

**City Council
Study Session
PW & CD Special Focus Area
March 24, 2025 - 5:30 PM
City Hall Council Chambers**

AGENDA

CALL TO ORDER

PUBLIC PARTICIPATION

- A. The Auburn City Council Study Session Meeting scheduled for Monday, March 24, 2025, at 5:30 p.m. will be held in person and virtually.

Virtual Participation Link:

To view the meeting virtually please click the below link, or call into the meeting at the phone number listed below. The link to the Virtual Meeting is:

<https://www.youtube.com/user/watchauburn/live/?nomobile=1>

To listen to the meeting by phone or Zoom, please call the below number or click the link:

Telephone: 253 215 8782

Toll Free: 877 853 5257

Zoom: <https://us06web.zoom.us/j/81519799739>

ROLL CALL

AGENDA MODIFICATIONS

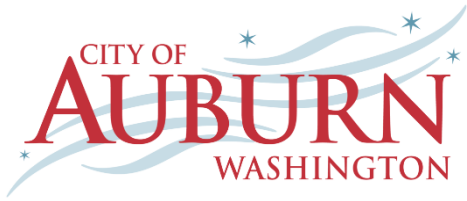
ANNOUNCEMENTS, REPORTS, AND PRESENTATIONS

PUBLIC WORKS AND COMMUNITY DEVELOPMENT DISCUSSION ITEMS

- A. Capital Projects Status Report and Feature Capital Project (Gaub) (20 Minutes)
- B. Ordinance No. 6972 (Krum) (15 Minutes)
An Ordinance amending Sections 16.06.020, 16.06.055 and 16.06.130 and adding Sections 16.06.085 and 16.06.095 of the Auburn City Code relating to the State Environmental Policy Act
- C. Ordinance No. 6976 (Krum) (5 Minutes)
An Ordinance amending the Comprehensive Zoning Map

ADJOURNMENT

Agendas and minutes are available to the public at the City Clerk's Office and on the City website (<http://www.auburnwa.gov>).



AGENDA BILL APPROVAL FORM

Agenda Subject:

Capital Projects Status Report and Feature Capital Project (Gaub) (20 Minutes)

Meeting Date:

March 24, 2025

Department:

Public Works

Attachments:

Presentation, Capital Projects
Status Report

Budget Impact:**Administrative Recommendation:**

For discussion only.

Background for Motion:**Background Summary:**

The purpose of this discussion is to inform the Council and Public of the overall status of the City's Capital Project program managed by the Public Works Engineering Services Division and to present the 2025 second quarter feature Capital Project, the Auburn Way S (SR-164) – Hemlock to Poplar project (Project No. CP1622). This project will widen the road to include two through lanes in each direction, curb, gutter, sidewalk, intermittent center medians, bus pullouts, an enhanced pedestrian crossing, reconstruction and realignment of Poplar St SE, storm drainage, pavement overlay, and illumination.

Engineering Services is currently managing 40 projects, totaling approximately \$130 million in total project costs. Of these projects, 28 are in design and 12 are under construction.

Councilmember: Tracy Taylor

Staff: Ingrid Gaub

ENGINEERING SERVICES

CAPITAL PROJECT STATUS REPORT & FEATURE PROJECT

**MATT LARSON
JEFFREY BENDER
CITY COUNCIL STUDY SESSION
MARCH 24, 2025**

Public Works Department

Engineering Services • Airport Services • Maintenance & Operations Services

AUBURN
VALUES

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

CAPITAL PROJECTS – CURRENT STATUS

40 Active Capital Projects (Approximate total project value \$130 million)

- 28 in Design Phase (Approximate total project value \$90 million)
- 12 in Construction Phase (Approximate total project value \$40 million)

CPS REPORT

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2309	2023 City Safety Pedestrian Crossing Enhancements The project will install RRFBs at four locations around the City, at the SE 304th Street/116th Avenue intersection, on R Street SE to the north of 37th Street SE, at the S 296th Street/57th Place S intersection, and at M Street SE/33rd Street SE.	\$795,000 Includes Federal Grant Funds	QTR 3 (JUL-SEP) 24	QTR 2 (APR-JUN) 25	Jeffrey Bender	The construction work has been suspended for the procurement of long lead-time materials. It is anticipated that the work will resume in April 2025. The contractor may be onsite periodically to perform minor work activities.	N/A	Diversified Holdings

- Capital Project Status available online:
https://www.auburnwa.gov/city_hall/public_works/capital_projects

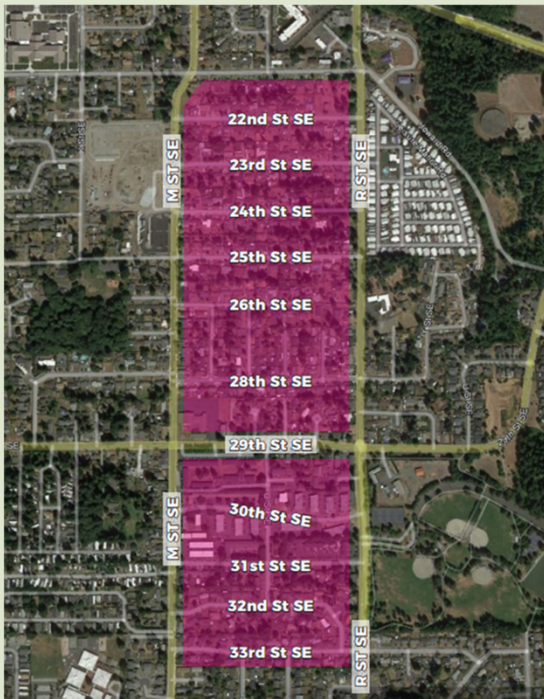
CURRENTLY IN CONSTRUCTION



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CP2317 2024 NEIGHBORHOOD IMPROVEMENT



Page 1 in CPS Report.

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CP2110 AUB AVE RGC ACCESS IMPROV (2ND ST NE TO 3RD ST NE)

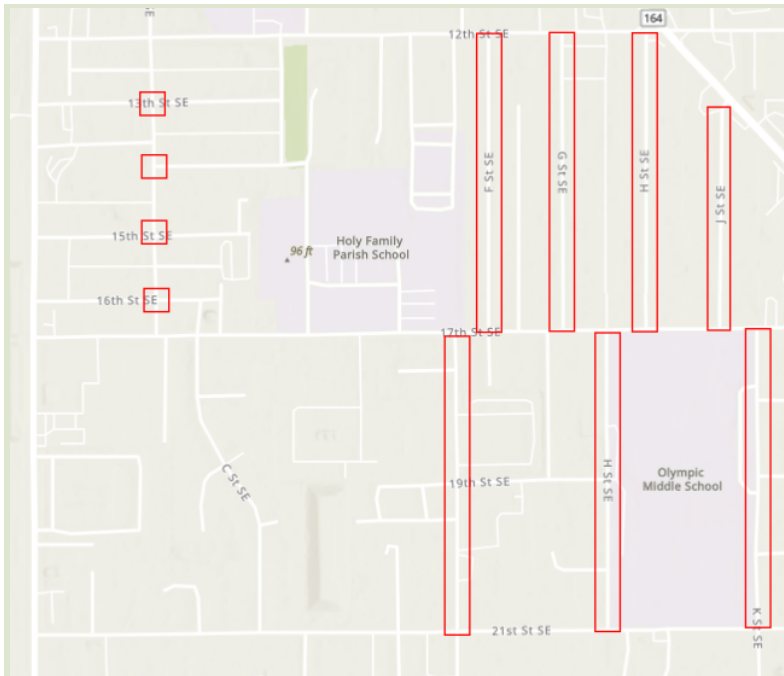


Page 3 in CPS Report.

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CP2305 2023/2024 NEIGHBORHOOD TRAFFIC CALMING PROGRAM FOCUS AREA

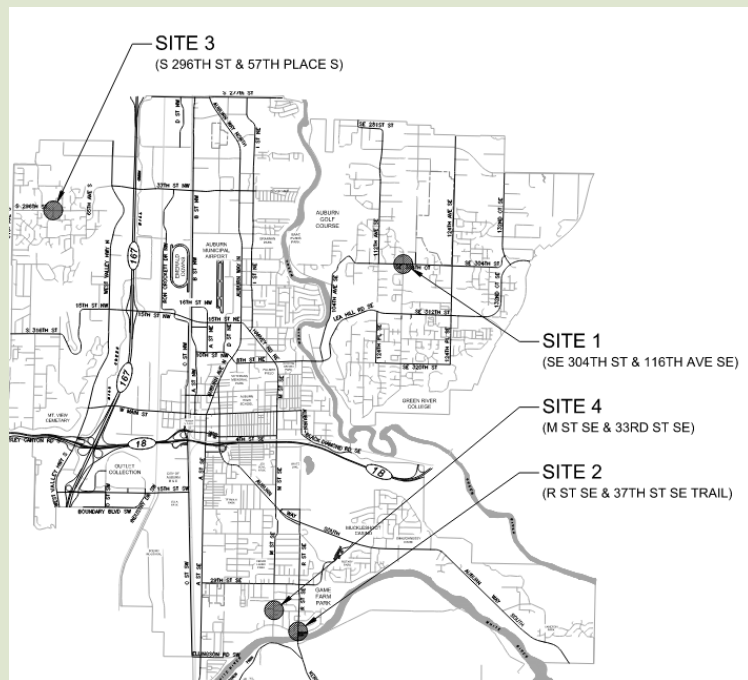


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CP2309 CITYWIDE UNCONTROLLED CROSSING ENHANCEMENTS



Page 1 in CPS Report.

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FEATURE CAPITAL PROJECT:

AUBURN WAY S (SR-164) – HEMLOCK TO POPLAR (CP1622)

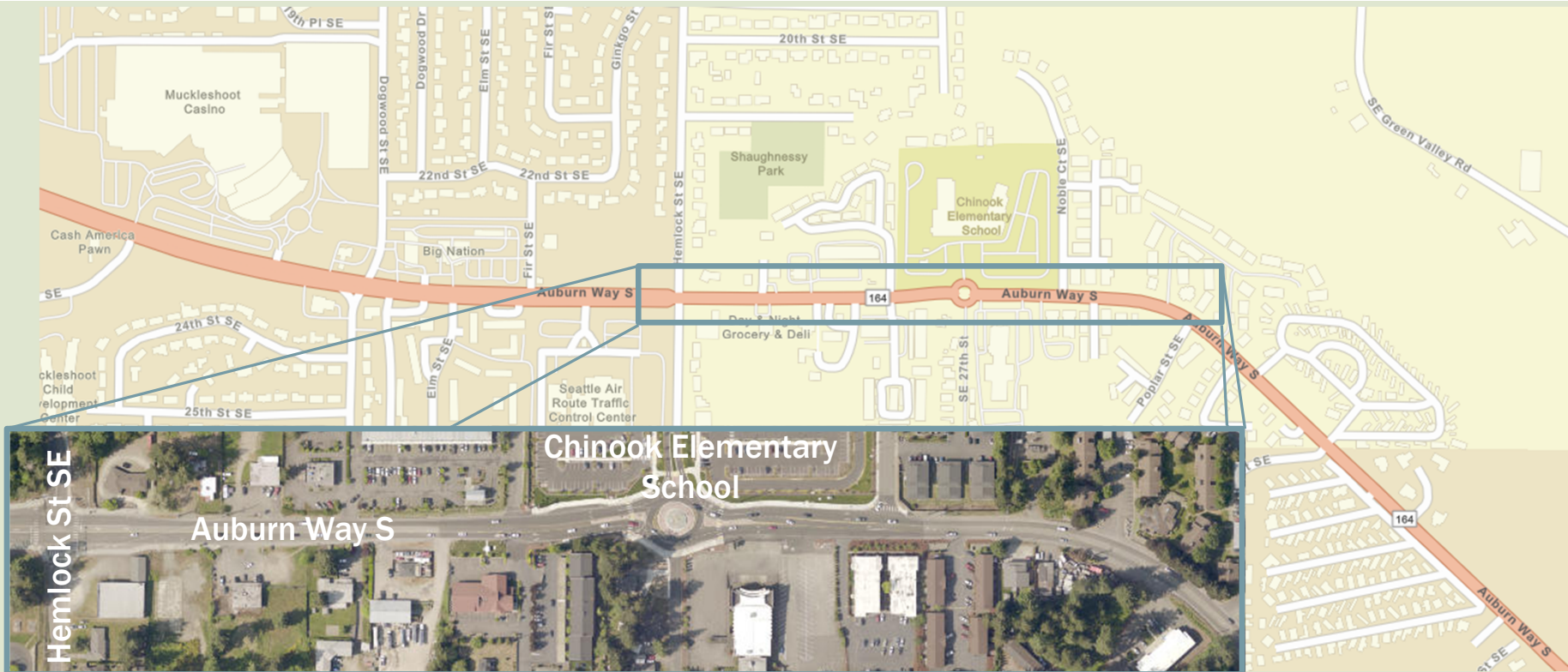
Public Works Department

Engineering Services • Airport Services • Maintenance & Operations Services

AUBURN
VALUES

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

VICINITY MAP



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EXISTING CONDITION

Auburn Way S Corridor:

- Heavily travelled connection between Auburn and Enumclaw/surrounding communities to the east
- Provides access to recreational amenities and Muckleshoot Indian Tribe facilities
- Missing sidewalk and curb/gutter
- Traffic congestion



Existing Condition - Looking West



Existing Condition - Looking East

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PURPOSE

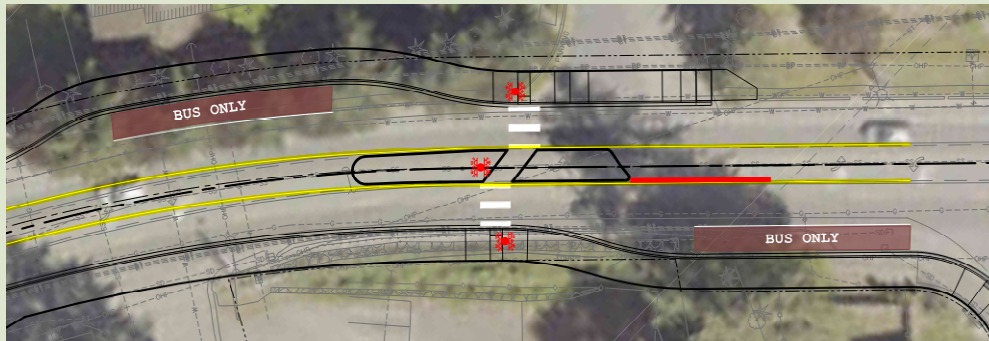
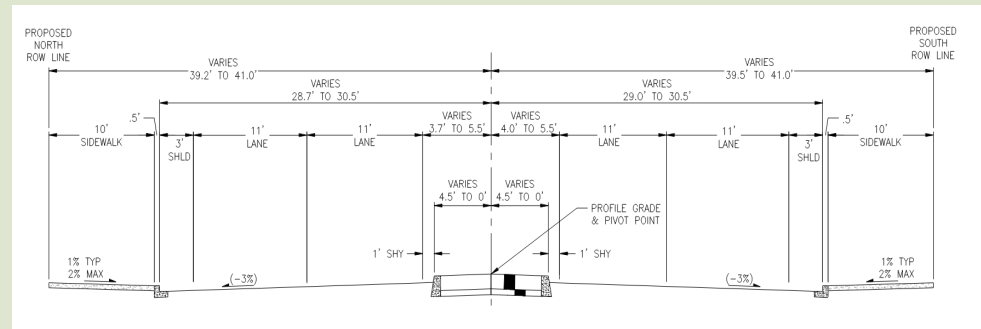
This project improves motorized and non-motorized access through the Auburn Way S Corridor while maintaining consistency with:

- **SR164 Route Development Plan (WSDOT)**
- **Memorandum of Understanding Between the City of Auburn and the Muckleshoot Indian Tribe (MIT)**
- **Auburn Comprehensive Safety Action Plan**

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SCOPE

1. Adding two additional lanes for improved traffic flow
2. Providing roadway pavement repair and restoration
3. Installing new sidewalk, curb and gutter
4. Installing intermittent center medians
5. Reconstructing and realigning Poplar street



6. Improving storm drainage & watermain infrastructure
7. Installing new streetlighting for improved pedestrian and vehicular lighting
8. Installing improved bus stops/pullouts
9. Installing an enhanced pedestrian crossing

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PROJECT BUDGET & SCHEDULE

PROJECT COSTS:

DESIGN	\$2,015,500
RIGHT-OF-WAY	\$1,442,500
<u>CONSTRUCTION</u>	<u>\$9,445,000</u>
TOTAL	\$12,903,000

PARTNERS:

PSRC Federal Grant
TIB Grant
PW Trust Fund Loan/Grant
Arterial Street – Traffic Impact Fees
Arterial Street – City Money
Water (460 Fund)
MIT

Award
February 13, 2025



Construction
*March 2025 thru
Summer 2026*

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FEATURED CAPITAL PROJECT

Questions?

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Capital Project Status Report

Public Works Department - Engineering General Services Division

Construction Projects

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2317	2024 Neighborhood Improvements This project will construct neighborhood improvements intended to improve safety, accessibility, and non-motorized connectivity. The project includes installation of new street lighting, construction of new sidewalks, replacement of existing sidewalks, and implementation of traffic calming measures.	\$1,965,000	QTR 3 (JUL-SEP) 24	QTR 1 (JAN-MAR) 25	Aleksey Koshman	Construction is underway.	N/A	Stafford Excavating
CP2315	R Street SE Preservation - 33rd St SE to 37th St SE The project will provide roadway improvements along R St SE from 33rd St SE to 37th St SE. Improvements include gridding and overlaying the roadway pavement, new street lighting, a non-motorized multi-use path, and associated underground utilities improvements.	\$2,935,000	QTR 2 (APR-JUN) 24	QTR 2 (APR-JUN) 25	Kim Truong	The construction work has been suspended for the procurement of long lead-time materials. It is anticipated that the work will resume in April 2025. The contractor may be onsite periodically to perform minor work activities.	HDR	Active Construction Inc.
CP2309	2023 City Safety Pedestrian Crossing Enhancements The project will install RRFBs at four locations around the City, at the SE 304th Street/116th Avenue intersection, on R Street SE to the north of 37th Street SE, at the S 296th Street/57th Place S intersection, and at M Street SE/33rd Street SE.	\$795,000 Includes Federal Grant Funds	QTR 3 (JUL-SEP) 24	QTR 2 (APR-JUN) 25	Jeffrey Bender	The construction work has been suspended for the procurement of long lead-time materials. It is anticipated that the work will resume in April 2025. The contractor may be onsite periodically to perform minor work activities.	N/A	Diversified Holdings

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2305	2024 Neighborhood Traffic Calming This project will implement traffic calming measures intended to improve safety for all road users by reducing vehicle speed and discouraging cut-through vehicle traffic. Improvements will be implemented on B St SE between 13th Street SE and 16th St SE and F St SE, G St SE, H St SE, J St SE and K St SE between 12th St SE and 21st St SE.	\$543,000	QTR 4 (OCT-DEC) 24	QTR 3 (JUL-SEP) 25	Shelbi Moyer	Construction is underway.	N/A	Puget Paving & Construction
CP2219	Reservoirs 4 and 8 Seismic Retrofits This project will install 4 seismic control valves at 4 of City of Auburn's reservoir sites. Furthermore, the air vents for 3 of the reservoirs will be retrofitted or replaced.	\$1,601,000 Includes State Grant Funds	QTR 1 (JAN-MAR) 24	QTR 2 (APR-JUN) 25	Aleksey Koshman	Construction is underway.	Parametrix	Northwest Cascade, Inc.
CP2207	10th St NW/A Street NW Intersection Improvements The project will construct a new traffic signal at the intersection in place of the existing stop control on the 10th Street NW approach.	\$847,000	QTR 3 (JUL-SEP) 24	QTR 3 (JUL-SEP) 25	Nahom Kahsay	The construction work has been suspended for the procurement of long lead-time materials. It is anticipated that the work will resume in April 2025. The contractor may be onsite periodically to perform minor work activities.	N/A	Transportation Systems, Inc.

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2123	C Street SW Preservation This Project will grind and overlay C Street SW between W Main Street and the GSA signal (approximately 2,000 feet to the south of 15th Street SW). As part of the project, non-ADA compliant curb ramps and pedestrian push buttons will be upgraded, and c-curbing and vehicle detection loops will be replaced as needed. There are also, water, storm and sewer improvements along a portion of C St SW.	\$5,240,000 Includes Federal Grant Funds	QTR 1 (JAN-MAR) 25	QTR 4 (OCT-DEC) 25	Kim Truong	Construction work is anticipated to begin in May 2025 awaiting the procurement of long lead time items.	N/A	Johansen Construction
CP2110	Regional Growth Center Access Improvements The project is improving the 3rd Street NE/4th Street NE intersections with Auburn Ave and Auburn Way N. The project will improve non-motorized access and traffic operations and circulation. The project adds the northbound left-turn lane and a northbound/southbound crosswalk at 3rd St/Auburn Ave, and improves operations at 4th St/Auburn Way N.	\$4,856,000 Includes State Grant Funds	QTR 3 (JUL-SEP) 24	QTR 3 (JUL-SEP) 25	Seth Wickstrom	Construction is underway.	TranspoGroup	Ceccanti

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2107	M&O Facility Improvements Phase 1 The project involves expanding Auburn's maintenance building with a six-bay vehicle shop, restrooms, office space, and a uniform closet. It includes a new fire sprinkler system, plumbing, HVAC, and electrical upgrades. Site work includes reconfiguring parking, removing a planter, grading, adding structural fill, and adjusting utilities (stormwater, water, sewer) to accommodate the addition.	\$3,148,000	QTR 1 (JAN-MAR) 25	QTR 1 (JAN-MAR) 26	Lauren Kirk	Bids were opened on February 20, 2025. The City received four total bids and awarded the contract to lowest responsive bidder, GenCap Construction Corp., on March 12, 2025. Construction work is anticipated to begin in May 2025.	Page & Beard Architects	GenCap Construction
CP2022	Garden Avenue Realignment The project will create a new east/west connection between Garden Ave (102nd Ave SE) and 104th Ave SE and remove the existing Garden Ave connection to 8th St NE and replace it with a permanent cul-de-sac. The project will also demolish an existing building and acquire the ROW needed for the roadway. Utility improvements include storm drainage needed to support the roadway surface; approx. 1500 ft of new/replaced watermain; and approx. 220 ft of sewer line.	\$2,273,000	QTR 1 (JAN-MAR) 25	QTR 4 (OCT-DEC) 25	Kim Truong	Construction is underway.	N/A	Diversified Holdings
CP2021	Well 4 Facility Improvements The project includes a comprehensive investigation and evaluation of the well operation and includes the replacement of aging mechanical and electrical components.	\$1,095,000	QTR 3 (JUL-SEP) 24	QTR 2 (APR-JUN) 25	Nahom Kahsay	Construction is underway.	Carollo	General Mechanical, Inc.

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP1622	Auburn Way South Improvements - Hemlock St SE to Poplar St SE Roadway widening to create a five-lane cross section with two general purpose travel lanes in each direction, and a two-way center left-turn lane. Additionally, curb and gutter, 10 foot sidewalks, illumination, transit stop improvements, storm water improvements, water main extension, and access management (where feasible) with accommodation for U-turns are proposed.	\$14,750,000 Includes Federal & State Grant Funds	QTR 1 (JAN-MAR) 25	QTR 2 (APR-JUN) 26	Jeffrey Bender	Bids were opened on January 30, 2025. The City received 9 total bids and awarded the contract to lowest responsive bidder, Miles Resources, on February 13, 2025. Construction work is anticipated to begin in March 2025.	Parametrix	Miles Resources

Construction Projects Summary	Number of Projects	Total Budget
	12	\$40,048,000

Design Projects

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2501	Neighborhood Traffic Safety and Pedestrian Accessibility The project will improve safety and pedestrian accessibility on local residential streets by installing speed cushions, speed limit signs, and sidewalk repairs at numerous locations throughout the City.	\$500,000	QTR 3 (JUL-SEP) 25	QTR 3 (JUL-SEP) 25	Samim Qayoomi	Design is underway.	N/A	TBD
CP2425	C Street SW Preservation (GSA Signal to Ellingson Road SE) The project will grind and overlay C Street SW from the GSA signal (approximately 2,000 feet to the south of 15th Street SW) to Ellingson Road SE. The project also includes ADA upgrades to curb ramps and pedestrian push buttons, and replacement vehicle detection.	\$1,928,000 Includes Federal Grant Funds	QTR 2 (APR-JUN) 26	QTR 4 (OCT-DEC) 26	Shelbi Moyer	Design survey is complete. Design is underway.	N/A	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2424	1st Street NE/NW & Division Street Ped Improvements The project will implement non-motorized improvements at the 1st Street NE/NW/N Division Street intersection in downtown Auburn. The proposed improvements will create a raised intersection to reinforce slow speeds, and encourage motorists to yield to pedestrians using the crosswalks; add curb bulbs where they are not currently provided to reduce crossing distances and improve pedestrian visibility; construct new ADA complaint ramps; and lighting improvements	\$720,000 Includes Federal Grant Funds	QTR 2 (APR-JUN) 26	QTR 4 (OCT-DEC) 26	Shelbi Moyer	Design survey is complete. Design is underway.	N/A	TBD
CP2423	125 E Main Street Demolition This project will demolish the building at 125 East main Street in preparation for the construction of the downtown park adjacent to the future theater.	\$450,000	QTR 2 (APR-JUN) 25	QTR 3 (JUL-SEP) 25	Samim Qayoomi	Design is underway.	N/A	TBD
CP2420	Hazelwood Elementary Crossing Retrofit Replace the existing HAWK beacon system with an RRFB at the intersection of SE 304th St and 118th Ave SE.	\$42,000	QTR 2 (APR-JUN) 25	QTR 2 (APR-JUN) 25	Seth Wickstrom	Design is underway and is 90% complete.	N/A	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2418	2026 Local Street Preservation Project The project includes upgrades to streets, stormwater, sewer, and water systems across three sites. Improvements involve pavement reconstruction, sidewalk and curb replacements, storm pipe upgrades, and water main replacements. Additional work includes updating speed cushions, installing new catch basins, and upsizing stormwater and sewer mains.	\$4,821,000	QTR 1 (JAN-MAR) 26	QTR 3 (JUL-SEP) 26	Aleksey Koshman	Consultant selection process is underway.	TBD	TBD
CP2414	Auburn Downtown Theater This project will construct a 290-300 seat performing arts theater to replace the recently demolished Auburn Ave Theater.	\$12,000,000 Includes State Grant Funds	QTR 1 (JAN-MAR) 26	QTR 4 (OCT-DEC) 26	Matt Larson	Design is underway.	OTAK	TBD
CP2413	Reservoir 2 Seismic Control Valve Replace 2 valves, add seismic control, add new SCADA panel at site.	\$1,000,000 Includes Federal Grant Funds	QTR 2 (APR-JUN) 25	QTR 2 (APR-JUN) 26	Aleksey Koshman	Parametrix, Inc. has been selected as the design consultant for this project. Consultant contract negotiations are underway. It is anticipated that design work will begin in March 2025.	Parametrix	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2412	2025 Local Street Preservation The project will reconstruct the pavement, replace ADA ramps at M St SE and 33rd St SE as needed, replace ADA ramps at O St SE and 33rd St SE, construct a receiving ramp on North side of 33rd St SE at O St SE intersection, replace traffic calming devices, and replace the sidewalk/curb & gutter where damaged. Utility needs for the project include water main replacement on 33rd St SE and O St SE, and storm main upgrades.	\$3,068,000	QTR 2 (APR-JUN) 25	QTR 4 (OCT-DEC) 25	Shelbi Moyer	Design is underway and is 60% complete.	KPG Psomas	TBD
CP2411	Lea Hill ITS Expansion Project The purpose of this project is to provide fiberoptic cable connectivity between the existing ITS cabinet on the roundabout at 124th Ave SE/SE 304th Street and the existing traffic signal controller cabinet at the 132nd Ave SE/SE 304th Street.	\$600,000	QTR 1 (JAN-MAR) 25	QTR 2 (APR-JUN) 25	Samim Qayoomi	Design is underway and is 60% complete.	N/A	TBD
CP2410	112th Place SE Water Main Replacement Replace existing 6" cast iron watermain with 8" ductile iron watermain. Includes storm drainage improvements.	\$2,180,000	QTR 2 (APR-JUN) 25	QTR 3 (JUL-SEP) 25	Lauren Kirk	Design is underway and is 60% complete.	Conсор	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2404	12th St SE and Auburn Way S Water Repair and Replacement This project will repair a water valve in 12th St SE and replace sections of distribution mains with 12-inch ductile iron including appurtenances. Project also includes storm drainage improvements upsizing existing 8" concrete storm pipes with 12" PVC.	\$796,000	QTR 2 (APR-JUN) 25	QTR 4 (OCT-DEC) 25	Nahom Kahsay	Design is underway and is 90% complete.	N/A	TBD
CP2403	Well 4 Electrical Improvements This project will provide electrical improvements to the existing Well 4 facility	\$1,050,000	QTR 3 (JUL-SEP) 25	QTR 4 (OCT-DEC) 25	Nahom Kahsay	Design is underway and is 60% complete.	Carollo	TBD
CP2402	2024 Sewer Repair and Replacement This project repairs and/or replaces sewer infrastructure at various location throughout Auburn.	\$600,000	QTR 2 (APR-JUN) 25	QTR 4 (OCT-DEC) 25	Nahom Kahsay	Design is underway and is 60% complete.	N/A	TBD
CP2336	2024 Storm Pipeline Extension Program This project extends existing stormwater conveyance systems at various locations throughout Auburn to alleviate localized surface water accumulations.	\$826,000	QTR 2 (APR-JUN) 25	QTR 4 (OCT-DEC) 25	Lauren Kirk	Design is underway and is 60% complete.	N/A	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2335	AWOS, Beacon & Emergency Generator The project will construct a new Automated Weather Observing System (AWOS), replace the Airport beacon, and install a new standby generator. The AWOS is a group of instruments that continuously measures and reports weather data that will be used by pilots. The beacon is a bright light that helps pilots locate the Airport at night and will be replaced due to its age and deteriorating condition. A standby generator will provide backup electrical service during power outages.	\$1,209,000 Includes Federal & State Grant Funds	QTR 3 (JUL-SEP) 25	QTR 4 (OCT-DEC) 25	Seth Wickstrom	Design is complete and this project was advertised for bids on March 7, 2025. Bid opening is scheduled on April 2, 2025.	Century West	TBD
CP2332	Lea Hill Safe Routes to Schools Complete sidewalk gaps and install enhanced crosswalks on SE 304th Street and 124th Ave SE.	\$997,000 Includes State Grant Funds	QTR 2 (APR-JUN) 25	QTR 4 (OCT-DEC) 25	Seth Wickstrom	Design is underway and is 90% complete.	BCRA	TBD
CP2331	1st Street NE and R St NE Sewer Replacement Replace approximately 500 LF of sewer main located along the back yard property lines of residential properties between 1st Street NE and 2nd Street NE, east of R Street NE.	\$450,000	QTR 2 (APR-JUN) 25	QTR 3 (JUL-SEP) 25	Seth Wickstrom	Preliminary design concepts are being developed and evaluated.	N/A	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2328	A Street SE Preservation (37th St SE to Lakeland Hills Way) The project will grind and overlay A Street SE from 37th Street SE to the intersection with Lakeland Hills Way. The project also includes ADA upgrades to curb ramps, pedestrian push buttons, replacement of vehicle detection at signalized intersections and channelization.	\$2,034,000 Includes Federal Grant Funds	QTR 1 (JAN-MAR) 25	QTR 3 (JUL-SEP) 25	Aleksey Koshman	Design is underway and is 90% complete.	N/A	TBD
CP2321	Downtown Infrastructure Improvements This project will 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. The project also completed the preliminary schematic design of the replacement Auburn Ave Theater.	\$4,700,000 Includes County Grant Funds	QTR 2 (APR-JUN) 25	QTR 1 (JAN-MAR) 26	Matt Larson	Design is complete and the design team is finalizing the construction plans and other contract documents. It is anticipated that this project will be advertised for bids in March 2025.	Otak	TBD
CP2319	Lea Hill Road/104th Avenue SE Roundabout The project will construct a single lane roundabout at the Lea Hill Road intersection with 104th Avenue SE. The roundabout will replace the existing span-wire signal. The project is needed to improve traffic operations and safety at the intersection. Additionally the existing water mains will be replaced.	\$4,377,000 Includes Federal Grant Funds	QTR 4 (OCT-DEC) 27	QTR 4 (OCT-DEC) 28	Jeffrey Bender	Design is underway and is 30% complete. Environmental permitting process is underway.	Conсор	TBD

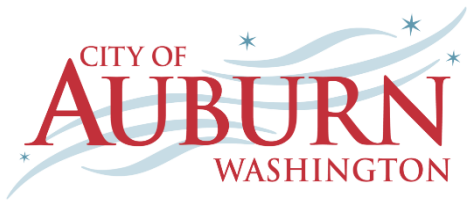
Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2313	Auburn Way South Roundabout Center Design In partnership with the Muckleshoot Indian Tribe, the project is installing enhancements to the center island of the roundabout on Auburn Way South at Chinook Elementary. The enhancements will include artwork and lighting.	\$150,000	QTR 3 (JUL-SEP) 25	QTR 4 (OCT-DEC) 25	Jeffrey Bender	Design is underway and is 99% complete.	Parametrix	TBD
CP2311	E Valley Hwy Widening The project will widen E Valley Hwy between Lakeland Hills Way and Terrace View Drive to a four-/five-lane roadway. The project will include a trail along the east side, lighting, intersection and storm improvements.	\$11,361,000 Includes Federal Grant Funds	QTR 1 (JAN-MAR) 28	QTR 4 (OCT-DEC) 29	Lauren Kirk	Design is underway and is 15% complete.	Jacobs	TBD
CP2308	R Street SE/21st Street SE Roundabout The project will construct a single lane roundabout at the intersection of R Street SE and 21st Street SE.	\$2,980,000 Includes Federal Grant Funds	QTR 1 (JAN-MAR) 26	QTR 4 (OCT-DEC) 26	Kim Truong	Design is underway and is 30% complete.	HDR, Inc.	TBD
CP2211	49th Street NE (Auburn Way N to D Street NE) The project will complete the buildout of 49th Street NE between Auburn Way N and D Street NE. The project will widen the roadway, where required, to provide a sidewalk and separated trail.	\$1,531,000	QTR 2 (APR-JUN) 25	QTR 4 (OCT-DEC) 25	Steven Sturza	Design is underway and is 90% complete. Property acquisition process is underway.	BCRA	TBD

Project Number	Project Name & Description	Estimated Project Costs	Construction Start	Construction Finish	Project Manager	Recent Progress	Design Consultant	Contractor
CP2210	M Street NE Widening (Main to 4th Street NE) The project will widen M Street NE to a 4/5 lane section between Main Street and 4th Street NE. The project will also replace the signal at Main/M Street.	\$6,923,000	QTR 1 (JAN-MAR) 26	QTR 1 (JAN-MAR) 27	Nahom Kahsay	Design is underway.	KPG Psomas	TBD

CP2116	R Street SE Widening - 22nd St SE to 33rd St SE The project will provide roadway and utility improvements along R Street SE from 33rd St SE to 22nd St SE. Improvements include adding a second southbound lane to address level of service deficiencies, street lighting and a non-motorized multi-use path.	\$12,432,000	QTR 1 (JAN-MAR) 27	QTR 4 (OCT-DEC) 27	Kim Truong	Design is underway and is 60% complete. Property acquisition process is underway.	HDR	TBD
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CP2009	Rainier Ridge Pump Station This project will replace the Rainier Ridge Sewer Pump Station and its associated force main (approximately 725 ft).	\$9,981,000	QTR 2 (APR-JUN) 25	QTR 3 (JUL-SEP) 26	Nahom Kahsay	Design is underway and is 60% complete.	Kennedy Jenks	TBD
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Design Projects Summary	Number of Projects 28	Total Budget \$89,706,000
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AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6972 (Krum) (15 Minutes)

An Ordinance amending Sections 16.06.020, 16.06.055 and 16.06.130 and adding Sections 16.06.085 and 16.06.095 of the Auburn City Code relating to the State Environmental Policy Act

Meeting Date:

March 24, 2025

Department:

Community Development

Attachments:

SEPA Code Update
Presentation, Ordinance No.
6972, Exhibit 1 Chapter 16.06
ACC Code Updates, MBAKS
Comment Letter dated 02 27
2025

Budget Impact:**Administrative Recommendation:**

For discussion only.

Background for Motion:**Background Summary:**

The Washington State Legislature has recognized the need to reduce when State Environmental Policy Act (SEPA) is utilized, and in response developed SEPA categorical exemptions to remove projects below a specified number of units from being required to undergo SEPA review. WAC 197-11-800 gives local jurisdictions the option to adopt new thresholds for SEPA exemptions for minor new construction, which in turn helps to streamline the permitting process and lower costs to developers by allowing certain projects (particularly multiplex residential units) to be built without triggering a SEPA review.

Staff is proposing to amend Sections 16.06.020, 16.06.055 and 16.06.130 and add Sections 16.06.085 and 16.06.095 of the Auburn City Code to comply with Washington State's new thresholds of SEPA exemptions.

Councilmember: Tracy Taylor

Staff: Jason Krum

**CITY COUNCIL
STUDY SESSION**

**STATE ENVIRONMENTAL POLICY
ACT (SEPA) CODE UPDATE**

**PRESENTED BY
DINAH REED, SENIOR PLANNER
MARCH 24, 2025**

Department of Community Development
Planning • Building • Development Engineering • Permit Center
Economic Development • Code Enforcement

AUBURN
VALUES

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

BACKGROUND AND PURPOSE

- WA State Environmental Policy Act (SEPA) **was enacted in 1971.**
- SEPA was developed to recognize and evaluate the environmental or public health impacts of construction, proposed regulations, policies, and private projects.
- Over the past several years **local jurisdictions** have been required to enact their own regulations focused on environmental protection, such as:
 - Growth Management Act (GMA)
 - Critical Areas regulations
 - Stormwater Management
 - Floodplain regulations
 - The Shoreline Master Plan

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

BACKGROUND & PURPOSE

- Projects with potentially adverse environment impacts typically require additional studies to provide where and how mitigation is needed to offset adverse impacts.
- The studies and/or reports that may be required include:
 - Traffic Impact Assessment (TIA)
 - Geotechnical Report
 - Wetland Delineations
 - Floodplain permits
 - International Building Code standards
 - Performance Standards in the Zoning Code: Lighting, Landscaping

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

BACKGROUND & PURPOSE

- Additional reports and studies provide substantial information for project review.
- WA State Legislature recognized the need to reduce the use of SEPA for many projects.
- Therefore, categorical exemptions were updated by the State to remove projects below a specified number of units from undergoing SEPA review.
- WAC 197-11-800 gives local jurisdictions the option to adopt new thresholds for SEPA exemptions for minor new construction.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

BACKGROUND & PURPOSE

- Streamlines the permitting process (essential with the new timelines).
- Helps to lower costs to developers, particularly for developments that are Multifamily Residential, including Middle Housing, Apartments and Townhomes.
- The City will continue to retain the authority to require SEPA review in cases when the responsible official determines that a proposal has reasonable likelihood of causing more than a moderate adverse impact on environmental quality.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

SUMMARY OF CODE CHANGES

- **Proposed Revised/Amended Sections:**

- 16.06.020 – Code that is adopted by reference sections in Chapter 197-11 WAC
- 16.06.055 – Categorical Exemptions
- 16.06.130 – Substantive authority

- **Proposed Additional Sections:**

- 16.06.085 – Planned Actions
- 16.06.095 – Optional Determination of Non-Significance Process

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

CATEGORICAL EXEMPTIONS – REVISE ACC 16.06.055

1. For construction or location of single-unit residential dwelling units (formerly known as single family residential units) WAC 197-11-800(1): ~~20~~ **30** dwelling units or less or 100 single-unit residential dwelling units where each is less than 1,500 square feet.
2. For construction or location of Multifamily residential units (Middle Housing, Apartments and Townhomes) in WAC 197-11-800(1)(d): 200 units or less.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

CATEGORICAL EXEMPTIONS – REVISE ACC 16.06.055

3. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1): buildings of ~~12,000~~ **30,000** square feet or less and with associated parking facilities designed for ~~40~~ **90** or less automobiles.
4. For parking lots not associated with a structure in WAC 197-11-800(1): ~~40~~ **90** or fewer automobile parking spaces.
5. For fill or excavations in WAC 197-11-800(1): ~~500~~ **1,000** cubic yards or less.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

SUBSTANTIVE AUTHORITY REVISE ACC 16.06.130

- The revisions in this section comply with updated names of the:
 - Auburn Transportation Program (~~six-year street plan~~)
 - Auburn Capital Facilities Plan (~~Auburn Capital Improvements Plan~~)
- Energy Management Plan is no longer relevant and removed.
- Auburn comprehensive plan and related reports and studies outlined in ~~“Appendix B”~~ “all Appendices and Supplementary Reports”.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

CODE ADDITION, PLANNED ACTIONS – ACC 16.06.085

- Planned Actions are typically used for geographically larger area projects such as Sub-Area Plans or Master Plans which require an Environmental Impact Statement (EIS) that addresses the entire area.
- The City of Auburn has used Planned Actions, such as for the Downtown Plan.
- Therefore, this Section needs to be added and codified.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

CODE ADDITION, ODNs PROCESS– ACC 16.06.095

- The OPTIONAL DETERMINATION OF NON-SIGNIFICANCE process is also used by the Planning staff for minor projects with no environmentally adverse impacts.
- Therefore, this Section needs to be added and codified.

SERVICE ● ENVIRONMENT ● ECONOMY ● CHARACTER ● SUSTAINABILITY ● WELLNESS ● CELEBRATION

THANK YOU!

Department of Community Development
Planning • Building • Development Engineering • Permit Center
Economic Development • Code Enforcement

AUBURN
VALUES

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

ORDINANCE NO. 6972

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING SECTIONS 16.06.020, 16.06.055 AND 16.06.130 AND ADDING SECTIONS 16.06.085 AND 16.06.095 OF THE AUBURN CITY CODE RELATING TO THE STATE ENVIRONMENTAL POLICY ACT

WHEREAS, the Washington State Legislature has developed State Environmental Policy Act (SEPA) categorical exemptions under WAC 197-11-800 to remove projects below a specified number of units from being required to go under SEPA review.

WHEREAS, WAC 197-11-800 gives local jurisdictions the option to adopt new thresholds for SEPA exemptions for minor new construction.

WHEREAS, in accordance with ACC 14.03.060 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, to include amendments to the text.

WHEREAS, pursuant to Revised Code of Washington (RCW) 36.70A that a text amendment shall be amended with public participation.

WHEREAS, Pursuant to Revised Code of Washington (RCW) 36.70A, the draft SEPA code text amendments were transmitted to the Washington State Department of Commerce on February 5, 2025. The 60-day notice period ended March 7, 2025; and

WHEREAS, a Notice of Public Hearing (NOH) was issued on February 21, 2025. Pursuant to Chapter 18.68 ACC, the noticing for the Planning Commission public hearing was published in the Seattle Times on February 21, 2025, and the NOH was posted in three general public locations (City Hall, City Annex, and the City’s Public Land Use Notice webpage).

WHEREAS, the City of Auburn Planning Commission scheduled and held a public meeting on February 19, 2025 for the purposes of staff presentations and discussion on the various components of the text amendments; and

WHEREAS, the Planning Commission scheduled and held a public hearing on March 4, 2025, to receive public testimony on the proposed text amendments; and

WHEREAS, the Auburn City Council finds it appropriate and in the best interest of the City to adopt the SEPA text amendments to Chapter 16.06 ACC; and

WHEREAS, the Auburn City Council determines that the adoption of the Chapter 16.06 ACC text amendments meet the criteria set forth in the Auburn City Code and all other applicable legal criteria; and

WHEREAS, the Auburn City Council determines that the Chapter 16.06 ACC text amendments are consistent with WAC 197-11-800;

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

Section 1. Adoption of Chapter 16.06 ACC text amendments. The City of Auburn amended Sections 16.06.020, 16.06.055, 16.06.130, 16.06.085 and 16.06.095, set forth in Exhibit 1, is on file with the office of the City Clerk is adopted and is available for inspection therein.

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

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person

or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. **Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____

Chapter 16.06

ENVIRONMENTAL REVIEW PROCEDURES

Sections:

16.06.010	Authority.
16.06.020	Adoption by reference.
16.06.030	Additional definitions.
16.06.040	Responsible official designated.
16.06.050	Timing of environmental review.
16.06.055	Categorical exemptions.
16.06.060	Determination of categorical exemption.
16.06.065	Environmentally sensitive areas.
16.06.070	Environmental checklist required.
16.06.080	Environmental impact statement.
<u>16.06.085</u>	<u>Planned Actions</u>
16.06.090	Public notice.
<u>16.06.095</u>	<u>Optional Determination of Non-Significance (ODNS) Process</u>
16.06.100	Internal circulation of environmental documents.
16.06.110	Timing of decision on nonexempt action.
16.06.120	Authority to condition or deny proposals.
16.06.130	Substantive authority.
16.06.200	City responsibilities as consulted agency.
16.06.210	Use of non-SEPA documents.
16.06.220	Environmental appeals.
16.06.230	Time limitation on appeals.
16.06.240	Fee to accompany notice of appeal.
16.06.250	Notice of hearing.
16.06.260	Hearing.
16.06.270	Testimony – Recording.
16.06.300	Substantial weight – Burden of proof.
16.06.310	Decision of the hearing examiner.
16.06.320	Dismissal of appeal.
16.06.330	City council review – Limitations for appeals.
16.06.340	Violation – Penalty.

Prior legislation: Ords. 4009, 4054, 4351, 4504, 4792.

16.06.010 Authority.

The ordinance codified in this chapter is adopted under the authority of the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA Rules, WAC 197-11-904, including any amendments thereto. (Ord. 4840 § 1, 1996.)

16.06.020 Adoption by reference.

The following sections of Chapter 197-11 WAC, including any amendments thereto, are adopted by reference as if fully set forth herein:

WAC	
197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.
197-11-164	Planned actions – Definition and criteria.
<u>197-11-172</u>	<u>Planned Actions – Project Review</u>
197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of nonsignificance (DNS).
197-11-350	Mitigated DNS.
<u>197-11-355</u>	<u>Optional DNS process</u>
197-11-360	

	Determination of significance (DS)/ initiation of scoping.
197-11-390	Effect of threshold determination.
197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping.
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonproject proposals.
197-11-443	EIS contents when prior nonproject EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.
197-11-460	Issuance of FEIS.
197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA register.
197-11-510	Public notice.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.
197-11-560	FEIS response to comments.
197-11-570	Consulted agency costs to assist lead agency.

197-11-600	When to use existing environmental documents.
197-11-610	Use of NEPA documents.
197-11-620	Supplemental environmental impact statement – Procedures.
197-11-625	Addenda – Procedures.
197-11-630	Adoption – Procedures.
197-11-635	Incorporation by reference – Procedures.
197-11-640	Combining documents.
197-11-650	Purpose of this part.
197-11-655	Implementation.
197-11-660	Substantive authority and mitigation.
197-11-680	Appeals.
197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/city.
197-11-730	Decision maker.
197-11-732	Department.
197-11-734	Determination of nonsignificance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.

197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-748	Environmentally sensitive area.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead agency.
197-11-760	License.
197-11-762	Local agency.
197-11-764	Major action.
197-11-766	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private project.
197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.
197-11-800	Categorical exemptions.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.

197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.
197-11-916	Application to ongoing actions.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.
197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.
197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of nonsignificance (DNS).
197-11-980	Determination of significance and scoping notice (DS).

197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

(Ord. 6382 § 1, 2011; Ord. 4840 § 1, 1996.)

16.06.030 Additional definitions.

In addition to those definitions contained within WAC 197-11-700 through 197-11-799, the following words and terms shall have the following meanings, unless the context indicates otherwise:

“Advisory body” means any body established by ordinance of the city council, whose responsibilities include the review of development proposals for the purpose of making recommendations to the city council.

“Aquifer recharge areas” means areas which recharge aquifers that are a source of drinking water vulnerable to contamination that would affect the portability of the water. These areas include: sole source aquifer recharge areas and wellhead protection areas designated pursuant to the Federal Safe Drinking Water Act; areas established for special protection pursuant to a ground water management program as described by Chapters 90.44, 90.48 and 90.54 RCW and Chapters 173-100 and 173-200 WAC; and any other area meeting the definition of “areas with a critical recharging effect on aquifers used for potable water” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Department” means any division, subdivision or organizational unit of the city established by ordinance, rules, or order.

“Development” means the rezoning of property, the subdivision of land, the construction of buildings, or any physical alteration of the land which is subject to city approval and to the requirements of SEPA.

“Fish and wildlife habitat conservation areas” means lands which are important for the maintenance of fish and wildlife species in suitable habitats within the natural geographic distribution of the species. These areas include: areas with which endangered, threatened and sensitive species have a primary association; habitats and species of local importance; waters of the state; waters planted with game fish; and any other area meeting the definition of “fish and wildlife habitat conservation areas” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Frequently flooded areas” means lands in the floodplain subject to a one percent or greater chance of flooding in any given year. These areas include: streams, rivers, lakes, wetlands and any other area meeting the definition of “frequently flooded areas” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Geologically hazardous areas” means areas that because of their susceptibility to erosion, sliding, earthquake or other geological events, are not suited to siting commercial, residential or industrial development consistent with public health or safety concerns. These areas include:

1. Erosion hazard areas: areas identified by the USDA Soil Conservation Service as having a severe rill and inter-rill erosion hazard;
2. Landslide hazard areas: areas potentially subject to landslides based on a combination of geologic, topographic and hydrologic factors;
3. Seismic hazard areas: areas subject to severe risk or damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction or surface faulting;
4. Other geologic hazard areas: areas subject to volcanic activity and areas underlain by, adjacent to, or affected by mine workings; and
5. Any other area meeting the definition of “geologically hazardous areas” as described in Chapter 365-190 WAC and the Auburn comprehensive plan.

“Hearing examiner” means the city hearing examiner as established by Chapter 2.46 ACC.

“Ordinance” means an ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.

“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 development permits, site plan review, permits or approvals required by critical area ordinances, site specific rezones authorized by the comprehensive plan or a special planning area plan or other subarea plan, but excluding the adoption or amendment of a comprehensive plan, or a special area plan, subarea plan, or development regulations except as otherwise specifically included in this chapter.

“Regulations” includes regulations referenced in this chapter as well as development regulations as defined in RCW 36.70A.030 of the Growth Management Act.

“Wetlands” means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds and landscape amenities. However, wetlands do include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands, if permitted and required by the county or city. Artificial wetlands created from nonwetland areas for purposes of

wildlife enhancement, education, aesthetic or similar reasons, when not part of a compensatory (required) mitigation project, are not included within the wetland definition.

“SEPA” means Chapter 43.21C RCW.

“SEPA rules” means Chapter 197-11 WAC adopted by the Department of Ecology. (Ord. 4840 § 1, 1996.)

16.06.040 Responsible official designated.

The director of the Auburn department of planning and development, or designee, shall be the SEPA responsible official for the city and shall carry out the duties and functions of the city when it is acting as the lead agency or as a consulted agency under SEPA and the SEPA rules. (Ord. 6287 § 2, 2010; Ord. 4840 § 1, 1996.)

16.06.050 Timing of environmental review.

When a project permit application is filed with the city of Auburn the city shall analyze the permit’s environmental impacts in one project review process as provided in the Auburn City Code, hereinafter referred to as “ACC,” Title 14. The environmental review shall be integrated with and be processed concurrently with the attendant project permit application. (Ord. 4840 § 1, 1996.)

16.06.055 Categorical exemptions.

A. The city of Auburn adopts by reference WAC 197-11-300 and 197-11-800. In addition, thereto, Auburn establishes the following exempt levels for minor new construction under WAC 197-11-800(1) based on local conditions:

1. For construction or location of single-unit residential dwelling units in WAC 197-11-800(1)(~~bd~~)(~~+~~): 2030 dwelling units or less or 100 single-unit residential dwelling units where each is less than 1,500 square feet.
2. For construction or location of Multifamily residential units (Middle Housing, Apartments and Townhomes) in WAC 197-11-800(1)(d): 200 units or less.
23. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(~~bd~~)(~~iii~~): buildings of 12,00030,000 square feet or less and with associated parking facilities designed for 40-90 or less automobiles.

34. For parking lots not associated with a structure in WAC 197-11-800(1)(b)(ivd): 490 or fewer automobile parking spaces.

45. For fill ~~orand~~ excavations in WAC 197-11-800(1)(bd)(v): 5001,000 cubic yards or less.

B. Whenever the city establishes new exempt levels under this section, it shall send them to the Department of Ecology, Headquarters Office, Olympia, Washington under WAC 197-11-800(1)(c). (Ord. 5908 § 1, 2005; Ord. 5727 § 1, 2003.)

16.06.060 Determination of categorical exemption.

A. The city department which receives an application for a proposal, or initiates a proposal which is potentially subject to the environmental review requirements of SEPA, shall request the responsible official or the responsible official's designee to make the following determinations:

1. Whether the proposal is an "action" as defined by WAC 197-11-704; and
2. If the proposal is an "action," whether it is categorically exempt from the requirements of SEPA; and
3. If the proposal is a nonexempt action, whether appropriate environmental review of the project has been conducted or commenced.

B. The responsible official or the responsible official's designee shall be responsible for making the final decision required by this section.

C. The city recognizes that the list of categorical exemptions included in the SEPA rules cannot be relied upon as the final determination of when a proposed project, regardless of its environmental impact, must comply with SEPA and this chapter. Where the responsible official determines that a proposal has a reasonable likelihood of causing more than a moderate adverse impact on environmental quality, whether that impact is direct, indirect or cumulative, environmental review under SEPA shall be conducted.

D. It is recognized that a particular development or land use, although otherwise consistent with city regulations and policies, may create adverse impacts upon facilities, services, natural systems or the surrounding area when aggregated with the impacts of prior or reasonably anticipated future developments. The city shall evaluate such cumulative environmental impacts and make its environmental determinations and substantive decisions accordingly. (Ord. 4840 § 1, 1996.)

16.06.065 Environmentally sensitive areas.

A. The following areas of the environment are designated as environmentally sensitive areas pursuant to RCW 36.70A.060 and WAC 197-11-908:

1. Aquifer recharge areas;
2. Fish and wildlife habitat conservation areas;
3. Frequently flooded areas;
4. Geologically hazardous areas; and
5. Wetlands.

B. Within each of these environmentally sensitive areas, the responsible official shall implement city codes, ordinances, resolutions, plans and policies to conserve these areas and to preclude land uses and development which cause significant adverse impacts to these areas.

C. The city's "critical area maps" provides the general location of environmentally sensitive areas within the city and is adopted by this reference as if fully set forth in this chapter. Site specific studies will be needed to identify the precise location and to assess the characteristics of the environmentally sensitive area. Whenever there is evidence of an environmentally sensitive area located within or in proximity to a nonexempt action, the responsible official may require site specific studies to determine the location and characteristics of the environmentally sensitive area, and potential mitigating measures. (Ord. 4840 § 1, 1996.)

16.06.070 Environmental checklist required.

A. Whenever a department determines that a proposal is a nonexempt action for which appropriate environmental review has not been conducted or commenced, the department shall prepare or shall require the action proponent to prepare and submit an environmental checklist. Upon completion or receipt of a completed environmental checklist, the department shall immediately transmit the following to the responsible official or the responsible official's designee:

1. The original, signed copy of the environmental checklist; and
2. A copy of any completed application form in the department's possession relating to the proposal; and
3. A copy of any project description, conceptual plan or plot plan which may have been prepared or submitted; and
4. Any additional information in the department's possession touching upon the environmental impacts of the proposed action.

B. The environmental review process shall begin when an environmental checklist application is received by the responsible official. Incomplete applications shall be returned to the applicant for completion as directed by the responsible official as provided in ACC Title 14. Checklist applications include the completed environmental checklist form together with any site plans, studies or other information needed to adequately review the application.

C. A department initiating a nonexempt city action may request that the responsible official or the responsible official's designee assist the department in preparing the necessary environmental checklist.

D. The provisions of this section shall not apply when the responsible official and the proponent of a nonexempt action agree in writing that the proposal is likely to have significant adverse environmental impacts, and further agree that an environmental impact statement (EIS) will be prepared.

E. The responsible official may determine that the city will complete all or a part of an environmental checklist for a private proposal with its own staff, or may contract with one or more consultants to prepare or assist in preparation of a checklist, and may charge and collect fees from the applicant to cover costs incurred by the city in preparation of the checklist, if either of the following circumstances exist:

1. The city has technical information on a question or questions that is unavailable to the applicant; or
2. The applicant has provided inaccurate or incomplete information on previous proposals or on proposals currently under consideration.

F. If fees are to be collected, the applicant shall be advised of the estimated costs, and shall be required to secure payment of such costs prior to the actual preparation of all or part of the environmental checklist. (Ord. 4840 § 1, 1996.)

16.06.080 Environmental impact statement.

A. Whenever the responsible official has issued a determination of significance for a nonexempt action, it shall be the responsibility of the individual, corporation, agency or city department initiating or proposing the action to prepare a draft EIS and a final EIS under the supervision of the responsible official. The proposing individual, corporation, agency or department may contract with one or more consultants to prepare or assist in the preparation of an EIS, subject to the approval of the responsible official. Consultants shall be selected based on their expertise and knowledge related to the scoped environmental elements to be analyzed in the EIS documents. Regardless of who is involved in the preparation of an EIS, it is the EIS of the city and the responsible official shall be satisfied that it complies with this chapter, with SEPA and with the SEPA rules before it is issued.

B. The responsible official may determine that the city will complete all or a part of an EIS for a private proposal with its own staff, or may contract with one or more consultants to prepare or assist in preparation of

an EIS, and may charge and collect fees from the applicant to cover costs incurred by the city in preparation of the EIS, if one or more of the following circumstances exist:

1. The city has technical information on a question or questions that is unavailable to the applicant;
2. The applicant has provided inaccurate or incomplete information on previous proposals or on proposals currently under consideration;
3. The responsible official and the applicant agree that the city will be responsible for completing the EIS.

C. If fees are to be collected, the applicant shall be advised of estimated costs, and shall be required to secure payment of such costs prior to the actual preparation of the EIS.

D. Prior to the preparation of an EIS the applicant and the city shall enter into a written agreement that shall at a minimum contain who is to prepare the EIS, its estimated cost, and estimated time frame to complete the EIS process. (Ord. 4840 § 1, 1996.)

16.06.085 Planned Actions

[A. The city of Auburn adopted by reference WAC 197-11-172.](#)

16.06.090 Public notice.

A. Whenever public notice is required under the SEPA rules, the responsible official shall cause notice to be given in the following manner:

1. By posting the subject property in accordance with the applicable provisions of Chapter 1.27 ACC (site-specific proposals only).

B. Additional public notice may be provided for proposals having or potentially having unusually widespread, unique or significant adverse impacts, or for other proposals, at the discretion of the responsible official.

C. Where notice is required for a proposed action which has been proposed or initiated by a party other than the city or a city department, the cost of newspaper publication of such notice or notices shall be borne by the city with fees paid by the proponent or applicant. (Ord. 5811 § 4, 2003; Ord. 4840 § 1, 1996.)

16.06.095 Optional Determination of Non-Significance Process

A. Projects that are defined as Type II, Type III, and Type IV Decisions, per ACC 14.03.020 and ACC 14.03.030& 030 respectively, in which a threshold determination under SEPA is required, may be processed under the Optional DNS process. This includes:

1.- Providing Notice of Application (NOA) in accordance with ACC 14.07

2. -Ensuring consistency with WAC 197-11-355 Optional DNS Process requirements

B. If the city as lead agency and has a reasonable basis for determining, significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the Notice of Application and the threshold determination for the proposal. If this process is used, a second comment period will typically not be required at the time the DNS is issued.

C. If the lead agency uses the optional DNS process specified in subsection B of this section, the lead agency shall:

1. State on the first page of the Notice of Application that it expects to issue a DNS for the proposal, and that:

(a) The optional DNS process is being used;

(b) This may be the only opportunity to comment on the environmental impacts of the proposal;

(c) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(d) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution);

2. List in the Notice of Application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

3. Comply with the requirements for a Notice of Application and public notice in ACC 14.07; and public notice in RCW 36.70B.110; and

4. Send the Notice of Application and environmental checklist to:

(a) Agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(b) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

D. If the lead agency indicates on the Notice of Application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948.)

E. The responsible official shall consider timely comments on the Notice of Application and either:

1. Issue a DNS or mitigated DNS with no comment period using the procedures in subsection F of this section;

2. Issue a DNS or mitigated DNS with a comment period using the procedures in subsection F of this section, if the lead agency determines a comment period is necessary;

3. Issue a DS; or

4. Require additional information or studies prior to making a threshold determination.

F. If a DNS or mitigated DNS is issued under subsection (E)(1) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the WA State Department of Ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

16.06.100 Internal circulation of environmental documents.

Relevant environmental documents shall accompany proposals through existing city project review processes. The responsible official shall ensure that environmental documents are provided to decision makers in the following manner:

A. Where a nonelected city official is to make a final decision on a nonexempt action, the responsible official shall provide that deciding official with a copy of a determination of nonsignificance (DNS) or a final EIS upon issuance of the DNS or FEIS.

B. Where the planning commission or hearing examiner is to make a recommendation on a nonexempt action, the responsible official shall transmit to the advisory body a copy of one of the following:

1. Environmental checklist;
2. Determination of nonsignificance (DNS);
3. Draft environmental impact statement (DEIS);
4. Final environmental impact statement (FEIS).

Transmittal of the appropriate environmental document shall either precede or accompany transmittal of a staff report or staff recommendation on the proposal.

C. A final staff recommendation to the hearing examiner or city council on a nonexempt major action should normally be preceded by, or accompanied by, either a final DNS or an FEIS. (Ord. 6186 § 1, 2008; Ord. 4840 § 1, 1996.)

16.06.110 Timing of decision on nonexempt action.

A. For nonexempt actions, the procedural requirements of SEPA, the SEPA rules and this chapter shall be completed prior to the city's issuance of a license, permit or other approval, prior to the city committing to a particular course of action, or prior to the city making a decision that would either have adverse environmental impacts or limit the choice of reasonable alternatives.

B. A final decision on a nonexempt action for which a DNS has been issued or EIS has been required shall not be made until after expiration of the environmental appeal period if not appealed or, if appealed, shall not be made until the decision on the appeal becomes final. (Ord. 4840 § 1, 1996.)

16.06.120 Authority to condition or deny proposals.

A. The policies and goals set forth in and referenced by this chapter are supplementary to those in the existing authorization of the city.

B. The city may attach conditions to a permit or approval for a proposal so long as:

-
1. Such conditions are necessary to mitigate probable significant adverse environmental impacts identified in environmental documents prepared pursuant to this chapter; and
 2. Such conditions are in writing; and
 3. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
 4. The city has considered whether other local, state, or federal mitigation measures applicable to the proposal are sufficient to mitigate the identified impacts; and
 5. Such conditions are based on one or more policies, plans, rules or regulations designated in ACC 16.06.130 as a basis for the exercise of substantive SEPA authority under RCW 43.21C.060, and cited in writing in the license, permit, ordinance or other decision document.

C. The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

1. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a final EIS or final supplemental EIS prepared pursuant to this chapter; and
2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to make the identified impact nonsignificant; and
3. The denial is based on one or more policies, plans, rules or regulations designated in ACC 16.06.130 as a basis for the exercise of substantive SEPA authority under RCW 43.21C.060, and cited in writing in the license, permit, ordinance or other decision document.

D. If the lead agency determines, after the initial review of a project, that a proposed action could not comply with adopted plans, policies, rules or regulations, and where the city has authority other than SEPA to deny the proposal, the project can be denied outright without making a threshold determination, and shall be cited in writing. Proposed actions which are subsequently modified, amended or deemed to be consistent with adopted plans, policies, rules or regulations shall not receive final approval until the proposed action is in full compliance with SEPA, the SEPA rules and this chapter.

E. Where the responsible official has issued a mitigated DNS, the decision maker shall not approve the associated proposal until:

1. The proponent has modified the proposal, either through modification of plans and other application materials or through a separate written instrument attached to the application, such that the mitigating measures of the mitigated DNS become part of the proposal; or
2. The decision maker has incorporated the mitigating measures of the mitigated DNS into the license, permit, ordinance or other approval, through conditions attached pursuant to this chapter; or

3. A combination of subdivisions 1 and 2 of this subsection.

F. Where mitigating measures are agreed to under subsection (E)(1) of this section, or imposed under subsection (E)(2) of this section, and where the proponent fails to implement such mitigating measures, the city shall have the authority to revoke any permit, license or other approval granted on the basis of such mitigating measures. (Ord. 4840 § 1, 1996.)

16.06.130 Substantive authority.

The city adopts by reference the following policies, plans, rules and regulations, as may be amended, as a basis for the exercise of substantive authority to approve, condition or deny proposed actions under RCW 43.21C.060 of SEPA:

- A. Auburn comprehensive plan and related reports and studies outlined in ~~Appendix B~~; [all Appendices and Supplementary Reports](#)
- B. Shoreline management master program;
- C. Auburn City Code;
- D. Auburn downtown plan;
- E. Auburn capital ~~improvements~~ [facilities](#) plan;
- F. ~~Six-year street plan~~ [Auburn Transportation Program](#);
- G. Auburn Municipal Airport master plan;
- H. ~~Energy management plan. (Ord. 4840 § 1, 1996.)~~

16.06.200 City responsibilities as consulted agency.

In carrying out the city's duties as a consulted agency, the responsible official shall request information from any department potentially affected by or having expertise on a proposal. Information timely received by the responsible official in response to such request shall be transmitted to the lead agency. The responsible official may transmit such information by forwarding copies of any department responses or by consolidating all department responses into a single city response. (Ord. 4840 § 1, 1996.)

16.06.210 Use of non-SEPA documents.

A. If determined by the responsible official, existing plans, regulations, rules, or other laws that provide a functionally equivalent analysis of the specific adverse impacts of a proposed project that has already occurred and is available or will occur before action is taken on a proposed project may be used to forego the environmental analysis required under this title. If non-SEPA documents are used the responsible official shall make appropriate findings and conclusions to support the use of such documents.

B. If determined by the responsible official, existing plans, regulations, rules, or other laws that adequately mitigate the projects specific adverse environmental impacts may be used, in lieu of SEPA mitigating conditions, as long as the project approval is explicitly conditioned on compliance with the requirements or mitigation measures so that the specific adverse environmental impacts are adequately mitigated. If non-SEPA documents are used, the responsible official shall make appropriate findings and conclusions to support the use of such mitigation and to ensure compliance with the requirements of the non-SEPA documents. (Ord. 4840 § 1, 1996.)

16.06.220 Environmental appeals.

Any person aggrieved of a final threshold determination of significance, final determination of nonsignificance, or inadequacy of a final EIS may file an appeal with the city hearing examiner. Appeal of intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) shall not be allowed. (Ord. 4840 § 1, 1996.)

16.06.230 Time limitation on appeals.

A written notice of appeal identifying the grounds for appeal must be filed with the city clerk, on forms provided by the city clerk, within 14 days of the date of mailing the final threshold determination of significance, final determination of nonsignificance or final EIS. The city shall extend the appeal period for an additional seven days for final mitigated determinations of nonsignificance and final EISs. (Ord. 4840 § 1, 1996.)

16.06.240 Fee to accompany notice of appeal.

An appeal fee as provided for in the city's adopted fee schedule shall accompany the written notice of appeal and be filed within the appeal period with the city clerk. No notice of appeal shall be accepted unless accompanied by full payment of the appeal fee. This fee shall be utilized to cover publication costs, mailing, and other costs directly associated with the appeal. (Ord. 6077 § 1, 2007; Ord. 4840 § 1, 1996.)

16.06.250 Notice of hearing.

A notice of appeal timely filed shall be transmitted by the city clerk to the hearing examiner and the SEPA responsible official. The hearing examiner shall determine the date, time, and place of a hearing to consider the appeal of final EISs, and shall notify the parties thereof. Other appeal hearings shall be scheduled in accordance with ACC 2.46.130. (Ord. 4840 § 1, 1996.)

16.06.260 Hearing.

A hearing upon an appeal shall be conducted by the hearing examiner and, where applicable, the appeal hearing shall be consolidated with any other hearing required on the related proposed action as required in ACC Title 14. (Ord. 4840 § 1, 1996.)

16.06.270 Testimony – Recording.

All testimony taken at any hearing shall be taken under oath. The hearing shall be recorded electronically. (Ord. 4840 § 1, 1996.)

16.06.300 Substantial weight – Burden of proof.

A threshold determination by the responsible official is entitled to substantial weight. The burden shall be on the appellant to establish that the determination is in error. (Ord. 4840 § 1, 1996.)

16.06.310 Decision of the hearing examiner.

A. Upon the basis of all of the information received in a hearing, and all information relied upon by the responsible official, the hearing examiner shall prepare a written decision, including findings of fact and conclusions.

B. The hearing examiner may sustain, sustain with conditions, reverse, or remand to the responsible official the threshold determination. (Ord. 4840 § 1, 1996.)

16.06.320 Dismissal of appeal.

The hearing examiner may summarily dismiss an appeal without hearing, when such appeal is determined by the hearing examiner to be without merit on its face, frivolous, or brought merely to impede a proposal or secure a delay. (Ord. 4840 § 1, 1996.)

16.06.330 City council review – Limitations for appeals.

A. The decision of the hearing examiner on a threshold determination appeal may be appealed to the superior court in the county in which the subject property is located, which appeal shall be in accordance with the provisions of RCW 43.21C.060 and 43.21C.075. Any such appeal allowed by RCW 43.21C.060 and 43.21C.075 must be brought within the time limits specified in Chapter 2.46 ACC.

B. Such city council review shall be conducted on the record compiled by the hearing examiner, consistent with other applicable law. (Ord. 6442 § 11, 2012; Ord. 6186 § 2, 2008; Ord. 4840 § 1, 1996.)

16.06.340 Violation – Penalty.

Any violation of this chapter or of the standards, regulations or procedures adopted pursuant to this chapter shall be enforced pursuant to the provisions of Chapter 1.25 ACC. (Ord. 4840 § 1, 1996.)



February 27, 2025

City of Auburn
Planning Commission
25 W Main St.
Auburn, WA 98001

RE: City of Auburn SEPA Code Text Amendment/Update

Dear Planning Commissioners:

The Master Builders Association of King and Snohomish Counties (MBAKS) thanks you for the opportunity to provide comment in support of the City's work to encourage housing by streamlining processes in the proposed SEPA code update. MBAKS is the nation's oldest and largest local homebuilders association, representing more than 2,500 businesses, architects, engineers, and tradespeople across the region. Together, we've been making home happen since 1909.

We commend city staff and the Planning Commission for proposing logical, necessary, and measured revisions to the City's SEPA code, including the expanded categorical exemptions and the introduction of an optional DNS process. These code revisions will reduce permit timeframes and workloads for city planners and project applicants, while still maintaining important environmental protections. Additionally, the expansion of the categorical exemptions to the State maximums provides greater efficiency in the permitting process — allowing staff to focus on projects intended to meet the City's growing population, housing, and economic demands.

Again, we thank you for the opportunity to comment on the proposed SEPA update and look forward to partnering further on industry issues. If you have any questions, please don't hesitate to contact me at lschmidt@mbaks.com or (425) 460-8203.

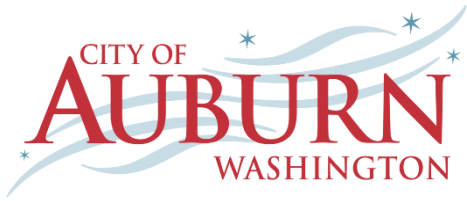
Sincerely,



Logan Schmidt
King County Government Affairs Manager
Master Builders Association of King and Snohomish Counties

CC: Nancy Bakus, Mayor, City of Auburn
Dinah Reed, Senior Planner, City of Auburn

Encl: [MBAKS SEPA Reform Issue Brief](#)



AGENDA BILL APPROVAL FORM

Agenda Subject:

Ordinance No. 6976 (Krum) (5 Minutes)
An Ordinance amending the Comprehensive Zoning Map

Meeting Date:

March 24, 2025

Department:

Community Development

Attachments:

Ordinance No. 6976, Exhibit A
Map Amendment

Budget Impact:**Administrative Recommendation:**

For discussion only.

Background for Motion:**Background Summary:**

During the 2024 Periodic Update, the Comprehensive Zoning Map and Comprehensive Land Use Map were revised to be consistent with the update to Title 18 Zoning. Both maps were completely revised to feature the new zoning labels for existing zones and the new R-NM, Neighborhood Mixed Use Zoning District. In the updated maps, due to a mapping error, six privately-owned parcels were misidentified as P-1, Public Use District. The land use designation of these parcels is Mixed-Use. The correct zoning for these parcels should be Neighborhood Mixed Use. The purpose of this Zoning Map Amendment is to correct the display of these six parcels.

Councilmember: Tracy Taylor

Staff: Jason Krum

ORDINANCE NO. 6976

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING THE
COMPREHENSIVE ZONING MAP

WHEREAS, since 1986 the City of Auburn has maintained a Comprehensive Plan, periodically updated and reaffirmed by the City Council, that includes a Map establishing the location of the Comprehensive Plan Land Use Designations throughout the City;

WHEREAS, the City also maintains a "Zoning map," labeled the "Comprehensive Zoning Map of the City of Auburn, Washington," dated June 1, 1987, adopted by Ordinance No. 4230;

WHEREAS, 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;

WHEREAS, the Comprehensive Plan Land Use Designations and Zoning Districts were updated under the periodic Comprehensive Plan Update completed under Ordinance No. 6960;

WHEREAS, as part of the periodic Comprehensive Plan Update, six parcels were (land use) designed as Mixed Use but erroneously identified as P-1, Public Use. The parcels were King County parcel numbers: 0004200010, 0004200020, 0004200027, 0004200011, 0004200028, and 0004200021;

WHEREAS, pursuant to the Land Use Element of the Comprehensive Plan, the P-1, Public Use zone implements the Public/Quasi-Public land use designation and R-NM Neighborhood Mixed-Use zone implements the Mixed-Use land use designation;

WHEREAS, it is the intent of the zoning districts to implement the Comprehensive Plan Land Use Designations and must be consistent with the future land use map;

WHEREAS, pursuant to ACC 18.68.030 an “Area-Wide Rezone” is a rezone initiated either by the city or by multiple property owners that applies to a significant number of properties, as determined by the director of community development and is processed as a legislative nonproject decision, consistent with ACC 14.03.060;

WHEREAS, pursuant to WAC 197-11-800(6)(c)(i)-(iii) a rezone is exempt if the project is in an urban growth area in a city or county planning under RCW 36.70A.040, the proposed rezone is consistent with and does not require an amendment to the comprehensive plan, and the applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption and the EIS adequately addressed the environmental impacts of the rezone;

WHEREAS, pursuant to Chapter 36.70A RCW, a Final Environmental Impact Statement (FEIS) completed for the periodic Comprehensive Plan Update, and the City did not act upon the FEIS until November 8, 2024;

WHEREAS, pursuant to Commerce guidance a 60-day notice is not required for on site-specific rezones that does not include an amendment to the comprehensive plan; they are considered a project permit application and not a development regulation amendment even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city;

WHEREAS, it is the intent of this Ordinance to correct the erroneous zoning of the six parcels; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Change the zoning district of King County parcel numbers: 0004200010, 0004200020, 0004200027, 0004200011, 0004200028, and 0004200021 from P-1, Public Use to R-NM Neighborhood Mixed-Use, as set forth in Exhibit "A".

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

Section 3. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application of it to any person or circumstance, will not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 4. **Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

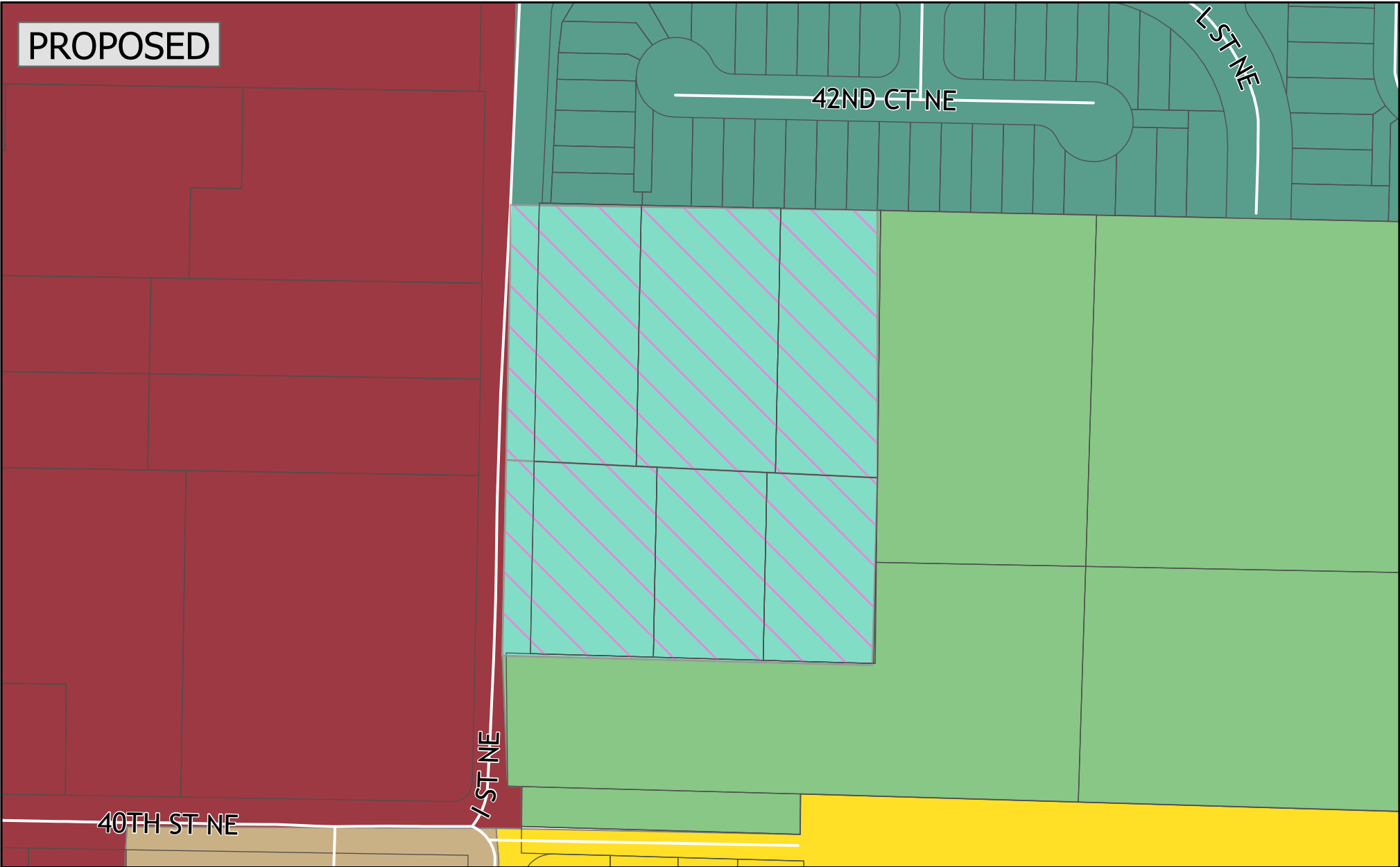
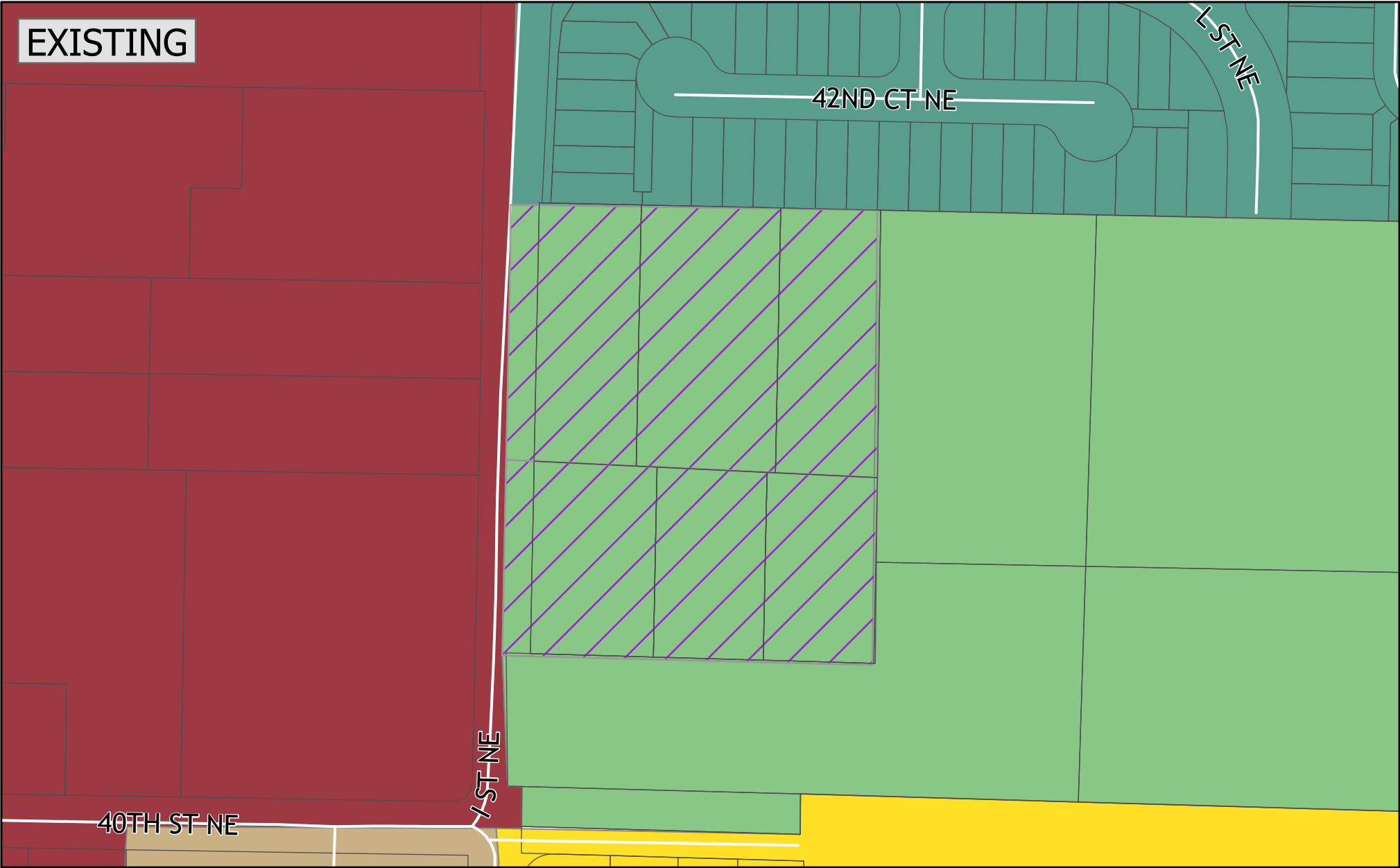
APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____

Proposed Zoning Amendment P-1 to R-NM Zone



P-1 Public Use

R-NM Neighborhood Mixed-Use

R-2 Residential Low

R-4 Residential High

C-2 Light Commercial

PUD Planned Unit Development District

Parcel Boundary

Existing Zoning

Proposed Zoning

0

100

200

300

Feet

ORDINANCE NO. 6976

EXHIBIT A

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