

**City Council  
Regular Meeting  
June 1, 2026 - 7:00 PM  
City Hall Council Chambers**

**AGENDA**

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**CALL TO ORDER**

**LAND ACKNOWLEDGEMENT**

We would like to acknowledge the Federally Recognized Muckleshoot Indian Tribe, the ancestral keepers of the land we are gathered on today. We thank them for their immense contributions to our state and local history, culture, economy, and identity as Washingtonians.

**PUBLIC PARTICIPATION**

- A. The Auburn City Council Meeting scheduled for Monday, June 1, 2026, at 7:00 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 number below or click the link:

Telephone: 253 205 0468

Toll Free: 888 475 4499

Zoom: <https://us06web.zoom.us/j/82103028584>

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**ANNOUNCEMENTS, MAYOR'S PROCLAMATIONS, AND PRESENTATIONS**

- A. LGBTQIA+ Pride Month  
Mayor Backus to proclaim June 2026 as "LGBTQIA+ Pride Month" in the City of Auburn

**AGENDA MODIFICATIONS**

**PUBLIC HEARINGS**

- A. Public Hearing for Lake Meridian Water District Franchise Agreement No. FRN25-0003 (Gaub)  
City Council to hold a Public Hearing in consideration of Franchise Agreement No. FRN25-0003 for Lake Meridian Water District for a Water Franchise

**PUBLIC COMMENT**

This is the place on the agenda where the public is invited to speak to the City Council on any issue.

- A. The public can participate in-person or submit written comments in advance.

Participants can submit written comments via mail, fax, or email. All written comments must be received prior to 5:00 p.m. on the day of the scheduled meeting and must be 350 words or less.

Please mail written comments to:  
City of Auburn  
Attn: Shawn Campbell, City Clerk  
25 W Main St  
Auburn, WA 98001

Please fax written comments to:  
Attn: Shawn Campbell, City Clerk  
Fax number: 253-804-3116

Email written comments to: [publiccomment@auburnwa.gov](mailto:publiccomment@auburnwa.gov)

If an individual requires accommodation to allow for remote oral comment because of a difficulty attending a meeting of the governing body, the City requests notice of the need for accommodation by 5:00 p.m. on the day of the scheduled meeting. Participants can request accommodation to be able to provide a remote oral comment by contacting the City Clerk's Office in person, by phone (253) 931-3039, or by email ([publiccomment@auburnwa.gov](mailto:publiccomment@auburnwa.gov)).

## CORRESPONDENCE

## CONSENT AGENDA

All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.

- A. Setting the date for a Public Hearing for the 2027-2032 Transportation Improvement Program (Gaub)
- B. Claims Vouchers (Thomas)  
Claims voucher list dated May 20, 2026, which includes voucher numbers 483666 through voucher 483719 and voucher numbers 483721 through voucher 483860, in the amount of \$6,126,917.11, twenty-one electronic fund transfers in the amount of \$34,883.45, and three wire transfers in the amount of \$808,413.95
- C. Claims Vouchers (Thomas)  
Claims voucher list dated May 20, 2026, which includes voucher number 483720 in the amount of \$7,392.49
- D. Payroll Vouchers (Thomas)  
Payroll check numbers 539829 through 539834 in the amount of \$830,553.57, electronic deposit transmissions in the amount of \$2,962,080.51, for a grand total of \$3,792,634.08 for the period covering May 14, 2026, to May 27, 2026

**(RECOMMENDED ACTION: Move to approve the Consent Agenda.)**

## UNFINISHED BUSINESS

## NEW BUSINESS

## ORDINANCES

- A. Ordinance No. 7015 (Krum)  
An Ordinance relating to Downtown Urban Center Design Standards and Zoning Regulations amending Sections 18.02.070, 18.29.010, 18.29.020, 18.29.040, 18.29.050, 18.29.053, 18.29.055, 18.29.060, and 18.29.070, amending Section 18.29.057 and recodifying as 18.29.045, and creating new Sections 18.29.054 and 18.29.080 of the Auburn City Code

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7015.)**

- B. Ordinance No. 7016 (Krum)  
An Ordinance relating to updates to the Citywide Design Standards, and amending Sections 18.31.200, 18.07.030 and 18.23.040 of the Auburn City Code

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7016.)**

- C. Ordinance No. 7021 (Krum)  
An Ordinance relating to Planning, expanding the Density Bonus Allowance to the RC, R-1, and R-2 Residential Zones, and amending Section 18.02.067 "Units Allowed Per Lot", of the Auburn City Code

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7021.)**

## RESOLUTIONS

- A. Resolution No. 5903 (Krum)  
A Resolution approving the South King Housing and Homelessness Partners 2027 Work Plan and 2027 Operating Budget

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5903.)**

- B. Resolution No. 5911 (Krueger)  
A Resolution authorizing the Mayor to execute and administer an agreement accepting a grant from the 4Culture relating to Project No. CP2414, Downtown Auburn Theater

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5911.)**

## MAYOR AND COUNCILMEMBER REPORTS

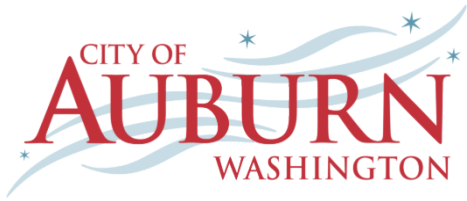
At this time the Mayor and City Council may report on significant items associated with their appointed positions on federal, state, regional and local organizations.

- A. From the Council  
B. From the Mayor

## 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

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**Agenda Subject:**

Public Hearing for Lake Meridian Water District Franchise Agreement No. FRN25-0003 (Gaub)  
City Council to hold a Public Hearing in consideration of Franchise Agreement No. FRN25-0003 for Lake Meridian Water District for a Water Franchise

**Meeting Date:**

June 1, 2026

**Department:**

Public Works

**Attachments:**

Draft Ordinance No. 7018, Water Service Area Map

**Budget Impact:****Administrative Recommendation:**

City Council to hold a Public Hearing in consideration of Franchise Agreement No. FRN25-0003 for Lake Meridian Water District for a Water Franchise.

**Background for Motion:****Background Summary:**

Section 20.04.040 of the Auburn City Code requires the City to hold a Public Hearing before granting or denying a Franchise Agreement. Franchise Agreement No. FRN25-0003 for Lake Meridian Water District will allow Lake Meridian to continue to operate their existing water facilities in the public ways within the Auburn City limits.

The date of the Public Hearing was set by consent on May 18, 2026.

**Councilmember:** Tracy Taylor

**Staff:** Ingrid Gaub

**ORDINANCE NO. 7018**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, GRANTING TO LAKE MERIDIAN WATER DISTRICT, A WASHINGTON MUNICIPAL CORPORATION, A FRANCHISE FOR WATER FACILITIES**

WHEREAS, The Lake Meridian Water District (“Franchisee”) has applied for a non-exclusive Franchise for the right of entry, use, and occupation of certain public ways within the City of Auburn (“City”), also referred to individually as “Party” or collectively as “Parties,” expressly to install, construct, operate, maintain, repair, relocate, and remove its facilities in, on, over, under along, and/or across those public ways; and

WHEREAS, following proper notice, the City Council held a public hearing on Franchisee’s request for a Franchise; and

WHEREAS, based on the information presented at such public hearing, and from facts and circumstances developed or discovered through independent study and investigation, the City Council now deems it appropriate and in the best interest of the City to grant the Franchise to Franchisee.

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

**Section 1. Definitions**

For the purpose of this Franchise and the interpretation and enforcement thereof, definitions of words and phrases shall be in accordance with the definitions set forth in this Franchise and in Auburn City Code 20.02.020. If there is a conflict between any of the definitions set forth in this Franchise and the definitions set forth in Auburn City Code 20.02.020 as it exists on the effective date of this Franchise per Section 5, the definitions in this Franchise shall govern to the extent of such conflict.

A. “ACC” means the Auburn City Code.

B. “Fire Flow” means the measure of sustained flow of available water required for firefighting of a specific building or structure within a specific area at 20 pounds per square inch residual pressure and shall be corrected to the lowest gallonage available based on peak-period demands and seasonal demands.

C. “Fire Hydrant” means a public fire hydrant situated and maintained to provide water for firefighting purposes. Public fire hydrants are without restriction

as to use for that purpose. The location of a fire hydrant is such that it is accessible for immediate use of the fire authority at all times.

D. "Force Majeure Event" means and shall include without limitation, war, civil disturbance; flood, earthquake or other Act of God; storm or other condition which necessitates the mobilization of the personnel of a Party or its contractors to restore utility service; laws, regulations, rules, or orders of any governmental agency; a public health emergency as declared by the State of Washington or local County governing the Franchise Area; sabotage; strikes or similar labor disputes involving personnel of a Party, its contractors, or a third party; or any failure or delay in the performance by the other Party, or third party who is not an employee, agent, or contractor of the Party claiming a Force Majeure Event, in connection with this Franchise.

E. "Franchise" means this agreement approved by Ordinance No. 7018 of the City which authorizes Franchisee Facilities to provide Franchisee Services in the Franchise Area.

F. "Franchise Area" means all public ways within the current city limits and within any future adjusted boundaries of the city limits and which are also within the Franchisee's service area boundary, where the Franchisee is otherwise permitted to provide Franchisee services, or as otherwise permitted pursuant to law. The effective date of any such changes in the City limits will be the effective date(s) of any future annexations.

G. "Franchisee Facilities" means water supply transmission and distribution mains, interties, pipes, Fire Hydrants, valves, water services and meters, water system communication and monitoring equipment, and all other appurtenances necessary or convenient for the purpose of providing water service, including any part thereof used or usable for the delivery of water for Fire Flow and fire suppression purposes, that are constructed, operated, owned, and maintained within the public ways that are located in the Franchise Area.

H. "Franchisee Services" means providing potable water service for human consumption or other domestic use, including residential, commercial, and wholesale use, and Fire Flow and fire suppression purposes. A water service extends from the public water main to and including the water meter and is owned and maintained by the Franchisee.

I. "Public Improvement" means any capital improvement, maintenance, or repair that is undertaken by or on behalf of the City and is funded by the City (either directly or indirectly with its own funds or with other public monies obtained by the City), including any capital improvement within the City's adopted Transportation Improvement Plan or Capital Facilities Plan.

## **Section 2. Grant of Right to Use Franchise Area**

A. Subject to the terms and conditions stated in this Franchise, the City grants to the Franchisee general permission to enter, use, and occupy the public ways within the Franchise Area, located within the incorporated area of the City. Franchisee may locate the Franchisee's Facilities within the Franchise Area subject to all applicable laws, regulations, and permit conditions.

B. The Franchisee is authorized to install, remove, construct, operate, maintain, relocate, upgrade, replace, restore, and repair Franchisee's Facilities to provide Franchisee Services in the Franchise Area.

C. This Franchise does not authorize the use of the Franchise Area for any facilities or services other than Franchisee Facilities and Franchisee Services, and it extends no rights or privilege relative to any facilities or services of any type, including Franchisee Facilities and Franchisee Services, on public or private property elsewhere within the City.

D. This Franchise is non-exclusive and does not prohibit the City from entering into other agreements, including other franchise agreements, impacting the Franchise Area, for any purpose that does not interfere with Franchisee's rights under this Franchise.

E. Except as explicitly set forth in this Franchise, this Franchise does not waive any rights the City has or may acquire with respect to the Franchise Area or any other City roads, public ways, or property. This Franchise will be subject to the power of eminent domain, and in any proceeding under eminent domain, the Franchisee acknowledges its use of the Franchise Area shall have no value.

F. The City reserves the right to change, regrade, relocate, abandon, or vacate any public way within the Franchise Area. If, at any time during the term of this Franchise, the City vacates any portion of the Franchise Area containing Franchisee Facilities, the City may reserve an easement for public utilities within that vacated portion, pursuant to RCW 35.79.030, within which the Franchisee may continue to operate any existing Franchisee Facilities under the terms of this Franchise for the remaining period set forth under Section 4.

G. The Franchisee agrees that its use of Franchise Area shall at all times be subordinated to and subject to the City and the public's need for municipal infrastructure, travel, and access to the Franchise Area, except as may be otherwise required by law.

## **Section 3. Notice**

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Ordinance No. 7018  
March 31, 2026  
Franchise Agreement No. FRN25-0003  
Page 3 of 20

A. Written notices to the Parties shall be sent by a nationally recognized overnight courier or by certified mail to the following addresses unless a different address is designated in writing and delivered to the other Party. Any such notice shall become effective upon receipt by certified mail, confirmed delivery by overnight courier, or the date stamped received by the Party. Any communication made by e-mail or similar method will not constitute notice pursuant to this Franchise, except in case of emergency notification.

City: Right-of-Way Specialist  
Public Works Department - Transportation  
City of Auburn  
25 West Main Street  
Auburn, WA 98001-4998  
Telephone: (253) 931-3010  
Rowusepermit@auburnwa.gov

with a copy to: City Clerk  
City of Auburn  
25 West Main Street  
Auburn, WA 98001-4998

Franchisee: Lake Meridian Water District  
Attn: Brent Lewis  
27224 144<sup>th</sup> Avenue SE  
Kent, WA 98042  
Telephone: 253 631-3770  
Email Address: brent@lakemeridianwater.com

with a copy to: Lake Meridian Water District  
Attn: Tyler Howard  
27224 144<sup>th</sup> Avenue SE  
Kent, WA 98042  
Telephone: 253 631-3770  
Email Address: tyler@lakemeridianwater.com

B. Any changes to the above-stated Franchisee information shall be sent to the City's Right-of-Way Specialist, Public Works Department – Transportation Division, with copies to the City Clerk, referencing the title of this Franchise.

C. Any changes to the above-stated City information shall be sent to the Franchisee's General Manager at customerservice@lakemeridianwater.com, referencing the title of this Franchise.

D. The above-stated Franchisee voice telephone numbers shall be staffed at least during normal business hours, Pacific time zone. The City may contact Franchisee at the following number for emergency or other needs outside of normal business hours of the Franchisee: 253-859-6870

**Section 4. Term of Franchise**

A. This Franchise shall run for a period of twenty (20) years, from the date of Franchise Acceptance as described in Section 5 of this Franchise.

B. Automatic Extension. If the Franchisee fails to formally apply for a new franchise agreement prior to the expiration of this Franchise’s term or any extension thereof, this Franchise automatically continues month to month until a new franchise agreement is applied for and approved under the then current process or until either Party gives written notice at least one hundred and eighty (180) calendar days in advance of intent to cancel this Franchise. Franchisee shall be responsible for paying applicable fees for month-to-month Franchise status per the City Fee Schedule in effect at the time the Agreement goes into month-to-month status.

**Section 5. Acceptance of Franchise**

A. This Franchise will not become effective until Franchisee files with the City Clerk (1) the Statement of Acceptance (Exhibit “A”), (2) all verifications of insurance coverage specified under Section 15, and (3) payment of any outstanding application fees required in the City Fee Schedule. These three items will collectively be the “Franchise Acceptance.” The date that such Franchise Acceptance is filed with the City Clerk will be the effective date of this Franchise.

B. If the Franchisee fails to file the Franchise Acceptance with the City Clerk within thirty (30) calendar days after the effective date of the ordinance approving the Franchise as described in Section 26 of this Franchise, the City’s grant of the Franchise will be null and void.

**Section 6. Construction and Maintenance**

A. The Franchisee shall apply for, obtain, and comply with the terms of all permits required under applicable law for any work done within the City. Franchisee will comply with all applicable City, State, and Federal codes, rules, regulations, and orders in undertaking such work.

B. Franchisee agrees to coordinate its activities with the City and all other utilities located within the public way within which Franchisee is undertaking its activity.

C. The City expressly reserves the right to prescribe how and where Franchisee's Facilities will be installed within the public way and may require the removal, relocation, and/or replacement thereof in the public interest and safety at the expense of the Franchisee.

D. Franchisee's Facilities shall be constructed, installed, maintained, and repaired within the Franchise Area so as to provide safety of persons and property, and not interfere with the free passage of traffic, all in accordance with the laws of the State of Washington, and the ordinances, resolutions, rules, and regulations of the City.

E. If work performed under this Franchise by the Franchisee makes it necessary to turn off or diminish water pressure or potential Fire Flow to any Fire Hydrant, the Franchisee shall notify Valley Regional Fire Authority (VRFA) by telephone and by written notice, that water pressure or Fire Flow conditions have been affected. Except in the case of an emergency, the notice shall be provided at least forty-eight (48) hours prior to the water pressure or potential Fire Flow being suspended or diminished. If more than one Fire Hydrant will be affected, the Franchisee shall provide a map of the affected area to VRFA. Out-of-service Fire Hydrants must be identified as not operational by covering with a properly secured burlap or plastic bag. Fire Hydrants should be returned to full service as soon as reasonably possible or no longer than two (2) calendar days from the date service was suspended or diminished. The Franchisee shall notify VRFA when the Fire Hydrant(s) is/are returned to full service.

F. Before beginning any work within the public way, the Franchisee will comply with the One Number Locator provisions of Chapter 19.122 RCW to identify existing utility infrastructure.

G. Tree Trimming. Upon prior written approval of the City the Franchisee shall have the authority to trim trees upon and overhanging streets, public ways, and places in the Franchise Area so as to prevent the branches of such trees from coming in physical contact with the Franchisee's Facilities. Franchisee shall be responsible for debris removal from such activities. If such debris is not removed within twenty-four (24) hours, the City may, at its sole discretion, remove such debris and charge the Franchisee for the cost thereof. This Section does not, in any instance, grant automatic authority to clear vegetation for purposes of providing a clear path for radio signals. Any such general vegetation clearing will require other permits as necessary from the City.

H. Franchisee shall request in writing to the City, a minimum of fifteen (15) calendar days in advance for permission to discharge Franchisee water supply to and into the City's storm water system while performing water system flushing and other Franchisee activities in the Franchise Area. The City will review the request to ensure the ability of the City storm system to handle the additional

water from the system flushing. The City may deny any request based on the needs of the City but will work with the Franchisee to coordinate a mutually agreed upon time to discharge water to the City storm system. Any approval by the City for the Franchisee to discharge water into the City storm system must be in writing. Any Franchisee water discharged to the City's storm water system must comply with all applicable federal and state water quality standards and the City's NPDES permit relating to the City's storm water system.

## **Section 7. Repair and Restorations**

A. If the City Engineer determines that Franchisee's Facilities or Franchisee's construction, maintenance, repair, relocation, or replacement of facilities within the Franchise Area is the cause of damage, degradation, failure, or substandard condition of a Street, during the term of this Franchise, the City will notify Franchisee in writing and Franchisee will repair or replace the subject Street in accordance with City Engineering Design Standards and subject to applicable permits, within ninety (90) calendar days of the City's notification unless granted additional time by the City Engineer. If the City determines the subject Street condition poses an immediate threat to health, safety, vital traffic operations, property, or critical areas, Section 8 shall apply.

B. For purposes of this Section, "Street" shall mean all City owned improvements within a public way, including, but not limited to, the following: pavement, sidewalks, curbing, above and below-ground utility facilities, traffic control devices, landscape areas, and vegetation in unopened rights-of-way.

## **Section 8. Emergency Repair Work**

A. In the event of an emergency, the Franchisee may commence repair and emergency response work as required under the circumstances. The Franchisee will notify the City telephonically during normal business hours (at 253-931-3010) and during non-business hours (at 253-876-1985) as promptly as possible, before such repair or emergency work commences, and in writing as soon thereafter as possible. Such notification shall include the Franchisee's emergency contact phone number for corresponding response activity.

B. The City may commence emergency response work, at any time, without prior written notice to the Franchisee, but will notify the Franchisee, in writing, as promptly as possible under the circumstances. Franchisee will reimburse the City for the City's actual cost of performing emergency response work.

## **Section 9. Damages to City and Third-Party Property**

Franchisee agrees that if any of its actions, or the actions of any person, agent, or contractor acting on behalf of the Franchisee under this Franchise impairs or damages any City property, survey monument, or property owned by a third-party, Franchisee will restore, at its own cost and expense, the property to a safe condition. Upon returning the property to a safe condition, the property shall then be returned to the condition it was in immediately prior to being damaged (if the safe condition of the property is not the same as that which existed prior to damage). All repair work shall be performed and completed to the satisfaction of the City Engineer.

## **Section 10. Location Preference**

A. Any structure, equipment, appurtenance, or tangible property of a utility or other franchisee, other than the Franchisee's, which was installed, constructed, completed or in place prior in time to Franchisee's application for a permit to construct or repair Franchisee's Facilities under this Franchise shall have preference as to positioning and location with respect to the Franchisee's Facilities. However, to the extent that the Franchisee's Facilities are completed and installed before another utility or other franchisee's submittal of a permit for new or additional structures, equipment, appurtenances, or tangible property, then the Franchisee's Facilities will have priority. These rules governing preference shall continue when relocating or changing the grade of any City road or public way. A relocating utility or franchisee will not cause the relocation of another utility or franchisee that otherwise would not require relocation. This Section will not apply to any City facilities or utilities that may in the future require the relocation of Franchisee's Facilities. Such relocations will be governed by Section 11.

B. When constructing new Franchisee Facilities, or replacing or reconstructing Franchisee Facilities, Franchisee shall maintain minimum underground separation requirements from all City water, sanitary sewer, and storm water facilities in accordance with the City Engineering Design and Construction Standards; provided, that for development of new areas, the City, in consultation with Franchisee and other utility purveyors or authorized users of the Franchise Area, will develop and follow the City's determination of guidelines and procedures for determining specific utility locations, subject additionally to this agreement.

## **Section 11. Relocation of Franchisee Facilities**

A. Whenever the City causes a Public Improvement to be constructed within the Franchise Area, and such Public Improvement requires the relocation of Franchisee Facilities within the Franchise Area (for purposes other than those described in Section 11.B below):

1. The City shall provide Franchisee with written notice requesting such relocation, along with review plans and/or other detailed document(s) for the Public Improvement that are sufficiently complete as determined by the City Engineer to allow for Franchisee's initial evaluation and coordination of the relocation. The City shall provide the Franchisee with the City's anticipated construction schedule and the date, either before or during the construction of the Public Improvement, the City requires the Franchisee to complete the relocation. If the Franchisee desires clarification, alternatives to relocation, or a relocation schedule that varies from that provided by the City, the Franchisee will provide written request to the City within fourteen (14) calendar days of receiving the relocation notice from the City and then Section 11.A.2 shall apply to the relocation, otherwise, the Franchisee agrees to conduct the relocation as required by the City and Section 11.A.2 shall not apply to the relocation.

2. Subject to the notice requirement of Section 11.A.1, the City and Franchisee shall discuss relocation requirements and schedule, and jointly identify and define the project requirements, schedule, and timeframe of relocation that the Parties agree shall govern the relocation. The Parties will document the mutual agreement of these terms in writing. Except as approved otherwise in writing by the City, in no case shall the Franchisee's relocation be completed more than 180 calendar days after initial notification by the City.

3. Franchisee shall relocate such Franchisee Facilities within the Franchise Area, at no charge to the City and in accordance with the relocation schedule required by the City or otherwise mutually agreed upon by the Parties per Section 11.A.2.

B. Whenever (1) any public or private development within the Franchise Area, other than a Public Improvement, requires the relocation of Franchisee Facilities within the Franchise Area to accommodate such development; or (2) the City requires the relocation of Franchisee Facilities within the Franchise Area for the benefit of any person or entity other than the City (including, without limitation, any conditions or requirement imposed by the City on such person or entity pursuant to any contract or in conjunction with approvals or permits for zoning, land use, construction or development), then in such event, Franchisee shall have the right as a condition of such relocation, to require such developer, person or entity to make payment to Franchisee, at a time and upon terms acceptable to Franchisee, for any and all costs and expenses incurred by Franchisee in connection with such relocation of Franchisee Facilities.

C. Subject to the terms of this Section 11 and consistent with Section 14 and to the maximum extent provided by applicable law, Franchisee shall reimburse the City for any costs, expenses, and/or damages incurred as a result

of (1) The Franchisee not providing the City accurate or sufficient location or other information regarding Franchise Facilities during design or construction of the Public Improvement, or (2) Franchisee's delay in meeting the mutually-established schedule for the relocation work required to accommodate a Public Improvement to the extent the delay is directly caused by Franchisee's breach of its obligations under this Section 11 with respect to the relocation of Franchisee Facilities in accordance with the mutually established schedule for the relocation work.

D. Nothing in this Section 11 shall require Franchisee to bear any cost or expense in connection with the location or relocation of any Franchisee Facilities then existing pursuant to easement or such other rights not derived from this Franchise.

E. In the event that a conflict with Franchise Facilities is discovered during construction of a Public Improvement, Section 11.A.2 shall apply except that in no case shall the Franchisee's relocation be completed more than 7 calendar days after the conflict discovery and notification by the City, except as agreed upon otherwise by the City. Additionally, any and all costs associated with the conflict shall be subject to Section 11.C.

## **Section 12. Abandonment and/or Removal of Franchisee Facilities**

A. Within one hundred and eighty (180) calendar days of Franchisee's permanent cessation of use of any portion of the Franchisee Facilities, the Franchisee will, at the City's discretion, either abandon in place or remove the affected Franchisee Facilities.

B. Franchisee may ask the City in writing to abandon, in whole or in part, all or any part of the Franchisee Facilities. Any plan for abandonment of Franchisee Facilities must be approved in writing by the City.

C. The Parties expressly agree that this Section will survive the expiration, revocation, or termination of this Franchise.

## **Section 13. Franchisee Information**

A. Franchisee agrees to supply, at no cost to the City, any information requested by the City that the City determines is necessary to coordinate municipal functions with Franchisee's activities and fulfill any municipal obligations under state law. Said information will include, at a minimum, as-built drawings of Franchisee's Facilities, installation inventory, and maps and plans showing the location of existing or planned Franchisee Facilities within the City. Said information may be requested either in hard copy or electronic format, compatible with the City's database system, including the City's Geographic Information

System (GIS) database. Franchisee will keep the City informed of its long-range plans for coordination with the City's long-range plans.

B. Franchisee and the City will meet upon request from either Party, generally at 1-year intervals for the purpose of sharing known plans each Party may have that could affect the other Party's use and management of the Franchise Area.

C. The Parties understand that Chapter 42.56 RCW and other applicable law may require public disclosure of information given to the City or Franchisee.

**Section 14. Indemnification and Hold Harmless**

A. Franchisee shall defend, indemnify, and hold harmless the City, its officers, officials, employees, and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of Franchisee's acts, errors, or omissions, or from the conduct of Franchisee's business, or from any activity, work, or thing done, permitted, or suffered by Franchisee arising from or in connection with this Franchise, except only such injury or damage as shall have been occasioned by the sole negligence of the City.

However, should a court of competent jurisdiction determine that this Franchise is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Franchisee and the City, its officers, officials, employees, and volunteers, the Franchisee's liability hereunder shall be only to the extent of the Franchisee's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Franchisee's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this Section shall survive the expiration or termination of this Franchise.

B. The Franchisee will hold the City harmless from any liability arising out of or in connection with any damage or loss to the Franchisee's Facilities caused by maintenance and/or construction work performed by, or on behalf of, the City within the Franchise Area or any other City road, public way, or other property, except to the extent any such damage or loss is directly caused by the negligence of the City, or its agent performing such work.

C. The Franchisee acknowledges that neither the City nor any other public agency with responsibility for firefighting, emergency rescue, public safety, or similar duties within the City has the capability to provide trench, close trench,

or confined space rescue. The Franchisee, and its agents, assigns, successors, or contractors, will make such arrangements as Franchisee deems fit for the provision of such services. The Franchisee will hold the City harmless from any liability arising out of or in connection with any damage or loss to the Franchisee for the City's failure or inability to provide such services, and, pursuant to the terms of Section 14.A., the Franchisee will indemnify the City against any and all third-party costs, claims, injuries, damages, losses, suits, or liabilities based on the City's failure or inability to provide such services.

D. The Franchisee shall be solely and completely responsible to perform all work related to this Franchise in compliance with all applicable law. The Franchisee's attention is directed to the requirements of the Washington Industrial Safety and Health Act, Chapter 49.17 RCW. The Franchisee shall be solely and completely responsible for safety and safety conditions on its job sites and for its work within the Franchise Area, including the safety of all persons and property during performance of any works therein. The services of the City or City's consultant personnel in conducting construction review of the Franchisee's work relating to the Franchise is not intended to include review of the adequacy of the Franchisee's work methods, equipment, scaffolding, or trenching, or safety measures in, on or near such job site within the public way. The Franchisee shall provide safe access for the City and its inspectors to adequately inspect the work and its conformance with applicable law and the Franchise.

E. Indemnification for Relocation. Franchisee will defend, indemnify, and hold the City harmless for any damages, claims, additional costs, or reasonable expenses and attorneys' fees, including contractor construction delay damages, assessed against or payable by the City and arising out of or resulting from Franchisee's negligence or willful misconduct contributing to Franchisee's failure to remove, adjust, or relocate any of its Franchisee Facilities in the public way in accordance with any relocation required by the City pursuant to this Franchise, provided that Franchisee will not be liable under this Section if Franchisee's failure to remove, adjust, or relocate any of its facilities is the result of a Force Majeure Event.

## **Section 15. Insurance**

A. The Franchisee shall procure and maintain for the duration of this Franchise and as long as Franchisee has Franchisee Facilities in the Franchise Area, insurance against claims for injuries to persons or damage to property which may arise from or in connection with this Franchise.

B. No Limitation. The Franchisee's maintenance of insurance as required by this Franchise shall not be construed to limit the liability of the Franchisee to the coverage provided by such insurance or otherwise limit the City's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance. The Franchisee shall obtain insurance of the types and coverage described below:

1. Commercial General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal injury and advertising injury, pollution liability, and liability assumed under an insured contract. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Franchisee's Commercial General Liability insurance policy with respect this Franchise.

2. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be at least as broad as ISO form CA 00 01.

3. Contractors Pollution Liability insurance shall be in effect throughout the entire Franchise covering losses caused by pollution conditions that arise from the operations of the Franchisee. Contractors Pollution Liability shall cover bodily injury, property damage, cleanup costs and defense, including costs and expenses incurred in the investigation, defense, or settlement of claims.

4. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

5. Excess or Umbrella Liability insurance shall be excess over and at least as broad in coverage as the Franchisee's Commercial General Liability and Automobile Liability insurance. The City shall be named as an additional insured on the Franchisee's Excess or Umbrella Liability insurance policy.

D. Minimum Amounts of Insurance. The Franchisee shall maintain insurance that meets or exceeds the following limits:

1. Commercial General Liability insurance shall be written with limits no less than \$5,000,000 each occurrence, \$5,000,000 general aggregate.

2. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$5,000,000 per accident.

3. Contractors Pollution Liability insurance shall be written in an amount of at least \$2,000,000 per loss, with an annual aggregate of at least \$2,000,000.

4. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington and employer's liability insurance with limits of not less than \$1,000,000.

5. Excess or Umbrella Liability insurance shall be written with limits of not less than \$5,000,000 per occurrence and annual aggregate. The Excess or Umbrella Liability requirement and limits may be satisfied instead through Franchisee's Commercial General Liability and Automobile Liability insurance, or any combination thereof that achieves the overall required limits.

E. Other Insurance Provisions. Franchisee's Commercial General Liability, Automobile Liability, Excess or Umbrella Liability, Contractors Pollution Liability insurance policy or policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Franchisee's insurance and shall not contribute with it.

F. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

G. Subcontractors. The Franchisee shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Franchisee-provided insurance as set forth herein, including limits no less than what is required of Franchisee under this Franchise. The Franchisee shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement as least as broad as ISO CG 20 26.

H. Verification of Coverage. The Franchisee shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of this Franchise. Upon request by the City, the Franchisee shall furnish certified copies of all required insurance policies, including endorsements, required in this Franchise and evidence of all subcontractors' coverage.

I. Notice of Cancellation. Franchisee shall provide the City with written notice of any policy cancellation within five (5) calendar days of their receipt of such notice.

J. Failure to Maintain Insurance. Failure on the part of the Franchisee to maintain the insurance as required shall constitute a material breach of this Franchise, upon which the City may, after giving five (5) calendar days' written notice to the Franchisee to correct the breach, terminate the Franchise.

K. City Full Availability of Franchisee Limits. If the Franchisee maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Franchisee, irrespective of whether such limits maintained by the Franchisee are greater than those required by this Franchise or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Franchisee.

L. Franchisee – Self-Insurance. Franchisee will have the right to self-insure any or all of the above-required insurance. Any such self-insurance is subject to approval by the City. If the Franchisee is self-insured or becomes self-insured during the term of the Franchise, Franchisee or its affiliated parent entity shall comply with the following: (1) Franchisee shall submit a letter to the City stating which of the above required insurance provisions in this Section 15 Franchisee proposes to self-insure; (2) provide the City, upon request, a copy of Franchisee's or its parent company's most recent audited financial statements, if such financial statements are not otherwise publicly available; (3) Franchisee or its parent company is responsible for all payments within the self-insured retention; and (4) Franchisee assumes all defense and indemnity obligations as outlined in Section 14.

## **Section 16. Financial Security**

Pursuant to the authority in ACC 20.02.280.A, the City's Public Works Director has determined that the Franchisee shall not be required to provide the City with financial security for this Franchise.

## **Section 17. Successors and Assignees**

A. All the provisions, conditions, regulations, and requirements contained in this Franchise are binding upon the successors, assigns of, and independent contractors of the Franchisee, and all rights and privileges, as well as all obligations and liabilities of the Franchisee will inure to its successors, assignees and contractors equally as if they were specifically mentioned herein wherever the Franchisee is mentioned.

B. This Franchise will not be leased, assigned, or otherwise alienated without the express prior consent of the City by ordinance.

C. Franchisee and any proposed assignee or transferee will provide and certify the following to the City not less than ninety (90) calendar days prior to the proposed date of transfer: (1) Complete information setting forth the nature, term and conditions of the proposed assignment or transfer; (2) All information required by the City of an applicant for a Franchise with respect to the proposed assignee or transferee; and, (3) An application fee in the amount established by the City's fee schedule, plus any other costs actually and reasonably incurred by the City in processing and investigating the proposed assignment or transfer.

D. Before the City's consideration of a request by Franchisee to consent to a Franchise assignment or transfer, the proposed Assignee or Transferee will file with the City a written promise to unconditionally accept all terms of the Franchise, effective upon such transfer or assignment of the Franchise. The City is under no obligation to undertake any investigation of the transferor's state of compliance and failure of the City to insist on full compliance before transfer does not waive any right to insist on full compliance thereafter.

## **Section 18. Dispute Resolution**

A. In the event of a dispute between the City and the Franchisee arising by reason of this Franchise, the dispute will first be referred to the operational officers or representatives designated by City and Franchisee to have oversight over the administration of this Franchise. The officers or representatives will meet within thirty (30) calendar days of either Party's request for a meeting, whichever request is first, and the Parties will make a good faith effort to achieve a resolution of the dispute.

B. If the parties fail to achieve a resolution of the dispute in this manner, either Party may then pursue any available judicial remedies. This Franchise will be governed by and construed in accordance with the laws of the State of Washington. If any suit, arbitration, or other proceeding is instituted to enforce any term of this Franchise, the Parties specifically understand and agree that venue will be exclusively in King County, Washington. The prevailing party in any such action will be entitled to its attorneys' fees and costs.

## **Section 19. Enforcement and Remedies**

A. If the Franchisee willfully violates or fails to comply with any of the provisions of this Franchise through willful or unreasonable negligence, or fails to comply with any notice given to Franchisee under the provisions of this Franchise, the City may, at its discretion, provide Franchisee with written notice to cure the breach within thirty (30) calendar days of notification. If the City determines the breach cannot be cured within thirty (30) calendar days, the City may specify a longer cure period, and condition the extension of time on Franchisee's submittal of a plan to cure the breach within the specified period, commencement of work

within the original thirty (30) calendar day cure period, and diligent prosecution of the work to completion. If the breach is not cured within the specified time, or the Franchisee does not comply with the specified conditions, the City may, at its discretion, either (1) revoke the Franchise with no further notification, or (2) impose liquidated damages of Two Hundred Fifty Dollars (\$250.00) per day for every day after the expiration of the cure period that the breach is not cured. The Parties agree that the actual damages to the City from Franchisee failing to cure are not easily calculated and agree that the liquidated damages amount are a reasonable forecast of just compensation.

B. If the City determines that Franchisee is acting beyond the scope of permission granted in this Franchise for Franchisee Facilities and Franchisee Services, the City reserves the right to cancel this Franchise and require the Franchisee to apply for, obtain, and comply with all applicable City permits, franchises, or other City permissions for such actions, and if the Franchisee's actions are not allowed under applicable federal, state, or City laws, to compel Franchisee to cease those actions.

C. If Franchisee fails to substantially comply with any one or more of the provisions of this Franchise, Franchisee agrees to be responsible for any damages the City suffers as a result of Franchisee's failure (including, but not limited to: City staff time, material and equipment costs, compensation or indemnification of third parties, and the cost of removal or abandonment of Franchisee Facilities).

## **Section 20. Compliance with Laws and Regulations**

A. This Franchise is subject to, and the Franchisee will comply with all applicable federal, state, and City laws, regulations, and policies (including all applicable elements of the City's comprehensive plan), in conformance with federal laws and regulations, affecting performance under this Franchise. The Franchisee will be subject to the police power of the City to adopt and enforce general ordinances necessary to protect the safety and welfare of the general public in relation to the rights granted in the Franchise Area.

B. The City reserves the right at any time to amend this Franchise to conform to any federal or state statute or regulation relating to the public health, safety, and welfare, or relating to roadway regulation, or a City Ordinance enacted pursuant to such federal or state statute or regulation enacted, amended, or adopted after the effective date of this Franchise if it provides Franchisee with thirty (30) calendar days written notice of its action setting forth the full text of the amendment and identifying the statute, regulation, or ordinance requiring the amendment. The amendment will become automatically effective on expiration of the notice period unless, before expiration of that period, the Franchisee makes a written call for negotiations over the terms of the amendment. If the Parties do not reach agreement as to the terms of the amendment within thirty (30) calendar days

of the call for negotiations, the City may enact the proposed amendment, by incorporating the Franchisee's concerns to the maximum extent the City deems possible.

C. The City may terminate this Franchise upon thirty (30) calendar days written notice to the Franchisee if the Franchisee fails to comply with such amendment or modification.

## **Section 21. License, Tax and Other Charges**

A. The City reserves the right to impose, to the extent authorized by law, a utility tax on the Franchisee and/or to charge the Franchisee a reasonable fee for services provided or rights granted under this Franchise.

B. The Franchisee agrees that it shall be subject to all authority now or later possessed by the City or any other governing body having competent jurisdiction to fix just, reasonable, and compensatory rates for services under this Franchise.

C. This Franchise will not exempt the Franchisee from any future license, tax, or charge which the City may adopt if authority is granted to it under state or federal law for revenue or as reimbursement for use and occupancy of the Franchise Area.

## **Section 22. Consequential Damages Limitation**

Notwithstanding any other provision of this Franchise, in no event will either Party be liable for any special, incidental, indirect, punitive, reliance, consequential or similar damages.

## **Section 23. Severability**

If any portion of this Franchise is deemed invalid, the remainder portions will remain in effect, unless doing so will deny a party valuable consideration.

## **Section 24. Titles**

The Section titles are for reference only and should not be used for the purpose of interpreting this Franchise.

## **Section 25. Implementation**

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

**Section 26. Effective Date**

This Ordinance will take effect and be in force five (5) calendar 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: \_\_\_\_\_

EXHIBIT "A"

STATEMENT OF ACCEPTANCE

Lake Meridian Water District, for itself, its successors and assigns, hereby accepts and agrees to be bound by all lawful terms, conditions and provisions of the Franchise attached hereto and incorporated herein by this reference.

Franchisee Name: Lake Meridian Water District

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Name: \_\_\_\_\_  
Print

Title: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

)ss.

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me the undersigned, a Notary Public in and for the State of \_\_\_\_\_, duly commissioned and sworn, personally appeared, \_\_\_\_\_ of \_\_\_\_\_, the company that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the date hereinabove set forth.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
NOTARY PUBLIC in and for the State of \_\_\_\_\_, residing at \_\_\_\_\_

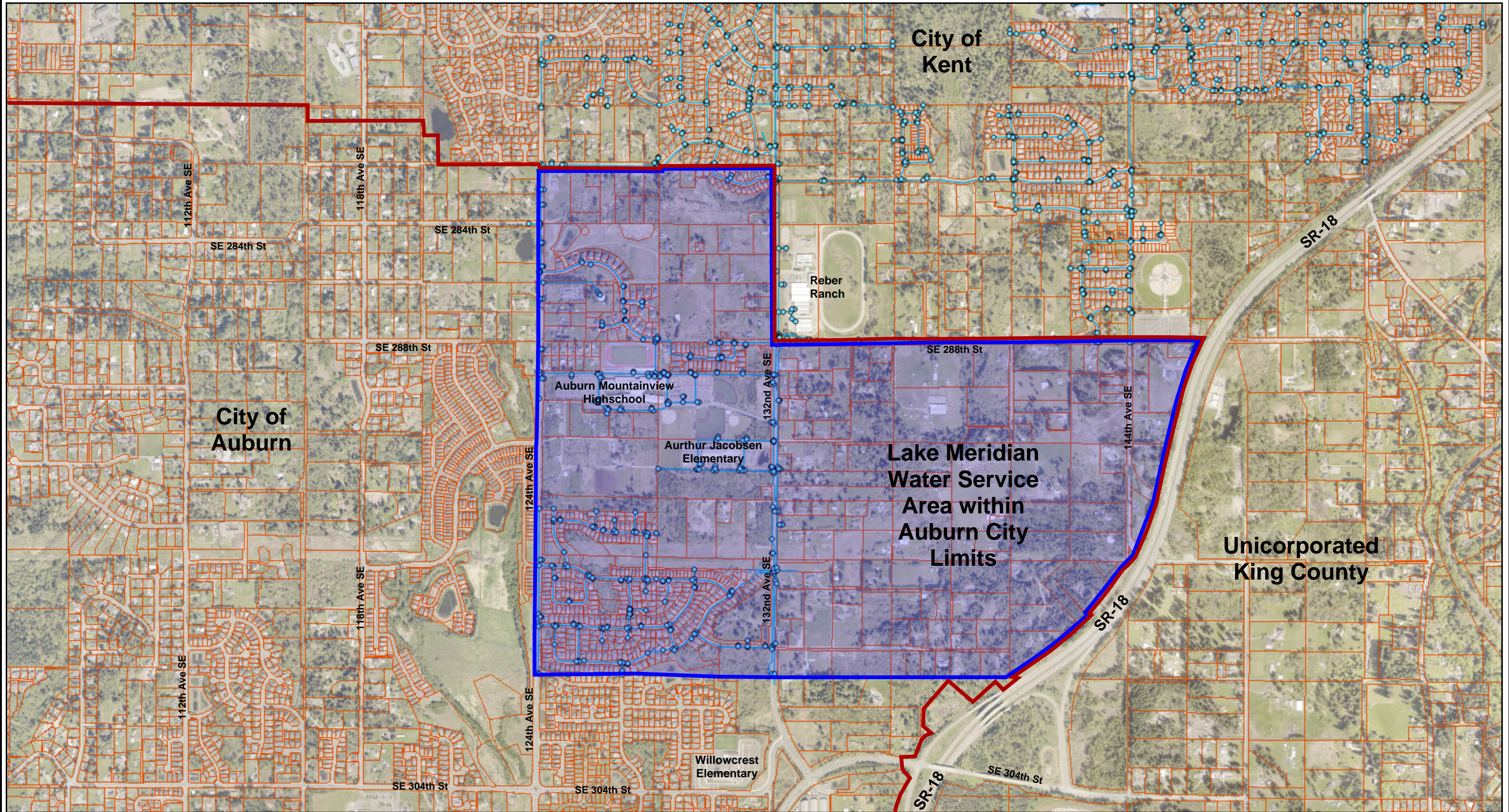
MY COMMISSION EXPIRES: \_\_\_\_\_

# Lake Meridian Water District - Water Service Area

— Auburn City Limits

▭ Lake Meridian Water Service Area  
● Lake Meridian Water District Facilities

Printed On: 4/6/2026  
Map created by City of Auburn eGIS

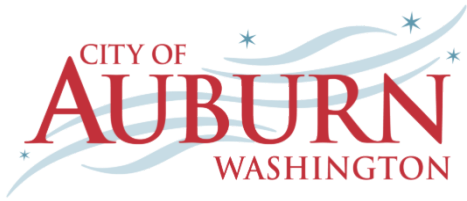


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WGS84 Web Mercator (Auxiliary Sphere)

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Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Setting the date for a Public Hearing for the 2027-2032 Transportation Improvement Program (Gaub)

**Meeting Date:**

June 1, 2026

**Department:**

Public Works

**Attachments:**

None

**Budget Impact:****Administrative Recommendation:**

City Council to set the date of the Public Hearing for the 2027-2032 Transportation Improvement Program as June 15, 2026, at 7:00 p.m.

**Background for Motion:****Background Summary:**

The City Council is asked to set a time and date for a Public Hearing to adopt the Six Year Transportation Improvement Program (TIP). The Public Hearing is proposed to be held on June 15, 2026, during the City Council Meeting.

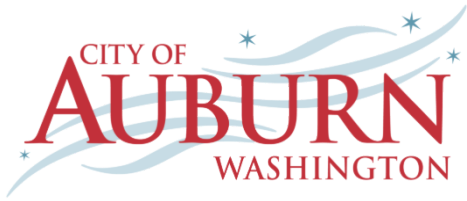
The TIP is a multi-year planning tool and document for the development of transportation facilities within the City and does not represent a financial commitment by the City. Once the TIP is approved, projects are budgeted and funded through the City's biennial budget. The TIP sets priorities for the allocation of secured and unsecured funding and is a prerequisite of most grant programs. Staff also use the TIP to coordinate future transportation projects with needed utility improvements. Resolution No. 5680, adopted in 2022, established that Transportation Benefit District (TBD) funded projects will be identified in the TIP and that the TIP will serve as the City's financial plan for TBD funded projects.

RCW 35.77.010 requires that the TIP is amended by June 30th each year.

A summary of the proposed changes was presented at City Council Study Session on May 26, 2026.

**Councilmember:** Tracy Taylor

**Staff:** Ingrid Gaub



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Claims Vouchers (Thomas)  
Claims voucher list dated May 20, 2026, which includes voucher numbers 483666 through voucher 483719 and voucher numbers 483721 through voucher 483860, in the amount of \$6,126,917.11, twenty-one electronic fund transfers in the amount of \$34,883.45, and three wire transfers in the amount of \$808,413.95

**Meeting Date:**

June 1, 2026

**Department:**

Finance

**Attachments:**

None

**Budget Impact:****Administrative Recommendation:**

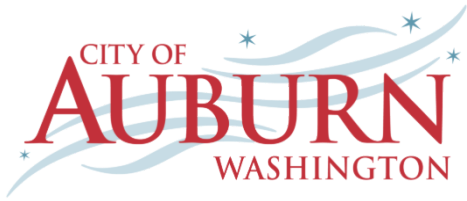
City Council to approve Claim Vouchers.

**Background for Motion:****Background Summary:**

Claims voucher list dated May 20, 2026, which includes voucher numbers 483666 through voucher 483719 and voucher numbers 483721 through voucher 483860, in the amount of \$6,126,917.11, twenty-one electronic fund transfers in the amount of \$34,883.45, and three wire transfers in the amount of \$808,413.95.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



**AGENDA BILL APPROVAL FORM**

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**Agenda Subject:**

Claims Vouchers (Thomas)  
Claims voucher list dated May 20, 2026, which includes voucher number 483720 in the amount of \$7,392.49

**Meeting Date:**

June 1, 2026

**Department:**

Finance

**Attachments:**

None

**Budget Impact:**

**Administrative Recommendation:**

City Council to approve Claim Vouchers.

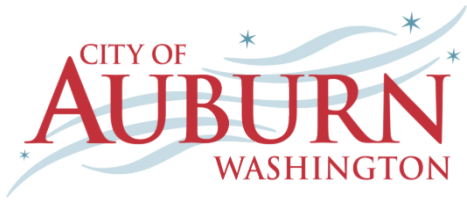
**Background for Motion:**

**Background Summary:**

Claims voucher list dated May 20, 2026, which includes voucher number 483720 in the amount of \$7,392.49.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



**AGENDA BILL APPROVAL FORM**

**Agenda Subject:**

Payroll Vouchers (Thomas)  
Payroll check numbers 539829 through 539834 in the amount of \$830,553.57, electronic deposit transmissions in the amount of \$2,962,080.51, for a grand total of \$3,792,634.08 for the period covering May 14, 2026, to May 27, 2026

**Meeting Date:**

June 1, 2026

**(RECOMMENDED ACTION: Move to approve the Consent Agenda.)**

**Department:**

Finance

**Attachments:**

None

**Budget Impact:**

**Administrative Recommendation:**

City Council to approve Payroll Vouchers.

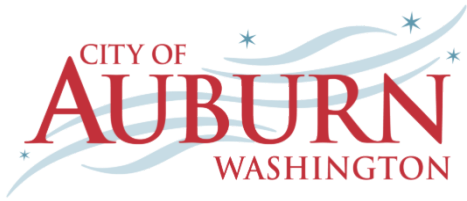
**Background for Motion:**

**Background Summary:**

Payroll check numbers 539829 through 539834 in the amount of \$830,553.57, electronic deposit transmissions in the amount of \$2,962,080.51, for a grand total of \$3,792,634.08 for the period covering May 14, 2026, to May 27, 2026.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 7015 (Krum)

An Ordinance relating to Downtown Urban Center Design Standards and Zoning Regulations amending Sections 18.02.070, 18.29.010, 18.29.020, 18.29.040, 18.29.050, 18.29.053, 18.29.055, 18.29.060, and 18.29.070, amending Section 18.29.057 and recodifying as 18.29.045, and creating new Sections 18.29.054 and 18.29.080 of the Auburn City Code

**Meeting Date:**

June 1, 2026

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7015.)**

**Department:**

Community Development

**Attachments:**

Ordinance No. 7015, Ordinance No. 7015 - Exhibit A, Downtown Urban Center Design Standards

**Budget Impact:****Administrative Recommendation:**

City Council to approve Ordinance No. 7015.

**Background for Motion:**

Ordinance No. 7015 will implement the vision of the 2024 Auburn Downtown Subarea Plan and provide clear, objective, and measurable standards, ensuring Auburn's consistency with House Bill 1293.

**Background Summary:**

The proposed amendments to Chapter 18.29 of the Auburn City Code (ACC) and the proposed updates to the Downtown Urban Center Design Standards are intended to implement the 2024 Auburn Downtown Subarea Plan adopted by the City Council in December 2025. The Downtown Subarea Plan establishes the long-term vision, land use framework, and development strategy for Auburn's Downtown Urban Center and includes goals related to walkability, economic vitality, placemaking, housing opportunities, and pedestrian-oriented development.

The Downtown Urban Center Design Standards update replaces discretionary, guideline-based provisions with clear, objective, and measurable standards consistent with House Bill 1293. The updated standards establish a block-frontage-based framework that organizes standards based on street frontage type and prioritizes pedestrian-oriented development patterns. The Downtown Urban Center Design Standards are adopted by reference to City Code per ACC 18.31.200(D). A copy of the updated design standards is attached to this Agenda Bill.

The proposed amendments to Chapter 18.29 ACC refine implementing districts, reorganize use

regulations by district, update development standards, revise parking requirements, and add Planned Action standards consistent with the Downtown Subarea Plan and applicable state law. The proposal also includes minor amendments to ACC 18.02.070 to maintain consistency between the City's zoning district classifications and the revised Downtown Urban Center implementing districts.

The proposed amendments to Chapter 18.29 ACC and ACC 18.02.020 were transmitted to the Washington State Department of Commerce for agency review on December 31, 2025. The Planning Commission reviewed the proposed Downtown Urban Center Design Standards and zoning code amendments at public meetings on February 3, 2026, and March 3, 2026. The City also conducted a public open house regarding the Downtown Urban Center Design Standards update on February 11, 2026. City staff also attended a Business Improvement Area Board (BIA) meeting on April 9, 2026, to discuss the updates and obtain feedback.

Environmental review for the proposed amendments was conducted in accordance with the State Environmental Policy Act (SEPA), and a Notice of Adoption of an Existing Final Environmental Impact Statement (FEIS) was issued on March 12, 2026, under City File No. SEP26-0004. The Planning Commission held a Public Hearing on May 5, 2026, and provided a recommendation to City Council. The proposed amendments are now presented to City Council for review and consideration.

Staff presented the proposed changes to City Council at Study Session on May 26, 2026.

**Councilmember:** Tracy Taylor

**Staff:** Jason Krum

**ORDINANCE NO. 7015**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO DOWNTOWN URBAN CENTER DESIGN STANDARDS AND ZONING REGULATIONS AMENDING SECTIONS 18.02.070, 18.29.010, 18.29.020, 18.29.040, 18.29.050, 18.29.053, 18.29.055, 18.29.060, AND 18.29.070, AMENDING SECTION 18.29.057 AND RECODIFYING AS 18.29.045, AND CREATING NEW SECTIONS 18.29.054 AND 18.29.080 OF THE AUBURN CITY CODE

WHEREAS, the City of Auburn adopted the Downtown Subarea Plan in December 2025 through Ordinance No. 7006, establishing the long-term vision and policy framework for the Downtown Urban Center; and

WHEREAS, the Downtown Urban Center zoning regulations codified in Chapter 18.29 Auburn City Code, and the Downtown Urban Center Design Standards function as primary implementation tools for achieving the vision and policy direction established in the 2024 Auburn Downtown Subarea Plan; and

WHEREAS, the existing Downtown Urban Center Design Standards were originally adopted in 2007 and most recently amended in 2021 and rely in part on discretionary, guideline-based provisions; and

WHEREAS, House Bill 1293 requires cities planning under the Growth Management Act to adopt clear and objective design standards and limit the use of subjective design review regulations; and

WHEREAS, the proposed Downtown Urban Center Design Standards update replaces discretionary, guideline-based provisions with clear, measurable, and objective

standards intended to improve predictability, consistency, and transparency in the development review process; and

WHEREAS, the proposed Downtown Urban Center Design Standards establish a block-frontage-based framework that organizes standards based on street context and frontage type and prioritizes pedestrian-oriented development patterns; and

WHEREAS, the proposed amendments to Chapter 18.29 ACC refine and reorganize implementing districts, development standards, use regulations, parking requirements, and administrative procedures to align with the Downtown Subarea Plan and state law; and

WHEREAS, the proposed amendments also include minor revisions to ACC 18.02.070 to update and maintain consistency between the City's zoning district classifications and the revised Downtown Urban Center implementing districts; and

WHEREAS, the proposed amendments include Planned Action Standards intended to implement the Downtown Subarea Planned Action Environmental Impact Statement (EIS) and streamline environmental review for qualifying projects within the Downtown Urban Center; and

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 text amendments to the text; and

WHEREAS, the proposed amendments to Chapter 18.29 ACC and ACC 18.02.070 were transmitted to the Washington State Department of Commerce for review pursuant

to RCW 36.70A.106 on December 31, 2025, and the required review period has concluded; and

WHEREAS, environmental review for the proposed amendments was conducted in accordance with the State Environmental Policy Act (SEPA), and a Notice of Adoption of an Existing Final Environmental Impact Statement was issued on March 12, 2026, under City File No. SEP26-0004; and

WHEREAS, the Planning Commission reviewed the proposed Downtown Urban Center Design Standards and Chapter 18.29 ACC and ACC 18.02.070 amendments at public meetings on February 3, 2026 and March 3, 2026; and

WHEREAS, the City conducted a public open house regarding the proposed amendments on February 11, 2026; and

WHEREAS, City staff attended a Business Improvement Area Board (BIA) meeting on April 9, 2026 to discuss the updates and obtain feedback; and

WHEREAS, the Planning Commission held a public hearing on May 5, 2026, and provided a recommendation of approval to the City Council on the amendments to the Downtown Design Standards, and Chapter 18.29 ACC and ACC 18.02.070.

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

**Section 1. Amendment to City Code.** Sections 18.02.070, 18.29.010, 18.29.020, 18.29.040, 18.29.050, 18.29.053, 18.29.055, 18.29.060, and 18.29.070 of the Auburn City Code are amended, Section 18.29.057 is amended and recodified as 18.29.045, and Sections 18.29.054 and 18.29.080 are created, to read as shown 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. Corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any references thereto.

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

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Jason Whalen, City Attorney

Published: \_\_\_\_\_

## Chapter 18.29

### DUC DOWNTOWN URBAN CENTER DISTRICT

Sections:

<b>18.29.010</b>	<b>Intent.</b>
<b>18.29.020</b>	<b>Scope.</b>
<b>18.29.030</b>	<b>Process.</b>
<b>18.29.040</b>	<b>Definitions.</b>
<b>18.29.050</b>	<b>Use limitations.</b>
<b>18.29.053</b>	<b>Uses/activities requiring an administrative use permit.</b>
<b><u>18.29.054</u></b>	<b><u>Uses/activities requiring a conditional use permit.</u></b>
<b>18.29.055</b>	<b>Deviation from development standards.</b>
<b>18.29.04557</b>	<b>Implementing districts.</b>
<b>18.29.060</b>	<b>Development standards.</b>
<b>18.29.070</b>	<b>Design standards.</b>
<b><u>18.29.080</u></b>	<b><u>Planned action standards.</u></b>

#### **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. The ~~downtown urban center 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. ~~A~~The downtown urban center ~~district-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 ~~a~~the downtown urban center ~~districtzone~~ 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 and middle housing developments. 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-unit detached residences with no change in use or addition of dwelling units involved. (Ord. 6959 § 1 (Exh. A), 2024; 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 ~~d~~Department of ~~Community planning and~~ ~~d~~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.

A. The following uses are prohibited in all DUC zoning districts:

- ~~—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 through 49 (transportation), 31 through 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.~~
1. Battery Energy Storage Systems, Tier III.
  2. New motor freight terminals.~~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. 6959 § 1 (Exh. A), 2024; Ord. 6642 § 10, 2017; Ord. 6071 § 6 (Exh. A), 2007.)~~

3. Other uses may be prohibited by the director if the use is determined to be inconsistent with the intent of the downtown urban center or is of the same general character of the other prohibited uses listed in this section.
4. Solid waste transfer stations.
5. 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.
6. Work release facilities; secure community transition facilities.

B. The following uses are prohibited in the DUC Core 75, Core 125, and H-W Districts:

1. All industrial uses as defined in the North American Industrial Classification System (2022 Edition), categories 48 through 49 (transportation), 31 through 33 (manufacturing) and 42 (wholesale trade), except wine production facility, small craft distillery, small craft brewery with a tasting room and/or tourism.
2. All marijuana-related businesses and marijuana cooperatives.
3. Car washes.
4. Drive-in/drive-through facilities with direct vehicular driveway access onto Main Street.
5. New automobile maintenance and repair businesses.
6. New fueling stations.
7. New single-unit detached dwellings.
8. Outdoor sales of vehicles, boats or equipment.
9. Outdoor storage of materials and equipment (except during active construction projects).
10. Sexually oriented businesses as defined in Chapter 18.74 ACC.
11. Street-level ministorage.
12. Wrecking (tow) yards.

C. The following uses are prohibited in the DUC N-R District:

1. Agricultural enterprises.
2. All industrial uses as defined in the North American Industrial Classification System (2022 Edition), categories 48 through 49 (transportation), 31 through 33 (manufacturing) and 42 (wholesale trade).
3. All marijuana-related businesses and marijuana cooperatives.
4. Apartments (more than 20 units).
5. Café, or coffee shop over 4,000 sf in floor area.
6. Car washes.
7. Civic, social and fraternal clubs.
8. Co-living (more than 80 sleeping units).
9. Commercial over 4,000 sf in floor area.
10. Convenience store over 4,000 sf in floor area.
11. Drive-in/drive-through facilities with direct vehicular driveway access onto Main Street.
12. Group residence facilities (7 or more residents).
13. Hospitals (except animal hospitals).
14. Library, museum.
15. New automobile maintenance and repair businesses.
16. New fueling stations.
17. Outdoor sales of vehicles, boats or equipment.
18. Outdoor storage of materials and equipment (except during active construction projects).
19. Nursing homes.
20. Sexually oriented businesses as defined in Chapter 18.74 ACC.
21. Street-level ministorage.

22. 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.

23. Wrecking (tow) yards.

D. The following uses are prohibited in the DUC M-1 District:

1. Apartments, standalone.

2. Live/work unit, standalone.

3. Manufacturing, assembling and packaging – Heavy intensity.

4. Marijuana cooperative.

5. New single unit detached dwellings.

6. Nursing home, assisted living facility.

7. Pharmacies.

8. Senior housing, except developments vested prior to Resolution No. 5187.

9. Work/live unit, standalone.

10. Youth community support facility.

E. The following uses are prohibited in the DUC C-1 District:

1. All industrial uses as defined in the North American Industrial Classification System (2022 Edition), categories 48 through 49 (transportation), 31 through 33 (manufacturing) and 42 (wholesale trade).

2. All marijuana-related businesses and marijuana cooperatives.

3. Ambulance, taxi, and specialized transportation facility.

4. Apartment units, as part of a mixed-use development.

5. Apartments, standalone.

6. Battery Energy Storage System, Tier II.

7. Building and landscape materials sales.

8. Car washes.
9. Commercial recreation facility, outdoor.
10. Construction and heavy equipment sales and rental.
11. Drive-in/drive-through facilities with direct vehicular driveway access onto Main Street.
12. Equipment rental and leasing.
13. Heliport.
14. Kennel, animal boarding.
15. Mobile home, boat, or RV sales
16. Nursery.
17. Outdoor sales of vehicles, boats or equipment.
18. Outdoor storage of materials and equipment (except during active construction projects).
19. Regional retail establishment.
20. Senior housing, except developments vested prior to Resolution No. 5187.
21. Sexually oriented businesses as defined in Chapter 18.74 ACC.
22. Sports and entertainment assembly facility.
23. Street-level ministorage.
24. Vehicle services – Repair/body work
25. Wrecking (tow) yards.

F. The following uses are prohibited in the DUC C-2 District:

1. All marijuana-related businesses and marijuana cooperatives.
2. Apartments, standalone.
3. Battery Energy Storage System, Tier II.
4. Building contractor, heavy

5. Construction and heavy equipment sales and rental
6. Live/work unit, standalone.
7. Manufacturing, assembling and packaging – Heavy intensity.
8. New single unit detached dwellings.
9. Nursing home, assisted living facility.
10. Pharmacies.
11. Senior housing, except developments vested prior to Resolution No. 5187.
12. Warehousing and distribution.
13. Work/live unit, standalone.
14. Wrecking (tow) yards.
15. Youth community support facility.

G. The following uses are prohibited in the DUC F-R District:

1. All marijuana-related businesses and marijuana cooperatives.
2. Apartments, standalone.
3. Battery Energy Storage System, Tier II.
4. Co-living units, more than 80 sleeping units.
5. Live/work unit, standalone.
6. Manufacturing, assembling and packaging – Heavy intensity.
7. Mixed-use, more than 20 units.
8. Nursing home, assisted living facility.
9. Pharmacies.
10. Senior housing, except developments vested prior to Resolution No. 5187.
11. Work/live unit, standalone.
12. Wrecking (tow) yards.
13. Youth community support facility.

### 18.29.053 Uses/activities requiring an administrative use permit.

A. The following uses/activities may be permitted in the DUC Core 75, Core 125, and H-W Districts when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Animal daycare businesses that feature outdoor exercise areas and/or kennels.

2. A.—Expansions of existing automobile maintenance and repair businesses.;

3. B.—Expansions of existing gasoline (fueling) stations.;

1. C.— Animal daycare businesses that feature outdoor exercise areas and/or kennels;

1. 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.)

B. The following uses/activities may be permitted in the DUC N-R District when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Government facilities.

2. Grocery or specialty food store.

3. Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association.

4. Personal service shop, over 4,000 sf in floor area.

5. Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area.

6. Religious institutions, less than one acre lot size. Reference ACC 18.31.165 for standards related to homeless encampments hosted by a religious organization.

7. Restaurant.

C. The following uses/activities may be permitted in the DUC M-1 District when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. 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.
  2. Conference/convention facility.
  3. Construction and heavy equipment sales and rental.
  4. Entertainment, commercial.
  5. Government facilities; this excludes offices and related uses that are permitted outright.
  6. Indoor emergency housing or shelter. Reference ACC 18.31.160 for specific standards.
  7. Kennel, animal boarding.
  8. Library, museum.
  9. Lodging – Hotel or motel.
  10. Religious institutions, lot size less than one acre.
  11. Religious institutions, lot size more than one acre.
  12. Sports and entertainment assembly facility.
  13. Supportive housing (permanent). Reference ACC 18.31.160 for specific standards.
  14. Transitional housing. Reference ACC 18.31.160 for specific standards.
  15. Utility transmission or distribution line or substation.
  16. Wrecking (tow) yard.
- D. The following uses/activities may be permitted in the DUC C-1 District when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:
1. Animal daycare (excluding kennels and animal boarding).

2. 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.
3. Auto parts sales with installation services.
4. Auto/vehicle sales and rental.
5. Automobile washes (automatic, full or self-service).
6. Drive-through espresso stands.
7. Drive-through facility, including banks and restaurants.
8. Entertainment, commercial.
9. Fueling station.
10. Government facilities; this excludes offices and related uses that are permitted outright.
11. Library, museum.
12. Printing and publishing (of books, newspaper and other printed matter).
13. Private school – Specialized education/training (for profit).
14. Repair service – Equipment, appliances.
15. Utility transmission or distribution line or substation.

E. The following uses/activities may be permitted in the DUC C-2 District when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Ambulance, taxi, and specialized transportation facility.
2. 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.
3. Commercial recreation facility, outdoor.

4. Conference/convention facility.
5. Government facilities; this excludes offices and related uses that are permitted outright.
6. Kennel, animal boarding.
7. Library, museum.
8. Manufacturing, assembling and packaging – Medium intensity.
9. Senior housing, except developments vested prior to Resolution No. 5187.
10. Sports and entertainment assembly facility.
11. Utility transmission or distribution line or substation.

F. The following uses/activities may be permitted in the DUC F-R District when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Civic, social and fraternal clubs.
2. Commercial retail establishment, over 4,000 sf in floor area.
3. Government facilities.
4. Grocery or specialty food store, over 4,000 sf in floor area.
5. Religious institutions, less than one acre lot size. Reference ACC 18.31.165 for standards related to homeless encampments hosted by a religious organization.
- 4.6. Restaurant, café, or coffee shop, over 4,000 sf in floor area.

#### **18.29.054 Uses/activities requiring a conditional use permit.**

A. The following uses/activities may be permitted in the DUC Core 75, Core 125, and H-W Districts when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Battery Energy Storage System, Tier II.

B. The following uses/activities may be permitted in the DUC N-R District when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Religious institutions, one acre or larger lot size. Reference ACC 18.31.165 for standards related to homeless encampments hosted by a religious organization.

2. Transmitting towers.

3. Utility facilities and substations. Excludes all public and private utility facilities addressed under ACC 18.02.040(E).

C. The following uses/activities may be permitted in the DUC M-1 when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Heliport.

2. All marijuana-related businesses.

3. Battery Energy Storage System, Tier II.

D. The following uses/activities may be permitted in the DUC C-2 District when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Heliport.

2. Marijuana retailer.

E. The following uses/activities may be permitted in the DUC F-R District when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Hospitals (except animal hospitals).

2. Nursing homes.

3. Religious institutions, one acre or larger lot size. Reference ACC 18.31.165 for standards related to homeless encampments hosted by a religious organization.

4. Transmitting towers.

5. Utility facilities and substations. Excludes all public and private utility facilities addressed under ACC 18.02.040(E).

## 18.29.055 Deviation from development standards.

Any development project that seeks to deviate from any development standard listed in ACC [18.29.060](#) must be granted an administrative variance or variance, depending on the threshold of relief, pursuant to the provisions of Chapter [18.70](#) ACC. (Ord. 6959 § 1 (Exh. A), 2024; Ord. 6269 § 12, 2009; Ord. 6071 § 6 (Exh. A), 2007.)

## 18.29.04557 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~~ downtown is divided into the following districts:

A. ~~DUC Downtown Core 125 District. DUC-The Core 125 district is implemented only in the downtown urban center and is intended for higher density residential and mixed-uses and commercial activity. Storefronts in this district that are located on a Pedestrian I street are required to contain retail, residential, or personal services uses.~~ ~~The DUC Core 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 ~~Core -75 district 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 the requirements described in the DUC downtown core -125 except a maximum 55-vertical-foot height limit shall apply.~~

D. ~~DUC *N-R Neighborhood Residential District*. The N-R district overlaps with residential areas of downtown and is intended to support moderate density residential housing types such as fourplexes, sixplexes, townhomes, and small apartment buildings. The N-R district allows for middle housing options, which are designed to support gradual infill development. The district does allow for limited non-residential uses. This district is subject to uses and development standards of this chapter and the downtown urban design guidelines. R-2 uses per ACC Table 18.07.020 allowed subject to the development standards of this chapter and the downtown urban design guidelines. Development in the N-R district shall not exceed 45 feet in vertical height.~~

~~CE. *DUC *H-W Health and Wellness District**. This district zone ~~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. Storefronts in this district that are located on a Pedestrian I street are required to contain retail, residential, or personal services uses. This district is subject to the uses and development standards of this chapter and the downtown urban design guidelines. Developments in the DUC H-W district shall not exceed 125 feet in vertical height.~~

~~EF. *DUC *M-1 Light Industrial District**. The DUC M-1 district is intended to accommodate a variety of light to medium intensity industrial and manufacturing uses. The primary goal of the district is to preserve land for industrial use; however, some commercial uses are also allowable. While allowed, outdoor storage will be regulated in a manner that mitigates visual impacts, taking surrounding uses and vehicular corridors into consideration. This district is subject to uses and development standards of this chapter and the downtown urban design guidelines. 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. Developments in the DUC M-1 45 feet in vertical height.~~

F. *DUC C-1 Light Commercial District.* The DUC C-1 district is intended for lower intensity commercial uses that are adjacent and compatible with residential neighborhoods. This district represents the primary commercial designation for small- to moderate-scale commercial activities that are developed in a manner which is consistent with and attracts pedestrian-oriented activities. This district encourages a broad mix of small-scale uses that are conducive to attracting shoppers and pedestrians. This district is subject to uses and development standards of this chapter and the downtown urban design guidelines. Developments in the DUC C-1 district shall not exceed 45 feet in vertical height.

G. *DUC C-2 Heavy Commercial District.* The DUC C-2 district is intended to allow for medium-to-high intensity commercial uses, primarily uses that are oriented to automobiles. The uses 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. This district is subject to uses and development standards of this chapter and the downtown urban design guidelines. Developments in the DUC C-2 district shall not exceed 75 feet in vertical height.

~~HG. *DUC F-R Residential-Flex Residential District.* The DUC F-R is-districtzone is intended to promote craft industrial/commercial and commercial uses that are compatible with residential areas (i.e., workshop, brewery, etc.). This district is subject to uses and development standards of this chapter and the downtown urban design guidelines. 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. Developments in the DUC F-R district shall not exceed 45 feet in vertical height.~~ (Ord. 6959 § 1 (Exh. A), 2024.)

## **18.29.060 Development standards.**

A. The following zoning development standards apply to the DUC Core 75, Core 125, and H-W Districts:

1. ~~A.~~—Minimum lot area: none.
2. ~~B.~~—Minimum lot width: none.
3. ~~C.~~—Minimum lot depth: none.
4. ~~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)<sup>1</sup>

Basic Allowable "As of Right"		Maximum Allowable <del>W</del> with Bonuses		
Nonresidential <sup>2</sup>	Residential <sup>2</sup>	Nonresidential	Residential <sup>3</sup>	Combined <sup>4</sup>
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:

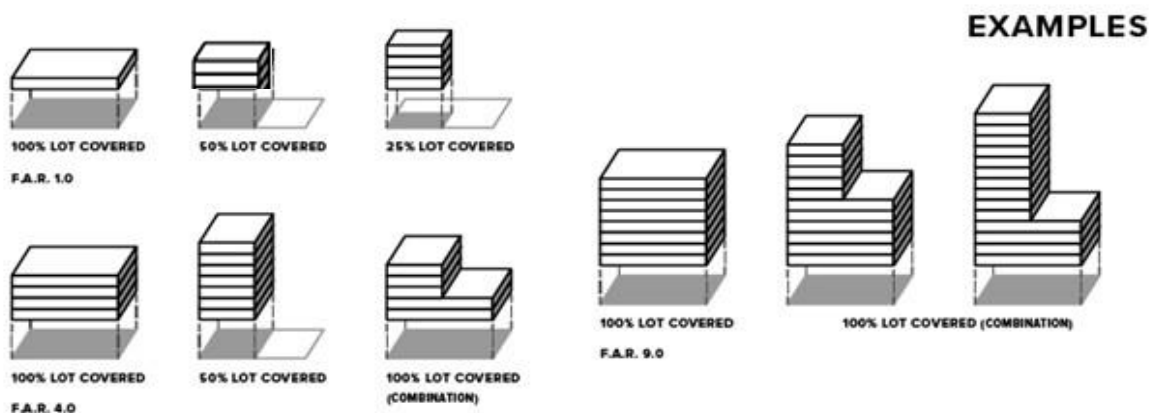
- a** All space below finished grade.
- b** Space dedicated to structured parking.
- c** Space used for any bonus feature listed in subsection **E** of this section.

**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.

**5 FAR for the DUC H-W district based on mixed use development.**



~~4.5. E.~~ **Bonus Features Allowing Increased Floor Area Ratio.** An applicant may be required to provide a legally binding agreement or easement to ensure any of the below features is maintained over the life of the project.

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	<del>10</del> 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	<del>2</del> 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
<del>Water feature</del>	<del>10 sf of floor area for each \$100 of valuation</del>
Structured parking	<del>10.5</del> 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	<del>10.5</del> 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.	5-10 sf of floor area for each sf of open space

~~F. *Maximum Building Height.* Maximum building height within the DUC zone shall be based on each zoning district 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.~~

6. *G. Minimum Building Height.* The minimum height for any new structure shall be two stories for the full extent of the building footprint.

7. *Signs.* The design of all signs shall be in conformance with the design standards referenced in ACC 18.29.070. Any permanent or permanently affixed sign that projects into the public right-of-way is subject to a right-of-way use permit. Allowable types, numbers and sizes of signs shall be as follows:

- a. 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.
- b. 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.
- c. 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.
- d. Portable Signs: may be allowed for each business entrance, subject to the following:
  - i. 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.
  - ii. The sign shall be in accordance with the provisions of ACC 18.56.030(L).
  - iii. The sign area cannot exceed 42 inches in height, 32 inches in width, and be limited to two faces.
  - iv. 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.
  - v. Signs may be displayed during business hours and shall not be displayed when the business is closed.
  - vi. 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.
  - vii. All portable signs shall have the permit number affixed to the back of the sign.
- e. Temporary signs: allowed subject to the provisions provided in ACC 18.56.030(B).

B. The following zoning development standards apply to the DUC N-R District:

1. Minimum lot area: new lots shall be a minimum of 2,000 square feet.
2. Minimum density: 7 units or lots per acre.
3. Minimum lot width: 20 feet, 35 for corner lots.
4. Minimum lot depth: none.
5. Maximum impervious surface: 75%.
6. Setbacks:
  - a. Front: 10 feet.
  - b. Front, garage: 20 feet.
  - c. Side, street: 10 feet.
  - d. Side, interior: 5 feet.
  - e. Rear: 5 feet.
  - f. Rear, garage: 20 feet.
7. Units per lot: subject to the standards contained in ACC 18.07.030(D)(1), (2), and (3).
8. Signs: subject to the signs standards contained in ACC 18.56.040(A).

C. The following zoning development standards apply to the DUC M-1 District:

1. Minimum lot area: none.
2. Minimum lot width: none.
3. Minimum lot depth: none.
4. Maximum impervious surface: none.
5. Setbacks:
  - a. Front: none.
  - b. Side, street: none, subject to the Engineering Design Standards.
  - c. Side, interior: none, 25 feet when adjacent to a residential zone.
  - d. Rear: none, 25 feet when adjacent to a residential zone.
6. Apartment buildings and mixed-use developments: subject to the zoning development standards of ACC 18.29.060(A).
7. Signs: subject to the signs standards contained in ACC 18.56.040(D).

D. The following zoning development standards apply to the DUC C-1 District:

1. Minimum lot area: none.
2. Minimum lot width: none.
3. Minimum lot depth: none.
4. Maximum impervious surface: none.
5. Setbacks:
  - a. Front: none.
  - b. Side, street: none, subject to the Engineering Design Standards.
  - c. Side, interior: none, 25 feet when adjacent to a residential zone.
  - d. Rear: none, 25 feet when adjacent to a residential zone.
6. Apartments buildings and mixed-use developments: subject to the zoning development standards of ACC 18.29.060(A).
7. Signs: subject to the signs standards contained in ACC 18.56.040(B).

D. The following zoning development standards apply to the DUC C-2 District:

1. Minimum lot area: none.
2. Minimum lot width: none.
3. Minimum lot depth: none.
4. Maximum impervious surface: none.
5. Setbacks:
  - a. Front: none.
  - b. Side, street: none, subject to the Engineering Design Standards.
  - c. Side, interior: none, 25 feet when adjacent to a residential zone.
  - d. Rear: none, 25 feet when adjacent to a residential zone.
6. Apartments buildings and mixed-use developments: subject to the zoning development standards of ACC 18.29.060(A).
7. Signs: subject to the signs standards contained in ACC 18.56.040(E).

E. The following zoning development standards apply to the DUC F-R District:

1. Minimum lot area: new lots shall be a minimum of 3,000 square feet.
2. Minimum density: 7 units or lots per acre.
3. Minimum lot width: 20 feet, 35 for corner lots.
4. Minimum lot depth: none.
5. Maximum impervious surface: 75%.
6. Setbacks:
  - a. Front: none.
  - b. Side, street: none, subject to the Engineering Design Standards.
  - c. Side, interior: none.
  - d. Rear: none, 25 feet when adjacent to a residential zone.
7. Units per lot: see R-F zone under ACC 18.07.030.
8. Mixed-use developments: subject to the zoning development standards of ACC 18.29.060(A).
- 1-9. Signs: subject to the signs standards contained in ACC 18.56.040(B).

F. The following zoning development standards apply to all DUC districts:

1. Maximum Building Height. Maximum building height within the DUC shall be based on each zoning district, subject to the airport overlay and Part 77 Surfaces, unless bonus height is permitted per subsection E of this section.
  - a. 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.
  - a.b. 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.
  
2. H.Parking Ratios. The following parking standards shall apply within ~~the a~~ DUC district~~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
<del>Retail</del>	<del>2 stalls/1,000 nsf</del>	<del>4 stalls/1,000 nsf<sup>1</sup></del>
<del>Office</del>	<del>2 stalls/1,000 nsf</del>	<del>4 stalls/1,000 nsf</del>
Residential (mixed-use, apartment, live/work, work/live)	<del>0.5</del> stall per dwelling unit	2 <u>stalls</u> 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
<del>Residential (single unit detached) over 1,200 nsf</del>	<del>1 stall per residence</del>	<del>N/A</del>
<del>Residential (single unit detached), 1,200 nsf and under</del>	<del>0</del>	<del>N/A</del>
<del>Affordable housing units</del>	<del>0</del>	<del>N/A</del>
<del>Senior housing</del>	<del>0</del>	<del>1 stall per unit</del>
<del>Child care centers (including home based daycares)</del>	<del>0</del>	<del>N/A</del>

Use Type	Minimum Required	Maximum Allowed for Surface Parking Lots
<u>Commercial (nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services) over 3,000 nsf</u>	<u>2 stall per 1,000 nsf</u>	<u>4 stalls per 1,000 nsf<sup>a</sup></u>
<u>Commercial (nonresidential business purposes, including retail, office, wholesale, general merchandise, and food services) 3,000 nsf and under</u>	<u>0</u>	<u>N/A</u>
<u>Ground floor nonresidential in mixed use buildings</u>	<u>0</u>	<u>N/A</u>
<u>Restaurant</u>	<u>0.5 stall per 4 seats</u>	<u>1 stall per 4 seats</u>
<u>Industrial</u>	<u>0.5 stall per 1,000 nsf</u>	<u>N/A</u>

1 nsf = net square feet

- a. 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.~~
- b. 3.—Uses sharing a common parking facility may reduce the required number of stalls by 25 percent.
- c. 4.—Required parking may be located off site, so long as it is: (a) located within ~~the a~~ DUC ~~zoned~~district, (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.~~

d. 6. ~~If subject to the standards provide in ACC 18.29.060(A),~~ 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.

e. 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.~~

f. 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.~~

~~1. 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.~~
3. J.—Landscaping. Landscaping shall be provided as defined in the downtown ~~Auburn~~ design standards, ~~except for development subject to the middle housing and single unit detached design standards.~~
4. Fences: Fencing shall be subject to the standards in ACC 18.31.020(A) through (F); ~~except for the DUC M-1 district in which the standards of ACC 18.31.020 (G) and (H) also apply. Where there is a conflict between ACC 18.31.020 and the downtown design standards shall govern.~~
5. Outdoor lighting: Outdoor lighting shall be subject to the standards in Chapter 18.55 ACC. ~~Where there is a conflict between Chapter 18.55 and the downtown design standards shall govern.~~

## 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 zoning district~~se~~. 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.)

### **18.29.080 Planned action standards.**

A. Purpose of the planned action. The purpose of this section is to:

1. Set forth a procedure designating certain project actions within a specific subject site as “planned actions” consistent with state law, RCW 43.21C.031; and
2. Provide the public with an understanding as to what constitutes a planned action and how land use applications which qualify as planned actions will be processed by the city; and
3. Streamline and expedite the development review process for this designated planned action by relying on completed and existing detailed environmental analysis for the subject site; and
4. Combine environmental analysis with land use planning; and
5. Apply the city’s development regulations together with the mitigation measures described in the environmental impact statement (EIS) and this chapter to address the impacts of future development contemplated by the planned action.

B. Findings. The city council makes the following findings:

1. The City is subject to the requirements of the GMA (Chapter 36.70A RCW) and is applying Planned Action to an Urban Growth Area (UGA).
2. The procedural requirements of Chapter 36.70A RCW have been complied with.
3. The procedural and substantive requirements of SEPA (Chapter 43.21C RCW) have been complied with.

4. The City has an adopted Comprehensive Plan complying with the GMA and is replacing the 2001 Auburn Downtown Plan with the 2024 Auburn Downtown Subarea Plan.
5. An EIS has been prepared for the Planned Action Area and the City Council finds that the EIS adequately identifies and addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area.
6. The 2024 Auburn Downtown Subarea Plan and Planned Action EIS, together with adopted City development and environmental regulations, will adequately mitigate significant impacts from development within the Planned Action Area.
7. The regulation of land and development is subject to the authority and general police power of the City, and the City reserves its powers and authority to appropriately amend, modify, and revise such land use controls in accordance with applicable law.
8. The 2024 Auburn Downtown Subarea Plan and EIS identify the location, type, and amount of development contemplated by the Planned Action.
9. Essential public facilities defined in RCW 47.06.140 are excluded from the Planned Action and are not eligible for review or permitting as Planned Action Projects unless they are an accessory to or part of a project that otherwise qualifies as a planned action.
10. The Planned Action is located entirely within a UGA and applies to a defined area that is smaller than the overall City boundary.
11. Public services and facilities are adequate to serve the proposed Planned Action with implementation of the City's adopted Engineering Design Standards and the Comprehensive System Plans.
12. The City has provided several opportunities for meaningful public involvement in the 2024 Auburn Downtown Subarea Plan and EIS including a community meeting consistent with RCW 43.21C.440, and has considered all comments received, and, as appropriate, has modified the proposal or mitigation measures.
13. Future projects that are implemented consistent with the Downtown Subarea Planned Action EIS and mitigation measures will protect the environment, benefit the public, and enhance economic development.

*C. Applicability of the Planned Action.*

1. Planned Action Area. This section applies to approximately 360 acres included in the Auburn downtown subarea project area as described in the Downtown Subarea Planned Action EIS issued by the City on January 22, 2025 (and any addenda thereto) and shown in Exhibit A of Ord. No. 7006 are designated as the Downtown Planned Action Area.
2. Environmental Document. A Planned Action Project determination for a site-specific project application within the Downtown Planned Action Area shall be based on the environmental analysis contained in the Downtown Subarea Planned Action EIS. The mitigation measures contained in this section, as well as Exhibit B of Ord. No. 7006, are based upon the findings of the Downtown Subarea Planned Action EIS and shall, along with adopted City regulations, provide the framework the City will apply appropriate conditions on qualifying Planned Action Projects within the Downtown Planned Action Area.
3. Planned Action Designated. Uses and activities described in the Downtown Subarea Planned Action EIS (and any addenda thereto), subject to thresholds (ACC 18.29.080(D)) and the mitigation measures contained in this section, are designated Planned Action Projects pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Downtown Planned Action Area that meets the criteria in ACC (ACC 18.29.080(D) and (E) may be designated a Planned Action Project pursuant to the process in ACC 18.28.080(I).

D. Planned Action Thresholds. Subject to the zoning regulations for the site and the mitigation measures described in this chapter, the maximum levels of development described below have been evaluated in the Downtown Subarea Planned Action EIS, as described in the EIS (and any addenda thereto), and are planned actions pursuant to RCW 43.21C.031. In order to qualify as a planned action, total cumulative development within the Downtown Planned Action Area that has been permitted under this chapter shall meet all of the following criteria:

1. Land Use. The following general types of land uses are considered Planned Actions:
  - a. Single-unit detached housing and middle housing;
  - b. Multi-family housing (apartments and co-living housing);
  - c. Mixed-use (vertical or horizontal);
  - d. Retail, commercial, office, services;
  - e. Restaurants and bars;

- f. Craft industry/light industrial, small food production;
  - g. Arts/entertainment (gallery, theater, fine arts studios);
  - h. Medical offices and hospital;
  - i. Open space, passive or active parks, trails, recreation;
  - j. Civic, cultural, government, and utility facilities as identified in the Plan and allowed in the Auburn Zoning Code;
  - k. Uses allowed in the Zoning Code provided for each implementing district (Chapter 18.29 DUC);
  - l. Other uses applicable to the 2024 Auburn Downtown Subarea Plan that are similar to uses listed above as determined by the Community Development Director or designee;
  - m. Multi-modal transportation improvements consistent with the Comprehensive Transportation Plan and the Planned Action EIS; and
  - n. Enlargement or intensification of uses existing at the time the Planned Action Area is approved, so long as such enlargement or intensification complies with the Zoning Code to the extent practical.
2. Planned Action Uses. A land use shall qualify as a Planned Action Project land use when:
- a. It is within the Downtown Planned Action Area; and
  - b. It is within one or more of the land use categories described above; or
  - c. It is a common accessory use or appurtenance to a permitted use.
3. A Planned Action Project may be a single Planned Action land use, or a combination of Planned Action land uses in a mixed-use development.
4. Development Thresholds. The following amount of new various land uses are contemplated by the Planned Action (Table 2 Ord. No. 7006):

**Planned Action Development Limits: 2024 – 2044: Preferred Alternative.**

	Current (2021)			Preferred Alternative (2044)		
	Jobs	Population	Housing	Jobs	Population	Housing
<b>Downtown Planned Action Area</b>	4,799	3,708	1,724	<b>8,185</b>	<b>15,478</b>	<b>7,603</b>

- a. Shifting development amounts between land use identified above may be permitted provided the transportation thresholds are not exceeded and the development impacts identified in the Downtown Subarea Planned Action EIS are mitigated consistently with the mitigation measures.
  - b. Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceed the development thresholds specified above and/or alter the assumptions and analysis in the Downtown Subarea Planned Action EIS.
5. Transportation Thresholds.
- a. Level of Service Threshold. The City uses an LOS rating system to evaluate the operations of its roadway system. LOS is a concept used to describe traffic operations from the driver's perspective. LOS ratings are defined by intersection delay in seconds—LOS ranges from LOS A, which signifies no congestion and little delay, to LOS F, which signifies substantial congestion and delay. All intersections currently meet the City's minimum LOS standards. As of Dec. 2025, one intersection does not meet the City's minimum LOS standards: C Street NW & 3rd Street NW – LOS F. This intersection is currently identified in the Comprehensive Transportation Plan and 6-Year Transportation Improvement Plan for future mitigation.
  - b. Concurrency. All Planned Action Projects shall meet the City's transportation concurrency requirement standards and the level of service thresholds according to the Comprehensive Transportation Plan and Engineering Design Standards. Applicants shall be required to document that the project meets concurrency standards.
  - c. Impact Fee. In order to mitigate transportation related impacts, all Planned Action Projects shall pay impact fees, with adjustments made for any applicable credits.
  - d. Mitigation. Each Planned Action Project shall provide its proportionate share of transportation capital improvements analyzed in the Planned Action EIS. The City Engineer shall have the discretion to adjust the allocation of responsibility for required improvements between individual Planned Action Projects based on their identified impacts.

e. *Discretion.* The City Engineer shall have discretion to determine incremental and total trip generation, consistent with Chapter 19.04 ACC for each Planned Action Project proposed under this Planned Action.

E. *Elements of the Environment and Degree of Impacts.* A Planned Action Project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS will not qualify as a Planned Action Project.

F. *Changed Conditions.* Should environmental conditions change significantly from those analyzed in the Downtown Subarea Planned Action EIS, the City's SEPA Responsible Official or designee may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

G. *Review Criteria for Planned Actions.* The City's SEPA Responsible Official or designee may designate projects as "Planned Action Projects", pursuant to RCW 43.21C.030, applications that meet the following conditions:

1. The proposal is located within the Planned Action Area identified above.
2. The proposed uses and activities are consistent with those described in the Downtown Subarea Planned Action EIS and this Section.
3. The proposal is within the Planned Action thresholds and other criteria of this Section.
4. The proposal is consistent with the Auburn Comprehensive Plan and the 2024 Auburn Downtown Subarea Plan.
5. The proposal's significant adverse environmental impacts have been identified in the Downtown Subarea Planned Action EIS.
6. The project's significant impacts will be mitigated by application of the measures identified ACC 18.29.080(j) and other applicable City regulations, together with any conditions, modifications, variances, design review, or special permit that may be required.
7. The project complies with all applicable local, state, and/or federal laws and regulations, and the SEPA Responsible Official or designee determines that these laws and regulations constitute adequate mitigation.

8. The project is not an essential public facility as defined by RCW 36.70A.200 unless the essential public facility is an accessory to or part of a development that is designated as a Planned Action Project.

H. Effect of Planned Action Designation. Designation as a Planned Action Project by the City's SEPA Responsible Official or designee means that a qualifying proposal has been reviewed in accordance with this Section and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Downtown Subarea Planned Action EIS

I. Planned Action Permit Process. Applications for Planned Action Projects shall be reviewed pursuant to the following process:

1. Development applications shall meet all applicable requirements of the Auburn Municipal Code and this Section in place at the time of the Planned Action Project application.
2. Applications for Planned Action Projects shall:
  - a. Be made on forms provided by the City;
  - b. Include the SEPA checklist in WAC 197-11; and
  - c. Meet all applicable requirements of the Auburn Municipal Code and this Section.
3. The City's SEPA Responsible Official or designee shall determine whether the application is complete as provided in Title 14 ACC.
4. If the application for a project within the Planned Action Area, as defined in Exhibit A of Ord. No. 7006, then the application will be reviewed to determine if it is consistent with the criteria of this ordinance and thereby qualifies as a Planned Action Project.
5. The decision of the City's SEPA Responsible Official or designee determining if a project is a Planned Action Project is a Type 1 decision. The City's SEPA Responsible Official or designee shall notify the applicant of their decision in writing to the applicant or project representative, as listed on the application, and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project pursuant to RCW 43.21C.440.
6. If the project is determined to qualify as a Planned Action Project, it shall proceed in accordance with the applicable permit review procedures specified in Title 14 ACC,

- except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.
7. Notice of application for a Planned Action Project shall be consistent with Title 14 ACC.
  8. If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action Project. If notice is not otherwise required for the underlying permit, no special notice is required by this Ordinance.
  9. To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170.
  10. If a project is determined to not qualify as a Planned Action Project, the City SEPA Responsible Official or designee shall notify the applicant and prescribe a SEPA review procedure consistent with the City's SEPA regulations and requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action Project.
  11. Projects that fail to qualify as Planned Action Projects may incorporate or otherwise use elements of the Downtown Subarea Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The City SEPA Responsible Official or designee may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Downtown Subarea Planned Action EIS.

J. *Planned Action Mitigation Measures.* The planned action mitigation measures set forth in Exhibit B attached to Ord. No. 7006 and codified in this chapter and incorporated herein by this reference shall apply to the project identified therein. Exhibit B shall not be codified with the provisions of this chapter but shall be on file and available for review in the office of the city clerk.

K. *Amendments.* Amendments to this chapter may be initiated by the city, the proponent, or the proponent's successor, and shall occur as follows:

1. The director may interpret the words and meaning of certain conditions in order to resolve conflicts in implementation. All words in the ordinance codified in this chapter shall carry their customary and ordinary meaning.

- 
2. If changes to the language of the ordinance codified in this chapter are required, such proposed changes shall be reviewed by the director. If, in the estimation of the director, the proposed change is minor, then the proposed change shall be forwarded directly to the city council for its consideration. If, in the estimation of the director, the change is major, the proposed change shall be referred to the planning commission which shall conduct a public hearing and make a recommendation to the city council.

**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. R-F, residential flex zone;
8. R-NM, residential neighborhood mixed-use zone;
9. C-1, light commercial zone;
10. C-2, heavy commercial zone;
11. C-AG, auburn gateway zone;
- ~~12.~~ M-1, light industrial zone;
- ~~13.~~ M-2, heavy industrial zone;
- ~~14.~~ L-F, airport landing field zone;
- ~~15.~~ P-1, public use zone;
- ~~16.~~ UNC, unclassified use zone;
- ~~17.~~ I, institutional use zone;
- ~~18.~~ DUC, downtown urban center, 125 District;
- ~~19.~~ 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. 6959 § 1 (Exh. A), 2024; Ord. 6885 § 1 (Exh. A), 2022; Ord. 6677 § 1, 2018; Ord. 6245 § 2, 2009.)

# City of Auburn DOWNTOWN DESIGN STANDARDS

Draft, February 24, 2026

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# Chapter I: Introduction

## I.1 Purpose.

These design standards are authorized by the City Council as a major implementation tool of the Auburn Comprehensive Plan and the Downtown Auburn Subarea Plan. Overall, these standards intend to:

- Provide clear objectives for the planning and design of development projects.
- Preserve and protect the public health, safety, and welfare of the citizens of Auburn.
- Ensure that new multifamily, mixed-use, and commercial development enhances the public's experience of Auburn's Downtown Urban Center.
- Promote increased walking, bicycling, and transit use in Auburn's Downtown Urban Center.

## I.2 Applicability.

- (1) New development. The provisions of this chapter apply to all development within the Downtown Urban Center, except:
  - (a) Single-unit detached dwellings shall follow the single-unit detached siting and design standards of ACC 18.31.050.
  - (b) Middle housing developments that meet the standards of ACC 18.25.040 and 18.04.340(B) shall follow the middle housing design standards of ACC 18.25.070.
  - (c) Activities identified in ACC 18.29.020(C).
- (2) Building additions, remodels, and site improvements. Three different thresholds have been established to determine how the standards herein are applied to such projects.
  - (a) Level I improvements include all exterior remodels, building additions, and/or site improvements that affect the exterior appearance of the building/site and/or cumulatively increase the gross floor area on a site by less than 50 percent within three years of the date of permit issuance. The requirement for such improvements is only that the proposed improvements meet applicable standards herein, and do not lead to further nonconformance with the aforementioned standards.

For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building articulation would not be required.
  - (b) Level II improvements include all improvements that cumulatively increase the gross floor area on a site by 50 percent to 100 percent within three years of the date of permit issuance. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II improvements. In the case where the site includes multiple buildings and one or more of those buildings aren't being enlarged, such buildings are not required to be improved or relocated.
  - (c) Level III improvements include all improvements that cumulatively increase the gross floor area on a site by more than 100 percent within three years of the date of permit issuance. Such developments shall conform to all applicable standards, except in a case where there are multiple buildings on one site, and one or more buildings are not being enlarged. In that

scenario, improvements to the building or buildings not being enlarged are not required, but conformance with all other standards apply.

- (3) Public buildings. Public buildings are exempt from the design standards herein provided design treatments are integrated to meet the following objectives:
  - (a) Enliven the pedestrian environment along the adjacent sidewalks.
  - (b) Incorporate a prominent and inviting entry visible from the street.
  - (c) Building design and materials should evoke a sense of permanence.
  - (d) Site and building design stands out from the surrounding context as a distinct landmark and provides visual interest from all observable scales.

### **1.3 How the provisions of this chapter are applied.**

Most sections within this chapter herein include the following elements:

- (1) Purpose statements, which are overarching objectives.
- (2) Standards use words such as “must” and “is/are required,” signifying required actions.
- (3) Guidelines use words such as “should” or “is/are recommended,” signifying voluntary measures.
- (4) Design “Departures” are provided for specific standards in this chapter. They allow alternative designs provided the reviewing authority determines the design meets the purpose of the standards and other applicable criteria. See ACC 18.31.200(l) for related procedures associated with departures.
- (5) Relationship to other codes and documents. Where provisions of this chapter conflict with provisions in any other section of the Auburn City Code (ACC), this chapter prevails unless otherwise noted.
- (6) This chapter contains some specific standards that are easily quantifiable, while others provide a level of discretion in how they are complied with. In the latter case, the applicant must demonstrate to the director, in writing, how the project meets the purpose of the standard or standards.

## I.4 Definitions

Definitions in Chapter 18.04 ACC apply to these standards. Below are supplemental definitions that apply specifically to these design standards:

- (1) Articulation - A method of styling the joints and transitions in the formal elements of architectural design for the purpose of creating visual interest. Includes treatments to building joints and transitions such as indents, projections, material changes, façade treatments.
- (2) Belt Course - A molding or projecting course running horizontally along the face of a building.
- (3) Canopy - A cover over a sidewalk providing protection from the rain or shade from the sun, which is constructed of durable, permanent materials.
- (4) Cornice - A horizontal decorative or ornamental molding around a wall or just below a ceiling.
- (5) Director - means the director of the Department of Community Development or designee.
- (6) Multifamily – Apartment building(s) featuring seven or more dwelling units on a single lot.
- (7) Parking, structured - Parking contained within an enclosed building either part of or designed to appear like it is part of the larger building complex, or a freestanding structure devoted exclusively to above-grade parking.
- (8) Plinth - A block used as the base of a column or other upright support.
- (9) Public art - 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.
- (10) Public plaza - 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.
- (11) Street level retail - Uses providing goods and services, including food and drink, adjacent to, visible from, and directly accessible from the public sidewalk.

# Chapter 2 – Block-Frontage Standards

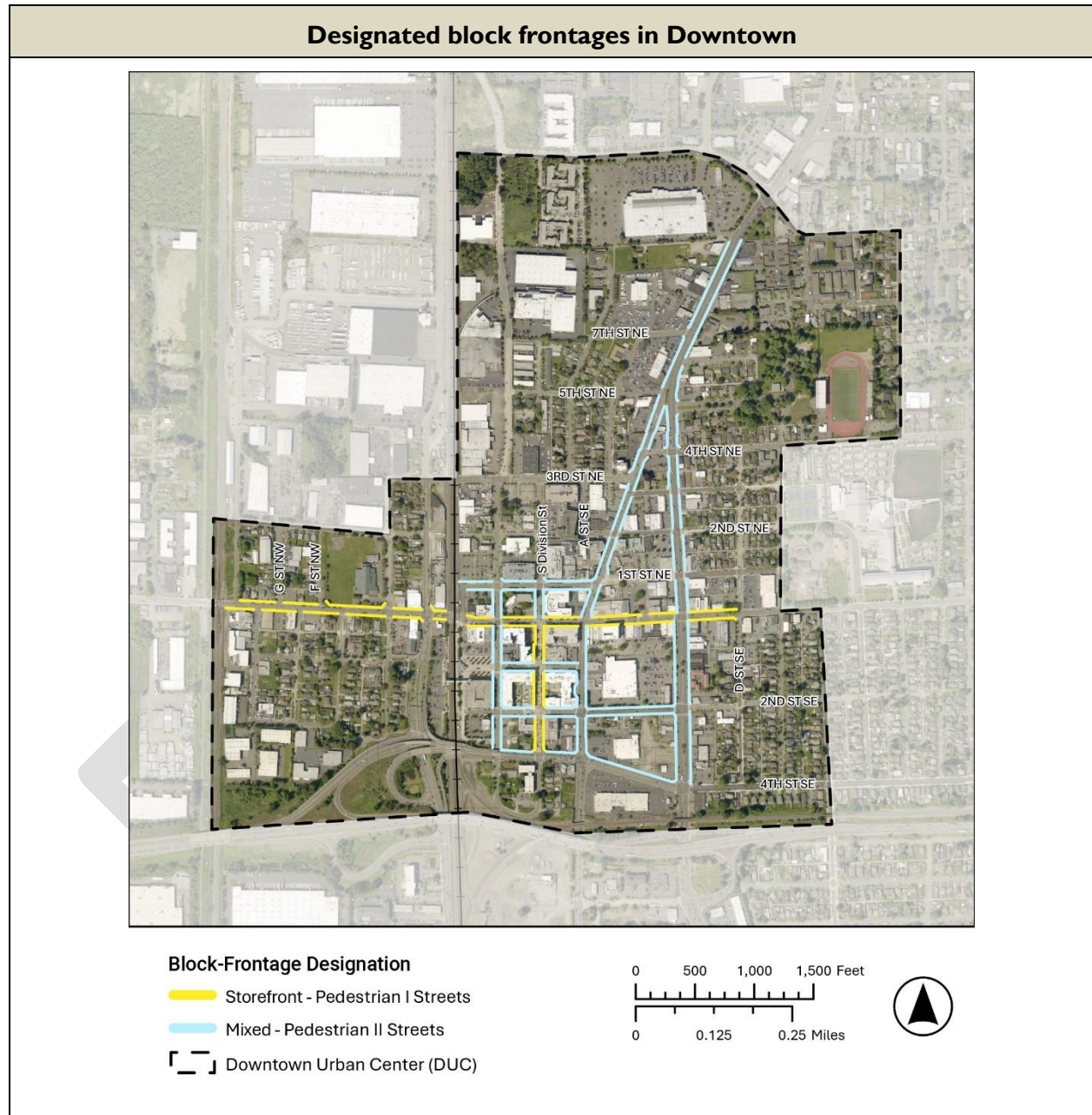
## 2.1 Purpose.

- (1) To achieve the envisioned street level aesthetic and enhance the public's experience of Auburn's Downtown Urban Center.
- (2) To enhance pedestrian environments by emphasizing activated ground-level block-frontage designs for commercial, mixed-use, and multifamily developments.
- (3) To minimize potential negative impacts of driveways and off-street parking facilities on the streetscape.
- (4) To promote good visibility between buildings and the street for security for pedestrians and to create a more welcoming and interesting streetscape.

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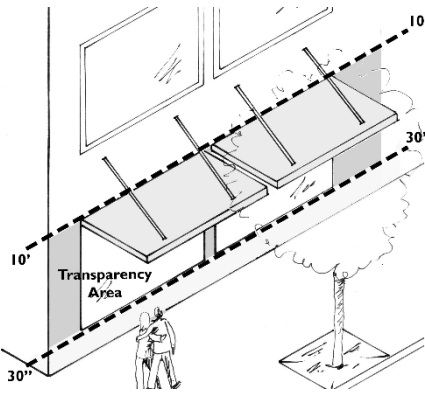
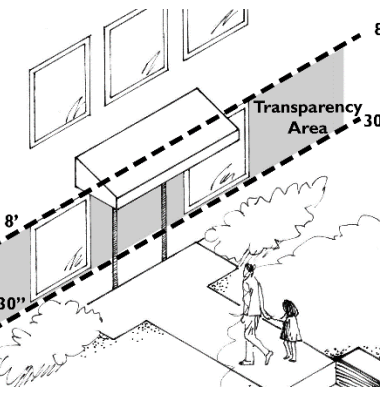
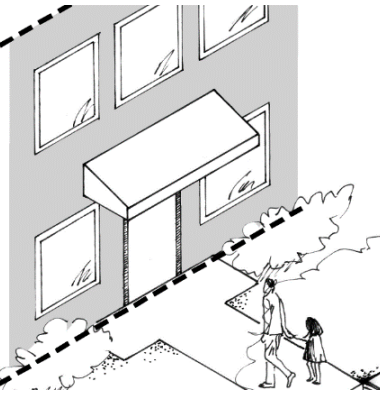


## 2.2 Block-frontage designation maps.

- (1) The block-frontage designations established by this chapter are maintained under the direction of the director. All notations, references, and other information shown have the same force and effect as if fully described in this title.



## 2.3 About the transparency standards.

All block-frontage designations contain distinct minimum façade transparency standards. The purposes of these standards are to maintain “eyes on the street” for safety and create welcoming pedestrian environments. The table below includes details in how they are measured.

Transparency standards		
Transparency area		
<p style="text-align: center;"><b>Storefront</b></p>  <p>The transparency area is on the ground floor between 30” and 10’ above sidewalk grade</p>	<p style="text-align: center;"><b>Ground floor non-residential on Landscaped block frontage</b></p>  <p>The transparency area is between 30” and 8’ above grade</p>	<p style="text-align: center;"><b>Residential buildings and residential portions of mixed-use buildings</b></p>  <p>All vertical surfaces of the façade are used in the calculations</p>
Other Transparency Provisions		
<p><b>Windows must be transparent</b></p> <p>Ground-level window area for storefronts and other non-residential uses that is covered, frosted, or perforated in any manner that obscures visibility into the building must not count as transparent window area. Also, mirrored glass and highly-reflective or darkly-tinted windows must not be counted as transparent windows.</p>		
	Covered windows	Perforated sign

## Transparency standards

### Display windows & parking garages

Display windows may be used for up to 25% of non-residential transparency requirements provided they are at least 30" deep to allow changeable displays and the interior wall is non-structural so it can be removed if the windows are not used for display. Tack-on display cases as shown in the far-right example do not qualify as transparent window area.

For parking garages (where allowed by block frontage standards), the left image illustrates how such a structure can meet (and not meet) the applicable transparency standards.



Integrated display windows



Tack-on display cases



Parking garage with windows



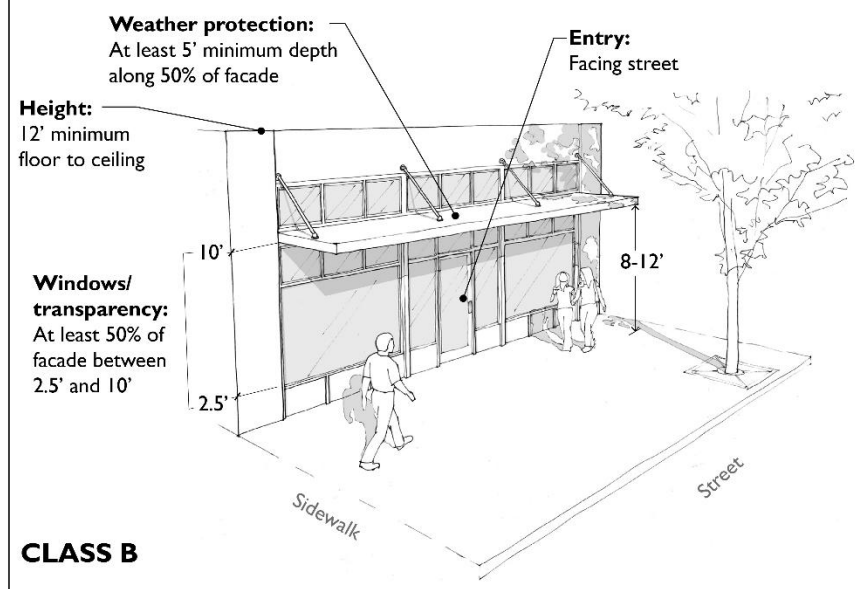
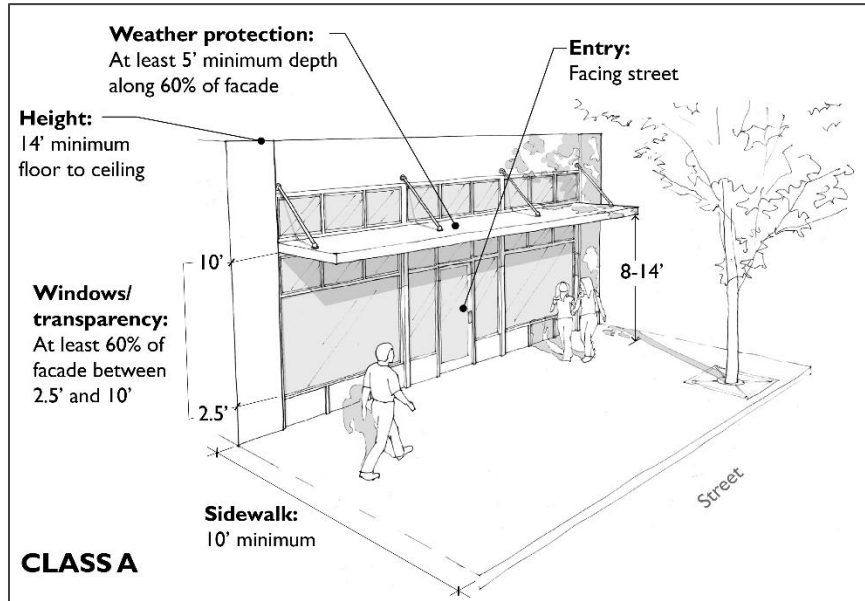
Parking garage without windows

## 2.4 Storefront block-frontage standards.

(I) **Purpose.** Storefront block-frontages are the most vibrant and active shopping and dining areas within Auburn. Blocks designated as Storefront block-frontages include continuous storefronts placed along the sidewalk edge with small scale shops and many business entries.

There are two tiers of Storefront block frontage designations: Class A and Class B. Class B Storefronts have slightly relaxed ground-level use, transparency, and weather protection standards.

### Storefront block frontage vision and key standards.



**(2) Applicability.**

- (a) Class A Storefront standards apply to designed Storefront block frontages as set forth in the block frontage map above.
- (b) Class B Storefront standards apply to situations for Mixed and Undesignated block frontages where developments choose to integrate storefronts on portions or all of their applicable block frontages.

**(3) Standards.** Applicable development must comply with the standards in Table 2.4 below.

<b>Table 2.4 Storefront block-frontage standards.</b>		
The ➡ symbol refers to DEPARTURE opportunities as set forth in Section 1.3 with supplemental criteria in subsection (4) below.		
<b>Element</b>	<b>Class A Storefront Standards</b>	<b>Class B Storefront Standards</b>
<b>Ground-level</b>		
Land use	See ACC18.29.050 for use provisions, except: Residential uses are prohibited except lobbies and accessory-uses associated with multifamily residential uses are allowed provided they are limited to 30% of block-frontages.	See ACC18.29.050 for use provisions, except: Residential uses are prohibited except: <ul style="list-style-type: none"> <li>• Live/work units featuring ground level space that complies with minimum floor to floor height and non-residential space depth herein.</li> <li>• Lobbies and accessory-uses associated with multifamily residential uses are allowed provided they are limited to 60% of block-frontages.</li> </ul>
Floor to floor height for new buildings (applies to the minimum non-residential space depth)	14' minimum. ➡	12' minimum. ➡
Non-residential space depth	30' minimum. ➡	20' minimum. ➡
<b>Building placement</b>	Buildings must be placed at the back edge of the required sidewalk. Additional setbacks are allowed for a widened sidewalk or providing open space for public use such as plazas, courtyards, and seating areas.	Standards in this table apply when buildings are placed at the back edge of the required sidewalk.
<b>Building entrances</b>	Primary building entrances must face the street or a pedestrian-oriented space that is adjacent to the street. For corner sites, the entry may face the corner, or one or both streets.	
<b>Façade transparency</b> (see Section 2.3)	At least 60% of the transparency area. ➡	At least 50% of the transparency area. ➡

**Table 2.4  
Storefront block-frontage standards.**

The ➡ symbol refers to DEPARTURE opportunities as set forth in Section 1.3 with supplemental criteria in subsection (4) below.

Element	Class A Storefront Standards	Class B Storefront Standards
<p><b>Weather protection</b></p> <p>Note: Weather protection that encroaches over the public right-of-way will require a permit meeting the standards of ACC 12.60 and ACC 12.60.050.</p>	<p>Weather protection is required along at least 60% of the storefront façade, and it must be a minimum of 5' deep and have 8' to 14' of vertical clearance. ➡</p> <p>The director may require reduced width weather protection where necessary to avoid interfering with street trees, street lights, street signs, or extending beyond the edge of the sidewalk.</p>	<p>Weather protection is required along at least 50% of the storefront façade, and it must be a minimum of 5' deep and have 8' to 12' of vertical clearance. ➡</p> <p>The director may require reduced width weather protection where necessary to avoid interfering with street trees, street lights, street signs, or extending beyond the edge of the sidewalk.</p>
<p><b>Parking location</b></p>	<p>New surface level parking and access features adjacent to the street are prohibited. Parking may be placed below, above, and/or behind storefronts. Driveways are allowed from designated Storefront block frontages only when no other option exists.</p>	<p>Not applicable (sites are subject to applicable designated block frontage parking location provisions).</p>
<p><b>Sidewalk width</b></p>	<p>Sidewalks abutting storefronts must be at least 10' wide. Where such sidewalks extend beyond right-of-way limits, a public access easement is required to accommodate the full sidewalk width. Upper floors may cantilever over the sidewalk to the right-of-way edge or 4', whichever is less.</p>	

**(4) DEPARTURE criteria.** Departures from the standards in Table 2.4 that feature the ➡ symbol will be considered provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) Non-residential space floor to floor height. Some flexibility for reduced non-residential floor to floor heights may be allowed (up to 25 percent of such space) to allow for a greater variety of such spaces where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted non-residential uses.
- (b) Non-residential space depth. Reduced depths on up to 25 percent of the applicable block-frontage will be considered where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted non-residential uses.
- (c) Facade transparency. Departures for facade transparency in the transparency area may be reduced to a minimum of 35 percent for block-frontages if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.

- (d) Weather-protection. The reduced extent (to no less than 50 percent of Class A and no less than 35 percent of Class B Storefront block-frontages) or width weather-protection features (to no less than four-feet in width) will be considered provided the designs are proportional to architectural features of the building and building design trade-offs (elements that clearly go beyond minimum building design standards in this chapter) meet the purpose of the standards.

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## 2.5 Landscaped block-frontage standards.

- (1) **Purpose.** To provide standards for an optional block frontage design along Mixed-designated streets that incorporates modest landscaped setbacks, clear pedestrian connections between the building and the sidewalk, and minimized surface parking lots along the frontages.
- (2) **Applicability.** Standards herein apply as an option for development on Mixed designated block frontages and a requirement for new multifamily development. Note that developments featuring ground-level dwelling units along block frontages, such frontages are also subject to the provisions of Section 2.8, Ground-floor residential frontage standards.
- (3) **Standards.** Applicable developments are subject to the Landscaped block frontage standards set forth in Table 2.5.



**Table 2.5  
Landscaped block-frontage standards.**

The ↻ symbol refers to DEPARTURE opportunities opportunities set forth in Section 1.3 with supplemental criteria in subsection (4) below.

Element	Standards
<b>Ground-level</b>	
Land use	As set forth in ACC 18.29.050 and 18.07.020.
<b>Building placement</b>	5' minimum setback. ↻ No minimum setback is required for upper building levels. Block frontages with ground floor dwelling units must comply with Section 2.8.
<b>Building entrances</b>	Building entries must face the street or a public plaza that is adjacent to the street. For corner sites, the entry may face the corner, or one or both streets.

<b>Table 2.5 Landscaped block-frontage standards.</b>	
The ➡ symbol refers to DEPARTURE opportunities opportunities set forth in Section 1.3 with supplemental criteria in subsection (4) below.	
<b>Element</b>	<b>Standards</b>
<b>Façade transparency</b> (see Section 2.3)	For buildings with ground-level non-residential uses, at least 35% of the transparency area. ➡ For buildings with ground-level residential uses, at least 15% of the entire facade.
<b>Weather protection</b>	Weather protection at least 3' deep must be provided over individual residential and commercial tenant entries and at least 5' deep for shared residential and professional office entries.
<b>Parking location</b>	Surface level parking and access features must be located to the side or rear of buildings. For sites with multiple buildings, no more than 50 percent of arterial street block frontages may be occupied by parking and vehicular access areas. ➡
<b>Landscaping</b>	All areas between the sidewalk and the building must be landscaped, except for walkways, porches, decks, and other areas meeting the definition of public plazas. The required landscaping must meet the provisions of ACC 18.50.040(C) and 18.50.070. For parking lot perimeter landscaping, see Section 3.3.

**(4) DEPARTURE criteria.** Departures to the Landscaped block-frontage standards in Table 2.5 that feature the ➡ symbol will be considered provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) Building placement. Reduced setbacks will be considered for non-residential ground level frontages where the façade effectively integrates a blend of storefront and landscaped frontage elements. For example, window transparency levels should increase towards Class B Storefront standards at a proportional rate as the setback gets smaller.
- (b) Façade transparency. Façade transparency in the transparency area may be reduced from the minimum standards by 50 percent if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank-walls.
- (c) Parking location. Alternative designs may be considered with some parking located between the street and a building or buildings where such design helps to better take advantage of the site's context. Design treatments must be included to mitigate the impact of parking areas along the street (in terms of visual impacts and pedestrian access to the buildings from the street).

## 2.6 Mixed block-frontage standards.

- (1) **Purpose.** To provide for flexibility in the design of applicable block frontages while ensuring that block frontages create a pedestrian-friendly environment.
- (2) **Applicability.** Standards herein apply to all sites containing designated Mixed block frontages per the map in Section 2.2. Note that for developments featuring ground level dwelling units adjacent to the street, the design of such block frontages are subject to Section 2.8.
- (3) **Standards.** Applicable development may choose between the Class B Storefront standards set forth in Table 2.4 or Landscaped block frontage standards as set forth in Table 2.5 or some combination of the two, with modifications noted in the scenarios below:
  - (a) A site with a proposed storefront building (or segment of a building), the building(s) will be subject to the Class B Storefront standards set forth in Table 2.4, except that for parking location standards, sites will be subject to the provisions in the Landscaped block frontage standards in Table 2.5.
  - (b) For a site that features proposed a building or buildings with a mix of proposed Storefront and Landscaped block frontage designs, the storefront building segments will be subject to the Class B Storefront standards set forth in Table 2.4, whereas everything else will be subject to the Landscaped block frontage standards as set forth in Table 2.5.
- (4) **Blending frontages.** Buildings may also employ designs that are a hybrid of storefront and landscaped block frontage forms, where they feature a small landscaped setback (less than what is required under the Landscaped block frontage standards), provided the window transparency levels increase towards Class B Storefront standards at a proportional rate as the setback gets smaller. Weather protection isn't required in frontage areas where there's more than 16 inches of landscaping adjacent to the façade (measured perpendicular to the façade). All other standards for Class B Storefront standards in Table 2.4 apply.

## 2.7 Other/Undesignated block-frontage standards.

- (1) **Purpose.** To provide for flexibility in the design of block frontages in areas where such flexibility is warranted.
- (2) **Applicability.** Standards herein apply to all development on sites that are not otherwise designated as a Storefront, Mixed, or Landscaped block frontage.
- (3) **Standards.** Applicable developments are subject to the Other/Undesignated block frontage standards set forth in Table 2.7, except where developments integrate storefront buildings abutting the sidewalk edge. Such storefront buildings are subject to the Class B Storefront standards set forth in Table 2.4.

<b>Table 2.7 Other/Undesignated block-frontage standards.</b>	
The ➡ symbol refers to DEPARTURE opportunities opportunities set forth in Section 2.7 with supplemental criteria in subsection (4) below.	
<b>Element</b>	<b>Standards</b>
<b>Building placement</b>	Where allowed in the applicable zone, buildings may be placed up to the sidewalk edge, provided they meet Class B Storefront block-frontage standards in Table 2.4. Buildings and portions thereof with ground floor dwelling units are subject to the standards in Section 2.8. Otherwise, there is no minimum or maximum setback provided buildings meet applicable standards herein.
<b>Building entrances</b>	Building entrances facing the street are encouraged. At a minimum, at least one building entry visible and directly accessible from the street is required. Where buildings are setback from the property line, pedestrian connections from the sidewalk are required.
<b>Façade transparency</b>	Storefronts abutting the back of the sidewalk are subject to Class B Storefront façade transparency standards in Table 2.4. Other buildings designed with non-residential uses on the ground floor within 10 feet of sidewalk, at least 30% of the ground floor between 4-8 feet above the sidewalk. ➡ For residential buildings, at least 15% of the entire façade (all vertical surfaces generally facing the street).
<b>Weather protection</b>	Buildings within 16" of the back of the sidewalk are subject to Class B Storefront block-frontage weather protection standards in Table 2.4. For all other buildings, weather protection at least 3' deep must be provided over individual residential and commercial tenant entries and at least 5' deep for shared residential and professional office entries.
<b>Parking location</b>	There are no parking lot location restrictions, except for landscaped buffer requirements set forth in PMC 20.58.005.
<b>Landscaping</b>	Sites are subject to the landscaping requirements of Section 3.3 and Chapter 18.50 ACC.

**(4) DEPARTURE criteria.** Departures to the Other/Undesignated block-frontage standards in Table 2.7 that feature the ➡ symbol will be considered provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) Façade transparency. Façade transparency in the transparency area may be reduced from the minimum standards by 50 percent if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank-walls.

## 2.8 Ground-floor residential frontage standards.

**(1) Purpose.** The purpose of these standards is to:

- (a) Enhance the privacy and security of residents living on the ground floor.
- (b) Provide an effective visual and physical transition between the public realm and the private realm.
- (c) Enhance the relationship between the building and the street through high-quality landscape and architectural design.

**(2) Applicability.** All developments with ground-floor residential uses adjacent to public streets, trails, through-block connections or other internal pedestrian connections, parks, publicly accessible common areas, and internal common space (hereafter collectively referred to as “public and semi-public realm”) shall comply with the frontage standards herein.

**(3) Standards.** Design treatments must be integrated to enhance the character of the public and semi-public realm while respecting the privacy of adjacent residential units. Design criteria applicable to ground-floor residential frontages are as follows:

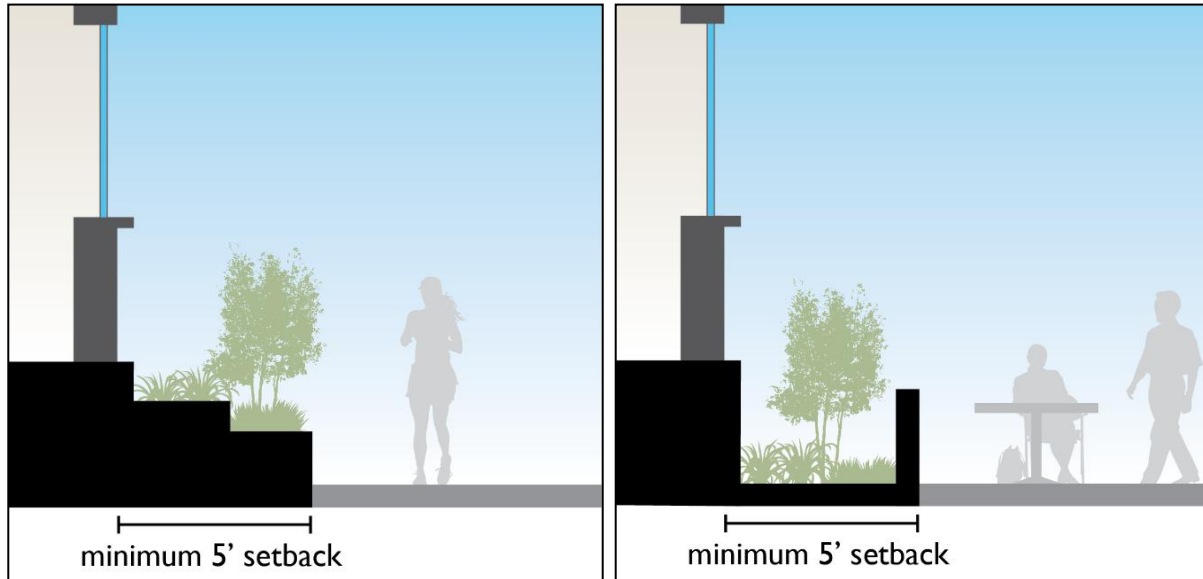
(a) Unit setback and elevation. Provide privacy for people living in the adjacent dwelling units and ensure the applicable public and semi-public realm environment is comfortable through all of the following measures:

- (i) Provide a five foot minimum setback from applicable public and semi-public realm elements. The setback shall be measured from the edge of the applicable public (e.g., sidewalk) and semi-public realm elements (e.g., walkway, public plaza, shared outdoor space). When adjacent to an applicable public and semi-public realm element with no adjacent walkway, the setback shall be measured from the outside edge (facing away from dwelling unit) of a physical threshold feature (e.g., low fence or hedge) that separates semi-private outdoor space with the applicable public and semi-public realm element as determined by the Director.

DEPARTURES will be considered provided the design enhances the character of the streetscape and respects the privacy of adjacent ground-floor residents.

- (ii) Where the façade is within ten feet of a sidewalk (when allowed by the applicable zone) or five feet from all other applicable public and semi-public realm elements, the ground floor must be elevated a minimum average of 30-inches to improve privacy of such residential uses and enhance their relationship to the street.

### Minimum setback between a ground floor residence and applicable public and semi-public realm element



In the left example, the 5 foot setback area is used for raised planters next to a sidewalk. In the right example, the minimum 5 foot setback area is used for a wall and landscaped bed next to a public space.

- (c) Units with direct physical access and less than ten feet setback to the sidewalk or other applicable public and semi-public realm elements must enhance the privacy of residents and provide an effective transition between the public and private realm by integrating all of the following measures:
- (i) Provide a physical “threshold” feature, such as a hedge, retaining wall, rockery, stair, gate, railing, or a combination of such elements on private property, not to exceed 42 inches in height, that defines and bridges the boundary between the applicable public and semi-public realm element and the private entry, porch, yard, or patio. Thresholds may screen, but not completely block, eye-level views to and from the applicable public and semi-public realm element.
  - (ii) Provide an outdoor space at least four feet deep and six feet wide (24 square feet minimum area) in the front setback, such as a porch, patio, deck, or stoop. Where feasible, this space shall be at the same level as the interior of the unit.
  - (iii) Provide a covered area, porch or protected entry space, or other architectural weather protection at least three feet deep that provides cover for a person entering the unit and a transitional space between outside and inside the dwelling.
  - (iv) Landscaping planters shall be integrated into transitional areas between the dwelling unit and the adjacent public and semi-public realm element (see examples below).
  - (v) Overhead building projections may cantilever over the outdoor space by up to 50 percent of the minimum ground level setback.

DEPARTURES may be proposed for the design criteria in subsection (c) above provided the design enhances the privacy of adjacent units and provides an effective and attractive transition between the public and private realm.

## Guidelines and examples of ground-level residential frontages



The above images show ground-level residential frontages with setbacks of approximately 10 feet (left image) and 5 feet (right image) along different street frontages for the same corner apartment building. These ground level units all have their own private unit access from the sidewalk and are elevated above the sidewalk to enhance the privacy to the units. The landscaping elements, brick posts, split-faced concrete block stoop walls, and black metal railings help to provide an attractive and effective transition between the public and private realms.



## Guidelines and examples of ground-level residential frontages

Good examples: Upper left image includes a stoop design with brick terraced planters and low wrought iron fences. Upper right and lower left images include low wrought iron fences that separate the sidewalk/pedestrian walkway from the private open space. Lower center and right images include stoop designs with sidewalk level planters and concrete terrace planters.



Bad examples: Despite the raised ground level, the shallow setback design in the left image above is insufficient to meet the intent of the standards. In the above right image, the upper level building cantilever doesn't meet the standards and creates a cold "cave stoop" like form. The large areas of unscreened concrete walls in both examples are undesirable.

## 2.9 Through-block connection frontage standards.

- (1) **Purpose.** To promote through-block connection frontage designs that enhance the character and safety of such connections.
- (2) **Applicability.** These standards apply to development adjacent to through-block connections, when required (see Section 3.4).
- (3) **Standards.** Many, but not all standards depend on the type of connection and the adjacent use. Specifically:
  - (a) Non-residential building elevations (including mixed-use development with ground floor commercial uses) facing a through-block connection are subject to Other/Undesignated block frontage standards in Section 2.7, except that such building elevations must feature at least 10 percent window transparency to enhance the safety and visibility of the trail and connection. ↻
  - (b) Residential developments adjacent to a through-block connection are subject to both the Landscaped block frontage standards in Section 2.5 and Ground-floor residential frontage standards in Section 2.8.

## Good examples of through-block connections in a residential context



### 2.10 Corner site clarifications.

Where a property fronts onto more than one street, each building frontage must comply with the standards for the block-frontage upon which it fronts, with the following clarifications:

- (1) Entrances. For corner sites, entrances may be provided on both streets, but only one entrance is required unless the site fronts a Storefront block frontage on both sides, in which case the entrance shall be provided on the corner or on each street.
- (2) Transparency and weather protection standards associated with corner storefronts.
  - (a) For corner-sites featuring a Storefront block frontage designation on one street, corner buildings must meet applicable Storefront block frontage transparency and weather protection standards. Such storefront buildings may be built up to the sidewalk along the other block frontage, provided they contain at least 50 percent of the required Class A transparency and weather protection on Storefront block frontages. Where such corner buildings contain additional storefront uses on the non-Storefront block frontage, then those storefronts are subject to the full Class A Storefront block frontage transparency and weather protection standards.
  - (b) For street corners with Storefront designations on both block frontages, buildings must employ the full transparency on the dominant frontage (based on the frontage width or established neighborhood pattern), and a 50 percent reduction in minimum transparency and weather protection is permitted on the secondary façade associated with the corner establishment. Other storefront uses the corner establishment are subject to the full Storefront block frontage transparency and weather protection standards.
  - (c) For corner storefront establishments without a Storefront designation on either street, the block frontage containing the entry is subject to the full Class B Storefront block frontage transparency and weather protection standards. The secondary block frontage associated with the corner establishment must contain at least 50 percent of the required transparency and weather protection for Class B Storefront block frontages.

## 2.11 High-visibility street corner standards.

(1) **Applicability/purpose.** The high visibility street-corner requirements apply to the following sites to accentuate designated street-corners with high visibility to the public:

- (a) Street corners where at least one block frontage is designated Storefront block frontage.
- (b) Other sites where a storefront building is proposed.

(2) **Standards.** At least one of the following special features must be included [the Figure below illustrates acceptable examples]:

- (a) Corner plaza.
- (b) Cropped building corner with a special entry feature.
- (c) Decorative use of building materials at the corner.
- (d) Distinctive façade articulation.
- (e) Sculptural architectural element.
- (f) Other decorative elements that meet the purpose of the standards.



# Chapter 3 - Site Planning

## 3.1 Useable residential recreational space.

### (1) Purpose.

- (a) To create useable space that is suitable for leisure or recreational activities for residents.
- (b) To create open space that contributes to the residential setting.

**(2) Applicability.** These standards apply to residential developments, including portions of mixed-use development, that include usable recreational or open space towards a density bonus. Otherwise, the following text are guidelines that do not have to be met.

### (3) Usable residential recreational space.

- (a) All residential developments, including residential portions of mixed-use development, must provide minimum usable recreational space equal to 5 percent of dwelling unit floor area. This includes all dwelling units, but excludes the floor area of hallways, lobbies, and other common areas. The required recreational space may be provided in a combination of ways:
  - (i) Shared outdoor space. All of the required recreational space may be in the form of shared outdoor space available to all residents and meeting the requirements of subsection (b) below. Shared roof-decks located on the tops of buildings are addressed in subsection (v) below.
  - (ii) Ground/grade-level individual outdoor space. All of the required recreational space for a unit may be provided by ground-level outdoor space that is abutting and directly accessible to the subject unit. Such recreational spaces must be:
    - (A) Outdoor spaces may be located in the front, side, or rear yard provided they are generally level, feature no dimension less than ten-feet, and enclosed by a fence, railing, and/or hedge at least 32-inches in height to qualify
    - (B) Private porches may qualify as outdoor space provided they are at least 36-square-feet in area, with no dimension less than six-feet.Individual ground-level open space that is in excess of minimum requirements must not be used in the calculations for determining the minimum usable recreational space requirements for other units in the development.
  - (iii) Balconies and other similar private outdoor spaces. Up to 50 percent of the required recreational space for a unit may be provided by private balconies provided such spaces are at least 36 square feet in area, with no dimension less than four feet (not including railings), to provide a space usable for human activity.
  - (iv) Common indoor recreation-areas. Up to 50 percent of the required recreational space may be provided by common indoor recreation areas meeting the following conditions:
    - (A) The space must meet ADA standards and must be located in a visible area, such as near an entrance, lobby, or high traffic corridors.
    - (B) The space must be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement.

- (v) Shared roof-decks. For apartment buildings, up to 50 percent of the required recreational space may be provided by shared roof-decks located on the top of buildings which are available to all residents and meet the requirements below. For mixed-use buildings, 100 percent of the required recreational space may be provided by shared roof-decks. Design requirements:
  - (A) Space must feature hard surfacing, provide amenities such as seating areas, landscaping, and/or other features that encourage use.
  - (B) Space must integrate landscaping elements (at least 20 percent of the space) that enhance the character of the space and encourage its use.



- (b) Shared outdoor space design requirements. Shared outdoor space can include landscaped courtyards or decks, entrance plazas, gardens with walkways, children’s play areas, pools, and water features provided they are accessible to all residents of the development. Accessible areas used for storm water retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may qualify as shared recreational space.

Special requirements for shared outdoor spaces include the following:

- (i) Shared outdoor space must be located in centralized areas that are visible from units within the development.
- (ii) Shared outdoor space must feature no dimension less than 15-feet in order to provide functional leisure or recreational activity. Wider minimum dimensions are required perpendicular to building elevations containing windows of dwelling units whose only solar access is from the applicable building wall. Specifically:
  - (A) 20-feet minimum for such elevations up to three-stories tall.
  - (B) 25-feet minimum for such elevations four-stories tall.
  - (C) 30-feet minimum for such elevations five or more stories tall.
- (iii) Shared outdoor space must feature paths, landscaping, seating, and lighting plus play structures, sports courts, and/or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
- (iv) Stairways and service elements located within or on the edge of shared recreational space must not be included in the open space calculations.

- (v) Shared porches may qualify as shared outdoor space, provided they are at least eight feet in depth and 96-square-feet in total area.

**Shared outdoor and indoor recreational space examples**



The upper left example is a courtyard over a parking deck. Notice the transition elements between the courtyard and adjacent residential units. The upper right courtyard is shared by ground-level commercial uses and apartments above.

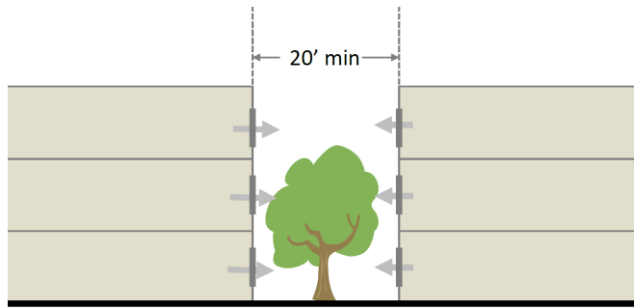


The left image above includes a covered gathering space with outdoor grills adjacent to a landscaped commons with a central walkway. The right image is an example of shared indoor recreation space.

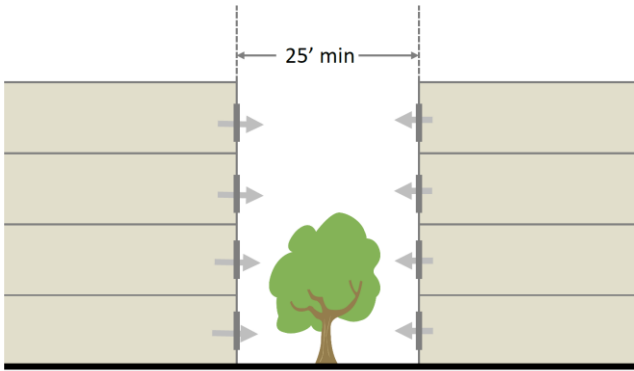


The left image above includes a turf play area with mounds for fun play. The right image shows traditional play equipment.

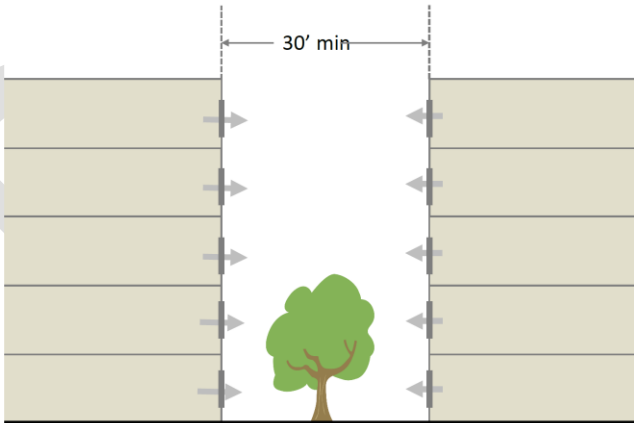
**Shared outdoor space – minimum widths when abutting building elevations containing windows of dwelling units whose only solar access is from the applicable building wall**



20-feet minimum for such elevations up to three-stories tall.



25-feet minimum for such elevations four-stories tall.



30-feet minimum for such elevations five or more stories tall

## 3.2 Public plazas.

### (1) Purpose.

- (a) To encourage plazas and other pedestrian oriented spaces in downtown that enhance the public's opportunity for active and passive activities, such as dining, resting, people watching, and recreational activities.
- (b) To enhance the comfort and leisure capabilities of public plazas.
- (c) To enhance the development character and attractiveness of the Downtown Urban Center.

**(2) Applicability.** These standards apply when publicly accessible plazas are included in the development.

### (3) Public plaza standards.

- (a) Public plazas must abut and be within three feet in elevation of a public sidewalk. Ramps must be provided consistent with ADA standards.
- (b) Public plazas must be at least 25 feet wide.
- (c) At least 10 percent of the plaza area shall be planted with trees and other vegetation. Planters with trees, shrubs, or other vegetation are permitted to count towards the 10 percent.
- (d) At least 20 percent of the plaza shall have physical or natural shade structures. Seated areas with umbrellas, planted trees that will have a canopy radius of at least 2.5 feet, canopies, and other shade structures are permitted to count towards the 20 percent.
- (e) At least two feet of seating area (a bench or ledge at least 16-inches deep and appropriate seating height) or one individual seat per 60-square-feet of plaza area or open space. Moveable seating may be used to meet up to 75 percent of this requirement.
- (f) Desirable public plaza features (to be encouraged) include site furniture, artwork, drinking fountains, water features, kiosks, play structures, or other similar features.

### Example of site development integrating public plazas



### Example of site development integrating public plazas



All of the above spaces front onto sidewalks and include bordering storefronts to help enliven the spaces. The bottom plaza includes a crushed rock surface, with concrete pathways on the side to facilitate pedestrian movement. Note the mix of fixed and movable seating options.

## 3.3 Parking lots, garages, and drive access design.

### (1) Purpose.

- (a) To create a safe, convenient, and efficient network for vehicle circulation and parking that minimizes conflicts with pedestrian circulation and activity.
- (b) To mitigate the visual impact of parking lots on the streetscape and development context.
- (c) To enhance the function, safety, and visual appearance of parking garages.

### (2) Parking lot pedestrian circulation and design.

The project must provide an integrated and connected pedestrian circulation network that encourages walking and functions as one of the defining features of the development. Specifically:

- (a) Pedestrian connections not less than five feet wide shall be provided through parking lots where they separate building entrances from sidewalks and/or transit stops. Pedestrian connection walkways are required to meet minimum ADA requirements.
- (b) Pedestrian connections through parking lots shall be clearly defined by at least two of the following:
  - (i) Six-inch vertical curb in combination with a raised walkway.
  - (ii) Textured paving, including across vehicular lanes, such as unit pavers, stamped and scored concrete.
  - (iii) Bollards.
  - (iv) Trellis.

- (v) Continuous landscape area on at least one side of the walkway that is at least three feet wide.
- (vi) Pedestrian-scale lighting.
- (c) Parking lot walkways. For developments with large surface parking lots, one walkway shall be provided for every four rows of parking, or at a maximum spacing of 200 feet.
- (d) Crosswalks. Crosswalks are required when a walkway crosses an on-site paved area accessible to vehicles.
- (e) Raised crosswalks (speed tables). On sites larger than one acre, all crosswalks near major building entrances, parking garage entries, vehicular entries to the site, and other high-traffic areas shall be vertically raised to sidewalk level. The purpose of raised crosswalks is to provide a continuous walking or rolling surface, increase the visibility of pedestrians, and slow the speed of vehicular traffic. This requirement does not apply to crosswalks crossing public roadways.

**(3) Through-block connection standards for the development of large sites.**

Through-block connections may include private streets, shared pedestrian and vehicular access routes, and other non-motorized routes that are intended to run between streets through an entire block. The standards herein allow flexibility in the type of connections best suited for the particular development and its use mix. Specific regulations for such through-block connections:

- (a) The maximum distance between a street and through block connection or between through-block connection is 330 feet.  
  
Development sites with smaller dimensions are not required to integrate through-block connections with new development.
- (b) Departures and exceptions to the through-block connection standards:
  - (i) The Director may approve a departure from the dimensional standards set forth in subsection (a) by up to 25 percent provided the quality of the through-block connection exceeds minimum design standards.
  - (ii) The Director may approve an exception from the dimensional standards set forth in subsection (a) where topography, existing uses/construction, or other geographic conditions prevent compliance or impose an unusual hardship on the applicant, provided the proposed design maximizes pedestrian and vehicular connectivity on the site given the constraints.
- (c) Public access easement. Such through-block connections shall be provided within a public access easement.
- (d) Alignment. Specific alignments for the through-block connections will be developed during the development review process for applicable sites.
- (e) Accessibility. Through-block connections must be accessible to the public at all times and may take a variety of forms, depending on the block size and use mix, as specified in subsection (F), Through-block connections, below.
- (f) Cantilever design. Buildings may project or cantilever into minimum required easement areas on building levels above the connection provided a 13-foot, six-inch vertical clearance is maintained and all other regulations are met.
- (g) Through-block connection types. Unless otherwise noted below and elsewhere in this chapter, required through-block connections may take any of the following forms set forth below. A combination of designs set forth above may be used for each connection.

- (i) Private street. Such streets shall comply with the Engineering Design and Construction Standards.
- (ii) Alley. Alleys shall comply with the Engineering Design and Construction Standards.
- (iii) Shared lane. The shared-lane approach can work well for lower traffic situations and helps to reduce the total space needed to accommodate access. They must include a 20-foot wide minimum two-way shared travel lane within a 32-foot wide public access easement. Parallel or angled parking pockets may be integrated into the lane provided the public access easement is widened accordingly. Landscape planters with a mixture of trees, shrubs, and ground cover must be integrated on at least one side of the shared-lane.
- (iv) Landscaped passageway design. This includes an eight-foot minimum width paved pathway within a 24-foot public access easement. Six-foot minimum landscaping strips (with a mixture of trees, shrubs, and ground cover) are required on each side of the path.
- (v) Urban passageway design. This is a 12-foot minimum width concrete or unit paver walkway within a public access easement (same width) with buildings generally on each side. The building elevations on each side of an Urban passageway must include 40 percent transparency between 30 inches and eight feet above grade. Weather protection is required over all building entrances (at least three feet deep across the full width of the entrance).

### Shared lane examples



Image courtesy eya.com

## Landscaped and urban passageway examples



Landscaped passageway examples above and urban passageway examples below, though the lower right is a blended example of urban and landscaped passageway.



### (4) Vehicular access and design.

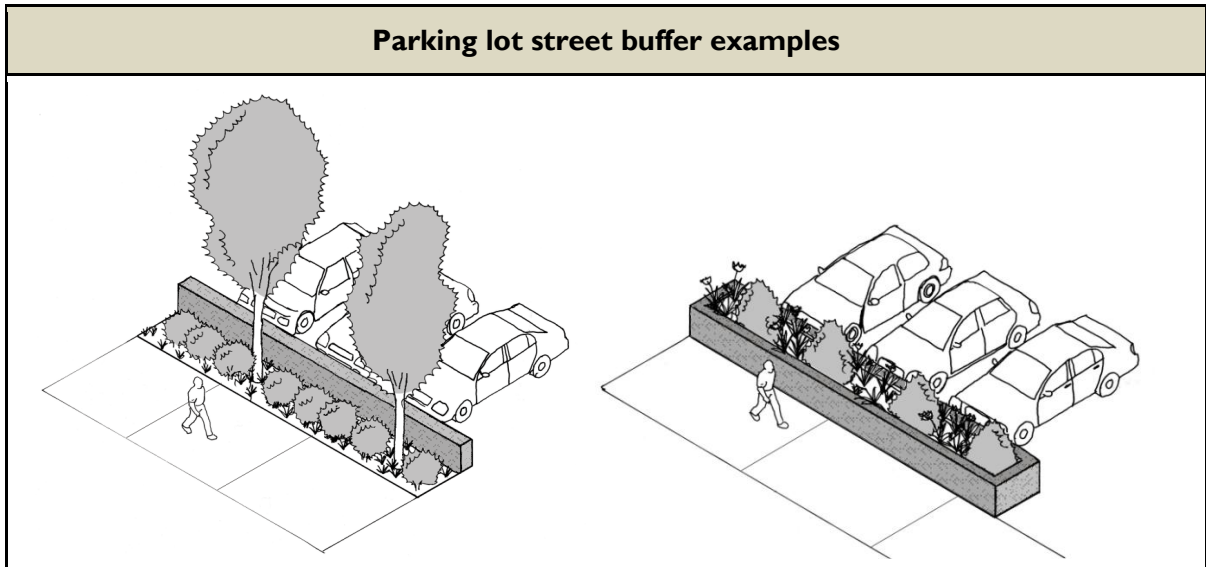
- (a) Driveways. Driveways, where permitted by applicable Block Frontage Standards in Chapter 2, shall meet the standards of the Engineering Design and Construction Standards, including, but not limited to, standards for intersection spacing, distance from crosswalks, and width.
- (b) Parking lot location and design. Parking lot location standards are set forth in the Block Frontage Standards in Chapter 2. All other parking lot design standards are set forth in ACC Chapter 18.52 unless modified herein.
  - (i) See subsection (2) above for interior parking lot pathways.
  - (ii) See subsection (5) below for parking lot landscaping standards.
- (c) Garage and parking structures.
  - (i) The ground level of free-standing parking structures shall include at least three of the following elements:
    - (A) Pedestrian scale signs.
    - (B) Canopies.

- (C) Plinths for columns.
  - (D) Containers for seasonal plantings.
  - (E) Ornamental tilework.
  - (F) Glass elevator and/or stair tower.
  - (G) An element, as approved by the City, which meets the intent of this section.
- (ii) Upper levels of structured parking shall be screened or treated architecturally by two or more of the following:
- (A) Roughly square openings rather than horizontal.
  - (B) Planting designed to grow on the façade.
  - (C) Louvers.
  - (D) Expanded metal panels.
  - (E) Decorative metal grills.
  - (F) Spandrel (opaque) glass.
  - (G) An element, as approved by the City, which meets the intent of this section.
- (iii) Parking garage entries and service area entries should be well-integrated into the design of the building and should not dominate the streetscape. They should be designed and sited to complement, not subordinate, the pedestrian entry. They shall meet the standards of the Engineering Design Standards, Chapter 10.
- (iv) Garage entry doors and gates, if provided, shall be at least 50 percent transparent between the bottom and top of the door or gate in order to enhance the safety of garage users.
- (v) Lighting fixtures within garages are encouraged to be screened from view from the street.

#### **(5) Parking lot landscaping.**

- (a) Surface parking lots consisting of ten or more stalls shall feature landscaped planter beds at a ratio of one to every six stalls. Each planter bed shall include at least one tree, a minimum caliper of two inches at the time of planting. ➡
- (b) The minimum planter size shall be 100 square feet. Planters shall be protected by concrete curbs and shall also feature shrubs and/or groundcover. ➡
- (c) Surface parking lots located adjacent to any street (excluding alleys) shall be screened by one or a combination of the following:
  - (i) Low walls made of decorative concrete, masonry, or other similar material, not exceeding a maximum height of 30 inches.
  - (ii) Raised planter walls (not exceeding a total height of 30 inches) planted with shrubs (a minimum of 80 percent of which must be evergreen).
  - (iii) Landscape plantings consisting of trees (of which at least 80 percent are deciduous) and shrubs and groundcover materials (of which at least 80 percent are evergreen).
  - (iv) All plant material used for parking lot screening shall provide clear views between 30 inches and eight feet above the ground surface, for visibility and safety.
  - (v) Planting areas shall be a minimum of five feet in width and shall be irrigated.

DEPARTURES will be considered provided the design enhances the function, safety, convenience, or visual appearance of the parking lot and mitigates the visual appearance on the streetscape and development context.



## 3.4 Service areas and mechanical equipment.

### (1) Purpose.

- (a) To minimize adverse visual, odor, and noise impacts of mechanical equipment, utility cabinets and service areas at ground and roof levels.
- (b) To provide adequate, durable, well-maintained, and accessible service and equipment areas.
- (c) To protect residential uses and abutting properties from impacts due to location and utilization of service areas.

### (2) Location of ground-related service areas and mechanical equipment.

- (a) Service areas (loading docks, trash dumpsters, compactors, recycling areas, electrical panels, and mechanical equipment areas) must be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment, public plazas, uses within the development, and abutting residentially zoned properties.
- (b) Exterior loading areas. Exterior loading areas for commercial uses must not be located within 20-feet of a residentially zoned property. Where the director finds that this is the only option for locating an exterior loading area, design measures will be required to mitigate impacts to adjacent uses, such as adding a masonry wall at least eight-feet high.
- (c) Service areas must not be visible from the sidewalk and abutting properties. Where the director finds that the only option for locating a service area is an area visible from a street, internal walkway or pedestrian area, or from an abutting property, the area must be screened with structural and/or landscaping screening measures.

### (3) Screening of ground related service areas and mechanical equipment.

Service elements are encouraged to be integrated within the structure. Where they are not provided within the structure, the following standards apply:


- (a) Where screening of ground-level service areas is required [see subsection (2) above], the following applies:
  - (i) A structural enclosure (including gates) must be constructed of masonry, heavy-gauge metal, or decay-resistant material that is also used with the architecture of the main building. Alternative materials other than those used for the main building may be allowed if the finishes are similar in color and texture or if the proposed enclosure materials are more durable than those for the main structure. The walls must be sufficient to provide full screening from the affected roadway, pedestrian areas and adjacent use. The enclosure may use overlapping walls to screen dumpsters and other materials.
  - (ii) Where the interior of a service enclosures is visible from surrounding streets, walkways, and buildings, an opaque or semi-opaque horizontal cover or screen must be used to mitigate unsightly views. The horizontal screen/cover should be integrated into the enclosure design (in terms of materials and/or design).
- (b) Where loading docks are sited along block frontages (only allowed when no other reasonable options are available as determined by the director), they must be designed to minimize impacts on the pedestrian environment. Standards:
  - (i) Configure loading docks/bays to minimize their frontage length along blocks.
  - (ii) Integrate architectural and/or landscaping design features to screen loading dock elements and add visual interest to pedestrians along adjacent sidewalks. See Blank Wall provisions of Section 4.5 for standards and examples.

**(4) Utility meters, electrical conduit, and other service utility apparatus.**

- (a) Utility equipment such as power and gas meters, electrical boxes, and small-scale battery storage systems shall have at least one of the following treatments:
  - (i) Screened with vegetation or landscaping.
  - (ii) Integrated into the building's architecture or screened with decay-resistant material similar in color and texture to the main building.
  - (iii) Wrapped with a City approved utility wrap.
- (b) Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards.

**Utility meter location and screening - good and bad examples**

Place utility meters in less visible locations. The lower left example is successfully tucked away in a less visible location and screened by vegetation. The right image is poorly executed and would not be permitted in such visible locations (along the sidewalk). Such meters must be coordinated and better integrated with the architecture of the building.



# Chapter 4 - Building Design

## 4.1 Building massing and articulation.

### (1) Purpose.

To employ façade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales.

### (2) Façade-articulation. All buildings must include façade-articulation features at maximum-specified intervals to create a human-scaled pattern. These standards apply to building elevations facing streets and parks.

#### (a) Maximum facade-articulation intervals:

- (i) Storefronts: 35 feet. Buildings 50 feet wide or less are exempt.
- (ii) Large footprint non-residential buildings (individual establishments with a building footprint of more than 50,000 square feet). 75 feet.
- (iii) Residential buildings: 30 feet. Buildings 60 feet wide or less are exempt.

#### (b) Articulation features. At least two of the following articulation features must be employed for all buildings in compliance with the maximum-specified façade-articulation intervals.

- (i) Use of a window-fenestration pattern.
- (ii) Use of weather protection features. An example is a different canopy for each articulation interval (rather than a continuous canopy).
- (iii) Use of vertical piers/columns (applies to all floors of the façade, excluding upper level stepbacks).
- (iv) Change in building height or roofline with a difference in height, slope or pitch, direction, or shape (such as towers or dormers).
- (v) Change in building material and/or siding style (applies to all floors of the façade, excluding upper-level stepbacks).
- (vi) Vertical elements such as a trellis with plants, green wall, art element that meet the purpose of the standard.
- (vii) Providing vertical building modulation of at least 12-inches in depth if tied to a change in roofline or a change in building material, siding style, or color. Balconies may be used to qualify for this option if they are recessed or projected from the façade by at least 18-inches.

Note: Façade-articulation features that encroach over the public right-of-way will require a permit meeting the standards of ACC 12.60 and ACC 12.60.050.

DEPARTURES will be considered provided they meet the purpose of the standards and the design criteria below.

## Façade articulation examples.



All three buildings above include a combination of window patterns, vertical building modulation, and changes in building material/siding style. The varying styles of balconies in each also help to articulate the facades. The mixed-use example on the left also uses separate awnings above the storefront to articulate the facade. The middle image also uses roofline modulation.

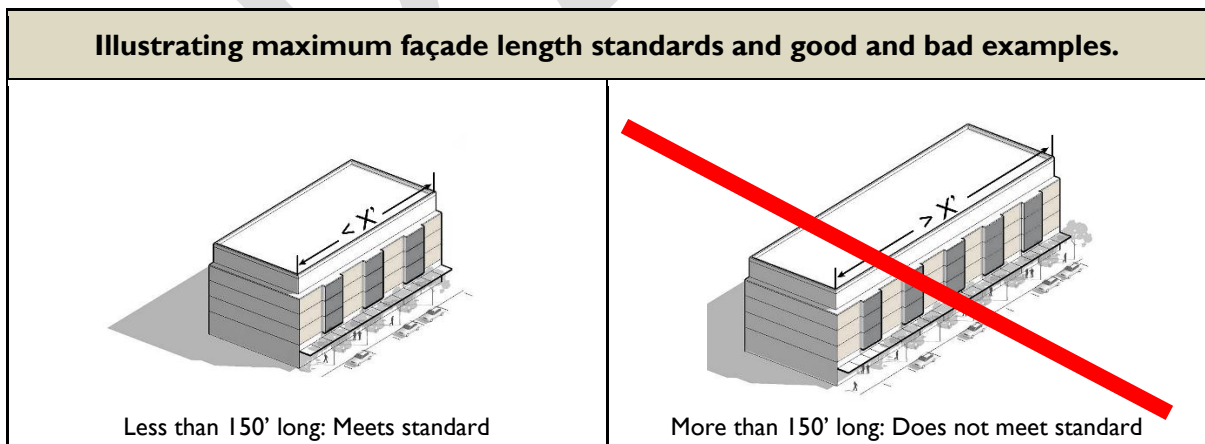


The buildings on the left uses a combination of window patterns, vertical building modulation, roofline modulation, and changes in building material/siding style. The middle image uses window patterns, awnings, and vertical piers. The right image uses window patterns, vertical building modulation, and weather protection elements.

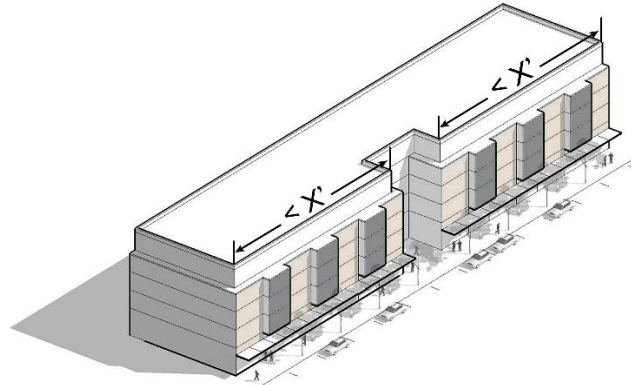
- (c) DEPARTURE criteria associated with articulation standards. Proposals must meet the purpose of the standards. The following criteria will be considered in determining whether the proposed articulation treatment meets the “purpose”.
- (i) Consider the type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building’s current and desired context if a subarea plan is in effect where the building is proposed.
  - (ii) Consider the applicable block-frontage designation. Undesigned block-frontages warrant more flexibility than Storefront block-frontages.
  - (iii) Consider the size and width of the building. Smaller buildings (less than 120-feet wide) warrant greater flexibility than larger buildings.
  - (iv) Consider the quality of façade materials in concert with doors, windows, and other façade features and their ability to add visual interest to the street from a pedestrian scale and more distant observable scales.

**(3) Maximum façade length.** Facades of buildings longer than 150 feet and containing four or more stories must include at least one of the following features to break up the massing of the building and add visual interest.

- (a) Provide vertical building modulation at least six-feet deep and 15-feet long. For multi-story buildings, the modulation must extend through at least one-half of the building floors.
- (b) Use of a contrasting vertical modulated design component featuring all of the following:
  - (i) Utilizes a change in building materials that effectively contrast from the rest of the façade.
  - (ii) Component is modulated vertically from the rest of the façade by an average of six-inches.
- (c) Façade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting façades must employ all of the following:
  - (i) Different building materials and/or configuration of building materials.
  - (ii) Contrasting window design (sizes or configurations).
- (d) DEPARTURES to the above standards will be considered provided the design meets the purpose of the standards. Supplemental consideration for approving alternative designs:
  - (i) Width of the façade. The larger the façade, the more substantial articulation/ modulation features need to be.
  - (ii) Block-frontage designation and visibility/street context. Storefront block-frontages warrant the most scrutiny, whereas narrow Mixed or Undesignated side streets might warrant more flexibility in design.
  - (iii) The type of articulation treatment and how effective it is in meeting the purpose given the building's context.



**Illustrating maximum façade length standards and good and bad examples.**



Building incorporates a courtyard along the façade (technique #1 noted above) to effectively break it up into smaller components: Meets standard.



The left building uses technique # 1 (vertical building modulation at least six-feet deep and 15-feet wide). The right building uses technique #2 (contrasting vertical modulated design component) together with different window fenestration designs on each side. Both examples are effective in breaking up the perceived scale of the building and adding visual interest.

## 4.2 Roofline design

### (1) Purpose.

To employ roofline design techniques for visual interest and help direct water away from the structure.

### (2) Flat roofline/cornice design. All buildings more than three stories tall shall employ a distinctive roofline that effectively provides an identifiable “top” to the building, including one of the following:

- (a) A traditional cornice line (a horizontal decorative molding that projects along the top of a wall or building, serving both as a decorative element and a functional component to help direct water away from the structure).
- (b) Understated cornice lines are permitted depending on the materials and design of the base and middle elements in reinforcing the base/middle/top configuration.
- (c) Contemporary overhanging cornice line, which overhangs the façade by at least four feet. Such rooflines shall be proportional to the size and scale of the building.
- (d) Employ roofline modulation option to help comply with façade articulation standards in Section 4.1. This includes adjustments in height of roofline/cornice elements.

Rooftop solar units are permitted, provided the placement and design of units visible from the surrounding streetscape are carefully integrated into the overall design concept of the building.

DEPARTURE: Alternative roofline designs may be acceptable provided the building design, collectively, meets the purpose of the standards. For example, additional articulation treatments and/or detailing may help the building meet the departure criteria.

### Acceptable and unacceptable roofline design.

#### (a) Traditional cornice lines



#### (b) Understated cornice lines

Acceptable and unacceptable roofline design.



(c) Contemporary overhanging cornice lines



**Acceptable and unacceptable roofline design.**



**(d) Modulated roofline**



**Other acceptable rooflines (departures)**

The left image features a combination of understated cornice line on main façade, with a setback upper level with a large overhanging cornice line. The right example also features an understated cornice line but also integrates multiple modulated elements and a top floor stepback.

**Acceptable and unacceptable roofline design.**



**Unacceptable roofline**

Basic roofline with no detail or articulation that help to define the “top” of the building.



## 4.3 Building details.

### (1) Purpose.

- (a) To encourage the incorporation of design details and small-scale elements into building façades that are attractive at a pedestrian scale.
- (b) To integrate window design that adds depth, richness, and visual interest to the façade.

**(2) Façade details – Storefront block frontages and other storefront designs.** Storefront buildings on designated Storefront block frontages and Mixed or Undesignated block frontages must be enhanced with appropriate details. Such buildings must employ at least one detail element from each of the three categories below for each façade articulation interval (see subsection 4.1.2).

- (a) Window and/or entry treatment, such as:
  - (i) Transom windows.
  - (ii) Roll-up windows/doors. [Use of this feature exempts buildings from having to meet detailed standards in subsections (b) and (c) below.]
  - (iii) Recessed entry.
  - (iv) Decorative door.
  - (v) Other decorative or specially designed window or entry treatment could be proposed via DEPARTURE provided they meet the purpose of the standards.

### Examples of architectural elements and façade attachments.

i: Transom windows



ii: Roll-up or similar windows/doors

iii: Recessed entry



iv: Decorative door.

## Examples of architectural elements and façade attachments.



- (b) Architectural elements and façade attachments, such as:
- (i) Custom-designed weather protection element such as a steel canopy, glass, or retractable awning. Custom-designed cloth awnings may be counted as a detail provided they are constructed of durable, high-quality material.
  - (ii) Decorative rooflines, which could take a variety of forms. It could include an ornamental molding, entablature, frieze or other roofline device visible from the ground level. If the roofline decoration is in the form of a linear molding or board, then the molding or board must be at least 8-inches wide. Such details could occur at an intermediate floor, where the upper floors are set back beyond the front façade. Examples could also include a modern interpretation of a traditional cornice line with distinct detailing.
  - (iii) Bay windows, trellises, towers, and similar elements.
  - (iv) The use of neon in artwork or to emphasize building features.
  - (v) Other architectural element or façade attachment details could be proposed via DEPARTURE provided they meet the purpose of the standards.

## Examples of architectural elements and façade attachments.

### i: Custom designed weather protection



Left: retractable awning. Right: custom decorative canopy



### iii: Bay windows, trellises, towers, etc.



Decorative tower

### ii: decorative rooflines



Left: decorative cornice and top floor. Right: decorative projecting cornice feature.



### v: Other details that meet the purpose of the standards.



Custom hanging bike rack and repair station integrated as a storefront design element

### (c) Building material details, including:

- (i) Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework.
- (ii) Decorative kick-plate, pilaster, base panel, or other similar feature.
- (iii) Decorative building-mounted light fixtures.
- (iv) Hand-crafted material, such as special wrought iron or carved wood.
- (v) Other building material details could be proposed via DEPARTURE provided they meet the purpose of the standards.

DEPARTURES for façade detail standards of subsection (2) of this section will be considered provided the façade (at the overall scale and at the individual articulation scale) meets the purpose of the standards.

**Examples of Examples of building material details that enhance the visual intrigue of the building**

**i: Decorative building materials**



**iii: Decorative light fixtures.**



**ii: Decorative kick-plate, pilaster, base panel, or similar**



**iv: Hand-crafted material or other details that meet the purpose of the standards.**



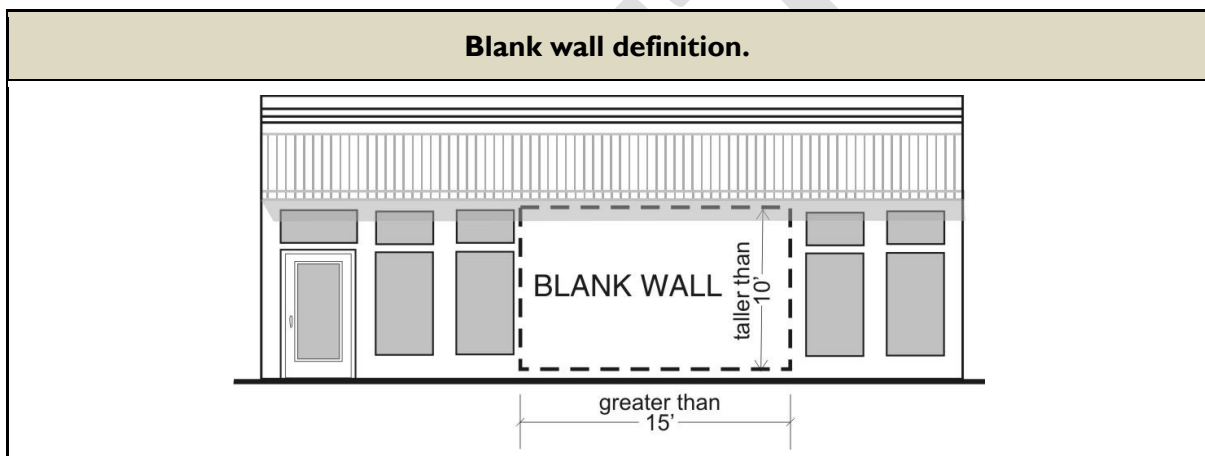
## 4.4 Blank wall treatment.

### (1) Purpose.

- (a) To avoid untreated blank walls.
- (b) To retain and enhance the character of Auburn's streetscapes.

### (2) Blank wall definition. "Blank wall" means:

- (a) For storefront and other buildings placed within ten feet of the sidewalk, a ground floor wall or portion of a ground floor wall over 10-feet in height and a horizontal length greater than 15-feet and does not include a transparent window or door.
- (b) For all other buildings, a ground floor wall or portion of a ground floor wall over 10-feet in height and a horizontal length greater than 30-feet and does not include a transparent window or door.



### (3) Blank wall treatment standards. Untreated blank walls abutting a public street, public plazas, shared outdoor space, or pedestrian walkway are prohibited. Methods to treat blank walls can include:

- (a) Display windows at least 16-inches of depth to allow for changeable displays. Tack-on display cases do not qualify as a blank wall treatment.
- (b) Landscape planting bed at least five-feet deep or a raised planter bed at least two-feet high and three-feet deep in front of the wall with planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within three years.
- (c) Installing a vertical trellis in front of the wall with climbing vines or plant materials.
- (d) Installing a mural. The use of neon in artwork is permitted.

DEPARTURES. Other design including special building detailing that adds visual interest at a pedestrian scale will be considered. Such detailing must use a variety of surfaces.

For large visible blank walls, a variety of treatments may be required to meet the purpose of the standards.

**Blank wall treatment examples.**



Buildings A-C feature acceptable treatments including a combination of high quality materials and landscaping (A), decorative lighting/sculptural element (B), and special building detailing (C). The display cases in Building D don't meet the 16" depth requirement, nor do they meet the purpose of the standards.

- (4) Firewalls.** Firewalls along property lines are exempt from the above standards, but where they are visible to the public (from the adjacent street), they must be designed to provide visual interest from all observable distances. Examples may include the use of varying materials, textures, and/or colors, the use of green or living walls, and/or the use of modulated building walls to form design patterns.

Murals are also encouraged as a firewall treatment. Commercial advertisements are not permitted on such murals.

**Acceptable firewall design where visible to the public.**



The left images uses a combination of paint bands and climbing vines to enhance the appearance of this large exposed firewall. The building in the right image uses simple scoring patterns and change in materials and color on part of the top floor to add visual interest.



Plain-gray concrete block firewalls such as this are not allowed when visible from the street.

## 4.5 Rooftop services area and mechanical equipment.

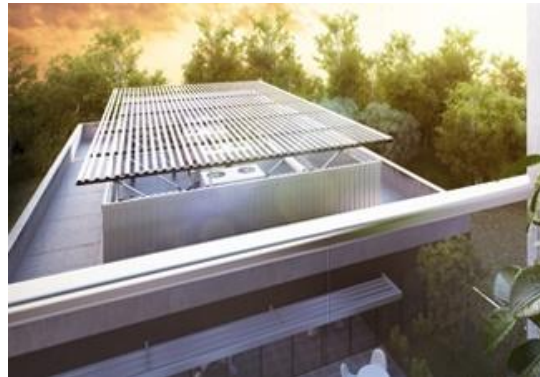
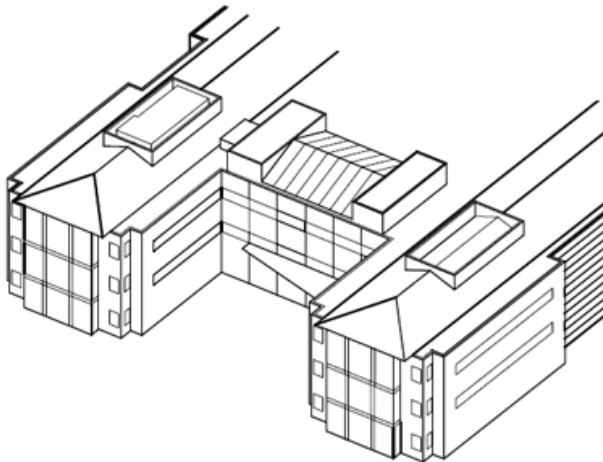
### (1) Purpose.

To obscure service and mechanical equipment from the visual sightlines of people walking through Downtown Auburn.

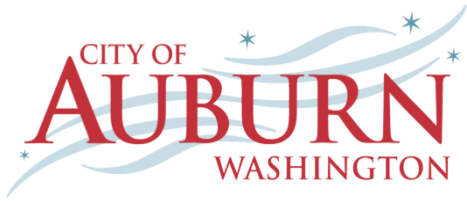
### (2) Rooftop equipment screening.

- (a) All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment must be effectively screened from public view. Screening shall be integrated with the architecture of the building.
- (b) An access easement to rooftops shall be provided to the City of Auburn, which will allow the installation of devices for wireless coverage and maintenance of those devices. The applicant shall also provide access to power on rooftops to be used for City wireless facilities. The parameters of the access easement and location of devices shall be approved by the City. Any cabling and/or power shall be secured so the facilities are not damaged by other activity on the roof.

#### Examples of how to screen roof-mounted mechanical equipment



The left illustration shows how rooftop mechanical equipment can be located and screened effectively. The right images shows effective location and screening, including side walls and a trellis to screen views from taller surrounding buildings.



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 7016 (Krum)

An Ordinance relating to updates to the Citywide Design Standards, and amending Sections 18.31.200, 18.07.030 and 18.23.040 of the Auburn City Code

**Meeting Date:**

June 1, 2026

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7016.)**

**Department:**

Community Development

**Attachments:**

Ordinance No. 7016, Ordinance No. 7016 - Exhibit A, Citywide Design Standards

**Budget Impact:****Administrative Recommendation:**

City Council to approve Ordinance No. 7016.

**Background for Motion:**

Ordinance No. 7016 will streamline Auburn's development regulations related to design review and provide clear, objective, and measurable standards, ensuring Auburn's consistency with House Bill 1293.

**Background Summary:**

House Bill (HB) 1293, an Act related to streamlining development regulations for design review, was passed by the Legislature in the 2023 Regular Session which states that cities planning under RCW 36.70A.040 shall have clear and objective development regulations governing the exterior design of new development. Sections 18.31.200, 18.07.030, and 18.23.040 of the Auburn City Code must be amended to meet the requirements of HB 1293. New Citywide Design Standards have been prepared to replace the Multi-Family and Mixed-Use Design Standards and meet the requirements of HB 1293. The Citywide Design Standards are adopted by reference to City Code per ACC 18.31.200(D). A copy of the updated design standards is attached to this Agenda Bill.

The proposed text amendment was transmitted to the Washington State Department of Commerce for agency review on December 31, 2025. The 60-day notice period ended March 1, 2026. Determination of Non-Significance (DNS) and a Notice of Public Hearing (NOH) were issued on March 6, 2026, under City File No. SEP26-0003.

City staff presented at the regular meeting of the Planning Commission on February 3, 2026, and March 3, 2026. The City also conducted a public open house regarding the Citywide Design Standards on February 4, 2026.

A Notice of Public Hearing was reissued on April 24, 2026. The notice for the Planning Commission Public Hearing was published in The Seattle Times on April 24, 2026, and the NOH was posted in three general public locations (City Hall, City Annex, and the City's Public Land Use Notice webpage).

The Planning Commission held a Public Hearing on May 5, 2026, to receive public testimony on the proposal, and provided a recommendation to City Council.

Staff presented the proposed changes to City Council at Study Session on May 26, 2026.

**Councilmember:** Tracy Taylor

**Staff:** Jason Krum

**ORDINANCE NO. 7016**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO UPDATES TO THE CITYWIDE DESIGN STANDARDS, AND AMENDING SECTIONS 18.31.200, 18.07.030 AND 18.23.040 OF THE AUBURN CITY CODE

WHEREAS, the Washington State Legislature passed House Bill (HB) 1293 in April 2025, an Act related to streamlining development regulations for design review requiring counties and cities planning under Revised Code of Washington (RCW) 36.70A.040 to have clear and objective development regulations governing the exterior design of new development; and

WHEREAS, the Citywide Design Standards have been prepared to replace the Multi-Family and Mixed-Use Design Standards and meet the requirements of HB 1293; and

WHEREAS, the Citywide Design Standards and associated text amendments will provide clear objectives for the planning and design of development projects and will ensure that new multi-family, mixed-use, and commercial development enhances the public's experience and promote increased walkability, bicycling, and transit use in Auburn; and

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 text amendments to the text; and

WHEREAS, the associated text amendment to the updated design standards includes changes to Sections 18.31.200, 18.07.030, and 18.23.040 of the Auburn City Code; and

WHEREAS, pursuant to RCW 36.70A that a text amendment shall be amended with public participation; and

WHEREAS, pursuant to RCW 36.70A, the draft text amendments were transmitted to the Washington State Department of Commerce on December 31, 2025. The 60-day notice period ended March 1, 2026; and

WHEREAS, the City conducted a public open house regarding the proposed amendments on February 4, 2026; and

WHEREAS, a Determination of Non-Significance (DNS) and a Notice of Public Hearing (NOH) were issued on March 6, 2026 under City File No. SEP26-0003, and a Notice of Public Hearing was reissued on April 24, 2026, pursuant to Chapter 18.68 ACC. The noticing for the Planning Commission public hearing was published in the Seattle Times on April 24, 2026, and the NOH was posted in three general public locations (City Hall, City Annex, and the City's Public Land Use Notice webpage); and

WHEREAS, the City of Auburn Planning Commission scheduled and held a public meeting on March 3, 2026, for the purposes of staff presentations and discussion on the various components of the Citywide Design Standards and text amendments; and

WHEREAS, the Planning Commission scheduled and held a public hearing on May 5, 2026, to receive public testimony on the proposed Citywide Design Standards and text amendments; and

WHEREAS, the Auburn City Council finds it appropriate and in the best interests of the city to adopt the Citywide Design Standards and text amendments to Sections 18.31.200, ACC 18.07.030, and ACC 18.23.040 of the Auburn City Code.

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

**Section 1. Amendment to City Code.** Sections 18.31.200, 18.07.030, and 18.23.040 of the Auburn City Code are amended to read as shown 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. Corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any references thereto.

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

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Jason Whalen, City Attorney

Published: \_\_\_\_\_

## 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. Apartment buildings, s (Formerly Multiple-Family) and Mixed-Use Developments, Congregate living development, and Non-residential development. 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. Apartment ~~buildings, containing seven or more units on a single lot, development inclusive of seven or more units~~ in all zones in the city where ~~permitted outright or as a conditional use~~allowed ~~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 allowed ~~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~~allowed; and

d. Non-residential development, except for development within the M-1 and M-2 zones.

2. *Downtown Urban Center.* The following locations of development activities are subject to the city's downtown urban design standards document:

a. Properties located within the boundaries of the DUC, downtown urban center-zoning district boundary, 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, downtown urban design standards.~~

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 that 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~~Citywide design standards.
2. Auburn Gateway architectural and site design standards.
3. Downtown urban 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 ~~Recommendation with- When Required Associated With a Design Review.~~* A pre-application conference is recommended for all other projects subject to the city's architectural and site design review but is not required.

1. A pre-application conference is ~~required~~strongly recommended for the following instances:

- a. ~~For a~~Apartment in the R-3 and R-4 residential zones~~buildings;~~ and
- b. ~~For m~~Mixed-use development; and containing residential living units located within R-3 and R-4 residential zones; and
- c. ~~For mixed-use development containing residential living units located within commercial zones; and~~
- cd. For retirement apartments, congregate living facilities and senior housing complexes, ~~located within 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 ~~Departures~~Adjustments.*

1. *Authority for Design Review ~~Departures~~Adjustments.* The community development director or designee shall have the authority, subject to the provisions for departures within design standard documents 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 departures or alternative design treatments. 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 Departures Adjustments*. Each determination granting ~~a departure~~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 departure adjustment ~~meets the purpose of the standards and any other applicable departure criteria that applies to the specific standard~~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 departure 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 ~~the standard, 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.~~

~~34. Appeal of Director's Decision on Design Review Departures Adjustment~~

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; and
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, single-unit detached dwellings and middle housing.~~
- ~~4. In addition to the criteria in subsections (j)(1) through (j)(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. 6959 § 1 (Exh. A), 2024; Ord. 6728 § 4 (Exh. D), 2019; Ord. 6408 § 1, 2012; Ord. 6287 § 2, 2010; Ord. 6245 § 15, 2009.)~~

### 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-AG Mixed-Use Commercial
Minimum lot area	None	None	None <sup>1</sup>
Minimum lot width, depth	None	None	None
Maximum lot coverage	None	None	None
Minimum setbacks	<i>Minimum setbacks required for structures. See also ACC <a href="#">18.31.070</a> for specific exceptions to these setback standards.</i>		
Front	<del>20 ft</del> None <sup>4</sup>	<del>20 ft</del> None <sup>4</sup>	20 ft
Side, Interior	None <sup>2</sup>	None <sup>2</sup>	None <sup>2</sup>
Side, Street	15 ft	15 ft	15 ft
Rear	None <sup>2</sup>	None <sup>2</sup>	None <sup>2</sup>
Height limit	<i>Maximum allowable height of structures. See also ACC <a href="#">18.31.030</a></i>		

Development Standard	Requirement by Zone		
	C-1 Light Commercial	C-2 Heavy Commercial	C-AG Mixed-Use Commercial
	<i>(Height limitations – Exceptions) for specific height limit exceptions.</i>		
<b>Maximum height</b>	45 ft <sup>3</sup>	75 ft	75 ft
<b>Additional development standards</b>	None	None	None
<b>Fences and hedges</b>	See Chapter <a href="#">18.31</a> ACC		
<b>Landscaping</b>	See Chapter <a href="#">18.50</a> ACC		
<b>Parking</b>	See Chapter <a href="#">18.52</a> ACC		
<b>Signs</b>	See Chapter <a href="#">18.56</a> ACC		
<b>Lighting</b>	See Chapter <a href="#">18.55</a> ACC		
<b>Nonconforming structures, land and uses</b>	See Chapter <a href="#">18.54</a> 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.

[4 In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city engineering design and construction standards.](#)

**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	<i>Minimum setbacks required for structures. See also ACC <a href="#">18.31.070</a> for specific exceptions to these standards.</i>	
Front	<del>20 ft</del> None	30 ft
Side, Interior	None <sup>1</sup>	None <sup>1</sup>
Side, Corner	20 ft	30 ft
Rear	None <sup>1</sup>	None <sup>1</sup>
Height limit	<i>Maximum allowable height of structures. See also ACC <a href="#">18.31.030</a> (Height limitations – Exceptions) for specific height limit exceptions</i>	
Maximum height	45 ft <sup>2</sup>	45 ft <sup>2</sup>
Additional development standards	None	None

Development Standard	Requirement by Zone	
	M-1 Light Industrial	M-2 Heavy Industrial
<b>Fences and hedges</b>	See Chapter <a href="#">18.31</a> ACC	
<b>Landscaping</b>	See Chapter <a href="#">18.50</a> ACC	
<b>Parking</b>	See Chapter <a href="#">18.52</a> ACC	
<b>Signs</b>	See Chapter <a href="#">18.56</a> ACC	
<b>Lighting</b>	See Chapter <a href="#">18.55</a> ACC	
<b>Nonconforming structures, land and uses</b>	See Chapter <a href="#">18.54</a> 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. 6959 § 1 (Exh. A), 2024; Ord. 6885 § 1 (Exh. A), 2022; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6433 § 26, 2012.)

**18.07.030 Development standards.****Table 18.07.030. Residential Development Standards**

	<b>Standard</b>	<b>RC</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-NM</b>	<b>R-F</b>
A	Minimum density units or lots per acre (lot area per unit) <sup>1, 5</sup>	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) <sup>8</sup>	174,000	43,500	4,400	2,700	2,200	2,200	4,400
C	Minimum lot width (feet) <sup>2, 5, 7</sup>	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 <sup>6</sup>	4	4	4	4	4	4	4
2	Base units per lot allowed with transit or affordability bonus <sup>6</sup>	6	6	6	6	6	6	6
3	Lot area per unit above base (B1 or B2 as applicable) allowance (square feet) <sup>6</sup>	X	X	1,250	750	N/A	N/A	1,250
4	Maximum units per lot <sup>6</sup>	6	6	6	20	N/A	N/A	6

	<b>Standard</b>	<b>RC</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-NM</b>	<b>R-F</b>
E	Minimum setbacks (feet) <sup>2, 3, 10</sup>							
1	Residence front setback <sup>3</sup>	35	35	10	10 <sup>9</sup>	<del>10</del> None	<del>10</del> None	10 <sup>9</sup>
2	Garage (minimum front setback required from street access) <sup>3</sup>	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 animals  For other animals, see the supplemental development standards for animals in ACC <a href="#">18.31.220</a>	75	X	X	X	X	X	X
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 in ACC	35	X	X	X	X	X	X

	<b>Standard</b>	<b>RC</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-NM</b>	<b>R-F</b>
	<a href="#">18.31.220</a>							
5	Interior side setback	20	10	5	5	5	5	5
6	Street side setback <sup>3</sup>  In all zones, 20 feet minimum street side setback required from street access.	35	20	10	10	10	10	10
7	Rear setback <sup>3</sup>	35	20	15	15	10	10	15
8	Rear setback, detached structure <sup>3, 8</sup>  In all zones, 20 feet minimum street side setback required from street access.	15	15	10	5	5	5	10
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 <sup>4</sup>	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	N/A	N/A	N/A	5	10	10	N/A

	<b>Standard</b>	<b>RC</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-NM</b>	<b>R-F</b>
	(feet)							
K	Minimum landscaped open space (%)	N/A	N/A	See Chapter <a href="#">18.50 ACC</a>	See Chapter <a href="#">18.50 ACC</a>	See Chapter <a href="#">18.50 ACC</a>	See Chapter <a href="#">18.50 ACC</a>	N/A

**1** See Chapter [18.32 ACC](#) 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 [city engineering design standards](#) and construction standards.

**3** In addition to meeting setback requirements, all structures must meet sight distance requirements in accordance with city [engineering](#) 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** See ACC [18.02.067](#) for calculating units allowed per lot.

**7** Applies to new parent lots within a unit lot subdivision.

**8** When abutting an alley, detached accessory dwelling units are allowed within the rear setback.

**9** [Non-residential, mixed use, and apartment buildings may have either no or a reduced front setback if the applicable Citywide “Storefront” design standards are met.](#)

**10** [Minimum setbacks required for structures. See also ACC 18.31.070 for specific exceptions to these setback standards.](#)

(Ord. 6959 § 1 (Exh. A), 2024; Ord. 6661 § 3, 2018; Ord. 6600 § 10, 2016; Ord. 6245 § 5, 2009.)

# City of Auburn CITYWIDE DESIGN STANDARDS

Draft, February 24, 2026

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# Chapter I: Introduction

## I.1 Purpose.

These design standards are authorized by the City Council as a major implementation tool of the Auburn Comprehensive Plan. Overall, these standards intend to:

- Provide clear objectives for the planning and design of development projects.
- Preserve and protect the public health, safety, and welfare of the citizens of Auburn.
- Ensure that new multifamily, mixed-use, and commercial development enhances the public's experience of Auburn.
- Promote increased walking, bicycling, and transit use in Auburn's Growth Centers.

## I.2 Applicability.

- (1) New development. The provisions of this chapter apply to all non-residential, mixed-use, and apartment building (containing seven or more units on a single lot) developments within the City, except:
  - (a) Developments within Downtown Urban Center, which are subject to their own design standards.
  - (b) Middle housing developments that meet the standards of ACC 18.25.040 and 18.04.340(B) shall follow the middle housing design standards of ACC 18.25.070.
  - (c) Non Mixed-Use developments within the M-1 and M-2 zones.
- (2) Building additions, remodels, and site improvements. Three different thresholds have been established to determine how the standards herein are applied to such projects.
  - (a) Level I improvements include all exterior remodels, building additions, and/or site improvements that affect the exterior appearance of the building/site and/or cumulatively increase the gross floor area on a site by less than 50 percent within three years of the date of permit issuance. The requirement for such improvements is only that the proposed improvements meet applicable standards herein, and do not lead to further nonconformance with the aforementioned standards.

For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material standards, but elements such as building articulation would not be required.
  - (b) Level II improvements include all improvements that cumulatively increase the gross floor area on a site by 50 percent to 100 percent within three years of the date of permit issuance. All standards that do not involve repositioning the building or reconfiguring site development shall apply to Level II improvements. In the case where the site includes multiple buildings and one or more of those buildings aren't being enlarged, such buildings are not required to be improved or relocated.
  - (c) Level III improvements include all improvements that cumulatively increase the gross floor area on a site by more than 100 percent within three years of the date of permit issuance. Such developments shall conform to all applicable standards, except in a case where there are multiple buildings on one site, and one or more buildings are not being enlarged. In that

scenario, improvements to the building or buildings not being enlarged are not required, but conformance with all other standards apply.

- (3) Public buildings. Public buildings are exempt from the design standards herein, provided design treatments are integrated to meet the following objectives:
  - (a) Enliven the pedestrian environment along the adjacent sidewalks.
  - (b) Incorporate a prominent and inviting entry visible from the street.
  - (c) Building design and materials should evoke a sense of permanence.
  - (d) Site and building design stands out from the surrounding context as a distinct landmark and provides visual interest from all observable scales.

### **1.3 How the provisions of this chapter are applied.**

Most sections within this chapter herein include the following elements:

- (1) Purpose statements, which are overarching objectives.
- (2) Standards use words such as “must” and “is/are required,” signifying required actions.
- (3) Guidelines use words such as “should” or “is/are recommended,” signifying voluntary measures.
- (4) Design “Departures” are provided for specific standards in this chapter. They allow alternative designs provided the reviewing authority determines the design meets the purpose of the standards and other applicable criteria. See ACC 18.31.200(l) for related procedures associated with departures.
- (5) Relationship to other codes and documents. Where provisions of this chapter conflict with provisions in any other section of the Auburn City Code (ACC), this chapter prevails unless otherwise noted.
- (6) This chapter contains some specific standards that are easily quantifiable, while others provide a level of discretion in how they are complied with. In the latter case, the applicant must demonstrate to the director, in writing, how the project meets the purpose of the standard or standards.

### **1.4 Definitions**

Definitions in Chapter 10.04, ACC apply to these standards. Below are supplemental definitions that apply specifically to these design standards:

- (1) Articulation - A method of styling the joints and transitions in the formal elements of architectural design for the purpose of creating visual interest. Includes treatments to building joints and transitions such as indents, projections, material changes, façade treatments.
- (2) Belt Course - A molding or projecting course running horizontally along the face of a building.
- (3) Canopy - A cover over a sidewalk providing protection from the rain or shade from the sun, which is constructed of durable, permanent materials.
- (4) Cornice - A horizontal decorative or ornamental molding located at the top of a building facade.
- (5) Director - means the director of the Auburn Planning and Development Department.
- (6) Façade – Street facing building elevations.
- (7) Multifamily – Apartment buildings featuring seven or more dwelling units on a single lot.

- (8) Parking, structured - Parking contained within an enclosed building either part of or designed to appear like it is part of the larger building complex, or a freestanding structure devoted exclusively to above-grade parking.
- (9) Plinth - A block used as the base of a column or other upright support.
- (10) Public art - 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.
- (11) Public plaza - 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.
- (12) Storefront – A building featuring a ground level abutting the sidewalk and complying with the provisions of Section 2.4.
- (13) Street level retail - Uses providing goods and services, including food and drink, adjacent to, visible from, and directly accessible from the public sidewalk.

# Chapter 2 – Block-Frontage Standards

## 2.1 Purpose.

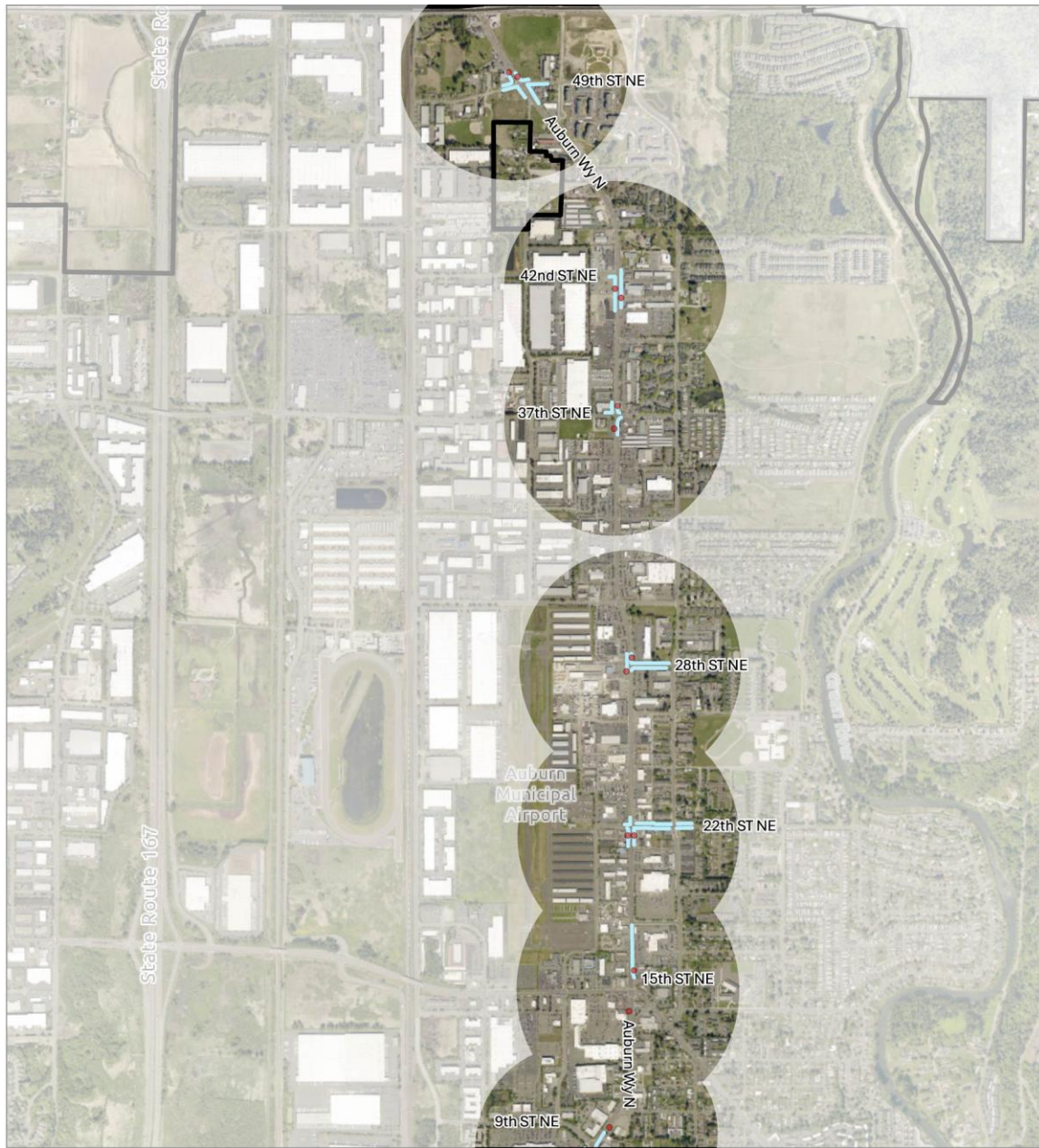
- (1) To achieve the envisioned street level aesthetic and enhance the public’s experience of Auburn.
- (2) To enhance pedestrian environments by emphasizing activated ground-level block-frontage designs for commercial, mixed-use, and multifamily developments.
- (3) To minimize potential negative impacts of driveways and off-street parking facilities on the streetscape.
- (4) To promote good visibility between buildings and the street for security for pedestrians and to create a more welcoming and interesting streetscape.

## 2.2 Block-frontage designation maps.



- (1) The block-frontage designations established by this chapter are maintained under the direction of the director. All notations, references, and other information shown have the same force and effect as if fully described in this title.

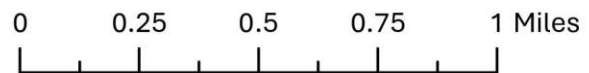
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## Designated block frontages



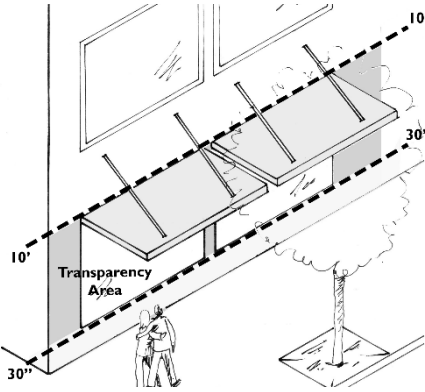
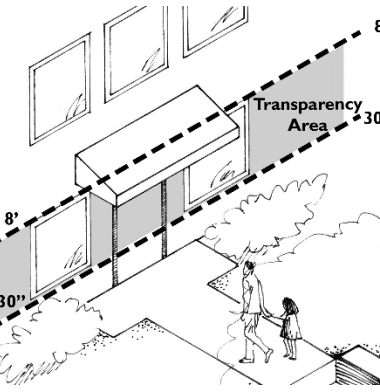
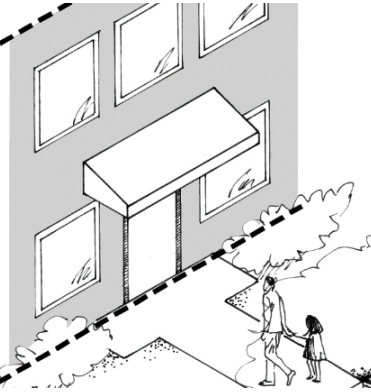


### Block-Frontage Designation

-  Mixed - Pedestrian II Streets
-  RapidRide Bus Stops



## 2.3 About the transparency standards.

All block-frontage designations contain distinct minimum façade transparency standards. The purposes of these standards are to maintain “eyes on the street” for safety and create welcoming pedestrian environments. The table below includes details in how they are measured.

Transparency standards		
Transparency area		
<p style="text-align: center;"><b>Storefront</b></p>  <p>The transparency area is on the ground floor between 30” and 10’ above sidewalk grade</p>	<p style="text-align: center;"><b>Ground floor non-residential on Landscaped block frontage</b></p>  <p>The transparency area is between 30” and 8’ above grade</p>	<p style="text-align: center;"><b>Residential buildings and residential portions of mixed-use buildings</b></p>  <p>All vertical surfaces of the façade are used in the calculations</p>
Other Transparency Provisions		
<p><b>Windows must be transparent</b></p> <p>Ground-level window area for storefronts and other non-residential uses that is covered, frosted, or perforated in any manner that obscures visibility into the building must not count as transparent window area. Also, mirrored glass and highly-reflective or darkly-tinted windows must not be counted as transparent windows.</p>	 <p style="text-align: center;">Covered windows</p>	 <p style="text-align: center;">Perforated sign</p>

## Transparency standards

### Display windows & parking garages

Display windows may be used for up to 25% of non-residential transparency requirements provided they are at least 30" deep to allow changeable displays and the interior wall is non-structural so it can be removed if the windows are not used for display. Tack-on display cases as shown in the far right example do not qualify as transparent window area.

For parking garages (where allowed by block frontage standards), the left image illustrates how such a structure can meet (and not meet) the applicable transparency standards.



Integrated display windows



Tack-on display cases



Parking garage with windows

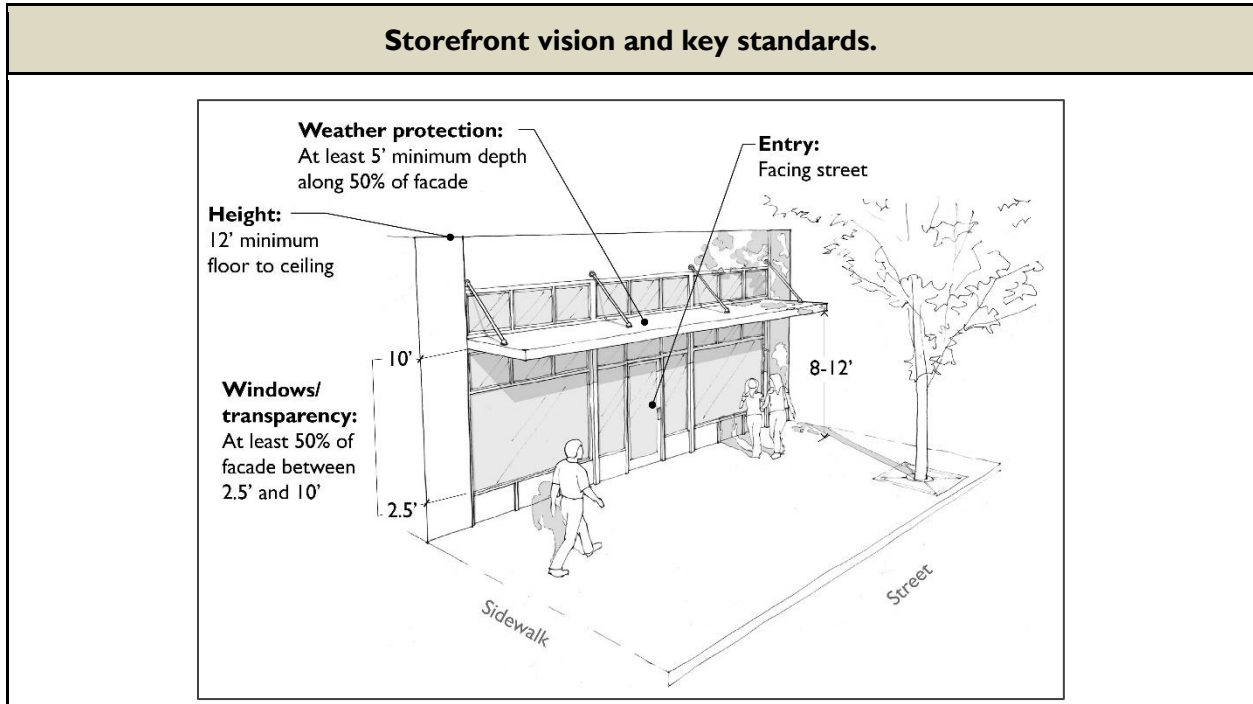


Parking garage without windows

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## 2.4 Storefront standards.

(1) **Purpose.** Storefronts abutting public sidewalks help to create vibrant and active pedestrian-oriented shopping and dining areas within Auburn. The high visibility of such facades warrants minimum design standards for transparency, weather protection, interior storefront depth and height, and entries to better ensure the long term success of these buildings and their districts or neighborhoods.



### (2) Applicability.

Storefront standards apply to situations for Mixed and Undesignated block frontages where developments choose to integrate storefronts on portions or all of their applicable block frontages.

(3) **Standards.** Applicable development must comply with the standards in Table 2.4 below.

<b>Table 2.4 Storefront standards.</b>	
The ↻ symbol refers to DEPARTURE opportunities opportunities set forth in Section 1.3 with supplemental criteria in subsection (4) below.	
Element	Storefront Standards
<b>Ground-level</b>	
Land use	<p>See ACC 18.07.020 and 18.23.030, except: Residential uses are prohibited except:</p> <ul style="list-style-type: none"> <li>• Live/work units featuring ground level space that complies with minimum floor to floor height and non-residential space depth herein.</li> <li>• Lobbies and accessory-uses associated with multifamily residential uses are allowed provided they are limited to 60% of block-frontages.</li> </ul>

<b>Table 2.4 Storefront standards.</b>	
The ☞ symbol refers to DEPARTURE opportunities opportunities set forth in Section 1.3 with supplemental criteria in subsection (4) below.	
<b>Element</b>	<b>Storefront Standards</b>
Floor to floor height for new buildings (applies to the minimum non-residential space depth)	12' minimum. ☞
Non-residential space depth	20' minimum. ☞
<b>Building placement</b>	Standards in this table apply when buildings are placed within 10' of the required sidewalk.
<b>Building entrances</b>	Primary building entrances must face the street or a pedestrian-oriented space that is adjacent to the street. For corner sites, the entry may face the corner, or one or both streets.
<b>Façade transparency</b> (see Section 2.3)	At least 50% of the transparency area. ☞
<b>Weather protection</b>	Weather protection is required along at least 50% of the storefront façade, and it must be a minimum of 5' deep and have 8' to 12' of vertical clearance. ☞ Note: Weather protection that encroaches over the public right-of-way will require a permit meeting the standards of ACC 12.60 and ACC 12.60.050. The director may require reduced width weather protection where necessary to avoid interfering with street trees, street lights, street signs, or extending beyond the edge of the sidewalk.
<b>Parking location</b>	Not applicable (sites are subject to applicable designated block frontage parking location provisions).
<b>Sidewalk width</b>	Sidewalks abutting storefronts must be at least 10' wide. Where such sidewalks extend beyond right-of-way limits, a public access easement is required to accommodate the full sidewalk width. Upper floors may cantilever over the sidewalk to the right-of-way edge or 4', whichever is less.

**(4) DEPARTURE criteria.** Departures from the standards in Table 2.4 that feature the ☞ symbol will be considered provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) Non-residential space depth. Reduced depths on up to 25 percent of the applicable block-frontage will be considered where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted non-residential uses.
- (b) Façade transparency. Departures for façade transparency in the transparency area may be reduced to a minimum of 35 percent for block-frontages if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank walls.
- (c) Weather-protection. The reduced extent (to no less than 35 percent) or width (to no less than four-feet in width) will be considered provided the designs are proportional to architectural

features of the building and building design trade-offs (elements that clearly go beyond minimum building design standards in this chapter) meet the purpose of the standards.

## 2.5 Landscaped block-frontage standards.

- (1) **Purpose.** To provide standards for an optional block frontage design along Mixed-designated streets that incorporates modest landscaped setbacks, clear pedestrian connections between the building and the sidewalk, and minimized surface parking lots along the frontages.
- (2) **Applicability.** Standards herein apply as an option for development on Mixed designated block frontages and a requirement for new multifamily development. Note that developments featuring ground-level dwelling units along block frontages, such frontages are also subject to the provisions of Section 2.8, Ground-floor residential frontage standards.
- (3) **Standards.** Applicable developments are subject to the Landscaped block frontage standards set forth in Table 2.5.



**Table 2.5  
Landscaped block-frontage standards.**

The ➡ symbol refers to DEPARTURE opportunities opportunities set forth in Section 1.3 with supplemental criteria in subsection (4) below.

Element	Standards
<b>Ground-level</b>	
Land use	As set forth in ACC 18.07.020 and 18.23.030.
<b>Building placement</b>	10' minimum setback or as required in the applicable zone, whichever is greater. ➡ Block frontages with ground floor dwelling units must comply with Section 2.8.

**Table 2.5  
Landscaped block-frontage standards.**

The ➡ symbol refers to DEPARTURE opportunities opportunities set forth in Section 1.3 with supplemental criteria in subsection (4) below.

<b>Element</b>	<b>Standards</b>
<b>Building entrances</b>	Building entries must face the street or a pedestrian-oriented space that is adjacent to the street. For corner sites, the entry may face the corner, or one or both streets.
<b>Façade transparency</b> (see Section 2.3)	For buildings with ground-level non-residential uses, at least 35% of the transparency area. ➡ For buildings with ground-level residential uses, at least 15% of the entire facade.
<b>Weather protection</b>	Weather protection at least 3' deep must be provided over individual residential and commercial tenant entries and at least 5' deep for shared residential and professional office entries.
<b>Parking location</b>	Surface level parking and access features must be located to the side or rear of buildings. For sites with multiple buildings, no more than 50 percent of arterial street block frontages may be occupied by parking and vehicular access areas. ➡ Driveways shall meet the standards of the Engineering Design and Construction Standards.
<b>Landscaping</b>	All areas between the sidewalk and the building must be landscaped, except for walkways, porches, decks, and other areas meeting the definition of pedestrian-oriented space. The required landscaping must meet the provisions of ACC 18.50.040(C) and 18.50.070. For parking lot perimeter landscaping, see Section 3.3.

**(4) DEPARTURE criteria.** Departures to the Landscaped block-frontage standards in Table 2.5 that feature the ➡ symbol will be considered provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) **Building placement:** Reduced setbacks will be considered for non-residential ground level frontages where the façade effectively integrates a blend of storefront and landscaped frontage elements. For example, window transparency levels should increase towards Storefront standards at a proportional rate as the setback gets smaller.
- (b) **Façade transparency:** Façade transparency in the transparency area may be reduced from the minimum standards by 50 percent if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank-walls.
- (c) **Parking location.** Alternative designs may be considered with some parking located between the street and a building or buildings where such design helps to better take advantage of the site's context. Design treatments must be included to mitigate the impact of parking areas along the street (in terms of visual impacts and pedestrian access to the buildings from the street).

## 2.6 Mixed block-frontage standards.

- (1) **Purpose.** To provide for flexibility in the design of applicable block frontages while ensuring that block frontages create a pedestrian-friendly environment.
- (2) **Applicability.** Standards herein apply to all sites containing designated Mixed block frontages per the maps in Section 2.2. Note that for developments featuring ground level dwelling units adjacent to the street, the design of such block frontages are subject to Section 2.8.
- (3) **Standards.** Applicable development may choose between Storefront standards set forth in Table 2.4 or Landscaped block frontage standards as set forth in Table 2.5 or some combination of the two, with modifications noted in the scenarios below:
  - (a) A site with a proposed storefront building (or segment of a building), the building(s) will be subject to the Storefront standards set forth in Table 2.4, except that for parking location standards, sites will be subject to the provisions in the Landscaped block frontage standards in Table 2.5.
  - (b) For a site that features a building or buildings with a mix of proposed Storefront and Landscaped block frontage designs, the storefront building segments will be subject to the Storefront standards set forth in Table 2.4, whereas everything else will be subject to the Landscaped block frontage standards as set forth in Table 2.5.
- (4) **Blending frontages.** Buildings may also employ designs that are a hybrid of storefront and landscaped block frontage forms, where they feature a small landscaped setback (less than what is required under the Landscaped block frontage standards), provided the window transparency levels increase towards Storefront standards at a proportional rate as the setback gets smaller. Weather protection isn't required in frontage areas where there's more than 16 inches of landscaping adjacent to the façade (measured perpendicular to the façade). All other standards for Storefront standards in Table 2.4 apply.

## 2.7 Other/Undesignated block-frontage standards.

- (1) **Purpose.** To provide for flexibility in the design of block frontages in areas where such flexibility is warranted.
- (2) **Applicability.** Standards herein apply to all commercial development on sites that are not otherwise designated as a Mixed block frontage.
- (3) **Standards.** Applicable developments are subject to the Other/Undesignated block frontage standards in Table 2.7, except where developments integrate storefront buildings abutting the sidewalk edge. Such storefront buildings are subject to the Storefront standards in Table 2.4.

<b>Table 2.7 Other/Undesignated block-frontage standards.</b>	
The ➡ symbol refers to DEPARTURE opportunities opportunities set forth in Section 2.7 with supplemental criteria in subsection (4) below.	
<b>Element</b>	<b>Standards</b>
<b>Building placement</b>	Where allowed in the applicable zone, buildings may be placed within 10' of the required sidewalk, provided they meet Storefront standards in Table 2.4. Buildings and portions thereof with ground floor dwelling units are subject to the standards in Section 2.8. Otherwise, buildings shall meet the applicable standards set forth in ACC 18.07.030 and 18.23.040.
<b>Building entrances</b>	Building entrances facing the street are encouraged. At a minimum, at least one building entry visible and directly accessible from the street is required. Where buildings are setback from the property line, pedestrian connections from the sidewalk are required.
<b>Façade transparency</b> (see Section 2.3)	Storefronts adjacent to the back of the sidewalk are subject to Storefront façade transparency standards in Table 2.4. Other buildings designed with non-residential uses on the ground floor within 20 feet of sidewalk, at least 30% of the ground floor between 30" and 8' above grade. ➡ For residential buildings, at least 15% of the entire façade.
<b>Weather protection</b>	Weather protection at least 3' deep must be provided over individual residential and commercial tenant entries and at least 5' deep for shared residential and professional office entries.
<b>Parking location</b>	There are no parking lot location restrictions, except for landscaped buffer requirements set forth in ACC 18.50.040.C.4 and 18.50.040(B). Driveways shall meet the standards of the Engineering Design and Construction Standards.
<b>Landscaping</b>	Sites are subject to the landscaping requirements of Section 3.3 and Chapter 18.50, ACC.

- (4) DEPARTURE criteria.** Departures to the Other/Undesignated block-frontage standards in Table 20.26.170.3 that feature the ➡ symbol will be considered provided the alternative proposal meets the purpose of the standards and the following criteria:
- (a) Façade transparency: Façade transparency in the transparency area may be reduced from the minimum standards by 50 percent if the façade design between ground-level windows provides visual interest to the pedestrian and mitigates the impacts of blank-walls.

## 2.8 Ground-floor residential frontage standards.

**(1) Purpose.** The purpose of these standards is to:

- (a) Enhance the privacy and security of residents living on the ground floor.
- (b) Provide an effective visual and physical transition between the public realm and the private realm.
- (c) Enhance the relationship between the building and the street through high-quality landscape and architectural design.

**(2) Applicability.** All developments with ground-floor residential uses adjacent to public streets, trails, through-block connections or other internal pedestrian connections, parks, publicly accessible common areas, and internal common space (hereafter collectively referred to as “public and semi-public realm”) shall comply with the frontage standards herein.

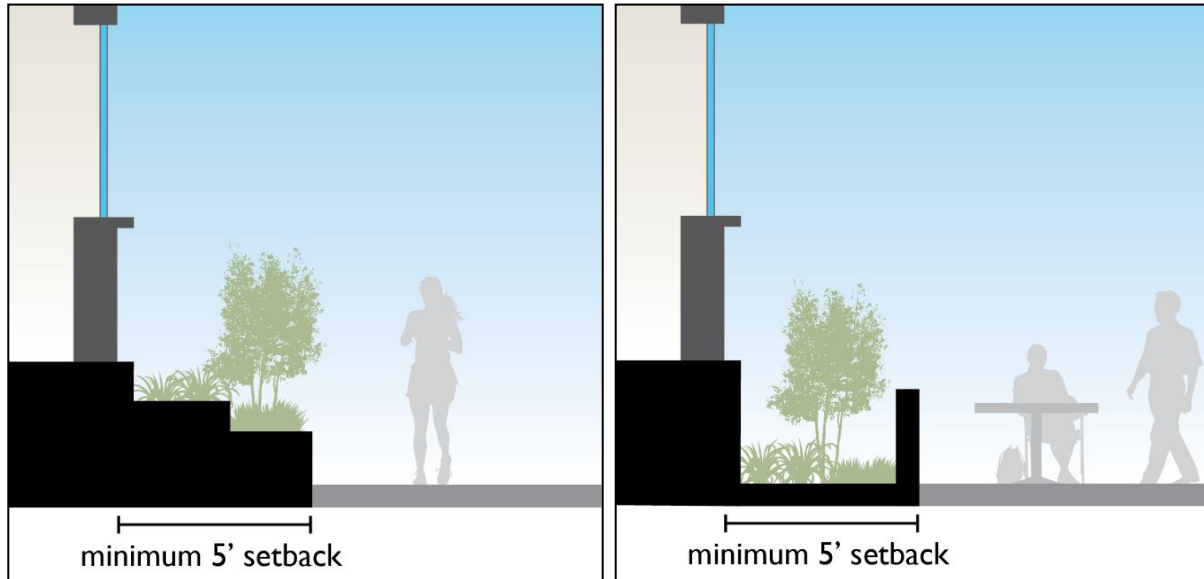
**(3) Standards.** Design treatments must be integrated to enhance the character of the public and semi-public realm while respecting the privacy of adjacent residential units. Design criteria applicable to ground-floor residential frontages are as follows:

- (a) Unit setback and elevation. Provide privacy for people living in the adjacent dwelling units and ensure the applicable public and semi-public realm environment is comfortable through all of the following measures:
  - (i) Provide a five-foot minimum setback from applicable public and semi-public realm elements. The setback shall be measured from the edge of the applicable public (e.g., sidewalk) and semi-public realm elements (e.g., walkway, pedestrian-oriented space, common open space). When adjacent to an applicable public and semi-public realm element with no adjacent walkway, the setback shall be measured from the outside edge (facing away from dwelling unit) of a physical threshold feature (e.g., low fence or hedge) that separates semi-private outdoor space with the applicable public and semi-public realm element as determined by the Director.

DEPARTURES will be considered provided the design enhances the character of the streetscape and respects the privacy of adjacent ground-floor residents.

- (ii) Where the façade is within ten feet of a sidewalk (when allowed by the applicable zone) or five feet from all other applicable public and semi-public realm elements, the ground floor must be elevated a minimum average of 30-inches to improve privacy of such residential uses and enhance their relationship to the street.

**Minimum setback between a ground floor residence and applicable public and semi-public realm element**



In the left example, the 5-foot setback area is used for raised planters next to a sidewalk. In the right example, the minimum 5-foot setback area is used for a wall and landscaped bed next to a public space.

- (c) Units with direct physical access and less than ten feet setback to the sidewalk or other applicable public and semi-public realm elements must enhance the privacy of residents and provide an effective transition between the public and private realm by integrating all of the following measures:
  - (i) Provide a physical “threshold” feature, such as a hedge, retaining wall, rockery, stair, gate, railing, or a combination of such elements on private property, not to exceed 42 inches in height, that defines and bridges the boundary between the applicable public and semi-public realm element and the private entry, porch, yard, or patio. Thresholds may screen, but not completely block, eye-level views to and from the applicable public and semi-public realm element.
  - (ii) Provide an outdoor space at least four feet deep and six feet wide (24 square feet minimum area) in the front setback, such as a porch, patio, deck, or stoop. Where feasible, this space shall be at the same level as the interior of the unit.
  - (iii) Provide a covered area, porch or protected entry space, or other architectural weather protection at least three feet deep that provides cover for a person entering the unit and a transitional space between outside and inside the dwelling.
  - (iv) Landscaping planters shall be integrated into transitional areas between the dwelling unit and the adjacent public and semi-public realm element.
  - (v) Overhead building projections may cantilever over the outdoor space by up to 50 percent of the minimum ground level setback.

DEPARTURES may be proposed for the design criteria in subsection (c) above provided the design enhances the privacy of adjacent units and provides an effective and attractive transition between the public and private realm.

## Guidelines and examples of ground-level residential frontages



The above images show ground-level residential frontages with setbacks of approximately 10 feet (left image) and 5 feet (right image) along different street frontages for the same corner apartment building. These ground level units all have their own private unit access from the sidewalk and are elevated above the sidewalk to enhance the privacy to the units. The landscaping elements, brick posts, split-faced concrete block stoop walls, and black metal railings help to provide an attractive and effective transition between the public and private realms.



## Guidelines and examples of ground-level residential frontages

Good examples: Upper left image includes a stoop design with brick terraced planters and low wrought iron fences. Upper right and lower left images include low wrought iron fences that separate the sidewalk/pedestrian walkway from the private open space. Lower center and right images include stoop designs with sidewalk level planters and concrete terrace planters.

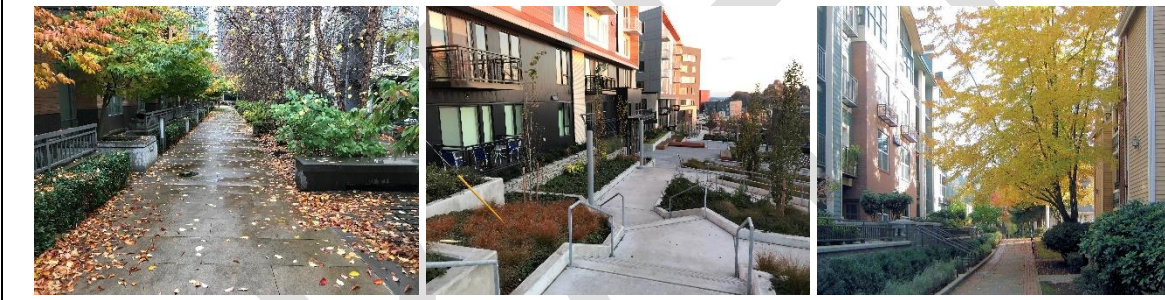


Bad examples: Despite the raised ground level, the shallow setback design in the left image above is insufficient to meet the purpose of the standards. In the above right image, the upper level building cantilever doesn't meet the standards and creates a cold "cave stoop" like form. The large areas of unscreened concrete walls in both examples are undesirable.

## 2.9 Through-block connection frontage standards.

- (1) **Purpose.** To promote through-block connection frontage designs that enhance the character and safety of such connections.
- (2) **Applicability.** These standards apply to development adjacent to through-block connections, when required (see Section 3.4).
- (3) **Standards.** Many, but not all standards depend on the type of connection and the adjacent use. Specifically:
  - (a) Non-residential building elevations (including mixed-use development with ground floor commercial uses) facing a through-block connection are subject to Other/Undesignated block frontage standards in Section 2.7, except that such building elevations must feature at least 10 percent window transparency to enhance the safety and visibility of the trail and connection. ↻
  - (b) Residential developments adjacent to a through-block connection are subject to both the Landscaped block frontage standards in Section 2.5 and Ground-floor residential frontage standards in Section 2.8.

### Good examples of through-block connections in a residential context



## 2.10 Corner site clarifications.

Where a property fronts onto more than one street, each building frontage must comply with the standards for the block-frontage upon which it fronts, with the following clarifications:

- (1) Entrances. For corner sites, entrances may be provided on both streets, but only one entrance is required.
- (2) Transparency and weather protection standards associated with corner storefronts. The block frontage containing the entry is subject to the full Storefront transparency and weather protection standards in Table 2.4. The secondary block frontage associated with the corner establishment must contain at least 50 percent of the required transparency and weather protection for Storefronts.

## 2.11 Mixed-use street corner standards.

(1) **Applicability/purpose.** The mixed-use street-corner requirements apply to new mixed-use developments located on street corner sites. The intent is to accentuate these high visibility developments to the public and create a unique sense of place.

(2) **Standards.** At least one of the following special features must be included:

- (a) Corner plaza.
- (b) Cropped building corner with a special entry feature.
- (c) Decorative use of building materials at the corner.
- (d) Distinctive façade articulation.
- (e) Sculptural architectural element.
- (f) Other decorative elements that meet the purpose of the standards.

### Acceptable high visibility street corner examples



The letters on the images refer to the special feature options above that are integrated into the design.

# Chapter 3 - Site Planning

## 3.1 Useable residential recreational space.

### (1) Purpose.

- (a) To create useable space that is suitable for leisure or recreational activities for residents.
- (b) To create open space that contributes to the residential setting.

### (2) Usable residential recreational space.

- (a) All residential developments, including residential portions of mixed-use development, must provide minimum usable recreational space equal to 10 percent of dwelling unit floor area. This includes all dwelling units, but excludes hallways, lobbies, and other common areas. The required recreational space may be provided in a combination of ways:
  - (i) Shared outdoor space. All of the required recreational space may be in the form of shared outdoor space available to all residents and meeting the requirements of subsection (b) below. Shared roof-decks located on the tops of buildings are addressed in subsection (v) below.
  - (ii) Ground/grade-level individual outdoor space. All of the required recreational space for a unit may be provided by ground-level outdoor space that is abutting and directly accessible to the subject unit. Such recreational spaces must be:
    - (A) Outdoor spaces may be located in the front, side, or rear yard provided they are generally level, feature no dimension less than ten-feet, and enclosed by a fence, railing, and/or hedge at least 32-inches in height to qualify
    - (B) Private porches may qualify as outdoor space provided they are at least 36-square-feet in area, with no dimension less than six-feet.

Individual ground-level open space that is in excess of minimum requirements must not be used in the calculations for determining the minimum usable recreational space requirements for other units in the development.

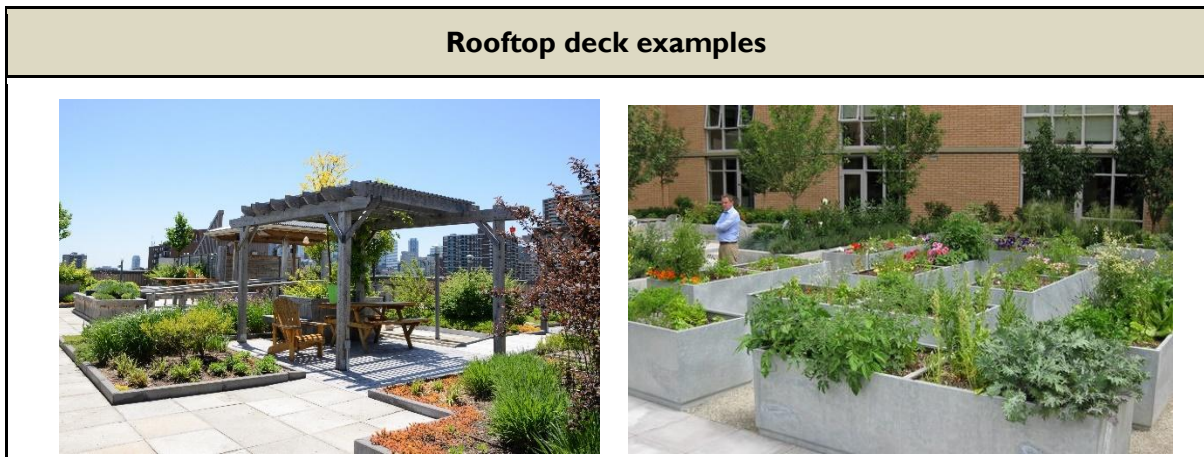
- (iii) Balconies and other similar private outdoor spaces. Up to 50 percent of the required recreational space for a unit may be provided by private balconies provided such spaces are at least 36-square-feet in area, with no dimension less than four-feet (not including railings), to provide a space usable for human activity.

Note: Balconies that encroach over the public right-of-way will require a permit meeting the standards of ACC 12.60 and ACC 12.60.050.

- (iv) Common indoor recreation-areas. Up to 50 percent of the required recreational space may be provided by common indoor recreation areas meeting the following conditions:
  - (A) The space must meet ADA standards and must be located in a visible area, such as near an entrance, lobby, or high traffic corridors.
  - (B) The space must be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement.
- (v) Shared roof-decks. For apartment buildings, up to 50 percent of the required recreational space may be provided by shared roof-decks located on the top of buildings which are

available to all residents and meet the requirements below. For mixed-use buildings, 100 percent of the required recreational space may be provided by shared roof-decks. Design requirements:

- (A) Space must feature hard surfacing, provide amenities such as seating areas, landscaping, and/or other features that encourage use.
- (B) Space must integrate landscaping elements (at least 20 percent of the space) that enhance the character of the space and encourage its use.



- (b) Shared recreational space design requirements. Shared recreational space can include landscaped courtyards or decks, entrance plazas, gardens with walkways, children’s play areas, pools, and water features provided they are accessible to all residents of the development. Accessible areas used for storm water retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may qualify as shared recreational space.

Special requirements for shared recreational spaces include the following:

- (i) Shared recreational space must be located in centralized areas that are visible from units within the development.
- (ii) Shared recreational space must feature no dimension less than 15-feet in order to provide functional leisure or recreational activity. Wider minimum dimensions are required perpendicular to building elevations containing windows of dwelling units whose only solar access is from the applicable building wall. Specifically:
  - (A) 20-feet minimum for such elevations up to three-stories tall.
  - (B) 25-feet minimum for such elevations four-stories tall.
  - (C) 30-feet minimum for such elevations five or more stories tall.
- (iii) Shared recreational space must feature paths, landscaping, seating, and lighting plus play structures, sports courts, and/or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
- (iv) Stairways and service elements located within or on the edge of shared recreational space must not be included in the open space calculations.
- (v) Shared porches may qualify as shared recreational space, provided they are at least eight-feet in depth and 96-square-feet in total area.

## Shared recreational space examples



The upper left example is a courtyard over a parking deck. Notice the transition elements between the courtyard and adjacent residential units. The upper right courtyard is shared by ground-level commercial uses and apartments above.

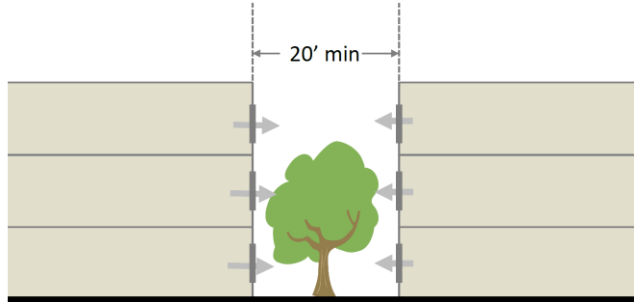


The left image above includes a covered gathering space with outdoor grills adjacent to a landscaped commons with a central walkway. The right image is an example of shared indoor recreation space.

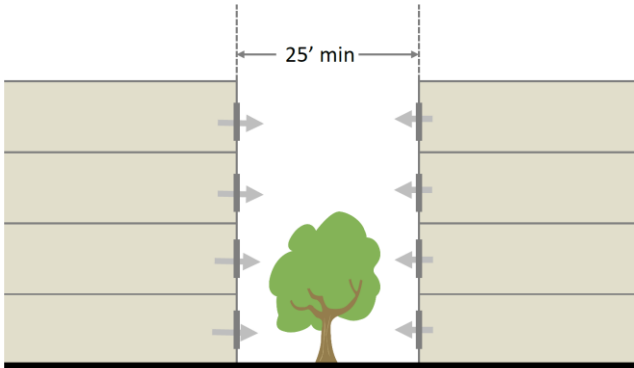


The left image above includes a turf play area with mounds for fun play. The right image shows traditional play equipment.

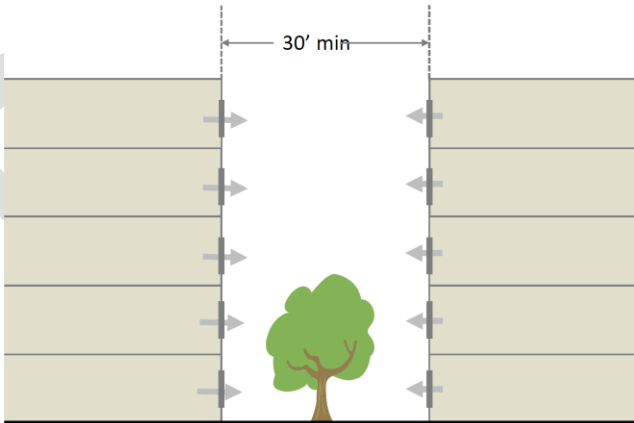
**Shared recreational space – minimum widths when abutting building elevations containing windows of dwelling units whose only solar access is from the applicable building wall**



20-feet minimum for such elevations up to three-stories tall.



25-feet minimum for such elevations four-stories tall.



30-feet minimum for such elevations five or more stories tall

## 3.2 Public Plazas and pedestrian-oriented space.

### (1) Purpose.

- (a) To encourage plazas and other pedestrian oriented spaces in downtown that enhance the public's opportunity for active and passive activities, such as dining, resting, people watching, and recreational activities.
- (b) To enhance the comfort and leisure capabilities of public plazas.
- (c) To enhance the development character and attractiveness of the Downtown Urban Center.

**(2) Applicability.** These standards apply when publicly accessible plazas are included in the development.

### (3) Public plaza standards.

- (a) Public plazas must abut and be within three feet in elevation of a public sidewalk. Ramps must be provided consistent with ADA standards.
- (b) Public plazas must be at least 25 feet wide.
- (c) At least ten percent of the plaza area shall be planted with trees and other vegetation. Planters with trees, shrubs, or other vegetation are permitted to count towards the ten percent.
- (d) At least 20 percent of the plaza shall have physical or natural shade structures. Seated areas with umbrellas, planted trees that will have a canopy radius of at least 2.5 feet, canopies, and other shade structures are permitted to count towards the 20 percent.
- (e) At least two feet of seating area (a bench or ledge at least 16-inches deep and appropriate seating height) or one individual seat per 60-square-feet of plaza area or open space. Moveable seating may be used to meet up to 75 percent of this requirement.
- (f) Desirable public plaza features (to be encouraged) include site furniture, artwork, drinking fountains, water features, kiosks, play structures, or other similar features.

#### Example of site development integrating pedestrian-oriented space





All of the above spaces front onto sidewalks and include bordering storefronts to help enliven the spaces. The bottom plaza includes a crushed rock surface, with concrete pathways on the side to facilitate pedestrian movement. Note the mix of fixed and movable seating options.

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### 3.3 Parking lots, garages, and drive access design.

#### (1) Purpose.

- (a) To create a safe, convenient, and efficient network for vehicle circulation and parking that minimizes conflicts with pedestrian circulation and activity.
- (b) To mitigate the visual impact of parking lots on the streetscape and development context.
- (c) To enhance the function, safety, and visual appearance of parking garages.

#### (2) Parking lot pedestrian circulation and design.

The project must provide an integrated and connected pedestrian circulation network that encourages walking and functions as one of the defining features of the development. Specifically:

- (a) Pedestrian connections not less than five feet wide shall be provided through parking lots where they separate building entrances from sidewalks and/or transit stops. Pedestrian connection walkways are required to meet minimum ADA requirements.
- (b) Pedestrian connections through parking lots shall be clearly defined by at least two of the following:
  - (i) Six-inch vertical curb in combination with a raised walkway.
  - (ii) Textured paving, including across vehicular lanes, such as unit pavers, stamped and scored concrete.
  - (iii) Bollards.
  - (iv) Trellis.
  - (v) Continuous landscape area on at least one side of the walkway that is at least three feet wide.
  - (vi) Pedestrian-scale lighting.
- (c) Parking lot walkways. For developments with large surface parking lots, one walkway shall be provided for every four rows of parking, or at a maximum spacing of 200 feet.
- (d) Crosswalks. Crosswalks are required when a walkway crosses an on-site paved area accessible to vehicles.
- (e) Raised crosswalks (speed tables). On sites larger than one acre, all crosswalks near major building entrances, parking garage entries, vehicular entries to the site, and other high-traffic areas shall be vertically raised to sidewalk level. The purpose of raised crosswalks is to provide a continuous walking or rolling surface, increase the visibility of pedestrians, and slow the speed of vehicular traffic. This requirement does not apply to crosswalks crossing public roadways.

#### (3) Through-block connection standards for the development of large sites.

Through-block connections may include private streets, shared pedestrian and vehicular access routes, and other non-motorized routes that are intended to run between streets through an entire block. The standards herein allow flexibility in the type of connections best suited for the particular development and its use mix. The M and I zones are exempt from this standard. Specific regulations for such through-block connections:

- (a) The maximum distance between a street and through block connection or between through-block connection is 500 feet.

Development sites with smaller dimensions are not required to integrate through-block connections with new development.

- (b) Departures and exceptions to the through-block connection standards:
  - (i) The Director may approve a departure from the dimensional standards set forth in subsection (a) by up to 25 percent provided the quality of the through-block connection exceeds minimum design standards.
  - (ii) The Director may approve an exception from the dimensional standards set forth in subsection (a) where topography, existing uses/construction, or other geographic conditions prevent compliance or impose an unusual hardship on the applicant, provided the proposed design maximizes pedestrian and vehicular connectivity on the site given the constraints.
- (c) Public access easement. Such through-block connections shall be provided within a public access easement.
- (d) Alignment. Specific alignments for the through-block connections will be developed during the development review process for applicable sites.
- (e) Accessibility. Through-block connections must be accessible to the public at all times and may take a variety of forms, depending on the block size and use mix, as specified in subsection (F), Through-block connections, below.
- (f) Cantilever design. Buildings may project or cantilever into minimum required easement areas on building levels above the connection provided a 13-foot, six-inch vertical clearance is maintained and all other regulations are met.
- (g) Through-block connection types. Unless otherwise noted below and elsewhere in this chapter, required through-block connections may take any of the following forms set forth below. A combination of designs set forth above may be used for each connection.
  - (i) Private street. Such streets shall comply with the Engineering Design and Construction Standards.
  - (ii) Alley. Alleys shall comply with the Engineering Design and Construction Standards.
  - (iii) Shared lane. The shared-lane approach can work well for lower traffic situations and helps to reduce the total space needed to accommodate access. They must include a 20-foot wide minimum two-way shared travel lane within a 32-foot wide public access easement. Parallel or angled parking pockets may be integrated into the lane provided the public access easement is widened accordingly. Landscape planters with a mixture of trees, shrubs, and ground cover must be integrated on at least one side of the shared-lane.
  - (iv) Landscaped passageway design. This includes an eight-foot minimum width paved pathway within a 24-foot public access easement. Six-foot minimum landscaping strips (with a mixture of trees, shrubs, and ground cover) are required on each side of the path.
  - (v) Urban passageway design. This is a 12-foot minimum width concrete or unit paver walkway within a public access easement (same width) with buildings generally on each side. The building elevations on each side of an Urban passageway must include 40 percent transparency between 30 inches and eight feet above grade. Weather protection is required over all building entrances (at least three feet deep across the full width of the entrance).

## Shared lane examples



Image courtesy eya.com

## Landscaped and urban passageway examples



Landscaped passageway examples above and urban passageway examples below, though the lower right is a blended example of urban and landscaped passageway.



### (4) Vehicular access and design.

- (a) Driveways. Driveways, where permitted by applicable Block Frontage Standards in Chapter 2, shall meet the standards of the Engineering Design and Construction Standards, including, but not limited to, standards for intersection spacing, distance from crosswalks, and width.
- (b) Parking lot location and design. Parking lot location standards are set forth in the Block Frontage Standards in Chapter 2. All other parking lot design standards are set forth in ACC Chapter 18.52 unless modified herein.
  - (i) See subsection (2) above for interior parking lot pathways.
  - (ii) See subsection (5) below for parking lot landscaping standards.
- (c) Garage and parking structures. Where such structures are located along a public street, they are subject to applicable block frontage standards as set forth in Chapter 2. Supplemental standards:
  - (i) The ground level of free-standing parking structures shall include at least three of the following elements along block frontages and/or other elevations adjacent to internal streets and other required through-block connections, customer and/or resident parking lots, and pedestrian-oriented space:

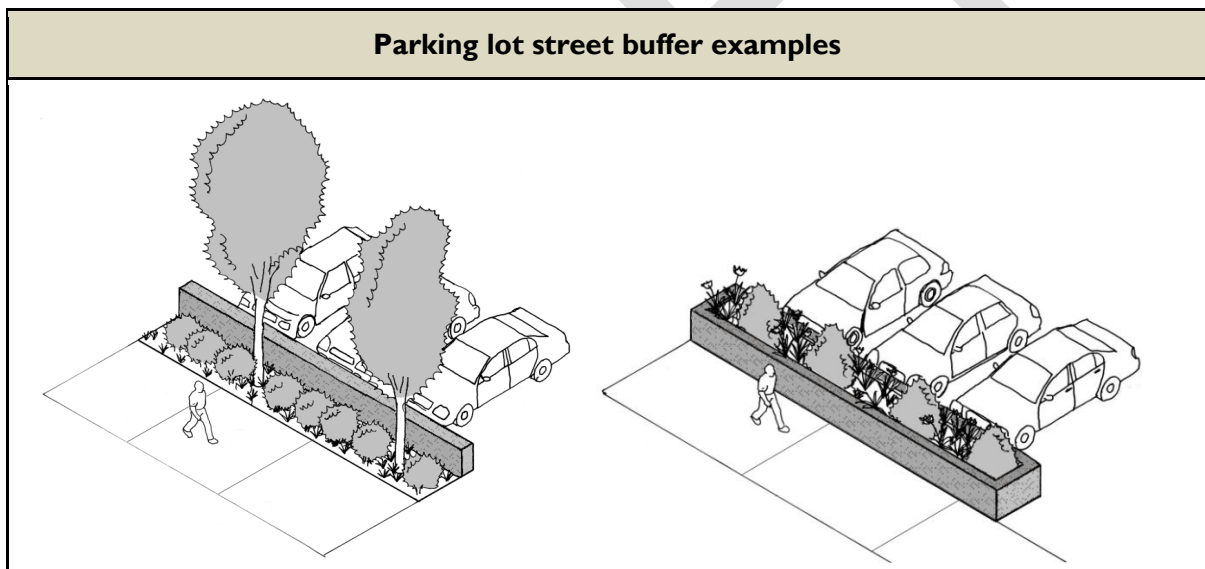
- (A) Pedestrian scale signs, associated with storefront uses integrated into the ground floor frontage.
  - (B) Canopies and other forms of weather protection where the parking structure integrates storefronts along the ground floor frontage.
  - (C) Plinths for columns.
  - (D) Ground level and/or terraced planting beds integrated between the sidewalk and the parking structure.
  - (E) Ornamental tilework.
  - (F) Glass elevator and/or stair tower.
  - (G) Departure. Other design features will be considered provided they meet the purpose of this section.
- (ii) Upper levels of structured parking shall be screened or treated architecturally by two or more of the following:
- (A) Roughly square openings rather than horizontal.
  - (B) Planting designed to grow on the façade.
  - (C) Louvers.
  - (D) Expanded metal panels.
  - (E) Decorative metal grills.
  - (F) Spandrel (opaque) glass.
- Departure. Other design features will be considered provided they meet the purpose of this section.
- (iii) Parking garage entries and service area entries should be well-integrated into the design of the building and should not dominate the streetscape. They should be designed and sited to complement, not subordinate, the pedestrian entry.
- (iv) Where vehicles enter and exit a parking garage or service area across a sidewalk or internal walkway, direct visibility between pedestrians and motorists shall be provided. Possible treatments to meet this requirement may include setback entries, cropped wall corners, wall openings, or other treatments to enhance safety and visibility. Treatments should also include pavement markings or changes in pavement materials. Mirrors and electronic visual/audio warnings alone are not acceptable methods of visibility.
- (v) Parking garage entries shall meet the standards of the Engineering Design Standards, Chapter 10, which details requirements for adding visibility and/or auditory treatments between pedestrians and motorists.
- (vi) Garage entry doors and gates, if provided, shall be at least 50 percent transparent between the bottom and top of the door or gate to enhance the safety of garage users.
- (v) Lighting fixtures within garages are encouraged to be screened from view from the street.

## **(5) Parking lot landscaping.**

- (a) Surface parking lots consisting of ten or more stalls shall feature landscaped planter beds at a ratio of one to every six stalls. Each planter bed shall include at least one tree, a minimum caliper of two inches at the time of planting. ↻

- (b) The minimum planter size shall be 100 square feet. Planters shall be protected by concrete curbs and shall also feature shrubs and/or groundcover. ➡
- (c) Surface parking lots located adjacent to any street (excluding alleys) shall be screened by one or a combination of the following:
  - (i) Low walls made of decorative concrete, masonry, or other similar material, not exceeding a maximum height of 30 inches.
  - (ii) Raised planter walls (not exceeding a total height of 30 inches) planted with shrubs (a minimum of 80 percent of which must be evergreen).
  - (iii) Landscape plantings consisting of trees (of which at least 80 percent are deciduous) and shrubs and groundcover materials (of which at least 80 percent are evergreen).
  - (iv) All plant material used for parking lot screening shall provide clear views between 30 inches and eight feet above the ground surface, for visibility and safety.
  - (v) Planting areas shall be a minimum of five feet in width and shall be irrigated.

DEPARTURES will be considered provided the design enhances the function, safety, convenience, or visual appearance of the parking lot and mitigates the visual appearance on the streetscape and development context.



## 3.4 Service areas and mechanical equipment.

### (1) Purpose.

- (a) To minimize adverse visual, odor, and noise impacts of mechanical equipment, utility cabinets and service areas at ground and roof levels.
- (b) To provide adequate, durable, well-maintained, and accessible service and equipment areas.
- (c) To protect residential uses and abutting properties from impacts due to location and utilization of service areas.

### (2) Location of ground related service areas and mechanical equipment.

- (a) Service areas (e.g., loading docks, trash dumpsters, compactors, recycling areas, electrical panels, and mechanical equipment areas, etc.) must be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment, pedestrian-oriented spaces, uses within the development, and abutting residentially zoned properties.
- (b) Exterior loading areas. Exterior loading areas for commercial uses must not be located within 20-feet of a residentially zoned property. Where the director finds that this is the only option for locating an exterior loading area, design measures will be required to mitigate impacts to adjacent uses, such as adding a masonry wall at least eight-feet high.
- (c) Service areas must not be visible from the sidewalk and abutting properties. Where the director finds that the only option for locating a service area is an area visible from a street, internal walkway or pedestrian area, or from an abutting property, the area must be screened with structural and/or landscaping screening measures.

### (3) Screening of ground related service areas and mechanical equipment.

Service elements are encouraged to be integrated within the structure. Where they are not provided within the structure, the following standards apply:

- (a) Where screening of ground-level service areas is required [see subsection (2) above], the following applies:
  - (i) A structural enclosure (including gates) must be constructed of masonry, heavy-gauge metal, or decay-resistant material that is also used with the architecture of the main building. Alternative materials other than those used for the main building may be allowed if the finishes are similar in color and texture or if the proposed enclosure materials are more durable than those for the main structure. The walls must be sufficient to provide full screening from the affected roadway, pedestrian areas and adjacent use. The enclosure may use overlapping walls to screen dumpsters and other materials.
  - (ii) Where the interior of a service enclosures is visible from surrounding streets, walkways, and buildings, an opaque or semi-opaque horizontal cover or screen must be used to mitigate unsightly views. The horizontal screen/cover should be integrated into the enclosure design (in terms of materials and/or design).
- (b) Where loading docks are sited along block frontages (only allowed when no other reasonable options are available as determined by the director), they must be designed to minimize impacts on the pedestrian environment. Standards:
  - (i) Configure loading docks/bays to minimize their frontage length along blocks.

- (ii) Integrate architectural and/or landscaping design features to screen loading dock elements and add visual interest to pedestrians along adjacent sidewalks. See Blank Wall provisions of Section 4.5 for standards and examples.

**(4) Utility meters, electrical conduit, and other service utility apparatus.**

- (a) Utility equipment such as power and gas meters, electrical boxes, and small-scale battery storage systems mounted in a location visible from the street, pedestrian walkway, shared recreational space, or shared auto courtyards, shall have at least one of the following treatments:
  - (i) Screened with vegetation or landscaping.
  - (ii) Integrated into the building's architecture or screened with decay-resistant material similar in color and texture to the main building.
  - (iii) Wrapped with a City approved utility wrap.
- (b) Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach to meet these standards.

**Utility meter location and screening - good and bad examples**

Place utility meters in less visible locations. The lower left example is successfully tucked away in a less visible location and screened by vegetation. The right image is poorly executed and would not be permitted in such visible locations (along the sidewalk). Such meters must be coordinated and better integrated with the architecture of the building.



# Chapter 4 - Building Design

## 4.1 Building massing and articulation.

### (1) Purpose.

To employ façade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales.

### (2) Façade-articulation. All buildings except free-standing parking structures must include façade-articulation features at maximum-specified intervals to create a human-scaled pattern.

#### (a) Maximum facade-articulation intervals:

(i) Storefronts: 35 feet. Buildings 50 feet wide or less are exempt.

(ii) Large footprint non-residential buildings (individual establishments with a building footprint of more than 50,000 square feet). 75 feet.

(iii) Residential buildings: 30 feet. Buildings 60 feet wide or less are exempt.

#### (b) Articulation features. At least two of the following articulation features must be employed for all buildings in compliance with the maximum-specified façade-articulation intervals.

(i) Use of a window-fenestration pattern.

(ii) Use of weather protection features. An example is a different canopy for each articulation interval (rather than a continuous canopy).

(iii) Use of vertical piers/columns (applies to all floors of the façade, excluding upper level stepbacks).

(iv) Change in building height or roofline with a difference in height, slope or pitch, direction, or shape (such as towers or dormers).

(v) Change in building material and/or siding style (applies to all floors of the façade, excluding upper-level stepbacks).

(vi) Vertical elements such as a trellis with plants, green wall, art element that meet the purpose of the standard.

(vii) Providing vertical building modulation of at least 12-inches in depth if tied to a change in roofline or a change in building material, siding style, or color. Balconies may be used to qualify for this option if they are recessed or projected from the façade by at least 18-inches.

Note: Façade-articulation features that encroach over the public right-of-way will require a permit meeting the standards of ACC 12.60 and ACC 12.60.050.

DEPARTURES will be considered provided they meet the purpose of the standards and the design criteria below.

## Façade articulation examples.



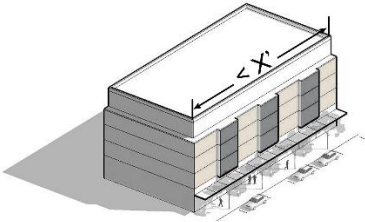
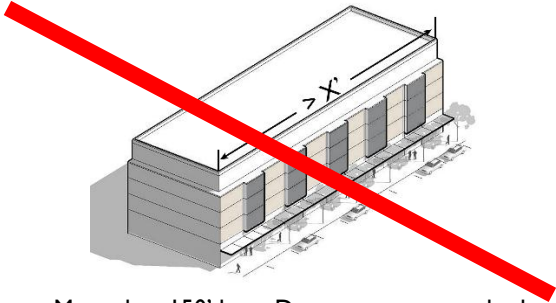
All three buildings above include a combination of window patterns, vertical building modulation, and changes in building material/siding style. The varying styles of balconies in each also help to articulate the facades. The mixed-use example on the left also uses separate awnings above the storefront to articulate the facade. The middle image also uses roofline modulation.



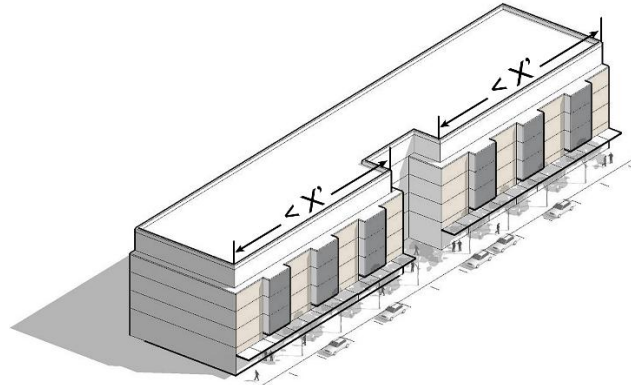
The buildings on the left uses a combination of window patterns, vertical building modulation, roofline modulation, and changes in building material/siding style. The middle image uses window patterns, awnings, and vertical piers. The right image uses window patterns, vertical building modulation, and weather protection elements.

- (c) DEPARTURE criteria associated with articulation standards. Proposals must meet the purpose of the standards. The following criteria will be considered in determining whether the proposed articulation treatment meets the “purpose”.
- (i) Consider the type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building’s current and desired context if a subarea plan is in effect where the building is proposed.
  - (ii) Consider the applicable block-frontage designation. Undesigned block-frontages warrant more flexibility than Mixed block-frontages.
  - (iii) Consider the size and width of the building. Smaller buildings (less than 120-feet wide) warrant greater flexibility than larger buildings.
  - (iv) Consider the quality of façade materials in concert with doors, windows, and other façade features and their ability to add visual interest to the street from a pedestrian scale and more distant observable scales.

- (3) Maximum façade length.** Facades of buildings longer than 150 feet and containing four or more stories must include at least one of the following features to break up the massing of the building and add visual interest. Freestanding parking structures are exempt from this standard.
- (a) Provide vertical building modulation at least six-feet deep and 15-feet long. For multi-story buildings, the modulation must extend through at least one-half of the building floors.
  - (b) Use of a contrasting vertically modulated design component featuring all the following:
    - (i) Utilizes a change in building materials that effectively contrast from the rest of the façade.
    - (ii) Component is modulated vertically from the rest of the façade by an average of six inches.
  - (c) Façade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting façades must employ all the following:
    - (i) Different building materials and/or configuration of building materials.
    - (ii) Contrasting window design (sizes or configurations).
  - (d) DEPARTURES to the above standards will be considered provided the design meets the purpose of the standards. Supplemental consideration for approving alternative designs:
    - (i) Width of the façade. The larger the façade, the more substantial articulation/ modulation features need to be.
    - (ii) Block-frontage designation and visibility/street context. Mixed block-frontages warrant the most scrutiny than Undesignated block frontages, and narrow side streets warrant more flexibility than collector or arterial streets.
    - (iii) The type of articulation treatment and how effective it is in meeting the purpose given the building's context.

<b>Illustrating maximum façade length standards and good and bad examples.</b>	
 <p>Less than 150' long: Meets standard</p>	 <p>More than 150' long: Does not meet standard</p>

**Illustrating maximum façade length standards and good and bad examples.**



Building incorporates a courtyard along the façade (technique #1 noted above) to effectively break it up into smaller components: Meets standard.



The left building uses technique # 1 (vertical building modulation at least six-feet deep and 15-feet wide). The right building uses technique #2 (contrasting vertical modulated design component) together with different window fenestration designs on each side. Both examples are effective in breaking up the perceived scale of the building and adding visual interest.

## 4.2 Building details.

### (1) Purpose.

- (a) To encourage the incorporation of design details and small-scale elements into building façades that are attractive at a pedestrian scale.
- (b) To integrate window design that adds depth, richness, and visual interest to the façade.

### (2) Façade details – Storefront block frontages and other storefront designs. Storefront buildings must be enhanced with appropriate details. Such buildings must employ at least one detail element from each of the three categories below for each façade articulation interval (see subsection 4.1.2).

- (a) Window and/or entry treatment, such as:
  - (i) Transom windows.
  - (ii) Roll-up windows/doors. [Use of this feature exempts buildings from having to meet detailed standards in subsections (b) and (c) below.]
  - (iii) Recessed entry.
  - (iv) Decorative door.
  - (v) Other decorative or specially designed window or entry treatment could be proposed via DEPARTURE provided they meet the purpose of the standards.

#### Examples of architectural elements and façade attachments.

i: Transom windows



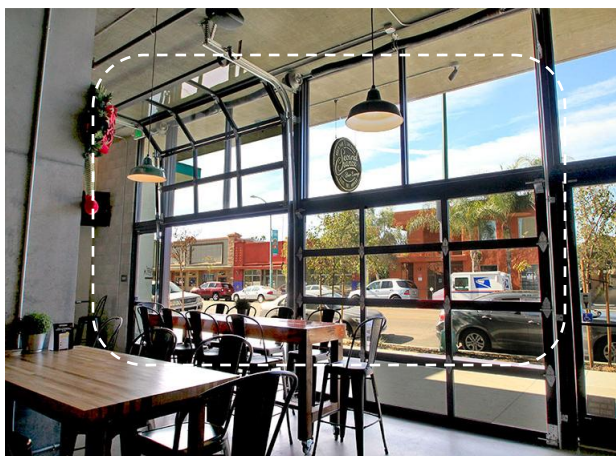
iii: Recessed entry



ii: Roll-up or similar windows/doors

iv: Decorative door.

## Examples of architectural elements and façade attachments.



- (b) Architectural elements and façade attachments, such as:
- (i) Custom-designed weather protection element such as a steel canopy, glass, or retractable awning. Custom-designed cloth awnings may be counted as a detail provided they are constructed of durable, high-quality material.
  - (ii) Decorative rooflines, which could take a variety of forms. It could include an ornamental molding, entablature, frieze or other roofline device visible from the ground level. If the roofline decoration is in the form of a linear molding or board, then the molding or board must be at least 8-inches wide. Such details could occur at an intermediate floor, where the upper floors are set back beyond the front façade. Examples could also include a modern interpretation of a traditional cornice line with distinct detailing.
  - (iii) Bay windows, trellises, towers, and similar elements.
  - (iv) The use of neon in artwork or to emphasize building features.
  - (v) Other architectural element or façade attachment details could be proposed via DEPARTURE provided they meet the purpose of the standards.

## Examples of architectural elements and façade attachments.

### i: Custom designed weather protection



Left: retractable awning. Right: custom decorative canopy



### iii: Bay windows, trellises, towers, etc.

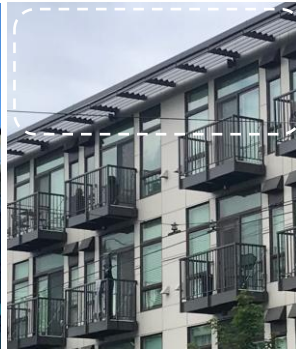


Decorative tower

### ii: decorative rooflines



Left: decorative cornice and top floor. Right: decorative projecting cornice feature.



### v: Other details that meet the purpose of the standards.



Custom hanging bike rack and repair station integrated as a storefront design element

### (c) Building material details, including:

- (i) Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework.
- (ii) Decorative kick-plate, pilaster, base panel, or other similar feature.
- (iii) Decorative belt course.
- (iv) Decorative building-mounted light fixtures.
- (v) Hand-crafted material, such as special wrought iron or carved wood.
- (vi) Other building material details could be proposed via DEPARTURE provided they meet the purpose of the standards.

DEPARTURES for façade detail standards of subsection (2) of this section will be considered provided the façade (at the overall scale and at the individual articulation scale) meets the purpose of the standards.

**Examples of Examples of building material details that enhance the visual intrigue of the building**

**i: Decorative building materials**



**iii: Decorative light fixtures.**



**ii: Decorative kick-plate, pilaster, base panel, or similar**

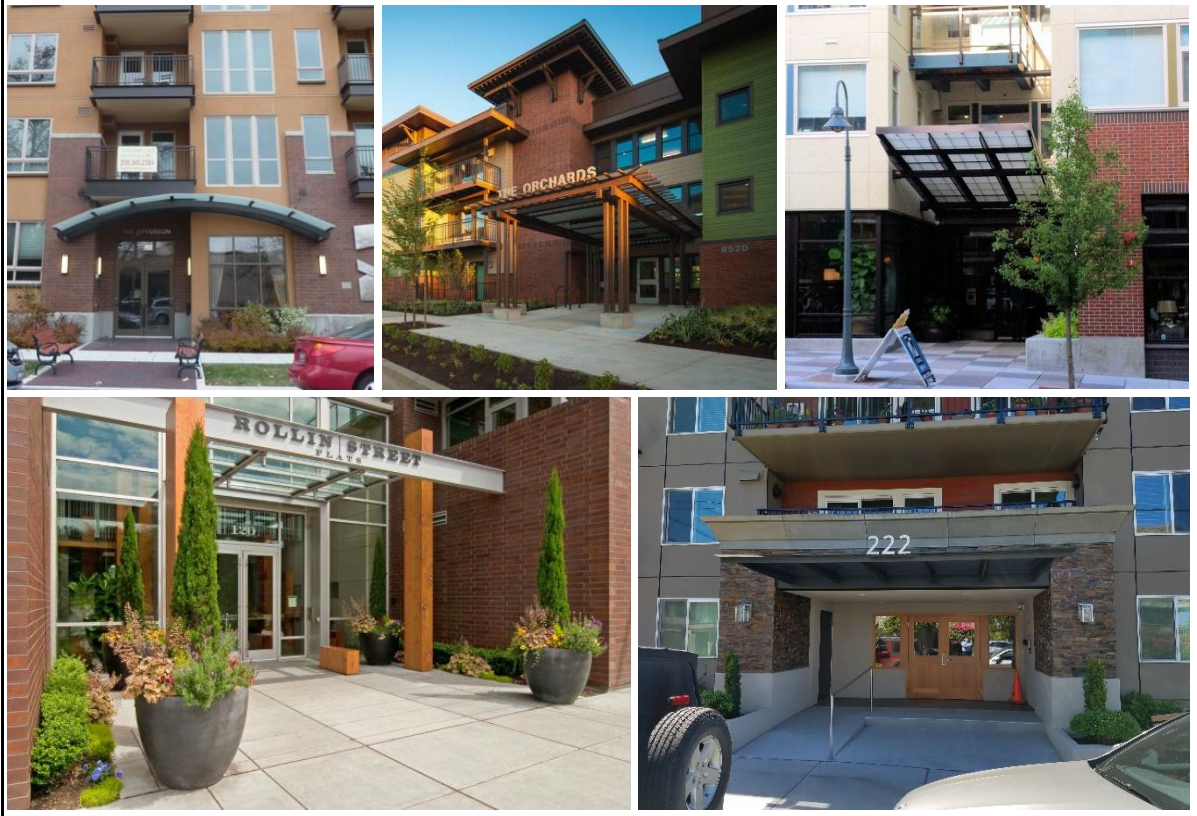


**iv: Hand-crafted material or other details that meet the purpose of the standards.**



4. **Articulated building entries.** The primary building entrance for an office building, hotel, apartment building of more than 50 units, or community-based facility or other multi-story commercial building must be designed as a clearly defined and demarcated standout architectural feature of the building. Such entrances must be distinguishable from regular storefront entrances on the building. Such entries must be scaled proportional to the building.

**Acceptable building entry examples.**



## 4.3 Building materials.

### (1) Purpose.

- (a) To encourage the use of durable, high quality, and urban building materials that minimize maintenance cost and provide visual interest from all observable vantage points.
- (b) To promote the use of a distinctive mix of materials that helps to articulate façades and lends a sense of depth and richness to the buildings.
- (c) To place the highest priority on the first floor in the quality and detailing of materials at the pedestrian scale.

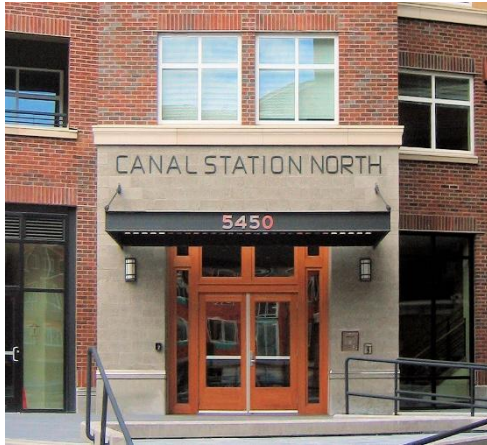
### (2) Applicability. Standards in this section apply to only to mixed-use developments.

### (3) Special conditions and limitations for the use of certain cladding materials.

- (a) Concrete block (a.k.a. Concrete Masonry Unit or CMU) may be used as a secondary cladding material (no more than 1/3 of total façade cladding) on all building façades and other building elevations facing parks, pedestrian-oriented spaces, and containing primary building entrances provided it is incorporated with other permitted materials.

DEPARTURES will be considered for alternative designs that use concrete block as the primary, but not the only, cladding material provided the design incorporates a combination of textures and/or colors to add visual interest. For example, combining split or rock-façade units with smooth blocks can create distinctive patterns. The figures below illustrate acceptable concrete block use/designs.

### Acceptable concrete block use/design.



The above building uses smooth-faced CMU as a contrasting feature that helps to highlight the main building entry. The simple design helps to add emphasis to the doors, canopy and decorative sconce lights.



The above building illustrates an acceptable departure example, as CMU is used as the primary cladding material. Note the use of beige split-façade CMU's above each of the awnings and coupled with the use of smooth-faced gray CMU's on the vertical columns (which employ black accent tiles for added interest).

- (b) Metal siding may be used on all building façades and other building elevations facing parks, pedestrian-oriented spaces, and containing primary building entrances provided it complies with the following standards:

It must feature visible corner molding and trim and does not extend to the ground-level of non-residential and mixed-use buildings and no lower than two-feet above grade for residential buildings. Masonry, concrete, or other durable material must be incorporated between the metal siding and the ground plane.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

## Acceptable metal siding examples



The upper building examples successfully use metal siding more as an accent element to help articulate the façade. Metal siding is the primary material for the lower building examples. The lower left building integrate subtle changes in color to go with articulation features and design details. The right building uses an intricate scaling pattern combined with recessed windows to add depth and interest to the façade.

- (c) Standards for the use of Exterior Insulation and Finish System (EIFS). Such material/finishes may be used when it complies with the following:
- i. EIFS is limited to no more than 20 percent of the total façade area and may not be the primary cladding material on non-residential and mixed-use buildings.
  - ii. EIFS must feature a smooth or sand finish only.
  - iii. EIFS must be trimmed in wood, masonry, or other material and must be sheltered from weather by roof overhangs or other methods.
  - iv. EIFS must not be used on the ground floor of facades containing non-residential uses.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

**Acceptable and unacceptable EIFS examples.**

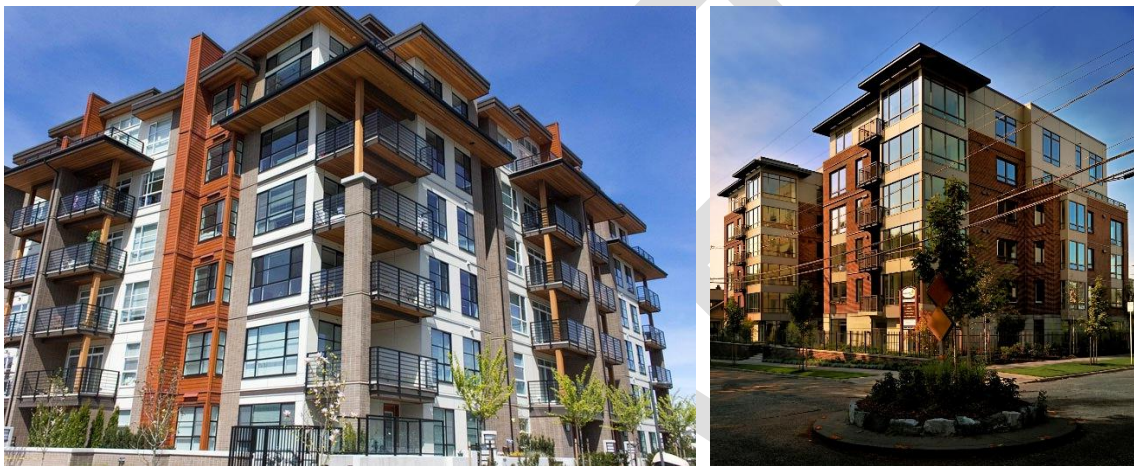


The upper building examples mix EIFS with brick and other materials and integrate trim details around windows to add a sense of depth to the façade. The lower left building uses EIFS between the window and sidewalk - this design is prohibited. The lower right building uses EIFS as the primary siding material, which is prohibited.

- (d) Cementitious wall board paneling/siding may be used provided it meets the following provisions:
- i. Cement board paneling/siding may not be used on ground-level elevation (containing non-residential uses) of mixed-use building facades.
  - ii. Where cement board paneling/siding is the dominant siding material, the design must integrate a mix of colors and/or textures that are articulated consistent with windows, balconies, and modulated building surfaces and are balanced with façade details that add visual interest from the ground-level and adjacent buildings.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

### Acceptable and unacceptable cementitious wall board examples.



The above buildings use cementitious wall board in different textures and colors to help articulate the façade.



The wall board panels covering a large area in a single color in the left building would not meet the purpose of the standards. The right building's design is a better example and combines larger panels (dark maroon color) with horizontal wall board siding (beige color) as effective articulation features. Below is a similar acceptable example.

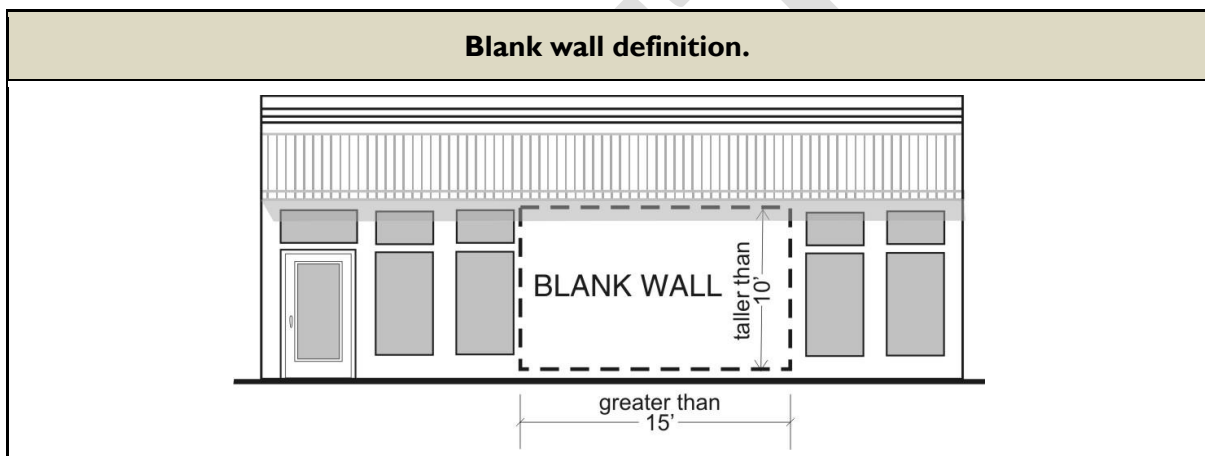
## 4.4 Blank wall treatment.

### (1) Purpose.

- (a) To avoid untreated blank walls.
- (b) To retain and enhance the character of Auburn's streetscapes.

### (2) Blank wall definition. "Blank wall" means:

- (a) For storefront and other buildings placed within ten feet of the sidewalk, a ground floor wall or portion of a ground floor wall over 10-feet in height and a horizontal length greater than 15-feet and does not include a transparent window or door.
- (b) For all other buildings, a ground floor wall or portion of a ground floor wall over 10-feet in height and a horizontal length greater than 30-feet and does not include a transparent window or door.



### (3) Blank wall treatment standards. Untreated blank walls adjacent to a public street, pedestrian-oriented space, common usable open space, or pedestrian walkway are prohibited. Methods to treat blank walls can include:

- (a) Display windows at least 16-inches of depth to allow for changeable displays. Tack-on display cases do not qualify as a blank wall treatment.
- (b) Landscape planting bed at least five-feet deep or a raised planter bed at least two-feet high and three-feet deep in front of the wall with planting materials that are sufficient to obscure or screen at least 60 percent of the wall's surface within three years.
- (c) Installing a vertical trellis in front of the wall with climbing vines or plant materials.
- (d) Installing a mural. Commercial advertisements are not permitted on such murals. The use of neon in artwork is permitted.

DEPARTURES. Other design including special building detailing that adds visual interest at a pedestrian scale will be considered. Such detailing must use a variety of surfaces.

For large visible blank walls, a variety of treatments may be required to meet the purpose of the standards.

**Blank wall treatment examples.**



Buildings A-C feature acceptable treatments including a combination of high quality materials and landscaping (A), decorative lighting/sculptural element (B), and special building detailing (C). The display cases in Building D don't meet the 16" depth requirement, nor do they meet the purpose of the standards.

**(4) Firewalls.** Firewalls along property lines are exempt from the above standards, but where they are visible to the public (from the adjacent street), they must be designed to provide visual interest from all observable distances. Examples may include the use of varying materials, textures, and/or colors, the use of green or living walls, and/or the use of modulated building walls to form design patterns.

Murals are also encouraged as a firewall treatment. Commercial advertisements are not permitted on such murals.

**Acceptable firewall design where visible to the public.**



The left images uses a combination of paint bands and climbing vines to enhance the appearance of this large exposed firewall. The building in the right image uses simple scoring patterns and change in materials and color on part of the top floor to add visual interest.



Plain-gray concrete block firewalls such as this are not allowed when visible from the street.

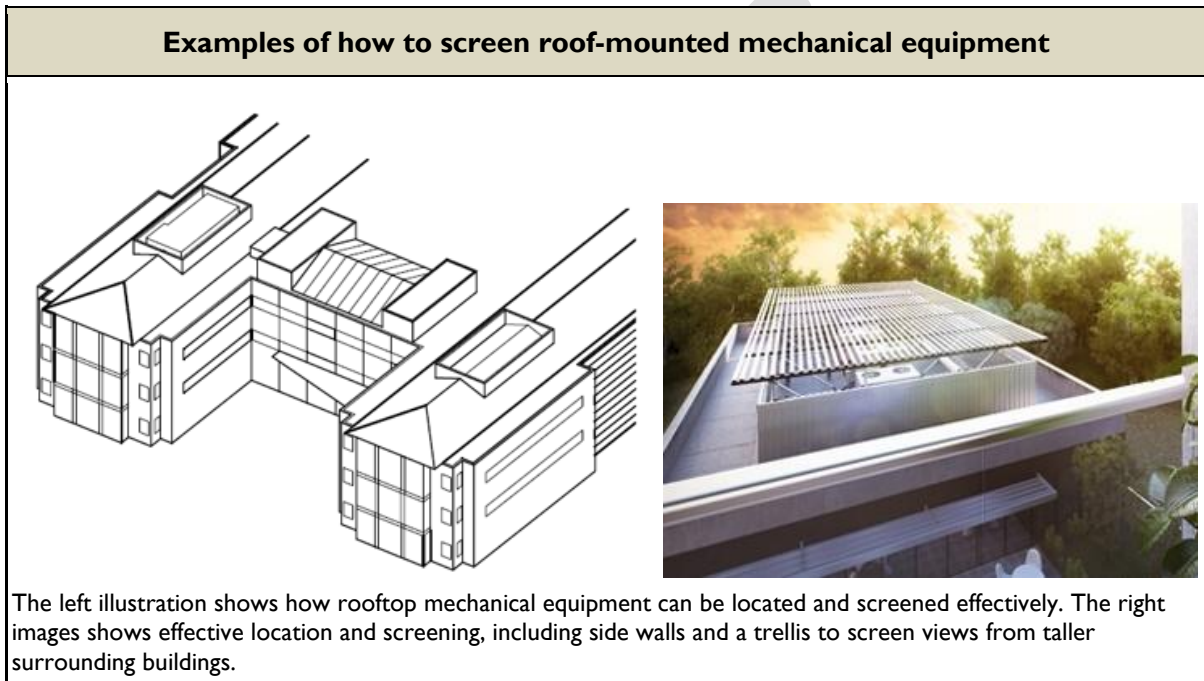
## 4.5 Rooftop services area and mechanical equipment.

### (1) Purpose.

To obscure service and mechanical equipment from the visual sightlines of people walking through Auburn.

### (2) Rooftop equipment screening.

- (a) All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment must be effectively screened from public view. Screening shall be integrated with the architecture of the building.



# Chapter 5 – Guidelines For All Developments

## 5.1 Climate Friendly Design.

### (1) Purpose.

To encourage design techniques that reduce greenhouse gas emissions (GHG) and help buildings be more resilient to extreme heat and wildfire smoke.

### (2) Applicability. The following standards are recommended, not required.

### (3) Guidelines. Projects are encouraged to incorporate one or more of the following:

- (a) Design buildings in accordance with the principles and guidelines of Passive House, LEED, or Built Green design.
- (b) Buildings designed with triple glazed windows.
- (c) Buildings designed with exterior shading features on windows to help regulate heat gain and energy used for cooling. Shading features can be operable or inoperable.

## 5.2 Defensive Space (CPTED).

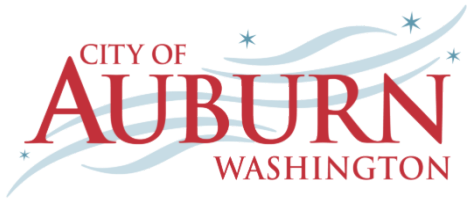
### (1) Purpose.

To encourage design techniques that reduce the rate of crime associated with persons and property.

### (2) Applicability. The following standards are recommended, not required.

### (3) Guidelines. Projects are encouraged to incorporate one or more of the following:

- (a) Building entryways should be oriented to be visible from other buildings, apartments, and houses.
- (b) Screening such as landscaping, fences, and screen wall should not block visibility and make two-way surveillance difficult.
- (c) Lighting for trails and bike paths should be provided at an appropriate scale and have appropriate spacing to avoid creation of dark spots of insufficiently lighted areas.
- (d) Over-illumination and glare should be avoided where pedestrians and vehicles meet to minimize pedestrian vehicle conflicts.



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 7021 (Krum)

An Ordinance relating to Planning, expanding the Density Bonus Allowance to the RC, R-1, and R-2 Residential Zones, and amending Section 18.02.067 "Units Allowed Per Lot", of the Auburn City Code

**Meeting Date:**

June 1, 2026

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7021.)**

**Department:**

Community Development

**Attachments:**

Ordinance No. 7021, Ordinance No. 7021 - Exhibit A

**Budget Impact:****Administrative Recommendation:**

City Council to approve Ordinance No. 7021.

**Background for Motion:**

Ordinance No. 7021 will update City Code to be consistent with the requirements of the State to expand the existing density bonus allowance of up to 50 percent within existing buildings, within all residential zones.

**Background Summary:**

Washington State is experiencing a housing affordability crisis and density bonuses within existing buildings can provide new housing opportunities.

On May 21, 2025, Planning Commission approved several code updates related to housing, including "Density Bonus for Existing Commercial, Mixed-Use, and Apartment Buildings", to comply with Revised Code of Washington (RCW) 35.21.990, which allowed for 50% density bonuses within existing commercial, mixed-use, and apartment buildings. Requirements for density bonus within existing buildings take effect June 30, 2026. By this date, jurisdictions must adopt or amend density bonuses within existing buildings standards, consistent with RCW 35.21.990. If local regulations are not updated, the statute will "supersede, preempt, and invalidate any conflicting local development regulations."

Per RCW 35.21.990, the amendment requires the density bonus allowance to expand to all residential zones and not just specific building types. Under this current amendment, density bonuses of up to 50 percent more than what is allowed in the underlying zone will be permissible in the RC, R-1, and R-2 Zones. Cities may not require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes to meet the current energy code solely because of the addition of new dwelling units within the building.

The proposed text amendment was transmitted to the Washington State Department of Commerce on February 6, 2026. The 60-day notice period ended April 7, 2026. A Determination of Non-Significance (DNS) and a Notice of Public Hearing (NOH) were issued on April 20, 2026, under City File No. SEP26-0009. The appeal period expired on May 18, 2026.

The Planning Commission held a meeting and Public Hearing on the matter on May 5, 2026, and provided a recommendation to City Council. A notice of Public Hearing (NOH) was issued on April 20, 2026. Per Auburn City Code (ACC) 14.22.100, the following methods of noticing for the Planning Commission public hearing were conducted: a) the NOH was published in The Seattle Times on April 20, 2026; b) the NOH was posted in three general public locations (City Hall and City Annex, and the City's Public Land Use Notice webpage).

City Council reviewed the proposed text amendment at the May 26, 2026 Study Session meeting.

**Councilmember:** Tracy Taylor

**Staff:** Jason Krum

**ORDINANCE NO. 7021**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO PLANNING, EXPANDING THE DENSITY BONUS ALLOWANCE TO THE RC, R-1, AND R-2 RESIDENTIAL ZONES, AND AMENDING SECTION 18.02.067 “UNITS ALLOWED PER LOT”, OF THE AUBURN CITY CODE

WHEREAS, Washington State is experiencing a housing affordability crisis and expanding the density bonus provisions within existing buildings and residences is a tool to increase new housing opportunities in the Puget Sound region; and

WHEREAS, On May 21, 2025, Planning Commission approved several code updates related to housing, including “Density Bonus for Existing Commercial, Mixed-Use, and Apartment Buildings”, to comply with Revised Code of Washington (RCW) 35.21.990 which allowed for 50% density bonuses within existing commercial, mixed-use, and apartment buildings; and

WHEREAS, RCW 35.21.990, an amendment requires the density bonus allowance to expand to all residential zones and not just specific building types; and

WHEREAS, requirements for the density bonus allowance take effect June 30, 2026. By this date, subject cities and counties must adopt or amend density bonuses within existing buildings, consistent with RCW 35.21.990, by ordinance and incorporate relevant provisions into their development regulations, zoning regulations, and other official controls. If updates to bring density bonuses within existing buildings into alignment with statutory requirements are not completed by this date, the requirements of RCW 35.21.990 will “supersede, preempt, and invalidate any conflicting local development regulations”; and

WHEREAS, per Auburn City Code (ACC) 18.68.030(B) a “Zoning Text Amendment” is an application to change the text of Title 18 ACC. This type of application or initiation shall be processed as a legislative non-project decision, consistent with ACC 14.03.060. Public notice was provided consistent with Title 14 ACC; and

WHEREAS, per RCW 36.70A, the text amendment was transmitted to the Washington State Department of Commerce on February 6, 2026. The 60-day notice period ended April 7, 2026. Staff did not receive comments from the Washington State Department of Commerce; and

WHEREAS, per Determination of Non-Significance (DNS) and a Notice of Public Hearing (NOH) were issued on April 20, 2026, under City File No. SEP26-0009. The appeal period expired on May 18, 2026; and

WHEREAS, the proposed text amendment has been discussed with the Planning Commission at a regular meeting on May 5, 2026; and

WHEREAS, Planning Commission held a public hearing on May 5, 2026, and provided a recommendation of the density bonus text amendment.

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

**Section 1. Amendment to City Code.** Section 18.02.067 of the Auburn City Code is amended to read as shown 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. Corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, section/subsection numbers, and any references thereto.

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

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Jason Whalen, City Attorney

Published: \_\_\_\_\_

## 18.02.067 Units allowed per lot.

H. *Density Bonus for Existing Commercial, Mixed-Use, and ~~ResidentialApartment~~ Buildings.* Existing commercial, mixed-use, and ~~residentialapartment~~ buildings may qualify for a density bonus of up to 50 percent when adding housing units; provided, that:

1. The additional housing units are located entirely within the existing building envelope, and generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;
2. The existing parking is not reduced through the addition of new housing units;
3. The existing building is located within one of the following zones ~~that allows for mixed-use development:~~ RC, R-1, R-2, R-3, R-4, R-NM, R-F, C-2, C-AG, and M-1;
4. The addition of dwelling units complies with mixed-use and apartment development design standards when located along multimodal transportation corridors;
5. The building received a final certificate of occupancy three years prior to the permit application to add housing units;
6. The proposal is consistent with the development standards of the underlying zone;
7. The proposal is allowed the following exemptions:
  - a. The proposal shall not be required to provide additional parking for added housing units;
  - b. The proposal shall not be required to meet the current energy code for unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes, solely because of the addition of new dwelling units within the building. ~~New units provided are not exempt from current energy code requirements.~~
  - c. The proposal shall be exempt from providing a transportation concurrency study under RCW [36.70A.070](#) or an environmental study under Chapter [43.21C](#) RCW based on the

addition of residential units within an existing building. (Ord. 6977 § 1 (Exh. A), 2025; Ord. 6959 § 1 (Exh. A), 2024.)

8. When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current energy code, except if:

a. The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;

b. The building owner submits documentation, in a form acceptable to the city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or

c. In all areas zoned for residential housing, an additional housing unit is created within an existing home.

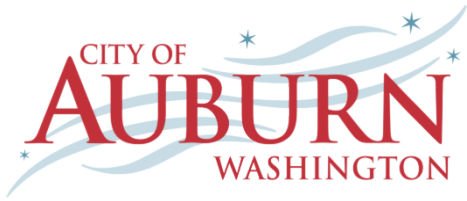
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**The Auburn City Code is current through Ordinance 7008, passed November 17, 2025.**

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](http://www.auburnwa.gov)

[Hosted by General Code.](#)



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Resolution No. 5903 (Krum)  
A Resolution approving the South King Housing and Homelessness  
Partners 2027 Work Plan and 2027 Operating Budget

**Meeting Date:**

June 1, 2026

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5903.)**

**Department:**

Community Development

**Attachments:**

Resolution No. 5903 - SKHHP  
2027 Workplan, Resolution No.  
5903 Exhibit A - 2027 SKHHP  
Work Plan & Budget

**Budget Impact:**

\$52,295.00

**Administrative Recommendation:**

City Council to adopt Resolution No. 5903.

**Background for Motion:**

Adoption of Resolution No. 5903 would approve and endorse the 2027 South King Housing and Homelessness Partners Work Plan and Budget in accordance with Auburn's Interlocal Agreement with SKHHP as a partner jurisdiction.

**Background Summary:**

The South King Housing and Homelessness Partners (SKHHP) was established through an Interlocal Agreement between nine South King County cities and King County to work together and share resources to increase options for South King County residents to access affordable housing and preserve existing affordable housing. SKHHP currently has 12 member jurisdictions. Consistent with the SKHHP Interlocal Agreement, the SKHHP 2027 Work Plan and Budget must be adopted by the SKHHP Executive Board and approved by each member jurisdiction's legislative body.

Every year, an Annual Work Plan and Budget is developed in collaboration with the SKHHP Executive Board and staff work group to guide the work of SKHHP staff in the coming year. Pursuant to the SKHHP Interlocal Agreement, each participating jurisdiction must approve SKHHP's annual Budget and Work Plan. The 2026 Executive Board recommended Work Plan was developed through a survey to the Executive Board on their priorities in January and an interactive in-person discussion with the Executive Board in March. The draft 2027 Work Plan and Budget was adopted on May 15, 2026, at the Executive Board's regularly scheduled meeting.

The 2027 Work Plan includes four goals with corresponding action items. Each action item is prioritized as higher, medium, or lower priority. Indicators are included to measure progress on the

goals. The four goals, which are the same as 2026’s goal, include the following:

1. Fund the expansion and preservation of affordable housing
2. Develop policies that expand and preserve affordable housing
3. Serve as an advocate for South King County
4. Manage operations and administration

The 2027 SKHHP operating budget totals \$525,008, supporting two full-time staff, and includes itemization of all categories of budgeted expenses and itemization of each jurisdiction’s contribution, including in-kind services. Operating revenues originate from SKHHP member contributions. To support the fiscal stability of member jurisdictions, the Executive Board has approved an operating budget that maintains member contributions at 2026 levels for the upcoming cycle. Recognizing the evolving demands within South King County, SKHHP staff will develop growth projections as part of the 2027 work plan. These projections will provide a data-driven framework for evaluating future contribution levels to ensure the organization remains positioned to meet the region’s long-term needs. Member contributions are based on population size accordingly, and no members are moving into a new population tier in 2027:

<b>Population tier</b>	<b>2026 Contribution</b>	<b>2027 Contribution</b>
<10,000	\$8,045	\$8,045
10,001 – 35,000	\$15,086	\$15,086
35,001 – 65,000	\$30,171	\$30,171
65,000 – 100,000	\$52,295	\$52,295
100,000+	\$68,386	\$68,386

Salaries and benefits are proposed to increase by 6% in 2027. This is to align with actual expenditures in this category. Interfund IT, which is the amount paid to SKHHP’s administering agency (City of Auburn) for IT services, is proposed to increase by 10%. Professional Services is proposed to decrease by 22% (\$17,975) due to an every other year data update to the SKHHP Affordable Housing Inventory Dashboard (\$18,000). Professional Services include Advisory Board compensation (\$14,400), contract attorney expenses (\$30,000), third-party construction reports (\$6,000), travel (\$6,000), professional development (\$6,800), Housing Development Consortium member dues (\$750), and an annual license fee (\$20). The proposal includes aligning budgeted categories with SKHHP’s administering agency. SKHHP continues to spend down the fund balance from previous cost-savings to mitigate any additional increases to member contributions.

The 2027 Executive Board recommended operating budget includes \$501,975 that was set aside as reserve in 2025 and an additional \$525,008 to be set aside as part of the 2027 Budget that is sourced from interest earned primarily on the Housing Capital Fund balance. This amount is the equivalent of 100% of SKHHP’s annual budgeted expenses as outlined in Resolution 25-03, adopted by the SKHHP Executive Board on May 15, 2026. Interest earned in 2025 on all SKHHP funds totaled \$544,744. Interest earned in 2025 by jurisdiction to be set-aside in reserve with the remaining supporting the 2026 Housing Capital Fund funding round are as follows:

<b>JURISDICTION</b>	<b>Reserve</b>	<b>Housing Capital Fund</b>	<b>Total 2025 Interest Earnings</b>
<b>Auburn</b>	\$23,575	\$886	\$24,461
<b>Burien</b>	\$11,254	\$423	\$11,677
<b>Des Moines</b>	\$5,381	\$202	\$5,583
<b>Federal Way</b>	\$20,942	\$788	\$21,730
<b>Kent</b>	\$276,093	\$10,379	\$286,472
<b>Maple Valley</b>	\$87,736	\$3,298	\$91,034
<b>Normandy Park</b>	\$974	\$37	\$1,011
<b>Renton</b>	\$39,212	\$1,474	\$40,686
<b>SeaTac</b>	--	--	--
<b>Tukwila</b>	\$21,169	\$796	\$21,965
<b>King County</b>	--	--	--
<b>TOTAL</b>	<b>\$525,008</b>	<b>\$19,736</b>	<b>\$544,744</b>

Spending interest earnings requires the approval of each SKHHP member with allocated earned interest based on their contributions. With the adoption of the 2027 SKHHP operating budget which incorporates a portion of the interest earnings into an unrestricted fund balance in reserve, the City Council is providing authorization for SKHHP to use those funds towards the unrestricted fund balance in reserve. These funds will assist in future years should there be an economic recession and members choose to pause an increase in dues or other unexpected expense arises. The remaining amount will go towards the 2026 funding round of the Housing Capital Fund and Council will provide approval to use those funds during the annual concurrence process in early 2027.

SKHHP staff presented on the approved Work Plan and Budget to City Council at Study Session on May 26, 2026.

**Recommendation:**

Staff recommends approval of Resolution No. 5903 adopting the 2027 SKHHP work plan and budget. This recommendation is based on the following:

1. The 2027 SKHHP Work Plan and Budget is consistent with the Interlocal Agreement and relevant subsequent Companion Agreements between Auburn, Burien, Covington, Des Moines, Federal Way, Kent, Maple Valley, Normandy Park, Renton, SeaTac, Tukwila, and King County.
2. The 2027 SKHHP Work Plan and Budget incorporates the feedback and priorities of the SKHHP Executive Board made up of representatives of each participating jurisdiction.

**Councilmember:** Clinton Taylor

**Staff:** Jason Krum

**RESOLUTION NO. 5903**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, APPROVING THE SOUTH KING HOUSING AND HOMELESSNESS PARTNERS 2027 WORK PLAN AND 2027 OPERATING BUDGET

WHEREAS, on February 19, 2019 the City of Auburn enacted an Interlocal Agreement (ILA) with eight other South King County cities and King County to form the South King Housing and Homelessness Partners (SKHHP); and

WHEREAS, pursuant to the Interlocal Agreement, each participating jurisdiction must approve an annual work plan each year to guide the work of SKHHP staff; and

WHEREAS, pursuant to the Interlocal Agreement, each participating jurisdiction must approve SKHHP's annual budget that includes an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services; and

WHEREAS, the purpose of the annual work plan and budget is to provide management and budget guidance, and implement the overarching SKHHP mission to work together and share resources to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, the 2027 work plan includes four goals with corresponding action items that further SKHHP's mission; and

WHEREAS, on May 15 2026, the SKHHP Executive Board adopted Resolution 2026-03 enacting the 2027 work plan and budget upon approval by the legislative body of each participating party.

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

**Section 1.** City Council adopts the SKHHP 2027 Work Plan as shown in Exhibit A.

**Section 2.** City Council adopts the SKHHP 2027 operating budget as shown in Exhibit A.

**Section 3.** The City of Auburn will transmit its annual contribution to SKHHP on an annual basis during the first quarter of the calendar year.

**Section 4.** The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbers, and any references thereto.

**Section 5.** This Resolution will take effect and be in full force upon passage and signatures.

Dated and Signed: \_\_\_\_\_

CITY OF AUBURN

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Jason Whalen, City Attorney

# Resolution No. 5903 - Exhibit A

## RESOLUTION NO. 2026-03

A RESOLUTION OF THE EXECUTIVE BOARD OF THE SOUTH KING COUNTY HOUSING AND HOMELESSNESS PARTNERS(SKHHP), ADOPTING THE 2027 SKHHP WORK PLAN AND OPERATING BUDGET

WHEREAS, pursuant to the Interlocal Agreement, the SKHHP Executive Board approves an annual work plan and budget each year to guide the work of SKHHP staff; and

WHEREAS, pursuant to the Interlocal Agreement, the annual budget includes an itemization of all categories of budgeted expenses and itemization of each Party's contribution, including in-kind services; and

WHEREAS, upon adoption by the Executive Board, the annual work plan and budget will be transmitted to each participating jurisdiction for approval by their legislative body; and

WHEREAS, the budget will not become effective until approved by the legislative body of each jurisdiction and adopted by the SKHHP Executive Board; and

WHEREAS, if a party does not approve the work plan or budget in a timely manner, the Executive Board may adopt the budget and work plan with a two-thirds majority vote; and

WHEREAS, the purpose of the annual work plan and budget is to provide management and budget guidance, and implement the overarching SKHHP mission to work together and share resources to increase the available options for South King County residents to access affordable housing and to preserve the existing affordable housing stock; and

WHEREAS, the 2027 work plan includes four goals with corresponding action items that further SKHHP's mission.

NOW, THEREFORE, THE EXECUTIVE BOARD RESOLVES as follows:

**Section 1.** The Executive Board adopts the 2027 SKHHP Work Plan in Attachment A.

**Section 2.** The Executive Board adopts the 2027 SKHHP Operating Budget in Attachment B.

**Section 3.** Each party's contribution to SKHHP's operating budget will be transmitted on an annual basis during the first quarter of the calendar year.

**Section 4.** The Executive Manager shall conduct a comprehensive budget analysis and fiscal performance report prior to the development of the 2028 budget. This report will evaluate the financial efficiency of operations and establish cost-performance benchmarks to inform future funding requirements.

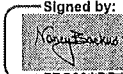
**Section 5.** The Executive Manager is authorized to implement those administrative procedures necessary to carry out the directives of this legislation.

**Section 6.** SKHHP staff is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbers, and any references thereto.

**Section 7.** This Resolution will take effect and be in full force on passage and signatures.

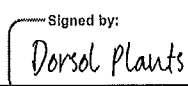
Dated and Signed this 22nd day of May, 2026.

**SOUTH KING COUNTY HOUSING AND HOMELESSNESS PARTNERS**

Signed by:  


\_\_\_\_\_  
NANCY BACKUS, CHAIR

ATTEST:

Signed by:  


\_\_\_\_\_  
Dorsol Plants

Acting Executive Manager

## RESOLUTION 2026-01 – ATTACHMENT A SKHHP 2027 WORK PLAN

### PURPOSE

Establish a 2027 SKHHP work plan and budget that is guided by Executive Board priorities, is consistent with the SKHHP Interlocal Agreement, and furthers SKHHP’s mission.

### BACKGROUND

Established by an interlocal agreement, SKHHP jurisdictions work together and share resources to increase options for South King County residents to access affordable housing and preserve existing affordable housing. The 2027 SKHHP work plan builds on work done in previous years and was developed in collaboration with the Executive Board and staff work group.

The work plan is organized into four goals with corresponding action items. Each action is identified by priority as follows:

- Higher – Identified as higher priority by Executive Board or is necessary to carry out the Interlocal Agreements
- Medium – Identified as mid-level priority
- Lower – Identified as lower priority

Quarterly budget and progress reports on the status of the work plan elements will be submitted to the SKHHP Executive Board and the legislative body of each member jurisdiction as follows:

**Quarter 1:** May | **Quarter 2:** August | **Quarter 3:** November | **Quarter 4:** February

In accordance with the Interlocal Agreement, the 2027 SKHHP work plan and budget will be approved by the SKHHP Executive Board and the legislative body of each member jurisdiction.

### SKHHP MISSION

South King County jurisdictions working together and sharing resources to create a coordinated, comprehensive, and equitable approach to increasing housing stability, reducing homelessness, and producing and preserving quality affordable housing in South King County.

### GOALS & ACTIONS

Goal	Actions
1. Fund the expansion and preservation of affordable housing.	1 through 5
2. Develop policies to expand and preserve affordable housing.	6 through 9
3. Serve as an advocate for South King County.	10 through 15
4. Manage operations and administration.	16 through 22



**Goal 1**

**Fund the expansion and preservation of affordable housing.**

Actions	Priority of Actions ●●● = Higher ●● = Medium ● = Lower
1. Pool resources from member cities for the Housing Capital Fund, including SHB 1406 funds, HB 1590 funds, and general funds.	●●●
2. Develop and execute contract documents and covenants for projects ready to move forward from 2023-25 Housing Capital Fund funding rounds.	●●●
3. Facilitate approval from participating Councils of recommended projects from 2026 Housing Capital Fund funding round and prepare contract documents and covenants for any projects ready to move forward.	●●●
4. Manage 2027 Housing Capital Fund funding round including adopting annual guidelines, updating application materials, soliciting proposals, and facilitating project selection.	●●●
5. Encourage investment in South King County by private investors, lenders, and philanthropies.	●●●
<b>Indicators</b>	
○ Number of housing units and number of projects funded with financial support from SKHHP	
○ Number of housing units preserved with financial support from SKHHP	
○ Total dollar amount pooled by member jurisdictions for Housing Capital Fund	
○ Total dollar amount from new sources of revenue added to the Housing Capital Fund	
○ Geographic diversity of applications received for annual Housing Capital Fund funding round	



**Goal 2**

**Develop policies to expand and preserve affordable housing.**

Actions	Priority of Actions ••• = Higher •• = Medium • = Lower
6. Facilitate a review of inclusionary zoning models and feasibility requirements to identify potential shared policy goals among member jurisdictions.	••
7. Convene land use planners (SoKiHo) to increase coordination and collaboration on housing policy and planning.	•
8. Build relationships with developers to learn from their perspective the ways to encourage housing development, especially affordable housing.	•
9. Develop SKHHP Executive Board briefings on key housing and homelessness topics, especially as they relate to the goals of the work plan.	•
<b>Indicators</b>	
○ Subregional inclusionary zoning potential shared policy goals and feasibility report prepared and presented	
○ Number of relationships fostered with developers	
○ Number of Executive Board briefings on key housing and homelessness topics	



**Goal 3**  
**Serve as an advocate for South King County.**

Actions	Priority of Actions ●●● = Higher ●● = Medium ● = Lower
10. Work collaboratively with public funders at the state and local levels to increase alignment and promote shared affordable housing goals and equitable geographic distribution of resources.	●●
11. Coordinate with the Advisory Board in collaboration with housing organizations and stakeholder groups to provide education and engagement opportunities for elected officials and community members.	●
12. Represent SKHHP at relevant local and regional meetings and forums that help advance SKHHP’s mission and provide a voice for increasing access to safe, healthy, and affordable housing in South King County.	●
13. Connect affordable housing developers with property owners who intend to sell naturally occurring affordable housing in coordination with member cities.	●
14. Meet with legislators as opportunities arise to inform about SKHHP’s mission, goals, and the Housing Capital Fund and host a legislative forum (odd numbered years).	●
15. Host a South King County legislative forum to amplify awareness of SKHHP’s work and subregional housing needs.	●
<b>Indicators</b>	
○ Number of collaborative work sessions held with public funders	
○ Number of events or engagement opportunities Advisory Board members organize or support	
○ Number of meetings, forums, or events attended that advance SKHHP's mission	
○ Number of meetings with legislators that promote SKHHP and South King County	
○ Number of affordable housing developers connected with property owners intending to sell naturally occurring affordable housing	
○ South King County legislative forum successfully executed	



**Goal 4  
Manage operations and administration.**

<b>Actions</b>	<b>Priority of Actions</b> ●●● = Higher ●● = Medium ● = Lower
16. Develop annual work plan and budget.	●●●
17. Generate and distribute quarterly progress reports to SKHHP Executive Board and member jurisdictions.	●●●
18. Work with administering agency to maintain records and produce regular financial reports for the SKHHP Housing Capital Fund and SKHHP Operating Account.	●●●
19. Organize and host monthly Executive and Advisory Board public meetings.	●●●
20. Implement and refine monitoring and compliance process to ensure Housing Capital Fund projects maintain affordability for tenants.	●●●
21. Facilitate membership outreach to interested South King County cities to engage potential partners and scale regional housing impact.	●●
22. Evaluate current staff capacity and establish comparative growth models to inform SKHHP's long-term expansion.	●●
23. Maintain and update the SKHHP website.	●●
<b>Indicators</b>	
○ Work plan and budget adopted	
○ Quarterly progress reports prepared and presented to Executive Board	
○ Financial reports and public records maintained	
○ Monthly Executive and Advisory Board meetings held	
○ Process established for monitoring and compliance of Housing Capital Fund projects	
○ Number of outreach meetings, informational briefings, or regional workshops conducted with non-member South King County cities.	
○ Staffing capacity report and growth models prepared and presented to Executive Board	
○ Website maintained	

**RESOLUTION 2026-02 – ATTACHMENT B  
2027 SKHHP Operating Budget**

Estimated beginning fund balance - January 1, 2027	\$ 398,094
Estimated ending fund balance - December 31, 2027	\$ 331,185

**REVENUES**

Auburn	\$ 52,295
Burien	\$ 30,171
Covington	\$ 15,086
Des Moines	\$ 15,086
Federal Way	\$ 68,386
Kent	\$ 68,386
Maple Valley	\$ 15,086
Normandy Park	\$ 8,045
Renton	\$ 68,386
SeaTac	\$ 15,086
Tukwila	\$ 15,086
King County*	\$ 68,386
Additional King County*	\$ 6,614
Office space (in-kind donation)	\$ 12,000
<b>TOTAL REVENUES</b>	<b>\$ 458,099</b>
Spend down balance	\$ 66,909
<b>TOTAL</b>	<b>\$ 525,008</b>

**EXPENSES**

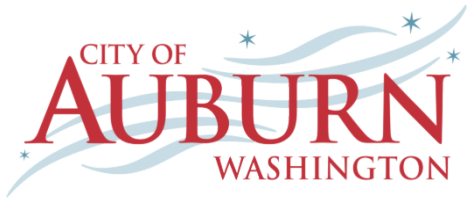
Salaries & Wages	\$ 269,648
Benefits	\$ 85,662
Professional Services	\$ 63,970
Interfund Allocations	\$ 44,000
Office Space (in-kind donation)	\$ 12,000
Supplies	\$ 2,000
<b>Subtotal</b>	<b>\$ 477,280</b>
Administering agency - 10% admin fee**	\$ 47,728
<b>TOTAL</b>	<b>\$ 525,008</b>

**RESERVE**

<b>TOTAL</b>	<b>\$ 1,026,983</b>
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\*King County contribution based on the population of unincorporated King County is shown as increasing at the same rate as other partner jurisdictions and the additional allocation decreasing to maintain a total contribution of \$75,000 per year.

\*\*10% administrative fee is calculated as a percentage of operating costs which excludes in-kind donations and carry-forwards.



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Resolution No. 5911 (Krueger)

A Resolution authorizing the Mayor to execute and administer an agreement accepting a grant from the 4Culture relating to Project No. CP2414, Downtown Auburn Theater

**Meeting Date:**

June 1, 2026

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5911.)**

**Department:**

Parks, Arts & Recreation

**Attachments:**

Resolution No. 5911, Agreement

**Budget Impact:**

\$625,000.00

**Administrative Recommendation:**

City Council to adopt Resolution No. 5911.

**Background for Motion:**

Resolution No. 5911 allows the acceptance and utilization of grant funds from 4Culture in the amount of \$625,000 for the Auburn Downtown Theater project, which will build a replacement for the Auburn Avenue Theater which was demolished in October 2024.

**Background Summary:**

Resolution No. 5911 authorizes the Mayor to enter into agreements with 4Culture to accept and utilize grant funds in the amount of \$625,000 to support the implementation of the Auburn Downtown Theater project (CP2414).

This project will reconstruct the Auburn Avenue Theater, which was demolished in October 2024. It is anticipated that construction for the new Performing Arts Theater will begin in early 2026 with an estimated construction timeframe of 12 to 18 months. The grant funds will be added to the project budget with the next Budget Amendment.

**Councilmember:** Tracy Taylor

**Staff:** Julie Krueger

**RESOLUTION NO. 5911**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AND ADMINISTER AN AGREEMENT ACCEPTING A GRANT FROM THE 4CULTURE RELATING TO PROJECT NO. CP2414, DOWNTOWN AUBURN THEATER

WHEREAS, the City applied for, and has been awarded, grant funding for the Auburn Downtown Theater project (Project) that will design and construct a new performing arts theater; and

WHEREAS, the Project is included in the City's 2026 Capital Improvement Fund (328) budget; and

WHEREAS, the total estimated grant funds awarded for the Project are approximately \$625,000, with no local funding match requirement; and

WHEREAS, 4Culture is a King County agency responsible for the administration of these grant funds; and

WHEREAS, it is in the best interest of the City to use 4Culture grant monies to finance capital facilities improvements.

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

**Section 1.** The Mayor is authorized to execute the grant agreement with 4Culture for a total of \$625,000 or any other amount authorized by 4Culture for the Project.

**Section 2.** The Mayor is further authorized to (1) negotiate, execute, and administer any agreements related to the spending of grant funds for the Projects, and

(2) implement those administrative procedures necessary to carry out the directives of this Resolution.

**Section 3.** The City Clerk is authorized to make necessary corrections to this Resolution including, but not limited to, the correction of scrivener's/clerical errors, references, Resolution numbering, section/subsection numbers, and any references thereto.

**Section 4.** This Resolution will take effect and be in full force on passage and signatures.

Dated and Signed: \_\_\_\_\_

CITY OF AUBURN

\_\_\_\_\_  
NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Shawn Campbell, MMC, City Clerk

\_\_\_\_\_  
Jason Whalen, City Attorney



## GRANT INFORMATION

TEL 206.296.7580  
TTY 711

101 PREFONTAINE PL S  
SEATTLE WA 98104

[WWW.4CULTURE.ORG](http://WWW.4CULTURE.ORG)

### CONTRACTOR INFORMATION

City of Auburn  
25 West Main Street  
Auburn, Washington 98001  
(253) 931-3052

**Your Contract #: 1261008**

K C Building for Equity Anchoring Community -  
300612  
Motion #: 2026-04

### PROGRAM INFORMATION

Attached is your Contract with 4Culture for \$625,000.00 for the *Support for Rebuilding Downtown Auburn Theater* project. The contract starts on 01/29/26 and remains open until the Public Benefit is fulfilled.

For questions, contact Maya Santos at [maya.santos@4culture.org](mailto:maya.santos@4culture.org) or (206) 263-0691.

### SCOPE OF SERVICE

Pursuant to the framework created for the Building for Equity: Anchoring Community Grants Program, 4Culture will reimburse City of Auburn for satisfactory completion of the services and requirements as specified below, in an amount not to exceed \$625,000.00 for expenses associated with "Support for Rebuilding Downtown Auburn Theater" Project, as described in the proposal attached to this contract. Payment will be made available in the following manner:

TOTAL: \$625,000.00

For direct project expenses related to the "Support for Rebuilding Downtown Auburn Theater". Only "CAPITAL COSTS" incurred on or after January 1, 2024, are eligible for reimbursement under this contract. Final invoices must be submitted by January 28, 2036, or contract will be terminated. All funds must support facilities intended for 10-year use and valued as depreciable assets; annual operation expenses are not permitted. Payable upon receipt of 4Culture invoice(s) and approval of project documentation relating to:

- Land acquisition costs
- Property acquisition costs
- Demolition and site prep costs
- Appraisals
- Environmental site assessments
- Inspection costs

- Closing costs
- Building zoning and permitting fees
- Project manager fee (up to 15% of the total project cost; only 1099 contractors; no FTE staff costs)
- Architectural costs
- Engineering costs
- Building and construction costs
- Construction-phase rentals
- Landscaping costs
- LEED or SEED certification costs
- Project-associated legal costs
- IT infrastructure (only if it is built into the walls)
- Built-in security systems
- Safety and fire suppression system costs
- HVAC systems
- ADA accessibility upgrades
- Permanently affixed signage
- Roof replacement
- Fiscal sponsorship costs (only the costs associated with this grant)
- Capital debt service payments, including interest (only in select cases; must provide loan documentation for 4Culture approval; eligible payments include payments on your Debt Service Payment Schedule that occur after the award date.

Other capital costs 4Culture staff has confirmed are eligible.

**Requests for reimbursement may be submitted in 1-3 payment requests as costs are paid.**

### **Deliverables**

Completed 4Culture reimbursement request(s) submitted through [apply.4culture.org](http://apply.4culture.org), including:

- Documentation that identifies vendors and details the work performed and dates the expenses were incurred. Such documentation shall include, but is not limited to, proofs of purchase, work orders or receipts for purchases;
- Progress reports with data about the grant impacts on the organization and King County public.
- The final project budget;
- Final narrative report documenting completed project activities to 4Culture (as outlined above). This report should include:
  - Information about outreach efforts used to hire vendors, contractors, and services
  - A brief project overview including 2 - 4 publishable, electronic images documenting project activities for use by 4Culture to publicize its grant programs; and
  - A document that contains photo credits, caption information, and a statement of permission for 4Culture to use images for marketing purposes.

### **Acknowledgements & Notification of Events**

Project directors are requested to notify 4Culture at Building for Equity in advance of any project activities, including but not limited to workshops, exhibit openings, and public programs. **Prominent acknowledgment of 4Culture is required of all recipients** for use in all publicity and promotional materials, including, but not limited to brochures, websites, press releases, programs, posters, public service announcements, flyers and advertisements. Evidence of the project's promotion must be included in the final project report. You may obtain an electronic file of 4Culture's logo on our website at <https://www.4culture.org/grants-artist-calls/4culture-logo/>.

### **PUBLIC BENEFIT**

4Culture is providing funds to support the City of Auburn ("the Contractor") in order to allow them to better serve the residents of King County and provide residents and visitors with significant public benefit.

The "Support for Rebuilding Downtown Auburn Theater" will provide publicly accessible arts, culture, and heritage experiences for a period of at least 10 years as specified in the agreement governing this award.

During that time, the public will regularly have access to the City of Auburn and will benefit from participation in the following types of potential arts, culture, and heritage opportunities:

- Producing programs, performances, experiences and providing access to public collections; Cultural content production (events, programs, teaching, education materials, etc.); Improving outreach and communications to diverse and underserved audiences;
- Broadening programming that appeals to and appropriately engages diverse populations; Increasing investment in programs that represent and reflect the diversity of the community; Producing cultural programs and activities outside the city of Seattle;

The Contractor agrees to widely publicize its public benefit performances, events or programs throughout King County and to track the number of public benefit activities and people served by such programs.

In addition, as part of the public benefit to be provided by this grant, this organization agrees to participate in the 2025 Building for Equity: Anchoring Community Cohort for a duration of 3-years facilitated by Open Architecture Collaborative. Participation in this cohort is equivalent to approximately 44 Hours (Year 1: 20 hours , Year 2: 7 hours, Year 3: 7 hours) of staff or project team member time. These hours include the following core activities; community building, equity coaching, assessments, evaluation, peer learning and technical skill building, and participation in an annual convening.

As part of the Building for Equity: Anchoring Community Grant Program, the organization agrees to participate in a quantifiable Cultural Space Partnership program, which will be developed with 4Culture within 6-months of the date of this contract, through a custom Memorandum of Understanding to be executed as a separate agreement. The intent of Cultural Space Partnerships is to ensure that Building for Equity: Project Development Grantees may receive access over a designated period to technical assistance or use of physical space through a 3-year partnership with an Anchoring Community Grantee who may provide any of these benefits.

Additional details will be provided about the Cultural Space Program and the Anchoring Community Cohort through a registration form to be sent within 3-months of the award date of this contract.

The intent of this participation is to build a community of support centering equitable development practices among recipients of significant facilities grants from 4Culture.

## CONTRACTOR INSTRUCTIONS

Please electronically sign this Contract within two weeks of receipt and return any required enclosures. You will not be able to make changes to this Contract. If there is an error in the document, or if you need to request changes in your Scope of Service or other items, please contact your Program Manager listed above.

1. **Services** – Please review the information, Scope of Service, and Public Benefit sections above carefully. These explain the services you are agreeing to provide in accordance with the application you submitted to 4Culture.
2. **Enclosures** – Please complete any required enclosures and provide them to 4Culture. Please view our [contract enclosure](#) instructions (see step 3) to download fillable forms and get instructions on where to upload your documents.
  - a. Items to be returned **at the time you sign the contract**:
    - IRS Form W-9
    - Certificate of Liability Insurance naming 4Culture as additional insured on your policy (supplied by your insurance provider).
  - b. **At the time you are requesting payment**, you will need to provide appropriate documentation such as an interim invoice, final invoice, evaluation, or digital photos. Please review your specific grant program requirements at 4Culture’s website: [Manage Your Award](#).
3. **4Culture Logo** – For details of the requirements for acknowledging 4Culture support, please refer to Section I, D. of the contract. The [4Culture logo](#) is available for download in PDF, EPS, and Jpeg formats.

Promote your 4Culture funded project using our [Media Kit](#). Find out what’s required, what you can do, and how we can help.

4. **Signature** – Follow the link in the e-mail message - you will be walked through a few simple steps to read and sign the contract at Conga Sign. A copy of the Contract will be e-mailed to you as a PDF after it has been signed by 4Culture’s Executive Director.

## **CONTRACT FOR CULTURAL FACILITIES BUILDINGS OR STRUCTURES CONSTRUCTION AND/OR PURCHASE**

THIS CONTRACT is entered into by THE CULTURAL DEVELOPMENT AUTHORITY OF KING COUNTY (“4CULTURE”), whose address is 101 Prefontaine PI S, Seattle, WA 98104-2672 and telephone number is (206) 296-7580 and the Contractor as named on the attached Contract Information Sheet. Contractor is an art, cultural or historical organization qualified to receive funds pursuant to King County Code Sections 2.48 and 4.40 and RCW 67.28.180 and as hereinafter may be amended. The 4Culture Board of Directors approved providing funds for this project in the motion referenced in the Grant Information sheet.

4Culture desires to provide funds with which the Contractor shall render certain services in connection with the construction/renovation of a facility, or acquisition of a facility that will benefit King County citizens by increasing cultural infrastructure in King County to broaden access to art museums, cultural museums, heritage museums, historic structures, and/or the performing arts. Those services are consistent with those defined in RCW 67.28.180 (“Public Benefit Services”).

The facility Contractor will construct, renovate or acquire pursuant to this Agreement is a “Cultural Facility” as defined by KCC 2.48.020.B: “publicly accessible buildings and structures that are used primarily for the performance, exhibition or benefit of arts and heritage activities, including, but not limited to, performing arts, visual arts, heritage and cultural endeavors.” In this Agreement, such facility shall be referred to as the “Cultural Facility”.

4Culture is organized pursuant to King County Ordinances 14482, 18684, and 19036 and RCW 35.21.730, et seq. RCW 35.21.750 provides as follows: “[All] liabilities incurred by such public corporation, commission, or authority shall be satisfied exclusively from the assets and properties of such public corporation, commission or authority and no creditor or other person shall have any right of action against the city, town, or county creating such corporation, commission, or authority on account of any debts, obligations, or liabilities of such public corporation, commission, or authority.”

The legislative authority of 4Culture has found and declared that providing funds to Contractor to reimburse Project costs in consideration of services provided hereunder constitutes a public purpose with the meaning of Article VII, Section 1 of the Washington State Constitution for which public funds may properly be expended or advanced. The legislative authority of 4Culture has further found and declared that 4Culture does not intend to donate such funds to Contractor and that Contractor’s promise to provide services and comply with the requirements set forth herein does not constitute grossly inadequate consideration for 4Culture’s obligations hereunder. NOW, THEREFORE, in consideration of payments, covenants, and agreements hereinafter mentioned, to be made and performed by the parties hereto, the parties covenant and do mutually agree as follows:

## **I. SCOPE OF SERVICES**

A. The Contractor shall provide services and comply with the requirements set forth hereinafter and in the Grant Information sheet Specific Scope of Services.

B. Cultural Facilities Buildings or Structures - Construction and/or Purchase. Funds awarded under this Agreement shall be used solely to reimburse the Contractor for expenses incurred expressly and solely in accordance with the Project Proposal and Budget made by Contractor, and the final agreed upon Specific Scope of Services as drafted by 4Culture. Any amendment or modification to the Project Proposal and Budget or the Specific Scope of Contract Work must be approved in writing by 4Culture. The work described generally by the Project Proposal and Budget and more specifically by the Specific Scope of Contract Work, including an identified Public Benefit, shall hereinafter be referred to as the "Project".

C. The Contractor agrees to the Cultural Facility constructed or purchased through this contract to provide Public Benefit Services for a period of not less than a period (the "Public Benefit Period") beginning on the date the construction of or improvements to the Cultural Facility are completed or the Cultural Facility is purchased and ending on the date that is 10 years from the Start Date of this contract set forth on the Contract Information Sheet. Should the Contractor, prior to the expiration of this Public Benefit Period, dissolve its operations, relocate outside of King County or determine that it no longer needs the Cultural Facility constructed or purchased hereunder, Contractor shall notify 4Culture thereof and, upon 4Culture's request, such Cultural Facility (to the extent practicable) shall be transferred without additional consideration to a King County based non-profit art, cultural or historic organization selected by 4Culture in its sole discretion.

D. Contractor agrees to acknowledge **4Culture** support in any permanent signage produced for the Project, and all marketing and promotional materials, websites, brochures, press releases, advertisements, signage and other related materials during the period this contract is in force, either with the credit line "this project was supported, in part, by an award from 4Culture", and/or by the use of the **4Culture logo**.

E. The Contractor agrees to notify 4Culture whenever possible in advance of any public benefit Project activities, ground breaking events or dedications.

F. Any project involving construction, restoration or rehabilitation work on an historic structure is subject to the following additional requirements:

1. Any rehabilitation and/or restoration project involving an historic resource listed on the National Register of Historic Places or a local landmarks register, or determined eligible for said registers including a resource in process of nomination, must adhere to *The Secretary of the Interior's Standards for Treatment of Historic Properties*.

2. Any rehabilitation and/or restoration project that would affect any designated feature(s) of significance of a King County Landmark or local landmark designated by way of an interlocal agreement for preservation services with King County, including a contributing property located within an historic district, must obtain a *Certificate of Appropriateness (COA)* from the King County Landmarks Commission prior to obtaining a building permit or commencing construction.

3. Any rehabilitation and/or restoration project that would affect a designated landmark located in a jurisdiction that is a Certified Local Government (CLG) with professional staff, must provide evidence that it has received any formal approval required by law from a qualified design review board prior to obtaining a building permit or commencing construction.

## **II. DURATION OF CONTRACT**

This Agreement shall commence on the dates noted on the Contract Information Sheet and shall terminate upon the later of (1) completion of the Specific Scope of Contract Work and payment of the final invoice or (2) the end time period specified, if any, Public Benefit Provisions. This Agreement, however, may be terminated earlier as provided in Section IV hereof.

## **III. COMPENSATION AND METHOD OF PAYMENT**

A. 4Culture shall reimburse the Contractor for its actual and authorized expenditures incurred in satisfactorily completing the Specific Scope of Services and otherwise fulfilling all requirements specified in this contract in an aggregate amount as indicated on the Contract Information Sheet.

B. Contractor may apply to 4Culture for reimbursement upon completion of specified phases of the Specific Scope of Services. All invoices for reimbursement for specific phases of the Project shall include documentation that identifies vendors, details costs for labor and materials and specifies the equipment purchased pursuant to this contract (make and model #). Such documentation shall include, but may not be limited to, purchase orders or receipts for purchases.

C. Accompanying the final invoice for the project, the Contractor shall also submit a brief project status report and digital images of publishable quality for use by 4Culture to publicize the grant program. Technical specifications required for image files are available in the "Manage Your Award" section of the 4Culture website.

D. All payments are subject to site inspection and approval by 4Culture.

E. If the Contractor fails to comply with any terms or conditions of this contract or to provide in any manner the work or services agreed to herein, 4Culture may withhold any payment to the Contractor until 4Culture is satisfied that corrective action, as specified by 4Culture, has been completed. This right is in addition to and not in lieu of the 4Culture right to terminate this contract as provided in Section IV, any other rights of 4Culture under this Agreement and any other right or remedy available to 4Culture at law or in equity.

#### **IV. TERMINATION OF AGREEMENT**

A. If, through any cause, the Contractor shall fail to fulfill in a timely and proper manner its obligations under this Agreement or if the Contractor shall violate any of its covenants, agreements or stipulations of this Agreement, 4Culture may terminate this Agreement and withhold the remaining allocation. Prior to so terminating this Agreement, 4Culture shall submit written notice to the Contractor describing such default or violation. 4Culture shall not so terminate this Agreement if 4Culture determines that Contractor has, within twenty (20) days of the date of such notice, fully corrected such default or violation.

B. Reimbursement for services performed by the Contractor, and not otherwise paid for by 4Culture prior to the effective date of a termination under subsections B and C herein, shall be as 4Culture reasonably determines.

C. In the event of termination for cause, the Contractor shall, immediately upon 4Culture's request and in addition to any and all other remedies available to 4Culture in equity or at law, return to 4Culture immediately any funds, misappropriated or unexpended, which have been paid to the Contractor by 4Culture and all equipment, personal property and trade fixtures acquired as part of the Specific Scope of Contract Work.

#### **V. DEFAULT**

Each of the following shall constitute an Event of Default under this Agreement: (1) Failure of Contractor to in any way perform an obligation when due on the Indebtedness; (2) The dissolution, liquidation, or any other termination of Contractor's existence as a going business, the insolvency of Contractor, the appointment of a receiver for any part of Contractor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Contractor; (3) Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Contractor or by any governmental agency against the Collateral or any other collateral securing the Indebtedness. If an Event of Default occurs under this Agreement, at any time thereafter, all of the indebtedness shall be, at 4Culture's option, immediately due and payable, 4Culture shall have all the rights of a secured party under the Washington Uniform Commercial Code, as amended from time to time. In addition, 4Culture shall have and may exercise any or all other rights and remedies it may have available at law, in equity, or otherwise.

## **VI. MAINTENANCE OF RECORDS**

A. The Contractor shall maintain accounts and records, including personnel, property, financial, insurance and programmatic records and other such records as may be deemed necessary by 4Culture to ensure proper accounting for all contract funds and compliance with this Agreement. All such records shall sufficiently and properly reflect all direct and indirect costs of any nature expended and services provided in the performance of this Agreement.

B. These records shall be maintained for a period of six (6) years after termination of this Agreement unless a longer retention period is required by law.

## **VII. AUDITS AND EVALUATIONS**

A. The records and documents with respect to all matters covered by this Agreement shall be subject at all times to inspection, review or audit by 4Culture and/or federal/state officials so authorized by law during the performance of this Agreement and six (6) years after termination hereof.

B. The Contractor shall provide right of access to its facilities, including by any subcontractor to 4Culture, the King County, state and/or federal agencies or officials at all reasonable times in order to monitor and evaluate the services provided under this Agreement. 4Culture will give advance notice to the Contractor in the case of fiscal audits to be conducted by 4Culture.

C. The Contractor agrees to cooperate with 4Culture in the evaluation of the Contractor's performance under this contract and to make available all information reasonably required by any such evaluation process. The results and records of said evaluations shall be maintained and disclosed in accordance with RCW Chapter 42.56 (Public Records Act).

## **VIII. CONTRACT MODIFICATIONS**

No modification or amendment of this Agreement shall be valid unless made in writing and signed by the parties hereto.

## **IX. NO WAIVERS**

4Culture's failure to insist upon the strict performance of any provision of this Agreement or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Agreement.

## **X. FUTURE SUPPORT**

4Culture makes no commitment to support the services contracted for herein nor guarantee regarding the success of the services and assumes no obligation for future support of the Project except as expressly set forth in this Agreement.

## **XI. OWNERSHIP OF PROJECT/CAPITAL FACILITIES**

Contractor and 4Culture agree and acknowledge that the real property improved as part of the Project are not owned by 4Culture and 4Culture does not expect to acquire any ownership interest in or title to the capital facilities constructed or purchased under this Agreement. Contractor shall not pledge or assign its rights to reimbursement hereunder to any third party for any reason, including, without limitation, to suppliers or subcontractors as security for Contractor's obligations to such third parties.

## **XII. HOLD HARMLESS AND INDEMNIFICATION**

A. In providing services under this Agreement, the Contractor is an independent contractor, and shall determine the means of accomplishing the results contemplated by this Agreement. Neither the Contractor nor its officers, agents or employees are employees of the 4Culture for any purpose. The Contractor shall comply with all applicable federal and state laws and regulations regarding employment, minimum wages and hours, and discrimination in employment. The Contractor is responsible for determining the compensation of its employees, for payment of such compensation, and for all federal and/or state tax, industrial insurance, and Social Security liability that may result from the performance of and compensation for these services. The Contractor and its officers, agents, and employees shall make no claim of career service or civil service rights which may accrue to a 4Culture employee under state or local law. 4Culture assumes no responsibility for the payment of any compensation, wages, benefits, or taxes by, or on behalf of the Contractor, its employees and/or others by reason of this Agreement. To the extent allowed by law, the Contractor shall protect, defend, indemnify and save harmless 4Culture and its officers, agents, and employees from and against any and all claims, costs, and/or losses whatsoever occurring or resulting from (1) the Contractor's failure to pay any such compensation, wages, benefits, or taxes; (2) the supplying to the Contractor of work, services, materials, or supplies by Contractor employees or other suppliers in connection with or support of the performance of this Agreement. The Contractor shall also defend, indemnify, and save harmless 4Culture, and its officers, agents, and employees, from and against any and all claims made by Contractor's employees arising from their employment with Contractor.

B. To the full extent provided by applicable law, the Contractor shall protect, defend, indemnify, and save harmless 4Culture its officers, employees, and agents from any and all costs, claims, judgments, and/or awards of damages, arising out of or in any way resulting from the acts or omissions of the Contractor, its officers, employees, and/or agents, except to the extent resulting from 4Culture's sole negligence. If this Agreement is a "a covenant, promise, agreement or understanding in, or in connection with or collateral to, a contract or agreement relative to the construction, alteration, repair, addition to, subtraction from, improvement to, or maintenance of, any building, highway, road, railroad, excavation, or other structure, project, development, or improvement attached to real estate" within the meaning of RCW 4.24.115, then the Contractor shall so protect, defend, indemnify, and save harmless 4Culture its officers, employees, and agents only to the extent of the Contractor's, its officers', employees', and/or agents' negligence. The Contractor agrees that its obligations under this subparagraph extend to any claim, demand, and/or cause of action brought by or on behalf of any employees, or agents.

### **XIII. INSURANCE REQUIREMENTS**

A. Contractor shall procure, at its sole cost and expense, Commercial General Liability insurance against claims for injuries to persons or damages to property which may arise from, or in connection with the performance of work hereunder by the Contractor, his agents, representatives, employees, and/or subcontractors. The costs of such insurance shall be paid by the Contractor or subcontractors. Each policy shall be written on an "Occurrence" basis.

B. Minimum Scope of Insurance shall be Insurance Services Office form number (CG 00 01 Ed. 11-88)—Minimum Combined Single Limit of \$1,000,000 BI & PD with a General Aggregate per project.

#### C. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to, and approved by, 4Culture. The deductible and/or self-insured retention of the policies shall not apply to the Contractor's liability to 4Culture and shall be the sole responsibility of the Contractor.

#### D. Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

##### 1. General Liability Policies

a.) 4Culture, its officers, employees and agents are to be covered as primary additional insureds as respects liability arising out of activities performed by or on behalf of the Contractor in connection with this Agreement.

b.) To the extent of the Contractor's negligence, the Contractor's insurance coverage shall be primary insurance as respects 4Culture, its officers, employees, and agents. Any insurance and/or self-insurance maintained by 4Culture, its officers, employees, or agents shall not contribute with the Contractor's insurance or benefit the Contractor in any way.

c.) The Contractor's insurance shall apply separately to each insured against whom claim is made and/or lawsuit is brought, except with respect to the limits of the insurer's liability.

## 2. All Policies

a.) Coverage shall not be suspended, voided, canceled, reduced in coverage or in limits, except as reduced in aggregate by paid claims, at any point during the life of this contract. No material change, or cancellation or nonrenewal of any policy required by this contract shall occur without thirty (30) days' prior written notice to 4Culture.

### E. Acceptability of Insurers

Unless otherwise approved in writing by 4Culture, insurance is to be placed with insurers with a Best's rating of no less than A:VIII, or, if not rated with Best's, with minimum surpluses the equivalent of Bests' surplus size VIII.

### F. Verification of Coverage

4Culture, reserves the right to request that contractor submit the certificate(s) of insurance evidencing compliance with all requirements set forth above.

## **XIV. CONFLICT OF INTEREST**

Chapter 42.23 RCW (Code Of Ethics For Municipal Officers--Contract Interests) is incorporated by reference as if fully set forth herein and the Contractor agrees to abide by all the conditions of said Chapter. Failure by the Contractor to comply with any requirements of such Chapter shall be a material breach of contract.

In addition, Contractor represents, warrants and covenants that no officer, employee, or agent of 4Culture who exercises any functions or responsibilities in connection with the planning and implementation of the Specific Scope of Contract Services funded herein, has or shall have any beneficial interest, directly or indirectly, in this contract. The Contractor further represents, warrants and covenants neither it nor any other person beneficially interested in this Agreement has offered to give or given any such officer, employee, or agent of 4Culture, directly or indirectly, any compensation, gratuity or reward in connection with this Agreement. The Contractor shall take all appropriate steps to assure compliance with this provision.

## **XV. NONDISCRIMINATION**

During the performance of this Agreement, Contractor shall comply with state, federal and local legislation requiring nondiscrimination in employment and the provision of services to the public, including, but not limited to: Title VI of the Civil Rights Act of 1964; chapter 49.60 RCW (the Washington state law against discrimination); K.C.C. chapter 12.16 regarding discrimination and affirmative action in employment by contractors, subcontractors and vendors; K.C.C. chapter 12.17 prohibiting discrimination in contracting; K.C.C. chapter 12.18 requiring fair employment practices; K.C.C. chapter and 12.22 prohibiting discrimination in places of public accommodation.

The Contractor shall maintain, until 12 months after completion of all work under this contract, all written quotes, bids, estimates or proposals submitted to the Contractor by all businesses seeking to participate in this Agreement. The Contractor shall make such documents available to the 4Culture for inspection and copying upon request.

## **XVI. SEVERABILITY**

In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions, or applications of this Agreement that can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

## **XVII. ENTIRE CONTRACT**

The parties agree that this Agreement is the complete expression of the terms hereto and any oral representations or understandings not incorporated herein are excluded. Both parties recognize that time is of the essence in the performance of the provisions of this Agreement.

## **XVIII. ATTORNEYS' FEES; EXPENSES**

Contractor agrees to pay upon demand all of 4Culture's costs and expenses, including attorneys' fees and 4Culture's legal expenses, incurred in connection with the enforcement of this Agreement. 4Culture may pay someone else to help enforce this Agreement, and Contractor shall pay the costs and expenses of such enforcement. Costs and expenses include 4Culture's attorneys' fees and legal expenses whether or not there is a lawsuit, including attorneys' fees and legal expenses for bankruptcy proceedings (and including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services. Contractor also shall pay all court costs and such additional fees as may be directed by the court. Notwithstanding the foregoing, subject to RCW 4.84.330, if either Contractor or 4Culture is the prevailing party in any action to enforce the provisions this Agreement, then such prevailing party shall be entitled to reasonable attorneys' fees in addition to costs and necessary disbursements.

**XIX. SURVIVAL**

The terms and conditions of Sections I.D, V, VI, VII, IX, XII, XIII, XIV, XV, and XVIII shall survive the termination of this Agreement and shall be continuing obligations of the parties.

**4CULTURE:**

Brian J. Carter  
*Executive Director*

Date:     /     / 2026

**CONTRACTOR:**

Nancy Backus  
*Mayor, City of Auburn*

Date:     /     / 2026

**CONTRACTOR:**

Jason Whalen  
*Attorney, City of Auburn*

Date:     /     / 2026