a written determination within the 28-day period following the city's receipt of the project permit application as provided in subsection A above, the application shall be deemed to be complete.

D. When additional information has been provided by the applicant following a determination of incompleteness the city shall notify the applicant or the applicant's designee within 14 days whether the project permit application is complete or what additional information is necessary to make the application complete.

E. If the city determines that the additional information submitted by the applicant is insufficient, the city shall notify the applicant of the deficiencies and the procedures under subsection D of this section shall apply as if a new request for information had been made.

F. An application is complete for purposes of this section when it meets the submittal requirements established in the Auburn City Code, the ordinances of the city, the project permit application, and is sufficient for continued processing, even though additional information might be required or project modifications might be undertaken subsequently. The determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently, if new information is required to complete the review of the application or if substantial changes in the permit application occur or are proposed.

G. An application will be considered withdrawn if the city does not receive the requested necessary additional information within 60 days of notice(s) to the applicant, or to such person or entity designated in the applicant's project permit application, that the application is not complete, unless the city and applicant have agreed in writing to an extension of time. (Ord. 4835 § 1, 1996.)

Chapter 14.07
NOTICE OF APPLICATION

Sections:

14.07.010	Notice to public and departments and agencies with jurisdiction.
14.07.020	Requirements.
14.07.030	Notice, when required.
14.07.040	Methods of providing notice.
14.07.050	Integration of permit procedures with environmental review procedures.
14.07.060	Exemptions.
14.07.070	Applicant deemed participant.
14.07.080	Administrative interpretation of city's code and/or development regulations.

14.07.010 Notice to public and departments and agencies with jurisdiction.

The city shall provide a notice of application to the public and the departments and agencies with jurisdiction as provided in this chapter. (Ord. 4835 § 1, 1996.)

14.07.020 Requirements.

Within 14 days after issuance of a determination of completeness, the city shall provide notice of the application which shall include the following:

A. The date of application, date of notice of completeness, and the date of notice of application;

B. A description of the proposed project action and a list of the project permits included in the application and, if applicable, a list of any studies requested under Chapter 14.06 or 14.11 ACC;

C. Identification of other permits not included in the application to the extent known by the city;

D. Identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing the notice of application, the location where the application and any studies can be reviewed;

E. A statement of the public comment period, which shall be 15 days following the date of the notice of application together with a statement of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. The city may accept public comments at any time prior to the closing of the record of an open record predecision hearing, if any, or, if no open record predecision hearing is provided, prior to the decision on the project permit;

F. If applicable and scheduled at the time of the notice of application, the date, time, location and type of hearing;

G. A statement of preliminary determination, if one has been made at the time of notice of application, of those development regulations that will be used for project mitigation and of consistency as provided in Chapter 14.08 ACC;

H. Any other information determined to be appropriate by the city. (Ord. 4835 § 1, 1996.)

14.07.030 Notice, when required.

A notice of application shall not be required for project permits that are categorically exempt under chapter 43.21C RCW, unless an open record predecision hearing is required. If an open record predecision hearing is required for the requested project permits, the notice of application shall be provided at least 15 days prior to the open record hearing. (Ord. 4835 § 1, 1996.)

14.07.040 Methods of providing notice.

Unless otherwise required in the city's code, the city shall use at a minimum the following methods to give notice of application to the public and agencies with jurisdiction:

A. Mailing notice to owners of real property within 300 feet of the project site.

B. Requiring the subject property posted in accordance with the applicable requirements of Chapter 1.27 ACC (for site-specific applications).

C. Publishing in a newspaper of general circulation of the area.

D. Mailing notice of application with information included in this section to each person who has requested such notice and paid any applicable fee as established by the city. (Ord. 5811 § 2, 2003; Ord. 4835 § 1, 1996.)

14.07.050 Integration of permit procedures with environmental review procedures.

A. If the city has made a determination of significance under Chapter 43.21C RCW concurrently with the notice of application, the notice of application shall be combined with the determination of significance and scoping notice. Nothing in this chapter prevents a determination of significance and scoping notice from being issued prior to the notice of application.

B. Except for a determination of significance, the city may not issue its threshold determination, or issue a decision or a recommendation on a project permit, until the expiration of the public comment period on the notice of application.

C. The city shall issue its threshold determination at least 15 days prior to the open record predecision hearing if the city's threshold determination requires public notice under Chapter 43.21C RCW.

D. Any comments shall be as specific as possible. (Ord. 4835 § 1, 1996.)

14.07.060 Exemptions.

A notice of application shall not be required for project permits that are categorically exempt under SEPA, unless a public comment period or open record predecision hearing is required. (Ord. 4835 § 1, 1996.)

14.07.070 Applicant deemed participant.

The applicant for a project permit is deemed to be a participant in any comment period, open record hearing or closed record appeal. (Ord. 4835 § 1, 1996.)

14.07.080 Administrative interpretation of city's code and/or development regulations.

An administrative interpretation of the city's code and/or development regulations may be obtained by submitting a written request to the director of the department which has authority to administer the code and/or development regulations. The department director will provide a written response within 10 working days after receipt of the request unless another time period is agreed upon in writing between the parties. (Ord. 4835 § 1, 1996.)

Chapter 14.08
PROJECT REVIEW DETERMINATIONS

Sections:

14.08.010 Required elements.
14.08.020 Determination of consistency.

14.08.010 Required elements.

A. During project review, the city or any subsequent reviewing body shall determine whether the following items are defined in the development regulations applicable to the proposed project or, in the absence of applicable regulations, the city's adopted comprehensive plan. At a minimum, such applicable regulations or plans shall be determinative of the:

1. Type of land use permitted at the site, including uses which may be allowed under certain circumstances, such as planned unit developments (if permitted by the city code) and conditional and special uses, if the criteria for their approval have been satisfied;

2. Density of residential development in urban growth areas; and

3. Availability and adequacy of public facilities identified in the comprehensive plan, if the plan or development regulations provide for funding of these facilities as required by Chapter 36.70A RCW.

B. During project review, the city or any subsequent reviewing body shall not re-examine alternatives to or hear appeals on the items identified in subsection A of this section, except for issues of code interpretation.

C. Nothing in this section limits the authority of the city to approve, condition, or deny a project as provided in its development regulations under Chapter 36.70A RCW and in its policies adopted under RCW 43.21C.060. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, transportation demand management, payment of impact fees or other measures to mitigate a proposal's probable adverse environmental impacts, if applicable.
(Ord. 6187 § 2, 2008; Ord. 5991 § 2, 2006; Ord. 4835 § 1, 1996.)

14.08.020 Determination of consistency.

A. A proposed project's consistency with the city's development regulations adopted under Chapter 36.70A RCW, or, in the absence of applicable development regulations, the appropriate elements of the comprehensive plan or subarea plan adopted under Chapter 36.70A RCW shall be determined by consideration of:

1. The type of land use;

2. The level of development, such as units per acre or other measures of density;

3. Infrastructure, including public facilities and services needed to serve the development; and

4. Character of the development, such as development standards.

B. In determining consistency, the determinations made pursuant to ACC 14.08.010(A) shall be controlling.

C. For purposes of this section, the term "consistency" shall include all terms used in this chapter and Chapter 36.70A RCW to refer to performance in accordance with this title and Chapter 36.70A RCW, including but not limited to compliance, conformity, and consistency.

D. Nothing in this section requires documentation, dictates an agency's procedures for considering consistency, or limits the city from asking more specific or related questions with respect to any of the four main categories listed in ACC 14.08.020 (A). (Ord. 4835 § 1, 1996.)

Chapter 14.09
ISSUANCE OF SINGLE REPORT

Sections:

14.09.010 Consolidation.

14.09.010 Consolidation.

A single report shall be issued stating all the decisions made as of the date of the report on all project permits included in the consolidated permit process that do not require an open record predecision hearing and any recommendations on project permits that do require an open record predecision hearing. The report shall state any mitigation required or proposed under the city's development regulations or the city's authority under RCW 43.21C.060. The report may be the local permit. If a threshold determination other than a determination of significance has not been issued previously by the city, the report shall include or append this determination. (Ord. 4835 § 1, 1996.)

Chapter 14.10
HEARINGS

Sections:

14.10.010 Limitations.
14.10.020 Multijurisdictional hearings.

14.10.010 Limitations.

Except for the appeal of a determination of significance as provided in RCW 43.21C.075, the city provides no more than one open record hearing and one closed record appeal. (Ord. 4835 § 1, 1996.)

14.10.020 Multijurisdictional hearings.

A. The city may combine any hearing on a project permit with any hearing that may be held by another local, state, regional, federal, or other agency; provided, that the hearing is held within the geographic boundary of the city. Hearings shall be combined if requested by an applicant, as long as the joint hearing can be held within the time periods specified in Chapter 14.11 ACC or the applicant agrees in writing to a different schedule in the event that additional time is needed in order to combine the hearings. The city and all state agencies participating in a combined hearing are authorized to issue joint hearing notices and develop a joint format, select a mutually acceptable hearing body or officer, and take such other actions as may be necessary to hold joint hearings consistent with each jurisdiction's respective statutory obligations.

B. All state and local agencies shall cooperate to the fullest extent possible with the city in holding a joint hearing if requested to do so, as long as:

1. The agency is not expressly prohibited by statute from doing so;

2. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance or rule; and

3. The agency has received the necessary information about the proposed project from the applicant to hold its hearing at the same time as the city's hearing.

C. Any public meeting or required open record hearing may be combined with any public meeting or open record hearing that may be held on the project by another local, state, regional, federal, or other agency, in accordance with Chapters 14.11 and 14.07 ACC. (Ord. 4835 § 1, 1996.)

Chapter 14.11
NOTICE OF FINAL DECISION

Sections:

14.11.010	Time limits.
14.11.020	Exceptions.
14.11.030	Late issuance of final decision.
14.11.040	Distribution.
14.11.050	Weekends and holidays.

14.11.010 Time limits.

A. Except as provided in ACC 14.11.020, the city shall issue a notice of final decision on a project permit application within the following Type of project permit timelines after the applicant is notified in writing that the application is complete as provided in Chapter 14.06 ACC. The time period for the issuance of a final decision shall be the longest of the project permit application time periods of all associated permits for the project.

1. Type I decisions: 65 days.

2. Type II decisions: 100 days.

3. Type III decisions: 170 days.

B. : The number of days shall be calculated by counting every calendar day and excluding the following time periods:

1. Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.

2. Any period during which an EIS is being prepared following a determination of significance pursuant to Chapter 43.21C RCW. The city and applicant will agree in writing on the time period for completion of an EIS.

3. Any period for administrative appeals of project permits, if an open record appeal hearing or closed record appeal, or both, are allowed. The time period shall not exceed: (1) 90 days for an open record appeal hearing; and (2) 60 days for a closed record appeal. The parties may agree in writing to extend the applicable time periods for appeal.

4. Any extension of time mutually agreed upon in writing by the applicant and city.

5. Any period after an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application until the time that the applicant notifies the local government, in writing, that they would like to resume the application. A local government may set conditions for the temporary suspension of a permit application.

6. For quasi-judicial decisions by the Hearing Examiner, any period of time after staff recommendations have been provided to the Hearing Examiner until such time that the Hearing Examiner issues a formal written decision.

C. The time periods for a local government to process a permit shall start over if an applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the local government under RCW 36.70B.070.

D. If, at any time, an applicant informs the local government, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or if an applicant is not responsive for more than 60 consecutive days after the county or city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for local government action to issue a final decision for each type of project permit that is subject to this chapter. Any written notice from the local government to the applicant that additional information is required to further process the application must include a notice that nonresponsiveness for 60 consecutive days may result in 30 days being added to the time for review. For the purposes of this subsection, "nonresponsiveness" means that an applicant is not making demonstrable progress on providing additional requested information to the local government, or that there is no ongoing communication from the applicant to the local government on the applicant's ability or willingness to provide the additional information.

14.11.020 Exceptions.

A. The time limits established above do not apply to the following:

1. Project applications requiring an amendment to the comprehensive plan or a development regulation;

2. Project applications requiring approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200; or

3. Project applications that are substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined complete under Chapter 14.06 ACC.; or(Ord. 4835 § 1, 1996.)B. Approvals relating to the use of public areas or facilities, including the extension of public utilities and road facilities under a facility extension agreement permit, are subject to a Type III review deadline.

C. Grading permit approvals that exclude the use or extension of public areas or facilities are subject to a Type II review deadline.

14.11.030 Late issuance of final decision.

If the city is unable to issue the final decision within the prescribed time limits, the city shall provide written notice of this fact to the applicant. The notice shall include a statement of the reasons why the time limits have not been met and an estimated date for issuance of the notice of decision. (Ord. 4835 § 1, 1996.)

14.11.040 Distribution.

The notice of decision shall be provided to the applicant and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted comments on the application. The notice shall be provided as specified in ACC 14.07.040. It shall include a statement of any threshold determination and procedures for administrative appeal, if applicable. It may be a copy of the report or decision on the project permit application. (Ord. 4835 § 1, 1996.)

14.11.050 Weekends and holidays.

Regardless of whether any period is minimum or maximum, when any permit review, notice or decision time limit of this title terminates upon a weekend or city holiday, such time limit shall automatically be extended to the first weekday following the weekend or city holiday.

Chapter 14.12
OPTIONAL CONSOLIDATED PROJECT PERMIT PROCESS

Sections:

14.12.010 Applicant option.
14.12.020 Hearing/appeal.
14.12.030 Public meeting.
14.12.040 Single report.

14.12.010 Applicant option.

A. An applicant may request an integrated and consolidated review and decision on two or more project permits relating to a proposed project action. The city will provide a single application review and approval process to cover all project permits requested by an applicant for all or part of a project action. The city will provide a designated permit coordinator upon request of the applicant.

B. If an applicant elects the consolidated permit review process, the determination of completeness, notice of application and notice of final decision will include all project permits being reviewed in the consolidated process. (Ord. 4835 § 1, 1996.)

14.12.020 Hearing/appeal.

A. The consolidated review process shall include no more than one consolidated open record hearing and one closed record appeal/hearing. If an open record predecision hearing is provided prior to the decision on a project permit, the process shall not allow a subsequent open record appeal hearing.

B. The consolidated permit review may combine an open record predecision hearing on one or more permits with an open record appeal hearing on other permits. The project permits, if any, which are subject to a closed record appeal are determined pursuant to Auburn City Code. (Ord. 4835 § 1, 1996.)

14.12.030 Public meeting.

Any public meeting or required open record hearing may be combined with any public meeting or open record hearing that may be held on the project by another local, state, regional, federal, or other agency in accordance with provisions of Chapters 14.07 and 14.11 ACC. (Ord. 4835 § 1, 1996.)

14.12.040 Single report.

The city shall provide a single report stating all the decisions made as of the date of the report on all project permits included in the consolidated permit process that do not require an open record predecision hearing and any recommendations on project permits that do require an open record predecision hearing. The report shall state any mitigation required or proposed under the development regulations or the city's authority under RCW 43.21C.060. The report may be the permit. If a threshold determination other than a determination of significance has not been issued previously by the city, the report shall include or append this determination. (Ord. 4835 § 1, 1996.)

Chapter 14.13
ADMINISTRATIVE APPEALS

Sections:

14.13.010 Administrative appeals.
14.13.020 Threshold determination appeals.

14.13.010 Administrative appeals.

Any administrative appeal of the project decision, combined with any environmental determinations, which are provided by the city shall be filed within 14 days after the notice of the decision or after other notice that the decision has been made and is appealable. In order to allow public comment on a Determination of Non-Significance prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven

days if the appeal is of a Determination of Non-Significance for which public comment is required under Chapter 43.21C RCW or under county/city rules adopted under SEPA. For threshold determinations issued prior to a decision on a project action, any administrative appeal allowed by a county/city shall be filed within fourteen days after notice that the determination has been made and is appealable.

14.13.020 Threshold determination appeals.

Except for the appeal of a determination of significance as provided in RCW 43.21C.075, the city provides for no more than one consolidated open record hearing on such appeal. Any appeal provided after the open record hearing shall be appealed to the superior court of the county in which the property subject of the threshold decision is located. (Ord. 6184 § 6, 2008; Ord. 4835 § 1, 1996.)

Chapter 14.14
EXCLUSIONS

Sections:

14.14.010 Permit process exclusions.

14.14.010 Permit process exclusions.

A. The following project permits are excluded from the provisions of the integrated and consolidated permit process, any time periods in development regulations and Chapters 14.06, 14.07, 14.11 and 14.12 ACC:

1. Landmark designations;

2. Right-of-way vacations;

3. Other project permits which the city determines present special circumstances that warrant a review process different from that provided in this subsection, including but not limited to special permit applications for sidewalk, driveway, curb and gutter, excavation and floodplain development permits not subject to SEPA.

B. The following project permits are excluded from the provisions of the integrated and consolidated permit process and the requirements of Chapters 14.07, 14.11 and 14.12 ACC:

1. Lot line adjustments;

2. Building and other construction permits or similar administrative approvals, including but not limited to building, grading, land clearing permits and administrative temporary use permits, which are categorically exempt from environmental review under Chapter 43.21C RCW, or for which environmental review has been completed in connection with other project permits. (Ord. 6295 § 13, 2010; Ord. 4835 § 1, 1996.)

Chapter 14.16
IMMUNITY FROM DAMAGE CLAIMS

Sections:

14.16.010 City liability.

14.16.010 City liability.

Pursuant to the Regulatory Reform Act, Chapter 403, Section 421 of the Laws of the State of Washington 1995, the city is not liable for damages due to the city's failure to make a final decision within the time limits established in Chapter 14.11 ACC. (Ord. 4835 § 1, 1996.)

Chapter 14.17
JUDICIAL REVIEW OF LAND USE DECISIONS MADE BY LOCAL JURISDICTIONS

Sections:

14.17.010 Requirements – Exceptions.

14.17.010 Requirements – Exceptions.

Judicial review of land use decisions shall be brought pursuant to the requirements contained in Chapter 36.70C RCW except for the following:

A. Judicial review of:

1. Land use decisions made by bodies that are not part of a local jurisdiction;

2. Land use decisions of a local jurisdiction that are subject to review by a quasi-judicial body created by state law, such as the shorelines hearings board or the growth management hearings board; and

B. Judicial review of applications for a writ of mandamus or prohibition; or

C. Claims provided by any law for monetary damages or compensation. If one or more claims for damages or compensation are set forth in the same complaint with a land use petition brought under Chapter 36.70C RCW, the claims are not subject to the procedures and standards, including deadlines, provided in Chapter 36.70C RCW for review of the petition. The judge who hears the land use petition may, if appropriate, preside at a trial for damages or compensation. (Ord. 4835 § 1, 1996.)

Chapter 14.18
WATER AND SEWER AVAILABILITY CERTIFICATES

Sections:

14.18.002 Purpose.
14.18.004 Property adjacent to city limits.
14.18.006 Definitions.
14.18.010 Preapplication conference meeting recommended.

14.18.020 Water and Sewer Availability Certificates.
14.18.030 Public hearing.
14.18.040 Administrative review.
14.18.050 Hearing examiner.
14.18.060 City council review.
14.18.070 Findings of fact.
14.18.074 Conditions of approval.
14.18.080 Notice of decision to applicant.
14.18.090 Adjustments of an approved development agreement.
14.18.094 Compliance with this chapter and the terms of a development agreement.
14.18.100 Time limitations.

14.18.002 Purpose.

The purpose of this chapter is to ensure that all development that occurs in unincorporated areas, that receives either water or sanitary sewer from the city of Auburn, is consistent with the development standards of the city of Auburn. In so doing the property at the time of annexation will be consistent with city development standards making it is less likely that the city will have to expend public funds to address a substandard development after annexation. An additional purpose is to ensure the property is obligated to annex to the city at the appropriate time as determined by the city. (Ord. 5306 § 1, 1999.)

14.18.004 Property adjacent to city limits.

If the property that is requesting water and/or sanitary sewer service is adjacent to the Auburn city limits, the subject property shall be annexed to the city prior to receiving water and/or sanitary sewer from the city. If it is determined by the city of Auburn that it would not be practical to immediately annex subject property due to constraints in providing adequate city services or for other reasons that would make the annexation impractical, at the present time, then a development agreement is required pursuant to this chapter. (Ord. 5306 § 1, 1999.)

14.18.006 Definitions.

A. "Development" means any construction to include excavation, filling, grading, paving, new construction or expansion of a building, structure or use or any change in the use of a building or structure, or any change in the use of land.

B. "Development agreement" means an agreement between the city of Auburn and the property owner(s)/developer(s) of land located outside the incorporated boundaries of the city of Auburn. The development agreement shall be in a form as prepared by the city attorney and shall contain provisions requiring the property owner(s)/developer(s) to conform to all applicable city development standards. The development agreement shall also provide to the city of Auburn a nonrevocable power of attorney that authorizes the city of Auburn to include the subject property in an annexation at any time.

C. "Development standards" mean standards or comprehensive plan policies adopted by the city of Auburn that regulate development of property and include but are not limited to those related to zoning, subdivision, shorelines, utilities, streets, parks, land use, or sensitive areas.
(Ord. 5306 § 1, 1999.)

14.18.010 Preapplication conference meeting recommended.

A preapplication conference is available and encouraged prior to project permit application submittal. Preapplication conferences are optional, and are not a requirement for any project permit type.

14.18.020 Water and Sewer Availability Certificates.

Application for water and/or sewer availability certificates shall be submitted to the department of planning and development, shall be accompanied by applicable fees as established by ordinance and shall include the following:

A. A completed application form.;

B. *Legal Description of the Property.* Description must be described with a "metes and bounds" legal description, unless the property is part of a recorded subdivision. Along with the legal description, the parcel number (tax I.D. number) must also be provided;

C. *Site Plan.*

1. Seven copies of the site plan or plat map including the following information:

    a. Vicinity map;

    b. Boundaries and dimensions of property;

    c. Adjacent public and private streets;

    d. Easements, existing and proposed;

    e. Location of all fire hydrants;

    f. Location of building, including setbacks;

    g. Topography of site and surrounding area.

2. If application is for development other than an individual single-family home, the following additional information is necessary:

    a. Boundaries and dimensions of any existing or proposed lots;

    b. Proposed public and private streets with a typical cross-section and the proposed grade of the street;

    c. Location and size of all existing and proposed utilities;

    d. Location and layout of off-street parking;

    e. Any additional information required by the planning director that may be needed to determine if the project is consistent with city development standards.

D. If, for some reason, the development cannot meet city development standards the property owner(s)/developer(s) may request a modification to the development standard as it applies to the particular development. The property owner(s)/developer(s) shall submit a letter to the city planning director requesting said modification that describes the particular circumstance and

the development standard that cannot be met together with an explanation of why it cannot be met. The request for modification shall be considered as part of the public hearing required by ACC 14.18.030 and cannot be granted unless it is consistent with the findings of fact as outlined in ACC 14.18.070(B);

E. *Filing Fees.*

1. Individual single-family home: none;

2. All others: $250.00. (Ord. 6287 § 2, 2010; Ord. 5306 § 1, 1999; Ord. 5147 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.030 Public hearing.

A. Upon determination of a complete application for development, other than an individual single-family home, the director shall tentatively set a date for a public hearing to be held before the city's hearing examiner. Every hearing held for the purposes of this chapter shall be open to the public, and a record of the hearing shall be kept and made available for public inspection.

B. Any notice of public hearing required by this section shall include the hour, date and location of the hearing and a description of the property. The description may be in the form of either a vicinity location sketch or a written description other than a legal description.

C. The planning director shall cause notice of the hearing to be given in the following manner:

1. Notice shall be published not less than 10 days prior to the hearing in a newspaper of general circulation within the county where the real property is located;

2. Requiring the subject property posted in accordance with the applicable requirements of Chapter 1.27 ACC. (Ord. 6532 § 20, 2014; Ord. 6287 § 2, 2010; Ord. 5811 § 3, 2003; Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)

14.18.040 Administrative review.

The director shall forward to appropriate city departments and divisions one copy of the application for water and/or sewer availability, together with copies of any appropriate accompanying documents. The city departments and divisions shall review the proposal as to the availability of water and sewer, the conformance of the proposal to any plans, city policies or regulations pertaining to streets, utilities; and any other issues related to the interests and responsibilities of the department or division. The application will then be processed in the following manner:

A. *Individual Single-Family Home.* If upon review by city departments and divisions, it is found that the single-family home meets all relevant city development standards, a development agreement shall be prepared and signed by the city and the applicant(s). The development agreement must be recorded by the county assessor's office and returned to the city prior to the issuance of the water and/or sanitary sewer availability certificates. If it is found that, for any reason, the individual single-family home cannot meet city development standards, the application shall be processed as an "other development" as described below.

B. *All Other Developments.* If upon completion of review by city departments and divisions it is found that the development meets or is capable of meeting all relevant city development standards, a development agreement will be drafted. If there are modifications to development standards those modifications shall be reflected in the agreement. The agreement will then be forwarded to the planning and development committee for a public hearing as outlined in ACC 14.18.030 and 14.18.050. (Ord. 6287 § 2, 2010; Ord. 5306 § 1, 1999; Ord. 5170 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.050 Hearing examiner.

The hearing examiner, following the closure of the public hearing, shall recommend to the city council that the city sign a development agreement with the applicant or to not sign a development agreement with the applicant. The hearing examiner shall not recommend approval of the development agreement unless it finds the proposal is in conformance with the findings of fact as outlined in ACC 14.18.070(A). (Ord. 6532 § 21, 2014; Ord. 6287 § 2, 2010; Ord. 4872 § 1, 1996.)

14.18.060 City council review.

A. Upon receipt of the hearing examiner's recommendation, the city council shall, at its next public meeting, approve, remand the recommendation to the hearing examiner or schedule a closed record hearing. Any aggrieved person may request the council to conduct its own closed record hearing. The council can only amend or reject the hearing examiner's recommendation.

B. If the council holds its own closed record hearing on a proposed development agreement, the council shall consider the findings, conclusions and recommendations of the hearing examiner's public hearing. After conducting its own closed record hearing the council may approve, approve with conditions, reject or return the application to the applicant for corrections or modifications.

C. When the council makes its decision on the development agreement, it shall pass a resolution prepared by the city attorney. A resolution prepared under this subsection shall include formal findings of fact and conclusions supporting the decision. If the development meets all city development standards, the findings shall affirm that the development conforms with all applicable city development standards. If the development agreement allows modifications from some city standards, the modifications shall be specified in the resolution.
(Ord. 6532 § 22, 2014; Ord. 6287 § 2, 2010; Ord. 5785 § 1, 2003; Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)

14.18.070 Findings of fact.

A. The development agreement shall be recommended for signing only if findings of fact are drawn to support the following:

1. The development is consistent with city development standards; and

2. The development is consistent with the city comprehensive plan; and

3. The property cannot be annexed immediately.

B. Modifications to city development standards may be granted only if findings of fact are drawn to support the following:

1. That special circumstances related to the size, shape, topography, location or surroundings of the subject property do not provide the owner with the development

rights and privileges permitted to other similar properties in the vicinity and in the zoning district in which the subject property is located; or

2. That, because of the special circumstances, the development of the property in strict conformity with city standards will not allow a reasonable and harmonious use of the property; or

3. When applying city standards will result in a distinct "discontinuity" with adjacent development which was previously approved or constructed to county standards; or

4. When applying city standards puts the developer in a position where the county will not allow that development to take place. (Ord. 5170 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.074 Conditions of approval.

In order to ensure compliance with the terms of this chapter conditions of approval may be required as part of the development agreement. (Ord. 5306 § 1, 1999.)

14.18.080 Notice of decision to applicant.

A. Following passage of a resolution approving or rejecting a development agreement, the director shall notify the applicant of the decision. The notice shall be accompanied by a copy of the passed resolution. If the resolution is to approve the development agreement, the notice shall advise the applicant that the development agreement must be signed by the applicant and recorded by the county assessor's office. The development agreement must be returned to the city prior to the issuance of the water and/or sewer availability certificates.

B. The development agreement must be approved by the city prior to any application, plans or other submittals that are submitted to the county. Any such submittal shall be consistent with the requirements of the development agreement. (Ord. 5785 § 2, 2003; Ord. 5306 § 1, 1999; Ord. 5170 § 1, 1998; Ord. 4872 § 1, 1996.)

14.18.090 Adjustments of an approved development agreement.

A. *Minor Adjustments.* Minor adjustments may be made and approved by the planning director. Minor adjustments are those which do not violate the terms of the development agreement.

B. *Major Adjustments.* Major adjustments are those which, when determined by the planning director, violate the terms of the development agreement. When the planning director determines a change constitutes a major adjustment, an amendment to the development agreement is required and the process is the same as a new application. (Ord. 5306 § 1, 1999; Ord. 4872 § 1, 1996.)

14.18.094 Compliance with this chapter and the terms of a development agreement.

The city of Auburn reserves the right to withhold or terminate water and/or sanitary service to a development that does not comply with the terms of its development agreement and/or the provisions of this chapter. (Ord. 5306 § 1, 1999.)

14.18.100 Time limitations.

A. A development agreement shall run with the title of the property.

B. Water and sewer availability certificates expire in one year, but are renewable. It is not necessary to sign a new development agreement provided all of the terms of the original agreement can still be met. (Ord. 4872 § 1, 1996.)

Chapter 14.20
MOBILE HOME PARK CLOSURE

Sections:

14.20.010	Purpose.
14.20.020	Scope.
14.20.030	Enforcement – Inspection.
14.20.040	Exceptions.
14.20.050	Penalties.
14.20.060	Liability.
14.20.070	Eviction notices for change of use or closure of a mobile home park.
14.20.080	Relocation report and plan.
14.20.090	Certificate of completion of the relocation report and plan.
14.20.100	Notice of provisions.
14.20.110	Administration.
14.20.120	Appeal.
14.20.130	Closure and government sponsorship.

14.20.010 Purpose.

The purpose of this chapter is to provide rules, regulations, requirements, and standards for the closure or change of use of mobile home parks in the city, insuring that the public health, safety, and general welfare of the city shall be promoted and protected; that orderly growth,

development, and proper use of land shall be insured; and that conformance with provisions set forth in the city comprehensive plan are followed. (Ord. 5746 § 1, 2003.)

14.20.020 Scope.

This chapter applies to the closure or change in use of mobile home parks. This chapter shall apply to all lands within the corporate boundaries of the city. Where this chapter imposes greater restrictions or higher standards upon the development of land than other laws, ordinances, codes or restrictive covenants, the provisions of this chapter shall prevail. (Ord. 5746 § 1, 2003.)

14.20.030 Enforcement – Inspection.

Regarding the closure of mobile home parks, it shall be the duty of the planning director to enforce the applicable provisions of this chapter. The planning director and/or designee may inspect any mobile home park in order to verify compliance with this chapter. Failure to make such inspection shall not constitute a waiver of any of the provisions of this chapter. For inspection purposes, the planning director and/or their duly authorized representative shall have the right and is hereby empowered to enter any mobile home park. (Ord. 5746 § 1, 2003.)

14.20.040 Exceptions.

Upon proper application by the affected property owner to the city's hearing examiner, pursuant to the provisions of the Auburn City Code (ACC), and following a public hearing on the application, the hearing examiner may grant an exception from the requirements of this chapter when undue hardship may be created as a result of strict compliance with the provisions of this chapter. In deciding any exception, the hearing examiner may prescribe conditions that they deem necessary to or desirable for the public interest. No exceptions shall be granted unless the hearing examiner finds that:

A. There are special physical circumstances or conditions affecting the property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use or development of their land; and

B. The exception is necessary to insure such property the rights and privileges enjoyed by other properties in the vicinity and under similar circumstances; and

C. The granting of the exception will not be detrimental to the public health, safety and welfare or injurious to the property in the vicinity. (Ord. 5746 § 1, 2003.)

14.20.050 Penalties.

Any person, firm, corporation or association, or any agent of any person, firm, corporation or association who violates the provisions of this chapter shall be guilty of a misdemeanor and upon conviction be subject to a fine not to exceed $1,000 for each such violation, or imprisonment for a period not to exceed 90 days, or both such fine and imprisonment. (Ord. 5746 § 1, 2003.)

14.20.060 Liability.

This chapter shall not be construed to relieve from or lessen the responsibility of any person closing a mobile home park in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized herein. (Ord. 5746 § 1, 2003.)

14.20.070 Eviction notices for change of use or closure of a mobile home park.

A. Before a mobile home park owner may issue eviction notices pursuant to a closure or change of use under Chapter 59.21 RCW, the mobile home park owner must first submit to the planning and development department a relocation report and plan that meets the

requirements of ACC 14.20.080. If applying for a change of use, the mobile home park owner shall submit the relocation report and plan together with all other necessary applications. Once the planning director determines that the relocation report and plan meets the requirements of ACC 14.20.080, the planning director shall approve the relocation report and plan and return a copy of the approved plan to the mobile home park owner. If the planning director determines that the relocation report and plan does not meet the requirements of ACC 14.20.080, the planning director may require the mobile home park owner to amend or supplement the relocation report and plan as necessary to comply with this chapter before approving it.

B. No sooner than upon approval of the relocation report and plan, the owner of the mobile home park may issue the 12-month closure notice to the mobile home park tenants. The closure notice shall comply with RCW 59.20.080 and 59.21.030, as amended. No mobile home owner who rents a mobile home lot may be evicted until the 12-month notice period expires, except pursuant to the State Mobile Home Landlord-Tenant Act, Chapter 59.20 RCW. (Ord. 6287 § 2, 2010; Ord. 5746 § 1, 2003.)

14.20.080 Relocation report and plan.

A. The relocation report and plan shall describe how the mobile home park owner intends to comply with Chapters 59.20 and 59.21 RCW, relating to mobile home relocation assistance, and with ACC 14.20.070 through 14.20.120. The relocation report and plan must provide that the mobile home park owner will assist each mobile home park tenant household to relocate, in addition to making any state or federal required relocation payments. Such assistance must include providing tenants an inventory of relocation resources, referring tenants to alternative public and private subsidized housing resources, helping tenants obtain and complete the necessary application forms for state-required relocation assistance, and helping tenants to move the mobile homes from the mobile home park. Further, the relocation report and plan shall contain the following information:

1. The name, address, and family composition for each mobile home park tenant household, and the expiration date of the lease for each household;

2. The condition, size, ownership status, HUD and/or State Department of Labor and Industries certification status, and probable mobility of each mobile home occupying a mobile home lot;

3. Copies of all lease or rental agreement forms the mobile home park owner currently has in place with mobile home park tenants;

4. To the extent mobile home park tenants voluntarily make such information available, a confidential listing of current monthly housing costs, including space rent, mobile home rent or other payments and utilities, for each mobile home park tenant household;

5. To the extent mobile home park tenants voluntarily make such information available, a confidential listing of gross annual income for each mobile home park tenant household;

6. An inventory of relocation resources, including available mobile home spaces in King, Snohomish, Kitsap and Pierce Counties, as well as mobile home age or size restrictions each park may have in place;

7. Actions the mobile home park owner will take to refer mobile home park tenants to alternative public and private subsidized housing resources;

8. Actions the mobile home park owner will take to assist mobile home park tenants to move the mobile homes from the mobile home park;

9. Other actions the owner will take to minimize the hardship mobile home park tenant households suffer as a result of the closure or conversion of the mobile home park; and

10. A statement of the anticipated timing for park closure.

B. The planning director may require the mobile home park owner to designate a relocation coordinator to administer the provisions of the relocation report and plan and work with the mobile home park tenants, the planning and development department, and other city and state offices to ensure compliance with the relocation report and plan and with state laws governing mobile home park relocation assistance, eviction notification, and landlord/tenant responsibilities.

C. The owner shall make available to any mobile home park tenant residing in the mobile home park copies of the proposed relocation report and plan, with confidential information deleted. Within 14 days of the planning director's approval of the relocation report and plan, a copy of the approved relocation report and plan shall be mailed by the owner to each mobile home park tenant.

D. The mobile home park owner shall update with the planning and development department the information required under this section to include any change of circumstances occurring after submission of the relocation report and plan that affects the relocation report and plan's implementation. (Ord. 6287 § 2, 2010; Ord. 5746 § 1, 2003.)

14.20.090 Certificate of completion of the relocation report and plan.

No mobile home park owner may close a mobile home park, or obtain final approval of a comprehensive plan or zoning redesignation until the mobile home park owner obtains a certificate of completion from the planning and development department. The planning director shall issue a certificate of completion only if satisfied that the owner has complied with the provisions of an approved relocation report and plan, the eviction notice requirements of RCW 59.20.080 and 59.21.030, the relocation assistance requirements of RCW 59.21.021, and any additional requirements imposed in connection with required city applications. (Ord. 6287 § 2, 2010; Ord. 5746 § 1, 2003.)

14.20.100 Notice of provisions.

It is unlawful for any party who is required to submit a relocation report and plan to the city pursuant to this chapter to sell, lease or rent any mobile home or mobile home park rental space without providing a copy of such relocation report and plan to the prospective purchaser, lessee, or renter, and advising the same, in writing, of the provisions of ACC 14.20.070 through 14.20.120 and the status of such relocation report and plan. (Ord. 5746 § 1, 2003.)

14.20.110 Administration.

The planning director shall administer and enforce ACC 14.20.070 through 14.20.120. Whenever an owner or an owner's agent fails to comply with the provisions of ACC 14.20.070 through 14.20.120, the following may occur:

A. The planning director may deny, revoke, or condition a certificate of completion, a permit, or another approval;

B. Any other city permits or approvals may be conditioned on the owner's successful completion of remedial actions deemed necessary by the planning director to carry out the purposes of ACC 14.20.070 through 14.20.120. (Ord. 5746 § 1, 2003.)

14.20.120 Appeal.

Any appeal from an administrative determination under ACC 14.20.070(A), 14.20.090, and 14.20.110(A) shall be filed within 14 days of the determination and shall be processed in accordance with the procedures established for appeals of administrative decisions under ACC 18.70.050. (Ord. 6184 § 7, 2008; Ord. 5746 § 1, 2003.)

14.20.130 Closure and government sponsorship.

A. If an eminent domain action by a federal, state or local agency causes closure of a mobile home park and the procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 USC 4601 et seq., and the regulations of 49 CFR Part 24 or the Relocation Assistance – Real Property Acquisition Policy Act of Chapter 8.26 RCW and the regulations of Chapter 468-100 WAC are followed, the requirements of those acts and regulations will supersede the requirements of ACC 14.20.070 through 14.20.120.

B. If a condemnation action of the city causes closure of a mobile home park, the city will be responsible for fulfilling the requirements of the standards contained herein. If the city chooses to follow portions of the state act and regulations and the planning director determine that there is a conflict or redundancy between the portions of the state act and regulations being followed by the city, and the standards contained herein, the state act shall take precedence in such areas of conflict or redundancy. If the state act is followed in all respects, such act will supersede the requirements of this section and the standards contained herein. (Ord. 5746 § 1, 2003.)

Chapter 14.22
COMPREHENSIVE PLAN

Sections:

14.22.010 Purpose.
14.22.020 Comprehensive plan adopted.
14.22.030 Early and continuous public participation.
14.22.040 Definitions.
14.22.050 Conformance and consistency.
14.22.060 Amendments and exceptions.
14.22.070 Periodic assessment.
14.22.080 Docketing.
14.22.090 Proposals for amendments.
14.22.100 Public hearing required by planning commission.
14.22.110 Decision criteria for plan amendments.

14.22.010 Purpose.

The city of Auburn comprehensive plan establishes the principles, goals, objectives and policies guiding future development of the city in compliance with Chapter 36.70A RCW, the Washington State Growth Management Act. The purpose of this chapter is to establish procedures and review criteria for amending the comprehensive plan and to provide provisions for public participation in the planning process. (Ord. 6172 § 1, 2008.)

14.22.020 Comprehensive plan adopted.

The city of Auburn comprehensive plan, as amended in April 1995 to comply with the Growth Management Act and as may subsequently be amended thereafter, consisting of the following elements, is hereby adopted by reference:

A. *Chapters of the Comprehensive Plan.*

1. Core Comprehensive Plan.
2. The Land Use Element.
3. The Housing Element.
4. The Capital Facilities Element.
5. The Utilities Element.
6. The Transportation Element.
7. The Economic Development Element.
8. The Parks and Recreation Element.
9. Comprehensive Plan Map.

Appendix A – Auburn Community Vision Report.

Appendix B – Auburn Housing Needs and Characteristics Assessment.

Appendix C – Auburn Housing Element Checklist.

Appendix D – Auburn Health Impact Assessment.

Appendix E – Auburn Public Participation Plan.

Appendix F.1 – King County Buildable Lands Analysis.

Appendix F.2 – Pierce County Buildable Lands Analysis.

Appendix G – Auburn Airport Master Plan.

Appendix H – Auburn Community Profile.

Appendix I – Auburn Greenhouse Gas Inventory.

Appendix J – Parks, Arts and Recreation Open Space Plan.

B. *Additional Documents of the Comprehensive Plan, That Are Incorporated by Reference.*

1. Comprehensive Transportation Plan.
2. Capital Facilities Plan.
3. Shorelines Management Program.
4. Comprehensive Water Plan.
5. Comprehensive Sewer Plan.
6. Comprehensive Drainage Plan.
7. Auburn Downtown Plan (May 2001).
8. Lakeland Hills Plan (1988).
9. Auburn Adventist Academy Plan (1991).
10. Auburn North Business Area Plan (1992). (Ord. 6612 § 1, 2016; Ord. 6329 § 1, 2010; Ord. 6172 § 1, 2008.)

14.22.030 Early and continuous public participation.

A. The city of Auburn encourages early and continuous public participation in the comprehensive planning process, and in other city-initiated planning programs that may be carried out under the overall framework of the plan. This chapter contains procedures for the consideration of potential amendments to any chapter or element of the comprehensive plan.

B. The director shall broadly disseminate information regarding the annual docketing and amendment process and identify a deadline for submittal of applications for inclusion in the annual amendment cycle. Applications submitted after the established deadline will be considered during the following annual amendment process. (Ord. 6172 § 1, 2008.)

14.22.040 Definitions.

A. "Amendment" means any change in the wording, context or substance of the comprehensive plan or a change to the comprehensive land use map or any other map contained or referenced within any plan chapter or element.

B. "Area-wide map amendment" means an amendment to the comprehensive land use map involving four or more contiguous or adjacent parcels under different ownership that would be similarly affected by a proposed map amendment.

C. "City-initiated planning program" means a planning program begun by resolution of the city council, or the planning commission, addressing a geographic sub-area of the city's urban growth area (such as a special area plan) or addressing a specific functional area (such as a utility plan).

D. "Director" means the director of the department of planning and development or designee.

E. "Docket" means a list of suggested amendments to the comprehensive plan maintained by the director.

F. "Planning commission" is an appointed group serving in an advisory capacity to the city council as specified in Chapter 2.45 ACC. (Ord. 6532 § 23, 2014; Ord. 6287 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.050 Conformance and consistency.

The zoning, land division and other development codes contained or referenced within Auburn City Code shall be consistent with and implement the intent of the comprehensive plan. Capital budget decisions shall be made in conformity with the comprehensive plan. (Ord. 6172 § 1, 2008.)

14.22.060 Amendments and exceptions.

A. The comprehensive plan may only be amended pursuant to this chapter, no more frequently than once each calendar year as part of the annual cycle established herein, except as provided in subsection C of this section.

B. All amendments shall be considered concurrently so as to assess their cumulative impact.

C. *Exceptions.* Pursuant to Chapter 35A.70 RCW, under the following circumstances, amendments may be processed separately and in addition to the annual amendment cycle:

1. If an emergency exists, which is defined as an issue of community-wide significance that addresses the public health, safety, and general welfare;

2. To resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board or with the court;

3. To adopt or amend a shoreline master program under the procedures set forth in Chapter 90.58 RCW;

4. The initial adoption of a subarea plan or new element to the comprehensive plan;

5. The amendment of the capital facilities plan may occur concurrently with the adoption or amendment of the city budget;

6. Amendments of the comprehensive plan that are conducted in conjunction with an annexation as set forth in Titles 35 and 35A RCW. (Ord. 6853 § 1 (Exh. A), 2022; Ord. 6172 § 1, 2008.)

14.22.070 Periodic assessment.

A. The director will periodically monitor the comprehensive plan and development regulations that implement the plan, assess the need for any amendments, and may add potential changes to the docket as specified in ACC 14.22.080. The assessment shall be based on, at a minimum:

1. Whether growth and development are occurring at a faster or slower rate than envisioned in the plan;

2. Whether the capacity to provide adequate services has diminished or increased;

3. The availability of land to meet demand;

4. Whether the assumptions on which the plan is based remain valid;

5. The effect of the plan on land values and housing is contrary to plan goals;

6. Whether sufficient change or lack of change in circumstances dictates the need for an amendment.

B. The city shall complete a comprehensive review of the comprehensive plan and development regulations in order to update it as appropriate and to ensure continued compliance with the Growth Management Act pursuant to RCW 36.70A.130. (Ord. 6329 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.080 Docketing.

A. In accordance with RCW 36.70A.470, suggested changes to the comprehensive plan which are not specific to any site may be submitted by any individual, organization or general or special purpose government and shall be coordinated by the director. The director shall create appropriate forms for such submittals that require the submittal to address the criteria outlined in subsection C of this section. The list shall be known as the "docket" and is the means to suggest a change or identify a deficiency in the comprehensive plan. An item may be submitted to the docket at any time during the calendar year. There is no fee associated with submitting an item to the docket.

B. Annually, the director shall review such suggestions with the city council and determine whether to direct them to the planning commission for consideration. The city council may decline to consider any item from the docket.

C. Proposed amendments on the docket may be considered appropriate for action if the following criteria are met:

1. A proposed comprehensive plan text amendment addresses a matter appropriate for inclusion in the plan;

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the plan;

3. The proposal addresses the interests and changed needs of the entire city as identified in the plan;

4. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the city council;

5. The proposal can be reasonably reviewed and evaluated, given existing staff and budget resources; and

6. The proposal has not been voted on by the city council in the last three years. This time limit may be waived by the city council if it is demonstrated that there exists either an obvious technical error or a change in circumstances that justifies the need for the amendment.

D. Any item on the docket that is not determined to be appropriate for action may be proposed under ACC 14.22.090, provided it is timely and properly filed. (Ord. 6532 § 24, 2014; Ord. 6172 § 1, 2008.)

14.22.090 Proposals for amendments.

A. *Privately Initiated Amendments.* A proposed amendment to the comprehensive plan, other than docketing pursuant to ACC 14.22.080, may be submitted by any individual, organization, corporation or partnership; general or special purpose government other than the city; or entity of any kind; provided, that if the proposal involves specific real property, the property owner has provided written consent to the proposal.

B. *City – Initiated Amendments.* The city council or the planning commission may initiate a planning program or any type of amendment to the comprehensive plan, regardless of whether site-specific or area-wide in scope.

C. *Application.* Except for city-initiated planning programs or individual amendments, all proposed amendments shall be submitted to the director on an approved form, together with required filing fees. An environmental checklist shall also be submitted if required. A proposed amendment request shall include the following information:

1. Name, address, phone number and e-mail address of the applicant and contact person and written consent of the property owner if the proposal affects specific property;

2. If the amendment concerns specific property, both a general description and legal description of the property;

3. A description of the plan amendment being requested;

4. Written statements addressing the purpose of the amendment, why it is being requested, and how it is consistent with the criteria listed in ACC 14.22.110;

5. If the request is for an amendment to the comprehensive land use map, an indication of what concurrent change in zoning is also being requested.

D. *Department Report.* The director shall prepare an assessment and recommendation on all proposed amendment requests and include this within a report that evaluates all requests concurrently. (Ord. 6532 § 25, 2014; Ord. 6172 § 1, 2008.)

14.22.100 Public hearing required by planning commission.

A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:

1. For site-specific plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

   b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;

2. For area-wide plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

   b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;

   c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.

B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.

C. *Planning Commission Recommendation.* The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.

D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.

E. *State Review.* All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.

F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)

14.22.110 Decision criteria for plan amendments.

A. The comprehensive plan was developed and adopted after significant study and public participation. The principles, goals, objectives and policies contained therein shall be granted substantial weight when considering a proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant, who must demonstrate that the request complies with and/or relates to the following decision criteria:

1. The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent;

2. Whether the capacity to provide adequate services is diminished or increased;

3. Assumptions upon which the comprehensive plan is based are found to be invalid;

4. A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment;

5. If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2040: Growth and Transportation Strategy for the Puget Sound Region;

6. If the request is to change the land use designation of a specific property on the comprehensive land use map, the applicant must demonstrate one of the following:

a. The current land use designation was clearly made in error or due to an oversight;

b. The proposed land use designation is adjacent to property having a similar or compatible designation, or other conditions are present to ensure compatibility with surrounding properties;

c. There has been a change in conditions since the current land use designation came into effect. (Ord. 6172 § 1, 2008.)

Chapter 17.01
USER GUIDE

Sections:

17.01.010 Introduction.
17.01.020 What is a subdivision?
17.01.030 How is a plat reviewed?
17.01.040 What are the criteria for approval?
17.01.050 What happens after a plat is approved?
17.01.060 What about a simple boundary line adjustment or elimination?
17.01.070 How do you modify an existing subdivision?
17.01.080 How do you change a recorded subdivision?
17.01.090 How do you eliminate a recorded subdivision?
17.01.100 Is there another process by which you can subdivide land?
17.01.110 Can you cluster lots within a subdivision?

17.01.010 Introduction.

This title contains standards, regulations and processes for the division of land and adjustment of property boundaries within the city. (Ord. 6239 § 1, 2009.)

17.01.020 What is a subdivision?

The process of dividing land into smaller lots is often generically referred to as a subdivision. However, in this title, the term “subdivision” refers specifically to the division of land into five or more lots, while the division of land into four or fewer lots is called a “short subdivision.” Most of the regulations for subdivisions and short subdivisions are the same, but a short subdivision is an administrative process where an application is reviewed and decided upon by city staff whereas a subdivision is reviewed and decided upon by the city’s hearing examiner. A plat is the drawing or map which shows the subdivision or short subdivision. (Ord. 6239 § 1, 2009.)

17.01.030 How is a plat reviewed?

The plat review process for a short subdivision, including the infrastructure improvement requirements for approval, is set forth in Chapter 17.09 ACC. The plat review process for a subdivision, from the optional pre-application conference to preliminary approval by the hearing examiner, is set forth in Chapter 17.10 ACC. Chapter 17.16 ACC includes additional requirements for planning and other studies to be submitted for review along with the preliminary plat. (Ord. 6239 § 1, 2009.)

17.01.040 What are the criteria for approval?

A plat must be laid out in accordance with the standards and specifications set forth in Chapter 17.14 ACC. (Ord. 6239 § 1, 2009.)

17.01.050 What happens after a plat is approved?

Once the layout of a subdivision has been approved by the city, it is said to have preliminary approval. Then the applicant must submit construction drawings of the infrastructure that was proposed in the preliminary plat. Once these construction drawings are approved by the city and the infrastructure has been built, inspected and accepted by the city, the plat has final approval and can be recorded with the appropriate county. In the case of a subdivision, an additional application, review and approval process is required for this final approval. This final plat process is set forth in Chapter 17.12 ACC. (Ord. 6239 § 1, 2009.)

17.01.060 What about a simple boundary line adjustment or elimination?

Other land adjustment tools are also outlined in this title, including boundary line adjustments (Chapter 17.06 ACC) and boundary line eliminations (Chapter 17.08 ACC). Boundary line adjustments are the movement of a boundary line that does not result in the creation of a new

lot. Boundary line eliminations are the merging of two or more lots by eliminating one or more lot lines. (Ord. 6239 § 1, 2009.)

17.01.070 How do you modify an existing subdivision?

The applicant can request a modification of subdivision standards and specifications through the process set forth in Chapter 17.18 ACC. (Ord. 6239 § 1, 2009.)

17.01.080 How do you change a recorded subdivision?

After a subdivision has been recorded with the county in which it is located, any proposed change to the subdivision is called a subdivision alteration. The alteration process is set forth in Chapter 17.20 ACC. If the applicant proposes to make a change to an approved preliminary plat before final plat approval and recording, then the applicant may request an adjustment to the preliminary plat through the process set forth in ACC 17.10.100. (Ord. 6239 § 1, 2009.)

17.01.090 How do you eliminate a recorded subdivision?

A plat may also be vacated, or eliminated, after recording. Chapter 17.22 ACC outlines the process by which a plat may be vacated, and to whom the title to the vacated property shall vest. (Ord. 6239 § 1, 2009.)

17.01.100 Is there another process by which you can subdivide land?

The binding site plan process is an alternative form of land division. It may be used for the division of land for commercially or industrially zoned property, or for certain types of residential development. This process is set forth in Chapter 17.24 ACC. (Ord. 6239 § 1, 2009.)

17.01.110 Can you cluster lots within a subdivision?

The city of Auburn allows clustering of lots within a subdivision onto a portion of the site, while maintaining the density of the residential zone. Clustering allows future development to occur at an appropriate density for infrastructure services; it also protects environmentally sensitive areas or cultural/historic features by clustering lots away from these areas. The standards by which clustering is allowed are set forth in Chapter 17.26 ACC. (Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.59

DEVELOPMENT STANDARDS FOR MARIJUANA RELATED BUSINESSES

Sections:

18.59.010	Purpose.
18.59.020	Maximum number of marijuana retail businesses.
18.59.030	Required geographic separation.
18.59.040	Marijuana required to be grown in a structure.
18.59.050	Required odor control for marijuana related businesses.
18.59.060	First-in-time – Change in ownership, relocation and abandonment for marijuana retail stores – Nonconforming uses.
18.59.070	Signage.
18.59.080	Security required.
18.59.090	Specific standards for marijuana producers, processors, research and transportation businesses.
18.59.100	Pre-application conference meeting recommended.
18.59.110	Public review meeting required.

18.59.010 Purpose.

The development standards contained in this chapter are intended to address the substantive impacts that marijuana related businesses may have on all or a portion of the community by providing clear and objective development standards that will reduce or mitigate said impacts and provide, when appropriate, opportunities for public awareness and input prior to an application being made to the city. In addition, the development standards will provide the city, adjacent property owners (residential or nonresidential) and adjacent business owners as well as the entire community the opportunity to be kept informed and aware through ongoing reporting for those marijuana related businesses that successfully obtain appropriate approvals and authorizations to operate in the city of Auburn. (Ord. 6642 § 30, 2017.)

18.59.020 Maximum number of marijuana retail businesses.

The total maximum number of marijuana retail businesses operating within the city at any given time shall be limited to a maximum of four properly licensed and permitted stores. For purposes of these regulations, these standards shall be considered in addition to the numeric allowances on these businesses specified now or in the future by the Washington State Liquor and Cannabis Board. (Ord. 6642 § 30, 2017.)

18.59.030 Required geographic separation.

Marijuana related businesses operating within the city shall be geographically separated as follows. For purposes of these regulations, these standards shall be considered in addition to those geographic siting standards specified by the Washington State Liquor and Cannabis Board:

A. A marijuana retailer authorized by the Washington State Liquor and Cannabis Board and the city to operate within the city shall be sited a minimum of one mile from another similarly authorized marijuana business.

B. A marijuana retailer business shall be sited a minimum of 1,320 feet from any properties zoned and utilized for single-family residential or multifamily residential land uses.

C. All marijuana related businesses shall not be located within the distances identified for the following uses or any use included in Chapter 314-55 WAC now or as hereafter amended:

1. Two thousand six hundred forty (2,640) feet for:

    a. Elementary or secondary school that is existing or that is planned and has a site-specific location identified in an adopted capital facilities plan;

    b. Public or private playgrounds inclusive of those located within a multifamily residential complex;

    c. Public or private recreation center or facility;

    d. Child care centers;

e. Public or private parks;

f. Any game arcade; and

2. One thousand three hundred twenty (1,320) feet for:

a. Public trails;

b. Public transit centers;

c. Religious institutions;

d. Public libraries;

e. Transit center or park-and-ride facility operated by a sovereign nation on trust or non-trust designated properties.

D. *Measurement.* All separation requirements shall be measured as the shortest straight line distance from the property line or right-of-way line of the proposed business location to the property line or right-of-way line of the use specified in this section. (Ord. 6642 § 30, 2017.)

18.59.040 Marijuana required to be grown in a structure.

For all marijuana related businesses and marijuana cooperatives, marijuana shall be grown in a structure. Outdoor cultivation is prohibited in all instances. (Ord. 6642 § 30, 2017.)

18.59.050 Required odor control for marijuana related businesses.

Marijuana odor shall be contained within the marijuana related business so that odor from the marijuana cannot be detected by a person with a normal sense of smell from any abutting use or property. If marijuana odor can be smelled from any abutting use or property, the marijuana related business shall be required to implement measures, including, but not limited to, the installation of the ventilation equipment necessary to contain the odor. (Ord. 6642 § 30, 2017.)

18.59.060 First-in-time – Change in ownership, relocation and abandonment for marijuana retail stores – Nonconforming uses.

A. Areas Where No Retail Marijuana Uses Are Located. If two or more marijuana retail applicants seek licensing from the state and propose to locate within less than one mile of each other, the city shall consider the entity that is licensed first by the State Liquor and Cannabis Board to be the "first in-time" applicant who is entitled to site the retail use. First-in-time determinations will be based on the date and time of the state-issued license or conditional license, whichever is issued first. The director or designee shall make the first-in-time determination.

B. First-in-time determinations are location-specific and do not transfer or apply to a new property or site, unless the new site is within the same tax parcel.

C. *Ownership.* The status of a first-in-time determination is not affected by changes in ownership.

D. *Relocation.* Relocation of a retail store to a new property voids any firstin-time determination previously made as to the vacated property. The determination shall become void on the date the property is vacated. Applicants who may have been previously denied a license due to a first-in-time determination at the vacated property may submit a new application after the prior first-in-time determination becomes void.

E. *Discontinuance.* If an existing marijuana retail use is discontinued or abandoned for a period of six months with the intention of abandoning that use, then the property shall forfeit first-in-time status. For purposes of this section, discontinuance shall not mean a legal change in business name or ownership or Washington State Unified Business Identifier (UBI) number. Discontinuance of a licensed retail use for a period of six months or greater constitutes a prima facie intent to abandon the retail use. Intent to abandon may be rebutted by submitting documentation adequate to rebut the presumption. Documentation rebutting the presumption of intent to abandon includes but is not limited to:

1. State licensing review or administrative appeal; or

2. Review of building, land use, other required development permits or approvals; or

3. Correspondence or other documentation from insurance provider demonstrating an intent to reestablish the use after either a partial or full loss or disruption of the use.

4. The director shall determine whether a retail use has been discontinued, abandoned, or voided, whether in connection with an application for an administrative conditional use permit or as otherwise appropriate.

F. *Accidental Destruction.* First-in-time status or cessation is not affected when a structure containing a state-licensed retail outlet is damaged by fire or other causes beyond the control of the owner or licensee; provided all necessary local, regional, state or other permits and approvals are successfully obtained and redevelopment commences within 12 months from the documented date of the accidental destruction or the licensee provides documentation demonstrating why redevelopment cannot commence within 12 months; provided, that redevelopment is completed within 24 months of the documented date of accidental destruction.

G. Marijuana related businesses that had lawfully obtained all state and local approvals prior to the adoption of these rules shall be considered legal conforming uses even if the business is unable to meet the standards for geographic separations and square footage requirements outlined in this chapter. (Ord. 6642 § 30, 2017.)

18.59.070 Signage.

All marijuana related businesses shall comply with applicable sign regulations and standards as specified in Chapter 18.56 ACC (Signs) as may be amended. (Ord. 6642 § 30, 2017.)

18.59.080 Security required.

In addition to the security requirements in Chapter 315-55 WAC, during nonbusiness hours, all marijuana producers, processors, and retailers shall store all marijuana concentrates, usable marijuana, marijuana-infused products, and cash in a safe or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into the building structure or securely attached thereto. For usable marijuana products that must be kept refrigerated or frozen, these

products may be stored in a locked refrigerator or freezer container in a manner approved by the director, provided the container is affixed to the building structure. (Ord. 6642 § 30, 2017.)

18.59.090 Specific standards for marijuana producers, processors, research and transportation businesses.

A. Marijuana production and processing facilities shall comply with the following provisions:

1. Marijuana production, processing research and transportation facilities shall be ventilated so that the odor from the marijuana cannot be detected by a person with a normal sense of smell from any adjoining use or property;

2. A screened and secured loading dock, approved by the director, shall be required. The objective of this requirement is to provide a secure, visual screen from the public right-of-way and adjoining properties, and prevent the escape of odors when delivering or transferring marijuana, marijuana concentrates, usable marijuana, and marijuana-infused products.

B. Any marijuana producer or marijuana processors operating within the city (1) shall strictly comply with all industrial, health and safety codes, including but not limited to WAC 314-55-104 and RCW 69.50.348, and (2) shall have at least 4,000 square feet of building utilized for its individual business, and the total square feet of all marijuana producers and processors in the city shall not exceed 90,000 square feet of building space; provided, that any such business that was licensed and existing prior to August 1, 2016, that did not have at least 4,000 square feet of building utilized for its individual business may continue operating, and shall be classified as a fully legal conforming use at its current location even though it did not have at least 4,000 square feet of building utilized for its individual business. (Ord. 6642 § 30, 2017.)

18.59.100 Pre-application conference meeting recommended.

A pre-application conference is available and encouraged prior to the submittal of a formal business license.

18.59.110 Public review meeting required.

A. A minimum of one public review meeting shall be conducted by applicant for any marijuana related business in the city. The purpose of the public review meeting is to allow adjacent property owners (residential and nonresidential) and adjacent business owners an opportunity to become familiar with the proposal and to identify any associated issues. The public review meeting is intended to assist in producing applications that are responsive to the concerns of adjacent property owners (residential and nonresidential) and adjacent business owners and to reduce the likelihood of delays and appeals. The city expects an applicant to take into consideration the reasonable concerns and recommendations of these parties when preparing an application. The city expects these parties to work with the applicant to provide reasonable concerns and recommendations. The requirements of this section shall apply to new businesses as well as businesses that are seeking to relocate to a different tax parcel.

B. Prior to submittal of an application for any marijuana related business, the applicant shall provide an opportunity to meet with adjacent property owners (residential or nonresidential) and adjacent business owners within whose boundaries the site for the proposed marijuana related business is located or within the notice radius to review the proposal. The applicant shall not be required to hold more than one public review meeting provided such meeting is held within six months prior to submitting an application for one specific site.

C. Public review meetings shall occur prior to submitting a formal business license application to the city of Auburn.

D. Public review meetings shall occur after the required pre-application conference with the city of Auburn.

E. The applicant shall hold a public review meeting in a publicly accessible location within one mile of the proposed business site; provided, that if no such place is immediately available, the applicant may submit a written request to the director proposing an alternate meeting location and the director may approve said location, in writing. The meeting starting time selected shall be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a national holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act (ADA). A portable sign at least 22 inches by 28 inches in size with minimum two-inch lettering shall be placed at the main entrance of the building where the meeting will take place at least one hour prior to the meeting. Such sign will

announce the meeting, subject matter of the meeting, and announce that the meeting is open to the public and that interested persons are invited to attend. This sign shall be removed by the applicant upon conclusion of the meeting.

F. The applicant shall send by regular mail a written notice announcing the public review meeting to the director, property owners pursuant to the most current public records of the King County assessor's office or Pierce County assessor's office within 1,320 feet on all sides of the property involved in the anticipated application and to all current businesses registered with the city of Auburn within 1,320 feet on all sides of the property involved in the anticipated application. At the request of the applicant, and upon payment of the applicable fee, the city will provide the required mailing lists for property owners and/or registered businesses.

G. Not less than 20 calendar days prior to the public review meeting, the applicant shall post a notice on the property which is subject of the proposed application. The notice shall be posted within 50 feet of an adjoining public right-of-way in a manner that can be read from the right-of-way. The notice shall state that the site may be subject to a proposed marijuana related business, the type of marijuana related business in sufficient detail for a reasonable person to ascertain the nature and type of business, the name of the applicant and the applicant's telephone number and electronic mail address where the applicant can be reached for additional information. The site shall remain posted until the conclusion of the public review meeting.

H. At the public review meeting, the applicant shall describe the proposed application to persons in attendance. The attendees may identify any issues that they believe should be addressed in the proposed application and recommend that those issues be submitted for city consideration and analysis.

I. At the public review meeting, the applicant shall take notes of the discussion on the proposed application.

J. To comply with this section, an applicant shall submit the following information with the business license application:

1. A copy of the notice sent to surrounding property owners pursuant to subsection F of this section.

2. A copy of the mailing list used to send out meeting notices pursuant to subsection F of this section.

3. A written statement and clear photographs containing the information posted on the property pursuant to subsection G of this section.

4. A notarized affidavit of mailing and posting notices.

5. Copies of written materials and eight-and-one-half-inch by 11-inch size plans presented at the public review meeting.

6. Typed notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.

K. If responses to the meeting notice were not received by the applicant and no one attended the public review meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

L. Failure of a property owner or business owner to receive notice shall not invalidate the public review meeting proceedings. (Ord. 6642 § 30, 2017.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.76
PLANNED UNIT DEVELOPMENT DISTRICT (PUD) – LAKELAND HILLS SOUTH

Sections:

18.76.010 Purpose.
18.76.020 Process.
18.76.030 Definitions.
18.76.040 Permitted uses.
18.76.045 Uses requiring an administrative use permit.
18.76.046 Marijuana related uses.
18.76.050 Calculation of number of dwelling units.
18.76.060 Development standards.
18.76.070 Design requirements.
18.76.075 Landscaping and screening requirements.
18.76.077 Sign requirements.
18.76.080 Public infrastructure requirements.
18.76.090 Application for approval of major amendment to the PUD.
18.76.100 Phased developments.
18.76.110 Concurrence with subdivision regulations.
18.76.120 Administrative review of major amendments.
18.76.130 Hearing examiner review.
18.76.140 Findings of fact.
18.76.150 City council action.
18.76.160 Site plan approval.
18.76.170 Adjustments to the PUD.
18.76.180 Property owners' association.

18.76.010 Purpose.

The comprehensive plan provides the Lakeland Hills South special area plan is intended to be consistent with the conditions of approval of the Lakeland Hills South PDD (Pierce County

Hearings Examiner Case No. Z15-90/UP9-70) as amended. The conditions of approval which remain applicable are attached to Ordinance No. 5092 as Exhibit A and incorporated herein by reference.

Auburn has accepted the Lakeland Hills South PUD as an approved PUD. Therefore, this purpose section shall apply to minor and major amendments to the Lakeland Hills South PUD.

The purpose of a planned unit development (PUD) district is to offer enhanced flexibility to develop a site through innovative and alternative development standards. A PUD district also allows for a greater range of residential development scenarios, provides for internal transfers of density, and may result in more dwelling units than may be realized by using the existing development standards. In exchange for this enhanced flexibility, the city will require the PUD to result in a significantly higher quality development, generate more public benefit and be a more sensitive proposal than would have been the case with the use of standard zoning or subdivision procedures.

In order for a PUD to be approved it will be the applicant's responsibility to demonstrate, to the city's satisfaction, that the proposed PUD achieves or is consistent with the following desired public benefits and expectations in whole or in part:

A. *Preservation of Natural Amenities.* Preservation of desirable site characteristics such as open spaces and the protection of sensitive environmental features including steep slopes, rivers, creeks, wetlands, lakes and scenic views.

B. *Pedestrian-Oriented Communities.* Use of traffic management and design techniques to reduce traffic congestion and increase the potential use of alternative modes of travel such as mass transit, pedestrian and bicycle traffic.

C. *Land Use Efficiencies.* Provide efficient and effective use of land, open space and public facilities that result in lower development cost and make housing more affordable.

D. *Implementation of the Comprehensive Plan.* Provide development that is consistent with the goals and policies of the comprehensive plan. PUDs may also allow for a small amount of development from other comprehensive plan designations if determined to be appropriate for the PUD and its surroundings.

E. *Enhanced Design Features.* Provide building and structural designs that complement surrounding land uses and their environment. Design standards should reflect quality site planning, landscaping and building architecture.

F. *Creation of Public Amenities.* Enhance parks and open spaces consistent with the comprehensive park plan and nonmotorized plan.

G. *Affordable Housing.* Provide affordable housing options in accordance with Auburn's comprehensive plan. (Ord. 5092 § 1, 1998.)

18.76.020 Process.

The approval process for major amendments to the Lakeland Hills South PUD is three steps. The first step is a recommendation by the hearing examiner and final approval of the PUD or major amendment by the city council using the process applicable to a rezone, Chapter 18.68 ACC. The second step is the approval of either a preliminary plat, a site plan, or a combination of both. Where a preliminary plat has been proposed, the third step is the approval of a final plat by the city council. Step two may be combined with step one.

A. *Step One – PUD Major Amendment Approval.* Approval of a major amendment to the Lakeland Hills South PUD shall be applied by the rezone process as specified in Chapter 18.68 ACC. Generally, a major amendment will be required because a specific proposal within a planning area necessitates an amendment. For the proposal triggering the need for the major amendment, the major amendment shall establish the land uses, density, number and types of dwelling units, number and distribution of lots/units, any modification of plat development standards, general street layout, street right-of-way widths, whether streets are public or private, the amount, type, and location of open space and park land, phasing plans if any, and the responsibilities of the owner/developer. If there is no specific proposal, the major amendment shall establish these parameters to the extent possible. Application for PUD major amendment approval shall be in accordance with ACC 18.76.090.

B. *Step Two – Preliminary Plat/Site Plan Approval.* For those major amendments to the Lakeland Hills South PUD that consist of only single-family or duplex platted lots, a preliminary plat may be filed pursuant to Chapter 17.06 ACC. For all other uses, a site plan must be approved by the director of planning pursuant to ACC 18.76.160. Preliminary plat and site plan approval must be

concurrent if a PUD requires both approvals. Preliminary plat/site plan applications may be for all or a portion of a planning area. Applications for a site plan shall be in accordance with ACC 18.76.160.

C. *Step Three – Final Plat Approval.* Final plats shall be approved pursuant to Chapter 17.10 ACC.
(Ord. 5092 § 1, 1998.)

18.76.030 Definitions.

For the purposes of this chapter:

A. "Community center/recreation facilities" means a building with associated amenities intended or designed to be used for community meetings and recreation and may include facilities within and adjacent to the building for offices, kitchen, storage space, bathrooms, sales and information, swimming pools, sportcourts, tennis courts, playgrounds, and an outdoor amphitheater.

B. "Density" means the maximum number of dwelling units per acre allowed within a given area.

C. "Department" shall refer to the city of Auburn department of planning and development.

D. "Gross area" (also referred to as "gross acreage" or "gross useable area") shall be defined as all of the area within the boundaries of the entire PUD site including all public and private parcels, rights-of-way, open spaces, common areas, and dedications.

E. *Lot Types.* These definitions apply to dwellings on fee simple lots:

1. "Detached lots" are lots on which the structure on the lot is set back from all the lot lines.

2. "Zero setback lots" are lots on which the structure on the lot does not have a setback from one of the interior side lot lines and is not attached to another structure on an adjoining lot. The structure is set back from all remaining lot lines.

3. "Semi-attached lots" are lots on which the structure on the lot does not have a setback from one of the interior side lot lines and is attached to another structure on an adjoining lot. The structure is set back from all remaining lot lines.

4. "Attached lots" are lots on which the structure on the lot does not have a setback from either of the interior side lot lines and is attached to another structure on both adjoining lots. The structure is set back from all remaining lot lines.

F. "Net area" (also referred to as "net acreage" or "net usable area") shall be defined as the gross area minus the area designated as nonbuildable areas and nonresidential uses.

G. "Nonbuildable areas" include slopes that exceed 25 percent measured between each 25-foot contour line, wetlands delineated pursuant to the definition of "wetlands" contained within ACC 16.06.030, or floodways as defined by ACC 15.68.100(Z). Slopes, wetlands, or floodways that are allowed to be modified by the city may be considered buildable. Wetland buffers are not considered nonbuildable areas. Nonbuildable areas for each planning area will be determined following the completion of mining for the planning area pursuant to Pierce County Permit UP9-70 as it may be amended.

H. "Official Lakeland plan map" is the final development plan for Lakeland attached to the ordinance codified in this chapter as Exhibit "B-REV" as amended by Ordinance No. 5546 and legally described in Exhibit "C." Exhibits "B-REV" and "C" are incorporated herein by reference. Exhibit "B" approved in Ordinance No. 5092 is no longer effective. It is replaced by Exhibit "B-REV."

I. "Open space" may include such features as landscaped areas, held in common ownership by a homeowners' association and part of a landscape plan common to the entire PUD, passive and active recreation uses, natural features, environmental amenities such as wetlands and their buffers, and storm water facilities that incorporate any or all of the above identified features. Open space areas shall be required to be enhanced if not already an existing amenity. Areas intended to be left in their natural state, including but not limited to wetlands and their buffers and steep slopes, shall be considered an existing amenity. The open space must be a permanent, integral, and functional amenity that is for the common good and enjoyment of the residents of the entire PUD and not just to an individual lot or resident. Landscaped areas, private parks, and improvements within open space areas shall be maintained by the homeowners' association. Open space for the Lakeland Hills South special area plan is shown on the official Lakeland plan map and shall be provided in accordance with the First

Amendment to Lakeland Annexation and Utilities Agreement as adopted by City Council Resolution No. 2955.

J. "Planning area" refers to the areas referred to as residential, senior, commercial, community center, school, and park/open space on the official Lakeland plan map.

K. "Private street" means any access easement, tract or street which is not a public street. Driveways which are not part of an access easement, tract or street shall not be considered a street.

L. "Public street" includes all streets, highways, freeways, avenues, lanes, courts, places or other public rights-of-way in the city held in public ownership and intended to be open as a matter of right to public vehicular traffic.

M. "Senior housing and services" means living accommodations where at least one member of the household is age 55 or over and all members of the household are at least 18 years of age. Dwelling units may consist of independent living units comprised of attached and detached single-family and multifamily dwellings where elderly individuals or families provide rooms, meals, personal care, supervision of self-administered medication, recreational activities, financial services, and transportation, and may include Alzheimer's care and health care facilities. For the purposes of this chapter, Alzheimer's care facilities which have no more than one congregate kitchen and dining area will be considered one dwelling unit. (Ord. 6287 § 2, 2010; Ord. 5553 § 1, 2001; Ord. 5092 § 1, 1998.)

18.76.040 Permitted uses.

A. *Residential.*

1. Housing concepts of all types limited only by the density allowed in the official Lakeland plan map. Examples include the following:

   a. Single-family detached homes;

   b. Condominiums, apartments, and townhouses;

   c. Customary accessory uses and structures common to single-family homes or multifamily dwellings;

d. Home occupations authorized by and subject to the standards of Chapter 18.60 ACC;

e. Storage or parking of recreational vehicles for residents of the individual development;

f. Nonresidential or municipal uses such as schools, churches, libraries, police, parks or fire facilities as authorized in the PUD;

g. Home-based daycare;

h. Community centers/recreation facilities;

i. Senior housing and services.

2. Parks.

B. *Nonresidential.* Uses permitted outright by Chapter 18.26 ACC as authorized in the development plan, except those uses requiring an administrative use permit under ACC 18.76.045. (Ord. 6269 § 25, 2009; Ord. 5777 § 1, 2003; Ord. 5092 § 1, 1998.)

18.76.045 Uses requiring an administrative use permit.

A. The following uses may be permitted throughout the PUD as specifically authorized by the development plan and when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Civic, social and fraternal clubs;

2. Mini-daycare and daycare centers;

3. Preschools or nursery schools;

4. Religious institutions;

5. Utility substations;

6. Municipal services:

a. Police;

b. Fire;

c. Library.

B. The following uses may be permitted in areas of the PUD with a comprehensive plan designation of "Light Commercial" as specifically authorized by the development plan and when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Automobile service stations;

2. Drive-through facilities, including banks and restaurants;

3. Brew pubs. (Ord. 6269 § 37, 2009.)

18.76.046 Marijuana related uses.

All marijuana related businesses and marijuana cooperatives shall not be permitted in any residential or nonresidential portion of the planned unit development. (Ord. 6642 § 29, 2017.)

18.76.050 Calculation of number of dwelling units.

The maximum number of dwelling units allowed in a planning area is calculated in the following manner:

A. Nonbuildable areas and land set aside for nonresidential land uses are subtracted from the gross area of the site to determine the net usable area of the site. For the purposes of this section, nonbuildable areas do not include public or private streets or driveways within a planning area.

B. The number of acres of the net usable area of the planning area is multiplied by the residential densities allowed in the official Lakeland plan map to produce the maximum number of dwelling units. Any fractions may be rounded up to the nearest whole number as long as the densities as outlined in subsection C of this section are not exceeded.

C. Residential densities within each planning area allowed by the official Lakeland plan map are as follows:

Allowable Residential Densities

Lakeland Hills South Comprehensive Plan Map Designation	Maximum Number of Dwelling Units Per Acre
Single-family	6 units per acre
Moderate density residential	14 units per acre
High density residential	19 units per acre

(Ord. 5092 § 1, 1998.)

18.76.060 Development standards.

The following development standards will apply for each development within the planning areas shown on the official Lakeland plan map. Except where modified by these standards, all standards of the Auburn City Code apply. Front yard setbacks are measured from the edge of the right-of-way for lots fronting on public streets and from the face of the curb, or the midpoint if a rolled curb is used, for private streets.

A. *Single-Family Planning Areas.* Single-family planning areas are those planning areas with a permitted density of one to four and two to six dwelling units per acre. Within these planning areas, the following development standards apply:

1. Single-Family Detached – One (SFD-1).
    a. Minimum lot area: 7,000 square feet.
    b. Minimum lot width: 65 feet.

c. Minimum lot depth: 100 feet.

d. Building footprint coverage: 55 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 20 feet to garage;

ii. Side: five feet;

iii. Side, street: 10 feet;

iv. Rear: 20 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

2. Single-Family Detached – Two (SFD-2).

a. Minimum lot area: 5,400 square feet.

b. Minimum lot width: 60 feet.

c. Minimum lot depth: 90 feet.

d. Building footprint coverage: 55 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 20 feet to garage;

ii. Side, interior: five feet;

iii. Side, street: 10 feet;

iv. Rear: 20 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

3. Single-Family Detached – Three (SFD-3).

a. Minimum lot area: 4,250 square feet.

b. Minimum lot width: 50 feet.

c. Minimum lot depth: 85 feet.

d. Building footprint coverage: 55 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: five feet;

iii. Side, street: 10 feet;

iv. Rear: 15 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

B. *Moderate Density.* The moderate density planning areas are those planning areas with a permitted density of two to 14 dwelling units per acre. Within these planning areas, the

following development standards apply in addition to those identified in subsection A of this section:

1. Single-Family Detached – Four (SFD-4).
    a. Minimum lot area: 3,375 square feet.
    b. Minimum lot width: 45 feet.
    c. Minimum lot depth: 65 feet.
    d. Building footprint coverage: 55 percent.
    e. Minimum Yard Setbacks.
        i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;
        ii. Side, interior: five feet;
        iii. Side, street: 10 feet;
        iv. Rear: 15 feet;
        v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.
    f. Maximum Building Height.
        i. Main building: 30 feet;
        ii. Accessory buildings: 24 feet.
2. Single-Family Detached – Five (SFD-5).
    a. Minimum lot area: 2,730 square feet.
    b. Minimum lot width: 40 feet.
    c. Building footprint coverage: 55 percent.
    d. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: three feet;

iii. Side, street: six feet;

iv. Rear: 10 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

e. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

3. Multifamily or Small Lot Detached – One (MFA-1).

a. Minimum lot area: 2,400 square feet.

b. Minimum site area per dwelling unit: 2,400 square feet.

c. Minimum lot width: 35 feet if detached; 20 feet if attached.

d. Building footprint coverage: 60 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: five feet, except zero feet when attached and three feet if detached single-family;

iii. Side, street: 10 feet or six feet if detached single-family;

iv. Rear: 10 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

C. *High Density.* The high density planning areas are those with a permitted density of 12 to 19 dwelling units per acre. Within these planning areas, the following development standards apply:

1. Multifamily – Two (MFA-2).

a. Minimum lot area: 1,800 square feet.

b. Minimum site area per dwelling unit: 1,800 square feet.

c. Minimum lot width: 20 feet.

d. Building footprint coverage: 60 percent.

e. Minimum Yard Setbacks.

i. Front: 10 feet to porch, 15 feet to residence, 18 feet to garage;

ii. Side, interior: five feet, except zero feet when attached;

iii. Side, street: 10 feet;

iv. Rear: 10 feet;

v. Accessory structures and alley-loaded garages shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet.

f. Maximum Building Height.

i. Main building: 30 feet;

ii. Accessory buildings: 24 feet.

D. *Public.* As required by Chapter 18.40 ACC, P-1 Public Use District.

E. *Commercial.* As required by Chapter 18.26 ACC, Light Commercial District, except that the required setbacks from streets may be averaged and that multifamily units shall be permitted outright. The number and location of multifamily units shall be governed by ACC 18.76.170(A).

F. No recreational vehicle (RV) parking spaces will be required for multifamily complexes if there are perpetual restrictive covenants or a similar instrument recorded against the property that do not allow recreational vehicles to be parked in a multifamily complex. The language of the restrictive covenants precluding the RVs shall be approved by the city of Auburn and shall be recorded by the applicant prior to any certificates of occupancy issued by the city of Auburn for the subject multifamily structure. An original recorded copy shall be provided to the city of Auburn. Any subsequent amendments to the approved covenants regarding RV parking must be approved by the city of Auburn and recorded. Any recreational vehicles within a multifamily complex that are in violation of this covenant shall be considered a violation of this title and will be subject to the provisions of Chapter 1.25 ACC, Civil Penalties for Violations. The owner/manager and/or homeowners' association responsible for the multifamily complex will be the party responsible for complying with Chapter 1.25 ACC. (Ord. 5777 § 1, 2003; Ord. 5534 § 1, 2001; Ord. 5397 § 1, 2000; Ord. 5364 § 1, 2000; Ord. 5092 § 1, 1998.)

18.76.070 Design requirements.

A. *Open Space.* The Lakeland Hills South PUD will provide a minimum of 153 acres of open space in addition to public parks requirements. The open space is shown on the official Lakeland plan map.

B. *PUD Perimeters.* Setbacks from the perimeter of the PUD shall correspond to the requirements of the adjoining zoning districts. The city may determine a reduced setback is sufficient due to the use of natural topography, earth berms, existing and proposed foliage, and other features such as roadways, wetlands or natural waterways that would otherwise provide sufficient buffering of adjoining parcels. Sight distance conflicts shall be avoided for motorized and nonmotorized traffic.

C. *Pedestrian Movement.* A planning area shall provide public pedestrian access, which may require appropriate easements, to parks, schools or uses that may attract a significant number of pedestrians. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent developments if adequate safety and security, which

may include lighting, can be maintained. Convenient, barrier free, pedestrian access to transit stops, when applicable, shall be provided.

D. *Architectural Design Guidelines.* The purpose of this section is to provide design guidelines that will be utilized to insure the creation of high quality development that is internally consistent and harmonious throughout the PUD. The following design guidelines are suggested as a means to create a high quality, pedestrian-oriented community.

1. All residential buildings shall be designed and constructed to minimize visual intrusions into windows and private spaces of adjoining developments.

2. Within single-family planning areas, all buildings shall be designed and constructed consistent with approvals granted pursuant to the Auburn City Code.

3. Multifamily buildings within the moderate density planning areas shall incorporate design elements that are reflective of single-family housing. These design elements may include the use of pitched roof systems, limits on length of buildings and building massing, a limited number of entrances as viewed from any particular elevation, varied setbacks to avoid massing of buildings along setback lines of arterial and collector streets, and a combination of landscaping and fences within setbacks to create private space.

4. Multifamily buildings within the high density planning areas shall also incorporate design elements such as roof treatments and building articulation intended to minimize building mass to insure compatibility with adjoining lower density development, parking shall be clustered in locations that minimize visibility from public streets, or screened with berms and landscaping, solid waste and outdoor storage facilities shall be limited to enclosures that are architecturally compatible with the primary building, and pool and recreation areas shall be located away from property lines of adjoining lower density residential development.

5. Buildings located along the Lakeland Hills Parkway linear park or which front other public parks shall incorporate landscape features that compliment the design of the public park, in accordance with the approved master landscaping plan referenced in ACC 18.76.075.

6. Prior to or concurrent with the submittal of a commercial or nonresidential site plan, a design plan that incorporates the following elements shall be submitted to the planning director for review and approval:

a. A consistent design theme compatible with the balance of the PUD.

b. Exterior facades shall be softened by modulation, landscaping adjacent to buildings, and varied roof lines.

c. Buildings on the pads shall be designed to be compatible with the design of the commercial structure.

d. Rooftop equipment visible from adjoining development shall be designed such that it appears as an architectural feature and similar to the building with regard to color and/or texture. The equipment shall be arranged or screened in a manner to minimize visibility from adjoining development or public rights-of-way.

e. One or more buildings, such as buildings on pads, should be located adjacent to the street frontage with parking located to the "rear" of the building.

f. Truck loading areas should be screened from adjacent properties and streets.

g. Trash disposal areas should be enclosed.

E. *Fences.* Fences shall comply with the regulations of Chapter 18.31 ACC except on those lots that have two street frontages and abut Lakeland Hills Way, Evergreen Way, Lakeland Hills Loop, 62nd Street SE, Lakeland Hills Parkway or other future arterial streets. In such cases a six-foot-high fence may then encroach into the yard setback abutting the aforementioned streets subject to the following: if a six-foot-high fence is proposed, it must be for all or a majority of the street frontage the subject lots abut. Individual six-foot-high fences on independent lots will not be permitted in the required setback area. A five-foot width of landscaping is required between the fence and the back edge of the abutting sidewalk. The homeowners' association shall perpetually maintain the fence and the landscaping and the developer shall provide evidence of such perpetual maintenance. The fence and landscaping shall be installed prior to the occupancy of the home on the associated lot. The planning director shall approve of the fence material, landscaping and evidence of the homeowner's maintenance.

All fences shall be consistent with the sight distance requirements contained in Section 2.14, Intersection Design Elements of the Design and Construction Standards Manual, as may be amended. (Ord. 5777 § 1, 2003; Ord. 5364 § 1, 2000; Ord. 5092 § 1, 1998.)

18.76.075 Landscaping and screening requirements.

A. Within 120 days of the effective date of the ordinance codified in this chapter, a master landscape plan shall be submitted to the city planning director for review and approval. The master landscape plan shall designate the scope of the plan, plat material references, types of landscaping including screens and buffers, and regulations by planning area.

B. The purpose and goal of the master landscape plan is to achieve a harmonious and consistent appearance within the PUD area, including that of a well-planned residential area and a theme that carries into the nonresidential areas. Consideration of transitional areas and boundaries between different uses will be important. The city of Auburn landscape code shall be used as a guideline in the development of the plan, although ACC 18.50.060(L) shall not apply.

C. Until the master landscape plan in subsection A of this section is approved by the city planning director, the city of Auburn landscape code (excluding ACC 18.50.060(L)) shall apply to new development applications submitted to the city. The city planning director may approve variances from the code for specific submittals. (Ord. 5092 § 1, 1998.)

18.76.077 Sign requirements.

A. Within 120 days of the effective date of the ordinance codified in this chapter, a master sign plan must be submitted to the city planning director for review and approval. The master sign plan shall designate the location and design elements, the use of common elements, the size and scale of each type of sign, and the quality of materials to be used. The master sign plan shall include the design elements intended for various monuments, including major entrance monuments planned for major intersections, which may be similar in size and scale to the major entrance monuments located at the intersection of Lakeland Hills Boulevard and A Street, and secondary entrance monuments similar in size and scale to that planned for

Lakeland Hills Way and Evergreen Way. The sign on the monuments shall be designed in accordance with Chapter 18.56 ACC, however, the size of monument signs shall be governed by the master sign plan. In addition, the master sign plan shall include the typical uses and approximate location of temporary directional signs, model home signs, and A-boards.

B. Except as modified by this section, the requirements of Chapter 18.56 ACC shall be applicable throughout the PUD until such time as the city approves the master sign plan. Upon approval of a master sign plan, it shall control. Within each preliminary plat or site plan within the single-family, moderate density, and high density planning areas, the following signs shall also be permitted outright:

1. On-site directional signs.

2. Model home signs.

3. Monument signs at all plat entrances.

C. The signs referenced in subsection B of this section shall be designed and constructed consistent with the examples shown on Exhibit D, attached to Ordinance No. 5092, and of the size and scale of similar signs constructed within the King County portion of Auburn. In addition, entrance monument signs shall be designed and constructed to be low in scale and set in a landscaped bed. Monument signs shall be located on property that is held in common by the homeowners' association, and the homeowners' association shall be responsible for maintenance of the sign and landscaping on a private easement.

D. Within the commercial and nonresidential planning areas, signs shall be subject to Chapter 18.56 ACC except as follows:

1. Commercial areas within the PUD shall be limited to one pylon sign within each parcel. All other signs shall be monument style or wall mounted.

2. Nonresidential development within the PUD shall be limited to monument or wall mounted signs, except in subsection (D)(1) of this section.

3. Prior to or concurrent with the submittal of a site plan for development within a nonresidential area, a commercial sign master plan must be submitted to the planning director for review and approval. The commercial sign master plan shall include a

coordinated sign theme that is compatible with surrounding development. (Ord. 5092 § 1, 1998.)

18.76.080 Public infrastructure requirements.

The applicant for the PUD must provide all necessary public facilities to include, as a minimum, the following:

A. *Dedication of Public Utilities.* Public utilities being provided by the city must be dedicated to the city unless allowed to be private by the city.

B. *Water, Sewer and Drainage Facilities.* All water, sanitary sewer and drainage facilities must be constructed and installed in accordance with applicable city codes and standards, including design criteria, construction specifications, operational criteria, and approved engineering submittals.

C. *Underground Facilities.* All public utilities must be placed underground except those that by their nature must be on or above ground, such as streets, fire hydrants, power vaults, telephone pedestals and open watercourses. The applicant is responsible for making the necessary arrangements with the appropriate entities for the installation of such services.

D. *Streets.*

1. All streets must be constructed to the city's standards. Variations from minimum standards for pavement and right-of-way widths or other dimensional or construction standards may be permitted when special design features of the PUD or topographic considerations warrant the variation. The applicant must submit a written justification for any proposed variation along with evidence that the minimal functional requirements of the proposed street improvements are being met. The city engineer shall review the proposed variation and shall determine if the minimal functional requirements are being met and shall make a recommendation to the city council whether the variation should be approved. The city council shall act upon the request and may require conditions of approval to ensure the minimal functional requirements are being met.

2. Private streets may be permitted within the PUD, provided they meet the following criteria:

a. Use of the private street is limited to those accessing property within the planning area or immediately adjacent to the planning area and is not needed by non-PUD residents to travel from one public street to another. The design of the private street shall be such that it will discourage any through traffic that is not related to the planning area itself.

b. The minimum pavement width for private streets shall be 28 feet; provided, that on-street parking is allowed only on one side of the street or 20 feet for alleys. The roadway section pavement depth for asphalt, crushed rock, and gravel base and the material specifications of these materials shall be the same as Auburn standards for public streets. Additional width may be required if determined to be needed to provide adequate circulation for the residents of the PUD. Factors to be considered include but are not limited to providing emergency equipment access, preventing conflicts between pedestrians and vehicle traffic, on-street parking, number of units, the need for sidewalks and bike paths. The pavement width and construction standards, to include but not limited to, illumination, signing, storm drainage, curbs, gutters, channelization, e.g., shall be determined by the city engineer at the time of preliminary plat or site plan approval. Private streets and/or access tracts and shared driveways that provide a second or additional access to lots/units shall be constructed to standards, as determined by the city engineer, considered to be appropriate for the situation. Factors to be considered include the number of units served, emergency access and traffic circulation.

c. All sites served by a private street greater than 600 feet in length shall have at least two access connections to a public street and provide for adequate emergency equipment access.

d. A legally incorporated property owners' association assumes the responsibility and cost to repair and maintain the proposed private streets. If the association fails to maintain the street, the by-laws of the association give the city the right to maintain the street and charge the cost of the maintenance, including any administrative costs, to the association members.

e. The by-laws establishing the association must state that if future owners should request that private streets be changed to public streets, then the owners fully agree that, before acceptance of such streets by the city, the owners will bear full expense of

reconstruction or any other action necessary to make the streets substantially consistent to the requirements of public streets, applicable at that time. (Ord. 6532 § 31, 2014; Ord. 5092 § 1, 1998.)

18.76.090 Application for approval of major amendment to the PUD.

A. *Pre-Application Conference Recommended.* Prior to filing an application for a major amendment to the PUD, it is recommended that the applicant attend a pre-application conference with the planning director and other interested department heads, or their designees, regarding the proposed development. The conference attendees will review the general outlines of the proposal, evidenced schematically by sketch plans and other documents provided by the applicant. The applicant will receive suggestions and recommendations generated by the conference along with forms and guidelines for preparing the PUD application.

B. *Application Procedure.* Applicants must provide the planning director seven copies of the following:

1. *Application.* Forms provided by the department that ask the applicant for the following information:

a. The name of the proposed PUD or planning area and a general description of the proposed development requiring the major amendment, including descriptions of buildings, and other site improvements;

b. A proposed schedule that includes submittal of the site plan, preliminary plat, proposed phased developments, if any, and target dates for starting construction;

c. Proposed land uses including the type and amount or densities;

d. Number and types of dwelling units in the proposed development requiring the major amendment;

e. Total amount of open spaces, the designated or proposed use, and the amount of open space designated for public and private use;

f. Plans for the perpetual maintenance and preservation of private spaces and private streets;

g. Any requests for modifications to the street construction standards of the land division ordinance including substantiating information as to why the modifications are necessary;

h. The gross acreage of the PUD or planning area, the net usable acreage, and the acreage of any nonbuildable areas;

i. The name and address of the applicant. All land within the PUD or planning area shall be under the ownership of the applicant. Applicants are defined as an individual, partnership, corporation, or groups of individuals, partnerships or corporations; and

j. The name, address, stamp and signature of the professional engineer, professional architect or professional land surveyor who prepared the site plan.

2. *Environmental Checklist.* Form and instructions provided by the Department in accordance with Chapter 16.06 ACC, Environmental Review Procedures.

3. *Conceptual Design of Public Facilities.* Preliminary engineering plans and studies that include the following:

a. A general description and location of the proposed improvements necessary to properly handle the potable water, sanitary sewer, storm water drainage and other service needs within and adjacent to the proposed PUD.

b. In addition, for any major amendment to the PUD, the following:

i. Anticipated demand capacities for the proposed water distribution, storm drainage and sanitary sewage systems.

ii. The estimated, tentative horizontal and vertical alignment of all proposed streets and sidewalks and the estimated grade of any trails.

4. *Site Plan.*

a. *Preparation.* The site plan may be prepared by a professional engineer, architect or professional land surveyor registered or licensed by the state of Washington. They shall prepare and, by placing their signature and stamp upon the face of the planning

documents, certify that all information is portrayed accurately and that the proposed PUD complies with applicable standards and regulations.

b. *Scale and Format.* The site plan shall be drawn with reproducible black ink on mylar or similar material. All geographic information portrayed by the plan shall be accurate, legible, and drawn to an engineering (decimal) scale. The horizontal scale of a plan shall be 100 feet or fewer to the inch, except that the location sketch and typical street cross sections may be drawn to any other appropriate scale. The site plan shall be 24 inches by 36 inches in size. Each sheet shall be numbered consecutively. An index sheet orienting the other sheets shall be provided. If necessary, the planning director may authorize a different sheet size or scale.

c. *Contents.* The site plan must include each of the following:

i. *Vicinity Map.* A vicinity map sufficient to define the location and boundaries of the proposed PUD relative to surrounding property, streets and other major manmade and natural features.

ii. *Existing Geographic Features.* Except as otherwise specified, the following existing geographic features shall be drawn lightly in relation to proposed geographic features and developments:

(A) All existing property lines lying within the proposed PUD and all existing property lines lying within 100 feet of the PUD.

(B) The location of all existing streets within the PUD, both public or private, including the right-of-way widths, pavement widths and the names.

(C) Existing water features such as rivers, creeks, ponds, wetlands, storm water detention basins, watercourses, floodplains and areas subject to inundation or storm water overflow.

(D) Existing contour lines at intervals of five feet for average slopes exceeding five percent or at intervals of one foot for average slopes not exceeding five percent. Contour lines shall be labeled at intervals not to exceed two feet and shall be based upon city datum, e.g., NGVD.

(E) Location of any existing structures lying within the proposed PUD. Existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

iii. *Proposed Improvements.* The following proposed geographic features shall be shown:

(A) The location of any public or private streets and/or storm drainage facilities.

(B) The general location of the types of uses or densities and general distribution of lot types.

(C) The boundaries, dimensions and area of public park and common open space areas.

(D) Identification of all areas proposed to be dedicated for public use, together with the purpose and any conditions of dedication.

(E) Conceptual plans for pedestrian and bicycle circulation systems.

(F) The treatment proposed for the periphery of the site including setbacks, fencing, the approximate amount, location, and type of any landscaping. (Ord. 5092 § 1, 1998.)

18.76.100 Phased developments.

A. The applicant may propose a phased development.

B. Any phases being developed in the Lakeland Hills South PUD require a description of each phase, including the size, uses or densities and schedule for implementing each phase and corresponding public services. Phased sequences and intervals between scheduled phases become a condition of the PUD approval.

C. Each phase must be able to stand on its own without reliance upon development of subsequent phases. (Ord. 5092 § 1, 1998.)

18.76.110 Concurrence with subdivision regulations.

A. A preliminary plat may be processed concurrently with a major amendment to the PUD or a site plan. A preliminary plat must be submitted in accordance with ACC Title 17.

B. Approval of a major amendment to the PUD or a preliminary plat application may allow for the modification of the subdivision construction standards and specifications of Chapter 17.12 ACC. If modifications are proposed the request must be made part of the major amendment or preliminary plat application. The applicant must also provide substantiating evidence as to why the modifications are necessary. (Ord. 5092 § 1, 1998.)

18.76.120 Administrative review of major amendments.

A. The planning director shall forward the major amendment to the PUD application and/or preliminary plat or site plan application, together with copies of any appropriate accompanying documents, to the director of public works. The director of public works shall review the application(s) as to the adequacy of the proposed means of sewage disposal and water supply; the conformance of the proposal to any plans, policies or regulations pertaining to streets, storm drainage or utilities; and regarding any other issues related to the interests and responsibilities of the department of public works.

B. The planning director shall solicit the comments of any other appropriate city department, local utility provider, local school district, and any other appropriate public or private entity, concerning the proposed major amendment to the PUD. For a major amendment to the PUD or a PUD processed simultaneously with a preliminary plat, comments received in a timely manner, as well as any written comments received in response to a notice of public hearing, shall either be transmitted to the hearing examiner or incorporated into a report prepared by the planning director and submitted to the hearing examiner, prior to the scheduled public hearing.

C. The planning director shall approve the site plan if it conforms to the approved PUD, the submittal requirements of ACC 18.76.160(A), 18.76.060, and other applicable standards. (Ord. 5092 § 1, 1998.)

18.76.130 Hearing examiner review.

Pursuant to the provisions of Chapter 2.46 ACC the hearing examiner shall conduct a public hearing on all requests for a major amendment to a PUD. The examiner's decision shall be in the form of a recommendation to the city council. (Ord. 6442 § 29, 2012; Ord. 5092 § 1, 1998.)

18.76.140 Findings of fact.

Applications for a major amendment to a PUD shall only be approved if sufficient findings of facts are drawn to support the following:

A. Adequate provisions are made for the public health, safety and general welfare and for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, or sites for schools.

B. The proposed major amendment to the PUD is in accordance with the goals, policies and objectives of the comprehensive plan.

C. The major amendment is consistent with the purpose of this chapter, ACC 18.76.010, provides for the public benefits required of the development of PUDs and does not result in only increasing the number of units that would otherwise be attained through a development using the existing zoning and subdivisions standards.

D. The proposed major amendment to the PUD conforms to the general purposes of other applicable policies or plans which have been adopted by the city council.

E. The approval of the major amendment will have no more of an adverse impact upon the surrounding area than the approved Lakeland Hills South PUD as shown on the official Lakeland plan map. (Ord. 5092 § 1, 1998.)

18.76.150 City council action.

A. The city council may affirm, modify, or disaffirm the recommendations of the hearing examiner in accordance with ACC 2.46.170.

B. The majority of the city council shall instruct the city attorney to prepare an ordinance reflecting its decision. The ordinance shall include formal findings of fact and conclusions supporting the decision. If the decision is for approval with conditions, the conditions shall be specified in the ordinance. The ordinance shall be recorded in accordance with ACC 18.68.060. (Ord. 5092 § 1, 1998.)

18.76.160 Site plan approval.

A. *Pre-Application Conference Recommended.* Prior to filing an application for a site plan approval, it is recommended that applicant attend a pre-application conference with the planning director and other interested department heads, or their designees, regarding the proposed development. The conference attendees will review the general outlines of the proposal, evidenced schematically by sketch plans and other documents provided by the applicant. The applicant will receive suggestions and recommendations generated by the conference along with forms and guidelines for preparing the site plan application.

B. An application shall be required for the site plan approval of any portions of a planning area except for those designed for detached single-family lots and shall include the following:

1. The ordinance approving the PUD, if previously done.

2. A site plan which shall illustrate the following:

    a. Vicinity map;

    b. Boundaries and dimensions of the PUD;

    c. If partial approval, illustrate the proposal within the boundaries of the entire PUD;

    d. Illustrate previous site plan approvals that may have occurred within the PUD;

    e. Acreage of proposal;

    f. Rights-of-way location and widths, the proposed name of each street or alley and whether the right-of-way will be dedicated as public or remain private. The designation of any fire lanes. Where final street grades are likely to exceed 10 percent in elevation and the estimated tentative grades of such streets;

g. Adjacent public streets;

h. Easements, existing and proposed including its purpose;

i. Location and size of all existing and proposed utilities including sanitary sewer, storm drainage, and water lines lying within or adjacent to the PUD or the phase of the PUD as appropriate;

j. Typical street cross section(s) including any pedestrian facilities;

k. Location of uses;

l. Location of buildings and structures, both existing and proposed, including setbacks;

m. Location and layout of off-street parking, loading and unloading areas;

n. Location of walls and fences, around the perimeter of the PUD or phase of the PUD, as appropriate, and an indication of their height and materials;

o. Location of any storage areas or refuse containers;

p. Location and size of signs;

q. Landscaping plan – conceptual;

r. Indication of height of buildings;

s. Proposed architectural treatment of structures;

t. Any covenants not previously approved;

u. Proposed final contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of two feet for average slopes not exceeding five percent. Final contours shall be indicated by solid lines (existing contours which are to be altered shall be shown by broken lines). Contour lines shall be labeled at intervals not to exceed 20 feet and shall be based upon city datum, e.g., NGVD. Contour lines around proposed geographic features shall be drawn tightly around the proposed features;

v. The site plan shall illustrate a north arrow, be properly dimensioned and drawn at a scale not less than one inch equals 40 feet and on a sheet size 24 by 36 inches, more sheets may be used if necessary. A reproducible mylar, or similar material, and seven copies of the site plan shall be submitted at the time of application. An alternative scale sheet size may be approved by the planning director;

w. The planning director may require the submittal of additional information in order to thoroughly evaluate the site plan.

3. The site plan application shall be accompanied by a current (within 30 days) title report which contains:

a. The legal description of the total parcel sought for final site plan approval.

b. Those individuals or corporations holding an ownership interest in said parcel all of which shall sign the application for final site plan approval.

c. Any easements or restrictions affecting the property with a description of its purpose and referenced by an auditor's file number and/or recording number.

4. A signed certification that the site plan has been made with the free consent, and in accordance with the desire of the owner or owners.

C. A site plan shall be reviewed in accordance with the provisions of ACC 18.76.120. The site plan shall only be approved if it is found to be consistent with and implements the provisions of the PUD and meets the submittal requirements of subsection A of this section. If necessary conditions of approval may be imposed to ensure consistency with the approved PUD. (Ord. 5092 § 1, 1998.)

18.76.170 Adjustments to the PUD.

A. The planning director may approve minor adjustments to the approved PUD. Minor adjustments are defined as changes that do not affect permitted densities within a planning area, basic character or conditions of the approved PUD or planning area. Adjustments are considered minor so long as they do not increase or decrease the perimeter boundaries of a planning area or the number of units indicated for that planning area as shown on the official Lakeland plan map by more than 10 percent. School sites identified in a PUD may be adjusted

as a minor amendment by condemnation or in accordance with an agreement executed by the appropriate school district(s) and the applicant; provided, that if the director determines that adjustment of schools would create significant park impacts or infrastructure requirements, they may process the amendment as a major amendment.

Transferring multifamily units into the commercial area at the southwest corner of Lakeland Hills Way and the Lake Tapps Parkway from a multifamily planning area may be a minor adjustment. The total number of multifamily units in the commercial area cannot exceed 100. Minor adjustments approved by the planning director must be in writing within 15 working days of submittal of the application. The planning director must forward copies of the approved adjustment to appropriate department heads and the applicant. The applicant may appeal the director's decision pursuant to ACC 18.70.050. If a minor amendment is approved which affects the official Lakeland plan map, the map shall be revised. The director shall keep the current map on file.

B. Adjustments that are not minor as defined in subsection A of this section are considered major amendments and will be processed in the same manner as a new PUD application. If a major amendment affecting the official Lakeland plan map is approved, the map and Exhibit B, attached to Ordinance No. 5092, shall be amended to reflect the change. If a major amendment changing conditions of approval is adopted, Exhibit A, attached to Ordinance No. 5092, shall be amended to reflect the change.

C. Any change in the exterior boundaries of the PUD or an increase in the total permitted dwelling units above 3,408 shall require a rezone.

D. The following approvals require a comprehensive plan amendment:

1. An increase in the total number of permitted dwelling units above 3,408.

2. An increase in the permitted number of high density multifamily dwelling units (i.e., more than 850 units).

3. An increase in the acreage permitted for light commercial development (i.e., more than 20 acres).

4. A major amendment to the external boundaries of the medium density or high density planning areas.

5. A reduction in required open space (i.e., below 153 acres). (Ord. 5397 § 1, 2000; Ord. 5092 § 1, 1998.)

18.76.180 Property owners' association.

If common open spaces or private streets are deeded to a property owners' association, then the applicant shall submit a declaration of the covenants and restrictions that create and govern such an association as part of the site plan or preliminary plat approval. The provisions must include, but are not limited to, the following:

A. The property owners' association must be established prior to the final plat approval or the approval of any occupancy permit related to the site plan.

B. Membership must be mandatory for each property owner affected by the common space or private street and any successive buyer.

C. The association assumes responsibility for liability insurance, local taxes, and the maintenance of common open spaces, private streets, recreational and other communally owned facilities. A financial plan shall also be submitted that outlines the anticipated expenses and revenues needed to implement the plan over a minimum of a 10-year period.

D. Members must pay a pro rata share of the association's cost; the assessment levied by the association can become a lien on the property. The association must be able to adjust its assessment fees relative to changed needs and conditions. (Ord. 5092 § 1, 1998.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

PLANNING COMMISSION

SB 5290 CODE UPDATES

PRESENTED BY DEPARTMENT OF COMMUNITY DEVELOPMENT
ALEXANDRIA D. TEAGUE
SHANNON HOWARD
JASON KRUM

OCTOBER 8, 2024

AUBURN VALUES

SERVICE
ENVIRONMENT
ECONOMY
CHARACTER
SUSTAINABILITY
WELLNESS
CELEBRATION

REVIEW REQUIREMENTS

- RCW 36.70B – Local Project Review
  - Determination of completeness
  - Notice of application
  - Notice of decision
  - Public hearing
  - Final decision time periods

WASHINGTON STATE SB 5290

- SB 5290 passed by State legislature 2023
- Key provisions become effective January 1, 2025
- Amends RCW 36.70B Local Project Review
  - City currently applies requirements of this RCW through Auburn Municipal Code Title 14 Project Review

CITY REQUIREMENTS UNDER SB 5290

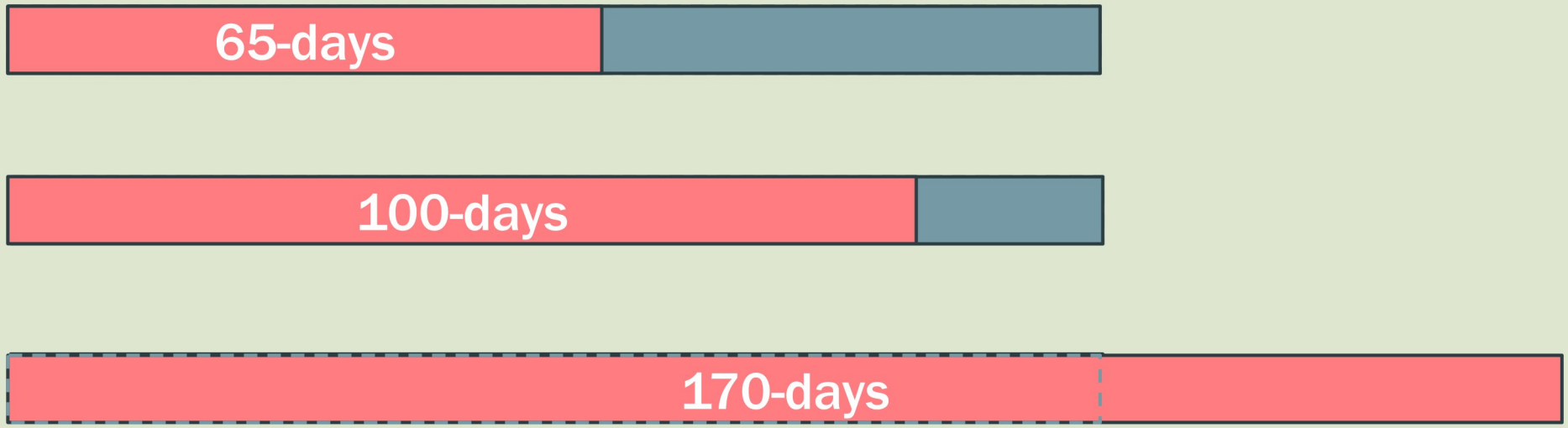
- Modifies timelines for specific permit decisions
- Penalties for exceeding timelines
  - Permit Fee Refunds
  - Additional project review measures
- Tracking and reporting (Department of Commerce)
- Streamline review process: Site Plan Review

AUBURN PERMIT TYPES

- ACC 14.03 Types of Permits
  - Type I – Administrative, not subject to SEPA Environmental Review
  - Type II – Administrative, subject to SEPA Environmental Review
  - Type III – Quasi-judicial decisions made by the Hearing Examiner (w/ staff recommendation)

CITY REQUIREMENTS UNDER SB 5290
AUBURN PERMIT REVIEW TIMELINES

- Currently 120 days for most projects
  - Type I:
  - Type II:
  - Type III:



CITY REQUIREMENTS UNDER SB 5290
PERMIT FEE REFUNDS

- Permit Fee Refunds
  - 80% of fee collected initially
  - If timeline met: 20% fee can be collected
  - If timeline exceeded (up to 20% of deadline): 10% of fees can be collected
    - Type I (78-days) / Type II (120-days) / Type III (204-days)
  - If review exceeded 20% of deadline: 20% of fee forfeited

CITY REQUIREMENTS UNDER SB 5290
TRACKING AND REPORTING

- Annual report to Department of Commerce
  - Number of applications
  - Number of decisions issued *before* deadline
  - Number of decisions issued *after* deadline
  - Average processing time (and standard deviation)
- Online posting of annual report
- First report due March 1, 2025 (July 1st thereafter)

CITY REQUIREMENTS UNDER SB 5290
ADDITIONAL PROJECT REVIEW MEASURES

- Additional project review measures *encouraged*
  - Ten measures identified in RCW 36.70B.160 (a)-(j)
    - Offering expedited review
    - ILA to share permitting staff/resources
    - On-call permitting assistance budgeted
    - New additional positions budgeted
    - Post-review meetings with applicants
- Jurisdictions not meeting timelines > 50%
  - Additional project review measures *mandatory*

COMMUNITY DEVELOPMENT RESPONSE

- Prepare for annual report generation
  - Currently tracking for required 2024 report (Timeline compliance not required yet)
- Internal and External Education/Outreach
- Proposed adoption of optional measures
- Proposed Title 14, 17, & 18 Code Updates

PROPOSED CODE UPDATES

- Proposed additional project review measures RCW 36.70B.160 (a)-(j)
  - (g) Adopt regulations for optional pre-application meetings rather than required
  - (h) Adopt regulations allowing permitted housing type uses in all zones the housing type is permitted
  - (j) Offer post review meetings with applicant

PROPOSED CODE UPDATES

- Chapter 14.01 “Purpose and Scope”
  - Minor revisions to punctuation and grammar correction
- Chapter 14.02 “Definitions”
  - Update “Project permit or project permit application” definition to be consistent with SB 5290 language

PROPOSED CODE UPDATES

- Chapter 14.03 “Types of Project Permit Decisions”
  - 14.03.010 (Type I Decisions) – Updated to reflect current construction permit types
  - 14.03.020 (Type II Decisions) - Updated be consistent with SB 5290 language and revise for minor punctuation correction

PROPOSED CODE UPDATES

- Chapter 14.04 “Pre-application Conferences”
  - Revised chapter title to reflect proposed changes
  - 14.04.010 – Revised to reflect optional pre-application meetings to be consistent with additional project review measure
  - 14.04.010(B) – Created project review meeting process details to be consistent with additional project review measure

PROPOSED CODE UPDATES

- Chapter 14.05 “Applications”
  - 14.05.010 – Revised to include email address as application requirement
  - 14.05.020 – Revised submittal requirement language to be consistent with current application process

PROPOSED CODE UPDATES

- Chapter 14.06 “Notice of Determination of Completeness”
  - 14.06.010 – Revised to reflect current application process and clarify resubmittal notification for incomplete application

- Chapter 14.07 “Notice of Application”
  - 14.07.030 – Updated language to be consistent with SB 5290 language

PROPOSED CODE UPDATES

- Chapter 14.11 “Notice of Final Decision”
  - 14.11.010 – Updated to reflect new time limits consistent with SB 5290 language
  - 14.11.010 – Added new language for suspension and restart of review consistent with SB 5290 language
    - Timeline suspended when HE is considering decision
  - 14.11.020 – Added exceptions to clarify which timelines apply to grading and facility extension projects
  - 14.11.050 – Relocated text from 14.15.010 for weekends and holidays

PROPOSED CODE UPDATES

- Chapter 14.13 “Administrative Appeals”
  - 14.13.010 – Revised to clarify timeline extension for SEPA appeals

- Chapter 14.14 “Exclusions”
  - 14.14.010 – Revise to clarify language and remove public facilities from being excluded from consolidated permit process and established timelines

PROPOSED CODE UPDATES

- Chapter 14.15 “Project Review Time Periods”
  - 14.15 – Removed to consolidate language with Chapter 14.11

- Chapter 14.18 “Water and Sewer Availability Certificates”
  - 14.18.010 – Revised to reflect current process and pre-application conference process as optional
  - 14.18.020 – Revised title to clarify purpose of section

PROPOSED CODE UPDATES

- Chapter 17.01 “User Guide”
  - 17.01.030 – Revised to reflect pre-application conference process as optional

- Chapter 17.10 “Preliminary Subdivisions”
  - 17.10.010 – Revise to reflect pre-application conference process as optional

PROPOSED CODE UPDATES

- Chapter 18.59 “Development Standards for Marijuana Related Businesses”
  - 18.59.100 – Revised to reflect pre-application conference process as optional

- Chapter 18.76 “Planned Unit Development District (PUD) – Lakeland Hills South”
  - 18.76.090 – Revised to reflect pre-application conference process as optional

QUESTIONS?

Department of Community Development

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

AUBURN VALUES

SERVICE

ENVIRONMENT

ECONOMY

CHARACTER

SUSTAINABILITY

WELLNESS

CELEBRATION

AGENDA BILL APPROVAL FORM

Agenda Subject:
Proposed Amendments to Title 18 (Teague)

Date:
September 19, 2024

Department:
Community Development

Attachments:
2024 Comprehensive Plan Memorandum
Attachment 1 - Title 18 Text Amendment (strikeout-underline version)
Attachment 2 - Title 14 and 17 Text Amendment (strikeout-underline version)
Attachment 3 - Title 18 Text Amendment (clean version)
Attachment 4 - Title 14 and 17 Text Amendment (clean version)
Comprehensive Plan Presentation

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

Administrative Recommendation:

Background for Motion:

Background Summary:
See attached Memorandum.

Reviewed by Council Committees:

Councilmember:

Staff: Alexandria Teague

Meeting Date: October 8, 2024

Item Number:

CITY OF AUBURN WASHINGTON

Memorandum

To: Judi Roland, Chair, Planning Commission
Planning Commission Members

From: Alexandria Teague, Planning Services Manager, Dept. of Comm. Dev.
Alyssa Tatro, Senior Planner, Dept. of Comm. Dev.

Date: September 20, 2024

Re: **2024 Comprehensive Plan - Code Updates**

Each city and county in Washington state is required to conduct a periodic update of its comprehensive plan and development regulations per RCW 36.70A.130 (The Growth Management Act or GMA). In general, the purpose is to ensure consistency with the Puget Sound Regional Council Vision 2050, the Countywide Planning Policies (for Auburn this means both Pierce and King County), any changes in state laws over the intervening time, and to respond to changing conditions within the local community.

City staff are in the process of updating various chapters of Auburn's city code to implement the goals, policies, and strategies identified in the draft Periodic Comprehensive Plan Elements that Planning Commission provided a recommendation for city council adoption on July 16, 2024.

Most of the changes are related to the Land Use Element and Housing Element and are required to comply with new state law. In particular, changes to the City's Zoning Code (Title 18) and Subdivision Code (Title 17) are necessary to implement concepts such as middle housing, accessory dwelling units, and unit lot subdivisions. Other improvement changes include the expansion of the Downtown Urban Center and the creation of districts related to the future Auburn Downtown Plan Update.

The substantial changes are included in the following chapters:

18.02 General Provisions
18.04 Definitions
18.07 Residential Zones
18.23 Commercial and Industrial Zones
18.25 (New) Middle Development Standards
18.29 DUC Downtown Urban Center District
18.32 (New) Accessory Dwelling Units
18.50 Landscaping and Screening

18.52 Off-Street Parking and Loading
17.04 Definitions
17.27 (New) Unit Lot Subdivisions

Additional city code updates may be necessary to implement specific policies in the Climate Element and addressed in the 2024 Periodic Comprehensive Plan package scheduled for adoption in December 2024, though many of these code updates may be postponed until 2025 in an effort to direct staff resources to land use and housing related updates.

Feel free to contact Alexandria Teague, Planning Services Manager, at ateague@auburnwa.gov or 253-931-3003 with any questions.

Included Attachments:
Attachment 1 – Title 18 Text Amendment (strikeout-underline version)
Attachment 2 – Title 14 and 17 Text Amendment (strikeout-underline version)
Attachment 3 – Title 18 Text Amendment (clean version)
Attachment 4 – Title 14 and 17 Text Amendment (clean version)

Chapter 18.02
GENERAL PROVISIONS

Sections:

18.02.010 Short title.
18.02.020 Authority to adopt code.
18.02.030 Purpose.
18.02.040 Applicability.
18.02.050 Minimum requirements.
18.02.060 Rules for administrative interpretations.
18.02.065 Methods of calculating density.
18.02.067 Units allowed per lot.
18.02.070 Establishment of zones.
18.02.080 Zoning map.
18.02.090 Zone boundary interpretation.
18.02.100 Zoning for annexed land.
18.02.110 Zoning for property influenced by Auburn Municipal Airport.
18.02.120 Permitted land uses established.
18.02.130 Neighborhood review meeting.

18.02.010 Short title.

This title shall be known as "the comprehensive zoning ordinance" of the city, which shall constitute Title 18 of the Auburn City Code and shall hereafter be referred to as "this title." (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.02.020 Authority to adopt code.

A. The city of Auburn comprehensive zoning ordinance is adopted by city of Auburn ordinance, pursuant to Article XI, Section 11 of the Washington State Constitution, the State Growth Management Act, RCW Title 35A, Optional Municipal Code, and Chapter 36.70B RCW. In accordance with ACC 1.04.060.

B. Notwithstanding any provisions otherwise, this title does not permit or allow any action, use or conduct which is in violation of or prohibited by any state or federal laws, regulations or codes. Any action, use or conduct which is prohibited by state or federal law is prohibited hereby. It is provided, however, that the provisions of this subsection B do not apply to any person or persons who has/have a valid, lawful license issued by the state of Washington to produce, process or sell marijuana, marijuana concentrates, usable marijuana and/or marijuana-infused products and is acting in full conformity with the requirements of the state of Washington related to such license pursuant to RCW 69.50.301 through 69.50.369, and WAC 314-55-005 through 314-55-540. In such instances, the state of Washington, not the city, is the permitting and licensing entity. It is provided, however, that this provision does not preclude the city from taking enforcement action in instances where conduct or activity that is licensed or permitted under RCW 69.50.301 through 69.50.369, and WAC 314-55-005 through 314-55-540 occurs within the city of Auburn but is not in compliance with or violates the requirements of such state licensing or permitting. For the purposes of this section only, the provisions of RCW 69.50.325 through 69.50.369, and WAC 314-55-515 through 314-55-535 are hereby adopted by reference and incorporated herein. (Ord. 6525 § 5, 2014; Ord. 6416 § 4, 2012; Ord. 6245 § 2, 2009.)

18.02.030 Purpose.

A. The purpose of this title is to implement the city's comprehensive plan. This title will be used to further the growth and development of the city consistent with the adopted comprehensive plan and its implementing elements. This title will also further the purpose of promoting the health, safety, morals, convenience, comfort, prosperity, and general welfare of the city's population and to prevent and abate public nuisances.

B. The specific zones and regulations set out in this title are designed to:

1. Provide adequate public facilities and services, including utilities, roads, schools, and parks in conjunction with development;

2. Provide housing with essential light, air, privacy, and open space;

3. Facilitate the safe and efficient movement of traffic on the city's streets;

4. Stabilize and enhance property values;

5. Facilitate adequate provisions for doing public and private business and thereby safeguard the community's economic structure upon which the prosperity and welfare of all depends; and

6. Through such achievements, help ensure the safety and security of home life, foster good citizenship, and create and preserve a more healthful, serviceable and attractive municipality and environment in which to live.

C. To most effectively accomplish these purposes, this title divides the city into zones wherein the location, height and use of buildings, the use of land, the size of setback areas and other open space, and the provision of off-street parking and loading are regulated and restricted in accordance with the comprehensive plan for the city. These zones and regulations are deemed necessary and are made with reasonable consideration, among other things, as to the character of each zone and its particular suitability for specific uses, the need for such uses, the common rights and interests of all within the zone as well as those of the general public, and with the view of conserving and encouraging the most appropriate use of land throughout the city and to prevent and abate public nuisances. (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987. Formerly 18.02.020.)

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, Land Adjustments and Divisions.

E. This title is not intended to regulate the public ways as defined in ACC 20.02.020. (Ord. 6799 § 3 (Exh. C), 2020; Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987. Formerly 18.02.030.)

18.02.050 Minimum requirements.

A. In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purpose of this title.

B. It is not the intent of this title to interfere with, abrogate or annul any easements, covenants or other agreements between private parties. However, where this title imposes a greater restriction upon the use of land and/or buildings or in general requires higher standards than other ordinances, rules, or private agreements, the provisions of this title shall govern. (Ord. 6245 § 2, 2009.)

18.02.060 Rules for administrative interpretations.

A. The planning director shall be authorized to interpret the meaning of words, phrases and sentences which relate to the determining of uses permitted in the various zones, approval or disapproval of development plans, or other related zoning actions. Any interpretations regarding implementation of this title shall be made in accordance with the intent or purpose statement of the specific regulation and the comprehensive plan. Life, safety and public health regulations are assumed to prevail over all other regulations.

B. The planning director may authorize uses in a zone other than those which are listed, if the planning director determines the use is consistent with the intent of the zone and is of the same general character of the uses permitted within the zone. Further guidance on administrative interpretations of land uses can be found in ACC 18.02.120.

C. Administrative interpretations may be appealed to the hearing examiner as prescribed in Chapter 18.70 ACC.

D. Administrative interpretations made by the planning director shall be documented, made available for public review, and docketed for inclusion to this title, when consistent with the title format and level of detail required. The city shall incorporate administrative interpretations

upon approval of the legislative authority. (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987. Formerly 18.02.040.)

18.02.065 Methods of calculating density.

For subdivision purposes, ~~T~~the ~~permitted number~~permitted number of dwelling units or lots shall be determined as follows:

A. Gross Site Area. The gross site area shall be used to calculate both the minimum and maximum number of allowed dwelling units or lots.

1. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

a. Fractions of one-half or above shall be rounded up; and

b. Fractions below one-half shall be rounded down.

~~2. Calculating Base Density. Base density is calculated by multiplying the gross site area by the upper limit of units or lots allowed within the zone. For example, in the R-5 zone, where the density range allows up to five dwelling units per acre:~~

~~4.3 acres gross site area x 5 units per acre = 21.5 (rounded up to 22)~~

~~3~~2. Calculating Minimum Density. Minimum density is calculated by multiplying the gross site area by the minimum units or lots per acre ~~lower limit of units or lots~~ allowed within the zone. For example, in the R-~~2~~5 zone, 7 units or lots per acre are allowed: ~~where the density range allows as few as four dwelling units per acre:~~

4.3 acres gross site area x ~~4~~ 7 units per acre = ~~17.2~~30.1 (rounded down to 30~~17~~)

~~4~~3. Each lot shall meet the requirements established in Chapter 18.07 ACC for lot area, dimensions, setbacks, and other development standards.

~~5~~4. Where a proposed area for subdivision cannot meet the minimum density due to encumbrance by critical areas, critical area buffers, or other similar types of features that preclude development, the applicant may seek to deviate from the minimum density which will be reviewed as an administrative decision as part of the subdivision application. If the

applicant seeks a variance from the development standards in Chapter 18.07 ACC the variance shall be processed utilizing the provisions of ACC 18.70.010. Alterations of a critical area or its buffer shall be processed in accordance with Chapter 16.10 ACC. Compliance with the density requirements of the underlying zone shall not be used as justification for alteration of a critical area.

B. The minimum density requirements shall not apply to short plats that are processed under Chapter 17.09 ACC.

C. Bonus density, where applicable, shall be computed by adding the bonus units authorized by Chapter 18.25 ~~or 18.49~~ ACC to the base units computed under this section. (Ord. 6661 § 1, 2018; Ord. 6245 § 2, 2009.)

18.02.067 Units allowed per lot.

A. *Applicability.* The standards in this section apply to all residential uses in residential and mixed-use zones.

B. *Units.* For the purposes of this section, "units" refer to dwelling units, including accessory dwelling units (ADUs).

C. *Base units allowed per lot.* All lots in residential zones greater than 1,000 sf in area may be developed with up to the number of units shown in 18.07.030(D)(1) when in compliance with all other relevant standards of this chapter and ACC 18.25. Example: If 4 units are the base units on a given lot, and a fourplex has been developed, no ADUs may be added.

D. *Middle Housing Base units per lot allowed with transit or affordability bonus. Unit bonuses specific to middle housing are required to comply with RCW 36.70A.635.*

1. All lots in residential zones may be developed with up to the number of middle housing units shown in 18.07.030(D)(2) under the following conditions:

a. The lot is within one-quarter mile of a major transit stop (as defined in ACC 18.04.597), or

b. At least two units on the lot are affordable housing meeting the requirements of subsections (D)(2) through (D)(6) below.

Note: Bonus units for (a) and (b) above are not cumulative. Single-unit detached housing lots are not eligible for bonuses and are not allowed as a component of the bonus development. ~~.~~

2. To qualify for additional units under the affordable housing provisions, applicant shall commit to renting or selling the required number of units as affordable housing.

3. Dwelling units that qualify as affordable housing shall have costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income does not exceed the following percentages of median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development:

a. Rental housing: 60 percent.

b. Owner-occupied housing: 80 percent.

4. The units shall be maintained as affordable for a term of at least 50 years, and the property shall satisfy that commitment and all required affordability and income eligibility conditions.

5. The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years. The covenant or deed restriction must address the following:

a. How affordability will be defined, managed, and controlled under scenarios for both ownership and rental housing. The covenant must commit to renting or selling the required number of units as affordable housing and, for rental units, ensure the continuing rental of units consistent with Chapter 84.14 RCW.

b. Criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.

6. The units dedicated as affordable housing shall:

a. Be provided in a range of sizes comparable to other units in the development.

b. The number of bedrooms in affordable units shall be in the same proportion as the number of bedrooms in units within the entire development.

c. Generally, be distributed throughout the development and have substantially the same functionality as the other units in the development.

E. *Lot area per unit above base allowance.* Additional units beyond what is allowed under 18.25.040(A) are allowed based on lot area above the minimum lot size threshold. One additional unit is allowed above the base for each interval of the value shown in 18.07.030(D)(3) up to the maximum number of units per lot (18.07.030)(D)(4), except for courtyard housing. For

example: a lot with an area of 5,650 sf in the R-2 zone may have one additional unit above the base of four because it is 1,250 ft larger than the minimum lot size.

F. *Maximum units per lot.*

1. Except for courtyard housing, the total number of units shall not exceed the value listed in 18.07.030)(D)(4).

2. The maximum number of units for courtyard housing is two times the number of units listed in 18.07.030)(D)(4).

18.02.070 Establishment of zones.

A. The city is divided into the following classes of zones:

1. RC, residential conservancy zone (one dwelling unit per four acres);

2. R-1, residential one unit per acre zone ~~(one dwelling unit per acre);~~

3. R-~~5~~2, residential low zone ~~(five dwelling units per acre);~~

~~4. R-7, residential zone (seven dwelling units per acre);~~

~~4~~5. R-~~3~~10, residential moderate zone ~~(10 dwelling units per acre);~~

~~6. R-16, residential zone (16 dwelling units per acre);~~

~~5~~7. R-~~4~~20, residential high zone ~~(20 dwelling units per acre);~~

~~6~~8. R-MHC, manufactured/mobile home community zone;

~~7~~9. R~~O~~F, residential flex~~office~~ zone~~, and RO-H, residential office-hospital zone;~~

8. R-NM, residential neighborhood mixed-use zone

~~10. C-N, neighborhood shopping zone;~~

~~9~~11. C-1, light commercial zone;

~~12. C-2, central business zone;~~

13~~0~~. C-~~3~~2, heavy commercial zone;

~~14. C-4, mixed-use commercial zone;~~

11~~5~~. M-1, light industrial zone;

12~~6~~. M-2, heavy industrial zone;

17~~3~~. LF, airport landing field zone;

18~~4~~. P-1, public use zone;

19~~5~~. UNC, unclassified use zone;

16~~20~~. I, institutional use zone;

17~~21~~. DUC, downtown urban center – 125 district~~zone;~~

18. DUC, downtown urban center - 75 District

19. DUC, downtown urban center - 55 District

20. DUC, neighborhood residential district

21. DUC, health and wellness district

22. DUC, residential-flex district

23. DUC, light commercial district

24. DUC, heavy commercial district

25. DUC, light industrial district

22~~6~~. OS, open space zone.

B. The zones set out in subsection A of this section are established as the designations, locations, and boundaries thereof as set forth and indicated on the zoning map.

C. The intent statement for each zone set forth in this title shall be used to guide the application of the zones to all lands in the city of Auburn. The intent statements shall guide

interpretation and application of land use regulations within the zones, and any change to the range of allowed uses within each zone through amendment to this title. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6677 § 1, 2018; Ord. 6245 § 2, 2009.)

18.02.080 Zoning map.

A. "Zoning map," as used in this title, is that certain map, three copies of which are on file in the office of the city clerk, labeled "Comprehensive Zoning Map of the city of Auburn, Washington," dated June 1, 1987, and adopted by Ordinance No. 4230 and signed by the mayor and city clerk, along with all amendments thereto. The types of zoning map amendments are listed in ACC 18.68.030(A).

B. Current copies of the zoning map are available for examination and/or purchase at the community development department. The zoning map is adopted and made a part of the comprehensive zoning ordinance, with the most current amended copy serving as the official zoning map. (Ord. 6779 § 2, 2020; Ord. 6287 § 2, 2010; Ord. 6245 § 2, 2009.)

18.02.090 Zone boundary interpretation.

Where uncertainty exists as to the boundaries of zones as shown on the official zoning map, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such lines;

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

C. Boundaries indicated as approximately following city limits shall be construed as following city limits;

D. Boundaries indicated as following railroad lines shall be construed as to be midway between the main tracks;

E. Boundaries indicated as parallel to or extensions of features indicated in subsections A through D of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map;

F. Where physical or cultural features existing on the ground are at a variance with those shown on the official zoning map, or in other circumstances not covered by subsections A through E of this section, the planning director shall interpret the zone boundaries;

G. When the city vacates a street or alley, the vacated property will be zoned consistent with the adjacent property it is being vacated to. (Ord. 6245 § 2, 2009.)

18.02.100 Zoning for annexed land.

Prior to any parcel of land being annexed to the city, the property may be zoned consistent with the rezone requirements of this title and the comprehensive plan may be amended if necessary.

Application for the rezone and any necessary amendment may be done simultaneously with the request for annexation.

For property that is not assigned a zone classification by the city of Auburn at annexation, the property shall assume the UNC unclassified use designation upon annexation.

In such case, the planning director shall initiate an application to rezone from the UNC unclassified use designation to a zone compatible with the comprehensive plan within six months of the date of annexation. (Ord. 6245 § 2, 2009; Ord. 5354 § 2, 2000; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987. Formerly 18.02.050.)

18.02.110 Zoning for property influenced by Auburn Municipal Airport.

Refer to Chapter 18.38 ACC to determine if property will be required to comply with additional regulations that are associated with the airport. (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997. Formerly 18.02.060.)

18.02.120 Permitted land uses established.

A. Categories of Uses Established. Chapters 18.07 through 18.44 ACC establish permitted, administrative, conditional, and prohibited uses, by zone, for all properties within the Auburn city limits. All principal uses in a given zone are one of four types:

1. Permitted use (see ACC 18.04.696);
2. Administrative use (see ACC 18.04.025);
3. Conditional use (see ACC 18.04.260);
4. Prohibited use (see ACC 18.04.752).

Uses which are incidental and customary to a principal use may be considered an accessory use as defined in ACC 18.04.020.

Uses not specifically identified as principal uses or determined to be an accessory use shall be classified utilizing the procedures outlined in subsection (C)(6) of this section.

B. Zoning Use Tables Established for Residential Zones. The zone use tables in ACC 18.07.020 and 18.09.020 establish whether a specific use is permitted in a zone and whether the use is allowed as a permitted, administrative, conditional, or prohibited use. The zone is located on the horizontal row and the specific use is located on the vertical column of these tables.

C. Interpretation of Zone Use Tables.

1. *Legend.* The following letters have the following meanings when they appear in the box at the intersection of the column and the row on the zone use tables:

Symbol	Description
P	Permitted Use
A	Administrative Use
C	Conditional Use

Symbol	Description
X	Prohibited Use

2. *Other Requirements Applicable.* The above uses are subject to the other application requirements, citywide property development standards, and applicable overlay district regulations specified in the zoning code, the project review procedures specified in ACC Title 14, the building and construction standards of ACC Title 15, the environmental review procedures and regulations specified in ACC Title 16, and the regulations for the division of land in ACC Title 17.

3. *Additional Use-Related Conditions.* If a number also appears at the intersection of the column and the row, the use is also subject to the additional requirements as listed in the corresponding endnote immediately following the use table in the specified code chapter. All applicable requirements shall govern a use whether specifically identified in the zone chapter or not.

4. Accessory Use Interpretation. The planning director or designee may determine if a use that is not specifically described as accessory is permitted as an accessory to a principal use in a zone. Upon inquiry by an applicant, an administrative interpretation shall be made by the planning director or designee to determine if a proposed use is allowed as an accessory use within the zone utilizing the purpose and intent of the zone, comprehensive plan policy guidance, and the definition of accessory use contained in Chapter 18.04 ACC.

5. *Prohibited Uses.* If an "X" appears in the box at the intersection of the column and the row, the use is prohibited in that zone. Similarly, if a use is listed in one zone use table but not another zone use table, it shall be considered prohibited in the zone use table in which it is not listed. For example, a use listed in the industrial zone use table of Chapter 18.16 ACC, but not listed in the residential zone use table of Chapter 18.07 ACC, shall be considered prohibited in the residential zones listed in Chapter 18.07 ACC even though the land use does not appear with an "X" in the use table.

6. *Unclassified Uses.* Upon inquiry by an applicant, an administrative interpretation shall be made by the planning director or designee to determine if a proposed use not specifically listed in any zone use table is allowed within a specific zone utilizing the criteria in this subsection. Should an interpretation be made that a proposed, unlisted use not be allowed

in a specific zone, the planning director or designee shall indicate which zones, if any, do permit the use.

a. Criteria for Unclassified Uses. In order to make a determination that an unclassified use is permitted, administratively permitted, conditionally permitted, or accessory, the planning director or designee must find that the use is:

i. In keeping with the intent of the zone, and consistent with Auburn comprehensive plan policies; and

ii. Similar in nature to, and no more intense than, specifically listed permitted, conditional or accessory uses; and

iii. Consistent with subsection (C)(4) of this section, if determined to be permissible as an accessory use. (Ord. 6269 § 1, 2009; Ord. 6245 § 2, 2009.)

18.02.130 Neighborhood review meeting.

A. *Purpose.* The purpose of the neighborhood review meeting is for a developer/applicant of a proposed project to hold a meeting with surrounding and adjacent neighboring residents, property owners, homeowners' associations, residents and businesses (hereinafter collectively referred to as "neighbors") prior to submitting an application to the city. The neighbors would have an early opportunity to become familiar with either a residential subdivision, multifamily or mixed development proposal of a certain size and scale early in the development review process and to identify any associated issues. The neighborhood review meeting is intended to assist in producing applications that are responsive to neighborhood concerns, and to reduce the likelihood of delays and appeals. The city expects an applicant to take into consideration the reasonable concerns and recommendations of the neighbors and other interested persons when preparing an application.

B. *Applicability.* A neighborhood review meeting shall be required for the following types of new land use application in any applicable zoning district within the city:

1. A residential subdivision project comprising 40 or more lots or units; or

2. A multifamily residential project comprising 40 or more units; or

3. A mixed-use development project comprising 40 or more units.

C. *Time Frames.*

1. Prior to submittal of an application, an applicant shall provide an opportunity to meet with neighboring residents, property owners, homeowners' associations, residents and businesses (hereinafter collectively referred to as "neighbors") within the city-specified notice radius to review the proposal.

2. The applicant shall not be required to hold more than one neighborhood review meeting.

D. *Procedures.*

1. The applicant shall select the meeting time and place. The starting time selected shall be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a federally recognized holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act. The public meeting shall be held within the Auburn city limits, at a location no further than two miles from the project site, unless an alternate meeting location is approved by the planning director. A sign at least 22 inches by 28 inches in size with minimum two-inch lettering shall be placed at the main entrance of the building where the meeting will take place at least one hour prior to the meeting. Such sign will announce the meeting purpose, that the meeting is open to the public and that interested persons are invited to attend. This sign shall be removed upon conclusion of the meeting by the applicant.

2. The applicant shall send by regular mail a written notice announcing the neighborhood review meeting to the director of the city of Auburn planning and development department and property owners within 300 feet of the property(ies) involved in the development review application. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The notice shall be mailed not less than 20 calendar days prior to the meeting date. The mailing list shall be obtained by the applicant and based on the most recent property tax assessment rolls of the King County department of assessments or the Pierce County assessor-treasurer's office, whichever is applicable.

3. Not less than 20 calendar days prior to the neighborhood review meeting, the applicant shall post a notice on the property which is the subject of the proposed application. The notice shall be posted at the property in a visible and accessible location. The notice shall state that the site may be subject to a proposed development and shall set forth the name of the applicant and a telephone number where the applicant or applicant's contact person can be reached for additional information. The site shall remain posted until the conclusion of the neighborhood review meeting. The city will not be responsible for posting of any signs.

4. The sign at the building entrance under subsection (D)(1) of this section, the notices sent by mail under subsection (D)(2) of this section and the site posting under subsection (D)(3) of this section shall each contain the following statement:

> The intent of this meeting is to facilitate an early informal discussion between the project developer and the neighbors regarding the project. While required by the City of Auburn, this meeting is not conducted by the City of Auburn and is in addition to any future hearings or public comment opportunities available under city development review processes.

5. At the neighborhood review meeting, the applicant shall describe the proposed application to persons in attendance. The attendees may identify any issues that they believe should be addressed in the application and recommend that those issues be submitted for city consideration and analysis.

6. The applicant shall prepare and make available the following materials for review and discussion at the public meeting:

a. Total number of dwelling units/lots expected to be built;

b. Conceptual site plan/plat layout showing buildings, road layout, landscape, parking, topography and open space areas, and adjacent properties; and

c. Aerial photograph showing the subject property and adjacent properties.

7. At the neighborhood review meeting, a sign-in sheet shall be distributed to all meeting attendees that specifies the date, time and location of the neighborhood review meeting

and asks for the name, address, phone number and electronic mail address of each meeting attendee.

8. At the neighborhood review meeting, the applicant shall take notes of the discussion on the proposed application for eventual submittal to the city.

E. *Submittal Requirements.* The applicant shall submit the following information with the submittal of a development application:

1. A copy of the notice provided to surrounding property owners within 300 feet of the proposed development site.

2. A copy of the mailing list used to send out meeting notices.

3. A written statement containing the information posted on the property.

4. An affidavit of mailing and posting notices.

5. A copy of the meeting sign-in sheet.

6. Copies of written materials and eight-and-one-half-inch by 11-inch size plans presented at the neighborhood review meeting.

7. Notes of the meeting including a summary of oral and written comments received.

8. If responses to the meeting notice were not received by the applicant and no one attended the neighborhood review meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

F. *Notice.*

1. All property owners who receive notice of the neighborhood review meeting shall be eligible to receive a copy of the written city decision for the development proposal.

2. All neighbors receiving notice of or attending the neighborhood review meeting shall be eligible to receive a copy of the written city decision for the development proposal through a request made to the city.

G. *Consideration.* The city shall consider as part of the development review process the concerns and issues raised by the neighbors and applicant at the neighborhood review

meeting, including any agreed-upon solutions or resolutions to outstanding issues or areas of contention. The city, however, shall not be bound in its decision-making by any agreements or understandings made between the neighbors and applicants. Nothing in this section shall be construed to delegate design or project review decision-making authority to the participants in the public meeting.

H. *City Involvement.* The neighborhood review meeting is intended to be a developer-neighborhood interaction. City staff are not required to attend and/or participate in neighborhood review meetings. There will be other official opportunities for residents and neighbors to make comment during the development review process that would follow the neighborhood review meeting. The director of the planning and development department or designee shall be notified a minimum of seven calendar days prior to the scheduled date of the neighborhood review meeting. Any city staff attendance at a neighborhood review meeting is for informational purposes only, does not represent the city's position on the merits of the development proposal and does not constitute an approval or denial of an application, now or submitted in the future. (Ord. 6287 § 2, 2010; Ord. 6245 § 2, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.04
DEFINITIONS

Sections:

18.04.010 General definitions.
18.04.018 Accessory dwelling unit.
18.04.019 Accessible electric vehicle charging station.
18.04.020 Accessory use.
18.04.021 Accessory use, manufactured home community.
18.04.022 Repealed.
18.04.023 Accessory use, residential.
18.04.024 Repealed.
18.04.025 Administrative use.
18.04.027 Repealed.
18.04.030 Repealed.
18.04.031 Adult family home.
18.04.032 Repealed.
18.04.035 Agricultural enterprise.
18.04.036 Agricultural store.
18.04.039 Aircraft operations.
18.04.040 Airport, heliport or aircraft landing field.
18.04.050 Airport elevation.
18.04.060 Airport hazard.
18.04.070 Airport landing area.
18.04.072 Airport manager.
18.04.080 Airport reference point.
18.04.090 Alley.
18.04.100 Amusement device, mechanical.
18.04.105 Animal shelter, public.
18.04.110 Apartment.
18.04.115 Apiary.
18.04.120 Arcade.
18.04.125 Assisted living facility.
18.04.130 Automobile repair.
18.04.140 Repealed.
18.04.150 Automobile wrecking.
18.04.160 Automobile wrecking yard.
18.04.170 Automobile, trailer, equipment sales area.
18.04.171 Battery charging station.
18.04.172 Battery electric vehicle (bev).

18.04.173 Battery exchange station.
18.04.175 Bed and breakfast.
18.04.180 Repealed.
18.04.185 Repealed.
18.04.190 Building.
18.04.192 Building and landscape materials sales.
18.04.194 Building contractor, heavy.
18.04.195 Building contractor, light.
18.04.200 Building height.
18.04.210 Building, main.
18.04.220 Repealed.
18.04.230 Building site.
18.04.235 Built green.
18.04.235.1 Caretaker apartment.
18.04.236 Charging levels.
18.04.237 Chicken coop.
18.04.238 Chicken run.
18.04.240 Commercial use.
18.04.245 Commercial vehicle.
18.04.246 Commercial recreation facility, indoor.
18.04.247 Commercial recreation facility, outdoor.
18.04.248 Community retail establishment.
18.04.249 Communal residence.
18.04.250 Comprehensive plan.
18.04.260 Conditional use.
18.04.265 Condominium.
18.04.270 Conforming use.
18.04.280 Repealed.
18.04.282 Convenience store.
18.04.283 Crematorium.
18.04.285 Dangerous waste.
18.04.290 Daycare center, nursery school, preschool.
18.04.294 Designated accessible space.
18.04.295 Designated facility zone.
18.04.300 Density.
18.04.301 Density, base.
18.04.302 Density bonus.
18.04.303 Density, minimum.
18.04.310 Development standards.
18.04.318 Dripline.
18.04.320 Repealed.

18.04.325 Domestic fowl and poultry.
18.04.330 Dwelling.
18.04.340 Dwellings, types of.
18.04.350 Dwelling unit.
18.04.351 Electric scooters and motorcycles.
18.04.352 Electric vehicle.
18.04.353 Electric vehicle charging station.
18.04.354 Electric vehicle charging station – Restricted.
18.04.355 Extremely hazardous waste.
18.04.356 Electric vehicle charging station – Public.
18.04.357 Electric vehicle infrastructure.
18.04.358 Electric vehicle parking space.
18.04.359 Emergency Housing
18.04.360 Emergency Shelter
18.04.3615~~9~~ Entertainment, commercial.
18.04.3620~~0~~ Family.
18.04.365 FAR Part 77 surfaces.
18.04.370 Fence.
18.04.371 Fence, opacity.
18.04.372 Fence, screened.
18.04.373 Fence, visibility.
18.04.374 Fence, 100 percent sight-obscuring.
18.04.376 Retaining wall.
18.04.380 Floor area.
18.04.390 Foster care home.
18.04.395 Fueling station.
18.04.400 Garage or carport, residential.
18.04.410 Garage, commercial.
18.04.411 Golf course.
18.04.412 Governmental facilities.
18.04.420 Grade.
18.04.425 Green building practices.
18.04.430 Gross floor area.
18.04.440 Group residence facility.
18.04.445 Growth center.
18.04.450 Guest cottage.
18.04.452 Hazardous material.
18.04.453 Hazardous substance.
18.04.454 Hazardous substance processing or handling.
18.04.455 Hazardous waste.
18.04.456 Hazardous waste storage.

18.04.457 Hazardous waste treatment.
18.04.458 Hazardous waste treatment and storage facility, off-site.
18.04.459 Hazardous waste treatment and storage facility, on-site.
18.04.460 Home occupation.
18.04.465 Homeless encampment.
18.04.466 Horse riding, commercial.
18.04.470 Hospital.
18.04.480 Hospital or clinic, small animal.
18.04.485 Host agency.
18.04.490 Hotel.
18.04.495 Household pet.
18.04.496 Housing rehabilitation.
18.04.497 Impervious surface.
18.04.498 Incidental.
18.04.499 Intensity.
18.04.500 Junkyard.
18.04.510 Kennel.
18.04.515 Kitchen.
18.04.520 Landscaping.
18.04.522 Reserved.
18.04.523 Large domestic animal.
18.04.525 Leadership in energy and environmental design (leed).
18.04.527 Live/work unit.
18.04.530 Lot.
18.04.540 Lot area.
18.04.550 Lot coverage.
18.04.560 Lot dimensions.
18.04.570 Lot lines.
18.04.580 Lot of record.
18.04.590 Lot types.
18.04.595 Low impact development.
18.04.597 Major transit stop
18.04.600 Manufactured home.
18.04.610 Manufactured home community.
18.04.612 Manufacturing, assembling and packaging – Heavy intensity.
18.04.614 Manufacturing, assembling and packaging – Light intensity.
18.04.616 Manufacturing, assembling and packaging – Medium intensity.
18.04.617 Medium domestic animal.
18.04.619 Medium-speed electric vehicle.
18.04.620 Medical-dental clinic.
18.04.621 Middle housing

18.04.622 Miniature goat.
18.04.623 Microbrewery or a small craft brewery.
18.04.625 Mixed-use development.
18.04.630 Mobile home.
18.04.635 Motor freight terminal.
18.04.640 Motel.
18.04.641 Multimodal transportation corridor.
18.04.642 Municipal park.
18.04.643 Museum.
18.04.643.1 Neighborhood electric vehicle.
18.04.644 Neighborhood recreation buildings.
18.04.644.1 Neighborhood retail establishment.
18.04.645 Neighborhood services.
18.04.648 Net density.
18.04.649 Nonelectric vehicle.
18.04.650 Nonconforming use.
18.04.660 Nursing home.
18.04.670 Occupancy.
18.04.672 Outdoor sales.
18.04.676 Outdoor storage.
18.04.676.1 Overlay zone.
18.04.677 Owner occupied unit.
18.04.678 Repealed.
18.04.680 Parking area.
18.04.690 Parking space or stall.
18.04.692 Parking structure.
18.04.694 Permanent supportive housing.
18.04.696 Permitted use.
18.04.700 Person.
18.04.710 Personal service shop.
18.04.730 Planning commission.
18.04.740 Planning director.
18.04.741 Plug-in hybrid electric vehicle (PHEV).
18.04.742 Potbelly pig.
18.04.744 Prerelease facility.
18.04.745 Print and copy shop.
18.04.746 Private country clubs and golf courses, excluding driving ranges.
18.04.748 Privately owned and operated parks and playgrounds.
18.04.750 Professional offices.
18.04.752 Prohibited use.
18.04.754 Public art.

18.04.756 Public recreational amenity.
18.04.760 Public use.
18.04.770 Quasi-public use.
18.04.779 Rapid charging station.
18.04.780 Recreational vehicle, camping trailer, travel trailer, motor home and truck camper.
18.04.790 Recreational vehicle park.
18.04.791 Regional retail establishment.
18.04.792 Religious institution.
18.04.794 Renting of rooms.
18.04.796 Repair services – Equipment, appliances.
18.04.800 Residence.
18.04.804 Restaurant, full-service.
18.04.805 Right-of-way.
18.04.806 Schools, elementary and middle/junior high.
18.04.807 Schools, secondary or high school.
18.04.808 Secure community transition facility.
18.04.809 Senior housing.
18.04.810 Setback.
18.04.811 Setback area.
18.04.812 Setback, front.
18.04.813 Setback, rear.
18.04.814 Setback, side.
18.04.815 Setback line.
18.04.816 Shop.
18.04.818 Shopping center.
18.04.820 Sign.
18.04.821 Site.
18.04.822 Site area.
18.04.823 Small domestic animal.
18.04.824 Social and service organizations.
18.04.825 Solid waste.
18.04.826 Solid waste processing facility.
18.04.827 Special events.
18.04.828 Sponsoring agency.
18.04.829 Store.
18.04.830 Repealed.
18.04.835 Special needs housing.
18.04.840 Repealed.
18.04.850 Reserved.
18.04.855 Small craft distillery.
18.04.860 Story.

18.04.870 Street, private.
18.04.880 Street, public.
18.04.890 Structure.
18.04.891 Supportive housing.
18.04.892 Sustainable design.
18.04.894 Tasting room.
18.04.895 Tavern.
18.04.896 Transmitting tower.
18.04.897 Unclassified use.
18.04.900 Use.
18.04.901 Utility facilities and substations.
18.04.910 Variance.
18.04.911 Walking distance.
18.04.9121~~1~~ Wine production facility.
18.04.912~~1~~.1 Winery.
18.04.912 Wireless communications.
18.04.913 Work/live unit.
18.04.914 Work release facility.
18.04.920 Yard.
18.04.930 Yard, front.
18.04.940 Yard, rear.
18.04.950 Yard, side.
18.04.954 Youth community support facility.
18.04.960 Zone.
18.04.1001 Child care center.
18.04.1005 Marijuana or marihuana.
18.04.1007 Marijuana cooperative.
18.04.1009 Marijuana-infused products.
18.04.1011 Marijuana processor.
18.04.1013 Marijuana producer.
18.04.1015 Marijuana related business.
18.04.1017 Marijuana retailer.
18.04.1019 Marijuana researcher.
18.04.1021 Marijuana transporter.
18.04.1023 Public or private park.
18.04.1025 Public or private playground.
18.04.1027 Public or private recreational center.
18.04.1029 Public transit center.

18.04.010 General definitions.

Except where specifically defined in this chapter, all words used in this title shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular, the word "shall" is always mandatory, the word "may" denotes a use of discretion in making a decision, and the words "used" or "occupied" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied." (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.018 Accessory dwelling unit.

An "accessory dwelling unit" is a self-contained residential unit that is accessory to a ~~single-family home~~single-unit detached housing or middle housing units located on individually owned lots, where the accessory dwelling unit is located on the same lot. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the ~~single-family home~~primary unit including the yard, parking, storage or laundry facilities. The accessory dwelling unit may be attached or detached to the single-unit detached housing or middle housing unit(s). An accessory dwelling unit excludes accessory residential uses as defined in ACC 18.04.023. (Ord. 6245 § 3, 2009; Ord. 5399 § 1, 2000.)

18.04.019 Accessible electric vehicle charging station.

"Accessible electric vehicle charging station" means an electric vehicle charging station where the battery charging station equipment is located within accessible reach of a barrier-free access aisle (minimum 44-inch width) and the electric vehicle. (Ord. 6365 § 1, 2011.)

18.04.020 Accessory use.

"Accessory use" means a use, a building or structure, part of a building or other structure, which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a residential garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building. Parking areas will not be considered an accessory use under this definition. See related definitions for "Accessory use, manufactured home community" and "Accessory use, residential." (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.021 Accessory use, manufactured home community.

“Manufactured home community accessory use” is a subordinate use which supports the principal manufactured home community use without displacing it. Manufactured home community accessory uses include but are not limited to recreation facilities, clubhouses, park offices, and utility rooms to serve the residents of the park only. (Ord. 6245 § 3, 2009.)

18.04.022 Adult book and video establishment. *Repealed by Ord. 5835.*

18.04.023 Accessory use, residential.

“Residential accessory use” means a subordinate use which supports the principal residential use without displacing it. The accessory residential use is typically located on the same lot occupied by the principal residential use. Residential accessory uses include residential garage, guest cottage, recreation room, tool shed, swimming pool, noncommercial greenhouse, private stable, barn, pen, coop, or similar structure. This use excludes accessory dwelling units, as defined in ACC 18.04.018, and manufactured home community accessory uses. (Ord. 6245 § 3, 2009.)

18.04.024 Adult entertainment establishment. *Repealed by Ord. 5835.*

18.04.025 Administrative use.

“Administrative use” means a use permitted in a zone only after review and approval by the planning director or designee. Administrative uses are those which typically have some potential for impacts to neighboring properties, but which may be permitted within a zone following review by the city to establish conditions mitigating impacts of the use and to assure compatibility with other uses in the zone. (Ord. 6269 § 27, 2009.)

18.04.027 Adult entertainment. *Repealed by Ord. 5835.*

18.04.030 Adult motion picture theater. *Repealed by Ord. 5835.*

18.04.031 Adult family home.

"Adult family home" means a residential home licensed by the state in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. Adult family homes are not communal residences. (Ord. 6560 § 1, 2015; Ord. 6245 § 3, 2009.)

18.04.032 Adult uses. *Repealed by Ord. 5835.*

18.04.035 Agricultural enterprise.

"Agricultural enterprise" means a business enterprise which is engaged in, or related to, farming or agricultural production and other businesses and services supporting and promoting agriculture practices and the practice of locally and regionally grown foods. The term shall include the following:

A. "Agritourism" means a business enterprise activity that includes operation of a working farm or any agricultural or horticultural operation that, while not an exclusive function, is open to the public on a seasonal basis for enjoyment, recreation, personal entertainment, or education.

B. "Agricultural entertainment" means any event or activity that allows for recreation, entertainment, education and tourism associated with agricultural activities. (Ord. 6363 § 1, 2011.)

18.04.036 Agricultural store.

"Agricultural store" means a retail food establishment, housed in a permanent structure, whose primary economic activity is the sale of local and regional agricultural products directly to consumers. An agricultural store may also include the sale of sundries, prepackaged food, bottled or canned beverages and freshly prepared food and beverages for consumption on site. (Ord. 6363 § 1, 2011.)

18.04.039 Aircraft operations.

“Aircraft operations” means the movement of aircraft operating in the airport traffic pattern or within sight of the airport. A landing or takeoff is one operation. An aircraft that takes off and then lands creates two aircraft operations. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.040 Airport, heliport or aircraft landing field.

“Airport,” “heliport,” or “aircraft landing field” means any runway, landing area or other facility whether publicly or privately owned or operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft. This definition includes all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces. This definition does not include manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacturing or testing of commercial or military aircraft or activities associated therewith. (Ord. 6838 § 1 (Exh. A), 2021; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.050 Airport elevation.

“Airport elevation” means the established elevation of the highest point on the usable landing area. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.060 Airport hazard.

“Airport hazard” means any structure, tree or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.070 Airport landing area.

“Airport landing area” means the area of the airport used for the landing, taking off or taxiing of aircraft. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.072 Airport manager.

Airport Manager. See definition in Chapter 12.56 ACC. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.080 Airport reference point.

"Airport reference point" means the point established as the approximate geographic center of the airport landing area and so designated. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.090 Alley.

"Alley" means a public travel way or other public right-of-way under the jurisdiction and control of the city and not designated for general travel and used primarily as a means of access to the rear of residential and/or business establishments. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.100 Amusement device, mechanical.

"Mechanical amusement device" means any machine which, upon the insertion of a coin, slug, token, plate, disk, monetary bill or credit card, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machines, pinball machines, skill ball, mechanical grab machines, video games and all games, operations or transactions similar thereto under whatever name they may be indicated to specify. "Mechanical amusement device" does not include pool tables. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.105 Animal shelter, public.

"Animal shelter, public" means a facility that is used to temporarily house or contain stray, homeless, abandoned or unwanted animals. The facility must be owned, operated, or maintained by one or more of the following: an animal care and control agency; humane society, or society for the prevention of cruelty to animals registered under Chapter 16.52 RCW, or another nonprofit organization devoted to the welfare, protection, and humane treatment of animals, when such society or organization is then under contract with an animal care and control agency. An animal shelter, public may provide supporting services, including medical care. (Ord. 6407 § 2, 2012.)

18.04.1100 Apartment Bbuilding.

"Apartment Building" means:

(a) A building containing seven or more attached dwelling units, including a building containing nonresidential units if the building also contains seven or more attached dwelling units, but excluding the following classes of buildings:

(i) Hotels and motels;
(ii) Dormitories;
(iii) Care facilities;
(iv) Floating homes;
(v) Middle Housing
(vi) A building that contains attached dwelling units that are each located on a single platted lot;
(vi) A building in which all of the dwelling units are held under one ownership and is subject to a recorded irrevocable sale prohibition covenant;
(viii) A building with six or fewer units that is no more than three stories; and
(iv) A building with six or fewer units that is no more than three stories so long as one story is utilized for parking, either above or below ground, or retail space.

18.04.115 Apiary.

"Apiary" ("apiaries") means a place where honey bees (Apis mellifera) are kept; a collection of beehives. "Beekeeping" is included under this definition. (Ord. 6600 § 1, 2016.)

18.04.120 Arcade.

"Arcade" means an entertainment venue featuring primarily video games, simulators, and/or other amusement devices where persons under 21 years of age are not restricted. (Ord. 6642 § 14, 2017; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.125 Assisted living facility.

"Assisted living facility" means a combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. An establishment with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential. An assisted living facility is not a communal residence. (Ord. 6560 § 2, 2015; Ord. 6245 § 3, 2009; Ord. 6140 § 1, 2007.)

18.04.130 Automobile repair.

“Automobile repair” includes fixing, incidental body or fender work, painting, and upholstering, engine tune-up, adjusting lights, installation/repair of electrical or electronic components, brakes, supplying and installing replacement parts to passenger vehicles and trucks. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.140 Automobile service station. *Repealed by Ord. 6433.*

18.04.150 Automobile wrecking.

“Automobile wrecking” means the dismantling or disassembling of used motor vehicles or trailers, the storage, sale or dumping of dismantled, obsolete, or wrecked vehicles or their parts, and the towing of such vehicles or parts in connection with such activity. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.160 Automobile wrecking yard.

“Automobile wrecking yard” means any premises devoted to automobile wrecking. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.170 Automobile, trailer, equipment sales area.

“Automobile, trailer and equipment sales area” means an open area, other than a street or alley, used for the display, sale or rental of new or used automobiles, trucks, trailers or other equipment. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.171 Battery charging station.

“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 6365 § 1, 2011.)

18.04.172 Battery electric vehicle (bev).

“Battery electric vehicle (BEV)” means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries, and produces zero tailpipe emissions or pollution when stationary or operating. (Ord. 6365 § 1, 2011.)

18.04.173 Battery exchange station.

“Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 6365 § 1, 2011.)

18.04.175 Bed and breakfast.

“Bed and breakfast” means a residential home maintained by an on-premises owner that provides no more than six guest rooms which are used, rented, or hired out to guests to be occupied for sleeping purposes, and which may also offer communal dining services. (Ord. 6245 § 3, 2009.)

18.04.180 Boardinghouse. *Repealed by Ord. 6477.*

18.04.185 Brew pub. *Repealed by Ord. 6368.*

18.04.190 Building.

“Building” means any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property of any kind. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.192 Building and landscape materials sales.

“Building and landscape material sales” means a retail or wholesale establishment selling hardware, lumber and other large building materials, plant materials, and other landscaping materials. (Ord. 6433 § 3, 2012.)

18.04.194 Building contractor, heavy.

“Building contractor, heavy” means businesses relating to the heavy construction trades including but not limited to: excavation work, highway and street construction; heavy construction, masonry and concrete work and water well drilling. These types of businesses generally have heavy equipment that may be stored outside. (Ord. 6433 § 4, 2012.)

18.04.195 Building contractor, light.

“Building contractor, light” means businesses relating to the building trades including but not limited to: plumbing, heating, air conditioning; painting, paperhanging and decorating; electrical; carpentry and flooring; roofing and sheet metal. These types of businesses generally do not have heavy equipment or building materials stored outside. (Ord. 6433 § 5, 2012.)

18.04.200 Building height.

“Height of building” means the vertical distance measured from the finished grade to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs. If a structure has none of the above features then the height shall be measured from the finished grade to the highest portion of the structure. See Figure 18.04.200. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

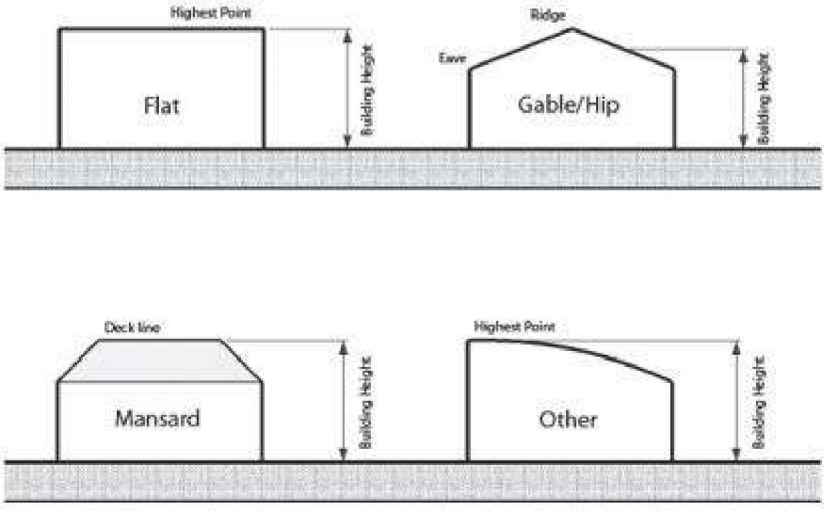


Figure 18.04.200 Building Height

18.04.210 Building, main.

“Main building” means the principal building or buildings on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.220 Building official. *Repealed by Ord. 6245.*

18.04.230 Building site.

“Building site” means a parcel of land assigned to a use, to a main building, or to a main building and its accessory buildings, together with all yards and open spaces required by this title. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.235 Built green.

“Built green” means an environmental building program locally administered by the Master Builders Association of King and Snohomish Counties which provides rating systems which quantify environmentally friendly building practices for remodeling and new residential construction. The construction must qualify for a minimum number of points in order to be certified as “built green.” Each building receives a one – to five-star rating based on the builder’s ability to meet the sustainable design standards. (Ord. 6245 § 3, 2009; Ord. 6036 § 5, 2006.)

18.04.235.1 Caretaker apartment.

“Caretaker apartment” means an accessory housing unit that is permitted in association with a commercial or industrial use where no residential dwelling exists, for the express purpose of providing a housing unit for on-site security or operations personnel. (Ord. 6433 § 6, 2012.)

18.04.236 Charging levels.

“Charging levels” means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms “1,” “2,” and “3” are the most common EV charging levels, and include the following specifications:

A. Level 1 is considered slow charging.

B. Level 2 is considered medium charging.

C. Level 3 is considered fast or rapid charging. (Ord. 6365 § 1, 2011.)

18.04.237 Chicken coop.

“Chicken coop” means a building for housing and weather protection for domestic fowl. The chicken coop is treated as an accessory structure. (Ord. 6600 § 2, 2016.)

18.04.238 Chicken run.

“Chicken run” or “chicken pen” means an area enclosed by fencing or netting which may or may not be connected to a coop within which domestic fowl can move about freely within a limited portion of the property or site. (Ord. 6600 § 3, 2016.)

18.04.240 Commercial use.

“Commercial use” shall mean any activity or use of land which involves the buying, selling, processing or improving of things not produced on the land and having financial gain as the primary aim of the activity or use; whether or not such activity or use be for hire or on account of the buyer, seller, processor, or improver. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.245 Commercial vehicle.

“Commercial vehicle” means semi-truck tractors and/or semi-trailers (over 26,001 pounds gross vehicle weight rating) used in any commercial enterprise. (Ord. 6245 § 3, 2009; Ord. 6019 § 1, 2006.)

18.04.246 Commercial recreation facility, indoor.

“Commercial recreation facility, indoor” means a private for-profit or nonprofit establishment offering recreation or providing entertainment or games of skill to the general public for a fee or charge and wholly enclosed in the building. Typical uses include athletic and health club, pool or billiard hall, indoor swimming pool, bowling alley, skating rink or climbing gyms. (Ord. 6433 § 7, 2012.)

18.04.247 Commercial recreation facility, outdoor.

“Commercial recreation facility, outdoor” means a private for-profit or nonprofit establishment offering recreation or providing entertainment or games of skill to the general public for a fee or charge where any portion of the activity takes place in the open, excluding public parks. Typical uses include: racetracks; miniature golf; skateboard park; swimming and wading, therapeutic facilities; and tennis, handball, basketball courts; batting cages, trampoline facilities. (Ord. 6433 § 8, 2012.)

18.04.248 Community retail establishment.

“Community retail establishment” means stores, shops and businesses either individually or in a shared space setting serving a geographic area of the city that engage in merchandise sales. (Ord. 6433 § 9, 2012.)

18.04.249 Communal residence.

“Communal residence” is a business operated out of a single residential home without an owner occupant residing therein, where the residential home, or portions thereof, is/are rented to more than one individual through separate, unrelated lease or rental agreements. The fact that the individuals rent the residence or a portion thereof through separate, unrelated lease or rental agreements shall be prima facie evidence that the individuals are unrelated and do not meet the definition of “family” per ACC 18.04.360. Adult family homes, foster care homes, group residence facilities, special needs housing, and supportive housing are not communal residences. (Ord. 6560 § 3, 2015; Ord. 6477 § 10, 2013.)

18.04.250 Comprehensive plan.

“Comprehensive plan” means the comprehensive plan for the Auburn planning area, as now constituted, or hereafter amended, or its successor. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.260 Conditional use.

“Conditional use” means a use permitted in a zone only after review and approval by the hearing examiner. Conditional uses are such that they may be compatible only on certain conditions in specific locations in a zone, or if the site is regulated in a certain manner in order to achieve the purposes of this title. (Ord. 6245 § 3, 2009; Ord. 6185 § 1, 2008; Ord. 4229 § 2, 1987.)

18.04.265 Condominium.

“Condominium” means a form of ownership in which individuals purchase and own individual units in a multi-unit complex and jointly own and share financial responsibility for certain common areas. Residential condominiums in ~~Middle Housing and~~ multifamily buildings differ from apartments in that each unit is individually owned, and any land in the project is owned in common by all householders. (Ord. 6245 § 3, 2009.)

18.04.270 Conforming use.

“Conforming use” means an activity the nature and type of which is permitted in the zone in which the property on which it is established is located. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.280 Contract rezone. *Repealed by Ord. 6245.*

18.04.282 Convenience store.

“Convenience store” means a small retail establishment that offers convenience goods for sale, such as prepackaged food items, beverages, tobacco, personal care items, and other household goods and often characterized by 24 hours a day operations. These stores can be part of a fueling station or an independent facility. (Ord. 6433 § 10, 2012.)

18.04.283 Crematorium.

“Crematorium” means a facility for the burning of corpses, human or animal, to ashes either as a principal use or as an accessory use. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials or narcotics. (Ord. 6433 § 11, 2012.)

18.04.285 Dangerous waste.

“Dangerous waste” means those solid wastes designated in WAC 173-303-070 through 173-303-103 as dangerous waste. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.290 Daycare center, nursery school, preschool.

"Daycare center," "nursery school," or "preschool" means any type of group daycare programs, for children or adults, including nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for preschool children, covering afterschool care for school children, and programs which provide organized learning and education experiences, provided such establishments are licensed by the state and conducted in accordance with state requirements. For the purpose of this title the following shall also apply to daycare center, nursery schools or preschools:

A. "Babysitting care" means a dwelling which provides occasional custodial care to children, for periods of less than 24 hours, who do not reside within the residence of the person providing the care. Babysitting care is not necessarily provided in exchange for compensation.

B. "Home based daycare" means a licensed daycare that regularly provides daycare for not more than 12 children or adults in the provider's home in the family living quarters, for periods of less than 24 hours.

C. "Mini daycare center" means a place, other than the home of the provider, which provides regular custodial care for one to 12 children, for periods of less than 24 hours.

D. "Daycare center" means a place, other than the home of the provider, which provides regular custodial care for 12 or more children, for periods of less than 24 hours.

E. "Preschool/nursery school" means a place, other than the home of the provider, which provides regular custodial care and/or organized learning and educational experiences for children. (Ord. 6245 § 3, 2009; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.04.294 Designated accessible space.

"Designated accessible space" means a required accessible parking space designated for the exclusive use of parking vehicles with a state disabled parking permit, in accordance with WAC 51-50-005, the International Building Code requirements for barrier-free accessibility. (Ord. 6365 § 1, 2011.)

18.04.295 Designated facility zone.

"Designated facility zone" means a zone in which hazardous waste treatment and storage facilities are allowed uses, subject to the state siting criteria designated in Chapter 70.105 RCW. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.300 Density.

"Density" is a measure of population, housing units, or building area related to land area, and is expressed as a ratio, e.g., units per acre or square feet of lot area per unit ~~one dwelling unit per acre~~. See ACC 18.02.065 for the methodology for calculating density. (Ord. 6661 § 2, 2018; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

~~18.04.301 Density, base.~~

~~"Base density" refers to the greatest number of dwelling units allowed without application of the bonus density provisions of Chapter 18.25 or 18.49 ACC per land area in a specific zone expressed as a ratio. For example, in a zone with a maximum density of four units per acre, the maximum number of housing units allowed on a one-quarter-acre lot is one unit. (Ord. 6245 § 3, 2009.)~~

18.04.302 Density bonus.

"Density bonus" refers to residential units allowed in excess of the base density of a particular zone. Density bonuses may be granted to residential developers within a certain distance of a high capacity transit stop, inclusion of affordable housing, or in exchange for recognized public benefits pursuant to Chapter 18.02 and Chapter 18.25 ~~or 18.49~~ ACC. (Ord. 6245 § 3, 2009.)

18.04.303 Density, minimum.

"Minimum density" refers to the least number of dwelling units or lots allowed per land area in a specific zone, expressed as a ratio. For example, in a zone with a minimum density of 12 units per acre, development of a two-acre lot would require a minimum of 24 units. (Ord. 6245 § 3, 2009.)

18.04.310 Development standards.

"Development standards" means regulations pertaining to setbacks, landscaping, height, site coverage, signs, building layout, site design and related features of land use. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.318 Dripline.

"Dripline" means an area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outer limit of a tree's branch tips down to the ground. (Ord. 6387 § 2, 2011.)

18.04.320 District. *Repealed by Ord. 6245.*

18.04.325 Domestic fowl and poultry.

"Domestic fowl and poultry" includes all species of chickens, turkeys, geese, ducks, pigeons or other fowl or poultry of similar size and character. Roosters and peafowl are not included in this definition and are not permitted. (Ord. 6600 § 6, 2016; Ord. 6369 § 5, 2011.)

18.04.330 Dwelling.

"Dwelling" means a building designed exclusively for residential purposes for occupancy by a person, family, or unrelated group with one or more rooms for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, including ~~single-family~~single-unit detached housing, middle housing, apartments, ~~two-family, multiple-family dwellings, and townhouse dwelling,~~ and accessory dwelling units,~~s~~ but not including recreational vehicles, or hotels or motel units without kitchens. (Ord. 6565 § 1, 2015; Ord. 6477 § 3, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.340 Dwellings, types of.

"Types of dwellings" means:

A. Dwelling, ~~Single-Family~~Single-Unit Detached. "Single-unit detached" dwelling~~family dwelling"~~ means a detached building, not connected to another building, designed exclusively for occupancy by one family or communal residence and containing one dwelling unit that is permanently attached to the ground. A manufactured home may be considered a ~~single-family~~single-unit detached dwelling if sited per ACC 18.31.050. This dwelling-type was previously called "Single Family" and is synonymous with "Single-unit detached housing".

B. Dwelling, ~~Dwelling, Two-Family (Duplex). "Two-family dwelling" or "duplex" means a building designed exclusively for occupancy by two families or communal residence living independently of each other,~~

~~and containing two dwelling units.~~Middle Housing. "Middle Housing" dwellings~~"~~ includes the following housing types:

~~13~~. ~~–~~"Townhouse" means a detached structure~~buildings~~ that contains three~~wo~~ or more attached ~~single-family~~ dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides, each with its own front and rear access to the outside.

2. "Duplex" means a detached structure consisting of two individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

3. "Triplex" means a detached structure consisting of three individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

4. "Fourplex" means a detached structure consisting of four individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

5. "Fiveplex" means a detached structure consisting of five individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

6. "Sixplex" means a detached structure consisting of six individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

7~~3~~2. "Stacked flat" ~~,~~means dwelling units in a residential building of no more than three stories on a lot in which each floor may be separately rented or owned. Duplexes and triplexes may be arranged as stacked flats.

~~3. "Townhouse" means buildings that contain two or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides.~~

8~~4~~4. "Cottage housing"~~,~~ means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space. Courtyard housing standards in 18.25.050 apply to cottage housing. This definition of cottage housing does not apply to "guest cottages" of ACC 18.04.450.

~~5~~9. "Courtyard apartments"~~.~~ means a residential structure consisting of multiple attached side-by-side and/or stacked dwelling units oriented around a yard or court on two or three sides.

C. Dwelling, ~~Multiple-Family~~Apartment. "~~Multiple-family dwelling~~Apartment" ~~means a building~~ means a building designed for occupancy by ~~three~~ seven or more families or communal residences living independently of ~~each other, and~~each other and containing seven~~three~~ or more dwelling units. Apartment units may be located in a mixed-use development. This dwelling-type was previously called "Multiple-Family" dwellings.

~~D. Dwelling, Townhouse. "Townhouse dwelling" means a building designed exclusively for occupancy by one family or communal residence, occupying space from the ground to the roof and not lying vertically under or over adjacent units, and attached to one or more other dwelling units by common walls.~~ (Ord. 6477 § 4, 2013; Ord. 6245 § 3, 2009; Ord. 6162 § 1, 2008; Ord. 4229 § 2, 1987.)

18.04.350 Dwelling unit.

"Dwelling unit" means one or more rooms designed for or occupied by one family or communal residence for living or sleeping purposes and containing kitchen facilities. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. An efficiency apartment, also known as a studio apartment, constitutes a dwelling unit within the meaning of this title. (Ord. 6477 § 5, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.351 Electric scooters and motorcycles.

"Electric scooters and motorcycles" means any two – or three-wheel vehicle or scooter or motorcycle under state law that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating. (Ord. 6365 § 1, 2011.)

18.04.352 Electric vehicle.

"Electric vehicle" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle. (Ord. 6365 § 1, 2011.)

18.04.353 Electric vehicle charging station.

"Electric vehicle charging station" means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station

equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use. (Ord. 6365 § 1, 2011.)

18.04.354 Electric vehicle charging station – Restricted.

"Electric vehicle charging station – restricted" means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public). (Ord. 6365 § 1, 2011.)

18.04.355 Extremely hazardous waste.

"Extremely hazardous waste" means those solid wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous waste. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.356 Electric vehicle charging station – Public.

"Electric vehicle charging station – public" means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, nonreserved parking in multifamily parking lots). (Ord. 6365 § 1, 2011.)

18.04.357 Electric vehicle infrastructure.

"Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. (Ord. 6365 § 1, 2011.)

18.04.358 Electric vehicle parking space.

"Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle. (Ord. 6365 § 1, 2011.)

18.04.359 Emergency Housing

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

18.04.360 Emergency Shelter

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

18.04.3615~~9~~ Entertainment, commercial.

"Entertainment, commercial" means spectator entertainment for commercial purposes. This use includes theaters, concert halls, nightclubs, or comedy clubs, but does not include cabarets, licensed under ACC 5.20.130(B), and adult entertainment, licensed under Chapter 5.30 ACC. (Ord. 6433 § 12, 2012.)

18.04.3620~~0~~ Family.

"Family" means a person living alone, two or more persons related by blood or marriage, or any other analogous family union recognized under federal and/or state statute, as distinguished from a group occupying a hotel, club, or communal residence. For the purposes of this definition, minors living with a parent shall not be counted as part of the maximum number of residents. The purpose of defining family is to assist in the regulation of occupancy standards within dwelling units and to define different types of structures; it is not intended to interfere with the civil rights of individuals who establish relationships under the terms of state and federal laws. (Ord. 6477 § 6, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.365 FAR Part 77 surfaces.

FAR Part 77 Surfaces. The Federal Aviation Administration's Federal Aviation Regulations (FAR) Part 77 surfaces are the imaginary airspace surfaces established with any relation to each runway of an airport. There are five types of surfaces: (A) primary, (B) approach, (C) transitional, (D) horizontal, and (E) conical. These surfaces are above and around airports and require protection from potential obstructions that might interfere

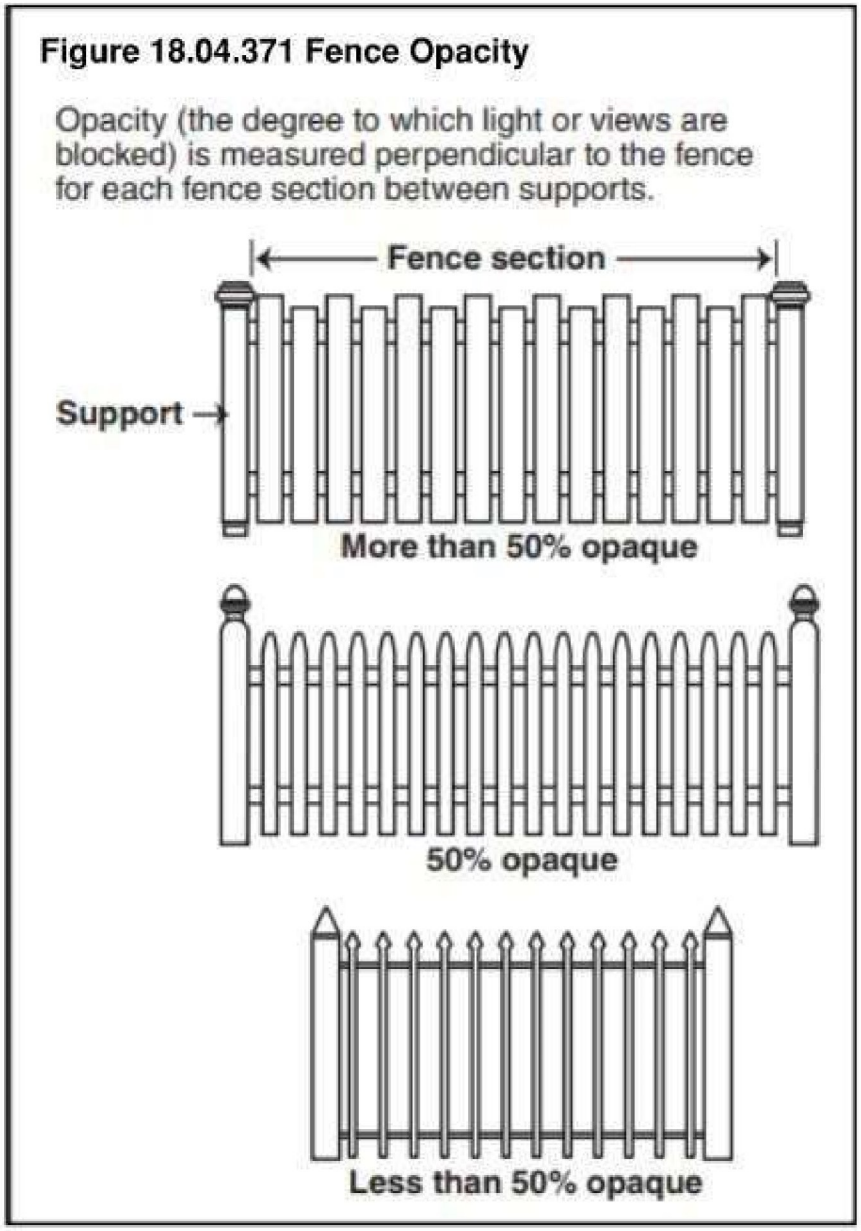
with airport traffic and potentially create a safety risk to aircraft occupants and persons on the ground. An object or structure with an elevation higher than the FAR Part 77 surface elevation is considered to penetrate the FAR Part 77 surfaces and constitutes an obstruction to navigable airspace. “Navigable airspace” is defined by the FAA pursuant to CFR Title 14, Part 77, imaginary surfaces. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.370 Fence.

“Fence” means a masonry wall or a barrier generally composed of posts connected by boards, rails, panels, or wire for the purpose of enclosing space, functional areas, or separating parcels of land. The term “fence” does not include retaining walls or rockeries when a separate structure. The term also does not include hedges, trees, or other natural growth. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.371 Fence, opacity.

“Fence opacity” is the degree to which light or views are blocked. Opacity is measured perpendicular to the fence for each fence section between supports.



(Ord. 6884 § 1 (Exh. 1), 2022.)

18.04.372 Fence, screened.

“Screened fence” means a fence that is between 70 to 100 percent opaque, and provides a high degree of visual buffering between two areas. A screened fence may consist of wood, vinyl, or metal. A chain link fence interwoven with slats in every row or available space is considered a screened fence. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6245 § 3, 2009.)

18.04.373 Fence, visibility.

A fence that is 50 percent or less opaque is generally considered to provide visibility. (Ord. 6884 § 1 (Exh. 1), 2022.)

18.04.374 Fence, 100 percent sight-obscuring.

“One hundred percent sight-obscuring fence” means a fence that is 100 percent opaque, completely obstructs view between two areas or completely obstructs view between two adjoining uses. A sight-obscuring fence shall be constructed of solid wood, metal, concrete, or other appropriate material which totally conceals the subject use from adjoining uses. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6245 § 3, 2009.)

18.04.376 Retaining wall.

“Retaining wall” means a structure designed and constructed to hold soil, earth, or like material in place, or to resist lateral pressure of materials to create or maintain a change in ground elevation. Such walls can be of various types including gravity, cantilevered, anchored, or piling walls and can be comprised of various materials including concrete, stone, or masonry units. The term “retaining wall” does not include fences. (Ord. 6884 § 1 (Exh. 1), 2022.)

18.04.380 Floor area.

“Floor area” means total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.390 Foster care home.

“Foster care home” means a home which provides regular care for up to four developmentally disabled adults, or up to four adults who are recipients of state or federal financial assistance services, or up to four foster children under the age of 18, or up to three expectant mothers in a residential structure of the person or persons under whose direct care and supervision the people are placed. A foster care home is not a communal residence. (Ord. 6560 § 4, 2015; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.395 Fueling station.

“Fueling station” means a retail business selling gasoline or other motor vehicle fuels primarily to passenger vehicles. Includes alternative fuels and recharging facilities which are commercial facilities offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., liquid propane gas) as well as equipment to recharge electric powered vehicles. This classification includes customary incidental activities when performed in conjunction with the sale of fuel, such as vehicle maintenance and repair, vehicle washing, and electric vehicle battery swap-out, but excludes body and fender work or repair of heavy trucks or vehicles. (Ord. 6433 § 13, 2012.)

18.04.400 Garage or carport, residential.

“Residential garage or carport” means a building or a portion of a building principally used for vehicular equipment such as automobiles, boats, etc., in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(1), 1988; Ord. 4229 § 2, 1987.)

18.04.410 Garage, commercial.

“Commercial garage” means any garage not a residential garage, and which is used for storage, repair, rental, servicing or supplying of gasoline or oil to motor vehicles. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.411 Golf course.

See ACC 18.04.746, Private country clubs and golf courses, excluding driving ranges. (Ord. 6245 § 3, 2009.)

18.04.412 Governmental facilities.

“Governmental facilities” means facilities of any unit of city, county, state, federal, or special district government. Types of facilities include community centers, vehicle and driver licensing offices, public works maintenance and operations facilities, courts of law, school support facilities, and other types of city, county, state, school district, special district, or federal facilities. This definition excludes jails, municipal parks, transit facilities, sewage treatment plants, schools, municipally owned airports, libraries, and utility facilities and substations as defined in this chapter. (Ord. 6245 § 3, 2009.)

18.04.420 Grade.

“Grade” means the average of the finished ground level at the center of all exterior walls of a building. In case walls are within five feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.425 Green building practices.

“Green building practices” (as defined by the U.S. Green Building Council, Leadership in Energy and Environmental Design [LEED] Program) means practices that conserve resources, use recycled content materials, maximize energy efficiency, and otherwise consider environmental, economic, and social benefits in the design and construction of a building project. See ACC 18.04.525 for more information on LEED. (Ord. 6245 § 3, 2009; Ord. 6036 § 6, 2006.)

18.04.430 Gross floor area.

“Gross floor area” includes all floor area within the exterior walls of the building including area in halls, storage, and partitions, but excluding furnace and similar utility space used solely to maintain the building for occupancy. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.440 Group residence facility.

“Group residence facility” means a facility licensed by the state and operated with full-time supervision for housing resident persons who, by reason of their mental or physical disability, addiction to drugs or alcohol, or family and social adjustment problems, require a transitional nonmedical treatment program for rehabilitation and social readjustment. For the purposes of this title, a nonmedical treatment program consists of counseling, vocational guidance, training, group therapy and other similar rehabilitative services but does not include drug and/or alcohol detoxification. Monitoring the taking of prescription medication shall be permitted. The use of medication by any resident shall be incidental to that person’s residence in the facility and shall not be a criterion for residence in the facility. This definition does not include residential dwellings which meet all other requirements of this title, that provide programs related to this definition or which provide services of a nursing home as defined by ACC 18.04.660. A group residence facility is not a communal residence. (Ord. 6560 § 5, 2015; Ord. 6245 § 3, 2009; Ord. 4590 § 2 (Exh. A), 1992; Ord. 4304 § 1(2), 1988; Ord. 4229 § 2, 1987.)

18.04.445 Growth Center

"Growth Centers" are walkable, pedestrian-oriented, compact, areas of the city and are the basis for achieving neighborhoods where residents can meet more of their everyday needs within an easy walk of their home. They are complete neighborhoods with commercial development (grocery stores, restaurants, markets, shops, etc.), housing options, a variety of employment types, open space and parks, and other public gathering places. They are located adjacent to the public transit network. Growth Centers allow for a mix of commercial and residential uses in vertical or horizontal configurations, with the central core of a Growth Center.

18.04.450 Guest cottage.

"Guest cottage" means an accessory, detached building with bathroom, living and sleeping areas without any kitchen facilities designed for and used to house ~~transient visitors or~~ nonpaying guests of the occupants of the main dwelling. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.452 Hazardous material.

"Hazardous material" means a substance or materials in a quantity or form that may pose an unreasonable risk to health, safety or property when stored, transported or used in commerce. For specific definitions of hazardous materials see Code of Federal Regulations, Title 49, as amended; the International Fire Code, as amended; and the Valley Regional Fire Authority General Hazardous Materials Guidelines, as amended. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988; Ord. 4229 § 2, 1987.)

18.04.453 Hazardous substance.

"Hazardous substance" means any liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as defined by Chapter 713-303 WAC. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.454 Hazardous substance processing or handling.

"Hazardous waste processing or handling" means the use, storage, manufacture, production or other land use activity involving hazardous substances. Hazardous substances processing and handling activities do not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.455 Hazardous waste.

“Hazardous waste” means and includes all dangerous (see ACC 18.04.285) and extremely hazardous waste (see ACC 18.04.355). (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.456 Hazardous waste storage.

“Hazardous waste storage” means the holding of hazardous waste for a temporary period. Accumulation of waste on the site of generation is not storage as long as the storage complies with applicable requirements of Chapter 173-303 WAC. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.457 Hazardous waste treatment.

“Hazardous waste treatment” means the physical, chemical or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, or amenable for energy or material resource recovery. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.458 Hazardous waste treatment and storage facility, off-site.

“Off-site hazardous waste treatment and storage facility” means the treatment and storage of hazardous wastes from generators on properties other than that on which the off-site facility is located. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.459 Hazardous waste treatment and storage facility, on-site.

“On-site hazardous waste treatment and storage facility” means the treatment and storage of hazardous wastes generated on the same site. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.460 Home occupation.

“Home occupation” means any activity undertaken for gain or profit and carried on in a dwelling, or building accessory to a dwelling. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.465 Homeless encampment.

“Homeless encampment” means an emergency homeless encampment hosted by a church or other organization, which provides temporary housing to homeless persons. (Ord. 6245 § 3, 2009; Ord. 6014 § 2, 2006.)

18.04.466 Horse riding, commercial.

“Commercial horse riding” means a land use established for the purpose of providing equestrian trails or other facilities for riding and keeping horses for a fee. This use includes bridle trails. (Ord. 6245 § 3, 2009.)

18.04.470 Hospital.

“Hospital” means an institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and which is licensed by state law to provide facilities including overnight accommodations and services in surgery, obstetrics and general medical practice. This definition does not include small animal hospitals or clinics, or veterinary clinics, as defined in ACC 18.04.480. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.480 Hospital or clinic, small animal.

“Small animal hospital or clinic” means an establishment in which veterinary medical services and/or clipping, bathing and similar services are rendered to dogs, cats and other small animals and domestic pets, not including kennels. This definition does not include hospitals as defined in ACC 18.04.470. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(3), 1988; Ord. 4229 § 2, 1987.)

18.04.485 Host agency.

“Host agency” means the owner of the property, being a religious institution or other organization, that joins a sponsoring agency in an application for a temporary use permit for providing basic services and support to homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc. (Ord. 6245 § 3, 2009; Ord. 6014 § 3, 2006.)

18.04.490 Hotel.

“Hotel” means any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests, and includes additional amenities such as banquet halls and meeting facilities. Hotels include but are not limited to motels and extended stay hotel accommodations. Hotels do not include renting of rooms, boardinghouses, or bed and breakfast accommodations. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.495 Household pet.

Recodified to ACC 18.04.823by Ord. 6600. (Ord. 6369 § 1, 2011; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 4229 § 2, 1987. Formerly 18.04.720.)

18.04.496 Housing rehabilitation.

“Housing rehabilitation” means the renovation of an existing housing unit for the purpose of preserving existing housing stock, often as a means to provide affordable housing within an established residential neighborhood. See Chapter 18.49 ACC. (Ord. 6245 § 3, 2009.)

18.04.497 Impervious surface.

“Impervious surface” means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. (Ord. 6245 § 3, 2009.)

18.04.498 Incidental.

“Incidental” means reasonably related, as determined by the planning director. One use is incidental to another when it is reasonably related to another (i.e., a garage is incidental to the single-family dwelling unit). (Ord. 6245 § 3, 2009.)

18.04.499 Intensity.

“Intensity” refers to the level of development or activity on a site, in terms of both the nature of uses and the concentration of those uses as indicated by residential density (dwelling units per acre) or floor area ratio. For example, a site with a mixed-use complex with a commercial retail component and a high density multifamily residential component would display a higher level of intensity than the same sized property with a low density, single-family residential development. (Ord. 6245 § 3, 2009.)

18.04.500 Junkyard.

“Junkyard” includes automobile wrecking yards and salvage yards or any premises devoted wholly or in part to the storage, buying or selling of, or otherwise handling or dealing in, old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.510 Kennel.

“Kennel” means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic. An “adult dog or cat” is one of either sex, altered or unaltered, that has reached the age of four months. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.515 Kitchen.

“Kitchen” means any room or portion of a room designed to be used for cooking or the preparation of food, having a kitchen-type sink and provisions available for an installed gas or electric stove or range. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(4), 1988.)

18.04.520 Landscaping.

“Landscaping” means vegetative cover including shrubs, trees, flowers, seeded lawn or sod, ivy and other similar plant material. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.522 Reserved.

Reserved. (Ord. 6245 § 3, 2009; Ord. 5354 § 2, 2000.)

18.04.523 Large domestic animal.

“Large domestic animal” means horses, ponies, donkeys, cows, standard size goats, llamas, oxen, standard size pigs, and other similar sized animals. (Ord. 6600 § 4, 2016.)

18.04.525 Leadership in energy and environmental design (leed).

“Leadership in energy and environmental design (LEED)” means a national standard for developing high-performance, sustainable buildings. (Ord. 6245 § 3, 2009; Ord. 6036 § 7, 2006.)

18.04.527 Live/work unit.

“Live/work unit” means an integrated housing unit and working space, occupied and utilized by a single household in a structure~~, either single dwelling or multi-unit dwelling,~~ that has been designed or structurally modified to accommodate joint residential occupancy and work activity, ~~and which includes:~~and includes a complete dwelling unit and working space reserved for and regularly used by one or more occupants of the dwelling unit. Within a live/work unit the “work” component of a live/work unit is secondary to its residential use. Live/work units are allowed within mixed-use developments.

~~A. A complete dwelling unit; and~~

~~B. Working space reserved for and regularly used by one or more occupants of the dwelling unit.~~

~~The difference between a live/work unit and a work/live unit (defined in ACC 18.04.913) is that the “work” component of a live/work unit is secondary to its residential use, and may include only commercial activities and pursuits that are compatible with the character of a quiet residential environment, while the work component of a work/live unit is the primary use, to which the residential component is secondary. (Ord. 6433 § 14, 2012.)~~

18.04.530 Lot.

“Lot” is defined in ACC 17.04.200. (Ord. 6245 § 3, 2009; Ord. 5170 § 1, 1998; Ord. 4229 § 2, 1987.)

18.04.540 Lot area.

“Lot area” means the total horizontal area within the boundary lines of a lot; however, the area contained in access easements, tracts or panhandles shall not be included in the lot area or any other lot size computation. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.550 Lot coverage.

“Lot coverage” means that percentage of the plot or lot area covered by all buildings including accessory buildings and uses. Coverage is determined by measuring along a horizontal plane from the outermost edge of eaves, cornices, overhangs, or areas covered by a weathertight roof. The first two feet of an eave overhang will, however, not be used in the lot coverage calculation. See Figure 18.04.550.

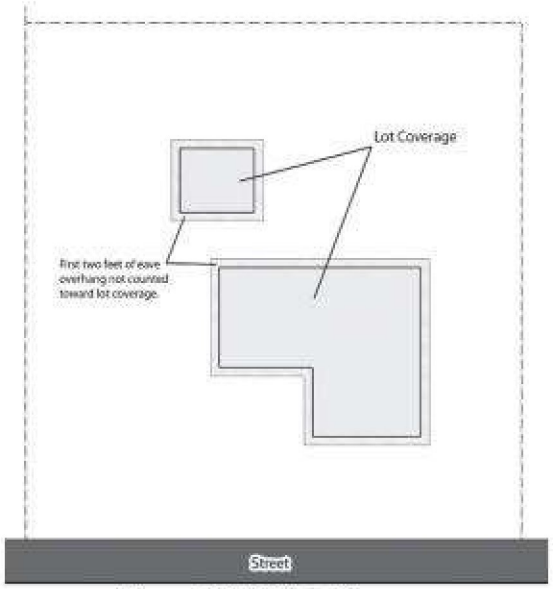


Figure 18.04.550 Lot Coverage

(Ord. 6245 § 3, 2009; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.04.560 Lot dimensions.

A. “Lot depth” means:

1. If the front and rear lines are parallel, the shortest distance between such lines;

2. If the front and rear lines are not parallel, the distance between the midpoint of the front lot line and the midpoint of the rear lot line. See Figure 18.04.560(A).

B. "Lot width" means the horizontal distance between the lot side lines measured at right angles to the line comprising the depth of the lot at a point midway between the lot front line and the lot rear line. See Figure 18.04.560(B).

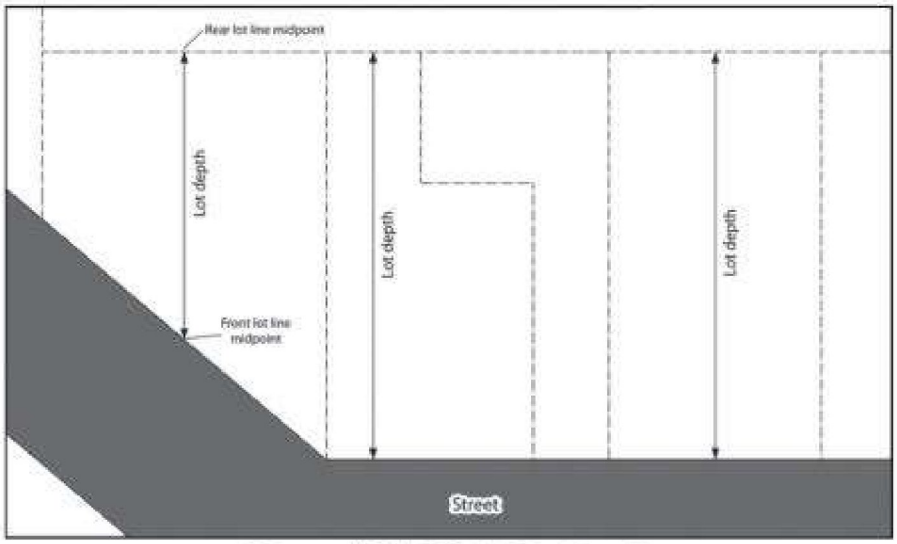


Figure 18.04.560(A) Lot Depth

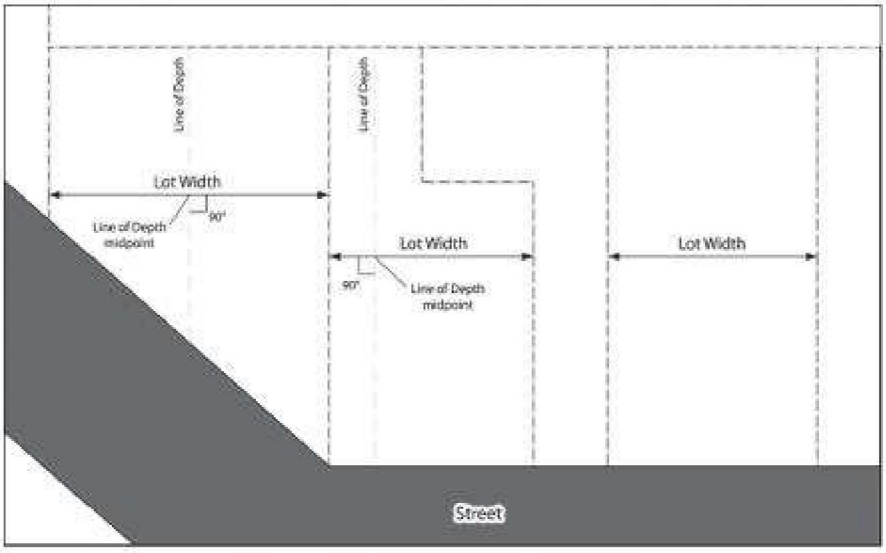


Figure 18.04.560(B) Lot Width

(Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.570 Lot lines.

"Lot lines" means the lines bounding the lot. For purposes of establishing a setback line for a lot, "lot lines" shall also mean the limits of a private street, when such a street is located on the lot. See Figures 18.04.570(A) and (B).

A. *Front Lot Line.*

1. For an interior lot, the front lot line shall be that lot line which abuts the street right-of-way.

2. For a corner lot, the front lot line shall be that lot line which abuts a street right-of-way and bests conforms to the pattern of existing site development and/or the pattern of adjacent development, as determined by the planning director.

3. For a through lot, the front lot line shall be that lot line which abuts a nonarterial street or from which primary access is provided.

B. *Rear Lot Line.* The line opposite, most distant and most parallel with the front lot line. For a biangular or gore-shaped lot, a line 10 feet in length within the lot and farthest removed from the front lot line and at right angles to the line comprising the depth of the lot shall be used as the rear lot line.

C. *Side Lot Line.* All lot lines which do not qualify as a rear or front lot line.

D. *Panhandle Lot Lines.* For a panhandle lot, the lot lines shall be approved by the planning director. The lot lines shall be most consistent with the adjoining lot lines and shall take into consideration any unique physical characteristics of the property.

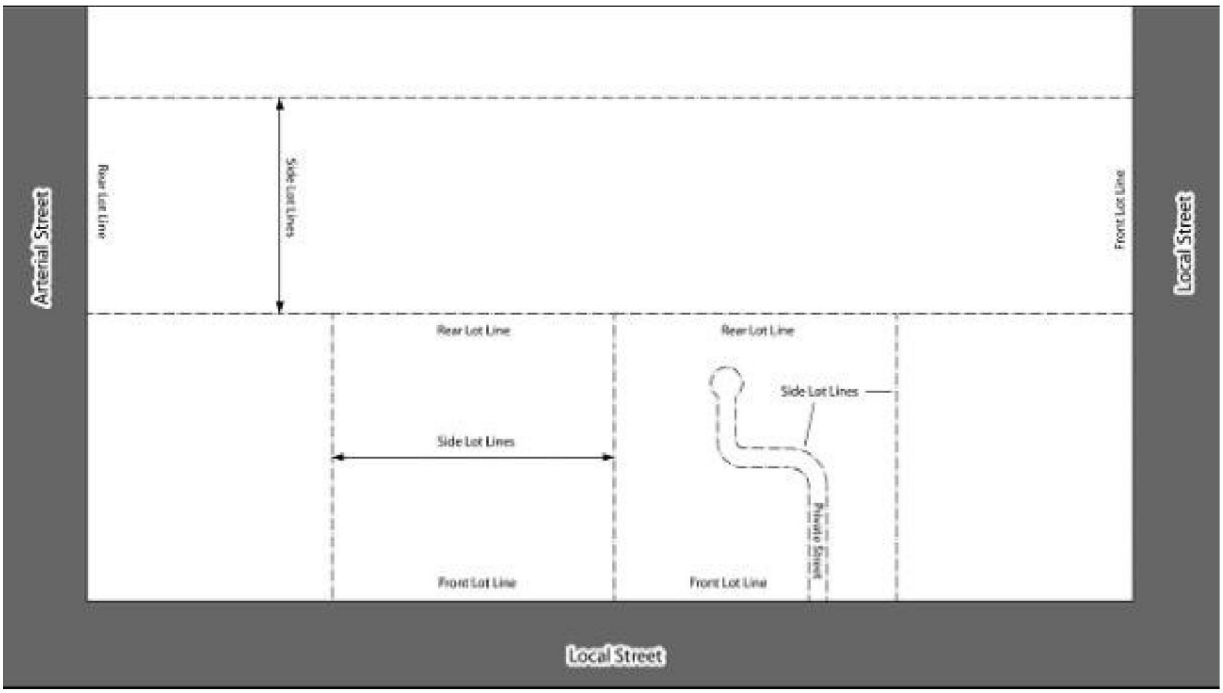


Figure 18.04.570(A). Lot Lines

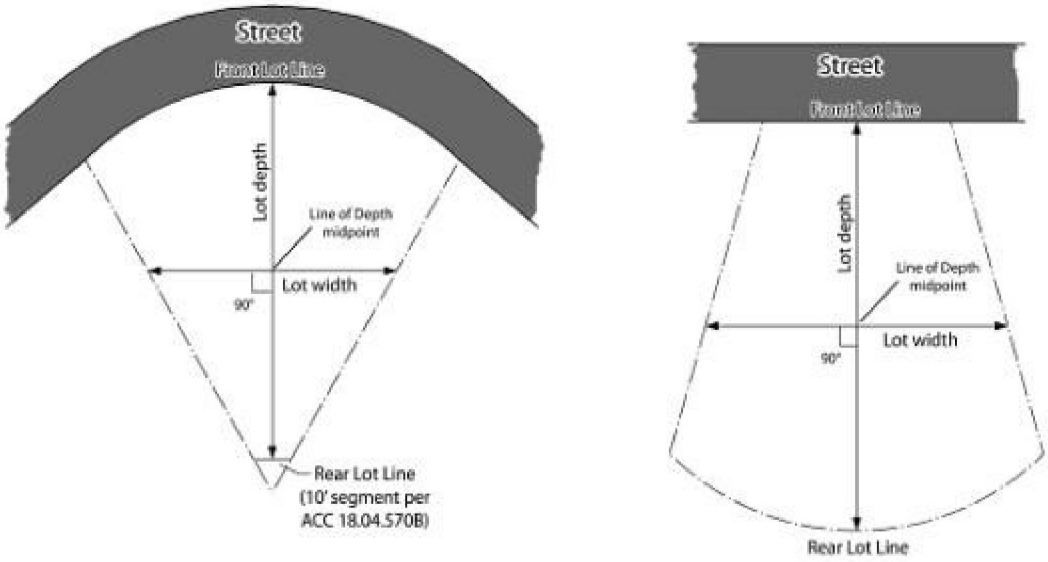


Figure 18.04.570(B). Lot Dimensions and Lot Lines for Gore-Shaped Lots

(Ord. 6245 § 3, 2009; Ord. 6031 § 1, 2006; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

18.04.580 Lot of record.

“Lot of record” is defined in ACC 17.04.220. (Ord. 6245 § 3, 2009; Ord. 5170 § 1, 1998; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

18.04.590 Lot types.

A. “Corner lot” means a lot situated at the intersection of two or more streets.

B. “Interior lot” means a lot that is neither a corner or through lot.

C. “Through lot” means a lot other than a corner lot which abuts two streets.

D. “Panhandle lot” means a lot accessed from the abutting street by a narrow corridor of land within the same lot.

The area within the panhandle access shall not be included in any lot size calculation including lot area, lot width, lot depth or lot coverage.

No buildings shall be erected within the panhandle access.

See ACC 17.10.120 for development standards for panhandle lots. See Figure 18.04.590.

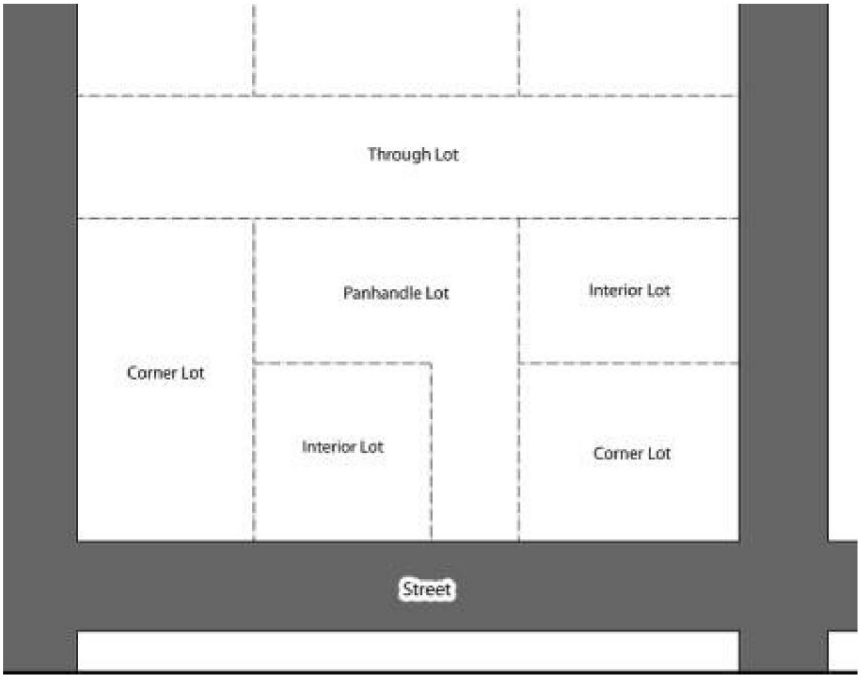


Figure 18.04.590. Lot Types

(Ord. 6245 § 3, 2009; Ord. 5543 § 1, 2001; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

18.04.595 Low impact development.

“Low impact development” means a stormwater management and land development strategy that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrology. The goal is to prevent measurable harm to streams, lakes, wetlands, and other natural aquatic systems from commercial, residential or industrial development sites. (Ord. 6245 § 3, 2009; Ord. 6036 § 8, 2006.)

18.04.597 Major transit stop.

A "major transit stop" means:

(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(b) Commuter rail stops;

(c) Stops on rail or fixed guideway systems; or

(d) Stops on bus rapid transit routes.

18.04.600 Manufactured home.

"Manufactured home" means a single-family dwelling which:

A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;

B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and

C. Has exterior siding similar in appearance to siding materials commonly used on site-built single-family homes built in accordance with the International Building Code (IBC).

This definition does not include a mobile home as defined by ACC 18.04.630 or a recreational vehicle as defined by ACC 18.04.780. A manufactured home may be considered a single-family dwelling if sited per ACC 18.31.050. (Ord. 6245 § 3, 2009; Ord. 6162 § 2, 2008; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

18.04.610 Manufactured home community.

"Manufactured home community" means an area of not less than five acres designed to accommodate individual manufactured homes within the approved community boundaries. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.612 Manufacturing, assembling and packaging – Heavy intensity.

"Manufacturing, assembling and packaging – heavy intensity" means a facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity, scale, and/or characteristics of operation and materials used have the potential to result in externalities or effects on surrounding land uses or the community. Examples of heavy intensity manufacturing uses include, but are not limited to, chemical

products manufacturing, paving and roofing materials manufacturing and glass products manufacturing. (Ord. 6433 § 15, 2012.)

18.04.614 Manufacturing, assembling and packaging – Light intensity.

“Manufacturing, assembling and packaging – light intensity” means a facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the intensity, scale, and/or characteristics of operation and materials used are unlikely to result in externalities or effects on surrounding land uses or the community because they can be controlled within the building. Examples of light intensity manufacturing uses include, but are not limited to, clothing and fabric product manufacturing and food and beverage products. (Ord. 6433 § 16, 2012.)

18.04.616 Manufacturing, assembling and packaging – Medium intensity.

“Manufacturing, assembling and packaging – medium intensity” means a facility accommodating manufacturing processes that involve and/or produce building materials, fabricated metal products, machinery, and/or transportation equipment, where the intensity, scale, and/or characteristics of operation and materials used are greater than those classified under “Manufacturing, assembling and packaging – light intensity,” but where externalities or effects on surrounding land uses or the community can typically be reduced or avoided when appropriately located and developed. Examples of medium intensity manufacturing uses include lumber and wood product manufacturing and stone and cut stone product manufacturing. (Ord. 6433 § 17, 2012.)

18.04.617 Medium domestic animal.

“Medium domestic animal” means potbelly pigs, miniature goats, miniature horses, and other similar sized animals that are larger than a small domestic animal and smaller than a large domestic animal. (Ord. 6600 § 5, 2016.)

18.04.619 Medium-speed electric vehicle.

“Medium-speed electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles

per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 CFR 571.500. (Ord. 6365 § 1, 2011.)

18.04.620 Medical-dental clinic.

“Medical-dental clinic” means an establishment for treatment of outpatients, and providing no overnight care for patients. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.621 Middle Housing.

"Middle housing" means buildings that are compatible in scale, form, and character with single-unit detached dwellings and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, cottage housing, and accessory dwelling units.

18.04.622 Miniature goat.

“Miniature goats” include species of goats commonly known as pygmy (Capra hircus hircus pygmy) or Nigerian dwarf (Capra hircus hircus nigerian dwarf). (Ord. 6600 § 7, 2016; Ord. 6369 § 6, 2011.)

18.04.623 Microbrewery or a small craft brewery.

“Microbrewery or a small craft brewery” means a production facility that manufactures beer. A microbrewery may sell beer of its own production at retail for on – and off-premises consumption, and may act as a distributor for beer of its own production. (Ord. 6368 § 2, 2011.)

18.04.625 Mixed-use development.

“Mixed-use development” means a single unified development that incorporates the planned integration of two or more different land uses consisting of some combination of office, light industrial, hotel, retail, entertainment, public uses, along with residential uses. Mixed-use development may be vertically oriented in one or more buildings, or horizontally distributed on a development site. When horizontally distributed, the

different uses may be constructed concurrently and in separate phases, and should incorporate common and/or complementary features and/or elements such as pedestrian walkways, access driveways, parking areas, architectural themes, or other techniques that provide integration between uses on the site. (Ord. 6644 § 1, 2017; Ord. 6253 § 2, 2009.)

18.04.630 Mobile home.

“Mobile home” means a factory-constructed residential unit with its own independent sanitary facilities, that is intended for year-round occupancy, and is composed of one or more major components which are mobile in that they can be supported by wheels attached to their own integral frame or structure and towed by an attachment to that frame or structure over the public highway under license or by special permit. This definition does not include a manufactured home as defined by ACC 18.04.600 or a recreational vehicle as defined by ACC 18.04.780. (Ord. 6245 § 3, 2009; Ord. 6162 § 3, 2008; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

18.04.635 Motor freight terminal.

“Motor freight terminal” means a facility with more than one dock per 5,000 square feet of warehouse, storage, or related use and used for either (A) the loading, unloading, dispensing, receiving, interchanging, gathering, or otherwise physically handling freight for shipment or (B) any other location at which freight is exchanged by motor carriers between vehicles. This includes but is not limited to cross-dock operations and does not include a package delivery service. Excludes buildings with six or fewer loading docks. (Ord. 6433 § 18, 2012.)

18.04.640 Motel.

“Motel” or “motor hotel” means a group of buildings containing individual sleeping or living units, designed for use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.641 Multimodal transportation corridor.

“Multimodal transportation corridor” refers to a transportation route that accommodates and contains facilities for more than a single form or mode of transportation. Multimodal corridors provide opportunities for travel by automobile, transit, and nonmotorized transportation and include relevant infrastructure improvements, such as dedicated bicycle lanes, sidewalks, and transit stations and shelters. (Ord. 6245 § 3, 2009.)

18.04.642 Municipal park.

“Municipal park” means a parcel or tract of land provided by a unit of government to meet the active and/or passive recreational needs of people. This definition includes associated playgrounds and active recreation areas. (Ord. 6245 § 3, 2009.)

18.04.643 Museum.

“Museum” is a cultural facility established and used for the education and enjoyment of the public through exhibits and displays of historical, cultural, or other related subjects. (Ord. 6245 § 3, 2009.)

18.04.643.1 Neighborhood electric vehicle.

“Neighborhood electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under 49 CFR 571.500. (Ord. 6433 § 1, 2012; Ord. 6365 § 1, 2011. Formerly 18.04.643A.)

Code reviser’s note: Ordinance 6365 adds these provisions as Section 18.04.643. The section has been renumbered to avoid duplication of numbering.

18.04.644 Neighborhood recreation buildings.

“Neighborhood recreation buildings” means facilities owned and managed by a neighborhood homeowners’ association for recreational and community gatherings. (Ord. 6245 § 3, 2009.)

18.04.644.1 Neighborhood retail establishment.

“Neighborhood retail establishment” means stores and shops serving the immediate surrounding neighborhood in which they are located, including but not limited to a beauty shop, laundry and dry cleaning, sales of retail goods and such others of a similar nature. (Ord. 6433 § 19, 2012.)

18.04.645 Neighborhood services.

“Neighborhood services” as listed herein are intended to include commercial establishments that provide goods and services that are considered to be basic to the needs of a local neighborhood, and the provision of which would typically be primarily within the local market area. For the purposes of Chapter 18.49 ACC, neighborhood services establishments include: bakery and pastry shops (products made must be sold at retail on the premises); produce markets; retail grocery stores; delicatessens, restaurants or sandwich shops, limited to a seating area of 25 seats; hardware stores; retail banks or bank branches; pharmacies; daycare facilities; or other services subject to the approval of the planning director. See Chapter 18.49 ACC. (Ord. 6245 § 3, 2009.)

18.04.648 Net density.

“Net density” is a measure of the net site area as defined in ACC 18.02.065. (Ord. 6245 § 3, 2009.)

18.04.649 Nonelectric vehicle.

“Nonelectric vehicle” means any motor vehicle that does not meet the definition of “electric vehicle.” (Ord. 6365 § 1, 2011.)

18.04.650 Nonconforming use.

“Nonconforming use” means a use which when commenced, complied with use regulations applicable at the time when such use was commenced, and which does not conform to the existing use regulations of the zone where the use is now being conducted or carried on. The term “nonconforming use” shall be applicable to uses of buildings, structures, and land. This definition does not include those uses existing in the zone, prior to the adoption of this title, which would now require an administrative or conditional use permit to operate in the zone. Any expansion of the space, volume or area of the use would then require an administrative or conditional use permit as this title may require. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.660 Nursing home.

“Nursing home,” “rest home,” “convalescent home,” “guest home” and “home for the aged” mean a home operated similarly to a boardinghouse but not restricted to any number of guests or guest rooms, the operator of which is licensed by the state or county to give special care and cure to their charges, and in which nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, and in which homes are performed no surgery, maternity or any other primary treatments such as customarily provided in

hospitals, and in which no persons are kept or served who normally would be admitted to a mental hospital or to a group residence facility. This definition does not include group residence facilities as defined in this title. A nursing home is not a communal residence. (Ord. 6560 § 6, 2015; Ord. 6245 § 3, 2009; Ord. 4304 § 1(5), 1988; Ord. 4229 § 2, 1987.)

18.04.670 Occupancy.

“Occupancy” means the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.672 Outdoor sales.

“Outdoor sales” means an open area used for the display, sale, or rental of goods and/or materials that are actively marketed and readily available for general public consumption. This does not include storage areas of materials that are sold elsewhere on the premises or junkyards as defined by ACC 18.04.500. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.676 Outdoor storage.

“Outdoor storage” means the keeping of materials, supplies, equipment, machinery and vehicles which are not currently licensed or capable to operate on public streets or highways, in an open, uncovered yard or nonwalled buildings. This definition includes junkyards as defined by ACC 18.04.500, but excludes outdoor sales as defined by ACC 18.04.672. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.676.1 Overlay zone.

“Overlay zone” is supplemental to the underlying zoning district and may establish additional or stricter standards and criteria for properties in addition to those of the underlying zoning district. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.677 Owner occupied unit.

“Owner occupied unit” means a dwelling unit in which the owner resides on a regular, permanent basis. (Ord. 6477 § 11, 2013.)

18.04.678 Panoram or peepshow. *Repealed by Ord. 5835.*

18.04.680 Parking area.

“Parking area” includes an off-street parking area together with driveways and the access to a public street. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.690 Parking space or stall.

A. parking space” is any off-street space intended for the use of vehicular parking with ingress or egress to the space which is easily identifiable. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.692 Parking structure.

“Parking structure” means a single or multi-level structure intended for the use of vehicular parking, as opposed to an uncovered surface parking lot. This definition includes both stand-alone parking garages and structured parking as incorporated into a building, the primary purpose of which is not parking (i.e., rooftop or basement parking areas). (Ord. 6245 § 3, 2009.)

18.04.694 Permanent Supportive Housing.

“Permanent Supportive Housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with

community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

18.04.696 Permitted use.

“Permitted use” means a land use that is allowed outright within a zone. (Ord. 6245 § 3, 2009.)

18.04.700 Person.

“Person” means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.710 Personal service shop.

“Personal service shop” means premises devoted to hair styling, cutting or permanents, manicurists, custom tailoring, and similar related uses. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.730 Planning commission.

“Planning commission” means that body created by Chapter 2.45 ACC. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.740 Planning director.

“Planning director” means the director of the Auburn department of planning and development, or its successor, unless otherwise specified. (Ord. 6287 § 2, 2010; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.741 Plug-in hybrid electric vehicle (PHEV).

“Plug-in hybrid electric vehicle (PHEV)” means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain

battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity. (Ord. 6365 § 1, 2011.)

18.04.742 Potbelly pig.

Miniature “potbelly pigs” are that type of swine commonly known as Vietnamese, Chinese, or Asian potbelly pig (Sus scrofa bittatus). (Ord. 6369 § 7, 2011.)

18.04.744 Prerelease facility.

“Prerelease facility” has the same meaning as “work release facility” for the purposes of this title. See ACC 18.04.914. (Ord. 6245 § 3, 2009; Ord. 4590 § 3 (Exh. B), 1992.)

18.04.745 Print and copy shop.

“Print and copy shop” means a facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, facsimile sending and receiving, and including offset printing. (Ord. 6433 § 20, 2012.)

18.04.746 Private country clubs and golf courses, excluding driving ranges.

“Private country club and golf course, excluding driving range” means an area designed and used for playing golf, including all accessory uses incidental to the operation of the facility. This definition may include private country clubs or golf courses open to the general public. This definition excludes other outdoor recreational facilities such as driving ranges, municipal parks, or commercial horse riding and bridle trails. (Ord. 6245 § 3, 2009.)

18.04.748 Privately owned and operated parks and playgrounds.

“Privately owned and operated park and playground” means a parcel or tract of land provided by a private entity to meet the active and/or passive recreational needs of people. This definition includes associated playgrounds and active recreation areas. This use excludes municipal parks. (Ord. 6245 § 3, 2009.)

18.04.750 Professional offices.

"Professional offices" means offices maintained and used as places of business conducted by ~~persons engaged~~professionals including ~~in health services for human beings, such as doctors and dentists, and by~~ engineers, attorneys, realtors, architects, accountants, clerical, and other recognized general office ~~and medical~~ occupations. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.752 Prohibited use.

"Prohibited use" means any use which is not specifically enumerated or interpreted by the city as allowable in that zone. Any use not specifically listed as a permitted, administrative, conditional, or accessory use is prohibited, except those determined to be unclassified and permitted by the planning director pursuant to ACC 18.02.120(C)(6). Any prohibited use is illegal. (Ord. 6269 § 2, 2009; Ord. 6245 § 3, 2009.)

18.04.754 Public art.

"Public art" refers to works of art, regardless of medium, that are primarily designed for, and presented in, the public domain, including work displayed in common areas of publicly accessible buildings. (Ord. 6245 § 3, 2009.)

18.04.756 Public recreational amenity.

"Public recreational amenity" is any recreational facility that is incorporated into a development for public use including but not limited to children's playgrounds, tennis, basketball, or other sport courts or fields. (Ord. 6245 § 3, 2009.)

18.04.760 Public use.

"Public use" means a use operated exclusively by a public body, such use having the purpose of serving the public health, safety, or general welfare, and including uses such as public schools, parks, playgrounds, and administrative and service facilities. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.770 Quasi-public use.

“Quasi-public use” means a use operated by a private nonprofit educational, religious, recreational, charitable, or medical institution having the purpose primarily of serving the general public, and including uses such as churches, private schools and universities, community, youth and senior citizen recreational facilities, private hospitals, and the like. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.779 Rapid charging station.

“Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 6365 § 1, 2011.)

18.04.780 Recreational vehicle, camping trailer, travel trailer, motor home and truck camper.

“Recreational vehicle,” “camping trailer,” “travel trailer,” “motor home” and “truck camper” mean vehicular-type units primarily designed as temporary living quarters for recreational, camping or travel use, with or without motive power, being of such size or weight as not to require a special highway movement permit and licensed by the state as a recreational vehicle. (Ord. 6245 § 3, 2009; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

18.04.790 Recreational vehicle park.

“Recreational vehicle park” means a parcel of land designed and improved to accommodate two or more recreational vehicles on a temporary basis. Spaces are typically rented for overnight use, not to exceed 120 days. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.791 Regional retail establishment.

“Regional retail establishment” means a large-scale retail establishment intended to serve customers within and outside the city. A regional retailer may accommodate a wide range of retail commodities (e.g., apparel and accessories, consumer electronics, hardware, building materials, sporting goods and automotive supplies). (Ord. 6433 § 21, 2012.)

18.04.792 Religious institution.

“Religious institution” means an establishment that provides religious worship, religious services or religious ceremonies as its principal use with the sanctuary or principal place of worship contained within a principal building. Incidental and accessory uses that include chapels or subordinate places of worship, school rooms, daycares, classrooms, kitchens, library rooms or reading rooms, recreation halls or offices are permitted in the principal building or in separate buildings. Caretaker’s quarters or living quarters for employees are also permissible as an accessory use. The following incidental and accessory uses to a religious institution are not permitted unless allowed under a valid temporary use permit issued pursuant to ACC 18.46A.070: (A) facilities for training of religious orders; (B) nonemployee rooms for rent, boarding rooms or similar facilities; or (C) public showers or other public health services. (Ord. 6245 § 3, 2009; Ord. 6014 § 1, 2006; Ord. 5550 § 1, 2001.)

18.04.794 Renting of rooms.

“Renting of rooms” means the provision of rooms for lodging purposes to not more than two persons in addition to the owner occupied unit, and/or family who lives in the residence. (Ord. 6477 § 7, 2013; Ord. 6245 § 3, 2009.)

18.04.796 Repair services – Equipment, appliances.

“Repair services – equipment, appliances” means repair of products, not to include vehicles or heavy equipment. These uses include consumer repair services for individuals and households for items such as household appliances, musical instruments, cameras, household electronic equipment, and similar uses. (Ord. 6433 § 22, 2012.)

18.04.800 Residence.

“Residence” means a building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings, but not including hotels or motel units having no kitchens. The term “residence” includes the term “residential” as referring to the type of, or intended use of a building or a structure. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.804 Restaurant, full-service.

“Full-service restaurant” means a public eating place that is used, maintained, advertised and held out to the public as a place that has a full dinner and/or lunch menu serving full course meals, daily prepared in its own kitchen, that are typically served at a table or counter. Food prepared to go or for take-out is allowed as an accessory use as long as the same menu and kitchen are used as for the full-service restaurant. This definition excludes fast food, drive-in types of restaurants, which have characteristics including but not limited to a drive-through window, counter-only service and no waiters or waitresses.

A. full-service restaurant may serve alcoholic beverages that are incidental and complementary to the serving of food. A full-service restaurant may contain a lounge where the primary function is the sale, serving and consumption of alcoholic beverages, but the size of this lounge may not exceed 30 percent of the total gross floor area of the establishment. Any eating place that serves alcoholic beverages and does not meet the requirements of this definition will be considered a tavern as defined by ACC 18.04.895. (Ord. 6245 § 3, 2009; Ord. 5382 § 1, 2000. Formerly 18.04.805.)

18.04.805 Right-of-way.

“Right-of-way” is property in which the city has any form of ownership or title and which is held for public purposes as provided for under ACC Title 12 and the city design and construction standards. (Ord. 6245 § 3, 2009.)

18.04.806 Schools, elementary and middle/junior high.

“Schools, elementary and middle/junior high” are institutions of learning offering instruction in the several branches of learning and study required by the education code of the state of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 6245 § 3, 2009.)

18.04.807 Schools, secondary or high school.

“Schools, secondary or high school” are institutions of learning offering instruction in the several branches of learning and study required by the education code of the state of Washington in grades nine through 12, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 6245 § 3, 2009.)

18.04.808 Secure community transition facility.

“Secure community transition facility” means a residential facility for persons civilly committed under Chapter 71.09 RCW, Sexually Violent Predators, who are conditionally released under said chapter to a less restrictive alternative (to total confinement or imprisonment). A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facilities established pursuant to RCW 71.09.250 and any community-based facilities established under this chapter and operated by or under contract with the Washington State Department of Social and Health Services. (Ord. 6245 § 3, 2009; Ord. 5690 § 3, 2002.)

18.04.809 Senior housing.

“Senior housing” refers to housing stock, whether rental or occupant-owned, that specifically caters to residents aged 55 years and older, either through age requirements or through the provision of specialized care, such as nursing or dietary and personal care. This definition shall include, at a minimum, all facilities that qualify as housing for older persons under the Fair Housing Act. (Ord. 6245 § 3, 2009.)

18.04.810 Setback.

“Setback” means the distance between a lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.811 Setback area.

“Setback area” means that area of a lot bounded on opposite sides by a lot line and the corresponding setback line that is unoccupied and unobstructed from the ground upward unless specifically permitted in this title. See Figure 18.04.811.

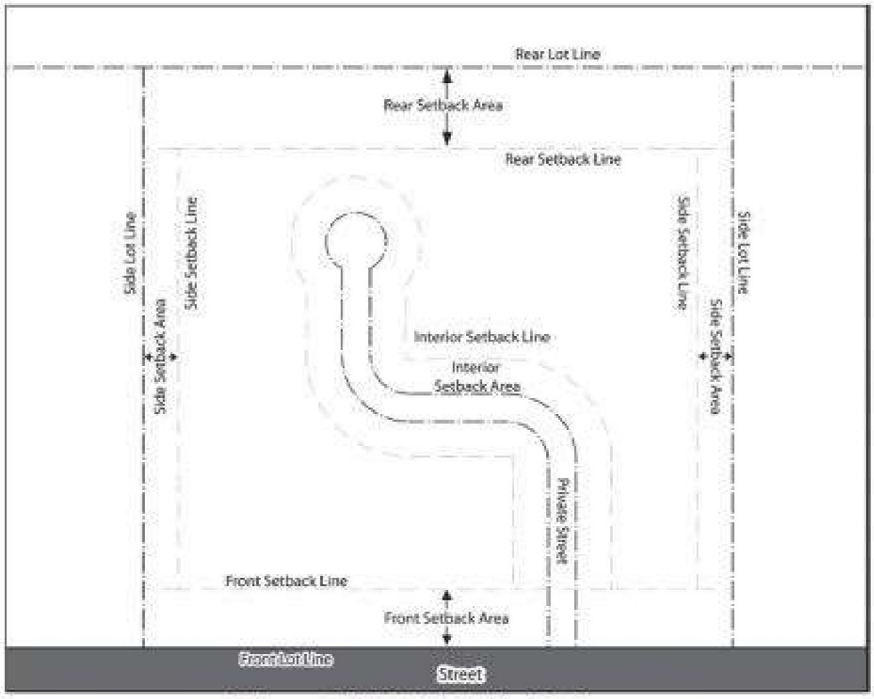


Figure 18.04.811 Setback Areas

(Ord. 6245 § 3, 2009.)

18.04.812 Setback, front.

“Front setback” means the distance between a front lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.813 Setback, rear.

“Rear setback” means the distance between a rear lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.814 Setback, side.

“Side setback” means the distance between a side lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.815 Setback line.

“Setback line” means a line which defines a setback as required by this title, which is parallel to but other than a lot line, between which no building, structure, or portion thereof shall be permitted, erected, constructed, or placed unless specifically permitted by this title. (Ord. 6245 § 3, 2009.)

18.04.816 Shop.

“Shop” means a small retail establishment or a department in a large one offering a specified line of goods or services. (Ord. 6433 § 23, 2012.)

18.04.818 Shopping center.

“Shopping center” means a series of unified commercial establishments which provide retail, business, entertainment or professional services, share the same parking facilities and contain in excess of 100,000 square feet of gross floor area. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987. Formerly 18.04.810.)

18.04.820 Sign.

“Sign” means any visual communication device, structure, or fixture which is visible from any right-of-way intended to aid the business establishment in question in promoting the sale of a product, goods or service using graphics, symbols or written copy. It shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.821 Site.

“Site” is an area comprised of one or more legally created lots or parcels used for a development proposal in order to calculate compliance with the standards and regulations of this title. (Ord. 6245 § 3, 2009.)

18.04.822 Site area.

“Site area” is the total horizontal area of a project site. (Ord. 6245 § 3, 2009.)

18.04.823 Small domestic animal.

“Small domestic animal” means a domesticated animal of ordinary species that lives, or is commonly known to be capable of living, within the confines of a residence such as dogs, cats, common rabbits, ferrets, or other similar sized animals. Other indoor animals weighing less than 10 pounds, such as, but not limited to, caged birds, small rodents, fish, and nonvenomous reptiles or amphibians, and not kept for commercial purposes, are not regulated under this title. Any endangered or exotic species are prohibited. (Ord. 6600 § 8, 2016; Ord. 6369 § 1, 2011; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 4229 § 2, 1987. Formerly 18.04.495.)

18.04.824 Social and service organizations.

“Social and service organizations” refers to incorporated or unincorporated nongovernmental or private associations of persons organized for social, education, literary or charitable purposes. This definition also includes community meeting halls, philanthropic institutions, private clubs, fraternal or nonprofit organizations, and social service organizations. This definition excludes religious institutions and government facilities. (Ord. 6245 § 3, 2009.)

18.04.825 Solid waste.

“Solid waste” means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities. (Ord. 6245 § 3, 2009; Ord. 4262 § 1, 1988. Formerly 18.04.023.)

18.04.826 Solid waste processing facility.

“Solid waste processing facility” means the management, collection, transportation, temporary storage, treatment, utilization, and processing of solid wastes by means of pyrolysis, refuse-derived fuel, or mass incineration within an enclosed structure. These processes may include source separation and recovery of recyclable materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof. This definition refers to citywide or regional scale operations and does not include solid waste handling which is accessory to an individual principal use. (Ord. 6245 § 3, 2009; Ord. 4262 § 1, 1988. Formerly 18.04.025.)

18.04.827 Special events.

“Special events” means incidental use of a facility, which use is otherwise allowed or permitted in the zoning district, as a venue for hire for social gatherings. Special events do not include marketing or promotional events that are part of the normal operation of an agricultural enterprise or winery and directly related to products sourced from that operation. (Ord. 6363 § 1, 2011.)

18.04.828 Sponsoring agency.

“Sponsoring agency” means an organization that joins in an application with a host agency for a temporary use permit and assumes responsibility for providing basic services and support to homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc. (Ord. 6245 § 3, 2009; Ord. 6014 § 4, 2006.)

18.04.829 Store.

“Store” means a business establishment where usually diversified goods are kept for retail sale. (Ord. 6433 § 24, 2012.)

18.04.830 Specified anatomical areas. *Repealed by Ord. 5835.*

18.04.835 Special needs housing.

“Special needs housing” is housing that meets the definition of nursing home, group home, or other housing that meets the needs of special populations that need assistance or special accommodation in housing. See Chapter 18.49 ACC. Special needs housing is not a communal residence. (Ord. 6560 § 7, 2015; Ord. 6245 § 3, 2009.)

18.04.840 Specified sexual activities. *Repealed by Ord. 5835.*

18.04.850 Reserved.

Reserved. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.855 Small craft distillery.

“Small craft distillery” means a production facility that manufactures distilled spirits that can contract distilled spirits for, and sell distilled spirits to, holders of distillery licenses, manufacturer’s licenses and grower’s licenses. (Ord. 6368 § 3, 2011.)

18.04.860 Story.

“Story” means that portion of a building, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. If the finished floor level directly above a usable or unused under-floor space is more than six feet above grade as defined in this chapter for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined in this chapter at any point, such usable or unused underfloor space shall be considered as a story. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.870 Street, private.

“Private street” means any street which is not a public street. For the purposes of this title a private street will be considered as being a public street for determining setback provisions only. Driveways which are not part of an easement, tract, alley or street shall not be considered a street. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.880 Street, public.

“Public street” is defined in ACC 17.04.370. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(6), 1988; Ord. 4229 § 2, 1987.)

18.04.890 Structure.

“Structure” is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, except benches, statuary, planter boxes less than 42 inches in height, and fences 72 inches or under in height, or paved areas. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.891 Supportive housing.

“Supportive housing” means a multiple-family dwelling owned or sponsored by a nonprofit corporation or government entity, designed for occupancy by individual adults that are either (A) homeless or at risk of homelessness; (B) are experiencing a disability that presents barriers to employment and housing stability; or (C) generally require structured supportive services to be successful living in the community; is permitted at a greater unit density than otherwise allowed within a particular zone; and is intended to provide long-term, rather than transitional, housing. Long-term housing is approximately longer than two years, whereas transitional housing is no more than two years. Supportive housing is not a communal residence. (Ord. 6560 § 8, 2015; Ord. 6245 § 3, 2009; Ord. 6167 § 1, 2008.)

18.04.892 Sustainable design.

“Sustainable design” means design in which the impact of a building on the environment will be minimal over the lifetime of that building. Structures should incorporate the principles of energy and resource efficiency, practical applications of waste reduction and pollution prevention, good indoor air quality and natural light to promote occupant health and productivity, and transportation efficiency in design and construction, during use and reuse. (Ord. 6245 § 3, 2009; Ord. 6036 § 9, 2006.)

18.04.894 Tasting room.

“Tasting room” means a location separate from, or on the same site as, the production/manufacturing site, that allows customers to taste samples of wine, beer, or other alcoholic beverage and has a state of Washington issued liquor license to operate a tasting room. In addition to sampling of alcoholic beverages, a tasting room may include retail sales for off-premises consumption. (Ord. 6368 § 4, 2011; Ord. 6363 § 1, 2011.)

18.04.895 Tavern.

“Tavern” means an establishment operated primarily for the sale of wine, beer or other alcoholic beverages that may or may not include the service of food as an accessory use. (Ord. 6245 § 3, 2009; Ord. 5382 § 1, 2000.)

18.04.896 Transmitting tower.

“Transmitting tower” means any freestanding structure whose primary purpose is the transmission and/or reception of radio signals for personal or hobby purposes. (Ord. 6245 § 3, 2009.)

18.04.897 Unclassified use.

"Unclassified use" means a land use which does not appear in a list of permitted, conditionally permitted, or accessory uses, but which is interpreted by the planning director as similar to a listed permitted, conditionally permitted or accessory use, and not otherwise prohibited, pursuant to ACC 18.02.120. (Ord. 6245 § 3, 2009.)

18.04.900 Use.

"Use" means an activity or purpose for which land or premises or a building thereon is designed, arranged, intended, or for which it is occupied or maintained, let or leased. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.901 Utility facilities and substations.

"Utility facility and substation" is any utility facility or substation that is not included in ACC 18.02.040(E). (Ord. 6245 § 3, 2009.)

18.04.910 Variance.

"Variance" means an adjustment in the application of the specific regulations of this title to a particular piece of property. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.911 Walking distance.

"Walking distance" means an area without physical space impediments for a walkable pathway without ADA obstruction..

18.04.912.1 Wine production facility.

"Wine production facility" means a production facility that manufactures wine. A wine production facility may sell wine of its own production at retail for on – and off-premises consumption, and may act as a distributor for wine of its own production. (Ord. 6368 § 5, 2011.)

18.04.91~~1~~2.1 Winery.

“Winery” means a facility licensed as a domestic winery under RCW 66.04.010 where fruit or other ingredients are processed (i.e., crushed, fermented, blended, aged, and/or stored, bottled) and may include as incidental and/or accessory to the principal use a tasting room, food and beverage service, places of public/private assembly and/or retail sales area. (Ord. 6433 § 2, 2012; Ord. 6363 § 1, 2011. Formerly 18.04.911A.)

Code reviser’s note: Ordinance 6363 adds these provisions as Section 18.04.911. The section has been renumbered to avoid duplication of numbering.

18.04.912 Wireless communications.

A. “Alternative tower structure” means manmade 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 camouflage or conceal 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 device 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 nondirectional 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.

C. “Attached wireless communications facility” means a wireless communications facility that is affixed to an existing structure other than a tower. Examples of attached wireless communications 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).

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 communications tower as defined in this title or any equipment associated with a wireless communications tower.

E. “Concealment” or “concealment design techniques” means that a wireless communications facility is concealed or utilizes concealment when any measures are used in the design and siting of wireless communications facilities intended to make the facility look like something other than a wireless tower or base

station. For example, a wireless communications 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 communications facility is not readily apparent. The terms do not include fencing and landscape screening that is used to enhance visual compatibility at ground level.

F. "Carrier" means a company providing wireless communications services, also referred to as a wireless service provider.

G. "Co-location" means: (1) mounting or installing a WCF on a preexisting 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.

H. "Eligible facilities request (EFR)" means any request for modification of an existing wireless communications 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 communications 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 communications tower or base station as defined in this title and that has proposed alterations that meet the standards of an eligible facilities request.

J. "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 communications 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 communications 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.

M. “Microcells” are small wireless facilities consisting of an antenna that is either: (1) no more than four feet in height and with an area of not more than 580 square inches; or (2) if a tubular antenna, no more than four inches in diameter and no more than six feet in height.

N. “Monopole” means a single, freestanding pole-type structure supporting one or more antennas.

O. “Separation” means minimum distance required by city regulation between the base of towers.

P. “Site” for purposes of this chapter means, for wireless communications towers other than wireless communications towers in the public way, the current boundaries of the leased or owned property surrounding the wireless communications 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 10 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 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10 percent or more than 10 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 20 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 10 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 (R)(1) through (4) of this section.

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 communications tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

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.

T. "Toll" and "tolling" mean 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.

W. "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, directional, omni-directional and parabolic antennas, support equipment, alternative tower structures, and wireless communications 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. (Ord. 6799 § 4 (Exh. D), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 5645 § 1, 2002; Ord. 5020 § 1, 1997.)

18.04.913 Work/live unit.

"Work/live unit" means an integrated housing unit and working space, occupied and utilized by a single household in a structure ~~, either single dwelling or multi-unit dwelling,~~ that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and ~~which includes:~~includes a complete dwelling unit and working space reserved for and regularly used by one or more occupants of the dwelling unit. Within a work/live unit the "work" component is the primary use, to which the residential use is secondary. While the work component of a live/work unit is secondary to its residential use. Work/live units are allowed within mixed-use developments.

~~A. A complete dwelling unit; and~~

~~B. Working space reserved for and regularly used by one or more occupants of the dwelling unit.~~

~~The difference between a work/live unit and a live/work unit (defined in ACC 18.04.527) is that the "work" component of a work/live unit is primary use, to which the residential use is secondary, while the work component of a live/work unit is secondary to its residential use, and may include only commercial activities and pursuits that are compatible with the character of a quiet residential environment. (Ord. 6433 § 25, 2012.)~~

18.04.914 Work release facility.

"Work release facility" means a residential alternative to imprisonment, including work/training release and prerelease programs which are under the supervision of a court, federal, state or local agency. This definition excludes at-home electronic surveillance. (Ord. 6245 § 3, 2009; Ord. 4590 § 4 (Exh. C), 1992.)

18.04.920 Yard.

See ACC 18.04.811, Setback area. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.930 Yard, front.

See ACC 18.04.812, Setback, front. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.940 Yard, rear.

See ACC 18.04.813, Setback, rear. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.950 Yard, side.

See ACC 18.04.814, Setback, side. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.954 Youth community support facility.

"Youth community support facility" means a building, or a group of buildings within a campus setting, owned and operated by a nonprofit corporation or government entity that provides supportive services to children and young adults (under the age of 26) and families (with a child or young adult under the age of 26), who are homeless, at risk of homelessness, at risk of exploitation, experiencing a disability that presents barriers to employment and housing stability; or generally require structured supportive services to be successful living in the community; by providing counseling and case management, transitional housing (housing for no more than two years), temporary housing (i.e., limited to overnight stay), and daytime drop-in services (e.g., meals, showers, counseling, etc.). This definition does not include facilities providing housing for criminal justice, parole, or probation programs. Youth community support facilities are not stand-alone "supportive housing" or "communal residences." (Ord. 6688 § 1 (Exh. 1), 2018.)

18.04.960 Zone.

"Zone" means an area accurately defined as to boundaries and location on an official map to which a uniform set of regulations applies controlling the types and intensities of land uses, as set forth in this title. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.1001 Child care center.

"Child care center" means an entity that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours licensed by the Washington State Department of Early Learning under Chapter 170-295 WAC. (Ord. 6642 § 15, 2017.)

18.04.1005 Marijuana or marihuana.

“Marijuana” or “marihuana” means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. (Ord. 6642 § 16, 2017.)

18.04.1007 Marijuana cooperative.

“Marijuana cooperative” means up to four qualifying patients, as defined by RCW 69.51A.010(19), who share responsibility for acquiring and supplying the resources needed to produce and process marijuana, including tetrahydrocannabinols or cannabimimetic agents, only for the medical use of members of the cooperative and not for profit. (Ord. 6642 § 17, 2017.)

18.04.1009 Marijuana-infused products.

“Marijuana-infused products” means products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include usable marijuana. (Ord. 6642 § 18, 2017.)

18.04.1011 Marijuana processor.

“Marijuana processor” means any person or entity licensed by the Washington State Liquor and Cannabis Board to process, package, and label marijuana concentrates, including tetrahydrocannabinols or cannabimimetic agents, in accordance with the provisions of Chapters 65.50 and 69.51A RCW and Chapter 314-55 WAC. (Ord. 6642 § 19, 2017.)

18.04.1013 Marijuana producer.

“Marijuana producer” means any person or entity licensed by the Washington State Liquor and Cannabis Board to produce marijuana, including tetrahydrocannabinols or cannabimimetic agents, for wholesale to marijuana processors and other marijuana producers pursuant to RCW 69.50.325. (Ord. 6642 § 20, 2017.)

18.04.1015 Marijuana related business.

“Marijuana related business” means a person or entity engaged in for-profit activity that includes the possession, cultivation, production, processing, distribution, dispensation, or sale of tetrahydrocannabinols or cannabimimetic agents, as defined by the Controlled Substances Act, codified at 21 USC Section 812, including marijuana retailers, marijuana processors, and marijuana producers, as defined herein. (Ord. 6642 § 21, 2017.)

18.04.1017 Marijuana retailer.

“Marijuana retailer” means any person or entity established for the purpose of making marijuana concentrates, usable marijuana and marijuana-infused products, including tetrahydrocannabinols or cannabimimetic agents, available for sale to adults aged 21 and over. (Ord. 6642 § 22, 2017.)

18.04.1019 Marijuana researcher.

“Marijuana researcher” is a position licensed by the Washington State Liquor and Cannabis Board that permits a licensee to produce, process, and possess marijuana for the limited research purposes set forth in RCW 69.50.372. (Ord. 6642 § 23, 2017.)

18.04.1021 Marijuana transporter.

“Marijuana transporter” is a position licensed by the Washington State Liquor and Cannabis Board pursuant to WAC 314-55-310 that allows a licensee to physically transport or deliver marijuana, marijuana concentrates, and marijuana-infused products between licensed marijuana businesses within Washington State. (Ord. 6642 § 24, 2017.)

18.04.1023 Public or private park.

“Public or private park” means an area of land for the enjoyment of the public or private parties, having facilities for rest and/or recreation, such as a baseball diamond or basketball court, owned and/or managed by a private for-profit entity, a nonprofit entity, a homeowners’ association, city, county, state, federal government, sovereign nation or metropolitan park district. Public park does not include trails. (Ord. 6642 § 25, 2017.)

18.04.1025 Public or private playground.

“Public or private playground” means a public or private outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a private business, a nonprofit entity, city, county, state, or federal government or sovereign nation. (Ord. 6642 § 26, 2017.)

18.04.1027 Public or private recreational center.

“Public or private recreation center or facility” means a supervised center that provides a broad range of activities and events intended primarily for use by persons under 21 years of age, owned and/or managed by a private business, charitable nonprofit organization, sovereign nation, city, county, state, or federal government. (Ord. 6642 § 27, 2017.)

18.04.1029 Public transit center.

“Public transit center” means a facility located outside of the public right-of-way that is owned and managed by a transit agency or city, county, state, or federal government for the express purpose of staging people and vehicles where several bus or other transit routes converge. They serve as efficient hubs to allow bus riders from various locations to assemble at a central point to take advantage of express trips or other route to route transfers. (Ord. 6642 § 28, 2017.)

The Auburn City Code is current through Ordinance 6904, passed February 21, 2023.

Disclaimer: The city clerk’s office has the official version of the Auburn City Code. Users should contact the city clerk’s office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov
Code Publishing Company, A General Code Company

Chapter 18.07
RESIDENTIAL ZONES

Sections:

18.07.010 Intent.
18.07.020 Uses.
18.07.030 Development standards.

18.07.010 Intent.

A. *General.* This section describes the intent for each of the city's residential zones. These intent statements may be used to guide the interpretation of the regulations associated with each zone.

B. RC Residential Conservancy Zone. ~~– One Dwelling Unit per Four Acres.~~

~~The~~ 1. RC residential conservancy zone is intended primarily to provide for low-intensity single-family residential uses with characteristics of an agricultural environment; provided, that the agricultural uses are secondary to the single-family uses. These areas allow for a lifestyle similar to that of rural areas that includes allowance of farm animals and streets without sidewalks. This zone is intended to protect areas with significant environmental constraints or values from impacts typically associated with urban levels of development while allowing low-intensity development designed to minimize impacts on the natural environmental features designated for conservation.

2. Public improvements required within the RC zone will be less than is normally required for the higher intensity residential zones within the city and are not subject to the city's complete streets policies.

3. This zone shall only be applied in areas designated as residential conservancy on the comprehensive plan. ~~This zone shall allow one dwelling unit per four acres minimum lot area.~~

C. R-1 Residential Zone. ~~– One Dwelling Unit per Acre.~~

1. The intent of the R-1 residential zone is to provide areas for estate-type residential development on large lots in areas that are intended to create an open space separation between existing urban areas that are unique from each other and where limited public utilities and transportation infrastructure are present. ~~. This zone would normally be located in the areas particularly suited for such development.~~

Appropriate development standards required of other urban areas shall be required to serve this zone.

2. R-1 implements the Neighborhood Residential One comprehensive plan land use designation.

D. R-2 Residential Low Zone.

1. The R-2 Residential Low zone is intended lower intensity residential development consisting of single-unit detached houses, townhouse, duplex, triplex, fourplex, two-story stacked flats, courtyard apartments, cottage housing on lot sizes typical of suburban and urban development. This residential zone allows flexibility in the types and densities of housing permitted while at the same time maintaining a desirable family living environment by establishing minimum usable open spaces, maximum impervious coverage, and maximum units per lot area with the character and scale of traditional single-unit detached neighborhoods.

2. A related consideration of this zone is to provide a transition between low-intensity residential development areas and higher- and lower-intensity designations. Small-scale, community-based commercial development that provides services to the local neighborhood will be considered through the administrative use permit process.

3. R-2 implements the Neighborhood Residential Two comprehensive plan land use designation.

E. R-3 Residential Moderate Zone.

1. The intent of the R-3 Residential Moderate zone is to allow all residential and commercial types and uses provided in the R-2 Residential zone, while allowing additional intensity through allowing stacked flats up to three stories, fiveplexes, and sixplexes. Single-unit detached houses are not permitted in the R-3 zone. Apartment buildings and Mixed-Use development consisting of no more than 20 units and 3-stories

per lot is permitted. Supportive Housing and residential care developments are permitted in this zone to provide additional needed housing options but must still adhere to the residential density and unit limitations established within this category. Small-scale commercial development providing services to the area is encouraged in this zone and implemented through the administrative use permit process.

2. R-3 implements the Neighborhood Residential Two comprehensive plan land use designation.

F. R-4 Residential High Zone.

1. The R-4 Residential High zone is intended to maximize residential density opportunities and is further intended as a residential zone primarily of Middle Housing and multiple-story apartment and mixed-use development. This zone is characterized by a more active living environment near transit, urban services and commercial uses. The R-4 Residential zone allows for all uses allowed in the R-3 zone, plus apartment and mixed-use development of more than 20 units and 3-stories per lot is permitted. Small-scale commercial development providing services to the area is encouraged in this zone and implemented through the administrative use permit process.

2. R-4 implements the Neighborhood Residential Three comprehensive plan land use designation.

G. R-NM Residential Neighborhood Mixed-Use Zone.

1. The intent of the R-NM Residential Mixed-Use zone is to provide a flexible approach that achieves a mix of dense residential development and light commercial uses in either a vertical or horizontal configuration. Within this zone there will be a mix of retail, office, middle housing, and multi-story residential uses, with attractive design and accessible spaces for people to live, work, and visit. This zoning designation is served primarily by a combination of transit, pedestrian, and/or bicycle facilities allowing people to access amenities without needing a personal vehicle. Uses and densities allowed within this zone will be consistent with the uses permitted in the C-1 Light Commercial and the densities of the R4 - Residential High zone. New development and redevelopment will incorporate a mix of residential and commercial uses. In addition, parks and open spaces are encouraged and may be permitted through the administrative use permit process.

2. Street-level development is encouraged to be retail or higher traffic local businesses or offices, and residential is encouraged on the upper levels of buildings. This zoning district should walkable and bikeable to neighborhood commercial services and transit facilities and have a high level of street activation and amenities.

H. R-F – Residential Flex Zone.

1. The R-F Residential-Flex zone is intended primarily to accommodate small-scale business and professional offices, medical and dental clinics, salons and other personal services, eating and drinking establishments, and banks and similar financial institutions at locations where they are compatible with residential uses. Accessory retail may be permitted if supplemental to the other uses allowed in the zone. This zone is intended for those areas that are in transition from residential to commercial uses along corridors serving lower density residential land uses. Conversion of residential uses to commercial uses is geared towards encouraging adaptive reuse of existing single-unit structures that continue to appear in accord with the single-unit residential character. New development in the RF – Residential-Flex zone should not exceed two-stories or footprint that is designed to maintain a character and a scale smaller than the R-NM Residential Mixed-use Residential zone.

~~D. R-5 Residential Zone – Five Dwelling Units per Acre. The R-5 single-family residential zones are intended to create a living environment of optimum standards for single-family dwellings. It is further intended to achieve development densities of four to five dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and for such accessory uses as are related, incidental and not detrimental to the single-family residential environment.~~

~~E. R-7 Residential Zone – Seven Dwelling Units per Acre. The R-7 single-family residential zones are intended to create a living environment of optimum standards for single-family dwellings. It is further intended to achieve development densities of five to seven dwelling units per net acre. This zone will provide for the development of single-family detached dwellings and for such accessory uses as are related, incidental and not detrimental to the residential environment.~~

~~F. R-10 Residential Zone – 10 Dwelling Units per Acre. The R-10 residential zones are intended to permit some increase in population density in those areas to which this classification applies by permitting single-family dwellings and duplexes on a minimum size lot while at the same time, by means of the standards and requirements set forth in this chapter, maintaining a desirable family living environment by establishing minimum lot areas, yards and open spaces. A related consideration is to provide a transition between single-family areas and other intensive designations or activities which reduce the suitability for single-family uses.~~

~~G. R-16 Residential Zone – 16 Dwelling Units per Acre. The R-16 zone is intended to provide for medium density multiple-family residential development as designated in the comprehensive plan, and is further intended as a residential zone of single, duplex and multiple-family residences, except as specifically provided elsewhere in this chapter.~~

~~H. R-20 Residential Zone – 20 Dwelling Units per Acre. The R-20 zone is intended to provide for multiple-family residential development and is further intended as a residential zone primarily of multiple-family residences, except as specifically provided elsewhere in this chapter. A related consideration is to make it possible to more efficiently and economically design and install all physical public service facilities in terms of size and capacity to adequately and permanently meet needs resulting from a defined intensity of land use.~~

~~I. Except as specifically provided in the city code, no business or commercial use shall be allowed in a residential district of the city that does not have a city of Auburn business license. (Ord. 6525 § 6, 2014; Ord. 6245 § 5, 2009.)~~

18.07.020 Uses.

Table 18.07.020. Permitted Use Table – Residential Zones

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	**Zoning Designations**						
	RC	**R-1**	**R-~~2~~5**	**R-~~3~~7**	**R-~~4~~10**	**R-NM~~16~~**	**R-~~F~~20**
A. Residential Uses.							
Accessory dwelling units subject to the provisions contains in Chapter 18.32	P[1]	P[1]	P[1]	P[1]	P~~X~~[1]	P~~X~~[1]	~~X~~P[1]
Accessory use, residential	P	P	P	P	P	P	P
Adult family home	P	P	P	P	P	P[1]	P
Apartments (7 units or more)	X	X	X	P[11]	P	P	X
Bed and breakfast or short-term rentals	P	P	P	P	P	X~~P~~	P

Caretaker apartment	X	X	X	X	X	P	X
Communal residence four or less individuals	P	P	P	P	P	XP	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	XP	P
Group residence facilities (7 or more residents)	X	X	X	PX	PC	PC	PC
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]
~~Multiple-family dwellings~~Middle housing subject to the provisions in Chapter 18.25 (2 to 6 units)	PX	XP	XP	XP	AP	PP	PP
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~~P	~~X~~P	~~A~~P	P	P
Single-unit~~family~~ detached dwellings, new	P	P	P	~~P~~X	~~P~~X	~~P~~X	P
Supportive housing, subject to the provisions of ACC 18.31.160	X	X	X	~~P~~X	~~X~~P	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
B. Commercial Uses.							
Commercial horse riding and bridle trails	A	X	X	X	X	X	X
Commercial recreation facility, indoor	X	X	X	X	P	P	X
Commercial retail establishment~~, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC~~	~~X~~X	~~X~~X	~~A~~X	~~A~~X	~~P~~A	~~P~~A	~~A~~A
Convenience store	X	X	X	X	P	P	X
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	~~P~~A	~~A~~P	~~A~~P	~~A~~P	~~A~~P	~~A~~P
Grocery or specialty food store	X	X	X	A	P	P	A
Home-based daycare as regulated by RCW 35.63.185 and through receipt of	P	P	P	P	P	P	P

approved city business license							
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, 10]	X	X	X	P~~X~~	P	P	P
Personal service shop	X	X	A	P	P	P	P
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	A~~X~~	~~X~~A	~~A~~P[9]	~~A~~P	~~A~~P
Restaurant, café, or coffee shop	X	X	A	A	P	P	A
Neighborhood retail establishment	X	X	A	A	P	P	P

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:							
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
Type 1-D wireless communications facility (see ACC 18.04.912(W) and ACC 18.31.100)	P	P	P	P	P	P	P
Eligible facilities request (EFR) (wireless communications 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.

9 As component of Mixed-use developments and/or office ground floor uses permitted up to 5,000 square feet.

10 Commercial uses permitted outright, or allowed administratively or conditionally in this table may be allowed as part of mixed-use development.

11 Apartment buildings and Mixed-use development consisting of no more than 20 units and 3-stories per lot is permitted.

(Ord. 6799 § 5 (Exh. E), 2020; 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.)

18.07.030 Development standards.

Table 18.07.030. Residential Development Standards

	Standard	RC	R-1	R-25	R-37	R-410	R-NM16	R-F20
A	Base density (units per net acre)	0.25	1	5	7	10	16	20
A B	Minimum density, units or lots per acre (lot area per unitunits per net acre)[1, 5, 6]	0.25 (174,000 sf of lot area per unit)	1 (43,500 sf of lot area per unit)	47 (6,222 sf lot area per unit)	512 (3,630 sf lot area per unit)	8 16 (2,723 sf lot area per unit)	1230 (1,452 sf lot area per unit)	157 (6,222 sf lot area per unit)
B C	Minimum lot area per dwelling unit size (square feet)[8]	174,240 174,000	35,00043,500	4,5004,400	4,3002,700	2,0002,200	2,0002,200	2,0004,400
C D	Minimum lot width (feet)[2, 5, 8]	125	125	5040	20 for interior lots; 35 for exterior lots40	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots40
D	Units allowed							
1	Base units allowed	4	4	4	4	4	4	4

	per lot[7]							
2	Base units per lot allowed with transit or affordability bonus[7]	6	6	6	6	6	6	6
3	Lot area per unit above base (B1 or B2 as applicable) allowance (square feet)[7]	X	X	1,250	750	N/A	N/A	1,250
4	Maximum units per lot[7]	6	6	6	20	N/A	N/A	6
E	Minimum setbacks (feet)[2,3]							
1	Residence front setback[3]	35	35	10	10	10	10	10
2	Garage (minimum front setback required	20	20	20	20	20	20	20 unless alley-loaded then 15 provided

	from street access)[3]							there are 20 feet from any garage
3	Setback to any property line for barns, stables, or similar structures for enclosure of large domestic animals For other animals, see the supplemental development standards for animals in ACC 18.31.220	75	X	X	X	X	X	X
4	Setback to any property line for any	35	X	X	X	X	X	X

	corral, exercise yard, or arena for large domestic animals For other animals, see the supplemental development standards for animals in ACC 18.31.220							
5	Interior side setback	20	10	5	5	5	5	5
6	Street side setback[3] In all zones, 20 feet minimum street side setback required from street	35	20	10	10	10	10	10

	access.							
7	Rear setback[3]	35	2035	1520	1520	1020	1020	1520
8	Rear setback, detached structure[3, 9] In all zones, 20 feet minimum street side setback required from street access.In all zones, 20 feet for structure with vehicular entrance oriented toward street or public alley[3]	15	15	10	5	5	5	105
F	Maximum lot coverage (%)	25	35	40	50	60	70	70

F G	Maximum impervious area (%)	25	50	6575	7580	N/A90	N/A90	N/A75
G H	Maximum building height (feet)	35	35	35	4535	4575	4575	5045
HI	Maximum height of accessory buildings and structures	35[4]	35	2416	2416	2416	24N/A	24N/A
IJ	Minimum front setback area landscape strip (feet)	N/A	N/A	N/A5	5	10	10	10N/A
JK	Minimum side setback area landscape strip (feet)	N/A	N/A	5	5	10	10	10N/A
KL	Minimum landscaped open space (%)	N/A	N/A	N/A	See Chapter 18.50 ACCN/A	See Chapter 18.50 ACC20	See Chapter 18.50 ACC20	20N/A

1 See ACC 18.02.065 for calculating density.

2 All minimum lot widths, setbacks, and landscaping strips are subject to demonstration to the satisfaction of the city engineer that all required utility infrastructure, access requirements, and street elements can be accommodated in accordance with the design and construction standards.

3 In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city design and construction standards.

4 Barns and other specialized structures used for agricultural purposes may exceed the height limits.

5 Provision applicable to residential subdivision.

6 Does not apply to lots under 15,000 square feet.

7 See ACC 18.02.067 for calculating units allowed per lot.

8 Applies to new parent lots within a unit lot subdivision.

9 When abutting an alley, detached accessory dwelling units are allowed within the rear setback.

(Ord. 6661 § 3, 2018; Ord. 6600 § 10, 2016; Ord. 6245 § 5, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 18.09
R-MHC MANUFACTURED/MOBILE HOME COMMUNITY ZONE

Sections:

18.09.010 Intent.
18.09.020 Uses.
18.09.030 Development standards.

18.09.010 Intent.

The intent of the R-MHC manufactured/mobile home community zone is to provide a residential zone of single-~~family~~ unit manufactured homes exclusively within a planned community. It is further intended that the R-MHC zone shall only be prescribed in those areas that are bordered on, contain physical features, or shall be planned and designed as part of a larger development incorporating other housing types in a manner which limits further expansion into adjacent areas. (Ord. 6245 § 6, 2009.)

18.09.020 Uses.

Permitted Use Table – Residential Zoning Designations

	Land Use	R-MHC Zone
A	Manufactured/mobile home community	P
B	Residential accessory use	P
C	Manufactured/mobile home	P

	Land Use	R-MHC Zone
	community accessory use	
D	Keeping of not more than six household pets. This limit shall not apply to birds, fish, or suckling young of pets.	P
E	Home-based daycare	P
F	Daycare limited to a mini daycare center, daycare center, or preschool/nursery school	A
G	Marijuana cooperative	X
H	Marijuana processor	X
I	Marijuana producer	X
J	Marijuana related business	X
K	Marijuana researcher	X
L	Marijuana retailer	X
M	Marijuana transport business	X

P = Permitted Use

A = Use may be permitted in district when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC.

C = Use may be permitted in district when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC.

X = Prohibited

Also see ACC 18.02.120 for further rules on interpretation.

(Ord. 6642 § 5, 2017; Ord. 6269 § 4, 2009; Ord. 6245 § 6, 2009.)

18.09.030 Development standards.

Table 18.09.030. Development Standards

	Development Standard[1]	R-MHC Zone
A	Base density (units per net acre)	10
B	Minimum density (units per net acre)	8
C	Minimum lot area (square feet)	217,800[2]
D	Minimum lot area per dwelling unit (square feet)	2,500
E	Minimum average lot area per dwelling unit (square feet)	4,300
F	Minimum front setback (feet)	Manufactured home community street: 8 Public or other private street: 20
G	Minimum interior side setback (feet)	Minimum distance between any manufactured home and/or accessory building and the manufactured home and/or accessory building on the adjoining space: 10
H	Minimum street side setback (feet)	Manufactured home community street: 5 Public or other private street: 10

	Development Standard[1]	R-MHC Zone
I	Minimum rear setback (feet)	Minimum distance between any manufactured home and/or accessory building and the manufactured home and/or accessory building on the adjoining space: 10 Manufactured home community street: 8 Public or other private street: 20
J	Accessory structure setbacks	There shall be a minimum of 10 feet between any two manufactured homes, between any manufactured home and accessory building on adjoining spaces, and between any other accessory buildings on adjoining spaces
K	Special setbacks for manufactured homes structures that abut another zoning district	Setbacks shall be the same as provided for in the adjoining zone. However, in no case shall the setbacks be less than as prescribed in this subsection.
L	Maximum building height (feet)	Main building: 30 feet Accessory building: 16 feet
M	Fences and hedges	A six-foot high screened fence shall be constructed around the perimeter of the community. For those community boundaries that abut a public street the fence shall set back 20 feet and the 20-foot setback area landscaped with Type III landscaping (see ACC 18.50 for landscaping type).
N	Supplemental R-MHC development standards	See ACC 18.31.190

	Development Standard[1]	R-MHC Zone
O	Landscaping	See Chapter 18.50 ACC
P	Parking	See Chapter 18.52 ACC
Q	Signs	See Chapter 18.56 ACC

1 All minimum lot widths, setbacks, and landscaping strips are subject to demonstration that all required utility infrastructure, access requirements, and street elements are provided for in accordance with city design and construction standards.

2 Minimum site area for development of the manufactured home park or community.

(Ord. 6245 § 6, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.21
OVERLAYS

Sections:

18.21.010 Lea Hill overlay.
18.21.020 West Hill overlay.
18.21.030 Urban separator overlay.

18.21.010 Lea Hill overlay.

A. *Purpose.* The purpose of this section is to provide for additional development standards to address the area commonly referred to as the Lea Hill annexation area, as annexed under city of Auburn Ordinance Nos. 5346 and 6121, and identified on the city of Auburn comprehensive zoning map. While the intent is that the development standards for zones in the Lea Hill annexation area will be similar to (if not the same as) corresponding zones in other areas of the city, some variations are needed to recognize previous development allowed by King County zoning. Unless otherwise provided for in this section, all other provisions and requirements of this title shall apply to properties within the Lea Hill overlay.

B. Development Standards – Lots Previously Approved.

1. For any residential lot that had received final plat approval, final short plat approval, or preliminary plat approval or that King County had received and determined the application complete for a preliminary plat or short plat, prior to the effective date of annexation into the city of Auburn, the development standards in the following table shall apply. The property owner/applicant shall be responsible to provide to the city evidence of these previous approvals.

2. Any further subdivision of any lot and its subsequent use must conform to the permitted uses and standards referenced in the applicable zoning chapters of this title, except as modified by this section. For farm animals, subsection E of this section or ACC 18.31.220 shall apply.

Zone	Min Lot Area (Sq. Ft.)	Min Lot Area (Sq. Ft. per Unit)	Min Lot Width (Ft.)	Max Lot Coverage (%)	Setbacks[1*]				Building Height	
					Front (Ft.)	Rear (Ft.)	Side, Interior (Ft.)	Side, Street (Ft.)	Main (Ft.)	Accessory (Ft.)
R-1	8,000	N/A	35	35	20	5	5	10	35	35
R-2~~5~~[2]	2,500	N/A	30	35	10	5	5	10	35	16
R-2~~7~~[3]	2,500	6,000	30	35	10	5	5	10	35	16
R-3~~10~~[4]	2,500	4,300	30	40	10	5	5	10	35	35
R-3~~16~~[5]	2,500	2,700	30	55	10	5	5	10	35	35
R-4~~20~~[6]	2,500	2,175	30	55	10	5	5	10	35	35

1* Garages and other similar structures with a vehicular access require a 20-foot setback from any street.

2 Annexed as R-5 zone under city of Auburn Ordinance Nos. 5346 and 6121.

3 Annexed as R-7 zone under city of Auburn Ordinance Nos. 5346 and 6121.

4 Annexed as R-10 zone under city of Auburn Ordinance Nos. 5346 and 6121.

5 Annexed as R-16 zone under city of Auburn Ordinance Nos. 5346 and 6121.

6 Annexed as R-20 zone under city of Auburn Ordinance Nos. 5346 and 6121.

C. *Prior King County Approvals.* The city of Auburn will recognize the terms of any King County-approved plat, PUD, conditional use permit, contract rezone or similar contractual obligations that may have been approved prior to the effective date of the annexation of the subject property. The conditions of any project that was approved by King County shall be required to be fulfilled in the city of Auburn.

D. *Planning Director Authorization.* The planning director shall be authorized to interpret the language of any King County permit, plat or condition thereof and effectuate the implementation of same to the fullest extent possible. If there is a conflict between a previous

King County approval and the Auburn regulation then the most restrictive provision shall apply as determined by the planning director.

E. *Farm Animals.*

1. For properties greater than an acre in the R-1, R-5 and R-7 zones, it is permissible to keep farm animals (excluding goats and swine in the R-5 and R-7 zones); provided, there shall not be more than one horse, cow, donkey or other similar large animal, or four small animals such as sheep, or 12 poultry, rabbits, or similar size animals per each acre of enclosed usable pasture or roaming area. This acreage requirement is in addition to the minimum lot size requirements of the zone. Property owners of more than an acre in the Lea Hill overlay may choose to apply these standards or the standards in ACC 18.31.220.

2. Shelters provided for farm animals shall be constructed no closer than 50 feet from any adjoining lot and shall be 100 feet from any public street or alley. Any corral, exercise yard, or arena shall maintain a distance of 35 feet from any property line. This excludes pasture area.

3. For those properties that do not meet the requirements of subsection (E)(1) of this section, and farm animals were present prior to annexation, the farm animals may remain as legal nonconforming uses. In such case the number of farm animals allowed may be the same as what the county zoning provisions had allowed prior to the effective date of the annexation of the subject property.

F. Lot Averaging – R-1 Zone. It may be possible to subdivide land in the R-1 zone into lots smaller than 35,000 square feet if the property has a significant amount of nonbuildable land due to steep slopes, wetlands or similar features that would be in the public's best interest to maintain. The following regulations shall apply in situations where lot averaging is permitted or required:

1. At least 50 percent of the subdivision must be set aside as open space. Critical areas (i.e., steep slopes, wetlands) can count towards the 50 percent requirement. Maintenance of the open space tract or easement shall be the responsibility of the property owner and/or a homeowners' association.

2. The number of allowable lots in a subdivision shall be determined by multiplying the total number of acres in the subdivision by one. Any fraction shall be rounded to the nearest whole number with one-half being rounded up.

3. The minimum size of any lot shall be 8,000 square feet. For lots less than 35,000 square feet, the minimum lot width shall be consistent with the requirements of the R-5 zone (Chapter 18.07 ACC). All other applicable development standards related to the R-1 zone will continue to apply.

4. Lots within the subdivision shall be clustered so as to provide for continuity of open space within the subdivision and, where possible, with adjoining parcels.

5. Each lot within a subdivision shall illustrate a building area within which the house, accessory structures, and parking areas shall be constructed. The building area shall be exclusive of setbacks, nonbuildable areas or any required buffers from the nonbuildable areas. Any preliminary plat, final plat or short plat shall illustrate the building area for each lot. Any future construction will be limited to the identified building area.

6. A native growth protection easement or similar device, which may include provisions for the limited removal of vegetation and passive use of the easement, that perpetually protects the nonbuildable areas must be recorded with the final plat or short plat.

G. All marijuana related businesses and marijuana cooperatives are prohibited land uses within the Lea Hill overlay. (Ord. 6642 § 6, 2017; Ord. 6369 § 3, 2011; Ord. 6245 § 13, 2009.)

18.21.020 West Hill overlay.

A. *Purpose.* The purpose of this section is to provide for additional development standards to address the area commonly referred to as the West Hill annexation area, as annexed under city of Auburn Ordinance No. 6122 and identified on the city of Auburn comprehensive zoning map. While the intent is that the development standards for zones in the West Hill annexation area will be similar to (if not the same as) corresponding zones in other areas of the city, some variations are needed to recognize previous development allowed by King County zoning. Unless otherwise provided for in this section, all other provisions and requirements of this title shall apply to properties within the West Hill overlay.

B. Development Standards – Lots Previously Approved.

1. For any residential lot that had received final plat approval, final short plat approval, preliminary plat approval or that King County had received and determined the application complete for a preliminary plat or short plat, prior to the effective date of annexation, the development standards in the following table shall apply. The property owner/applicant shall be responsible to provide evidence of these previous approvals/decisions.

2. Any further subdivision of any lot and its subsequent use must conform to the permitted uses and standards referenced in the applicable zoning chapters of this title, except as modified by this section. For farm animals, subsection E of this section or ACC 18.31.220 shall apply.

Zone	Min Lot Area (Sq. Ft.)	Min Lot Area (Sq. Ft. per Unit)	Min Lot Width (Ft.)	Max Lot Coverage (%)	Setbacks[1]*				Building Height	
					Front (Ft.)	Rear (Ft.)	Side, Interior (Ft.)	Side, Street (Ft.)	Main (Ft.)	Accessory (Ft.)
R-1	8,000	N/A	35	35	20	5	5	10	35	35
R-25[2]	2,500	N/A	30	35	10	5	5	10	35	16
R-7[3]	2,500	6,000	30	35	10	5	5	10	35	16

* 1 Garages and other similar structures with a vehicular access require a 20-foot setback from any street.

2 Annexed as R-5 zone under city of Auburn Ordinance No. 6122.

3 Annexed as R-7 zone under city of Auburn Ordinance No. 6122.

C. *Prior King County Approvals.* The city of Auburn will recognize the terms of any King County-approved plat, PUD, conditional use permit, contract rezone or similar contractual obligations that may have been approved prior to the effective date of the annexation of the subject property. The conditions of any project that was approved by King County shall be required to be fulfilled in the city of Auburn.

D. *Planning Director Authorization.* The planning director shall be authorized to interpret the language of any King County permit, plat or condition thereof and effectuate the implementation of same to the fullest extent possible. If there is a conflict between a previous King County approval and the Auburn regulation, then the most restrictive provision shall apply as determined by the planning director.

E. *Farm Animals.*

1. For properties greater than an acre in the R-1, R-5 and R-7 zones within the West Hill overlay, it is permissible to keep farm animals (excluding goats and swine in the R-5 and R-7 zones); provided, there shall not be more than one horse, cow, donkey or other similar large animal, or four small animals such as sheep, or 12 poultry, rabbits, or similar size animals per each acre of enclosed usable pasture or roaming area. This acreage requirement is in addition to the minimum lot size requirements of the applicable zone. Property owners of more than an acre in the West Hill overlay district may choose to apply these standards, or the standards in ACC 18.31.220.

2. Shelters provided for farm animals shall be constructed no closer than 50 feet from any adjoining lot and no closer than 100 feet from any public street or alley. Any corral, exercise yard, or arena shall maintain a distance of 35 feet from any property line. This excludes pasture areas.

3. For those properties that do not meet the requirements of subsection (E)(1) of this section, and farm animals were present prior to annexation, the farm animals may remain as legal nonconforming uses. In such case, the number of farm animals allowed may be the same as what the county zoning provisions had allowed prior to the effective date of the annexation of the subject property.

F. All marijuana related businesses and marijuana cooperatives are prohibited land uses within the West Hill overlay. (Ord. 6642 § 7, 2017; Ord. 6369 § 4, 2011; Ord. 6245 § 13, 2009.)

18.21.030 Urban separator overlay.

A. *Purpose.* The purpose of this section is to provide for additional development standards to address the area designated as urban separator in the city's comprehensive plan, as prescribed in the interlocal agreement between the city and King County approved under city of Auburn

Resolution No. 4113 and identified on the city of Auburn comprehensive land use map. Unless otherwise provided for in this section, all other provisions and requirements of this title shall apply to properties within the urban separator overlay.

B. *Development Standards.* For property located within a designated urban separator, lot averaging shall be required. The regulations of ACC 18.21.010(F) shall apply in situations where lot averaging is used.

C. All marijuana related businesses and marijuana cooperatives are prohibited land uses within the urban separator overlay. (Ord. 6642 § 8, 2017; Ord. 6245 § 13, 2009.)

The Auburn City Code is current through Ordinance 6928, passed December 4, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.23
COMMERCIAL AND INDUSTRIAL ZONES

Sections:

18.23.010 Purpose.
18.23.020 Intent of commercial and industrial zones.
18.23.030 Uses.
18.23.040 Development standards.
~~**18.23.050 Additional development standards for C-2, central business zone.**~~
18.23.060 Additional development standards for the ~~C-N,~~ C-1, C-2, ~~C-3, C-~~ C-AG~~4~~, and M-1 zones.

18.23.010 Purpose.

This chapter lists the land uses that may be allowed within the commercial and industrial zones established by ACC 18.02.070 (Establishment of zones), determines the type of land use approval required for each use, and provides basic and additional development standards for sites, buildings, and associated improvements. (Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

18.23.020 Intent of commercial and industrial zones.

A. *General.* This section describes the intent for each of the city's commercial and industrial zones. These intent statements are to be used to guide the interpretation of the regulations associated with each zone. The planning director is authorized to make interpretations of these regulations based on their analysis of them together with clear and objective reasons for such interpretation.

~~B. *C-N, Neighborhood Shopping Center Zone.* The C-N zone is intended to provide areas appropriate for neighborhood shopping establishments which provide limited retail business, service and office facilities for the convenience of residents of the neighborhood. A neighborhood shopping center is designed and located so as to minimize traffic congestion on public highways and streets in its vicinity and to best fit the general land use pattern of the area~~

~~to be served by the center. The protective standards contained in this chapter are intended to minimize any adverse effect of the neighborhood shopping center on nearby property values and to provide for safe and efficient use of the neighborhood shopping center itself.~~

C. *C-1, Light Commercial Zone.* The C-1 Light Commercial zone is intended for lower intensity commercial adjacent to residential neighborhoods. This zone generally serves as a transition zone between higher and lower intensity land uses, providing retail and professional services. This zone represents the primary commercial designation for small- to moderate-scale commercial activities compatible by having similar performance standards and should be developed in a manner which is consistent with and attracts pedestrian-oriented activities. This zone encourages a broad mix of small scale uses such as leisure shopping, office, eating and drinking establishments, entertainment and assembly uses and provides amenities conducive to attracting shoppers and pedestrians. Building height, size, and orientation are the primary standards that will be used to maintain the smaller more pedestrian scale uses within this zone.

~~The C-1 zone is intended for lower intensity commercial adjacent to residential neighborhoods. This zone generally serves as a transition zone between higher and lower intensity land uses, providing retail and professional services. This zone represents the primary commercial designation for small- to moderate-scale commercial activities compatible by having similar performance standards and should be developed in a manner which is consistent with and attracts pedestrian-oriented activities. This zone encourages leisure shopping and provides amenities conducive to attracting shoppers and pedestrians.~~

~~D. *C-2 Central Business District Zone.* The intent of the C-2 zone is to set apart the portion of the city proximate to the center for financial, commercial, governmental, professional, and cultural activities. Uses in the C-2 zone have common or similar performance standards in that they represent types of enterprises involving the rendering of services, both professional or to the person, or on-premises retail activities. This zone encourages and provides amenities conducive to attracting pedestrians.~~

E. *C-2~~3~~, Heavy Commercial Zone.* The intent of the C-2 Heavy Commercial zone is to allow for medium to high intensity uses consisting of a wide range of retail, commercial, entertainment, office, services, and professional uses. This zone is intended to accommodate uses which are oriented to automobiles either as a mode or target of the commercial service while fostering a pedestrian orientation. The uses allowed can include outside activities, display, fabrication or service features when not the predominant portion of the use. The uses enumerated in this

classification may be larger in scale and building size and have more potential for impacts to surrounding properties and street systems than those uses permitted in the more restrictive commercial classifications.

~~The intent of the C-3 zone is to allow for medium to high intensity uses consisting of a wide range of retail, commercial, entertainment, office, services, and professional uses. This zone is intended to accommodate uses which are oriented to automobiles either as a mode or target of the commercial service while fostering a pedestrian orientation. The uses allowed can include outside activities, display, fabrication or service features when not the predominant portion of the use. The uses enumerated in this classification have more potential for impacts to surrounding properties and street systems than those uses permitted in the more restrictive commercial classifications.~~

~~F. *C-4, Mixed-Use Commercial Zone.* The intent of the C-4 zone is to provide for a pedestrian-oriented mix of retail, office, and limited multifamily residential uses. This classification is also intended to allow flexibility in design and the combination of uses that is responsive to market demands. The uses enumerated in this classification anticipate a mix of multifamily residential, retail, and office uses that are coordinated through a site-specific planning process. The multiple-family residential must be located in a multi-story building. Certain heavy commercial uses permitted in other commercial classifications are not permitted in this zone because of the potential for conflicts with multifamily residential uses, in order to achieve a quality of environment that is conducive to this mix of uses.~~

C-AG, Auburn Gateway Zone. The intent of the C-AG - Auburn Gateway Zone is to provide for a pedestrian-oriented mix of retail, office, middle housing, and multifamily residential uses in the Northeast Auburn Special Area Plan and Auburn Gateway Planned Action area, as described in Chapter 18.08 ACC. This classification is also intended to allow flexibility in design and the combination of uses that is responsive to market demands. The uses enumerated in this classification anticipate a mix of multifamily residential, middle housing, retail, and office uses that are coordinated through a site-specific planning process. The multiple-family residential must be located in a multi-story building. Certain heavy commercial uses permitted in other commercial classifications are not permitted in this zone because of the potential for conflicts with multifamily residential uses, in order to achieve a quality of environment that is conducive to this mix of uses.

G. *M-1, Light Industrial Zone.* The intent of the M-1 Light Industrial zone is to accommodate a variety of industrial, manufacturing, commercial, and limited residential uses in an industrial environment, and to preserve land primarily for industrial and commercial uses, and to implement the economic goals of the comprehensive plan, and to provide a greater flexibility within the zoning regulations for those uses which are non-nuisance in terms of air and water pollution, noise, vibration, glare or odor. The industrial/commercial character of this zone is intended to address the way in which industrial and commercial uses are carried out rather than the actual types of products made. An essential aspect of this zone is the need to maintain a quality of development that attracts rather than discourages further investment in industrial and commercial development. While allowed, outdoor storage will be regulated in a manner that mitigates visual impacts ~~in a manner that takes~~taking surrounding uses and vehicular corridors into consideration.

~~The intent of the M-1 zone is to accommodate a variety of industrial, commercial, and limited residential uses in an industrial park environment, to preserve land primarily for light industrial and commercial uses, to implement the economic goals of the comprehensive plan and to provide a greater flexibility within the zoning regulations for those uses which are nonnuisance in terms of air and water pollution, noise, vibration, glare or odor. The light industrial/commercial character of this zone is intended to address the way in which industrial and commercial uses are carried out rather than the actual types of products made.~~

~~The character of this zone will limit the type of primary activities which may be conducted outside of enclosed buildings to outdoor displays and sales. Uses which are not customarily conducted indoors or involve hazardous materials are considered heavy industrial uses under this title and are not appropriate for the M-1 zone. An essential aspect of this zone is the need to maintain a quality of development that attracts rather than discourages further investment in light industrial and commercial development. Consequently, site activities which could distract from the visual quality of development of those areas, such as outdoor storage, should be strictly regulated within this zone.~~

H. *M-2, Heavy Industrial Zone.* The M-2 Heavy Industrial is intended to accommodate a broad range of manufacturing and industrial uses. Permitted activity may vary from medium to higher intensity uses that involve the manufacture, fabrication, assembly, or processing of raw and/or finished materials. Heavy industrial uses should not be located near residential development.

While other uses may be sited within this zone, permits for such uses should not be issued if such uses will discourage use of adjacent sites for heavy industry, interrupt the continuity of industrial sites, or produce traffic in conflict with the industrial uses. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

~~The M-2 zone is intended to accommodate a broad range of manufacturing and industrial uses. Permitted activity may vary from medium to higher intensity uses that involve the manufacture, fabrication, assembly, or processing of raw and/or finished materials. Heavy industrial uses should not be located near residential development.~~

~~While other uses may be sited within this zone, permits for such uses should not be issued if such uses will discourage use of adjacent sites for heavy industry, interrupt the continuity of industrial sites, or produce traffic in conflict with the industrial uses. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)~~

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.

C. *Uses Affected by the Airport Overlay.* Refer to Chapter 18.38 ACC to determine whether uses are separately prohibited by that chapter or will be required to comply with additional regulations that are associated with the airport overlay.

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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING								
Building contractor, light	~~X~~	X	~~X~~	P	X	P	P	
Building contractor, heavy	~~X~~	X	~~X~~	X	X	A	P	
Manufacturing, assembling and packaging – Light intensity	~~X~~	X	~~X~~	P	X	P	P	ACC 18.31.180
Manufacturing, assembling and packaging – Medium intensity	~~X~~	X	~~X~~	A	X	P	P	ACC 18.31.180
Manufacturing, assembling and packaging – Heavy intensity	~~X~~	X	~~X~~	X	X	X	A	ACC 18.31.180
Marijuana processor	~~X~~	X	~~X~~	X	X	C	C	Chapter 18.59 ACC
Marijuana producer	~~X~~	X	~~X~~	X	X	C	C	Chapter 18.59 ACC
Marijuana researcher	~~X~~	X	~~X~~	X	X	C	C	Chapter 18.59 ACC
Marijuana retailer	~~X~~	X	~~X~~	C	X	C	C	Chapter 18.59 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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
Marijuana transporter business	~~X~~	X	~~X~~	X	X	C	C	Chapter 18.59 ACC
Outdoor storage, incidental to principal permitted use on property	~~X~~	X	~~X~~	P	X	P	P	ACC 18.57.020(A)
Storage – Personal household storage facility (mini-storage)	~~X~~	P	~~X~~	P	X	P	P	ACC 18.57.020(B)
Warehousing and distribution	~~X~~	X	~~X~~	X	X	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	
Wholesaling with on-site retail as an incidental use (e.g., coffee, bakery)	~~X~~	X	~~X~~	P	X	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES								
Commercial recreation	~~X~~	P	~~P~~	P	P	P	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-~~2~~3	C-AG~~4~~	M-1	M-2	
facility, indoor								
Commercial recreation facility, outdoor	~~X~~	X	~~X~~	A	A	P	A	ACC 18.57.025(A)
Conference/convention facility	~~X~~	X	~~A~~	A	X	A	X	
Library, museum	~~X~~	A	~~A~~	A	X	A	X	
Meeting facility, public or private	~~A~~	P	~~P~~	P	X	A	A	
Movie theater, except drive-in	~~X~~	P	~~P~~	P	P	X	X	
Private school – Specialized education/training (for profit)	~~A~~	A	~~P~~	P	P	P	P	
Religious institutions, lot size less than one acre	~~A~~	P	~~P~~	P	A	A	A	
Religious institutions, lot size more than one acre	~~C~~	P	~~P~~	P	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-~~2~~3**	**C-AG~~4~~**	**M-1**	**M-2**	
Sexually oriented businesses	~~X~~	X	~~X~~	P	X	P	P	Chapter 18.74 ACC
Sports and entertainment assembly facility	~~X~~	X	~~A~~	A	X	A	A	
Studio – Art, dance, martial arts, music, etc.	~~P~~	P	~~P~~	P	P	P	A	
RESIDENTIAL								
Apartment units, as part of a mixed-use development[2]	X	X	X	P	P	P	X	ACC 18.57.030
Apartments, stand-alone	X	X	X	X	X	X	X	
Caretaker apartment	~~X~~	P	~~P~~	P	X	P	P	
Live/work unit, as part of a mixed-use development[2]	~~X~~	X	~~P~~	P	P	P	X	
Live/work unit, stand-alone[3]	X	X	X	X	X	X	X	
Work/live unit, as part of a mixed-use development[2]	~~X~~	P	~~P~~	P	P	P	X	

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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
Work/live unit, stand-alone[3]	X	X	X	X	X	X	X	
Marijuana cooperative	~~X~~	X	~~X~~	X	X	X	X	
~~Multiple-family dwellings as part of a mixed-use development[2]~~	~~X~~	~~X~~	~~P~~	~~P~~	~~P~~	~~P~~	~~X~~	~~ACC 18.57.030~~
~~Multiple-family dwellings, stand-alone~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	
Nursing home, assisted living facility	X	P	P	P	C	X	X	
Senior housing[2]	X	X	A	A	X	X	X	
RETAIL								
Building and landscape materials sales	X	X	X	P	X	P	P	ACC 18.57.035(A)
Construction and heavy equipment sales and rental	X	X	X	X	X	A	P	
Convenience store	A	A	P	P	X	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-~~23~~	C-AG~~4~~	M-1	M-2	
Drive-through espresso stands	A	A	A	P	A	P	A	
Drive-through facility, including banks and restaurants	A	A	A	P	P	P	P	ACC 18.52.040
Entertainment, commercial	X	A	P	P	X	A	A	
Groceries, specialty food stores	P	P	P	P	P	P	X	
Nursery	X	X	X	P	A	P	P	ACC 18.57.035(C)
Outdoor displays and sales associated with a permitted use (auto/vehicle sales not included in this category)	P	P	P	P	P	P	P	ACC 18.57.035(D)
Restaurant, cafe, coffee shop	P	P	P	P	P	P	P	
Retail								
Community retail establishment	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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
Neighborhood retail establishment	P	P	P	P	P	P	P	
Regional retail establishment	X	X	X	P	P	P	A	
Tasting room	P	P	P	P	P	P	P	
Tavern	P	P	X	P	P	P	A	
Wine production facility, small craft distillery, small craft brewery	A	P	P	P	P	P	P	
SERVICES								
Animal daycare (excluding kennels and animal boarding)	A	A	A	P	A	P	P	ACC 18.57.040(A)
Animal sales and services (excluding kennels and veterinary clinics)	P	P	P	P	P	P	P	ACC 18.57.040(B)
Banking and related financial institutions, excluding drive-through	P	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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
facilities								
Catering service	P	P	P	P	A	P	P	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	P	P	P	P	X	
Dry cleaning and laundry service (personal)	P	P	P	P	P	P	P	
Equipment rental and leasing	X	X	X	P	X	P	P	
Kennel, animal boarding	X	X	X	A	X	A	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	
Hospital	X	P	P	P	X	P	P	
Lodging – Hotel or motel	X	P	P	P	P	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-~~2~~3	C-AG~~4~~	M-1	M-2	
Medical – Dental clinic	P	P	P	P	P	P	X	
Mortuary, funeral home, crematorium	A	P	X	P	X	P	X	
Personal service shops	P	P	P	P	P	P	X	
Pharmacies	P	P	P	P	P	X	X	
Print and copy shop	P	P	P	P	P	P	X	
Printing and publishing (of books, newspaper and other printed matter)	X	A	P	P	P	P	P	
Professional offices	P	P	P	P	P	P	P	
Repair service – Equipment, appliances	X	A	P	P	P	P	P	ACC 18.57.040(D)
Veterinary clinic, animal hospital	A	P	P	P	P	P	X	
Youth community support facility	X	P	X	X	X	X	X	ACC 18.57.040(E)

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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE								
Ambulance, taxi, and specialized transportation facility	X	X	X	A	X	P	P	
Broadcasting studio	X	P	X	P	X	P	P	
Heliport	X	X	X	C	X	C	C	
Motor freight terminal[1]	X	X	X	X	X	X	X	See Footnote No. 1
Parking facility, public or commercial, surface	X	P	P	P	P	P	X	
Parking facility, public or commercial, structured	X	P	P	P	P	P	X	
Towing storage yard	X	X	X	X	X	A	P	ACC 18.57.045(A)
Utility transmission or distribution line or substation	A	A	A	A	A	A	A	
Wireless communications facility (WCF) (See ACC	*	*	*	*	*	*	*	*See ACC 18.31.100 for use regulations and zoning

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-~~2~~3**	**C-AG~~4~~**	**M-1**	**M-2**	
18.04.912(W))								development standards.
Eligible facilities request (EFR) (wireless communications facility) (See ACC 18.04.912(H))	P	P	P	P	P	P	P	
Small wireless facilities (ACC 18.04.912(Q))	P	P	P	P	P	P	P	
VEHICLE SALES AND SERVICES								
Automobile washes (automatic, full or self-service)	X	A	X	P	P	P	P	ACC 18.57.050(A)
Auto parts sales with installation services	X	A	A	P	P	P	P	
Auto/vehicle sales and rental	X	A	X	P	X	P	P	ACC 18.57.050(B)
Fueling station	X	A	A	P	P	P	P	ACC 18.57.050(C)
Mobile home, boat, or RV sales	X	X	X	P	X	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-~~23~~**	**C-AG~~4~~**	**M-1**	**M-2**	
Vehicle services – Repair/body work	X	X	A	P	X	P	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	
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	

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.

3 Any stand-alone live/work units or stand-alone work/live units vested prior to the effective date of the ordinance codified in this chapter are outright permitted uses.

(Ord. 6885 § 1 (Exh. A), 2022; Ord. 6838 § 1 (Exh. A), 2021; Ord. 6799 § 6 (Exh. F), 2020; 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.)

18.23.040 Development standards.

A. 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 requirements in Tables 18.23.040A (~~C-N,~~ C-1, ~~C-2,~~ C-23, and C-AG4 Zone Development Standards) and 18.23.040B (M-1 and M-2 Zone Development Standards) and in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. These standards may be modified through either an administrative variance or variance, subject to the procedures of Chapter 18.70 ACC.

Table 18.23.040A. ~~C-N,~~ C-1, C-2, ~~C-3,~~ and C-AG4 Zone Development Standards

Development Standard	Requirement by Zone				
	~~C-N~~ ~~Neighborhood Shopping Center~~	C-1 Light Commercial	~~C-2~~ ~~Central Business~~	C-23 Heavy Commercial	C- C-AG 4 Mixed-Use Commercial
Minimum lot area	~~2 acres~~	None	~~None~~	None	None[1]

Development Standard	Requirement by Zone				
	~~C-N~~ ~~Neighborhood Shopping Center~~	C-1 Light Commercial	~~C-2~~ ~~Central Business~~	C-~~2~~3 Heavy Commercial	C- C-AG ~~4~~ Mixed-Use Commercial
Minimum lot width, depth	~~None~~	None	~~None~~	None	None
Maximum lot coverage	~~55 percent~~	None	~~None~~	None	None
Minimum setbacks	*Minimum setbacks required for structures. See also ACC 18.31.070 for specific exceptions to these setback standards.*				
Front	~~50 ft~~	20 ft	~~None~~	20 ft	20 ft
Side – Interior	~~None~~[2]	None[2]	~~None~~	None[2]	None[2]
Side – Street	~~50 ft~~	15 ft	~~None~~	15 ft	15 ft
Rear	~~None~~[2]	None[2]	~~None~~	None[2]	None[2]
Height limit	Maximum *allowable height of structures. See also ACC 18.31.030 (Height limitations – Exceptions) for specific height limit exceptions.*				
Maximum height	~~30 ft~~	45 ft[3]	~~ACC 18.23.050~~	75 ft	75 ft
Additional development standards	~~None~~	None	~~ACC 18.23.050~~	None	None
Fences and hedges	See Chapter 18.31 ACC				
Landscaping	See Chapter 18.50 ACC				
Parking	See Chapter 18.52 ACC				

Development Standard	Requirement by Zone				
	~~C-N~~ ~~Neighborhood Shopping Center~~	C-1 Light Commercial	~~C-2~~ ~~Central Business~~	C-~~2~~3 Heavy Commercial	C- ~~C-AG 4~~ Mixed-Use Commercial
Signs	See Chapter 18.56 ACC				
Lighting	See Chapter 18.55 ACC				
Nonconforming structures, land and uses	See Chapter 18.54 ACC				

Notes:

1 Residential uses: no minimum lot size; provided, that residential density does not exceed 20 units per gross acre (this includes privately owned open space tracts but excludes dedicated public roads).

2 A 25-foot setback is required when adjacent to a residential zone.

3 Buildings within the Auburn north business area, as established by Resolution No. 2283, may exceed 45 feet if one additional foot of setback is provided from each property line (or required minimum setback) for each foot the building exceeds 45 feet in height.

Table 18.23.040B. M-1 and M-2 Zone Development Standards

Development Standard	Requirement by Zone	
	M-1 Light Industrial	M-2 Heavy Industrial
Minimum lot area	None	None
Minimum lot width, depth	None	None

Development Standard	Requirement by Zone	
	M-1 **Light Industrial**	**M-2** **Heavy Industrial**
Maximum lot coverage	None	None
Minimum setbacks	*Minimum setbacks required for structures. See also ACC 18.31.070 for specific exceptions to these standards.*	
Front	20 ft	30 ft
Side – Interior	None[1]	None[1]
Side – Corner	20 ft	30 ft
Rear	None[1]	None[1]
Height limit	*Maximum allowable height of structures. See also ACC 18.31.030 (Height limitations – Exceptions) for specific height limit exceptions*	
Maximum height	45 ft[2]	45 ft[2]
Additional development standards	None	None
Fences and hedges	See Chapter 18.31 ACC	
Landscaping	See Chapter 18.50 ACC	
Parking	See Chapter 18.52 ACC	
Signs	See Chapter 18.56 ACC	

Development Standard	Requirement by Zone	
	M-1 Light Industrial	M-2 Heavy Industrial
Lighting	See Chapter 18.55 ACC	
Nonconforming structures, land and uses	See Chapter 18.54 ACC	

Notes:

1 A 25-foot setback is required when adjacent to a residential zone.

2 Buildings may exceed 45 feet if one foot of setback is provided from each property line (or required minimum setback) for each foot the building exceeds 45 feet.

(Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

~~18.23.050 Additional development standards for C-2, central business zone.~~

~~A. *Maximum Building Height.*~~

~~1. The maximum height of that portion of a building that abuts a street(s) shall be no higher than the right-of-way width of the abutting street(s). Building height may increase; provided, that the building is stepped back one foot (from the abutting street right(s)-of-way) for each foot of increased building height.~~

~~2. If the building abuts more than one street and the abutting streets have different right-of-way widths, then the height of the building allowed at any street frontage shall be the average of the abutting street right-of-way widths.~~

~~3. The following rooftop features may extend up to 15 feet above the maximum height limit: stair towers, elevator penthouses, and screened mechanical equipment.~~

B. Minimum setbacks: none required, see subsection D of this section for specific building orientation requirements.

C. Fences shall be decorative and relate architecturally to the associated building. Acceptable materials are brick, wood, stone, metal, or textured concrete. Typical galvanized wire mesh (chain link), barbed wire or razor wire are not permitted. For further information see Chapter 18.31 ACC.

The provisions of this section shall not apply to temporary fences required during construction projects permitted by the city.

D. *Building Orientation Requirements.* The following requirements apply to the construction of all new buildings or structures:

1. Existing buildings or structures, including facades, that do not have setbacks or otherwise cannot comply are exempt from these requirements regardless of the amount of improvements made to the building, structure or facade as long as any alteration does not make the existing facade more nonconforming.

2. Existing buildings, structures, or facades that are set back and within 20 feet of a street shall comply to the fullest extent possible as determined by the planning director, with the following requirements when any cumulative structural improvements are made that exceed 50 percent of the assessed value of the existing building, structure, or facade.

3. Any addition to an existing building, regardless of value, that will be within 20 feet of a street shall also comply to the fullest extent possible, as determined by the planning director, with the following requirements:

a. For each lineal foot of frontage a building has on a street, there shall be provided an area(s) for pedestrian amenities at the rate of one square foot of ground area for each lineal foot of building frontage. Pedestrian amenities shall consist of such features as landscaping, benches, entryways with accents such as brick pavers, artwork, or a combination of these or similar features. The pedestrian amenities shall be located on the property between the street right-of-way and the building. The planning director shall approve the amount and type of the pedestrian amenities.

~~b. For buildings that have a street frontage that exceeds 50 feet, then at least 25 percent of the building's frontage shall be immediately adjacent to the street right-of-way.~~

~~c. For buildings that have a street frontage that is less than 25 feet, then no pedestrian amenities will be required and the building may be located at the property line. There shall, however, be provided a landing in front of each door that opens to a street that is large enough such that no part of any door will encroach into the street right-of-way when the door is being opened or closed.~~

~~d. For buildings that provide additional setbacks, except as restricted by subsection (D)(3)(b) of this section, the area between the street right-of-way and the building shall only contain pedestrian amenities.~~

~~e. If a building has more than two street frontages, then at least two of the frontages shall comply with subsections (D)(3)(b) and (g) of this section and contain pedestrian amenities between the building and the street right-of-way. Any remaining frontages shall either have pedestrian amenities, windows, murals, flat surfaced artwork or other similar architectural features that would avoid large blank walls.~~

~~f. For new buildings that will infill between two other existing buildings, the new building shall be set back no further than either of the adjacent buildings unless additional setback is required to comply with subsection (D)(3)(a) of this section. The proposed setback shall be reviewed by the planning director to ensure the setback will maintain building continuity along the street.~~

~~g. Buildings shall have windows that encompass at least 60 percent of the first floor facade and at least 40 percent of the facade of each additional floor. At least 50 percent of the area of the first floor windows of nonresidential buildings shall provide visibility to the inside of the building. This subsection shall only apply to the facades of new buildings with street frontage and shall not lessen the requirements of the Uniform Building or Fire Codes.~~

~~h. The building's principal pedestrian entrance shall be oriented to the street. If the building is at a corner, either street or alley, then the principal pedestrian entrance shall be at the corner unless a better architectural design is attained at another location and approved by the planning director.~~

i. Buildings that are at the intersection of either two streets or a street and an alley shall provide for a sight distance triangular setback as required by Chapter 18.31 ACC. These triangular areas may contain pedestrian amenities that satisfy the requirements of subsection (D)(3)(a) of this section.

j. A site plan shall be prepared by the proponent which addresses compliance with the requirements as outlined in subsections (D)(3)(a) through (i) of this section. The site plan shall be approved by the planning director prior to the submittal of any building permit.

k. For the sole purposes of this subsection D the term "street" shall include the right-of-way of private and public streets. The term shall also include pedestrian walkways, encumbered by an easement or similar means, that are used by the general public to travel from one property to another.

E. Mechanical equipment on rooftops shall be sited and designed to minimize noise and effectively screen the equipment from view from adjacent properties and rights-of-way. The following methods, or a combination thereof, may be used:

1. Set back from the roof edge to obscure visibility from below;

2. Integration into the building architecture, using building walls, roof wells or roof parapets to conceal the equipment;

3. Equipment enclosure or sight-obscuring fencing or landscaping;

4. Overhead trellis or roof to obscure visibility from above.

Materials used to screen mechanical equipment shall be the same as or compatible with the design of the principal structure.

F. Stair towers and elevator penthouses shall be designed to be architecturally integrated into the principal structure. This may include using the same building materials, repeating common building forms, colors or elements, or incorporating the roof and wall of the stair tower or elevator penthouse into the upper wall of the structure. (Ord. 6433 § 26, 2012.)

18.23.060 Additional development standards for the ~~C-N~~, C-1, C-2, ~~C-3, C-4~~C-AG, and M-1 zones.

A. Loading and unloading docks shall not be visible from the street.

B. Mechanical equipment on rooftops shall be sited and designed to minimize noise and effectively screen the equipment from view from adjacent properties and rights-of-way. The following methods, or a combination thereof, may be used:

1. Set back from the roof edge to obscure visibility from below;

2. Integration into the building architecture, using building walls, roof wells or roof parapets to conceal the equipment;

3. Equipment enclosure or sight-obscuring fencing or landscaping;

4. Overhead trellis or roof to obscure visibility from above.

Materials used to screen mechanical equipment shall be the same as or compatible with the design of the principal structure. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6433 § 26, 2012.)

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.25

~~INFILL RESIDENTIAL~~MIDDLE HOUSING DEVELOPMENT STANDARDS

Sections:

18.25.010 Purpose and intent.

18.25.020 Applicability.

18.25.030 Procedures.

18.25.040 Middle housing types.~~Infill residential standards.~~

18.25.050 Calculating parking requirements.

18.25.060 Accessory Dwelling Units.

18.25.070 Middle housing design standards.

18.25.080 Usable open space.

18.25.090 Courtyard housing standards.

18.25.0100 Lot splitting.

18.25.010 Purpose and intent.

The purpose of this chapter is to encourage the development of underutilized parcels in zones which, through Auburn comprehensive plan goals and policies, have been identified as areas where ~~infill residential development~~middle housing should be encouraged. Middle h~~H~~ousing shall be compatible in scale, form, and character with ~~single-family~~single-unit detached houses that are allowed within the underlying zoning designation. This chapter identifies the standards for middle housing development. ~~conditions under which infill development is supported and relaxes certain development requirements in those instances in an effort to promote the construction of infill development in appropriate areas of the city.~~ (Ord. 6245 § 14, 2009.)

18.25.020 Applicability.

A. *Eligibility Criteria.* This chapter may be applied to development or redevelopment that meets ~~all of~~ the following criteria:

1. The lot is within one of the following zones: RC, R-1, R-2, R-3, R-4, R-NM ~~R-5, R-7, R-10, R-16, or R-20.~~

B. *Exceptions.* This chapter may be applied to development or redevelopment, except for the following below:

1. Middle Housing is not permitted within Urban Separators.

2. Middle Housing is not permitted in the R-HMC zone.

3. Middle Housing is not permitted on lots smaller than one thousand (1,000) square feet.

4. Middle Housing allowances shall not be used to justify alteration of a regulated critical area per Chapter 16.10 ACC.

~~2. Adjacent properties abutting at least 50 percent of the nonstreet perimeter of the subject property (i.e., side and/or rear lot lines) are developed with single-family dwellings or higher intensity uses.~~

~~3. For lots located in the R-5 or R-7 zones, the development or redevelopment creates a maximum of one new lot or dwelling unit.~~

~~4. For properties located in the R-10, R-16, or R-20 zones, the lot or parcel size shall be one acre or less. (Ord. 6245 § 14, 2009.)~~

18.25.030 Procedures.

Development proposals desiring to utilize the middle housing ~~infill~~ standards of this chapter shall be subject to one or more of the permit types found in ACC Title 14 and shall be processed in a manner consistent with the underlying land use application pursuant to ACC Title 14. (Ord. 6245 § 14, 2009.)

18.25.040 ~~Infill residential standards.~~Middle housing types.

A. For the purposes of this chapter middle housing refers to all housing consisting of between two and six units per lot, defined in ACC 18.04.340(B).

18.25.050 ~~Calculating parking~~Parking Requirements.

A. Within one-half mile walking distance of a Major Transit Stop no on-site parking is required.

B. On lots that that are more than one-half mile walking distance of a Major Transit Stop, (1) one on-site parking space shall be required for each dwelling unit.

C. On-site parking spaces shall include garage and/or driveway parking spaces.

D. When calculating parking relative to the above referenced lot sizes, the calculation shall occur prior to zero lot line land divisions.

18.25.060 Accessory Dwelling Units.

A. An ADU is listed as a type of Middle Housing; each ADU that is proposed will be considered a dwelling unit when calculating the number of units allowed on a lot or as part of a development proposal.

B. ADUs must be an accessory to a principal middle housing unit.

C. ADUs cannot be used to supplement the number of dwelling units allowed under this section.

D. ADUs are subject to the standards contained in Chapter 18.32 ACC.

18.25.070 Middle housing design standards.

A. Applicability.

1. Standards in this section apply to all development between two and six units per lot.

2. For the purposes of this section, a “street” refers to any public or private street.

3. These design standards do not apply to the conversion of a structure to a middle housing type with up to four attached units, if the floor area of the structure does not increase more than 50 percent

B. Purpose. The purpose of these standards is to:

1. Promote compatibility of middle housing with other residential uses, including single-unit detached dwellings.

2. De-emphasize garages and driveways as major visual elements along the street.

3. Provide clear and accessible pedestrian routes between buildings and streets.

4. Implement the definitions of cottage housing and courtyard apartments provided by state law.

C. Pedestrian access. A private, paved pedestrian connection that is a minimum of three feet wide required between each middle housing building and the public sidewalk (or the public street if there is no sidewalk). Driveways may be used to meet this requirement.

D. Vehicle access, carports, garages, and driveways.

1. Garages, driveways, and off-street parking areas shall not be located between a building and a street, except when either of the following conditions are met:

a. The combined width of all garages, driveways, and off-street parking areas does not exceed a total of 60 percent of the length of the street frontage property line. This standard applies to buildings and not individual units; or

b. The garage, driveway, or off-street parking area is separated from the street property line by a dwelling; or

c. The garage, driveway, or off-street parking is located more than 100 feet from a street.

E. Landscaping. See ACC Table 18.50.040(A) “Minimum Landscape Requirements by Zoning District” for landscaping requirements.

F. Entries. Each building shall incorporate a primary building entry or one or more private unit entries, such as a covered porch or recessed entry. Each entry shall feature minimum weather protection of three feet by three feet.

G. Windows and doors. A minimum of 15 percent of the area of the street-facing façade elevation shall include windows or doors. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

H. Unit articulation

1. Applicability.

a. Each attached unit featuring a separate ground level entrance in a multi-unit building facing the street shall include at least one of the articulation options listed in subsection (I)(2) below.

b. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

2. Articulation options:

Option 1. Roofline change or a roof dormer with a minimum of four feet in width.

Option 2. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room.

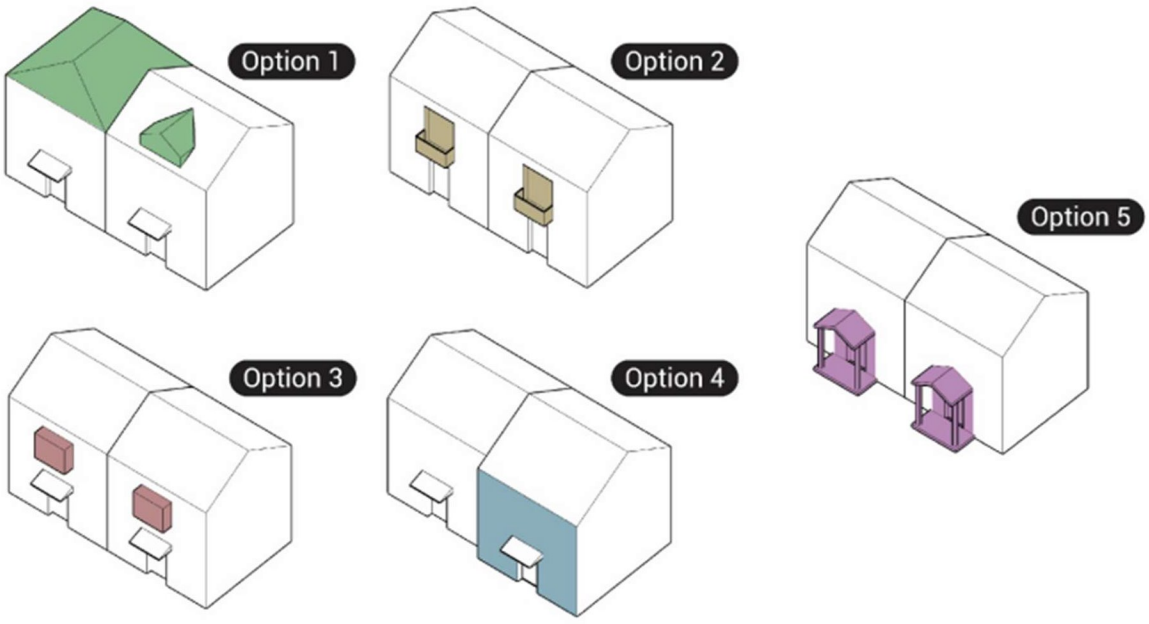
Option 3. A bay window that extends from the façade a minimum of two feet.

Option 4. An offset of the façade of a minimum of two feet in depth from the neighboring unit.

Option 5. A roofed porch at least 50 square feet in size.

Option 6. Change in wall color.

Figure 18.25.050(I)



I. Middle Housing Design Review Submittal Requirements. In addition to any other documentation required for submittal of a complete application for building permit or discretionary land use approvals/permits, the following items shall be required for review of building design:

1. Elevation drawings prepared by an architect licensed in the state of Washington of all proposed construction including dimensional drawings at one-eighth inch equals one foot or comparable scale showing the type of exterior materials, color, exterior finishes (including for accessory structures, where applicable), articulation, fenestration details, and the location, elevations, type, style and model of any exterior lighting fixtures (where applicable).

2. As applicable, a to-scale landscape plan consistent with Chapter 18.50 ACC.

18.25.080 Courtyard housing standards.

A. Applicability. Standards in this section apply to courtyard housing, which includes cottage housing (detached units) and courtyard apartments (attached units).

B. Open space. Open space shall be provided equal to a minimum 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, and other open space.

C. Common open space.

1. At least one outdoor common open space is required.

2. Common open space shall be provided equal to a minimum of 300 square feet per unit. Each common open space shall have a minimum dimension of 15 feet on any side.

3. Orientation. Common open space shall be bordered by dwellings on at least two sides. At least half of all units in the development shall abut a common open space and have the primary entrance facing the common open space.

4. Parking areas and vehicular areas shall not qualify as common open space.

5. Critical areas and their buffers, including steep slopes, shall not quality as common open space.

D. Community building.

1. A courtyard housing development shall contain no more than one community building.

2. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages.

3. A community building shall have no minimum off-street parking requirement.

18.25.090 Usable open space.

A. All middle housing development must include usable open space.

B. Usable open space must occupy at least 10% of the lot with a minimum dimension of at least 10 feet. Usable open space may be a single large space or several separate spaces. Unenclosed porches, patios, and entries may count towards usable open space if contiguous with a space that meets the standards of this section. Areas of usable open space with no unenclosed porches, patios, and entries or other similar features may overlap with the required landscaped areas within Table 18.50.040(A).

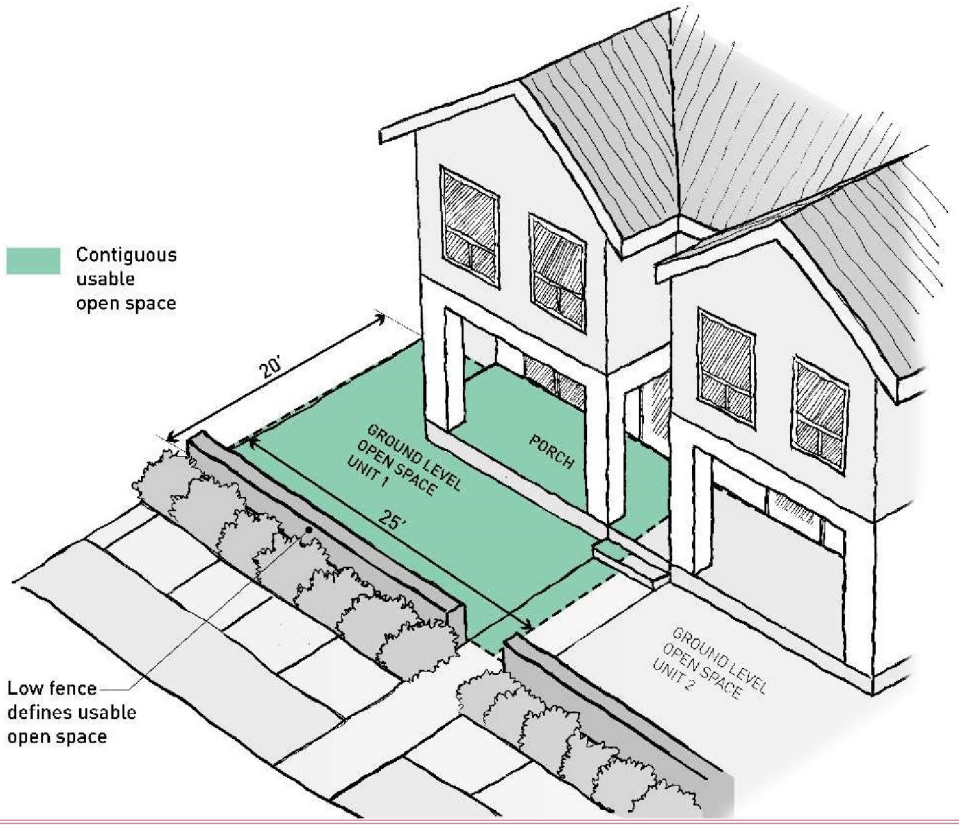
C. Driveways and parking areas may not count towards usable open space.

D. Where usable open space is located within the front setback, the open space must be defined with a fence, hedge, or wall, at least 24 inches tall.

E. LID stormwater BMPs, like rain gardens, may be integrated in up to 25 percent of the minimum required usable open space area.

F. Additions must not create or increase any nonconformity with this standard.

Figure 18.25.060 Usable Open Space



18.25.100 Lot splitting.

Lot splitting as defined in ACC 17.04.221 is permitted as a means of creating separate ownership of each housing unit. See zero lot line subdivision standards contained in Chapter 17.29 ACC.

Chapter 18.29
DUC DOWNTOWN URBAN CENTER DISTRICT

Sections:

18.29.010 Intent.
18.29.020 Scope.
18.29.030 Process.
18.29.040 Definitions.
18.29.050 Use limitations.
18.29.053 Uses/activities requiring an administrative use permit.
18.29.055 ~~Uses/activities requiring a conditional use permit.~~Deviation from development standards
18.29.057 Implementing districts.
18.29.060 Development standards.
18.29.070 Design standards.

18.29.010 Intent.

The downtown urban center zone is intended to create a distinct and strong identity for downtown Auburn by establishing land use and design standards for review of development proposals within the core area of the city of Auburn's designated urban center, in order to implement the city of Auburn downtown plan and the goals, policies and objectives of the Auburn comprehensive plan. This zone is intended to produce a concentration and mixture of commercial, office, medical, retail, residential and civic uses within the downtown area; to encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents; to provide a development pattern that supports pedestrian movement, bicycles and use of public transit; and to provide opportunities to increase the city's tax base, thereby helping to fund public improvements and public services. (Ord. 6071 § 6 (Exh. A), 2007.)

18.29.020 Scope.

A. The downtown urban center zone may be applied to any property designated as "Downtown" on the Auburn comprehensive plan map.

B. Site plan and building design review and approval shall be required for all public and private development activities requiring permits within the downtown urban center zone unless exempted under subsection C of this section. The planning and development director is given the authority to require building design and site plans consistent with the design standards contained or referenced herein and to require revisions as necessary in order to ensure development is consistent with the purpose of this chapter.

C. The following activities, as determined by the director, shall be exempt from the provisions of this chapter if the property has frontage on a pedestrian street as defined in the downtown urban center design standards:

1. Interior alterations that do not alter the exterior appearance of a structure or modify an existing site condition;

2. Normal or routine building and site maintenance/repair that is exempt from permit requirements; and

3. Any remodeling or expansion of existing single-~~family~~ unit detached residences with no change in use or addition of dwelling units involved.

D. The following activities, as determined by the director, shall be exempt from the provisions of this chapter if the property does not have frontage on a pedestrian street as defined in the downtown urban center design standards:

1. Interior alterations that do not alter the exterior appearance of a structure or modify an existing site condition;

2. Site and exterior alterations that do not exceed 10 percent of the assessed valuation of the property (building or land) per the most recent county records;

3. Building additions that are less than 10 percent of the existing floor area of the existing building(s). Any cumulative floor area increase (from the adoption date of the ordinance codified in this chapter) that totals more than 10 percent shall not be exempt; unless the

director determines compliance with these standards would be unfeasible and/or unreasonable;

4. Normal or routine building and site maintenance/repair that is exempt from permit requirements;

5. Any remodeling or expansion of existing single-family residences with no change in use or addition of dwelling units involved. (Ord. 6287 § 2, 2010; Ord. 6230 § 1, 2009; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.030 Process.

A. Compliance with all development and design standards contained or referenced herein shall occur in conjunction with any required permit process. The director shall provide appropriate forms that shall accompany a permit application. The director may approve, approve with conditions, or deny a building or site development permit application to ensure compliance with these standards. Any decision regarding a permit application shall be set forth in writing and contain findings of fact and conclusions that support the decision made.

B. The decision of the director shall be final unless the applicant or any affected party appeals the decision to the hearing examiner. All appeals shall be in accordance with ACC 18.70.050(B) through (E). (Ord. 6071 § 6 (Exh. A), 2007.)

18.29.040 Definitions.

These words shall have the following meanings for the purposes of this chapter:

A. “Canopy” means a cover over a sidewalk providing protection from the rain, which is constructed of durable, permanent materials.

B. “Director” means the director of the Auburn department of planning and development.

C. “Green roof” means a roof designed with principles of environmental sustainability, involving the use of vegetation and storm water collection and cleaning. It may or may not be accessible.

D. "Health club" means a use that offers exercise and recreational activities for tenants and/or the general public, either with or without a fee.

E. "Parking, below grade" means any portion of a structure containing parking that is located below the average finished grade around a building.

F. "Parking, structured" means parking contained within an enclosed building, designed to appear like it is part of the larger building complex, or a freestanding structure devoted exclusively to above-grade parking.

G. "Performing space" means any interior or exterior area designated for live performing and entertainment.

H. "Public art" means any form of painting, mural, mosaic, sculpture, or other work of art, so long as it can be appraised as a work of art and its value as such documented, displayed on the exterior of a building, at or near the pedestrian entrance, or on a public plaza, and visible to users of the public right-of-way at all times.

I. "Public meeting room" means a space that can be used by the general public and having a capacity of at least 50 people. It may operate under a reservation or nominal fee system and must be easily accessible from a lobby or plaza.

J. "Public plaza" means an open space that is visible and accessible to the public at all times, predominantly open to the sky, and for use principally by people, as opposed to merely a setting for the building.

K. "Street level retail" means uses providing goods and services, including food and drink, adjacent to, visible from, and directly accessible from the public sidewalk.

L. "Water feature" means a fountain, cascade, stream, fall, pond of water, or combination thereof, that serves as a focal point, located outside of a building, publicly visible and accessible, and active during daylight hours. (Ord. 6287 § 2, 2010; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.050 Use limitations.

Hereafter, all buildings, structures or properties may be used for any use, unless specifically prohibited herein. Ground floor retail, restaurants and/or office use is required for all building

frontages facing Main Street. All uses shall be subject to review and approval by the director. The following uses are prohibited:

A. Sexually oriented businesses as defined in Chapter 18.74 ACC.

~~B. Taverns.~~

BC. All industrial uses as defined in the North American Industrial Classification System (20221997 Edition), categories 48 – 49 (transportation), 31 – 33 (manufacturing) and 42 (wholesale trade).

CD. Outdoor storage of materials and equipment (except during active construction projects).

DE. New automobile maintenance and repair businesses.

EF. Work release facilities; secure community transition facilities.

FG. Wrecking yards.

GH. Solid waste transfer stations.

HI. Car washes.

IJ. New gasoline stations.

JK. Street-level ministorage.

KL. Outdoor sales of vehicles, boats or equipment.

LM. Drive-in/drive-through facilities with direct vehicular driveway access onto Main Street.

MN. All marijuana related businesses and marijuana cooperatives.

NO. New single-unit detached dwellings; except for DUC Neighborhood Residential District.

OOP. Other uses may be prohibited by the director if the use is determined to be inconsistent with the intent of this zone or is of the same general character of the other prohibited uses listed in this section. (Ord. 6642 § 10, 2017; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.053 Uses/activities requiring an administrative use permit.

The following uses/activities may be permitted when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

A. Expansions of existing automobile maintenance and repair businesses;

B. Expansions of existing gasoline stations;

C. Animal daycare businesses that feature outdoor exercise areas and/or kennels;

D. Wine production facility; small craft distillery; small craft brewery; and a tasting room is an outright allowed use in the DUC zone. (Ord. 6368 § 8, 2011; Ord. 6269 § 32, 2009.)

18.29.055 Deviation from development standards. ~~Uses/activities requiring a conditional use permit.~~

~~The following uses/activities may be permitted when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:~~

A. Any development project that seeks to deviate from any development standard listed in ACC 18.29.060 must be granted a variance pursuant to the provisions of Chapter 18.70 ACC. ~~.~~ (Ord. 6269 § 12, 2009; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.057 Implementing districts.~~Zones~~

Downtown Urban Center zone is intended to create a distinct and strong identity for downtown Auburn by establishing land use and design standards for review of development proposals within the core area of the city of Auburn's designated urban center.~~, in order to implement the city of Auburn Downtown Plan and the goals, policies and objectives of the Auburn Comprehensive Plan.~~ This zone is intended to produce a concentration and mixture of commercial, office, medical, retail, entertainment, residential and civic uses within the downtown area; to encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents; to provide a development pattern that supports pedestrian movement, bicycles and use of public transit; and to provide opportunities to

increase the city's tax base, thereby helping to fund public improvements and public services. In order to implement the city of Auburn Downtown Plan and the goals, policies and objectives of the Auburn Comprehensive Plan, the zone is divided into the following districts:

A. DUC Downtown Core -125 District~~Zone~~. DUC-125 is implemented only in the Downtown Urban Center and is subject to uses and development standards of this chapter and the Downtown Urban Design Guidelines. ~~DUC-specific development regulations, guidelines, and design requirements as found in Appendix A - Downtown Urban Design Guidelines, this Comprehensive Plan, and Auburn City Code.~~ Development in the DUC Downtown Core – 125 district~~zone~~ shall not exceed 125 feet in vertical height and is subject to other applicable height restrictions found in Chapter 18.38 ACC.

B. DUC Downtown Core -75 District~~Zone~~. The DUC Downtown Core – 75 zone is consistent with ~~the intents and~~ requirements described in the DUC Downtown Core – 125' except a maximum 75 vertical foot height limit shall apply.

C. DUC Downtown Core - 55 District~~Zone~~. The DUC Downtown Core – 55 zone is consistent with ~~the intents and~~ requirements described in the DUC Downtown Core – 125' except a maximum 55 vertical foot height limit shall apply.

D. DUC Neighborhood Residential. ~~R-16 Plus~~R-2 uses per ACC Table 18.07.020 allowed, subject to the development standards of this chapter and the Downtown Urban Design Guidelines. ~~and DUC design guidelines~~

E. DUC Health and Wellness District. This district ~~e RO-H designation~~ is to be used exclusively for the hospital area, located in the vicinity of 2nd Street NE and Auburn Avenue, and is intended to be used for medical and related uses and those uses compatible with the medical community. Residential may be included as part of vertical mixed-use development with medical being the primary development use. This district is subject to the uses and development standards of this chapter and the Downtown Urban Design Guidelines.

F. DUC M-1 Light Industrial District. M-1 zone uses allowed per ACC Table 18.23.030, subject to the development standards of this chapter and the Downtown Urban Design Guidelines. ~~Consistent with M-1 standards but design guidelines apply~~

G. DUC Flex-Residential District. This zone is intended to promote craft industrial/commercial uses that are compatible with residential area (i.e., workshop, brewery, etc.). R-F zone uses allowed per ACC Table 18.07.020, subject to the development standards of this chapter and the Downtown Urban Design Guidelines. ~~Promotes craft industrial/commercial uses that are compatible with residential area (i.e., workshop, brewery, etc.)~~

18.29.060 Development standards.

A. Minimum lot area: none.

B. Minimum lot width: none.

C. Minimum lot depth: none.

D. *Floor Area Ratio.* Floor area ratio is the cumulative amount of floor area within a building as a multiple of the lot area.

Floor Area Ratio (FAR)[1]

Basic Allowable "As of Right"		Maximum Allowable with Bonuses		
Nonresidential[2]	Residential[2]	Nonresidential	Residential[3]	Combined[4]
3.0	2.0	4.0	3.5	5.0

1 Floor area is measured to the inside face of exterior walls. The following shall be excluded from floor area calculation:

a All space below finished grade.

b Space dedicated to structured parking.

c Space used for any bonus feature listed in subsection E of this section.

2 Minimum required FAR is 0.75; basic allowable FAR is 1.0.

3 Hotels, nursing homes, assisted living centers, etc. shall be considered residential for the purpose of calculating FAR.

4 Allowable FAR for nonresidential and residential uses may be added together within a project, for a combined total.

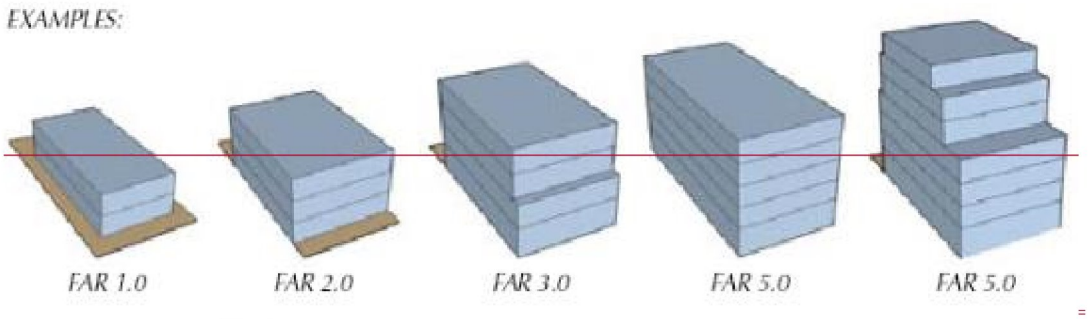
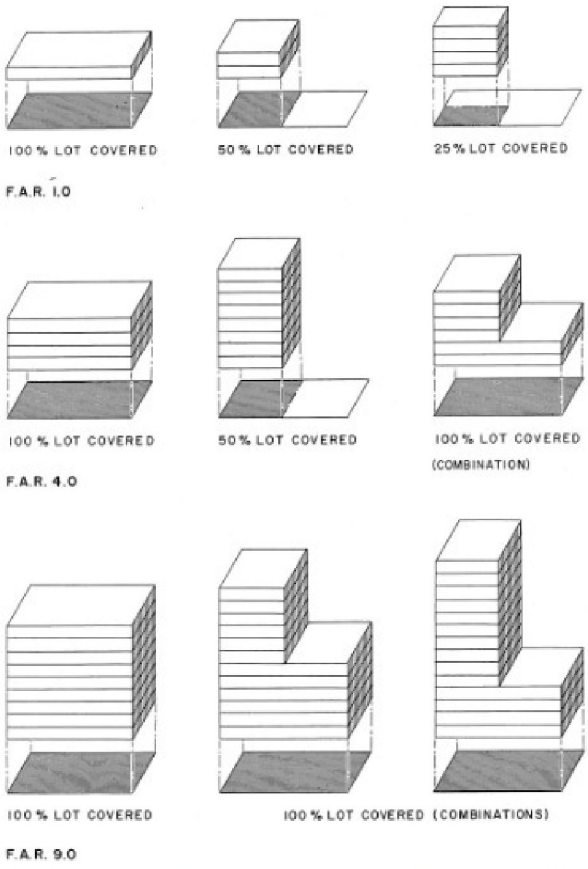


Figure 1



Illustrations of Floor Area Ratios. Source: *A New Zoning Plan for the District of Columbia.* Harold M. Lewis, 1956.

E. Bonus Features Allowing Increased Floor Area Ratio.

Feature	Additional Gross Floor Area for Each Feature

Feature	Additional Gross Floor Area for Each Feature
Street level retail	100 sf of floor area for each linear foot of retail frontage
Restaurant	100 sf of floor area for each linear foot of restaurant frontage
Public plaza	5 sf of floor area for each sf of plaza
Widening public sidewalk	4 sf of floor area for each sf of sidewalk made available for public use
Canopy	4 sf of floor area for each sf of canopy
Daycare	4 sf of floor area for each sf of daycare
Health club	2 sf of floor area for each sf of health club
Performing space	2 sf of floor area for each sf of performing space
Public meeting room	5 sf of floor area for each sf of meeting room

Feature	Additional Gross Floor Area for Each Feature
Public art (arts commission approval required)	10 sf of floor area for each $100 of valuation
Water feature	10 sf of floor area for each $100 of valuation
Structured parking	0.5 sf of floor area for each sf of required parking above grade
Below grade parking	1 sf of floor area for each sf of required parking below grade (including half-level plate below grade)
Green roof	2 sf of floor area for each sf of green roof
Public restrooms	10 sf of floor area for each sf of public restroom
Contribution to a public park or cultural facility such as a library, museum or theater within 0.5 miles of the DUC zone; also, any project including a performance or entertainment venue is eligible for these	10 sf of floor area for each $100 of contribution towards acquisition or development. This can be used to exceed both maximum FAR and maximum building height by up to 25%

Feature	Additional Gross Floor Area for Each Feature
bonuses, based upon the value of construction	
Development of open space such as open roof decks, balconies, lanais or parts of the building and improved for outdoor living; including rooftop daycare play areas, dog walking areas, etc.	5 sf of floor area for each sf of open space

An applicant may be required to provide a legally binding agreement or easement to ensure any of the above features is maintained over the life of the project.

F. *Maximum Building Height.* Maximum building height within the DUC zone shall be 75 feet, unless bonus height is permitted per subsection E of this section.

1. If retail uses occupy the ground floor, the minimum height for that floor shall be 14 feet.

2. Mechanical penthouses, stair/elevator overruns, and antennas may be excluded from building height calculation provided they extend no more than 20 feet above the roof deck.

3. Maximum building height may be increased by up to 20 percent if the top is designed as a nonhabitable, architectural element. This element may extend above the increased height limit.

G. *Minimum Building Height.* The minimum height for any new structure within the DUC zone shall be two stories for the full extent of the building footprint.

H. *Parking Ratios.* The following parking standards shall apply within the DUC zone in lieu of any standard noted in ACC 18.52.020 or provision of ACC 18.52.030:

Use Type	Minimum Required	Maximum Allowed for Surface Parking Lots
Retail	2 stalls/1,000 nsf	4 stalls/1,000 nsf[1]
Office	2 stalls/1,000 nsf	4 stalls/1,000 nsf
Residential (mixed-use, apartment, live/work, work/live)	1 stall per dwelling unit	2 per dwelling unit
Residential (middle housing)	1 stall per dwelling unit outside of one-half mile walking distance of a Major Transit Stop	2 stalls per dwelling unit outside of one-half mile walking distance of a Major Transit Stop
Restaurant	0.5 stall per 4 seats	1 stall per 4 seats

1 nsf = net square feet

1. Parking requirements for uses not listed shall be determined by a study of parking demand for that use, as prepared by a qualified professional and as accepted by the director.

2. Retail and restaurant uses less than 3,000 nsf in area shall be exempt from parking requirements.

3. Uses sharing a common parking facility may reduce the required number of stalls by 25 percent.

4. Required parking may be located off site, so long as it is: (a) located within the DUC zone, (b) within 1,000 feet of the property, (c) connected to the property by streets improved with sidewalks or walkways, and (d) tied to the site by a contractual agreement reviewed and approved by the city attorney that is filed with the city and deed of record at the county.

5. On-street parking that is located directly adjacent to a development site may be used to satisfy minimum parking requirements and shall not be included in determining maximum surface parking allowances.

6. Dedicated off-site parking provided within a parking structure may be used to provide FAR bonuses for a project on a separate site, provided the parking structure is located consistent with this chapter.

7. The maximum standards noted in the table above may be exceeded if all stalls above the maximum limit are provided within a parking structure.

8. Compliance with these standards is not required for a change of use within an existing building or whenever there is an expansion of an existing building or a new building replaces an existing building that does not increase the floor area by more than 25 percent.

9. In lieu of providing the minimum parking required by this section, an applicant may request to pay for each required parking stall into a special fund that will be used to provide and upgrade municipal parking to serve the DUC zone. The per-stall fee shall be as specified in the city's fee schedule.

I. *Signs.* The design of all signs shall be in conformance with the design standards referenced in ACC 18.29.070. Allowable types, numbers and sizes of signs shall be as follows:

1. Freestanding: not allowed, except for monument signs as described within the "Downtown Auburn Design Standards"; no more than one per street frontage; maximum size: 64 square feet, calculated at a rate of one square foot of sign area per lineal foot of site frontage; minimum entitlement shall be 32 square feet; maximum height: five feet.

2. Wall signs: maximum area of 150 square feet per building facade, calculated at a rate of one square foot of sign area for every lineal foot of facade; minimum entitlement shall be 16 square feet.

3. Suspended signs attached under a marquee or canopy: one double-faced sign, no greater than three square feet per face allowed for each building entrance; minimum clearance above grade: eight feet.

4. *Portable Signs.* Portable signs may be allowed for each business entrance, subject to the following:

a. Signs may be placed within the public right-of-way, within 12 feet of a business entrance, subject to the guidelines provided by the director in consultation with the city engineer such that sign placement does not interfere with pedestrian or vehicular traffic, does not create a sight hazard, and conforms to the requirements of the Americans with Disabilities Act. Additional portable signage may be authorized in order to support downtown events that are permitted or sanctioned by the city.

b. The sign shall be in accordance with the provisions of ACC 18.56.030(L).

c. The sign area cannot exceed 42 inches in height, 32 inches in width, and be limited to two faces.

d. Portable signs are not permitted to be affixed to city infrastructure located within the right-of-way (e.g., street lights, fire hydrants, public art). This includes a prohibition of chaining or otherwise securing portable signs to such infrastructure.

e. Signs may be displayed during business hours and shall not be displayed when the business is closed.

f. No landscaping may be covered, cut, damaged, or modified to accommodate a portable sign. The city may require replacement of any damaged landscaping pursuant to Chapter 18.50 ACC.

g. All portable signs shall have the permit number affixed to the back of the sign.

J. Landscaping. Landscaping shall be provided as defined in the Downtown Auburn Design Standards. (Ord. 6828 § 1 (Exh. A), 2021; Ord. 6534 § 1, 2014; Ord. 6419 § 1, 2012; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.070 Design standards.

Adopted by reference are the “Downtown Auburn Design Standards” and the “Auburn Junction Design Standards,” a copy of which shall be maintained by the city clerk. These documents contain standards for development of the built environment in the DUC zone. The director shall have the authority to apply the standards to specific development proposals. These standards may be amended upon approval by the community development director. (Ord. 6828 § 1 (Exh. A), 2021; Ord. 6532 § 29, 2014; Ord. 6419 § 2, 2012; Ord. 6287 § 2, 2010; Ord. 6190 § 1, 2008; Ord. 6071 § 6 (Exh. A), 2007.)

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk’s office has the official version of the Auburn City Code. Users should contact the city clerk’s office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.31
SUPPLEMENTAL DEVELOPMENT STANDARDS

Sections:

18.31.010 Daycare standards.
18.31.020 Fences.
18.31.025 Retaining walls.
18.31.030 Height limitations – Exceptions.
18.31.040 Lots.
18.31.050 Single-unit detached dwelling~~family dwelling~~ siting and design standards.
18.31.060 Recreational vehicle parks.
18.31.070 Setbacks.
18.31.080 Heliports.
18.31.090 Work release, prerelease and similar facilities.
18.31.100 Wireless communications facilities siting standards.
18.31.110 Siting of small wireless facilities.
18.31.115 Wetland mitigation.
~~18.31.120 Accessory dwelling units.~~
18.31.130 Communal residence standards.
18.31.140 Gated residential subdivisions.
18.31.150 Secure community transition facilities.
18.31.160 Supportive housing development standards.
18.31.170 Reserved.
18.31.180 Performance standards.
18.31.190 Supplemental standards for residential mobile home communities.
18.31.200 Architectural and site design review standards and regulations.
18.31.210 Agricultural enterprises development standards.
18.31.220 Permitted animals.
18.31.230 Repealed.

18.31.010 Daycare standards.

A. The following performance standards shall apply to all child daycares but shall not apply to adult daycare:

1. If applicable, must be properly licensed with the state of Washington;

2. Daycare, preschool and nursery school services shall not be conducted before 5:00 a.m. or after 9:00 p.m. in the following zones: RC, R-1, R-~~5~~2, R-~~7~~2.

B. The provisions of subsection A of this section are not intended to reduce the requirements of any other licensing agency or department. (Ord. 6245 § 15, 2009.)

18.31.020 Fences.

A. *Purpose.* The fencing requirements in this section are intended to advance public safety, maintain and protect property values, to enhance the city's appearance, and to visually unify the city and its neighborhoods. This section contains general standards applicable to all fences (regardless of zoning district), and specific standards for fences within the residential, commercial, and institutional use zoning districts.

B. *Fence Height Regulations.* The minimum or maximum height requirements as stipulated throughout this chapter shall be considered to be met if the height of the fence is within six percent of the height required. The height of the fence shall be determined from the existing, established grade on the property to the highest point of the fence.

1. Notwithstanding any other provisions regarding fence height, the height of any portion of a fence may not reduce the sight distances established by the engineering design standards for vehicular and nonmotorized transportation facilities.

2. Fences and walls built interior of the required setback areas may be as high as the maximum building height allowed within the applicable zone.

3. Building permits are required for fences exceeding 84 inches in height.

4. The addition of lattice, trellis, and other similar features of a fence shall count towards the overall height and opaqueness of a fence.

5. If a fence sits upon or is elevated by a retaining wall, the height of the fence is measured from the base of the retaining wall. Building permits may be required for fences erected on retaining walls.

C. *Fence Height Regulations by Zoning District.* The following regulations shall apply in the R-1, R-~~5~~2, R-~~7~~2, R-3~~1~~0, R-3~~1~~6, R-4~~2~~0, R-MHC, R-F~~O~~, ~~RO H,~~ I, ~~C-N~~, C-1, C-2, C-AG~~4~~, and DUC zones:

1. Fence heights shall not exceed the following in each of the required setback areas, as regulated per each zone:

a. Front setback[1]: 42 inches; provided, that fences constructed of chain link, wrought iron or similar materials that provide visibility, as defined herein, may be 72 inches in height;

b. Side setback: 72 inches;

c. Rear setback: 72 inches;

d. Street side setback: 72 inches.

1 The front setback for residential zones pertains to the front setback for ~~single-family~~single-unit detached dwelling ~~residence~~ per box E1 of the table shown in ACC 18.07.030.

D. *Screened Fences and Sight-Obscuring Fences.*

1. Fence visibility is defined per ACC 18.04.373. In certain circumstances, the city engineer may determine that a fence that is 50 percent or less opaque does not provide visibility if the angle through which the fence is being viewed for sight distance analysis increases the perceived opacity of the fence to 50 percent or higher.

2. Screened fences are defined per ACC 18.04.372.

3. Sight-obscuring fences are defined per ACC 18.04.374.

E.

1. When landscaping is required along the property line and the property line abuts the right-of-way, the fence shall be placed interior to the required landscaping. The fence may not obscure such landscaping unless authorized through the land use or architectural and site design review process.

2. At other property lines, the landscaping shall be located to serve the greatest public benefit.

3. Fencing shall be placed such that it does not damage existing landscaping.

F. *Access and Obstructions.*

1. If a fence includes a gate or similar feature to allow vehicle passage, the gate shall be placed within the interior of the lot a sufficient distance to provide a vehicle refuge area within the driveway exterior of the fence to avoid blocking the street. The vehicle refuge area shall have a length that is sufficient for a waiting vehicle and not block the street, sidewalk, or right-of-way, in accordance with the engineering design standards.

2. Any fence located within a front yard setback that features a locking gate or similar security device, that cannot be opened from the exterior, shall provide emergency access in a manner acceptable to the fire marshal.

3. In no case shall any fence, hedge, or other obstruction be constructed, grown, or located, such that it deters or hinders the fire authority from gaining access to any fire authority connection, fire protection control valve, fire hydrant, or fire authority appliance or device. Minimum clearance requirements for fire hydrants shall be in accordance with the engineering design standards.

4. In no case shall any fence, hedge, or other obstruction be constructed, grown, or located, such that it obstructs the visibility of any fire hydrant from a distance of 150 feet, in any direction, of vehicular approach to the hydrant.

5. In no case shall any fence, hedge, or other obstruction be constructed, grown, or located in a manner which interferes with access to water, storm, or sanitary sewer manholes, and utility meters, and other city appurtenances which require access for maintenance purposes.

6. Unless explicitly permitted by easement language, fences are prohibited within city utility easements except as may be authorized by the city engineer.

G. Other than in the P-1, M-1, or M-2 zones, no fence may include the use of barbed wire, including concertina, razor, or similar wire; provided, that pasture areas a minimum of one acre in area may be fenced with barbed wire in any zone. Barbed wire may be attached to the top of, and in addition to, the height of a 84-inch fence in the above zones, provided it does not extend more than 12 inches in height.

H. Electrically charged fences shall only be allowed within the RC, R-1, C-2~~3~~, M-1, M-2, LF, or I zones and shall adhere to the following standards. These standards shall not apply to underground or invisible pet fences that are used to contain small domestic animals.

1. Within the RC and R-1 zones the electrical charge of an electric fence must be noncontinuous and the electric fence controller shall be approved by Underwriters Laboratories (UL) or meet the testing standards of Underwriters Laboratories. It is further provided that electric fences in the RC and R-1 zones that abut any public street or right-of-way shall include warning signs consistent with subsection (H)(2)(e) of this section.

2. Within the C-2~~3~~, M-1, M-2, LF, or I zones, the construction and use of electric fences shall be allowed in the city only as provided in this section and subject to the following:

a. *Electrification.*

i. The energy source (energizer) for electric fences must be provided by a storage battery not to exceed 12 volts DC. The storage battery is charged primarily by a solar panel. However, the solar panel may be augmented by a trickle charger.

ii. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in the International Electrotechnical Commission (IEC) standards.

b. *Perimeter Nonelectric Fence or Wall.* No electric fence shall be installed or used unless it is completely surrounded by a nonelectrical fence or wall that is not less than 72 inches.

c. *Location.* Electric fences shall only be permitted around outdoor storage areas. Electric fences and perimeter fencing are allowed in the setback areas provided the applicable requirements of this section are met.

d. *Height.* Electric fences shall not exceed 10 feet in height.

e. *Warning Signs.* Electric fences shall be clearly identified with warning signs that read "Warning – Electric Fence" at intervals of 50 feet or less. Signs shall also contain imagery or symbols of or similar to the International Organization for Standardization (ISO) warning symbol for electric hazard to alert individuals that the fence is electrically charged (e.g., lightning bolts).

f. Electric fences shall be governed and regulated in accordance with the regulations for alarm permits contained in Chapter 9.30 ACC.

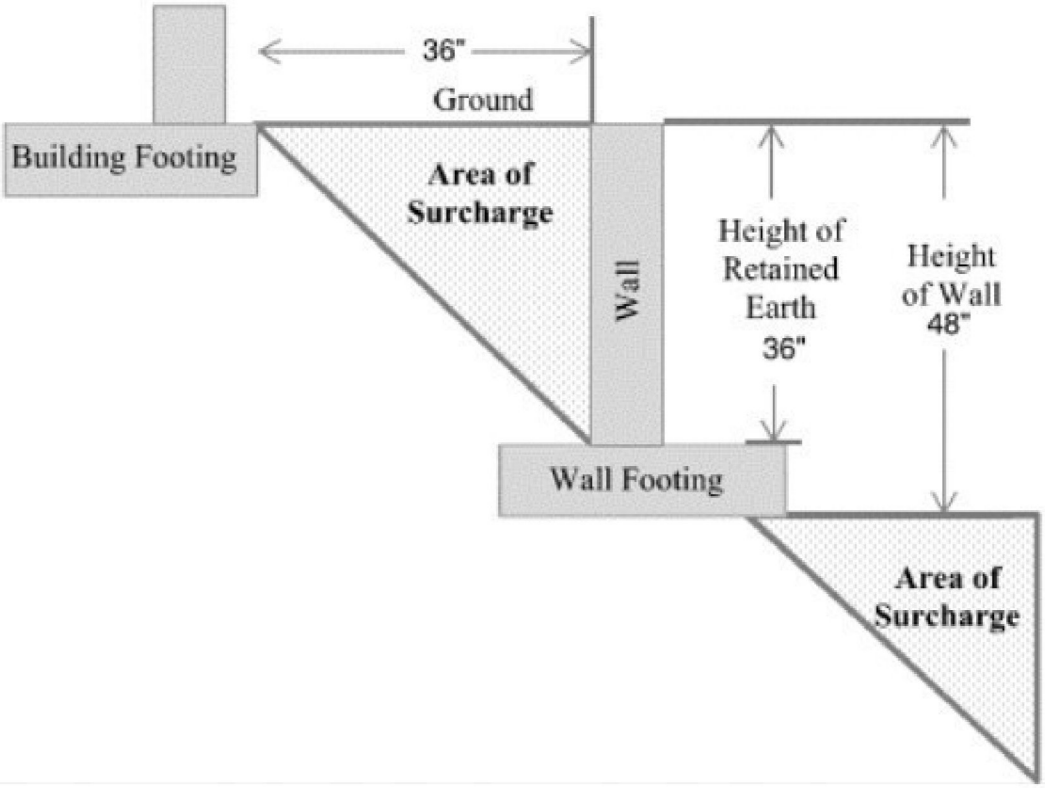
g. Electric fences and gates must also meet all applicable International Fire Code standards. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6461 § 2, 2013; Ord. 6419 § 3, 2012; Ord. 6245 § 15, 2009.)

18.31.025 Retaining walls.

A. *Retaining Wall General Regulations.*

1. Retaining walls must be designed and located per the adopted IBC and IRC design standards. See Figure 18.21.025(A).

Figure 18.21.025(A)



2. Notwithstanding any other provisions regarding retaining wall height, the height of any portion of a retaining wall may not reduce sight distance established by the Engineering Design Standards for vehicular and nonmotorized facilities.

3. Any grading work shall be in compliance with Chapter 15.74 ACC.

4. All portions of retaining walls, including subsurface elements such as footings, anchors, and cantilevers, shall not encroach or be located within the right-of-way or public utility easements unless explicitly permitted by the city engineer and/or by the easement language.

5. The requirements of this chapter do not apply to retaining walls in rights-of-way.

6. Additional requirements apply to retaining walls that provide support to rights-of-way as specified in the Engineering Design Standards.

7. Retaining walls designed as part of an approved preliminary plat, and located prior to recordation of the final plat, are not subject to the setback area requirements contained in this section.

B. *Residential Lots.*

1. Retaining walls are not permitted in the required setback areas, unless meeting one of the following criteria. The height of a wall shall be measured from the bottom of a footing to the top of the wall.

a. Retaining walls that are under 48 inches and constructed in accordance with the IRC, whether supporting a surcharge or not, are allowed in all setback areas, as regulated per each zone.

b. Retaining walls over 48 and under 84 inches and constructed in accordance with the IRC, whether supporting a surcharge or not, are allowed in all setback areas except the front and street-side setback, as regulated per each zone.

c. Retaining walls over 84 inches, constructed in accordance with the IRC, whether supporting a surcharge or not, are not allowed in the setback areas, as regulated per each zone.

2. Retaining walls visible from the right-of-way or adjacent property must be composed of rock, textured or patterned concrete, masonry, composite, or other products that complement the existing residential or neighborhood character. Products such as "ecology blocks" or plain smooth concrete are not permitted. Materials other than those listed may be used with approval from the planning director or designee.

C. *Nonresidential Lots/Tracts.*

1. Retaining walls visible from the right-of-way or adjacent property shall be composed of rock, textured or patterned colored concrete, masonry, or composite. Products such as "ecology blocks" are not permitted. Materials other than those listed may be used with approval from the planning director or designee.

2. For retaining walls over 48 inches in height or supporting a surcharge, the area between the right-of-way and the retaining wall shall be landscaped and maintained per Chapter 18.50 ACC.

3. Terraces created between retaining walls shall be permanently landscaped and revegetated pursuant to a mitigation or landscape plan developed by a qualified professional.

4. Notwithstanding the requirements contained in this section, retaining walls may still require a building permit if trees or other landscape features will potentially impact (e.g., tree roots) or impose a surcharge on the wall.

5. The width of the retaining wall or walls support shall not be included in any landscaping calculations or measurements. (Ord. 6884 § 1 (Exh. 1), 2022.)

18.31.030 Height limitations – Exceptions.

The following buildings and/or structures are exempt from the height requirements of this title; in no case does this lessen any height restrictions that relate to the municipal airport:

A. Cupolas, provided they do not extend more than three feet above the roof line;

B. Church spires or steeples, provided they conform to elevations as approved under a conditional use permit;

C. Transmission line towers, including telephone line towers and similar types of other line towers, located within public street rights-of-way, easements, or on private property, and which are constructed in accordance with other regulations as required by the city;

D. Residential television antennas, provided they are used in conjunction with the reception of commercial television station signals and are not used for transmission purposes;

E. Elevated reservoirs, water tanks or standpipes under the jurisdiction of the city or other water district;

F. *Athletic Field or Playground Lighting Under the Jurisdiction of the City or Other Public Agency.* This exemption is limited to the P-1 public use zone only. (Ord. 6245 § 15, 2009.)

18.31.040 Lots.

A. All lots shall meet the lot area and width requirements set forth in the applicable zone, except that for parcels created prior to June 1, 2009, the following standards shall apply. For any residentially zoned parcel of land created prior to June 1, 2009, with an area and/or a width or depth less than that prescribed for a lot in any residential zone, the fact that the parcel of land does not meet the area and/or width requirements as set forth in this title shall not prohibit the property from being utilized for ~~single-family~~single-unit detached dwelling~~residential~~ purposes; provided, that all other regulations of this title are complied with.

1. For single-unit detached~~family~~ homes on substandard lots, the following special provisions for lot coverage and setbacks may apply; provided, that the requirements for access, utility infrastructure, and minimum sight distance as provided for in the city design construction standards, and the requirements for private utilities, can be met:

a. *Lot Coverage.* Lot coverage may be determined by using the following formula:

(A/B) * C = D(%)

A = Lot area required by zoning code.

B = Lot area of existing lot.

C = Percentage of lot coverage allowed by zoning code.

D = Percentage of lot coverage allowed for the substandard lot.

In no case shall the lot coverage exceed 60 percent, unless otherwise allowed by this title.

b. *Front and Rear Setbacks.* Either the front or rear setback may be determined by using the following formula:

(A/B) * C = D

A = Lot area of existing lot.

B = Lot area required by zoning code.

C = Front or rear setback required by zoning code.

D = Front or rear setback allowed for the substandard lot.

In no case shall the front or rear setback be less than 10 feet, unless otherwise allowed by this title.

c. *Side Setbacks.* Side setbacks may be determined by using the following formula:

(A/B) * C = D

A = Width of the existing lot.

B = Lot width required by zoning code.

C = Side setback required by zoning code.

D = Side setback allowed for the substandard lot.

In no case shall the interior side setback be less than five feet or the street side setback less than 10 feet, unless otherwise allowed by this title.

B. Lots created by the King County assessor's office shall not be considered as building lots or lots that can be further subdivided unless in accordance with this title and land division ordinance, except those lots created prior to August 24, 1968, which was the adoption date of the previous subdivision ordinance, No. 2204. See ACC 17.04.220 for definition of "lot of record."

C. Lots created by the Pierce County assessor's office shall not be considered as building lots or lots that can be further subdivided unless in accordance with this title and land division ordinance, except those lots legally created prior to any land being annexed to the city of Auburn. See ACC 17.04.220 for definition of "lot of record." (Ord. 6245 § 15, 2009.)

18.31.050 Single-~~family dwelling siting~~unit detached siting and design standards.

A. All single-unit detached~~family~~ dwellings (including manufactured homes) located in residential zones shall meet all of the following criteria:

1. May not have previously had a title granted to a retail purchaser and may not be a used mobile home as defined by RCW 82.45.032(2), now or hereafter amended.

2. Be built to meet or exceed the standards established by federal law 42 USC 5401 through 5403, now or hereafter amended.

3. Be thermally equivalent or better to that required by the state energy code for new residential structures, now or hereafter amended.

4. Be set on and securely attached to a permanent foundation as specified by the manufacturer.

5. Proof of title elimination is required prior to building occupancy.

6. Be connected to required utilities that include plumbing, heating and electrical systems.

B. Single-unit detached siting standards. All single-unit~~family~~ dwellings (including manufactured homes) shall comply with the following siting ~~and design~~ standards:

1. The design and construction of the foundation must meet the requirements of the International Building Code, now or hereafter amended;

2. The gap from the bottom of the structure to the ground, around the entire perimeter of the structure, shall be enclosed by concrete or other concrete product as approved by the building official, which may or may not be load-bearing.

C. Single-unit detached design standards. In addition to any other documentation required for submittal of a complete application for building permit or discretionary land use approvals/permits, the following items shall be required for the review of building design:

1. Elevation drawings prepared by an architect licensed in the state of Washington of all proposed construction including dimensional drawings at one-eighth inch equals one foot or comparable scale showing the type of exterior materials, color, exterior finishes (including for accessory structures, where applicable), articulation, fenestration details, and the location, elevations, type, style and model of any exterior lighting fixtures (where applicable).

2. As applicable, a to-scale landscape plan consistent with Chapter 18.50 ACC.

~~C~~D. The above requirements do not apply to single-~~family~~ unit detached dwellings sited within the R-MHC residential manufactured/mobile home community zone. (Ord. 6245 § 15, 2009.)

18.31.060 Recreational vehicle parks.

A. The following performance standards shall apply to all recreational vehicle parks:

1. Minimum size of the recreational vehicle park: 100,000 square feet;

2. Maximum gross density: one recreational vehicle space per each 2,000 square feet of land area;

3. Recreational space: eight percent of the total site area shall be provided as defined recreation space. The recreation space shall be easily accessible and shall be improved and maintained in such a manner so as to provide adequate recreational facilities for the residents of the recreational vehicle park;

4. Minimum width: each recreational vehicle space shall have a minimum width of 25 feet;

5. Interior private streets:

a. Twelve feet of width per each travel lane and 10 feet of width per each parking lane. A minimum of 20 feet shall be provided for one-way systems;

b. The streets shall be improved in accordance with this title. In addition, all streets shall be well-drained, well-lighted, and continuously maintained in operable condition;

6. Spacing between units: there shall be a minimum side-to-side dimension of 12 feet between units and a minimum end-to-end dimension of 10 feet between units;

7. Minimum setbacks required: the following setback requirements shall apply:

a. Twenty-five feet from a public street;

b. Five feet from an interior private street;

c. Fifteen feet from the park boundary;

8. Off-street parking: a minimum of one off-street parking space shall be required for each recreational vehicle space. It shall be located within the recreational vehicle space. In addition, one off-street parking space per each three recreational vehicle spaces shall be required for guest parking. The guest parking spaces shall be grouped and distributed evenly throughout the park;

9. Pedestrian walkways: pedestrian walkways having a width of not less than three feet shall be provided from the recreational vehicle spaces to all service buildings, and facilities, refuse collection areas, and recreation areas. The walkways shall be hard-surfaced, well-drained, and well-lighted;

10. Landscaping: see Chapter 18.50 ACC;

11. Limit of stay: no recreational vehicle shall remain within in a recreational vehicle park for more than 120 days in any one-year period;

12. Solid waste disposal: the storage, collection and disposal of solid waste in recreational vehicle parks shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened from view except on collection day;

13. Utilities: the following requirements for utilities shall apply:

a. A water supply system shall be provided in the recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained recreational vehicle, the water system for a recreational vehicle park shall be constructed and maintained in accordance with all applicable state and local codes and regulations;

b. Watering stations: each recreational vehicle park shall be provided with one or more accessible water supply outlets for filling recreational vehicle water storage tanks;

c. Sewage disposal system: an adequate and safe sewage disposal system shall be provided in a recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained vehicle and shall be connected to the public sewage system. The sewage disposal system in a recreational vehicle park shall be constructed and maintained in accordance with all applicable state and local codes and regulations;

d. Sanitary stations: each recreational vehicle park shall be provided with sanitary dumping stations in the ratio of one for every 100 recreational vehicle spaces or fractional part thereof. The construction of the sanitary station shall be in accordance with the appropriate county department of health. Sanitary stations shall be screened from other activities by a visual barrier such as fences, walls, or natural growth and shall be separated from any recreational vehicle space by a distance of not less than 50 feet;

e. Electrical supply system: each recreational vehicle park shall be provided with an underground electrical system which shall be installed and maintained in accordance with all applicable state and local codes and regulations;

f. Other utility systems: if other utility systems such as natural gas, television cable, or telephone are installed in a recreational vehicle park, such installation shall be in accordance with state and local codes and regulations;

14. All recreational vehicle spaces shall be well marked and numbered.

B. The planning director shall approve the site plan for all recreational vehicle parks with concurrence of the city engineer. The site plan shall contain the following:

1. Name of the owner and operator, with address and phone number, and the name of the proposed recreational vehicle park or campground;

2. Legal description of the subject tract of land;

3. Name, address and phone number of the person or firm preparing the site plan;

4. Scale of the drawing and north arrow;

5. The area and dimensions of the tract of land;

6. The number, size and location of all recreational vehicle spaces;

7. The number, location and size of all off-street automobile parking spaces;

8. The location and width of all streets and walkways;

9. The location of service buildings, sanitary stations, recreation area and any other proposed facilities or structures;

10. Location of all utility lines and easements;

11. Indication of the water supply, sewage disposal, electrical supply, and refuse collection systems;

12. Indication of all buildings, recreation uses, and other facilities to be constructed;

13. Landscaping specifications;

14. A vicinity map indicating the names and location of all streets within at least a quarter-mile radius of the subject site;

15. Location and specifications of the manager's office and dwelling unit;

16. The site plan shall be properly dimensioned and drawn at a scale not less than one inch equals 40 feet and on a sheet size 24 inches by 36 inches; more sheets may be allowed if necessary. (Ord. 6245 § 15, 2009.)

18.31.070 Setbacks.

A. The following may project from a building into a required setback; provided, that such projection does not interfere with required utility easements or sight distance requirements pursuant to city design and construction standards:

1. Fireplace structures, bay windows, garden windows, enclosed stair landings, closets, framed fireplace shafts, wireless communications facilities or similar projections not wider than eight feet measured in the general direction of the wall of which it is a part: 18 inches into any setback; provided, that such

projection does not interfere with required utilities easements or sight distance requirements pursuant to city design and construction standards;

2. *Porches and Platforms.*

a. Uncovered porches and platforms which do not extend above the floor level of the first floor: 18 inches into side setbacks and six feet into the front setback and rear setback; provided, that they may extend three feet into the side setback when they do not exceed 18 inches in height above the finished grade;

b. Covered but unenclosed porches and platforms which do not extend above the floor level of the first floor and which are no wider than 50 percent of the building's frontage: five feet into the front setback;

3. Planting boxes or masonry planter not exceeding 42 inches in height may intrude into any setback;

4. Eaves shall not protrude more than 24 inches into any minimum required setback;

5. Awnings, canopies, marquees and similar structures designed to primarily protect pedestrians from the weather elements. They shall be attached to and supported entirely by the building. The maximum projection shall be seven feet from the building. The projection, if approved by the city, must comply with the International Building Code (IBC) and International Fire Code (IFC), and an approved right-of-way use permit subject to the requirements of Chapter 12.60 ACC.

B. *Special Front Setback Depth.* If buildings existing on July 6, 1964, occupy 50 percent or more of the frontage in any block, and are on one side of the street, then the depth of the front setback required by this title shall be disregarded on that side of the street in such block, and in lieu thereof the depth of front setback required on each lot therein shall be not less than the average depth of the front setbacks existing on July 6, 1964. This shall apply to residentially zoned property only.

C. *Lots with Significant Slopes.* To encourage the preservation of natural features on lots with significant slopes, platted residential lots with an average slope of 15 percent or more may reduce the front setback by up to 20 percent; provided, however, that all structures must comply with applicable sight distance triangle requirements of the city design and construction standards. This provision shall only apply to lots developed for a single-~~family~~ unit detached dwelling~~residence~~ but shall not apply to property zoned RC (residential conservancy).

For the purposes of this section, the average slope shall be measured by taking the difference between the average elevations of the rear and the front lot lines. This provision is not intended to waive any other requirements of geotechnical reports or studies that may be necessary to ensure the suitability of a lot for development.

Development under this provision may also implement the setback exemptions identified in subsections (A)(1) through (A)(5) of this section. (Ord. 6245 § 15, 2009.)

18.31.080 Heliports.

The following development standards shall apply to all heliports, excluding those developed as part of the Auburn Airport:

A. Meet the Federal Aviation Administration (FAA) requirements;

B. Meet the current National Fire Protection Agency 403 requirements;

C. Be consistent with the Auburn Municipal Airport requirements;

D. The size of the landing pad must be one and one-half times the size of the largest helicopter to use the site;

E. The landing pad must be paved, and a source of water available to keep the pad clean, additional fences and/or screens may also be required to reduce any flying debris;

F. The location of the heliport shall be compatible with adjacent uses and should be located away from schools and populated areas to include residential, commercial, industrial and other public use areas;

G. Additional requirements may also be assessed with regard to fences, hours of operation, lighting, setbacks or easements. (Ord. 6245 § 15, 2009.)

18.31.090 Work release, prerelease and similar facilities.

The following siting and performance standards shall apply to all work release, prerelease and similar facilities offering alternatives to imprisonment:

A. *Maximum Number of Residents.* No work release, prerelease or similar facility shall house more than 50 persons, excluding resident staff.

B. *Dispersion Criteria.*

1. The lot line of any new or expanding work release, prerelease or similar facility shall be located:

a. One thousand (1,000) feet or more from any residential zone; and

b. One thousand (1,000) feet or more from any group residence facility as defined by ACC 18.04.440; and

c. One thousand (1,000) feet or more from any accredited public, private or parochial school, excluding commercial schools such as business, vocational or technical schools; and

d. One thousand (1,000) feet or more from any religious institution meeting the requirements of a conforming use and meeting all other requirements of the Auburn City Code; and

e. One thousand (1,000) feet or more from any public park; and

f. One thousand (1,000) feet or more from any licensed daycare center, nursery school or preschool as defined by ACC 18.04.290; and

g. One mile or more from any other work release, prerelease or similar facility.

2. The distances provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located or expanded to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

C. Each facility shall provide on-site dining, on-site laundry or laundry service, and on-site recreation facilities to serve the residents.

D. A conditional use permit application for a work release, prerelease or similar facility shall be accompanied by proposed operating rules for the facility. These proposed rules shall be reviewed by the planning director in consultation with the chief of police and the city attorney. The planning director shall include in any recommendation on the requested conditional use permit an analysis of the proposed rules as they may relate to the findings of fact required under ACC 18.64.040. (Ord. 6245 § 15, 2009.)

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)) on properties regulated under this title. The siting of small wireless facilities shall also be in accordance with ACC 18.31.110:

A. *Types of Wireless Communications 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 is a new wireless communications facility (WCF) that is affixed to an existing structure other than a "wireless communications support structure" (also known as an "attached wireless communications 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 WCF together with the height of the existing structure cannot be 25 percent greater than the existing structure or exceed the height limitation of the zone in which the structure is located.

b. *1-B.* The combined height of the WCF together with the height of the existing structure cannot be 50 percent greater than the existing structure or exceed the height limitation of the zone in which the structure is located.

c. *1-C.* The combined height of the WCF together with the height of the existing structure is 50 percent greater than the existing structure or exceeds the height limitation of the zone in which the structure is located. The height limitation of the zone can only be exceeded by 25 percent.

d. *1-D.* The WCF is located on an existing nonhabitable structure such as a water tower, athletic field light pole, or similar public utility infrastructure not located within a public way or that is located on an existing nonresidential 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 Type 1 facilities, must include concealment techniques approved by the city.

2. *Type 2.* Type 2 is new equipment erected on existing towers that have previous 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 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 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.

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 "tower." There are three separate Type 3 categories described as follows:

a. *3-A.* "Towers" that are 75 feet or less in height.

b. *3-B.* "Towers" that are more than 75 feet in height or lattice towers of any height.

c. *3-C.* "Towers" that meet the definition of an emergency wireless communication facility (EWCF) and are 185 feet or less in height.

B. *Separation between Facilities.*

1. *New, Freestanding Towers.*

a. The minimum separation, i.e., distance, between a proposed tower (that is 75 feet or less in height) and any other existing tower, of any height, shall be the height of the proposed tower, including antenna, multiplied by a factor of 10.

b. The minimum separation, i.e., distance, between a proposed tower (that is more than 75 feet in height, or lattice towers of any height) and any other existing tower, of any height, shall be the height of the proposed tower, including antenna, multiplied by a factor of 20.

c. The community development director may exempt an applicant from these separation requirements if (i) 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 (ii) 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 towers shall be measured by following a straight line, without regard to intervening buildings, from the base of one tower to the base of the other tower(s).

3. A 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, nonconforming 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 nonconforming.

C. *Co-Location Requirements.*

1. For towers that are more than 75 feet in height and lattice towers of any height, the owner of the tower shall execute and provide evidence of a nonexclusive lease with the 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 (C)(3) of this section.

2. Any application for Type 3-B or 3-C towers that are more than 75 feet in height or lattice towers of any height shall include technical, environmental, or regulatory justification that an existing 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 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 tower with appurtenances shall not exceed the height limitations of the zone.

2. The maximum height of any 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 applicant shall provide evidence that the Federal Aviation Administration (FAA) has approved the location and the city shall condition the same of 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 WCFs shall be set back the same distance required of the 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 residential zone except as an eligible facility request.

2. The minimum distance from any 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 tower (including antennas) multiplied by a factor of two.

3. Where 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 towers. Fencing will be 100 percent sight-obscuring, as defined in ACC 18.04.374, if visible from a public 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 engineering design and construction standards.

2. *Landscaping.*

a. Where above-ground support equipment is visible from a public way, a minimum width of five feet of landscaping will be provided on the exterior of the enclosing fence in order to effectively screen the equipment from the public 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 engineering design and construction standards.

b. Where facilities are visible from adjacent residential or mixed-use zoning districts, a minimum width of five feet of landscaping 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 percent being deciduous, backed with a 100 percent sight-obscuring fence, as defined in ACC 18.04.374, 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 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 nonreflective materials (visible exterior surfaces only).

2. In order to minimize any potential negative aesthetic impacts from new WCFs including protecting views to and from residential neighborhoods, mitigation may be required to blend the facilities in with the adjacent natural setting and/or built environment. Typical solutions for 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.

3. Building- or roof-mounted antennas will be painted or textured to blend with the adjacent surfaces.

4. 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.

5. Except as specifically required by the FAA (but must be approved by the city), freestanding 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, nonreflective color that is identical to, or closely compatible with, the color of the supporting structure or use 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 names 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 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. The city 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 90 days of receipt of written notice from the city. If such WCF is not removed within 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, 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 and why a shorter support structure could not be utilized. Any application for a new tower greater than 75 feet in height shall provide technical justification as to why a 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. The applicant shall provide evidence of the ability to execute a nonexclusive 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 sample for the proposed 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 and above-ground support equipment.

L. *Zones in Which WCFs Are Permitted.* The following table illustrates which zones the types of facilities as defined by ACC 18.04.912(K) and (W) and subsection A of this section are allowed in and which land use approval process, if any, is required. Microcells, as defined by ACC 18.04.912(M) (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(M).

	Type of Permit Required		
Zone	**Permitted Outright**	**Administrative Use Permit**	**Conditional Use Permit**
All Zones	1-D	1-D[1]	1-D[2]
R-~~FO~~, ~~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~~2,	1-B, 2-A	1-C, 2-B, 3-A	3-B

	Type of Permit Required		
Zone	**Permitted Outright**	**Administrative Use Permit**	**Conditional Use Permit**
C-AG4			
M-1	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 are exempt from the provisions of this section.

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.

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; and

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.

3. *Time Frame for Reviewing and Deciding Eligible Facilities Requests.* Subject to the tolling provisions below, within 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 facilities request,” or does not comply with other applicable code requirements.

a. *Tolling of the Time Frame 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 time frame for incompleteness, the city must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application;

c. The time frame 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 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The time frame is tolled in the case of second or subsequent notices pursuant to the procedures identified in subsections (N)(3)(a) and (b) of this section. 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, the presumptively reasonable time frame 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. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6799 § 7 (Exh. G), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 15, 2009.)

18.31.110 Siting of small wireless facilities.

The following siting standards are intended to guide the location and development of 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 communications facilities found in ACC 18.31.100.

A. *Siting Criteria for 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 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 landscaping 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 small wireless facilities used by the same carrier.

4. Anyone wishing to establish a small wireless facility or associated components shall make application to the community development director upon application forms provided by the director. The director shall review each application and may be empowered to approve, deny or modify the proposal. (Ord. 6799 § 8 (Exh. H), 2020; Ord. 6245 § 15, 2009.)

18.31.115 Wetland mitigation.

The following siting criteria shall apply to all wetland mitigation site construction within the city of Auburn, the purpose of which is to mitigate the impacts of a project that is not located within the city of Auburn. Off-site wetland mitigation construction that is associated with a project that is located within the city of Auburn shall be reviewed concurrently with that proposal and will not be subject to the following:

A. *Definitions.* "Wetland mitigation site construction," for the purposes of this section, means the construction of new wetlands on existing nonwetland property and/or the enhancement of existing wetlands.

B. *Siting Criteria.* Wetland mitigation site construction may be allowed within any zone within the city of Auburn subject to all of the following criteria. At a minimum the proponent of wetland mitigation site construction shall apply for and receive from the city of Auburn a grading permit before said construction begins.

1. The wetland mitigation site must be linked to and be compatible with a comparable naturally occurring ecosystem, e.g., another wetland, river, stream, etc. The constructed wetland mitigation site cannot be an isolated mitigation site.

2. Only a public agency may propose a wetland mitigation site pursuant to this section. Before starting construction the public agency proposing the wetland construction must have an approved budget that has sufficient financial capability to construct the wetland mitigation project. The public agency must also provide the city a written commitment to complete the project, to the city's satisfaction, once construction starts.

3. The project, outside of Auburn, that is creating the need for the wetland mitigation shall be a public project of a regional or statewide significance and shall be a benefit to the general public. The proponent shall demonstrate to the city's satisfaction that it is impractical to mitigate wetland impacts in the jurisdiction and/or drainage basin where the wetland impact occurs.

4. There must not be a loss of buildable upland property such that it would be a financial burden to other properties in the area, or the city, with regard to funding capital improvement projects. This would include, but not be limited to, the participation or potential participation in local improvement districts (LIDs), the financial participation in city of Auburn capital improvement projects, or system development charges. Financial contributions may be used to offset the loss of the financial participation and shall require a separate legal binding contract to be executed between the city and the public agency.

5. There must not be a loss of buildable upland property that would diminish the city's ability to meet its responsibilities with regard to the Growth Management Act or comprehensive plan. (Ord. 6245 § 15, 2009.)

~~18.31.120 Accessory dwelling units (ADU).~~

~~Accessory dwelling units are permitted outright in all residential zones that permit single-family homes, and may be developed with new or existing single-family homes. The development standards of the underlying zone and the following siting and performance standards shall apply to all accessory dwelling units as defined by ACC 18.04.018.~~

~~A. The home or accessory dwelling unit must be the principal place of residence for the homeowner.~~

~~BA. Only oneTwo accessory dwelling unitADUs may be permitted per single-family residence on lots that meet the minimum lot size of the zone in which the property is located.~~

~~B. The two ADUs may be attached, detached, or any combination thereof.~~

~~C. An accessory dwelling unitADU shall not be larger than 50 percent of the square footage of the single-family home with garage space not being included in the calculation. In no case shall the accessory dwelling unit be more than 9501,000 square feet, nor less than 300 square feet, nor have more than two bedrooms. Garage space shall not be included in this calculation.~~

~~D. Exterior Appearance/Modifications.~~

~~1. Any alterations shall not change the appearance from that of a single-family residence, as determined by the planning director.~~

~~2. Only one exterior entrance is allowed to the accessory dwelling unitADU and it can be located no closer than 10 feet to an adjoining property line.~~

~~3. Any exterior stairs shall be placed in the rear or side setback and no closer than 10 feet to an adjoining property line.~~

~~4. Where garage space is converted to living space, the garage door shall be replaced with materials that match the exterior of the house. If a detached garage is converted, its appearance must still be that of a detached garage and the detached garage must be able to be used for parking of at least one vehicle.~~

~~E. *Parking Requirements.*~~

~~1. The parking required for the existing single-family home must meet all requirements of the zoning code including amount, size and setback requirements in order for an accessory dwelling unit to be~~

allowed.Additional on site parking is not required for ADU's that are located within one half mile walking distance of a Major Transit Stop.

2. One additional parking space, beyond those required for the single-family home, is required for an accessory dwelling unit. The additional parking space must also meet all requirements of the zoning code.For ADUs located more than one-half mile walking distance from a Major Transit Stop, and sited upon lots that are greater than 6,000 square feet, two on-site parking spaces are required per ADU.

3. Newly created parking shall make use of existing curb cuts, when possible. For ADUs located more than one-half mile walking distance from a Major Transit Stop, and sited upon lots that are less than or equal to 6,000 square feet, one on-site parking spaces is required per ADU.

F. An accessory dwelling unitADU may not be sold as a separate piece of property, or as a condominium unit, unless allowed by the existing zoning on the property.

G. ADUs must be connected to municipal sewer.

H. ADUs may not be used as short-term rental lodging.

I. Creation of a new ADU shall not trigger street frontage improvements.

J. Conversion of legally established structures, that do not conform to current zoning and/or land use standards, to an ADU shall not be required to come into conformance.

G. Any home property owner seeking to establish an accessory dwelling unitADU shall apply for approval in accordance with the following procedures:

1. The homeowner shall apply for an accessory dwelling unitADU permit with the city. A complete application shall include a properly completed application form, floor and structural plans, and fees.

2. Before issuance of the certificate of occupancy for an accessory dwelling unitADU, the homeowner must provide a copy of a statement recorded with the county in which the subject property is located. The statement must read:

> An application for a permit for an accessory dwelling unit has been submitted to the city of Auburn by the owner of this property. Future owners are advised that the owner of the property must comply with all requirements of the Auburn Zoning Code, as amended, if the accessory dwelling unit is to be occupied or rented.

H. If an accessory dwelling unitADU is to be removed, appropriate permits and inspections must first be received from the city. If a homeowner wants to remove the statement as required by subsection (G)(2) of this section from the property's title, then the city shall issue an appropriate release upon evidence that the accessory dwelling unitADU has been removed. The release shall be recorded by the homeowner with the

~~county records and elections office and a copy of the recorded release shall be provided to the city. (Ord. 6419 § 4, 2012; Ord. 6245 § 15, 2009.)~~

18.31.130 Communal residence standards.

A. *Parking Requirements.* There must be one off-street parking stall that meets city standards of ACC 18.52.050, Parking design, development, and maintenance standards, per tenant. The applicant must demonstrate that each off-site parking space is under their ownership. In condominium or townhouse communities the applicant can also provide legal documentation that demonstrates that they have exclusive use of a common area parking space. The city shall reduce the off-street parking requirement if the property owner provides and maintains a notarized affidavit signed separately by each tenant, certifying that a tenant does not own a vehicle or have control of a vehicle while at the residence. A copy of the affidavit must be provided to the city upon request.

B. *Solid Waste Management Requirements.*

1. ACC 8.08.070 requires all occupied communal residences to have minimum garbage service. The landlord is required to provide tenants with adequate garbage and recycle receptacles meeting the minimum garbage service level of this section.

2. The landlord is responsible to provide each tenant with the solid waste collection schedule at the time of the tenant's initial occupancy and that schedule is to be posted within the unit.

C. *Periodic Inspection Required.* Upon written request, the communal rental housing owner or manager shall allow inspection of the communal rental housing residential units consistent with their ability to do so under the requirements of the landlord-tenant statutes of the state of Washington and the Auburn City Code, including ACC 5.22.050(C)(3). The city may, with the legally obtained consent of an occupant or owner or manager, or pursuant to a lawfully issued warrant, enter any building, structure or premises in the city to inspect or perform any duty imposed by this code.

D. *Occupancy Limits.*

1. International Property Maintenance Code occupancy requirements are applicable to a communal residence regardless of the number of individuals living in the residence.

2. The occupancy limit for a communal residence shall not exceed four people. (Ord. 6560 § 10, 2015; Ord. 6477 § 9, 2013; Ord. 6245 § 15, 2009.)

18.31.140 Gated residential subdivisions.

The street(s) within a residential subdivision may be allowed to be gated pursuant to the following:

A. Gated streets cannot adversely affect the automobile or pedestrian traffic of an existing or future neighborhood. This will be determined by (1) the use of gated streets would not cause discontinuity in the existing or proposed public street system (i.e., street layout) including pedestrian traffic, (2) the use of gated streets cannot preclude public street access to other properties, and (3) the use of gated streets would not distribute an unacceptable amount of traffic through an existing or future neighborhood than would otherwise result if through public streets were used.

B. Gated residential subdivisions of more than four lots can only be permitted as part of the plat process pursuant to Chapter 17.10 ACC. Existing plats, proposed to be gated, must go through a plat alteration process pursuant to Chapter 17.20 ACC as well as meet all the requirements of this section.

C. The gated streets are to be privately owned and maintained. The private streets must however meet the same design, construction, and public facility extension standards required of public streets, including approval of the construction by the city. Private streets are only allowed to serve more than six lots if part of a gated residential subdivision.

D. A legally incorporated property owners' association must be established and assume the responsibility and cost to repair and maintain the proposed private street(s) and gate(s). The property owners must also agree to maintain a policy of liability insurance in a minimum amount of $1,000,000 of which the city is named as insured to protect the city from any claims that may result from the property owners' utilization of a gated roadway, including but not limited to malfunctions of the gate.

If the association fails to maintain the street(s), the by-laws of the association must give the city the right to maintain the street(s) and charge the cost of the maintenance, including any administrative costs, to the association members.

The by-laws establishing the association must state that if future owners should request the private street(s) be changed to public then the owners fully agree that, before the acceptance of such streets by the city, the owners will bear the full expense of reconstruction or any other action necessary to make the streets substantially consistent with the requirements of public streets, applicable at the time.

If at any time the private streets are converted to public streets, then the gate(s) shall be removed at the expense of the association.

E. At the time of application for a preliminary plat or plat alteration the applicant shall address and provide evidence that those items as required in subsections A, B, C, D, and F of this section have been fulfilled. A preliminary plat or plat alteration shall not be approved unless it is found to meet the requirements of this section.

F. Design Standards for All Entry Gates to Residential Developments Including Residential Subdivisions, Apartment Complexes, Condominiums, and Mobile Home Parks.

1. A vehicle turnaround, turnout or similar mechanism shall be provided in front of the gate. The entrance to the proposed gate shall be designed and stamped by a professional civil engineer licensed in the state of Washington and shall allow for a safe turnaround for vehicles in front of the gate in cases where the vehicle is denied entry. The design for the gated entrance shall consider the abutting public roadway alignment and grade, sight distance, posted speeds and other engineering criteria relevant to designing the particular gated entrance. The proposal shall be reviewed for approval by the city engineer.

2. Gate construction shall be of wrought iron or similar material approved by the planning director and be constructed in such a manner to allow for viewing of obstructions located within the swing path of the gate. The swing path of the gate shall be away from or parallel with the vehicle approaching the gate. The gate and accessory equipment shall be coated to prevent corrosion.

3. If the entry gate(s) obstructs access to solid waste collection, public water, sewer, or storm water utilities owned and maintained by the city, then a property owner or homeowners' association will be required to meet all easement requirements and be responsible for assuring that 24-hour access is provided to the city. The city's public works director shall determine a specified number of activation keys, activation devices or receive the access code to the gate which shall be distributed to the appropriate city departments. If the access method to the gate is subsequently modified, then the property owner or homeowners' association shall notify the public works director and again provide to the public works director a specified number of activation keys, activation devices or the access code to the gate which shall be distributed to the appropriate city departments.

4. *Emergency Access Provisions.* Gates shall have rapid entry key capabilities as approved by the fire marshal. The gate shall provide for 20 feet of clear passage for emergency access with a minimum clear height of not less than 16 feet six inches in accordance with WSDOT Design Manual Section 1120.04, "Bridge Site Design Elements," paragraph 5(a)1. Electrically operated gates shall have the capability to automatically default to the unlocked (open) position in the event of a power outage. (Ord. 6245 § 15, 2009.)

18.31.150 Secure community transition facilities.

The following siting and performance standards shall apply to all secure community transition facilities (SCTFs) as defined in RCW 71.09.020:

A. *Maximum Number of Residents.* No SCTF shall house more than 15 persons, excluding resident staff.

B. *Siting Criteria.* As an essential public facility of regional or statewide importance, any SCTF shall be sited consistent with the essential public facilities process in the Auburn comprehensive plan and shall be located in

the region-serving area of Auburn, as defined and mapped in the Auburn comprehensive plan. Such facilities should be located in relationship to transportation facilities in a manner appropriate to their transportation needs. Extensive buffering from adjacent uses may be required.

C. *Dispersion Criteria.*

1. The lot line of any new or expanding SCTF shall be located:

a. One thousand (1,000) feet or more from any residential use; and

b. One thousand (1,000) feet or more from any group residence facility as defined by ACC 18.04.440; and

c. Not adjacent to a parcel containing nor within the line of sight of any of the following:

i. Any accredited public, private or parochial school;

ii. Any religious institution in existence as of the effective date of the ordinance codified in this section;

iii. Any public park, publicly dedicated trail, sports field, playground, or recreational or community center;

iv. Any licensed daycare center, nursery school or preschool as defined by ACC 18.04.290;

v. Any school bus stop in existence at the time the facility is proposed;

vi. Any public library; and

vii. Any other facilities as identified by the State of Washington Department of Social and Health Services following the hearings on a potential site as required in RCW 71.09.315;

d. One mile or more from any work release, prerelease or similar facility.

2. The distances provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located or expanded to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

3. The “adjacent to a parcel containing nor within the line of sight” criterion is a minimal guideline established to minimize the access between an SCTF and a “risk potential activity” as defined in RCW 71.09.020. That criterion may be altered depending on topographic conditions, size of parcels, or substantial intervening barriers to access (e.g., a river).

D. A conditional use permit application for an SCTF shall be accompanied by the following:

1. The siting process used for the SCTF, including alternative locations considered;

2. An analysis showing that utmost consideration was given to potential sites such that siting of the facility will have no undue impact on any one racial, cultural, or socioeconomic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region;

3. Proposed mitigation measures;

4. A detailed plan that demonstrates how security for the facility and the residents will be addressed, and how the security plans will be coordinated with local emergency personnel;

5. A detailed plan on how the proposed operating rules for the facility will be developed and coordinated with local emergency personnel;

6. A schedule and analysis of all public input solicited or to be solicited during the siting process, including assurance that comments are reviewed and adequately responded to; and

7. A preliminary landscaping plan that shows how the proposal intends to meet the requirements of the zone in which it is located, in order to comply with state regulations for siting an SCTF and in order to provide appropriate visual separation between the SCTF and neighboring land uses such that impacts to residents of an SCTF by neighboring manufacturing uses are mitigated.

These proposed materials shall be reviewed by the planning director in consultation with the chief of police and the city attorney. The planning director shall include in any recommendation on the requested conditional use permit an analysis of the proposal as they may relate to the findings of fact required under ACC 18.64.040. (Ord. 6245 § 15, 2009.)

18.31.160 Supportive housing development standards.

A. Supportive housing projects allowed pursuant to ACC 18.07.020 shall comply with the following standards:

1. Minimum lot area per unit: 1,200 square feet.

2. For lots with an area of up to one acre, the maximum number of units allowed is 25; for lots with an area greater than one acre, the maximum number of units allowed is 50.

3. Maximum lot size: two acres.

4. Minimum separation from other supportive housing projects: five miles.

5. Maximum unit size: 450 square feet (on-site manager unit excepted).

6. Shall provide an on-site resident manager who is accountable to the owner or manager of the supportive housing project.

7. Appropriate off-site support services shall be available within 1,000 feet. Off-site support services shall provide residents with case management services, medication monitoring, help with vocational training and goals, access to chemical dependency services, assistance with activities of daily living, etc.

8. Registered sex offenders shall not be allowed to reside within supportive housing projects located within 880 feet of a school, church, daycare facility or public park.

9. A written management plan shall be provided for the review and approval of the planning director. At a minimum, a management plan shall address the following:

a. The specific nature of the supportive housing project and its intended occupants;

b. Its potential impact on nearby residential uses and proposed methods to mitigate those impacts;

c. Identification of the project management or agency to whom support staff are responsible and who will be available to resolve concerns pertaining to the facility;

d. Identification of staffing, supervision and security arrangements appropriate to the facility;

e. If the planning director determines at any time there is evidence of fraud in obtaining the permit; concealment or misrepresentation of any material fact on the application or on any subsequent applications or reports; or that the supportive housing project is found to be in violation of the approved plans, conditions of approvals, or the terms of the permit or management plan, and the owner has failed to correct the violation after proper notice thereof; then the planning director may order the closure of the project.

10. If a supportive housing project is discontinued or abandoned, future use of the property shall be in conformance with the use and development standards of the R-20 zone. (Ord. 6245 § 15, 2009.)

18.31.170 Reserved.

Reserved. (Ord. 6245 § 15, 2009.)

18.31.180 Performance standards.

A. *General.* The following performance standards specifically govern industrial, manufacturing, processing, assembly and similar type uses typically found within the industrial zones. These standards may also apply to

other uses and activities in other zones, which are not otherwise governed by other regulations of the Auburn City Code.

B. *Noise.* The noise emanating from the premises of commercial or industrial activities shall be muffled so as to not become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed those standards as determined by Chapter 173-60 WAC, as amended.

C. *Glare.* Exterior lighting shall not be used in such a manner that it produces glare on public streets and neighboring property. This restriction also applies to any other nonresidential zone or use adjacent to ~~single-family~~ residential zones. Arc welding, acetylene torch cutting or similar processes shall be performed so as not to be seen from any point beyond the property line of the use creating the glare.

D. *Storage and Handling of Flammables.* In terms of fire and safety hazards, the storage and handling of flammable liquids, combustible liquids, liquefied petroleum gases and explosives shall comply with the rules and regulations of the International Fire Code, as amended.

E. *Electrical Interference.* Provisions must be made for necessary shielding or other preventive measures against interference occasioned by mechanical, electrical and nuclear equipment uses or processes with electrical apparatus in nearby buildings or land uses.

F. *Odorous Gases and Matter.* The emission of odorous gases or matter in such quantities as to be readily detectable, without special instruments, at any point beyond the property line of the use creating the odors is prohibited.

G. *Smoke and Particulate Matter Emissions.* No emissions shall exceed the allowances set forth by the Environmental Protection Agency, the Washington State Department of Ecology and/or the Puget Sound Air Pollution Control Agency.

H. *Dust, Dirt, Fly Ash, or Airborne Solids.* No observable dust, dirt, fly ash or other airborne solids shall be emitted except as related to construction activity or permitted in Chapter 18.62 ACC, Surface Mining.

I. *Waste Storage.* Storage of animal or vegetable wastes which attract insects or rodents or otherwise create a health hazard shall be prohibited. No waste products shall be exposed to view, from eye level, beyond the property line of the use storing the waste.

J. *Toxic Gases and Matter.* No emissions of toxic gases or matter shall be permitted.

K. *Vibration.* Vibration which is easily discernible, without special instruments at any point beyond the property line, is prohibited. This shall not apply to vibration caused by highway vehicles, trains, aircraft or construction activities.

L. *Hazardous Substance and Waste.* No hazardous substances or wastes shall be released into the environment so as to cause dangerous or offensive emission or contamination of any public or private water

supply, sewage treatment processes, watercourse or water body, the air or the ground, except in accordance with standards approved by provisions of federal, state and local laws and regulations. (Ord. 6245 § 15, 2009.)

18.31.190 Supplemental standards for residential mobile home communities.

Supplemental development standards for the R-MHC district are as follows:

A. *Recreational Vehicle Storage Area.* A fenced and screened storage area shall be provided, the size of which shall be 300 square feet of area for each 10 homes. The storage area shall not abut property other than that which is zoned R-MHC.

B. *Recreation Area.* A central recreation area shall be established in each community created pursuant to the provisions of this chapter. The size of the area shall be at least 200 square feet per home site. The recreation area may contain community clubhouses, swimming pools, shuffleboard courts and similar facilities. The planning director may permit decentralization of the recreation facilities in accordance with principles of good planning; provided, that the total recreation area meets the above stated minimum size.

C. *Space Identification.* Each manufactured home site shall be plainly marked and numbered for identification.

D. *Community Office.* Every community shall provide a permanent building to be used as an office for community management.

E. *Streets.* Internal private community streets shall be provided in such a pattern as to provide convenient traffic circulation, including fire and other equipment responding to emergencies, within the community. They shall be built to the following standards:

1. The width of all private community streets shall be not less than 34 feet including curbs. Street widths of 24 feet may be permitted in communities; provided, that adequate off-street parking is provided at the ratio of one off-street parking space for each manufactured home site within the community. The location and placement of the off-street parking spaces will be subject to approval by the planning director. No on-street parking will be permitted on street widths of less than 34 feet and signs designating “no parking” and “fire lane” must be placed on both sides of the street and so marked on the final plans.

2. All public streets abutting a community shall be improved in conformance with the city’s design and construction standards.

3. There shall be curbing constructed to city design and construction standards on each side of all private community streets.

4. The private community streets shall be paved in accordance with the city’s design and construction standards.

5. Private community streets shall be lighted in accordance with the city's design and construction standards.

6. Minimum radii on private community street curves shall not be less than 45 feet.

F. For those communities that had been approved prior to June 15, 1987, the adoption date of Zoning Ordinance No. 4229, the placement or replacement of any home shall either be in conformance with this chapter or the site plan which had been previously approved by the city. For those communities which do not have an approved site plan, the replacement of a home shall either be consistent with this chapter or the location of the previous home. In no case shall any applicable fire or building code requirements be lessened. (Ord. 6245 § 15, 2009.)

18.31.200 Architectural and site design review standards and regulations.

A. *Intent and Purpose.* The architectural and site design regulations provide an administrative review process for evaluating the design and arrangement of development. The architectural and site design regulations are intended to be consistent with and implement the policies of the comprehensive plan. The purposes of these design review regulations are to:

1. Foster good decision-making for development through architectural and site design within the context of the community's built and natural environmental character, scale and diversity;

2. Promote the use of appropriate scale of buildings and the configuration of open space and parking areas for development to safely and comfortably accommodate pedestrian activities;

3. Coordinate the interrelationship of buildings and public and private open space;

4. Discourage monotony in building design and arrangement, while promoting harmony among distinct building identities; and

5. Mitigate, through design and site plan measures, the visual impact of large building facades, particularly those which have high public visibility (encourage the creative use of architectural and landscape features in order to reduce the actual and perceived scale and bulk of structures).

B. *Applicability.* The following land uses, types of development activities, including all related site improvements, and geographic areas, are subject to the architectural and site design standards and the processes and regulations for conducting design review contained in this chapter:

1. ~~*Multiple-Family*~~*Apartments (formerly multiple-family) and Mixed-Use Developments.* The following land uses and types of development are subject to the city's ~~multiple-family~~apartment ~~-~~and mixed-use design standards document unless addressed by a different set of architectural and site design standards applicable to a specific geographic area:

a. ~~Multifamily~~ Apartments development inclusive of ~~triplexes and fourplexes~~seven or more units in all zones in the city where permitted outright or as a conditional use and not otherwise addressed through the city's residential infill development standards (Chapter 18.25 ACC); and

b. Mixed-use residential development. Mixed-use development containing residential living units in all zones in the city where permitted outright or as a conditional use; and

c. Retirement apartments, congregate living facilities and senior housing complexes in all zones in the city where permitted outright or as a conditional use.

2. *Downtown Urban Center.* The following locations of development activities are subject to the city's downtown urban center design standards document:

a. Properties located within the boundaries of the DUC, downtown urban center zoning district, as identified on the comprehensive zoning map.

3. *Auburn Junction.* The following locations of development activities are subject to the city's Auburn Junction design standards document:

a. Properties located within the boundaries of West Main Street, 2nd Street SE/SW, A Street SE, and A Street SW as identified with ACC 18.29.070, design standards of the DUC downtown urban center zone.

4. *Northeast Auburn Special Planning Area.* The following locations of development activities are subject to the city's Auburn Gateway architectural and site design standards document:

a. Properties located within the boundaries of the Auburn Gateway Project as defined by the development agreement approved by city Resolution No. 4756, or as may be subsequently amended. The Auburn Gateway architectural and site design is addressed in Section 4 of this resolution and provided as Attachment 4 to the resolution.

C. *Exemptions.* The following activities as determined by the community development director shall be exempt from the provisions of the design standards:

1. Any building activity that does not require a building permit; or

2. Interior construction work which does not alter the exterior of the structure; or

3. Normal or routine building and site maintenance/repair that is exempt from issuance of a permit including the repair or maintenance of structural members; or

4. Interior alterations that do not modify an existing site condition; or

5. Site and exterior alterations that do not exceed 10 percent of the assessed valuation of the property building or land per the most recent county records; or

6. Building additions that are less than 10 percent of the existing floor area of the existing building. Any cumulative floor area increase from the adoption date of the ordinance establishing the architectural and site design standard that totals more than 10 percent shall not be exempt unless the community development director determines compliance with these standards would be infeasible and/or unreasonable.

D. *Design Standard Documents.* Adopted by reference are the following architectural and site design documents, copies of which shall be maintained by the city clerk. These documents contain the standards for the design and development of the built environment. The community development director or designee shall have the authority to apply the standards to specific development proposals. The following specific architectural and design standards documents may be amended upon approval by the community development director:

1. Mixed-use and ~~multiple-family~~apartment (formerly multiple-family) development design standards.

2. Auburn Gateway architectural and site design standards.

3. Downtown urban center design standards.

4. Auburn Junction design standards.

E. *Timing of Administrative Design Review.*

1. Design review shall be conducted by the community development director or designee prior to or concurrent with the processing of building permits and/or review of discretionary land use approvals/permits.

2. The decision on the administrative design review shall be issued prior to issuance of the building permits and/or issuance of discretionary land use approvals/permits.

F. *Pre-Application Meeting – When Required Associated with a Design Review.*

1. A pre-application conference is required for the following instances:

a. For ~~multifamily~~ apartments ~~development~~ in the R-3~~10~~, R-3~~16~~, and R-4~~20~~ residential zones; and

b. For mixed-use development containing residential living units located within R-3~~10~~, R-~~16~~3 and R-4~~20~~ residential zones; and

c. For mixed-use development containing residential living units located within commercial zones; and

d. For retirement apartments, congregate living facilities and senior housing complexes located within R-3~~10~~, R-3~~16~~ and R-~~20~~4 residential zones, and all commercial zones.

2. A pre-application conference is strongly recommended for all other projects subject to the city's architectural and site design review but is not required.

G. *Design Review Submittal Requirements.* In addition to any other documentation required for submittal of a complete application for building permit or discretionary land use approvals/permits, the following items shall be required for the architectural and site design review:

1. Elevation drawings prepared by an architect licensed in the state of Washington of all proposed construction including dimensional drawings at one-eighth inch equals one foot or comparable scale showing the type of exterior materials, color (where applicable), exterior finishes for buildings and accessory structures, location and elevations of exterior lighting for buildings, the type, style and model of exterior lighting fixtures (where applicable), parking areas, and fenestration details;

2. A to-scale landscape plan prepared by a landscape architect licensed in the state of Washington showing existing vegetation to be retained and proposed vegetation to be installed inclusive of the common and botanical name of all vegetation, the location and quantity of vegetation, the initial planting size and methods of irrigation;

3. A context vicinity map that shows all structures on the property and within 200 feet in each direction of the subject property drawn approximately to scale;

4. A neighborhood circulation plan consistent with the provisions of Chapter 17.16 ACC (Neighborhood Circulation Plan); and

5. Conceptual plans for any public infrastructure, including roads, water, sewer, and storm facilities.

H. *Interpretations.*

1. The community development director shall be authorized to interpret the meaning of words, phrases and sentences which relate to the implementation of the specific architectural and design standards document. Any interpretations regarding implementation of the specific architectural and design standards document shall be made in accordance with its intent or purpose statements and the intent and purpose statements of this chapter. For interpretations, life safety and public health regulations shall be given priority over all other regulations.

2. Administrative interpretations may be appealed to the hearing examiner as prescribed in ACC 18.70.050.

I. *Design Review Adjustments.*

1. *Authority for Design Review Adjustments.* The community development director or designee shall have the authority, subject to the provisions of this section and upon such conditions as the community development director or designee may deem necessary to comply with the provisions of this section, to approve design adjustments as follows:

a. An adjustment to architectural or site design requirements such that no more than two of the total number of required menu items in the city of Auburn ~~multifamily~~apartment and mixed-use design standards are out of compliance.

b. An adjustment to required building wall and roof modulation standards, as contained in the city of Auburn ~~multifamily~~ apartment and mixed-use design standards, up to 20 percent of the amount of any quantified standards contained therein.

c. An adjustment to the architectural or site design requirements that remains consistent with the purpose and intent of the architectural and site design standards.

2. *Required Findings to Grant Design Review Adjustments.* Each determination granting an adjustment by the community development director or designee shall be supported by written findings showing specifically wherein all of the following conditions exist:

a. That the granting of such adjustment does not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and/or zone of the subject site; and

b. That the granting of such adjustment will not adversely affect the established character of the surrounding neighborhood, discourage maintenance or upgrades on surrounding properties, nor result in perpetuation of those design qualities and conditions which the comprehensive plan intends to eliminate or avoid; and

c. That the project incorporates alternate design characteristics that are equivalent or superior to those otherwise achieved by strict adherence to stated menu options; and

3. *Public Notification and Action on Design Review Adjustment Applications.* Upon the filing of a properly completed application and associated request for a design review adjustment, the community development director or designee shall comply with the city's Type II land use review requirements for issuance of a properly noticed and appealable land use decision.

4. *Appeal of Director's Decision on Design Review Adjustments.*

a. If a written objection to the initial determination notice is filed within 14 business days of said notification, the community development director or designee shall reconsider the initial determination in light of the objection(s) as raised and render a final decision on the permit. This final decision shall result in either the community development director's affirmation of the original determination of approval, the approval with additional modifications or denial.

b. Upon completion of the community development director's reconsideration, all parties notified of the original determination shall receive notification of the community development director's final decision. Any party aggrieved by the community development director's final decision may file an appeal of that decision to the hearing examiner in accordance with the city's land use appeal

provisions. Such appeals for hearing examiner review must be filed within 14 business days from the date the written decision was made and shall include the following:

i. The appeal shall be filed on forms provided by the department of planning and development.

ii. The appeal shall clearly state the decision being appealed, setting forth the specific reason, rationale, and/or basis for the appeal.

iii. Fees associated with the appeal shall be paid to the city upon filing of the appeal in accordance with a fee schedule established by resolution.

5. Upon filing of a timely and complete appeal, the hearing examiner shall conduct a public hearing to consider the merits of the appeal. This hearing shall be subject to the city's public noticing and public hearing requirements and shall include notification of all parties notified of the community development director's final decision. The hearing examiner may affirm the community development director's decision or may remand the matter to the community development director for further review in accord with the examiner's direction.

6. If no written objection is filed to the initial determination within the specified time limits, the community development director shall render a final decision on the permit in accord with the initial determination.

J. *Approval Criteria for Design Review.* The community development director or designee may approve, modify and approve, or deny an application for an administrative design review. Each determination granting approval or approval with modifications shall be supported by written findings showing the applicant satisfies all the following criteria:

1. The plans and supplemental materials submitted to support the plan meet the requirements of the specific architectural and site design documents;

2. The proposed development is consistent with the comprehensive plan;

3. The proposed development meets required setback, landscaping, architectural style and materials, such that the building walls have sufficient visual variety to mitigate the appearance of large facades, particularly from public rights-of-way and ~~single-family residential zones~~single-unit detached dwellings and middle housing.

4. In addition to the criteria in subsections (J)(1) through (3) of this section, for ~~multiple-family~~apartments ~~residential~~ and retirement apartment projects, the director or designee must determine that the following key review criteria have been met:

a. The proposed development is arranged in a manner that either:

i. Provides a courtyard space creating a cohesive identity for the building cluster and public open space furnished to facilitate its use; or

ii. Possesses a traditional streetscape orientation that provides clearly identifiable and visible entries from the street, views from residential units onto the street and reinforces pedestrian-oriented streetscape characteristics (e.g., building edge abutting sidewalk, entries onto the street); or

iii. Faces and facilitates views of a major open space system;

b. The proposed development provides a variety in architectural massing and articulation to reduce the apparent size of the buildings and to distinguish vertical and horizontal dimensions;

c. The proposed development contains a combination of elements such as architectural forms, massing, assortment of materials, colors, and color bands sufficient to distinguish distinct portions and stories of the building;

d. Residential buildings in large ~~multiple-family~~apartment projects or mixed-use projects are physically integrated into the complex possessing sufficiently different appearance or placement to be able to distinguish one building from another;

e. Unit entrances are individualized by use of design features that make each entrance distinct or which facilitate additional personalization by residents;

f. Areas dedicated to parking are sufficiently visually broken up and contain a complement of vegetative materials to project a landscaped appearance;

g. Where applicable, a transition is created that minimizes impacts from ~~multifamily~~ apartments and mixed-use development projects on neighboring lower density residential dwelling units ~~in abutting or adjacent single-family zones~~; and

h. Where applicable, in cases of granting density or height bonuses, the project has provided community benefits, facilities or improvements above and beyond those required in the municipal code and supports the goals, objectives and policies of the comprehensive plan. (Ord. 6728 § 4 (Exh. D), 2019; Ord. 6408 § 1, 2012; Ord. 6287 § 2, 2010; Ord. 6245 § 15, 2009.)

18.31.210 Agricultural enterprises development standards.

A. *Purpose.* The purpose of this section is to regulate the establishment and operation of agricultural enterprises in order to maintain and preserve the lower density residential character, integrity, environmental protection, and property values of the residential conservancy (RC) zone in which they are located and the surrounding areas.

B. *Applicability.* The permit requirements and standards provided in this section apply to agricultural enterprises where allowed in compliance with Chapter 18.07 ACC, Residential Zones, and meeting the

definition of agricultural enterprises as provided in ACC 18.04.035. The development standards of the RC zone shall apply unless a different standard is set forth in the supplemental development standards in subsection E of this section.

C. *Permit Required.* An administrative use permit is required 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 conditional use permit is required when less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or if the applicant intends to hold more than 52 special events per calendar year.

D. *Uses.* The following uses may be permitted as part of an agricultural enterprise under a unified management or ownership:

1. Agricultural crops and open field growing;

2. Agricultural store;

3. Barns, silos and related structures;

4. Caretaker quarters, not more than one per agricultural enterprise;

5. Catering facilities;

6. Delicatessens, restaurants or sandwich shops limited to a seating area of 25 seats;

7. Drive-through espresso and/or nonalcoholic beverage stands, freestanding;

8. Education facilities providing courses related to agricultural production and/or processing or promotion of locally and regionally grown food;

9. Farm stands, for the sale of agricultural products raised on the premises in addition to agricultural products that are raised off site;

10. Greenhouses;

11. Keeping of livestock, or fowl and rabbits or similar sized animals; provided, that an appropriate structure or enclosure is provided;

12. Museum and cultural facilities;

13. Outdoor musical entertainment (when it meets all requirements for the business licensing of ACC 5.20.200);

14. Small-scale food processing or packaging of agricultural products;

15. Special events. Special events include, but are not limited to, the following activities where attendance exceeds 200 persons or more:

a. Weddings;

b. Meetings;

c. Receptions;

d. Reunions;

e. Tasting events for food or beverage;

f. Private parties;

g. Concerts held within an enclosed building;

h. Retreats;

i. Other comparable events;

16. Tasting room;

17. Tourist and visitor services;

18. Winery; and

19. The planning director may authorize uses under this definition other than those which are listed, if the planning director determines the use is consistent with the intent of the zone and is of the same general character of the uses permitted within the zone. Further guidance on administrative interpretations of land uses can be found in ACC 18.02.120.

E. *Development Standards.*

1. *Minimum Area.* The minimum area devoted to an agricultural enterprise business shall be a single parcel with a minimum of 10 acres in total site area within the residential conservancy (RC) zone. Environmentally critical areas are not counted toward total site area when determining whether an administrative or conditional use permit is required.

2. *Location.* The proposed agricultural enterprise business shall have direct access onto a minor arterial or higher classification street.

3. *Maximum Building Size.* Nonresidential buildings, excluding greenhouses, shall not exceed 5,000 square feet in gross floor area.

4. *Lot Coverage.* The combination of all buildings, to include greenhouses, on a single site used in conjunction with the agricultural enterprise business shall not exceed 15 percent of the total site area.

5. *Maximum Impervious Area.* The maximum impervious area shall not exceed 25 percent.

6. Setbacks. Structures for agricultural enterprises shall be located as follows:

   a. Front setback: 35 feet.

   b. Rear setback: 20 feet.

   c. Interior side setback: 20 feet.

   d. Street side setback: 35 feet.

7. *Height.* Maximum building height: 35 feet. Buildings may exceed 35 feet if one additional foot of setback is provided from each property line for each foot the building exceeds 35 feet.

8. *Visual Impact.* Activities and uses conducted in conjunction with the agricultural enterprise must be located in such a manner that minimizes visual impacts to adjoining properties that are used or zoned for residential uses. In addition:

   a. A Type III landscape buffer 10 feet in width shall be provided on site in those areas between the buildings and the property line.

   b. Highly reflective building materials shall not be used on buildings.

9. *Responsible Party.* All components of the agricultural enterprise shall be operated or maintained by the property owner, lease holder, or occupant of the land upon which the primary associated agriculture, horticulture, or other use is being conducted.

10. *Hours of Operation.* Agricultural enterprise activities involving the employment of workers; outside activities; the generation of any noise, light, dust, odor, glare, or vibration detectable outside the business structure; or traffic, including deliveries, shall only be conducted on site between the hours of 7:00 a.m. and 10:00 p.m. or as may be specifically approved by a condition of approval of the administrative or conditional use permit.

11. *Parking and Outdoor Storage.* All parking and outdoor storage areas used exclusively for retail areas within 50 feet from a property line shall be screened from adjoining properties used or zoned for residential uses. If existing topography and natural vegetation does not provide an adequate visual barrier, additional screening may be required, to include installation of landscape materials, walls or fencing.

12. *Lighting.* No lighting shall be directed onto adjoining properties used or zoned for residential uses and no lighting shall exceed 0.5 foot-candle when measured at the property lines. Floodlights or other high-intensity lighting shall be prohibited, unless specifically approved as part of a special event or outdoor musical entertainment.

13. *Refuse and Recycling.* All refuse and recycling waste containers shall be within refuse enclosures located in the rear of the building and be completely screened from public view. All refuse enclosures shall be architecturally compatible with the building they serve.

14. Special Events. Special events or similar activities may be held as follows:

a. Up to 52 special events within a calendar year with the administrative use permit.

b. Fifty-two or more special events within a calendar year shall require a conditional use permit.

c. *Parking and Traffic Control.* A parking and traffic control plan shall be prepared by a licensed traffic engineer and required for all agricultural enterprises conducting special events (as defined by ACC 18.04.827). The parking and traffic control plan shall be submitted for review as part of the administrative use permit or conditional use permit application and, if satisfactory, must be approved by the planning and development director and city engineer prior to implementation. At a minimum, the parking and traffic control plan shall contain the following:

i. A parking plan showing how adequate on – and off-site parking will be available to the site, and that no substantial conflict will exist during the principal hours or periods of peak parking demands for any land use or special event which is proposed to share the parking.

ii. A traffic control plan showing how traffic to and from the land use and special events location(s) will be handled and what temporary traffic control measures will be used to facilitate safe access to and from the locations. The traffic control plan must include a written description of the plan as well as a traffic control diagram showing traffic control devices, directions of travel, and the location and type of authorized personnel to direct traffic.

iii. A contingency plan for weather changes (relocation or rescheduling of events; alternative parking areas; method of notifying the public of changes) and for unanticipated increases in traffic or parking.

iv. Other elements as determined necessary by the planning and development director and the city engineer based on the specific events, setting, and location.

15. *Wineries.* All wineries with or without tasting rooms shall:

a. Have adequate driveway access to a public street meeting the requirements of a commercial driveway.

b. Provide adequate on-site parking in the amount of one parking stall for every 500 square feet of gross floor area.

c. Shall not exceed 5,000 square feet gross floor area with the tasting room not exceeding 50 percent of the production area.

16. *Signs.* Notwithstanding the provisions of ACC 18.56.040(A), the following standards apply to signs for agricultural enterprise uses within the RC, residential conservancy zone. If not specified in this section, the other provisions of Chapter 18.56 ACC, Signs, apply.

a. *Freestanding Signs.*

i. Total number permitted:

(A) Two per frontage on a parcel having at least 500 feet of frontage on a state highway.

(B) One per frontage on a principal or minor arterial.

ii. Maximum height:

(A) Thirty feet on a state highway.

(B) Twenty-two feet on a principal or minor arterial.

iii. Maximum area: 200 square feet, calculated at a rate of one square foot of sign area for every two lineal feet of frontage. The minimum entitlement for freestanding signs is 32 square feet for those sites less than 64 feet of frontage.

iv. Multiple freestanding signs, if permitted, must be separated by at least 150 feet measured in a straight line distance.

b. *Wall Signs.*

i. Total number permitted: one sign per building frontage that fronts a public right-of-way.

ii. Maximum area: 100 square feet per building frontage that fronts a public right-of-way, calculated at a rate of one square foot of sign area for every one linear foot of building frontage.

iii. Signs may be directly or indirectly illuminated.

c. Changing message center signs are allowed as part of an agricultural enterprise if the sign complies with the sign regulations in ACC 18.56.030(F).

17. *Additional Permits and Approvals.* In addition to required land use permits, an agricultural enterprise may be required to obtain licenses and permits from other city and county departments (e.g., business licenses from the city, food service or sales licenses from the county department of public health, animal care licenses from the county department of public health, etc.). (Ord. 6363 § 2, 2011.)

18.31.220 Permitted animals.

The types and allowed number of animals permitted are listed as follows, provided the following requirements are met. The specified minimum lot size per animal are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code shall be granted. The keeping of animals that require no lot size or lesser lot size are allowed to be cumulative, when lot size requirements have been met. For example, on a 12,500-square-foot lot, the keeping of one miniature goat, one potbelly pig, and two dogs could be allowed. Licensing of pets and animal control is governed by ACC Title 6, Animals.

A. Small Domestic Animals. Small domestic animals may be kept if the owner complies with the following:

1. Small domestic animals are permitted as an accessory use to a residence or business.

2. Up to four small domestic animals, including foster animals, per dwelling or commercial building regardless of lot size. Offspring less than six months of age are not included in this number.

3. A pet license is required for each cat or dog in accordance with Chapter 6.04 ACC, Animal Licensing.

B. *Domestic Fowl.* Domestic fowl may be kept if the owner complies with the following:

1. Domestic fowl and poultry are permitted as an accessory use to a ~~single-family~~single-unit detached dwelling ~~residence~~.

2. Roosters and peafowl are not permitted.

3. Structures, or yard areas including chicken coops, pens or runs, housing or containing domestic fowl are only allowed in the rear yard (the area between the rear yard lot line and the extension of the rear facade of the principal structure) and shall be set back from the rear and side yard lot lines by a distance of at least 10 feet.

4. Up to a total of four domestic fowl and poultry can be kept on lots that are at least 6,000 square feet in size. On lots that are larger than 6,000 square feet, one additional domestic fowl or poultry may be kept per additional 2,000 square feet. The maximum number of domestic fowl allowed per lot is 10; this maximum does not apply to properties zoned RC, residential conservancy or R-1, residential one dwelling unit per acre.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

C. Miniature Goats. Miniature goats are medium domestic animals and may be kept if the owner complies with the following:

1. Miniature goats are permitted as accessory use to a ~~single-family~~single-unit detached dwelling ~~residence~~.

2. Male miniature goats must be neutered.

3. All miniature goats must be dehorned.

4. Nursing offspring of miniature goats may be kept until weaned, but no longer than 12 weeks from birth without meeting the requirements contained herein.

5. The location of structures housing miniature goats must comply with accessory structure setbacks applicable in the zoning district where the property is located.

6. Up to two miniature goats are allowed on lots that are at least 12,500 square feet in size. On lots that are greater than 12,500 square feet, one additional medium size domestic animal may be kept per additional 7,500 square feet.

7. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

D. *Potbelly Pigs.* Miniature potbelly pigs are medium domestic animals and may be kept if the owner complies with the following:

1. Potbelly pigs are permitted as accessory use to a ~~single-family~~single-unit detached dwelling ~~residence~~.

2. Potbelly pigs are no greater than 24 inches in height at the shoulder and no more than 150 pounds.

3. Nursing offspring of potbelly pigs may be kept until weaned, but no longer than 12 weeks from birth without meeting the requirements contained herein.

4. The location of structures housing potbelly pigs must comply with accessory structure setbacks applicable in the zoning district where the property is located.

5. Two potbelly pigs can be kept on lots that are at least 12,500 square feet in size. On lots that are greater than 12,500 square feet, one additional medium size domestic animal may be kept per additional 7,500 square feet.

6. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

E. Large Domestic Animals. Large domestic animals may be kept if the owner complies with the following:

1. Large domestic animals are allowed as an accessory use to a single-unit detached dwelling ~~single-family~~ residence.

2. Two large domestic animals can be kept on lots that are at least one acre in size.

3. On lots that are larger than one acre, one additional large domestic animal may be kept per additional 21,780 square feet.

4. The location and structures housing large domestic animals and any corral, exercise yard or arena must comply with the setbacks applicable in the zoning district where the property is located.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

F. Apiaries (keeping of honey bees (Apis mellifera)), also referred to as beekeeping, may be permitted if the owner complies with the following:

1. Beekeeping is allowed as an accessory use to a single-unit detached dwelling~~single-family~~ residence.

2. All hives are registered with the State Department of Agriculture.

3. No more than two hives, each with only one swarm, shall be kept on lots of less than 10,000 square feet.

4. Hives shall not be located within 25 feet of any property line with the hive(s) entrance(s) facing away from the nearest property line.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance and ACC 8.12.020 regarding nuisances affecting public health and safety.

G. Amortization of Preexisting, Nonconforming Structures Housing Animals and Runs or Pens. An individual who receives written notice from the city that a structure (coop) or yard area (runs or pens) housing animals regulated by this section, except small domestic animals, does not comply with setback requirements shall have 30 days from the date of notification to bring the property/structure into compliance. If any individual believes that their circumstances pose particular difficulty in meeting the 30-day time frame for compliance with the setback requirements of this section, the individual may request in writing of the community development and public works director (planning director) or designee additional time to bring their activity into conformity. Decisions of the community development and public works director (planning director) or designee to grant or deny the extension shall be final and conclusive. (Ord. 6600 § 11, 2016; Ord. 6369 § 8, 2011.)

Code reviser's note: Ordinance 6369 adds these provisions as Section 18.31.210. The section has been renumbered to avoid duplication of numbering.

18.31.230 Table of allowed districts.

Repealed by Ord. 6600. Code reviser's note: Ordinance 6369 adds these provisions as Section 18.31.211. The section has been renumbered to match the renumbering of the preceding section.

The Auburn City Code is current through Ordinance 6904, passed February 21, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov
Code Publishing Company, A General Code Company

Chapter 18.32~~1~~
ACCESSORY DWELLING UNIT~~SUPPLEMENTAL~~ DEVELOPMENT STANDARDS

A. ~~Accessory dwelling units~~ Accessory Dwelling Units (ADUs) are permitted outright in all residential zones that permit single-unit detached or ~~single-family homes, and~~middle housing, and may be developed with new or existing ~~single-family homes~~middle housingdevelopment. The development standards of the underlying zone and the following siting and performance standards shall apply to all accessory dwelling units as defined by ACC 18.04.018.

~~A. The home or accessory dwelling unit must be the principal place of residence for the homeowner.~~

~~B~~AB. ~~Only one~~Two ~~accessory dwelling unit~~ADUs may be permitted per ~~single-family residence~~ residential unit on individually owned lots ~~on lots~~ that meet the minimum lot size of the zone in which the property is located.

~~B~~C. The two ADUs may be attached, detached, or any combination thereof.

~~C~~D. An ~~accessory dwelling unit~~ADU shall not be larger ~~than 50 percent of the square footage of the single-family home with garage space not being included in the calculation. In no case shall the accessory dwelling unit be more~~ than ~~950~~1,000 square feet, nor less than 300 square feet, nor have more than two bedrooms. ~~–~~ Garage space shall not be included in this calculation.

~~D~~E. Exterior Appearance/Modifications.

1. Any alterations shall not change the appearance from that of a single-~~family residence~~unit detached, as determined by the planning director.

~~2. Only one exterior entrance is allowed to the accessory dwelling unit~~ADU ~~and it can be located no closer than 10 feet to an adjoining property line.~~

~~3~~2. Any exterior stairs shall be placed in the rear or side setback and no closer than 10 feet to an adjoining property line.

34. Where garage space is converted to living space, the garage door shall be replaced with materials that match the exterior of the house. ~~If a detached garage is converted, its appearance must still be that of a detached garage and the detached garage must be able to be used for parking of at least one vehicle.~~

~~E~~F. *Parking Requirements.*

1. ~~The parking required for the existing single-family home must meet all requirements of the zoning code including amount, size and setback requirements in order for an accessory dwelling unit to be~~

~~allowed.~~~~Additional on site~~Off-street parking is not required for ADUs that are located within one-half mile walking distance of a Major Transit Stop.

2. For ADUs located more than one-half mile walking distance from a Major Transit Stop ~~, and sited upon lots that are less than or equal to 6,000 square feet,~~ one on-site parking space is required per ADU.

~~32. One additional parking space, beyond those required for the single-family home, is required for an accessory dwelling unit. The additional parking space must also meet all requirements of the zoning code.~~

~~3. Newly created parking shall make use of existing curb cuts, when possible.~~

~~F~~G. An ~~accessory dwelling unit~~ADU may ~~not~~ be sold as ~~a separate piece of property, or as~~ a condominium unit~~, unless allowed by the existing zoning on the property~~ or as a separate piece of property through the unit lot subdivision process. If the ADU is converted into a condominium unit or subdivided, a separate water and sewer connection is required.

~~G~~H. ADUs must be connected to municipal sewer or served by septic system.

I. An ADU is allowed in rear setbacks (on the rear lot line) if the lot line abuts a public alley, unless the city routinely plow snow within the alley.

J. Conversion of legally established structures, that do not conform to current zoning and/or land use standards to an ADU, shall not be required to come into conformance.

~~G~~K. Any ~~home~~ property owner seeking to establish an ~~accessory dwelling unit~~ADU shall apply for approval in accordance with the following procedures:

1. The ~~home~~owner shall apply for an ~~accessory dwelling unit~~ADU permit with the city. A complete application shall include a properly completed application form, floor and structural plans, and fees.

2. Before ~~issuance of the certificate of occupancy~~final ~~for~~ of an ~~accessory dwelling unit~~ADU, the ~~home~~owner must provide a copy of a statement recorded with the county in which the subject property is located. The statement must read:

> An application for a permit for an accessory dwelling unit has been submitted to the city of Auburn by the owner of this property. Future owners are advised that the owner of the property must comply with all requirements of the Auburn Zoning Code, as amended, if the accessory dwelling unit is to be occupied or rented.

L~~H~~. If an ~~accessory dwelling unit~~ADU is to be removed, appropriate permits and inspections must first be received from the city. If a homeowner wants to remove the statement as required by subsection (K~~G~~)(2) of this section from the property's title, then the city shall issue an appropriate release upon evidence that the ~~accessory dwelling unit~~ADU has been removed. The release shall be recorded by the homeowner with the

county records and elections office and a copy of the recorded release shall be provided to the city. (Ord. 6419 § 4, 2012; Ord. 6245 § 15, 2009.)

Chapter 18.35
SPECIAL PURPOSE ZONES

Sections:

18.35.010 Purpose.
18.35.020 Intent of special purpose zones.
18.35.030 Uses.
18.35.040 Development standards.
~~18.35.050 Additional development standards for both the RO and RO-H zones.~~

18.35.010 Purpose.

This chapter lists the land uses that may be allowed within the residential office, residential office-hospital, institutional, and public use zones established by ACC 18.02.070 (Establishment of zones), determines the type of land use approval required for each use, and provides basic standards for site layout and building size. (Ord. 6894 § 1 (Exh. B), 2022; Ord. 6434 § 1, 2012.)

18.35.020 Intent of special purpose zones.

A. *General.* This section describes the intent for each of the city's special purpose zones. These intent statements may be used to guide the interpretation of the regulations associated with each zone.

~~B. *RO and RO-H Residential Office and Residential Office-Hospital Zone.* The RO and RO-H are intended primarily to accommodate small-scale business and professional offices, medical and dental clinics, and banks and similar financial institutions at locations where they are compatible with residential uses. Some retail and personal services may be permitted if supplemental to the other uses allowed in the zone. This zone is intended for those areas that are in transition from residential to commercial uses along arterials or near the hospital. Conversion of residential uses to commercial uses is geared towards encouraging adaptive reuse of existing single-family structures that continue to appear in accord with the single-family residential character. The RO-H designation is to be used exclusively for the hospital~~

~~area, located in the vicinity of 2nd Street NE and Auburn Avenue, and is intended to be used for medical and related uses and those uses compatible with the medical community.~~

C. *P-1 Public Use Zone.* The P-1 Public Use Zone is intended to provide for the appropriate location and development of public uses that serve the cultural, educational, recreational, and public service needs of the community. A broader list of public and quasi-public uses may be allowed to develop.

~~The P-1 zone is intended to provide for the appropriate location and development of public uses that serve the cultural, educational, recreational, and public service needs of the community.~~

D. *I Institutional Zone.* The I Institutional zone is intended to provide an area wherein educational and theological uses in a campus-like setting are permitted, which may not be permitted outright within other zones. This district is not intended to include those smaller or singular public uses which are consistent with and permitted in the P-1 Public Use Zone.

~~The I zone is intended to provide an area wherein educational, governmental, theological, recreational, cultural and a broader list of public and quasi-public uses may be allowed to develop. It is further intended these areas feature a larger campus-like setting that includes a combination of uses and activities which may not be permitted outright within other zones. This district is not intended to include those smaller or singular public uses which are consistent with and permitted in other zones.~~

E. *OS Open Space Zone.* The OS Open Space zone is intended to provide for land uses that tend to be managed in a largely undeveloped character, including passive parks, watersheds, natural and urban conservancy shoreline areas, significant wildlife habitats, large storm water detention ponds or floodplain ponds, utility corridors with public access, and areas with significant development restrictions. Park lands included in the open space zone tend to be predominately passive in character and with relatively fewer developed facilities than parks included in the institutional zone provided that accessory uses such as supportive parking, boardwalks, kiosks, interpretive centers, trails, restrooms, and public access points are allowed. Private sites containing critical areas or shorelines may be included.

~~The OS zone is intended to provide for land uses that tend to be managed in a largely undeveloped character, including passive parks, watersheds, natural and urban conservancy shoreline areas, significant wildlife habitats, large storm water detention ponds or floodplain~~

~~ponds, utility corridors with public access, and areas with significant development restrictions. Park lands included in the open space zone tend to be predominately passive in character and with relatively fewer developed facilities than parks included in the institutional zone. Private sites containing critical areas or shorelines may be included. (Ord. 6894 § 1 (Exh. B), 2022; Ord. 6677 § 2, 2018; Ord. 6434 § 1, 2012.)~~

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	

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 retailer	~~X~~	~~X~~	X	X	X	
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	

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**	
College, university, public	~~X~~	~~X~~	A	A	X	
Commercial recreation facility – Indoor	~~X~~	~~X~~	X	P	X	
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	X	X	
Religious institutions, lot size less than one acre	~~A~~	~~P~~	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**	
Religious institutions, lot size more than one acre	~~C~~	~~A~~	X	P	X	
Studio – Art, dance, martial arts, music, etc.	~~P~~	~~X~~	X	X	X	
RESIDENTIAL						
Middle housing subject to the provisions in Chapter 18.25 (2 to 6 units)~~Duplex,~~	~~P~~[1]	~~X~~	X	A[1]	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	
Apartments (7 or more units)~~Multiple-family dwellings, stand-alone~~	~~P~~[2]	~~A~~[3]	X	A[2]	X	
One ~~detached~~ single-unit~~family~~ detached dwelling	~~P~~	~~X~~	X	X	P[45]	

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**	
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	
SERVICES						
Banking and related financial institutions, excluding drive-through facilities[34]	~~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[34]	~~P~~	~~P~~	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**	
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						
Utility facilities, substations, utility transmission or distribution line	~~X~~	~~X~~	X	X	A	See ACC 18.02.040(E)
Wireless communications facility (WCF) (See ACC 18.04.912(W))	~~*~~	~~*~~	*	*	*	*See ACC 18.31.100 for use regulations and zoning development standards.
Eligible facilities request (EFR) (Wireless communications facility) (See ACC 18.04.912(H))	~~P~~	~~P~~	P	P	P	

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**	
Small wireless facilities (ACC 18.04.912(Q))	~~P~~	~~P~~	P	P	P	
Emergency wireless communications facility (EWCF)	~~X~~	~~X~~	X	P	X	See ACC 18.04.912 and 18.31.100
OTHER USES THAT ARE NOT LISTED						
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 Minimum lot area not applicable; Duplexes must meet other development standards of the I zone. ~~, 3,600 square feet of lot area per dwelling unit is required.~~

2 Minimum lot area not applicable; Apartments must meet other development standards of the I zone. ~~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.~~

~~43~~ 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.

~~54~~ One single-unit ~~family~~ detached dwelling unit per existing legal lot. No residential subdivisions permitted in the open space zone.

(Ord. 6894 § 1 (Exh. B), 2022; Ord. 6799 § 9 (Exh. I), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6677 § 3, 2018; Ord. 6642 § 11, 2017; Ord. 6434 § 1, 2012.)

18.35.040 Development standards.

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 requirements in Table 18.35.040 (~~RO, RO-H,~~ P-1, I, OS Zone Development Standards) and in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. These standards may be modified through either an administrative variance or variance, subject to the procedures of Chapter 18.70 ACC.

Table 18.35.040. ~~RO, RO-H,~~ P-1, I, OS Zone Development Standards

Development ~~Feature~~Standards	Requirement by Zones				
	~~RO~~ ~~Residential Office~~	~~RO-H~~ ~~Residential Office-Hospital~~	P-1 Public Use	I Institutional	OS Open Space
Minimum lot area	~~7,200 sf~~	~~None~~	None	6,000 sf	None
Minimum lot width, depth	~~50 ft, 80 ft~~	~~None~~	None	60 ft, 80 ft	None
Maximum lot coverage	~~55 percent~~[1]	~~None~~	None	35 percent	5 percent
Maximum impervious area	~~NA~~	~~NA~~	NA	NA	20 percent~~[47]~~

Development ~~Feature~~Standards	Requirement by Zones				
	~~RO~~ ~~Residential Office~~	~~RO-H~~ ~~Residential Office-Hospital~~	P-1 Public Use	I Institutional	OS Open Space
Setbacks	*Minimum setbacks required for primary structures. See ACC 18.31.070 for exceptions to these requirements.*				
Front	~~20 ft~~[2]	~~10 ft~~	20 ft	20 ft	20 ft
Side – Interior	~~5 ft~~	~~None~~	5 ft[41]	5 ft	5 ft
Side – Corner	~~10 ft~~	~~10 ft~~	10 ft	10 ft	10 ft
Rear	~~25 ft~~[3]	~~None~~	25 ft	25 ft	25 ft
Accessory structure(s)	~~See note [5] below~~	~~NA~~	NA	See note ~~[25]~~ below	
Height limit	*Maximum allowable height of structures. See ACC 18.31.030 (Height limitations – Exceptions) for height limit exceptions.*				
Maximum height	~~35 ft~~	~~65 ft~~	45 ft	45 ft[36]	35 ft
Fences and hedges	See Chapter 18.31 ACC				
Landscaping	See Chapter 18.50 ACC				
Parking	See Chapter 18.52 ACC				
Signs	See Chapter 18.56 ACC				
Lighting	See Chapter 18.55 ACC				
Nonconforming structures, land and uses	See Chapter 18.54 ACC				

Notes:

~~1 New single-family residential or conversions of single-family residences to commercial uses with additions greater than a total or cumulative area of 200 square feet on the property since the adoption of Ordinance No. 6231, then the maximum lot coverage is 35 percent.~~

~~2 New single-family residential or conversions of single-family residences to commercial uses with additions of 200 square feet or less, then the front yard setback is 10 feet.~~

~~3 New single-family residential or conversions of single-family residences to commercial uses with additions of 200 square feet or less, then the rear yard setback is 15 feet.~~

~~4~~1 A 25-foot setback is required when adjacent to a residential zone.

~~5~~2 Accessory structures shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet; provided, that any structure with a vehicle entrance from a street (public or private) or public alley shall be set back a minimum of 20 feet.

~~6~~3 Maximum building height for residential dwellings: 350 feet. Accessory buildings to residential dwellings: 2416 feet.

~~7~~4 Maximum impervious area includes all hard surfaces per ACC 13.48.010(L).

(Ord. 6894 § 1 (Exh. B), 2022; Ord. 6677 § 4, 2018; Ord. 6434 § 1, 2012.)

~~18.35.050 Additional development standards for both the RO and RO-H zones.~~

~~A. All uses shall be conducted entirely within an enclosed structure, except noncommercial municipal automobile parking facilities in the RO-H zone.~~

~~B. There shall be no outside storage of materials allowed.~~

~~C. Refuse cans, containers or dumpsters shall be screened from the view of adjoining properties.~~

~~D. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities, shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the state siting criteria (Chapter 70.105 RCW).~~

~~E. Any new construction, including additions and alterations, within the RO district shall utilize similar bulk, scale, and architectural and landscape elements of the existing site structure or those of the neighborhood in which the property is located. A site plan and building elevation plans shall be prepared by the applicant which address compliance with the requirements as outlined in this subsection. The plans shall be approved by the planning director or designee prior to the issuance of any building permits.~~

~~The planning director and the public works director or designees may deviate from the development standards under ACC 18.35.040 up to 10 percent, for example, reduce rear yard setback by one and one-half feet, to address unusual circumstances for conversions of single-family residential uses to nonresidential uses. (Ord. 6894 § 1 (Exh. B), 2022; Ord. 6434 § 1, 2012.)~~

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.49

FLEXIBLE DEVELOPMENT ALTERNATIVES - REPEALED

Sections:

18.49.010 Intent.

18.49.020 Applicability – Residential development.

18.49.030 Applicability – Mixed-use development.

18.49.040 Applicability – Commercial/industrial developments.

18.49.050 Flexible development standards for residential development.

18.49.060 Flexible development standards for mixed-use development.

18.49.070 Flexible development standards for commercial/industrial.

18.49.080 Procedures.

18.49.090 Appeals.

18.49.010 Intent.

The city of Auburn flexible development alternatives process is intended to allow greater flexibility and creativity to develop a site through the development review process via alternative development standards in exchange for public benefit to the citizens of Auburn that helps the city accomplish goals and policies outlined within its comprehensive plan. In exchange for the enhanced flexibility offered by these alternative standards, the city requires that the proposed development result in a significantly higher quality of design, generate more of a public benefit, and be more environmentally sensitive than would have been the case with the use of standard zoning or subdivision procedures.

This chapter describes standards and requirements to be used by the city of Auburn to determine whether a development proposal meets the city's minimum requirements to be eligible for review under the flexible development alternatives approval process. (Ord. 6245 § 19, 2009.)

18.49.020 Applicability – Residential development.

A. *Minimum Requirements for Residential Development.* In order to qualify for consideration under the residential development provisions of this chapter, a development proposal must meet all of the following requirements. Flexible development alternatives for residential development is a two-tiered process including minimum requirements (all of which must be met) and flexible criteria, which must score a minimum of 100 points in at least three categories, with not more than 40 points in any one category counting toward the 100-point minimum.

1. *Site Requirements.* Flexible development alternatives for residential development is a two-tiered process including minimum requirements (all of which must be met) and flexible criteria, which must score a minimum of 100 points in at least three categories.

a. *Location.* The site of the proposed project must be located entirely within one or more of the following zoning districts: R-1, R-5, R-7, R-10, R-16, R-20.

b. *Minimum Property Size.* The land on which the proposed development will be sited is a minimum of eight acres for the R-1 through R-7 zones; and a minimum of two acres for the R-10 through R-20 zones.

c. *Lot Configuration.* The tract(s) of land for which the project is proposed shall be a common site with sufficient width and depth to accommodate the proposed use.

d. Ownership/Control. All land included for the purpose of the development shall be owned by or be under the complete control of the applicant for such proposal, whether the applicant be an individual, partnership, corporation, group, or agency.

2. *Project Requirements.*

a. *Development Type.* The development proposal must constitute a residential development. For purposes of this chapter, a residential development may consist of single-family dwellings, multiple-family dwellings, or a combination thereof.

b. *Consistency with Intent of Flexible Development Alternative Regulations.* Applicant must demonstrate that the proposed development is consistent with the intent of the flexible development alternatives regulations as provided in ACC 18.49.010.

c. *Consistency with Auburn City Code.* The proposed development shall be consistent with all other requirements of the Auburn City Code.

d. *Consistency with Comprehensive Plan.* Applicant must demonstrate that the proposed development is consistent with the goals, objectives, and policies of the City of Auburn Comprehensive Plan.

e. *Arrangement of Uses.* Where nonresidential uses are proposed as a component of the overall residential development, nonresidential uses may not occupy more than 20 percent of the overall site.

B. *Eligibility – Flexible Development Alternatives Scoring Matrix for Residential Development.* Subsection C of this section shall be used to determine eligibility of a proposal for review under the city's flexible development alternatives approval process. To meet the requirements, a project must: (1) score at least 100 points total by providing any combination of features or amenities found in subsection C of this section; and (2) score points in any three or more of Categories 1 through 8 listed in the table, with not more than 40 points in any one category counting toward the 100-point minimum.

C. *Eligibility – Residential Flexible Development Matrix.* Development proposals will only be awarded points for improvements or project features that exceed the requirements of the other chapters of this title, the other titles of the city code, and the city design and construction standards.

Feature/Benefit	**Points Possible**
Category 1 – Sustainability	
a. Project design incorporates the use of one or more of the following low impact development (LID) techniques consistent with the city design and construction standards: bioretention, soil amendment, permeable paving, vegetated roofs, minimal excavation foundations, rooftop rainwater collection.	5 points per technique up to a maximum of 25 points
b. All residential units in the proposal meet the design requirements for one or more of the following	LEED: 15 points for certification, add the following points for applicable design level: 5 points for

Feature/Benefit	Points Possible
certifications: • Leadership in Energy and Efficient Design (LEED) Homes • LEED Neighborhood • Built Green single-family homes • Built Green multifamily • Built Green community.	Silver, 10 points for Gold, 15 points for Platinum Built Green single-family and multifamily: 5 points for 3-star design level, 10 points for 4-star design level, 15 points for 5-star design level Built Green community: 10 points for 2-star design level, 15 points for 3-star design
c. Project buildings and structures are constructed with at least 10% post-consumer content/recycled materials.	5 points, plus 1 point for each two percentage points in excess of 10%; up to a maximum of 10 points
d. Project implements a construction recycling program approved by the city of Auburn building division for construction, demolition and deconstruction projects that achieves a 90 percent landfill diversion rate.	5 points
e. Project design incorporates one or more water conservation and management features (i.e., low-flow toilets, Energy Star-rated dishwashers and clothes-washing machines, drip irrigation system, etc.).	5 points, plus one point for each type of water conservation/management feature
f. Project design incorporates one or more energy conservation/efficiency features (i.e., orienting buildings for passive cooling and optimal use of natural lighting, high efficiency lighting with occupancy sensors for common areas, Energy Star-rated appliances, use of solar panels, etc.).	5 points, plus one point for each type of energy conservation/efficiency feature
g. Applicant has provided an assessment of project's carbon footprint prepared by a qualified consultant defined as an individual or firm with specialized knowledge or expertise in the assessment of greenhouse	10 points

Feature/Benefit	Points Possible
gas and carbon impacts of development.	
Category 2 – Urban Design	
a. Project incorporates public art features that reflect the community's values, history, economy or people in accordance with the city of Auburn comprehensive plan.	5 points
b. Project facilitates access by bicyclists in accordance with the city of Auburn comprehensive plan, and project does not contain barriers such as fences or walls that unnecessarily limit or block bicyclist access.	5 points
c. Project involves the voluntary undergrounding of existing above ground utilities in accordance with the city of Auburn comprehensive plan, where such undergrounding would not otherwise be required.	5 points + 1 point for every 25 feet of frontage up to a maximum of 10 points
d. Project incorporates beautification of a designated primary travel corridor (pursuant to the adopted city transportation plan, and subject to the approval of the city engineer) in accordance with the city of Auburn comprehensive plan.	10 points
e. Project incorporates pedestrian- or transit-friendly design features such as rear or side setback area parking, wider sidewalks, street furniture, and building awnings in accordance with the city of Auburn comprehensive plan.	5 points + 1 point per non-repeated design feature up to a maximum of 15 points
Category 3 – Community Cohesion and Neighborhood Safety	
a. Project incorporates crime prevention through environmental design principles.	5 points, plus 1 point for each CPTED technique incorporated in design

Feature/Benefit	Points Possible
b. Project design incorporates features or design elements to minimize interfaces between pedestrians and vehicular traffic (i.e., elevated walkway, de-linking walkways and streets, etc.).	5 points
c. Project design provides for well defined neighborhood gateways and community/common open spaces.	5 points
d. Project provides secure and observable play spaces for children.	5 points
e. Project provides for outdoor seating/gathering areas for passive social activities (i.e., reading, conversing, or playing chess, etc.).	3 points
Category 4 – Housing	
a. Senior Housing – Project creates or rehabilitates a minimum of 10 percent or 2 units (whichever is greater) of proposed housing meeting the definition of "senior housing" as provided in Chapter 18.04 ACC.	2 points per senior housing unit up to a maximum of 15 points
b. Special Needs Housing – Project creates or rehabilitates a minimum of 10 percent or 2 units (whichever is greater) of proposed housing meeting the definition of "special needs housing" as provided in Chapter 18.04 ACC.	2 points per senior housing unit up to a maximum of 15 points
c. Rehabilitation – Project rehabilitates one or more existing housing units. Rehabilitation must meet the definition of "housing rehabilitation" as defined in Chapter 18.04 ACC.	2 points per rehabilitated housing unit, to a maximum of 50 pts
d. Housing Variety – Project creates or rehabilitates units representing 2 or more housing types as allowed in ACC	2 points per max of housing type up to a

Feature/Benefit	Points Possible
18.07.020 in the zone in which the development is proposed.	maximum of 10 points
Category 5 – Open Space and Recreation	
a. Projects incorporating residential units provide for individual unit private open space area through the provision of a balcony, covered porch or similar architectural feature.	3 points
b. Projects incorporating residential units provide for common open space area that equates to 250 square feet of common open space per unit or 10 percent of the total gross site area, whichever is greater.	5 points
c. The director, in consultation with the city parks department, determines that the project creates a neighborhood park, trail, or other public recreational amenity as listed in Chapter 18.04 ACC not otherwise required by city development regulations that furthers the goals and objectives of an adopted city parks, recreation, and/or open space plan.	2 points for each 0.25-acre of area or 200 linear feet of trail up to a maximum of 15 points
d. Project provides one or more common gardening spaces or community "pea patch" areas for residents of the development or surrounding neighborhood.	5 points, plus 1 point for each 250 square feet of gardening space.
Category 6 – Natural Resources Protection	
a. Project retains and provides a superior level of protection and/or enhancement for sensitive natural features on site, including: wetlands, surface waters, geological hazardous areas, sensitive plant and animal species, etc. For purposes of this category, superior level	15 points

Feature/Benefit	Points Possible
of protection and/or enhancement includes incorporation of additional protections and/or restoration projects that enhance protection of or restore critical functions and values of the natural feature.	
b. The project design demonstrates a superior level of protection and/or enhancement for elements of the environment, including: air quality, water quality, natural topography, native vegetation, etc. For purposes of this category, superior level of protection and/or enhancement includes incorporation of additional protections and/or restoration projects that enhance protection of or restore critical functions and values of the environmental element.	15 points
c. The project design demonstrates a superior level of mitigation for impacts associated with the proposed development (or abatement of existing environmental conditions in the neighborhood) such as noise, light and glare, odors, vibration, etc. For purposes of this section, "superior level of mitigation" shall mean mitigation that alleviates existing condition issues in addition to mitigating for project impacts.	15 points
Category 7 – Cultural/Historic	
a. Project preserves a site, structure or feature of cultural or historic significance. For purposes of this section, a site, structure or feature of cultural or historic significance is one that is listed on the federal, state, or local register of historic or cultural properties.	25 points
b. Project restores or enhances a site, structure or feature of cultural or historic significance as defined under subsection (7)(a) of this table.	40 points

Feature/Benefit	Points Possible
c. Project is located in any district designated in accordance with the city of Auburn historic preservation code, Chapter 15.76 ACC, or any other district designated by city of Auburn ordinance or resolution intended to preserve, protect, enhance, and/or perpetuate those sites, buildings, districts, structures or objects which possess notable features or reflect significant elements of Auburn's, the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, or other heritage. Applicant must demonstrate that project design advances the stated intent of the district designation.	15 points
Category 8 – Transportation and Mobility	
a. Project demonstrates coordination with local and regional transit agencies and includes new transit facilities or features.	15 points
b. Project design includes nonmotorized transportation features and amenities not otherwise required by the city code. For purposes of this requirement, nonmotorized transportation features include but are not limited to pedestrian walkways, multi-use paths, bicycle racks/lockable storage, connections with other local/regional trails, walkways, paths.	5 points for each feature, up to a maximum of 25
c. Project improves the public street(s) adjacent to the project site using a complete streets design to provide accommodation for pedestrians, bicyclists, transit riders, and persons of all abilities, where such improvements are not otherwise required by city development regulations.	25 points
d. Project design includes one or more transportation demand management features including but not limited to	5 points for each feature, up to a maximum of 15

Feature/Benefit	Points Possible
preferential parking for high-occupancy vehicles, improved access for transit vehicles.	
e. Project provides for one or more transportation alternatives which include but are not limited to car share, bike share or other method of providing alternatives to individual automobile ownership.	5 points for each alternative, up to a maximum of 15
Design Innovation Bonus	
a. Project demonstrates a high degree of innovation by providing one or more design features not listed elsewhere in this rating instrument or otherwise required by city development regulations that promote(s) sustainability, energy/water conservation or efficiency, community cohesion, neighborhood safety, adaptive reuse of existing development, or enhanced transportation circulation/mobility.	10 points

(Ord. 6245 § 19, 2009.)

18.49.030 Applicability – Mixed-use development.

Flexible development alternatives for mixed-use development is a two-tiered process including minimum requirements (all of which must be met) and flexible criteria, which must score a minimum of 100 points in at least three categories, with not more than 40 points in any one category counting toward the 100-point minimum.

A. Minimum Requirements for Mixed-Use Development. In order to qualify for consideration under the mixed-use development provisions of this chapter, a development proposal must meet all of the following requirements:

1. *Site Requirements.*

a. *Location.* The site of the proposed project must be located entirely within one or more of the following zoning districts: R-10, R-16, R-20, C, C1, C2, C3, CN, RO, RO-H, M1.

b. *Lot Configuration.* The tract(s) of land for which the project is proposed shall be a common site with sufficient width and depth to accommodate the proposed use.

c. Ownership/Control. All land included for the purpose of the development shall be owned by or be under the complete control of the applicant for such proposal, whether the applicant be an individual, partnership, corporation, group, or agency.

d. *Proximity to a Multimodal Transportation Corridor.* The site of the proposed development shall be located a maximum of one quarter mile from a multimodal transportation corridor within the city of Auburn. The proposed development shall provide vehicular, transit, bicycle or pedestrian access to the corridor.

e. *Proximity to Public Street System.* The site of the proposed development shall abut one or more public streets having a current functional street classification of principal arterial, minor arterial, residential collector, or nonresidential collector as designated by the Auburn comprehensive transportation plan.

2. *Project Requirements.*

a. *Development Type.* The development proposal must constitute a mixed-use development. For purposes of this chapter, a mixed-use development is a single unified development that incorporates the planned integration of two or more different land uses consisting of some combination of office, light industrial (if allowed in underlying zone), hotel, retail, public entertainment and public uses, and/or housing. Mixed-use projects may be vertically oriented in one or more buildings, or geographically distributed on a development site.

b. *Consistency with Intent of Flexible Development Alternative Regulations.* Applicant must demonstrate that the proposed development is consistent with the intent of the flexible development alternatives regulations as provided in ACC 18.49.010.

c. *Consistency with Auburn City Code.* The proposed development shall be consistent with all other requirements of the Auburn City Code.

d. *Consistency with Comprehensive Plan.* Applicant must demonstrate that the proposed development is consistent with the goals, objectives, and policies of the city of Auburn comprehensive plan.

e. *Arrangement of Uses.* No residential use may occupy more than 25 percent of the first floor of a building with two or more uses.

B. Eligibility – Flexible Development Alternatives Scoring Matrix for Mixed-Use Development. Subsection C of this section shall be used to determine eligibility of a proposal for review under the city's flexible development alternatives approval process. To meet the requirements, a project must: (1) score at least 100 points total by providing any combination of features or amenities found in subsection C of this section; and (2) score points in any three or more of Categories 1 through 9 listed in the table. For each development proposal requesting evaluation through the flexible development alternatives process, the planning director shall determine: (1) whether the proposal meets the criteria for each feature in the flexible development matrix in subsection C of this section; and (2) the number of points awarded for each qualifying feature consistent with the matrix.

Development proposals will only be awarded points for improvements or project features that exceed the requirements of the other chapters of this title, the other titles of the city code, and the city design and construction standards.

C. Eligibility – Mixed-Use Flexible Development Matrix.

Feature/Benefit	**Points Possible**
Category 1 – Sustainability	
a. Project design incorporates the use of one or more of the following low impact development (LID) techniques consistent with the city design and construction standards: bioretention, soil amendment, permeable paving, vegetated roofs, minimal excavation foundations, rooftop rainwater collection.	5 points per technique up to a maximum of 25 points
b. Residential portion of project (all residential units) meets the design requirements for one or more of the	LEED: 15 points for certification, add the following points for applicable design level: 5 points for

Feature/Benefit	Points Possible
following LEED or Built Green certifications: • Leadership in Energy and Efficient Design (LEED) Homes • LEED Neighborhood • Built Green single-family homes • Built Green multifamily • Built Green community.	Silver, 10 points for Gold, 15 points for Platinum Built Green single-family and multifamily: 5 points for 3-star design level, 10 points for 4-star design level, 15 points for 5-star design level Built Green community: 10 points for 2-star design level, 15 points for 3-star design
c. Nonresidential portion of project (all nonresidential buildings, structures, or spaces) meets the design requirements for one or more of the following LEED certifications: • LEED Core and Shell • LEED New Construction • LEED Commercial Interiors • LEED Retail	15 points for certification, add the following points for applicable design level: 5 points for silver, 10 points for gold, 15 points for platinum
d. Project buildings and structures are constructed with at least 10 percent post-consumer content/recycled materials.	5 points, plus 1 point for each two percentage points in excess of 10 percent; up to a maximum of 10 points
e. Project implements a construction recycling program approved by the city of Auburn building division for construction, demolition and deconstruction projects that achieves a 90 percent landfill diversion rate.	5 points
f. Project design incorporates one or more water conservation and management features not otherwise required by other city development regulations or standards (i.e., low-flow toilets, Energy Star-rated	5 points, plus one point for each type of water conservation/management feature

Feature/Benefit	Points Possible
dishwashers and clothes-washing machines, drip irrigation system, etc.).	
g. Project design incorporates one or more energy conservation/efficiency features (i.e., orienting buildings for passive cooling and optimal use of natural lighting, high efficiency lighting with occupancy sensors for common areas, Energy Star-rated appliances, use of solar panels, etc.).	5 points, plus one point for each type of energy conservation/efficiency feature
h. Applicant has provided an assessment of project's carbon footprint prepared by a qualified consultant, defined as an individual or firm with specialized knowledge or expertise in the assessment of greenhouse gas and carbon impacts of development.	10 points
Category 2 – Urban Design	
a. Project incorporates public art features that reflect the community's values, history, economy or people in accordance with the city of Auburn comprehensive plan.	5 points
b. Project facilitates access by bicyclists in accordance with the city of Auburn comprehensive plan, and project does not contain barriers such as fences or walls that unnecessarily limit or block bicyclist access.	5 points
c. Project involves the voluntary undergrounding of existing above-ground private utility distribution, service, and telecommunication lines not otherwise required by the city.	5 points + 1 point for every 25 feet of frontage up to a maximum of 10 points
d. Project incorporates landscaping; design features such as decorative, textured, or pigmented concrete; historical	10 points

Feature/Benefit	Points Possible
signage; or other features not otherwise required by other city codes that enhance the visual appearance of the streets adjacent to the project (pursuant to the adopted city transportation plan) in accordance with the city of Auburn comprehensive plan. Any such features that would be located in the public right-of-way would be subject to the approval of the city engineer.	
e. Project incorporates transit-friendly design features such as rear or side setback area parking, wider sidewalks, street furniture, and building awnings in accordance with the city of Auburn comprehensive plan.	5 points + 1 point per non-repeated design feature up to a maximum of 15 points
Category 3 – Community Cohesion and Neighborhood Safety	
a. Project incorporates crime prevention through environmental design principles.	5 points, plus 1 point for each CPTED technique incorporated in design
b. Project design incorporates features or design elements to minimize interfaces between pedestrians and vehicular traffic (i.e., elevated walkway, de-linking walkways and streets, etc.).	5 points
c. Planning director finds that project design provides for well-defined neighborhood gateways and community/common open spaces.	5 points
d. Project provides secure and observable play spaces for children.	5 points
e. Project provides for outdoor seating/gathering areas for passive social activities (i.e., reading, conversing, or playing chess, etc.).	3 points

Feature/Benefit	Points Possible
Category 4 – Housing	
a. Senior Housing – Project creates or rehabilitates a minimum of 10 percent or 2 units (whichever is greater) of proposed housing meeting the definition of "senior housing" as provided in Chapter 18.04 ACC.	2 points per senior housing unit up to a maximum of 15 points
b. Special Needs Housing – Project creates or rehabilitates a minimum of 10 percent or 2 units (whichever is greater) of proposed housing meeting the definition of "special needs housing" as provided in Chapter 18.04 ACC.	2 points per senior housing unit up to a maximum of 15 points
c. Rehabilitation – Project rehabilitates one or more existing housing units. Rehabilitation must meet the definition of "housing rehabilitation" as defined in Chapter 18.04 ACC.	2 points per rehabilitated housing unit, to a maximum of 50 pts
d. Housing Variety – Project creates or rehabilitates units representing 2 or more housing types as allowed in ACC 18.07.020 in the zone in which the development is proposed.	2 points per max of housing type up to a maximum of 10 points
Category 5 – Open Space and Recreation	
a. Projects incorporating residential units provide for individual unit private open space area through the provision of a balcony, covered porch or similar architectural feature.	3 points
b. Projects incorporating residential units provide for common open space area adjacent to the mixed-use building(s) that equates to 250 square feet of common open space per unit or 10 percent of the total gross site area, whichever is greater.	5 points

Feature/Benefit	Points Possible
c. The director, in consultation with the city parks department, determines that the project creates a neighborhood park, trail, or other public recreational amenity as listed in Chapter 18.04 ACC, not otherwise required by city development regulations, that furthers the goals and objectives of an adopted city parks, recreation, and/or open space plan.	2 points for each 0.25-acre of area or 200 linear feet of trail up to a maximum of 15 points
d. Project provides one or more common gardening spaces or community "pea patch" areas for residents of the development or surrounding neighborhood.	5 points, plus 1 point for each 250 square feet of gardening space.
Category 6 – Natural Resources Protection	
a. Project retains and provides a superior level of protection and/or enhancement for sensitive natural features on site, including: wetlands, surface waters, geological hazardous areas, sensitive plant and animal species, etc. For purposes of this category, superior level of protection and/or enhancement includes incorporation of additional protections and/or restoration projects that enhance protection of or restore critical functions and values of the natural feature.	15 points
b. The project design demonstrates a superior level of protection and/or enhancement for elements of the environment, including: air quality, water quality, natural topography, native vegetation, etc. For purposes of this category, superior level of protection and/or enhancement includes incorporation of additional protections and/or restoration projects that enhance protection of or restore critical functions and values of the natural feature.	15 points
c. The project design demonstrates a superior level of mitigation for impacts associated with the proposed	15 points

Feature/Benefit	Points Possible
development (or abatement of existing environmental conditions in the neighborhood) such as noise, light and glare, odors, vibration, etc. For purposes of this section, "superior level of mitigation" shall mean mitigation that alleviates existing condition issues in addition to mitigating for project impacts.	
Category 7 – Cultural/Historic	
a. Project preserves a site, structure or feature of cultural or historic significance. For purposes of this section, a site, structure or feature of cultural or historic significance is one that is listed on the federal, state, or local register of historic or cultural properties.	25 points
b. Project restores or enhances a site, structure or feature of cultural or historic significance as defined under subsection (7)(a) of this table.	40 points
c. Project is located in any district designated in accordance with the city of Auburn historic preservation code, Chapter 15.76 ACC, or any other district designated by city of Auburn ordinance or resolution intended to preserve, protect, enhance, and/or perpetuate those sites, buildings, districts, structures or objects which possess notable features or reflect significant elements of Auburn's, the county's, state's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic, or other heritage. Applicant must demonstrate that project design advances the stated intent of the district designation.	15 points
Category 8 – Transportation and Mobility	

Feature/Benefit	Points Possible
a. Project demonstrates coordination with local and regional transit agencies and includes new transit facilities or features.	15 points
b. Project design includes nonmotorized transportation features and amenities not otherwise required by the city code. For purposes of this requirement, nonmotorized transportation features include but are not limited to pedestrian walkways, multi-use paths, bicycle racks/lockable storage, connections with other local/regional trails, walkways, paths.).	5 points for each feature, up to a maximum of 25
c. Project improves the public street(s) adjacent to the project site using a complete streets design to provide accommodation for pedestrians, bicyclists, transit riders, and persons of all abilities, where such improvements are not otherwise required by city development regulations.	25 points
d. Project design includes one or more transportation demand management features including but not limited to preferential parking for high-occupancy vehicles, improved access for transit vehicles.	5 points for each feature, up to a maximum of 15
e. Project provides for one or more transportation alternatives which include but are not limited to car share, bike share or other method of providing alternatives to individual automobile ownership.	5 points for each alternative, up to a maximum of 15
Category 9 – Economic Development	
a. Project creates or retains a minimum of 10 permanent family wage jobs. For purposes of this section, a permanent family wage job shall be a full-time job that, including benefits, earns at least 250 percent of the federal poverty guideline for a family of four as listed in the latest	2 points per job created up to a maximum of 40

Feature/Benefit	Points Possible
Federal Poverty Guidelines published by the U.S. Department of Health and Human Services.	
b. Project creates or retains a minimum of 10 permanent higher wage jobs. For purposes of this section, a permanent family wage job shall be a full-time job that, including benefits, earns at least 350 percent of the federal poverty guideline for a family of four as listed in the latest Federal Poverty Guidelines published by the U.S. Department of Health and Human Services.	4 points per job created up to a maximum of 40
c. Project provides one or more neighborhood services listed in Chapter 18.04 ACC.	3 points per neighborhood service up to a maximum of 15 points
d. Project revitalizes (i.e., proposes more intensive and active development than exists) commercial or industrial sites incorporating current adopted design standards producing commercial uses in accordance with the city of Auburn comprehensive plan.	10 points
Design Innovation Bonus	
a. Project demonstrates a high degree of innovation by providing one or more design features not listed elsewhere in this rating instrument or otherwise required by city development regulations that promote(s) sustainability, energy/water conservation or efficiency, community cohesion, neighborhood safety, adaptive reuse of existing development, or enhanced transportation circulation/mobility.	10 points

(Ord. 6245 § 19, 2009.)

18.49.040 Applicability – Commercial/industrial developments.

Reserved. (Ord. 6245 § 19, 2009.)

18.49.050 Flexible development standards for residential development.

Residential development that meets the minimum eligibility requirements of ACC 18.49.020 is able to utilize the flexible development standards outlined in this section.

A. *General Development Standards.* The following general flexible development standards would be applicable to residential development that meets the eligibility criteria for residential development as outlined in ACC 18.49.020(A).

1. Alternative Lot Dimension Requirements. Lot area, lot frontage and width, and setback requirements otherwise required under this title shall not apply to individual lots within a flexible development authorized under this chapter; provided, that the director has approved the proposed alternative lot dimensions for the development subject to the following limitations:

a. Lots having primary frontage on a street other than a street created by the development shall not have reduced frontage or front setbacks unless the director determines that doing so improves consistency of building spacing and bulk with the character of the existing facility; and

b. At least 50 percent of the required front, side and rear setback areas for the district shall be maintained in the development. In no case shall any side yard setback be less than five feet.

c. In no case shall required lot widths be reduced below 50 percent of the underlying zone requirement, or below 30 feet as the absolute minimum required lot width within residential zones.

2. Alternative Parking Lot Landscaping Requirements. Parking lot landscaping type, location, frontage, and area requirements under ACC 18.50.060 shall not apply to off-street parking areas in a flexible development authorized under this chapter; provided, that the

director has approved an alternative landscape design for the development subject to the following limitations:

a. Total proposed parking lot landscape area is greater than or equal to parking lot landscape area required under ACC 18.50.060(H); and

b. No sight-obscuring plants will be allowed whenever safe sight clearance is necessary for ingress and egress from a public street.

3. *Alternative Engineering Design Standards.* Residential flexible development projects authorized under this chapter shall be eligible to deviate from the city of Auburn engineering design standards; provided, that the city engineer has determined that the proposed design (a) meets or exceeds the technical requirements otherwise required by the engineering design standards with respect to functionality, safety, and maintenance and operation, (b) is consistent with the city comprehensive plan and applicable capital facilities and comprehensive utility plans, and (c) is consistent with the purpose and intent of the flexible development regulations under this chapter. The project applicant is responsible for providing information in sufficient detail to allow the city engineer to make such determination.

4. *Expedited Permitting Process of 90 Days or Less.* Flexible development projects authorized under this chapter shall receive expedited permit review for city land use approvals and building permits associated with the project. For such development permits, the city shall strive to limit the city's processing time to not more than 90 days after receipt of a complete permit application, including SEPA environmental review information as required by Chapter 16.06 ACC, as stated in a letter from the city acknowledging receipt of said complete application or 75 percent of the standard processing time for such application, whichever is greater. Time during which applicants are providing revisions and/or otherwise amending a permit application shall not be counted against the 90-day permit processing timeline.

5. *Density Bonus.*

a. One Hundred Thirty-Five Percent Residential Density Bonus. A density bonus allowing up to 135 percent of the base density of the underlying zone shall be allowed for developments that meet the minimum eligibility criteria of ACC 18.49.020 of 100 points.

b. One Hundred Fifty Percent Residential Density Bonus. A density bonus allowing up to 150 percent of the base density of the underlying zone shall be allowed for development projects that show exceptional merit as measured by scoring up to 150 points on the eligibility criteria matrix of ACC 18.49.020.

B. Feature-Specific Residential Development Standards.

1. *Alternative Minimum off-Street Parking.* Development projects that incorporate at least two of the following features as part of the multifamily residential portion of the development may reduce the number of off-street parking spaces otherwise required under Chapter 18.52 ACC for that/those portion(s) of the development by 25 percent:

a. Within one-half mile of transit stops serving transit routes that provide service six or more days per week;

b. Improved access for transit vehicles;

c. Alternative transportation elements (i.e., car share, bicycle parking facilities, etc.); and

d. Connections with other local/regional trails, walkways, paths, etc. (Ord. 6245 § 19, 2009.)

18.49.060 Flexible development standards for mixed-use development.

Development that meets the minimum eligibility requirements of ACC 18.49.030 is able to utilize the flexible development standards outlined in this section.

A. *General Development Standards.* The following general flexible development standards would be applicable to development that meets the eligibility criteria for mixed-use development as outlined in ACC 18.49.030.

1. Alternative Lot Dimension Requirements. Lot area, lot frontage and width, and setback requirements otherwise required under this title shall not apply to individual lots within a flexible development authorized under this chapter; provided, that the director has

approved the proposed alternative lot dimensions for the development subject to the following limitations:

a. Lots having primary frontage on a street other than a street created by the development shall not have reduced frontage or front setbacks unless the director determines that doing so improves consistency of building spacing and bulk with the character of the existing facility; and

b. At least 50 percent of the required front, side, and rear setbacks for the underlying zone shall be maintained in the development. In no case shall any side yard setback be less than five feet.

2. Alternative Parking Lot Landscaping Requirements. Parking lot landscaping type, location, frontage, and area requirements under ACC 18.50.060(H) shall not apply to off-street parking areas in a flexible development authorized under this chapter; provided, that the director has approved an alternative landscape design for the development subject to the following limitations:

a. Total proposed parking lot landscape area is greater than or equal to parking lot landscape area required under ACC 18.50.060(H); and

b. No sight-obscuring plants will be allowed whenever safe sight clearance is necessary for ingress and egress from a public street.

3. *Alternative Engineering Design Standards.* Mixed-use flexible development projects authorized under this chapter shall be eligible to deviate from the city of Auburn engineering design standards consistent with the city of Auburn construction and design standards process; provided, that the city engineer has determined that the proposed design: (a) meets or exceeds the technical requirements otherwise required by the engineering design standards with respect to functionality, safety, and maintenance and operation, (b) is consistent with the city comprehensive plan and applicable capital facilities and comprehensive utility plans, and (c) is consistent with the purpose and intent of the flexible development regulations under this chapter. The project applicant is responsible for providing information in sufficient detail to allow the city engineer to make such determination.

4. *Expedited Permitting Process of 90 Days or Less.* Flexible development projects authorized under this chapter shall receive expedited permit review for city land use approvals and building permits associated with the project. For such development permits, the city shall strive to limit the city's processing time to not more than 90 days after receipt of a complete permit application, including SEPA environmental review information as required by Chapter 16.06 ACC, as stated in a letter from the city acknowledging receipt of said complete application or 75 percent of the standard processing time for such application, whichever is greater. Time during which applicants are providing revisions and/or otherwise amending a permit application shall not be counted against the 90-day permit processing timeline.

5. *Density Bonus.*

a. One Hundred Thirty-Five Percent Density Bonus. A residential density bonus allowing up to 135 percent of the base density of the underlying zone shall be allowed for developments that meet the minimum eligibility criteria of ACC 18.49.030 of 100 points.

b. *One Hundred Fifty Percent Density Bonus.* A residential density bonus allowing up to 150 percent of the base density of the underlying zone shall be allowed for development projects that show exceptional merit as measured by meeting up to 150 points on the eligibility criteria matrix of ACC 18.49.030(C).

B. Feature-Specific Mixed-Use Development Standards.

1. *Alternative Minimum off-Street Parking.* Development can qualify for either subsection (B)(1)(a) or (b) of this section, but not both.

a. Development projects that incorporate shared parking areas for two or more nonresidential principal uses may reduce the total number of off-street parking spaces otherwise required for those uses under Chapter 18.52 ACC by 25 percent.

b. Development projects that incorporate any of the following features as part of the residential and/or nonresidential portions of the development may reduce the number of off-street parking spaces otherwise required under Chapter 18.52 ACC for that/those portion(s) of the development by 25 percent; developments also providing for shared parking for two or more nonresidential principal uses may reduce the

number of nonresidential off-street parking spaces otherwise required under Chapter 18.52 ACC by 35 percent:

i. Transit stops;

ii. Improved access for transit vehicles;

iii. Alternative transportation elements (i.e., car share, bicycle parking facilities, etc.); and

iv. Connections with other local/regional trails, walkways, paths, etc.

2. *Structured Parking Bonus.* A development that includes all of its proposed parking within a parking structure (as defined in Chapter 18.04 ACC) that is screened from surrounding public streets and public spaces may be allowed to reduce minimum garage setbacks to zero inches for portions of the parking structure that are underground. Any portion of such improvements that would be located in the public right-of-way would be subject to the approval of the city engineer and may require a right-of-way use permit.

3. *Use of Hardscape for Open Space.* A mixed-use development may be allowed to provide up to 75 percent of its required on-site open space as hardscape such as decorative paving, rock outcroppings, fountains, plant containers for features such as plazas, courtyards, and other public gathering spaces. Hardscape is encouraged to be provided in the form of pervious surfaces meeting city design and construction standards.

4. Maximum Height Bonus. Mixed-use development that includes required on-site parking within a parking structure may provide an additional 10 feet of height to the building; provided, that a portion of that height is used to provide roof forms that provide distinctive roof forms such as:

a. Pitched or sloped roof;

b. Extended parapets; or

c. Projecting cornices. (Ord. 6245 § 19, 2009.)

18.49.070 Flexible development standards for commercial/industrial.

Reserved. (Ord. 6245 § 19, 2009.)

18.49.080 Procedures.

A. Project proponents interested in applying for flexible development under this chapter must follow the requirements of the underlying permit process as outlined in ACC Title 14 with the following exceptions:

1. Prior to submittal of an application that incorporates proposed flexible development standards, the applicant must first submit:

a. A checklist on a form provided by the city of Auburn outlining the features that the development proposal will utilize to reach the required minimum 100-point eligibility needed to utilize flexible development standards.

b. A conceptual site plan (including conceptual design of all public utility facilities and road design) and narrative that identifies the features that meet the 100-point requirement of ACC 18.49.020, 18.49.030, or 18.49.040 based on development type, and that identifies the flexible development features of ACC 18.49.050, 18.49.060, and 18.49.070 based on development type that the applicant proposes to utilize for the development proposal.

B. The city of Auburn shall evaluate flexible development submittals provided pursuant to subsection A of this section and provide a written statement identifying whether or not the applicant met the required minimum score and is allowed to utilize flexible development standards outlined in this chapter.

C. A flexible development proposal must demonstrate its compliance with the city of Auburn design and construction standards and any modifications to those standards that the city engineer allows through application of this chapter.

D. *Modifications.* Any proposed modifications to development projects that have been accepted as flexible development proposals, and that include amendment to a flexible development eligibility feature or flexible development standard called out in the application

materials submitted as part of the requirements of subsection A of this section, must be reevaluated through revised application submittals that provide information consistent with the requirements of subsections (A)(1)(a) through (b) of this section.

E. *Eligibility Criteria Review and Amendment.* The city shall conduct a review of eligibility criteria contained in this chapter one year after adoption of the implementing ordinance. After the initial review, the city may elect to review and modify eligibility criteria contained within this chapter as part of the city's annual docket process through a legislative nonproject decision pursuant to ACC 14.03.060. (Ord. 6245 § 19, 2009.)

18.49.090 Appeals.

Appeals of administrative decisions regarding eligibility for flexible development shall be made to the hearing examiner as outlined in Chapters 2.46 and 18.70 ACC. (Ord. 6442 § 21, 2012; Ord. 6245 § 19, 2009.)

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.50
LANDSCAPING AND SCREENING

Sections:

18.50.010 Intent.
18.50.020 Applicability.
18.50.030 Repealed.
18.50.040 Landscape development standards.
18.50.045 Preservation of significant trees.
18.50.050 Repealed.
18.50.060 Landscaping plan requirements.
18.50.070 Administration and enforcement.
18.50.080 Alternative landscaping plan.

18.50.010 Intent.

The intent of this chapter is to provide minimum landscaping and screening requirements in order to maintain and protect property values, to enhance the city's appearance, to visually unify the city and its neighborhoods, to improve the character of certain areas of the city, to reduce erosion and storm water runoff, to interrupt expanses of impervious surfaces, to reduce CO_2 emissions, improve air quality, and to maintain or replace existing vegetation and to prevent and abate public nuisances. (Ord. 6617 § 28, 2016; Ord. 6387 § 1, 2011; Ord. 4914 § 1, 1996; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

18.50.020 Applicability.

A. This chapter applies to all uses and activities developed in the city excluding single-unit detached dwelling~~family and duplex units~~ on individual lots.

B. When additions, alterations, or repairs of any existing building or structure exceed 50 percent of the value of the building or structure, or a residential use is converted to a nonresidential use, then such building or structure shall be considered to be a new use and site

landscaping provided in accordance with this chapter; provided, that if any existing foundation or fence layout precludes full compliance herewith, then the landscaping requirements may be modified by the planning director in approved landscape plans. (Ord. 6387 § 1, 2011; Ord. 4914 § 1, 1996; Ord. 4304 § 1(33), 1988; Ord. 4229 § 2, 1987.)

18.50.030 Definitions.

Repealed by Ord. 6387.

18.50.040 Landscape development standards.

A. *General Location for Landscape Improvements.* Landscaping shall be provided in the following locations for all types of development, unless the city determines that the required landscape is not necessary to fulfill the purposes of this chapter:

1. *Perimeter Areas.* All areas that abut a street or residential property shall be landscaped in compliance with this chapter, except where occupied by a primary building, walk or driveway. Minimum landscape areas are listed in Tables 18.50.040(A) and (B).

2. *Unused Areas.* All areas of a ~~multifamily~~ apartments or nonresidential project site not intended for a specific use (including areas planned for future phases of a phased development) shall be landscaped with existing natural vegetation, native grasses or similar.

3. *Parking/Loading Areas.* Parking lots, and where loading areas are visible from a public street, shall be landscaped in compliance with this chapter.

4. *Outdoor Storage Areas, Recreational Vehicle Parking, and Refuse Areas.* All outdoor storage areas, recreational vehicle parking, and refuse areas, when visible from adjoining properties or public streets, shall be landscaped in compliance with this chapter.

5. *Storm Water Low Impact Development (LID) Facilities.* Areas of vegetation planted in storm water LID facilities (not permanently inundated or ponded areas) and for which there is a city-approved maintenance plan as prescribed in the city's Engineering Design Standards Manual shall count towards the minimum landscape coverage areas outlined in subsection B of this section.

B. *Landscape Area Requirements by Zones.* Minimum landscape area requirements are listed below by zones consistent with ACC 18.02.070.

Table 18.50.040(A). Minimum Landscape Requirements by Zoning District

Zones	Minimum Landscape Coverage[1]	Minimum Landscape Planter Width – Perimeter Areas[2]	
		Abutting Street[3]	Abutting Residential Property
Residential Zones			
RC and, R-1 , R-5, and R-7 Residential Zones[4]	N/A	N/A	N/A
R-2 and R-3 Zones[5]	10%	N/A	N/A
R-10, R-16 and R-20R-4 and R-NM Zones[5]	1020%	6 ft.	610 ft.
Nonresidential Zones			
C-2	10%	0 ft.	6 ft.
C-1, C-N	10%	6 ft.	10 ft.
C-23, I, P-1	15%	6 ft.	10 ft.
M-1	10%	10 ft.	10 ft.
M-2	10%	10 ft.	25 ft.
Other			
RO-F[6]/RO-H[6]	N/A	N/A	N/A
DUC districts[7]	N/A	N/A	N/A

Notes:

1 Minimum landscape coverage required is the minimum percentage of net lot area that must be maintained with a vegetated pervious surface. Vegetated bioretention cells or water quality treatment swales (not permanently inundated or ponded areas) may be included in the required landscape coverage percentage. Preference shall first be given to retention of areas of existing native coniferous vegetation. For sites that do not have existing native coniferous vegetation, landscape coverage can be achieved through planting of native species.

2 Listed planter widths shall be located entirely on private property.

3 The minimum landscape planter abutting a street may be reduced in size using the provision contained in ACC 18.50.080, Alternative landscaping plan. The reduced landscape planter shall have an average width of the requirement contained in Table 18.50.040(A).

4 Landscaping shall only be required in conjunction with an administrative or conditional use permit. The type and amount of landscaping shall be determined at that time the administrative or conditional use permit is approved.

5 Refer to ACC 18.31.200, Architectural and site design review standards and regulations, for additional requirements.

6 Landscaping within the ~~RO/RO-~~R-~~FH~~ zone is not required unless site development includes the demolition of existing structure(s) together with new construction. Under this scenario the minimum landscape requirements of the C-1 zone shall be met.

7 Landscaping within the DUC zone shall be provided as defined in the Downtown Urban Center Design Standards; see reference to ACC 18.29.070.

C. *Landscape Design and Planting Requirements.* Landscape design and construction for new development or redevelopment shall be compatible with the surrounding urban and natural environment. Landscape plantings shall comply with the plant type, size, and spacing provisions listed below.

1. *Landscape Design.* Landscaping shall be designed as an integral part of the overall site plan with the purpose of enhancing building design, public views and spaces, supporting storm water low impact development facilities, and providing buffers, transitions, and screening.

a. All required planting areas shall be covered with a mixture of trees, shrubs, and groundcover plants. Sodded lawn (not seed) may be substituted for some but not all of shrubs or groundcover plants. If sodded lawn is used it cannot cover more than 20

percent of the site and those portions of the lawn area must be served by an automatic irrigation system.

b. Planting design shall have focal points at project entries, plaza areas, and other areas of interest using distinct planting and/or landscape features.

c. As appropriate, building and site design shall include the use of landscaping against buildings to visually break up expanses of wall, soften appearance, and create visual interest through the use of planting areas, wall planters, hanging gardens, and/or raised planters. Loose rock, gravel, decorative rock or stone shall not exceed 20 percent of the planting area.

2. *Plant Types.* Landscape planting shall be compatible with the character and climate of the Pacific Northwest and complement the architectural design of structures on the site.

a. Native Landscaping. Landscaping materials installed shall include species native to the Puget Sound lowland region of the Pacific Northwest or noninvasive species that have adapted to the climactic conditions of the region in the following minimum amounts:

i. Fifty percent of trees.

ii. Fifty percent of groundcover and shrubs.

b. *Trees.* Trees planted within 10 feet of a public street, sidewalk, paved trail, or walkway shall be a deep-rooted species and shall be separated from hardscapes by a root barrier to prevent physical damage to public improvements.

3. *Planting Size and Spacing.* In order to balance both an immediate effect of a landscape installation and to allow sustained growth of planting materials, minimum plant material sizes and plant spacing are as follows:

a. *Trees.* Trees shall be a minimum of one and one-half inches in diameter breast height (dbh) at the time of planting. Evergreen trees shall be a minimum of four to six feet in height at the time of planting and may include either broadleaf or conifer. Tree spacing within the perimeter planters along streets and abutting residential property shall be planted no further apart on center than the mature diameter of the proposed species.

b. *Shrubs.* Shrubs shall be a minimum of 18 inches in height, or two-gallon size containers, at the time of planting.

c. *Groundcover.* Groundcover means low evergreen or deciduous plantings and shall be planted from either four-inch pot with 12-inch spacing or one-gallon pot with 18-inch spacing. Alternative spacing of particular species may be approved by the city if documentation concerning the effectiveness of the groundcover is submitted with the landscape plan.

d. *Additional Spacing Provisions.*

i. Tree size and spacing at installation shall be increased by the city where needed to ensure visual access for vehicles and pedestrians and provide clear vision at street, access tracts and driveway intersections (sight distance triangles).

ii. Trees or shrubs with a full-grown height equal to or greater than 30 inches shall not be planted in any sight distance triangle. Sight distance triangles are determined in conformance with the city of Auburn engineering design standards, Chapter 10.

iii. A minimum distance of 15 feet is required from the mature diameter of trees and the center of street light standards.

4. Landscaping Requirements for Parking Areas.

a. General Parking Lot Landscaping Standards.

i. All parking lot landscape areas shall be protected with vertical or extruded concrete curbs, or equivalent barriers. Tire blocks shall not be used as a substitute for curbing and boundary around the landscaped area unless they are integral to a storm water LID facility design as approved by the city engineer or designee.

ii. All parking lot landscaping must be located between parking stalls, at the end of rows of parking, or between the end of rows of stalls and the property line.

iii. The maximum distance between any parking stall and required parking area landscaping shall be no more than 50 feet.

iv. Shrubs, groundcover or lawn shall be planted to cover each parking lot planting area using the planting size and spacing requirements specific in subsection (C)(3) of this section. All groundcover shall have a mature height of not more than 24 inches.

v. Modifications to protect drainage features, easements, or utility facilities may be allowed. Modifications that reduce landscape area or plant material shall be made up elsewhere on site, if possible.

vi. The requirements of this section shall not apply to parking garages or to display areas for automotive and equipment sales and rentals that are specifically designed, approved and constructed for the display purpose and that do not reduce required landscape areas.

b. Specific Parking Lot Landscaping Standards.

Table 18.50.040(B). Specific Parking Lot Landscaping Standards

	Landscaped Area Required	Planting Area Design Requirements	Plantings Required
12 parking stalls or less	No requirement		
13 – 75 parking stalls	7% of surface parking stalls (exclusive of circulation)	Minimum planter width: 6 feet	Trees shall be provided at the rate of a minimum of one per planter and/or one per 100 square feet of planter.
76 parking stalls or more	10% of surface parking stalls (exclusive of circulation)	Minimum planter width: 6 feet	Trees shall be provided at the rate of a minimum of one per planter and/or one per 100 square feet of planter.

5. Landscaping for Outdoor Storage Areas, Recreational Vehicle Parking and Refuse Areas.

a. Outdoor storage areas and recreational vehicle parking areas must be screened from view from adjacent streets and from all residentially zoned land by a minimum six-foot-wide landscape buffer. This landscape buffer shall contain evergreen trees or tall shrubs, a minimum of six feet in height at the time of planting, which will provide a 100 percent sight-obscuring screen within three years from the time of planting is required; or a combination of evergreen trees or deciduous trees, planted 20 feet on center with no more than 30 percent being deciduous and backed by a 100 percent sight-obscuring fence. In addition to the trees, shrubs shall be planted at four-foot spacing, in all directions, and groundcover provided.

b. Outdoor storage areas abutting the Interurban Trail (regardless of the zoning of the Interurban Trail) and other future trails connecting to the Interurban Trail shall have a minimum 10-foot-wide landscape buffer containing the planting materials specified in subsection (C)(5)(a) of this section.

c. Trash containers, dumpsters, trash compactors, and recycling bins associated with multiplex, multi-unit residential, and nonresidential uses must be screened from public view on all sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry, or other similar building material reflecting the overall design of the site, and be appropriately landscaped (e.g., climbing vines, arborvitae, etc.).

6. *Irrigation.* No portion of any landscaped area shall be located further away than 50 feet from a source of water adequate to irrigate the landscaping. The source of water may be a manual (hose connection) or an automatic irrigation system. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6617 § 29, 2016; Ord. 6387 § 1, 2011; Ord. 4914 § 1, 1996; Ord. 4304 § 1(34), (35), 1988; Ord. 4229 § 2, 1987.)

18.50.045 Preservation of significant trees.

A. *Retention.* In the required perimeter landscaping area, applicants shall retain all significant trees. A significant tree means a healthy evergreen tree, six inches or more in diameter measured four feet above grade, or a healthy deciduous tree four inches or more in diameter measured four feet above grade. Alders and cottonwoods are excluded from this definition. If the grade level adjoining a tree to be retained is to be altered to a degree that would endanger

the viability of a tree or trees, then the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be capable of protecting the tree.

Areas devoted to driveways, curb cuts, and sight distance requirements, utilities and storm drainage facilities may be exempted from this requirement. Significant trees may also be exempted from this requirement if it is determined by the planning director based on satisfactory evidence pursuant to report prepared by a consulting arborist certified by the International Society of Arboriculture. The report submitted to the city shall demonstrate the significant tree is:

1. Damaged; or
2. Diseased; or
3. Has weak structural integrity that poses a safety hazard.

If additional significant trees are to be removed, the applicant shall seek approval of an "alternative landscape plan" from the planning director under ACC 18.50.080.

B. *Encroachment into Dripline.* No construction activities shall take place within the dripline of a tree to be retained without extra precautions as recommended by a certified arborist. The applicant may install impervious or compactable surface within the area defined by the dripline when a qualified arborist determines that such activities will not endanger the tree or trees. (See the definition of "dripline" in ACC 18.04.318.)

C. *Tree Protection.* All significant trees that are to be retained must be protected during construction by installation of a protective barricade or fence. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade or fence before major excavation with heavy equipment begins. (Ord. 6387 § 1, 2011.)

18.50.050 Regulations by zone.

Repealed by Ord. 6387. **18.50.060 Landscaping plan requirements.**

A. *Persons Qualified to Prepare Landscape Plan.* A landscape plan signed by a licensed landscape architect is not required. However, if the plan is determined by the city to be illegible or inadequate for review the landscape plan shall be prepared by a landscape architect licensed in the state of Washington, a nursery professional certified pursuant to the Washington certified nursery professional program, or a Washington State certified landscape technician.

B. *Application.* A landscape plan shall be required and shall be accurately drawn using an appropriate engineering scale and contain all information specified by the planning director in the application form and accompanying checklist provided by the city. (Ord. 6387 § 1, 2011; Ord. 6287 § 2, 2010; Ord. 6231 § 5, 2009; Ord. 4914 § 1, 1996; Ord. 4229 § 2, 1987.)

18.50.070 Administration and enforcement.

A. *Performance Assurance.*

1. The required landscaping must be installed prior to the issuance of the certificate of occupancy unless the planning director determines that a performance assurance device will adequately protect the interests of the city;

2. The performance assurance device shall only be valid for a 120-day period and shall have a value of 100 percent of the estimated cost of the landscaping to be performed, inclusive of planting materials and installation. If the landscaping has not been installed after the 120 days then the assurance device may be used by the city to perform any necessary work to implement the landscape plan. This time period can be extended if the city determines that:

   a. Installation of the landscaping would not be successful due to weather; or

   b. Product is not available due to the time of year;

3. The performance assurance device shall be accompanied by an agreement granting the city and its agents the right to enter the property and perform work. The agreement shall also hold the city harmless from all claims and expenses, including attorney's fees;

4. Upon completion of the required landscaping by the property owner the city shall release the performance assurance device.

B. *Initial Maintenance Period and Maintenance Assurance Device.* After installation of the required landscaping, the property owner shall complete an initial maintenance period lasting one year. The property owner shall comply with the provisions below:

1. The property owner shall be responsible for replacing any unhealthy or dead plants for a period of one year after the initial planting.

2. The planning director shall require a maintenance assurance device, unless converting a single-~~family~~ unit detached dwelling~~residence~~ to a nonresidential use within the R-F ~~RO~~ zone~~district~~, for a period of one year from the completion of planting in order to ensure compliance with the requirements of this section. The value of the maintenance assurance device shall equal at least 100 percent of the total landscape materials plus installation.

3. If the landscaping is not being properly maintained, the property owner shall be so notified by the city. If after 30 days from the city's notification the landscaping is still not being maintained then the maintenance device may be used by the city to perform any type of maintenance necessary to ensure compliance with this chapter.

4. The maintenance assurance device shall be accompanied by an agreement granting the city and its agents the right to enter the property and perform any necessary work. The agreement shall also hold the city harmless from all claims and expenses, including attorney's fees.

5. Upon completion of the one-year maintenance period, and if maintenance has not been performed by the city, the city shall release the maintenance assurance device.

C. Maintenance of Landscape Area (On-Going). Landscaping, including trees, shrubs, groundcover, or grass, planted as a requirement pursuant to this title or ACC Title 16 or 17 shall be maintained in a healthy, living condition. All landscaping which, due to accident, damage, disease, lack of maintenance, or other cause, fails to show a healthy appearance and growth shall be replaced. Replacement plants shall conform to all standards that govern the original

planting installation, approved landscaping plan, or as approved by the planning director. If the landscaping is not replaced the property owner or designee shall be subject to the enforcement provisions contained in subsection D of this section.

1. *Tree and Shrub Pruning.* A permit is not required to prune trees and shrubs on private property. Pruning which results in the removal of at least half of the live crown will be considered tree removal and subject to the provisions in subsection D of this section. Tree pruning should be performed by a landscape contractor, one that is certified by the International Society of Arboriculture as a certified tree trimmer or certified arborist or other qualified tree expert.

2. *Limitations on Allowable Pruning.* Tree and shrub pruning shall be allowed only for the following purposes:

a. Removal of dead wood and diseased, crowded, and weakly attached trunks and branches that create a hazard to private property and citizens;

b. Providing adequate clearance and visibility for safe use of parking stalls, travel ways and walkways for the passage of persons and vehicles;

c. Eliminating traffic sign visibility obstructions;

d. Providing adequate visibility for security patrols;

e. Repairing split trees and limbs in order to save a tree and its appearance;

f. Removing or severing tree roots that are causing damage to public or private property, including curbs, gutters, sidewalk, drainage lines and parking lot surfaces; or

g. Providing visibility for merchant signs and increasing parking lot lighting only when the aesthetics of the tree or shrub will not be reduced.

3. *Tree Topping.* Tree topping is prohibited, except under the following circumstances:

a. Branches interfering with utility lines;

b. Significant canopy dieback has occurred;

c. Storm damage or prior incorrect pruning requires correction.

D. *Enforcement.* Violation of these provisions shall be processed in accordance with the procedures defined under Chapter 1.25 ACC. The property owner or designee responsible for correcting the violation shall provide a corrective action plan that defines how and when the infraction will be corrected within the time provisions defined by Chapter 1.25 ACC.

1. The corrective action plan shall be subject to the following replacement ratios:

   a. For plants that have died, replacement vegetation shall be at least 150 percent of the planting size required of the subject plant material at the time of planting. The plants shall be of the same or similar species to those plants being replaced, unless alternate species are approved by the planning director.

   b. For trees or shrubs that have been excessively pruned, replacement vegetation shall be at least 200 percent of the size of the tree or shrub that was required by city regulations at the time of planting. The trees or shrubs shall be of the same or similar species of the plants being replaced, unless alternate species are approved by the planning director.

2. The property owner or designee shall correct the infraction or provide a schedule that defines how and when the infraction will be corrected within the time provisions defined by Chapter 1.25 ACC. (Ord. 6387 § 1, 2011; Ord. 5777 § 1, 2003.)

18.50.080 Alternative landscaping plan.

The planning director may authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:

A. The proposed landscaping provides for creative landscape design; or

B. Incorporates the increased retention of significant trees and naturally occurring undergrowth; or

C. Incorporates historic or architectural features such as fountains, sculptures, structures and the like. (Ord. 6387 § 1, 2011; Ord. 6287 § 2, 2010; Ord. 6231 § 6, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.52
OFF-STREET PARKING AND LOADING

Sections:

18.52.005 Intent.
18.52.010 Applicability.
18.52.020 Number of off-street parking spaces required.
18.52.025 Disabled/handicapped parking requirements.
18.52.030 Reductions of the quantity of required parking.
18.52.040 Drive-through facilities.
18.52.050 Parking design, development, and maintenance standards.
~~*18.52.060 Repealed.*~~
18.52.065 Commercial vehicles in residential zones.
18.52.070 Repealed.
18.52.080 Repealed.
18.52.090 Repealed.
18.52.100 Repealed.
18.52.110 Fractional spaces.
18.52.120 Repealed.
18.52.125 Stacked parking.
18.52.130 Off-street loading space.
18.52.135 Alternate parking layouts.

18.52.005 Intent.

This chapter establishes regulations which provide for ~~safe,~~ attractive~~,~~ and convenient off-street parking and loading and to ensure that parking areas are compatible with surrounding land uses. ~~The city discourages providing parking in excess of that required by this chapter.~~ (Ord. 6388 § 1, 2011.)

18.52.010 Applicability.

Except as otherwise provided in adopted contract rezones, development agreements, design standards and guidelines, or similar more specific process, off-street parking and loading provisions of this chapter shall apply as follows:

A. *New Development.* For all buildings or structures erected and all uses of land (property) established, parking and loading facilities shall be provided as required by this chapter.

B. *Change in Use.* When the use of any building, structure, or land is changed, increasing the intensity such that the change creates an increase of five or less parking spaces required by the change, additional off-street parking spaces need not be provided in accordance with the requirements of this chapter.

1. Special Provisions for the R-FO, Residential ~~Office District~~Flex Zone.

a. Within the R-FO, residential office zoning district, if any existing, nonresidential use is changed to another use, the requirements of this chapter shall apply in full to the new use if and only if the change in parking requirements between the old and new uses is greater than two spaces; except that if the applicant submits an alternate parking plan sufficiently justifying that the existing parking meets the needs of the new use, the planning director may authorize the satisfaction of parking through the special exception process.

b. Whenever there is a change from a residential use to a nonresidential use in an existing building within the R-FO, residential office zoning district, the requirements of this chapter shall apply in full to the new use; except if the structure is being used as both a residence and business, then if the applicant submits an alternate parking plan sufficiently justifying that the parking meets the needs of both uses, the planning director may authorize the satisfaction of parking through the special exception process.

C. Modification to Existing Structures or Uses of Land. Whenever an existing building or structure is modified or uses of land are modified such that the modification would require an increase of more than five off-street parking spaces, additional off-street parking spaces shall be provided in accordance with the requirements of this chapter.

D. Modification to Existing Parking Lots.

1. Any parking lot hereafter physically altered shall comply with all of the provisions of this chapter, except that such lot which provides five percent of its area in landscaping and the landscaping is healthy and in good maintenance shall be deemed to comply with ACC 18.50.040(C)(4).

2. For existing parking lots that are resurfaced in excess of 50 percent of their area, then at least five percent of the entire parking area shall be landscaped consistent with Chapter 18.50 ACC.

3. If existing parking lots are restriped, then the new layout of the parking spaces shall be the same as the previous layout or, if changed, then the changed layout shall conform to the existing dimensional requirements of this chapter. (Ord. 6388 § 1, 2011; Ord. 6287 § 2, 2010; Ord. 6231 § 7, 2009; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.020 Number of off-street parking spaces required.

Each principal use of the land, building, or structure shall provide the number of off-street parking spaces required by this section. The following standards are not applicable in the DUC, downtown urban center zone; refer to Chapter 18.29 ACC for specific requirements for that zone.

A. Parking Requirements by Land Use.

1. *Minimum Number of Parking Spaces.* Each land use shall provide the minimum number of off-street parking spaces required by Table 18.52.020, except where a greater number of spaces are required through a more specific approval process such as an administrative use permit or conditional use permit approval.

2. *Uses Not Listed.* Where a use is not listed in Table 18.52.020, the planning director shall determine the number of required parking and/or loading spaces. The planning director shall use the requirements in Table 18.52.020 as a guide in determining the number of off-street parking spaces required based on the similarity of uses or may consider a parking generation study.

B. *Maximum Number of Parking Spaces.* Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, spaces for carpools, spaces for electric vehicle charging and spaces within structured parking with two or more levels, the maximum number of parking spaces for nonresidential uses shall not exceed 125 percent of the minimum spaces required by Table 18.52.020.

C. *Measurement of Floor Area.* In any case where Table 18.52.020 establishes a parking requirement based on floor area in square feet (for example: two spaces per 1,000 square feet (sf) of floor area), the floor area shall be construed to mean gross floor area (defined in ACC 18.04.430).

D. *Use with Accessory Components.* A single use with accessory components shall provide parking for the primary use, and each component. For example, a hotel with a meeting room may be required to provide the parking spaces required by Table 18.52.020 for a hotel (i.e., the guest rooms), and for a meeting room.

E. *Obstruction.* Removal of required parking or loading spaces from practical use by obstruction, erection of buildings, or other actions as to reduce the parking or loading capacity or usefulness thereof below the minimum requirements established in this chapter is prohibited.

F. *Existing legally nonconforming gravel spaces.* Up to six legally nonconforming gravel parking spaces may be used to meet off-street parking requirement for residential development.

Table 18.52.020. Off-Street Parking Requirements by Land Use

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Residential Categories		
~~Single-~~Single-unit~~family ,~~ detached dwelling, adult family home, home based daycares	Dwelling unit	2.00
~~Two-family dwelling (duplex)~~	~~Dwelling unit~~	~~2.00~~
Middle h~~H~~ousing (2 to 6 units)	See ACC 18.25~~31.240~~ for Middle Housing parking requirements.	
~~Multifamily dwelling (one- and two-bedroom units)~~	~~Dwelling unit~~	~~1.50~~
~~Multifamily dwelling (three-bedroom units or more~~≥ 6 ~~units))~~Apartments (7 or more units)	Dwelling unit	1~~2~~.00
Mobile home dwellings[1]	Dwelling unit	2.00
Assisted living facilities	4 bedrooms	1.00 Plus one space for each two employees
Group living (includes supportive housing, boardinghouse)	~~2~~4 bedrooms	1.00
Commercial Categories		
~~Auto, boat, or recreational vehicle sales or leasing, new or used~~	~~5,000 square feet of outdoor sales area~~	~~1.00~~
Auto sales and motorcycle, new	1,000 sf of floor area	2.29
Auto sales and motorcycle, used	1,000 sf of floor area	3.08
Daycare centers	Each 10 children in care	2.00
Eating and drinking establishments	1,000 square feet of floor area	8~~10~~.00
Food retail stores and markets	1,000 square feet of floor area	5.00
Health and fitness clubs	1,000 square feet of floor area	~~10.00~~5.00

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Hotel or motel	Guest room or rental unit	1.00
Mini-marts and ~~self service~~self-service gas stations	1,000 square feet of floor area	5.00
Mortuaries or funeral homes	25 square feet of floor space~~Seat~~[2]	0.25
Motor vehicle repair and services	1,000 square feet of floor area	2.50
Personal service shops	1,000 square feet of floor area	2.50
Retail commercial establishments, less than 15,000 square feet of floor area	1,000 square feet of floor area	2.50
Retail commercial establishments, greater than 15,000 square feet of floor area	1,000 square feet of floor area	4.00
Shopping centers[4]	1,000 square feet of floor area	4.00
Office Categories		
Business and professional offices	1,000 square feet of floor area	2.00
~~Medical, dental, and other doctor's offices~~Medical-dental clinic; urgent care	1,000 square feet of floor area	3.00~~5.00~~
Manufacturing Processing and Warehousing Categories ***(See also ACC 18.52.020(D))***		
All manufacturing, industrial, and processing uses, except the following:	1,000 square feet of floor area	1.00
Warehousing	2,000 square feet of floor area	1.00
Storage – Personal storage/mini-storage facilities	1,000 square feet of floor area~~Storage unit~~[3]	0.10~~Minimum of 2 spaces~~
Recreation, Education, Public Assembly Categories		

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Auditoriums, stadiums, and theaters	25 square feet of floor space~~Seat~~[2]	0.25
Commercial recreation facilities – Indoor, except for the following:	1,000 square feet of floor area	5.00
Bowling alleys	Lanes	5.00
Pool and billiard rooms	Table	2.00
Skating rinks	1,000 square feet of floor area	5.00
Commercial recreation facilities – Outdoor	1,000 square feet of usable recreational area	3.00
Hospitals	Bed	1.75
Library, museum	1,000 square feet of floor area	2.50
Meeting facility, public or private	25 square feet of floor space~~Seat~~[2]	0.25
Religious assembly	~~Seat~~[2]25 square feet of floor space	0.20
Schools (public and private)		
Preschool~~Kindergarten~~ schools	Employee[43]	1.00
Elementary/middle schools	Teaching station	1.20
Secondary (high) schools	Student	0.40
College or university (including trade and business schools)	Student	0.75
Studios (dance, martial arts, etc.)	1,000 square feet of floor area	5.00
Tennis/racquetball/handball or other sport courts	Court	2.00

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
	Each 300 sf of floor area for accessory uses	1.00
Recreational uses not listed elsewhere	Same as retail, based on size	

Notes:

1 Within mobile home parks, parking space shall not be allowed within the required setbacks. Guest parking shall be provided within the development: five percent of total requirement.

~~2 Seat, 18 inches of bench, or 25 square feet of floor space.~~

~~3~~2 Includes total on-site building square feet. ~~Parking shall be provided by parking/driving lanes adjacent to buildings. Two parking spaces shall be provided adjacent to the manager's quarters.~~

~~4~~3 There shall be two visitor-parking stalls provided for each 10 required employee stalls.

4 Compliance with these standards is not required for a change of use within an existing building.

5 Employee and customer parking only.

(Ord. 6419 § 5, 2012; Ord. 6388 § 1, 2011; Ord. 6167 § 4, 2008; Ord. 6140 § 2, 2007; Ord. 6071 § 3, 2007; Ord. 5777 § 1, 2003; Ord. 5556 § 1, 2001; Ord. 5170 § 1, 1998; Ord. 4949 § 1, 1997; Ord. 4304 § 1(40), (41), 1988; Ord. 4229 § 2, 1987.)

18.52.025 Disabled/handicapped parking requirements.

A. Accessible parking spaces for the handicapped/disabled shall be provided in compliance with the International Building Code (IBC), the Federal Accessibility Guidelines, and Washington Administrative Code, as applicable. These spaces shall count towards fulfilling the off-street parking requirements of this chapter.

B. Accessible car and van parking space size shall be as follows:

1. Car parking spaces shall be eight feet (96 inches) minimum in width.

2. Van parking spaces shall be 11 feet (132 inches) minimum in width.

C. *Exception.* Van parking spaces shall be permitted to be eight feet (96 inches) minimum in width where the adjacent access aisle is eight feet (96 inches) minimum in width.

Table 18.52.025. Accessible Parking Spaces Required

Total Parking Spaces Provided	Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
More than 1,000	20, plus one for each 100 over 1,000

(Ord. 6388 § 1, 2011.)

18.52.030 Reductions of the quantity of required parking.

Except within the DUC zone, reductions of the quantity of required parking may be allowed based upon the provisions in Table 18.52.030, Parking Quantity Reductions.

Table 18.52.030. Parking Quantity Reductions

1. Joint Use of Parking Facilities	A reduction in the total number of required parking spaces may be allowed when two or more uses with different peak parking demands will share a parking facility. In order for the reduction to occur the planning director must determine, based on satisfactory evidence provided by the applicant, that there is no substantial conflict in the principal operating hours and no substantial conflict in peak parking demand of the uses for which the sharing of parking is proposed. To evaluate the peak parking demand characteristics or differences in hours and/or days of operation, evidence including, but not limited to, a description of the uses and their operational characteristics, and a development plan shall be provided by the applicant and accompany the request. If approved, a binding agreement providing for the shared use of parking areas shall be executed by the parties involved, and must be filed with the city in a form approved by the planning director and be recorded. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this chapter.
2. Reduction of Parking for a Use with Low Parking Demand	A reduction of up to 50 percent of the total number of required parking allowed for the re-use of an existing building, based on quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the property land use by other cities). In order for the reduction to occur the planning director must find satisfactory evidence has been provided by the applicant.
3. Mixed Occupancies and Shared Uses	In the case of two or more principal uses in the same building, the total requirements for off-street parking facilities shall be 75 percent of the sum of the requirements for the principal uses computed separately. In order for a use to be considered a separate principal use under the terms of this section, the uses must be physically and managerially separate in a manner which clearly sets the principal uses apart as separate businesses or operations. Various activities associated with single businesses shall not be considered separate uses.
4. Transit Access	A reduction in the total number of required parking spaces may be reduced by 25 percent for sites located within a 1/4 mile (walking distance) of a public transit stop. A public transit stop includes but is not limited to a bus stop, commuter train stop, or park and ride lot. Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 1/4 mile of the site.

5. Trip Reduction Plan	A reduction of up to 25 percent in the total number of required parking spaces may be allowed for a business or other use that creates and implements a site-specific trip reduction plan and program. The trip reduction plan and program shall be reviewed and approved by the city and yearly reports shall be provided to evaluate the effectiveness of the program and ensure its continued maintenance and operation.
6. Credit for On-Street Parking – Nonresidential	All multifamily uses and nonresidential uses located adjacent to a public right-of-way where on-street parking is permitted may receive credit for one off-street parking stall for each 22 linear feet of abutting right-of-way for parallel parking, excluding curb cuts. This provision shall be applied for on-street parking on the same side of the street as the proposed land use. All parking for employees must be provided on-site.
7. Valet Service	A reduction of up to 25 percent in the amount of required parking per Table 18.52.020 may be permitted, depending on the size and type of the use if approved by the planning director.
8. Tree retention	If retention of significant trees as required under 18.50.045 makes it infeasible to accommodate parking required under 18.52.020, required parking may be reduced, as long as all other standards in this title are met and approved by the planning director.

(Ord. 6388 § 1, 2011; Ord. 6071 § 4, 2007; Ord. 5556 § 1, 2001; Ord. 5170 § 1, 1998; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.040 Drive-through facilities.

All banks, savings and loan associations, food dispensing establishments, and other businesses which maintain drive-through facilities which are intended to serve customers who remain in their motor vehicles during business transactions, or are designed in such a manner that customers must leave their automobiles temporarily in a driving lane located adjacent to the facility, shall provide on-site stacking space for the stacking of motor vehicles as follows:

A. *Stacking Space.* The drive-through facility shall be so located that sufficient stacking space is provided to accommodate the types of motor vehicles using such facility during peak business hours of such a facility.

B. *Driveway Location.* The location of entrances and exits shall be determined by the city engineer.

C. *Shopping Centers.* When located in a shopping center, drive-through facilities shall provide sufficient stacking space to handle peak business demands and shall not in any way obstruct the normal circulation

pattern of the shopping center and not unreasonably interfere with nonmotorized circulation. (Ord. 6388 § 1, 2011; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.050 Parking design, development, and maintenance standards.

Required parking areas shall be designed, constructed and maintained in compliance with this section:

A. *Location of Parking.* Off-street parking areas shall be located as follows:

1. *Residential Parking.* Residential parking shall be located on the same site as each residential dwelling unit served; except for a mixed-use development as defined by ACC 18.04.625. No required residential parking space shall occupy any unimproved area within the required front setback, or side and rear setback, except as allowed by subsection E of this section, Surfacing of Parking Areas.

2. *Nonresidential Parking.* Nonresidential parking shall be located on the same site as the use served, or off site. If parking is to be located off site it is subject to the following requirements:

a. The lot or area to be utilized for parking shall be legally encumbered by an easement or other appropriate means to ensure continuous use of the parking facilities following the procedure contained in Table 18.52.030(1), Joint Use of Parking Facilities.

b. Whenever required parking facilities are located off site, sidewalks, or an approved pedestrian facility, shall be provided connecting the satellite parking facility to the development being served.

B. *Access to Parking.* Access to parking shall be provided as follows for all parking areas other than for ~~individual single-family dwellings and duplexes~~single-unit detached dwellings and middle housing:

1. The location, design and construction of entrances and exits from the street right-of-way shall be determined by the city engineer.

2. A commercial or industrial use shall have access driveways from the public or private street that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 40 feet from the street right-of-way, to provide a queuing area for vehicles entering and exiting the parking area. The city engineer may require an increase or a decrease of this as determined by criteria set forth in the engineering design standards.

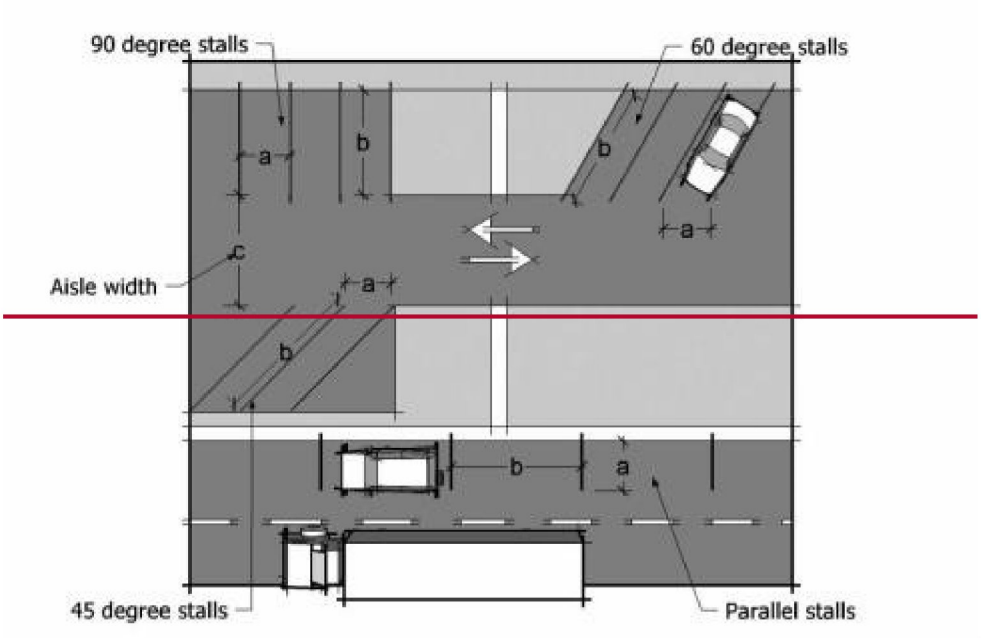
C. *Access to Adjacent Sites.* The city may require that the design of a parking area to provide vehicle and pedestrian connections to parking areas on adjacent properties or to connect with adjoining public walkways (when a reciprocal access easement is available or can reasonably be provided).

D. *Parking Stall and Aisle Dimensional Standards.*

1. *Minimum Dimensions.* Each parking space and parking lot aisle shall comply with the minimum dimension requirements in Table 18.52.050 and further displayed in Figure 18.52.050.

Table 18.52.050. Parking Space and Drive Aisle Dimensions

Parking Stall Type (A)	Minimum Stall Dimensions		Minimum Width for Drive Aisle with Parking(eD)	
	Width(aC)	Length(bB)	One-Way	Two-Way
Standard parallel	98 ft.	220 ft.	12 ft.	20 ft.
Standard 45-degree	98 ft.	19 ft.	15 ft.	20 ft.
Standard 60-degree	98 ft.	19 ft.	18 ft.	20 ft.
Standard 90-degree	98 ft.	19 ft.	20 ft.	24 ft.
Compact	8 ft.	16 ft.	20 ft.	22 ft.



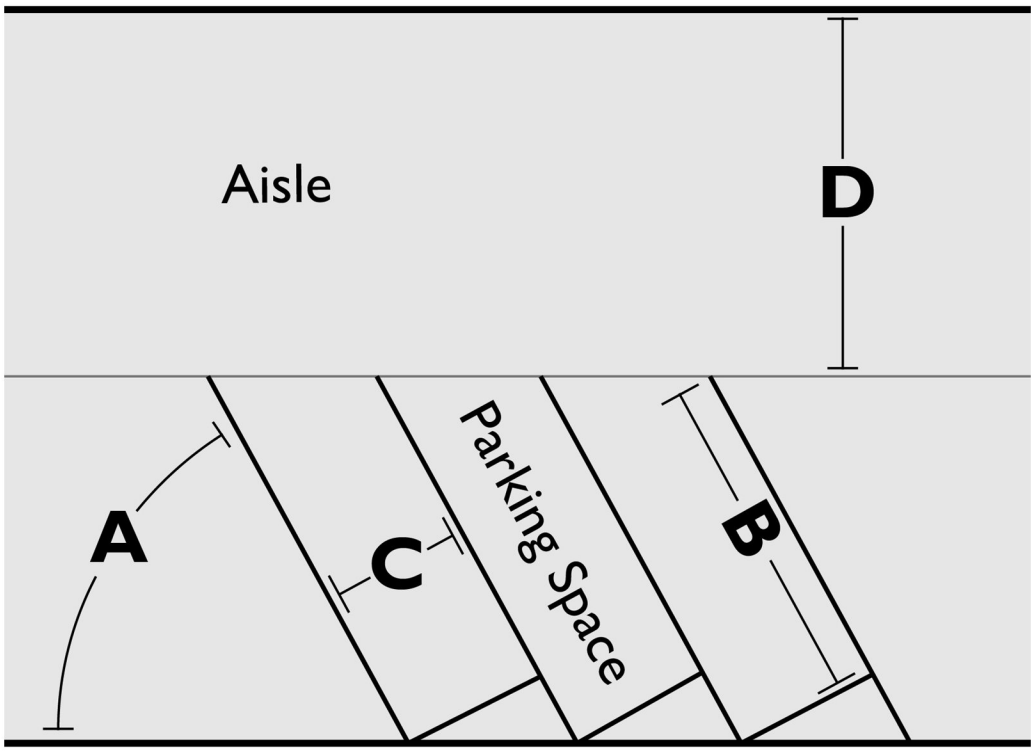


Figure 18.52.050. Parking Space and Drive Aisle Dimensions

2. *Compact Parking.* Compact spaces may be allowed within a parking lot up to a maximum of 30 percent of the total number of spaces. This maximum percentage can be increased to 50 percent when approval is obtained by the planning director following the procedures contained in ACC 18.52.135, Alternative parking layouts. Compact spaces can be clustered or dispersed throughout the parking lot. Every compact parking space created pursuant to this section shall be clearly identified as such by painting the word "COMPACT" in upper case block letters, using white paint, on the pavement within the space or through the use of signage.

3. *Vehicle Overhang.* Vehicular overhang of up to two feet is permitted, provided no vehicle shall overhang into a sidewalk or walkway which would reduce the unencumbered width of a sidewalk or walkway to less than four feet. A vehicle is permitted to overhang into a landscaped area by two feet; provided, that the required landscape area of trees and shrubs are not reduced in quantity and not subject to potential damage.

4. *Tandem Parking.* Tandem parking spaces (parking of one vehicle in front of another such that only the outer vehicle is immediately accessible) may count towards parking requirements for residential uses under 18.52.020.

E. *Surfacing of Parking Areas.* Areas used for parking on private property, including interior driveways and access to a public street, shall be paved with asphalt concrete, cement concrete pavement, grass block pavers, or pervious pavement and shall have appropriate bumper guards where needed. Paving is not required for temporary parking facilities that have obtained a temporary use permit pursuant to the requirements of Chapter 18.46A ACC, Temporary Uses; however, dust mitigation is required. Where a driveway crosses an improved public right-of-way, it shall be constructed with cement concrete. All pavement sections shall be designed to support the post development traffic loads anticipated due to the intended use as approved by the city engineer.

1. Alternative paving systems may be provided subject to the approval of the city. The alternative must provide results equivalent to paving.

2. For parking areas serving single-family dwellings and duplexes when located on individual lots, this section shall apply:

a. Each off-street parking space shall be connected to an improved street or alley by a driveway a minimum of 11 feet in width.

b. Not more than 50 percent of the front yard or 800 square feet, whichever is smaller, can be used as off-street parking surface. For the purposes of calculating the allowable area under this section, the front yard shall be the area between the right-of-way and the portion of the single-family dwelling's front facade farthest from the right-of-way. The width of the front yard shall extend to each side property line.

c. Driveways that exclusively serve nonrequired off-street parking spaces are also subject to the surfacing requirement.

d. Off-street vehicle parking spaces, including those for trailers, recreational vehicles, and boats on trailers, that are provided in addition to those required pursuant to Table 18.52.020 shall be paved with one of the surfaces listed above (subsection E of this section), or gravel; provided, that weeds, mud or other fine material do not work their way to the surface of the gravel; and provided, that loose gravel is contained on the subject property.

e. Boats not on trailers shall not be stored in the front yard.

F. *Grades of Access Driveways.* The grade of access driveways for off-street parking areas shall be subject to the driveway regulations contained in Chapter 10.04 of the engineering design standards.

G. *Sidewalks or Pedestrian Walkways.* Sidewalks or pedestrian walkways shall be visibly marked with differentiated pavement or other methods such as reflective/LED markers, double row of landscaping, or raised pavement.

H. *Landscaping.* See Chapter 18.50 ACC.

I. *Lighting.* See Chapter 18.55 ACC. (Ord. 6657 § 2, 2017; Ord. 6388 § 1, 2011; Ord. 6231 § 7, 2009; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

~~18.52.060 Development of off-street parking spaces for single-family dwellings and duplexes~~middle housing~~.~~

Repealed by Ord. 6388. 18.52.065 Commercial vehicles in residential zones.

A. No person shall park any commercial vehicle on any property within the following zoning districts in the city: residential zones ~~R-25,~~ R-~~7~~2, ~~R-10~~3~~,~~ R-~~16~~3, and R-~~20~~ 4 and ~~(PUD) P~~planned U~~u~~nit D~~d~~evelopment (PUD).

B. No person shall park more than one commercial vehicle on any property within the R-1 residential zoning district in the city, and no person shall park more than two commercial vehicles on any property within the residential conservancy RC zoning district in the city. (Ord. 6388 § 1, 2011; Ord. 6019 § 2, 2006.)

~~18.52.070 Off-street parking lots—Location.~~

Repealed by Ord. 6388. 18.52.080 Off-street parking – In-lieu of fees.

Repealed by Ord. 4949. 18.52.090 Parking space dimensional requirements.

Repealed by Ord. 6388. 18.52.100 Existing off-street parking reduction.

Repealed by Ord. 6388. 18.52.110 Fractional spaces.

When units or measurements determining the number of required parking spaces result in requirements of a fractional space, any fraction up to one-half shall be disregarded, and fractions of one-half or over shall require one parking space. (Ord. 6388 § 1, 2011; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.120 Parking in front or side yards – Prohibited generally.

~~*Repealed by Ord. 6388.*~~ 18.52.125 Stacked parking.

Stacked parking ~~,~~ i.e., parking one car behind another, is permitted for funeral homes, ~~single-family homes on individual lots~~single-unit detached and middle housing dwelling units, and for designated employee parking within the ~~RO~~R-F zone~~, residential office district only~~, unless the use has complied with the requirements of Table 18.52.030(7), Parking Quantity Reductions (Valet Service). (Ord. 6388 § 1, 2011; Ord. 6231 § 9, 2009; Ord. 4949 § 1, 1997.)

18.52.130 Off-street loading space.

Buildings devoted to retail trade, retail and wholesale food markets, warehouses, supply houses, wholesale and manufacturing trade, hotels, hospitals, laundry, dry cleaning establishments or other buildings where large amounts of goods are received or shipped shall provide loading and unloading space on the same premises as the building as follows:

A. Buildings of 6,000 square feet or more of floor area, one off-street loading and unloading space plus one additional off-street loading space for each 20,000 square feet of floor area;

B. Each loading space shall be not less than 10 feet in width, 25 feet in length and 14 feet in height;

C. Loading space, exclusive of driveways and/or corridors leading thereto, shall not be considered as providing off-street parking space. (Ord. 6388 § 1, 2011; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.135 Alternate parking layouts.

Layouts and dimensions of off-street parking spaces, maneuvering aisles, driveways, driveway openings, and other related features different from those prescribed in ACC 18.52.050 may be approved by the planning director upon written findings that demonstrate:

A. The number of off-street parking spaces required by ACC 18.52.020 (unless reductions are permitted under ACC 18.52.030) are provided;

B. There is substantial reason for varying the standard; and

C. Ingress and egress is approved by the city engineer where they ensure that adequate ingress to and egress from each required off-street parking space is provided for a vehicle of the appropriate size, and that ingress to

and egress from the off-street parking facility is possible with minimal disruption of traffic on the adjacent street. (Ord. 6388 § 1, 2011.)

The Auburn City Code is current through Ordinance 6904, passed February 21, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov
Code Publishing Company, A General Code Company

Chapter 18.55
OUTDOOR LIGHTING

Sections:

18.55.010 Intent.
18.55.020 Applicability.
18.55.030 General requirements.
18.55.040 Prohibited lights.
18.55.050 Exceptions.

18.55.010 Intent.

To discourage excessive lighting of outdoor spaces, encourage energy conservation and promote exterior lighting that promotes safe vehicular and pedestrian access to and within a development while minimizing impacts on adjacent properties. Decorative lighting that is architecturally integrated with the character of the associated structures, site design and landscape is encouraged. (Ord. 6390 § 1, 2011.)

18.55.020 Applicability.

A. A lighting plan shall be required for projects as follows:

1. When an exterior lighting installation is part of a new development proposal requiring site plan review, an administrative or conditional use permit, or other development application that requires outside lighting or is a commercial project adjacent to property zoned residential; and

2. For projects undergoing redevelopment, expansion or remodel when the redevelopment requires site plan approval, or for tenant improvements or other minor building improvements when exterior lighting is proposed to be installed or modified.

B. These regulations do not apply to subdivisions or individual dwelling units, with the exception of common areas. Examples of common areas include, but are not limited to, pathways, clubhouses, parking lots and play areas.

C. These regulations are not applicable to public rights-of-way.

D. These regulations do not apply to lighting necessary for emergency equipment and work conducted in the interests of law enforcement or for the safety, health, or welfare of the public. (Ord. 6390 § 1, 2011.)

18.55.030 General requirements.

A. *Shielding Required.* Except as otherwise exempt, all outdoor lighting fixtures shall be constructed with shielding on all sides. The outdoor light source (bulb or element) shall not be visible at or beyond the property line.

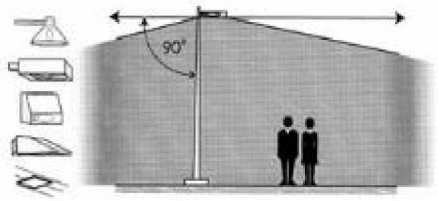


Figure 18.55.030. Examples of light fixtures with shielding on all sides

B. *Fixture Heights.* Lighting fixtures shall not exceed the following maximum heights:

Table 18.55.030.

Outdoor Lighting Location	Fixture Height (Maximum as measured to the top of the fixture from grade)
Within 50' of a residential zoning	16 ft

Outdoor Lighting Location	Fixture Height (Maximum as measured to the top of the fixture from grade)
district	
Surface Parking Area C-1, C-~~23~~, M-1, M-2 All other districts	30 ft 24 ft

C. *Photometric Plan Requirements.* A photometric plan shall be prepared and submitted for review and approval when required under ACC 18.55.020, Applicability. The required elements of the plan shall be specified in application forms to be provided by the city. The photometric plan will be reviewed to ensure compliance with the provisions in this chapter.

D. *Level of Illumination.*

1. Parking lots, driveways, and trash enclosures/areas shall be illuminated with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light.

2. Pedestrian walkways shall be illuminated with a minimum maintained one-half foot-candle of light and an average not to exceed two foot-candles of light.

3. In order to minimize light spillage on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed one-tenth foot-candle.

E. *Accent Lighting.* Lighting used to accent architectural features, landscaping or art is permitted to be directed upward; provided, that the fixture shall be located, aimed, or shielded to minimize light spill. No permit is required for this type of lighting.

F. *Periods of Illumination.*

1. All outdoor lighting systems shall be equipped with automatic switches conforming to the requirements of Section C405.2.9.4 ~~1513.6.2~~ of the Washington State Energy Code.

2. The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility between different land uses. Lower lighting levels at off-peak times are encouraged as a safety measure.

3. However, outdoor lights may remain on during the required off hours when:

   a. Illuminating flags representing country, state, or other civic entity;

   b. Functioning as security lighting (e.g., illuminating a pathway, building entry, etc.);

   c. Associated with special events, etc. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6390 § 1, 2011.)

18.55.040 Prohibited lights.

The following lights are prohibited unless a temporary use permit is obtained for specific events with specific times of operation:

A. Strobe lights, search lights, laser source lights, or any similar high-intensity light except for emergency use by police and fire personnel or at their direction.

B. Roof-mounted lights except for security purposes with motion detection and full shielding so that the glare of the light source is not visible from any public right-of-way or a neighboring residence.

C. Any light that imitates or causes visual interference with a traffic signal or other necessary safety or emergency light. (Ord. 6390 § 1, 2011.)

18.55.050 Exceptions.

The following light sources are exempt from the requirements of this chapter:

A. Navigation and airport lighting required for the safe operation of boats and airplanes.

B. Temporary lights used for holiday decorations.

C. Emergency lighting required by police, fire, and rescue authorities.

D. Lighting for state and federal highways authorized by the Washington State Department of Transportation.

E. Internal lighting of permitted signs.

F. Outdoor lighting for public monuments.

G. Temporary lighting in use during active construction projects.

H. Stadium and field lighting. (Ord. 6390 § 1, 2011.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.56
SIGNS

Sections:

18.56.010 Intent.
18.56.020 Definitions.
18.56.025 Real estate signs.
18.56.030 General provisions, all districts.
18.56.040 Regulation by district.
18.56.050 Administrative provisions.
18.56.060 Deviations, variances and appeals.
18.56.070 Liability.
18.56.080 Conflicts repealed.

18.56.010 Intent.

The overall purpose of this chapter is to enhance and maintain the aesthetic character, to promote the public health, safety and general welfare, and to increase the effectiveness of visual communication in the city. This chapter is also intended to avoid visual clutter that may adversely impact traffic and pedestrian safety, or be adverse to property values, business opportunities and the city's appearance and to prevent and abate public nuisances. The purpose of this chapter is implemented by controlling the construction, location, use and maintenance of all signs and sign structures. It is also the intent of this chapter to afford noncommercial speech the same or greater protection afforded commercial speech and to not regulate noncommercial speech to a stricter standard than commercial speech. (Ord. 6591 § 2, 2016; Ord. 6501 § 2, 2014; Ord. 5993 § 1, 2006; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

18.56.020 Definitions.

The following definitions are specific to this chapter and are to be used only for the implementation of this chapter:

A. “Animated sign” means any sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind-actuated motion (except for flags and banners). An animated sign may also be a sign that meets the definition of “changing message center” or “revolving sign.”

B. “Banner” means a temporary sign constructed of fabric, vinyl, or other durable material; which is not the primary identification for the organization, event or product advertised; and which is primarily promotional in nature.

C. “Billboard” means a large outdoor advertising sign containing a message, commercial or otherwise, unrelated to the use or activity on the property on which the sign is located and/or to any use or activity in the immediate area (such as is the case with an off-premises sign) and which is customarily leased for commercial purposes. The approximate sizes of the billboard faces range from 12 to 14 feet in height and 24 to 48 feet in width.

D. “Changing message center” means an electronically controlled message center that displays different copy changes on the same lamp bank.

E. “Directional sign” means a sign which is located to guide or direct pedestrian or vehicular traffic to parking entrances, exits, and service areas, and may not exceed six square feet in area or 10 feet in height. For projects that have parking lots in excess of 500 spaces, the sign area may be 10 square feet and the sign height 15 feet.

F. “Double-faced sign” means a sign with two faces.

G. “Electrical sign” means a sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.

H. “Facade” means the entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation.

I. “Flashing sign” means an electrical sign or a portion thereof which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the nonconstant light source is off at any one time.

J. “Freestanding sign” means a sign that meets the definition of “ground sign” (also commonly referred to as a monument sign) or “pole sign.” Signs attached to fences or other structures that are not defined as buildings will be considered freestanding signs.

K. “Frontage” means the measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multibuilding complexes.

L. “Grade” means the relative existing ground level in the immediate vicinity of the sign.

M. “Ground sign” means a sign attached to the ground and supported by the ground or a built-up landscaped area such that the sign appears solid with the ground. The height of a ground sign shall be measured from the surrounding grade. Also commonly referred to as a monument sign.

N. “Identification sign” means a sign containing the name of the business establishment, occupant of the building or tenant space and/or address of the premises.

O. “Incidental sign” means a sign that is generally informational and of a noncommercial nature intended primarily for the convenience of the public and having a maximum area of two square feet. Incidental signs include, but are not limited to: signs designating restrooms, hours of operation, entrances and exits to buildings and parking lots, help wanted, public telephones, etc. Also included are property control and warning signs such as “no trespassing,” “no dumping,” etc., and plaques, tablets or inscriptions which are an integral part of a building.

P. “Mansard roof” means a sloped roof or roof-like facade architecturally able to be treated as a building wall.

Q. “Marquee” means a permanent structure attached to, supported by, and projecting from a building and providing protection from the weather elements. For the purpose of this chapter, a freestanding, permanent roof-like structure providing protection from the elements, such as a service station gas pump canopy, will also be considered a marquee. The term “marquee” also includes canopy.

R. “Marquee sign” means any sign which forms part of or is integrated into a marquee and which does not extend horizontally beyond the limits of such marquee. For the purpose of this chapter, a marquee sign will be considered as a wall sign.

S. “Median sign” means a sign that is placed within the median of a public street.

T. “Multiple-building complex” means a group of commercial or industrial structures, developed as a group either simultaneously or in phases, with more than one building per parcel.

U. “Multiple-tenant building” means a single structure housing more than one retail business, office or commercial venture but not including residential apartment buildings, which share the same lot, access and/or parking facilities.

V. “On-premises sign” means a sign which carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted, services rendered, goods sold or produced on the premises, name of the person, firm or corporation occupying the premises.

W. “Off-premises sign” means any sign which advertises an establishment, merchandise, service, goods, or entertainment which is sold, produced, and manufactured or furnished at a place other than on the property on which said sign is located.

X. “Parapet” means a false front or wall extension above the roofline.

Y. “Perimeter” means a square or rectangle required to enclose the sign area.

Z. “Portable sign” means any sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, except those worn by a person.

AA. “Premises” means the real estate as a unit, which is involved by the sign or signs mentioned in this chapter.

BB. “Projecting sign” means a sign which is attached to a structure or building wall in such a manner that the leading edge extends more than 16 inches beyond the surface of said structure or wall but does not extend more than five feet beyond the property line, extends no more than six inches above any roofline, and meets all standards for ground clearance. Signs that meet the definition of “marquee sign” or “suspended sign” will not be considered a “projecting sign.”

CC. “Real estate sign” means a portable sign erected by the owner, or the owner’s agent, advertising the real estate upon which the sign is located for rent, lease or sale.

DD. “Revolving sign” means any sign that rotates or turns in motion by electrical or mechanical means in a circular pattern.

EE. “Roof sign” means a sign erected upon or above a roof or parapet of a building or structure. Mansard roof signs shall be considered as wall signs. Roof signs may not extend more than five feet in height above the roof.

FF. “Sign” means any visual communication device, structure, or fixture which is visible from any right-of-way intended to aid a land use in promoting the sale or identification of a product, good or service using graphics, symbols, or written copy. For the purpose of this chapter, a sign shall not be considered to be building or structural design. It shall be restricted solely to graphics, symbols, or written copy that is meant to be used in the aforementioned way. This definition shall include inflatable signs, balloons or other similar devices.

GG. “Sign area” means:

1. The total area of a sign visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, or framework that contains no written copy, and includes only one side of a double-faced sign.

2. Individual letter signs using a wall as the background without added decoration or change in wall color shall be calculated by measuring the perimeter enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.

3. Module signs consisting of more than one sign cabinet shall be computed by adding together the total area of each module.

4. Perimeter of sign area shall be established by the smallest rectangle enclosing the extreme limits of the letter module or advertising message being measured.

HH. “Sign height” means the vertical distance measured from the adjacent grade to the highest point of the sign.

II. “Sign structure” means any structure that supports or is capable of supporting any sign as defined in this chapter. A sign structure may be a single pole or may or may not be an integral part of the building or structure.

JJ. "Single-tenant building" means a commercial building or structure that contains one enterprise or occupant. Buildings within a multibuilding complex may not be considered a single-tenant building.

KK. "Special event signage" means temporary signs including posters, flags, pennants, and inflatable materials; which are not the primary identification for the organization, event or product advertised; and which are primarily intended for very short-term promotional periods.

LL. "Suspended sign" means a sign that is attached to and suspended from a marquee or canopy, and subject to right-of-way and clearance regulations.

MM. "Temporary sign" means any sign or advertising display constructed of wood, vinyl, cloth, canvas, light fabric, paper, cardboard, or other light materials, with or without frames, intended to be displayed for a limited time only. This definition shall include inflatable signs.

NN. "Traffic hazard" means any sign which does not meet city standards for clear zone or sight distance or which does not meet the requirements of the Americans with Disabilities Act.

OO. "Wall sign" means a sign attached or erected parallel to and extending not more than 16 inches from the facade or face of any building to which it is attached and supported through its entire length, with the exposed face of the sign parallel to the plane of said wall or facade. "Window signs" which do not meet the definition of a "temporary sign" shall be considered as wall signs.

PP. "Window sign" means a sign located inside or affixed to windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. (Ord. 6591 § 4, 2016; Ord. 6501 § 4, 2014; Ord. 5993 § 1, 2006; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.56.025 Real estate signs.

No sign permit is required, except as provided in subsection F of this section. All exterior real estate signs must be of wood or plastic or other durable material.

The permitted signs are as follows:

A. *Residential "For Sale" and "Sold" Signs.* Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area per side, placed entirely on the property for sale, and not to exceed a height of seven feet.

B. *Residential Directional "Open House" Signs.* Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a broker/agent has more than one house open for inspection in a single development or subdivision, they are limited to four off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the broker/agent or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area per side. The sign may be placed along the periphery of a public right-of-way, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device.

C. *Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs.* One sign per street frontage advertising undeveloped commercial and industrial property for sale or for rent is permitted while the property is actually for sale or rent. The sign shall not exceed 32 square feet in sign area per side and eight feet in height.

D. *Developed Commercial and Industrial Property "For Sale or Rent" Signs.* One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than 10 feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed eight feet in height; if freestanding, it shall be located more than 15 feet from any abutting property line and a public right-of-way line. Said sign shall not exceed 32 square feet in sign area per side.

E. *Undeveloped Residential Property "For Sale" Signs.* One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding 32 square feet in area per side, nor exceeding a height of eight feet. If the sign is greater than five square feet in area, it must be placed more than 30 feet from the abutting property line.

F. *Additional Signs.* The planning, building and community director may grant a special permit to allow temporary off-premises signs in addition to those permitted above, not to exceed five square feet in size per side, or 42 inches in height. Notice of adjacent property owners shall not be required. Such additional signs may be used to advertise open houses, to provide directions to new developments, or similar purposes. Such signs may be placed along the periphery of the

public right-of-way, provided they do not interfere with traffic safety, but they may not be attached to utility poles or traffic safety devices. The planning, building and community director shall determine the number and locations of such signs, and the period during which they may be displayed. The planning, building and community director shall take into account the number of existing signs in any proposed location, and shall limit or prohibit new ones so as to prevent a traffic safety hazard or a detrimental effect on neighboring property. (Ord. 5993 § 1, 2006.)

18.56.030 General provisions, all districts.

A. *Community Signs.* The planning, building and community director may approve and permit to be erected entrance signs, at or near the city limits, on city public right-of-way or on privately owned parcels with the owner's permission, on which may be listed institutional names, service clubs or organizations or points of interest or similar public information. Right-of-way use permits may be required for signs located in the public right-of-way.

B. *Temporary Signs.*

1. Special event signage may be allowed subject to the following:

    a. Use of such signage is limited to 10 days per display, not to exceed 10 days in any 90-day period;

    b. The area of any single sign shall not exceed 30 square feet;

2. Banners may be allowed subject to the following:

    a. No more than two such signs may be used per site at any given time;

    b. Use of such signs is limited to 90 consecutive days, and may not exceed 90 days in any 120-day period;

    c. The area of any single banner used by a single business on a site shall not exceed 32 square feet;

3. Signs which are placed upon or within a window and which are intended to be viewed from the right-of-way shall not exceed 50 percent of the window area;

4. Permits are not required, except that signs exceeding the allowable size and time duration must receive a permit issued by the planning, building and community director if special circumstances exist that warrant the additional signage.

C. *Civic Events.* Street banners may be permitted subject to approval and installation in accordance with rules and procedures established by the city of Auburn public works department.

D. *Sign Lighting Provisions.*

1. All lighting shall be arranged to reflect away from any residential zone. No person shall construct, establish, create or maintain any stationary exterior lighting or illumination system or any interior system which is intended to be viewed from a street, highway or other public thoroughfare used for vehicular traffic which system contains or utilizes:

a. Any exposed incandescent lamp with wattage in excess of 25 watts;

b. Any exposed incandescent lamp with a metallic reflector;

c. Any exposed incandescent lamp with an external reflector;

d. Any revolving beacon light;

e. Any continuous or sequential flashing operation, except as allowed for changing message center signs in subsection F of this section;

2. The provisions of subsection (D)(1) of this section shall not apply to:

a. Lighting systems owned or controlled by any public agency for the purpose of directing or controlling navigation, traffic, or highway or street illumination;

b. Aircraft warning lights.

E. *Construction Provisions, Sight Distance, Exposed Angle Iron and Wire.*

1. Each sign shall be adequately constructed in accordance with the requirements of the International Building Code, as amended;

2. Signs containing electrical circuitry shall meet the requirements of the National Electrical Code and all state laws, and shall include an approved testing lab sticker;

3. Signs must meet vehicular sight distance requirements established by the city engineer pursuant to the city of Auburn engineering design standards;

4. When a projecting sign is used, no angle irons, guy wires or braces shall be visible, except those that are an integral part of the overall design, such as decorative metals or woods, or unless they are required for safety.

F. *Changing Message Center Signs.* Where permitted under this chapter, changing message center signs shall comply with the following requirements; provided, that changing message center signs that only display time and temperature or similar public service information shall be exempt from these requirements.

1. *Where Allowed.* Changing message center signs shall only be allowed in the I, P-1, C-1, C-2, DUC, C-3, M-1 and M-2 zones.

a. In the I and C-1 zones, changing message center signs shall only be allowed on frontages along a collector, minor or principal arterial street.

b. In the I zone, no changing message center sign shall operate between the hours of 10:00 p.m. and 6:00 a.m.

c. In the DUC zone, changing message center signs shall only be allowed when located adjacent and oriented to Auburn Way North/Auburn Way South street frontages. (For other sign standards for the DUC zone, see ACC 18.29.060(I).)

2. *Number.* No more than one changing message center sign per street frontage shall be permitted on each property.

3. *Sign Face Area.* Except in the I and P-1 zones, the changing message center shall not constitute more than 75 percent of a sign's total sign face area.

4. *Display.*

a. The display of the sign shall not change more rapidly than once every one and one-half seconds.

b. No scrolling message shall require more than five seconds to be displayed in its entirety.

5. *Light Levels.*

a. Changing message center signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

b. At no time shall a changing message center sign be operated at a brightness level greater than the manufacturer's recommended levels.

c. All lighting shall be arranged to reflect away from any residential zone. The director shall have the authority to require a sign permit application to include information to ensure the intent of this requirement is met.

d. The brightness level shall not exceed 8,000 nits when measured from the sign's face at its maximum brightness during daylight hours and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn.

6. *On-Premises Advertising Only.* Changing message center signs shall only advertise on-premises products and services, or display public service messages or messages on behalf of not-for-profit organizations.

7. *Additional Requirements.* A copy of the manufacturer's operating manual shall be provided to the city upon request.

8. *Amortization.* All changing message center signs that do not comply with the requirements of subsections (F)(4) and (5) of this section shall be brought into compliance with those requirements by April 1, 2009.

G. *Change of Copy.* The holder of a permit, for the duration thereof, shall have the right to change the advertising copy on the structure or sign for which the permit was issued without being required to pay any additional fees.

H. *Exemptions.* Unless otherwise specified or unless expressly prohibited, it is not the intent of this chapter to regulate the following signs:

1. The flag of a government or noncommercial institutions such as schools, with the poles treated as structures;

2. Official public notices, official court notices;

3. Incidental signs (see ACC 18.56.020(O), definitions);

4. Signs not visible from public right-of-way;

5. Lettering or symbols painted directly onto or flush-mounted magnetically onto an operable vehicle;

6. Painting, repainting, cleaning, repairing, and other normal maintenance unless structural or electrical changes are made;

7. Religious symbols not attached to a permitted sign;

8. Memorial signs or tablets, names of buildings, dates of erection and the like, which are incorporated into the building material and facade;

9. Signs required by law, traffic or pedestrian control signs, signs indicating scenic or historic points of interest, which are erected by or on the order of a public officer in the performance of their public duty;

10. Sculptures, fountains, mosaics, and design features which do not incorporate advertising or identification;

11. Temporary signs limited exclusively to noncommercial speech.

I. *Prohibited Signs.* From and after the effective date of the ordinance codified in this chapter it shall be unlawful for any person to erect or place within the city, except as otherwise authorized:

1. A swinging projecting sign;

2. Portable signs, except as permitted by ACC 18.56.025 (Real estate signs), ACC 18.56.040(E) ~~(C-2 Zoning District),~~ and ACC 18.29.060(I) (Signs);

3. Banners, pennants, ribbons, streamers, spinners, rotating or blinking lights, strings of lights, or similar devices, except as permitted by subsection B of this section (Temporary Signs);

4. Flashing signs, except as permitted in subsection D of this section (Sign Lighting Provisions);

5. Changing message center signs, except as allowed in the I, P-1, C-1, C-2, ~~C-3~~, M-1 and M-2 zones;

6. Signs attached to, or placed on, a vehicle or trailer parked on private or public property that is not associated with the business advertised on said sign(s). This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle used in the normal course of business. This does not include automobile for sale signs or signs attached to franchised buses or taxis;

7. Private signs placed in or on a public right-of-way, except for as expressly permitted by this chapter;

8. Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, coloring, or method of illumination, or by obstructing the vision of drivers, or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians by glare or method of illumination or constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse traffic;

9. Any sign or advertising structure or supporting structure that is torn, damaged, defaced or destroyed;

10. Signs attached to poles installed by governmental agencies, utility poles, trees, rocks or other natural features;

11. Signs attached to benches, garbage cans, or other street furniture located within the public right-of-way;

12. Rotating signs;

13. Billboards;

14. Any sign which does not structurally or materially conform to the requirements of the city's adopted International Building Code.

J. *Nonconforming Signs.* Permanent signs established legally prior to the adoption of the ordinance codified in this chapter that do not conform to the regulations of this chapter with regard to number, size, height or location shall be allowed to remain as legal nonconforming signs except as follows:

1. Whenever a new building replaces the principal building.

2. When there is an expansion of an existing building, the requirements of this section shall apply only if there is an increase in floor area of 25 percent or more (including the cumulative increase of previous expansions after the effective date of the ordinance amending this section).

3. Whenever a nonconforming use is replaced by a conforming use, the requirements of this section shall apply in full to the new use if and only if there is a change in required signage due to the zoning district.

4. Any sign, including the sign structure, now or hereafter existing which no longer advertises a bona fide business conducted or a product sold. Such sign(s) shall be taken down and removed by the owner, agent or person having the beneficial use of the land, building or structure upon which such sign may be found within 90 days after written notification from the building official.

K. *Master Sign Plans Authorized.* The planning, building and community director has the authority to require a master sign plan to ensure a consistent and coordinated signage scheme for development proposals. In approving master sign plans under the provisions of this subsection, the director has the authority to approve signage schemes that allow for signs greater in area and height than allowed in the particular zone in which the development is located when a coordinated signage scheme is used. Master signage plans shall be recorded.

L. *Maintenance and Safety.* All permanent, temporary and portable signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Failure to maintain a sign(s) in accordance with this subsection shall be subject to the code compliance provisions of the Auburn City Code. (Ord. 6828 § 1 (Exh. A), 2021; Ord. 6591 § 6, 2016; Ord. 6501 § 6, 2014; Ord. 5993 § 1, 2006; Ord. 5342 § 2, 2000; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.56.040 Regulation by district.

A. RC, R-1, R-2, R-3, R-4, and ~~R-R, R-S, LHRS, R-1, LHR-1, R-2, LHR-2, R-3, LHR-3, R-4, LHR-4,~~ R-MHP~~,~~ Zones ~~LHRMHP Zoning Districts~~ (Nonresidential Uses, Except As Noted).

1. *Residential Entry Monument.* A cumulative area of 50 square feet or 10 feet in height (highest point of sign structure) not to exceed two per entrance; provided, that no sign exceeds 32 square feet in area.

2. Maximum sign area of all signs is 40 square feet per frontage.

3. *Freestanding Signs.*

   a. Total number permitted: One per frontage not to exceed two total freestanding signs per property.

   b. Maximum height: 10 feet.

   c. Maximum area: 32 square feet per face, calculated at a rate of one square foot of sign area for every three lineal feet of frontage. The minimum entitlement for freestanding signs shall be one 16-square-foot sign for those sites with frontages less than 48 feet.

4. *Wall Signs (for Building or Tenant Space).*

   a. Total number permitted: One per frontage not to exceed two total wall signs per building.

   b. Maximum area: 32 square feet, calculated at a rate of one square foot of sign area for every three lineal feet of frontage. The minimum entitlement for wall signs shall be one 16-square-foot sign for those sites with frontages less than 48 feet.

5. Signs may be indirectly illuminated only.

B. *R-FO, R-NMO-H, and C-N, C-1 , LHC-1 and B-P Zoning DistrictsZones (Nonresidential Uses).*

1. Maximum sign area of all signs is 150 square feet per frontage.

2. *Freestanding Signs.*

   a. Total number permitted: One per frontage not to exceed two total.

   b. Maximum height: 22 feet, 10 feet in the R-FO zone.

   c. Maximum area: 100 square feet per face, 75 square feet per face in the RO zone, calculated at a rate of one square foot of sign area for every two lineal feet of frontage.

Minimum entitlement for freestanding signs shall be one sign at 32 square feet for those sites with less than 64 feet of frontage.

d. If permitted, the second freestanding sign shall not exceed 50 percent of the area allowed for a single freestanding sign and 150 feet measured in a straight-line distance must separate multiple pole signs.

3. *Wall Signs (for Building or Tenant Space).*

a. Total number permitted: One per frontage.

b. Maximum area: 100 square feet, calculated at a rate of one square foot of sign area for every one and one-half lineal feet of frontage. For multitenant buildings where freestanding signage contains the name of not more than one tenant business (e.g., a prime tenant name or a shopping center name), an additional 25 percent of wall signage per tenant space shall be allowed. This increase in signage shall not apply to minimum entitlement for wall signs, which shall be one sign at 16 square feet.

c. Signs may be directly or indirectly illuminated.

4. *Suspended Signs.*

a. Total number permitted: One per entrance.

b. Maximum area: Six square feet per face.

c. Minimum clearance is eight feet from sign to grade.

5. *Projecting Signs.*

a. Not permitted in ~~C-N,~~ R-FO ~~or~~ R-NMO-H~~.~~.

b. Total number permitted: One in lieu of a permitted freestanding sign.

c. Maximum height: Height requirement of the zoning district.

d. Maximum area: 50 percent of the area allowed for single freestanding sign.

C. *P-1 and~~, LHP-1,~~ I ~~and LHI~~ Zones.*

1. *Freestanding Signs.*

a. Total number permitted: One per frontage not to exceed two total.

b. Maximum height: 18 feet.

c. Maximum area: 80 square feet per face, calculated at a rate of one square foot of sign area for every two lineal feet of frontage. The minimum entitlement for freestanding signs is one sign at 32 square feet.

d. If permitted, the second freestanding sign shall not exceed 50 percent of the area allowed for a single freestanding sign and 150 feet measured in a straight-line distance must separate multiple pole signs.

e. For projects, parcels or complexes that have a single street frontage and more than 300 feet of street frontage, a changing message center sign may be permitted for a total of two signs per frontage subject to the following:

i. Only one changing message center is provided.

ii. Multiple signs are separated by at least 150 feet.

iii. The combined area of the two signs does not exceed 120 square feet in size and neither sign is greater than 80 square feet in size.

2. *Wall Signs (for Building or Tenant Space).*

a. Total number permitted: Two per street frontage.

b. Maximum area: 50 square feet for total of all wall signs per frontage.

c. Signs may be directly or indirectly illuminated.

D. *L-F, M-1 and M-2 ~~Zoning Districts~~Zones.*

1. Maximum sign area of all signs is 150 square feet per frontage.

2. *Freestanding Signs.*

a. Total number permitted: Two per frontage not to exceed four total.

b. Maximum height: 30 feet.

c. Maximum area: 125 square feet per face, calculated at a rate of one square foot of sign area for every two lineal feet of frontage. Minimum entitlement for freestanding signs is 32 square feet for those sites without 64 feet of frontage.

d. The total area of freestanding signs on any given frontage shall not exceed the area allowed for a single freestanding sign.

e. The maximum height of signs located on a second or third frontage shall be 20 feet.

f. Multiple freestanding signs must be separated by 150 feet measured in a straight-line distance.

3. *Wall Signs (for Building or Tenant Space).*

a. Total number permitted: One per frontage.

b. Maximum area: 100 square feet, calculated at a rate of one square foot of sign area for every one and one-half lineal feet of frontage.

4. *Projecting Signs.*

a. Total number permitted: One in lieu of a permitted freestanding sign.

b. Maximum height: Height requirement of the zoning district.

c. Maximum area: 50 percent of the area allowed for single freestanding sign.

~~E~~E. ~~*C-2 Zoning District.*~~

~~1. Maximum sign area of all signs is 200 square feet.~~

~~2. Hanging signs that are designed to display the availability of a specific product in a business, limited to three square feet and no more than two such signs per business, shall be considered permanent signs, but shall not be calculated as part of the maximum allowed signage.~~

~~3. *Freestanding Signs.*~~

~~a. Freestanding signs are not allowed on properties abutting or oriented toward Main Street.~~

b. Total number permitted: One per frontage not to exceed two total.

c. Maximum height: 20 feet.

d. Maximum area: 75 square feet per face, calculated at a rate of one square foot of sign area for each lineal foot of frontage. Minimum entitlement for freestanding signs shall be one sign at 32 square feet.

4. *Wall Signs.*

a. Total number permitted: One per frontage.

b. Maximum area: 150 square feet, calculated at a rate of one square foot of sign area for every one lineal foot of frontage. For multitenant buildings where freestanding signage contains the name of not more than one tenant business (e.g., a prime tenant name or a shopping center name), an additional 25 percent of wall signage per tenant space shall be allowed. This increase in signage shall not apply to minimum entitlement for wall signs, which shall be one sign at 16 square feet.

5. *Suspended Sign.* One double-face suspended sign, not exceeding three square feet per face, may be allowed for each business entrance. There shall be a minimum of eight feet of clearance between the grade and the sign.

6. *Portable Signs.* One portable sign may be allowed for each business entrance, not to exceed one portable sign per building frontage, subject to the following:

a. May be placed within public right-of-way subject to the guidelines provided by the planning, building and community director in consultation with the city engineer such that sign does not interfere with pedestrian or vehicular traffic and conforms to the requirements of the Americans with Disabilities Act.

b. May not exceed 36 inches in height and 30 inches in width and be limited to two faces.

c. May be displayed during business hours only.

d. Must be constructed of either wood or another sturdy material to ensure stability in the wind.

e. May not move, spin, flash, or otherwise be animated.

~~f. Shall meet applicable supplemental design requirements of the Auburn downtown association.~~

~~7. Supplemental Sign Standards, C2 Zone.~~

~~a. *Sign Design and Construction.*~~

~~i. All signs, other than temporary signs, shall be made of professional, durable materials such as wood, metal, and/or glass.~~

~~ii. Signs that are indirectly illuminated shall have their light sources shielded from view.~~

~~iii. Internally illuminated signs are not permitted abutting or oriented toward Main Street.~~

~~b. *Sign Placement.*~~

~~i. Signs shall be oriented toward pedestrian visibility and shall be positioned at such a height as to be readable by pedestrians.~~

~~ii. Externally mounted wall signs shall not be mounted so as to block building windows.~~

~~F~~. *C-~~3~~2 ~~Zoning District.~~Zone.*

1. *Freestanding Signs.*

a. Total number permitted: Two per frontage not to exceed four total.

b. Maximum height: 30 feet.

c. Maximum area: 200 square feet, calculated at a rate of one square foot of sign area for every two lineal feet of frontage; provided, that the maximum size of any sign does not exceed 125 square feet per face. The minimum entitlement for freestanding signs is 32 square feet for those sites without 64 feet of frontage.

d. The total area of freestanding signs on any given frontage shall not exceed the area allowed for a single freestanding sign.

e. The maximum height of signs located on a second or third frontage shall be 20 feet.

2. *Wall Signs (for Building or Tenant Space).* Maximum area: 125 square feet, calculated at a rate of one square foot of sign area for every one and one-half lineal feet of frontage.

3. *Projecting Signs.*

   a. Total number permitted: One in lieu of a permitted freestanding sign.

   b. Maximum height: Height requirement of the zoning district.

   c. Maximum area: 50 percent of the area allowed for single freestanding sign.

4. *Suspended Signs.*

   a. Total number permitted: One.

   b. Maximum placement height: 25 feet.

   c. Maximum area: Six square feet per face.

   d. Minimum clearance is eight feet from sign to grade.

5. *Off-Premises Signs.*

   a. Total number permitted: One per business and one per parcel.

   b. Location: Off-premises sign must be located in zone that permits off-premises signs.

   c. Maximum height: 20 feet.

   d. Maximum area: 50 percent of the area allowed for single freestanding sign, calculated using the feet of frontage of the site where the sign is located.

   e. Must be within 750 feet of the business being advertised.

   f. Must be separated from any existing pole sign a minimum distance of 150 feet measured in a straight-line distance.

   g. Sign can be no more than two faces.

   h. Signs may be directly or indirectly illuminated. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987.)

18.56.050 Administrative provisions.

A. *Permits Required.* Except as provided in subsection B of this section, no signs shall hereafter be erected, re-erected, constructed, altered, or maintained, except as provided by this chapter and, when required, a building permit for the same has been issued by the building official. A separate permit shall be required for a sign or signs for each business entity and/or a separate permit shall be required for each group of signs on a single supporting structure.

1. *Application for Permits.* Application for sign permits shall be made to the building official on a form as provided by the building division. Such application shall require:

a. Name of business and address where work is to be performed.

b. Name and address of property owner.

c. Name and title of the person completing the application.

d. Name, address and telephone number of the person or firm doing the work and preferably the owner of said establishment.

e. Washington contractor's registration number, industrial use permit number, sales tax number.

f. A site plan showing location of the sign in relation to buildings, property lines and street right-of-way including the size and location of all existing signs on the property.

g. A scale drawing of the proposed sign or sign revision showing size, height, copy, structural and footing details, and material specifications.

h. A description of work to be performed and type of sign.

i. Electrical load with name of electrical contractor responsible for installation of service feed wires if other than sign contractor.

j. Structural engineer's stamp required on those signs and sign structures subject to wind and seismic forces.

2. *Revocation of Permit.* The building official may, in writing, suspend or revoke a permit issued under provisions of this chapter whenever the permit is issued in error or on the

basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this chapter.

3. *Permit Fee Schedule.* The fees prescribed in the city's fee schedule must be paid to the city for each sign installation for which a permit is required by this chapter and must be paid before any such permit is issued by the building official. Fees for building permits for each sign erected, installed, affixed, structurally altered, relocated, or created by painting shall be set in accordance with the city's fee schedule.

4. Sign permits shall be processed in accordance with the relevant timelines and procedures identified in ACC Title 14, Project Review.

B. *Interpretation.* In all applications for permits where a matter of interpretation arises, the most restrictive definition shall prevail. (Ord. 5993 § 1, 2006; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.56.060 Deviations, variances and appeals.

A. The planning, building and community director may grant up to a 50 percent deviation to the provisions of this sign code related to sign height and sign area. In a petition for a deviation, the planning, building and community director shall have the power and duty to review, decide, grant, grant with conditions or deny the requested deviation. The planning, building and community director may grant a deviation from the provisions of this chapter only when the deviation is within 50 percent of the entitlement and all of the following findings of fact are met:

1. The literal interpretation and strict application of the provisions and requirements would cause undue and unnecessary hardship because of unique or unusual conditions pertaining to the specific building, parcel or property in question; and

2. The granting of the requested deviation would not be materially detrimental to the public welfare or injurious to the property or property owners in the vicinity; and

3. The granting of the deviation would not be contrary to the general objective and intent of this chapter, this title, or the comprehensive plan.

B. An applicant requesting an administrative deviation under the provisions of this chapter shall submit the following, along with the required filing fee:

1. A letter in memorandum format outlining how the request is consistent with the criteria of this subsection.

2. A site plan that accurately drawn to an engineered scale of one inch equals 40 feet, one inch equals 20 feet or one inch equals 10 feet that includes the following information:

a. Boundaries and dimensions of the site;

b. Location of buildings, parking areas and adjacent streets;

c. Graphic representations of all existing signs including their size, height and placement on the site;

d. Graphic representation of the proposed sign(s) subject to the request;

e. Building elevation showing the placement of the sign on that elevation, if applicable.

C. The action of the planning, building and community director rejecting, approving or modifying any decision or application is a final administrative decision subject to appeal to the city's hearing examiner. Appeals of administrative decisions with regard to this chapter shall be processed consistent with ACC 18.70.050.

D. The planning, building and community director shall render a written decision on the requested deviation request within seven business days of submittal of all required elements and filing fee.

E. Requests that exceed the 50 percent deviation or those not related to allowable sign height or sign area shall be processed as a variance in accordance with ACC 18.70.010.

F. The planning, building and community director may allow for the repair or replacement of nonconforming signs that have a significant historical or cultural element or are integral components of a building roof or facade that has a significant historical or cultural element to which the sign is a contributing component. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987.)

18.56.070 Liability.

This chapter shall not be constituted to relieve from or lessen the responsibility of any person owning, building, altering, constructing, removing or moving any sign in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city, or any agent thereof, be held as assuming such liability by reason of permit or inspection authorized herein or a certificate of inspection issued by the city or any of its agents. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987. Formerly 18.56.110.)

18.56.080 Conflicts repealed.

All sections or parts of sections of the municipal code, all ordinances and all resolutions or parts of resolutions, in conflict herewith, be and the same are repealed to the extent of such conflict. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987. Formerly 18.56.120.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.57
STANDARDS FOR SPECIFIC LAND USES

Sections:

18.57.010 Intent.
18.57.015 Applicability.
18.57.020 Industrial, manufacturing and processing, wholesaling.
18.57.025 Recreation, education and public assembly.
18.57.030 Mixed-use development.
18.57.035 Retail.
18.57.040 Services.
18.57.045 Transportation, communication and infrastructure.
18.57.050 Vehicle sales and services.

18.57.010 Intent.

This chapter provides site planning, development, and/or operating standards for certain land uses that are allowed by individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts. (Ord. 6435 § 1, 2012.)

18.57.015 Applicability.

The land uses and activities covered by this chapter shall comply with the provisions of the sections applicable to the specific use, in addition to all other applicable provisions of this zoning code. The standards for specific land uses in this chapter supplement and are required in addition to those in ACC 18.23.040 and 18.35.040, Development standards. (Ord. 6435 § 1, 2012.)

18.57.020 Industrial, manufacturing and processing, wholesaling.

A. *Outdoor Storage, Incidental to Principal Permitted Use on Property.*

1. *C-23 Zone.* Outdoor storage is subject to the following requirements:

   a. Outdoor storage shall be limited to an area no greater than 10 percent of the lot.

   b. Outdoor storage shall be located between the rear lot line and the extension of the front facade of the principal structure; provided also, that for corner lots no outdoor storage is allowed between a building and a side street lot line. For through lots, the location for outdoor storage shall be determined by the planning director.

   c. Outdoor storage shall not be located in a required yard/setback area.

   d. Outdoor storage shall not be permitted on undeveloped lots.

   e. Outdoor storage shall be limited to 15 feet in height. The planning director may authorize an increase in height, up to 50 percent, through an administrative variance, subject to the procedures of ACC 18.70.015(A)(2).

   f. Outdoor storage areas shall be landscaped in accordance with ACC 18.50.040(C)(5).

   g. Outdoor storage areas shall consist of a hard surface material of either gravel or paving.

   h. Outdoor storage shall consist of supplies, materials, and/or equipment that are in working and usable condition.

   i. Outdoor storage of unworkable and/or unusable equipment, supplies or materials is not permitted.

2. *M-1 Zone.* Outdoor storage is subject to the following requirements:

   a. Outdoor storage shall be limited to an area no greater than 50 percent of the lot.

   b. Meet requirements of subsections (A)(1)(b) through (i) of this section.

3. *M-2 Zone.* Outdoor storage is subject to the following requirements:

   a. Outdoor storage shall be landscaped in accordance with ACC 18.50.040(C)(5).

   b. Outdoor storage shall not be permitted on undeveloped lots.

   c. Outdoor storage shall be limited to 30 feet in height.

B. *Storage – Personal Storage Facility (Mini-Storage).*

1. *All Zones Where Permitted.*

a. The design of facades, landscaping and lighting of premises shall be compatible with the intent of the applicable district.

b. Storage unit doors shall be screened or located so as to not be visible from residential property.

c. There shall be no outside storage of goods or materials of any type at the personal storage facility except that of wheeled vehicles (recreational vehicles, campers, trailers, trailer-mounted boats, motorized vehicles, etc. – but not inoperable motor vehicles). Such vehicles may be stored in areas that have been specifically designated and set aside for such use, in accordance with the following:

i. Vehicles shall be screened from view of public, residential and other commercial property with sight-obscuring fencing or berms at least eight feet in height. When berms are used they shall be landscaped with shrubbery and/or trees.

ii. Storage of recreational vehicles and trailer-mounted boats shall not occur in required parking spaces, drives and/or lanes between storage buildings, parking lanes, or within required building setbacks.

iii. No vehicle or boat maintenance, washing, or repair shall be permitted.

d. Storage units shall not be used for manufacturing, fabrication, processing of goods, conducting servicing or repair; nor used to conduct garage sales or retail sales; nor conduct any other commercial or industrial activity.

C. *Warehousing and Distribution.*

1. *All Zones Where Permitted.*

a. Motor freight transportation is permitted but only as an incidental use to the principal use of the property.

b. Loading and unloading docks shall not be visible from the street. If this requirement cannot be met, an additional 10-foot width of landscaping along the

abutting street, meeting the provisions of ACC 18.50.040(C) (Landscape Design and Planting Requirements), is required.

c. All odors, noise, vibrations, heat, glare, or other emissions shall be controlled within the confines of a building unless specifically permitted elsewhere by this title.

d. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities, shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the state siting criteria (Chapter 70.105 RCW). (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6435 § 1, 2012.)

18.57.025 Recreation, education and public assembly.

A. *Commercial Recreation Facility, Outdoor.*

1. *All Zones Where Permitted.*

a. Facility shall not be located within 300 feet of an existing residential zone. The planning director may allow a reduction in this setback, not to exceed a minimum setback of 50 feet, after review of an acoustic study completed by a licensed professional showing that the facility would not exceed maximum noise levels permissible in identified environments as determined by Chapter 173-60 WAC, as amended.

b. The planning director may require an acoustic study for any proposed facility which could have or create a noise exposure greater than that deemed acceptable. Upon review of the study, increased setbacks, noise avoidance or mitigation measures may be imposed.

c. Outdoor speakers and sound amplification shall not be permitted for uses immediately next to residential uses.

d. Access to such facilities shall be from a public arterial or collector road as defined on the currently adopted City of Auburn Street Functional Classification Map. (Ord. 6435 § 1, 2012.)

18.57.030 Mixed-use development.

A. *All Zones Where Permitted.*

1. Multiple-family dwellings shall only occur concurrent with or subsequent to the development and construction of the nonresidential components of the mixed-use development unless a different sequence is allowed in the following code sections.

2. *Vertical Mixed-Use.*

a. Mixed-use development comprised of a maximum of one building on a development site shall have a minimum of 50 percent of the ground floor comprised of one or more of the uses permitted outright, administratively, or conditionally, listed under "Recreation, Education, and Public Assembly," "Retail," or "Services" in Table 18.23.030; provided, that uses normal and incidental to the building including, but not limited to, interior entrance areas, elevators, waiting/lobby areas, mechanical rooms, mail areas, garbage/recycling/compost storage areas, and vehicle parking areas located on the ground floor shall occupy a maximum of 50 percent of the ground floor space.

3. *Horizontal Mixed-Use.*

a. Mixed-use development comprised of two or more buildings shall have a minimum of 25 percent of the cumulative building ground floor square footage comprised of one or more of the uses permitted outright, administratively, or conditionally, listed under "Recreation, Education, and Public Assembly," "Retail," or "Services" in Table 18.23.030; provided, that uses normal and incidental to the building including, but not limited to, interior entrance areas, elevators, waiting/lobby areas, mechanical rooms, mail areas, garbage/recycling/compost storage areas, and vehicle parking areas located on the ground floor shall not be included in this 25 percent requirement.

b. Mixed-use development comprised of two or more buildings (horizontal mixed-use) shall be arranged with the required nonresidential building(s) located adjacent to the public street or private street and the residential building located behind. For a corner lot or through lot, the nonresidential building(s) shall be located adjacent to the higher classification street.

~~B. *C-2 Zone.*~~

~~1. Vertical mixed-use development is required.~~

~~2. All other requirements of subsection A of this section shall apply.~~

BC. *C-~~3~~2 Zone.*

1. One thousand two hundred (1,200) square feet of lot area is required for each dwelling unit.

2. All other requirements of subsection A of this section shall apply.

CD. *C-AG~~4~~ Zone.*

1. Vertical or horizontal mixed-use is allowed.

2. Multiple-family dwellings may be constructed prior to the development and construction of the nonresidential components of the mixed-use development; provided, that the nonresidential components of the master plan are development ready (i.e., wet and dry utilities are extended to future commercial pads) and required frontage improvements as determined by the community development director are completed.

DE. *M-1 Zone.*

1. Vertical mixed-use development is required.

2. Ground floor uses shall be comprised of one or more of the uses permitted outright, administratively, or conditionally, listed under “Retail” or “Services” in Table 18.23.030. All other requirements of subsection A of this section shall apply. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 5 (Exh. E), 2019; Ord. 6644 § 3, 2017; Ord. 6478 § 1, 2013; Ord. 6435 § 1, 2012.)

18.57.035 Retail.

A. *Building and Landscape Materials Sales.*

1. *All Zones Where Permitted.*

a. Landscape materials displayed outdoors are limited to plants, soils, gravel, and fertilizer. No soil mixing is allowed.

b. Stored materials other than landscape plant materials shall be completely screened by walls or buildings and shall not protrude above the height of the enclosing walls or buildings or be visible from a public right-of-way or adjacent residential zone or use and shall not be located in any of the required setbacks.

c. Stored building supplies and landscaping materials shall be limited to 15 feet in height. The planning director may authorize an increase in height, up to 50 percent, through an administrative variance, subject to the procedures of ACC 18.70.015(A)(2).

B. *Repealed by Ord. 6885.*

C. *Nursery.*

1. *All Zones Where Permitted.*

a. Aerial application of any pesticides, fungicides, fertilizer or any other chemical shall be prohibited.

b. Operation of heavy equipment is prohibited.

c. Outdoor storage and display of landscape plant materials (excluding elements such as mulch, pebbles, gravel stone, fertilizer, wood, sculptures, furniture, etc.) is permitted, but shall not be located in the required setbacks. Chain link fences, with black or green vinyl covering, are permitted for security purposes.

d. Stored materials other than landscape plant materials shall be completely screened by walls or buildings and shall not protrude above the height of the enclosing walls or buildings or be visible from a public right-of-way or adjacent residential districts or use and shall not be located in any of the required setbacks.

D. *Outdoor Displays and Sales.*

1. *All Zones Where Permitted.*

a. Only the business or entity occupying the principal use or structure shall sell merchandise in the outdoor display areas. Other off-site businesses or vendors may be allowed to sell merchandise or hold a temporary event in the outdoor display areas provided the sale/event is conducted for three days or less, not visible from a public street, does not block required pedestrian or vehicle access, and a party submits a

written description of their intended use of the property to the city a minimum of seven calendar days prior to use and abides by any written conditions of use required by the city. If any of the aforementioned requirements cannot be met, a temporary use permit subject to the provisions of Chapter 18.46A ACC is required.

b. All outdoor displays must be located on the same lot as the principal use.

c. Such outdoor display is permitted in any front or side yard, subject to a minimum setback of 20 feet from an adjoining property line.

d. Merchandise shall not be placed or located where it will interfere with pedestrian or building access or egress, required vehicular parking and handicapped parking, aisles, access or egress, loading space parking or access, public or private utilities, services or drainage systems, fire lanes, alarms, hydrants, standpipes, or other fire protection equipment, or emergency access or egress.

e. The height of displayed merchandise shall not exceed the height of any fence or wall or 10 feet, whichever is less.

f. Outdoor display areas shall not be located on any parking spaces needed to comply with the minimum parking ratios in Chapter 18.52 ACC, Off-Street Parking and Loading. Outdoor display areas shall be considered part of the floor area of the principal use or structure for purposes of computing the minimum number of parking spaces required.
(Ord. 6885 § 1 (Exh. A), 2022; Ord. 6435 § 1, 2012.)

18.57.040 Services.

A. *Animal Daycare.*

1. *All Zones Where Permitted.*

a. All pets shall be properly licensed.

b. For any dog that has been designated as a “dangerous dog” or “potentially dangerous dog” as defined by the Auburn City Code (ACC), the operator shall verify that the owner has complied with the regulations (on noticing, licensing, certificate of registration, restraining, etc.) contained in Chapter 6.35 ACC, Dangerous Dogs. The

owner shall ensure the facility meets the requirements for a “proper enclosure” as set forth in ACC 6.01.010(A)(27).

c. All fenced exercise areas must be at least 50 feet from a habitable residential structure.

d. Adequate screening shall be required when abutting any residential use.

e. General care of pets must be confined to inside of building and under supervision.

f. Pets are permitted to be walked or exercised outside of building only under supervision and in accordance with all other applicable ordinances and laws.

g. The exterior appearance of an animal daycare building must be compatible with the appearance of neighboring properties.

B. *Animal Sales and Services.*

1. *All Zones Where Permitted.*

a. All sales and services shall be for household pets only.

b. Overnight boarding is allowed within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales shall have no more than 15 percent of their gross floor area devoted to overnight boarding.

c. Animal sales and services use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of an enclosed structure off leash (hereinafter “outdoor run”) are allowed subject to compliance with the following conditions:

i. Outdoor runs shall not be permitted within 50 feet of a habitable residential structure.

ii. The outdoor run may operate only between the hours of 8:00 a.m. and 6:00 p.m.

iii. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other lots.

C. *Kennels, Animal Boarding.*

1. *All Zones Where Permitted.*

a. All pens shall be enclosed in an enclosed building.

b. The property on which the kennel is to be located shall be no closer than 100 feet to any residential zone.

c. Limited outdoor exercise runs or facilities shall be permitted so long as their hours of use are restricted to the hours between 8:00 a.m. and 6:00 p.m.

d. The facility must be air conditioned.

e. Exercise runs or facilities shall be a minimum of four feet by 10 feet.

f. The facility shall maintain a minimum total of 25 square feet of kennel area per animal. This area may be comprised of cage area, runs, or exercise facilities.

g. Any outdoor areas used for animal containment or exercise shall be maintained by removing animal waste on a daily basis for proper disposal as solid waste.

h. Any runoff, wash-down water, or waste from any animal pen, kennel, containment, or exercise area shall be collected and disposed of in the sanitary sewer after straining of solids and hair and shall not be allowed to enter the stormwater drainage or surface water disposal system.

i. Strained solids and hair shall be properly disposed of as solid waste.

D. *Repair Service – Equipment, Appliances.*

1. *C-1 ~~, C-2,~~ and C-AG~~4~~ Zones.*

a. Any repairing done on the premises shall be incidental only and limited to custom repairing of the types of merchandise sold on the premises at retail. The floor area devoted to such repairing shall not exceed 30 percent of the total floor area occupied by the particular enterprises.

E. *Youth Community Support Facility.*

1. Youth community support facilities shall be located within 500 feet (walking distance) of a transit stop and connected via sidewalks or an approved pedestrian facility. (Ord. 6688 § 1 (Exh. 1), 2018; Ord. 6435 § 1, 2012.)

18.57.045 Transportation, communication and infrastructure.

A. *Towing Storage Yard.*

1. *M-1 and M-2 Zone.*

a. Motor vehicle(s) shall not remain on the property for more than 120 days.

b. Motor vehicle(s) may not be repaired, restored, rebuilt, or otherwise altered on the property.

c. Motor vehicle(s) shall not be stacked vertically.

d. Vehicle parts and scrap metal shall not be stored on the property.

e. The sale of motor vehicles shall not be permitted.

f. The towing storage yard shall be landscaped in accordance with ACC 18.50.040(C)(5).

g. Any motor vehicles which are damaged so as to be leaking fluid shall be brought to a impervious surface where all fluids shall be contained and disposed of in conformance with all state and federal regulations.

h. The applicant shall install a separator or other generally accepted industry device or practice that provides equal protection to prevent any leaking fluids from the motor vehicles from entering the soil or surface waters. (Ord. 6435 § 1, 2012.)

18.57.050 Vehicle sales and services.

A. *Automobile Washes (Automatic, Full or Self-Service).*

1. *All Zones where Allowed.* An automatic, full – or self-service car wash shall comply with the following standards:

a. Proper functioning of the site as related to vehicular stacking, circulation, and turning movements.

b. The use of outdoor speakers is prohibited.

c. Car washes/detailing shall be located at least 50 feet from any residential zone, use, or structure.

d. Car wash openings must be oriented away from residential zones, use or structures.

B. *Auto/Vehicle Sales and Rental.*

1. *C-1 Zone.*

a. The business shall be located on a principal or minor arterial as defined by the comprehensive transportation plan;

b. No repairing, painting or body work shall be conducted outside of a building;

c. If abutting an R zone, a sight-obscuring fence or landscape screen shall be required;

d. A minimum of a 25-foot setback shall be required of any building from any R zone;

e. Other landscaping or architectural improvements may be required to ensure compatibility with present and potential C-1 uses in the vicinity.

C. *Fueling Station.*

~~1. *C-2 Zone.*~~

~~a. The fueling station must be accessory to an existing retail/service establishment in which the principal tenant has a minimum floor area of at least 25,000 square feet. The principal tenant must own and/or manage the station. The station must be located on the same parcel of property as the principal tenant and the property must be at least 100,000 square feet in area.~~

~~b. The station must be located on the property to minimize the amount of conflict to the pedestrian traffic.~~

~~c. The station must be located on and have direct access to an arterial using existing curb cuts and driveways whenever practical. If the curb cuts and driveways do not meet current city standards, then they shall be brought up to such standards.~~

~~d. The station cannot interfere with the existing parking and/or traffic circulation on the property. There shall be enough room on the property to allow for adequate stacking space for vehicles waiting for fuel in order to avoid cars interfering with vehicles on the street. The facility cannot reduce the amount of parking required by the zoning code.~~

~~e. The station shall have a roof that covers all activities including the pay window, refuse containers, fuel pumps and the adjacent parking area for the cars being fueled. The area that is covered by the roof of the facility shall be no larger than 6,000 square feet. The number of pumps shall be limited to five such that no more than 10 vehicles may be fueled at any one time.~~

~~f. Columns or similar architectural features shall be provided that screen the visibility of the pump islands as well as give the visible impression of enclosing the structure. If necessary, provisions must be made to avoid a safety issue of enclosing any fumes associated with the fueling of the vehicles. The overall height of the facility shall not exceed 20 feet.~~

~~g. The design, architectural treatment and streetscape features of the station must be consistent with the design concepts as outlined in paragraph "P" of Section 1.4 of the downtown plan as well as provide some design continuity between the facility and primary structure.~~

~~h. Any other products for sale shall only be displayed within the building containing the pay window and any such products shall be incidental to automobile care/maintenance, or snacks and beverages. No sales of alcoholic beverages will be allowed.~~

~~i. Signs shall be limited to permanent wall signs, attached to the face of the canopy, only.~~

~~j. The application for the administrative use permit shall illustrate how it complies with these standards.~~

~~2~~1. ~~*Other* *All* Zones Where Permitted.~~

a. Fueling station canopies shall not exceed 20 feet in height or the height of the principal building, whichever is less.

b. Canopies shall be architecturally integrated with the principal building and all other accessory structures on the site through the use of the same or compatible materials, colors, and roof pitch.

c. Any lighting fixtures or sources of light that are a part of the underside of the canopy shall be recessed into the underside of the canopy so as not to protrude below the canopy ceiling surface more than two inches.

d. All surfaces for exterior building facades or canopies shall be finished to match the surfaces of the principal structure.

D. *Vehicle Services – Repair/Body Work.*

~~1. *C-2 Zone.*~~

~~a. No vehicles stored outside that are not operable unless such vehicles are contained within a fenced and paved area. The entire perimeter of the outdoor storage area shall be landscaped with landscaping pursuant to ACC 18.50.040(C)(5). The maximum size of the outdoor storage area shall be no more than 25 percent of the associated building area.~~

2. ~~*Other* *All* Zones Where Permitted.~~

a. Outdoor work areas shall be fenced, walled or screened to minimize on – and off-site noise, glare, odor, or other impacts.

b. All repair work or lubrication shall be conducted within the principal building. All permanent storage of materials, merchandise, or repair and servicing equipment shall be contained within the principal building.

c. All body work and painting shall be conducted within fully enclosed buildings.

d. No operator shall permit the storage of motor vehicles for a period in excess of 24 hours unless the vehicles are enclosed in the principal building. (Ord. 6435 § 1, 2012.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

ATTACHMENT 2

Chapter 14.22
COMPREHENSIVE PLAN

Sections:

14.22.010 Purpose.
14.22.020 Comprehensive plan adopted.
14.22.030 Early and continuous public participation.
14.22.040 Definitions.
14.22.050 Conformance and consistency.
14.22.060 Amendments and exceptions.
14.22.070 Periodic assessment.
14.22.080 Docketing.
14.22.090 Proposals for amendments.
14.22.100 Public hearing required by planning commission.
14.22.110 Decision criteria for plan amendments.

14.22.010 Purpose.

The city of Auburn comprehensive plan establishes the principles, goals, objectives and policies guiding future development of the city in compliance with Chapter 36.70A RCW, the Washington State Growth Management Act. The purpose of this chapter is to establish procedures and review criteria for amending the comprehensive plan and to provide provisions for public participation in the planning process. (Ord. 6172 § 1, 2008.)

14.22.020 Comprehensive plan adopted.

The city of Auburn comprehensive plan, as amended in April 1995 to comply with the Growth Management Act and as may subsequently be amended thereafter, consisting of the following elements, is hereby adopted by reference:

A. *Chapters of the Comprehensive Plan.*

1. Core Comprehensive Plan.

2. ~~The~~ Land Use Element.

3. ~~The~~ Housing Element.

4. ~~The~~ Capital Facilities Element.

5. ~~The~~ Utilities Element.

6. ~~The~~ Transportation Element.

7. ~~The~~ Economic Development Element.

8. ~~The~~ Parks and Recreation Element.

8. Historic Preservation Element

9. Climate Element

10~~9~~. Comprehensive Plan Map.

~~Appendix A – Auburn Community Vision Report.~~

Appendix A~~B~~ – ~~Auburn~~ Housing Needs and Characteristics Assessment.

Appendix B~~C~~ – Agency Checklists~~uburn Housing Element Checklist.~~

Appendix C~~D~~ – ~~Auburn Health Impact Assessment.~~Public Participation Plan

Appendix D~~E~~ – ~~Auburn Public Participation Plan.~~Airport Master Plan

Appendix E.1~~F.1~~ – King County Buildable Lands Analysis.

Appendix E~~F~~.2 – Pierce County Buildable Lands Analysis.

Appendix F~~G~~ – ~~Auburn Airport Master Plan.~~Parks PROS Plan

Appendix G~~H~~ – ~~Auburn Community Profile.~~Comprehensive Transportation Plan

~~Appendix I – Auburn Greenhouse Gas Inventory.~~

~~Appendix J – Parks, Arts and Recreation Open Space Plan.~~Appendix K – Climate Change Framework

Appendix H – Auburn Greenhouse Gas Inventory

Appendix I – City of Auburn Ten-Year Economic Development Strategic Plan

Appendix J – Auburn Community Vision Report

B. *Additional Documents of the Comprehensive Plan, That Are Incorporated by Reference.*

~~1. Comprehensive Transportation Plan.~~

2. Capital Facilities Plan.

3. Shorelines Management Program.

4. Comprehensive Water Plan.

5. Comprehensive Sewer Plan.

6. Comprehensive Storm Drainage Plan.

7. Auburn Downtown Plan (May 2001).

8. Lakeland Hills Plan (1988).

9. Auburn Adventist Academy Plan (1991).

10. Auburn North Business Area Plan (1992). (Ord. 6612 § 1, 2016; Ord. 6329 § 1, 2010; Ord. 6172 § 1, 2008.)

11. Housing Action Plan (2020).

14.22.03~~0~~ Early and continuous public participation.

A. The city of Auburn encourages early and continuous public participation in the comprehensive planning process, and in other city-initiated planning programs that may be carried out under the overall framework of the plan. This chapter contains procedures for the consideration of potential amendments to any chapter or element of the comprehensive plan.

B. The director shall broadly disseminate information regarding the annual docketing and amendment process and identify a deadline for submittal of applications for inclusion in the

annual amendment cycle. Applications submitted after the established deadline will be considered during the following annual amendment process. (Ord. 6172 § 1, 2008.)

14.22.040 Definitions.

A. "Amendment" means any change in the wording, context or substance of the comprehensive plan or a change to the comprehensive land use map or any other map contained or referenced within any plan chapter or element.

B. "Area-wide map amendment" means an amendment to the comprehensive land use map involving four or more contiguous or adjacent parcels under different ownership that would be similarly affected by a proposed map amendment.

C. "City-initiated planning program" means a planning program begun by resolution of the city council, or the planning commission, addressing a geographic sub-area of the city's urban growth area (such as a special area plan) or addressing a specific functional area (such as a utility plan).

D. "Director" means the director of the department of planning and development or designee.

E. "Docket" means a list of suggested amendments to the comprehensive plan maintained by the director.

F. "Planning commission" is an appointed group serving in an advisory capacity to the city council as specified in Chapter 2.45 ACC. (Ord. 6532 § 23, 2014; Ord. 6287 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.050 Conformance and consistency.

The zoning, land division and other development codes contained or referenced within Auburn City Code shall be consistent with and implement the intent of the comprehensive plan. Capital budget decisions shall be made in conformity with the comprehensive plan. (Ord. 6172 § 1, 2008.)

14.22.060 Amendments and exceptions.

A. The comprehensive plan may only be amended pursuant to this chapter, no more frequently than once each calendar year as part of the annual cycle established herein, except as provided in subsection C of this section.

B. All amendments shall be considered concurrently so as to assess their cumulative impact.

C. *Exceptions.* Pursuant to Chapter 35A.70 RCW, under the following circumstances, amendments may be processed separately and in addition to the annual amendment cycle:

1. If an emergency exists, which is defined as an issue of community-wide significance that addresses the public health, safety, and general welfare;

2. To resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board or with the court;

3. To adopt or amend a shoreline master program under the procedures set forth in Chapter 90.58 RCW;

4. The initial adoption of a subarea plan or new element to the comprehensive plan;

5. The amendment of the capital facilities plan may occur concurrently with the adoption or amendment of the city budget;

6. Amendments of the comprehensive plan that are conducted in conjunction with an annexation as set forth in Titles 35 and 35A RCW. (Ord. 6853 § 1 (Exh. A), 2022; Ord. 6172 § 1, 2008.)

14.22.070 Periodic assessment.

A. The director will periodically monitor the comprehensive plan and development regulations that implement the plan, assess the need for any amendments, and may add potential changes to the docket as specified in ACC 14.22.080. The assessment shall be based on, at a minimum:

1. Whether growth and development are occurring at a faster or slower rate than envisioned in the plan;

2. Whether the capacity to provide adequate services has diminished or increased;

3. The availability of land to meet demand;

4. Whether the assumptions on which the plan is based remain valid;

5. The effect of the plan on land values and housing is contrary to plan goals;

6. Whether sufficient change or lack of change in circumstances dictates the need for an amendment.

B. The city shall complete a comprehensive review of the comprehensive plan and development regulations in order to update it as appropriate and to ensure continued compliance with the Growth Management Act pursuant to RCW 36.70A.130. (Ord. 6329 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.080 Docketing.

A. In accordance with RCW 36.70A.470, suggested changes to the comprehensive plan which are not specific to any site may be submitted by any individual, organization or general or special purpose government and shall be coordinated by the director. The director shall create appropriate forms for such submittals that require the submittal to address the criteria outlined in subsection C of this section. The list shall be known as the "docket" and is the means to suggest a change or identify a deficiency in the comprehensive plan. An item may be submitted to the docket at any time during the calendar year. There is no fee associated with submitting an item to the docket.

B. Annually, the director shall review such suggestions with the city council and determine whether to direct them to the planning commission for consideration. The city council may decline to consider any item from the docket.

C. Proposed amendments on the docket may be considered appropriate for action if the following criteria are met:

1. A proposed comprehensive plan text amendment addresses a matter appropriate for inclusion in the plan;

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the plan;

3. The proposal addresses the interests and changed needs of the entire city as identified in the plan;

4. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the city council;

5. The proposal can be reasonably reviewed and evaluated, given existing staff and budget resources; and

6. The proposal has not been voted on by the city council in the last three years. This time limit may be waived by the city council if it is demonstrated that there exists either an obvious technical error or a change in circumstances that justifies the need for the amendment.

D. Any item on the docket that is not determined to be appropriate for action may be proposed under ACC 14.22.090, provided it is timely and properly filed. (Ord. 6532 § 24, 2014; Ord. 6172 § 1, 2008.)

14.22.090 Proposals for amendments.

A. *Privately Initiated Amendments.* A proposed amendment to the comprehensive plan, other than docketing pursuant to ACC 14.22.080, may be submitted by any individual, organization, corporation or partnership; general or special purpose government other than the city; or entity of any kind; provided, that if the proposal involves specific real property, the property owner has provided written consent to the proposal.

B. *City – Initiated Amendments.* The city council or the planning commission may initiate a planning program or any type of amendment to the comprehensive plan, regardless of whether site-specific or area-wide in scope.

C. *Application.* Except for city-initiated planning programs or individual amendments, all proposed amendments shall be submitted to the director on an approved form, together with required filing fees. An environmental checklist shall also be submitted if required. A proposed amendment request shall include the following information:

1. Name, address, phone number and e-mail address of the applicant and contact person and written consent of the property owner if the proposal affects specific property;

2. If the amendment concerns specific property, both a general description and legal description of the property;

3. A description of the plan amendment being requested;

4. Written statements addressing the purpose of the amendment, why it is being requested, and how it is consistent with the criteria listed in ACC 14.22.110;

5. If the request is for an amendment to the comprehensive land use map, an indication of what concurrent change in zoning is also being requested.

D. *Department Report.* The director shall prepare an assessment and recommendation on all proposed amendment requests and include this within a report that evaluates all requests concurrently. (Ord. 6532 § 25, 2014; Ord. 6172 § 1, 2008.)

14.22.100 Public hearing required by planning commission.

A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:

1. For site-specific plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

   b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;

2. For area-wide plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;

c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.

B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.

C. *Planning Commission Recommendation.* The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.

D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.

E. *State Review.* All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.

F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)

14.22.110 Decision criteria for plan amendments.

A. The comprehensive plan was developed and adopted after significant study and public participation. The principles, goals, objectives and policies contained therein shall be granted substantial weight when considering a proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant, who must demonstrate that the request complies with and/or relates to the following decision criteria:

1. The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent;

2. Whether the capacity to provide adequate services is diminished or increased;

3. Assumptions upon which the comprehensive plan is based are found to be invalid;

4. A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment;

5. If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2040~~: Growth and Transportation Strategy for the Puget Sound Region~~;

6. If the request is to change the land use designation of a specific property on the comprehensive land use map, the applicant must demonstrate one of the following:

a. The current land use designation was clearly made in error or due to an oversight;

b. The proposed land use designation is adjacent to property having a similar or compatible designation, or other conditions are present to ensure compatibility with surrounding properties;

c. There has been a change in conditions since the current land use designation came into effect. (Ord. 6172 § 1, 2008.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 17.01
USER GUIDE

Sections:

17.01.010 Introduction.
17.01.020 What is a subdivision?
17.01.030 How is a plat reviewed?
17.01.040 What are the criteria for approval?
17.01.050 What happens after a plat is approved?
17.01.060 What about a simple boundary line adjustment or elimination?
17.01.070 How do you modify an existing subdivision?
17.01.080 How do you change a recorded subdivision?
17.01.090 How do you eliminate a recorded subdivision?
17.01.100 Is there another process by which you can subdivide land?
17.01.110 Can you cluster lots within a subdivision?

17.01.010 Introduction.

This title contains standards, regulations and processes for the division of land and adjustment of property boundaries within the city. (Ord. 6239 § 1, 2009.)

17.01.020 What is a subdivision?

The process of dividing land into smaller lots is often generically referred to as a subdivision. However, in this title, the term “subdivision” refers specifically to the division of land into ten ~~five~~ or more lots, while the division of land into nine ~~four~~ or fewer lots is called a “short subdivision.” Most of the regulations for subdivisions and short subdivisions are the same, but a short subdivision is an administrative process where an application is reviewed and decided upon by city staff whereas a subdivision is reviewed and decided upon by the city’s hearing examiner. A plat is the drawing or map which shows the subdivision or short subdivision. (Ord. 6239 § 1, 2009.)

17.01.030 How is a plat reviewed?

The plat review process for a short subdivision, including the infrastructure improvement requirements for approval, is set forth in Chapter 17.09 ACC. The plat review process for a subdivision, from the pre-application conference to preliminary approval by the hearing examiner, is set forth in Chapter 17.10 ACC. Chapter 17.16 ACC includes additional requirements for planning and other studies to be submitted for review along with the preliminary plat. (Ord. 6239 § 1, 2009.)

17.01.040 What are the criteria for approval?

A plat must be laid out in accordance with the standards and specifications set forth in Chapter 17.14 ACC. (Ord. 6239 § 1, 2009.)

17.01.050 What happens after a plat is approved?

Once the layout of a subdivision has been approved by the city, it is said to have preliminary approval. Then the applicant must submit construction drawings of the infrastructure that was proposed in the preliminary plat. Once these construction drawings are approved by the city and the infrastructure has been built, inspected and accepted by the city, the plat has final approval and can be recorded with the appropriate county. In the case of a subdivision, an additional application, review and approval process is required for this final approval. This final plat process is set forth in Chapter 17.12 ACC. (Ord. 6239 § 1, 2009.)

17.01.060 What about a simple boundary line adjustment or elimination?

Other land adjustment tools are also outlined in this title, including boundary line adjustments (Chapter 17.06 ACC) and boundary line eliminations (Chapter 17.08 ACC). Boundary line adjustments are the movement of a boundary line that does not result in the creation of a new

lot. Boundary line eliminations are the merging of two or more lots by eliminating one or more lot lines. (Ord. 6239 § 1, 2009.)

17.01.070 How do you modify an existing subdivision?

The applicant can request a modification of subdivision standards and specifications through the process set forth in Chapter 17.18 ACC. (Ord. 6239 § 1, 2009.)

17.01.080 How do you change a recorded subdivision?

After a subdivision has been recorded with the county in which it is located, any proposed change to the subdivision is called a subdivision alteration. The alteration process is set forth in Chapter 17.20 ACC. If the applicant proposes to make a change to an approved preliminary plat before final plat approval and recording, then the applicant may request an adjustment to the preliminary plat through the process set forth in ACC 17.10.100. (Ord. 6239 § 1, 2009.)

17.01.090 How do you eliminate a recorded subdivision?

A plat may also be vacated, or eliminated, after recording. Chapter 17.22 ACC outlines the process by which a plat may be vacated, and to whom the title to the vacated property shall vest. (Ord. 6239 § 1, 2009.)

17.01.100 Is there another process by which you can subdivide land?

The binding site plan process is an alternative form of land division. It may be used for the division of land for commercially or industrially zoned property, or for certain types of residential development. This process is set forth in Chapter 17.24 ACC. (Ord. 6239 § 1, 2009.)

17.01.110 Can you cluster lots within a subdivision?

The city of Auburn allows clustering of lots within a subdivision onto a portion of the site, while maintaining the density of the residential zone. Clustering allows future development to occur at an appropriate density for infrastructure services; it also protects environmentally sensitive areas or cultural/historic features by clustering lots away from these areas. The standards by which clustering is allowed are set forth in Chapter 17.26 ACC. (Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.04
DEFINITIONS

Sections:

17.04.010	General definitions.
17.04.020	ACC.
17.04.025	Alley.
17.04.030	Applicant.
17.04.040	Application.
17.04.045	*Repealed.*
17.04.050	Binding site plan.
17.04.055	Boundary line adjustment.
17.04.060	Boundary line elimination.
17.04.065	City.
17.04.070	Code.
17.04.080	Commission.
17.04.090	Comprehensive plan.
17.04.100	Council.
17.04.110	Dedication.
17.04.120	Department.
17.04.130	Development permit.
17.04.140	Director, planning.
17.04.150	EIS or environmental impact statement.
17.04.160	Final plat.
17.04.170	Hearing examiner.
17.04.180	Improvements.
17.04.190	Land division.
17.04.200	Lot.
17.04.202	Lot, parent.
17.04.203	Lot, unit.
17.04.205	Lot area.
17.04.210	*Repealed.*
17.04.220	Lot of record.
17.04.221	Lot splitting.

17.04.225 Monument.
17.04.230 Original tract.
17.04.235 Owner.
17.04.240 Panhandle.
17.04.245 Parcel.
17.04.250 Planning agency.
17.04.260 Planning commission.
17.04.265 Planning director.
17.04.270 Preliminary plat.
17.04.280 Public way.
17.04.290 RCW.
17.04.300 Regulatory floodway.
17.04.305 Regulatory floodplain.
17.04.310 Reserved.
17.04.320 Short plat.
17.04.330 Short subdivision.
17.04.335 Special flood hazard area (SFHA).
17.04.340 Street.
17.04.350 Street, half.
17.04.360 Street, private.
17.04.370 Street, public.
17.04.380 Subdivision.
17.04.385 Tract.
17.04.387 Unit lot subdivision.
17.04.390 USC and GS.
17.04.400 USGS.
17.04.405 Zero lot line development.
17.04.407 Zero lot line.
17.04.410 Zoning ordinance.

17.04.010 General definitions.

Except where specifically defined in this chapter, all words used in this title shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word “shall” is always mandatory, the word “may” denotes a use of discretion in making a decision, the words “used” or “occupied” shall be considered as though followed by the words “or intended, arranged or designed to be used or occupied.” (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.020 ACC.

“ACC” means the Auburn City Code. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.025 Alley.

“Alley” means a public travel way or other public right-of-way under the jurisdiction and control of the city and not designated for general travel and used primarily as a means of access to the rear of residential and/or business establishments. (Ord. 6239 § 1, 2009.)

17.04.030 Applicant.

“Applicant” means the owner or owners of record of the property subject to an application for land division or lot line adjustment, or the authorized representative of such owner or owners. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.040 Application.

“Application” means all of the application forms, plans and accompanying documents required by this title for any particular land division, boundary line adjustment or boundary line

elimination request. The city shall not be considered to be in receipt of an application under this title until the planning director has verified that an application is complete. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.045 Area of special flood hazard.

Repealed by Ord. 6295. **17.04.050 Binding site plan.**

"Binding site plan" means a drawing prepared pursuant to Chapter 17.24 ACC and showing the location and general characteristics of streets, utilities and other physical features of property divided under the procedures of Chapter 17.24 ACC. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.055 Boundary line adjustment.

"Boundary line adjustment" means the relocation of the boundaries of a lot, which relocation does not result in the creation of any additional lot or lots. (Ord. 6239 § 1, 2009.)

17.04.060 Boundary line elimination.

"Boundary line elimination" means the removal of one or more interior lot lines of two or more separate lots with contiguous ownership. (Ord. 6239 § 1, 2009.)

17.04.065 City.

"City" means the city of Auburn, Washington. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.04.060.)

17.04.070 Code.

"Code" means the Auburn City Code. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.080 Commission.

"Commission" means the planning commission of the city as established by Chapter 2.45 ACC. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.090 Comprehensive plan.

"Comprehensive plan" means the comprehensive plan for the Auburn planning area, as now constituted or hereafter amended, or its successor. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.100 Council.

"Council" means the Auburn city council. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.110 Dedication.

"Dedication" means the deliberate conveyance of fee ownership of land, or the granting of a right-of-way, easement, or other interest in land, by an owner or owners of the land to the city for any general and public uses, reserving to the owner or owners no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner or owners presenting for filing a final plat showing the dedication thereon. Acceptance by the city shall be indicated by the approval of the city, as evidenced by the presence of the director's signature on the face of the final plat. (Ord. 6654 § 2, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.120 Department.

"Department" means the city department of planning and development, or its successor, unless otherwise specified. (Ord. 6287 § 2, 2010; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.130 Development permit.

"Development permit" means any permit issued by the city allowing the physical alteration of real property, including but not limited to building construction or alteration, street construction, utility construction or installation, grading, filling or excavating. Approval of a subdivision, short subdivision, binding site plan, boundary line adjustment or boundary line elimination shall not be considered a development permit for the purposes of this title. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.140 Director, planning.

See "Planning director," ACC 17.04.265. (Ord. 6287 § 2, 2010; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.150 EIS or environmental impact statement.

"EIS" or "environmental impact statement" means a document prepared to assess the environmental impacts of a proposal which has been judged to have, or likely to have, a significant adverse effect upon the quality of the environment pursuant to the State Environmental Policy Act of 1971 (Chapter 43.21C RCW), as now constituted or hereafter amended. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.160 Final plat.

"Final plat" means the final drawing of a subdivision and dedication prepared for filing for record with the county auditor, and containing all elements and requirements as set forth in Chapter 17.12 ACC and as set forth in Chapter 58.17 RCW. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.170 Hearing examiner.

"Hearing examiner" means the city hearing examiner, as established by Chapter 2.46 ACC. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.180 Improvements.

"Improvements" means the street/transportation, utilities, and other facilities required by this title, other titles of the Auburn City Code, or the city design and construction standards to be constructed in conjunction with any particular land division. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.190 Land division.

"Land division" means the creation of any new lot or lots for the purpose of sale, lease or transfer of ownership, whether such lot or lots is created by subdivision, short subdivision, or binding site plan. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.200 Lot.

"Lot" means an area of land under single or common ownership, which has been created by any of the various land division methods for the purpose of lease, sale or transfer of ownership, defined by fixed and definite boundaries, and having sufficient area and dimension to accommodate development allowed by the zone in which it is located. As per RCW 58.17.020(9), the term "lot" shall include tracts or parcels. The term shall not include those tracts or parcels which are not buildable, but are created for common or public use, such as road and utility tracts. (Ord. 6239 § 1, 2009; Ord. 6006 § 1, 2006; Ord. 4296 § 2, 1988.)

17.04.202 Lot, parent.

"Lot, parent" means a lot which is subdivided into unit lots through the unit lot subdivision process.

17.04.203 Lot, unit.

"Lot, unit" means a subdivided lot created from a parent lot and approved through the unit lot subdivision process.

17.04.205 Lot area.

"Lot area" means the total horizontal area within the boundary lines of a lot, however, the area contained in access easements, tracts, or panhandles shall not be included in the lot area or any other lot size computation. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.210 Lot line adjustment.

Repealed by Ord. 6239

17.04.220 Lot of record.

"Lot of record" means a lot which has been recorded by the county and appears on the official maps of the county assessor. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.221 Lot Splitting.

"Lot splitting" means unit lot subdivisions or and condominiums as a means of creating separate ownership of each housing unit.

17.04.225 Monument.

“Monument” means a permanent type survey marker which conforms to the city’s design and construction standards, in accordance with Chapter 58.09 RCW, Surveys – Recording. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.230 Original tract.

“Original tract” means a unit of unplatted land held under single or unified ownership, the configuration of which may be determined by the fact that all land abutting said tract is separately owned by others, not including an applicant or applicants; provided, that where a husband and wife own contiguous lots in separate or community ownership, said contiguous lots shall constitute the original tract. (Ord. 6239 § 1, 2009; Ord. 6006 § 2, 2006. Formerly 17.04.235.)

17.04.235 Owner.

“Owner” means the vested owners of the property and the beneficiaries of deeds of trust (owners of financial interest) as indicated in a current title report covering the property. (Ord. 6239 § 1, 2009.)

17.04.240 Panhandle.

“Panhandle” means a lot with access to a street by means of a portion of the lot having less than the required lot width, and situated so that another lot is located between the main portion of the lot and the street. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.245 Parcel.

"Parcel" means an area of land for which rights or ownership and use can be bought. For purposes of this title, see ACC 17.04.200, Lot. (Ord. 6239 § 1, 2009.)

17.04.250 Planning agency.

"Planning agency" means the Auburn department of planning and development, or its successor. (Ord. 6287 § 2, 2010; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.260 Planning commission.

"Planning commission" means that body created by Chapter 2.45 ACC. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.265 Planning director.

"Planning director" means the director of the Auburn department of planning and development, or its successor, unless otherwise specified. (Ord. 6287 § 2, 2010; Ord. 6239 § 1, 2009.)

17.04.270 Preliminary plat.

"Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, utilities and other elements of a subdivision consistent with the provisions of Chapter 17.10 ACC. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.280 Public way.

"Public way" means the surface, the air space above the surface, and the space below the surface of any public street, including, but not limited to, any public alley, bridge, land path,

trail, court, circle, roundabout, boulevard, drive, tract, right-of-way or sidewalk under the jurisdiction of the city as is now, or in the future, laid out, improved or unimproved within the limits of the city presently and as such limits may be hereafter extended. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.290 RCW.

"RCW" means the Revised Code of Washington, as now constituted or hereafter amended. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.300 Regulatory floodway.

"Regulatory floodway" means the channel of a stream or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point. (Ord. 6295 § 5, 2010; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.305 Regulatory floodplain.

"Regulatory floodplain" means the area of the special flood hazard area and all protected areas within the city of Auburn. It also includes newly designated special flood hazard areas and protected areas that are delineated pursuant to city ordinance. (Ord. 6295 § 8, 2010.)

17.04.310 Reserved.

(Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.320 Short plat.

"Short plat" means a neat and accurate drawing of a short subdivision, prepared for filing for record with the county auditor, and containing all elements and requirements as set forth by Chapter 17.09 ACC. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.330 Short subdivision.

"Short subdivision" means the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, consistent with the provisions of Chapter 17.09 ACC. (Ord. 6654 § 3, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.335 Special flood hazard area (SFHA).

"Special flood hazard area (SFHA)" means the land subject to inundation by the base flood. Special flood hazard areas are identified by the Federal Emergency Management Agency in the scientific and engineering reports entitled "Flood Insurance Study for King County, Washington and Incorporated Areas" dated April 19, 2005, and any revisions thereto, and "Flood Insurance Study for Pierce County, Washington and Unincorporated Areas" dated August 19, 1987, and any revisions thereto, and designated on associated flood insurance rate maps with the letter "A" including AE, AO, AH, A1 – 99. (Ord. 6295 § 9, 2010.)

17.04.340 Street.

“Street,” comprised of a public or private street, means any land legally dedicated or reserved for the purpose of providing for public travel and access to real property. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.350 Street, half.

“Half street” means a street with improvements built only from the centerline to one edge of the ultimate right-of-way, or to a minimum width as defined in the city’s design and construction standards, designed and built in accordance with all applicable ordinances, standards and requirements; provided, that appropriate measures shall be taken to protect the structural integrity of the exposed edge of pavement, as determined by the city engineer. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.360 Street, private.

“Private street” means any street which is not a public street. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.370 Street, public.

“Public street” means any highway, street, or other public right-of-way for motorized or nonmotorized travel under the jurisdiction and control of the city. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.380 Subdivision.

“Subdivision” means the division or redivision of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, consistent with the provisions of this title; provided, that the term “subdivision” shall also include the redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or

transfer of ownership where such land has been short subdivided within the previous five years and does not meet the criteria of ACC 17.09.010(B). (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.385 Tract.

"Tract" means a piece of land created and designated as part of a land division that is not a lot of record, or a street or public right-of-way. Tracts are created and designed for a specific purpose. Land uses within a tract are restricted to those uses consistent with the stated purpose as described on the plat, or in the maintenance agreements. Examples include but are not limited to stormwater management tracts, private street or alley tracts, tree preservation tracts, environmental resource tracts, and open space tracts. (Ord. 6239 § 1, 2009.)

17.04.387 Unit lot subdivision.

"Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

17.04.390 USC and GS.

"USC and GS" means the United States Coastal and Geodetic Survey. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.400 USGS.

"USGS" means the United States Geological Survey. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

17.04.405 Zero lot line development.

"Zero lot line development" means a development containing one or more dwelling units which have no yard on one or more of the side lot lines. Dwelling units in zero lot line developments are located in such a manner that one or more of a building's sides rest directly on a side lot

line and each dwelling unit is located exclusively on one lot, except for the common wall which is separated by the property line. Zero lot line developments may include attached or detached dwelling units. Zero lot line development is created through the unit lot subdivision process.

17.04.407 Zero lot line.

"Zero lot line" means a side lot line which has no yard.

17.04.410 Zoning ordinance.

"Zoning ordinance" means the Auburn comprehensive zoning ordinance, codified as ACC Title 18, as now constituted or hereafter amended. (Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 17.12
FINAL SUBDIVISIONS

Sections:

17.12.005 Purpose.
17.12.010 Application submittal and contents.
17.12.015 Review process.
17.12.020 Administrative review.
17.12.030 Administrative decision action.
17.12.040 Terms of approval.
17.12.050 Distribution and filing.
17.12.060 Transfer of ownership.
17.12.070 Building, occupancy and model home permits.
17.12.080 Release of improvement guarantee.
17.12.090 Survey requirements.

17.12.005 Purpose.

This chapter establishes specific application materials, review processes and requirements, and terms of approval for final subdivisions. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

17.12.010 Application submittal and contents.

A. *Application.* An application for final subdivision approval meeting all requirements of Chapter 58.17 RCW and this title shall be submitted to the planning department, accompanied by the following:

1. Application materials consistent with the requirements of ACC 17.02.065;

2. A copy of the approved preliminary plat;

3. A final plat meeting the requirements of Chapter 58.17 RCW, including certifications, dedications, and title reports;

4. Agency recommendations pursuant to RCW 58.17.150;

5. A recordable survey and surveyor's signature meeting the requirements of Chapter 58.09 RCW and RCW 58.17.250;

6. Proposed list of public improvements that will be incomplete at the time of final plat approval and the associated cost to complete the work. The list shall be used to determine the financial security required as part of the final plat review process. The engineer's certification is required prior to the director's approval of the final plat. The engineer's certification will not be issued until the requirements of ACC 17.14.010 have been met.

B. *Preparation.* The final plat shall be prepared by a professional land surveyor licensed by the state of Washington. The preparer shall, by placing their signature and stamp upon the face of the plat, certify that the plat is a true and correct representation of the land actually surveyed by the preparer, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct.

C. *Scale and Format.* The final plat shall be drawn with reproducible ink on any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city measuring 18 inches by 24 inches in size. The final plat shall be accurate, legible and drawn to an engineering (decimal) scale of 100 feet or fewer to the inch. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size and conform to, and compatible with, the Pierce County auditor's or King County recorder's recording standards and guidelines. All signatures or certifications appearing on a final plat shall be in reproducible black ink.

D. *Final Plat Contents.* A final plat shall contain the following information:

1. The name of the subdivision;

2. Legal description of the property being subdivided;

3. Numeric scale, graphic scale, true north point and date of preparation of the final plat;

4. The boundary line of the plat, referenced to city datum in accordance with the city design and construction standards and based on an accurate traverse, with angular and linear dimensions and bearings;

5. The exact location, width and assigned name of all streets, alleys and other public ways within and adjacent to the subdivision;

6. A table depicting the assigned address for each lot within the subdivision;

7. The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;

8. True courses and distances to the nearest established street lines, or section or quarter section corner monuments which shall accurately locate the subdivision;

9. Municipal, township, county or section lines accurately tied to the lines of the plat by distances and courses;

10. All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;

11. The radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;

12. The accurate location of each permanent control monument. One such monument shall be located at each and every controlling corner on the boundaries of the parcel of land being subdivided; at each street centerline intersection, each point of curvature (PC), each point of tangency (PT), and each point of reverse curve (PRC); and at each intersection of a street centerline with a plat boundary. All permanent control monuments shall be marked with the land surveyor's registration number;

13. All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20 feet from, the high water line of such body;

14. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes of such dedication or reservation and any limitations indicated thereon and in the dedication;

15. Accurate outlines of any areas to be reserved by deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

16. Any restrictions or conditions on the lots or tracts within the subdivision, as required by the hearing examiner, or at the discretion of the property owner;

17. The final recorded subdivision plat shall include a notice to the individual property owners and/or the homeowners' association of the location, responsibilities, and requirements associated with storm water low impact development and management facilities;

18. The name and seal of the licensed land surveyor responsible for preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by them, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

19. A signed certification stating that the subdivision has been made with the free consent, and in accordance with the desires, of the owner or owners. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage or maintenance of said street or other areas so dedicated. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided. An offer of dedication may include a waiver of right of direct access to any street from any property. Such waiver may be required by the city engineer as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant. At the discretion of the city engineer conveyances of right-of-way may be required to be by statutory warranty deed. The acceptance of right-of-way by the city shall not obligate the city to improve or develop the lands in the right-of-way;

20. Forms for the appropriate certifications of the finance director, city engineer and director, as follows:

FINANCE DIRECTOR'S CERTIFICATE

I hereby certify that there are no delinquent special assessments for which the property subject to this subdivision may be liable to the city, and that all special assessments on any property

herein contained dedicated as streets, alleys or for any other public use have been duly paid, satisfied or discharged, this _____ day of _____, 20___.

_____

Auburn Director of Finance

CITY ENGINEER'S CERTIFICATE

I hereby certify that this final plat is in compliance with the certificate of improvements issued pursuant to ACC 17.14.015, and is consistent with all applicable City improvement standards and requirements in force on the date of preliminary plat approval, this _____ day of _____, 20___.

_____

Auburn City Engineer

COMMUNITY DEVELOPMENT ~~ASSISTANT~~ DIRECTOR'S CERTIFICATE

I hereby certify on this _____ day of _____, 20___, that this final plat is in substantial conformance with the preliminary plat and any conditions attached thereto, which preliminary plat was approved by the Hearing Examiner for the City of Auburn on the _____ day of _____, 20____.

_____

Auburn ~~Assistant~~ Director of Community Development

21. A form for the certificate of the applicable (King/Pierce) county finance division, as follows, or as required by the applicable county, if different:

FINANCE DIVISION CERTIFICATE

I hereby certify that all property taxes are paid, that there are no delinquent special assessments certified to this office for collection, and that all special assessments certified to this office for collection on any of the property herein contained dedicated as streets, alleys or for other public use are paid in full this ___ day of _____, 20___.

_____

Manager

_____

Deputy

22. A form for the approval of the applicable (King/Pierce) county assessor, as follows, or as required by the applicable county, if different:

ASSESSOR'S APPROVAL

Examined and approved this _____ day of _____, 20___.

_____

County Assessor

_____

Deputy County Assessor

_____

Account number

23. A form for the certificate of the applicable (King/Pierce) county recorder, as follows, or as required by the applicable county, if different:

RECORDING CERTIFICATE

Filed for record at the request of the City of Auburn this _____ day of _____, 20___ at _____ minutes past _____ __.M., and recorded in Volume _____ of Plats, page _____ Records of (King or Pierce) County, Washington.

County Recording Number _____.

_____

Manager

_____

Superintendent of Records

24. Any additional pertinent information as required at the discretion of the city engineer or director as defined in this title. (Ord. 6654 § 5, 2017; Ord. 6617 § 27, 2016; Ord. 6239 § 1, 2009; Ord. 6186 § 7, 2008; Ord. 6061 § 1, 2006; Ord. 5170 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.010.)

17.12.015 Review process.

A. final plat shall be reviewed in accordance with ACC Title 14 as a Type I decision. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

17.12.020 Administrative review.

A. The director shall forward the plat to the city engineer and to other city departments for review. The city engineer shall review the final plat and determine if it is in compliance with the certificate of improvements issued under ACC 17.14.015, is consistent with all applicable city improvement standards and requirements in effect on the date of preliminary plat approval.

B. The director, or designee, shall review the final plat for consistency with the terms and conditions of the preliminary plat approval; the requirements of Chapter 58.17 RCW and other applicable state laws in effect at the time of preliminary plat approval; and the requirements of this title in effect at the time of preliminary plat approval. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.020.)

17.12.030 Administrative decision action.

The director shall approve, disapprove, or return to the applicant for modification or correction a proposed final plat within 30 days of the date of filing a complete application unless the applicant agrees, in writing, to an extension of the time period provided by RCW 58.17.140. If the director finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, which requirements were in effect on the date of preliminary plat approval, the director shall inscribe and execute a written approval on the face of the final plat. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.030.)

17.12.040 Terms of approval.

A. subdivision shall be governed by the terms of approval of the final plat, and the zoning ordinance and regulations in effect on the date of preliminary plat approval for a period of five years after final plat approval unless the hearing examiner finds that a change in conditions creates a serious threat to the public health or safety in the subdivision; provided, that for any final plat approved before January 1, 2015, it is vested for a period of seven years from final plat approval and if approved prior to January 1, 2008, it is vested for a period of 10 years from final plat approval. (Ord. 6654 § 5, 2017; Ord. 6317 § 4, 2010; Ord. 6239 § 1, 2009; Ord. 6186 § 8, 2008; Ord. 4296 § 2, 1988. Formerly 17.10.040.)

17.12.050 Distribution and filing.

An original of the plat must be recorded with the appropriate county office within 30 days or the plat shall become null and void. A recorded certified copy on any standard material acceptable to the city shall be returned to the city and kept with the city's records. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 6061 § 2, 2006; Ord. 4296 § 2, 1988. Formerly 17.10.050.)

17.12.060 Transfer of ownership.

Whenever any parcel of land lying within the city is divided under the provisions of this title, no person, firm or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat of such subdivision filed for record, except as provided by ACC 17.10.090. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.060.)

17.12.070 Building, occupancy and model home permits.

A. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision prior to a determination by the fire marshal that adequate fire protection for construction needs exists.

B. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision until:

1. The minimum required improvements which will serve the subject lot or parcel have been constructed in accordance with ACC 17.14.070; and

2. All remaining improvements have been financially guaranteed under the requirements of ACC 17.14.010.

C. Prior to final plat approval of an approved preliminary plat, building permits for model homes may be granted by the building official subject to the following conditions:

1. Model homes are ~~single-family~~ dwellings as defined by ACC 18.04.340(A). The purpose of a model home is for sales promotion and display of homes that will be typically built within a subdivision and are open to the public for viewing.

2. Up to two model homes may be allowed for preliminary plats up to 20 lots. Up to four model homes may be allowed for preliminary plats in excess of 20 lots.

3. All model homes shall be served by an all weather surface access as approved by the city engineer and fire marshal.

4. All model homes shall be located within 300 feet of an operating fire hydrant as determined and approved by the fire marshal.

5. Prior to the public being allowed to access a model home, written permission must be received from the building official.

6. Information must be submitted with the final plat application that indicates the model home meets all applicable zoning code standards of the lot on which it is located.

D. Where a plat is approved subject to conditions, no building permit shall be issued for property subject to the subdivision prior to the conditions either being fulfilled or guarantees provided to ensure the conditions are met. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 5094 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.070.)

17.12.080 Release of improvement guarantee.

A. If a financial security for the improvements has been submitted under ACC 17.12.070 or 17.14.010, such guarantee shall only be released upon acceptance by the city of a properly executed bill of sale for such improvements and submittal of adequate record drawings for which the guarantee was submitted.

B. A portion of the guarantee equivalent to 10 percent of the value of the public improvements guaranteed shall be retained as a maintenance guarantee by the city for a minimum period of one year from the date the city engineer certifies the completion of the plat improvements have been satisfied, to ensure the adequate operation of such improvements, following which any unused portion of such guarantee shall be released. This shall be consistent with the facility extension provisions of ACC Title 13 (Water, Sewers and Public Utilities). (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 5094 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.080.)

17.12.090 Survey requirements.

A. A licensed professional land surveyor shall complete all lot staking prior to the recording of the final subdivision.

B. All lot corners, including interior lot corners, shall be marked with a permanent marker that bears the land surveyor's registration number. When the boundary lines follow a meandering line, the corners shall be set as directed by the city of Auburn.

C. When the legal description of the final subdivision utilizes partial or complete section subdivisional breakdown to establish the boundaries, section subdivision survey information shall be shown in accordance with the requirements of WAC 332-130-030.

D. All reference monuments used in the establishment of the final subdivision corners shall be identified, described and noted as set or found. When appropriate, the survey shall reference previous surveys that served as the basis for the survey.

E. When the final subdivision is adjacent to a constructed public right-of-way and the plat corners or its offset represent a quarter corner, section corner or donation land claim that is not of record or has been lost (or obliterated), a standard monument shall be placed.

F. Whenever a final subdivision is adjacent to existing right-of-way, the centerline of the right-of-way shall be located on the plat drawing. If the constructed improvements fall outside of the documented right-of-way, the surveyor shall identify the existing edge of the pavement and limits of the maintained right-of-way section on the drawing and show its relationship to said centerline.

G. All requirements of Chapter 58.09 RCW and Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed that reads:

> THIS SURVEY COMPLIES WITH ALL THE STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND WAC 332-130.

H. The side lot lines of each lot, which if extended would intersect with the curb, shall be marked on the curb. The offset distance from the curb mark to the property corner shall be noted on the face of the plat. Curb pins shall be marked with a permanent marker bearing the land surveyor's registration number. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.14
IMPROVEMENT REQUIREMENTS – SUBDIVISIONS

Sections:

17.14.005 Plan preparation, submittal and approval.
17.14.010 Improvement methods.
17.14.015 City engineer's certificate of improvements.
17.14.020 Street, utilities and grading plans.
17.14.030 Public water service.
17.14.040 Public sanitary sewer service.
17.14.050 Street requirements.
17.14.060 Block requirements.
17.14.070 Minimum improvement requirements for approval of subdivisions and short subdivisions.
17.14.080 Underground utilities.
17.14.090 Lot requirements.
17.14.100 Parks and playgrounds.
17.14.110 Floods and flood control.
17.14.120 Additional requirements.

17.14.005 Plan preparation, submittal and approval.

A. Plans for improvements shall be prepared, signed, dated and stamped by a professional civil engineer registered in the state of Washington and shall be in accordance with city standards and specifications. Plans shall be submitted to the city, following preliminary plat approval, for circulation and review. No construction permit or approval shall be issued and no construction activity shall commence relating to subdivision improvements until the plans required by this chapter have been approved and signed by the city engineer. Plans shall be consistent with the approved preliminary plat. All sanitary sewer, water, drainage and street improvements to be dedicated to the city shall be covered by a public facilities extension agreement, as required by ACC Titles 12 and 13.

B. For preliminary plats that were approved, but not constructed, prior to the effective date of the amendments to this chapter as adopted by the ordinance codified in this chapter, the owner/developer may choose to use the standards in effect at the time of the preliminary plat approval or, if approved by the city engineer, use the standards adopted pursuant to this chapter.

C. Notwithstanding the previous requirement that civil plans for improvements shall be submitted following approval of the preliminary plat, the city may, in its sole discretion, allow an applicant/developer to submit plans after the department issues its recommendation to the hearing examiner and prior to preliminary plat approval; provided, that the applicant/developer recognizes and acknowledges that the city's willingness to receive civil plans in advance of preliminary plat approval does not constitute a submittal which would vest any rights for the applicant/developer, and that the applicant/developer bears all risks of submitting plans in advance of preliminary plat approval. Furthermore, early submittal shall be allowed by the city only upon the applicant/developer entering into an agreement with the city whereby the applicant/developer agrees to the following:

1. That the application shall not be considered "complete" for any purpose under federal, state, or city law until after the preliminary plat is approved, and all possible appeal periods of that approval have expired.

2. That since the application is not "complete," an early submitted application is not vested. Further, that the applicant/developer has no vested rights based on the filing of these plans, and that any comprehensive plan provisions, development regulations, or administrative regulations adopted prior to the date the preliminary plat is approved shall apply to the application.

3. That the applicant/developer waives, on behalf of itself, heirs, assigns, successors, etc., any claim based on the city agreeing to allow plan submission and review before preliminary plat approval.

4. That the applicant/developer will defend, indemnify, and hold the city harmless against any and all claims based on the city's agreement to allow submission and review before preliminary plat approval.

5. That the city's acceptance of plans before preliminary plat approval does not create an obligation upon the city to accept plans prior to plat approval in the future. (Ord. 6611 § 1,

2016; Ord. 6239 § 1, 2009; Ord. 6186 § 9, 2008; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.010.)

17.14.010 Improvement methods.

Following preliminary plat approval and approval of all plans required by this chapter, and prior to final plat approval, the applicant/plat developer shall guarantee the public improvements required for the plat are completed by one of the following methods:

A. By completion of construction of the minimum required plat improvements in conformance with ACC 17.14.070 (minimum improvement requirements) and furnishing to the city an assignment of funds or an irrevocable letter of credit or guarantee bond or other similar security satisfactory to the city engineer, in which assurance is given the city that the installation of the remaining required public improvements will be carried out as provided by plans submitted and approved pursuant to this chapter and in accordance with the city's design and construction standards, and under the supervision of the city engineer.

1. The amount of the assignment of funds or irrevocable letter of credit or other security shall be 150 percent of the estimated construction cost of all remaining required public improvements, as determined by the applicant and approved by the city engineer. A substantial portion of the remaining required public improvements, subject to the satisfactory security, shall be completed within the initial 12-month period of the satisfactory security for the plat improvements. The remainder of the improvements shall be completed within six months. During construction, the city engineer may allow a partial release of the financial security as construction progresses:

a. The city engineer shall allow not more than one partial release of the financial security during plat construction;

b. The sequencing of the partial release of the financial security is to be determined by the city engineer prior to the acceptance of the security.

2. The city engineer may allow a single incremental six-month extension of the satisfactory security time frame, beyond the initial 18-month period, if there are unforeseen circumstances, beyond the control of the plat developer, that do not allow the completion of the public improvements.

3. As a condition of the plat improvement permitting approval, the developer shall agree that in the case of the developer's default or failure to complete the improvements as per the approved plans and conditions, including time schedules, the city shall have the authority to complete the construction of public improvements utilizing the above-described satisfactory security.

4. The city engineer may further agree to allow the developer to utilize assignment of funds or irrevocable letter of credit or other security acceptable to the city engineer to cover the minimum warranty period.

B. By the formation of a local improvement district consistent with the provisions of Chapter 3.20 ACC and any other applicable requirement of the city and the state.

C. By actual installation of the required improvements in accordance with the provisions of this chapter, and in accordance with the city's design and construction standards and under the supervision of the city engineer.

D. By a combination of these methods.

E. For any of the above combinations of methods, other than subsection C of this section, the plat developer shall execute and record against the plat properties a statement approved by the city attorney which holds the city harmless and limits the city's financial obligation to construct any defaulted private utility facilities and public infrastructure for streets, water utility, sanitary sewer utility, or storm water utility systems to the face value of the bond shall be memorialized on the plat documents. The statement shall also recognize the city's reserved, unilateral rights to establish the schedule for construction of defaulted plat infrastructure. Such statements shall be legally binding upon the heirs and assigns of the developer, subsequent property owners and their the and assigns. (Ord. 6654 § 6, 2017; Ord. 6239 § 1, 2009; Ord. 5093 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.08.010.)

17.14.015 City engineer's certificate of improvements.

Prior to final approval and after completion of all required improvements and/or the financial guarantee of the construction of all required improvements, the city engineer shall provide a certificate stating the required improvements, in accordance with the provisions of this title and in accordance with city design and construction standards, have been completed or guaranteed

or a combination to the satisfaction of the city engineer. (Ord. 6239 § 1, 2009; Ord. 5093 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.08.020.)

17.14.020 Street, utilities and grading plans.

Street, water, sanitary sewer, storm drainage and grading plans shall be prepared in conformance with the city's design and construction standards. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.020.)

17.14.030 Public water service.

Each lot in a subdivision created under this title shall be served by a public water system owned and operated by the city unless the city finds that:

A. City water service is not practical due to topography, distance from city water facilities of adequate capacity, extreme low proposed developmental density, or similar factor; and

B. Private water service will not be detrimental to the implementation of the adopted comprehensive water plan; and

C. Private water service will not pose a threat to the public health, safety or welfare; and

D. Private water service is necessary to accomplish the purposes of this title.

If private water service is approved, preliminary plat approval shall be conditioned on the ability of the subdivider to obtain all necessary approvals for the private water system or systems, and the final plat shall not be approved until the subdivider demonstrates, to the satisfaction of the city engineer, that the proposed water system or systems will adequately serve the domestic water needs of future owners of property within the subdivision. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.040.)

17.14.040 Public sanitary sewer service.

Each lot in a subdivision created under this title shall be served by the Auburn sanitary sewer system, consistent with the sewer comprehensive plan, unless the city finds that:

A. City sanitary sewer service is not practical due to topography, distance from city sanitary sewer facilities, extreme low proposed developmental density, or similar factor; and

B. On-site sewage disposal systems will not pose a threat to the public health, safety or welfare; and

C. On-site sewage disposal systems are necessary to accomplish the purposes of this title; and

D. The city engineer has reported favorably on the use of on-site sewage disposal systems.
(Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.050.)

17.14.050 Street requirements.

The subdivision shall abut on and/or be served by an open, maintained public street(s) and the street and block layout shall conform to the most advantageous development of adjoining areas, the entire neighborhood, and shall meet the requirements of Chapter 12.64A and~~the~~ city design and construction standards. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.060.)

17.14.060 Block requirements.

A block shall consist of any two or more contiguous lots which are not separated by a street. Blocks shall meet the requirements of the city design and construction standards. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.070.)

17.14.070 Minimum improvement requirements for approval of subdivisions and short subdivisions.

A. Prior to final approval of a subdivision or short subdivision, the following minimum improvements shall be constructed consistent with the approved plans, except that the city engineer may allow posting of a financial guarantee and/or the execution of a delay of improvement agreement, based on a finding that the deferral of the required improvements is in the best interests of the city.

1. Drainage facilities and erosion control measures consistent with the approved plans;

2. Water mains, services, and hydrant installed, operational, and fire flow available, if required, consistent with the approved plans;

3. Underground electrical and telecommunication improvements required for all public or private utilities and public illumination or traffic signal systems, if required, consistent with the approved plans;

4. Sewer facilities installed and operational, if required, consistent with the approved plans;

5. All curbs and gutters installed in all streets within the subdivision or short subdivision consistent with the approved plans;

6. All streets paved up to the final lift of pavement to all lots within the subdivision or short subdivision, consistent with the approved plans;

7. Street name signage installed consistent with the approved plans;

8. Specific site improvements required by the preliminary plat approval ordinance or preliminary short plat approval decision, if the decision requires completion prior to plat recording;

9. Delineation of critical areas that are to remain undeveloped and protected by easement or placement in a separate tract pursuant to ACC Title 16 (Environment);

10. Temporary control monuments set by a land surveyor licensed in the state of Washington, located in conformance with this title, and in place prior to final approval of the subdivision or short subdivision. Permanent monuments and control points shall be set

and verified by a land surveyor licensed in the state of Washington within 90 days of the final lift of pavement; and

11. Improvements without which the director determines a safety hazard would exist.

B. The city shall have right of entry onto any lot, tract, easement or parcel that is part of the final plat or short plat to ensure compliance with the minimum subdivision improvements required in subsection A of this section. (Ord. 6239 § 1, 2009.)

17.14.080 Underground utilities.

A. Consistent with ACC Titles 12 and 13 and the city's 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 way. Television conduit and miscellaneous hardware shall be installed according to the requirements of Chapter 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 applicant's expense, of underground conduit which will be necessary for and will facilitate such future signalization. (Ord. 6799 § 1 (Exh. A), 2020; Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.240.)

17.14.090 Lot requirements.

A. The area, width and depth of lots shall conform to the requirements of ACC Title 18, except for development utilizing cluster subdivision, as provided for in Chapter 17.26 ACC. The area within a panhandle access to a lot shall not be considered for the purpose of determining conformance with lot requirements.

B. The size, shape and orientation of lots shall be appropriate for the location, topography and other natural features of the site and for the type of development contemplated.

C. Every lot shall have a minimum of frontage on an improved public street or private access tract, as provided in ACC Title 18, unless otherwise approved by this title.

D. Corner lots designated for residential uses shall be platted at least five feet wider than required by the zoning ordinance.

E. Every lot shall border on an opened, improved and maintained public street or private access tract. (Ord. 6239 § 1, 2009; Ord. 5542 § 1, 2001; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.250.)

17.14.100 Parks and playgrounds.

Where dedication of land for park and recreation purposes is required, the hearing examiner shall be guided by the policies and recommended standards of the Auburn parks, recreation, and open space plan. It is the policy of the city to require park land dedication where a proposed subdivision will result in a substantial increase in demand for park land or is needed to prevent or abate public nuisances. Generally, this will occur where a subdivision will result in the creation of lots capable of supporting 50 or more residential dwelling units; however, where it is determined that the proposed subdivision, together with any reasonably anticipated future development on adjacent or nearby land, will act in a cumulative manner to substantially increase demand for park land, dedication may be required of smaller subdivisions. The acceptability of the size, configuration and location of land proposed for park dedication shall be determined by the hearing examiner based upon such factors as topography, drainage, natural amenities and access. (Ord. 6239 § 1, 2009; Ord. 6186 § 10, 2008; Ord. 5164 § 1, 1998; Ord. 4772 § 1, 1995; Ord. 4296 § 2, 1988. Formerly 17.12.260.)

17.14.110 Floods and flood control.

The city may disapprove a proposed subdivision because of flood, inundation or swamp condition if the city finds that such condition poses a threat to the public health, safety or general welfare or causes a public nuisance.

Where any portion of the proposed subdivision lies within the regulatory floodplain, the hearing examiner shall impose a condition on the preliminary plat requiring the subdivider to

conform to the city's floodplain development requirements as set forth in Chapter 15.68 ACC. In such cases, no development permit associated with the proposed subdivision shall be issued by the city until said flood hazard area regulations have been met.

The city may require dedication of land to any public body and/or the construction of improvements and may impose other conditions necessary to protect against flooding or inundation. (Ord. 6295 § 7, 2010; Ord. 6239 § 1, 2009; Ord. 6186 § 11, 2008; Ord. 5164 § 1, 1998; Ord. 4772 § 1, 1995; Ord. 4296 § 2, 1988. Formerly 17.12.270.)

17.14.120 Additional requirements.

The standards and requirements established or referenced by this chapter are minimum requirements. These standards may be increased, and additional requirements may be imposed for the purpose of preventing or abating public nuisances or mitigating identified adverse environmental impacts pursuant to the State Environmental Policy Act of 1971 (Chapter 43.21C RCW) as now established or hereafter modified. Such additional requirements may include but shall not be limited to off-site improvements to any public facility, the dedication and/or improvement of parks and open spaces, and monetary contributions to any city fund established to finance the provision of public services required by the subdivision. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4772 § 1, 1995; Ord. 4296 § 2, 1988. Formerly 17.12.280.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.27
UNIT LOT SUBDIVISONS

Sections:

17.27.010 Purpose.
17.27.020 Scope.
17.27.025 Process.
17.27.030 Requirements.

17.27.010 Purpose.

The purpose of this chapter is to provide for the creation of residential ownership opportunities in conjunction with development of middle housing and accessory dwelling units.

17.27.020 Scope.

Any lot conforming to the standards of Chapter 18.07 ACC which will be or has been developed with middle housing, detached single-family residences, accessory dwelling units or some combination thereof and in which no dwelling units are stacked on another dwelling unit or other use may be subdivided into individual unit lots as provided herein.

17.27.025 Process.

A. Unit lot subdivisions shall follow the application, review, and approval procedures as outlined in Chapter 17.09 ACC (short subdivision) or Chapters 17.10 and 17.12 ACC (formal subdivision), based upon the number of lots being created. (Ord. 6239 § 1, 2009.)

B. Effect of Preliminary Approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of

construction drawings by the public works department. All development shall be subject to any conditions imposed by the city on the preliminary approval.

C. Revision and Expiration. Unit lot subdivisions follow the revision and expiration procedures for a short subdivision.

17.27.030 Requirements.

A. Development as a whole on the parent lot, rather than individual unit lots, shall comply with applicable design, development, and off-street parking standards of ACC Title 18.

B. Subsequent platting actions and additions or modifications to structure(s) may not create or increase any nonconformity of the parent lot.

C. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features shall be recorded with the county auditor.

D. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

F. Notes shall be placed on the face of the plat or short plat as recorded with the county auditor to state the following:

1. The title of the plat shall include the phrase "Unit Lot Subdivision."
2. Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.

Figure 17.27.030. Examples of unit lot subdivision configurations.

Chapter 18.02
GENERAL PROVISIONS

Sections:

18.02.010 Short title.
18.02.020 Authority to adopt code.
18.02.030 Purpose.
18.02.040 Applicability.
18.02.050 Minimum requirements.
18.02.060 Rules for administrative interpretations.
18.02.065 Methods of calculating density.
18.02.067 Units allowed per lot.
18.02.070 Establishment of zones.
18.02.080 Zoning map.
18.02.090 Zone boundary interpretation.
18.02.100 Zoning for annexed land.
18.02.110 Zoning for property influenced by Auburn Municipal Airport.
18.02.120 Permitted land uses established.
18.02.130 Neighborhood review meeting.

18.02.010 Short title.

This title shall be known as “the comprehensive zoning ordinance” of the city, which shall constitute Title 18 of the Auburn City Code and shall hereafter be referred to as “this title.” (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987.)

18.02.020 Authority to adopt code.

A. The city of Auburn comprehensive zoning ordinance is adopted by city of Auburn ordinance, pursuant to Article XI, Section 11 of the Washington State Constitution, the State Growth Management Act, RCW Title 35A, Optional Municipal Code, and Chapter 36.70B RCW. In accordance with ACC 1.04.060.

B. Notwithstanding any provisions otherwise, this title does not permit or allow any action, use or conduct which is in violation of or prohibited by any state or federal laws, regulations or codes. Any action, use or conduct which is prohibited by state or federal law is prohibited hereby. It is provided, however, that the provisions of this subsection B do not apply to any person or persons who has/have a valid, lawful license issued by the state of Washington to produce, process or sell marijuana, marijuana concentrates, usable marijuana and/or marijuana-infused products and is acting in full conformity with the requirements of the state of Washington related to such license pursuant to RCW 69.50.301 through 69.50.369, and WAC 314-55-005 through 314-55-540. In such instances, the state of Washington, not the city, is the permitting and licensing entity. It is provided, however, that this provision does not preclude the city from taking enforcement action in instances where conduct or activity that is licensed or permitted under RCW 69.50.301 through 69.50.369, and WAC 314-55-005 through 314-55-540 occurs within the city of Auburn but is not in compliance with or violates the requirements of such state licensing or permitting. For the purposes of this section only, the provisions of RCW 69.50.325 through 69.50.369, and WAC 314-55-515 through 314-55-535 are hereby adopted by reference and incorporated herein. (Ord. 6525 § 5, 2014; Ord. 6416 § 4, 2012; Ord. 6245 § 2, 2009.)

18.02.030 Purpose.

A. The purpose of this title is to implement the city's comprehensive plan. This title will be used to further the growth and development of the city consistent with the adopted comprehensive plan and its implementing elements. This title will also further the purpose of promoting the health, safety, morals, convenience, comfort, prosperity, and general welfare of the city's population and to prevent and abate public nuisances.

B. The specific zones and regulations set out in this title are designed to:

1. Provide adequate public facilities and services, including utilities, roads, schools, and parks in conjunction with development;

2. Provide housing with essential light, air, privacy, and open space;

3. Facilitate the safe and efficient movement of traffic on the city's streets;

4. Stabilize and enhance property values;

5. Facilitate adequate provisions for doing public and private business and thereby safeguard the community's economic structure upon which the prosperity and welfare of all depends; and

6. Through such achievements, help ensure the safety and security of home life, foster good citizenship, and create and preserve a more healthful, serviceable and attractive municipality and environment in which to live.

C. To most effectively accomplish these purposes, this title divides the city into zones wherein the location, height and use of buildings, the use of land, the size of setback areas and other open space, and the provision of off-street parking and loading are regulated and restricted in accordance with the comprehensive plan for the city. These zones and regulations are deemed necessary and are made with reasonable consideration, among other things, as to the character of each zone and its particular suitability for specific uses, the need for such uses, the common rights and interests of all within the zone as well as those of the general public, and with the view of conserving and encouraging the most appropriate use of land throughout the city and to prevent and abate public nuisances. (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987. Formerly 18.02.020.)

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, Land Adjustments and Divisions.

E. This title is not intended to regulate the public ways as defined in ACC 20.02.020. (Ord. 6799 § 3 (Exh. C), 2020; Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987. Formerly 18.02.030.)

18.02.050 Minimum requirements.

A. In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purpose of this title.

B. It is not the intent of this title to interfere with, abrogate or annul any easements, covenants or other agreements between private parties. However, where this title imposes a greater restriction upon the use of land and/or buildings or in general requires higher standards than other ordinances, rules, or private agreements, the provisions of this title shall govern. (Ord. 6245 § 2, 2009.)

18.02.060 Rules for administrative interpretations.

A. The planning director shall be authorized to interpret the meaning of words, phrases and sentences which relate to the determining of uses permitted in the various zones, approval or disapproval of development plans, or other related zoning actions. Any interpretations regarding implementation of this title shall be made in accordance with the intent or purpose statement of the specific regulation and the comprehensive plan. Life, safety and public health regulations are assumed to prevail over all other regulations.

B. The planning director may authorize uses in a zone other than those which are listed, if the planning director determines the use is consistent with the intent of the zone and is of the same general character of the uses permitted within the zone. Further guidance on administrative interpretations of land uses can be found in ACC 18.02.120.

C. Administrative interpretations may be appealed to the hearing examiner as prescribed in Chapter 18.70 ACC.

D. Administrative interpretations made by the planning director shall be documented, made available for public review, and docketed for inclusion to this title, when consistent with the title format and level of detail required. The city shall incorporate administrative interpretations

upon approval of the legislative authority. (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987. Formerly 18.02.040.)

18.02.065 Methods of calculating density.

For subdivision purposes, the permitted number of dwelling units or lots shall be determined as follows:

A. Gross Site Area. The gross site area shall be used to calculate both the minimum and maximum number of allowed dwelling units or lots.

1. When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

   a. Fractions of one-half or above shall be rounded up; and

   b. Fractions below one-half shall be rounded down.

2. Calculating Minimum Density. Minimum density is calculated by multiplying the gross site area by the minimum units or lots per acre allowed within the zone. For example, in the R-2 zone, 7 units or lots per acre are allowed:

4.3 acres gross site area x 7 units per acre = 30.1 (rounded down to 30)

3. Each lot shall meet the requirements established in Chapter 18.07 ACC for lot area, dimensions, setbacks, and other development standards.

4. Where a proposed area for subdivision cannot meet the minimum density due to encumbrance by critical areas, critical area buffers, or other similar types of features that preclude development, the applicant may seek to deviate from the minimum density which will be reviewed as an administrative decision as part of the subdivision application. If the applicant seeks a variance from the development standards in Chapter 18.07 ACC the variance shall be processed utilizing the provisions of ACC 18.70.010. Alterations of a critical area or its buffer shall be processed in accordance with Chapter 16.10 ACC. Compliance with the density requirements of the underlying zone shall not be used as justification for alteration of a critical area.

B. The minimum density requirements shall not apply to short plats that are processed under Chapter 17.09 ACC.

C. Bonus density, where applicable, shall be computed by adding the bonus units authorized by Chapter 18.25 ACC to the base units computed under this section. (Ord. 6661 § 1, 2018; Ord. 6245 § 2, 2009.)

18.02.067 Units allowed per lot.

A. *Applicability.* The standards in this section apply to all residential uses in residential and mixed-use zones.

B. *Units.* For the purposes of this section, "units" refer to dwelling units, including accessory dwelling units (ADUs).

C. *Base units allowed per lot.* All lots in residential zones greater than 1,000 sf in area may be developed with up to the number of units shown in 18.07.030(D)(1) when in compliance with all other relevant standards of this chapter and ACC 18.25. Example: If 4 units are the base units on a given lot, and a fourplex has been developed, no ADUs may be added.

D. *Middle Housing Base units per lot allowed with transit or affordability bonus. Unit bonuses specific to middle housing are required to comply with RCW 36.70A.635.*

1. All lots in residential zones may be developed with up to the number of middle housing units shown in 18.07.030(D)(2) under the following conditions:

a. The lot is within one-quarter mile of a major transit stop (as defined in ACC 18.04.597), or

b. At least two units on the lot are affordable housing meeting the requirements of subsections (D)(2) through (D)(6) below.

Note: Bonus units for (a) and (b) above are not cumulative. Single-unit detached housing lots are not eligible for bonuses and are not allowed as a component of the bonus development.

2. To qualify for additional units under the affordable housing provisions, applicant shall commit to renting or selling the required number of units as affordable housing.

3. Dwelling units that qualify as affordable housing shall have costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income does not exceed the following percentages of median household income adjusted for household size, for the county where the household is

located, as reported by the United States Department of Housing and Urban Development:

a. Rental housing: 60 percent.

b. Owner-occupied housing: 80 percent.

4. The units shall be maintained as affordable for a term of at least 50 years, and the property shall satisfy that commitment and all required affordability and income eligibility conditions.

5. The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years. The covenant or deed restriction must address the following:

a. How affordability will be defined, managed, and controlled under scenarios for both ownership and rental housing. The covenant must commit to renting or selling the required number of units as affordable housing and, for rental units, ensure the continuing rental of units consistent with Chapter 84.14 RCW.

b. Criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.

6. The units dedicated as affordable housing shall:

a. Be provided in a range of sizes comparable to other units in the development.

b. The number of bedrooms in affordable units shall be in the same proportion as the number of bedrooms in units within the entire development.

c. Generally, be distributed throughout the development and have substantially the same functionality as the other units in the development.

E. *Lot area per unit above base allowance.* Additional units beyond what is allowed under 18.25.040(A) are allowed based on lot area above the minimum lot size threshold. One additional unit is allowed above the base for each interval of the value shown in 18.07.030(D)(3) up to the maximum number of units per lot (18.07.030)(D)(4), except for courtyard housing. For example: a lot with an area of 5,650 sf in the R-2 zone may have one additional unit above the base of four because it is 1,250 ft larger than the minimum lot size.

F. *Maximum units per lot.*

1. Except for courtyard housing, the total number of units shall not exceed the value listed in 18.07.030)(D)(4).

2. The maximum number of units for courtyard housing is two times the number of units listed in 18.07.030)(D)(4).

18.02.070 Establishment of zones.

A. The city is divided into the following classes of zones:

1. RC, residential conservancy zone (one dwelling unit per four acres);
2. R-1, residential one unit per acre zone
3. R-2, residential low zone
4. R-3, residential moderate zone
5. R-4, residential high zone
6. R-MHC, manufactured/mobile home community zone;
7. RF, residential flex zone
8. R-NM, residential neighborhood mixed-use zone
9. C-1, light commercial zone;
10. C-2, heavy commercial zone;
11. M-1, light industrial zone;
12. M-2, heavy industrial zone;
13. LF, airport landing field zone;
14. P-1, public use zone;
15. UNC, unclassified use zone;
16. I, institutional use zone;
17. DUC, downtown urban center – 125 district
18. DUC, downtown urban center - 75 District

19. DUC, downtown urban center - 55 District

20. DUC, neighborhood residential district

21. DUC, health and wellness district

22. DUC, residential-flex district

23. DUC, light commercial district

24. DUC, heavy commercial district

25. DUC, light industrial district

26. OS, open space zone.

B. The zones set out in subsection A of this section are established as the designations, locations, and boundaries thereof as set forth and indicated on the zoning map.

C. The intent statement for each zone set forth in this title shall be used to guide the application of the zones to all lands in the city of Auburn. The intent statements shall guide interpretation and application of land use regulations within the zones, and any change to the range of allowed uses within each zone through amendment to this title. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6677 § 1, 2018; Ord. 6245 § 2, 2009.)

18.02.080 Zoning map.

A. "Zoning map," as used in this title, is that certain map, three copies of which are on file in the office of the city clerk, labeled "Comprehensive Zoning Map of the city of Auburn, Washington," dated June 1, 1987, and adopted by Ordinance No. 4230 and signed by the mayor and city clerk, along with all amendments thereto. The types of zoning map amendments are listed in ACC 18.68.030(A).

B. Current copies of the zoning map are available for examination and/or purchase at the community development department. The zoning map is adopted and made a part of the comprehensive zoning ordinance, with the most current amended copy serving as the official zoning map. (Ord. 6779 § 2, 2020; Ord. 6287 § 2, 2010; Ord. 6245 § 2, 2009.)

18.02.090 Zone boundary interpretation.

Where uncertainty exists as to the boundaries of zones as shown on the official zoning map, the following rules shall apply:

A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such lines;

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

C. Boundaries indicated as approximately following city limits shall be construed as following city limits;

D. Boundaries indicated as following railroad lines shall be construed as to be midway between the main tracks;

E. Boundaries indicated as parallel to or extensions of features indicated in subsections A through D of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map;

F. Where physical or cultural features existing on the ground are at a variance with those shown on the official zoning map, or in other circumstances not covered by subsections A through E of this section, the planning director shall interpret the zone boundaries;

G. When the city vacates a street or alley, the vacated property will be zoned consistent with the adjacent property it is being vacated to. (Ord. 6245 § 2, 2009.)

18.02.100 Zoning for annexed land.

Prior to any parcel of land being annexed to the city, the property may be zoned consistent with the rezone requirements of this title and the comprehensive plan may be amended if necessary.

Application for the rezone and any necessary amendment may be done simultaneously with the request for annexation.

For property that is not assigned a zone classification by the city of Auburn at annexation, the property shall assume the UNC unclassified use designation upon annexation.

In such case, the planning director shall initiate an application to rezone from the UNC unclassified use designation to a zone compatible with the comprehensive plan within six months of the date of annexation. (Ord. 6245 § 2, 2009; Ord. 5354 § 2, 2000; Ord. 5026 § 1, 1997; Ord. 4229 § 2, 1987. Formerly 18.02.050.)

18.02.110 Zoning for property influenced by Auburn Municipal Airport.

Refer to Chapter 18.38 ACC to determine if property will be required to comply with additional regulations that are associated with the airport. (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997. Formerly 18.02.060.)

18.02.120 Permitted land uses established.

A. Categories of Uses Established. Chapters 18.07 through 18.44 ACC establish permitted, administrative, conditional, and prohibited uses, by zone, for all properties within the Auburn city limits. All principal uses in a given zone are one of four types:

1. Permitted use (see ACC 18.04.696);
2. Administrative use (see ACC 18.04.025);
3. Conditional use (see ACC 18.04.260);
4. Prohibited use (see ACC 18.04.752).

Uses which are incidental and customary to a principal use may be considered an accessory use as defined in ACC 18.04.020.

Uses not specifically identified as principal uses or determined to be an accessory use shall be classified utilizing the procedures outlined in subsection (C)(6) of this section.

B. Zoning Use Tables Established for Residential Zones. The zone use tables in ACC 18.07.020 and 18.09.020 establish whether a specific use is permitted in a zone and whether the use is

allowed as a permitted, administrative, conditional, or prohibited use. The zone is located on the horizontal row and the specific use is located on the vertical column of these tables.

C. Interpretation of Zone Use Tables.

1. *Legend.* The following letters have the following meanings when they appear in the box at the intersection of the column and the row on the zone use tables:

Symbol	Description
P	Permitted Use
A	Administrative Use
C	Conditional Use
X	Prohibited Use

2. *Other Requirements Applicable.* The above uses are subject to the other application requirements, citywide property development standards, and applicable overlay district regulations specified in the zoning code, the project review procedures specified in ACC Title 14, the building and construction standards of ACC Title 15, the environmental review procedures and regulations specified in ACC Title 16, and the regulations for the division of land in ACC Title 17.

3. *Additional Use-Related Conditions.* If a number also appears at the intersection of the column and the row, the use is also subject to the additional requirements as listed in the corresponding endnote immediately following the use table in the specified code chapter. All applicable requirements shall govern a use whether specifically identified in the zone chapter or not.

4. Accessory Use Interpretation. The planning director or designee may determine if a use that is not specifically described as accessory is permitted as an accessory to a principal use in a zone. Upon inquiry by an applicant, an administrative interpretation shall be made by the planning director or designee to determine if a proposed use is allowed as an accessory

use within the zone utilizing the purpose and intent of the zone, comprehensive plan policy guidance, and the definition of accessory use contained in Chapter 18.04 ACC.

5. *Prohibited Uses.* If an "X" appears in the box at the intersection of the column and the row, the use is prohibited in that zone. Similarly, if a use is listed in one zone use table but not another zone use table, it shall be considered prohibited in the zone use table in which it is not listed. For example, a use listed in the industrial zone use table of Chapter 18.16 ACC, but not listed in the residential zone use table of Chapter 18.07 ACC, shall be considered prohibited in the residential zones listed in Chapter 18.07 ACC even though the land use does not appear with an "X" in the use table.

6. *Unclassified Uses.* Upon inquiry by an applicant, an administrative interpretation shall be made by the planning director or designee to determine if a proposed use not specifically listed in any zone use table is allowed within a specific zone utilizing the criteria in this subsection. Should an interpretation be made that a proposed, unlisted use not be allowed in a specific zone, the planning director or designee shall indicate which zones, if any, do permit the use.

a. Criteria for Unclassified Uses. In order to make a determination that an unclassified use is permitted, administratively permitted, conditionally permitted, or accessory, the planning director or designee must find that the use is:

i. In keeping with the intent of the zone, and consistent with Auburn comprehensive plan policies; and

ii. Similar in nature to, and no more intense than, specifically listed permitted, conditional or accessory uses; and

iii. Consistent with subsection (C)(4) of this section, if determined to be permissible as an accessory use. (Ord. 6269 § 1, 2009; Ord. 6245 § 2, 2009.)

18.02.130 Neighborhood review meeting.

A. *Purpose.* The purpose of the neighborhood review meeting is for a developer/applicant of a proposed project to hold a meeting with surrounding and adjacent neighboring residents, property owners, homeowners' associations, residents and businesses (hereinafter collectively

referred to as “neighbors”) prior to submitting an application to the city. The neighbors would have an early opportunity to become familiar with either a residential subdivision, multifamily or mixed development proposal of a certain size and scale early in the development review process and to identify any associated issues. The neighborhood review meeting is intended to assist in producing applications that are responsive to neighborhood concerns, and to reduce the likelihood of delays and appeals. The city expects an applicant to take into consideration the reasonable concerns and recommendations of the neighbors and other interested persons when preparing an application.

B. *Applicability.* A neighborhood review meeting shall be required for the following types of new land use application in any applicable zoning district within the city:

1. A residential subdivision project comprising 40 or more lots or units; or

2. A multifamily residential project comprising 40 or more units; or

3. A mixed-use development project comprising 40 or more units.

C. *Time Frames.*

1. Prior to submittal of an application, an applicant shall provide an opportunity to meet with neighboring residents, property owners, homeowners’ associations, residents and businesses (hereinafter collectively referred to as “neighbors”) within the city-specified notice radius to review the proposal.

2. The applicant shall not be required to hold more than one neighborhood review meeting.

D. *Procedures.*

1. The applicant shall select the meeting time and place. The starting time selected shall be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a federally recognized holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act. The public meeting shall be held within the Auburn city limits, at a location no further than two miles from the project site, unless an alternate meeting location is approved by the planning director. A sign at least 22 inches by 28 inches in size with minimum two-inch lettering shall be placed at the main entrance of the building where the meeting will take place at least

one hour prior to the meeting. Such sign will announce the meeting purpose, that the meeting is open to the public and that interested persons are invited to attend. This sign shall be removed upon conclusion of the meeting by the applicant.

2. The applicant shall send by regular mail a written notice announcing the neighborhood review meeting to the director of the city of Auburn planning and development department and property owners within 300 feet of the property(ies) involved in the development review application. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The notice shall be mailed not less than 20 calendar days prior to the meeting date. The mailing list shall be obtained by the applicant and based on the most recent property tax assessment rolls of the King County department of assessments or the Pierce County assessor-treasurer's office, whichever is applicable.

3. Not less than 20 calendar days prior to the neighborhood review meeting, the applicant shall post a notice on the property which is the subject of the proposed application. The notice shall be posted at the property in a visible and accessible location. The notice shall state that the site may be subject to a proposed development and shall set forth the name of the applicant and a telephone number where the applicant or applicant's contact person can be reached for additional information. The site shall remain posted until the conclusion of the neighborhood review meeting. The city will not be responsible for posting of any signs.

4. The sign at the building entrance under subsection (D)(1) of this section, the notices sent by mail under subsection (D)(2) of this section and the site posting under subsection (D)(3) of this section shall each contain the following statement:

> The intent of this meeting is to facilitate an early informal discussion between the project developer and the neighbors regarding the project. While required by the City of Auburn, this meeting is not conducted by the City of Auburn and is in addition to any future hearings or public comment opportunities available under city development review processes.

5. At the neighborhood review meeting, the applicant shall describe the proposed application to persons in attendance. The attendees may identify any issues that they

believe should be addressed in the application and recommend that those issues be submitted for city consideration and analysis.

6. The applicant shall prepare and make available the following materials for review and discussion at the public meeting:

a. Total number of dwelling units/lots expected to be built;

b. Conceptual site plan/plat layout showing buildings, road layout, landscape, parking, topography and open space areas, and adjacent properties; and

c. Aerial photograph showing the subject property and adjacent properties.

7. At the neighborhood review meeting, a sign-in sheet shall be distributed to all meeting attendees that specifies the date, time and location of the neighborhood review meeting and asks for the name, address, phone number and electronic mail address of each meeting attendee.

8. At the neighborhood review meeting, the applicant shall take notes of the discussion on the proposed application for eventual submittal to the city.

E. *Submittal Requirements.* The applicant shall submit the following information with the submittal of a development application:

1. A copy of the notice provided to surrounding property owners within 300 feet of the proposed development site.

2. A copy of the mailing list used to send out meeting notices.

3. A written statement containing the information posted on the property.

4. An affidavit of mailing and posting notices.

5. A copy of the meeting sign-in sheet.

6. Copies of written materials and eight-and-one-half-inch by 11-inch size plans presented at the neighborhood review meeting.

7. Notes of the meeting including a summary of oral and written comments received.

8. If responses to the meeting notice were not received by the applicant and no one attended the neighborhood review meeting or persons in attendance made no comments, the applicant shall submit evidence as indicated above, with the notes reflecting the absence of comment, attendance, or both.

F. *Notice.*

1. All property owners who receive notice of the neighborhood review meeting shall be eligible to receive a copy of the written city decision for the development proposal.

2. All neighbors receiving notice of or attending the neighborhood review meeting shall be eligible to receive a copy of the written city decision for the development proposal through a request made to the city.

G. *Consideration.* The city shall consider as part of the development review process the concerns and issues raised by the neighbors and applicant at the neighborhood review meeting, including any agreed-upon solutions or resolutions to outstanding issues or areas of contention. The city, however, shall not be bound in its decision-making by any agreements or understandings made between the neighbors and applicants. Nothing in this section shall be construed to delegate design or project review decision-making authority to the participants in the public meeting.

H. *City Involvement.* The neighborhood review meeting is intended to be a developer-neighborhood interaction. City staff are not required to attend and/or participate in neighborhood review meetings. There will be other official opportunities for residents and neighbors to make comment during the development review process that would follow the neighborhood review meeting. The director of the planning and development department or designee shall be notified a minimum of seven calendar days prior to the scheduled date of the neighborhood review meeting. Any city staff attendance at a neighborhood review meeting is for informational purposes only, does not represent the city's position on the merits of the development proposal and does not constitute an approval or denial of an application, now or submitted in the future. (Ord. 6287 § 2, 2010; Ord. 6245 § 2, 2009.)

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.04
DEFINITIONS

Sections:

18.04.010 General definitions.
18.04.018 Accessory dwelling unit.
18.04.019 Accessible electric vehicle charging station.
18.04.020 Accessory use.
18.04.021 Accessory use, manufactured home community.
18.04.022 Repealed.
18.04.023 Accessory use, residential.
18.04.024 Repealed.
18.04.025 Administrative use.
18.04.027 Repealed.
18.04.030 Repealed.
18.04.031 Adult family home.
18.04.032 Repealed.
18.04.035 Agricultural enterprise.
18.04.036 Agricultural store.
18.04.039 Aircraft operations.
18.04.040 Airport, heliport or aircraft landing field.
18.04.050 Airport elevation.
18.04.060 Airport hazard.
18.04.070 Airport landing area.
18.04.072 Airport manager.
18.04.080 Airport reference point.
18.04.090 Alley.
18.04.100 Amusement device, mechanical.
18.04.105 Animal shelter, public.
18.04.110 Apartment.
18.04.115 Apiary.
18.04.120 Arcade.
18.04.125 Assisted living facility.
18.04.130 Automobile repair.
18.04.140 Repealed.
18.04.150 Automobile wrecking.
18.04.160 Automobile wrecking yard.
18.04.170 Automobile, trailer, equipment sales area.
18.04.171 Battery charging station.
18.04.172 Battery electric vehicle (bev).

18.04.173 Battery exchange station.
18.04.175 Bed and breakfast.
18.04.180 Repealed.
18.04.185 Repealed.
18.04.190 Building.
18.04.192 Building and landscape materials sales.
18.04.194 Building contractor, heavy.
18.04.195 Building contractor, light.
18.04.200 Building height.
18.04.210 Building, main.
18.04.220 Repealed.
18.04.230 Building site.
18.04.235 Built green.
18.04.235.1 Caretaker apartment.
18.04.236 Charging levels.
18.04.237 Chicken coop.
18.04.238 Chicken run.
18.04.240 Commercial use.
18.04.245 Commercial vehicle.
18.04.246 Commercial recreation facility, indoor.
18.04.247 Commercial recreation facility, outdoor.
18.04.248 Community retail establishment.
18.04.249 Communal residence.
18.04.250 Comprehensive plan.
18.04.260 Conditional use.
18.04.265 Condominium.
18.04.270 Conforming use.
18.04.280 Repealed.
18.04.282 Convenience store.
18.04.283 Crematorium.
18.04.285 Dangerous waste.
18.04.290 Daycare center, nursery school, preschool.
18.04.294 Designated accessible space.
18.04.295 Designated facility zone.
18.04.300 Density.
18.04.301 Density, base.
18.04.302 Density bonus.
18.04.303 Density, minimum.
18.04.310 Development standards.
18.04.318 Dripline.
18.04.320 Repealed.

18.04.325 Domestic fowl and poultry.
18.04.330 Dwelling.
18.04.340 Dwellings, types of.
18.04.350 Dwelling unit.
18.04.351 Electric scooters and motorcycles.
18.04.352 Electric vehicle.
18.04.353 Electric vehicle charging station.
18.04.354 Electric vehicle charging station – Restricted.
18.04.355 Extremely hazardous waste.
18.04.356 Electric vehicle charging station – Public.
18.04.357 Electric vehicle infrastructure.
18.04.358 Electric vehicle parking space.
18.04.359 Emergency Housing
18.04.360 Emergency Shelter
18.04.361 Entertainment, commercial.
18.04.362 Family.
18.04.365 FAR Part 77 surfaces.
18.04.370 Fence.
18.04.371 Fence, opacity.
18.04.372 Fence, screened.
18.04.373 Fence, visibility.
18.04.374 Fence, 100 percent sight-obscuring.
18.04.376 Retaining wall.
18.04.380 Floor area.
18.04.390 Foster care home.
18.04.395 Fueling station.
18.04.400 Garage or carport, residential.
18.04.410 Garage, commercial.
18.04.411 Golf course.
18.04.412 Governmental facilities.
18.04.420 Grade.
18.04.425 Green building practices.
18.04.430 Gross floor area.
18.04.440 Group residence facility.
18.04.445 Growth center.
18.04.450 Guest cottage.
18.04.452 Hazardous material.
18.04.453 Hazardous substance.
18.04.454 Hazardous substance processing or handling.
18.04.455 Hazardous waste.
18.04.456 Hazardous waste storage.

18.04.457 Hazardous waste treatment.
18.04.458 Hazardous waste treatment and storage facility, off-site.
18.04.459 Hazardous waste treatment and storage facility, on-site.
18.04.460 Home occupation.
18.04.465 Homeless encampment.
18.04.466 Horse riding, commercial.
18.04.470 Hospital.
18.04.480 Hospital or clinic, small animal.
18.04.485 Host agency.
18.04.490 Hotel.
18.04.495 Household pet.
18.04.496 Housing rehabilitation.
18.04.497 Impervious surface.
18.04.498 Incidental.
18.04.499 Intensity.
18.04.500 Junkyard.
18.04.510 Kennel.
18.04.515 Kitchen.
18.04.520 Landscaping.
18.04.522 Reserved.
18.04.523 Large domestic animal.
18.04.525 Leadership in energy and environmental design (leed).
18.04.527 Live/work unit.
18.04.530 Lot.
18.04.540 Lot area.
18.04.550 Lot coverage.
18.04.560 Lot dimensions.
18.04.570 Lot lines.
18.04.580 Lot of record.
18.04.590 Lot types.
18.04.595 Low impact development.
18.04.597 Major transit stop
18.04.600 Manufactured home.
18.04.610 Manufactured home community.
18.04.612 Manufacturing, assembling and packaging – Heavy intensity.
18.04.614 Manufacturing, assembling and packaging – Light intensity.
18.04.616 Manufacturing, assembling and packaging – Medium intensity.
18.04.617 Medium domestic animal.
18.04.619 Medium-speed electric vehicle.
18.04.620 Medical-dental clinic.
18.04.621 Middle housing

18.04.622 Miniature goat.
18.04.623 Microbrewery or a small craft brewery.
18.04.625 Mixed-use development.
18.04.630 Mobile home.
18.04.635 Motor freight terminal.
18.04.640 Motel.
18.04.641 Multimodal transportation corridor.
18.04.642 Municipal park.
18.04.643 Museum.
18.04.643.1 Neighborhood electric vehicle.
18.04.644 Neighborhood recreation buildings.
18.04.644.1 Neighborhood retail establishment.
18.04.645 Neighborhood services.
18.04.648 Net density.
18.04.649 Nonelectric vehicle.
18.04.650 Nonconforming use.
18.04.660 Nursing home.
18.04.670 Occupancy.
18.04.672 Outdoor sales.
18.04.676 Outdoor storage.
18.04.676.1 Overlay zone.
18.04.677 Owner occupied unit.
18.04.678 Repealed.
18.04.680 Parking area.
18.04.690 Parking space or stall.
18.04.692 Parking structure.
18.04.694 Permanent supportive housing.
18.04.696 Permitted use.
18.04.700 Person.
18.04.710 Personal service shop.
18.04.730 Planning commission.
18.04.740 Planning director.
18.04.741 Plug-in hybrid electric vehicle (PHEV).
18.04.742 Potbelly pig.
18.04.744 Prerelease facility.
18.04.745 Print and copy shop.
18.04.746 Private country clubs and golf courses, excluding driving ranges.
18.04.748 Privately owned and operated parks and playgrounds.
18.04.750 Professional offices.
18.04.752 Prohibited use.
18.04.754 Public art.

18.04.756 Public recreational amenity.
18.04.760 Public use.
18.04.770 Quasi-public use.
18.04.779 Rapid charging station.
18.04.780 Recreational vehicle, camping trailer, travel trailer, motor home and truck camper.
18.04.790 Recreational vehicle park.
18.04.791 Regional retail establishment.
18.04.792 Religious institution.
18.04.794 Renting of rooms.
18.04.796 Repair services – Equipment, appliances.
18.04.800 Residence.
18.04.804 Restaurant, full-service.
18.04.805 Right-of-way.
18.04.806 Schools, elementary and middle/junior high.
18.04.807 Schools, secondary or high school.
18.04.808 Secure community transition facility.
18.04.809 Senior housing.
18.04.810 Setback.
18.04.811 Setback area.
18.04.812 Setback, front.
18.04.813 Setback, rear.
18.04.814 Setback, side.
18.04.815 Setback line.
18.04.816 Shop.
18.04.818 Shopping center.
18.04.820 Sign.
18.04.821 Site.
18.04.822 Site area.
18.04.823 Small domestic animal.
18.04.824 Social and service organizations.
18.04.825 Solid waste.
18.04.826 Solid waste processing facility.
18.04.827 Special events.
18.04.828 Sponsoring agency.
18.04.829 Store.
18.04.830 Repealed.
18.04.835 Special needs housing.
18.04.840 Repealed.
18.04.850 Reserved.
18.04.855 Small craft distillery.
18.04.860 Story.

18.04.870 Street, private.
18.04.880 Street, public.
18.04.890 Structure.
18.04.891 Supportive housing.
18.04.892 Sustainable design.
18.04.894 Tasting room.
18.04.895 Tavern.18.04.896 Transmitting tower.
18.04.897 Unclassified use.
18.04.900 Use.
18.04.901 Utility facilities and substations.
18.04.910 Variance.
18.04.911 Walking distance.
18.04.912 Wine production facility.
18.04.912.1 Winery.
18.04.912 Wireless communications.
18.04.913 Work/live unit.
18.04.914 Work release facility.
18.04.920 Yard.
18.04.930 Yard, front.
18.04.940 Yard, rear.
18.04.950 Yard, side.
18.04.954 Youth community support facility.
18.04.960 Zone.
18.04.1001 Child care center.
18.04.1005 Marijuana or marihuana.
18.04.1007 Marijuana cooperative.
18.04.1009 Marijuana-infused products.
18.04.1011 Marijuana processor.
18.04.1013 Marijuana producer.
18.04.1015 Marijuana related business.
18.04.1017 Marijuana retailer.
18.04.1019 Marijuana researcher.
18.04.1021 Marijuana transporter.
18.04.1023 Public or private park.
18.04.1025 Public or private playground.
18.04.1027 Public or private recreational center.
18.04.1029 Public transit center.

18.04.010 General definitions.

Except where specifically defined in this chapter, all words used in this title shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular, the word "shall" is always mandatory, the word "may" denotes a use of discretion in making a decision, and the words "used" or "occupied" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied." (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.018 Accessory dwelling unit.

An "accessory dwelling unit" is a self-contained residential unit that is accessory to a single-unit detached housing or middle housing units located on individually owned lots, where the accessory dwelling unit is located on the same lot. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the primary unit including the yard, parking, storage or laundry facilities. The accessory dwelling unit may be attached or detached to the single-unit detached housing or middle housing unit(s). An accessory dwelling unit excludes accessory residential uses as defined in ACC 18.04.023. (Ord. 6245 § 3, 2009; Ord. 5399 § 1, 2000.)

18.04.019 Accessible electric vehicle charging station.

"Accessible electric vehicle charging station" means an electric vehicle charging station where the battery charging station equipment is located within accessible reach of a barrier-free access aisle (minimum 44-inch width) and the electric vehicle. (Ord. 6365 § 1, 2011.)

18.04.020 Accessory use.

"Accessory use" means a use, a building or structure, part of a building or other structure, which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a residential garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building. Parking areas will not be considered an accessory use under this definition. See related definitions for "Accessory use, manufactured home community" and "Accessory use, residential." (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.021 Accessory use, manufactured home community.

“Manufactured home community accessory use” is a subordinate use which supports the principal manufactured home community use without displacing it. Manufactured home community accessory uses include but are not limited to recreation facilities, clubhouses, park offices, and utility rooms to serve the residents of the park only. (Ord. 6245 § 3, 2009.)

18.04.022 Adult book and video establishment. *Repealed by Ord. 5835.*

18.04.023 Accessory use, residential.

“Residential accessory use” means a subordinate use which supports the principal residential use without displacing it. The accessory residential use is typically located on the same lot occupied by the principal residential use. Residential accessory uses include residential garage, guest cottage, recreation room, tool shed, swimming pool, noncommercial greenhouse, private stable, barn, pen, coop, or similar structure. This use excludes accessory dwelling units, as defined in ACC 18.04.018, and manufactured home community accessory uses. (Ord. 6245 § 3, 2009.)

18.04.024 Adult entertainment establishment. *Repealed by Ord. 5835.*

18.04.025 Administrative use.

“Administrative use” means a use permitted in a zone only after review and approval by the planning director or designee. Administrative uses are those which typically have some potential for impacts to neighboring properties, but which may be permitted within a zone following review by the city to establish conditions mitigating impacts of the use and to assure compatibility with other uses in the zone. (Ord. 6269 § 27, 2009.)

18.04.027 Adult entertainment. *Repealed by Ord. 5835.*

18.04.030 Adult motion picture theater. *Repealed by Ord. 5835.*

18.04.031 Adult family home.

"Adult family home" means a residential home licensed by the state in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. Adult family homes are not communal residences. (Ord. 6560 § 1, 2015; Ord. 6245 § 3, 2009.)

18.04.032 Adult uses. *Repealed by Ord. 5835.*

18.04.035 Agricultural enterprise.

"Agricultural enterprise" means a business enterprise which is engaged in, or related to, farming or agricultural production and other businesses and services supporting and promoting agriculture practices and the practice of locally and regionally grown foods. The term shall include the following:

A. "Agritourism" means a business enterprise activity that includes operation of a working farm or any agricultural or horticultural operation that, while not an exclusive function, is open to the public on a seasonal basis for enjoyment, recreation, personal entertainment, or education.

B. "Agricultural entertainment" means any event or activity that allows for recreation, entertainment, education and tourism associated with agricultural activities. (Ord. 6363 § 1, 2011.)

18.04.036 Agricultural store.

"Agricultural store" means a retail food establishment, housed in a permanent structure, whose primary economic activity is the sale of local and regional agricultural products directly to consumers. An agricultural store may also include the sale of sundries, prepackaged food, bottled or canned beverages and freshly prepared food and beverages for consumption on site. (Ord. 6363 § 1, 2011.)

18.04.039 Aircraft operations.

“Aircraft operations” means the movement of aircraft operating in the airport traffic pattern or within sight of the airport. A landing or takeoff is one operation. An aircraft that takes off and then lands creates two aircraft operations. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.040 Airport, heliport or aircraft landing field.

“Airport,” “heliport,” or “aircraft landing field” means any runway, landing area or other facility whether publicly or privately owned or operated, and which is designed, used or intended to be used either by public carriers or by private aircraft for landing and taking off of aircraft. This definition includes all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces. This definition does not include manufacturing, servicing or testing facilities located in the vicinity of any landing area associated with the manufacturing or testing of commercial or military aircraft or activities associated therewith. (Ord. 6838 § 1 (Exh. A), 2021; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.050 Airport elevation.

“Airport elevation” means the established elevation of the highest point on the usable landing area. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.060 Airport hazard.

“Airport hazard” means any structure, tree or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.070 Airport landing area.

“Airport landing area” means the area of the airport used for the landing, taking off or taxiing of aircraft. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.072 Airport manager.

Airport Manager. See definition in Chapter 12.56 ACC. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.080 Airport reference point.

"Airport reference point" means the point established as the approximate geographic center of the airport landing area and so designated. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.090 Alley.

"Alley" means a public travel way or other public right-of-way under the jurisdiction and control of the city and not designated for general travel and used primarily as a means of access to the rear of residential and/or business establishments. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.100 Amusement device, mechanical.

"Mechanical amusement device" means any machine which, upon the insertion of a coin, slug, token, plate, disk, monetary bill or credit card, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machines, pinball machines, skill ball, mechanical grab machines, video games and all games, operations or transactions similar thereto under whatever name they may be indicated to specify. "Mechanical amusement device" does not include pool tables. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.105 Animal shelter, public.

"Animal shelter, public" means a facility that is used to temporarily house or contain stray, homeless, abandoned or unwanted animals. The facility must be owned, operated, or maintained by one or more of the following: an animal care and control agency; humane society, or society for the prevention of cruelty to animals registered under Chapter 16.52 RCW, or another nonprofit organization devoted to the welfare, protection, and humane treatment of animals, when such society or organization is then under contract with an animal care and control agency. An animal shelter, public may provide supporting services, including medical care. (Ord. 6407 § 2, 2012.)

18.04.110 Apartment building.

“Apartment Building” means:

(a) A building containing seven or more attached dwelling units, including a building containing nonresidential units if the building also contains seven or more attached dwelling units, but excluding the following classes of buildings:

(i) Hotels and motels;
(ii) Dormitories;
(iii) Care facilities;
(iv) Floating homes;
(v) Middle Housing
(vi) A building that contains attached dwelling units that are each located on a single platted lot;
(vi) A building in which all of the dwelling units are held under one ownership and is subject to a recorded irrevocable sale prohibition covenant;
(viii) A building with six or fewer units that is no more than three stories; and
(iv) A building with six or fewer units that is no more than three stories so long as one story is utilized for parking, either above or below ground, or retail space.

18.04.115 Apiary.

“Apiary” (“apiaries”) means a place where honey bees (Apis mellifera) are kept; a collection of beehives. “Beekeeping” is included under this definition. (Ord. 6600 § 1, 2016.)

18.04.120 Arcade.

“Arcade” means an entertainment venue featuring primarily video games, simulators, and/or other amusement devices where persons under 21 years of age are not restricted. (Ord. 6642 § 14, 2017; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.125 Assisted living facility.

“Assisted living facility” means a combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. An establishment with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential. An assisted living facility is not a communal residence. (Ord. 6560 § 2, 2015; Ord. 6245 § 3, 2009; Ord. 6140 § 1, 2007.)

18.04.130 Automobile repair.

“Automobile repair” includes fixing, incidental body or fender work, painting, and upholstering, engine tune-up, adjusting lights, installation/repair of electrical or electronic components, brakes, supplying and installing replacement parts to passenger vehicles and trucks. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.140 Automobile service station. *Repealed by Ord. 6433.*

18.04.150 Automobile wrecking.

“Automobile wrecking” means the dismantling or disassembling of used motor vehicles or trailers, the storage, sale or dumping of dismantled, obsolete, or wrecked vehicles or their parts, and the towing of such vehicles or parts in connection with such activity. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.160 Automobile wrecking yard.

“Automobile wrecking yard” means any premises devoted to automobile wrecking. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.170 Automobile, trailer, equipment sales area.

“Automobile, trailer and equipment sales area” means an open area, other than a street or alley, used for the display, sale or rental of new or used automobiles, trucks, trailers or other equipment. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.171 Battery charging station.

“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 6365 § 1, 2011.)

18.04.172 Battery electric vehicle (bev).

“Battery electric vehicle (BEV)” means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries, and produces zero tailpipe emissions or pollution when stationary or operating. (Ord. 6365 § 1, 2011.)

18.04.173 Battery exchange station.

“Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 6365 § 1, 2011.)

18.04.175 Bed and breakfast.

“Bed and breakfast” means a residential home maintained by an on-premises owner that provides no more than six guest rooms which are used, rented, or hired out to guests to be occupied for sleeping purposes, and which may also offer communal dining services. (Ord. 6245 § 3, 2009.)

18.04.180 Boardinghouse. *Repealed by Ord. 6477.*

18.04.185 Brew pub. *Repealed by Ord. 6368.*

18.04.190 Building.

“Building” means any structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals or property of any kind. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.192 Building and landscape materials sales.

“Building and landscape material sales” means a retail or wholesale establishment selling hardware, lumber and other large building materials, plant materials, and other landscaping materials. (Ord. 6433 § 3, 2012.)

18.04.194 Building contractor, heavy.

“Building contractor, heavy” means businesses relating to the heavy construction trades including but not limited to: excavation work, highway and street construction; heavy construction, masonry and concrete work and water well drilling. These types of businesses generally have heavy equipment that may be stored outside. (Ord. 6433 § 4, 2012.)

18.04.195 Building contractor, light.

“Building contractor, light” means businesses relating to the building trades including but not limited to: plumbing, heating, air conditioning; painting, paperhanging and decorating; electrical; carpentry and flooring; roofing and sheet metal. These types of businesses generally do not have heavy equipment or building materials stored outside. (Ord. 6433 § 5, 2012.)

18.04.200 Building height.

“Height of building” means the vertical distance measured from the finished grade to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs. If a structure has none of the above features then the height shall be measured from the finished grade to the highest portion of the structure. See Figure 18.04.200. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

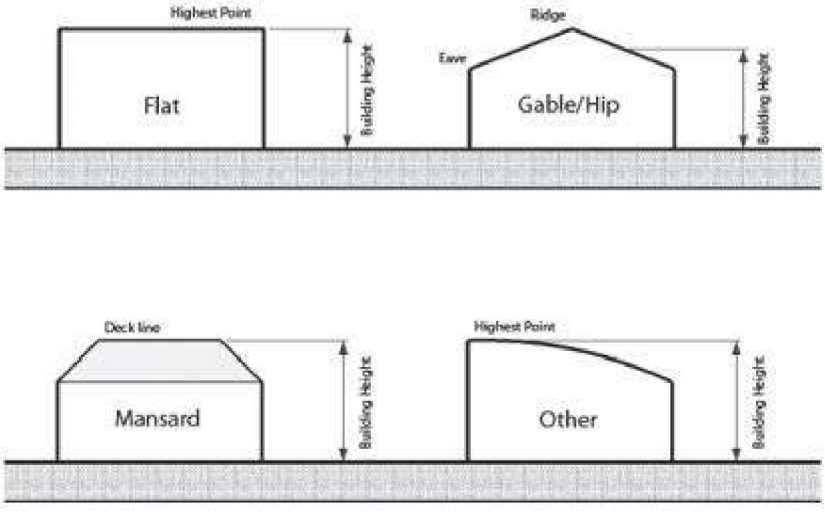


Figure 18.04.200 Building Height

18.04.210 Building, main.

“Main building” means the principal building or buildings on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.220 Building official. *Repealed by Ord. 6245.*

18.04.230 Building site.

“Building site” means a parcel of land assigned to a use, to a main building, or to a main building and its accessory buildings, together with all yards and open spaces required by this title. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.235 Built green.

“Built green” means an environmental building program locally administered by the Master Builders Association of King and Snohomish Counties which provides rating systems which quantify environmentally friendly building practices for remodeling and new residential construction. The construction must qualify for a minimum number of points in order to be certified as “built green.” Each building receives a one – to five-star rating based on the builder’s ability to meet the sustainable design standards. (Ord. 6245 § 3, 2009; Ord. 6036 § 5, 2006.)

18.04.235.1 Caretaker apartment.

“Caretaker apartment” means an accessory housing unit that is permitted in association with a commercial or industrial use where no residential dwelling exists, for the express purpose of providing a housing unit for on-site security or operations personnel. (Ord. 6433 § 6, 2012.)

18.04.236 Charging levels.

“Charging levels” means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms “1,” “2,” and “3” are the most common EV charging levels, and include the following specifications:

A. Level 1 is considered slow charging.

B. Level 2 is considered medium charging.

C. Level 3 is considered fast or rapid charging. (Ord. 6365 § 1, 2011.)

18.04.237 Chicken coop.

"Chicken coop" means a building for housing and weather protection for domestic fowl. The chicken coop is treated as an accessory structure. (Ord. 6600 § 2, 2016.)

18.04.238 Chicken run.

"Chicken run" or "chicken pen" means an area enclosed by fencing or netting which may or may not be connected to a coop within which domestic fowl can move about freely within a limited portion of the property or site. (Ord. 6600 § 3, 2016.)

18.04.240 Commercial use.

"Commercial use" shall mean any activity or use of land which involves the buying, selling, processing or improving of things not produced on the land and having financial gain as the primary aim of the activity or use; whether or not such activity or use be for hire or on account of the buyer, seller, processor, or improver. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.245 Commercial vehicle.

"Commercial vehicle" means semi-truck tractors and/or semi-trailers (over 26,001 pounds gross vehicle weight rating) used in any commercial enterprise. (Ord. 6245 § 3, 2009; Ord. 6019 § 1, 2006.)

18.04.246 Commercial recreation facility, indoor.

"Commercial recreation facility, indoor" means a private for-profit or nonprofit establishment offering recreation or providing entertainment or games of skill to the general public for a fee or charge and wholly enclosed in the building. Typical uses include athletic and health club, pool or billiard hall, indoor swimming pool, bowling alley, skating rink or climbing gyms. (Ord. 6433 § 7, 2012.)

18.04.247 Commercial recreation facility, outdoor.

“Commercial recreation facility, outdoor” means a private for-profit or nonprofit establishment offering recreation or providing entertainment or games of skill to the general public for a fee or charge where any portion of the activity takes place in the open, excluding public parks. Typical uses include: racetracks; miniature golf; skateboard park; swimming and wading, therapeutic facilities; and tennis, handball, basketball courts; batting cages, trampoline facilities. (Ord. 6433 § 8, 2012.)

18.04.248 Community retail establishment.

“Community retail establishment” means stores, shops and businesses either individually or in a shared space setting serving a geographic area of the city that engage in merchandise sales. (Ord. 6433 § 9, 2012.)

18.04.249 Communal residence.

“Communal residence” is a business operated out of a single residential home without an owner occupant residing therein, where the residential home, or portions thereof, is/are rented to more than one individual through separate, unrelated lease or rental agreements. The fact that the individuals rent the residence or a portion thereof through separate, unrelated lease or rental agreements shall be prima facie evidence that the individuals are unrelated and do not meet the definition of “family” per ACC 18.04.360. Adult family homes, foster care homes, group residence facilities, special needs housing, and supportive housing are not communal residences. (Ord. 6560 § 3, 2015; Ord. 6477 § 10, 2013.)

18.04.250 Comprehensive plan.

“Comprehensive plan” means the comprehensive plan for the Auburn planning area, as now constituted, or hereafter amended, or its successor. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.260 Conditional use.

“Conditional use” means a use permitted in a zone only after review and approval by the hearing examiner. Conditional uses are such that they may be compatible only on certain conditions in specific locations in a zone, or if the site is regulated in a certain manner in order to achieve the purposes of this title. (Ord. 6245 § 3, 2009; Ord. 6185 § 1, 2008; Ord. 4229 § 2, 1987.)

18.04.265 Condominium.

“Condominium” means a form of ownership in which individuals purchase and own individual units in a multi-unit complex and jointly own and share financial responsibility for certain common areas. Residential condominiums in multifamily buildings differ from apartments in that each unit is individually owned, and any land in the project is owned in common by all householders. (Ord. 6245 § 3, 2009.)

18.04.270 Conforming use.

“Conforming use” means an activity the nature and type of which is permitted in the zone in which the property on which it is established is located. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.280 Contract rezone. *Repealed by Ord. 6245.*

18.04.282 Convenience store.

“Convenience store” means a small retail establishment that offers convenience goods for sale, such as prepackaged food items, beverages, tobacco, personal care items, and other household goods and often characterized by 24 hours a day operations. These stores can be part of a fueling station or an independent facility. (Ord. 6433 § 10, 2012.)

18.04.283 Crematorium.

“Crematorium” means a facility for the burning of corpses, human or animal, to ashes either as a principal use or as an accessory use. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials or narcotics. (Ord. 6433 § 11, 2012.)

18.04.285 Dangerous waste.

“Dangerous waste” means those solid wastes designated in WAC 173-303-070 through 173-303-103 as dangerous waste. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.290 Daycare center, nursery school, preschool.

“Daycare center,” “nursery school,” or “preschool” means any type of group daycare programs, for children or adults, including nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for preschool children, covering afterschool care for school children, and programs which provide organized learning and education experiences, provided such establishments are licensed by the state and conducted in accordance with state requirements. For the purpose of this title the following shall also apply to daycare center, nursery schools or preschools:

A. “Babysitting care” means a dwelling which provides occasional custodial care to children, for periods of less than 24 hours, who do not reside within the residence of the person providing the care. Babysitting care is not necessarily provided in exchange for compensation.

B. “Home based daycare” means a licensed daycare that regularly provides daycare for not more than 12 children or adults in the provider’s home in the family living quarters, for periods of less than 24 hours.

C. “Mini daycare center” means a place, other than the home of the provider, which provides regular custodial care for one to 12 children, for periods of less than 24 hours.

D. “Daycare center” means a place, other than the home of the provider, which provides regular custodial care for 12 or more children, for periods of less than 24 hours.

E. “Preschool/nursery school” means a place, other than the home of the provider, which provides regular custodial care and/or organized learning and educational experiences for children. (Ord. 6245 § 3, 2009; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.04.294 Designated accessible space.

“Designated accessible space” means a required accessible parking space designated for the exclusive use of parking vehicles with a state disabled parking permit, in accordance with WAC 51-50-005, the International Building Code requirements for barrier-free accessibility. (Ord. 6365 § 1, 2011.)

18.04.295 Designated facility zone.

“Designated facility zone” means a zone in which hazardous waste treatment and storage facilities are allowed uses, subject to the state siting criteria designated in Chapter 70.105 RCW. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.300 Density.

“Density” is a measure of population, housing units, or building area related to land area, and is expressed as a ratio, e.g., units per acre or square feet of lot area per unit . See ACC 18.02.065 for the methodology for calculating density. (Ord. 6661 § 2, 2018; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.302 Density bonus.

“Density bonus” refers to residential units allowed in excess of the base density of a particular zone. Density bonuses may be granted to residential developers within a certain distance of a high capacity transit stop, inclusion of affordable housing, or in exchange for recognized public benefits pursuant to Chapter 18.02 and Chapter 18.25ACC. (Ord. 6245 § 3, 2009.)

18.04.303 Density, minimum.

“Minimum density” refers to the least number of dwelling units or lots allowed per land area in a specific zone, expressed as a ratio. For example, in a zone with a minimum density of 12 units per acre, development of a two-acre lot would require a minimum of 24 units. (Ord. 6245 § 3, 2009.)

18.04.310 Development standards.

“Development standards” means regulations pertaining to setbacks, landscaping, height, site coverage, signs, building layout, site design and related features of land use. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.318 Dripline.

“Dripline” means an area encircling the base of a tree, the minimum extent of which is delineated by a vertical line extending from the outer limit of a tree’s branch tips down to the ground. (Ord. 6387 § 2, 2011.)

18.04.320 District. *Repealed by Ord. 6245.*

18.04.325 Domestic fowl and poultry.

"Domestic fowl and poultry" includes all species of chickens, turkeys, geese, ducks, pigeons or other fowl or poultry of similar size and character. Roosters and peafowl are not included in this definition and are not permitted. (Ord. 6600 § 6, 2016; Ord. 6369 § 5, 2011.)

18.04.330 Dwelling.

"Dwelling" means a building designed exclusively for residential purposes for occupancy by a person, family, or unrelated group with one or more rooms for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, including single-unit detached housing, middle housing, apartments, , and accessory dwelling units, but not including recreational vehicles, or hotels or motel units without kitchens. (Ord. 6565 § 1, 2015; Ord. 6477 § 3, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.340 Dwellings, types of.

"Types of dwellings" means:

A. Dwelling, Single-Unit Detached. "Single-unit detached" dwelling means a detached building, not connected to another building, designed exclusively for occupancy by one family or communal residence and containing one dwelling unit that is permanently attached to the ground. A manufactured home may be considered a single-unit detached dwelling if sited per ACC 18.31.050. This dwelling-type was previously called "Single Family" and is synonymous with "Single-unit detached housing".

B. Dwelling, Middle Housing. "Middle Housing" dwellings includes the following housing types:

1. "Townhouse" means a detached structure that contains three or more attached dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides, each with its own front and rear access to the outside.2. "Duplex" means a detached structure consisting of two individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

3. "Triplex" means a detached structure consisting of three individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

4. “Fourplex” means a detached structure consisting of four individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

5. “Fiveplex” means a detached structure consisting of five individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

6. “Sixplex” means a detached structure consisting of six individual dwelling units that is in a horizontal or stacked layout, does not have interior openings between dwelling units, and which dwelling units share common walls.

7. “Stacked flat” means dwelling units in a residential building of no more than three stories on a lot in which each floor may be separately rented or owned. Duplexes and triplexes may be arranged as stacked flats.

8. “Cottage housing” means residential units on a lot with a common open space that either: (a) Is owned in common; or (b) has units owned as condominium units with property owned in common and a minimum of 20 percent of the lot size as open space. Courtyard housing standards in 18.25.050 apply to cottage housing. This definition of cottage housing does not apply to “guest cottages” of ACC 18.04.450.

9. "Courtyard apartments” means a residential structure consisting of multiple attached side-by-side and/or stacked dwelling units oriented around a yard or court on two or three sides.

C. Dwelling, Apartment. “Apartment” means a building designed for occupancy by seven or more families or communal residences living independently of each other and containing seven or more dwelling units. Apartment units may be located in a mixed-use development. This dwelling-type was previously called “Multiple-Family” dwellings.

(Ord. 6477 § 4, 2013; Ord. 6245 § 3, 2009; Ord. 6162 § 1, 2008; Ord. 4229 § 2, 1987.)

18.04.350 Dwelling unit.

“Dwelling unit” means one or more rooms designed for or occupied by one family or communal residence for living or sleeping purposes and containing kitchen facilities. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. An efficiency apartment, also known as a studio apartment, constitutes a dwelling unit within the meaning of this title. (Ord. 6477 § 5, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.351 Electric scooters and motorcycles.

“Electric scooters and motorcycles” means any two – or three-wheel vehicle or scooter or motorcycle under state law that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries and produces zero emissions or pollution when stationary or operating. (Ord. 6365 § 1, 2011.)

18.04.352 Electric vehicle.

“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle. (Ord. 6365 § 1, 2011.)

18.04.353 Electric vehicle charging station.

“Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use. (Ord. 6365 § 1, 2011.)

18.04.354 Electric vehicle charging station – Restricted.

“Electric vehicle charging station – restricted” means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public). (Ord. 6365 § 1, 2011.)

18.04.355 Extremely hazardous waste.

“Extremely hazardous waste” means those solid wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous waste. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.356 Electric vehicle charging station – Public.

“Electric vehicle charging station – public” means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, nonreserved parking in multifamily parking lots). (Ord. 6365 § 1, 2011.)

18.04.357 Electric vehicle infrastructure.

“Electric vehicle infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. (Ord. 6365 § 1, 2011.)

18.04.358 Electric vehicle parking space.

“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle. (Ord. 6365 § 1, 2011.)

18.04.359 Emergency Housing

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

18.04.360 Emergency Shelter

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

18.04.361 Entertainment, commercial.

“Entertainment, commercial” means spectator entertainment for commercial purposes. This use includes theaters, concert halls, nightclubs, or comedy clubs, but does not include cabarets, licensed under ACC 5.20.130(B), and adult entertainment, licensed under Chapter 5.30 ACC. (Ord. 6433 § 12, 2012.)

18.04.362 Family.

“Family” means a person living alone, two or more persons related by blood or marriage, or any other analogous family union recognized under federal and/or state statute, as distinguished from a group occupying a hotel, club, or communal residence. For the purposes of this definition, minors living with a parent shall not be counted as part of the maximum number of residents. The purpose of defining family is to assist in the regulation of occupancy standards within dwelling units and to define different types of structures; it is not intended to interfere with the civil rights of individuals who establish relationships under the terms of state and federal laws. (Ord. 6477 § 6, 2013; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.365 FAR Part 77 surfaces.

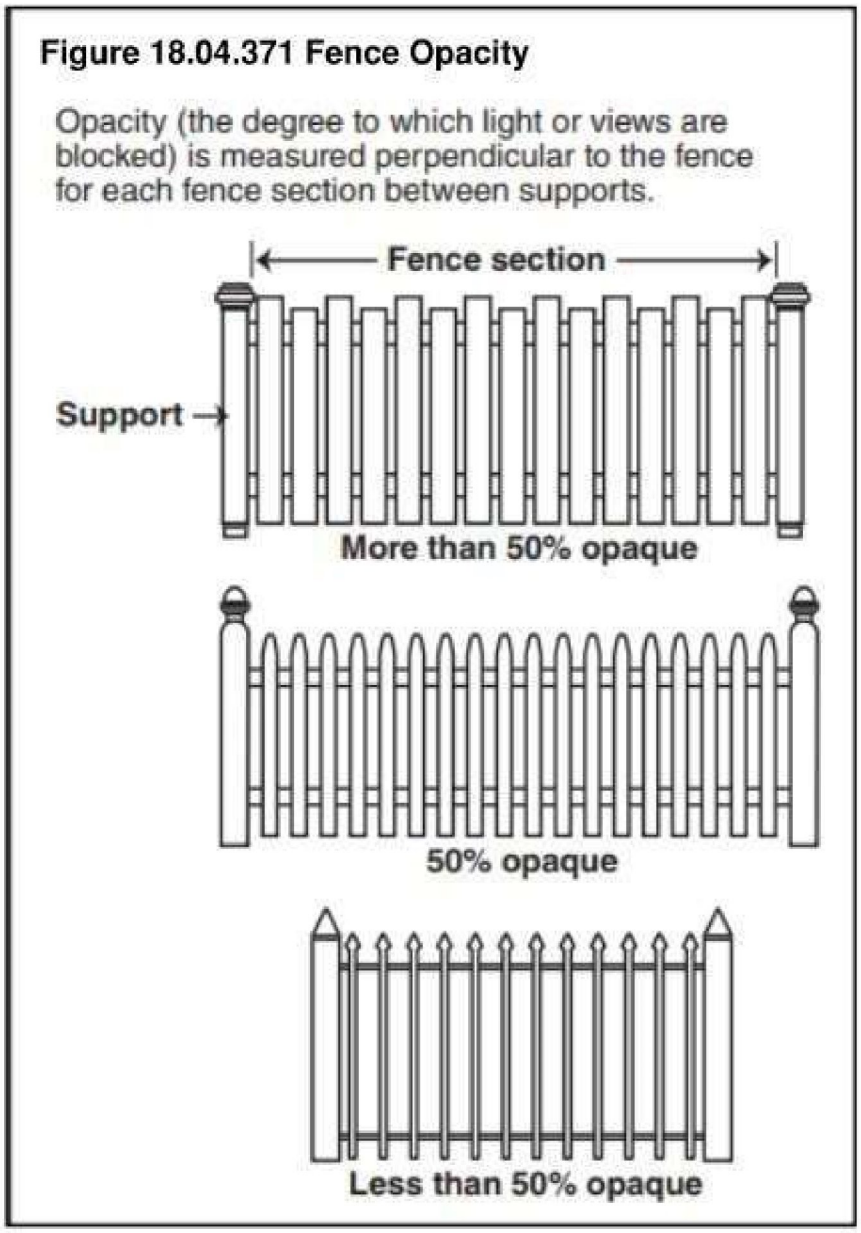
FAR Part 77 Surfaces. The Federal Aviation Administration’s Federal Aviation Regulations (FAR) Part 77 surfaces are the imaginary airspace surfaces established with any relation to each runway of an airport. There are five types of surfaces: (A) primary, (B) approach, (C) transitional, (D) horizontal, and (E) conical. These surfaces are above and around airports and require protection from potential obstructions that might interfere with airport traffic and potentially create a safety risk to aircraft occupants and persons on the ground. An object or structure with an elevation higher than the FAR Part 77 surface elevation is considered to penetrate the FAR Part 77 surfaces and constitutes an obstruction to navigable airspace. “Navigable airspace” is defined by the FAA pursuant to CFR Title 14, Part 77, imaginary surfaces. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.370 Fence.

“Fence” means a masonry wall or a barrier generally composed of posts connected by boards, rails, panels, or wire for the purpose of enclosing space, functional areas, or separating parcels of land. The term “fence” does not include retaining walls or rockeries when a separate structure. The term also does not include hedges, trees, or other natural growth. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.371 Fence, opacity.

“Fence opacity” is the degree to which light or views are blocked. Opacity is measured perpendicular to the fence for each fence section between supports.



(Ord. 6884 § 1 (Exh. 1), 2022.)

18.04.372 Fence, screened.

“Screened fence” means a fence that is between 70 to 100 percent opaque, and provides a high degree of visual buffering between two areas. A screened fence may consist of wood, vinyl, or metal. A chain link fence interwoven with slats in every row or available space is considered a screened fence. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6245 § 3, 2009.)

18.04.373 Fence, visibility.

A fence that is 50 percent or less opaque is generally considered to provide visibility. (Ord. 6884 § 1 (Exh. 1), 2022.)

18.04.374 Fence, 100 percent sight-obscuring.

“One hundred percent sight-obscuring fence” means a fence that is 100 percent opaque, completely obstructs view between two areas or completely obstructs view between two adjoining uses. A sight-obscuring fence shall be constructed of solid wood, metal, concrete, or other appropriate material which totally conceals the subject use from adjoining uses. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6245 § 3, 2009.)

18.04.376 Retaining wall.

“Retaining wall” means a structure designed and constructed to hold soil, earth, or like material in place, or to resist lateral pressure of materials to create or maintain a change in ground elevation. Such walls can be of various types including gravity, cantilevered, anchored, or piling walls and can be comprised of various materials including concrete, stone, or masonry units. The term “retaining wall” does not include fences. (Ord. 6884 § 1 (Exh. 1), 2022.)

18.04.380 Floor area.

“Floor area” means total floor area within the walls of all buildings on a lot or building site, except for the spaces therein devoted to vents, shafts and light courts and except for the area devoted exclusively to loading and unloading facilities and to parking of motor vehicles. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.390 Foster care home.

“Foster care home” means a home which provides regular care for up to four developmentally disabled adults, or up to four adults who are recipients of state or federal financial assistance services, or up to four foster children under the age of 18, or up to three expectant mothers in a residential structure of the person or persons under whose direct care and supervision the people are placed. A foster care home is not a communal residence. (Ord. 6560 § 4, 2015; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.395 Fueling station.

“Fueling station” means a retail business selling gasoline or other motor vehicle fuels primarily to passenger vehicles. Includes alternative fuels and recharging facilities which are commercial facilities offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., liquid propane gas) as well as equipment to recharge electric powered vehicles. This classification includes customary incidental activities when performed in conjunction with the sale of fuel, such as vehicle maintenance and repair, vehicle washing, and electric vehicle battery swap-out, but excludes body and fender work or repair of heavy trucks or vehicles. (Ord. 6433 § 13, 2012.)

18.04.400 Garage or carport, residential.

“Residential garage or carport” means a building or a portion of a building principally used for vehicular equipment such as automobiles, boats, etc., in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(1), 1988; Ord. 4229 § 2, 1987.)

18.04.410 Garage, commercial.

“Commercial garage” means any garage not a residential garage, and which is used for storage, repair, rental, servicing or supplying of gasoline or oil to motor vehicles. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.411 Golf course.

See ACC 18.04.746, Private country clubs and golf courses, excluding driving ranges. (Ord. 6245 § 3, 2009.)

18.04.412 Governmental facilities.

“Governmental facilities” means facilities of any unit of city, county, state, federal, or special district government. Types of facilities include community centers, vehicle and driver licensing offices, public works maintenance and operations facilities, courts of law, school support facilities, and other types of city, county, state, school district, special district, or federal facilities. This definition excludes jails, municipal parks, transit facilities, sewage treatment plants, schools, municipally owned airports, libraries, and utility facilities and substations as defined in this chapter. (Ord. 6245 § 3, 2009.)

18.04.420 Grade.

“Grade” means the average of the finished ground level at the center of all exterior walls of a building. In case walls are within five feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.425 Green building practices.

“Green building practices” (as defined by the U.S. Green Building Council, Leadership in Energy and Environmental Design [LEED] Program) means practices that conserve resources, use recycled content materials, maximize energy efficiency, and otherwise consider environmental, economic, and social benefits in the design and construction of a building project. See ACC 18.04.525 for more information on LEED. (Ord. 6245 § 3, 2009; Ord. 6036 § 6, 2006.)

18.04.430 Gross floor area.

“Gross floor area” includes all floor area within the exterior walls of the building including area in halls, storage, and partitions, but excluding furnace and similar utility space used solely to maintain the building for occupancy. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.440 Group residence facility.

“Group residence facility” means a facility licensed by the state and operated with full-time supervision for housing resident persons who, by reason of their mental or physical disability, addiction to drugs or alcohol, or family and social adjustment problems, require a transitional nonmedical treatment program for rehabilitation and social readjustment. For the purposes of this title, a nonmedical treatment program consists of counseling, vocational guidance, training, group therapy and other similar rehabilitative services but does not include drug

and/or alcohol detoxification. Monitoring the taking of prescription medication shall be permitted. The use of medication by any resident shall be incidental to that person's residence in the facility and shall not be a criterion for residence in the facility. This definition does not include residential dwellings which meet all other requirements of this title, that provide programs related to this definition or which provide services of a nursing home as defined by ACC 18.04.660. A group residence facility is not a communal residence. (Ord. 6560 § 5, 2015; Ord. 6245 § 3, 2009; Ord. 4590 § 2 (Exh. A), 1992; Ord. 4304 § 1(2), 1988; Ord. 4229 § 2, 1987.)

18.04.445 Growth Center

"Growth Centers" are walkable, pedestrian-oriented, compact, areas of the city and are the basis for achieving neighborhoods where residents can meet more of their everyday needs within an easy walk of their home. They are complete neighborhoods with commercial development (grocery stores, restaurants, markets, shops, etc.), housing options, a variety of employment types, open space and parks, and other public gathering places. They are located adjacent to the public transit network. Growth Centers allow for a mix of commercial and residential uses in vertical or horizontal configurations, with the central core of a Growth Center.

18.04.450 Guest cottage.

"Guest cottage" means an accessory, detached building with bathroom, living and sleeping areas without any kitchen facilities designed for and used to house nonpaying guests of the occupants of the main dwelling. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.452 Hazardous material.

"Hazardous material" means a substance or materials in a quantity or form that may pose an unreasonable risk to health, safety or property when stored, transported or used in commerce. For specific definitions of hazardous materials see Code of Federal Regulations, Title 49, as amended; the International Fire Code, as amended; and the Valley Regional Fire Authority General Hazardous Materials Guidelines, as amended. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988; Ord. 4229 § 2, 1987.)

18.04.453 Hazardous substance.

“Hazardous substance” means any liquid, solid, gas or sludge, including any material, substance, product, commodity or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as defined by Chapter 713-303 WAC. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.454 Hazardous substance processing or handling.

“Hazardous waste processing or handling” means the use, storage, manufacture, production or other land use activity involving hazardous substances. Hazardous substances processing and handling activities do not include individually packaged household consumer products or quantities of hazardous substances of less than five gallons in volume per container. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.455 Hazardous waste.

“Hazardous waste” means and includes all dangerous (see ACC 18.04.285) and extremely hazardous waste (see ACC 18.04.355). (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.456 Hazardous waste storage.

“Hazardous waste storage” means the holding of hazardous waste for a temporary period. Accumulation of waste on the site of generation is not storage as long as the storage complies with applicable requirements of Chapter 173-303 WAC. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.457 Hazardous waste treatment.

“Hazardous waste treatment” means the physical, chemical or biological processing of dangerous waste to make such wastes nondangerous or less dangerous, safer for transport, or amenable for energy or material resource recovery. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.458 Hazardous waste treatment and storage facility, off-site.

“Off-site hazardous waste treatment and storage facility” means the treatment and storage of hazardous wastes from generators on properties other than that on which the off-site facility is located. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.459 Hazardous waste treatment and storage facility, on-site.

“On-site hazardous waste treatment and storage facility” means the treatment and storage of hazardous wastes generated on the same site. (Ord. 6245 § 3, 2009; Ord. 4294 § 2, 1988.)

18.04.460 Home occupation.

“Home occupation” means any activity undertaken for gain or profit and carried on in a dwelling, or building accessory to a dwelling. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.465 Homeless encampment.

“Homeless encampment” means an emergency homeless encampment hosted by a church or other organization, which provides temporary housing to homeless persons. (Ord. 6245 § 3, 2009; Ord. 6014 § 2, 2006.)

18.04.466 Horse riding, commercial.

“Commercial horse riding” means a land use established for the purpose of providing equestrian trails or other facilities for riding and keeping horses for a fee. This use includes bridle trails. (Ord. 6245 § 3, 2009.)

18.04.470 Hospital.

“Hospital” means an institution specializing in giving clinical, temporary and emergency services of a medical or surgical nature to human patients and which is licensed by state law to provide facilities including overnight accommodations and services in surgery, obstetrics and general medical practice. This definition does not include small animal hospitals or clinics, or veterinary clinics, as defined in ACC 18.04.480. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.480 Hospital or clinic, small animal.

“Small animal hospital or clinic” means an establishment in which veterinary medical services and/or clipping, bathing and similar services are rendered to dogs, cats and other small animals and domestic pets, not including kennels. This definition does not include hospitals as defined in ACC 18.04.470. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(3), 1988; Ord. 4229 § 2, 1987.)

18.04.485 Host agency.

“Host agency” means the owner of the property, being a religious institution or other organization, that joins a sponsoring agency in an application for a temporary use permit for providing basic services and support to homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc. (Ord. 6245 § 3, 2009; Ord. 6014 § 3, 2006.)

18.04.490 Hotel.

“Hotel” means any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests, and includes additional amenities such as banquet halls and meeting facilities. Hotels include but are not limited to motels and extended stay hotel accommodations. Hotels do not include renting of rooms, boardinghouses, or bed and breakfast accommodations. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.495 Household pet.

Recodified to ACC 18.04.823by Ord. 6600. (Ord. 6369 § 1, 2011; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 4229 § 2, 1987. Formerly 18.04.720.)

18.04.496 Housing rehabilitation.

“Housing rehabilitation” means the renovation of an existing housing unit for the purpose of preserving existing housing stock, often as a means to provide affordable housing within an established residential neighborhood. See Chapter 18.49 ACC. (Ord. 6245 § 3, 2009.)

18.04.497 Impervious surface.

“Impervious surface” means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A hard surface which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. (Ord. 6245 § 3, 2009.)

18.04.498 Incidental.

“Incidental” means reasonably related, as determined by the planning director. One use is incidental to another when it is reasonably related to another (i.e., a garage is incidental to the single-family dwelling unit). (Ord. 6245 § 3, 2009.)

18.04.499 Intensity.

“Intensity” refers to the level of development or activity on a site, in terms of both the nature of uses and the concentration of those uses as indicated by residential density (dwelling units per acre) or floor area ratio. For example, a site with a mixed-use complex with a commercial retail component and a high density multifamily residential component would display a higher level of intensity than the same sized property with a low density, single-family residential development. (Ord. 6245 § 3, 2009.)

18.04.500 Junkyard.

“Junkyard” includes automobile wrecking yards and salvage yards or any premises devoted wholly or in part to the storage, buying or selling of, or otherwise handling or dealing in, old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.510 Kennel.

“Kennel” means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic. An “adult dog or cat” is one of either sex, altered or unaltered, that has reached the age of four months. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.515 Kitchen.

“Kitchen” means any room or portion of a room designed to be used for cooking or the preparation of food, having a kitchen-type sink and provisions available for an installed gas or electric stove or range. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(4), 1988.)

18.04.520 Landscaping.

“Landscaping” means vegetative cover including shrubs, trees, flowers, seeded lawn or sod, ivy and other similar plant material. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.522 Reserved.

Reserved. (Ord. 6245 § 3, 2009; Ord. 5354 § 2, 2000.)

18.04.523 Large domestic animal.

“Large domestic animal” means horses, ponies, donkeys, cows, standard size goats, llamas, oxen, standard size pigs, and other similar sized animals. (Ord. 6600 § 4, 2016.)

18.04.525 Leadership in energy and environmental design (leed).

“Leadership in energy and environmental design (LEED)” means a national standard for developing high-performance, sustainable buildings. (Ord. 6245 § 3, 2009; Ord. 6036 § 7, 2006.)

18.04.527 Live/work unit.

“Live/work unit” means an integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and includes a complete dwelling unit and working space reserved for and regularly used by one or more occupants of the dwelling unit. Within a live/work unit the “work” component of a live/work unit is secondary to its residential use. Live/work units are allowed within mixed-use developments.

18.04.530 Lot.

“Lot” is defined in ACC 17.04.200. (Ord. 6245 § 3, 2009; Ord. 5170 § 1, 1998; Ord. 4229 § 2, 1987.)

18.04.540 Lot area.

“Lot area” means the total horizontal area within the boundary lines of a lot; however, the area contained in access easements, tracts or panhandles shall not be included in the lot area or any other lot size computation. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.550 Lot coverage.

“Lot coverage” means that percentage of the plot or lot area covered by all buildings including accessory buildings and uses. Coverage is determined by measuring along a horizontal plane from the outermost edge of eaves, cornices, overhangs, or areas covered by a weathertight roof. The first two feet of an eave overhang will, however, not be used in the lot coverage calculation. See Figure 18.04.550.

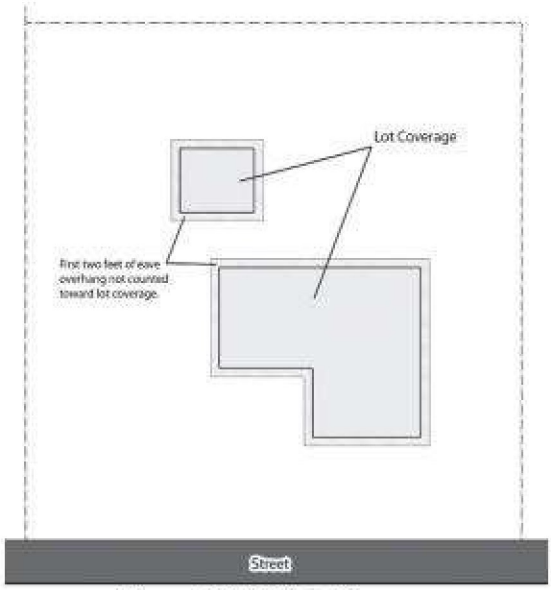


Figure 18.04.550 Lot Coverage

(Ord. 6245 § 3, 2009; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.04.560 Lot dimensions.

A. “Lot depth” means:

1. If the front and rear lines are parallel, the shortest distance between such lines;

2. If the front and rear lines are not parallel, the distance between the midpoint of the front lot line and the midpoint of the rear lot line. See Figure 18.04.560(A).

B. “Lot width” means the horizontal distance between the lot side lines measured at right angles to the line comprising the depth of the lot at a point midway between the lot front line and the lot rear line. See Figure 18.04.560(B).

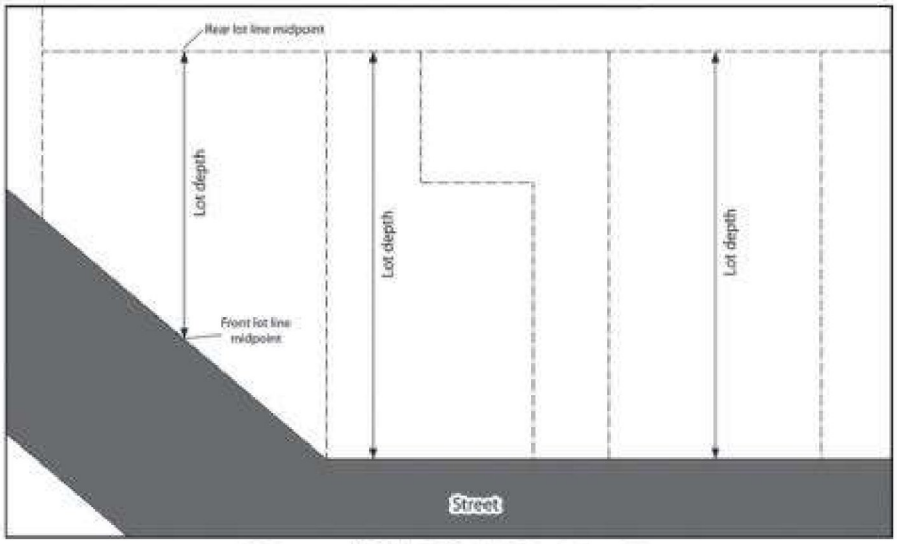


Figure 18.04.560(A) Lot Depth

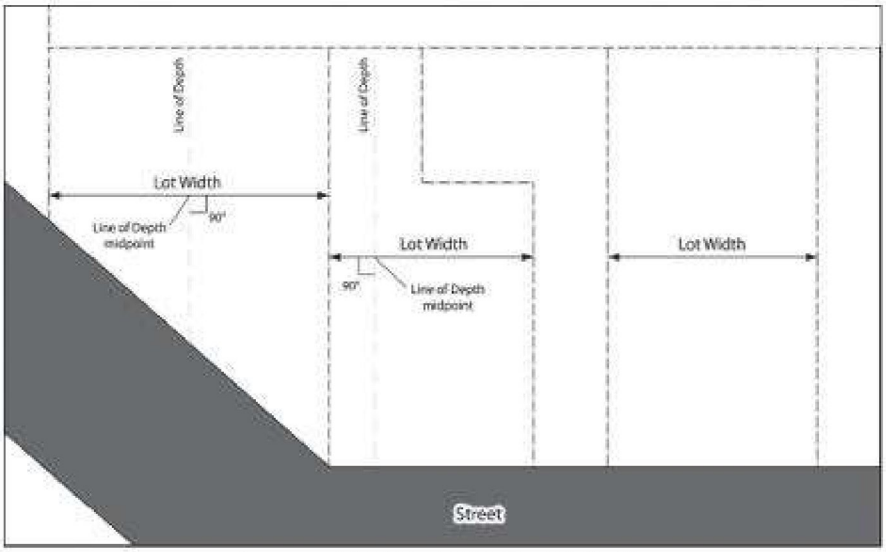


Figure 18.04.560(B) Lot Width

(Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.570 Lot lines.

"Lot lines" means the lines bounding the lot. For purposes of establishing a setback line for a lot, "lot lines" shall also mean the limits of a private street, when such a street is located on the lot. See Figures 18.04.570(A) and (B).

A. *Front Lot Line.*

1. For an interior lot, the front lot line shall be that lot line which abuts the street right-of-way.

2. For a corner lot, the front lot line shall be that lot line which abuts a street right-of-way and bests conforms to the pattern of existing site development and/or the pattern of adjacent development, as determined by the planning director.

3. For a through lot, the front lot line shall be that lot line which abuts a nonarterial street or from which primary access is provided.

B. *Rear Lot Line.* The line opposite, most distant and most parallel with the front lot line. For a biangular or gore-shaped lot, a line 10 feet in length within the lot and farthest removed from the front lot line and at right angles to the line comprising the depth of the lot shall be used as the rear lot line.

C. *Side Lot Line.* All lot lines which do not qualify as a rear or front lot line.

D. *Panhandle Lot Lines.* For a panhandle lot, the lot lines shall be approved by the planning director. The lot lines shall be most consistent with the adjoining lot lines and shall take into consideration any unique physical characteristics of the property.

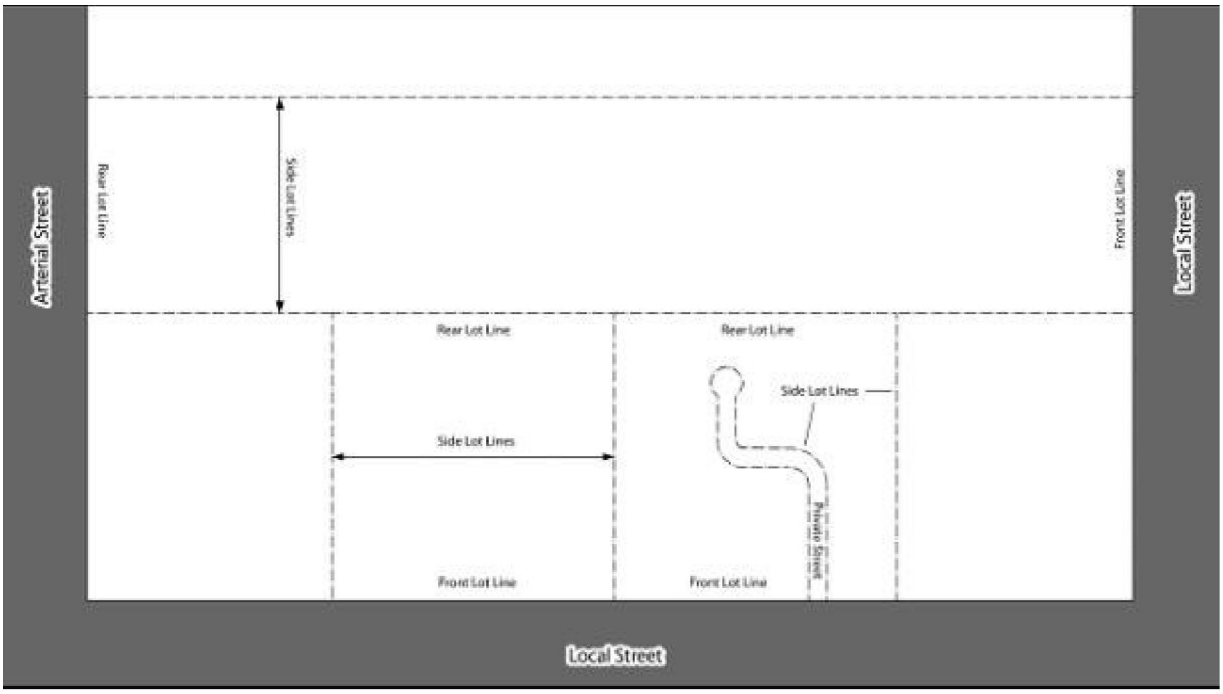


Figure 18.04.570(A). Lot Lines

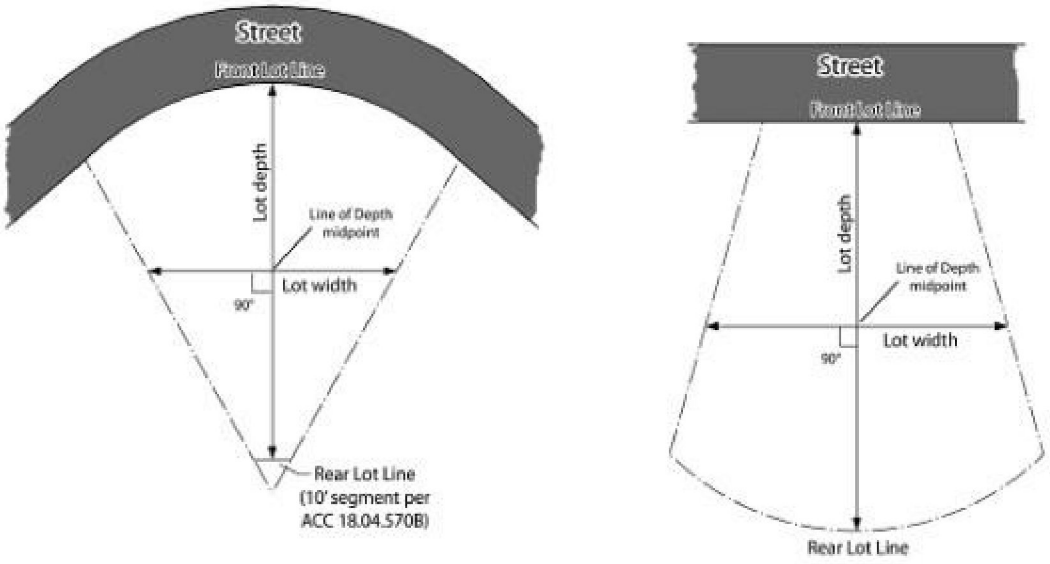


Figure 18.04.570(B). Lot Dimensions and Lot Lines for Gore-Shaped Lots

(Ord. 6245 § 3, 2009; Ord. 6031 § 1, 2006; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

18.04.580 Lot of record.

"Lot of record" is defined in ACC 17.04.220. (Ord. 6245 § 3, 2009; Ord. 5170 § 1, 1998; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

18.04.590 Lot types.

A. "Corner lot" means a lot situated at the intersection of two or more streets.

B. "Interior lot" means a lot that is neither a corner or through lot.

C. "Through lot" means a lot other than a corner lot which abuts two streets.

D. "Panhandle lot" means a lot accessed from the abutting street by a narrow corridor of land within the same lot.

The area within the panhandle access shall not be included in any lot size calculation including lot area, lot width, lot depth or lot coverage.

No buildings shall be erected within the panhandle access.

See ACC 17.10.120 for development standards for panhandle lots. See Figure 18.04.590.

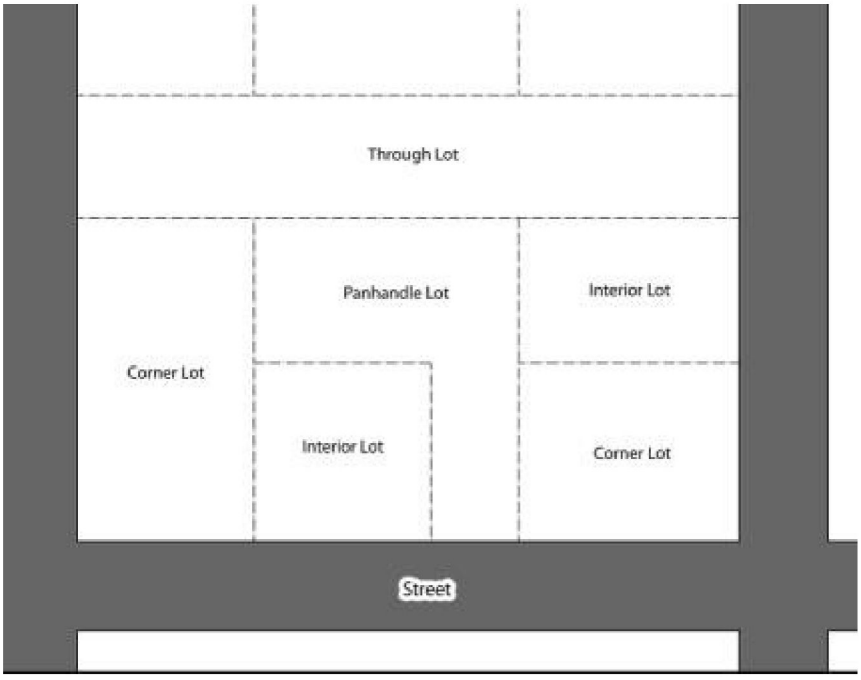


Figure 18.04.590. Lot Types

(Ord. 6245 § 3, 2009; Ord. 5543 § 1, 2001; Ord. 4503 § 1, 1991; Ord. 4229 § 2, 1987.)

18.04.595 Low impact development.

“Low impact development” means a stormwater management and land development strategy that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic pre-development hydrology. The goal is to prevent measurable harm to streams, lakes, wetlands, and other natural aquatic systems from commercial, residential or industrial development sites. (Ord. 6245 § 3, 2009; Ord. 6036 § 8, 2006.)

18.04.597 Major transit stop.

A “major transit stop” means:

(a) A stop on a high capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;

(b) Commuter rail stops;

(c) Stops on rail or fixed guideway systems; or

(d) Stops on bus rapid transit routes.

18.04.600 Manufactured home.

“Manufactured home” means a single-family dwelling which:

A. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;

B. Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and

C. Has exterior siding similar in appearance to siding materials commonly used on site-built single-family homes built in accordance with the International Building Code (IBC).

This definition does not include a mobile home as defined by ACC 18.04.630 or a recreational vehicle as defined by ACC 18.04.780. A manufactured home may be considered a single-family dwelling if sited per ACC 18.31.050. (Ord. 6245 § 3, 2009; Ord. 6162 § 2, 2008; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

18.04.610 Manufactured home community.

“Manufactured home community” means an area of not less than five acres designed to accommodate individual manufactured homes within the approved community boundaries. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.612 Manufacturing, assembling and packaging – Heavy intensity.

“Manufacturing, assembling and packaging – heavy intensity” means a facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity, scale, and/or characteristics of operation and materials used have the potential to result in externalities or effects on surrounding land uses or the community. Examples of heavy intensity manufacturing uses include, but are not limited to, chemical products manufacturing, paving and roofing materials manufacturing and glass products manufacturing. (Ord. 6433 § 15, 2012.)

18.04.614 Manufacturing, assembling and packaging – Light intensity.

“Manufacturing, assembling and packaging – light intensity” means a facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the intensity, scale, and/or characteristics of operation and materials used are unlikely to result in externalities or effects on surrounding land uses or the community because they can be controlled within the building. Examples of light intensity manufacturing uses include, but are not limited to, clothing and fabric product manufacturing and food and beverage products. (Ord. 6433 § 16, 2012.)

18.04.616 Manufacturing, assembling and packaging – Medium intensity.

“Manufacturing, assembling and packaging – medium intensity” means a facility accommodating manufacturing processes that involve and/or produce building materials, fabricated metal products, machinery, and/or transportation equipment, where the intensity, scale, and/or characteristics of operation and materials used are greater than those classified under “Manufacturing, assembling and packaging – light intensity,” but where externalities or effects on surrounding land uses or the community can typically be reduced or avoided when appropriately located and developed. Examples of medium intensity manufacturing uses include lumber and wood product manufacturing and stone and cut stone product manufacturing. (Ord. 6433 § 17, 2012.)

18.04.617 Medium domestic animal.

“Medium domestic animal” means potbelly pigs, miniature goats, miniature horses, and other similar sized animals that are larger than a small domestic animal and smaller than a large domestic animal. (Ord. 6600 § 5, 2016.)

18.04.619 Medium-speed electric vehicle.

“Medium-speed electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 CFR 571.500. (Ord. 6365 § 1, 2011.)

18.04.620 Medical-dental clinic.

“Medical-dental clinic” means an establishment for treatment of outpatients, and providing no overnight care for patients. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.621 Middle Housing.

"Middle housing" means buildings that are compatible in scale, form, and character with single-unit detached dwellings and contain two or more attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, cottage housing, and accessory dwelling units.

18.04.622 Miniature goat.

“Miniature goats” include species of goats commonly known as pygmy (Capra hircus hircus pygmy) or Nigerian dwarf (Capra hircus hircus nigerian dwarf). (Ord. 6600 § 7, 2016; Ord. 6369 § 6, 2011.)

18.04.623 Microbrewery or a small craft brewery.

“Microbrewery or a small craft brewery” means a production facility that manufactures beer. A microbrewery may sell beer of its own production at retail for on – and off-premises consumption, and may act as a distributor for beer of its own production. (Ord. 6368 § 2, 2011.)

18.04.625 Mixed-use development.

“Mixed-use development” means a single unified development that incorporates the planned integration of two or more different land uses consisting of some combination of office, light industrial, hotel, retail, entertainment, public uses, along with residential uses. Mixed-use development may be vertically oriented in one or more buildings, or horizontally distributed on a development site. When horizontally distributed, the different uses may be constructed concurrently and in separate phases, and should incorporate common and/or complementary features and/or elements such as pedestrian walkways, access driveways, parking areas, architectural themes, or other techniques that provide integration between uses on the site. (Ord. 6644 § 1, 2017; Ord. 6253 § 2, 2009.)

18.04.630 Mobile home.

“Mobile home” means a factory-constructed residential unit with its own independent sanitary facilities, that is intended for year-round occupancy, and is composed of one or more major components which are mobile in that they can be supported by wheels attached to their own integral frame or structure and towed by an attachment to that frame or structure over the public highway under license or by special permit. This definition does not include a manufactured home as defined by ACC 18.04.600 or a recreational vehicle as defined by ACC 18.04.780. (Ord. 6245 § 3, 2009; Ord. 6162 § 3, 2008; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

18.04.635 Motor freight terminal.

“Motor freight terminal” means a facility with more than one dock per 5,000 square feet of warehouse, storage, or related use and used for either (A) the loading, unloading, dispensing, receiving, interchanging, gathering, or otherwise physically handling freight for shipment or (B) any other location at which freight is exchanged by motor carriers between vehicles. This includes but is not limited to cross-dock operations and does not include a package delivery service. Excludes buildings with six or fewer loading docks. (Ord. 6433 § 18, 2012.)

18.04.640 Motel.

“Motel” or “motor hotel” means a group of buildings containing individual sleeping or living units, designed for use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.641 Multimodal transportation corridor.

“Multimodal transportation corridor” refers to a transportation route that accommodates and contains facilities for more than a single form or mode of transportation. Multimodal corridors provide opportunities for travel by automobile, transit, and nonmotorized transportation and include relevant infrastructure improvements, such as dedicated bicycle lanes, sidewalks, and transit stations and shelters. (Ord. 6245 § 3, 2009.)

18.04.642 Municipal park.

“Municipal park” means a parcel or tract of land provided by a unit of government to meet the active and/or passive recreational needs of people. This definition includes associated playgrounds and active recreation areas. (Ord. 6245 § 3, 2009.)

18.04.643 Museum.

“Museum” is a cultural facility established and used for the education and enjoyment of the public through exhibits and displays of historical, cultural, or other related subjects. (Ord. 6245 § 3, 2009.)

18.04.643.1 Neighborhood electric vehicle.

“Neighborhood electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under 49 CFR 571.500. (Ord. 6433 § 1, 2012; Ord. 6365 § 1, 2011. Formerly 18.04.643A.)

Code reviser’s note: Ordinance 6365 adds these provisions as Section 18.04.643. The section has been renumbered to avoid duplication of numbering.

18.04.644 Neighborhood recreation buildings.

“Neighborhood recreation buildings” means facilities owned and managed by a neighborhood homeowners’ association for recreational and community gatherings. (Ord. 6245 § 3, 2009.)

18.04.644.1 Neighborhood retail establishment.

“Neighborhood retail establishment” means stores and shops serving the immediate surrounding neighborhood in which they are located, including but not limited to a beauty shop, laundry and dry cleaning, sales of retail goods and such others of a similar nature. (Ord. 6433 § 19, 2012.)

18.04.645 Neighborhood services.

“Neighborhood services” as listed herein are intended to include commercial establishments that provide goods and services that are considered to be basic to the needs of a local neighborhood, and the provision of which would typically be primarily within the local market area. For the purposes of Chapter 18.49 ACC, neighborhood services establishments include: bakery and pastry shops (products made must be sold at retail on the premises); produce markets; retail grocery stores; delicatessens, restaurants or sandwich shops, limited to a seating area of 25 seats; hardware stores; retail banks or bank branches; pharmacies; daycare facilities; or other services subject to the approval of the planning director. See Chapter 18.49 ACC. (Ord. 6245 § 3, 2009.)

18.04.648 Net density.

“Net density” is a measure of the net site area as defined in ACC 18.02.065. (Ord. 6245 § 3, 2009.)

18.04.649 Nonelectric vehicle.

“Nonelectric vehicle” means any motor vehicle that does not meet the definition of “electric vehicle.” (Ord. 6365 § 1, 2011.)

18.04.650 Nonconforming use.

“Nonconforming use” means a use which when commenced, complied with use regulations applicable at the time when such use was commenced, and which does not conform to the existing use regulations of the zone

where the use is now being conducted or carried on. The term “nonconforming use” shall be applicable to uses of buildings, structures, and land. This definition does not include those uses existing in the zone, prior to the adoption of this title, which would now require an administrative or conditional use permit to operate in the zone. Any expansion of the space, volume or area of the use would then require an administrative or conditional use permit as this title may require. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.660 Nursing home.

“Nursing home,” “rest home,” “convalescent home,” “guest home” and “home for the aged” mean a home operated similarly to a boardinghouse but not restricted to any number of guests or guest rooms, the operator of which is licensed by the state or county to give special care and cure to their charges, and in which nursing, dietary and other personal services are furnished to convalescents, invalids and aged persons, and in which homes are performed no surgery, maternity or any other primary treatments such as customarily provided in hospitals, and in which no persons are kept or served who normally would be admitted to a mental hospital or to a group residence facility. This definition does not include group residence facilities as defined in this title. A nursing home is not a communal residence. (Ord. 6560 § 6, 2015; Ord. 6245 § 3, 2009; Ord. 4304 § 1(5), 1988; Ord. 4229 § 2, 1987.)

18.04.670 Occupancy.

“Occupancy” means the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.672 Outdoor sales.

“Outdoor sales” means an open area used for the display, sale, or rental of goods and/or materials that are actively marketed and readily available for general public consumption. This does not include storage areas of materials that are sold elsewhere on the premises or junkyards as defined by ACC 18.04.500. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.676 Outdoor storage.

“Outdoor storage” means the keeping of materials, supplies, equipment, machinery and vehicles which are not currently licensed or capable to operate on public streets or highways, in an open, uncovered yard or nonwalled

buildings. This definition includes junkyards as defined by ACC 18.04.500, but excludes outdoor sales as defined by ACC 18.04.672. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.676.1 Overlay zone.

“Overlay zone” is supplemental to the underlying zoning district and may establish additional or stricter standards and criteria for properties in addition to those of the underlying zoning district. (Ord. 6838 § 1 (Exh. A), 2021.)

18.04.677 Owner occupied unit.

“Owner occupied unit” means a dwelling unit in which the owner resides on a regular, permanent basis. (Ord. 6477 § 11, 2013.)

18.04.678 Panoram or peepshow. *Repealed by Ord. 5835.*

18.04.680 Parking area.

“Parking area” includes an off-street parking area together with driveways and the access to a public street. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.690 Parking space or stall.

A. parking space” is any off-street space intended for the use of vehicular parking with ingress or egress to the space which is easily identifiable. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.692 Parking structure.

“Parking structure” means a single or multi-level structure intended for the use of vehicular parking, as opposed to an uncovered surface parking lot. This definition includes both stand-alone parking garages and structured parking as incorporated into a building, the primary purpose of which is not parking (i.e., rooftop or basement parking areas). (Ord. 6245 § 3, 2009.)

18.04.694 Permanent Supportive Housing.

“Permanent Supportive Housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

18.04.696 Permitted use.

“Permitted use” means a land use that is allowed outright within a zone. (Ord. 6245 § 3, 2009.)

18.04.700 Person.

“Person” means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.710 Personal service shop.

“Personal service shop” means premises devoted to hair styling, cutting or permanents, manicurists, custom tailoring, and similar related uses. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.730 Planning commission.

“Planning commission” means that body created by Chapter 2.45 ACC. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.740 Planning director.

“Planning director” means the director of the Auburn department of planning and development, or its successor, unless otherwise specified. (Ord. 6287 § 2, 2010; Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.741 Plug-in hybrid electric vehicle (PHEV).

“Plug-in hybrid electric vehicle (PHEV)” means an electric vehicle that (1) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (2) charges its battery primarily by connecting to the grid or other off-board electrical source; (3) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (4) has the ability to travel powered by electricity. (Ord. 6365 § 1, 2011.)

18.04.742 Potbelly pig.

Miniature “potbelly pigs” are that type of swine commonly known as Vietnamese, Chinese, or Asian potbelly pig (Sus scrofa bittatus). (Ord. 6369 § 7, 2011.)

18.04.744 Prerelease facility.

“Prerelease facility” has the same meaning as “work release facility” for the purposes of this title. See ACC 18.04.914. (Ord. 6245 § 3, 2009; Ord. 4590 § 3 (Exh. B), 1992.)

18.04.745 Print and copy shop.

“Print and copy shop” means a facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, facsimile sending and receiving, and including offset printing. (Ord. 6433 § 20, 2012.)

18.04.746 Private country clubs and golf courses, excluding driving ranges.

“Private country club and golf course, excluding driving range” means an area designed and used for playing golf, including all accessory uses incidental to the operation of the facility. This definition may include private country clubs or golf courses open to the general public. This definition excludes other outdoor recreational

facilities such as driving ranges, municipal parks, or commercial horse riding and bridle trails. (Ord. 6245 § 3, 2009.)

18.04.748 Privately owned and operated parks and playgrounds.

“Privately owned and operated park and playground” means a parcel or tract of land provided by a private entity to meet the active and/or passive recreational needs of people. This definition includes associated playgrounds and active recreation areas. This use excludes municipal parks. (Ord. 6245 § 3, 2009.)

18.04.750 Professional offices.

“Professional offices” means offices maintained and used as places of business conducted by professionals including engineers, attorneys, realtors, architects, accountants, clerical, and other recognized general office occupations. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.752 Prohibited use.

“Prohibited use” means any use which is not specifically enumerated or interpreted by the city as allowable in that zone. Any use not specifically listed as a permitted, administrative, conditional, or accessory use is prohibited, except those determined to be unclassified and permitted by the planning director pursuant to ACC 18.02.120(C)(6). Any prohibited use is illegal. (Ord. 6269 § 2, 2009; Ord. 6245 § 3, 2009.)

18.04.754 Public art.

“Public art” refers to works of art, regardless of medium, that are primarily designed for, and presented in, the public domain, including work displayed in common areas of publicly accessible buildings. (Ord. 6245 § 3, 2009.)

18.04.756 Public recreational amenity.

“Public recreational amenity” is any recreational facility that is incorporated into a development for public use including but not limited to children’s playgrounds, tennis, basketball, or other sport courts or fields. (Ord. 6245 § 3, 2009.)

18.04.760 Public use.

“Public use” means a use operated exclusively by a public body, such use having the purpose of serving the public health, safety, or general welfare, and including uses such as public schools, parks, playgrounds, and administrative and service facilities. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.770 Quasi-public use.

“Quasi-public use” means a use operated by a private nonprofit educational, religious, recreational, charitable, or medical institution having the purpose primarily of serving the general public, and including uses such as churches, private schools and universities, community, youth and senior citizen recreational facilities, private hospitals, and the like. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.779 Rapid charging station.

“Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 6365 § 1, 2011.)

18.04.780 Recreational vehicle, camping trailer, travel trailer, motor home and truck camper.

“Recreational vehicle,” “camping trailer,” “travel trailer,” “motor home” and “truck camper” mean vehicular-type units primarily designed as temporary living quarters for recreational, camping or travel use, with or without motive power, being of such size or weight as not to require a special highway movement permit and licensed by the state as a recreational vehicle. (Ord. 6245 § 3, 2009; Ord. 4350 § 2, 1989; Ord. 4229 § 2, 1987.)

18.04.790 Recreational vehicle park.

“Recreational vehicle park” means a parcel of land designed and improved to accommodate two or more recreational vehicles on a temporary basis. Spaces are typically rented for overnight use, not to exceed 120 days. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.791 Regional retail establishment.

“Regional retail establishment” means a large-scale retail establishment intended to serve customers within and outside the city. A regional retailer may accommodate a wide range of retail commodities (e.g., apparel and accessories, consumer electronics, hardware, building materials, sporting goods and automotive supplies). (Ord. 6433 § 21, 2012.)

18.04.792 Religious institution.

“Religious institution” means an establishment that provides religious worship, religious services or religious ceremonies as its principal use with the sanctuary or principal place of worship contained within a principal building. Incidental and accessory uses that include chapels or subordinate places of worship, school rooms, daycares, classrooms, kitchens, library rooms or reading rooms, recreation halls or offices are permitted in the principal building or in separate buildings. Caretaker’s quarters or living quarters for employees are also permissible as an accessory use. The following incidental and accessory uses to a religious institution are not permitted unless allowed under a valid temporary use permit issued pursuant to ACC 18.46A.070: (A) facilities for training of religious orders; (B) nonemployee rooms for rent, boarding rooms or similar facilities; or (C) public showers or other public health services. (Ord. 6245 § 3, 2009; Ord. 6014 § 1, 2006; Ord. 5550 § 1, 2001.)

18.04.794 Renting of rooms.

“Renting of rooms” means the provision of rooms for lodging purposes to not more than two persons in addition to the owner occupied unit, and/or family who lives in the residence. (Ord. 6477 § 7, 2013; Ord. 6245 § 3, 2009.)

18.04.796 Repair services – Equipment, appliances.

“Repair services – equipment, appliances” means repair of products, not to include vehicles or heavy equipment. These uses include consumer repair services for individuals and households for items such as household appliances, musical instruments, cameras, household electronic equipment, and similar uses. (Ord. 6433 § 22, 2012.)

18.04.800 Residence.

“Residence” means a building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings, but not including hotels or motel units having no kitchens. The term “residence” includes the term “residential” as referring to the type of, or intended use of a building or a structure. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.804 Restaurant, full-service.

“Full-service restaurant” means a public eating place that is used, maintained, advertised and held out to the public as a place that has a full dinner and/or lunch menu serving full course meals, daily prepared in its own kitchen, that are typically served at a table or counter. Food prepared to go or for take-out is allowed as an accessory use as long as the same menu and kitchen are used as for the full-service restaurant. This definition excludes fast food, drive-in types of restaurants, which have characteristics including but not limited to a drive-through window, counter-only service and no waiters or waitresses.

A. full-service restaurant may serve alcoholic beverages that are incidental and complementary to the serving of food. A full-service restaurant may contain a lounge where the primary function is the sale, serving and consumption of alcoholic beverages, but the size of this lounge may not exceed 30 percent of the total gross floor area of the establishment. Any eating place that serves alcoholic beverages and does not meet the requirements of this definition will be considered a tavern as defined by ACC 18.04.895. (Ord. 6245 § 3, 2009; Ord. 5382 § 1, 2000. Formerly 18.04.805.)

18.04.805 Right-of-way.

“Right-of-way” is property in which the city has any form of ownership or title and which is held for public purposes as provided for under ACC Title 12 and the city design and construction standards. (Ord. 6245 § 3, 2009.)

18.04.806 Schools, elementary and middle/junior high.

“Schools, elementary and middle/junior high” are institutions of learning offering instruction in the several branches of learning and study required by the education code of the state of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 6245 § 3, 2009.)

18.04.807 Schools, secondary or high school.

“Schools, secondary or high school” are institutions of learning offering instruction in the several branches of learning and study required by the education code of the state of Washington in grades nine through 12, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 6245 § 3, 2009.)

18.04.808 Secure community transition facility.

“Secure community transition facility” means a residential facility for persons civilly committed under Chapter 71.09 RCW, Sexually Violent Predators, who are conditionally released under said chapter to a less restrictive alternative (to total confinement or imprisonment). A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facilities established pursuant to RCW 71.09.250 and any community-based facilities established under this chapter and operated by or under contract with the Washington State Department of Social and Health Services. (Ord. 6245 § 3, 2009; Ord. 5690 § 3, 2002.)

18.04.809 Senior housing.

“Senior housing” refers to housing stock, whether rental or occupant-owned, that specifically caters to residents aged 55 years and older, either through age requirements or through the provision of specialized care, such as nursing or dietary and personal care. This definition shall include, at a minimum, all facilities that qualify as housing for older persons under the Fair Housing Act. (Ord. 6245 § 3, 2009.)

18.04.810 Setback.

“Setback” means the distance between a lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.811 Setback area.

“Setback area” means that area of a lot bounded on opposite sides by a lot line and the corresponding setback line that is unoccupied and unobstructed from the ground upward unless specifically permitted in this title. See Figure 18.04.811.

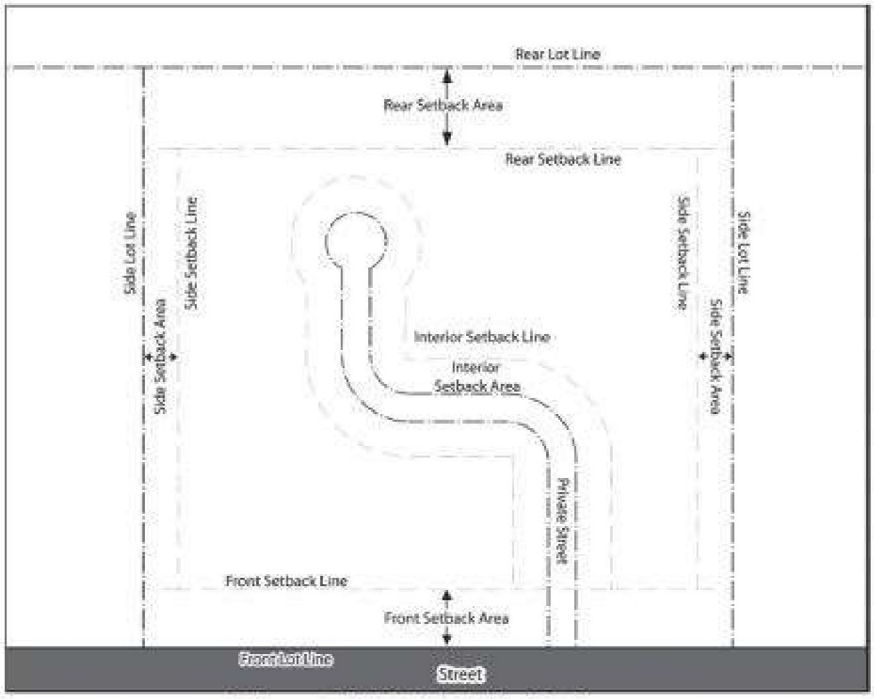


Figure 18.04.811 Setback Areas

(Ord. 6245 § 3, 2009.)

18.04.812 Setback, front.

“Front setback” means the distance between a front lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.813 Setback, rear.

“Rear setback” means the distance between a rear lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.814 Setback, side.

“Side setback” means the distance between a side lot line and the corresponding parallel setback line. (Ord. 6245 § 3, 2009.)

18.04.815 Setback line.

“Setback line” means a line which defines a setback as required by this title, which is parallel to but other than a lot line, between which no building, structure, or portion thereof shall be permitted, erected, constructed, or placed unless specifically permitted by this title. (Ord. 6245 § 3, 2009.)

18.04.816 Shop.

“Shop” means a small retail establishment or a department in a large one offering a specified line of goods or services. (Ord. 6433 § 23, 2012.)

18.04.818 Shopping center.

“Shopping center” means a series of unified commercial establishments which provide retail, business, entertainment or professional services, share the same parking facilities and contain in excess of 100,000 square feet of gross floor area. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987. Formerly 18.04.810.)

18.04.820 Sign.

“Sign” means any visual communication device, structure, or fixture which is visible from any right-of-way intended to aid the business establishment in question in promoting the sale of a product, goods or service using graphics, symbols or written copy. It shall be restricted solely to graphics, symbols or written copy that is meant to be used in the aforementioned way. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.821 Site.

“Site” is an area comprised of one or more legally created lots or parcels used for a development proposal in order to calculate compliance with the standards and regulations of this title. (Ord. 6245 § 3, 2009.)

18.04.822 Site area.

“Site area” is the total horizontal area of a project site. (Ord. 6245 § 3, 2009.)

18.04.823 Small domestic animal.

“Small domestic animal” means a domesticated animal of ordinary species that lives, or is commonly known to be capable of living, within the confines of a residence such as dogs, cats, common rabbits, ferrets, or other similar sized animals. Other indoor animals weighing less than 10 pounds, such as, but not limited to, caged birds, small rodents, fish, and nonvenomous reptiles or amphibians, and not kept for commercial purposes, are not regulated under this title. Any endangered or exotic species are prohibited. (Ord. 6600 § 8, 2016; Ord. 6369 § 1, 2011; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 4229 § 2, 1987. Formerly 18.04.495.)

18.04.824 Social and service organizations.

“Social and service organizations” refers to incorporated or unincorporated nongovernmental or private associations of persons organized for social, education, literary or charitable purposes. This definition also includes community meeting halls, philanthropic institutions, private clubs, fraternal or nonprofit organizations, and social service organizations. This definition excludes religious institutions and government facilities. (Ord. 6245 § 3, 2009.)

18.04.825 Solid waste.

“Solid waste” means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities. (Ord. 6245 § 3, 2009; Ord. 4262 § 1, 1988. Formerly 18.04.023.)

18.04.826 Solid waste processing facility.

“Solid waste processing facility” means the management, collection, transportation, temporary storage, treatment, utilization, and processing of solid wastes by means of pyrolysis, refuse-derived fuel, or mass incineration within an enclosed structure. These processes may include source separation and recovery of recyclable materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof. This definition refers to citywide or regional scale operations and does not include solid waste handling which is accessory to an individual principal use. (Ord. 6245 § 3, 2009; Ord. 4262 § 1, 1988. Formerly 18.04.025.)

18.04.827 Special events.

“Special events” means incidental use of a facility, which use is otherwise allowed or permitted in the zoning district, as a venue for hire for social gatherings. Special events do not include marketing or promotional events that are part of the normal operation of an agricultural enterprise or winery and directly related to products sourced from that operation. (Ord. 6363 § 1, 2011.)

18.04.828 Sponsoring agency.

“Sponsoring agency” means an organization that joins in an application with a host agency for a temporary use permit and assumes responsibility for providing basic services and support to homeless encampment residents, such as hot meals, coordination of other needed donations and services, etc. (Ord. 6245 § 3, 2009; Ord. 6014 § 4, 2006.)

18.04.829 Store.

“Store” means a business establishment where usually diversified goods are kept for retail sale. (Ord. 6433 § 24, 2012.)

18.04.830 Specified anatomical areas. *Repealed by Ord. 5835.*

18.04.835 Special needs housing.

“Special needs housing” is housing that meets the definition of nursing home, group home, or other housing that meets the needs of special populations that need assistance or special accommodation in housing. See Chapter 18.49 ACC. Special needs housing is not a communal residence. (Ord. 6560 § 7, 2015; Ord. 6245 § 3, 2009.)

18.04.840 Specified sexual activities. *Repealed by Ord. 5835.*

18.04.850 Reserved.

Reserved. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.855 Small craft distillery.

“Small craft distillery” means a production facility that manufactures distilled spirits that can contract distilled spirits for, and sell distilled spirits to, holders of distillery licenses, manufacturer’s licenses and grower’s licenses. (Ord. 6368 § 3, 2011.)

18.04.860 Story.

“Story” means that portion of a building, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. If the finished floor level directly above a usable or unused under-floor space is more than six feet above grade as defined in this chapter for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined in this chapter at any point, such usable or unused underfloor space shall be considered as a story. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.870 Street, private.

“Private street” means any street which is not a public street. For the purposes of this title a private street will be considered as being a public street for determining setback provisions only. Driveways which are not part of an easement, tract, alley or street shall not be considered a street. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.880 Street, public.

“Public street” is defined in ACC 17.04.370. (Ord. 6245 § 3, 2009; Ord. 4304 § 1(6), 1988; Ord. 4229 § 2, 1987.)

18.04.890 Structure.

“Structure” is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, except benches, statuary, planter boxes less than 42 inches in height, and fences 72 inches or under in height, or paved areas. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.891 Supportive housing.

“Supportive housing” means a multiple-family dwelling owned or sponsored by a nonprofit corporation or government entity, designed for occupancy by individual adults that are either (A) homeless or at risk of homelessness; (B) are experiencing a disability that presents barriers to employment and housing stability; or (C) generally require structured supportive services to be successful living in the community; is permitted at a greater unit density than otherwise allowed within a particular zone; and is intended to provide long-term, rather than transitional, housing. Long-term housing is approximately longer than two years, whereas transitional housing is no more than two years. Supportive housing is not a communal residence. (Ord. 6560 § 8, 2015; Ord. 6245 § 3, 2009; Ord. 6167 § 1, 2008.)

18.04.892 Sustainable design.

“Sustainable design” means design in which the impact of a building on the environment will be minimal over the lifetime of that building. Structures should incorporate the principles of energy and resource efficiency, practical applications of waste reduction and pollution prevention, good indoor air quality and natural light to promote occupant health and productivity, and transportation efficiency in design and construction, during use and reuse. (Ord. 6245 § 3, 2009; Ord. 6036 § 9, 2006.)

18.04.894 Tasting room.

“Tasting room” means a location separate from, or on the same site as, the production/manufacturing site, that allows customers to taste samples of wine, beer, or other alcoholic beverage and has a state of Washington issued liquor license to operate a tasting room. In addition to sampling of alcoholic beverages, a tasting room may include retail sales for off-premises consumption. (Ord. 6368 § 4, 2011; Ord. 6363 § 1, 2011.)

18.04.895 Tavern.

“Tavern” means an establishment operated primarily for the sale of wine, beer or other alcoholic beverages that may or may not include the service of food as an accessory use. (Ord. 6245 § 3, 2009; Ord. 5382 § 1, 2000.)

18.04.896 Transmitting tower.

“Transmitting tower” means any freestanding structure whose primary purpose is the transmission and/or reception of radio signals for personal or hobby purposes. (Ord. 6245 § 3, 2009.)

18.04.897 Unclassified use.

“Unclassified use” means a land use which does not appear in a list of permitted, conditionally permitted, or accessory uses, but which is interpreted by the planning director as similar to a listed permitted, conditionally permitted or accessory use, and not otherwise prohibited, pursuant to ACC 18.02.120. (Ord. 6245 § 3, 2009.)

18.04.900 Use.

“Use” means an activity or purpose for which land or premises or a building thereon is designed, arranged, intended, or for which it is occupied or maintained, let or leased. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.901 Utility facilities and substations.

“Utility facility and substation” is any utility facility or substation that is not included in ACC 18.02.040(E). (Ord. 6245 § 3, 2009.)

18.04.910 Variance.

“Variance” means an adjustment in the application of the specific regulations of this title to a particular piece of property. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.911 Walking distance.

“Walking distance” means an area without physical space impediments for a walkable pathway without ADA obstruction..

18.04.912. Wine production facility.

“Wine production facility” means a production facility that manufactures wine. A wine production facility may sell wine of its own production at retail for on – and off-premises consumption, and may act as a distributor for wine of its own production. (Ord. 6368 § 5, 2011.)

18.04.912.1 Winery.

“Winery” means a facility licensed as a domestic winery under RCW 66.04.010 where fruit or other ingredients are processed (i.e., crushed, fermented, blended, aged, and/or stored, bottled) and may include as incidental and/or accessory to the principal use a tasting room, food and beverage service, places of public/private assembly and/or retail sales area. (Ord. 6433 § 2, 2012; Ord. 6363 § 1, 2011. Formerly 18.04.911A.)

Code reviser’s note: Ordinance 6363 adds these provisions as Section 18.04.911. The section has been renumbered to avoid duplication of numbering.

18.04.912 Wireless communications.

A. “Alternative tower structure” means manmade 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 camouflage or conceal 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 device 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 nondirectional 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.

C. “Attached wireless communications facility” means a wireless communications facility that is affixed to an existing structure other than a tower. Examples of attached wireless communications 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).

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 communications tower as defined in this title or any equipment associated with a wireless communications tower.

E. “Concealment” or “concealment design techniques” means that a wireless communications facility is concealed or utilizes concealment when any measures are used in the design and siting of wireless communications facilities intended to make the facility look like something other than a wireless tower or base

station. For example, a wireless communications 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 communications facility is not readily apparent. The terms do not include fencing and landscape screening that is used to enhance visual compatibility at ground level.

F. "Carrier" means a company providing wireless communications services, also referred to as a wireless service provider.

G. "Co-location" means: (1) mounting or installing a WCF on a preexisting 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.

H. "Eligible facilities request (EFR)" means any request for modification of an existing wireless communications 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 communications 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 communications tower or base station as defined in this title and that has proposed alterations that meet the standards of an eligible facilities request.

J. "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 communications 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 communications 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.

M. “Microcells” are small wireless facilities consisting of an antenna that is either: (1) no more than four feet in height and with an area of not more than 580 square inches; or (2) if a tubular antenna, no more than four inches in diameter and no more than six feet in height.

N. “Monopole” means a single, freestanding pole-type structure supporting one or more antennas.

O. “Separation” means minimum distance required by city regulation between the base of towers.

P. “Site” for purposes of this chapter means, for wireless communications towers other than wireless communications towers in the public way, the current boundaries of the leased or owned property surrounding the wireless communications 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 10 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 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10 percent or more than 10 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 20 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 10 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 (R)(1) through (4) of this section.

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 communications tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

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.

T. "Toll" and "tolling" mean 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.

W. "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, directional, omni-directional and parabolic antennas, support equipment, alternative tower structures, and wireless communications 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. (Ord. 6799 § 4 (Exh. D), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 5645 § 1, 2002; Ord. 5020 § 1, 1997.)

18.04.913 Work/live unit.

"Work/live unit" means an integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and includes a complete dwelling unit and working space reserved for and regularly used by one or more occupants of the dwelling unit. Within a work/live unit the "work" component is the primary use, to which the residential use is secondary. While the work component of a live/work unit is secondary to its residential use. Work/live units are allowed within mixed-use developments.

18.04.914 Work release facility.

"Work release facility" means a residential alternative to imprisonment, including work/training release and prerelease programs which are under the supervision of a court, federal, state or local agency. This definition excludes at-home electronic surveillance. (Ord. 6245 § 3, 2009; Ord. 4590 § 4 (Exh. C), 1992.)

18.04.920 Yard.

See ACC 18.04.811, Setback area. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.930 Yard, front.

See ACC 18.04.812, Setback, front. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.940 Yard, rear.

See ACC 18.04.813, Setback, rear. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.950 Yard, side.

See ACC 18.04.814, Setback, side. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.954 Youth community support facility.

"Youth community support facility" means a building, or a group of buildings within a campus setting, owned and operated by a nonprofit corporation or government entity that provides supportive services to children and young adults (under the age of 26) and families (with a child or young adult under the age of 26), who are homeless, at risk of homelessness, at risk of exploitation, experiencing a disability that presents barriers to employment and housing stability; or generally require structured supportive services to be successful living in the community; by providing counseling and case management, transitional housing (housing for no more than two years), temporary housing (i.e., limited to overnight stay), and daytime drop-in services (e.g., meals, showers, counseling, etc.). This definition does not include facilities providing housing for criminal justice, parole, or probation programs. Youth community support facilities are not stand-alone "supportive housing" or "communal residences." (Ord. 6688 § 1 (Exh. 1), 2018.)

18.04.960 Zone.

"Zone" means an area accurately defined as to boundaries and location on an official map to which a uniform set of regulations applies controlling the types and intensities of land uses, as set forth in this title. (Ord. 6245 § 3, 2009; Ord. 4229 § 2, 1987.)

18.04.1001 Child care center.

"Child care center" means an entity that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours licensed by the Washington State Department of Early Learning under Chapter 170-295 WAC. (Ord. 6642 § 15, 2017.)

18.04.1005 Marijuana or marihuana.

"Marijuana" or "marihuana" means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or

preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. (Ord. 6642 § 16, 2017.)

18.04.1007 Marijuana cooperative.

"Marijuana cooperative" means up to four qualifying patients, as defined by RCW 69.51A.010(19), who share responsibility for acquiring and supplying the resources needed to produce and process marijuana, including tetrahydrocannabinols or cannabimimetic agents, only for the medical use of members of the cooperative and not for profit. (Ord. 6642 § 17, 2017.)

18.04.1009 Marijuana-infused products.

"Marijuana-infused products" means products that contain marijuana or marijuana extracts and are intended for human use. The term "marijuana-infused products" does not include usable marijuana. (Ord. 6642 § 18, 2017.)

18.04.1011 Marijuana processor.

"Marijuana processor" means any person or entity licensed by the Washington State Liquor and Cannabis Board to process, package, and label marijuana concentrates, including tetrahydrocannabinols or cannabimimetic agents, in accordance with the provisions of Chapters 65.50 and 69.51A RCW and Chapter 314-55 WAC. (Ord. 6642 § 19, 2017.)

18.04.1013 Marijuana producer.

"Marijuana producer" means any person or entity licensed by the Washington State Liquor and Cannabis Board to produce marijuana, including tetrahydrocannabinols or cannabimimetic agents, for wholesale to marijuana processors and other marijuana producers pursuant to RCW 69.50.325. (Ord. 6642 § 20, 2017.)

18.04.1015 Marijuana related business.

"Marijuana related business" means a person or entity engaged in for-profit activity that includes the possession, cultivation, production, processing, distribution, dispensation, or sale of tetrahydrocannabinols or cannabimimetic agents, as defined by the Controlled Substances Act, codified at 21 USC Section 812,

including marijuana retailers, marijuana processors, and marijuana producers, as defined herein. (Ord. 6642 § 21, 2017.)

18.04.1017 Marijuana retailer.

“Marijuana retailer” means any person or entity established for the purpose of making marijuana concentrates, usable marijuana and marijuana-infused products, including tetrahydrocannabinols or cannabimimetic agents, available for sale to adults aged 21 and over. (Ord. 6642 § 22, 2017.)

18.04.1019 Marijuana researcher.

“Marijuana researcher” is a position licensed by the Washington State Liquor and Cannabis Board that permits a licensee to produce, process, and possess marijuana for the limited research purposes set forth in RCW 69.50.372. (Ord. 6642 § 23, 2017.)

18.04.1021 Marijuana transporter.

“Marijuana transporter” is a position licensed by the Washington State Liquor and Cannabis Board pursuant to WAC 314-55-310 that allows a licensee to physically transport or deliver marijuana, marijuana concentrates, and marijuana-infused products between licensed marijuana businesses within Washington State. (Ord. 6642 § 24, 2017.)

18.04.1023 Public or private park.

“Public or private park” means an area of land for the enjoyment of the public or private parties, having facilities for rest and/or recreation, such as a baseball diamond or basketball court, owned and/or managed by a private for-profit entity, a nonprofit entity, a homeowners’ association, city, county, state, federal government, sovereign nation or metropolitan park district. Public park does not include trails. (Ord. 6642 § 25, 2017.)

18.04.1025 Public or private playground.

“Public or private playground” means a public or private outdoor recreation area for children, usually equipped with swings, slides, and other playground equipment, owned and/or managed by a private business, a nonprofit entity, city, county, state, or federal government or sovereign nation. (Ord. 6642 § 26, 2017.)

18.04.1027 Public or private recreational center.

“Public or private recreation center or facility” means a supervised center that provides a broad range of activities and events intended primarily for use by persons under 21 years of age, owned and/or managed by a private business, charitable nonprofit organization, sovereign nation, city, county, state, or federal government. (Ord. 6642 § 27, 2017.)

18.04.1029 Public transit center.

“Public transit center” means a facility located outside of the public right-of-way that is owned and managed by a transit agency or city, county, state, or federal government for the express purpose of staging people and vehicles where several bus or other transit routes converge. They serve as efficient hubs to allow bus riders from various locations to assemble at a central point to take advantage of express trips or other route to route transfers. (Ord. 6642 § 28, 2017.)

The Auburn City Code is current through Ordinance 6904, passed February 21, 2023.

Disclaimer: The city clerk’s office has the official version of the Auburn City Code. Users should contact the city clerk’s office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov
Code Publishing Company, A General Code Company

Chapter 18.07
RESIDENTIAL ZONES

Sections:

18.07.010 Intent.
18.07.020 Uses.
18.07.030 Development standards.

18.07.010 Intent.

A. *General.* This section describes the intent for each of the city's residential zones. These intent statements may be used to guide the interpretation of the regulations associated with each zone.

B. RC Residential Conservancy Zone.

1. RC residential conservancy zone is intended primarily to provide for low-intensity single-family residential uses with characteristics of an agricultural environment; provided, that the agricultural uses are secondary to the single-family uses. These areas allow for a lifestyle similar to that of rural areas that includes allowance of farm animals and streets without sidewalks. This zone is intended to protect areas with significant environmental constraints or values from impacts typically associated with urban levels of development while allowing low-intensity development designed to minimize impacts on the natural environmental features designated for conservation.

2. Public improvements required within the RC zone will be less than is normally required for the higher intensity residential zones within the city and are not subject to the city's complete streets policies.

3. This zone shall only be applied in areas designated as residential conservancy on the comprehensive plan.

C. R-1 Residential Zone.

1. The intent of the R-1 residential zone is to provide areas for estate-type residential development on large lots in areas that are intended to create an open space separation between existing urban areas that are unique from each other and where limited public utilities and transportation infrastructure are present.

Appropriate development standards required of other urban areas shall be required to serve this zone.

2. R-1 implements the Neighborhood Residential One comprehensive plan land use designation.

D. R-2 Residential Low Zone.

1. The R-2 Residential Low zone is intended lower intensity residential development consisting of single-unit detached houses, townhouse, duplex, triplex, fourplex, two-story stacked flats, courtyard apartments, cottage housing on lot sizes typical of suburban and urban development. This residential zone allows flexibility in the types and densities of housing permitted while at the same time maintaining a desirable family living environment by establishing minimum usable open spaces, maximum impervious coverage, and maximum units per lot area with the character and scale of traditional single-unit detached neighborhoods.

2. A related consideration of this zone is to provide a transition between low-intensity residential development areas and higher- and lower-intensity designations. Small-scale, community-based commercial development that provides services to the local neighborhood will be considered through the administrative use permit process.

3. R-2 implements the Neighborhood Residential Two comprehensive plan land use designation.

E. R-3 Residential Moderate Zone.

1. The intent of the R-3 Residential Moderate zone is to allow all residential and commercial types and uses provided in the R-2 Residential zone, while allowing additional intensity through allowing stacked flats up to three stories, fiveplexes, and sixplexes. Single-unit detached houses are not permitted in the R-3 zone. Apartment buildings and Mixed-Use development consisting of no more than 20 units and 3-stories per lot is permitted. Supportive Housing and residential care developments are

permitted in this zone to provide additional needed housing options but must still adhere to the residential density and unit limitations established within this category. Small-scale commercial development providing services to the area is encouraged in this zone and implemented through the administrative use permit process.

2. R-3 implements the Neighborhood Residential Two comprehensive plan land use designation.

F. R-4 Residential High Zone.

1. The R-4 Residential High zone is intended to maximize residential density opportunities and is further intended as a residential zone primarily of Middle Housing and multiple-story apartment and mixed-use development. This zone is characterized by a more active living environment near transit, urban services and commercial uses. The R-4 Residential zone allows for all uses allowed in the R-3 zone, plus apartment and mixed-use development of more than 20 units and 3-stories per lot is permitted. Small-scale commercial development providing services to the area is encouraged in this zone and implemented through the administrative use permit process.

2. R-4 implements the Neighborhood Residential Three comprehensive plan land use designation.

G. R-NM Residential Neighborhood Mixed-Use Zone.

1. The intent of the R-NM Residential Mixed-Use zone is to provide a flexible approach that achieves a mix of dense residential development and light commercial uses in either a vertical or horizontal configuration. Within this zone there will be a mix of retail, office, middle housing, and multi-story residential uses, with attractive design and accessible spaces for people to live, work, and visit. This zoning designation is served primarily by a combination of transit, pedestrian, and/or bicycle facilities allowing people to access amenities without needing a personal vehicle. Uses and densities allowed within this zone will be consistent with the uses permitted in the C-1 Light Commercial and the densities of the R4 - Residential High zone. New development and redevelopment will incorporate a mix of residential and commercial uses. In addition, parks and open spaces are encouraged and may be permitted through the administrative use permit process.

2. Street-level development is encouraged to be retail or higher traffic local businesses or offices, and residential is encouraged on the upper levels of buildings. This zoning district should walkable and bikeable to neighborhood commercial services and transit facilities and have a high level of street activation and amenities.

H. R-F – Residential Flex Zone.

1. The R-F Residential-Flex zone is intended primarily to accommodate small-scale business and professional offices, medical and dental clinics, salons and other personal services, eating and drinking establishments, and banks and similar financial institutions at locations where they are compatible with residential uses. Accessory retail may be permitted if supplemental to the other uses allowed in the zone. This zone is intended for those areas that are in transition from residential to commercial uses along corridors serving lower density residential land uses. Conversion of residential uses to commercial uses is geared towards encouraging adaptive reuse of existing single-unit structures that continue to appear in accord with the single-unit residential character. New development in the RF – Residential-Flex zone should not exceed two-stories or footprint that is designed to maintain a character and a scale smaller than the R-NM Residential Mixed-use Residential zone.

18.07.020 Uses.

Table 18.07.020. Permitted Use Table – Residential Zones

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	**Zoning Designations**						
	RC	**R-1**	**R-2**	**R-3**	**R-4**	**R-NM**	**R-F**
A. Residential Uses.							

Accessory dwelling units subject to the provisions contains in Chapter 18.32	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]	P[1]
Accessory use, residential	P	P	P	P	P	P	P
Adult family home	P	P	P	P	P	P[1]	P
Apartments (7 units or more)	X	X	X	P[11]	P	P	X
Bed and breakfast or short-term rentals	P	P	P	P	P	X	P
Caretaker apartment	X	X	X	X	X	P	X
Communal residence four or less individuals	P	P	P	P	P	X	P
Foster care homes	P	P	P	P	P	X	P
Group residence facilities (7 or more residents)	X	X	X	P	P	P	P
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]
Middle housing subject to the provisions in Chapter 18.25 (2 to 6 units)	P	P	P	P	P	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	P	P	P	P	P	P	P

persons in addition to the family or owner occupied unit[8]							
Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities	P	P	P	P	P	P	P
Single-unit detached dwellings, new	P	P	P	X	X	X	P
Supportive housing, subject to the provisions of ACC 18.31.160	X	X	X	P	P	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
B. Commercial Uses.							
Commercial horse riding and bridle trails	A	X	X	X	X	X	X
Commercial recreation facility, indoor	X	X	X	X	P	P	X
Commercial retail establishment	X	X	A	A	P	P	A
Convenience store	X	X	X	X	P	P	X
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	P	P	P	P	P	P
Grocery or specialty food store	X	X	X	A	P	P	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, 10]	X	X	X	P	P	P	P
Personal service shop	X	X	A	P	P	P	P
Nursing homes	X	X	X	X	C	C	C
Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area	X	A	A	A	A	P	P
Professional offices	X	X	A	A	P[9]	P	P
Restaurant, café, or coffee shop	X	X	A	A	P	P	A
Neighborhood retail establishment	X	X	A	A	P	P	P
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,	A[7]	X	X	X	X	X	X

and with 52 or less special events per calendar year							
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:							
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
Type 1-D wireless communications facility (see ACC 18.04.912(W) and ACC 18.31.100)	P	P	P	P	P	P	P
Eligible facilities request (EFR) (wireless communications 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.

9 As component of Mixed-use developments and/or office ground floor uses permitted up to 5,000 square feet.

10 Commercial uses permitted outright, or allowed administratively or conditionally in this table may be allowed as part of mixed-use development.

11 Apartment buildings and Mixed-use development consisting of no more than 20 units and 3-stories per lot is permitted.

(Ord. 6799 § 5 (Exh. E), 2020; 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.)

18.07.030 Development standards.

Table 18.07.030. Residential Development Standards

	Standard	RC	R-1	R-2	R-3	R-4	R-NM	R-F
A	Minimum density, units or lots per acre (lot area per	0.25 (174,000 sf of lot area per	1 (43,500 sf of lot area per	7 (6,222 sf lot area per unit)	12 (3,630 sf lot area per unit)	16 (2,723 sf lot area per unit)	30 (1,452 sf lot area per unit)	7 (6,222 sf lot area per unit)

	unit)[1, 5, 6]	unit)	unit)					
B	Minimum lot size (square feet)[8]	174,000	43,500	4,400	2,700	2,200	2,200	4,400
C	Minimum lot width (feet)[2, 5, 8]	125	125	40	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	40
D	Units allowed							
1	Base units allowed per lot[7]	4	4	4	4	4	4	4
2	Base units per lot allowed with transit or affordability bonus[7]	6	6	6	6	6	6	6
3	Lot area per unit above base (B1 or B2 as applicable) allowance (square	X	X	1,250	750	N/A	N/A	1,250

	feet)[7]							
4	Maximum units per lot[7]	6	6	6	20	N/A	N/A	6
E	Minimum setbacks (feet)[2,3]							
1	Residence front setback[3]	35	35	10	10	10	10	10
2	Garage (minimum front setback required from street access)[3]	20	20	20	20	20	20	20 unless alley-loaded then 15 provided there are 20 feet from any garage
3	Setback to any property line for barns, stables, or similar structures for enclosure of large domestic	75	X	X	X	X	X	X

	animals For other animals, see the supplemental development standards for animals in ACC 18.31.220							
4	Setback to any property line for any corral, exercise yard, or arena for large domestic animals For other animals, see the supplemental development standards for animals	35	X	X	X	X	X	X

	in ACC 18.31.220							
5	Interior side setback	20	10	5	5	5	5	5
6	Street side setback[3] In all zones, 20 feet minimum street side setback required from street access.	35	20	10	10	10	10	10
7	Rear setback[3]	35	20	15	15	10	10	15
8	Rear setback, detached structure[3, 9] In all zones, 20 feet minimum street side setback required from street	15	15	10	5	5	5	10

	access.							
F	Maximum impervious area (%)	25	50	75	80	90	90	75
G	Maximum building height (feet)	35	35	35	45	75	75	45
H	Maximum height of accessory buildings and structures	35[4]	35	24	24	24	24	24
I	Minimum front setback area landscape strip (feet)	N/A	N/A	N/A	5	10	10	N/A
J	Minimum side setback area landscape strip (feet)	N/A	N/A	5	5	10	10	N/A
K	Minimum landscaped open space (%)	N/A	N/A	N/A	See Chapter 18.50 ACC	See Chapter 18.50 ACC	See Chapter 18.50 ACC	N/A

1 See ACC 18.02.065 for calculating density.

2 All minimum lot widths, setbacks, and landscaping strips are subject to demonstration to the satisfaction of the city engineer that all required utility infrastructure, access requirements, and street elements can be accommodated in accordance with the design and construction standards.

3 In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city design and construction standards.

4 Barns and other specialized structures used for agricultural purposes may exceed the height limits.

5 Provision applicable to residential subdivision.

6 Does not apply to lots under 15,000 square feet.

7 See ACC 18.02.067 for calculating units allowed per lot.

8 Applies to new parent lots within a unit lot subdivision.

9 When abutting an alley, detached accessory dwelling units are allowed within the rear setback.

(Ord. 6661 § 3, 2018; Ord. 6600 § 10, 2016; Ord. 6245 § 5, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 18.09
R-MHC MANUFACTURED/MOBILE HOME COMMUNITY ZONE

Sections:

18.09.010 Intent.
18.09.020 Uses.
18.09.030 Development standards.

18.09.010 Intent.

The intent of the R-MHC manufactured/mobile home community zone is to provide a residential zone of single-unit manufactured homes exclusively within a planned community. It is further intended that the R-MHC zone shall only be prescribed in those areas that are bordered on, contain physical features, or shall be planned and designed as part of a larger development incorporating other housing types in a manner which limits further expansion into adjacent areas. (Ord. 6245 § 6, 2009.)

18.09.020 Uses.

Permitted Use Table – Residential Zoning Designations

	Land Use	R-MHC Zone
A	Manufactured/mobile home community	P
B	Residential accessory use	P
C	Manufactured/mobile home	P

	Land Use	R-MHC Zone
	community accessory use	
D	Keeping of not more than six household pets. This limit shall not apply to birds, fish, or suckling young of pets.	P
E	Home-based daycare	P
F	Daycare limited to a mini daycare center, daycare center, or preschool/nursery school	A
G	Marijuana cooperative	X
H	Marijuana processor	X
I	Marijuana producer	X
J	Marijuana related business	X
K	Marijuana researcher	X
L	Marijuana retailer	X
M	Marijuana transport business	X

P = Permitted Use

A = Use may be permitted in district when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC.

C = Use may be permitted in district when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC.

X = Prohibited

Also see ACC 18.02.120 for further rules on interpretation.

(Ord. 6642 § 5, 2017; Ord. 6269 § 4, 2009; Ord. 6245 § 6, 2009.)

18.09.030 Development standards.

Table 18.09.030. Development Standards

	Development Standard[1]	R-MHC Zone
A	Base density (units per net acre)	10
B	Minimum density (units per net acre)	8
C	Minimum lot area (square feet)	217,800[2]
D	Minimum lot area per dwelling unit (square feet)	2,500
E	Minimum average lot area per dwelling unit (square feet)	4,300
F	Minimum front setback (feet)	Manufactured home community street: 8 Public or other private street: 20
G	Minimum interior side setback (feet)	Minimum distance between any manufactured home and/or accessory building and the manufactured home and/or accessory building on the adjoining space: 10
H	Minimum street side setback (feet)	Manufactured home community street: 5 Public or other private street: 10

	Development Standard[1]	R-MHC Zone
I	Minimum rear setback (feet)	Minimum distance between any manufactured home and/or accessory building and the manufactured home and/or accessory building on the adjoining space: 10 Manufactured home community street: 8 Public or other private street: 20
J	Accessory structure setbacks	There shall be a minimum of 10 feet between any two manufactured homes, between any manufactured home and accessory building on adjoining spaces, and between any other accessory buildings on adjoining spaces
K	Special setbacks for manufactured homes structures that abut another zoning district	Setbacks shall be the same as provided for in the adjoining zone. However, in no case shall the setbacks be less than as prescribed in this subsection.
L	Maximum building height (feet)	Main building: 30 feet Accessory building: 16 feet
M	Fences and hedges	A six-foot high screened fence shall be constructed around the perimeter of the community. For those community boundaries that abut a public street the fence shall set back 20 feet and the 20-foot setback area landscaped with Type III landscaping (see ACC 18.50 for landscaping type).
N	Supplemental R-MHC development standards	See ACC 18.31.190

	Development Standard[1]	R-MHC Zone
O	Landscaping	See Chapter 18.50 ACC
P	Parking	See Chapter 18.52 ACC
Q	Signs	See Chapter 18.56 ACC

1 All minimum lot widths, setbacks, and landscaping strips are subject to demonstration that all required utility infrastructure, access requirements, and street elements are provided for in accordance with city design and construction standards.

2 Minimum site area for development of the manufactured home park or community.

(Ord. 6245 § 6, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.21
OVERLAYS

Sections:

18.21.010 Lea Hill overlay.
18.21.020 West Hill overlay.
18.21.030 Urban separator overlay.

18.21.010 Lea Hill overlay.

A. *Purpose.* The purpose of this section is to provide for additional development standards to address the area commonly referred to as the Lea Hill annexation area, as annexed under city of Auburn Ordinance Nos. 5346 and 6121, and identified on the city of Auburn comprehensive zoning map. While the intent is that the development standards for zones in the Lea Hill annexation area will be similar to (if not the same as) corresponding zones in other areas of the city, some variations are needed to recognize previous development allowed by King County zoning. Unless otherwise provided for in this section, all other provisions and requirements of this title shall apply to properties within the Lea Hill overlay.

B. Development Standards – Lots Previously Approved.

1. For any residential lot that had received final plat approval, final short plat approval, or preliminary plat approval or that King County had received and determined the application complete for a preliminary plat or short plat, prior to the effective date of annexation into the city of Auburn, the development standards in the following table shall apply. The property owner/applicant shall be responsible to provide to the city evidence of these previous approvals.

2. Any further subdivision of any lot and its subsequent use must conform to the permitted uses and standards referenced in the applicable zoning chapters of this title, except as modified by this section. For farm animals, subsection E of this section or ACC 18.31.220 shall apply.

Zone	Min Lot Area (Sq. Ft.)	Min Lot Area (Sq. Ft. per Unit)	Min Lot Width (Ft.)	Max Lot Coverage (%)	Setbacks[1]				Building Height	
					Front (Ft.)	Rear (Ft.)	Side, Interior (Ft.)	Side, Street (Ft.)	Main (Ft.)	Accessory (Ft.)
R-1	8,000	N/A	35	35	20	5	5	10	35	35
R-2[2]	2,500	N/A	30	35	10	5	5	10	35	16
R-2[3]	2,500	6,000	30	35	10	5	5	10	35	16
R-3[4]	2,500	4,300	30	40	10	5	5	10	35	35
R-3[5]	2,500	2,700	30	55	10	5	5	10	35	35
R-4[6]	2,500	2,175	30	55	10	5	5	10	35	35

1 Garages and other similar structures with a vehicular access require a 20-foot setback from any street.

2 Annexed as R-5 zone under city of Auburn Ordinance Nos. 5346 and 6121.

3 Annexed as R-7 zone under city of Auburn Ordinance Nos. 5346 and 6121.

4 Annexed as R-10 zone under city of Auburn Ordinance Nos. 5346 and 6121.

5 Annexed as R-16 zone under city of Auburn Ordinance Nos. 5346 and 6121.

6 Annexed as R-20 zone under city of Auburn Ordinance Nos. 5346 and 6121.

C. *Prior King County Approvals.* The city of Auburn will recognize the terms of any King County-approved plat, PUD, conditional use permit, contract rezone or similar contractual obligations that may have been approved prior to the effective date of the annexation of the subject property. The conditions of any project that was approved by King County shall be required to be fulfilled in the city of Auburn.

D. *Planning Director Authorization.* The planning director shall be authorized to interpret the language of any King County permit, plat or condition thereof and effectuate the implementation of same to the fullest extent possible. If there is a conflict between a previous

King County approval and the Auburn regulation then the most restrictive provision shall apply as determined by the planning director.

E. *Farm Animals.*

1. For properties greater than an acre in the R-1, R-5 and R-7 zones, it is permissible to keep farm animals (excluding goats and swine in the R-5 and R-7 zones); provided, there shall not be more than one horse, cow, donkey or other similar large animal, or four small animals such as sheep, or 12 poultry, rabbits, or similar size animals per each acre of enclosed usable pasture or roaming area. This acreage requirement is in addition to the minimum lot size requirements of the zone. Property owners of more than an acre in the Lea Hill overlay may choose to apply these standards or the standards in ACC 18.31.220.

2. Shelters provided for farm animals shall be constructed no closer than 50 feet from any adjoining lot and shall be 100 feet from any public street or alley. Any corral, exercise yard, or arena shall maintain a distance of 35 feet from any property line. This excludes pasture area.

3. For those properties that do not meet the requirements of subsection (E)(1) of this section, and farm animals were present prior to annexation, the farm animals may remain as legal nonconforming uses. In such case the number of farm animals allowed may be the same as what the county zoning provisions had allowed prior to the effective date of the annexation of the subject property.

F. Lot Averaging – R-1 Zone. It may be possible to subdivide land in the R-1 zone into lots smaller than 35,000 square feet if the property has a significant amount of nonbuildable land due to steep slopes, wetlands or similar features that would be in the public's best interest to maintain. The following regulations shall apply in situations where lot averaging is permitted or required:

1. At least 50 percent of the subdivision must be set aside as open space. Critical areas (i.e., steep slopes, wetlands) can count towards the 50 percent requirement. Maintenance of the open space tract or easement shall be the responsibility of the property owner and/or a homeowners' association.

2. The number of allowable lots in a subdivision shall be determined by multiplying the total number of acres in the subdivision by one. Any fraction shall be rounded to the nearest whole number with one-half being rounded up.

3. The minimum size of any lot shall be 8,000 square feet. For lots less than 35,000 square feet, the minimum lot width shall be consistent with the requirements of the R-5 zone (Chapter 18.07 ACC). All other applicable development standards related to the R-1 zone will continue to apply.

4. Lots within the subdivision shall be clustered so as to provide for continuity of open space within the subdivision and, where possible, with adjoining parcels.

5. Each lot within a subdivision shall illustrate a building area within which the house, accessory structures, and parking areas shall be constructed. The building area shall be exclusive of setbacks, nonbuildable areas or any required buffers from the nonbuildable areas. Any preliminary plat, final plat or short plat shall illustrate the building area for each lot. Any future construction will be limited to the identified building area.

6. A native growth protection easement or similar device, which may include provisions for the limited removal of vegetation and passive use of the easement, that perpetually protects the nonbuildable areas must be recorded with the final plat or short plat.

G. All marijuana related businesses and marijuana cooperatives are prohibited land uses within the Lea Hill overlay. (Ord. 6642 § 6, 2017; Ord. 6369 § 3, 2011; Ord. 6245 § 13, 2009.)

18.21.020 West Hill overlay.

A. *Purpose.* The purpose of this section is to provide for additional development standards to address the area commonly referred to as the West Hill annexation area, as annexed under city of Auburn Ordinance No. 6122 and identified on the city of Auburn comprehensive zoning map. While the intent is that the development standards for zones in the West Hill annexation area will be similar to (if not the same as) corresponding zones in other areas of the city, some variations are needed to recognize previous development allowed by King County zoning. Unless otherwise provided for in this section, all other provisions and requirements of this title shall apply to properties within the West Hill overlay.

B. Development Standards – Lots Previously Approved.

1. For any residential lot that had received final plat approval, final short plat approval, preliminary plat approval or that King County had received and determined the application complete for a preliminary plat or short plat, prior to the effective date of annexation, the development standards in the following table shall apply. The property owner/applicant shall be responsible to provide evidence of these previous approvals/decisions.

2. Any further subdivision of any lot and its subsequent use must conform to the permitted uses and standards referenced in the applicable zoning chapters of this title, except as modified by this section. For farm animals, subsection E of this section or ACC 18.31.220 shall apply.

Zone	Min Lot Area (Sq. Ft.)	Min Lot Area (Sq. Ft. per Unit)	Min Lot Width (Ft.)	Max Lot Coverage (%)	Setbacks[1]				Building Height	
					Front (Ft.)	Rear (Ft.)	Side, Interior (Ft.)	Side, Street (Ft.)	Main (Ft.)	Accessory (Ft.)
R-1	8,000	N/A	35	35	20	5	5	10	35	35
R-2[2]	2,500	N/A	30	35	10	5	5	10	35	16
R-2[3]	2,500	6,000	30	35	10	5	5	10	35	16

1 Garages and other similar structures with a vehicular access require a 20-foot setback from any street.

2 Annexed as R-5 zone under city of Auburn Ordinance No. 6122.

3 Annexed as R-7 zone under city of Auburn Ordinance No. 6122.

C. *Prior King County Approvals.* The city of Auburn will recognize the terms of any King County-approved plat, PUD, conditional use permit, contract rezone or similar contractual obligations that may have been approved prior to the effective date of the annexation of the subject property. The conditions of any project that was approved by King County shall be required to be fulfilled in the city of Auburn.

D. *Planning Director Authorization.* The planning director shall be authorized to interpret the language of any King County permit, plat or condition thereof and effectuate the implementation of same to the fullest extent possible. If there is a conflict between a previous King County approval and the Auburn regulation, then the most restrictive provision shall apply as determined by the planning director.

E. *Farm Animals.*

1. For properties greater than an acre in the R-1, R-5 and R-7 zones within the West Hill overlay, it is permissible to keep farm animals (excluding goats and swine in the R-5 and R-7 zones); provided, there shall not be more than one horse, cow, donkey or other similar large animal, or four small animals such as sheep, or 12 poultry, rabbits, or similar size animals per each acre of enclosed usable pasture or roaming area. This acreage requirement is in addition to the minimum lot size requirements of the applicable zone. Property owners of more than an acre in the West Hill overlay district may choose to apply these standards, or the standards in ACC 18.31.220.

2. Shelters provided for farm animals shall be constructed no closer than 50 feet from any adjoining lot and no closer than 100 feet from any public street or alley. Any corral, exercise yard, or arena shall maintain a distance of 35 feet from any property line. This excludes pasture areas.

3. For those properties that do not meet the requirements of subsection (E)(1) of this section, and farm animals were present prior to annexation, the farm animals may remain as legal nonconforming uses. In such case, the number of farm animals allowed may be the same as what the county zoning provisions had allowed prior to the effective date of the annexation of the subject property.

F. All marijuana related businesses and marijuana cooperatives are prohibited land uses within the West Hill overlay. (Ord. 6642 § 7, 2017; Ord. 6369 § 4, 2011; Ord. 6245 § 13, 2009.)

18.21.030 Urban separator overlay.

A. *Purpose.* The purpose of this section is to provide for additional development standards to address the area designated as urban separator in the city's comprehensive plan, as prescribed in the interlocal agreement between the city and King County approved under city of Auburn

Resolution No. 4113 and identified on the city of Auburn comprehensive land use map. Unless otherwise provided for in this section, all other provisions and requirements of this title shall apply to properties within the urban separator overlay.

B. *Development Standards.* For property located within a designated urban separator, lot averaging shall be required. The regulations of ACC 18.21.010(F) shall apply in situations where lot averaging is used.

C. All marijuana related businesses and marijuana cooperatives are prohibited land uses within the urban separator overlay. (Ord. 6642 § 8, 2017; Ord. 6245 § 13, 2009.)

The Auburn City Code is current through Ordinance 6928, passed December 4, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.23
COMMERCIAL AND INDUSTRIAL ZONES

Sections:

18.23.010 Purpose.
18.23.020 Intent of commercial and industrial zones.
18.23.030 Uses.
18.23.040 Development standards.
18.23.060 Additional development standards for the C-1, C-2, C-AG, and M-1 zones.

18.23.010 Purpose.

This chapter lists the land uses that may be allowed within the commercial and industrial zones established by ACC 18.02.070 (Establishment of zones), determines the type of land use approval required for each use, and provides basic and additional development standards for sites, buildings, and associated improvements. (Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

18.23.020 Intent of commercial and industrial zones.

A. *General.* This section describes the intent for each of the city's commercial and industrial zones. These intent statements are to be used to guide the interpretation of the regulations associated with each zone. The planning director is authorized to make interpretations of these regulations based on their analysis of them together with clear and objective reasons for such interpretation.

C. *C-1, Light Commercial Zone.* The C-1 Light Commercial zone is intended for lower intensity commercial adjacent to residential neighborhoods. This zone generally serves as a transition zone between higher and lower intensity land uses, providing retail and professional services. This zone represents the primary commercial designation for small- to moderate-scale commercial activities compatible by having similar performance standards and should be developed in a manner which is consistent with and attracts pedestrian-oriented activities. This zone encourages a broad mix of small scale uses such as leisure shopping, office, eating and

drinking establishments, entertainment and assembly uses and provides amenities conducive to attracting shoppers and pedestrians. Building height, size, and orientation are the primary standards that will be used to maintain the smaller more pedestrian scale uses within this zone.

E. *C-2, Heavy Commercial Zone.* The intent of the C-2 Heavy Commercial zone is to allow for medium to high intensity uses consisting of a wide range of retail, commercial, entertainment, office, services, and professional uses. This zone is intended to accommodate uses which are oriented to automobiles either as a mode or target of the commercial service while fostering a pedestrian orientation. The uses allowed can include outside activities, display, fabrication or service features when not the predominant portion of the use. The uses enumerated in this classification may be larger in scale and building size and have more potential for impacts to surrounding properties and street systems than those uses permitted in the more restrictive commercial classifications.

C-AG, Auburn Gateway Zone. The intent of the C-AG - Auburn Gateway Zone is to provide for a pedestrian-oriented mix of retail, office, middle housing, and multifamily residential uses in the Northeast Auburn Special Area Plan and Auburn Gateway Planned Action area, as described in Chapter 18.08 ACC. This classification is also intended to allow flexibility in design and the combination of uses that is responsive to market demands. The uses enumerated in this classification anticipate a mix of multifamily residential, middle housing, retail, and office uses that are coordinated through a site-specific planning process. The multiple-family residential must be located in a multi-story building. Certain heavy commercial uses permitted in other commercial classifications are not permitted in this zone because of the potential for conflicts with multifamily residential uses, in order to achieve a quality of environment that is conducive to this mix of uses.

G. *M-1, Light Industrial Zone.* The intent of the M-1 Light Industrial zone is to accommodate a variety of industrial, manufacturing, commercial, and limited residential uses in an industrial environment, and to preserve land primarily for industrial and commercial uses, and to implement the economic goals of the comprehensive plan, and to provide a greater flexibility within the zoning regulations for those uses which are non-nuisance in terms of air and water pollution, noise, vibration, glare or odor. The industrial/commercial character of this zone is intended to address the way in which industrial and commercial uses are carried out rather

than the actual types of products made. An essential aspect of this zone is the need to maintain a quality of development that attracts rather than discourages further investment in industrial and commercial development. While allowed, outdoor storage will be regulated in a manner that mitigates visual impacts taking surrounding uses and vehicular corridors into consideration.

H. *M-2, Heavy Industrial Zone.* The M-2 Heavy Industrial is intended to accommodate a broad range of manufacturing and industrial uses. Permitted activity may vary from medium to higher intensity uses that involve the manufacture, fabrication, assembly, or processing of raw and/or finished materials. Heavy industrial uses should not be located near residential development.

While other uses may be sited within this zone, permits for such uses should not be issued if such uses will discourage use of adjacent sites for heavy industry, interrupt the continuity of industrial sites, or produce traffic in conflict with the industrial uses. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

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.

C. *Uses Affected by the Airport Overlay.* Refer to Chapter 18.38 ACC to determine whether uses are separately prohibited by that chapter or will be required to comply with additional regulations that are associated with the airport overlay.

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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING								
Building contractor, light		X		P	X	P	P	
Building contractor, heavy		X		X	X	A	P	
Manufacturing, assembling and packaging – Light intensity		X		P	X	P	P	ACC 18.31.180
Manufacturing, assembling and packaging – Medium intensity		X		A	X	P	P	ACC 18.31.180
Manufacturing, assembling and packaging – Heavy intensity		X		X	X	X	A	ACC 18.31.180
Marijuana processor		X		X	X	C	C	Chapter 18.59 ACC
Marijuana producer		X		X	X	C	C	Chapter 18.59 ACC
Marijuana researcher		X		X	X	C	C	Chapter 18.59 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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Marijuana retailer		X		C	X	C	C	Chapter 18.59 ACC
Marijuana transporter business		X		X	X	C	C	Chapter 18.59 ACC
Outdoor storage, incidental to principal permitted use on property		X		P	X	P	P	ACC 18.57.020(A)
Storage – Personal household storage facility (mini-storage)		P		P	X	P	P	ACC 18.57.020(B)
Warehousing and distribution		X		X	X	P	C	ACC 18.57.020(C)
Warehousing and distribution, bonded and located within a designated foreign trade zone		X		P	X	P	P	
Wholesaling with on-site retail as an incidental use (e.g., coffee, bakery)		X		P	X	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES								

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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Commercial recreation facility, indoor		P		P	P	P	A	
Commercial recreation facility, outdoor		X		A	A	P	A	ACC 18.57.025(A)
Conference/convention facility		X		A	X	A	X	
Library, museum		A		A	X	A	X	
Meeting facility, public or private		P		P	X	A	A	
Movie theater, except drive-in		P		P	P	X	X	
Private school – Specialized education/training (for profit)		A		P	P	P	P	
Religious institutions, lot size less than one acre		P		P	A	A	A	
Religious institutions, lot size more than one acre		P		P	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Sexually oriented businesses		X		P	X	P	P	Chapter 18.74 ACC
Sports and entertainment assembly facility		X		A	X	A	A	
Studio – Art, dance, martial arts, music, etc.		P		P	P	P	A	
RESIDENTIAL								
Apartment units, as part of a mixed-use development[2]	X	X	X	P	P	P	X	ACC 18.57.030
Apartments, stand-alone	X	X	X	X	X	X	X	
Caretaker apartment		P		P	X	P	P	
Live/work unit, as part of a mixed-use development[2]		X		P	P	P	X	
Live/work unit, stand-alone[3]	X	X	X	X	X	X	X	
Work/live unit, as part of a mixed-use development[2]		P		P	P	P	X	

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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Work/live unit, stand-alone[3]	X	X	X	X	X	X	X	
Marijuana cooperative		X		X	X	X	X	
Nursing home, assisted living facility	X	P	P	P	C	X	X	
Senior housing[2]	X	X	A	A	X	X	X	
RETAIL								
Building and landscape materials sales	X	X	X	P	X	P	P	ACC 18.57.035(A)
Construction and heavy equipment sales and rental	X	X	X	X	X	A	P	
Convenience store	A	A	P	P	X	P	P	
Drive-through espresso stands	A	A	A	P	A	P	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Drive-through facility, including banks and restaurants	A	A	A	P	P	P	P	ACC 18.52.040
Entertainment, commercial	X	A	P	P	X	A	A	
Groceries, specialty food stores	P	P	P	P	P	P	X	
Nursery	X	X	X	P	A	P	P	ACC 18.57.035(C)
Outdoor displays and sales associated with a permitted use (auto/vehicle sales not included in this category)	P	P	P	P	P	P	P	ACC 18.57.035(D)
Restaurant, cafe, coffee shop	P	P	P	P	P	P	P	
Retail								
Community retail establishment	A	P	P	P	P	P	P	
Neighborhood retail establishment	P	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Regional retail establishment	X	X	X	P	P	P	A	
Tasting room	P	P	P	P	P	P	P	
Tavern	P	P	X	P	P	P	A	
Wine production facility, small craft distillery, small craft brewery	A	P	P	P	P	P	P	
SERVICES								
Animal daycare (excluding kennels and animal boarding)	A	A	A	P	A	P	P	ACC 18.57.040(A)
Animal sales and services (excluding kennels and veterinary clinics)	P	P	P	P	P	P	P	ACC 18.57.040(B)
Banking and related financial institutions, excluding drive-through facilities	P	P	P	P	P	P	P	
Catering service	P	P	P	P	A	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	P	P	P	P	X	
Dry cleaning and laundry service (personal)	P	P	P	P	P	P	P	
Equipment rental and leasing	X	X	X	P	X	P	P	
Kennel, animal boarding	X	X	X	A	X	A	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	
Hospital	X	P	P	P	X	P	P	
Lodging – Hotel or motel	X	P	P	P	P	A	A	
Medical – Dental clinic	P	P	P	P	P	P	X	
Mortuary, funeral home, crematorium	A	P	X	P	X	P	X	

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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Personal service shops	P	P	P	P	P	P	X	
Pharmacies	P	P	P	P	P	X	X	
Print and copy shop	P	P	P	P	P	P	X	
Printing and publishing (of books, newspaper and other printed matter)	X	A	P	P	P	P	P	
Professional offices	P	P	P	P	P	P	P	
Repair service – Equipment, appliances	X	A	P	P	P	P	P	ACC 18.57.040(D)
Veterinary clinic, animal hospital	A	P	P	P	P	P	X	
Youth community support facility	X	P	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	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Broadcasting studio	X	P	X	P	X	P	P	
Heliport	X	X	X	C	X	C	C	
Motor freight terminal[1]	X	X	X	X	X	X	X	See Footnote No. 1
Parking facility, public or commercial, surface	X	P	P	P	P	P	X	
Parking facility, public or commercial, structured	X	P	P	P	P	P	X	
Towing storage yard	X	X	X	X	X	A	P	ACC 18.57.045(A)
Utility transmission or distribution line or substation	A	A	A	A	A	A	A	
Wireless communications facility (WCF) (See ACC 18.04.912(W))	*	*	*	*	*	*	*	*See ACC 18.31.100 for use regulations and zoning development standards.
Eligible facilities request (EFR) (wireless communications facility) (See ACC 18.04.912(H))	P	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
Small wireless facilities (ACC 18.04.912(Q))	P	P	P	P	P	P	P	
VEHICLE SALES AND SERVICES								
Automobile washes (automatic, full or self-service)	X	A	X	P	P	P	P	ACC 18.57.050(A)
Auto parts sales with installation services	X	A	A	P	P	P	P	
Auto/vehicle sales and rental	X	A	X	P	X	P	P	ACC 18.57.050(B)
Fueling station	X	A	A	P	P	P	P	ACC 18.57.050(C)
Mobile home, boat, or RV sales	X	X	X	P	X	P	P	
Vehicle services – Repair/body work	X	X	A	P	X	P	P	ACC 18.57.050(D)
OTHER								
Any commercial use abutting a residential zone which has hours of	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-1		**C-2**	**C-AG**	**M-1**	**M-2**	
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.								
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	

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.

3 Any stand-alone live/work units or stand-alone work/live units vested prior to the effective date of the ordinance codified in this chapter are outright permitted uses.

(Ord. 6885 § 1 (Exh. A), 2022; Ord. 6838 § 1 (Exh. A), 2021; Ord. 6799 § 6 (Exh. F), 2020; 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.)

18.23.040 Development standards.

A. 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 requirements in Tables 18.23.040A (C-1, C-2, and C-AG Zone Development Standards) and 18.23.040B (M-1 and M-2 Zone Development Standards) and in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. These standards may be modified through either an administrative variance or variance, subject to the procedures of Chapter 18.70 ACC.

Table 18.23.040A. C-1, C-2, and C-AG Zone Development Standards

Development Standard	Requirement by Zone				
		C-1 **Light Commercial**		**C-2** **Heavy Commercial**	**C- C-AG** **Mixed-Use Commercial**
Minimum lot area		None		None	None[1]
Minimum lot width, depth		None		None	None
Maximum lot coverage		None		None	None
Minimum setbacks	*Minimum setbacks required for structures. See also ACC 18.31.070 for specific exceptions to these setback standards.*				

Development Standard	Requirement by Zone				
		C-1 **Light Commercial**		**C-2** **Heavy Commercial**	**C- C-AG** **Mixed-Use Commercial**
Front		20 ft		20 ft	20 ft
Side – Interior		None[2]		None[2]	None[2]
Side – Street		15 ft		15 ft	15 ft
Rear		None[2]		None[2]	None[2]
Height limit	Maximum *allowable height of structures. See also ACC 18.31.030 (Height limitations – Exceptions) for specific height limit exceptions.*				
Maximum height		45 ft[3]		75 ft	75 ft
Additional development standards		None		None	None
Fences and hedges	See Chapter 18.31 ACC				
Landscaping	See Chapter 18.50 ACC				
Parking	See Chapter 18.52 ACC				
Signs	See Chapter 18.56 ACC				
Lighting	See Chapter 18.55 ACC				
Nonconforming structures, land and uses	See Chapter 18.54 ACC				

Notes:

1 Residential uses: no minimum lot size; provided, that residential density does not exceed 20 units per gross acre (this includes privately owned open space tracts but excludes dedicated public roads).

2 A 25-foot setback is required when adjacent to a residential zone.

3 Buildings within the Auburn north business area, as established by Resolution No. 2283, may exceed 45 feet if one additional foot of setback is provided from each property line (or required minimum setback) for each foot the building exceeds 45 feet in height.

Table 18.23.040B. M-1 and M-2 Zone Development Standards

Development Standard	Requirement by Zone	
	M-1 **Light Industrial**	**M-2** **Heavy Industrial**
Minimum lot area	None	None
Minimum lot width, depth	None	None
Maximum lot coverage	None	None
Minimum setbacks	*Minimum setbacks required for structures. See also ACC 18.31.070 for specific exceptions to these standards.*	
Front	20 ft	30 ft
Side – Interior	None[1]	None[1]
Side – Corner	20 ft	30 ft
Rear	None[1]	None[1]
Height limit	*Maximum allowable height of structures. See also ACC 18.31.030 (Height limitations – Exceptions) for specific height limit exceptions*	

Development Standard	Requirement by Zone	
	M-1 **Light Industrial**	**M-2** **Heavy Industrial**
Maximum height	45 ft[2]	45 ft[2]
Additional development standards	None	None
Fences and hedges	See Chapter 18.31 ACC	
Landscaping	See Chapter 18.50 ACC	
Parking	See Chapter 18.52 ACC	
Signs	See Chapter 18.56 ACC	
Lighting	See Chapter 18.55 ACC	
Nonconforming structures, land and uses	See Chapter 18.54 ACC	

Notes:

1 A 25-foot setback is required when adjacent to a residential zone.

2 Buildings may exceed 45 feet if one foot of setback is provided from each property line (or required minimum setback) for each foot the building exceeds 45 feet.

(Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

18.23.060 Additional development standards for the, C-1, C-2, C-AG, and M-1 zones.

A. Loading and unloading docks shall not be visible from the street.

B. Mechanical equipment on rooftops shall be sited and designed to minimize noise and effectively screen the equipment from view from adjacent properties and rights-of-way. The following methods, or a combination thereof, may be used:

1. Set back from the roof edge to obscure visibility from below;

2. Integration into the building architecture, using building walls, roof wells or roof parapets to conceal the equipment;

3. Equipment enclosure or sight-obscuring fencing or landscaping;

4. Overhead trellis or roof to obscure visibility from above.

Materials used to screen mechanical equipment shall be the same as or compatible with the design of the principal structure. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6433 § 26, 2012.)

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.25
MIDDLE HOUSING DEVELOPMENT STANDARDS

Sections:

18.25.010	Purpose and intent.
18.25.020	Applicability.
18.25.030	Procedures.
18.25.040	Middle housing types.
18.25.050	Calculating parking requirements.
18.25.060	Accessory Dwelling Units.
18.25.070	Middle housing design standards.
18.25.080	Usable open space.
18.25.090	Courtyard housing standards.
18.25.0100	Lot splitting.

18.25.010 Purpose and intent.

The purpose of this chapter is to encourage the development of underutilized parcels in zones which, through Auburn comprehensive plan goals and policies, have been identified as areas where middle housing should be encouraged. Middle housing shall be compatible in scale, form, and character with single-unit detached houses that are allowed within the underlying zoning designation. This chapter identifies the standards for middle housing development. (Ord. 6245 § 14, 2009.)

18.25.020 Applicability.

A. *Eligibility Criteria.* This chapter may be applied to development or redevelopment that meets the following criteria:

1. The lot is within one of the following zones: RC, R-1, R-2, R-3, R-4, R-NM

B. *Exceptions.* This chapter may be applied to development or redevelopment, except for the following below:

1. Middle Housing is not permitted within Urban Separators.

2. Middle Housing is not permitted in the R-HMC zone.

3. Middle Housing is not permitted on lots smaller than one thousand (1,000) square feet.

4. Middle Housing allowances shall not be used to justify alteration of a regulated critical area per Chapter 16.10 ACC.

18.25.030 Procedures.

Development proposals desiring to utilize the middle housing standards of this chapter shall be subject to one or more of the permit types found in ACC Title 14 and shall be processed in a manner consistent with the underlying land use application pursuant to ACC Title 14. (Ord. 6245 § 14, 2009.)

18.25.040 Middle housing types.

A. For the purposes of this chapter middle housing refers to all housing consisting of between two and six units per lot, defined in ACC 18.04.340(B).

18.25.050 Parking Requirements.

A. Within one-half mile walking distance of a Major Transit Stop no on-site parking is required.

B. On lots that that are more than one-half mile walking distance of a Major Transit Stop, (1) one on-site parking space shall be required for each dwelling unit.

C. On-site parking spaces shall include garage and/or driveway parking spaces.

D. When calculating parking relative to the above referenced lot sizes, the calculation shall occur prior to zero lot line land divisions.

18.25.060 Accessory Dwelling Units.

A. An ADU is listed as a type of Middle Housing; each ADU that is proposed will be considered a dwelling unit when calculating the number of units allowed on a lot or as part of a development proposal.

B. ADUs must be an accessory to a principal middle housing unit.

C. ADUs cannot be used to supplement the number of dwelling units allowed under this section.

D. ADUs are subject to the standards contained in Chapter 18.32 ACC.

18.25.070 Middle housing design standards.

A. Applicability.

1. Standards in this section apply to all development between two and six units per lot.

2. For the purposes of this section, a “street” refers to any public or private street.

3. These design standards do not apply to the conversion of a structure to a middle housing type with up to four attached units, if the floor area of the structure does not increase more than 50 percent

B. Purpose. The purpose of these standards is to:

1. Promote compatibility of middle housing with other residential uses, including single-unit detached dwellings.

2. De-emphasize garages and driveways as major visual elements along the street.

3. Provide clear and accessible pedestrian routes between buildings and streets.

4. Implement the definitions of cottage housing and courtyard apartments provided by state law.

C. Pedestrian access. A private, paved pedestrian connection that is a minimum of three feet wide required between each middle housing building and the public sidewalk (or the public street if there is no sidewalk). Driveways may be used to meet this requirement.

D. Vehicle access, carports, garages, and driveways.

1. Garages, driveways, and off-street parking areas shall not be located between a building and a street, except when either of the following conditions are met:

a. The combined width of all garages, driveways, and off-street parking areas does not exceed a total of 60 percent of the length of the street frontage property line. This standard applies to buildings and not individual units; or

b. The garage, driveway, or off-street parking area is separated from the street property line by a dwelling; or

c. The garage, driveway, or off-street parking is located more than 100 feet from a street.

E. Landscaping. See ACC Table 18.50.040(A) “Minimum Landscape Requirements by Zoning District” for landscaping requirements.

F. Entries. Each building shall incorporate a primary building entry or one or more private unit entries, such as a covered porch or recessed entry. Each entry shall feature minimum weather protection of three feet by three feet.

G. Windows and doors. A minimum of 15 percent of the area of the street-facing façade elevation shall include windows or doors. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

H. Unit articulation

1. Applicability.

a. Each attached unit featuring a separate ground level entrance in a multi-unit building facing the street shall include at least one of the articulation options listed in subsection (I)(2) below.

b. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

2. Articulation options:

Option 1. Roofline change or a roof dormer with a minimum of four feet in width.

Option 2. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room.

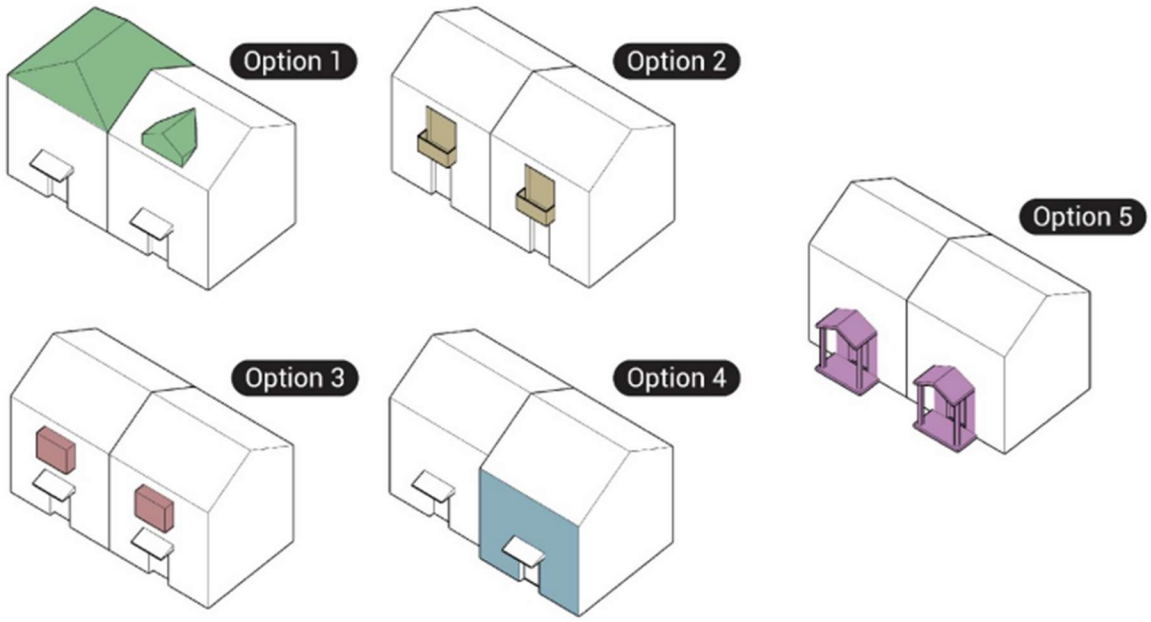
Option 3. A bay window that extends from the façade a minimum of two feet.

Option 4. An offset of the façade of a minimum of two feet in depth from the neighboring unit.

Option 5. A roofed porch at least 50 square feet in size.

Option 6. Change in wall color.

Figure 18.25.050(I)



I. Middle Housing Design Review Submittal Requirements. In addition to any other documentation required for submittal of a complete application for building permit or discretionary land use approvals/permits, the following items shall be required for review of building design:

1. Elevation drawings prepared by an architect licensed in the state of Washington of all proposed construction including dimensional drawings at one-eighth inch equals one foot or comparable scale showing the type of exterior materials, color, exterior finishes (including for accessory structures, where applicable), articulation, fenestration details, and the location, elevations, type, style and model of any exterior lighting fixtures (where applicable).

2. As applicable, a to-scale landscape plan consistent with Chapter 18.50 ACC.

18.25.080 Courtyard housing standards.

A. Applicability. Standards in this section apply to courtyard housing, which includes cottage housing (detached units) and courtyard apartments (attached units).

B. Open space. Open space shall be provided equal to a minimum 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, and other open space.

C. Common open space.

1. At least one outdoor common open space is required.

2. Common open space shall be provided equal to a minimum of 300 square feet per unit. Each common open space shall have a minimum dimension of 15 feet on any side.

3. Orientation. Common open space shall be bordered by dwellings on at least two sides. At least half of all units in the development shall abut a common open space and have the primary entrance facing the common open space.

4. Parking areas and vehicular areas shall not qualify as common open space.

5. Critical areas and their buffers, including steep slopes, shall not quality as common open space.

D. Community building.

1. A courtyard housing development shall contain no more than one community building.

2. A community building shall have no more than 2,400 square feet of net floor area, excluding attached garages.

3. A community building shall have no minimum off-street parking requirement.

18.25.090 Usable open space.

A. All middle housing development must include usable open space.

B. Usable open space must occupy at least 10% of the lot with a minimum dimension of at least 10 feet. Usable open space may be a single large space or several separate spaces. Unenclosed porches, patios, and entries may count towards usable open space if contiguous with a space that meets the standards of this section. Areas of usable open space with no unenclosed porches, patios, and entries or other similar features may overlap with the required landscaped areas within Table 18.50.040(A).

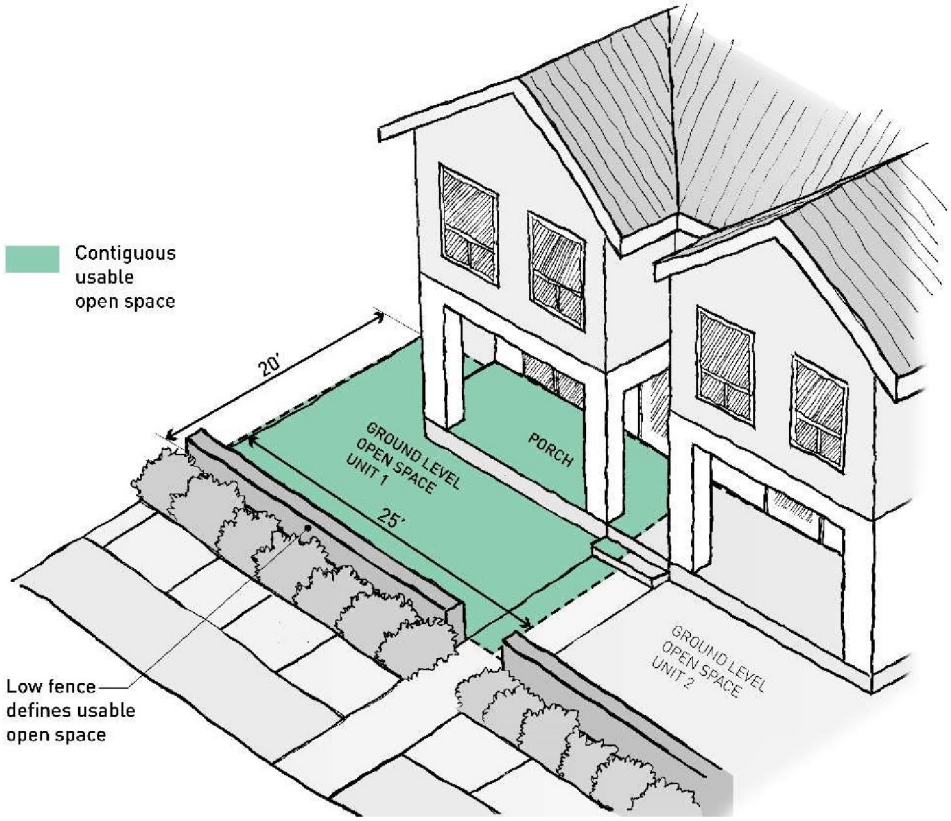
C. Driveways and parking areas may not count towards usable open space.

D. Where usable open space is located within the front setback, the open space must be defined with a fence, hedge, or wall, at least 24 inches tall.

E. LID stormwater BMPs, like rain gardens, may be integrated in up to 25 percent of the minimum required usable open space area.

F. Additions must not create or increase any nonconformity with this standard.

Figure 18.25.060 Usable Open Space



18.25.100 Lot splitting.

Lot splitting as defined in ACC 17.04.221 is permitted as a means of creating separate ownership of each housing unit. See zero lot line subdivision standards contained in Chapter 17.29 ACC.

Chapter 18.29
DUC DOWNTOWN URBAN CENTER DISTRICT

Sections:

18.29.010 Intent.
18.29.020 Scope.
18.29.030 Process.
18.29.040 Definitions.
18.29.050 Use limitations.
18.29.053 Uses/activities requiring an administrative use permit.
18.29.055 Deviation from development standards
18.29.057 Implementing districts.
18.29.060 Development standards.
18.29.070 Design standards.

18.29.010 Intent.

The downtown urban center zone is intended to create a distinct and strong identity for downtown Auburn by establishing land use and design standards for review of development proposals within the core area of the city of Auburn's designated urban center, in order to implement the city of Auburn downtown plan and the goals, policies and objectives of the Auburn comprehensive plan. This zone is intended to produce a concentration and mixture of commercial, office, medical, retail, residential and civic uses within the downtown area; to encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents; to provide a development pattern that supports pedestrian movement, bicycles and use of public transit; and to provide opportunities to increase the city's tax base, thereby helping to fund public improvements and public services. (Ord. 6071 § 6 (Exh. A), 2007.)

18.29.020 Scope.

A. The downtown urban center zone may be applied to any property designated as "Downtown" on the Auburn comprehensive plan map.

B. Site plan and building design review and approval shall be required for all public and private development activities requiring permits within the downtown urban center zone unless exempted under subsection C of this section. The planning and development director is given the authority to require building design and site plans consistent with the design standards contained or referenced herein and to require revisions as necessary in order to ensure development is consistent with the purpose of this chapter.

C. The following activities, as determined by the director, shall be exempt from the provisions of this chapter if the property has frontage on a pedestrian street as defined in the downtown urban center design standards:

1. Interior alterations that do not alter the exterior appearance of a structure or modify an existing site condition;

2. Normal or routine building and site maintenance/repair that is exempt from permit requirements; and

3. Any remodeling or expansion of existing single-unit detached residences with no change in use or addition of dwelling units involved.

D. The following activities, as determined by the director, shall be exempt from the provisions of this chapter if the property does not have frontage on a pedestrian street as defined in the downtown urban center design standards:

1. Interior alterations that do not alter the exterior appearance of a structure or modify an existing site condition;

2. Site and exterior alterations that do not exceed 10 percent of the assessed valuation of the property (building or land) per the most recent county records;

3. Building additions that are less than 10 percent of the existing floor area of the existing building(s). Any cumulative floor area increase (from the adoption date of the ordinance codified in this chapter) that totals more than 10 percent shall not be exempt; unless the

director determines compliance with these standards would be unfeasible and/or unreasonable;

4. Normal or routine building and site maintenance/repair that is exempt from permit requirements;

5. Any remodeling or expansion of existing single-family residences with no change in use or addition of dwelling units involved. (Ord. 6287 § 2, 2010; Ord. 6230 § 1, 2009; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.030 Process.

A. Compliance with all development and design standards contained or referenced herein shall occur in conjunction with any required permit process. The director shall provide appropriate forms that shall accompany a permit application. The director may approve, approve with conditions, or deny a building or site development permit application to ensure compliance with these standards. Any decision regarding a permit application shall be set forth in writing and contain findings of fact and conclusions that support the decision made.

B. The decision of the director shall be final unless the applicant or any affected party appeals the decision to the hearing examiner. All appeals shall be in accordance with ACC 18.70.050(B) through (E). (Ord. 6071 § 6 (Exh. A), 2007.)

18.29.040 Definitions.

These words shall have the following meanings for the purposes of this chapter:

A. “Canopy” means a cover over a sidewalk providing protection from the rain, which is constructed of durable, permanent materials.

B. “Director” means the director of the Auburn department of planning and development.

C. “Green roof” means a roof designed with principles of environmental sustainability, involving the use of vegetation and storm water collection and cleaning. It may or may not be accessible.

D. "Health club" means a use that offers exercise and recreational activities for tenants and/or the general public, either with or without a fee.

E. "Parking, below grade" means any portion of a structure containing parking that is located below the average finished grade around a building.

F. "Parking, structured" means parking contained within an enclosed building, designed to appear like it is part of the larger building complex, or a freestanding structure devoted exclusively to above-grade parking.

G. "Performing space" means any interior or exterior area designated for live performing and entertainment.

H. "Public art" means any form of painting, mural, mosaic, sculpture, or other work of art, so long as it can be appraised as a work of art and its value as such documented, displayed on the exterior of a building, at or near the pedestrian entrance, or on a public plaza, and visible to users of the public right-of-way at all times.

I. "Public meeting room" means a space that can be used by the general public and having a capacity of at least 50 people. It may operate under a reservation or nominal fee system and must be easily accessible from a lobby or plaza.

J. "Public plaza" means an open space that is visible and accessible to the public at all times, predominantly open to the sky, and for use principally by people, as opposed to merely a setting for the building.

K. "Street level retail" means uses providing goods and services, including food and drink, adjacent to, visible from, and directly accessible from the public sidewalk.

L. "Water feature" means a fountain, cascade, stream, fall, pond of water, or combination thereof, that serves as a focal point, located outside of a building, publicly visible and accessible, and active during daylight hours. (Ord. 6287 § 2, 2010; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.050 Use limitations.

Hereafter, all buildings, structures or properties may be used for any use, unless specifically prohibited herein. Ground floor retail, restaurants and/or office use is required for all building

frontages facing Main Street. All uses shall be subject to review and approval by the director. The following uses are prohibited:

A. Sexually oriented businesses as defined in Chapter 18.74 ACC.

B. All industrial uses as defined in the North American Industrial Classification System (2022 Edition), categories 48 – 49 (transportation), 31 – 33 (manufacturing) and 42 (wholesale trade).

C. Outdoor storage of materials and equipment (except during active construction projects).

D. New automobile maintenance and repair businesses.

E. Work release facilities; secure community transition facilities.

F. Wrecking yards.

G. Solid waste transfer stations.

H. Car washes.

I. New gasoline stations.

J. Street-level ministorage.

K. Outdoor sales of vehicles, boats or equipment.

L. Drive-in/drive-through facilities with direct vehicular driveway access onto Main Street.

M. All marijuana related businesses and marijuana cooperatives.

N. New single-unit detached dwellings; except for DUC Neighborhood Residential District.

O. Other uses may be prohibited by the director if the use is determined to be inconsistent with the intent of this zone or is of the same general character of the other prohibited uses listed in this section. (Ord. 6642 § 10, 2017; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.053 Uses/activities requiring an administrative use permit.

The following uses/activities may be permitted when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

A. Expansions of existing automobile maintenance and repair businesses;I

B. Expansions of existing gasoline stations;

C. Animal daycare businesses that feature outdoor exercise areas and/or kennels;

D. Wine production facility; small craft distillery; small craft brewery; and a tasting room is an outright allowed use in the DUC zone. (Ord. 6368 § 8, 2011; Ord. 6269 § 32, 2009.)

18.29.055 Deviation from development standards.

A. Any development project that seeks to deviate from any development standard listed in ACC 18.29.060 must be granted a variance pursuant to the provisions of Chapter 18.70 ACC (Ord. 6269 § 12, 2009; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.057 Implementing districts.

Downtown Urban Center zone is intended to create a distinct and strong identity for downtown Auburn by establishing land use and design standards for review of development proposals within the core area of the city of Auburn's designated urban center. This zone is intended to produce a concentration and mixture of commercial, office, medical, retail, entertainment, residential and civic uses within the downtown area; to encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents; to provide a development pattern that supports pedestrian movement, bicycles and use of public transit; and to provide opportunities to increase the city's tax base, thereby helping to fund public improvements and public services. In order to implement the city of Auburn Downtown Plan and the goals, policies and objectives of the Auburn Comprehensive Plan, the zone is divided into the following districts:

A. DUC Downtown Core -125 District. DUC-125 is implemented only in the Downtown Urban Center and is subject to uses and development standards of this chapter and the Downtown Urban Design Guidelines. Development in the DUC Downtown Core – 125 district shall not exceed 125 feet in vertical height and is subject to other applicable height restrictions found in Chapter 18.38 ACC.

B. DUC Downtown Core -75 District. The DUC Downtown Core – 75 zone is consistent with requirements described in the DUC Downtown Core – 125' except a maximum 75 vertical foot height limit shall apply.

C. DUC Downtown Core - 55 District. The DUC Downtown Core – 55 zone is consistent with requirements described in the DUC Downtown Core – 125 except a maximum 55 vertical foot height limit shall apply.

D. DUC Neighborhood Residential. R-2 uses per ACC Table 18.07.020 allowed, subject to the development standards of this chapter and the Downtown Urban Design Guidelines.

E. DUC Health and Wellness District. This district is to be used exclusively for the hospital area, located in the vicinity of 2nd Street NE and Auburn Avenue, and is intended to be used for medical and related uses and those uses compatible with the medical community. Residential may be included as part of vertical mixed-use development with medical being the primary development use. This district is subject to the uses and development standards of this chapter and the Downtown Urban Design Guidelines.

F. DUC M-1 Light Industrial District. M-1 zone uses allowed per ACC Table 18.23.030, subject to the development standards of this chapter and the Downtown Urban Design Guidelines.

G. DUC Flex-Residential District. This zone is intended to promote craft industrial/commercial uses that are compatible with residential area (i.e., workshop, brewery, etc.). R-F zone uses allowed per ACC Table 18.07.020, subject to the development standards of this chapter and the Downtown Urban Design Guidelines.

18.29.060 Development standards.

A. Minimum lot area: none.

B. Minimum lot width: none.

C. Minimum lot depth: none.

D. *Floor Area Ratio.* Floor area ratio is the cumulative amount of floor area within a building as a multiple of the lot area.

Floor Area Ratio (FAR)[1]

Basic Allowable "As of Right"		Maximum Allowable with Bonuses		
Nonresidential[2]	Residential[2]	Nonresidential	Residential[3]	Combined[4]
3.0	2.0	4.0	3.5	5.0

1 Floor area is measured to the inside face of exterior walls. The following shall be excluded from floor area calculation:

a All space below finished grade.

b Space dedicated to structured parking.

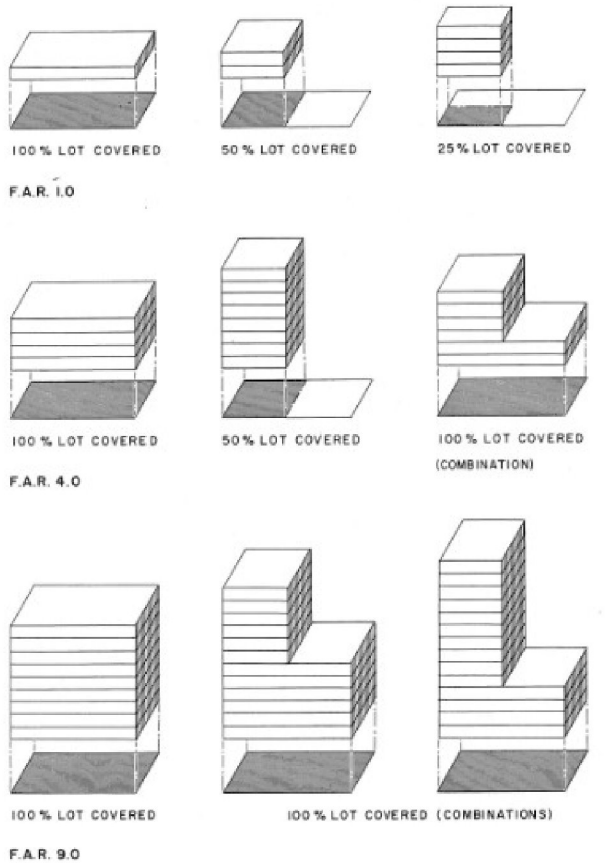
c Space used for any bonus feature listed in subsection E of this section.

2 Minimum required FAR is 0.75; basic allowable FAR is 1.0.

3 Hotels, nursing homes, assisted living centers, etc. shall be considered residential for the purpose of calculating FAR.

4 Allowable FAR for nonresidential and residential uses may be added together within a project, for a combined total.

Figure 1



Illustrations of Floor Area Ratios. Source: *A New Zoning Plan for the District of Columbia.* Harold M. Lewis, 1956.

E. Bonus Features Allowing Increased Floor Area Ratio.

Feature	**Additional Gross Floor Area for Each Feature**
Street level retail	100 sf of floor area for each linear foot of retail frontage
Restaurant	100 sf of floor area for each linear foot of restaurant frontage
Public plaza	5 sf of floor area for

Feature	Additional Gross Floor Area for Each Feature
	each sf of plaza
Widening public sidewalk	4 sf of floor area for each sf of sidewalk made available for public use
Canopy	4 sf of floor area for each sf of canopy
Daycare	4 sf of floor area for each sf of daycare
Health club	2 sf of floor area for each sf of health club
Performing space	2 sf of floor area for each sf of performing space
Public meeting room	5 sf of floor area for each sf of meeting room
Public art (arts commission approval required)	10 sf of floor area for each $100 of valuation
Water feature	10 sf of floor area for each $100 of valuation
Structured parking	0.5 sf of floor area for each sf of required

Feature	Additional Gross Floor Area for Each Feature
	parking above grade
Below grade parking	1 sf of floor area for each sf of required parking below grade (including half-level plate below grade)
Green roof	2 sf of floor area for each sf of green roof
Public restrooms	10 sf of floor area for each sf of public restroom
Contribution to a public park or cultural facility such as a library, museum or theater within 0.5 miles of the DUC zone; also, any project including a performance or entertainment venue is eligible for these bonuses, based upon the value of construction	10 sf of floor area for each $100 of contribution towards acquisition or development. This can be used to exceed both maximum FAR and maximum building height by up to 25%
Development of open space such as open roof decks, balconies, lanais or parts of the building and improved	5 sf of floor area for each sf of open space

Feature	Additional Gross Floor Area for Each Feature
for outdoor living; including rooftop daycare play areas, dog walking areas, etc.	

An applicant may be required to provide a legally binding agreement or easement to ensure any of the above features is maintained over the life of the project.

F. *Maximum Building Height.* Maximum building height within the DUC zone shall be 75 feet, unless bonus height is permitted per subsection E of this section.

1. If retail uses occupy the ground floor, the minimum height for that floor shall be 14 feet.

2. Mechanical penthouses, stair/elevator overruns, and antennas may be excluded from building height calculation provided they extend no more than 20 feet above the roof deck.

3. Maximum building height may be increased by up to 20 percent if the top is designed as a nonhabitable, architectural element. This element may extend above the increased height limit.

G. *Minimum Building Height.* The minimum height for any new structure within the DUC zone shall be two stories for the full extent of the building footprint.

H. *Parking Ratios.* The following parking standards shall apply within the DUC zone in lieu of any standard noted in ACC 18.52.020 or provision of ACC 18.52.030:

Use Type	Minimum Required	Maximum Allowed for Surface Parking Lots
Retail	2 stalls/1,000 nsf	4 stalls/1,000 nsf[1]
Office	2 stalls/1,000 nsf	4 stalls/1,000 nsf

Use Type	Minimum Required	Maximum Allowed for Surface Parking Lots
Residential (mixed-use, apartment, live/work, work/live)	1 stall per dwelling unit	2 per dwelling unit
Residential (middle housing)	1 stall per dwelling unit outside of one-half mile walking distance of a Major Transit Stop	2 stalls per dwelling unit outside of one-half mile walking distance of a Major Transit Stop
Restaurant	0.5 stall per 4 seats	1 stall per 4 seats

1 nsf = net square feet

1. Parking requirements for uses not listed shall be determined by a study of parking demand for that use, as prepared by a qualified professional and as accepted by the director.

2. Retail and restaurant uses less than 3,000 nsf in area shall be exempt from parking requirements.

3. Uses sharing a common parking facility may reduce the required number of stalls by 25 percent.

4. Required parking may be located off site, so long as it is: (a) located within the DUC zone, (b) within 1,000 feet of the property, (c) connected to the property by streets improved with sidewalks or walkways, and (d) tied to the site by a contractual agreement

reviewed and approved by the city attorney that is filed with the city and deed of record at the county.

5. On-street parking that is located directly adjacent to a development site may be used to satisfy minimum parking requirements and shall not be included in determining maximum surface parking allowances.

6. Dedicated off-site parking provided within a parking structure may be used to provide FAR bonuses for a project on a separate site, provided the parking structure is located consistent with this chapter.

7. The maximum standards noted in the table above may be exceeded if all stalls above the maximum limit are provided within a parking structure.

8. Compliance with these standards is not required for a change of use within an existing building or whenever there is an expansion of an existing building or a new building replaces an existing building that does not increase the floor area by more than 25 percent.

9. In lieu of providing the minimum parking required by this section, an applicant may request to pay for each required parking stall into a special fund that will be used to provide and upgrade municipal parking to serve the DUC zone. The per-stall fee shall be as specified in the city's fee schedule.

I. *Signs.* The design of all signs shall be in conformance with the design standards referenced in ACC 18.29.070. Allowable types, numbers and sizes of signs shall be as follows:

1. Freestanding: not allowed, except for monument signs as described within the "Downtown Auburn Design Standards"; no more than one per street frontage; maximum size: 64 square feet, calculated at a rate of one square foot of sign area per lineal foot of site frontage; minimum entitlement shall be 32 square feet; maximum height: five feet.

2. Wall signs: maximum area of 150 square feet per building facade, calculated at a rate of one square foot of sign area for every lineal foot of facade; minimum entitlement shall be 16 square feet.

3. Suspended signs attached under a marquee or canopy: one double-faced sign, no greater than three square feet per face allowed for each building entrance; minimum clearance above grade: eight feet.

4. *Portable Signs.* Portable signs may be allowed for each business entrance, subject to the following:

a. Signs may be placed within the public right-of-way, within 12 feet of a business entrance, subject to the guidelines provided by the director in consultation with the city engineer such that sign placement does not interfere with pedestrian or vehicular traffic, does not create a sight hazard, and conforms to the requirements of the Americans with Disabilities Act. Additional portable signage may be authorized in order to support downtown events that are permitted or sanctioned by the city.

b. The sign shall be in accordance with the provisions of ACC 18.56.030(L).

c. The sign area cannot exceed 42 inches in height, 32 inches in width, and be limited to two faces.

d. Portable signs are not permitted to be affixed to city infrastructure located within the right-of-way (e.g., street lights, fire hydrants, public art). This includes a prohibition of chaining or otherwise securing portable signs to such infrastructure.

e. Signs may be displayed during business hours and shall not be displayed when the business is closed.

f. No landscaping may be covered, cut, damaged, or modified to accommodate a portable sign. The city may require replacement of any damaged landscaping pursuant to Chapter 18.50 ACC.

g. All portable signs shall have the permit number affixed to the back of the sign.

J. Landscaping. Landscaping shall be provided as defined in the Downtown Auburn Design Standards. (Ord. 6828 § 1 (Exh. A), 2021; Ord. 6534 § 1, 2014; Ord. 6419 § 1, 2012; Ord. 6071 § 6 (Exh. A), 2007.)

18.29.070 Design standards.

Adopted by reference are the “Downtown Auburn Design Standards” and the “Auburn Junction Design Standards,” a copy of which shall be maintained by the city clerk. These documents contain standards for development of the built environment in the DUC zone. The director shall

have the authority to apply the standards to specific development proposals. These standards may be amended upon approval by the community development director. (Ord. 6828 § 1 (Exh. A), 2021; Ord. 6532 § 29, 2014; Ord. 6419 § 2, 2012; Ord. 6287 § 2, 2010; Ord. 6190 § 1, 2008; Ord. 6071 § 6 (Exh. A), 2007.)

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.31
SUPPLEMENTAL DEVELOPMENT STANDARDS

Sections:

18.31.010 Daycare standards.
18.31.020 Fences.
18.31.025 Retaining walls.
18.31.030 Height limitations – Exceptions.
18.31.040 Lots.
18.31.050 Single-unit detached dwelling siting and design standards.
18.31.060 Recreational vehicle parks.
18.31.070 Setbacks.
18.31.080 Heliports.
18.31.090 Work release, prerelease and similar facilities.
18.31.100 Wireless communications facilities siting standards.
18.31.110 Siting of small wireless facilities.
18.31.115 Wetland mitigation.
18.31.130 Communal residence standards.
18.31.140 Gated residential subdivisions.
18.31.150 Secure community transition facilities.
18.31.160 Supportive housing development standards.
18.31.170 Reserved.
18.31.180 Performance standards.
18.31.190 Supplemental standards for residential mobile home communities.
18.31.200 Architectural and site design review standards and regulations.
18.31.210 Agricultural enterprises development standards.
18.31.220 Permitted animals.
18.31.230 Repealed.

18.31.010 Daycare standards.

A. The following performance standards shall apply to all child daycares but shall not apply to adult daycare:

1. If applicable, must be properly licensed with the state of Washington;

2. Daycare, preschool and nursery school services shall not be conducted before 5:00 a.m. or after 9:00 p.m. in the following zones: RC, R-1, R-2, R-2.

B. The provisions of subsection A of this section are not intended to reduce the requirements of any other licensing agency or department. (Ord. 6245 § 15, 2009.)

18.31.020 Fences.

A. *Purpose.* The fencing requirements in this section are intended to advance public safety, maintain and protect property values, to enhance the city's appearance, and to visually unify the city and its neighborhoods. This section contains general standards applicable to all fences (regardless of zoning district), and specific standards for fences within the residential, commercial, and institutional use zoning districts.

B. *Fence Height Regulations.* The minimum or maximum height requirements as stipulated throughout this chapter shall be considered to be met if the height of the fence is within six percent of the height required. The height of the fence shall be determined from the existing, established grade on the property to the highest point of the fence.

1. Notwithstanding any other provisions regarding fence height, the height of any portion of a fence may not reduce the sight distances established by the engineering design standards for vehicular and nonmotorized transportation facilities.

2. Fences and walls built interior of the required setback areas may be as high as the maximum building height allowed within the applicable zone.

3. Building permits are required for fences exceeding 84 inches in height.

4. The addition of lattice, trellis, and other similar features of a fence shall count towards the overall height and opaqueness of a fence.

5. If a fence sits upon or is elevated by a retaining wall, the height of the fence is measured from the base of the retaining wall. Building permits may be required for fences erected on retaining walls.

C. *Fence Height Regulations by Zoning District.* The following regulations shall apply in the R-1, R-2, R-2, R-3, R-3, R-4, R-MHC, R-F, I, , C-1, C-2, C-AG, and DUC zones:

1. Fence heights shall not exceed the following in each of the required setback areas, as regulated per each zone:

a. Front setback[1]: 42 inches; provided, that fences constructed of chain link, wrought iron or similar materials that provide visibility, as defined herein, may be 72 inches in height;

b. Side setback: 72 inches;

c. Rear setback: 72 inches;

d. Street side setback: 72 inches.

1 The front setback for residential zones pertains to the front setback for single-unit detached dwelling per box E1 of the table shown in ACC 18.07.030.

D. *Screened Fences and Sight-Obscuring Fences.*

1. Fence visibility is defined per ACC 18.04.373. In certain circumstances, the city engineer may determine that a fence that is 50 percent or less opaque does not provide visibility if the angle through which the fence is being viewed for sight distance analysis increases the perceived opacity of the fence to 50 percent or higher.

2. Screened fences are defined per ACC 18.04.372.

3. Sight-obscuring fences are defined per ACC 18.04.374.

E.

1. When landscaping is required along the property line and the property line abuts the right-of-way, the fence shall be placed interior to the required landscaping. The fence may not obscure such landscaping unless authorized through the land use or architectural and site design review process.

2. At other property lines, the landscaping shall be located to serve the greatest public benefit.

3. Fencing shall be placed such that it does not damage existing landscaping.

F. *Access and Obstructions.*

1. If a fence includes a gate or similar feature to allow vehicle passage, the gate shall be placed within the interior of the lot a sufficient distance to provide a vehicle refuge area within the driveway exterior of the fence to avoid blocking the street. The vehicle refuge area shall have a length that is sufficient for a waiting vehicle and not block the street, sidewalk, or right-of-way, in accordance with the engineering design standards.

2. Any fence located within a front yard setback that features a locking gate or similar security device, that cannot be opened from the exterior, shall provide emergency access in a manner acceptable to the fire marshal.

3. In no case shall any fence, hedge, or other obstruction be constructed, grown, or located, such that it deters or hinders the fire authority from gaining access to any fire authority connection, fire protection control valve, fire hydrant, or fire authority appliance or device. Minimum clearance requirements for fire hydrants shall be in accordance with the engineering design standards.

4. In no case shall any fence, hedge, or other obstruction be constructed, grown, or located, such that it obstructs the visibility of any fire hydrant from a distance of 150 feet, in any direction, of vehicular approach to the hydrant.

5. In no case shall any fence, hedge, or other obstruction be constructed, grown, or located in a manner which interferes with access to water, storm, or sanitary sewer manholes, and utility meters, and other city appurtenances which require access for maintenance purposes.

6. Unless explicitly permitted by easement language, fences are prohibited within city utility easements except as may be authorized by the city engineer.

G. Other than in the P-1, M-1, or M-2 zones, no fence may include the use of barbed wire, including concertina, razor, or similar wire; provided, that pasture areas a minimum of one acre in area may be fenced with barbed wire in any zone. Barbed wire may be attached to the top of, and in addition to, the height of a 84-inch fence in the above zones, provided it does not extend more than 12 inches in height.

H. Electrically charged fences shall only be allowed within the RC, R-1, C-2, M-1, M-2, LF, or I zones and shall adhere to the following standards. These standards shall not apply to underground or invisible pet fences that are used to contain small domestic animals.

1. Within the RC and R-1 zones the electrical charge of an electric fence must be noncontinuous and the electric fence controller shall be approved by Underwriters Laboratories (UL) or meet the testing standards of Underwriters Laboratories. It is further provided that electric fences in the RC and R-1 zones that abut any public street or right-of-way shall include warning signs consistent with subsection (H)(2)(e) of this section.

2. Within the C-2, M-1, M-2, LF, or I zones, the construction and use of electric fences shall be allowed in the city only as provided in this section and subject to the following:

a. *Electrification.*

i. The energy source (energizer) for electric fences must be provided by a storage battery not to exceed 12 volts DC. The storage battery is charged primarily by a solar panel. However, the solar panel may be augmented by a trickle charger.

ii. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in the International Electrotechnical Commission (IEC) standards.

b. *Perimeter Nonelectric Fence or Wall.* No electric fence shall be installed or used unless it is completely surrounded by a nonelectrical fence or wall that is not less than 72 inches.

c. *Location.* Electric fences shall only be permitted around outdoor storage areas. Electric fences and perimeter fencing are allowed in the setback areas provided the applicable requirements of this section are met.

d. *Height.* Electric fences shall not exceed 10 feet in height.

e. *Warning Signs.* Electric fences shall be clearly identified with warning signs that read "Warning – Electric Fence" at intervals of 50 feet or less. Signs shall also contain imagery or symbols of or similar to the International Organization for Standardization (ISO) warning symbol for electric hazard to alert individuals that the fence is electrically charged (e.g., lightning bolts).

f. Electric fences shall be governed and regulated in accordance with the regulations for alarm permits contained in Chapter 9.30 ACC.

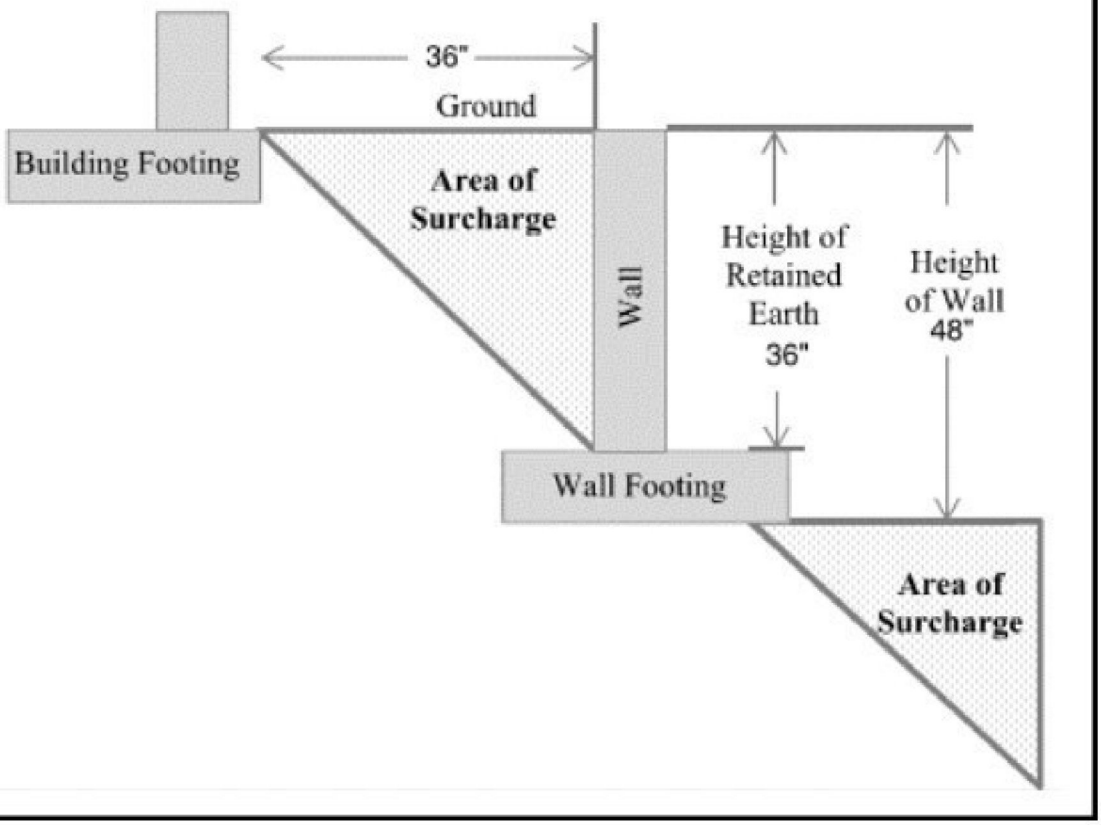
g. Electric fences and gates must also meet all applicable International Fire Code standards. (Ord. 6884 § 1 (Exh. 1), 2022; Ord. 6461 § 2, 2013; Ord. 6419 § 3, 2012; Ord. 6245 § 15, 2009.)

18.31.025 Retaining walls.

A. *Retaining Wall General Regulations.*

1. Retaining walls must be designed and located per the adopted IBC and IRC design standards. See Figure 18.21.025(A).

Figure 18.21.025(A)



2. Notwithstanding any other provisions regarding retaining wall height, the height of any portion of a retaining wall may not reduce sight distance established by the Engineering Design Standards for vehicular and nonmotorized facilities.

3. Any grading work shall be in compliance with Chapter 15.74 ACC.

4. All portions of retaining walls, including subsurface elements such as footings, anchors, and cantilevers, shall not encroach or be located within the right-of-way or public utility easements unless explicitly permitted by the city engineer and/or by the easement language.

5. The requirements of this chapter do not apply to retaining walls in rights-of-way.

6. Additional requirements apply to retaining walls that provide support to rights-of-way as specified in the Engineering Design Standards.

7. Retaining walls designed as part of an approved preliminary plat, and located prior to recordation of the final plat, are not subject to the setback area requirements contained in this section.

B. *Residential Lots.*

1. Retaining walls are not permitted in the required setback areas, unless meeting one of the following criteria. The height of a wall shall be measured from the bottom of a footing to the top of the wall.

a. Retaining walls that are under 48 inches and constructed in accordance with the IRC, whether supporting a surcharge or not, are allowed in all setback areas, as regulated per each zone.

b. Retaining walls over 48 and under 84 inches and constructed in accordance with the IRC, whether supporting a surcharge or not, are allowed in all setback areas except the front and street-side setback, as regulated per each zone.

c. Retaining walls over 84 inches, constructed in accordance with the IRC, whether supporting a surcharge or not, are not allowed in the setback areas, as regulated per each zone.

2. Retaining walls visible from the right-of-way or adjacent property must be composed of rock, textured or patterned concrete, masonry, composite, or other products that complement the existing residential or neighborhood character. Products such as “ecology blocks” or plain smooth concrete are not permitted. Materials other than those listed may be used with approval from the planning director or designee.

C. *Nonresidential Lots/Tracts.*

1. Retaining walls visible from the right-of-way or adjacent property shall be composed of rock, textured or patterned colored concrete, masonry, or composite. Products such as “ecology blocks” are not permitted. Materials other than those listed may be used with approval from the planning director or designee.

2. For retaining walls over 48 inches in height or supporting a surcharge, the area between the right-of-way and the retaining wall shall be landscaped and maintained per Chapter 18.50 ACC.

3. Terraces created between retaining walls shall be permanently landscaped and revegetated pursuant to a mitigation or landscape plan developed by a qualified professional.

4. Notwithstanding the requirements contained in this section, retaining walls may still require a building permit if trees or other landscape features will potentially impact (e.g., tree roots) or impose a surcharge on the wall.

5. The width of the retaining wall or walls support shall not be included in any landscaping calculations or measurements. (Ord. 6884 § 1 (Exh. 1), 2022.)

18.31.030 Height limitations – Exceptions.

The following buildings and/or structures are exempt from the height requirements of this title; in no case does this lessen any height restrictions that relate to the municipal airport:

A. Cupolas, provided they do not extend more than three feet above the roof line;

B. Church spires or steeples, provided they conform to elevations as approved under a conditional use permit;

C. Transmission line towers, including telephone line towers and similar types of other line towers, located within public street rights-of-way, easements, or on private property, and which are constructed in accordance with other regulations as required by the city;

D. Residential television antennas, provided they are used in conjunction with the reception of commercial television station signals and are not used for transmission purposes;

E. Elevated reservoirs, water tanks or standpipes under the jurisdiction of the city or other water district;

F. *Athletic Field or Playground Lighting Under the Jurisdiction of the City or Other Public Agency.* This exemption is limited to the P-1 public use zone only. (Ord. 6245 § 15, 2009.)

18.31.040 Lots.

A. All lots shall meet the lot area and width requirements set forth in the applicable zone, except that for parcels created prior to June 1, 2009, the following standards shall apply. For any residentially zoned parcel of land created prior to June 1, 2009, with an area and/or a width or depth less than that prescribed for a lot in any residential zone, the fact that the parcel of land does not meet the area and/or width requirements as set forth in this title shall not prohibit the property from being utilized for single-unit detached dwelling purposes; provided, that all other regulations of this title are complied with.

1. For single-unit detached homes on substandard lots, the following special provisions for lot coverage and setbacks may apply; provided, that the requirements for access, utility infrastructure, and minimum sight distance as provided for in the city design construction standards, and the requirements for private utilities, can be met:

a. *Lot Coverage.* Lot coverage may be determined by using the following formula:

(A/B) * C = D(%)

A = Lot area required by zoning code.

B = Lot area of existing lot.

C = Percentage of lot coverage allowed by zoning code.

D = Percentage of lot coverage allowed for the substandard lot.

In no case shall the lot coverage exceed 60 percent, unless otherwise allowed by this title.

b. *Front and Rear Setbacks.* Either the front or rear setback may be determined by using the following formula:

(A/B) * C = D

A = Lot area of existing lot.

B = Lot area required by zoning code.

C = Front or rear setback required by zoning code.

D = Front or rear setback allowed for the substandard lot.

In no case shall the front or rear setback be less than 10 feet, unless otherwise allowed by this title.

c. *Side Setbacks.* Side setbacks may be determined by using the following formula:

(A/B) * C = D

A = Width of the existing lot.

B = Lot width required by zoning code.

C = Side setback required by zoning code.

D = Side setback allowed for the substandard lot.

In no case shall the interior side setback be less than five feet or the street side setback less than 10 feet, unless otherwise allowed by this title.

B. Lots created by the King County assessor's office shall not be considered as building lots or lots that can be further subdivided unless in accordance with this title and land division ordinance, except those lots created prior to August 24, 1968, which was the adoption date of the previous subdivision ordinance, No. 2204. See ACC 17.04.220 for definition of "lot of record."

C. Lots created by the Pierce County assessor's office shall not be considered as building lots or lots that can be further subdivided unless in accordance with this title and land division ordinance, except those lots legally created prior to any land being annexed to the city of Auburn. See ACC 17.04.220 for definition of "lot of record." (Ord. 6245 § 15, 2009.)

18.31.050 Single-unit detached siting and design standards.

A. All single-unit detached dwellings (including manufactured homes) located in residential zones shall meet all of the following criteria:

1. May not have previously had a title granted to a retail purchaser and may not be a used mobile home as defined by RCW 82.45.032(2), now or hereafter amended.

2. Be built to meet or exceed the standards established by federal law 42 USC 5401 through 5403, now or hereafter amended.

3. Be thermally equivalent or better to that required by the state energy code for new residential structures, now or hereafter amended.

4. Be set on and securely attached to a permanent foundation as specified by the manufacturer.

5. Proof of title elimination is required prior to building occupancy.

6. Be connected to required utilities that include plumbing, heating and electrical systems.

B. Single-unit detached siting standards. All single-unit dwellings (including manufactured homes) shall comply with the following siting standards:

1. The design and construction of the foundation must meet the requirements of the International Building Code, now or hereafter amended;

2. The gap from the bottom of the structure to the ground, around the entire perimeter of the structure, shall be enclosed by concrete or other concrete product as approved by the building official, which may or may not be load-bearing.

C. Single-unit detached design standards. In addition to any other documentation required for submittal of a complete application for building permit or discretionary land use approvals/permits, the following items shall be required for the review of building design:

1. Elevation drawings prepared by an architect licensed in the state of Washington of all proposed construction including dimensional drawings at one-eighth inch equals one foot or comparable scale showing the type of exterior materials, color, exterior finishes (including for accessory structures, where applicable), articulation, fenestration details, and the location, elevations, type, style and model of any exterior lighting fixtures (where applicable).

2. As applicable, a to-scale landscape plan consistent with Chapter 18.50 ACC.

D. The above requirements do not apply to single-unit detached dwellings sited within the R-MHC residential manufactured/mobile home community zone. (Ord. 6245 § 15, 2009.)

18.31.060 Recreational vehicle parks.

A. The following performance standards shall apply to all recreational vehicle parks:

1. Minimum size of the recreational vehicle park: 100,000 square feet;

2. Maximum gross density: one recreational vehicle space per each 2,000 square feet of land area;

3. Recreational space: eight percent of the total site area shall be provided as defined recreation space. The recreation space shall be easily accessible and shall be improved and maintained in such a manner so as to provide adequate recreational facilities for the residents of the recreational vehicle park;

4. Minimum width: each recreational vehicle space shall have a minimum width of 25 feet;

5. Interior private streets:

a. Twelve feet of width per each travel lane and 10 feet of width per each parking lane. A minimum of 20 feet shall be provided for one-way systems;

b. The streets shall be improved in accordance with this title. In addition, all streets shall be well-drained, well-lighted, and continuously maintained in operable condition;

6. Spacing between units: there shall be a minimum side-to-side dimension of 12 feet between units and a minimum end-to-end dimension of 10 feet between units;

7. Minimum setbacks required: the following setback requirements shall apply:

a. Twenty-five feet from a public street;

b. Five feet from an interior private street;

c. Fifteen feet from the park boundary;

8. Off-street parking: a minimum of one off-street parking space shall be required for each recreational vehicle space. It shall be located within the recreational vehicle space. In addition, one off-street parking space per each three recreational vehicle spaces shall be required for guest parking. The guest parking spaces shall be grouped and distributed evenly throughout the park;

9. Pedestrian walkways: pedestrian walkways having a width of not less than three feet shall be provided from the recreational vehicle spaces to all service buildings, and facilities, refuse collection areas, and recreation areas. The walkways shall be hard-surfaced, well-drained, and well-lighted;

10. Landscaping: see Chapter 18.50 ACC;

11. Limit of stay: no recreational vehicle shall remain within in a recreational vehicle park for more than 120 days in any one-year period;

12. Solid waste disposal: the storage, collection and disposal of solid waste in recreational vehicle parks shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened from view except on collection day;

13. Utilities: the following requirements for utilities shall apply:

a. A water supply system shall be provided in the recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained recreational vehicle, the water system for a recreational vehicle park shall be constructed and maintained in accordance with all applicable state and local codes and regulations;

b. Watering stations: each recreational vehicle park shall be provided with one or more accessible water supply outlets for filling recreational vehicle water storage tanks;

c. Sewage disposal system: an adequate and safe sewage disposal system shall be provided in a recreational vehicle park for each recreational vehicle space designed to accommodate the park user occupying a self-contained vehicle and shall be connected to the public sewage system. The sewage disposal system in a recreational vehicle park shall be constructed and maintained in accordance with all applicable state and local codes and regulations;

d. Sanitary stations: each recreational vehicle park shall be provided with sanitary dumping stations in the ratio of one for every 100 recreational vehicle spaces or fractional part thereof. The construction of the sanitary station shall be in accordance with the appropriate county department of health. Sanitary stations shall be screened from other activities by a visual barrier such as fences, walls, or natural growth and shall be separated from any recreational vehicle space by a distance of not less than 50 feet;

e. Electrical supply system: each recreational vehicle park shall be provided with an underground electrical system which shall be installed and maintained in accordance with all applicable state and local codes and regulations;

f. Other utility systems: if other utility systems such as natural gas, television cable, or telephone are installed in a recreational vehicle park, such installation shall be in accordance with state and local codes and regulations;

14. All recreational vehicle spaces shall be well marked and numbered.

B. The planning director shall approve the site plan for all recreational vehicle parks with concurrence of the city engineer. The site plan shall contain the following:

1. Name of the owner and operator, with address and phone number, and the name of the proposed recreational vehicle park or campground;

2. Legal description of the subject tract of land;

3. Name, address and phone number of the person or firm preparing the site plan;

4. Scale of the drawing and north arrow;

5. The area and dimensions of the tract of land;

6. The number, size and location of all recreational vehicle spaces;

7. The number, location and size of all off-street automobile parking spaces;

8. The location and width of all streets and walkways;

9. The location of service buildings, sanitary stations, recreation area and any other proposed facilities or structures;

10. Location of all utility lines and easements;

11. Indication of the water supply, sewage disposal, electrical supply, and refuse collection systems;

12. Indication of all buildings, recreation uses, and other facilities to be constructed;

13. Landscaping specifications;

14. A vicinity map indicating the names and location of all streets within at least a quarter-mile radius of the subject site;

15. Location and specifications of the manager’s office and dwelling unit;

16. The site plan shall be properly dimensioned and drawn at a scale not less than one inch equals 40 feet and on a sheet size 24 inches by 36 inches; more sheets may be allowed if necessary. (Ord. 6245 § 15, 2009.)

18.31.070 Setbacks.

A. The following may project from a building into a required setback; provided, that such projection does not interfere with required utility easements or sight distance requirements pursuant to city design and construction standards:

1. Fireplace structures, bay windows, garden windows, enclosed stair landings, closets, framed fireplace shafts, wireless communications facilities or similar projections not wider than eight feet measured in the general direction of the wall of which it is a part: 18 inches into any setback; provided, that such projection does not interfere with required utilities easements or sight distance requirements pursuant to city design and construction standards;

2. *Porches and Platforms.*

a. Uncovered porches and platforms which do not extend above the floor level of the first floor: 18 inches into side setbacks and six feet into the front setback and rear setback; provided, that they may extend three feet into the side setback when they do not exceed 18 inches in height above the finished grade;

b. Covered but unenclosed porches and platforms which do not extend above the floor level of the first floor and which are no wider than 50 percent of the building's frontage: five feet into the front setback;

3. Planting boxes or masonry planter not exceeding 42 inches in height may intrude into any setback;

4. Eaves shall not protrude more than 24 inches into any minimum required setback;

5. Awnings, canopies, marquees and similar structures designed to primarily protect pedestrians from the weather elements. They shall be attached to and supported entirely by the building. The maximum projection shall be seven feet from the building. The projection, if approved by the city, must comply with the International Building Code (IBC) and International Fire Code (IFC), and an approved right-of-way use permit subject to the requirements of Chapter 12.60 ACC.

B. *Special Front Setback Depth.* If buildings existing on July 6, 1964, occupy 50 percent or more of the frontage in any block, and are on one side of the street, then the depth of the front setback required by this title shall be disregarded on that side of the street in such block, and in lieu thereof the depth of front setback required on each lot therein shall be not less than the average depth of the front setbacks existing on July 6, 1964. This shall apply to residentially zoned property only.

C. *Lots with Significant Slopes.* To encourage the preservation of natural features on lots with significant slopes, platted residential lots with an average slope of 15 percent or more may reduce the front setback by up to 20 percent; provided, however, that all structures must comply with applicable sight distance triangle requirements of the city design and construction standards. This provision shall only apply to lots developed for a single-unit detached dwelling but shall not apply to property zoned RC (residential conservancy).

For the purposes of this section, the average slope shall be measured by taking the difference between the average elevations of the rear and the front lot lines. This provision is not intended to waive any other requirements of geotechnical reports or studies that may be necessary to ensure the suitability of a lot for development.

Development under this provision may also implement the setback exemptions identified in subsections (A)(1) through (A)(5) of this section. (Ord. 6245 § 15, 2009.)

18.31.080 Heliports.

The following development standards shall apply to all heliports, excluding those developed as part of the Auburn Airport:

A. Meet the Federal Aviation Administration (FAA) requirements;

B. Meet the current National Fire Protection Agency 403 requirements;

C. Be consistent with the Auburn Municipal Airport requirements;

D. The size of the landing pad must be one and one-half times the size of the largest helicopter to use the site;

E. The landing pad must be paved, and a source of water available to keep the pad clean, additional fences and/or screens may also be required to reduce any flying debris;

F. The location of the heliport shall be compatible with adjacent uses and should be located away from schools and populated areas to include residential, commercial, industrial and other public use areas;

G. Additional requirements may also be assessed with regard to fences, hours of operation, lighting, setbacks or easements. (Ord. 6245 § 15, 2009.)

18.31.090 Work release, prerelease and similar facilities.

The following siting and performance standards shall apply to all work release, prerelease and similar facilities offering alternatives to imprisonment:

A. *Maximum Number of Residents.* No work release, prerelease or similar facility shall house more than 50 persons, excluding resident staff.

B. *Dispersion Criteria.*

1. The lot line of any new or expanding work release, prerelease or similar facility shall be located:

a. One thousand (1,000) feet or more from any residential zone; and

b. One thousand (1,000) feet or more from any group residence facility as defined by ACC 18.04.440; and

c. One thousand (1,000) feet or more from any accredited public, private or parochial school, excluding commercial schools such as business, vocational or technical schools; and

d. One thousand (1,000) feet or more from any religious institution meeting the requirements of a conforming use and meeting all other requirements of the Auburn City Code; and

e. One thousand (1,000) feet or more from any public park; and

f. One thousand (1,000) feet or more from any licensed daycare center, nursery school or preschool as defined by ACC 18.04.290; and

g. One mile or more from any other work release, prerelease or similar facility.

2. The distances provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located or expanded to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

C. Each facility shall provide on-site dining, on-site laundry or laundry service, and on-site recreation facilities to serve the residents.

D. A conditional use permit application for a work release, prerelease or similar facility shall be accompanied by proposed operating rules for the facility. These proposed rules shall be reviewed by the planning director in consultation with the chief of police and the city attorney. The planning director shall include in any recommendation on the requested conditional use permit an analysis of the proposed rules as they may relate to the findings of fact required under ACC 18.64.040. (Ord. 6245 § 15, 2009.)

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)) on properties regulated under this title. The siting of small wireless facilities shall also be in accordance with ACC 18.31.110:

A. *Types of Wireless Communications 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 is a new wireless communications facility (WCF) that is affixed to an existing structure other than a "wireless communications support structure" (also known as an "attached wireless communications 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 WCF together with the height of the existing structure cannot be 25 percent greater than the existing structure or exceed the height limitation of the zone in which the structure is located.

b. *1-B.* The combined height of the WCF together with the height of the existing structure cannot be 50 percent greater than the existing structure or exceed the height limitation of the zone in which the structure is located.

c. *1-C.* The combined height of the WCF together with the height of the existing structure is 50 percent greater than the existing structure or exceeds the height limitation of the zone in which the structure is located. The height limitation of the zone can only be exceeded by 25 percent.

d. *1-D.* The WCF is located on an existing nonhabitable structure such as a water tower, athletic field light pole, or similar public utility infrastructure not located within a public way or that is located on an existing nonresidential 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 Type 1 facilities, must include concealment techniques approved by the city.

2. *Type 2.* Type 2 is new equipment erected on existing towers that have previous 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 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 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.

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 "tower." There are three separate Type 3 categories described as follows:

a. *3-A.* "Towers" that are 75 feet or less in height.

b. *3-B.* "Towers" that are more than 75 feet in height or lattice towers of any height.

c. *3-C.* "Towers" that meet the definition of an emergency wireless communication facility (EWCF) and are 185 feet or less in height.

B. *Separation between Facilities.*

1. *New, Freestanding Towers.*

a. The minimum separation, i.e., distance, between a proposed tower (that is 75 feet or less in height) and any other existing tower, of any height, shall be the height of the proposed tower, including antenna, multiplied by a factor of 10.

b. The minimum separation, i.e., distance, between a proposed tower (that is more than 75 feet in height, or lattice towers of any height) and any other existing tower, of any height, shall be the height of the proposed tower, including antenna, multiplied by a factor of 20.

c. The community development director may exempt an applicant from these separation requirements if (i) 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 (ii) 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 towers shall be measured by following a straight line, without regard to intervening buildings, from the base of one tower to the base of the other tower(s).

3. A 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, nonconforming 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 nonconforming.

C. *Co-Location Requirements.*

1. For towers that are more than 75 feet in height and lattice towers of any height, the owner of the tower shall execute and provide evidence of a nonexclusive lease with the 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 (C)(3) of this section.

2. Any application for Type 3-B or 3-C towers that are more than 75 feet in height or lattice towers of any height shall include technical, environmental, or regulatory justification that an existing 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 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 tower with appurtenances shall not exceed the height limitations of the zone.

2. The maximum height of any 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 applicant shall provide evidence that the Federal Aviation Administration (FAA) has approved the location and the city shall condition the same of 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 WCFs shall be set back the same distance required of the 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 residential zone except as an eligible facility request.

2. The minimum distance from any 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 tower (including antennas) multiplied by a factor of two.

3. Where 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 towers. Fencing will be 100 percent sight-obscuring, as defined in ACC 18.04.374, if visible from a public 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 engineering design and construction standards.

2. *Landscaping.*

a. Where above-ground support equipment is visible from a public way, a minimum width of five feet of landscaping will be provided on the exterior of the enclosing fence in order to effectively screen the equipment from the public 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 engineering design and construction standards.

b. Where facilities are visible from adjacent residential or mixed-use zoning districts, a minimum width of five feet of landscaping 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 percent being deciduous, backed with a 100 percent sight-obscuring fence, as defined in ACC 18.04.374, 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 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 nonreflective materials (visible exterior surfaces only).

2. In order to minimize any potential negative aesthetic impacts from new WCFs including protecting views to and from residential neighborhoods, mitigation may be required to blend the facilities in with the

adjacent natural setting and/or built environment. Typical solutions for 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.

3. Building- or roof-mounted antennas will be painted or textured to blend with the adjacent surfaces.

4. 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.

5. Except as specifically required by the FAA (but must be approved by the city), freestanding 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, nonreflective color that is identical to, or closely compatible with, the color of the supporting structure or use 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 names 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 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. The city 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 90 days of receipt of written notice from the city. If such WCF is not removed within 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, 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 and why a shorter support structure could not be utilized. Any application for a new tower greater than 75 feet in height shall provide technical justification as to why a 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. The applicant shall provide evidence of the ability to execute a nonexclusive 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 sample for the proposed 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 and above-ground support equipment.

L. *Zones in Which WCFs Are Permitted.* The following table illustrates which zones the types of facilities as defined by ACC 18.04.912(K) and (W) and subsection A of this section are allowed in and which land use approval process, if any, is required. Microcells, as defined by ACC 18.04.912(M) (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(M).

	Type of Permit Required		
Zone	**Permitted Outright**	**Administrative Use Permit**	**Conditional Use Permit**
All Zones	1-D	1-D[1]	1-D[2]
R-F,	1-A	1-B	1-C
C-1	1-A	1-B	1-C
DUC	1-A	1-B	1-C
C-2, C-AG	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-1	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 are exempt from the provisions of this section.

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.

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; and

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.

3. *Time Frame for Reviewing and Deciding Eligible Facilities Requests.* Subject to the tolling provisions below, within 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 facilities request," or does not comply with other applicable code requirements.

a. *Tolling of the Time Frame 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 time frame for incompleteness, the city must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application;

c. The time frame 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 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The time frame is tolled in the case of second or subsequent notices pursuant to the procedures identified in subsections (N)(3)(a) and (b) of this section. 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, the presumptively reasonable time frame 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. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6799 § 7 (Exh. G), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 15, 2009.)

18.31.110 Siting of small wireless facilities.

The following siting standards are intended to guide the location and development of 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 communications facilities found in ACC 18.31.100.

A. *Siting Criteria for 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 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 landscaping 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 small wireless facilities used by the same carrier.

4. Anyone wishing to establish a small wireless facility or associated components shall make application to the community development director upon application forms provided by the director. The director shall review each application and may be empowered to approve, deny or modify the proposal. (Ord. 6799 § 8 (Exh. H), 2020; Ord. 6245 § 15, 2009.)

18.31.115 Wetland mitigation.

The following siting criteria shall apply to all wetland mitigation site construction within the city of Auburn, the purpose of which is to mitigate the impacts of a project that is not located within the city of Auburn. Off-site wetland mitigation construction that is associated with a project that is located within the city of Auburn shall be reviewed concurrently with that proposal and will not be subject to the following:

A. *Definitions.* “Wetland mitigation site construction,” for the purposes of this section, means the construction of new wetlands on existing nonwetland property and/or the enhancement of existing wetlands.

B. *Siting Criteria.* Wetland mitigation site construction may be allowed within any zone within the city of Auburn subject to all of the following criteria. At a minimum the proponent of wetland mitigation site construction shall apply for and receive from the city of Auburn a grading permit before said construction begins.

1. The wetland mitigation site must be linked to and be compatible with a comparable naturally occurring ecosystem, e.g., another wetland, river, stream, etc. The constructed wetland mitigation site cannot be an isolated mitigation site.

2. Only a public agency may propose a wetland mitigation site pursuant to this section. Before starting construction the public agency proposing the wetland construction must have an approved budget that has

sufficient financial capability to construct the wetland mitigation project. The public agency must also provide the city a written commitment to complete the project, to the city's satisfaction, once construction starts.

3. The project, outside of Auburn, that is creating the need for the wetland mitigation shall be a public project of a regional or statewide significance and shall be a benefit to the general public. The proponent shall demonstrate to the city's satisfaction that it is impractical to mitigate wetland impacts in the jurisdiction and/or drainage basin where the wetland impact occurs.

4. There must not be a loss of buildable upland property such that it would be a financial burden to other properties in the area, or the city, with regard to funding capital improvement projects. This would include, but not be limited to, the participation or potential participation in local improvement districts (LIDs), the financial participation in city of Auburn capital improvement projects, or system development charges. Financial contributions may be used to offset the loss of the financial participation and shall require a separate legal binding contract to be executed between the city and the public agency.

5. There must not be a loss of buildable upland property that would diminish the city's ability to meet its responsibilities with regard to the Growth Management Act or comprehensive plan. (Ord. 6245 § 15, 2009.)

18.31.130 Communal residence standards.

A. *Parking Requirements.* There must be one off-street parking stall that meets city standards of ACC 18.52.050, Parking design, development, and maintenance standards, per tenant. The applicant must demonstrate that each off-site parking space is under their ownership. In condominium or townhouse communities the applicant can also provide legal documentation that demonstrates that they have exclusive use of a common area parking space. The city shall reduce the off-street parking requirement if the property owner provides and maintains a notarized affidavit signed separately by each tenant, certifying that a tenant does not own a vehicle or have control of a vehicle while at the residence. A copy of the affidavit must be provided to the city upon request.

B. *Solid Waste Management Requirements.*

1. ACC 8.08.070 requires all occupied communal residences to have minimum garbage service. The landlord is required to provide tenants with adequate garbage and recycle receptacles meeting the minimum garbage service level of this section.

2. The landlord is responsible to provide each tenant with the solid waste collection schedule at the time of the tenant's initial occupancy and that schedule is to be posted within the unit.

C. *Periodic Inspection Required.* Upon written request, the communal rental housing owner or manager shall allow inspection of the communal rental housing residential units consistent with their ability to do so under

the requirements of the landlord-tenant statutes of the state of Washington and the Auburn City Code, including ACC 5.22.050(C)(3). The city may, with the legally obtained consent of an occupant or owner or manager, or pursuant to a lawfully issued warrant, enter any building, structure or premises in the city to inspect or perform any duty imposed by this code.

D. *Occupancy Limits.*

1. International Property Maintenance Code occupancy requirements are applicable to a communal residence regardless of the number of individuals living in the residence.

2. The occupancy limit for a communal residence shall not exceed four people. (Ord. 6560 § 10, 2015; Ord. 6477 § 9, 2013; Ord. 6245 § 15, 2009.)

18.31.140 Gated residential subdivisions.

The street(s) within a residential subdivision may be allowed to be gated pursuant to the following:

A. Gated streets cannot adversely affect the automobile or pedestrian traffic of an existing or future neighborhood. This will be determined by (1) the use of gated streets would not cause discontinuity in the existing or proposed public street system (i.e., street layout) including pedestrian traffic, (2) the use of gated streets cannot preclude public street access to other properties, and (3) the use of gated streets would not distribute an unacceptable amount of traffic through an existing or future neighborhood than would otherwise result if through public streets were used.

B. Gated residential subdivisions of more than four lots can only be permitted as part of the plat process pursuant to Chapter 17.10 ACC. Existing plats, proposed to be gated, must go through a plat alteration process pursuant to Chapter 17.20 ACC as well as meet all the requirements of this section.

C. The gated streets are to be privately owned and maintained. The private streets must however meet the same design, construction, and public facility extension standards required of public streets, including approval of the construction by the city. Private streets are only allowed to serve more than six lots if part of a gated residential subdivision.

D. A legally incorporated property owners' association must be established and assume the responsibility and cost to repair and maintain the proposed private street(s) and gate(s). The property owners must also agree to maintain a policy of liability insurance in a minimum amount of $1,000,000 of which the city is named as insured to protect the city from any claims that may result from the property owners' utilization of a gated roadway, including but not limited to malfunctions of the gate.

If the association fails to maintain the street(s), the by-laws of the association must give the city the right to maintain the street(s) and charge the cost of the maintenance, including any administrative costs, to the association members.

The by-laws establishing the association must state that if future owners should request the private street(s) be changed to public then the owners fully agree that, before the acceptance of such streets by the city, the owners will bear the full expense of reconstruction or any other action necessary to make the streets substantially consistent with the requirements of public streets, applicable at the time.

If at any time the private streets are converted to public streets, then the gate(s) shall be removed at the expense of the association.

E. At the time of application for a preliminary plat or plat alteration the applicant shall address and provide evidence that those items as required in subsections A, B, C, D, and F of this section have been fulfilled. A preliminary plat or plat alteration shall not be approved unless it is found to meet the requirements of this section.

F. Design Standards for All Entry Gates to Residential Developments Including Residential Subdivisions, Apartment Complexes, Condominiums, and Mobile Home Parks.

1. A vehicle turnaround, turnout or similar mechanism shall be provided in front of the gate. The entrance to the proposed gate shall be designed and stamped by a professional civil engineer licensed in the state of Washington and shall allow for a safe turnaround for vehicles in front of the gate in cases where the vehicle is denied entry. The design for the gated entrance shall consider the abutting public roadway alignment and grade, sight distance, posted speeds and other engineering criteria relevant to designing the particular gated entrance. The proposal shall be reviewed for approval by the city engineer.

2. Gate construction shall be of wrought iron or similar material approved by the planning director and be constructed in such a manner to allow for viewing of obstructions located within the swing path of the gate. The swing path of the gate shall be away from or parallel with the vehicle approaching the gate. The gate and accessory equipment shall be coated to prevent corrosion.

3. If the entry gate(s) obstructs access to solid waste collection, public water, sewer, or storm water utilities owned and maintained by the city, then a property owner or homeowners' association will be required to meet all easement requirements and be responsible for assuring that 24-hour access is provided to the city. The city's public works director shall determine a specified number of activation keys, activation devices or receive the access code to the gate which shall be distributed to the appropriate city departments. If the access method to the gate is subsequently modified, then the property owner or homeowners' association shall notify the public works director and again provide to the public works director a specified number of activation keys, activation devices or the access code to the gate which shall be distributed to the appropriate city departments.

4. *Emergency Access Provisions.* Gates shall have rapid entry key capabilities as approved by the fire marshal. The gate shall provide for 20 feet of clear passage for emergency access with a minimum clear height of not less than 16 feet six inches in accordance with WSDOT Design Manual Section 1120.04, "Bridge Site Design Elements," paragraph 5(a)1. Electrically operated gates shall have the capability to

automatically default to the unlocked (open) position in the event of a power outage. (Ord. 6245 § 15, 2009.)

18.31.150 Secure community transition facilities.

The following siting and performance standards shall apply to all secure community transition facilities (SCTFs) as defined in RCW 71.09.020:

A. *Maximum Number of Residents.* No SCTF shall house more than 15 persons, excluding resident staff.

B. *Siting Criteria.* As an essential public facility of regional or statewide importance, any SCTF shall be sited consistent with the essential public facilities process in the Auburn comprehensive plan and shall be located in the region-serving area of Auburn, as defined and mapped in the Auburn comprehensive plan. Such facilities should be located in relationship to transportation facilities in a manner appropriate to their transportation needs. Extensive buffering from adjacent uses may be required.

C. *Dispersion Criteria.*

1. The lot line of any new or expanding SCTF shall be located:

a. One thousand (1,000) feet or more from any residential use; and

b. One thousand (1,000) feet or more from any group residence facility as defined by ACC 18.04.440; and

c. Not adjacent to a parcel containing nor within the line of sight of any of the following:

i. Any accredited public, private or parochial school;

ii. Any religious institution in existence as of the effective date of the ordinance codified in this section;

iii. Any public park, publicly dedicated trail, sports field, playground, or recreational or community center;

iv. Any licensed daycare center, nursery school or preschool as defined by ACC 18.04.290;

v. Any school bus stop in existence at the time the facility is proposed;

vi. Any public library; and

vii. Any other facilities as identified by the State of Washington Department of Social and Health Services following the hearings on a potential site as required in RCW 71.09.315;

d. One mile or more from any work release, prerelease or similar facility.

2. The distances provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located or expanded to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

3. The "adjacent to a parcel containing nor within the line of sight" criterion is a minimal guideline established to minimize the access between an SCTF and a "risk potential activity" as defined in RCW 71.09.020. That criterion may be altered depending on topographic conditions, size of parcels, or substantial intervening barriers to access (e.g., a river).

D. A conditional use permit application for an SCTF shall be accompanied by the following:

1. The siting process used for the SCTF, including alternative locations considered;

2. An analysis showing that utmost consideration was given to potential sites such that siting of the facility will have no undue impact on any one racial, cultural, or socioeconomic group, and that there will not be a resulting concentration of similar facilities in a particular neighborhood, community, jurisdiction, or region;

3. Proposed mitigation measures;

4. A detailed plan that demonstrates how security for the facility and the residents will be addressed, and how the security plans will be coordinated with local emergency personnel;

5. A detailed plan on how the proposed operating rules for the facility will be developed and coordinated with local emergency personnel;

6. A schedule and analysis of all public input solicited or to be solicited during the siting process, including assurance that comments are reviewed and adequately responded to; and

7. A preliminary landscaping plan that shows how the proposal intends to meet the requirements of the zone in which it is located, in order to comply with state regulations for siting an SCTF and in order to provide appropriate visual separation between the SCTF and neighboring land uses such that impacts to residents of an SCTF by neighboring manufacturing uses are mitigated.

These proposed materials shall be reviewed by the planning director in consultation with the chief of police and the city attorney. The planning director shall include in any recommendation on the requested conditional use permit an analysis of the proposal as they may relate to the findings of fact required under ACC 18.64.040. (Ord. 6245 § 15, 2009.)

18.31.160 Supportive housing development standards.

A. Supportive housing projects allowed pursuant to ACC 18.07.020 shall comply with the following standards:

1. Minimum lot area per unit: 1,200 square feet.

2. For lots with an area of up to one acre, the maximum number of units allowed is 25; for lots with an area greater than one acre, the maximum number of units allowed is 50.

3. Maximum lot size: two acres.

4. Minimum separation from other supportive housing projects: five miles.

5. Maximum unit size: 450 square feet (on-site manager unit excepted).

6. Shall provide an on-site resident manager who is accountable to the owner or manager of the supportive housing project.

7. Appropriate off-site support services shall be available within 1,000 feet. Off-site support services shall provide residents with case management services, medication monitoring, help with vocational training and goals, access to chemical dependency services, assistance with activities of daily living, etc.

8. Registered sex offenders shall not be allowed to reside within supportive housing projects located within 880 feet of a school, church, daycare facility or public park.

9. A written management plan shall be provided for the review and approval of the planning director. At a minimum, a management plan shall address the following:

a. The specific nature of the supportive housing project and its intended occupants;

b. Its potential impact on nearby residential uses and proposed methods to mitigate those impacts;

c. Identification of the project management or agency to whom support staff are responsible and who will be available to resolve concerns pertaining to the facility;

d. Identification of staffing, supervision and security arrangements appropriate to the facility;

e. If the planning director determines at any time there is evidence of fraud in obtaining the permit; concealment or misrepresentation of any material fact on the application or on any subsequent applications or reports; or that the supportive housing project is found to be in violation of the approved plans, conditions of approvals, or the terms of the permit or management plan, and the owner has failed to correct the violation after proper notice thereof; then the planning director may order the closure of the project.

10. If a supportive housing project is discontinued or abandoned, future use of the property shall be in conformance with the use and development standards of the R-20 zone. (Ord. 6245 § 15, 2009.)

18.31.170 Reserved.

Reserved. (Ord. 6245 § 15, 2009.)

18.31.180 Performance standards.

A. *General.* The following performance standards specifically govern industrial, manufacturing, processing, assembly and similar type uses typically found within the industrial zones. These standards may also apply to other uses and activities in other zones, which are not otherwise governed by other regulations of the Auburn City Code.

B. *Noise.* The noise emanating from the premises of commercial or industrial activities shall be muffled so as to not become objectionable due to intermittent beat, frequency or shrillness, and shall not exceed those standards as determined by Chapter 173-60 WAC, as amended.

C. *Glare.* Exterior lighting shall not be used in such a manner that it produces glare on public streets and neighboring property. This restriction also applies to any other nonresidential zone or use adjacent to residential zones. Arc welding, acetylene torch cutting or similar processes shall be performed so as not to be seen from any point beyond the property line of the use creating the glare.

D. *Storage and Handling of Flammables.* In terms of fire and safety hazards, the storage and handling of flammable liquids, combustible liquids, liquefied petroleum gases and explosives shall comply with the rules and regulations of the International Fire Code, as amended.

E. *Electrical Interference.* Provisions must be made for necessary shielding or other preventive measures against interference occasioned by mechanical, electrical and nuclear equipment uses or processes with electrical apparatus in nearby buildings or land uses.

F. *Odorous Gases and Matter.* The emission of odorous gases or matter in such quantities as to be readily detectable, without special instruments, at any point beyond the property line of the use creating the odors is prohibited.

G. *Smoke and Particulate Matter Emissions.* No emissions shall exceed the allowances set forth by the Environmental Protection Agency, the Washington State Department of Ecology and/or the Puget Sound Air Pollution Control Agency.

H. *Dust, Dirt, Fly Ash, or Airborne Solids.* No observable dust, dirt, fly ash or other airborne solids shall be emitted except as related to construction activity or permitted in Chapter 18.62 ACC, Surface Mining.

I. *Waste Storage.* Storage of animal or vegetable wastes which attract insects or rodents or otherwise create a health hazard shall be prohibited. No waste products shall be exposed to view, from eye level, beyond the property line of the use storing the waste.

J. *Toxic Gases and Matter.* No emissions of toxic gases or matter shall be permitted.

K. *Vibration.* Vibration which is easily discernible, without special instruments at any point beyond the property line, is prohibited. This shall not apply to vibration caused by highway vehicles, trains, aircraft or construction activities.

L. *Hazardous Substance and Waste.* No hazardous substances or wastes shall be released into the environment so as to cause dangerous or offensive emission or contamination of any public or private water supply, sewage treatment processes, watercourse or water body, the air or the ground, except in accordance with standards approved by provisions of federal, state and local laws and regulations. (Ord. 6245 § 15, 2009.)

18.31.190 Supplemental standards for residential mobile home communities.

Supplemental development standards for the R-MHC district are as follows:

A. *Recreational Vehicle Storage Area.* A fenced and screened storage area shall be provided, the size of which shall be 300 square feet of area for each 10 homes. The storage area shall not abut property other than that which is zoned R-MHC.

B. *Recreation Area.* A central recreation area shall be established in each community created pursuant to the provisions of this chapter. The size of the area shall be at least 200 square feet per home site. The recreation area may contain community clubhouses, swimming pools, shuffleboard courts and similar facilities. The planning director may permit decentralization of the recreation facilities in accordance with principles of good planning; provided, that the total recreation area meets the above stated minimum size.

C. *Space Identification.* Each manufactured home site shall be plainly marked and numbered for identification.

D. *Community Office.* Every community shall provide a permanent building to be used as an office for community management.

E. *Streets.* Internal private community streets shall be provided in such a pattern as to provide convenient traffic circulation, including fire and other equipment responding to emergencies, within the community. They shall be built to the following standards:

1. The width of all private community streets shall be not less than 34 feet including curbs. Street widths of 24 feet may be permitted in communities; provided, that adequate off-street parking is provided at the ratio of one off-street parking space for each manufactured home site within the community. The location and placement of the off-street parking spaces will be subject to approval by the planning director. No on-street parking will be permitted on street widths of less than 34 feet and signs designating “no parking” and “fire lane” must be placed on both sides of the street and so marked on the final plans.

2. All public streets abutting a community shall be improved in conformance with the city’s design and construction standards.

3. There shall be curbing constructed to city design and construction standards on each side of all private community streets.

4. The private community streets shall be paved in accordance with the city’s design and construction standards.

5. Private community streets shall be lighted in accordance with the city’s design and construction standards.

6. Minimum radii on private community street curves shall not be less than 45 feet.

F. For those communities that had been approved prior to June 15, 1987, the adoption date of Zoning Ordinance No. 4229, the placement or replacement of any home shall either be in conformance with this chapter or the site plan which had been previously approved by the city. For those communities which do not have an approved site plan, the replacement of a home shall either be consistent with this chapter or the location of the previous home. In no case shall any applicable fire or building code requirements be lessened. (Ord. 6245 § 15, 2009.)

18.31.200 Architectural and site design review standards and regulations.

A. *Intent and Purpose.* The architectural and site design regulations provide an administrative review process for evaluating the design and arrangement of development. The architectural and site design regulations are intended to be consistent with and implement the policies of the comprehensive plan. The purposes of these design review regulations are to:

1. Foster good decision-making for development through architectural and site design within the context of the community’s built and natural environmental character, scale and diversity;

2. Promote the use of appropriate scale of buildings and the configuration of open space and parking areas for development to safely and comfortably accommodate pedestrian activities;

3. Coordinate the interrelationship of buildings and public and private open space;

4. Discourage monotony in building design and arrangement, while promoting harmony among distinct building identities; and

5. Mitigate, through design and site plan measures, the visual impact of large building facades, particularly those which have high public visibility (encourage the creative use of architectural and landscape features in order to reduce the actual and perceived scale and bulk of structures).

B. *Applicability.* The following land uses, types of development activities, including all related site improvements, and geographic areas, are subject to the architectural and site design standards and the processes and regulations for conducting design review contained in this chapter:

1. *Apartments (formerly multiple-family) and Mixed-Use Developments.* The following land uses and types of development are subject to the city's apartment and mixed-use design standards document unless addressed by a different set of architectural and site design standards applicable to a specific geographic area:

a. Apartments development inclusive of seven or more units in all zones in the city where permitted outright or as a conditional use and not otherwise addressed through the city's residential infill development standards (Chapter 18.25 ACC); and

b. Mixed-use residential development. Mixed-use development containing residential living units in all zones in the city where permitted outright or as a conditional use; and

c. Retirement apartments, congregate living facilities and senior housing complexes in all zones in the city where permitted outright or as a conditional use.

2. *Downtown Urban Center.* The following locations of development activities are subject to the city's downtown urban center design standards document:

a. Properties located within the boundaries of the DUC, downtown urban center zoning district, as identified on the comprehensive zoning map.

3. *Auburn Junction.* The following locations of development activities are subject to the city's Auburn Junction design standards document:

a. Properties located within the boundaries of West Main Street, 2nd Street SE/SW, A Street SE, and A Street SW as identified with ACC 18.29.070, design standards of the DUC downtown urban center zone.

4. *Northeast Auburn Special Planning Area.* The following locations of development activities are subject to the city's Auburn Gateway architectural and site design standards document:

a. Properties located within the boundaries of the Auburn Gateway Project as defined by the development agreement approved by city Resolution No. 4756, or as may be subsequently amended.

The Auburn Gateway architectural and site design is addressed in Section 4 of this resolution and provided as Attachment 4 to the resolution.

C. *Exemptions.* The following activities as determined by the community development director shall be exempt from the provisions of the design standards:

1. Any building activity that does not require a building permit; or

2. Interior construction work which does not alter the exterior of the structure; or

3. Normal or routine building and site maintenance/repair that is exempt from issuance of a permit including the repair or maintenance of structural members; or

4. Interior alterations that do not modify an existing site condition; or

5. Site and exterior alterations that do not exceed 10 percent of the assessed valuation of the property building or land per the most recent county records; or

6. Building additions that are less than 10 percent of the existing floor area of the existing building. Any cumulative floor area increase from the adoption date of the ordinance establishing the architectural and site design standard that totals more than 10 percent shall not be exempt unless the community development director determines compliance with these standards would be infeasible and/or unreasonable.

D. *Design Standard Documents.* Adopted by reference are the following architectural and site design documents, copies of which shall be maintained by the city clerk. These documents contain the standards for the design and development of the built environment. The community development director or designee shall have the authority to apply the standards to specific development proposals. The following specific architectural and design standards documents may be amended upon approval by the community development director:

1. Mixed-use and apartment (formerly multiple-family) development design standards.

2. Auburn Gateway architectural and site design standards.

3. Downtown urban center design standards.

4. Auburn Junction design standards.

E. *Timing of Administrative Design Review.*

1. Design review shall be conducted by the community development director or designee prior to or concurrent with the processing of building permits and/or review of discretionary land use approvals/permits.

2. The decision on the administrative design review shall be issued prior to issuance of the building permits and/or issuance of discretionary land use approvals/permits.

F. *Pre-Application Meeting – When Required Associated with a Design Review.*

1. A pre-application conference is required for the following instances:

a. For apartments in the R-3, R-3, and R-4 residential zones; and

b. For mixed-use development containing residential living units located within R-3, R-3 and R-4 residential zones; and

c. For mixed-use development containing residential living units located within commercial zones; and

d. For retirement apartments, congregate living facilities and senior housing complexes located within R-3, R-3 and R-4 residential zones, and all commercial zones.

2. A pre-application conference is strongly recommended for all other projects subject to the city's architectural and site design review but is not required.

G. *Design Review Submittal Requirements.* In addition to any other documentation required for submittal of a complete application for building permit or discretionary land use approvals/permits, the following items shall be required for the architectural and site design review:

1. Elevation drawings prepared by an architect licensed in the state of Washington of all proposed construction including dimensional drawings at one-eighth inch equals one foot or comparable scale showing the type of exterior materials, color (where applicable), exterior finishes for buildings and accessory structures, location and elevations of exterior lighting for buildings, the type, style and model of exterior lighting fixtures (where applicable), parking areas, and fenestration details;

2. A to-scale landscape plan prepared by a landscape architect licensed in the state of Washington showing existing vegetation to be retained and proposed vegetation to be installed inclusive of the common and botanical name of all vegetation, the location and quantity of vegetation, the initial planting size and methods of irrigation;

3. A context vicinity map that shows all structures on the property and within 200 feet in each direction of the subject property drawn approximately to scale;

4. A neighborhood circulation plan consistent with the provisions of Chapter 17.16 ACC (Neighborhood Circulation Plan); and

5. Conceptual plans for any public infrastructure, including roads, water, sewer, and storm facilities.

H. *Interpretations.*

1. The community development director shall be authorized to interpret the meaning of words, phrases and sentences which relate to the implementation of the specific architectural and design standards document. Any interpretations regarding implementation of the specific architectural and design standards document shall be made in accordance with its intent or purpose statements and the intent and purpose statements of this chapter. For interpretations, life safety and public health regulations shall be given priority over all other regulations.

2. Administrative interpretations may be appealed to the hearing examiner as prescribed in ACC 18.70.050.

I. *Design Review Adjustments.*

1. *Authority for Design Review Adjustments.* The community development director or designee shall have the authority, subject to the provisions of this section and upon such conditions as the community development director or designee may deem necessary to comply with the provisions of this section, to approve design adjustments as follows:

a. An adjustment to architectural or site design requirements such that no more than two of the total number of required menu items in the city of Auburn apartment and mixed-use design standards are out of compliance.

b. An adjustment to required building wall and roof modulation standards, as contained in the city of Auburn apartment and mixed-use design standards, up to 20 percent of the amount of any quantified standards contained therein.

c. An adjustment to the architectural or site design requirements that remains consistent with the purpose and intent of the architectural and site design standards.

2. *Required Findings to Grant Design Review Adjustments.* Each determination granting an adjustment by the community development director or designee shall be supported by written findings showing specifically wherein all of the following conditions exist:

a. That the granting of such adjustment does not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and/or zone of the subject site; and

b. That the granting of such adjustment will not adversely affect the established character of the surrounding neighborhood, discourage maintenance or upgrades on surrounding properties, nor result in perpetuation of those design qualities and conditions which the comprehensive plan intends to eliminate or avoid; and

c. That the project incorporates alternate design characteristics that are equivalent or superior to those otherwise achieved by strict adherence to stated menu options; and

3. *Public Notification and Action on Design Review Adjustment Applications.* Upon the filing of a properly completed application and associated request for a design review adjustment, the community development director or designee shall comply with the city's Type II land use review requirements for issuance of a properly noticed and appealable land use decision.

4. *Appeal of Director's Decision on Design Review Adjustments.*

a. If a written objection to the initial determination notice is filed within 14 business days of said notification, the community development director or designee shall reconsider the initial determination in light of the objection(s) as raised and render a final decision on the permit. This final decision shall result in either the community development director's affirmation of the original determination of approval, the approval with additional modifications or denial.

b. Upon completion of the community development director's reconsideration, all parties notified of the original determination shall receive notification of the community development director's final decision. Any party aggrieved by the community development director's final decision may file an appeal of that decision to the hearing examiner in accordance with the city's land use appeal provisions. Such appeals for hearing examiner review must be filed within 14 business days from the date the written decision was made and shall include the following:

i. The appeal shall be filed on forms provided by the department of planning and development.

ii. The appeal shall clearly state the decision being appealed, setting forth the specific reason, rationale, and/or basis for the appeal.

iii. Fees associated with the appeal shall be paid to the city upon filing of the appeal in accordance with a fee schedule established by resolution.

5. Upon filing of a timely and complete appeal, the hearing examiner shall conduct a public hearing to consider the merits of the appeal. This hearing shall be subject to the city's public noticing and public hearing requirements and shall include notification of all parties notified of the community development director's final decision. The hearing examiner may affirm the community development director's decision or may remand the matter to the community development director for further review in accord with the examiner's direction.

6. If no written objection is filed to the initial determination within the specified time limits, the community development director shall render a final decision on the permit in accord with the initial determination.

J. *Approval Criteria for Design Review.* The community development director or designee may approve, modify and approve, or deny an application for an administrative design review. Each determination granting approval or approval with modifications shall be supported by written findings showing the applicant satisfies all the following criteria:

1. The plans and supplemental materials submitted to support the plan meet the requirements of the specific architectural and site design documents;

2. The proposed development is consistent with the comprehensive plan;

3. The proposed development meets required setback, landscaping, architectural style and materials, such that the building walls have sufficient visual variety to mitigate the appearance of large facades, particularly from public rights-of-way and single-unit detached dwellings and middle housing.

4. In addition to the criteria in subsections (J)(1) through (3) of this section, for apartments and retirement apartment projects, the director or designee must determine that the following key review criteria have been met:

a. The proposed development is arranged in a manner that either:

i. Provides a courtyard space creating a cohesive identity for the building cluster and public open space furnished to facilitate its use; or

ii. Possesses a traditional streetscape orientation that provides clearly identifiable and visible entries from the street, views from residential units onto the street and reinforces pedestrian-oriented streetscape characteristics (e.g., building edge abutting sidewalk, entries onto the street); or

iii. Faces and facilitates views of a major open space system;

b. The proposed development provides a variety in architectural massing and articulation to reduce the apparent size of the buildings and to distinguish vertical and horizontal dimensions;

c. The proposed development contains a combination of elements such as architectural forms, massing, assortment of materials, colors, and color bands sufficient to distinguish distinct portions and stories of the building;

d. Residential buildings in large apartment projects or mixed-use projects are physically integrated into the complex possessing sufficiently different appearance or placement to be able to distinguish one building from another;

e. Unit entrances are individualized by use of design features that make each entrance distinct or which facilitate additional personalization by residents;

f. Areas dedicated to parking are sufficiently visually broken up and contain a complement of vegetative materials to project a landscaped appearance;

g. Where applicable, a transition is created that minimizes impacts from apartments and mixed-use development projects on neighboring lower density residential dwelling units; and

h. Where applicable, in cases of granting density or height bonuses, the project has provided community benefits, facilities or improvements above and beyond those required in the municipal code and supports the goals, objectives and policies of the comprehensive plan. (Ord. 6728 § 4 (Exh. D), 2019; Ord. 6408 § 1, 2012; Ord. 6287 § 2, 2010; Ord. 6245 § 15, 2009.)

18.31.210 Agricultural enterprises development standards.

A. *Purpose.* The purpose of this section is to regulate the establishment and operation of agricultural enterprises in order to maintain and preserve the lower density residential character, integrity, environmental protection, and property values of the residential conservancy (RC) zone in which they are located and the surrounding areas.

B. *Applicability.* The permit requirements and standards provided in this section apply to agricultural enterprises where allowed in compliance with Chapter 18.07 ACC, Residential Zones, and meeting the definition of agricultural enterprises as provided in ACC 18.04.035. The development standards of the RC zone shall apply unless a different standard is set forth in the supplemental development standards in subsection E of this section.

C. *Permit Required.* An administrative use permit is required 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 conditional use permit is required when less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or if the applicant intends to hold more than 52 special events per calendar year.

D. *Uses.* The following uses may be permitted as part of an agricultural enterprise under a unified management or ownership:

1. Agricultural crops and open field growing;

2. Agricultural store;

3. Barns, silos and related structures;

4. Caretaker quarters, not more than one per agricultural enterprise;

5. Catering facilities;

6. Delicatessens, restaurants or sandwich shops limited to a seating area of 25 seats;

7. Drive-through espresso and/or nonalcoholic beverage stands, freestanding;

8. Education facilities providing courses related to agricultural production and/or processing or promotion of locally and regionally grown food;

9. Farm stands, for the sale of agricultural products raised on the premises in addition to agricultural products that are raised off site;

10. Greenhouses;

11. Keeping of livestock, or fowl and rabbits or similar sized animals; provided, that an appropriate structure or enclosure is provided;

12. Museum and cultural facilities;

13. Outdoor musical entertainment (when it meets all requirements for the business licensing of ACC 5.20.200);

14. Small-scale food processing or packaging of agricultural products;

15. Special events. Special events include, but are not limited to, the following activities where attendance exceeds 200 persons or more:

a. Weddings;

b. Meetings;

c. Receptions;

d. Reunions;

e. Tasting events for food or beverage;

f. Private parties;

g. Concerts held within an enclosed building;

h. Retreats;

i. Other comparable events;

16. Tasting room;

17. Tourist and visitor services;

18. Winery; and

19. The planning director may authorize uses under this definition other than those which are listed, if the planning director determines the use is consistent with the intent of the zone and is of the same general character of the uses permitted within the zone. Further guidance on administrative interpretations of land uses can be found in ACC 18.02.120.

E. *Development Standards.*

1. *Minimum Area.* The minimum area devoted to an agricultural enterprise business shall be a single parcel with a minimum of 10 acres in total site area within the residential conservancy (RC) zone. Environmentally critical areas are not counted toward total site area when determining whether an administrative or conditional use permit is required.

2. *Location.* The proposed agricultural enterprise business shall have direct access onto a minor arterial or higher classification street.

3. *Maximum Building Size.* Nonresidential buildings, excluding greenhouses, shall not exceed 5,000 square feet in gross floor area.

4. *Lot Coverage.* The combination of all buildings, to include greenhouses, on a single site used in conjunction with the agricultural enterprise business shall not exceed 15 percent of the total site area.

5. *Maximum Impervious Area.* The maximum impervious area shall not exceed 25 percent.

6. Setbacks. Structures for agricultural enterprises shall be located as follows:

   a. Front setback: 35 feet.

   b. Rear setback: 20 feet.

   c. Interior side setback: 20 feet.

   d. Street side setback: 35 feet.

7. *Height.* Maximum building height: 35 feet. Buildings may exceed 35 feet if one additional foot of setback is provided from each property line for each foot the building exceeds 35 feet.

8. *Visual Impact.* Activities and uses conducted in conjunction with the agricultural enterprise must be located in such a manner that minimizes visual impacts to adjoining properties that are used or zoned for residential uses. In addition:

   a. A Type III landscape buffer 10 feet in width shall be provided on site in those areas between the buildings and the property line.

   b. Highly reflective building materials shall not be used on buildings.

9. *Responsible Party.* All components of the agricultural enterprise shall be operated or maintained by the property owner, lease holder, or occupant of the land upon which the primary associated agriculture, horticulture, or other use is being conducted.

10. *Hours of Operation.* Agricultural enterprise activities involving the employment of workers; outside activities; the generation of any noise, light, dust, odor, glare, or vibration detectable outside the business

structure; or traffic, including deliveries, shall only be conducted on site between the hours of 7:00 a.m. and 10:00 p.m. or as may be specifically approved by a condition of approval of the administrative or conditional use permit.

11. *Parking and Outdoor Storage.* All parking and outdoor storage areas used exclusively for retail areas within 50 feet from a property line shall be screened from adjoining properties used or zoned for residential uses. If existing topography and natural vegetation does not provide an adequate visual barrier, additional screening may be required, to include installation of landscape materials, walls or fencing.

12. *Lighting.* No lighting shall be directed onto adjoining properties used or zoned for residential uses and no lighting shall exceed 0.5 foot-candle when measured at the property lines. Floodlights or other high-intensity lighting shall be prohibited, unless specifically approved as part of a special event or outdoor musical entertainment.

13. *Refuse and Recycling.* All refuse and recycling waste containers shall be within refuse enclosures located in the rear of the building and be completely screened from public view. All refuse enclosures shall be architecturally compatible with the building they serve.

14. Special Events. Special events or similar activities may be held as follows:

a. Up to 52 special events within a calendar year with the administrative use permit.

b. Fifty-two or more special events within a calendar year shall require a conditional use permit.

c. *Parking and Traffic Control.* A parking and traffic control plan shall be prepared by a licensed traffic engineer and required for all agricultural enterprises conducting special events (as defined by ACC 18.04.827). The parking and traffic control plan shall be submitted for review as part of the administrative use permit or conditional use permit application and, if satisfactory, must be approved by the planning and development director and city engineer prior to implementation. At a minimum, the parking and traffic control plan shall contain the following:

i. A parking plan showing how adequate on – and off-site parking will be available to the site, and that no substantial conflict will exist during the principal hours or periods of peak parking demands for any land use or special event which is proposed to share the parking.

ii. A traffic control plan showing how traffic to and from the land use and special events location(s) will be handled and what temporary traffic control measures will be used to facilitate safe access to and from the locations. The traffic control plan must include a written description of the plan as well as a traffic control diagram showing traffic control devices, directions of travel, and the location and type of authorized personnel to direct traffic.

iii. A contingency plan for weather changes (relocation or rescheduling of events; alternative parking areas; method of notifying the public of changes) and for unanticipated increases in traffic or parking.

iv. Other elements as determined necessary by the planning and development director and the city engineer based on the specific events, setting, and location.

15. *Wineries.* All wineries with or without tasting rooms shall:

a. Have adequate driveway access to a public street meeting the requirements of a commercial driveway.

b. Provide adequate on-site parking in the amount of one parking stall for every 500 square feet of gross floor area.

c. Shall not exceed 5,000 square feet gross floor area with the tasting room not exceeding 50 percent of the production area.

16. *Signs.* Notwithstanding the provisions of ACC 18.56.040(A), the following standards apply to signs for agricultural enterprise uses within the RC, residential conservancy zone. If not specified in this section, the other provisions of Chapter 18.56 ACC, Signs, apply.

a. *Freestanding Signs.*

i. Total number permitted:

(A) Two per frontage on a parcel having at least 500 feet of frontage on a state highway.

(B) One per frontage on a principal or minor arterial.

ii. Maximum height:

(A) Thirty feet on a state highway.

(B) Twenty-two feet on a principal or minor arterial.

iii. Maximum area: 200 square feet, calculated at a rate of one square foot of sign area for every two lineal feet of frontage. The minimum entitlement for freestanding signs is 32 square feet for those sites less than 64 feet of frontage.

iv. Multiple freestanding signs, if permitted, must be separated by at least 150 feet measured in a straight line distance.

b. *Wall Signs.*

i. Total number permitted: one sign per building frontage that fronts a public right-of-way.

ii. Maximum area: 100 square feet per building frontage that fronts a public right-of-way, calculated at a rate of one square foot of sign area for every one linear foot of building frontage.

iii. Signs may be directly or indirectly illuminated.

c. Changing message center signs are allowed as part of an agricultural enterprise if the sign complies with the sign regulations in ACC 18.56.030(F).

17. *Additional Permits and Approvals.* In addition to required land use permits, an agricultural enterprise may be required to obtain licenses and permits from other city and county departments (e.g., business licenses from the city, food service or sales licenses from the county department of public health, animal care licenses from the county department of public health, etc.). (Ord. 6363 § 2, 2011.)

18.31.220 Permitted animals.

The types and allowed number of animals permitted are listed as follows, provided the following requirements are met. The specified minimum lot size per animal are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code shall be granted. The keeping of animals that require no lot size or lesser lot size are allowed to be cumulative, when lot size requirements have been met. For example, on a 12,500-square-foot lot, the keeping of one miniature goat, one potbelly pig, and two dogs could be allowed. Licensing of pets and animal control is governed by ACC Title 6, Animals.

A. Small Domestic Animals. Small domestic animals may be kept if the owner complies with the following:

1. Small domestic animals are permitted as an accessory use to a residence or business.

2. Up to four small domestic animals, including foster animals, per dwelling or commercial building regardless of lot size. Offspring less than six months of age are not included in this number.

3. A pet license is required for each cat or dog in accordance with Chapter 6.04 ACC, Animal Licensing.

B. *Domestic Fowl.* Domestic fowl may be kept if the owner complies with the following:

1. Domestic fowl and poultry are permitted as an accessory use to a single-unit detached dwelling.

2. Roosters and peafowl are not permitted.

3. Structures, or yard areas including chicken coops, pens or runs, housing or containing domestic fowl are only allowed in the rear yard (the area between the rear yard lot line and the extension of the rear facade of the principal structure) and shall be set back from the rear and side yard lot lines by a distance of at least 10 feet.

4. Up to a total of four domestic fowl and poultry can be kept on lots that are at least 6,000 square feet in size. On lots that are larger than 6,000 square feet, one additional domestic fowl or poultry may be kept per additional 2,000 square feet. The maximum number of domestic fowl allowed per lot is 10; this maximum does not apply to properties zoned RC, residential conservancy or R-1, residential one dwelling unit per acre.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

C. Miniature Goats. Miniature goats are medium domestic animals and may be kept if the owner complies with the following:

1. Miniature goats are permitted as accessory use to a single-unit detached dwelling.

2. Male miniature goats must be neutered.

3. All miniature goats must be dehorned.

4. Nursing offspring of miniature goats may be kept until weaned, but no longer than 12 weeks from birth without meeting the requirements contained herein.

5. The location of structures housing miniature goats must comply with accessory structure setbacks applicable in the zoning district where the property is located.

6. Up to two miniature goats are allowed on lots that are at least 12,500 square feet in size. On lots that are greater than 12,500 square feet, one additional medium size domestic animal may be kept per additional 7,500 square feet.

7. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

D. *Potbelly Pigs.* Miniature potbelly pigs are medium domestic animals and may be kept if the owner complies with the following:

1. Potbelly pigs are permitted as accessory use to a single-unit detached dwelling .

2. Potbelly pigs are no greater than 24 inches in height at the shoulder and no more than 150 pounds.

3. Nursing offspring of potbelly pigs may be kept until weaned, but no longer than 12 weeks from birth without meeting the requirements contained herein.

4. The location of structures housing potbelly pigs must comply with accessory structure setbacks applicable in the zoning district where the property is located.

5. Two potbelly pigs can be kept on lots that are at least 12,500 square feet in size. On lots that are greater than 12,500 square feet, one additional medium size domestic animal may be kept per additional 7,500 square feet.

6. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

E. Large Domestic Animals. Large domestic animals may be kept if the owner complies with the following:

1. Large domestic animals are allowed as an accessory use to a single-unit detached dwelling residence.

2. Two large domestic animals can be kept on lots that are at least one acre in size.

3. On lots that are larger than one acre, one additional large domestic animal may be kept per additional 21,780 square feet.

4. The location and structures housing large domestic animals and any corral, exercise yard or arena must comply with the setbacks applicable in the zoning district where the property is located.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance, ACC 8.12.020 regarding nuisances affecting public health and safety, and ACC 6.24.020 regarding slaughtering.

F. Apiaries (keeping of honey bees (Apis mellifera)), also referred to as beekeeping, may be permitted if the owner complies with the following:

1. Beekeeping is allowed as an accessory use to a single-unit detached dwelling residence.

2. All hives are registered with the State Department of Agriculture.

3. No more than two hives, each with only one swarm, shall be kept on lots of less than 10,000 square feet.

4. Hives shall not be located within 25 feet of any property line with the hive(s) entrance(s) facing away from the nearest property line.

5. The keeping conforms to ACC 8.28.010 regarding noise disturbance and ACC 8.12.020 regarding nuisances affecting public health and safety.

G. Amortization of Preexisting, Nonconforming Structures Housing Animals and Runs or Pens. An individual who receives written notice from the city that a structure (coop) or yard area (runs or pens) housing animals regulated by this section, except small domestic animals, does not comply with setback requirements shall have 30 days from the date of notification to bring the property/structure into compliance. If any individual believes that their circumstances pose particular difficulty in meeting the 30-day time frame for compliance with the setback requirements of this section, the individual may request in writing of the community development and public works director (planning director) or designee additional time to bring their activity into conformity. Decisions of the community development and public works director (planning director) or designee to grant or deny the extension shall be final and conclusive. (Ord. 6600 § 11, 2016; Ord. 6369 § 8, 2011.)

Code reviser's note: Ordinance 6369 adds these provisions as Section 18.31.210. The section has been renumbered to avoid duplication of numbering.

18.31.230 Table of allowed districts.

Repealed by Ord. 6600. Code reviser's note: Ordinance 6369 adds these provisions as Section 18.31.211. The section has been renumbered to match the renumbering of the preceding section.

The Auburn City Code is current through Ordinance 6904, passed February 21, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov
Code Publishing Company, A General Code Company

Chapter 18.32
ACCESSORY DWELLING UNIT DEVELOPMENT STANDARDS

A. Accessory Dwelling Units (ADUs) are permitted outright in all residential zones that permit single-unit detached or middle housing, and may be developed with new or existing development. The development standards of the underlying zone and the following siting and performance standards shall apply to all accessory dwelling units as defined by ACC 18.04.018.

B. Two ADUs may be permitted per residential unit on individually owned lots that meet the minimum lot size of the zone in which the property is located.

C. The two ADUs may be attached, detached, or any combination thereof.

D. An ADU shall not be larger than 1,000 square feet, nor less than 300 square feet, nor have more than two bedrooms. Garage space shall not be included in this calculation.

E. Exterior Appearance/Modifications.

1. Any alterations shall not change the appearance from that of a single-unit detached, as determined by the planning director.

2. Any exterior stairs shall be placed in the rear or side setback and no closer than 10 feet to an adjoining property line.

3. Where garage space is converted to living space, the garage door shall be replaced with materials that match the exterior of the house.

F. *Parking Requirements.*

1. Off-street parking is not required for ADUs that are located within one-half mile walking distance of a Major Transit Stop.

2. For ADUs located more than one-half mile walking distance from a Major Transit Stop one on-site parking space is required per ADU.

G. An ADU may be sold as a condominium unit or as a separate piece of property through the unit lot subdivision process. If the ADU is converted into a condominium unit or subdivided, a separate water and sewer connection is required.

H. ADUs must be connected to municipal sewer or served by septic system.

I. An ADU is allowed in rear setbacks (on the rear lot line) if the lot line abuts a public alley, unless the city routinely plow snow within the alley.

J. Conversion of legally established structures, that do not conform to current zoning and/or land use standards to an ADU, shall not be required to come into conformance.

K. Any property owner seeking to establish an ADU shall apply for approval in accordance with the following procedures:

1. The owner shall apply for an ADU permit with the city. A complete application shall include a properly completed application form, floor and structural plans, and fees.

2. Before final of an ADU, the owner must provide a copy of a statement recorded with the county in which the subject property is located. The statement must read:

> An application for a permit for an accessory dwelling unit has been submitted to the city of Auburn by the owner of this property. Future owners are advised that the owner of the property must comply with all requirements of the Auburn Zoning Code, as amended, if the accessory dwelling unit is to be occupied or rented.

L. If an ADU is to be removed, appropriate permits and inspections must first be received from the city. If a homeowner wants to remove the statement as required by subsection (K)(2) of this section from the property's title, then the city shall issue an appropriate release upon evidence that the ADU has been removed. The release shall be recorded by the homeowner with the county records and elections office and a copy of the recorded release shall be provided to the city. (Ord. 6419 § 4, 2012; Ord. 6245 § 15, 2009.)

Chapter 18.35
SPECIAL PURPOSE ZONES

Sections:

18.35.010 Purpose.
18.35.020 Intent of special purpose zones.
18.35.030 Uses.
18.35.040 Development standards.

18.35.010 Purpose.

This chapter lists the land uses that may be allowed within the residential office, residential office-hospital, institutional, and public use zones established by ACC 18.02.070 (Establishment of zones), determines the type of land use approval required for each use, and provides basic standards for site layout and building size. (Ord. 6894 § 1 (Exh. B), 2022; Ord. 6434 § 1, 2012.)

18.35.020 Intent of special purpose zones.

A. *General.* This section describes the intent for each of the city's special purpose zones. These intent statements may be used to guide the interpretation of the regulations associated with each zone.

C. *P-1 Public Use Zone.* The P-1 Public Use Zone is intended to provide for the appropriate location and development of public uses that serve the cultural, educational, recreational, and public service needs of the community. A broader list of public and quasi-public uses may be allowed to develop.

D. *I Institutional Zone.* The I Institutional zone is intended to provide an area wherein educational and theological uses in a campus-like setting are permitted, which may not be permitted outright within other zones. This district is not intended to include those smaller or singular public uses which are consistent with and permitted in the P-1 Public Use Zone.

E. *OS Open Space Zone.* The OS Open Space zone is intended to provide for land uses that tend to be managed in a largely undeveloped character, including passive parks, watersheds, natural and urban conservancy shoreline areas, significant wildlife habitats, large storm water detention ponds or floodplain ponds, utility corridors with public access, and areas with significant development restrictions. Park lands included in the open space zone tend to be predominately passive in character and with relatively fewer developed facilities than parks included in the institutional zone provided that accessory uses such as supportive parking, boardwalks, kiosks, interpretive centers, trails, restrooms, and public access points are allowed. Private sites containing critical areas or shorelines may be included.

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**
			P-1	**I**	**OS**	
MARIJUANA RELATED BUSINESSES						
Marijuana processor			X	X	X	
Marijuana producer			X	X	X	
Marijuana researcher			X	X	X	
Marijuana retailer			X	X	X	
Marijuana transporter business			X	X	X	
PUBLIC						
Animal shelter, public			P	X	X	
Government facilities; this excludes offices and related uses that are permitted outright			P	P	C	
Municipal parks and playgrounds			P	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY						

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**
			P-1	**I**	**OS**	
Campgrounds			X	P	P	
Recreational vehicle parks, private			X	P	X	
Cemetery, public			P	A	X	
Cemetery, private			X	A	X	
College, university, public			A	A	X	
Commercial recreation facility – Indoor			X	P	X	
Commercial recreation facility – Outdoor			X	A	C	ACC 18.57.025(A)
Conference/convention facility			X	A	X	
Library, museum			P	P	A	
Meeting facility, public or private			P	P	A	
Private school – specialized			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**
			P-1	**I**	**OS**	
education/training (for profit)						
Public schools (K-12) and related facilities			P	X	X	
Religious institutions, lot size less than one acre			X	P	X	
Religious institutions, lot size more than one acre			X	P	X	
Studio – Art, dance, martial arts, music, etc.			X	X	X	
RESIDENTIAL						
Middle housing subject to the provisions in Chapter 18.25 (2 to 6 units),			X	A[1]	X	
Home occupation			X	P	P	Chapter 18.60 ACC
Live/work, work/live unit			X	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**
			P-1	**I**	**OS**	
Marijuana cooperative			X	X	X	
Apartments (7 or more units)			X	A[2]	X	
One single-unit detached dwelling			X	X	P[4]	
Nursing home, assisted living facility			X	P	X	
Senior housing			X	A	X	
RETAIL						
Restaurant, cafe, coffee shop, excluding drive-through facilities			P	A	X	
SERVICES						
Banking and related financial institutions, excluding drive-through facilities[3]			X	X	X	
Daycare, including mini daycare, daycare			X	P	A	

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**
			P-1	**I**	**OS**	
center, preschools or nursery schools						
Home-based daycare			X	P	P	
Medical services – Clinic or urgent care[3]			X	X	X	
Mortuary, funeral home, crematorium			X	X	X	
Professional offices			X	A	A	
Personal service shops			X	X	X	
Pharmacies			X	X	X	
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE						
Utility facilities, substations, utility transmission or distribution line			X	X	A	See ACC 18.02.040(E)
Wireless communications			*	*	*	*See ACC 18.31.100 for use regulations and

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**
			P-1	**I**	**OS**	
facility (WCF) (See ACC 18.04.912(W))						zoning development standards.
Eligible facilities request (EFR) (Wireless communications facility) (See ACC 18.04.912(H))			P	P	P	
Small wireless facilities (ACC 18.04.912(Q))			P	P	P	
Emergency wireless communications facility (EWCF)			X	P	X	See ACC 18.04.912 and 18.31.100
OTHER USES THAT ARE NOT LISTED						
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	

Notes:

1 Minimum lot area not applicable; Duplexes must meet other development standards of the I zone.

2 Minimum lot area not applicable; Apartments must meet other development standards of the I zone. dwellings; provided, that 2,400 square feet of lot area is provided for each dwelling unit.

3 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.

4 One single-unit detached dwelling unit per existing legal lot. No residential subdivisions permitted in the open space zone.

(Ord. 6894 § 1 (Exh. B), 2022; Ord. 6799 § 9 (Exh. I), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6677 § 3, 2018; Ord. 6642 § 11, 2017; Ord. 6434 § 1, 2012.)

18.35.040 Development standards.

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 requirements in Table 18.35.040 (P-1, I, OS Zone Development Standards) and in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. These standards may be modified through either an administrative variance or variance, subject to the procedures of Chapter 18.70 ACC.

Table 18.35.040. P-1, I, OS Zone Development Standards

Development Standards	Requirement by Zones				
			P-1 Public Use	**I Institutional**	**OS Open Space**
Minimum lot area			None	6,000 sf	None
Minimum lot width, depth			None	60 ft, 80 ft	None

Development Standards	Requirement by Zones				
			P-1 Public Use	**I Institutional**	**OS Open Space**
Maximum lot coverage			None	35 percent	5 percent
Maximum impervious area			NA	NA	20 percent[4]
Setbacks	*Minimum setbacks required for primary structures. See ACC 18.31.070 for exceptions to these requirements.*				
Front			20 ft	20 ft	20 ft
Side – Interior			5 ft[1]	5 ft	5 ft
Side – Corner			10 ft	10 ft	10 ft
Rear			25 ft	25 ft	25 ft
Accessory structure(s)			NA	See note[2] below	
Height limit	*Maximum allowable height of structures. See ACC 18.31.030 (Height limitations – Exceptions) for height limit exceptions.*				
Maximum height			45 ft	45 ft[3]	35 ft
Fences and hedges	See Chapter 18.31 ACC				
Landscaping	See Chapter 18.50 ACC				
Parking	See Chapter 18.52 ACC				
Signs	See Chapter 18.56 ACC				

Development Standards	Requirement by Zones				
			P-1 Public Use	I Institutional	OS Open Space
Lighting	See Chapter 18.55 ACC				
Nonconforming structures, land and uses	See Chapter 18.54 ACC				

Notes:

1 A 25-foot setback is required when adjacent to a residential zone.

2 Accessory structures shall meet all the required setbacks of the zone with the exception that the rear yard setback may be reduced to five feet; provided, that any structure with a vehicle entrance from a street (public or private) or public alley shall be set back a minimum of 20 feet.

3 Maximum building height for residential dwellings: 35 feet. Accessory buildings to residential dwellings: 24 feet.

4 Maximum impervious area includes all hard surfaces per ACC 13.48.010(L).

(Ord. 6894 § 1 (Exh. B), 2022; Ord. 6677 § 4, 2018; Ord. 6434 § 1, 2012.)

The Auburn City Code is current through Ordinance 6912, passed July 17, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.49

FLEXIBLE DEVELOPMENT ALTERNATIVES - REPEALED

Chapter 18.50
LANDSCAPING AND SCREENING

Sections:

18.50.010 Intent.
18.50.020 Applicability.
18.50.030 Repealed.
18.50.040 Landscape development standards.
18.50.045 Preservation of significant trees.
18.50.050 Repealed.
18.50.060 Landscaping plan requirements.
18.50.070 Administration and enforcement.
18.50.080 Alternative landscaping plan.

18.50.010 Intent.

The intent of this chapter is to provide minimum landscaping and screening requirements in order to maintain and protect property values, to enhance the city's appearance, to visually unify the city and its neighborhoods, to improve the character of certain areas of the city, to reduce erosion and storm water runoff, to interrupt expanses of impervious surfaces, to reduce CO_2 emissions, improve air quality, and to maintain or replace existing vegetation and to prevent and abate public nuisances. (Ord. 6617 § 28, 2016; Ord. 6387 § 1, 2011; Ord. 4914 § 1, 1996; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

18.50.020 Applicability.

A. This chapter applies to all uses and activities developed in the city excluding single-unit detached dwelling on individual lots.

B. When additions, alterations, or repairs of any existing building or structure exceed 50 percent of the value of the building or structure, or a residential use is converted to a nonresidential use, then such building or structure shall be considered to be a new use and site

landscaping provided in accordance with this chapter; provided, that if any existing foundation or fence layout precludes full compliance herewith, then the landscaping requirements may be modified by the planning director in approved landscape plans. (Ord. 6387 § 1, 2011; Ord. 4914 § 1, 1996; Ord. 4304 § 1(33), 1988; Ord. 4229 § 2, 1987.)

18.50.030 Definitions.

Repealed by Ord. 6387. **18.50.040 Landscape development standards.**

A. *General Location for Landscape Improvements.* Landscaping shall be provided in the following locations for all types of development, unless the city determines that the required landscape is not necessary to fulfill the purposes of this chapter:

1. *Perimeter Areas.* All areas that abut a street or residential property shall be landscaped in compliance with this chapter, except where occupied by a primary building, walk or driveway. Minimum landscape areas are listed in Tables 18.50.040(A) and (B).

2. *Unused Areas.* All areas of a apartments or nonresidential project site not intended for a specific use (including areas planned for future phases of a phased development) shall be landscaped with existing natural vegetation, native grasses or similar.

3. *Parking/Loading Areas.* Parking lots, and where loading areas are visible from a public street, shall be landscaped in compliance with this chapter.

4. *Outdoor Storage Areas, Recreational Vehicle Parking, and Refuse Areas.* All outdoor storage areas, recreational vehicle parking, and refuse areas, when visible from adjoining properties or public streets, shall be landscaped in compliance with this chapter.

5. *Storm Water Low Impact Development (LID) Facilities.* Areas of vegetation planted in storm water LID facilities (not permanently inundated or ponded areas) and for which there is a city-approved maintenance plan as prescribed in the city's Engineering Design Standards Manual shall count towards the minimum landscape coverage areas outlined in subsection B of this section.

B. *Landscape Area Requirements by Zones.* Minimum landscape area requirements are listed below by zones consistent with ACC 18.02.070.

Table 18.50.040(A). Minimum Landscape Requirements by Zoning District

Zones	Minimum Landscape Coverage[1]	Minimum Landscape Planter Width – Perimeter Areas[2]	
		Abutting Street[3]	Abutting Residential Property
Residential Zones			
RC and R-1 Zones[4]	N/A	N/A	N/A
R-2 and R-3 Zones[5]	10%	N/A	N/A
R-4 and R-NM Zone[5]	10%	6 ft.	6 ft.
Nonresidential Zones			
C-1	10%	6 ft.	10 ft.
C-2, I, P-1	15%	6 ft.	10 ft.
M-1	10%	10 ft.	10 ft.
M-2	10%	10 ft.	25 ft.
Other			
R-F[6]	N/A	N/A	N/A
DUC districts[7]	N/A	N/A	N/A

Notes:

1 Minimum landscape coverage required is the minimum percentage of net lot area that must be maintained with a vegetated pervious surface. Vegetated bioretention cells or water quality treatment swales (not permanently inundated or ponded areas) may be included in the required landscape coverage percentage. Preference shall first be given to retention of areas of existing native coniferous vegetation. For sites that do

not have existing native coniferous vegetation, landscape coverage can be achieved through planting of native species.

2 Listed planter widths shall be located entirely on private property.

3 The minimum landscape planter abutting a street may be reduced in size using the provision contained in ACC 18.50.080, Alternative landscaping plan. The reduced landscape planter shall have an average width of the requirement contained in Table 18.50.040(A).

4 Landscaping shall only be required in conjunction with an administrative or conditional use permit. The type and amount of landscaping shall be determined at that time the administrative or conditional use permit is approved.

5 Refer to ACC 18.31.200, Architectural and site design review standards and regulations, for additional requirements.

6 Landscaping within the R-F zone is not required unless site development includes the demolition of existing structure(s) together with new construction. Under this scenario the minimum landscape requirements of the C-1 zone shall be met.

7 Landscaping within the DUC zone shall be provided as defined in the Downtown Urban Center Design Standards; see reference to ACC 18.29.070.

C. *Landscape Design and Planting Requirements.* Landscape design and construction for new development or redevelopment shall be compatible with the surrounding urban and natural environment. Landscape plantings shall comply with the plant type, size, and spacing provisions listed below.

1. *Landscape Design.* Landscaping shall be designed as an integral part of the overall site plan with the purpose of enhancing building design, public views and spaces, supporting storm water low impact development facilities, and providing buffers, transitions, and screening.

a. All required planting areas shall be covered with a mixture of trees, shrubs, and groundcover plants. Sodded lawn (not seed) may be substituted for some but not all of shrubs or groundcover plants. If sodded lawn is used it cannot cover more than 20 percent of the site and those portions of the lawn area must be served by an automatic irrigation system.

b. Planting design shall have focal points at project entries, plaza areas, and other areas of interest using distinct planting and/or landscape features.

c. As appropriate, building and site design shall include the use of landscaping against buildings to visually break up expanses of wall, soften appearance, and create visual interest through the use of planting areas, wall planters, hanging gardens, and/or raised planters. Loose rock, gravel, decorative rock or stone shall not exceed 20 percent of the planting area.

2. *Plant Types.* Landscape planting shall be compatible with the character and climate of the Pacific Northwest and complement the architectural design of structures on the site.

a. Native Landscaping. Landscaping materials installed shall include species native to the Puget Sound lowland region of the Pacific Northwest or noninvasive species that have adapted to the climactic conditions of the region in the following minimum amounts:

i. Fifty percent of trees.

ii. Fifty percent of groundcover and shrubs.

b. *Trees.* Trees planted within 10 feet of a public street, sidewalk, paved trail, or walkway shall be a deep-rooted species and shall be separated from hardscapes by a root barrier to prevent physical damage to public improvements.

3. *Planting Size and Spacing.* In order to balance both an immediate effect of a landscape installation and to allow sustained growth of planting materials, minimum plant material sizes and plant spacing are as follows:

a. *Trees.* Trees shall be a minimum of one and one-half inches in diameter breast height (dbh) at the time of planting. Evergreen trees shall be a minimum of four to six feet in height at the time of planting and may include either broadleaf or conifer. Tree spacing within the perimeter planters along streets and abutting residential property shall be planted no further apart on center than the mature diameter of the proposed species.

b. *Shrubs.* Shrubs shall be a minimum of 18 inches in height, or two-gallon size containers, at the time of planting.

c. *Groundcover.* Groundcover means low evergreen or deciduous plantings and shall be planted from either four-inch pot with 12-inch spacing or one-gallon pot with 18-

inch spacing. Alternative spacing of particular species may be approved by the city if documentation concerning the effectiveness of the groundcover is submitted with the landscape plan.

d. *Additional Spacing Provisions.*

i. Tree size and spacing at installation shall be increased by the city where needed to ensure visual access for vehicles and pedestrians and provide clear vision at street, access tracts and driveway intersections (sight distance triangles).

ii. Trees or shrubs with a full-grown height equal to or greater than 30 inches shall not be planted in any sight distance triangle. Sight distance triangles are determined in conformance with the city of Auburn engineering design standards, Chapter 10.

iii. A minimum distance of 15 feet is required from the mature diameter of trees and the center of street light standards.

4. Landscaping Requirements for Parking Areas.

a. General Parking Lot Landscaping Standards.

i. All parking lot landscape areas shall be protected with vertical or extruded concrete curbs, or equivalent barriers. Tire blocks shall not be used as a substitute for curbing and boundary around the landscaped area unless they are integral to a storm water LID facility design as approved by the city engineer or designee.

ii. All parking lot landscaping must be located between parking stalls, at the end of rows of parking, or between the end of rows of stalls and the property line.

iii. The maximum distance between any parking stall and required parking area landscaping shall be no more than 50 feet.

iv. Shrubs, groundcover or lawn shall be planted to cover each parking lot planting area using the planting size and spacing requirements specific in subsection (C)(3) of this section. All groundcover shall have a mature height of not more than 24 inches.

v. Modifications to protect drainage features, easements, or utility facilities may be allowed. Modifications that reduce landscape area or plant material shall be made up elsewhere on site, if possible.

vi. The requirements of this section shall not apply to parking garages or to display areas for automotive and equipment sales and rentals that are specifically designed, approved and constructed for the display purpose and that do not reduce required landscape areas.

b. Specific Parking Lot Landscaping Standards.

Table 18.50.040(B). Specific Parking Lot Landscaping Standards

	Landscaped Area Required	**Planting Area Design Requirements**	**Plantings Required**
12 parking stalls or less	No requirement		
13 – 75 parking stalls	7% of surface parking stalls (exclusive of circulation)	Minimum planter width: 6 feet	Trees shall be provided at the rate of a minimum of one per planter and/or one per 100 square feet of planter.
76 parking stalls or more	10% of surface parking stalls (exclusive of circulation)	Minimum planter width: 6 feet	Trees shall be provided at the rate of a minimum of one per planter and/or one per 100 square feet of planter.

5. Landscaping for Outdoor Storage Areas, Recreational Vehicle Parking and Refuse Areas.

a. Outdoor storage areas and recreational vehicle parking areas must be screened from view from adjacent streets and from all residentially zoned land by a minimum six-foot-wide landscape buffer. This landscape buffer shall contain evergreen trees or tall shrubs, a minimum of six feet in height at the time of planting, which will provide a 100 percent sight-obscuring screen within three years from the time of planting is required; or a combination of evergreen trees or deciduous trees, planted 20 feet on

center with no more than 30 percent being deciduous and backed by a 100 percent sight-obscuring fence. In addition to the trees, shrubs shall be planted at four-foot spacing, in all directions, and groundcover provided.

b. Outdoor storage areas abutting the Interurban Trail (regardless of the zoning of the Interurban Trail) and other future trails connecting to the Interurban Trail shall have a minimum 10-foot-wide landscape buffer containing the planting materials specified in subsection (C)(5)(a) of this section.

c. Trash containers, dumpsters, trash compactors, and recycling bins associated with multiplex, multi-unit residential, and nonresidential uses must be screened from public view on all sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry, or other similar building material reflecting the overall design of the site, and be appropriately landscaped (e.g., climbing vines, arborvitae, etc.).

6. *Irrigation.* No portion of any landscaped area shall be located further away than 50 feet from a source of water adequate to irrigate the landscaping. The source of water may be a manual (hose connection) or an automatic irrigation system. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6617 § 29, 2016; Ord. 6387 § 1, 2011; Ord. 4914 § 1, 1996; Ord. 4304 § 1(34), (35), 1988; Ord. 4229 § 2, 1987.)

18.50.045 Preservation of significant trees.

A. *Retention.* In the required perimeter landscaping area, applicants shall retain all significant trees. A significant tree means a healthy evergreen tree, six inches or more in diameter measured four feet above grade, or a healthy deciduous tree four inches or more in diameter measured four feet above grade. Alders and cottonwoods are excluded from this definition. If the grade level adjoining a tree to be retained is to be altered to a degree that would endanger the viability of a tree or trees, then the applicant shall construct a dry rock wall or rock well around the tree. The diameter of this wall or well must be capable of protecting the tree.

Areas devoted to driveways, curb cuts, and sight distance requirements, utilities and storm drainage facilities may be exempted from this requirement. Significant trees may also be exempted from this requirement if it is determined by the planning director based on satisfactory evidence pursuant to report prepared by a consulting arborist certified by the

International Society of Arboriculture. The report submitted to the city shall demonstrate the significant tree is:

1. Damaged; or
2. Diseased; or
3. Has weak structural integrity that poses a safety hazard.

If additional significant trees are to be removed, the applicant shall seek approval of an "alternative landscape plan" from the planning director under ACC 18.50.080.

B. *Encroachment into Dripline.* No construction activities shall take place within the dripline of a tree to be retained without extra precautions as recommended by a certified arborist. The applicant may install impervious or compactable surface within the area defined by the dripline when a qualified arborist determines that such activities will not endanger the tree or trees. (See the definition of "dripline" in ACC 18.04.318.)

C. *Tree Protection.* All significant trees that are to be retained must be protected during construction by installation of a protective barricade or fence. This will require preliminary identification of the proposed area of disturbance for staff inspection and approval, then installation of a protective barricade or fence before major excavation with heavy equipment begins. (Ord. 6387 § 1, 2011.)

18.50.050 Regulations by zone.

Repealed by Ord. 6387. **18.50.060 Landscaping plan requirements.**

A. *Persons Qualified to Prepare Landscape Plan.* A landscape plan signed by a licensed landscape architect is not required. However, if the plan is determined by the city to be illegible or inadequate for review the landscape plan shall be prepared by a landscape architect licensed in the state of Washington, a nursery professional certified pursuant to the Washington certified nursery professional program, or a Washington State certified landscape technician.

B. *Application.* A landscape plan shall be required and shall be accurately drawn using an appropriate engineering scale and contain all information specified by the planning director in

the application form and accompanying checklist provided by the city. (Ord. 6387 § 1, 2011; Ord. 6287 § 2, 2010; Ord. 6231 § 5, 2009; Ord. 4914 § 1, 1996; Ord. 4229 § 2, 1987.)

18.50.070 Administration and enforcement.

A. *Performance Assurance.*

1. The required landscaping must be installed prior to the issuance of the certificate of occupancy unless the planning director determines that a performance assurance device will adequately protect the interests of the city;

2. The performance assurance device shall only be valid for a 120-day period and shall have a value of 100 percent of the estimated cost of the landscaping to be performed, inclusive of planting materials and installation. If the landscaping has not been installed after the 120 days then the assurance device may be used by the city to perform any necessary work to implement the landscape plan. This time period can be extended if the city determines that:

   a. Installation of the landscaping would not be successful due to weather; or

   b. Product is not available due to the time of year;

3. The performance assurance device shall be accompanied by an agreement granting the city and its agents the right to enter the property and perform work. The agreement shall also hold the city harmless from all claims and expenses, including attorney's fees;

4. Upon completion of the required landscaping by the property owner the city shall release the performance assurance device.

B. *Initial Maintenance Period and Maintenance Assurance Device.* After installation of the required landscaping, the property owner shall complete an initial maintenance period lasting one year. The property owner shall comply with the provisions below:

1. The property owner shall be responsible for replacing any unhealthy or dead plants for a period of one year after the initial planting.

2. The planning director shall require a maintenance assurance device, unless converting a single-unit detached dwelling to a nonresidential use within the R-F zone, for a period of one year from the completion of planting in order to ensure compliance with the requirements of this section. The value of the maintenance assurance device shall equal at least 100 percent of the total landscape materials plus installation.

3. If the landscaping is not being properly maintained, the property owner shall be so notified by the city. If after 30 days from the city's notification the landscaping is still not being maintained then the maintenance device may be used by the city to perform any type of maintenance necessary to ensure compliance with this chapter.

4. The maintenance assurance device shall be accompanied by an agreement granting the city and its agents the right to enter the property and perform any necessary work. The agreement shall also hold the city harmless from all claims and expenses, including attorney's fees.

5. Upon completion of the one-year maintenance period, and if maintenance has not been performed by the city, the city shall release the maintenance assurance device.

C. Maintenance of Landscape Area (On-Going). Landscaping, including trees, shrubs, groundcover, or grass, planted as a requirement pursuant to this title or ACC Title 16 or 17 shall be maintained in a healthy, living condition. All landscaping which, due to accident, damage, disease, lack of maintenance, or other cause, fails to show a healthy appearance and growth shall be replaced. Replacement plants shall conform to all standards that govern the original planting installation, approved landscaping plan, or as approved by the planning director. If the landscaping is not replaced the property owner or designee shall be subject to the enforcement provisions contained in subsection D of this section.

1. *Tree and Shrub Pruning.* A permit is not required to prune trees and shrubs on private property. Pruning which results in the removal of at least half of the live crown will be considered tree removal and subject to the provisions in subsection D of this section. Tree pruning should be performed by a landscape contractor, one that is certified by the International Society of Arboriculture as a certified tree trimmer or certified arborist or other qualified tree expert.

2. *Limitations on Allowable Pruning.* Tree and shrub pruning shall be allowed only for the following purposes:

a. Removal of dead wood and diseased, crowded, and weakly attached trunks and branches that create a hazard to private property and citizens;

b. Providing adequate clearance and visibility for safe use of parking stalls, travel ways and walkways for the passage of persons and vehicles;

c. Eliminating traffic sign visibility obstructions;

d. Providing adequate visibility for security patrols;

e. Repairing split trees and limbs in order to save a tree and its appearance;

f. Removing or severing tree roots that are causing damage to public or private property, including curbs, gutters, sidewalk, drainage lines and parking lot surfaces; or

g. Providing visibility for merchant signs and increasing parking lot lighting only when the aesthetics of the tree or shrub will not be reduced.

3. *Tree Topping.* Tree topping is prohibited, except under the following circumstances:

a. Branches interfering with utility lines;

b. Significant canopy dieback has occurred;

c. Storm damage or prior incorrect pruning requires correction.

D. *Enforcement.* Violation of these provisions shall be processed in accordance with the procedures defined under Chapter 1.25 ACC. The property owner or designee responsible for correcting the violation shall provide a corrective action plan that defines how and when the infraction will be corrected within the time provisions defined by Chapter 1.25 ACC.

1. The corrective action plan shall be subject to the following replacement ratios:

a. For plants that have died, replacement vegetation shall be at least 150 percent of the planting size required of the subject plant material at the time of planting. The plants shall be of the same or similar species to those plants being replaced, unless alternate species are approved by the planning director.

b. For trees or shrubs that have been excessively pruned, replacement vegetation shall be at least 200 percent of the size of the tree or shrub that was required by city regulations at the time of planting. The trees or shrubs shall be of the same or similar

species of the plants being replaced, unless alternate species are approved by the planning director.

2. The property owner or designee shall correct the infraction or provide a schedule that defines how and when the infraction will be corrected within the time provisions defined by Chapter 1.25 ACC. (Ord. 6387 § 1, 2011; Ord. 5777 § 1, 2003.)

18.50.080 Alternative landscaping plan.

The planning director may authorize modification of the landscape requirements when alternative plans comply with the intent of this chapter and:

A. The proposed landscaping provides for creative landscape design; or

B. Incorporates the increased retention of significant trees and naturally occurring undergrowth; or

C. Incorporates historic or architectural features such as fountains, sculptures, structures and the like. (Ord. 6387 § 1, 2011; Ord. 6287 § 2, 2010; Ord. 6231 § 6, 2009.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.52
OFF-STREET PARKING AND LOADING

Sections:

18.52.005 Intent.
18.52.010 Applicability.
18.52.020 Number of off-street parking spaces required.
18.52.025 Disabled/handicapped parking requirements.
18.52.030 Reductions of the quantity of required parking.
18.52.040 Drive-through facilities.
18.52.050 Parking design, development, and maintenance standards.
18.52.065 Commercial vehicles in residential zones.
18.52.070 Repealed.
18.52.080 Repealed.
18.52.090 Repealed.
18.52.100 Repealed.
18.52.110 Fractional spaces.
18.52.120 Repealed.
18.52.125 Stacked parking.
18.52.130 Off-street loading space.
18.52.135 Alternate parking layouts.

18.52.005 Intent.

This chapter establishes regulations which provide for attractive and convenient off-street parking and loading and to ensure that parking areas are compatible with surrounding land uses. (Ord. 6388 § 1, 2011.)

18.52.010 Applicability.

Except as otherwise provided in adopted contract rezones, development agreements, design standards and guidelines, or similar more specific process, off-street parking and loading provisions of this chapter shall apply as follows:

A. *New Development.* For all buildings or structures erected and all uses of land (property) established, parking and loading facilities shall be provided as required by this chapter.

B. *Change in Use.* When the use of any building, structure, or land is changed, increasing the intensity such that the change creates an increase of five or less parking spaces required by the change, additional off-street parking spaces need not be provided in accordance with the requirements of this chapter.

1. Special Provisions for the RF, Residential Flex Zone.

a. Within the RF, residential office zoning district, if any existing, nonresidential use is changed to another use, the requirements of this chapter shall apply in full to the new use if and only if the change in parking requirements between the old and new uses is greater than two spaces; except that if the applicant submits an alternate parking plan sufficiently justifying that the existing parking meets the needs of the new use, the planning director may authorize the satisfaction of parking through the special exception process.

b. Whenever there is a change from a residential use to a nonresidential use in an existing building within the R-F, residential office zoning district, the requirements of this chapter shall apply in full to the new use; except if the structure is being used as both a residence and business, then if the applicant submits an alternate parking plan sufficiently justifying that the parking meets the needs of both uses, the planning director may authorize the satisfaction of parking through the special exception process.

C. Modification to Existing Structures or Uses of Land. Whenever an existing building or structure is modified or uses of land are modified such that the modification would require an increase of more than five off-street parking spaces, additional off-street parking spaces shall be provided in accordance with the requirements of this chapter.

D. Modification to Existing Parking Lots.

1. Any parking lot hereafter physically altered shall comply with all of the provisions of this chapter, except that such lot which provides five percent of its area in landscaping and the landscaping is healthy and in good maintenance shall be deemed to comply with ACC 18.50.040(C)(4).

2. For existing parking lots that are resurfaced in excess of 50 percent of their area, then at least five percent of the entire parking area shall be landscaped consistent with Chapter 18.50 ACC.

3. If existing parking lots are restriped, then the new layout of the parking spaces shall be the same as the previous layout or, if changed, then the changed layout shall conform to the existing dimensional requirements of this chapter. (Ord. 6388 § 1, 2011; Ord. 6287 § 2, 2010; Ord. 6231 § 7, 2009; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.020 Number of off-street parking spaces required.

Each principal use of the land, building, or structure shall provide the number of off-street parking spaces required by this section. The following standards are not applicable in the DUC, downtown urban center zone; refer to Chapter 18.29 ACC for specific requirements for that zone.

A. Parking Requirements by Land Use.

1. *Minimum Number of Parking Spaces.* Each land use shall provide the minimum number of off-street parking spaces required by Table 18.52.020, except where a greater number of spaces are required through a more specific approval process such as an administrative use permit or conditional use permit approval.

2. *Uses Not Listed.* Where a use is not listed in Table 18.52.020, the planning director shall determine the number of required parking and/or loading spaces. The planning director shall use the requirements in Table 18.52.020 as a guide in determining the number of off-street parking spaces required based on the similarity of uses or may consider a parking generation study.

B. *Maximum Number of Parking Spaces.* Except for required parking spaces for persons with disabilities, spaces provided in park and ride lots operated by a public transit agency, spaces for carpools, spaces for electric vehicle charging and spaces within structured parking with two or more levels, the maximum number of parking spaces for nonresidential uses shall not exceed 125 percent of the minimum spaces required by Table 18.52.020.

C. *Measurement of Floor Area.* In any case where Table 18.52.020 establishes a parking requirement based on floor area in square feet (for example: two spaces per 1,000 square feet (sf) of floor area), the floor area shall be construed to mean gross floor area (defined in ACC 18.04.430).

D. *Use with Accessory Components.* A single use with accessory components shall provide parking for the primary use, and each component. For example, a hotel with a meeting room may be required to provide the parking spaces required by Table 18.52.020 for a hotel (i.e., the guest rooms), and for a meeting room.

E. *Obstruction.* Removal of required parking or loading spaces from practical use by obstruction, erection of buildings, or other actions as to reduce the parking or loading capacity or usefulness thereof below the minimum requirements established in this chapter is prohibited.

F. *Existing legally nonconforming gravel spaces.* Up to six legally nonconforming gravel parking spaces may be used to meet off-street parking requirement for residential development.

Table 18.52.020. Off-Street Parking Requirements by Land Use

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Residential Categories		
Single-unit detached dwelling, adult family home, home based daycares	Dwelling unit	2.00
Middle housing (2 to 6 units)	See ACC 18.25 for Middle Housing parking requirements.	
Apartments (7 or more units)	Dwelling unit	1.00
Mobile home dwellings[1]	Dwelling unit	2.00
Assisted living facilities	4 bedrooms	1.00 Plus one space for each two employees
Group living (includes supportive housing, boardinghouse)	4 bedrooms	1.00
Commercial Categories		
Auto sales and motorcycle, new	1,000 sf of floor area	2.29
Auto sales and motorcycle, used	1,000 sf of floor area	3.08
Daycare centers	Each 10 children in care	2.00
Eating and drinking establishments	1,000 square feet of floor area	8.00
Food retail stores and markets	1,000 square feet of floor area	5.00
Health and fitness clubs	1,000 square feet of floor area	5.00

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Hotel or motel	Guest room or rental unit	1.00
Mini-marts and gas stations	1,000 square feet of floor area	5.00
Mortuaries or funeral homes	25 square feet of floor space	0.25
Motor vehicle repair and services	1,000 square feet of floor area	2.50
Personal service shops	1,000 square feet of floor area	2.50
Retail commercial establishments, less than 15,000 square feet of floor area	1,000 square feet of floor area	2.50
Retail commercial establishments, greater than 15,000 square feet of floor area	1,000 square feet of floor area	4.00
Shopping centers[4]	1,000 square feet of floor area	4.00
Office Categories		
Business and professional offices	1,000 square feet of floor area	2.00
Medical-dental clinic; urgent care	1,000 square feet of floor area	3.00
Manufacturing Processing and Warehousing Categories ***(See also ACC 18.52.020(D))***		
All manufacturing, industrial, and processing uses, except the following:	1,000 square feet of floor area	1.00
Warehousing	2,000 square feet of floor area	1.00
Storage – Personal storage/mini-storage facilities	1,000 square feet of floor area[3]	0.10
Recreation, Education, Public Assembly Categories		
Auditoriums, stadiums, and theaters	25 square feet of floor space	0.25

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Commercial recreation facilities – Indoor, except for the following:	1,000 square feet of floor area	5.00
Bowling alleys	Lanes	5.00
Pool and billiard rooms	Table	2.00
Skating rinks	1,000 square feet of floor area	5.00
Commercial recreation facilities – Outdoor	1,000 square feet of usable recreational area	3.00
Hospitals	Bed	1.75
Library, museum	1,000 square feet of floor area	2.50
Meeting facility, public or private	25 square feet of floor space	0.25
Religious assembly	25 square feet of floor space	0.20
Schools (public and private)		
Preschool schools	Employee[3]	1.00
Elementary/middle schools	Teaching station	1.20
Secondary (high) schools	Student	0.40
College or university (including trade and business schools)	Student	0.75
Studios (dance, martial arts, etc.)	1,000 square feet of floor area	5.00
Tennis/racquetball/handball or other sport courts	Court	2.00
	Each 300 sf of floor area for accessory uses	1.00

Land Use Type:	Unit of Measure:	Required Parking Rate (spaces per unit of measure):
Recreational uses not listed elsewhere	Same as retail, based on size	

Notes:

1 Within mobile home parks, parking space shall not be allowed within the required setbacks. Guest parking shall be provided within the development: five percent of total requirement.

2 Includes total on-site building square feet.

3 There shall be two visitor-parking stalls provided for each 10 required employee stalls.

4 Compliance with these standards is not required for a change of use within an existing building.

5 Employee and customer parking only.

(Ord. 6419 § 5, 2012; Ord. 6388 § 1, 2011; Ord. 6167 § 4, 2008; Ord. 6140 § 2, 2007; Ord. 6071 § 3, 2007; Ord. 5777 § 1, 2003; Ord. 5556 § 1, 2001; Ord. 5170 § 1, 1998; Ord. 4949 § 1, 1997; Ord. 4304 § 1(40), (41), 1988; Ord. 4229 § 2, 1987.)

18.52.025 Disabled/handicapped parking requirements.

A. Accessible parking spaces for the handicapped/disabled shall be provided in compliance with the International Building Code (IBC), the Federal Accessibility Guidelines, and Washington Administrative Code, as applicable. These spaces shall count towards fulfilling the off-street parking requirements of this chapter.

B. Accessible car and van parking space size shall be as follows:

1. Car parking spaces shall be eight feet (96 inches) minimum in width.

2. Van parking spaces shall be 11 feet (132 inches) minimum in width.

C. *Exception.* Van parking spaces shall be permitted to be eight feet (96 inches) minimum in width where the adjacent access aisle is eight feet (96 inches) minimum in width.

Table 18.52.025. Accessible Parking Spaces Required

Total Parking Spaces Provided	Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
More than 1,000	20, plus one for each 100 over 1,000

(Ord. 6388 § 1, 2011.)

18.52.030 Reductions of the quantity of required parking.

Except within the DUC zone, reductions of the quantity of required parking may be allowed based upon the provisions in Table 18.52.030, Parking Quantity Reductions.

Table 18.52.030. Parking Quantity Reductions

1. Joint Use of Parking Facilities	A reduction in the total number of required parking spaces may be allowed when two or more uses with different peak parking demands will share a parking facility. In order for the reduction to occur the planning director must determine, based on satisfactory evidence provided by the applicant, that there is no substantial conflict in the principal operating hours and no substantial conflict in peak parking demand of the uses for which the sharing of parking is proposed. To evaluate the peak parking demand characteristics or differences in hours and/or days of operation, evidence including, but not limited to, a description of the uses and their operational characteristics, and a development plan shall be provided by the applicant and accompany the request. If approved, a binding agreement providing for the shared use of parking areas shall be executed by the parties involved, and must be filed with the city in a form approved by the planning director and be recorded. Shared parking privileges will continue in effect only as long as the agreement, binding on all parties, remains in force. Agreements must guarantee long-term availability of the parking, commensurate with the use served by the parking. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this chapter.
2. Reduction of Parking for a Use with Low Parking Demand	A reduction of up to 50 percent of the total number of required parking allowed for the re-use of an existing building, based on quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the property land use by other cities). In order for the reduction to occur the planning director must find satisfactory evidence has been provided by the applicant.
3. Mixed Occupancies and Shared Uses	In the case of two or more principal uses in the same building, the total requirements for off-street parking facilities shall be 75 percent of the sum of the requirements for the principal uses computed separately. In order for a use to be considered a separate principal use under the terms of this section, the uses must be physically and managerially separate in a manner which clearly sets the principal uses apart as separate businesses or operations. Various activities associated with single businesses shall not be considered separate uses.
4. Transit Access	A reduction in the total number of required parking spaces may be reduced by 25 percent for sites located within a 1/4 mile (walking distance) of a public transit stop. A public transit stop includes but is not limited to a bus stop, commuter train stop, or park and ride lot. Applicants requesting this reduction must provide a map identifying the site and transit service schedules for all transit routes within 1/4 mile of the site.

5. Trip Reduction Plan	A reduction of up to 25 percent in the total number of required parking spaces may be allowed for a business or other use that creates and implements a site-specific trip reduction plan and program. The trip reduction plan and program shall be reviewed and approved by the city and yearly reports shall be provided to evaluate the effectiveness of the program and ensure its continued maintenance and operation.
6. Credit for On-Street Parking – Nonresidential	All multifamily uses and nonresidential uses located adjacent to a public right-of-way where on-street parking is permitted may receive credit for one off-street parking stall for each 22 linear feet of abutting right-of-way for parallel parking, excluding curb cuts. This provision shall be applied for on-street parking on the same side of the street as the proposed land use. All parking for employees must be provided on-site.
7. Valet Service	A reduction of up to 25 percent in the amount of required parking per Table 18.52.020 may be permitted, depending on the size and type of the use if approved by the planning director.
8. Tree retention	If retention of significant trees as required under 18.50.045 makes it infeasible to accommodate parking required under 18.52.020, required parking may be reduced, as long as all other standards in this title are met and approved by the planning director.

(Ord. 6388 § 1, 2011; Ord. 6071 § 4, 2007; Ord. 5556 § 1, 2001; Ord. 5170 § 1, 1998; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.040 Drive-through facilities.

All banks, savings and loan associations, food dispensing establishments, and other businesses which maintain drive-through facilities which are intended to serve customers who remain in their motor vehicles during business transactions, or are designed in such a manner that customers must leave their automobiles temporarily in a driving lane located adjacent to the facility, shall provide on-site stacking space for the stacking of motor vehicles as follows:

A. *Stacking Space.* The drive-through facility shall be so located that sufficient stacking space is provided to accommodate the types of motor vehicles using such facility during peak business hours of such a facility.

B. *Driveway Location.* The location of entrances and exits shall be determined by the city engineer.

C. *Shopping Centers.* When located in a shopping center, drive-through facilities shall provide sufficient stacking space to handle peak business demands and shall not in any way obstruct the normal circulation

pattern of the shopping center and not unreasonably interfere with nonmotorized circulation. (Ord. 6388 § 1, 2011; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.050 Parking design, development, and maintenance standards.

Required parking areas shall be designed, constructed and maintained in compliance with this section:

A. *Location of Parking.* Off-street parking areas shall be located as follows:

1. *Residential Parking.* Residential parking shall be located on the same site as each residential dwelling unit served; except for a mixed-use development as defined by ACC 18.04.625. No required residential parking space shall occupy any unimproved area within the required front setback, or side and rear setback, except as allowed by subsection E of this section, Surfacing of Parking Areas.

2. *Nonresidential Parking.* Nonresidential parking shall be located on the same site as the use served, or off site. If parking is to be located off site it is subject to the following requirements:

a. The lot or area to be utilized for parking shall be legally encumbered by an easement or other appropriate means to ensure continuous use of the parking facilities following the procedure contained in Table 18.52.030(1), Joint Use of Parking Facilities.

b. Whenever required parking facilities are located off site, sidewalks, or an approved pedestrian facility, shall be provided connecting the satellite parking facility to the development being served.

B. *Access to Parking.* Access to parking shall be provided as follows for all parking areas other than for single-unit detached dwellings and middle housing:

1. The location, design and construction of entrances and exits from the street right-of-way shall be determined by the city engineer.

2. A commercial or industrial use shall have access driveways from the public or private street that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of 40 feet from the street right-of-way, to provide a queuing area for vehicles entering and exiting the parking area. The city engineer may require an increase or a decrease of this as determined by criteria set forth in the engineering design standards.

C. *Access to Adjacent Sites.* The city may require that the design of a parking area to provide vehicle and pedestrian connections to parking areas on adjacent properties or to connect with adjoining public walkways (when a reciprocal access easement is available or can reasonably be provided).

D. *Parking Stall and Aisle Dimensional Standards.*

1. *Minimum Dimensions.* Each parking space and parking lot aisle shall comply with the minimum dimension requirements in Table 18.52.050 and further displayed in Figure 18.52.050.

Table 18.52.050. Parking Space and Drive Aisle Dimensions

Parking Stall Type (A)	**Minimum Stall Dimensions**		**Minimum Width for Drive Aisle with Parking(D)**	
	Width(C)	**Length(B)**	**One-Way**	**Two-Way**
Standard parallel	8 ft.	20 ft.	12 ft.	20 ft.
Standard 45-degree	8 ft.	19 ft.	15 ft.	20 ft.
Standard 60-degree	8 ft.	19 ft.	18 ft.	20 ft.
Standard 90-degree	8 ft.	19 ft.	20 ft.	24 ft.
Compact	8 ft.	16 ft.	20 ft.	22 ft.

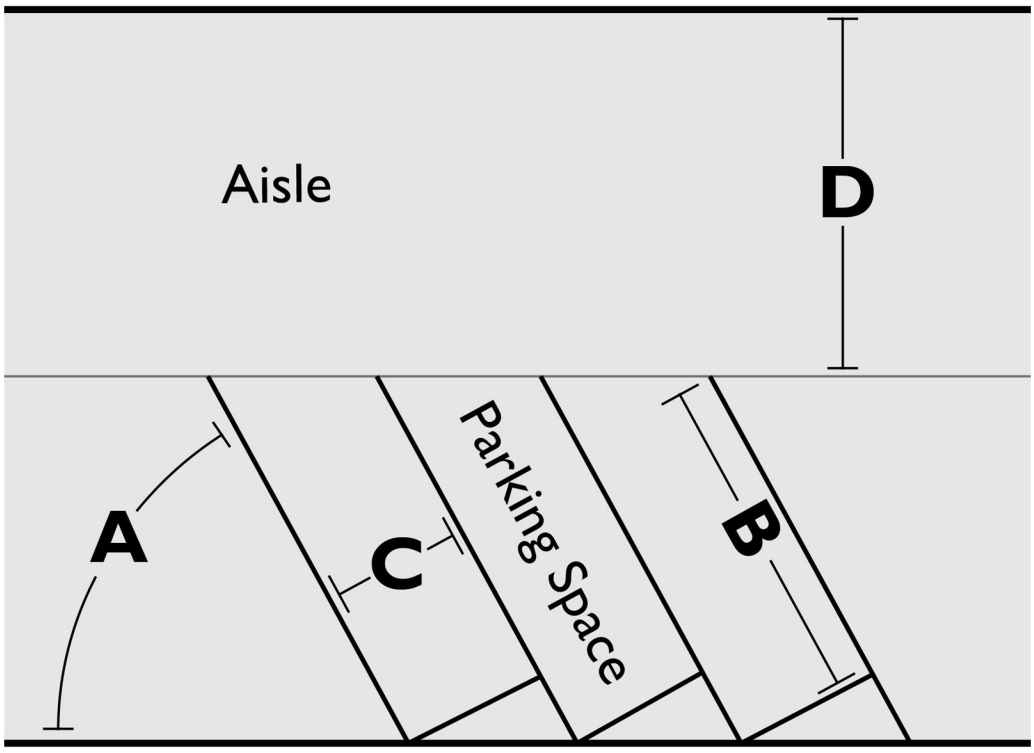


Figure 18.52.050. Parking Space and Drive Aisle Dimensions

2. *Compact Parking.* Compact spaces may be allowed within a parking lot up to a maximum of 30 percent of the total number of spaces. This maximum percentage can be increased to 50 percent when approval is obtained by the planning director following the procedures contained in ACC 18.52.135, Alternative parking layouts. Compact spaces can be clustered or dispersed throughout the parking lot. Every compact parking space created pursuant to this section shall be clearly identified as such by painting the word "COMPACT" in upper case block letters, using white paint, on the pavement within the space or through the use of signage.

3. *Vehicle Overhang.* Vehicular overhang of up to two feet is permitted, provided no vehicle shall overhang into a sidewalk or walkway which would reduce the unencumbered width of a sidewalk or walkway to less than four feet. A vehicle is permitted to overhang into a landscaped area by two feet; provided, that the required landscape area of trees and shrubs are not reduced in quantity and not subject to potential damage.

4. *Tandem Parking.* Tandem parking spaces (parking of one vehicle in front of another such that only the outer vehicle is immediately accessible) may count towards parking requirements for residential uses under 18.52.020.

E. *Surfacing of Parking Areas.* Areas used for parking on private property, including interior driveways and access to a public street, shall be paved with asphalt concrete, cement concrete pavement, grass block pavers, or pervious pavement and shall have appropriate bumper guards where needed. Paving is not required for temporary parking facilities that have obtained a temporary use permit pursuant to the requirements of Chapter 18.46A ACC, Temporary Uses; however, dust mitigation is required. Where a driveway crosses an improved public right-of-way, it shall be constructed with cement concrete. All pavement sections shall be designed to support the post development traffic loads anticipated due to the intended use as approved by the city engineer.

1. Alternative paving systems may be provided subject to the approval of the city. The alternative must provide results equivalent to paving.

2. For parking areas serving single-family dwellings and duplexes when located on individual lots, this section shall apply:

a. Each off-street parking space shall be connected to an improved street or alley by a driveway a minimum of 11 feet in width.

b. Not more than 50 percent of the front yard or 800 square feet, whichever is smaller, can be used as off-street parking surface. For the purposes of calculating the allowable area under this section, the front yard shall be the area between the right-of-way and the portion of the single-family dwelling's front facade farthest from the right-of-way. The width of the front yard shall extend to each side property line.

c. Driveways that exclusively serve nonrequired off-street parking spaces are also subject to the surfacing requirement.

d. Off-street vehicle parking spaces, including those for trailers, recreational vehicles, and boats on trailers, that are provided in addition to those required pursuant to Table 18.52.020 shall be paved with one of the surfaces listed above (subsection E of this section), or gravel; provided, that weeds, mud or other fine material do not work their way to the surface of the gravel; and provided, that loose gravel is contained on the subject property.

e. Boats not on trailers shall not be stored in the front yard.

F. *Grades of Access Driveways.* The grade of access driveways for off-street parking areas shall be subject to the driveway regulations contained in Chapter 10.04 of the engineering design standards.

G. *Sidewalks or Pedestrian Walkways.* Sidewalks or pedestrian walkways shall be visibly marked with differentiated pavement or other methods such as reflective/LED markers, double row of landscaping, or raised pavement.

H. *Landscaping.* See Chapter 18.50 ACC.

I. *Lighting.* See Chapter 18.55 ACC. (Ord. 6657 § 2, 2017; Ord. 6388 § 1, 2011; Ord. 6231 § 7, 2009; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

Repealed by Ord. 6388. 18.52.065 Commercial vehicles in residential zones.

A. No person shall park any commercial vehicle on any property within the following zoning districts in the city: residential zones R-2, R-3, and R-4 and Planned Unit Development (PUD).

B. No person shall park more than one commercial vehicle on any property within the R-1 residential zoning district in the city, and no person shall park more than two commercial vehicles on any property within the residential conservancy RC zoning district in the city. (Ord. 6388 § 1, 2011; Ord. 6019 § 2, 2006.)

Repealed by Ord. 6388. 18.52.080 Off-street parking – In-lieu of fees.

Repealed by Ord. 4949. 18.52.090 Parking space dimensional requirements.

Repealed by Ord. 6388. 18.52.100 Existing off-street parking reduction.

Repealed by Ord. 6388. 18.52.110 Fractional spaces.

When units or measurements determining the number of required parking spaces result in requirements of a fractional space, any fraction up to one-half shall be disregarded, and fractions of one-half or over shall require one parking space. (Ord. 6388 § 1, 2011; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.120 Parking in front or side yards – Prohibited generally.

18.52.125 Stacked parking.

Stacked parking i.e., parking one car behind another, is permitted for funeral homes, single-unit detached and middle housing dwelling units, and for designated employee parking within the R-F zone, unless the use has complied with the requirements of Table 18.52.030(7), Parking Quantity Reductions (Valet Service). (Ord. 6388 § 1, 2011; Ord. 6231 § 9, 2009; Ord. 4949 § 1, 1997.)

18.52.130 Off-street loading space.

Buildings devoted to retail trade, retail and wholesale food markets, warehouses, supply houses, wholesale and manufacturing trade, hotels, hospitals, laundry, dry cleaning establishments or other buildings where large

amounts of goods are received or shipped shall provide loading and unloading space on the same premises as the building as follows:

A. Buildings of 6,000 square feet or more of floor area, one off-street loading and unloading space plus one additional off-street loading space for each 20,000 square feet of floor area;

B. Each loading space shall be not less than 10 feet in width, 25 feet in length and 14 feet in height;

C. Loading space, exclusive of driveways and/or corridors leading thereto, shall not be considered as providing off-street parking space. (Ord. 6388 § 1, 2011; Ord. 4949 § 1, 1997; Ord. 4229 § 2, 1987.)

18.52.135 Alternate parking layouts.

Layouts and dimensions of off-street parking spaces, maneuvering aisles, driveways, driveway openings, and other related features different from those prescribed in ACC 18.52.050 may be approved by the planning director upon written findings that demonstrate:

A. The number of off-street parking spaces required by ACC 18.52.020 (unless reductions are permitted under ACC 18.52.030) are provided;

B. There is substantial reason for varying the standard; and

C. Ingress and egress is approved by the city engineer where they ensure that adequate ingress to and egress from each required off-street parking space is provided for a vehicle of the appropriate size, and that ingress to and egress from the off-street parking facility is possible with minimal disruption of traffic on the adjacent street. (Ord. 6388 § 1, 2011.)

The Auburn City Code is current through Ordinance 6904, passed February 21, 2023.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov
Code Publishing Company, A General Code Company

Chapter 18.55
OUTDOOR LIGHTING

Sections:

18.55.010 Intent.
18.55.020 Applicability.
18.55.030 General requirements.
18.55.040 Prohibited lights.
18.55.050 Exceptions.

18.55.010 Intent.

To discourage excessive lighting of outdoor spaces, encourage energy conservation and promote exterior lighting that promotes safe vehicular and pedestrian access to and within a development while minimizing impacts on adjacent properties. Decorative lighting that is architecturally integrated with the character of the associated structures, site design and landscape is encouraged. (Ord. 6390 § 1, 2011.)

18.55.020 Applicability.

A. A lighting plan shall be required for projects as follows:

1. When an exterior lighting installation is part of a new development proposal requiring site plan review, an administrative or conditional use permit, or other development application that requires outside lighting or is a commercial project adjacent to property zoned residential; and

2. For projects undergoing redevelopment, expansion or remodel when the redevelopment requires site plan approval, or for tenant improvements or other minor building improvements when exterior lighting is proposed to be installed or modified.

B. These regulations do not apply to subdivisions or individual dwelling units, with the exception of common areas. Examples of common areas include, but are not limited to, pathways, clubhouses, parking lots and play areas.

C. These regulations are not applicable to public rights-of-way.

D. These regulations do not apply to lighting necessary for emergency equipment and work conducted in the interests of law enforcement or for the safety, health, or welfare of the public.
(Ord. 6390 § 1, 2011.)

18.55.030 General requirements.

A. *Shielding Required.* Except as otherwise exempt, all outdoor lighting fixtures shall be constructed with shielding on all sides. The outdoor light source (bulb or element) shall not be visible at or beyond the property line.

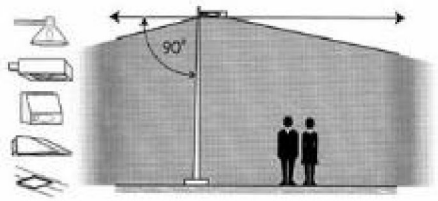


Figure 18.55.030. Examples of light fixtures with shielding on all sides

B. *Fixture Heights.* Lighting fixtures shall not exceed the following maximum heights:

Table 18.55.030.

Outdoor Lighting Location	Fixture Height (Maximum as measured to the top of the fixture from grade)
Within 50' of a residential zoning	16 ft

Outdoor Lighting Location	Fixture Height (Maximum as measured to the top of the fixture from grade)
district	
Surface Parking Area C-1, C-2, M-1, M-2 All other districts	30 ft 24 ft

C. *Photometric Plan Requirements.* A photometric plan shall be prepared and submitted for review and approval when required under ACC 18.55.020, Applicability. The required elements of the plan shall be specified in application forms to be provided by the city. The photometric plan will be reviewed to ensure compliance with the provisions in this chapter.

D. *Level of Illumination.*

1. Parking lots, driveways, and trash enclosures/areas shall be illuminated with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light.

2. Pedestrian walkways shall be illuminated with a minimum maintained one-half foot-candle of light and an average not to exceed two foot-candles of light.

3. In order to minimize light spillage on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed one-tenth foot-candle.

E. *Accent Lighting.* Lighting used to accent architectural features, landscaping or art is permitted to be directed upward; provided, that the fixture shall be located, aimed, or shielded to minimize light spill. No permit is required for this type of lighting.

F. *Periods of Illumination.*

1. All outdoor lighting systems shall be equipped with automatic switches conforming to the requirements of Section C405.2.9.4 of the Washington State Energy Code.

2. The use of sensor technologies, timers or other means to activate lighting during times when it will be needed is encouraged to conserve energy, provide safety and promote compatibility between different land uses. Lower lighting levels at off-peak times are encouraged as a safety measure.

3. However, outdoor lights may remain on during the required off hours when:

a. Illuminating flags representing country, state, or other civic entity;

b. Functioning as security lighting (e.g., illuminating a pathway, building entry, etc.);

c. Associated with special events, etc. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6390 § 1, 2011.)

18.55.040 Prohibited lights.

The following lights are prohibited unless a temporary use permit is obtained for specific events with specific times of operation:

A. Strobe lights, search lights, laser source lights, or any similar high-intensity light except for emergency use by police and fire personnel or at their direction.

B. Roof-mounted lights except for security purposes with motion detection and full shielding so that the glare of the light source is not visible from any public right-of-way or a neighboring residence.

C. Any light that imitates or causes visual interference with a traffic signal or other necessary safety or emergency light. (Ord. 6390 § 1, 2011.)

18.55.050 Exceptions.

The following light sources are exempt from the requirements of this chapter:

A. Navigation and airport lighting required for the safe operation of boats and airplanes.

B. Temporary lights used for holiday decorations.

C. Emergency lighting required by police, fire, and rescue authorities.

D. Lighting for state and federal highways authorized by the Washington State Department of Transportation.

E. Internal lighting of permitted signs.

F. Outdoor lighting for public monuments.

G. Temporary lighting in use during active construction projects.

H. Stadium and field lighting. (Ord. 6390 § 1, 2011.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.56
SIGNS

Sections:

18.56.010 Intent.
18.56.020 Definitions.
18.56.025 Real estate signs.
18.56.030 General provisions, all districts.
18.56.040 Regulation by district.
18.56.050 Administrative provisions.
18.56.060 Deviations, variances and appeals.
18.56.070 Liability.
18.56.080 Conflicts repealed.

18.56.010 Intent.

The overall purpose of this chapter is to enhance and maintain the aesthetic character, to promote the public health, safety and general welfare, and to increase the effectiveness of visual communication in the city. This chapter is also intended to avoid visual clutter that may adversely impact traffic and pedestrian safety, or be adverse to property values, business opportunities and the city's appearance and to prevent and abate public nuisances. The purpose of this chapter is implemented by controlling the construction, location, use and maintenance of all signs and sign structures. It is also the intent of this chapter to afford noncommercial speech the same or greater protection afforded commercial speech and to not regulate noncommercial speech to a stricter standard than commercial speech. (Ord. 6591 § 2, 2016; Ord. 6501 § 2, 2014; Ord. 5993 § 1, 2006; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987.)

18.56.020 Definitions.

The following definitions are specific to this chapter and are to be used only for the implementation of this chapter:

A. “Animated sign” means any sign that flashes or simulates motion with an electronic or manufactured source of supply or contains wind-actuated motion (except for flags and banners). An animated sign may also be a sign that meets the definition of “changing message center” or “revolving sign.”

B. “Banner” means a temporary sign constructed of fabric, vinyl, or other durable material; which is not the primary identification for the organization, event or product advertised; and which is primarily promotional in nature.

C. “Billboard” means a large outdoor advertising sign containing a message, commercial or otherwise, unrelated to the use or activity on the property on which the sign is located and/or to any use or activity in the immediate area (such as is the case with an off-premises sign) and which is customarily leased for commercial purposes. The approximate sizes of the billboard faces range from 12 to 14 feet in height and 24 to 48 feet in width.

D. “Changing message center” means an electronically controlled message center that displays different copy changes on the same lamp bank.

E. “Directional sign” means a sign which is located to guide or direct pedestrian or vehicular traffic to parking entrances, exits, and service areas, and may not exceed six square feet in area or 10 feet in height. For projects that have parking lots in excess of 500 spaces, the sign area may be 10 square feet and the sign height 15 feet.

F. “Double-faced sign” means a sign with two faces.

G. “Electrical sign” means a sign or sign structure in which electrical wiring, connections, and/or fixtures are used as part of the sign proper.

H. “Facade” means the entire building front, or street wall face, including grade to the top of the parapet or eaves, and the entire width of the building elevation.

I. “Flashing sign” means an electrical sign or a portion thereof which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the nonconstant light source is off at any one time.

J. “Freestanding sign” means a sign that meets the definition of “ground sign” (also commonly referred to as a monument sign) or “pole sign.” Signs attached to fences or other structures that are not defined as buildings will be considered freestanding signs.

K. “Frontage” means the measurement, in linear feet, of the length of the property line for a single-tenant building or length of leased building frontage for multitenant buildings or multibuilding complexes.

L. “Grade” means the relative existing ground level in the immediate vicinity of the sign.

M. “Ground sign” means a sign attached to the ground and supported by the ground or a built-up landscaped area such that the sign appears solid with the ground. The height of a ground sign shall be measured from the surrounding grade. Also commonly referred to as a monument sign.

N. “Identification sign” means a sign containing the name of the business establishment, occupant of the building or tenant space and/or address of the premises.

O. “Incidental sign” means a sign that is generally informational and of a noncommercial nature intended primarily for the convenience of the public and having a maximum area of two square feet. Incidental signs include, but are not limited to: signs designating restrooms, hours of operation, entrances and exits to buildings and parking lots, help wanted, public telephones, etc. Also included are property control and warning signs such as “no trespassing,” “no dumping,” etc., and plaques, tablets or inscriptions which are an integral part of a building.

P. “Mansard roof” means a sloped roof or roof-like facade architecturally able to be treated as a building wall.

Q. “Marquee” means a permanent structure attached to, supported by, and projecting from a building and providing protection from the weather elements. For the purpose of this chapter, a freestanding, permanent roof-like structure providing protection from the elements, such as a service station gas pump canopy, will also be considered a marquee. The term “marquee” also includes canopy.

R. “Marquee sign” means any sign which forms part of or is integrated into a marquee and which does not extend horizontally beyond the limits of such marquee. For the purpose of this chapter, a marquee sign will be considered as a wall sign.

S. “Median sign” means a sign that is placed within the median of a public street.

T. “Multiple-building complex” means a group of commercial or industrial structures, developed as a group either simultaneously or in phases, with more than one building per parcel.

U. “Multiple-tenant building” means a single structure housing more than one retail business, office or commercial venture but not including residential apartment buildings, which share the same lot, access and/or parking facilities.

V. “On-premises sign” means a sign which carries advertisements incidental to a lawful use of the premises on which it is located, including signs indicating the business transacted, services rendered, goods sold or produced on the premises, name of the person, firm or corporation occupying the premises.

W. “Off-premises sign” means any sign which advertises an establishment, merchandise, service, goods, or entertainment which is sold, produced, and manufactured or furnished at a place other than on the property on which said sign is located.

X. “Parapet” means a false front or wall extension above the roofline.

Y. “Perimeter” means a square or rectangle required to enclose the sign area.

Z. “Portable sign” means any sign made of any material, including paper, cardboard, wood or metal, which is capable of being moved easily and is not permanently affixed to the ground, structure or building. This also includes sidewalk or sandwich board signs, except those worn by a person.

AA. “Premises” means the real estate as a unit, which is involved by the sign or signs mentioned in this chapter.

BB. “Projecting sign” means a sign which is attached to a structure or building wall in such a manner that the leading edge extends more than 16 inches beyond the surface of said structure or wall but does not extend more than five feet beyond the property line, extends no more than six inches above any roofline, and meets all standards for ground clearance. Signs that meet the definition of “marquee sign” or “suspended sign” will not be considered a “projecting sign.”

CC. “Real estate sign” means a portable sign erected by the owner, or the owner’s agent, advertising the real estate upon which the sign is located for rent, lease or sale.

DD. “Revolving sign” means any sign that rotates or turns in motion by electrical or mechanical means in a circular pattern.

EE. “Roof sign” means a sign erected upon or above a roof or parapet of a building or structure. Mansard roof signs shall be considered as wall signs. Roof signs may not extend more than five feet in height above the roof.

FF. “Sign” means any visual communication device, structure, or fixture which is visible from any right-of-way intended to aid a land use in promoting the sale or identification of a product, good or service using graphics, symbols, or written copy. For the purpose of this chapter, a sign shall not be considered to be building or structural design. It shall be restricted solely to graphics, symbols, or written copy that is meant to be used in the aforementioned way. This definition shall include inflatable signs, balloons or other similar devices.

GG. “Sign area” means:

1. The total area of a sign visible from any one viewpoint or direction, excluding the sign support structure, architectural embellishments, or framework that contains no written copy, and includes only one side of a double-faced sign.

2. Individual letter signs using a wall as the background without added decoration or change in wall color shall be calculated by measuring the perimeter enclosing each letter. The combined total area of each individual letter shall be considered the total area of the sign.

3. Module signs consisting of more than one sign cabinet shall be computed by adding together the total area of each module.

4. Perimeter of sign area shall be established by the smallest rectangle enclosing the extreme limits of the letter module or advertising message being measured.

HH. “Sign height” means the vertical distance measured from the adjacent grade to the highest point of the sign.

II. “Sign structure” means any structure that supports or is capable of supporting any sign as defined in this chapter. A sign structure may be a single pole or may or may not be an integral part of the building or structure.

JJ. "Single-tenant building" means a commercial building or structure that contains one enterprise or occupant. Buildings within a multibuilding complex may not be considered a single-tenant building.

KK. "Special event signage" means temporary signs including posters, flags, pennants, and inflatable materials; which are not the primary identification for the organization, event or product advertised; and which are primarily intended for very short-term promotional periods.

LL. "Suspended sign" means a sign that is attached to and suspended from a marquee or canopy, and subject to right-of-way and clearance regulations.

MM. "Temporary sign" means any sign or advertising display constructed of wood, vinyl, cloth, canvas, light fabric, paper, cardboard, or other light materials, with or without frames, intended to be displayed for a limited time only. This definition shall include inflatable signs.

NN. "Traffic hazard" means any sign which does not meet city standards for clear zone or sight distance or which does not meet the requirements of the Americans with Disabilities Act.

OO. "Wall sign" means a sign attached or erected parallel to and extending not more than 16 inches from the facade or face of any building to which it is attached and supported through its entire length, with the exposed face of the sign parallel to the plane of said wall or facade. "Window signs" which do not meet the definition of a "temporary sign" shall be considered as wall signs.

PP. "Window sign" means a sign located inside or affixed to windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. (Ord. 6591 § 4, 2016; Ord. 6501 § 4, 2014; Ord. 5993 § 1, 2006; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.56.025 Real estate signs.

No sign permit is required, except as provided in subsection F of this section. All exterior real estate signs must be of wood or plastic or other durable material.

The permitted signs are as follows:

A. *Residential "For Sale" and "Sold" Signs.* Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area per side, placed entirely on the property for sale, and not to exceed a height of seven feet.

B. *Residential Directional "Open House" Signs.* Such signs shall be limited to one sign per street frontage on the premises for sale and three off-premises signs. However, if a broker/agent has more than one house open for inspection in a single development or subdivision, they are limited to four off-premises "open house" signs in the entire development or subdivision. Such signs are permitted only during daylight hours and when the broker/agent or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area per side. The sign may be placed along the periphery of a public right-of-way, provided it does not interfere with traffic safety, but it may not be attached to a utility pole or traffic safety device.

C. *Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs.* One sign per street frontage advertising undeveloped commercial and industrial property for sale or for rent is permitted while the property is actually for sale or rent. The sign shall not exceed 32 square feet in sign area per side and eight feet in height.

D. *Developed Commercial and Industrial Property "For Sale or Rent" Signs.* One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than 10 feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed eight feet in height; if freestanding, it shall be located more than 15 feet from any abutting property line and a public right-of-way line. Said sign shall not exceed 32 square feet in sign area per side.

E. *Undeveloped Residential Property "For Sale" Signs.* One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding 32 square feet in area per side, nor exceeding a height of eight feet. If the sign is greater than five square feet in area, it must be placed more than 30 feet from the abutting property line.

F. *Additional Signs.* The planning, building and community director may grant a special permit to allow temporary off-premises signs in addition to those permitted above, not to exceed five square feet in size per side, or 42 inches in height. Notice of adjacent property owners shall not be required. Such additional signs may be used to advertise open houses, to provide directions to new developments, or similar purposes. Such signs may be placed along the periphery of the

public right-of-way, provided they do not interfere with traffic safety, but they may not be attached to utility poles or traffic safety devices. The planning, building and community director shall determine the number and locations of such signs, and the period during which they may be displayed. The planning, building and community director shall take into account the number of existing signs in any proposed location, and shall limit or prohibit new ones so as to prevent a traffic safety hazard or a detrimental effect on neighboring property. (Ord. 5993 § 1, 2006.)

18.56.030 General provisions, all districts.

A. *Community Signs.* The planning, building and community director may approve and permit to be erected entrance signs, at or near the city limits, on city public right-of-way or on privately owned parcels with the owner's permission, on which may be listed institutional names, service clubs or organizations or points of interest or similar public information. Right-of-way use permits may be required for signs located in the public right-of-way.

B. *Temporary Signs.*

1. Special event signage may be allowed subject to the following:

    a. Use of such signage is limited to 10 days per display, not to exceed 10 days in any 90-day period;

    b. The area of any single sign shall not exceed 30 square feet;

2. Banners may be allowed subject to the following:

    a. No more than two such signs may be used per site at any given time;

    b. Use of such signs is limited to 90 consecutive days, and may not exceed 90 days in any 120-day period;

    c. The area of any single banner used by a single business on a site shall not exceed 32 square feet;

3. Signs which are placed upon or within a window and which are intended to be viewed from the right-of-way shall not exceed 50 percent of the window area;

4. Permits are not required, except that signs exceeding the allowable size and time duration must receive a permit issued by the planning, building and community director if special circumstances exist that warrant the additional signage.

C. *Civic Events.* Street banners may be permitted subject to approval and installation in accordance with rules and procedures established by the city of Auburn public works department.

D. *Sign Lighting Provisions.*

1. All lighting shall be arranged to reflect away from any residential zone. No person shall construct, establish, create or maintain any stationary exterior lighting or illumination system or any interior system which is intended to be viewed from a street, highway or other public thoroughfare used for vehicular traffic which system contains or utilizes:

a. Any exposed incandescent lamp with wattage in excess of 25 watts;

b. Any exposed incandescent lamp with a metallic reflector;

c. Any exposed incandescent lamp with an external reflector;

d. Any revolving beacon light;

e. Any continuous or sequential flashing operation, except as allowed for changing message center signs in subsection F of this section;

2. The provisions of subsection (D)(1) of this section shall not apply to:

a. Lighting systems owned or controlled by any public agency for the purpose of directing or controlling navigation, traffic, or highway or street illumination;

b. Aircraft warning lights.

E. *Construction Provisions, Sight Distance, Exposed Angle Iron and Wire.*

1. Each sign shall be adequately constructed in accordance with the requirements of the International Building Code, as amended;

2. Signs containing electrical circuitry shall meet the requirements of the National Electrical Code and all state laws, and shall include an approved testing lab sticker;

3. Signs must meet vehicular sight distance requirements established by the city engineer pursuant to the city of Auburn engineering design standards;

4. When a projecting sign is used, no angle irons, guy wires or braces shall be visible, except those that are an integral part of the overall design, such as decorative metals or woods, or unless they are required for safety.

F. *Changing Message Center Signs.* Where permitted under this chapter, changing message center signs shall comply with the following requirements; provided, that changing message center signs that only display time and temperature or similar public service information shall be exempt from these requirements.

1. *Where Allowed.* Changing message center signs shall only be allowed in the I, P-1, C-1, C-2, DUC, C-3, M-1 and M-2 zones.

a. In the I and C-1 zones, changing message center signs shall only be allowed on frontages along a collector, minor or principal arterial street.

b. In the I zone, no changing message center sign shall operate between the hours of 10:00 p.m. and 6:00 a.m.

c. In the DUC zone, changing message center signs shall only be allowed when located adjacent and oriented to Auburn Way North/Auburn Way South street frontages. (For other sign standards for the DUC zone, see ACC 18.29.060(I).)

2. *Number.* No more than one changing message center sign per street frontage shall be permitted on each property.

3. *Sign Face Area.* Except in the I and P-1 zones, the changing message center shall not constitute more than 75 percent of a sign's total sign face area.

4. *Display.*

a. The display of the sign shall not change more rapidly than once every one and one-half seconds.

b. No scrolling message shall require more than five seconds to be displayed in its entirety.

5. *Light Levels.*

a. Changing message center signs shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

b. At no time shall a changing message center sign be operated at a brightness level greater than the manufacturer's recommended levels.

c. All lighting shall be arranged to reflect away from any residential zone. The director shall have the authority to require a sign permit application to include information to ensure the intent of this requirement is met.

d. The brightness level shall not exceed 8,000 nits when measured from the sign's face at its maximum brightness during daylight hours and 500 nits when measured from the sign's face at its maximum brightness between dusk and dawn.

6. *On-Premises Advertising Only.* Changing message center signs shall only advertise on-premises products and services, or display public service messages or messages on behalf of not-for-profit organizations.

7. *Additional Requirements.* A copy of the manufacturer's operating manual shall be provided to the city upon request.

8. *Amortization.* All changing message center signs that do not comply with the requirements of subsections (F)(4) and (5) of this section shall be brought into compliance with those requirements by April 1, 2009.

G. *Change of Copy.* The holder of a permit, for the duration thereof, shall have the right to change the advertising copy on the structure or sign for which the permit was issued without being required to pay any additional fees.

H. *Exemptions.* Unless otherwise specified or unless expressly prohibited, it is not the intent of this chapter to regulate the following signs:

1. The flag of a government or noncommercial institutions such as schools, with the poles treated as structures;

2. Official public notices, official court notices;

3. Incidental signs (see ACC 18.56.020(O), definitions);

4. Signs not visible from public right-of-way;

5. Lettering or symbols painted directly onto or flush-mounted magnetically onto an operable vehicle;

6. Painting, repainting, cleaning, repairing, and other normal maintenance unless structural or electrical changes are made;

7. Religious symbols not attached to a permitted sign;

8. Memorial signs or tablets, names of buildings, dates of erection and the like, which are incorporated into the building material and facade;

9. Signs required by law, traffic or pedestrian control signs, signs indicating scenic or historic points of interest, which are erected by or on the order of a public officer in the performance of their public duty;

10. Sculptures, fountains, mosaics, and design features which do not incorporate advertising or identification;

11. Temporary signs limited exclusively to noncommercial speech.

I. *Prohibited Signs.* From and after the effective date of the ordinance codified in this chapter it shall be unlawful for any person to erect or place within the city, except as otherwise authorized:

1. A swinging projecting sign;

2. Portable signs, except as permitted by ACC 18.56.025 (Real estate signs), ACC 18.56.040(E) and ACC 18.29.060(I) (Signs);

3. Banners, pennants, ribbons, streamers, spinners, rotating or blinking lights, strings of lights, or similar devices, except as permitted by subsection B of this section (Temporary Signs);

4. Flashing signs, except as permitted in subsection D of this section (Sign Lighting Provisions);

5. Changing message center signs, except as allowed in the I, P-1, C-1, C-2, , M-1 and M-2 zones;

6. Signs attached to, or placed on, a vehicle or trailer parked on private or public property that is not associated with the business advertised on said sign(s). This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle used in the normal course of business. This does not include automobile for sale signs or signs attached to franchised buses or taxis;

7. Private signs placed in or on a public right-of-way, except for as expressly permitted by this chapter;

8. Any sign which constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, coloring, or method of illumination, or by obstructing the vision of drivers, or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movement on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians by glare or method of illumination or constitutes a hazard to traffic. No sign may use words, phrases, symbols or characters in such a manner as to interfere with, mislead, or confuse traffic;

9. Any sign or advertising structure or supporting structure that is torn, damaged, defaced or destroyed;

10. Signs attached to poles installed by governmental agencies, utility poles, trees, rocks or other natural features;

11. Signs attached to benches, garbage cans, or other street furniture located within the public right-of-way;

12. Rotating signs;

13. Billboards;

14. Any sign which does not structurally or materially conform to the requirements of the city's adopted International Building Code.

J. *Nonconforming Signs.* Permanent signs established legally prior to the adoption of the ordinance codified in this chapter that do not conform to the regulations of this chapter with regard to number, size, height or location shall be allowed to remain as legal nonconforming signs except as follows:

1. Whenever a new building replaces the principal building.

2. When there is an expansion of an existing building, the requirements of this section shall apply only if there is an increase in floor area of 25 percent or more (including the cumulative increase of previous expansions after the effective date of the ordinance amending this section).

3. Whenever a nonconforming use is replaced by a conforming use, the requirements of this section shall apply in full to the new use if and only if there is a change in required signage due to the zoning district.

4. Any sign, including the sign structure, now or hereafter existing which no longer advertises a bona fide business conducted or a product sold. Such sign(s) shall be taken down and removed by the owner, agent or person having the beneficial use of the land, building or structure upon which such sign may be found within 90 days after written notification from the building official.

K. *Master Sign Plans Authorized.* The planning, building and community director has the authority to require a master sign plan to ensure a consistent and coordinated signage scheme for development proposals. In approving master sign plans under the provisions of this subsection, the director has the authority to approve signage schemes that allow for signs greater in area and height than allowed in the particular zone in which the development is located when a coordinated signage scheme is used. Master signage plans shall be recorded.

L. *Maintenance and Safety.* All permanent, temporary and portable signs and components thereof must be maintained in good repair and in a safe, neat, clean and attractive condition. Failure to maintain a sign(s) in accordance with this subsection shall be subject to the code compliance provisions of the Auburn City Code. (Ord. 6828 § 1 (Exh. A), 2021; Ord. 6591 § 6, 2016; Ord. 6501 § 6, 2014; Ord. 5993 § 1, 2006; Ord. 5342 § 2, 2000; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.56.040 Regulation by district.

A. RC, R-1, R-2, R-3, R-4, and R-MHP Zones (Nonresidential Uses, Except As Noted).

1. *Residential Entry Monument.* A cumulative area of 50 square feet or 10 feet in height (highest point of sign structure) not to exceed two per entrance; provided, that no sign exceeds 32 square feet in area.

2. Maximum sign area of all signs is 40 square feet per frontage.

3. *Freestanding Signs.*

   a. Total number permitted: One per frontage not to exceed two total freestanding signs per property.

   b. Maximum height: 10 feet.

   c. Maximum area: 32 square feet per face, calculated at a rate of one square foot of sign area for every three lineal feet of frontage. The minimum entitlement for freestanding signs shall be one 16-square-foot sign for those sites with frontages less than 48 feet.

4. *Wall Signs (for Building or Tenant Space).*

   a. Total number permitted: One per frontage not to exceed two total wall signs per building.

   b. Maximum area: 32 square feet, calculated at a rate of one square foot of sign area for every three lineal feet of frontage. The minimum entitlement for wall signs shall be one 16-square-foot sign for those sites with frontages less than 48 feet.

5. Signs may be indirectly illuminated only.

B. *R-F, R-NM, and C-1 Zones (Nonresidential Uses).*

1. Maximum sign area of all signs is 150 square feet per frontage.

2. *Freestanding Signs.*

   a. Total number permitted: One per frontage not to exceed two total.

   b. Maximum height: 22 feet, 10 feet in the R-F zone.

   c. Maximum area: 100 square feet per face, 75 square feet per face in the RO zone, calculated at a rate of one square foot of sign area for every two lineal feet of frontage.

Minimum entitlement for freestanding signs shall be one sign at 32 square feet for those sites with less than 64 feet of frontage.

d. If permitted, the second freestanding sign shall not exceed 50 percent of the area allowed for a single freestanding sign and 150 feet measured in a straight-line distance must separate multiple pole signs.

3. *Wall Signs (for Building or Tenant Space).*

a. Total number permitted: One per frontage.

b. Maximum area: 100 square feet, calculated at a rate of one square foot of sign area for every one and one-half lineal feet of frontage. For multitenant buildings where freestanding signage contains the name of not more than one tenant business (e.g., a prime tenant name or a shopping center name), an additional 25 percent of wall signage per tenant space shall be allowed. This increase in signage shall not apply to minimum entitlement for wall signs, which shall be one sign at 16 square feet.

c. Signs may be directly or indirectly illuminated.

4. *Suspended Signs.*

a. Total number permitted: One per entrance.

b. Maximum area: Six square feet per face.

c. Minimum clearance is eight feet from sign to grade.

5. *Projecting Signs.*

a. Not permitted in R-F or R-NM.

b. Total number permitted: One in lieu of a permitted freestanding sign.

c. Maximum height: Height requirement of the zoning district.

d. Maximum area: 50 percent of the area allowed for single freestanding sign.

C. *P-1 and I Zones.*

1. *Freestanding Signs.*

a. Total number permitted: One per frontage not to exceed two total.

b. Maximum height: 18 feet.

c. Maximum area: 80 square feet per face, calculated at a rate of one square foot of sign area for every two lineal feet of frontage. The minimum entitlement for freestanding signs is one sign at 32 square feet.

d. If permitted, the second freestanding sign shall not exceed 50 percent of the area allowed for a single freestanding sign and 150 feet measured in a straight-line distance must separate multiple pole signs.

e. For projects, parcels or complexes that have a single street frontage and more than 300 feet of street frontage, a changing message center sign may be permitted for a total of two signs per frontage subject to the following:

i. Only one changing message center is provided.

ii. Multiple signs are separated by at least 150 feet.

iii. The combined area of the two signs does not exceed 120 square feet in size and neither sign is greater than 80 square feet in size.

2. *Wall Signs (for Building or Tenant Space).*

a. Total number permitted: Two per street frontage.

b. Maximum area: 50 square feet for total of all wall signs per frontage.

c. Signs may be directly or indirectly illuminated.

D. *L-F, M-1 and M-2 Zones.*

1. Maximum sign area of all signs is 150 square feet per frontage.

2. *Freestanding Signs.*

a. Total number permitted: Two per frontage not to exceed four total.

b. Maximum height: 30 feet.

c. Maximum area: 125 square feet per face, calculated at a rate of one square foot of sign area for every two lineal feet of frontage. Minimum entitlement for freestanding signs is 32 square feet for those sites without 64 feet of frontage.

d. The total area of freestanding signs on any given frontage shall not exceed the area allowed for a single freestanding sign.

e. The maximum height of signs located on a second or third frontage shall be 20 feet.

f. Multiple freestanding signs must be separated by 150 feet measured in a straight-line distance.

3. *Wall Signs (for Building or Tenant Space).*

a. Total number permitted: One per frontage.

b. Maximum area: 100 square feet, calculated at a rate of one square foot of sign area for every one and one-half lineal feet of frontage.

4. *Projecting Signs.*

a. Total number permitted: One in lieu of a permitted freestanding sign.

b. Maximum height: Height requirement of the zoning district.

c. Maximum area: 50 percent of the area allowed for single freestanding sign.

E. *C-2 Zone.*

1. *Freestanding Signs.*

a. Total number permitted: Two per frontage not to exceed four total.

b. Maximum height: 30 feet.

c. Maximum area: 200 square feet, calculated at a rate of one square foot of sign area for every two lineal feet of frontage; provided, that the maximum size of any sign does not exceed 125 square feet per face. The minimum entitlement for freestanding signs is 32 square feet for those sites without 64 feet of frontage.

d. The total area of freestanding signs on any given frontage shall not exceed the area allowed for a single freestanding sign.

e. The maximum height of signs located on a second or third frontage shall be 20 feet.

2. *Wall Signs (for Building or Tenant Space).* Maximum area: 125 square feet, calculated at a rate of one square foot of sign area for every one and one-half lineal feet of frontage.

3. *Projecting Signs.*

a. Total number permitted: One in lieu of a permitted freestanding sign.

b. Maximum height: Height requirement of the zoning district.

c. Maximum area: 50 percent of the area allowed for single freestanding sign.

4. *Suspended Signs.*

a. Total number permitted: One.

b. Maximum placement height: 25 feet.

c. Maximum area: Six square feet per face.

d. Minimum clearance is eight feet from sign to grade.

5. *Off-Premises Signs.*

a. Total number permitted: One per business and one per parcel.

b. Location: Off-premises sign must be located in zone that permits off-premises signs.

c. Maximum height: 20 feet.

d. Maximum area: 50 percent of the area allowed for single freestanding sign, calculated using the feet of frontage of the site where the sign is located.

e. Must be within 750 feet of the business being advertised.

f. Must be separated from any existing pole sign a minimum distance of 150 feet measured in a straight-line distance.

g. Sign can be no more than two faces.

h. Signs may be directly or indirectly illuminated. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987.)

18.56.050 Administrative provisions.

A. *Permits Required.* Except as provided in subsection B of this section, no signs shall hereafter be erected, re-erected, constructed, altered, or maintained, except as provided by this chapter and, when required, a building permit for the same has been issued by the building official. A separate permit shall be required for a sign or signs for each business entity and/or a separate permit shall be required for each group of signs on a single supporting structure.

1. *Application for Permits.* Application for sign permits shall be made to the building official on a form as provided by the building division. Such application shall require:

a. Name of business and address where work is to be performed.

b. Name and address of property owner.

c. Name and title of the person completing the application.

d. Name, address and telephone number of the person or firm doing the work and preferably the owner of said establishment.

e. Washington contractor's registration number, industrial use permit number, sales tax number.

f. A site plan showing location of the sign in relation to buildings, property lines and street right-of-way including the size and location of all existing signs on the property.

g. A scale drawing of the proposed sign or sign revision showing size, height, copy, structural and footing details, and material specifications.

h. A description of work to be performed and type of sign.

i. Electrical load with name of electrical contractor responsible for installation of service feed wires if other than sign contractor.

j. Structural engineer's stamp required on those signs and sign structures subject to wind and seismic forces.

2. *Revocation of Permit.* The building official may, in writing, suspend or revoke a permit issued under provisions of this chapter whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this chapter.

3. *Permit Fee Schedule.* The fees prescribed in the city's fee schedule must be paid to the city for each sign installation for which a permit is required by this chapter and must be paid before any such permit is issued by the building official. Fees for building permits for each sign erected, installed, affixed, structurally altered, relocated, or created by painting shall be set in accordance with the city's fee schedule.

4. Sign permits shall be processed in accordance with the relevant timelines and procedures identified in ACC Title 14, Project Review.

B. *Interpretation.* In all applications for permits where a matter of interpretation arises, the most restrictive definition shall prevail. (Ord. 5993 § 1, 2006; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

18.56.060 Deviations, variances and appeals.

A. The planning, building and community director may grant up to a 50 percent deviation to the provisions of this sign code related to sign height and sign area. In a petition for a deviation, the planning, building and community director shall have the power and duty to review, decide, grant, grant with conditions or deny the requested deviation. The planning, building and community director may grant a deviation from the provisions of this chapter only when the deviation is within 50 percent of the entitlement and all of the following findings of fact are met:

1. The literal interpretation and strict application of the provisions and requirements would cause undue and unnecessary hardship because of unique or unusual conditions pertaining to the specific building, parcel or property in question; and

2. The granting of the requested deviation would not be materially detrimental to the public welfare or injurious to the property or property owners in the vicinity; and

3. The granting of the deviation would not be contrary to the general objective and intent of this chapter, this title, or the comprehensive plan.

B. An applicant requesting an administrative deviation under the provisions of this chapter shall submit the following, along with the required filing fee:

1. A letter in memorandum format outlining how the request is consistent with the criteria of this subsection.

2. A site plan that accurately drawn to an engineered scale of one inch equals 40 feet, one inch equals 20 feet or one inch equals 10 feet that includes the following information:

a. Boundaries and dimensions of the site;

b. Location of buildings, parking areas and adjacent streets;

c. Graphic representations of all existing signs including their size, height and placement on the site;

d. Graphic representation of the proposed sign(s) subject to the request;

e. Building elevation showing the placement of the sign on that elevation, if applicable.

C. The action of the planning, building and community director rejecting, approving or modifying any decision or application is a final administrative decision subject to appeal to the city's hearing examiner. Appeals of administrative decisions with regard to this chapter shall be processed consistent with ACC 18.70.050.

D. The planning, building and community director shall render a written decision on the requested deviation request within seven business days of submittal of all required elements and filing fee.

E. Requests that exceed the 50 percent deviation or those not related to allowable sign height or sign area shall be processed as a variance in accordance with ACC 18.70.010.

F. The planning, building and community director may allow for the repair or replacement of nonconforming signs that have a significant historical or cultural element or are integral components of a building roof or facade that has a significant historical or cultural element to which the sign is a contributing component. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987.)

18.56.070 Liability.

This chapter shall not be constituted to relieve from or lessen the responsibility of any person owning, building, altering, constructing, removing or moving any sign in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city, or any agent thereof, be held as assuming such liability by reason of permit or inspection authorized herein or a certificate of inspection issued by the city or any of its agents. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987. Formerly 18.56.110.)

18.56.080 Conflicts repealed.

All sections or parts of sections of the municipal code, all ordinances and all resolutions or parts of resolutions, in conflict herewith, be and the same are repealed to the extent of such conflict. (Ord. 5993 § 1, 2006; Ord. 4229 § 2, 1987. Formerly 18.56.120.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 18.57
STANDARDS FOR SPECIFIC LAND USES

Sections:

18.57.010 Intent.
18.57.015 Applicability.
18.57.020 Industrial, manufacturing and processing, wholesaling.
18.57.025 Recreation, education and public assembly.
18.57.030 Mixed-use development.
18.57.035 Retail.
18.57.040 Services.
18.57.045 Transportation, communication and infrastructure.
18.57.050 Vehicle sales and services.

18.57.010 Intent.

This chapter provides site planning, development, and/or operating standards for certain land uses that are allowed by individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts. (Ord. 6435 § 1, 2012.)

18.57.015 Applicability.

The land uses and activities covered by this chapter shall comply with the provisions of the sections applicable to the specific use, in addition to all other applicable provisions of this zoning code. The standards for specific land uses in this chapter supplement and are required in addition to those in ACC 18.23.040 and 18.35.040, Development standards. (Ord. 6435 § 1, 2012.)

18.57.020 Industrial, manufacturing and processing, wholesaling.

A. *Outdoor Storage, Incidental to Principal Permitted Use on Property.*

1. *C-2 Zone.* Outdoor storage is subject to the following requirements:

   a. Outdoor storage shall be limited to an area no greater than 10 percent of the lot.

   b. Outdoor storage shall be located between the rear lot line and the extension of the front facade of the principal structure; provided also, that for corner lots no outdoor storage is allowed between a building and a side street lot line. For through lots, the location for outdoor storage shall be determined by the planning director.

   c. Outdoor storage shall not be located in a required yard/setback area.

   d. Outdoor storage shall not be permitted on undeveloped lots.

   e. Outdoor storage shall be limited to 15 feet in height. The planning director may authorize an increase in height, up to 50 percent, through an administrative variance, subject to the procedures of ACC 18.70.015(A)(2).

   f. Outdoor storage areas shall be landscaped in accordance with ACC 18.50.040(C)(5).

   g. Outdoor storage areas shall consist of a hard surface material of either gravel or paving.

   h. Outdoor storage shall consist of supplies, materials, and/or equipment that are in working and usable condition.

   i. Outdoor storage of unworkable and/or unusable equipment, supplies or materials is not permitted.

2. *M-1 Zone.* Outdoor storage is subject to the following requirements:

   a. Outdoor storage shall be limited to an area no greater than 50 percent of the lot.

   b. Meet requirements of subsections (A)(1)(b) through (i) of this section.

3. *M-2 Zone.* Outdoor storage is subject to the following requirements:

   a. Outdoor storage shall be landscaped in accordance with ACC 18.50.040(C)(5).

   b. Outdoor storage shall not be permitted on undeveloped lots.

   c. Outdoor storage shall be limited to 30 feet in height.

B. *Storage – Personal Storage Facility (Mini-Storage).*

1. *All Zones Where Permitted.*

a. The design of facades, landscaping and lighting of premises shall be compatible with the intent of the applicable district.

b. Storage unit doors shall be screened or located so as to not be visible from residential property.

c. There shall be no outside storage of goods or materials of any type at the personal storage facility except that of wheeled vehicles (recreational vehicles, campers, trailers, trailer-mounted boats, motorized vehicles, etc. – but not inoperable motor vehicles). Such vehicles may be stored in areas that have been specifically designated and set aside for such use, in accordance with the following:

i. Vehicles shall be screened from view of public, residential and other commercial property with sight-obscuring fencing or berms at least eight feet in height. When berms are used they shall be landscaped with shrubbery and/or trees.

ii. Storage of recreational vehicles and trailer-mounted boats shall not occur in required parking spaces, drives and/or lanes between storage buildings, parking lanes, or within required building setbacks.

iii. No vehicle or boat maintenance, washing, or repair shall be permitted.

d. Storage units shall not be used for manufacturing, fabrication, processing of goods, conducting servicing or repair; nor used to conduct garage sales or retail sales; nor conduct any other commercial or industrial activity.

C. *Warehousing and Distribution.*

1. *All Zones Where Permitted.*

a. Motor freight transportation is permitted but only as an incidental use to the principal use of the property.

b. Loading and unloading docks shall not be visible from the street. If this requirement cannot be met, an additional 10-foot width of landscaping along the

abutting street, meeting the provisions of ACC 18.50.040(C) (Landscape Design and Planting Requirements), is required.

c. All odors, noise, vibrations, heat, glare, or other emissions shall be controlled within the confines of a building unless specifically permitted elsewhere by this title.

d. No on-site hazardous substance processing and handling, or hazardous waste treatment and storage facilities, shall be permitted, unless clearly incidental and secondary to a permitted use. On-site hazardous waste treatment and storage facilities shall be subject to the state siting criteria (Chapter 70.105 RCW). (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6435 § 1, 2012.)

18.57.025 Recreation, education and public assembly.

A. *Commercial Recreation Facility, Outdoor.*

1. *All Zones Where Permitted.*

a. Facility shall not be located within 300 feet of an existing residential zone. The planning director may allow a reduction in this setback, not to exceed a minimum setback of 50 feet, after review of an acoustic study completed by a licensed professional showing that the facility would not exceed maximum noise levels permissible in identified environments as determined by Chapter 173-60 WAC, as amended.

b. The planning director may require an acoustic study for any proposed facility which could have or create a noise exposure greater than that deemed acceptable. Upon review of the study, increased setbacks, noise avoidance or mitigation measures may be imposed.

c. Outdoor speakers and sound amplification shall not be permitted for uses immediately next to residential uses.

d. Access to such facilities shall be from a public arterial or collector road as defined on the currently adopted City of Auburn Street Functional Classification Map. (Ord. 6435 § 1, 2012.)

18.57.030 Mixed-use development.

A. *All Zones Where Permitted.*

1. Multiple-family dwellings shall only occur concurrent with or subsequent to the development and construction of the nonresidential components of the mixed-use development unless a different sequence is allowed in the following code sections.

2. *Vertical Mixed-Use.*

a. Mixed-use development comprised of a maximum of one building on a development site shall have a minimum of 50 percent of the ground floor comprised of one or more of the uses permitted outright, administratively, or conditionally, listed under “Recreation, Education, and Public Assembly,” “Retail,” or “Services” in Table 18.23.030; provided, that uses normal and incidental to the building including, but not limited to, interior entrance areas, elevators, waiting/lobby areas, mechanical rooms, mail areas, garbage/recycling/compost storage areas, and vehicle parking areas located on the ground floor shall occupy a maximum of 50 percent of the ground floor space.

3. *Horizontal Mixed-Use.*

a. Mixed-use development comprised of two or more buildings shall have a minimum of 25 percent of the cumulative building ground floor square footage comprised of one or more of the uses permitted outright, administratively, or conditionally, listed under “Recreation, Education, and Public Assembly,” “Retail,” or “Services” in Table 18.23.030; provided, that uses normal and incidental to the building including, but not limited to, interior entrance areas, elevators, waiting/lobby areas, mechanical rooms, mail areas, garbage/recycling/compost storage areas, and vehicle parking areas located on the ground floor shall not be included in this 25 percent requirement.

b. Mixed-use development comprised of two or more buildings (horizontal mixed-use) shall be arranged with the required nonresidential building(s) located adjacent to the public street or private street and the residential building located behind. For a corner lot or through lot, the nonresidential building(s) shall be located adjacent to the higher classification street.

B. *C-2 Zone.*

1. One thousand two hundred (1,200) square feet of lot area is required for each dwelling unit.

2. All other requirements of subsection A of this section shall apply.

C. *C-AG Zone.*

1. Vertical or horizontal mixed-use is allowed.

2. Multiple-family dwellings may be constructed prior to the development and construction of the nonresidential components of the mixed-use development; provided, that the nonresidential components of the master plan are development ready (i.e., wet and dry utilities are extended to future commercial pads) and required frontage improvements as determined by the community development director are completed.

D. *M-1 Zone.*

1. Vertical mixed-use development is required.

2. Ground floor uses shall be comprised of one or more of the uses permitted outright, administratively, or conditionally, listed under "Retail" or "Services" in Table 18.23.030. All other requirements of subsection A of this section shall apply. (Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 5 (Exh. E), 2019; Ord. 6644 § 3, 2017; Ord. 6478 § 1, 2013; Ord. 6435 § 1, 2012.)

18.57.035 Retail.

A. *Building and Landscape Materials Sales.*

1. *All Zones Where Permitted.*

a. Landscape materials displayed outdoors are limited to plants, soils, gravel, and fertilizer. No soil mixing is allowed.

b. Stored materials other than landscape plant materials shall be completely screened by walls or buildings and shall not protrude above the height of the enclosing walls or buildings or be visible from a public right-of-way or adjacent residential zone or use and shall not be located in any of the required setbacks.

c. Stored building supplies and landscaping materials shall be limited to 15 feet in height. The planning director may authorize an increase in height, up to 50 percent, through an administrative variance, subject to the procedures of ACC 18.70.015(A)(2).

B. *Repealed by Ord. 6885.*

C. *Nursery.*

1. *All Zones Where Permitted.*

a. Aerial application of any pesticides, fungicides, fertilizer or any other chemical shall be prohibited.

b. Operation of heavy equipment is prohibited.

c. Outdoor storage and display of landscape plant materials (excluding elements such as mulch, pebbles, gravel stone, fertilizer, wood, sculptures, furniture, etc.) is permitted, but shall not be located in the required setbacks. Chain link fences, with black or green vinyl covering, are permitted for security purposes.

d. Stored materials other than landscape plant materials shall be completely screened by walls or buildings and shall not protrude above the height of the enclosing walls or buildings or be visible from a public right-of-way or adjacent residential districts or use and shall not be located in any of the required setbacks.

D. *Outdoor Displays and Sales.*

1. *All Zones Where Permitted.*

a. Only the business or entity occupying the principal use or structure shall sell merchandise in the outdoor display areas. Other off-site businesses or vendors may be allowed to sell merchandise or hold a temporary event in the outdoor display areas provided the sale/event is conducted for three days or less, not visible from a public street, does not block required pedestrian or vehicle access, and a party submits a written description of their intended use of the property to the city a minimum of seven calendar days prior to use and abides by any written conditions of use required by the city. If any of the aforementioned requirements cannot be met, a temporary use permit subject to the provisions of Chapter 18.46A ACC is required.

b. All outdoor displays must be located on the same lot as the principal use.

c. Such outdoor display is permitted in any front or side yard, subject to a minimum setback of 20 feet from an adjoining property line.

d. Merchandise shall not be placed or located where it will interfere with pedestrian or building access or egress, required vehicular parking and handicapped parking, aisles, access or egress, loading space parking or access, public or private utilities, services or drainage systems, fire lanes, alarms, hydrants, standpipes, or other fire protection equipment, or emergency access or egress.

e. The height of displayed merchandise shall not exceed the height of any fence or wall or 10 feet, whichever is less.

f. Outdoor display areas shall not be located on any parking spaces needed to comply with the minimum parking ratios in Chapter 18.52 ACC, Off-Street Parking and Loading. Outdoor display areas shall be considered part of the floor area of the principal use or structure for purposes of computing the minimum number of parking spaces required.
(Ord. 6885 § 1 (Exh. A), 2022; Ord. 6435 § 1, 2012.)

18.57.040 Services.

A. *Animal Daycare.*

1. *All Zones Where Permitted.*

a. All pets shall be properly licensed.

b. For any dog that has been designated as a “dangerous dog” or “potentially dangerous dog” as defined by the Auburn City Code (ACC), the operator shall verify that the owner has complied with the regulations (on noticing, licensing, certificate of registration, restraining, etc.) contained in Chapter 6.35 ACC, Dangerous Dogs. The owner shall ensure the facility meets the requirements for a “proper enclosure” as set forth in ACC 6.01.010(A)(27).

c. All fenced exercise areas must be at least 50 feet from a habitable residential structure.

d. Adequate screening shall be required when abutting any residential use.

e. General care of pets must be confined to inside of building and under supervision.

f. Pets are permitted to be walked or exercised outside of building only under supervision and in accordance with all other applicable ordinances and laws.

g. The exterior appearance of an animal daycare building must be compatible with the appearance of neighboring properties.

B. *Animal Sales and Services.*

1. *All Zones Where Permitted.*

a. All sales and services shall be for household pets only.

b. Overnight boarding is allowed within a completely enclosed building; however, animal services or sales uses over 20,000 square feet in gross floor area that use a majority of their gross floor area for retail sales shall have no more than 15 percent of their gross floor area devoted to overnight boarding.

c. Animal sales and services use must be completely enclosed except that outdoor animal runs or other areas in which dogs will be allowed outside of an enclosed structure off leash (hereinafter "outdoor run") are allowed subject to compliance with the following conditions:

i. Outdoor runs shall not be permitted within 50 feet of a habitable residential structure.

ii. The outdoor run may operate only between the hours of 8:00 a.m. and 6:00 p.m.

iii. The facilities shall be constructed, maintained and operated so that neither the sound nor smell of any animals boarded or kept on the premises during the time that full enclosure is required can be discerned on other lots.

C. *Kennels, Animal Boarding.*

1. *All Zones Where Permitted.*

a. All pens shall be enclosed in an enclosed building.

b. The property on which the kennel is to be located shall be no closer than 100 feet to any residential zone.

c. Limited outdoor exercise runs or facilities shall be permitted so long as their hours of use are restricted to the hours between 8:00 a.m. and 6:00 p.m.

d. The facility must be air conditioned.

e. Exercise runs or facilities shall be a minimum of four feet by 10 feet.

f. The facility shall maintain a minimum total of 25 square feet of kennel area per animal. This area may be comprised of cage area, runs, or exercise facilities.

g. Any outdoor areas used for animal containment or exercise shall be maintained by removing animal waste on a daily basis for proper disposal as solid waste.

h. Any runoff, wash-down water, or waste from any animal pen, kennel, containment, or exercise area shall be collected and disposed of in the sanitary sewer after straining of solids and hair and shall not be allowed to enter the stormwater drainage or surface water disposal system.

i. Strained solids and hair shall be properly disposed of as solid waste.

D. *Repair Service – Equipment, Appliances.*

1. *C-1 and C-AG Zones.*

a. Any repairing done on the premises shall be incidental only and limited to custom repairing of the types of merchandise sold on the premises at retail. The floor area devoted to such repairing shall not exceed 30 percent of the total floor area occupied by the particular enterprises.

E. *Youth Community Support Facility.*

1. Youth community support facilities shall be located within 500 feet (walking distance) of a transit stop and connected via sidewalks or an approved pedestrian facility. (Ord. 6688 § 1 (Exh. 1), 2018; Ord. 6435 § 1, 2012.)

18.57.045 Transportation, communication and infrastructure.

A. *Towing Storage Yard.*

1. *M-1 and M-2 Zone.*

a. Motor vehicle(s) shall not remain on the property for more than 120 days.

b. Motor vehicle(s) may not be repaired, restored, rebuilt, or otherwise altered on the property.

c. Motor vehicle(s) shall not be stacked vertically.

d. Vehicle parts and scrap metal shall not be stored on the property.

e. The sale of motor vehicles shall not be permitted.

f. The towing storage yard shall be landscaped in accordance with ACC 18.50.040(C)(5).

g. Any motor vehicles which are damaged so as to be leaking fluid shall be brought to a impervious surface where all fluids shall be contained and disposed of in conformance with all state and federal regulations.

h. The applicant shall install a separator or other generally accepted industry device or practice that provides equal protection to prevent any leaking fluids from the motor vehicles from entering the soil or surface waters. (Ord. 6435 § 1, 2012.)

18.57.050 Vehicle sales and services.

A. *Automobile Washes (Automatic, Full or Self-Service).*

1. *All Zones where Allowed.* An automatic, full – or self-service car wash shall comply with the following standards:

a. Proper functioning of the site as related to vehicular stacking, circulation, and turning movements.

b. The use of outdoor speakers is prohibited.

c. Car washes/detailing shall be located at least 50 feet from any residential zone, use, or structure.

d. Car wash openings must be oriented away from residential zones, use or structures.

B. *Auto/Vehicle Sales and Rental.*

1. *C-1 Zone.*

a. The business shall be located on a principal or minor arterial as defined by the comprehensive transportation plan;

b. No repairing, painting or body work shall be conducted outside of a building;

c. If abutting an R zone, a sight-obscuring fence or landscape screen shall be required;

d. A minimum of a 25-foot setback shall be required of any building from any R zone;

e. Other landscaping or architectural improvements may be required to ensure compatibility with present and potential C-1 uses in the vicinity.

C. *Fueling Station.*

1. *All Zones Where Permitted.*

a. Fueling station canopies shall not exceed 20 feet in height or the height of the principal building, whichever is less.

b. Canopies shall be architecturally integrated with the principal building and all other accessory structures on the site through the use of the same or compatible materials, colors, and roof pitch.

c. Any lighting fixtures or sources of light that are a part of the underside of the canopy shall be recessed into the underside of the canopy so as not to protrude below the canopy ceiling surface more than two inches.

d. All surfaces for exterior building facades or canopies shall be finished to match the surfaces of the principal structure.

D. *Vehicle Services – Repair/Body Work.*

2. *All Zones Where Permitted.*

a. Outdoor work areas shall be fenced, walled or screened to minimize on – and off-site noise, glare, odor, or other impacts.

b. All repair work or lubrication shall be conducted within the principal building. All permanent storage of materials, merchandise, or repair and servicing equipment shall be contained within the principal building.

c. All body work and painting shall be conducted within fully enclosed buildings.

d. No operator shall permit the storage of motor vehicles for a period in excess of 24 hours unless the vehicles are enclosed in the principal building. (Ord. 6435 § 1, 2012.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 14.22
COMPREHENSIVE PLAN

Sections:

14.22.010 Purpose.
14.22.020 Comprehensive plan adopted.
14.22.030 Early and continuous public participation.
14.22.040 Definitions.
14.22.050 Conformance and consistency.
14.22.060 Amendments and exceptions.
14.22.070 Periodic assessment.
14.22.080 Docketing.
14.22.090 Proposals for amendments.
14.22.100 Public hearing required by planning commission.
14.22.110 Decision criteria for plan amendments.

14.22.010 Purpose.

The city of Auburn comprehensive plan establishes the principles, goals, objectives and policies guiding future development of the city in compliance with Chapter 36.70A RCW, the Washington State Growth Management Act. The purpose of this chapter is to establish procedures and review criteria for amending the comprehensive plan and to provide provisions for public participation in the planning process. (Ord. 6172 § 1, 2008.)

14.22.020 Comprehensive plan adopted.

The city of Auburn comprehensive plan, as amended in April 1995 to comply with the Growth Management Act and as may subsequently be amended thereafter, consisting of the following elements, is hereby adopted by reference:

A. *Chapters of the Comprehensive Plan.*

1. Core Comprehensive Plan.

2. Land Use Element.

3. Housing Element.

4. Capital Facilities Element.

5. Utilities Element.

6. Transportation Element.

7. Economic Development Element.

8. Parks and Recreation Element.

8. Historic Preservation Element

9. Climate Element

10. Comprehensive Plan Map.

Appendix A –Housing Needs and Characteristics Assessment.

Appendix B – Agency Checklists

Appendix C – Public Participation Plan

Appendix D – Airport Master Plan

Appendix E.1 – King County Buildable Lands Analysis.

Appendix E.2 – Pierce County Buildable Lands Analysis.

Appendix F – Parks PROS Plan

Appendix G – Comprehensive Transportation Plan

Appendix K – Climate Change Framework

Appendix H – Auburn Greenhouse Gas Inventory

Appendix I – City of Auburn Ten-Year Economic Development Strategic Plan

Appendix J – Auburn Community Vision Report

B. *Additional Documents of the Comprehensive Plan, That Are Incorporated by Reference.*

2. Capital Facilities Plan.

3. Shorelines Management Program.

4. Comprehensive Water Plan.

5. Comprehensive Sewer Plan.

6. Comprehensive Storm Drainage Plan.

7. Auburn Downtown Plan (May 2001).

8. Lakeland Hills Plan (1988).

9. Auburn Adventist Academy Plan (1991).

10. Auburn North Business Area Plan (1992). (Ord. 6612 § 1, 2016; Ord. 6329 § 1, 2010; Ord. 6172 § 1, 2008.)

11. Housing Action Plan (2020).

14.22.03 Early and continuous public participation.

A. The city of Auburn encourages early and continuous public participation in the comprehensive planning process, and in other city-initiated planning programs that may be carried out under the overall framework of the plan. This chapter contains procedures for the consideration of potential amendments to any chapter or element of the comprehensive plan.

B. The director shall broadly disseminate information regarding the annual docketing and amendment process and identify a deadline for submittal of applications for inclusion in the annual amendment cycle. Applications submitted after the established deadline will be considered during the following annual amendment process. (Ord. 6172 § 1, 2008.)

14.22.040 Definitions.

A. "Amendment" means any change in the wording, context or substance of the comprehensive plan or a change to the comprehensive land use map or any other map contained or referenced within any plan chapter or element.

B. "Area-wide map amendment" means an amendment to the comprehensive land use map involving four or more contiguous or adjacent parcels under different ownership that would be similarly affected by a proposed map amendment.

C. "City-initiated planning program" means a planning program begun by resolution of the city council, or the planning commission, addressing a geographic sub-area of the city's urban growth area (such as a special area plan) or addressing a specific functional area (such as a utility plan).

D. "Director" means the director of the department of planning and development or designee.

E. "Docket" means a list of suggested amendments to the comprehensive plan maintained by the director.

F. "Planning commission" is an appointed group serving in an advisory capacity to the city council as specified in Chapter 2.45 ACC. (Ord. 6532 § 23, 2014; Ord. 6287 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.050 Conformance and consistency.

The zoning, land division and other development codes contained or referenced within Auburn City Code shall be consistent with and implement the intent of the comprehensive plan. Capital budget decisions shall be made in conformity with the comprehensive plan. (Ord. 6172 § 1, 2008.)

14.22.060 Amendments and exceptions.

A. The comprehensive plan may only be amended pursuant to this chapter, no more frequently than once each calendar year as part of the annual cycle established herein, except as provided in subsection C of this section.

B. All amendments shall be considered concurrently so as to assess their cumulative impact.

C. *Exceptions.* Pursuant to Chapter 35A.70 RCW, under the following circumstances, amendments may be processed separately and in addition to the annual amendment cycle:

1. If an emergency exists, which is defined as an issue of community-wide significance that addresses the public health, safety, and general welfare;

2. To resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board or with the court;

3. To adopt or amend a shoreline master program under the procedures set forth in Chapter 90.58 RCW;

4. The initial adoption of a subarea plan or new element to the comprehensive plan;

5. The amendment of the capital facilities plan may occur concurrently with the adoption or amendment of the city budget;

6. Amendments of the comprehensive plan that are conducted in conjunction with an annexation as set forth in Titles 35 and 35A RCW. (Ord. 6853 § 1 (Exh. A), 2022; Ord. 6172 § 1, 2008.)

14.22.070 Periodic assessment.

A. The director will periodically monitor the comprehensive plan and development regulations that implement the plan, assess the need for any amendments, and may add potential changes to the docket as specified in ACC 14.22.080. The assessment shall be based on, at a minimum:

1. Whether growth and development are occurring at a faster or slower rate than envisioned in the plan;

2. Whether the capacity to provide adequate services has diminished or increased;

3. The availability of land to meet demand;

4. Whether the assumptions on which the plan is based remain valid;

5. The effect of the plan on land values and housing is contrary to plan goals;

6. Whether sufficient change or lack of change in circumstances dictates the need for an amendment.

B. The city shall complete a comprehensive review of the comprehensive plan and development regulations in order to update it as appropriate and to ensure continued compliance with the Growth Management Act pursuant to RCW 36.70A.130. (Ord. 6329 § 2, 2010; Ord. 6172 § 1, 2008.)

14.22.080 Docketing.

A. In accordance with RCW 36.70A.470, suggested changes to the comprehensive plan which are not specific to any site may be submitted by any individual, organization or general or special purpose government and shall be coordinated by the director. The director shall create appropriate forms for such submittals that require the submittal to address the criteria outlined in subsection C of this section. The list shall be known as the "docket" and is the means to suggest a change or identify a deficiency in the comprehensive plan. An item may be submitted to the docket at any time during the calendar year. There is no fee associated with submitting an item to the docket.

B. Annually, the director shall review such suggestions with the city council and determine whether to direct them to the planning commission for consideration. The city council may decline to consider any item from the docket.

C. Proposed amendments on the docket may be considered appropriate for action if the following criteria are met:

1. A proposed comprehensive plan text amendment addresses a matter appropriate for inclusion in the plan;

2. The proposal demonstrates a strong potential to serve the public interest by implementing specifically identified goals and policies of the plan;

3. The proposal addresses the interests and changed needs of the entire city as identified in the plan;

4. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the city council;

5. The proposal can be reasonably reviewed and evaluated, given existing staff and budget resources; and

6. The proposal has not been voted on by the city council in the last three years. This time limit may be waived by the city council if it is demonstrated that there exists either an obvious technical error or a change in circumstances that justifies the need for the amendment.

D. Any item on the docket that is not determined to be appropriate for action may be proposed under ACC 14.22.090, provided it is timely and properly filed. (Ord. 6532 § 24, 2014; Ord. 6172 § 1, 2008.)

14.22.090 Proposals for amendments.

A. *Privately Initiated Amendments.* A proposed amendment to the comprehensive plan, other than docketing pursuant to ACC 14.22.080, may be submitted by any individual, organization, corporation or partnership; general or special purpose government other than the city; or entity of any kind; provided, that if the proposal involves specific real property, the property owner has provided written consent to the proposal.

B. *City – Initiated Amendments.* The city council or the planning commission may initiate a planning program or any type of amendment to the comprehensive plan, regardless of whether site-specific or area-wide in scope.

C. *Application.* Except for city-initiated planning programs or individual amendments, all proposed amendments shall be submitted to the director on an approved form, together with required filing fees. An environmental checklist shall also be submitted if required. A proposed amendment request shall include the following information:

1. Name, address, phone number and e-mail address of the applicant and contact person and written consent of the property owner if the proposal affects specific property;

2. If the amendment concerns specific property, both a general description and legal description of the property;

3. A description of the plan amendment being requested;

4. Written statements addressing the purpose of the amendment, why it is being requested, and how it is consistent with the criteria listed in ACC 14.22.110;

5. If the request is for an amendment to the comprehensive land use map, an indication of what concurrent change in zoning is also being requested.

D. *Department Report.* The director shall prepare an assessment and recommendation on all proposed amendment requests and include this within a report that evaluates all requests concurrently. (Ord. 6532 § 25, 2014; Ord. 6172 § 1, 2008.)

14.22.100 Public hearing required by planning commission.

A. The planning commission shall hold at least one public hearing on all proposed amendments to the comprehensive plan. Notice of such public hearing shall be given pursuant to Chapter 1.27 ACC and, at a minimum, include the following:

1. For site-specific plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

   b. Notice shall be mailed by first class mail to all property owners of record within a radius of 300 feet of the proposed map amendment request, not less than 10 calendar days prior to the public hearing;

2. For area-wide plan map amendments:

   a. Notice shall be published once in the official newspaper of the city not less than 10 calendar days prior to the date of public hearing;

b. Notice shall be mailed by first class mail to all property owners of record within the area subject to the proposed amendment;c. Notice shall be posted in at least two conspicuous locations in the area subject to the proposed amendment not less than 10 calendar days prior to the date of the public hearing.

B. Notwithstanding the above, the director may expand the minimum noticing provisions noted above as deemed necessary.

C. *Planning Commission Recommendation.* The planning commission shall conduct a public hearing on all potential comprehensive plan amendments and shall make and forward a recommendation on each to the city council. The planning commission shall adopt written findings and make a recommendation consistent with those findings to the city council.

D. The city council, if it elects to amend the comprehensive plan, shall adopt written findings and adopt said amendments by ordinance.

E. *State Review.* All comprehensive plan amendments considered by the planning commission shall be forwarded for state agency review consistent with RCW 36.70A.106.

F. Any appeal of an amendment to the comprehensive plan shall be made in accordance with Chapter 36.70A RCW. (Ord. 6172 § 1, 2008.)

14.22.110 Decision criteria for plan amendments.

A. The comprehensive plan was developed and adopted after significant study and public participation. The principles, goals, objectives and policies contained therein shall be granted substantial weight when considering a proposed amendment. Therefore, the burden of proof for justifying a proposed amendment rests with the applicant, who must demonstrate that the request complies with and/or relates to the following decision criteria:

1. The proposed change will further and be consistent with the goals and objectives of the plan and the plan will remain internally consistent;

2. Whether the capacity to provide adequate services is diminished or increased;

3. Assumptions upon which the comprehensive plan is based are found to be invalid;

4. A determination of change or lack of change in conditions or circumstances has occurred since the adoption of the latest amendment to the specific section of the comprehensive plan that dictates the need for a proposed amendment;

5. If applicable, a determination that a question of consistency exists between the comprehensive plan and Chapter 36.70A RCW, the countywide planning policies for either King and/or Pierce County, as appropriate, and Vision 2050;

6. If the request is to change the land use designation of a specific property on the comprehensive land use map, the applicant must demonstrate one of the following:

a. The current land use designation was clearly made in error or due to an oversight;

b. The proposed land use designation is adjacent to property having a similar or compatible designation, or other conditions are present to ensure compatibility with surrounding properties;

c. There has been a change in conditions since the current land use designation came into effect. (Ord. 6172 § 1, 2008.)

The Auburn City Code is current through Ordinance 6940, passed April 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by Code Publishing Company, A General Code Company.

Chapter 17.01
USER GUIDE

Sections:

17.01.010 Introduction.
17.01.020 What is a subdivision?
17.01.030 How is a plat reviewed?
17.01.040 What are the criteria for approval?
17.01.050 What happens after a plat is approved?
17.01.060 What about a simple boundary line adjustment or elimination?
17.01.070 How do you modify an existing subdivision?
17.01.080 How do you change a recorded subdivision?
17.01.090 How do you eliminate a recorded subdivision?
17.01.100 Is there another process by which you can subdivide land?
17.01.110 Can you cluster lots within a subdivision?

17.01.010 Introduction.

This title contains standards, regulations and processes for the division of land and adjustment of property boundaries within the city. (Ord. 6239 § 1, 2009.)

17.01.020 What is a subdivision?

The process of dividing land into smaller lots is often generically referred to as a subdivision. However, in this title, the term “subdivision” refers specifically to the division of land into ten or more lots, while the division of land into nine or fewer lots is called a “short subdivision.” Most of the regulations for subdivisions and short subdivisions are the same, but a short subdivision is an administrative process where an application is reviewed and decided upon by city staff whereas a subdivision is reviewed and decided upon by the city’s hearing examiner. A plat is the drawing or map which shows the subdivision or short subdivision. (Ord. 6239 § 1, 2009.)

17.01.030 How is a plat reviewed?

The plat review process for a short subdivision, including the infrastructure improvement requirements for approval, is set forth in Chapter 17.09 ACC. The plat review process for a subdivision, from the pre-application conference to preliminary approval by the hearing examiner, is set forth in Chapter 17.10 ACC. Chapter 17.16 ACC includes additional requirements for planning and other studies to be submitted for review along with the preliminary plat. (Ord. 6239 § 1, 2009.)

17.01.040 What are the criteria for approval?

A plat must be laid out in accordance with the standards and specifications set forth in Chapter 17.14 ACC. (Ord. 6239 § 1, 2009.)

17.01.050 What happens after a plat is approved?

Once the layout of a subdivision has been approved by the city, it is said to have preliminary approval. Then the applicant must submit construction drawings of the infrastructure that was proposed in the preliminary plat. Once these construction drawings are approved by the city and the infrastructure has been built, inspected and accepted by the city, the plat has final approval and can be recorded with the appropriate county. In the case of a subdivision, an additional application, review and approval process is required for this final approval. This final plat process is set forth in Chapter 17.12 ACC. (Ord. 6239 § 1, 2009.)

17.01.060 What about a simple boundary line adjustment or elimination?

Other land adjustment tools are also outlined in this title, including boundary line adjustments (Chapter 17.06 ACC) and boundary line eliminations (Chapter 17.08 ACC). Boundary line adjustments are the movement of a boundary line that does not result in the creation of a new

lot. Boundary line eliminations are the merging of two or more lots by eliminating one or more lot lines. (Ord. 6239 § 1, 2009.)

17.01.070 How do you modify an existing subdivision?

The applicant can request a modification of subdivision standards and specifications through the process set forth in Chapter 17.18 ACC. (Ord. 6239 § 1, 2009.)

17.01.080 How do you change a recorded subdivision?

After a subdivision has been recorded with the county in which it is located, any proposed change to the subdivision is called a subdivision alteration. The alteration process is set forth in Chapter 17.20 ACC. If the applicant proposes to make a change to an approved preliminary plat before final plat approval and recording, then the applicant may request an adjustment to the preliminary plat through the process set forth in ACC 17.10.100. (Ord. 6239 § 1, 2009.)

17.01.090 How do you eliminate a recorded subdivision?

A plat may also be vacated, or eliminated, after recording. Chapter 17.22 ACC outlines the process by which a plat may be vacated, and to whom the title to the vacated property shall vest. (Ord. 6239 § 1, 2009.)

17.01.100 Is there another process by which you can subdivide land?

The binding site plan process is an alternative form of land division. It may be used for the division of land for commercially or industrially zoned property, or for certain types of residential development. This process is set forth in Chapter 17.24 ACC. (Ord. 6239 § 1, 2009.)

17.01.110 Can you cluster lots within a subdivision?

The city of Auburn allows clustering of lots within a subdivision onto a portion of the site, while maintaining the density of the residential zone. Clustering allows future development to occur at an appropriate density for infrastructure services; it also protects environmentally sensitive areas or cultural/historic features by clustering lots away from these areas. The standards by which clustering is allowed are set forth in Chapter 17.26 ACC. (Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.12
FINAL SUBDIVISIONS

Sections:

17.12.005 Purpose.
17.12.010 Application submittal and contents.
17.12.015 Review process.
17.12.020 Administrative review.
17.12.030 Administrative decision action.
17.12.040 Terms of approval.
17.12.050 Distribution and filing.
17.12.060 Transfer of ownership.
17.12.070 Building, occupancy and model home permits.
17.12.080 Release of improvement guarantee.
17.12.090 Survey requirements.

17.12.005 Purpose.

This chapter establishes specific application materials, review processes and requirements, and terms of approval for final subdivisions. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

17.12.010 Application submittal and contents.

A. *Application.* An application for final subdivision approval meeting all requirements of Chapter 58.17 RCW and this title shall be submitted to the planning department, accompanied by the following:

1. Application materials consistent with the requirements of ACC 17.02.065;

2. A copy of the approved preliminary plat;

3. A final plat meeting the requirements of Chapter 58.17 RCW, including certifications, dedications, and title reports;

4. Agency recommendations pursuant to RCW 58.17.150;

5. A recordable survey and surveyor's signature meeting the requirements of Chapter 58.09 RCW and RCW 58.17.250;

6. Proposed list of public improvements that will be incomplete at the time of final plat approval and the associated cost to complete the work. The list shall be used to determine the financial security required as part of the final plat review process. The engineer's certification is required prior to the director's approval of the final plat. The engineer's certification will not be issued until the requirements of ACC 17.14.010 have been met.

B. *Preparation.* The final plat shall be prepared by a professional land surveyor licensed by the state of Washington. The preparer shall, by placing their signature and stamp upon the face of the plat, certify that the plat is a true and correct representation of the land actually surveyed by the preparer, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct.

C. *Scale and Format.* The final plat shall be drawn with reproducible ink on any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city measuring 18 inches by 24 inches in size. The final plat shall be accurate, legible and drawn to an engineering (decimal) scale of 100 feet or fewer to the inch. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size and conform to, and compatible with, the Pierce County auditor's or King County recorder's recording standards and guidelines. All signatures or certifications appearing on a final plat shall be in reproducible black ink.

D. *Final Plat Contents.* A final plat shall contain the following information:

1. The name of the subdivision;

2. Legal description of the property being subdivided;

3. Numeric scale, graphic scale, true north point and date of preparation of the final plat;

4. The boundary line of the plat, referenced to city datum in accordance with the city design and construction standards and based on an accurate traverse, with angular and linear dimensions and bearings;

5. The exact location, width and assigned name of all streets, alleys and other public ways within and adjacent to the subdivision;

6. A table depicting the assigned address for each lot within the subdivision;

7. The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;

8. True courses and distances to the nearest established street lines, or section or quarter section corner monuments which shall accurately locate the subdivision;

9. Municipal, township, county or section lines accurately tied to the lines of the plat by distances and courses;

10. All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;

11. The radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;

12. The accurate location of each permanent control monument. One such monument shall be located at each and every controlling corner on the boundaries of the parcel of land being subdivided; at each street centerline intersection, each point of curvature (PC), each point of tangency (PT), and each point of reverse curve (PRC); and at each intersection of a street centerline with a plat boundary. All permanent control monuments shall be marked with the land surveyor's registration number;

13. All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20 feet from, the high water line of such body;

14. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes of such dedication or reservation and any limitations indicated thereon and in the dedication;

15. Accurate outlines of any areas to be reserved by deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

16. Any restrictions or conditions on the lots or tracts within the subdivision, as required by the hearing examiner, or at the discretion of the property owner;

17. The final recorded subdivision plat shall include a notice to the individual property owners and/or the homeowners' association of the location, responsibilities, and requirements associated with storm water low impact development and management facilities;

18. The name and seal of the licensed land surveyor responsible for preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by them, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

19. A signed certification stating that the subdivision has been made with the free consent, and in accordance with the desires, of the owner or owners. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage or maintenance of said street or other areas so dedicated. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided. An offer of dedication may include a waiver of right of direct access to any street from any property. Such waiver may be required by the city engineer as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant. At the discretion of the city engineer conveyances of right-of-way may be required to be by statutory warranty deed. The acceptance of right-of-way by the city shall not obligate the city to improve or develop the lands in the right-of-way;

20. Forms for the appropriate certifications of the finance director, city engineer and director, as follows:

FINANCE DIRECTOR'S CERTIFICATE

I hereby certify that there are no delinquent special assessments for which the property subject to this subdivision may be liable to the city, and that all special assessments on any property

herein contained dedicated as streets, alleys or for any other public use have been duly paid, satisfied or discharged, this _____ day of _____, 20___.

_____

Auburn Director of Finance

CITY ENGINEER'S CERTIFICATE

I hereby certify that this final plat is in compliance with the certificate of improvements issued pursuant to ACC 17.14.015, and is consistent with all applicable City improvement standards and requirements in force on the date of preliminary plat approval, this _____ day of _____, 20___.

_____

Auburn City Engineer

COMMUNITY DEVELOPMENT DIRECTOR'S CERTIFICATE

I hereby certify on this _____ day of _____, 20___, that this final plat is in substantial conformance with the preliminary plat and any conditions attached thereto, which preliminary plat was approved by the Hearing Examiner for the City of Auburn on the _____ day of _____, 20____.

_____

Auburn Director of Community Development

21. A form for the certificate of the applicable (King/Pierce) county finance division, as follows, or as required by the applicable county, if different:

FINANCE DIVISION CERTIFICATE

I hereby certify that all property taxes are paid, that there are no delinquent special assessments certified to this office for collection, and that all special assessments certified to this office for collection on any of the property herein contained dedicated as streets, alleys or for other public use are paid in full this ___ day of _____, 20___.

_____

Manager

_____

Deputy

22. A form for the approval of the applicable (King/Pierce) county assessor, as follows, or as required by the applicable county, if different:

ASSESSOR'S APPROVAL

Examined and approved this _____ day of _____, 20___.

_____

County Assessor

_____

Deputy County Assessor

_____

Account number

23. A form for the certificate of the applicable (King/Pierce) county recorder, as follows, or as required by the applicable county, if different:

RECORDING CERTIFICATE

Filed for record at the request of the City of Auburn this _____ day of _____, 20___ at _____ minutes past _____ __.M., and recorded in Volume _____ of Plats, page _____ Records of (King or Pierce) County, Washington.

County Recording Number _____.

_____

Manager

_____

Superintendent of Records

24. Any additional pertinent information as required at the discretion of the city engineer or director as defined in this title. (Ord. 6654 § 5, 2017; Ord. 6617 § 27, 2016; Ord. 6239 § 1, 2009; Ord. 6186 § 7, 2008; Ord. 6061 § 1, 2006; Ord. 5170 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.010.)

17.12.015 Review process.

A. final plat shall be reviewed in accordance with ACC Title 14 as a Type I decision. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

17.12.020 Administrative review.

A. The director shall forward the plat to the city engineer and to other city departments for review. The city engineer shall review the final plat and determine if it is in compliance with the certificate of improvements issued under ACC 17.14.015, is consistent with all applicable city improvement standards and requirements in effect on the date of preliminary plat approval.

B. The director, or designee, shall review the final plat for consistency with the terms and conditions of the preliminary plat approval; the requirements of Chapter 58.17 RCW and other applicable state laws in effect at the time of preliminary plat approval; and the requirements of this title in effect at the time of preliminary plat approval. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.020.)

17.12.030 Administrative decision action.

The director shall approve, disapprove, or return to the applicant for modification or correction a proposed final plat within 30 days of the date of filing a complete application unless the applicant agrees, in writing, to an extension of the time period provided by RCW 58.17.140. If the director finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, which requirements were in effect on the date of preliminary plat approval, the director shall inscribe and execute a written approval on the face of the final plat. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.030.)

17.12.040 Terms of approval.

A. subdivision shall be governed by the terms of approval of the final plat, and the zoning ordinance and regulations in effect on the date of preliminary plat approval for a period of five years after final plat approval unless the hearing examiner finds that a change in conditions creates a serious threat to the public health or safety in the subdivision; provided, that for any final plat approved before January 1, 2015, it is vested for a period of seven years from final plat approval and if approved prior to January 1, 2008, it is vested for a period of 10 years from final plat approval. (Ord. 6654 § 5, 2017; Ord. 6317 § 4, 2010; Ord. 6239 § 1, 2009; Ord. 6186 § 8, 2008; Ord. 4296 § 2, 1988. Formerly 17.10.040.)

17.12.050 Distribution and filing.

An original of the plat must be recorded with the appropriate county office within 30 days or the plat shall become null and void. A recorded certified copy on any standard material acceptable to the city shall be returned to the city and kept with the city's records. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 6061 § 2, 2006; Ord. 4296 § 2, 1988. Formerly 17.10.050.)

17.12.060 Transfer of ownership.

Whenever any parcel of land lying within the city is divided under the provisions of this title, no person, firm or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat of such subdivision filed for record, except as provided by ACC 17.10.090. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.060.)

17.12.070 Building, occupancy and model home permits.

A. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision prior to a determination by the fire marshal that adequate fire protection for construction needs exists.

B. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision until:

1. The minimum required improvements which will serve the subject lot or parcel have been constructed in accordance with ACC 17.14.070; and

2. All remaining improvements have been financially guaranteed under the requirements of ACC 17.14.010.

C. Prior to final plat approval of an approved preliminary plat, building permits for model homes may be granted by the building official subject to the following conditions:

1. Model homes are dwellings as defined by ACC 18.04.340(A). The purpose of a model home is for sales promotion and display of homes that will be typically built within a subdivision and are open to the public for viewing.

2. Up to two model homes may be allowed for preliminary plats up to 20 lots. Up to four model homes may be allowed for preliminary plats in excess of 20 lots.

3. All model homes shall be served by an all weather surface access as approved by the city engineer and fire marshal.

4. All model homes shall be located within 300 feet of an operating fire hydrant as determined and approved by the fire marshal.

5. Prior to the public being allowed to access a model home, written permission must be received from the building official.

6. Information must be submitted with the final plat application that indicates the model home meets all applicable zoning code standards of the lot on which it is located.

D. Where a plat is approved subject to conditions, no building permit shall be issued for property subject to the subdivision prior to the conditions either being fulfilled or guarantees provided to ensure the conditions are met. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 5094 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.070.)

17.12.080 Release of improvement guarantee.

A. If a financial security for the improvements has been submitted under ACC 17.12.070 or 17.14.010, such guarantee shall only be released upon acceptance by the city of a properly executed bill of sale for such improvements and submittal of adequate record drawings for which the guarantee was submitted.

B. A portion of the guarantee equivalent to 10 percent of the value of the public improvements guaranteed shall be retained as a maintenance guarantee by the city for a minimum period of one year from the date the city engineer certifies the completion of the plat improvements have been satisfied, to ensure the adequate operation of such improvements, following which any unused portion of such guarantee shall be released. This shall be consistent with the facility extension provisions of ACC Title 13 (Water, Sewers and Public Utilities). (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 5094 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.080.)

17.12.090 Survey requirements.

A. A licensed professional land surveyor shall complete all lot staking prior to the recording of the final subdivision.

B. All lot corners, including interior lot corners, shall be marked with a permanent marker that bears the land surveyor's registration number. When the boundary lines follow a meandering line, the corners shall be set as directed by the city of Auburn.

C. When the legal description of the final subdivision utilizes partial or complete section subdivisional breakdown to establish the boundaries, section subdivision survey information shall be shown in accordance with the requirements of WAC 332-130-030.

D. All reference monuments used in the establishment of the final subdivision corners shall be identified, described and noted as set or found. When appropriate, the survey shall reference previous surveys that served as the basis for the survey.

E. When the final subdivision is adjacent to a constructed public right-of-way and the plat corners or its offset represent a quarter corner, section corner or donation land claim that is not of record or has been lost (or obliterated), a standard monument shall be placed.

F. Whenever a final subdivision is adjacent to existing right-of-way, the centerline of the right-of-way shall be located on the plat drawing. If the constructed improvements fall outside of the documented right-of-way, the surveyor shall identify the existing edge of the pavement and limits of the maintained right-of-way section on the drawing and show its relationship to said centerline.

G. All requirements of Chapter 58.09 RCW and Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed that reads:

> THIS SURVEY COMPLIES WITH ALL THE STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND WAC 332-130.

H. The side lot lines of each lot, which if extended would intersect with the curb, shall be marked on the curb. The offset distance from the curb mark to the property corner shall be noted on the face of the plat. Curb pins shall be marked with a permanent marker bearing the land surveyor's registration number. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.12
FINAL SUBDIVISIONS

Sections:

17.12.005 Purpose.
17.12.010 Application submittal and contents.
17.12.015 Review process.
17.12.020 Administrative review.
17.12.030 Administrative decision action.
17.12.040 Terms of approval.
17.12.050 Distribution and filing.
17.12.060 Transfer of ownership.
17.12.070 Building, occupancy and model home permits.
17.12.080 Release of improvement guarantee.
17.12.090 Survey requirements.

17.12.005 Purpose.

This chapter establishes specific application materials, review processes and requirements, and terms of approval for final subdivisions. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

17.12.010 Application submittal and contents.

A. *Application.* An application for final subdivision approval meeting all requirements of Chapter 58.17 RCW and this title shall be submitted to the planning department, accompanied by the following:

1. Application materials consistent with the requirements of ACC 17.02.065;

2. A copy of the approved preliminary plat;

3. A final plat meeting the requirements of Chapter 58.17 RCW, including certifications, dedications, and title reports;

4. Agency recommendations pursuant to RCW 58.17.150;

5. A recordable survey and surveyor's signature meeting the requirements of Chapter 58.09 RCW and RCW 58.17.250;

6. Proposed list of public improvements that will be incomplete at the time of final plat approval and the associated cost to complete the work. The list shall be used to determine the financial security required as part of the final plat review process. The engineer's certification is required prior to the director's approval of the final plat. The engineer's certification will not be issued until the requirements of ACC 17.14.010 have been met.

B. *Preparation.* The final plat shall be prepared by a professional land surveyor licensed by the state of Washington. The preparer shall, by placing their signature and stamp upon the face of the plat, certify that the plat is a true and correct representation of the land actually surveyed by the preparer, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct.

C. *Scale and Format.* The final plat shall be drawn with reproducible ink on any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city measuring 18 inches by 24 inches in size. The final plat shall be accurate, legible and drawn to an engineering (decimal) scale of 100 feet or fewer to the inch. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size and conform to, and compatible with, the Pierce County auditor's or King County recorder's recording standards and guidelines. All signatures or certifications appearing on a final plat shall be in reproducible black ink.

D. *Final Plat Contents.* A final plat shall contain the following information:

1. The name of the subdivision;

2. Legal description of the property being subdivided;

3. Numeric scale, graphic scale, true north point and date of preparation of the final plat;

4. The boundary line of the plat, referenced to city datum in accordance with the city design and construction standards and based on an accurate traverse, with angular and linear dimensions and bearings;

5. The exact location, width and assigned name of all streets, alleys and other public ways within and adjacent to the subdivision;

6. A table depicting the assigned address for each lot within the subdivision;

7. The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;

8. True courses and distances to the nearest established street lines, or section or quarter section corner monuments which shall accurately locate the subdivision;

9. Municipal, township, county or section lines accurately tied to the lines of the plat by distances and courses;

10. All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;

11. The radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;

12. The accurate location of each permanent control monument. One such monument shall be located at each and every controlling corner on the boundaries of the parcel of land being subdivided; at each street centerline intersection, each point of curvature (PC), each point of tangency (PT), and each point of reverse curve (PRC); and at each intersection of a street centerline with a plat boundary. All permanent control monuments shall be marked with the land surveyor's registration number;

13. All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20 feet from, the high water line of such body;

14. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes of such dedication or reservation and any limitations indicated thereon and in the dedication;

15. Accurate outlines of any areas to be reserved by deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

16. Any restrictions or conditions on the lots or tracts within the subdivision, as required by the hearing examiner, or at the discretion of the property owner;

17. The final recorded subdivision plat shall include a notice to the individual property owners and/or the homeowners' association of the location, responsibilities, and requirements associated with storm water low impact development and management facilities;

18. The name and seal of the licensed land surveyor responsible for preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by them, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

19. A signed certification stating that the subdivision has been made with the free consent, and in accordance with the desires, of the owner or owners. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage or maintenance of said street or other areas so dedicated. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided. An offer of dedication may include a waiver of right of direct access to any street from any property. Such waiver may be required by the city engineer as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant. At the discretion of the city engineer conveyances of right-of-way may be required to be by statutory warranty deed. The acceptance of right-of-way by the city shall not obligate the city to improve or develop the lands in the right-of-way;

20. Forms for the appropriate certifications of the finance director, city engineer and director, as follows:

FINANCE DIRECTOR'S CERTIFICATE

I hereby certify that there are no delinquent special assessments for which the property subject to this subdivision may be liable to the city, and that all special assessments on any property

herein contained dedicated as streets, alleys or for any other public use have been duly paid, satisfied or discharged, this _____ day of _____, 20___.

_____

Auburn Director of Finance

CITY ENGINEER'S CERTIFICATE

I hereby certify that this final plat is in compliance with the certificate of improvements issued pursuant to ACC 17.14.015, and is consistent with all applicable City improvement standards and requirements in force on the date of preliminary plat approval, this _____ day of _____, 20___.

_____

Auburn City Engineer

COMMUNITY DEVELOPMENT DIRECTOR'S CERTIFICATE

I hereby certify on this _____ day of _____, 20___, that this final plat is in substantial conformance with the preliminary plat and any conditions attached thereto, which preliminary plat was approved by the Hearing Examiner for the City of Auburn on the _____ day of _____, 20____.

_____

Auburn Director of Community Development

21. A form for the certificate of the applicable (King/Pierce) county finance division, as follows, or as required by the applicable county, if different:

FINANCE DIVISION CERTIFICATE

I hereby certify that all property taxes are paid, that there are no delinquent special assessments certified to this office for collection, and that all special assessments certified to this office for collection on any of the property herein contained dedicated as streets, alleys or for other public use are paid in full this ___ day of _____, 20___.

_____

Manager

_____

Deputy

22. A form for the approval of the applicable (King/Pierce) county assessor, as follows, or as required by the applicable county, if different:

ASSESSOR'S APPROVAL

Examined and approved this _____ day of _____, 20___.

_____

County Assessor

_____

Deputy County Assessor

_____

Account number

23. A form for the certificate of the applicable (King/Pierce) county recorder, as follows, or as required by the applicable county, if different:

RECORDING CERTIFICATE

Filed for record at the request of the City of Auburn this _____ day of _____, 20___ at _____ minutes past _____ __.M., and recorded in Volume _____ of Plats, page _____ Records of (King or Pierce) County, Washington.

County Recording Number _____.

_____

Manager

_____

Superintendent of Records

24. Any additional pertinent information as required at the discretion of the city engineer or director as defined in this title. (Ord. 6654 § 5, 2017; Ord. 6617 § 27, 2016; Ord. 6239 § 1, 2009; Ord. 6186 § 7, 2008; Ord. 6061 § 1, 2006; Ord. 5170 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.010.)

17.12.015 Review process.

A. final plat shall be reviewed in accordance with ACC Title 14 as a Type I decision. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

17.12.020 Administrative review.

A. The director shall forward the plat to the city engineer and to other city departments for review. The city engineer shall review the final plat and determine if it is in compliance with the certificate of improvements issued under ACC 17.14.015, is consistent with all applicable city improvement standards and requirements in effect on the date of preliminary plat approval.

B. The director, or designee, shall review the final plat for consistency with the terms and conditions of the preliminary plat approval; the requirements of Chapter 58.17 RCW and other applicable state laws in effect at the time of preliminary plat approval; and the requirements of this title in effect at the time of preliminary plat approval. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.020.)

17.12.030 Administrative decision action.

The director shall approve, disapprove, or return to the applicant for modification or correction a proposed final plat within 30 days of the date of filing a complete application unless the applicant agrees, in writing, to an extension of the time period provided by RCW 58.17.140. If the director finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, which requirements were in effect on the date of preliminary plat approval, the director shall inscribe and execute a written approval on the face of the final plat. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.030.)

17.12.040 Terms of approval.

A. subdivision shall be governed by the terms of approval of the final plat, and the zoning ordinance and regulations in effect on the date of preliminary plat approval for a period of five years after final plat approval unless the hearing examiner finds that a change in conditions creates a serious threat to the public health or safety in the subdivision; provided, that for any final plat approved before January 1, 2015, it is vested for a period of seven years from final plat approval and if approved prior to January 1, 2008, it is vested for a period of 10 years from final plat approval. (Ord. 6654 § 5, 2017; Ord. 6317 § 4, 2010; Ord. 6239 § 1, 2009; Ord. 6186 § 8, 2008; Ord. 4296 § 2, 1988. Formerly 17.10.040.)

17.12.050 Distribution and filing.

An original of the plat must be recorded with the appropriate county office within 30 days or the plat shall become null and void. A recorded certified copy on any standard material acceptable to the city shall be returned to the city and kept with the city's records. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 6061 § 2, 2006; Ord. 4296 § 2, 1988. Formerly 17.10.050.)

17.12.060 Transfer of ownership.

Whenever any parcel of land lying within the city is divided under the provisions of this title, no person, firm or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat of such subdivision filed for record, except as provided by ACC 17.10.090. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 4296 § 2, 1988. Formerly 17.10.060.)

17.12.070 Building, occupancy and model home permits.

A. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision prior to a determination by the fire marshal that adequate fire protection for construction needs exists.

B. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision until:

1. The minimum required improvements which will serve the subject lot or parcel have been constructed in accordance with ACC 17.14.070; and

2. All remaining improvements have been financially guaranteed under the requirements of ACC 17.14.010.

C. Prior to final plat approval of an approved preliminary plat, building permits for model homes may be granted by the building official subject to the following conditions:

1. Model homes are dwellings as defined by ACC 18.04.340(A). The purpose of a model home is for sales promotion and display of homes that will be typically built within a subdivision and are open to the public for viewing.

2. Up to two model homes may be allowed for preliminary plats up to 20 lots. Up to four model homes may be allowed for preliminary plats in excess of 20 lots.

3. All model homes shall be served by an all weather surface access as approved by the city engineer and fire marshal.

4. All model homes shall be located within 300 feet of an operating fire hydrant as determined and approved by the fire marshal.

5. Prior to the public being allowed to access a model home, written permission must be received from the building official.

6. Information must be submitted with the final plat application that indicates the model home meets all applicable zoning code standards of the lot on which it is located.

D. Where a plat is approved subject to conditions, no building permit shall be issued for property subject to the subdivision prior to the conditions either being fulfilled or guarantees provided to ensure the conditions are met. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 5094 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.070.)

17.12.080 Release of improvement guarantee.

A. If a financial security for the improvements has been submitted under ACC 17.12.070 or 17.14.010, such guarantee shall only be released upon acceptance by the city of a properly executed bill of sale for such improvements and submittal of adequate record drawings for which the guarantee was submitted.

B. A portion of the guarantee equivalent to 10 percent of the value of the public improvements guaranteed shall be retained as a maintenance guarantee by the city for a minimum period of one year from the date the city engineer certifies the completion of the plat improvements have been satisfied, to ensure the adequate operation of such improvements, following which any unused portion of such guarantee shall be released. This shall be consistent with the facility extension provisions of ACC Title 13 (Water, Sewers and Public Utilities). (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009; Ord. 5094 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.10.080.)

17.12.090 Survey requirements.

A. A licensed professional land surveyor shall complete all lot staking prior to the recording of the final subdivision.

B. All lot corners, including interior lot corners, shall be marked with a permanent marker that bears the land surveyor's registration number. When the boundary lines follow a meandering line, the corners shall be set as directed by the city of Auburn.

C. When the legal description of the final subdivision utilizes partial or complete section subdivisional breakdown to establish the boundaries, section subdivision survey information shall be shown in accordance with the requirements of WAC 332-130-030.

D. All reference monuments used in the establishment of the final subdivision corners shall be identified, described and noted as set or found. When appropriate, the survey shall reference previous surveys that served as the basis for the survey.

E. When the final subdivision is adjacent to a constructed public right-of-way and the plat corners or its offset represent a quarter corner, section corner or donation land claim that is not of record or has been lost (or obliterated), a standard monument shall be placed.

F. Whenever a final subdivision is adjacent to existing right-of-way, the centerline of the right-of-way shall be located on the plat drawing. If the constructed improvements fall outside of the documented right-of-way, the surveyor shall identify the existing edge of the pavement and limits of the maintained right-of-way section on the drawing and show its relationship to said centerline.

G. All requirements of Chapter 58.09 RCW and Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed that reads:

> THIS SURVEY COMPLIES WITH ALL THE STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND WAC 332-130.

H. The side lot lines of each lot, which if extended would intersect with the curb, shall be marked on the curb. The offset distance from the curb mark to the property corner shall be noted on the face of the plat. Curb pins shall be marked with a permanent marker bearing the land surveyor's registration number. (Ord. 6654 § 5, 2017; Ord. 6239 § 1, 2009.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.14
IMPROVEMENT REQUIREMENTS – SUBDIVISIONS

Sections:

17.14.005 Plan preparation, submittal and approval.
17.14.010 Improvement methods.
17.14.015 City engineer's certificate of improvements.
17.14.020 Street, utilities and grading plans.
17.14.030 Public water service.
17.14.040 Public sanitary sewer service.
17.14.050 Street requirements.
17.14.060 Block requirements.
17.14.070 Minimum improvement requirements for approval of subdivisions and short subdivisions.
17.14.080 Underground utilities.
17.14.090 Lot requirements.
17.14.100 Parks and playgrounds.
17.14.110 Floods and flood control.
17.14.120 Additional requirements.

17.14.005 Plan preparation, submittal and approval.

A. Plans for improvements shall be prepared, signed, dated and stamped by a professional civil engineer registered in the state of Washington and shall be in accordance with city standards and specifications. Plans shall be submitted to the city, following preliminary plat approval, for circulation and review. No construction permit or approval shall be issued and no construction activity shall commence relating to subdivision improvements until the plans required by this chapter have been approved and signed by the city engineer. Plans shall be consistent with the approved preliminary plat. All sanitary sewer, water, drainage and street improvements to be dedicated to the city shall be covered by a public facilities extension agreement, as required by ACC Titles 12 and 13.

B. For preliminary plats that were approved, but not constructed, prior to the effective date of the amendments to this chapter as adopted by the ordinance codified in this chapter, the owner/developer may choose to use the standards in effect at the time of the preliminary plat approval or, if approved by the city engineer, use the standards adopted pursuant to this chapter.

C. Notwithstanding the previous requirement that civil plans for improvements shall be submitted following approval of the preliminary plat, the city may, in its sole discretion, allow an applicant/developer to submit plans after the department issues its recommendation to the hearing examiner and prior to preliminary plat approval; provided, that the applicant/developer recognizes and acknowledges that the city's willingness to receive civil plans in advance of preliminary plat approval does not constitute a submittal which would vest any rights for the applicant/developer, and that the applicant/developer bears all risks of submitting plans in advance of preliminary plat approval. Furthermore, early submittal shall be allowed by the city only upon the applicant/developer entering into an agreement with the city whereby the applicant/developer agrees to the following:

1. That the application shall not be considered "complete" for any purpose under federal, state, or city law until after the preliminary plat is approved, and all possible appeal periods of that approval have expired.

2. That since the application is not "complete," an early submitted application is not vested. Further, that the applicant/developer has no vested rights based on the filing of these plans, and that any comprehensive plan provisions, development regulations, or administrative regulations adopted prior to the date the preliminary plat is approved shall apply to the application.

3. That the applicant/developer waives, on behalf of itself, heirs, assigns, successors, etc., any claim based on the city agreeing to allow plan submission and review before preliminary plat approval.

4. That the applicant/developer will defend, indemnify, and hold the city harmless against any and all claims based on the city's agreement to allow submission and review before preliminary plat approval.

5. That the city's acceptance of plans before preliminary plat approval does not create an obligation upon the city to accept plans prior to plat approval in the future. (Ord. 6611 § 1,

2016; Ord. 6239 § 1, 2009; Ord. 6186 § 9, 2008; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.010.)

17.14.010 Improvement methods.

Following preliminary plat approval and approval of all plans required by this chapter, and prior to final plat approval, the applicant/plat developer shall guarantee the public improvements required for the plat are completed by one of the following methods:

A. By completion of construction of the minimum required plat improvements in conformance with ACC 17.14.070 (minimum improvement requirements) and furnishing to the city an assignment of funds or an irrevocable letter of credit or guarantee bond or other similar security satisfactory to the city engineer, in which assurance is given the city that the installation of the remaining required public improvements will be carried out as provided by plans submitted and approved pursuant to this chapter and in accordance with the city's design and construction standards, and under the supervision of the city engineer.

1. The amount of the assignment of funds or irrevocable letter of credit or other security shall be 150 percent of the estimated construction cost of all remaining required public improvements, as determined by the applicant and approved by the city engineer. A substantial portion of the remaining required public improvements, subject to the satisfactory security, shall be completed within the initial 12-month period of the satisfactory security for the plat improvements. The remainder of the improvements shall be completed within six months. During construction, the city engineer may allow a partial release of the financial security as construction progresses:

a. The city engineer shall allow not more than one partial release of the financial security during plat construction;

b. The sequencing of the partial release of the financial security is to be determined by the city engineer prior to the acceptance of the security.

2. The city engineer may allow a single incremental six-month extension of the satisfactory security time frame, beyond the initial 18-month period, if there are unforeseen circumstances, beyond the control of the plat developer, that do not allow the completion of the public improvements.

3. As a condition of the plat improvement permitting approval, the developer shall agree that in the case of the developer's default or failure to complete the improvements as per the approved plans and conditions, including time schedules, the city shall have the authority to complete the construction of public improvements utilizing the above-described satisfactory security.

4. The city engineer may further agree to allow the developer to utilize assignment of funds or irrevocable letter of credit or other security acceptable to the city engineer to cover the minimum warranty period.

B. By the formation of a local improvement district consistent with the provisions of Chapter 3.20 ACC and any other applicable requirement of the city and the state.

C. By actual installation of the required improvements in accordance with the provisions of this chapter, and in accordance with the city's design and construction standards and under the supervision of the city engineer.

D. By a combination of these methods.

E. For any of the above combinations of methods, other than subsection C of this section, the plat developer shall execute and record against the plat properties a statement approved by the city attorney which holds the city harmless and limits the city's financial obligation to construct any defaulted private utility facilities and public infrastructure for streets, water utility, sanitary sewer utility, or storm water utility systems to the face value of the bond shall be memorialized on the plat documents. The statement shall also recognize the city's reserved, unilateral rights to establish the schedule for construction of defaulted plat infrastructure. Such statements shall be legally binding upon the heirs and assigns of the developer, subsequent property owners and their the and assigns. (Ord. 6654 § 6, 2017; Ord. 6239 § 1, 2009; Ord. 5093 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.08.010.)

17.14.015 City engineer's certificate of improvements.

Prior to final approval and after completion of all required improvements and/or the financial guarantee of the construction of all required improvements, the city engineer shall provide a certificate stating the required improvements, in accordance with the provisions of this title and in accordance with city design and construction standards, have been completed or guaranteed

or a combination to the satisfaction of the city engineer. (Ord. 6239 § 1, 2009; Ord. 5093 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.08.020.)

17.14.020 Street, utilities and grading plans.

Street, water, sanitary sewer, storm drainage and grading plans shall be prepared in conformance with the city's design and construction standards. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.020.)

17.14.030 Public water service.

Each lot in a subdivision created under this title shall be served by a public water system owned and operated by the city unless the city finds that:

A. City water service is not practical due to topography, distance from city water facilities of adequate capacity, extreme low proposed developmental density, or similar factor; and

B. Private water service will not be detrimental to the implementation of the adopted comprehensive water plan; and

C. Private water service will not pose a threat to the public health, safety or welfare; and

D. Private water service is necessary to accomplish the purposes of this title.

If private water service is approved, preliminary plat approval shall be conditioned on the ability of the subdivider to obtain all necessary approvals for the private water system or systems, and the final plat shall not be approved until the subdivider demonstrates, to the satisfaction of the city engineer, that the proposed water system or systems will adequately serve the domestic water needs of future owners of property within the subdivision. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.040.)

17.14.040 Public sanitary sewer service.

Each lot in a subdivision created under this title shall be served by the Auburn sanitary sewer system, consistent with the sewer comprehensive plan, unless the city finds that:

A. City sanitary sewer service is not practical due to topography, distance from city sanitary sewer facilities, extreme low proposed developmental density, or similar factor; and

B. On-site sewage disposal systems will not pose a threat to the public health, safety or welfare; and

C. On-site sewage disposal systems are necessary to accomplish the purposes of this title; and

D. The city engineer has reported favorably on the use of on-site sewage disposal systems.
(Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.050.)

17.14.050 Street requirements.

The subdivision shall abut on and/or be served by an open, maintained public street(s) and the street and block layout shall conform to the most advantageous development of adjoining areas, the entire neighborhood, and shall meet the requirements of Chapter 12.64A and city design and construction standards. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.060.)

17.14.060 Block requirements.

A block shall consist of any two or more contiguous lots which are not separated by a street. Blocks shall meet the requirements of the city design and construction standards. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.070.)

17.14.070 Minimum improvement requirements for approval of subdivisions and short subdivisions.

A. Prior to final approval of a subdivision or short subdivision, the following minimum improvements shall be constructed consistent with the approved plans, except that the city engineer may allow posting of a financial guarantee and/or the execution of a delay of improvement agreement, based on a finding that the deferral of the required improvements is in the best interests of the city.

1. Drainage facilities and erosion control measures consistent with the approved plans;

2. Water mains, services, and hydrant installed, operational, and fire flow available, if required, consistent with the approved plans;

3. Underground electrical and telecommunication improvements required for all public or private utilities and public illumination or traffic signal systems, if required, consistent with the approved plans;

4. Sewer facilities installed and operational, if required, consistent with the approved plans;

5. All curbs and gutters installed in all streets within the subdivision or short subdivision consistent with the approved plans;

6. All streets paved up to the final lift of pavement to all lots within the subdivision or short subdivision, consistent with the approved plans;

7. Street name signage installed consistent with the approved plans;

8. Specific site improvements required by the preliminary plat approval ordinance or preliminary short plat approval decision, if the decision requires completion prior to plat recording;

9. Delineation of critical areas that are to remain undeveloped and protected by easement or placement in a separate tract pursuant to ACC Title 16 (Environment);

10. Temporary control monuments set by a land surveyor licensed in the state of Washington, located in conformance with this title, and in place prior to final approval of the subdivision or short subdivision. Permanent monuments and control points shall be set

and verified by a land surveyor licensed in the state of Washington within 90 days of the final lift of pavement; and

11. Improvements without which the director determines a safety hazard would exist.

B. The city shall have right of entry onto any lot, tract, easement or parcel that is part of the final plat or short plat to ensure compliance with the minimum subdivision improvements required in subsection A of this section. (Ord. 6239 § 1, 2009.)

17.14.080 Underground utilities.

A. Consistent with ACC Titles 12 and 13 and the city's 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 way. Television conduit and miscellaneous hardware shall be installed according to the requirements of Chapter 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 applicant's expense, of underground conduit which will be necessary for and will facilitate such future signalization. (Ord. 6799 § 1 (Exh. A), 2020; Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.240.)

17.14.090 Lot requirements.

A. The area, width and depth of lots shall conform to the requirements of ACC Title 18, except for development utilizing cluster subdivision, as provided for in Chapter 17.26 ACC. The area within a panhandle access to a lot shall not be considered for the purpose of determining conformance with lot requirements.

B. The size, shape and orientation of lots shall be appropriate for the location, topography and other natural features of the site and for the type of development contemplated.

C. Every lot shall have a minimum of frontage on an improved public street or private access tract, as provided in ACC Title 18, unless otherwise approved by this title.

D. Corner lots designated for residential uses shall be platted at least five feet wider than required by the zoning ordinance.

E. Every lot shall border on an opened, improved and maintained public street or private access tract. (Ord. 6239 § 1, 2009; Ord. 5542 § 1, 2001; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.250.)

17.14.100 Parks and playgrounds.

Where dedication of land for park and recreation purposes is required, the hearing examiner shall be guided by the policies and recommended standards of the Auburn parks, recreation, and open space plan. It is the policy of the city to require park land dedication where a proposed subdivision will result in a substantial increase in demand for park land or is needed to prevent or abate public nuisances. Generally, this will occur where a subdivision will result in the creation of lots capable of supporting 50 or more residential dwelling units; however, where it is determined that the proposed subdivision, together with any reasonably anticipated future development on adjacent or nearby land, will act in a cumulative manner to substantially increase demand for park land, dedication may be required of smaller subdivisions. The acceptability of the size, configuration and location of land proposed for park dedication shall be determined by the hearing examiner based upon such factors as topography, drainage, natural amenities and access. (Ord. 6239 § 1, 2009; Ord. 6186 § 10, 2008; Ord. 5164 § 1, 1998; Ord. 4772 § 1, 1995; Ord. 4296 § 2, 1988. Formerly 17.12.260.)

17.14.110 Floods and flood control.

The city may disapprove a proposed subdivision because of flood, inundation or swamp condition if the city finds that such condition poses a threat to the public health, safety or general welfare or causes a public nuisance.

Where any portion of the proposed subdivision lies within the regulatory floodplain, the hearing examiner shall impose a condition on the preliminary plat requiring the subdivider to

conform to the city's floodplain development requirements as set forth in Chapter 15.68 ACC. In such cases, no development permit associated with the proposed subdivision shall be issued by the city until said flood hazard area regulations have been met.

The city may require dedication of land to any public body and/or the construction of improvements and may impose other conditions necessary to protect against flooding or inundation. (Ord. 6295 § 7, 2010; Ord. 6239 § 1, 2009; Ord. 6186 § 11, 2008; Ord. 5164 § 1, 1998; Ord. 4772 § 1, 1995; Ord. 4296 § 2, 1988. Formerly 17.12.270.)

17.14.120 Additional requirements.

The standards and requirements established or referenced by this chapter are minimum requirements. These standards may be increased, and additional requirements may be imposed for the purpose of preventing or abating public nuisances or mitigating identified adverse environmental impacts pursuant to the State Environmental Policy Act of 1971 (Chapter 43.21C RCW) as now established or hereafter modified. Such additional requirements may include but shall not be limited to off-site improvements to any public facility, the dedication and/or improvement of parks and open spaces, and monetary contributions to any city fund established to finance the provision of public services required by the subdivision. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4772 § 1, 1995; Ord. 4296 § 2, 1988. Formerly 17.12.280.)

The Auburn City Code is current through Ordinance 6944, passed July 15, 2024.

Disclaimer: The city clerk's office has the official version of the Auburn City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: www.auburnwa.gov

Hosted by General Code.

Chapter 17.27
UNIT LOT SUBDIVISONS

Sections:

17.27.010 **Purpose.**

17.27.020 **Scope.**

17.27.025 **Process.**

17.27.030 **Requirements.**

17.27.010 Purpose.

The purpose of this chapter is to provide for the creation of residential ownership opportunities in conjunction with development of middle housing and accessory dwelling units.

17.27.020 Scope.

Any lot conforming to the standards of Chapter 18.07 ACC which will be or has been developed with middle housing, detached single-family residences, accessory dwelling units or some combination thereof and in which no dwelling units are stacked on another dwelling unit or other use may be subdivided into individual unit lots as provided herein.

17.27.025 Process.

A. Unit lot subdivisions shall follow the application, review, and approval procedures as outlined in Chapter 17.09 ACC (short subdivision) or Chapters 17.10 and 17.12 ACC (formal subdivision), based upon the number of lots being created. (Ord. 6239 § 1, 2009.)

B. Effect of Preliminary Approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of

construction drawings by the public works department. All development shall be subject to any conditions imposed by the city on the preliminary approval.

C. Revision and Expiration. Unit lot subdivisions follow the revision and expiration procedures for a short subdivision.

17.27.030 Requirements.

A. Development as a whole on the parent lot, rather than individual unit lots, shall comply with applicable design, development, and off-street parking standards of ACC Title 18.

B. Subsequent platting actions and additions or modifications to structure(s) may not create or increase any nonconformity of the parent lot.

C. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features shall be recorded with the county auditor.

D. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

F. Notes shall be placed on the face of the plat or short plat as recorded with the county auditor to state the following:

1. The title of the plat shall include the phrase "Unit Lot Subdivision."
2. Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.

PLANNING SERVICES

2024 COMPREHENSIVE PLAN – CODE UPDATE OVERVIEW

PRESENTED BY
DEPARTMENT OF COMMUNITY DEVELOPMENT
ALEXANDRIA TEAGUE, AICP,
PLANNING SERVICES MANAGER

OCTOBER 8, 2024

AUBURN VALUES

SERVICE
ENVIRONMENT
ECONOMY
CHARACTER
SUSTAINABILITY
WELLNESS
CELEBRATION

2024 PERIODIC COMPREHENSIVE PLAN – CODE UPDATE OVERVIEW

- **Auburn Comprehensive Plan Elements**
  - Core Plan (Community Development)
  - **Land Use (Community Development)**
  - **Housing (Community Development)**
  - Historic Preservation (Comm. Development)
  - Climate Change – NEW (Community Development)
  - Economic Development (Community Development)
  - Capital Facilities (Public Works)
  - Transportation (Public Works)
  - Utilities (Public Works)
  - Parks and Recreation (Parks)

IMAGINE AUBURN
~COMPREHENSIVE PLAN UPDATE 2024~

18.02 GENERAL PROVISIONS

Key changes

- (New) 18.02.067 Units allowed per lot
- Base number of units per lot now 4 units
- Base number of units per lot if near transit and/or with affordability requirement is now 6
- Additional units allowed based on lot area above the minimum lot size threshold

How it is implemented

- Units allowed when in compliance with the zoning development standards and Chapter 18.25
- Lot is within one-quarter mile of a major transit stop (as defined in ACC 18.04.597), or at least two units on the lot are affordable housing
- Except for RC and R-1, more than 6 units allowed with lot area above the minimum lot size threshold

18.04 DEFINITIONS

New definitions

- 18.04.340 All 9 types of middle housing list
- 18.04.359 Emergency Housing
- 18.04.360 Emergency Shelter
- 18.04.694 Permanent supportive housing
- 18.04.597 Major transit stop
- 18.04.445 Growth center

Revised definitions

- 18.04.110 Apartment building now 7 or more dwelling units
- 18.04.018 Accessory dwelling unit now allowed accessory to a single unit detached dwelling or middle housing
- 18.04.340 Single-Family Dwelling to Single-Unit Detached Dwelling
- 18.04.340 Multiple-Family Dwelling to Apartment

18.07 RESIDENTIAL ZONES

Key changes

- RC and R1 – Largely the same as currently adopted
- R2 – Residential Low Zone replaces the R5 and R7 zones
- R3 – Residential Moderate Zone replaces the R10 and R16 zones

How it is implemented

- R-2 zone: intended lower intensity residential development consisting of single-unit detached houses and middle housing. Maintains a desirable family living environment by establishing minimum usable open spaces, maximum impervious coverage, and maximum units per lot area with the character and scale of traditional single-unit detached neighborhoods.
- R-3 zone intended for all residential and commercial types and uses provided in the R-2 zone, additional intensity through allowing stacked flats up to three stories, fiveplexes, and sixplexes. Single-unit detached houses are not permitted in the R-3 zone. Apartments and Mixed-Use development consisting of no more than 20 units and 3-stories per lot permitted.

18.07 RESIDENTIAL ZONES

Key changes

- R4 – Residential High replaces the R-20 zone
- R-NM Residential Neighborhood Mixed-Use Zone is new!
- R-F Residential Flex replaces the RO zone

How it is implemented

- R-4 zone is intended to maximize residential density opportunities; intended as a residential zone primarily of Middle Housing and multiple-story apartment and mixed-use development. It's characterized by a more active living environment near transit, urban services and commercial uses. All uses allowed in the R-3, plus apartment and mixed-use development of more than 20 units and 3-stories per lot permitted.
- R-NM zone is intended to achieve a mix of dense residential development and light commercial uses in either a vertical or horizontal configuration. A mix of retail, office, middle housing, and multi-story residential uses, with attractive design and accessible spaces for people to live, work, and visit. Uses and densities allowed within this zone will be consistent with the uses permitted in the C-1 Light Commercial and the densities of the R-4 zone.
- R-F zone is intended primarily to accommodate small-scale business and professional offices, medical and dental clinics, salons and other personal services, eating and drinking establishments, and banks and similar financial institutions at locations where they are compatible with residential uses. Accessory retail may be permitted if supplemental to the other uses allowed in the zone

18.07 RESIDENTIAL ZONES

Current code

18.07.030 Development standards.

Table 18.07.030. Residential Development Standards

	Standard	RC	R-1	R-5	R-7	R-10	R-16	R-20
A	Base density (units per net acre)	0.25	1	5	7	10	16	20
B	Minimum density (units per net acre)[1]	0.25	1	4	5	8	12	15
C	Minimum lot area per dwelling unit (square feet)	174,240	35,000	4,500	4,300	2,000	2,000	2,000
D	Minimum lot width (feet)[2]	125	125	50	40	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots

Proposed code

18.07.030 Development standards.

Table 18.07.030. Residential Development Standards

	Standard	RC	R-1	R-2	R-3	R-4	R-NM	R-F
A	Minimum density, units or lots per acre (lot area per unit)[1, 5, 6]	0.25 (174,000 sf of lot area per unit)	1 (43,500 sf of lot area per unit)	7 (6,222 sf lot area per unit)	12 (3,630 sf lot area per unit)	16 (2,723 sf lot area per unit)	30 (1,452 sf lot area per unit)	7 (6,222 sf lot area per unit)
B	Minimum lot size (square feet)[8]	174,000	43,500	4,400	2,700	2,200	2,200	4,400
C	Minimum lot width (feet)[2, 5, 8]	125	125	40	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	20 for interior lots; 35 for exterior lots	40

18.07 RESIDENTIAL ZONES

Key change

- Units allowed per lot: standards (D)(1) through (D)(4) reflect changes to (new) 18.02.067

How it is implemented

D	Units allowed							
1	Base units allowed per lot[7]	4	4	4	4	4	4	4
2	Base units per lot allowed with transit or affordability bonus[7]	6	6	6	6	6	6	6
3	Lot area per unit above base (B1 or B2 as applicable) allowance (square feet)[7]	X	X	1,250	750	N/A	N/A	1,250
4	Maximum units per lot	6	6	6	20	N/A	N/A	6

18.07 RESIDENTIAL ZONES

Current code

F	Maximum lot coverage (%)	25	35	40	50	60	70	70
G	Maximum impervious area (%)	25	50	65	75	N/A	N/A	N/A
H	Maximum building height (feet)	35	35	35	35	45	45	50
I	Maximum height of accessory buildings and structures	35[4]	35	16	16	16	N/A	N/A

Proposed code

Table 18.07.030. Residential Development Standards

	Standard	RC	R-1	R-2	R-3	R-4	R-NM	R-F
F	Maximum impervious area (%)	25	50	75	80	90	90	75
G	Maximum building height (feet)	35	35	35	45	75	75	45
H	Maximum height of accessory buildings and structures	35[4]	35	24	24	24	24	24

18.23 COMMERCIAL AND INDUSTRIAL ZONES

Key changes

- C-N Neighborhood Shopping Center Zone and C-1 Light Commercial Zone consolidated into one C-1 Light Commercial – lower intensity
- C-3 Heavy Commercial renamed to C-2 Heavy Commercial – medium to high intensity
- C-4 renamed to C-AG Auburn Gateway Zone – previous C4 zone that implemented this

How it is implemented

- C-1 zone is intended for lower intensity commercial adjacent to residential neighborhoods. Encourages a broad mix of small scale uses such as leisure shopping, office, eating and drinking establishments, entertainment and assembly uses and provides amenities conducive to attracting shoppers and pedestrians. Building height, size, and orientation are the primary standards that will be used to maintain the smaller more pedestrian scale uses within this zone.
- C-2 zone is to allow for medium to high intensity uses consisting of a wide range of retail, commercial, entertainment, office, services, and professional uses. Accommodates uses which are oriented to automobiles while fostering a pedestrian orientation. The uses allowed can include outside activities, display, fabrication or service features when not the predominant portion of the use. Uses enumerated in this classification may be larger in scale and building size and have more potential for impacts to surrounding properties and street systems than those uses permitted in the more restrictive commercial classifications.
- C-AG zone is intended to provide for a pedestrian-oriented mix of retail, office, middle housing, and multifamily residential uses in the Northeast Auburn Special Area Plan and Auburn Gateway Planned Action area, as described in Chapter 18.08 ACC.

18.25 (NEW) MIDDLE HOUSING DEVELOPMENT STANDARDS

Key changes

- Eligibility Criteria and Exceptions
- Parking Requirements
- ADU one of the acceptable Middle Housing development type for purposes of density
- *Design Standards*
- *Usable Open Space*

How it is implemented

- Lot must be in the RC, R-1, R-2, R-3, R-4, R-NM
- Exceptions: Urban Separators, R-HMC zone, lots smaller than one thousand (1,000) square feet, cannot be used to justify alteration of a regulated critical area per Chapter 16.10 ACC
- Within 1/2-mile walking distance of a Major Transit Stop no on-site parking is required, on lots more than 1/2-mile walking distance of a Major Transit Stop, 1 on-site parking space shall be required for each dwelling unit
- ADU considered a dwelling unit when calculating the number of units allowed
- *Middle Housing Design Review Submittal Requirements*
- *All middle housing development must include usable open space.*

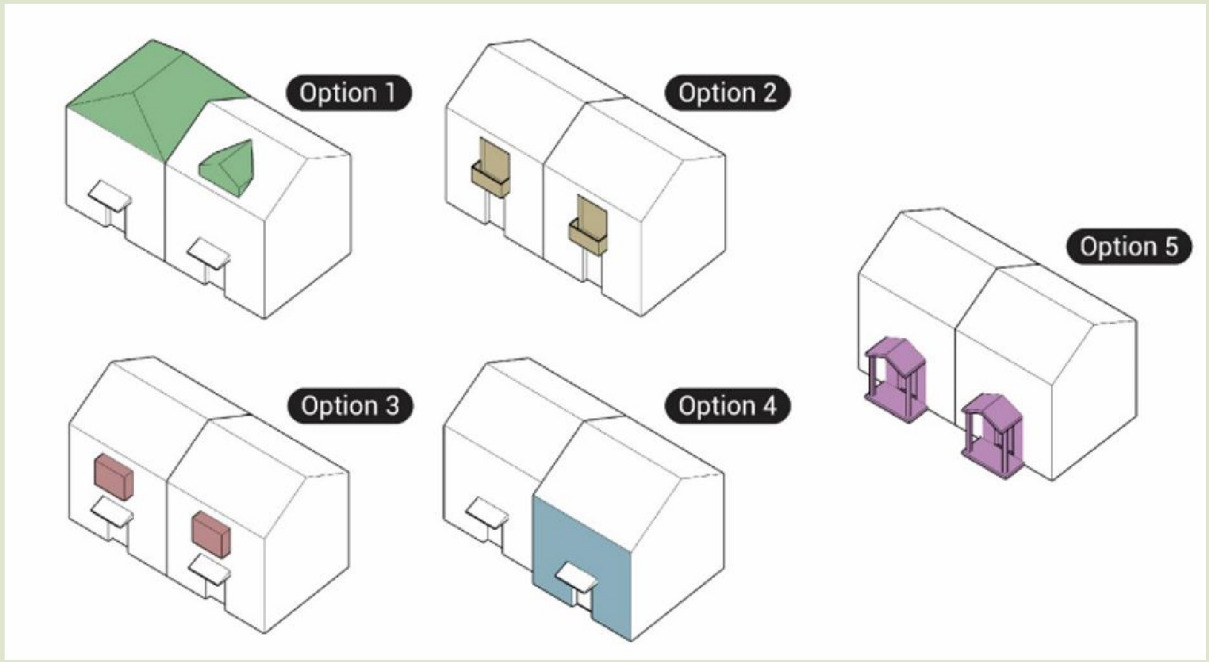
DEPT OF COMMERCE DIAGRAM



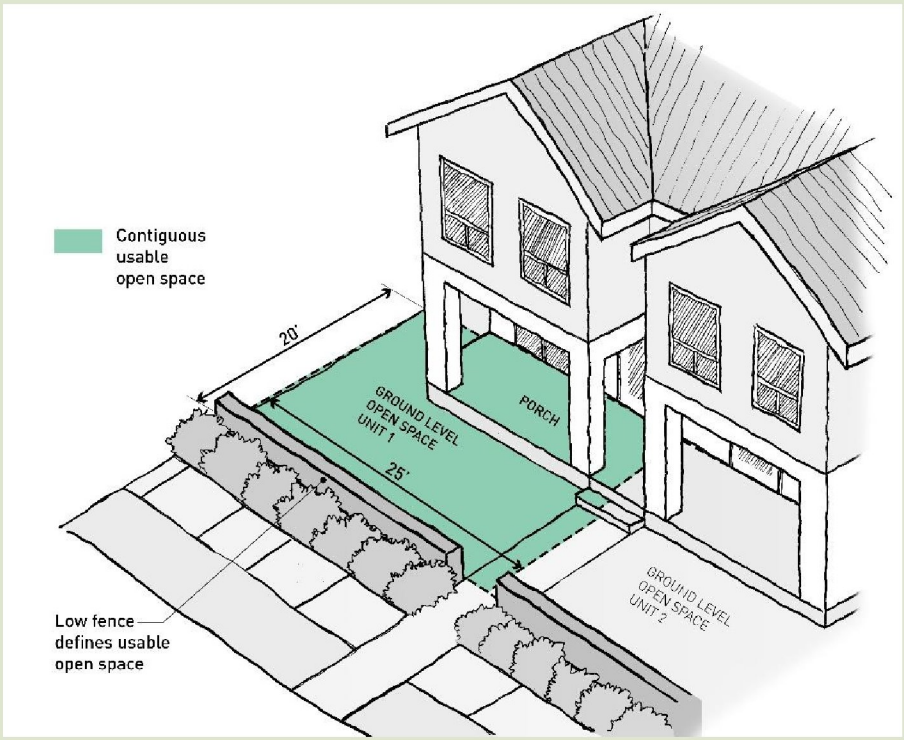
Graphic depicting middle housing types that could be included in more diverse residential neighborhoods.

18.25 MIDDLE HOUSING DEVELOPMENT STANDARDS

Figure 18.25.050(I)
Middle Housing Articulation Options



ACC 18.25.100 Usable Open Space



18.32 (NEW) ACCESSORY DWELLING UNIT DEVELOPMENT STANDARDS

Key Changes

- Two ADUs may be permitted per residential unit
- Increase in ADU size by 50 sf
- Garage conversion OK
- One off-street parking outside 1/2-mile parking garage
- ADU may be sold separately
- ADU allowed in rear setback
- Owner does not need to live on site

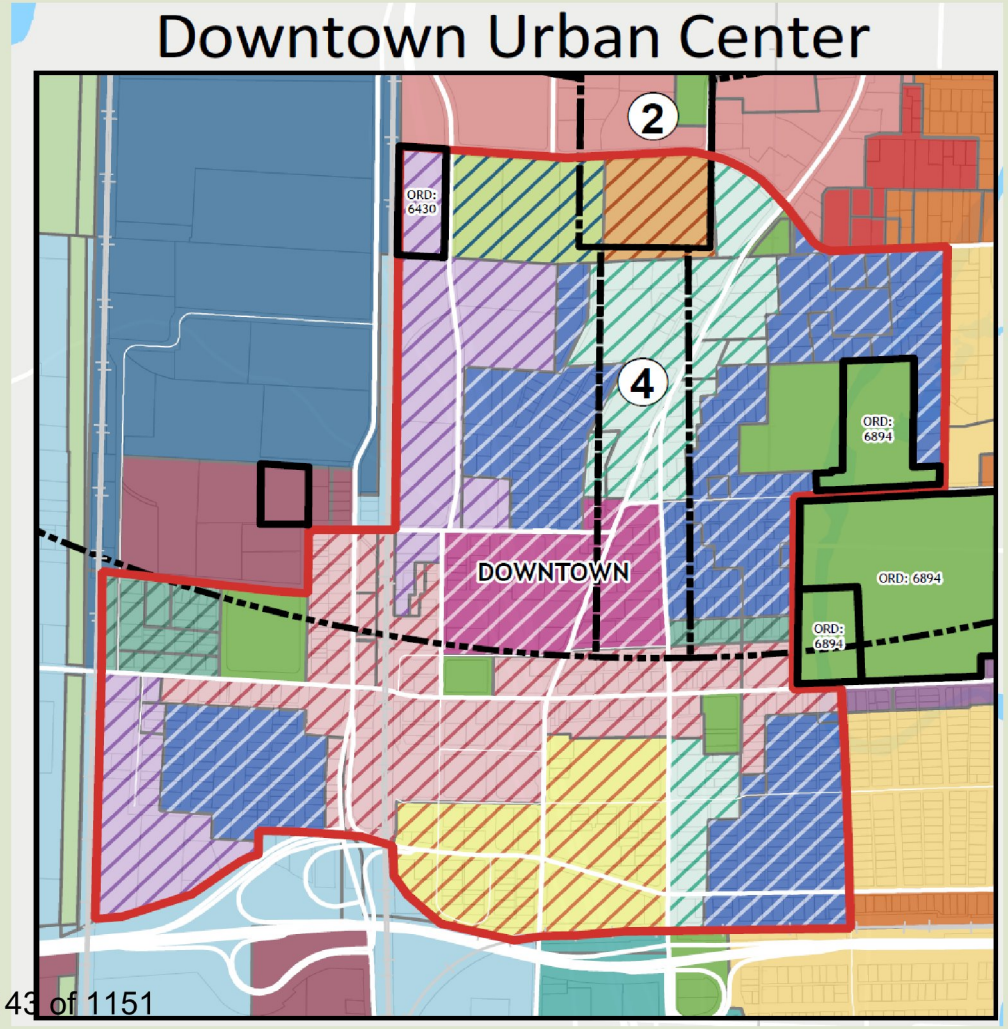
How it is implemented

- On individually owned lots that meet the minimum lot size of the zone in which the property is located
- ADU can now be up to 1,000 sf
- Don't have to keep the garage door
- Within ½ mile no on-site parking
- Sold separately through condo or unit lot subdivision process
- ADU is allowed in rear setbacks if the lot line abuts a public alley

18.29 DUC DOWNTOWN URBAN CENTER DISTRICT

Key Changes & implementation

- Incorporates zoning and land use from Downtown Plan and Comprehensive Plan
- New zoning districts implement variety of uses and development types throughout expanded downtown
- More neighborhood areas as a result of expansion – DUC Neighborhood Residential
- DUC Health and Wellness District to thoughtfully plan for role of hospital and medical use in downtown
- Removal of exclusion of Taverns, restricting new SUDs except for the X district
- Development standards largely the same
- Enhanced explanation of Floor Area Ratio (FAR)
- Downtown Design Guidelines update to follow



18.29 DUC DOWNTOWN URBAN CENTER DISTRICT

Existing Zoning District	Proposed Zoning	Existing Land Use	Proposed Land Use	Description
RC RESIDENTIAL CONSERVANCY	RC RESIDENTIAL CONSERVANCY	Residential Conservancy	Residential Conservancy	Allow for Middle Housing
R1 - RESIDENTIAL 1 DU/ACRE	R1 - RESIDENTIAL 1 DU/ACRE	Single Family	Neighborhood Residential One	Allow for Middle Housing
R-5, R-7	R2 - Residential Low	Single Family	Neighborhood Residential Two	SF, Townhouse, Duplex, Triplex, Fourplex, Two-Story Stacked Flats, Courtyard Apartments, Cottage Housing - 4-6 units/lot, ADUs
R-10, R-16	R3 - Residential Moderate	Moderate Density Residential	Neighborhood Residential Two	R2 (No SF)+ Fiveplex, Sixplex, 3-Story Stacked Flats, Apartment Buildings and Mixed-Use up to 20 units/3 Stories, ADUs
R-20	R4 - Residential High	Multiple-Family	Neighborhood Residential Three	R3 + Apartment Buildings and Mixed-Use over 20 units/3-Stories, ADUs
N/A	R-NM NEIGHBORHOOD MIXED-USE	N/A	Mixed-Use	R4 and C1 Uses + Mixed-Use (horizontal or vertical) Emphasis
RO - Residential Office	RF - FLEX-RESIDENTIAL	Varies	Mixed-Use	Smaller-scale R-NM with emphasis on conversion of existing structure, middle housing not to exceed two stories. No new SF.
Downtown Urban Center	DUC Downtown Urban Center - 125 District	Downtown Urban Center	Downtown Urban Center	DUC up to 125' talll buildings where permitted
Downtown Urban Center	DUC Downtown Urban Center - 75 District	Downtown Urban Center	Downtown Urban Center	DUC up to 75' talll buildings where permitted
Downtown Urban Center	DUC Downtown Urban Center - 55 District	Downtown Urban Center	Downtown Urban Center	DUC up to 55' talll buildings where permitted
Downtown Urban Center	DUC Neighborhood Residential District	Downtown Urban Center	Downtown Urban Center	R-3
Downtown Urban Center	DUC Health and Wellness District	Downtown Urban Center	Downtown Urban Center	Multicare Zone
Downtown Urban Center	DUC Flex-Residential District	Downtown Urban Center	Downtown Urban Center	RF with permitted specific industrial uses (craft workshops, breweries, coffee, etc.)
Downtown Urban Center	DUC Light Commercial District	Downtown Urban Center	Downtown Urban Center	C-1 but DUC Design Guidelines Apply
Downtown Urban Center	DUC Heavy Commercial District	Downtown Urban Center	Downtown Urban Center	C-2 but DUC Design Guidelines Apply
Downtown Urban Center	DUC Light Industrial District	Downtown Urban Center	Downtown Urban Center	M-1 but DUC Design Guidelines Apply

18.50 LANDSCAPING AND SCREENING

Key Changes

- Incorporation of new/amended zoning designations
- Reduce minimum landscape coverage to accommodate middle housing (18.50.040(A))

How it is implemented

Table 18.50.040(A). Minimum Landscape Requirements by Zoning District

Zones	Minimum Landscape Coverage[1]	Minimum Landscape Planter Width – Perimeter Areas[2]	
		Abutting Street[3]	Abutting Residential Property
Residential Zones			
RC and, R-1 ~~, R-5, and R-7 Residential~~ Zones[4]	N/A	N/A	N/A
R-2 and R-3 Zones[5]	10%	N/A	N/A
~~R-10, R-16 and R-20~~R-4 and R-NM Zones[5]	10~~20~~%	6 ft.	6~~10~~ ft.
Nonresidential Zones			

18.52 OFF-STREET PARKING AND LOADING

Key Changes

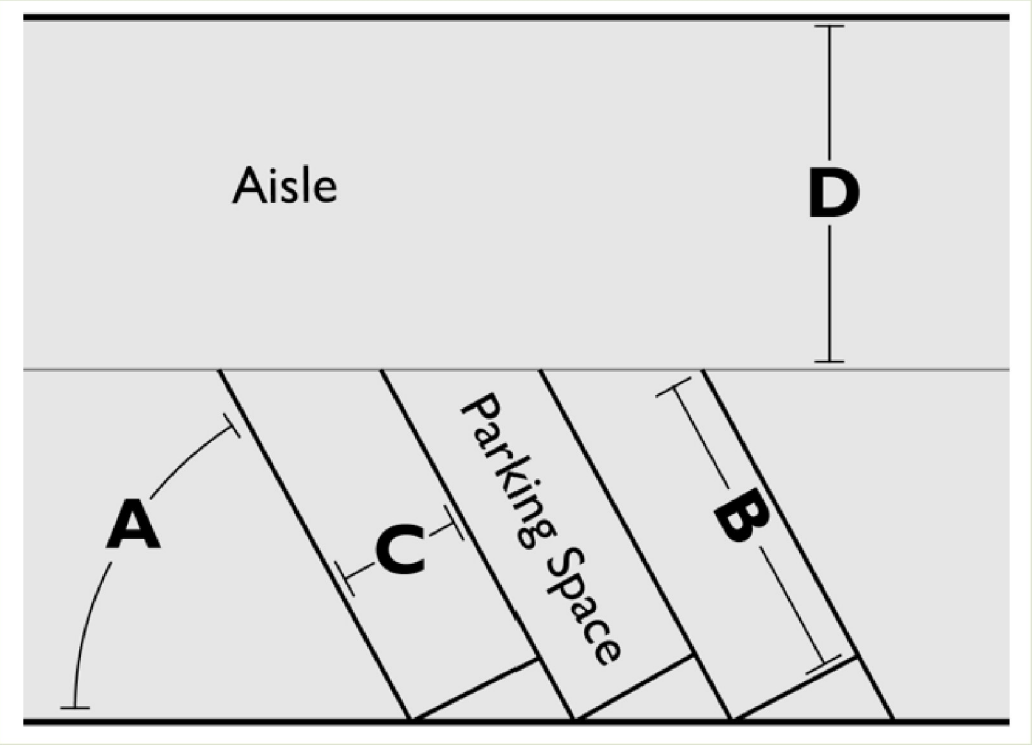
- Incorporation of new/amended zoning designations
- Allow pre-existing gravel
- Update to on-site parking requirement for various uses (Table 18.52.020)
- Preservation of significant trees (18.50.045)

How it is implemented

- Parking rates were either clarified or updated
- Change of use within shopping center does not trigger more parking
- If retention of significant trees as required under 18.50.045 makes it infeasible to accommodate parking required under 18.52.020, required parking may be reduced

18.52 OFF-STREET PARKING AND LOADING

Parking diagram updated



Parking stall sizes reduce

Table 18.52.050. Parking Space and Drive Aisle Dimensions

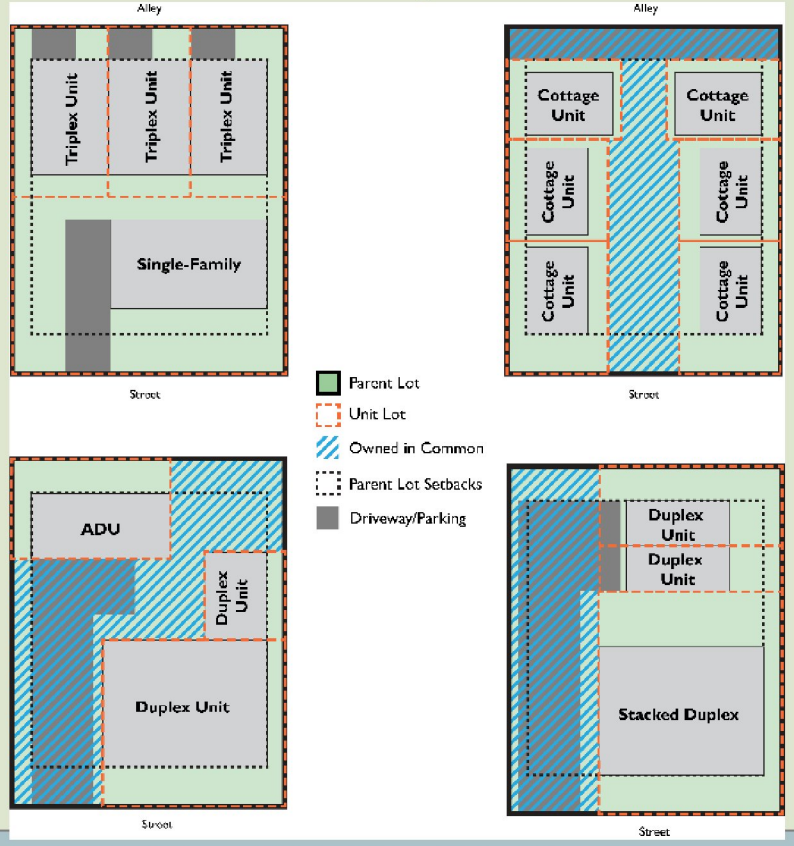
Parking Stall Type (A)	Minimum Stall Dimensions		Minimum Width for Drive Aisle with Parking(eD)	
	Width(~~a~~C)	Length(~~b~~B)	One-Way	Two-Way
Standard parallel	~~9~~8 ft.	2~~2~~0 ft.	12 ft.	20 ft.
Standard 45-degree	~~9~~8 ft.	19 ft.	15 ft.	20 ft.
Standard 60-degree	~~9~~8 ft.	19 ft.	18 ft.	20 ft.
Standard 90-degree	~~9~~8 ft.	19 ft.	20 ft.	24 ft.
Compact	8 ft.	16 ft.	20 ft.	22 ft.

17.04 DEFINITIONS

New definitions

- 17.04.202 Lot, parent.
- 17.04.203 Lot, unit.
- 17.04.221 Lot splitting.
- 17.04.387 Unit lot subdivision.
- 17.04.405 Zero lot line development.
- 17.04.407 Zero lot line.

How it is implemented

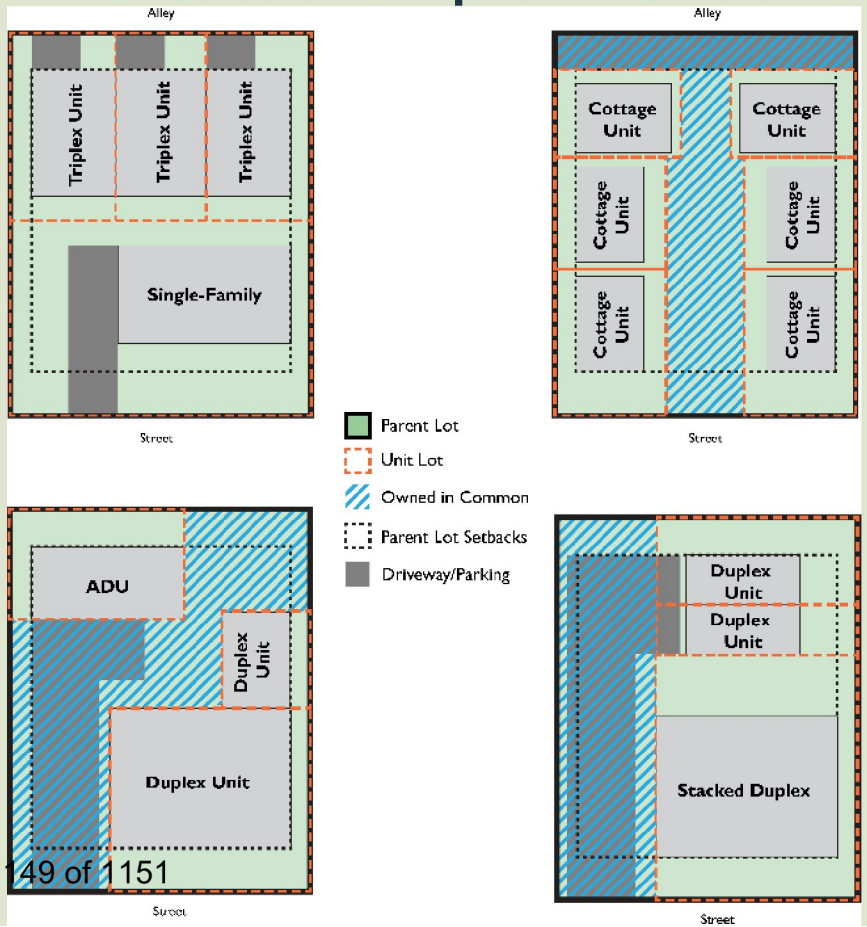


17.27 (NEW) UNIT LOT SUBDIVISIONS

Key Changes

- Alternative to condominium ownership
- Unit is individually owned including land beneath it
- Complies with HB 1110 Requirements
- Ownership opportunities –middle housing is more affordable than traditional single-family houses
- “Parent Lot” and ”Unit Lot”
- Easements for shared areas, owned in common (often through HOA)
- Implemented in development regulations and code; can be processed like standard subdivision

How it is implemented



NEXT STEPS

Tonight: Planning Commission Review

November: City Council Study Session

October 23, 2024 (special meeting): Planning Commission Public Hearing

December 2, 2024: City Council Action on Adoption of Comprehensive Plan and Related Code Amendments

Questions, Discussion, and Feedback

Department of Community Development

Planning • Building • Development Engineering • Permit Center

Economic Development • Code Enforcement

AUBURN VALUES

SERVICE

ENVIRONMENT

ECONOMY

CHARACTER

SUSTAINABILITY

WELLNESS

CELEBRATION