

**City Council  
Regular Meeting  
September 8, 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 Tuesday, September 8, 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: 253 215 8782

Toll Free: 877 853 5257

Zoom: <https://us06web.zoom.us/j/82593254287>

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

- A. Hispanic Heritage Month  
Mayor Backus to proclaim September 15, 2026, through October 15, 2026, as "Hispanic Heritage Month" in the City of Auburn
- B. Constitution Week  
Mayor Backus to proclaim September 17, 2026, through September 23, 2026, as "Constitution Week" in the City of Auburn

**AGENDA MODIFICATIONS**

**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. Claims Vouchers (Thomas)  
Claims voucher list dated August 12, 2026, which includes voucher numbers 484681 through voucher 484832, in the amount of \$5,172,840.41, electronic fund transfers in the amount of \$10,733.65 and five wire transfers in the amount of \$3,036,009.08
- B. Claims Vouchers (Thomas)  
Claims voucher list dated August 19, 2026, which includes voucher numbers 484833 through 484893, and voucher numbers 484895 through 485075, in the amount of \$1,989,134.71
- Claims voucher list dated August 25, 2026, which includes voucher number 485076 in the amount of \$478,861.68
- Claims voucher list dated August 26, 2026, which includes voucher numbers 485077 through 485140, in the amount of \$1,819,119.63
- Claims voucher list dated August 28, 2026, which includes voucher numbers 485141 through 485147, and voucher numbers 485149 through 485170, in the amount of \$4,202,133.54, electronic fund transfers in the amount of \$3,183.01 and one wire transfer in the amount of \$848,277.47

- C. Claims Vouchers (Thomas)  
Claims voucher list dated August 19, 2026, which includes voucher number 484894, in the amount of \$6,554.47
- D. Claims Vouchers (Thomas)  
Claims voucher list dated August 28, 2026, which includes voucher number 485148, in the amount of \$13,074.72
- E. Payroll Vouchers (Thomas)  
Payroll check numbers 539863 through 539866 in the amount of \$88,938.03, electronic deposit transmissions in the amount of \$3,243,707.06, for a grand total of \$3,332,645.09 for the period covering July 30, 2026 to August 12, 2026
- F. Payroll Vouchers (Thomas)  
Bi-Weekly Payroll check numbers 550000 through 550002 in the amount of \$964.31, electronic deposit transmissions in the amount of \$2,653,173.30, Semi-Monthly payroll check number 539869 in the amount of \$9,755.68, electronic deposit transmissions in the amount of \$456,789.64, Bi-Weekly payroll check numbers 550003 through 550006 in the amount of \$2,213,782.23 for a grand total of \$5,382,892.47 for the period covering August 13, 2026 to September 2, 2026

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

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

## **ORDINANCES**

- A. Ordinance No. 7025 (Krum)  
An Ordinance relating to updates to the Daycare Zoning Regulations amending, recodifying, and repealing certain Sections of Chapter 18.04; amending certain Sections of Chapter 18.31; and amending Sections 18.07.020, 18.09.020, 18.23.030, 18.35.030, 18.38.060, 18.52.020, 18.74.030, 18.76.045 of the Auburn City Code

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7025.)**

- B. Ordinance No. 7026 (Krum)  
An Ordinance relating to updates to the Live/Work Zoning Regulations amending Sections 18.04.527, 18.04.913, 18.07.020, 18.23.030, 18.35.030, 18.52.020, and creating Section 18.31.125 of the Auburn City Code

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7026.)**

## **RESOLUTIONS**

- A. Resolution No. 5925 (Krueger/Byrne)  
A Resolution authorizing the Mayor to execute an updated Interlocal Agreement Between the City of Auburn and King County for the purpose of accepting funds in the amount of \$200,000 for site stabilization costs on the Soos Creek Botanical Garden Property

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5925.)**

- B. Resolution No. 5926 (Gaub)  
A Resolution authorizing the Mayor to grant an Easement to Puget Sound Energy for the purpose of installing underground power facilities for the Auburn Avenue Theater and Downtown Park Project (CP2414/CP2507)

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5926.)**

- C. Resolution No. 5927 (Caillier)  
A Resolution declaring an Auburn Police Department Firearm as surplus property and approving its transfer to C.A.R. Arms, LLC

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5927.)**

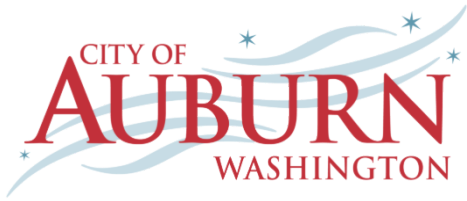
## **MAYOR AND COUNCILMEMBER REPORTS**

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:**

Claims Vouchers (Thomas)

Claims voucher list dated August 12, 2026, which includes voucher numbers 484681 through voucher 484832, in the amount of \$5,172,840.41, electronic fund transfers in the amount of \$10,733.65 and five wire transfers in the amount of \$3,036,009.08

**Meeting Date:**

September 8, 2026

**Department:**

Finance

**Attachments:**

None

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

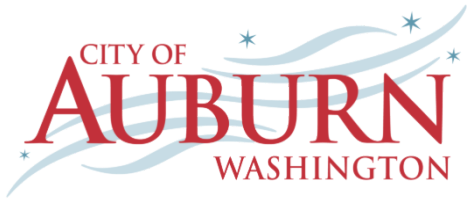
City Council to approve Claim Vouchers.

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

Claims voucher list dated August 12, 2026, which includes voucher numbers 484681 through voucher 484832, in the amount of \$5,172,840.41, electronic fund transfers in the amount of \$10,733.65 and five wire transfers in the amount of \$3,036,009.08.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Claims Vouchers (Thomas)  
Claims voucher list dated August 19, 2026, which includes voucher numbers 484833 through 484893, and voucher numbers 484895 through 485075, in the amount of \$1,989,134.71

**Meeting Date:**

September 8, 2026

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Claims voucher list dated August 26, 2026, which includes voucher numbers 485077 through 485140, in the amount of \$1,819,119.63

Claims voucher list dated August 28, 2026, which includes voucher numbers 485141 through 485147, and voucher numbers 485149 through 485170, in the amount of \$4,202,133.54, electronic fund transfers in the amount of \$3,183.01 and one wire transfer in the amount of \$848,277.47

**Department:**

Finance

**Attachments:**

None

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

City Council to approve Claim Vouchers.

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

Claims voucher list dated August 19, 2026, which includes voucher numbers 484833 through 484893, and voucher numbers 484895 through 485075, in the amount of \$1,989,134.71.

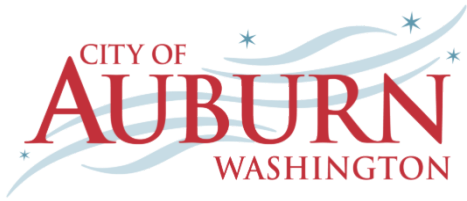
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**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



## AGENDA BILL APPROVAL FORM

---

**Agenda Subject:**

Claims Vouchers (Thomas)  
Claims voucher list dated August 19, 2026, which includes voucher number 484894, in the amount of \$6,554.47

**Meeting Date:**

September 8, 2026

**Department:**

Finance

**Attachments:**

None

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

City Council to approve Claim Vouchers.

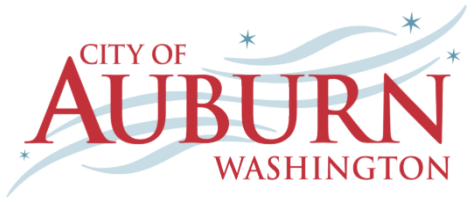
**Background for Motion:****Background Summary:**

Claims voucher list dated August 19, 2026, which includes voucher number 484894, in the amount of \$6,554.47.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas





## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Claims Vouchers (Thomas)  
Claims voucher list dated August 28, 2026, which includes voucher number 485148, in the amount of \$13,074.72

**Meeting Date:**

September 8, 2026

**Department:**

Finance

**Attachments:**

None

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

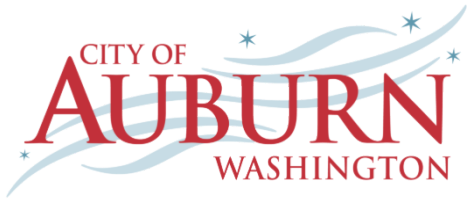
City Council to approve Claim Vouchers.

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

Claims voucher list dated August 28, 2026, which includes voucher number 485148, in the amount of \$13,074.72.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



## AGENDA BILL APPROVAL FORM

---

**Agenda Subject:**

Payroll Vouchers (Thomas)  
Payroll check numbers 539863 through 539866 in the amount of \$88,938.03, electronic deposit transmissions in the amount of \$3,243,707.06, for a grand total of \$3,332,645.09 for the period covering July 30, 2026 to August 12, 2026

**Meeting Date:**

September 8, 2026

**Department:**

Finance

**Attachments:**

None

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

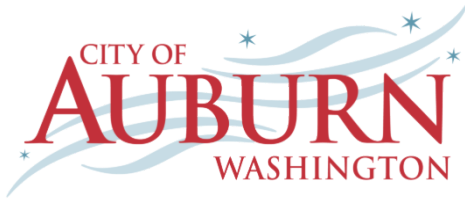
City Council to approve Payroll Vouchers.

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

Payroll check numbers 539863 through 539866 in the amount of \$88,938.03, electronic deposit transmissions in the amount of \$3,243,707.06, for a grand total of \$3,332,645.09 for the period covering July 30, 2026 to August 12, 2026

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Payroll Vouchers (Thomas)

**Meeting Date:**

September 8, 2026

Bi-Weekly Payroll check numbers 550000 through 550002 in the amount of \$964.31, electronic deposit transmissions in the amount of \$2,653,173.30, Semi-Monthly payroll check number 539869 in the amount of \$9,755.68, electronic deposit transmissions in the amount of \$456,789.64, Bi-Weekly payroll check numbers 550003 through 55006 in the amount of \$2,213,782.23 for a grand total of \$5,382,892.47 for the period covering August 13, 2026 to September 2, 2026

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

**Department:**

Finance

**Attachments:**

None

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

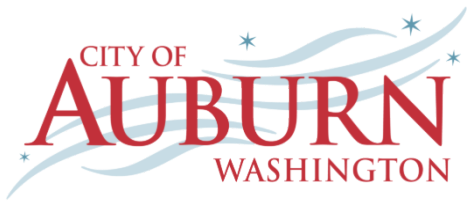
City Council to approve Payroll Vouchers.

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

Bi-Weekly Payroll check numbers 550000 through 550002 in the amount of \$964.31, electronic deposit transmissions in the amount of \$2,653,173.30, Semi-Monthly payroll check number 539869 in the amount of \$9,755.68, electronic deposit transmissions in the amount of \$456,789.64, Bi-Weekly payroll check numbers 550003 through 55006 in the amount of \$2,213,782.23 for a grand total of \$5,382,892.47 for the period covering August 13, 2026 to September 2, 2026.

**Councilmember:** Hanan Amer

**Staff:** Jamie Thomas



## AGENDA BILL APPROVAL FORM

---

**Agenda Subject:**

Ordinance No. 7025 (Krum)

An Ordinance relating to updates to the Daycare Zoning Regulations amending, recodifying, and repealing certain Sections of Chapter 18.04; amending certain Sections of Chapter 18.31; and amending Sections 18.07.020, 18.09.020, 18.23.030, 18.35.030, 18.38.060, 18.52.020, 18.74.030, 18.76.045 of the Auburn City Code

**Meeting Date:**

September 8, 2026

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7025.)**

**Department:**

Community Development

**Attachments:**

Ordinance No. 7025, Ordinance No. 7025 - Exhibit A

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

City Council to approve Ordinance No. 7025.

**Background for Motion:**

This Ordinance will amend City Code to be in compliance with State requirements and expand opportunity and access to child care throughout the City.

**Background Summary:**

Senate Bill (SB) 5509 regulates the siting of child care centers and was passed by the State Legislature in 2025. SB 5509 allows child care centers, and the conversion of existing buildings for use as child care centers, as an outright permitted use in all zones except industrial zones and open space zones. Cities may impose reasonable restrictions on associated permits, including pickup and drop-off areas. A city must provide for a conditional use approval of an on-site child care center in industrial zones, excluding the use in or around high hazard facilities.

SB 5509 is also intended to expand access to child care throughout the City of Auburn. Adult care is being removed as an associated use with child care, but is allowed as a land use under "meeting facility, public or private". Current Auburn City Code uses the term "daycare" versus the term "child care", which is used in SB 5509. Therefore, the term "daycare" has been replaced with "child care" throughout the City Code, except where it is referenced as "home-based."

The proposed text amendment was transmitted to the Washington State Department of Commerce for agency review on April 16, 2026. The 60-day notice period ended on June 15, 2026. No comments from the Department of Commerce were received. A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on June 1, 2026, under City File No.

SEP26-0010. No comments or appeals on the SEPA DNS were received.

City staff discussed the proposed text amendment at regular meetings of the Planning Commission on June 2, 2026, and July 7, 2026.

A Notice of Public Hearing (NOH) was issued on July 24, 2026, under City File No. ZOA26-0006. The Planning Commission Public Hearing notice was published in The Seattle Times and was posted in three general public locations (City Hall, City Annex, and the City's Public Land Use Notice webpage).

A Public Hearing was held by the Planning Commission on August 4, 2026, and, thereafter, the Planning Commission deliberated and voted to recommend the text amendment to City Council for adoption.

Staff presented the proposed changes to City Council at the Study Session Meeting on August 24, 2026.

**Councilmember:** Tracy Taylor

**Staff:** Jason Krum

## **ORDINANCE NO. 7025**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO UPDATES TO THE DAYCARE ZONING REGULATIONS AMENDING, RECODIFYING, AND REPEALING CERTAIN SECTIONS OF CHAPTER 18.04; AMENDING CERTAIN SECTIONS OF CHAPTER 18.31; AND AMENDING SECTIONS 18.07.020, 18.09.020, 18.23.030, 18.35.030, 18.38.060, 18.52.020, 18.74.030, 18.76.045 OF THE AUBURN CITY CODE

WHEREAS, Senate Bill (SB) 5509, an Act relating to the siting of child care centers was passed by the State Legislature in the 2025 Regular Session; and

WHEREAS, Senate Bill (SB) 5509 allows child care centers, and the conversion of existing buildings for use as child care centers, as an outright permitted use in all zones except industrial and open space zones; and

WHEREAS, the City must provide for a conditional use approval of an on-site child care center in industrial zones, except in or around high hazard facilities; and

WHEREAS, cities may impose reasonable restrictions on a child care center permits, including pickup and drop-off areas; and

WHEREAS, Senate Bill (SB) 5509 is also intended to expand access to child care; and

WHEREAS, adult care is no longer considered to be an associated use of child care; and

WHEREAS, City Code uses the term daycare versus the term child care which is used in Senate Bill (SB) 5509; and

WHEREAS, the term daycare has been replaced with child care throughout the city code except where it is referenced as “home based”; and

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

WHEREAS, on April 17, 2026, the proposed text amendments were transmitted to the Washington State Department of Commerce to comply with the required 60-day review period, pursuant to RCW 36.70A.106; and

WHEREAS, environmental review for the proposed amendment was conducted in accordance with the State Environmental Policy Act (SEPA), which resulted in a Determination of Non-Significance (DNS) that was issued on June 1, 2026, under City File No. SEP26-0010; and

WHEREAS, pursuant to Chapter 18.68 ACC, Public Notice for the Public Hearing before the Planning Commission was issued on July 24, 2026 under City File No. ZOA26-0006, which notice was published in the Seattle Times on July 24, 2026, and 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 reviewed the proposed amendments to child care development regulations at Public Meetings on June 2, 2026, and July 7, 2026; and

WHEREAS, a Public Hearing was held by the Planning Commission on August 4, 2026, and, thereafter, the Planning Commission deliberated and voted to recommend these text amendments to City Council for adoption.

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

**Section 1. Amendment to City Code.** Chapters 18.04 and 18. 31 and Sections 18.07.020, 18.09.020, 18.23.030, 18.35.030, 18.38.060, 18.52.020, 18.74.030, and 18.76.045 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

\_\_\_\_\_  
Paul Byrne, Acting City Attorney

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

## Chapter 18.04 DEFINITIONS

...

18.04.2381 Child care center, nursery school, preschool.

...

18.04.290 Daycare center, nursery school, preschool.

...

18.04.1001 Child care center.

...

### **18.04.2902381     ~~Daycare~~ Child care center, nursery school, preschool.**

“Child care center” means an entity that regularly provides child daycare and early learning services for a group of children for periods of less than 24 hours licensed by the Washington State Department of Early Learning under Chapter 110-300 WAC. Child care center is inclusive of “Daycare center, the terms “daycare centers” and “daycare”. “Child care centers,” “nursery school,” or “preschool” means any type of group ~~daycare-child care~~ programs, for children ~~or adults~~, including nursery schools for children under minimum age for education in public schools, parent cooperative nursery schools, playgroups for preschool children, covering afterschool care for school children, and programs which provide organized learning and education experiences, provided such establishments are licensed by the state and conducted in accordance with state requirements. For the purpose of this title, the following shall also apply to child care centers, daycare center, nursery schools, or preschools:

~~A. “Babysitting care” means a dwelling which provides occasional custodial care to children, for periods of less than 24 hours, who do not reside within the residence of the person providing the care. Babysitting care is not necessarily provided in exchange for compensation.~~

**BA.** “Home based daycare” means a licensed daycare that regularly provides daycare for not more than 12-16 children in the provider’s home in the family living quarters, for periods of less than 24 hours.

**CB.** “Mini child daycare center” means a place, other than the home of the provider, which provides regular custodial care for one to 12 children, for periods of less than 24 hours.

~~DC.~~ “~~Child care~~~~Daycare~~ center” means a place, other than the home of the provider, which provides regular custodial care for 12 or more children; for periods of less than 24 hours.

~~ED.~~ “Preschool/nursery school” means a place, other than the home of the provider, which provides regular custodial care and/or organized learning and educational experiences for children. (Ord. 6245 § 3, 2009; Ord. 4705 § 2, 1994; Ord. 4229 § 2, 1987.)

## 18.04.645 Neighborhood services.

“Neighborhood services” as listed herein are intended to include commercial establishments that provide goods and services that are considered to be basic to the needs of a local neighborhood, and the provision of which would typically be primarily within the local market area. For the purposes of Chapter 18.49 ACC, neighborhood services establishments include: bakery and pastry shops (products made must be sold at retail on the premises); produce markets; retail grocery stores; delicatessens, restaurants or sandwich shops, limited to a seating area of 25 seats; hardware stores; retail banks or bank branches; pharmacies; ~~daycare facilities~~child care centers; or other services subject to the approval of the planning director. See Chapter 18.49 ACC. (Ord. 6245 § 3, 2009.)

## ~~18.04.1001—Child care center.~~

~~“Child care center” means an entity that regularly provides child daycare and early learning services for a group of children for periods of less than 24 hours licensed by the Washington State Department of Early Learning under Chapter 170-295 WAC. (Ord. 6642 § 15, 2017.)~~

## Chapter 18.07 RESIDENTIAL ZONES

### 18.07.020 Uses.

**Table 18.07.020. Permitted Use Table – Residential Zones**

| P = Permitted A = Administrative C = Conditional Use X = Not Permitted                   |                     |                |                |                |                |                |                |
|------------------------------------------------------------------------------------------|---------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Land Uses                                                                                | Zoning Designations |                |                |                |                |                |                |
|                                                                                          | RC                  | R-1            | R-2            | R-3            | R-4            | R-NM           | R-F            |
| A. Residential Uses.                                                                     |                     |                |                |                |                |                |                |
| Accessory dwelling units subject to the provisions contained in Chapter <u>18.32</u> ACC | P <sup>1</sup>      | P <sup>1</sup> | P <sup>1</sup> | P <sup>1</sup> | P <sup>1</sup> | P <sup>1</sup> | P <sup>1</sup> |
| Accessory use, residential                                                               | P                   | P              | P              | P              | P              | P              | P              |

|                                                                                                                                                                   |                |                |                |                 |                |                 |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|----------------|-----------------|----------------|-----------------|----------------|
| Adult family home                                                                                                                                                 | P              | P              | P              | P               | P              | P <sup>1</sup>  | P              |
| Apartments (7 units or more)                                                                                                                                      | X              | X              | X              | P <sup>11</sup> | P              | P               | X              |
| Bed and breakfast or short-term rentals                                                                                                                           | P              | P              | P              | P               | P              | X               | P              |
| Caretaker apartment                                                                                                                                               | X              | X              | X              | X               | X              | P               | X              |
| Co-living housing                                                                                                                                                 | X              | X              | X              | P               | P              | P <sup>13</sup> | X              |
| Communal residence                                                                                                                                                | P              | P              | P              | P               | P              | X               | P              |
| Foster care homes                                                                                                                                                 | P              | P              | P              | P               | P              | X               | P              |
| Group residence facilities (7 or more residents)                                                                                                                  | X              | X              | X              | P               | P              | P               | P              |
| Group residence facilities (6 or fewer residents)                                                                                                                 | P              | P              | P              | P               | P              | P               | P              |
| Keeping of animals <sup>4</sup>                                                                                                                                   | P <sup>2</sup> | P <sup>2</sup> | P <sup>2</sup> | P <sup>2</sup>  | P <sup>2</sup> | P <sup>2</sup>  | P <sup>2</sup> |
| Middle housing subject to the provisions in Chapter <a href="#">18.25</a> ACC (2 to 6 units)                                                                      | P              | P              | P              | P               | P              | P               | P              |
| Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association                                                  | A <sup>6</sup> | A <sup>6</sup> | A <sup>6</sup> | A <sup>6</sup>  | A <sup>6</sup> | P               | P              |
| Use as dwelling units of (1) recreational vehicles that are not part of an approved recreational vehicle park, (2) boats, (3) automobiles, and (4) other vehicles | X              | X              | X              | X               | X              | X               | X              |
| Renting of rooms, for lodging purposes only, to accommodate not more than two persons in addition to the family or owner occupied unit <sup>8</sup>               | P              | P              | P              | P               | P              | P               | P              |
| Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities                    | P              | P              | P              | P               | P              | P               | P              |
| Single-unit detached dwellings, new                                                                                                                               | P              | P              | P              | X               | X              | X               | P              |
| Supportive housing (permanent), subject to the provisions of ACC <a href="#">18.31.160</a>                                                                        | P              | P              | P              | P               | P              | P               | P              |
| Swimming pools, tennis courts and similar outdoor recreation uses only accessory to residential or park uses                                                      | P              | P              | P              | P               | P              | P               | P              |
| Townhouses (attached)                                                                                                                                             | X              | X              | X              | X               | P              | P               | P              |

|                                                                                                                                                                                          |    |   |   |   |   |   |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---|---|---|---|---|---|
| Transitional housing                                                                                                                                                                     | P  | P | P | P | P | P | P |
| B. Commercial Uses.                                                                                                                                                                      |    |   |   |   |   |   |   |
| Commercial horse riding and bridle trails                                                                                                                                                | A  | X | X | X | X | X | X |
| Commercial recreation facility, indoor                                                                                                                                                   | X  | X | X | X | P | P | X |
| Commercial retail establishment                                                                                                                                                          | X  | X | A | A | P | P | A |
| Convenience store                                                                                                                                                                        | X  | X | X | X | P | P | X |
| Daycare, limited to a mini dayChild care, including mini -Daychild care center, child care center, preschool, or nursery school-may also be permitted-but must be located on an arterial | XP | P | P | P | P | P | P |
| Grocery or specialty food store                                                                                                                                                          | X  | X | X | A | P | P | A |
| Home-based (or family) daycare as regulated by RCW <a href="#">35.63.185</a> and through receipt of approved city business license                                                       | P  | P | P | P | P | P | P |
| Home occupations subject to compliance with Chapter <a href="#">18.60</a> ACC                                                                                                            | P  | P | P | P | P | P | P |
| Marijuana cooperative                                                                                                                                                                    | X  | X | X | X | X | X | X |
| Marijuana processor                                                                                                                                                                      | X  | X | X | X | X | X | X |
| Marijuana producer                                                                                                                                                                       | X  | X | X | X | X | X | X |
| Marijuana-related business                                                                                                                                                               | X  | X | X | X | X | X | X |
| Marijuana researcher                                                                                                                                                                     | X  | X | X | X | X | X | X |
| Marijuana retailer                                                                                                                                                                       | X  | X | X | X | X | X | X |
| Marijuana transporter business                                                                                                                                                           | X  | X | X | X | X | X | X |
| Mixed-use development <sup>3, 10</sup>                                                                                                                                                   | X  | X | X | P | P | P | P |
| Personal service shop                                                                                                                                                                    | X  | X | A | P | P | P | P |
| Nursing homes                                                                                                                                                                            | X  | X | X | X | C | C | C |
| Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area                                                                               | X  | A | A | A | A | P | P |

|                                                                                                                                                                                   |                |   |   |   |                |   |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---|---|---|----------------|---|---|
| Professional offices                                                                                                                                                              | X              | X | A | A | P <sup>9</sup> | P | P |
| Restaurant, café, or coffee shop                                                                                                                                                  | X              | X | A | A | P              | P | A |
| Neighborhood retail establishment                                                                                                                                                 | X              | X | A | A | P              | P | P |
| C. Resource Uses.                                                                                                                                                                 |                |   |   |   |                |   |   |
| Agricultural enterprise: <sup>7</sup>                                                                                                                                             |                |   |   |   |                |   |   |
| When 50 percent, or more, of the total site area is dedicated to active agricultural production during the growing season, and with 52 or less special events per calendar year   | A <sup>7</sup> | X | X | X | X              | X | X |
| When less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or with more than 52 special events per calendar year  | C <sup>7</sup> | X | X | X | X              | X | X |
| Agricultural type uses are permitted provided they are incidental and secondary to the single-family use:                                                                         |                |   |   |   |                |   |   |
| Agricultural crops and open field growing (commercial)                                                                                                                            | P              | X | X | X | X              | X | X |
| Barns, silos and related structures                                                                                                                                               | P              | X | X | X | X              | X | X |
| Commercial greenhouses                                                                                                                                                            | P              | X | X | X | X              | X | X |
| Pasturing and grazing <sup>4</sup>                                                                                                                                                | P              | X | X | X | X              | X | X |
| Public and private stables <sup>4</sup>                                                                                                                                           | P              | X | X | X | X              | X | X |
| Roadside stands, for the sale of agricultural products raised on the premises. The stand cannot exceed 300 square feet in area and must meet the applicable setback requirements. | P              | X | X | X | X              | X | X |
| Fish hatcheries                                                                                                                                                                   | C              | X | X | X | X              | X | X |
| D. Government, Institutional, and Utility Uses.                                                                                                                                   |                |   |   |   |                |   |   |
| Civic, social and fraternal clubs                                                                                                                                                 | X              | X | X | X | A              | A | A |
| Government facilities                                                                                                                                                             | A              | A | A | A | A              | A | A |
| Hospitals (except animal hospitals)                                                                                                                                               | X              | X | X | X | X              | C | C |

|                                                                                                                 |                 |                 |                 |                 |                 |                 |                 |
|-----------------------------------------------------------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Municipal parks and playgrounds                                                                                 | A               | P               | P               | P               | P               | P               | P               |
| Museums                                                                                                         | X               | X               | X               | X               | A               | A               | A               |
| Religious institutions, less than one acre lot size <sup>12</sup>                                               | A               | A               | A               | A               | A               | A               | A               |
| Religious institutions, one acre or larger lot size <sup>12</sup>                                               | C               | C               | C               | C               | C               | C               | C               |
| Transmitting towers                                                                                             | C               | C               | C               | C               | C               | C               | C               |
| Type 1-D wireless communications facility (see ACC <a href="#">18.04.912(W)</a> and <a href="#">18.31.100</a> ) | P               | P               | P               | P               | P               | P               | P               |
| Eligible facilities request (EFR) (wireless communications facility – See ACC <a href="#">18.04.912(H)</a> )    | P               | P               | P               | P               | P               | P               | P               |
| Utility facilities and substations                                                                              | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  |
| Battery Energy Storage Systems, Tier I                                                                          | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> |
| Battery Energy Storage Systems, Tier II                                                                         | X               | X               | X               | C <sup>14</sup> | C <sup>14</sup> | C <sup>14</sup> | X               |
| Battery Energy Storage Systems, Tier III                                                                        | X               | X               | X               | X               | X               | X               | X               |
| Small wireless facilities (ACC <a href="#">18.04.912(Q)</a> )                                                   | P               | P               | P               | P               | P               | P               | P               |

**1** An accessory dwelling unit may be permitted with an existing single-unit residence pursuant to Chapter [18.32](#) ACC.

**2** Please see the supplemental development standards for animals in ACC [18.31.220](#).

**3** Individual uses that make up a mixed-use development must be permitted within the zone. If a use making up part of a mixed-use development requires an administrative or conditional use permit, the individual use must apply for and receive the administrative or conditional use approval, as applicable.

**4** Proximity of pasture or livestock roaming area to wells, surface waters, and aquifer recharge zones is regulated by the King or Pierce County board of health, and property owners shall comply with the provisions of the board of health code.

**5** Excludes all public and private utility facilities addressed under ACC [18.02.040\(E\)](#).

**6** Administrative use permit not required when approved as part of a subdivision or binding site plan.

**7** Agricultural enterprise uses are subject to supplemental development standards under ACC [18.31.210](#), Agricultural enterprises development standards.

**8** An owner occupant that rents to more than two persons but no more than four persons is required to obtain a city of Auburn rental housing business license and shall meet the standards of the International Property Maintenance Code.

**9** As component of mixed-use developments and/or office ground floor uses permitted up to 5,000 square feet.

**10** Commercial uses permitted outright, or allowed administratively or conditionally in this table may be allowed as part of mixed-use development.

**11** Apartment buildings and mixed-use development consisting of no more than 20 units and three stories per lot is permitted.

**12** Reference ACC [18.31.165](#) for standards related to homeless encampments hosted by a religious organization.

**13** When provided in the R-NM [zone](#), a mixed-[use](#) component shall not be required as part of the project approval.

**14** Reference ACC [18.31.240](#) for standards related to [battery energy storage systems](#) (BESS).

(Ord. 6977 § 1 (Exh. A), 2025; Ord. 6959 § 1 (Exh. A), 2024; Ord. 6799 § 5 (Exh. E), 2020; Ord. 6642 § 4, 2017; Ord. 6600 § 9, 2016; Ord. 6565 § 2, 2015; Ord. 6560 § 9, 2015; Ord. 6477 § 8, 2013; Ord. 6369 § 2, 2011; Ord. 6363 § 3, 2011; Ord. 6269 § 3, 2009; Ord. 6245 § 5, 2009.)

## Chapter 18.09 R-MHC MANUFACTURED/MOBILE HOME COMMUNITY ZONE

### 18.09.020 Uses.

**Permitted Use Table – Residential Zoning Designations**

|   | Land Use                                                                                                           | R-MHC Zone |
|---|--------------------------------------------------------------------------------------------------------------------|------------|
| A | Manufactured/mobile home community                                                                                 | P          |
| B | Residential accessory use                                                                                          | P          |
| C | Manufactured/mobile home community accessory use                                                                   | P          |
| D | Keeping of not more than six household pets. This limit shall not apply to birds, fish, or suckling young of pets. | P          |
| E | Home-based daycare                                                                                                 | P          |
| F | <del>DayChild</del> care center, including limited to a mini <del>daychild</del> care center,                      | A          |



|   | Land Use                                                | R-MHC Zone |
|---|---------------------------------------------------------|------------|
|   | <del>daycare center</del> , or preschool/nursery school |            |
| G | Marijuana cooperative                                   | X          |
| H | Marijuana processor                                     | X          |
| I | Marijuana producer                                      | X          |
| J | Marijuana-related business                              | X          |
| K | Marijuana researcher                                    | X          |
| L | Marijuana retailer                                      | X          |
| M | Marijuana transport business                            | X          |

P = Permitted Use.

A = Use may be permitted in district when an administrative use permit has been issued pursuant to the provisions of Chapter [18.64](#) ACC.

C = Use may be permitted in district when a conditional use permit has been issued pursuant to the provisions of Chapter [18.64](#) ACC.

X = Prohibited.

Also see ACC [18.02.120](#) for further rules on interpretation.

(Ord. 6642 § 5, 2017; Ord. 6269 § 4, 2009; Ord. 6245 § 6, 2009.)

## Chapter 18.23 COMMERCIAL AND INDUSTRIAL ZONES

### 18.23.030 Uses.

A. *General Permit Requirements.* Table 18.23.030 identifies the uses of land allowed in each commercial and industrial zone and the land use approval process required to establish each use.

B. *Requirements for Certain Specific Land Uses.* Where the last column (Standards for Specific Land Uses) in Table 18.23.030 includes a reference to a code section number, the referenced section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

C. *Uses Affected by the Airport Overlay.* Refer to Chapter [18.38](#) ACC to determine whether uses are separately prohibited by that chapter or will be required to comply with additional regulations that are associated with the airport overlay.

**Table 18.23.030. Permitted, Administrative, Conditional and Prohibited Uses by Zone, Commercial and Industrial Zones**

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE |                    |     |      |     |     | P – Permitted<br><br>C – Conditional<br><br>A – Administrative<br><br>X – Prohibited |
|--------------------------------------------------------------------|--------------------|-----|------|-----|-----|--------------------------------------------------------------------------------------|
| LAND USE                                                           | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                     |
|                                                                    | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                      |
| INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING              |                    |     |      |     |     |                                                                                      |
| Building contractor, light                                         | X                  | P   | X    | P   | P   |                                                                                      |
| Building contractor, heavy                                         | X                  | X   | X    | A   | P   |                                                                                      |
| Manufacturing, assembling and packaging – Light intensity          | X                  | P   | X    | P   | P   | ACC <a href="#">18.31.180</a>                                                        |
| Manufacturing, assembling and packaging – Medium intensity         | X                  | A   | X    | P   | P   | ACC <a href="#">18.31.180</a>                                                        |
| Manufacturing, assembling and packaging – Heavy intensity          | X                  | X   | X    | X   | A   | ACC <a href="#">18.31.180</a>                                                        |
| Marijuana processor                                                | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                    |
| Marijuana producer                                                 | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                    |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                      |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|-----------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                         | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Marijuana researcher                                                                    | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                                    |
| Marijuana retailer                                                                      | X                  | C   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                                    |
| Marijuana transporter business                                                          | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                                    |
| Outdoor storage, incidental to principal permitted use on property                      | X                  | P   | X    | P   | P   | ACC <a href="#">18.57.020(A)</a>                                                                     |
| Storage – Personal household storage facility (mini-storage)                            | P                  | P   | X    | P   | P   | ACC <a href="#">18.57.020(B)</a>                                                                     |
| Warehousing and distribution                                                            | X                  | X   | X    | P   | C   | ACC <a href="#">18.57.020(C)</a>                                                                     |
| Warehousing and distribution, bonded and located within a designated foreign trade zone | X                  | P   | X    | P   | P   |                                                                                                      |
| Wholesaling with on-site retail as an incidental use (e.g., coffee, bakery)             | X                  | P   | X    | P   | P   |                                                                                                      |
| <b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>                                   |                    |     |      |     |     |                                                                                                      |
| Commercial recreation facility, indoor                                                  | P                  | P   | P    | P   | A   |                                                                                                      |
| Commercial recreation facility, outdoor                                                 | X                  | A   | A    | P   | A   | ACC <a href="#">18.57.025(A)</a>                                                                     |
| Conference/convention facility                                                          | X                  | A   | X    | A   | X   |                                                                                                      |
| Library, museum                                                                         | A                  | A   | X    | A   | X   |                                                                                                      |
| Meeting facility, public or private                                                     | P                  | P   | X    | A   | A   |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|--------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                           | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                    | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Movie theater, except drive-in                                     | P                  | P   | P    | X   | X   |                                                                                                      |
| Private school – Specialized education/training (for profit)       | A                  | P   | P    | P   | P   |                                                                                                      |
| Religious institutions, lot size less than one acre                | P                  | P   | A    | A   | A   | ACC <a href="#">18.31.165</a>                                                                        |
| Religious institutions, lot size more than one acre                | P                  | P   | A    | A   | A   | ACC <a href="#">18.31.165</a>                                                                        |
| Sexually oriented businesses                                       | X                  | P   | X    | P   | P   | Chapter <a href="#">18.74</a> ACC                                                                    |
| Sports and entertainment assembly facility                         | X                  | A   | X    | A   | A   |                                                                                                      |
| Studio – Art, dance, martial arts, music, etc.                     | P                  | P   | P    | P   | A   |                                                                                                      |
| <b>RESIDENTIAL</b>                                                 |                    |     |      |     |     |                                                                                                      |
| Apartment units, as part of a mixed-use development <sup>2</sup>   | X                  | P   | P    | P   | X   | ACC <a href="#">18.57.030</a>                                                                        |
| Apartments, standalone                                             | X                  | X   | X    | X   | X   |                                                                                                      |
| Caretaker apartment                                                | P                  | P   | X    | P   | P   |                                                                                                      |
| Co-living housing <sup>4</sup>                                     | X                  | P   | P    | P   | X   |                                                                                                      |
| Indoor emergency housing or shelter                                | P                  | P   | P    | A   | A   | ACC <a href="#">18.31.160</a>                                                                        |
| Live/work unit, as part of a mixed-use development <sup>2</sup>    | X                  | P   | P    | P   | X   |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|--------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                           | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                    | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Live/work unit, standalone <sup>3</sup>                            | X                  | X   | X    | X   | X   |                                                                                                      |
| Work/live unit, as part of a mixed-use development <sup>2</sup>    | X                  | P   | P    | P   | X   |                                                                                                      |
| Work/live unit, standalone <sup>3</sup>                            | X                  | X   | X    | X   | X   |                                                                                                      |
| Marijuana cooperative                                              | X                  | X   | X    | X   | X   |                                                                                                      |
| Nursing home, assisted living facility                             | P                  | P   | C    | X   | X   |                                                                                                      |
| Senior housing <sup>2</sup>                                        | X                  | A   | X    | X   | X   |                                                                                                      |
| Supportive housing (permanent)                                     | P                  | P   | P    | A   | A   | ACC <a href="#">18.31.160</a>                                                                        |
| Transitional housing                                               | P                  | P   | P    | A   | A   | ACC <a href="#">18.31.160</a>                                                                        |
| <b>RETAIL</b>                                                      |                    |     |      |     |     |                                                                                                      |
| Building and landscape materials sales                             | X                  | P   | X    | P   | P   | ACC <a href="#">18.57.035(A)</a>                                                                     |
| Community retail establishment                                     | P                  | P   | P    | P   | P   |                                                                                                      |
| Construction and heavy equipment sales and rental                  | X                  | X   | X    | A   | P   |                                                                                                      |
| Convenience store                                                  | A                  | P   | X    | P   | P   |                                                                                                      |
| Drive-through espresso stands                                      | A                  | P   | A    | P   | A   |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                            |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|---------------------------------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                      | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                                               | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Drive-through facility, including banks and restaurants                                                       | A                  | P   | P    | P   | P   | ACC <a href="#">18.52.040</a>                                                                        |
| Entertainment, commercial                                                                                     | A                  | P   | X    | A   | A   |                                                                                                      |
| Groceries, specialty food stores                                                                              | P                  | P   | P    | P   | X   |                                                                                                      |
| Neighborhood retail establishment                                                                             | P                  | P   | P    | P   | P   |                                                                                                      |
| Nursery                                                                                                       | X                  | P   | A    | P   | P   | ACC <a href="#">18.57.035(C)</a>                                                                     |
| Outdoor displays and sales associated with a permitted use (auto/vehicle sales not included in this category) | P                  | P   | P    | P   | P   | ACC <a href="#">18.57.035(D)</a>                                                                     |
| Regional retail establishment                                                                                 | X                  | P   | P    | P   | A   |                                                                                                      |
| Restaurant, cafe, coffee shop                                                                                 | P                  | P   | P    | P   | P   |                                                                                                      |
| Tasting room                                                                                                  | P                  | P   | P    | P   | P   |                                                                                                      |
| Tavern                                                                                                        | P                  | P   | P    | P   | A   |                                                                                                      |
| Wine production facility, small craft distillery, small craft brewery                                         | P                  | P   | P    | P   | P   |                                                                                                      |
| <b>SERVICES</b>                                                                                               |                    |     |      |     |     |                                                                                                      |
| Animal daycare (excluding kennels and animal boarding)                                                        | A                  | P   | A    | P   | P   | ACC <a href="#">18.57.040(A)</a>                                                                     |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                                                  |                    |     |      |                                |                                | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|-------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----|------|--------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                                            | Zoning Designation |     |      |                                |                                | Standards for Specific Land Uses                                                                     |
|                                                                                                                                     | C-1                | C-2 | C-AG | M-1                            | M-2                            |                                                                                                      |
| Animal sales and services (excluding kennels and veterinary clinics)                                                                | P                  | P   | P    | P                              | P                              | ACC <a href="#">18.57.040(B)</a>                                                                     |
| Banking and related financial institutions, excluding drive-through facilities                                                      | P                  | P   | P    | P                              | P                              |                                                                                                      |
| Catering service                                                                                                                    | P                  | P   | A    | P                              | P                              |                                                                                                      |
| <del>Child care</del> Daycare, including mini daycare, daycare-child care center, child care center, preschools, or nursery schools | P                  | P   | P    | <a href="#">PC<sup>5</sup></a> | <a href="#">XC<sup>5</sup></a> |                                                                                                      |
| Dry cleaning and laundry service (personal)                                                                                         | P                  | P   | P    | P                              | P                              |                                                                                                      |
| Equipment rental and leasing                                                                                                        | X                  | P   | X    | P                              | P                              |                                                                                                      |
| Kennel, animal boarding                                                                                                             | X                  | A   | X    | A                              | A                              | ACC <a href="#">18.57.040(C)</a>                                                                     |
| Government facilities; this excludes offices and related uses that are permitted outright                                           | A                  | A   | A    | A                              | A                              |                                                                                                      |
| Hospital                                                                                                                            | P                  | P   | X    | P                              | P                              |                                                                                                      |
| Lodging – Hotel or motel                                                                                                            | P                  | P   | P    | A                              | A                              |                                                                                                      |
| Medical – Dental clinic                                                                                                             | P                  | P   | P    | P                              | X                              |                                                                                                      |
| Mortuary, funeral home, crematorium                                                                                                 | P                  | P   | X    | P                              | X                              |                                                                                                      |
| Personal service shops                                                                                                              | P                  | P   | P    | P                              | X                              |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE     |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                               | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                        | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Pharmacies                                                             | P                  | P   | P    | X   | X   |                                                                                                      |
| Print and copy shop                                                    | P                  | P   | P    | P   | X   |                                                                                                      |
| Printing and publishing (of books, newspaper and other printed matter) | A                  | P   | P    | P   | P   |                                                                                                      |
| Professional offices                                                   | P                  | P   | P    | P   | P   |                                                                                                      |
| Repair service – Equipment, appliances                                 | A                  | P   | P    | P   | P   | ACC <a href="#">18.57.040(D)</a>                                                                     |
| Veterinary clinic, animal hospital                                     | P                  | P   | P    | P   | X   |                                                                                                      |
| Youth community support facility                                       | P                  | X   | X    | X   | X   | ACC <a href="#">18.57.040(E)</a>                                                                     |
| <b>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</b>               |                    |     |      |     |     |                                                                                                      |
| Ambulance, taxi, and specialized transportation facility               | X                  | A   | X    | P   | P   |                                                                                                      |
| Broadcasting studio                                                    | P                  | P   | X    | P   | P   |                                                                                                      |
| Heliport                                                               | X                  | C   | X    | C   | C   |                                                                                                      |
| Motor freight terminal <sup>1</sup>                                    | X                  | X   | X    | X   | X   | See Footnote No. 1                                                                                   |
| Parking facility, public or commercial, surface                        | P                  | P   | P    | P   | X   |                                                                                                      |
| Parking facility, public or commercial, structured                     | P                  | P   | P    | P   | X   |                                                                                                      |
| Battery Energy Storage Systems, Tier I                                 | P                  | P   | P    | P   | P   | ACC 18.31.240                                                                                        |



| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                           |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|--------------------------------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                     | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                                              | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Battery Energy Storage Systems, Tier II                                                                      | X                  | C   | X    | A   | C   | ACC 18.31.240                                                                                        |
| Battery Energy Storage Systems, Tier III                                                                     | X                  | C   | X    | C   | C   | ACC 18.31.240                                                                                        |
| Towing storage yard                                                                                          | X                  | X   | X    | A   | P   | ACC <a href="#">18.57.045(A)</a>                                                                     |
| Utility transmission or distribution line or substation                                                      | A                  | A   | A    | A   | A   |                                                                                                      |
| Wireless communications facility (WCF) (See ACC <a href="#">18.04.912(W)</a> )                               | *                  | *   | *    | *   | *   | *See ACC <a href="#">18.31.100</a> for use regulations and zoning development standards.             |
| Eligible facilities request (EFR) (wireless communications facility) (See ACC <a href="#">18.04.912(H)</a> ) | P                  | P   | P    | P   | P   |                                                                                                      |
| Small wireless facilities (ACC <a href="#">18.04.912(Q)</a> )                                                | P                  | P   | P    | P   | P   |                                                                                                      |
| <b>VEHICLE SALES AND SERVICES</b>                                                                            |                    |     |      |     |     |                                                                                                      |
| Automobile washes (automatic, full or self-service)                                                          | A                  | P   | P    | P   | P   | ACC <a href="#">18.57.050(A)</a>                                                                     |
| Auto parts sales with installation services                                                                  | A                  | P   | P    | P   | P   |                                                                                                      |
| Auto/vehicle sales and rental                                                                                | A                  | P   | X    | P   | P   | ACC <a href="#">18.57.050(B)</a>                                                                     |
| Fueling station                                                                                              | A                  | P   | P    | P   | P   | ACC <a href="#">18.57.050(C)</a>                                                                     |
| Mobile home, boat, or RV sales                                                                               | X                  | P   | X    | P   | P   |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                                                                                                                                                                              |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                                                                                                                                                                        | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                                                                                                                                                                                                 | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Vehicle services – Repair/body work                                                                                                                                                                                                                             | X                  | P   | X    | P   | P   | ACC <a href="#">18.57.050(D)</a>                                                                     |
| <b>OTHER</b>                                                                                                                                                                                                                                                    |                    |     |      |     |     |                                                                                                      |
| Any commercial use abutting a residential zone which has hours of operation outside of the following: Sunday: 9:00 a.m. to 10:00 p.m. or Monday – Saturday: 7:00 a.m. to 10:00 p.m.                                                                             | A                  | A   | A    | A   | A   |                                                                                                      |
| Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted. See ACC <a href="#">18.02.120(C)(6)</a> , Unclassified Uses. | P                  | P   | P    | P   | P   |                                                                                                      |

**1** Any motor freight terminal, as defined by ACC [18.04.635](#), in existence as of the effective date of the ordinance codified in this section, is an outright permitted use in the M-1 and M-2 zones. Any maintenance, alterations and additions to an existing motor freight terminal which are consistent with ACC [18.23.040](#), Development standards, are allowed.

**2** Any mixed-use development or senior housing project vested prior to Resolution No. [5187](#) (December 7, 2015) is an outright permitted use in the C-1 zone. Subsequently, if a nonresidential use within a vested mixed-use development changes, then the nonresidential use shall maintain a minimum of 10 percent of the cumulative building ground floor square footage consisting of the uses permitted outright, administratively, or conditionally, listed under “Recreation, Education, and Public Assembly,” “Retail,” or “Services” of the C-1 zone.

**3** Any standalone live/work units or standalone work/live units vested prior to the effective date of the ordinance codified in this chapter are outright permitted uses.

**4** Co-living housing provided in this zone shall not be required to provide a mixed-use component.

**5** [Child care centers shall not be allowed adjacent to or within high hazard facilities.](#)

(Ord. 6977 § 1 (Exh. A), 2025; Ord. 6959 § 1 (Exh. A), 2024; Ord. 6885 § 1 (Exh. A), 2022; Ord. 6838 § 1 (Exh. A), 2021; Ord. 6799 § 6 (Exh. F), 2020; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6688 § 1 (Exh. 1), 2018; Ord. 6644 § 2, 2017; Ord. 6642 § 9, 2017; Ord. 6508 § 1, 2014; Ord. 6433 § 26, 2012.)

## Chapter 18.31 SUPPLEMENTAL DEVELOPMENT STANDARDS

### Sections:

- 18.31.010 Child Daycare standards.
- 18.31.020 Fences.
- 18.31.025 Retaining walls.
- 18.31.030 Height limitations – Exceptions.
- 18.31.040 Lots.
- 18.31.050 Single-unit detached siting and design standards.
- 18.31.060 Recreational vehicle parks.
- 18.31.070 Setbacks.
- 18.31.080 Heliports.
- 18.31.090 Work release, prerelease and similar facilities.
- 18.31.100 Wireless communications facilities siting standards.
- 18.31.110 Siting of small wireless facilities.
- 18.31.115 Wetland mitigation.
- 18.31.120 *Repealed.*
- 18.31.130 Communal residence standards.
- 18.31.140 Gated residential subdivisions.
- 18.31.150 Secure community transition facilities.
- 18.31.160 Supplemental standards for transitional housing, permanent supportive housing, indoor emergency shelters, and indoor emergency housing.
- 18.31.165 Homeless encampment hosted by a religious organization.
- 18.31.170 *Reserved.*
- 18.31.180 Performance standards.
- 18.31.190 Supplemental standards for residential mobile home communities.
- 18.31.200 Architectural and site design review standards and regulations.
- 18.31.210 Agricultural enterprises development standards.
- 18.31.220 Permitted animals.
- 18.31.230 *Repealed.*
- 18.31.240 Battery energy storage systems (BESS).

18.31.010 DayChild care center standards.

A. The following performance standards shall apply to all child ~~daycares providers~~; ~~but shall not apply to adult daycare~~:

1. If applicable, must be properly licensed with the state of Washington;
2. ~~DayChild~~ care centers, mini child care center, preschool, and nursery school services shall not be conducted before 5:00 a.m. or after 9:00 p.m. in the following residential zones: RC, R-1, R-2, R-3, R-4, R-NM, R-F.

B. The provisions of subsection [A](#) of this section are not intended to reduce the requirements of any other licensing agency or department. (Ord. 6959 § 1 (Exh. A), 2024; Ord. 6245 § 15, 2009.)

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### **18.31.090 Work release, prerelease and similar facilities.**

The following siting and performance standards shall apply to all work release, prerelease and similar facilities offering alternatives to imprisonment:

A. *Maximum Number of Residents.* No work release, prerelease or similar facility shall house more than 50 persons, excluding resident staff.

B. *Dispersion Criteria.*

1. The lot line of any new or expanding work release, prerelease or similar facility shall be located:
  - a. One thousand (1,000) feet or more from any residential zone; and
  - b. One thousand (1,000) feet or more from any group residence facility as defined by ACC [18.04.440](#); and
  - c. One thousand (1,000) feet or more from any accredited public, private or parochial school, excluding commercial schools such as business, vocational or technical schools; and
  - d. One thousand (1,000) feet or more from any religious institution meeting the requirements of a conforming use and meeting all other requirements of the Auburn City Code; and
  - e. One thousand (1,000) feet or more from any public park; and
  - f. One thousand (1,000) feet or more from any licensed ~~daychild~~ care center, mini child care center, nursery school, or preschool as defined by ACC ~~18.04.2381; 8.04.290~~; and

- g. One mile or more from any other work release, prerelease or similar facility.
- 2. The distances provided in this subsection shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed use is to be located or expanded to the nearest point of the parcel of property or the land use district boundary line from which the proposed land use is to be separated.

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### **18.31.150 Secure community transition facilities.**

The following siting and performance standards shall apply to all secure community transition facilities (SCTFs) as defined in RCW [71.09.020](#):

A. *Maximum Number of Residents.* No SCTF shall house more than 15 persons, excluding resident staff.

B. *Siting Criteria.* As an essential public facility of regional or statewide importance, any SCTF shall be sited consistent with the essential public facilities process in the Auburn comprehensive plan and shall be located in the region-serving area of Auburn, as defined and mapped in the Auburn comprehensive plan. Such facilities should be located in relationship to transportation facilities in a manner appropriate to their transportation needs. Extensive buffering from adjacent uses may be required.

C. *Dispersion Criteria.*

- 1. The lot line of any new or expanding SCTF shall be located:
  - a. One thousand (1,000) feet or more from any residential use; and
  - b. One thousand (1,000) feet or more from any group residence facility as defined by ACC [18.04.440](#); and
  - c. Not adjacent to a parcel containing nor within the line of sight of any of the following:
    - i. Any accredited public, private or parochial school;
    - ii. Any religious institution in existence as of the effective date of the ordinance codified in this section;
    - iii. Any public park, publicly dedicated trail, sports field, playground, or recreational or community center;
    - iv. Any licensed ~~day child~~ care center, ~~mini child care center~~, nursery school, or preschool as defined by ACC ~~18.04.290; 18.04.2381~~;

- v. Any school bus stop in existence at the time the facility is proposed;
- vi. Any public library; and
- vii. Any other facilities as identified by the State of Washington Department of Social and Health Services following the hearings on a potential site as required in RCW [71.09.315](#);

...

## Chapter 18.35 SPECIAL PURPOSE ZONES

### 18.35.030 Uses.

A. *General Permit Requirements.* Table 18.35.030 identifies the uses of land allowed in each special purpose zone and the planning permit required to establish each use.

B. *Requirements for Certain Specific Land Uses.* Where the last column (Standards for Specific Land Uses) in Table 18.35.030 includes a section number, the referenced section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

**Table 18.35.030. Permitted, Administrative, Conditional and Prohibited Uses by Zone**

|                                                                    |                     |   |    |                                                                                      |
|--------------------------------------------------------------------|---------------------|---|----|--------------------------------------------------------------------------------------|
| Permitted, Administrative, Conditional and Prohibited Uses by Zone |                     |   |    | P – Permitted<br><br>C – Conditional<br><br>A – Administrative<br><br>X – Prohibited |
| LAND USE                                                           | Zoning Designations |   |    | Standards for<br>Specific Land Uses                                                  |
|                                                                    | P-1                 | I | OS |                                                                                      |
| MARIJUANA-RELATED BUSINESSES                                       |                     |   |    |                                                                                      |
| Marijuana processor                                                | X                   | X | X  |                                                                                      |
| Marijuana producer                                                 | X                   | X | X  |                                                                                      |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                        |                     |   |    | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|-------------------------------------------------------------------------------------------|---------------------|---|----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                  | Zoning Designations |   |    | Standards for Specific Land Uses                                                                     |
|                                                                                           | P-1                 | I | OS |                                                                                                      |
| Marijuana researcher                                                                      | X                   | X | X  |                                                                                                      |
| Marijuana retailer                                                                        | X                   | X | X  |                                                                                                      |
| Marijuana transporter business                                                            | X                   | X | X  |                                                                                                      |
| <b>PUBLIC</b>                                                                             |                     |   |    |                                                                                                      |
| Animal shelter, public                                                                    | P                   | X | X  |                                                                                                      |
| Government facilities; this excludes offices and related uses that are permitted outright | P                   | P | C  |                                                                                                      |
| Municipal parks and playgrounds                                                           | P                   | P | P  |                                                                                                      |
| <b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY</b>                                          |                     |   |    |                                                                                                      |
| Campgrounds                                                                               | X                   | P | P  |                                                                                                      |
| Recreational vehicle parks, private                                                       | X                   | P | X  |                                                                                                      |
| Cemetery, public                                                                          | P                   | A | X  |                                                                                                      |
| Cemetery, private                                                                         | X                   | A | X  |                                                                                                      |
| College, university, public                                                               | A                   | A | X  |                                                                                                      |
| Commercial recreation facility – Indoor                                                   | X                   | P | X  |                                                                                                      |
| Commercial recreation facility – Outdoor                                                  | X                   | A | C  | ACC <a href="#">18.57.025(A)</a>                                                                     |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                           |                     |                |                | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|----------------------------------------------------------------------------------------------|---------------------|----------------|----------------|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                     | Zoning Designations |                |                | Standards for Specific Land Uses                                                                     |
|                                                                                              | P-1                 | I              | OS             |                                                                                                      |
| Conference/convention facility                                                               | X                   | A              | X              |                                                                                                      |
| Library, museum                                                                              | P                   | P              | A              |                                                                                                      |
| Meeting facility, public or private                                                          | P                   | P              | A              |                                                                                                      |
| Private school – specialized education/training (for profit)                                 | X                   | P              | X              |                                                                                                      |
| Public schools (K-12) and related facilities                                                 | P                   | X              | X              |                                                                                                      |
| Religious institutions, lot size less than one acre                                          | X                   | P              | X              |                                                                                                      |
| Religious institutions, lot size more than one acre                                          | X                   | P              | X              |                                                                                                      |
| Studio – Art, dance, martial arts, music, etc.                                               | X                   | X              | X              |                                                                                                      |
| <b>RESIDENTIAL</b>                                                                           |                     |                |                |                                                                                                      |
| Middle housing subject to the provisions in Chapter <a href="#">18.25</a> ACC (2 to 6 units) | X                   | A <sup>1</sup> | X              |                                                                                                      |
| Home occupation                                                                              | X                   | P              | P              | Chapter <a href="#">18.60</a> ACC                                                                    |
| Live/work, work/live unit                                                                    | X                   | A              | X              |                                                                                                      |
| Apartments (7 or more units)                                                                 | X                   | A <sup>2</sup> | X              |                                                                                                      |
| One single-unit detached dwelling                                                            | X                   | X              | P <sup>4</sup> |                                                                                                      |
| Nursing home, assisted living facility                                                       | X                   | P              | X              |                                                                                                      |



| Permitted, Administrative, Conditional and Prohibited Uses by Zone                                                                                   |                     |   |               | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---|---------------|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                                                             | Zoning Designations |   |               | Standards for Specific Land Uses                                                                     |
|                                                                                                                                                      | P-1                 | I | OS            |                                                                                                      |
| Senior housing                                                                                                                                       | X                   | A | X             |                                                                                                      |
| <b>RETAIL</b>                                                                                                                                        |                     |   |               |                                                                                                      |
| Marijuana cooperative                                                                                                                                | X                   | X | X             |                                                                                                      |
| Restaurant, cafe, coffee shop, excluding drive-through facilities                                                                                    | P                   | A | X             |                                                                                                      |
| <b>SERVICES</b>                                                                                                                                      |                     |   |               |                                                                                                      |
| Banking and related financial institutions, excluding drive-through facilities <sup>3</sup>                                                          | X                   | X | X             |                                                                                                      |
| <del>DayChild</del> care, including mini <del>daychild</del> care, <del>daycare</del> - <del>child care</del> center, preschools, or nursery schools | <del>XP</del>       | P | <del>AP</del> |                                                                                                      |
| Home-based daycare                                                                                                                                   | X                   | P | P             |                                                                                                      |
| Medical services – Clinic or urgent care <sup>3</sup>                                                                                                | X                   | X | X             |                                                                                                      |
| Mortuary, funeral home, crematorium                                                                                                                  | X                   | X | X             |                                                                                                      |
| Professional offices                                                                                                                                 | X                   | A | A             |                                                                                                      |
| Personal service shops                                                                                                                               | X                   | X | X             |                                                                                                      |
| Pharmacies                                                                                                                                           | X                   | X | X             |                                                                                                      |
| <b>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</b>                                                                                             |                     |   |               |                                                                                                      |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                                                                                                                                |                     |   |    | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---|----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                                                                                                          | Zoning Designations |   |    | Standards for Specific Land Uses                                                                     |
|                                                                                                                                                                                                   | P-1                 | I | OS |                                                                                                      |
| Battery Energy Storage Systems, Tier I                                                                                                                                                            | P                   | P | P  | See ACC 18.31.240                                                                                    |
| Battery Energy Storage Systems, Tier II                                                                                                                                                           | A                   | A | X  | See ACC 18.31.240                                                                                    |
| Battery Energy Storage Systems, Tier III                                                                                                                                                          | X                   | X | X  | See ACC 18.31.240                                                                                    |
| Utility facilities, substations, utility transmission or distribution line                                                                                                                        | X                   | X | A  | See ACC <a href="#">18.02.040(E)</a>                                                                 |
| Wireless communications facility (WCF) (See ACC <a href="#">18.04.912(W)</a> )                                                                                                                    | *                   | * | *  | *See ACC <a href="#">18.31.100</a> for use regulations and zoning development standards.             |
| Eligible facilities request (EFR) (Wireless communications facility) (See ACC <a href="#">18.04.912(H)</a> )                                                                                      | P                   | P | P  |                                                                                                      |
| Small wireless facilities (ACC <a href="#">18.04.912(Q)</a> )                                                                                                                                     | P                   | P | P  |                                                                                                      |
| Emergency wireless communications facility (EWCF)                                                                                                                                                 | X                   | P | X  | See ACC <a href="#">18.04.912</a> and <a href="#">18.31.100</a>                                      |
| <b>OTHER USES THAT ARE NOT LISTED</b>                                                                                                                                                             |                     |   |    |                                                                                                      |
| Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted | P                   | P | P  |                                                                                                      |

**Notes:**

1 Minimum lot area not applicable; duplexes must meet other development standards of the I zone.

**2** Minimum lot area not applicable; apartments must meet other development standards of the I zone, dwellings; provided, that 2,400 square feet of lot area is provided for each dwelling unit.

**3** Permitted within a public college or university as an amenity or service provided to students: A stand-alone bank or medical services/clinic is not permitted.

**4** One single-unit detached dwelling unit per existing legal lot. No residential subdivisions permitted in the open space zone.

(Ord. 6959 § 1 (Exh. A), 2024; Ord. 6894 § 1 (Exh. B), 2022; Ord. 6799 § 9 (Exh. I), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6677 § 3, 2018; Ord. 6642 § 11, 2017; Ord. 6434 § 1, 2012.)

## **Chapter 18.38 L-F AIRPORT LANDING FIELD DISTRICT, OVERLAY, AND FAR PART 77 SURFACES**

### **18.38.060 Airport overlay restrictions and standards.**

A. *Zones 1 and 2.* The following regulations shall apply within the boundaries of Zones 1 and 2:

1. The following new uses established after the effective date of the ordinance codified in this chapter are prohibited in Zones 1 and 2:

- a. Multiple-family dwellings, stand-alone;
- b. Mixed-use development;
- c. Nursing home;
- d. Assisted living facility;
- e. Supportive housing;
- f. Hospitals;
- g. Senior housing;
- h. Schools, elementary, middle/junior high, and secondary or high school;
- i. ~~DayChild~~ care center, mini child care center, and nursery schools/preschools;
- j. Detached single-family dwellings, except caretakers quarters; and
- k. Other uses, similar to those above, or activities determined by the planning director in consultation with the airport manager to be incompatible with aviation, aviation safety, or any activity that has the potential to interfere with the airport, airport traffic patterns, and aircraft operations.

## 18.52.020 Number of off-street parking spaces required.

**Table 18.52.020. Off-Street Parking Requirements by Land Use**

| Land Use Type:                                                                                   | Unit of Measure:                                                               | Required Parking Rate<br>(spaces per unit of<br>measure): <sup>6</sup> |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------------------------------------|
| <b>Residential Categories</b>                                                                    |                                                                                |                                                                        |
| Single-unit detached dwelling, adult family home,<br>home-based daycares                         | Dwelling unit                                                                  | 2.00 <sup>8</sup>                                                      |
| Middle housing (2 to 6 units)                                                                    | See Chapter <a href="#">18.25</a> ACC for middle housing parking requirements. |                                                                        |
| Apartments (7 or more units)                                                                     | Dwelling unit                                                                  | 0.50                                                                   |
| Mobile home dwellings <sup>1</sup>                                                               | Dwelling unit                                                                  | 2.00                                                                   |
| Assisted living facilities and senior housing                                                    | Per unit                                                                       | 0.00                                                                   |
| Permanent supportive housing, transitional housing,<br>emergency housing, and emergency shelters | Per unit                                                                       | 0.00                                                                   |
| Group living (includes boardinghouse)                                                            | 4 bedrooms                                                                     | 1.00                                                                   |
| Co-living housing <sup>7</sup>                                                                   | 1 sleeping unit                                                                | 0.25                                                                   |
| <b>Commercial Categories</b>                                                                     |                                                                                |                                                                        |
| Auto sales and motorcycle, new                                                                   | 1,000 sf of floor area                                                         | 2.29                                                                   |
| Auto sales and motorcycle, used                                                                  | 1,000 sf of floor area                                                         | 3.08                                                                   |
| <del>Day</del> Child care centers                                                                | Each 10 children in care                                                       | 2.00                                                                   |
| Eating and drinking establishments                                                               | 1,000 square feet of floor area                                                | 8.00                                                                   |
| Food retail stores and markets                                                                   | 1,000 square feet of floor area                                                | 5.00                                                                   |

| Land Use Type:                                                                                    | Unit of Measure:                             | Required Parking Rate<br>(spaces per unit of<br>measure): <sup>6</sup> |
|---------------------------------------------------------------------------------------------------|----------------------------------------------|------------------------------------------------------------------------|
| Health and fitness clubs                                                                          | 1,000 square feet of floor area              | 5.00                                                                   |
| Hotel or motel                                                                                    | Guest room or rental unit                    | 1.00                                                                   |
| Mini-marts and gas stations                                                                       | 1,000 square feet of floor area              | 5.00                                                                   |
| Mortuaries or funeral homes                                                                       | 25 square feet of floor space                | 0.25                                                                   |
| Motor vehicle repair and services                                                                 | 1,000 square feet of floor area              | 2.50                                                                   |
| Personal service shops                                                                            | 1,000 square feet of floor area              | 2.50                                                                   |
| Retail commercial establishments, less than 15,000<br>square feet of floor area                   | 1,000 square feet of floor area              | 2.50                                                                   |
| Retail commercial establishments, greater than<br>15,000 square feet of floor area                | 1,000 square feet of floor area              | 4.00                                                                   |
| Shopping centers                                                                                  | 1,000 square feet of floor area              | 4.00 <sup>4</sup>                                                      |
| <b>Office Categories</b>                                                                          |                                              |                                                                        |
| Business and professional offices                                                                 | 1,000 square feet of floor area              | 2.00                                                                   |
| Medical-dental clinic; urgent care                                                                | 1,000 square feet of floor area              | 3.00                                                                   |
| <b>Manufacturing Processing and Warehousing<br/>Categories</b><br><br>(See also ACC 18.52.020(D)) |                                              |                                                                        |
| All manufacturing, industrial, and processing uses,<br>except the following:                      | 1,000 square feet of floor area              | 1.00                                                                   |
| Warehousing                                                                                       | 2,000 square feet of floor area              | 1.00                                                                   |
| Storage – Personal storage/mini-storage facilities                                                | 1,000 square feet of floor area <sup>2</sup> | 0.10                                                                   |

| Land Use Type:                                                          | Unit of Measure:                                 | Required Parking Rate<br>(spaces per unit of<br>measure): <sup>6</sup> |
|-------------------------------------------------------------------------|--------------------------------------------------|------------------------------------------------------------------------|
| <b>Recreation, Education, Public Assembly<br/>Categories</b>            |                                                  |                                                                        |
| Auditoriums, stadiums, and theaters                                     | 25 square feet of floor space                    | 0.25                                                                   |
| Commercial recreation facilities – Indoor, except for<br>the following: | 1,000 square feet of floor area                  | 5.00                                                                   |
| Bowling alleys                                                          | Lanes                                            | 5.00                                                                   |
| Pool and billiard rooms                                                 | Table                                            | 2.00                                                                   |
| Skating rinks                                                           | 1,000 square feet of floor area                  | 5.00                                                                   |
| Commercial recreation facilities – Outdoor                              | 1,000 square feet of usable<br>recreational area | 3.00                                                                   |
| Hospitals                                                               | Bed                                              | 1.75                                                                   |
| Library, museum                                                         | 1,000 square feet of floor area                  | 2.50                                                                   |
| Meeting facility, public or private                                     | 25 square feet of floor space                    | 0.25                                                                   |
| Religious assembly                                                      | 25 square feet of floor space                    | 0.20                                                                   |
| Schools (public and private)                                            |                                                  |                                                                        |
| Preschool schools                                                       | Employee <sup>3</sup>                            | 1.00                                                                   |
| Elementary/middle schools                                               | Teaching station                                 | 1.20                                                                   |
| Secondary (high) schools                                                | Student                                          | 0.40                                                                   |
| College or university (including trade and business<br>schools)         | Student                                          | 0.75                                                                   |
| Studios (dance, martial arts, etc.)                                     | 1,000 square feet of floor area                  | 5.00                                                                   |

| Land Use Type:                                    | Unit of Measure:                                | Required Parking Rate<br>(spaces per unit of<br>measure): <sup>6</sup> |
|---------------------------------------------------|-------------------------------------------------|------------------------------------------------------------------------|
| Tennis/racquetball/handball or other sport courts | Court                                           | 2.00                                                                   |
|                                                   | Each 300 sf of floor area for<br>accessory uses | 1.00                                                                   |
| Recreational uses not listed elsewhere            | Same as retail, based on size                   |                                                                        |

**Notes:**

**1** Within mobile home parks, parking space shall not be allowed within the required setbacks. Guest parking shall be provided within the development: five percent of total requirement.

**2** Includes total on-site building square feet.

**3** There shall be two visitor-parking stalls provided for each 10 required employee stalls.

**4** Compliance with these standards is not required for a change of use within an existing building.

**5** Employee and customer parking only.

**6** If the rate ends in .5 and above the number of parking spaces is rounded up to the next full number to provide the total number of parking spaces required.

**7** Off-street parking shall not be required within one-half mile walking distance of a major transit stop as defined by RCW [36.70A.535\(11\)\(b\)](#).

**8** Is the total number of parking spaces required.

(Ord. 6998 § 1 (Exh. A), 2025; Ord. 6977 § 1, 2025; Ord. 6959 § 1 (Exh. A), 2024; Ord. 6419 § 5, 2012; Ord. 6388 § 1, 2011; Ord. 6167 § 4, 2008; Ord. 6140 § 2, 2007; Ord. 6071 § 3, 2007; Ord. 5777 § 1, 2003; Ord. 5556 § 1, 2001; Ord. 5170 § 1, 1998; Ord. 4949 § 1, 1997; Ord. 4304 § 1(40), (41), 1988; Ord. 4229 § 2, 1987.)

## Chapter 18.74 LOCATION OF SEXUALLY ORIENTED BUSINESSES

### 18.74.030 Prohibited in certain areas.

A. Sexually oriented business uses are prohibited:

1. Within 1,000 feet of any property zoned for any residential use or of any property used for any single-family or multiple-family residential use; provided, that for the purposes of this

section, properties located in the M-1 light industrial zone are not zoned for residential use, notwithstanding the fact that residential use may be allowed or permitted in this zone;

2. Within 1,000 feet of any public or private elementary or secondary school;
3. Within 1,000 feet of any child ~~daycare center~~, mini child care center, ~~child care service~~, nursery, preschool or community youth center;
4. Within 1,000 feet of any church or other facility or institution used primarily for religious purposes;
5. Within 1,000 feet of any public park, open space or other similar place where children are likely to congregate;
6. Within 1,000 feet of any large enclosed multi-business retail complex that caters as a significant part of its business to children. For the purposes hereof, a large enclosed multi-business retail complex that caters as a significant part of its business to children means a covered complex of retail and service business that include at least 30 businesses, and that have any combination of amenities geared to children, including but not limited to: attractions designed for use by children, regularly scheduled events for children, and designated play child areas; and
7. Within 1,000 feet of any other sexually oriented business use.

B. As used herein, the distances shall mean the straight-line distance between the edge or corner of the property on which the sexually oriented business use is located to the nearest edge or corner of the property of another sexually oriented business use or any of the sensitive uses set forth above; provided, that if there is more than one business or tenancy on the property, then the distances shall mean the straight-line distance between the edge or corner of that portion of the property (or tenancy) on which the sexually oriented business use is located to the nearest edge or corner of the property of another sexually oriented business use or any of the sensitive uses set forth above.

C. It is provided, however, that any sexually oriented business operating within the city of Auburn as of the initial effective date of the ordinance codified in this chapter shall constitute a pre-existing nonconforming use pursuant to ACC [18.04.650](#). (Ord. 6120 § 2, 2007; Ord. 5835 § 1, 2004; Ord. 4886 § 2, 1996. Formerly 18.74.020.)

## **Chapter 18.76 PLANNED UNIT DEVELOPMENT DISTRICT (PUD) – LAKELAND HILLS SOUTH**

### **18.76.045 Uses requiring an administrative use permit.**



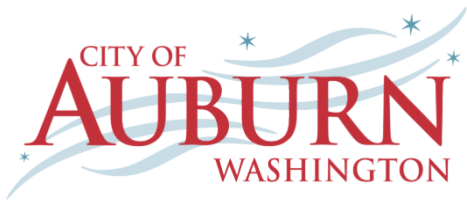
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A. The following uses may be permitted throughout the PUD as specifically authorized by the development plan and when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Civic, social and fraternal clubs;
2. Mini child -daycare and day child care centers;
3. Preschools or nursery schools;
4. Religious institutions;
5. Utility substations;
6. Municipal services:
  - a. Police;
  - b. Fire;
  - c. Library.

B. The following uses may be permitted in areas of the PUD with a comprehensive plan designation of "Light Commercial" as specifically authorized by the development plan and when an administrative use permit has been issued pursuant to the provisions of Chapter 18.64 ACC:

1. Automobile service stations;
2. Drive-through facilities, including banks and restaurants;
3. Brew pubs. (Ord. 6957 § 1 (Exh. A), 2024; Ord. 6269 § 37, 2009.)



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Ordinance No. 7026 (Krum)

An Ordinance relating to updates to the Live/Work Zoning Regulations amending Sections 18.04.527, 18.04.913, 18.07.020, 18.23.030, 18.35.030, 18.52.020, and creating Section 18.31.125 of the Auburn City Code

**Meeting Date:**

September 8, 2026

**(RECOMMENDED ACTION: Move to approve Ordinance No. 7026.)**

**Department:**

Community Development

**Attachments:**

Ordinance No. 7026, Ordinance  
No. 7026 - Exhibit A

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

City Council to approve Ordinance No. 7026.

**Background for Motion:**

This Ordinance will implement new supplemental development standards for Live/Work units to provide clear objectives for the design and development of both new and existing buildings proposed for Live/Work use.

**Background Summary:**

The City of Auburn added Live/Work and Work/Live as definitions to the Auburn City Code Title 18 "Zoning" in 2012 under Ordinance No. 6433, which established the use in the City Code but did not include supplemental development standards. The purpose of these text amendments is to provide development regulations for new Live/Work units and for re-purposing existing buildings into Live/Work units.

The proposed text amendment was transmitted to the Washington State Department of Commerce for agency review on April 16, 2026. The 60-day notice period ended on June 15, 2026. No comments from the Department of Commerce were received. A State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on June 1, 2026, under City File No. SEP26-0010. No comments or appeals on the SEPA DNS were received.

City staff discussed the proposed text amendment at a regular meeting of the Planning Commission on June 2, 2026, and July 7, 2026.

A Notice of Public Hearing (NOH) was issued on July 24, 2026, under City File No. ZOA26-0006. The Planning Commission Public Hearing notice was published in The Seattle Times and was posted in three general public locations (City Hall, City Annex, and the City's Public Land Use Notice webpage).

A Public Hearing was held by the Planning Commission on August 4, 2026, and, thereafter, the Planning Commission deliberated and voted to recommend the text amendment to City Council for adoption.

Note that background Auburn City Code, represented as existing in Ordinance No. 7026 – Exhibit A, reflects an assumption that the text amendments related to Child Care under Ordinance No. 7025 will be adopted by Council.

Staff presented the proposed changes to City Council at the Study Session Meeting on August 24, 2026.

**Councilmember:** Tracy Taylor

**Staff:** Jason Krum

## **ORDINANCE NO. 7026**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, RELATING TO UPDATES TO THE LIVE/WORK ZONING REGULATIONS AMENDING SECTIONS 18.04.527, 18.04.913, 18.07.020, 18.23.030, 18.35.030, 18.52.020, AND CREATING SECTION 18.31.125 OF THE AUBURN CITY CODE

WHEREAS, the City of Auburn added Live/work and Work/live as definitions to the Auburn City Code Title 18 “Zoning” in 2012 under Ordinance No. 6433, which established the use in city code but did not include supplemental development standards; and

WHEREAS, the purpose of these text amendments is to provide specific development regulations for new Live/work units and for re-purposing existing buildings into Live/work units; and

WHEREAS, Live/work and Work/live were originally separated out as different uses in the code based on the percentage of space occupied by the nonresidential portion versus the residential portion of the unit; and

WHEREAS, the definition and use of Work/live has been removed from the code for practical simplification; and

WHEREAS, the creation and addition of supplemental development standards and associated text amendments will provide clear objectives for the design and development of new Live/work units and buildings repurposed into Live/work units; and

WHEREAS, the associated text amendment to the Live/work code includes changes to Sections 18.04.527, 18.04.913, 18.07.020, 18.23.030, 18.35.030, 18.52.020 and creates new Section 18.31.125 of the Auburn City Code; and

WHEREAS, pursuant to Chapter 36.70A of the Revised Code of Washington (RCW) a text amendment shall be amended with public participation; and

WHEREAS, on April 17, 2026, the proposed text amendments were transmitted to the Washington State Department of Commerce to comply with the required 60-day review period, pursuant to RCW 36.70A.106; and

WHEREAS, environmental review for the proposed amendments was conducted in accordance with the State Environmental Policy Act (SEPA), which resulted in a Determination of Non-Significance (DNS) that was issued on June 1, 2026, under City File No. SEP26-0010; and

WHEREAS, pursuant to Chapter 18.68 ACC, public notice for the Public Hearing before the Planning Commission was issued on July 24, 2026, under City File No. ZOA26-0006, which notice was published in the Seattle Times on July 24, 2026, and 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 reviewed the proposed amendments to Live/work development regulations at public meetings on June 2, 2026, and July 7, 2026; and

WHEREAS, a Public Hearing was held by the Planning Commission on August 4, 2026, and, thereafter, the Planning Commission deliberated and voted to recommend these text amendments to City Council for adoption.

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

**Section 1. Amendment to City Code.** Sections 18.04.527, 18.04.913, 18.07.020, 18.23.030, 18.35.030, 18.52.020, of the Auburn City Code are amended and Section 18.31.125 of the Auburn City Code is 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

\_\_\_\_\_  
Paul Byrne, Acting City Attorney

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

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**Ordinance No. 7026 – Exhibit A**



## Chapter 18.04 DEFINITIONS

Sections:

...

### **18.04.913 Work/live unit.**

...

### **18.04.527 Live/work unit.**

“Live/work unit” means an integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and includes a complete dwelling unit. This definition is in addition to the current adopted International Building Code (IBC) definition. The work space is at ground level meeting the design standards of a storefront per the Citywide or Downtown Architectural and Design Standards, and working space reserved for and regularly used by one or more occupants of the dwelling unit. Within a live/work unit the “work” component of a live/work unit is secondary to its residential use. Live/work units are allowed within mixed-use developments. (Ord. 6959 § 1 (Exh. A), 2024; Ord. 6433 § 14, 2012.)

### **18.04.913 Work/live unit.**

~~“Work/live unit” means an integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and includes a complete dwelling unit and working space reserved for and regularly used by one or more occupants of the dwelling unit. Within a work/live unit the “work” component is the primary use, to which the residential use is secondary, while the “work” component of a live/work unit is secondary to its residential use. Work/live units are allowed within mixed-use developments. (Ord. 6959 § 1 (Exh. A), 2024; Ord. 6433 § 25, 2012.)~~

## Chapter 18.07 RESIDENTIAL ZONES

### **18.07.020 Uses.**

**Table 18.07.020. Permitted Use Table – Residential Zones**

| <b>P = Permitted A = Administrative C = Conditional Use X = Not Permitted</b>                                                                                     |                            |                   |                   |                   |                   |                   |                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| <b>Land Uses</b>                                                                                                                                                  | <b>Zoning Designations</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>        |
| <b>A. Residential Uses.</b>                                                                                                                                       |                            |                   |                   |                   |                   |                   |                   |
| Accessory dwelling units subject to the provisions contained in Chapter <a href="#">18.32</a> ACC                                                                 | P <sup>1</sup>             | P <sup>1</sup>    | P <sup>1</sup>    | P <sup>1</sup>    | P <sup>1</sup>    | P <sup>1</sup>    | P <sup>1</sup>    |
| Accessory use, residential                                                                                                                                        | P                          | P                 | P                 | P                 | P                 | P                 | P                 |
| Adult family home                                                                                                                                                 | P                          | P                 | P                 | P                 | P                 | P <sup>1</sup>    | P                 |
| Apartments (7 units or more)                                                                                                                                      | X                          | X                 | X                 | P <sup>11</sup>   | P                 | P                 | X                 |
| Bed and breakfast or short-term rentals                                                                                                                           | P                          | P                 | P                 | P                 | P                 | X                 | P                 |
| Caretaker apartment                                                                                                                                               | X                          | X                 | X                 | X                 | X                 | P                 | X                 |
| Co-living housing                                                                                                                                                 | X                          | X                 | X                 | P                 | P                 | P <sup>13</sup>   | X                 |
| Communal residence                                                                                                                                                | P                          | P                 | P                 | P                 | P                 | X                 | P                 |
| Foster care homes                                                                                                                                                 | P                          | P                 | P                 | P                 | P                 | X                 | P                 |
| Group residence facilities (7 or more residents)                                                                                                                  | X                          | X                 | X                 | P                 | P                 | P                 | P                 |
| Group residence facilities (6 or fewer residents)                                                                                                                 | P                          | P                 | P                 | P                 | P                 | P                 | P                 |
| Keeping of animals <sup>4</sup>                                                                                                                                   | P <sup>2</sup>             | P <sup>2</sup>    | P <sup>2</sup>    | P <sup>2</sup>    | P <sup>2</sup>    | P <sup>2</sup>    | P <sup>2</sup>    |
| <a href="#">Live/work, Standalone subject to the compliance with ACC 18.31.125<sup>15</sup></a>                                                                   | <a href="#">X</a>          | <a href="#">X</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> |
| Middle housing subject to the provisions in Chapter <a href="#">18.25</a> ACC (2 to 6 units)                                                                      | P                          | P                 | P                 | P                 | P                 | P                 | P                 |
| Neighborhood recreational buildings and facilities owned and managed by the neighborhood homeowners' association                                                  | A <sup>6</sup>             | A <sup>6</sup>    | A <sup>6</sup>    | A <sup>6</sup>    | A <sup>6</sup>    | P                 | P                 |
| Use as dwelling units of (1) recreational vehicles that are not part of an approved recreational vehicle park, (2) boats, (3) automobiles, and (4) other vehicles | X                          | X                 | X                 | X                 | X                 | X                 | X                 |

|                                                                                                                                                     |   |   |   |   |   |   |   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|---|
| Renting of rooms, for lodging purposes only, to accommodate not more than two persons in addition to the family or owner occupied unit <sup>8</sup> | P | P | P | P | P | P | P |
| Residential care facilities including but not limited to assisted living facilities, convalescent homes, continuing care retirement facilities      | P | P | P | P | P | P | P |
| Single-unit detached dwellings, new                                                                                                                 | P | P | P | X | X | X | P |
| Supportive housing (permanent), subject to the provisions of ACC <a href="#">18.31.160</a>                                                          | P | P | P | P | P | P | P |
| Swimming pools, tennis courts and similar outdoor recreation uses only accessory to residential or park uses                                        | P | P | P | P | P | P | P |
| Townhouses (attached)                                                                                                                               | X | X | X | X | P | P | P |
| Transitional housing                                                                                                                                | P | P | P | P | P | P | P |
| <b>B. Commercial Uses.</b>                                                                                                                          |   |   |   |   |   |   |   |
| Commercial horse riding and bridle trails                                                                                                           | A | X | X | X | X | X | X |
| Commercial recreation facility, indoor                                                                                                              | X | X | X | X | P | P | X |
| Commercial retail establishment                                                                                                                     | X | X | A | A | P | P | A |
| Convenience store                                                                                                                                   | X | X | X | X | P | P | X |
| Child care, including mini child care center, child care center, preschool, or nursery school                                                       | P | P | P | P | P | P | P |
| Grocery or specialty food store                                                                                                                     | X | X | X | A | P | P | A |
| Home-based (or family) daycare as regulated by RCW <a href="#">35.63.185</a> and through receipt of approved city business license                  | P | P | P | P | P | P | P |
| Home occupations subject to compliance with Chapter <a href="#">18.60</a> ACC                                                                       | P | P | P | P | P | P | P |
| Marijuana cooperative                                                                                                                               | X | X | X | X | X | X | X |
| Marijuana processor                                                                                                                                 | X | X | X | X | X | X | X |
| Marijuana producer                                                                                                                                  | X | X | X | X | X | X | X |
| Marijuana-related business                                                                                                                          | X | X | X | X | X | X | X |

|                                                                                                                                                                                  |                |   |   |   |                |   |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---|---|---|----------------|---|---|
| Marijuana researcher                                                                                                                                                             | X              | X | X | X | X              | X | X |
| Marijuana retailer                                                                                                                                                               | X              | X | X | X | X              | X | X |
| Marijuana transporter business                                                                                                                                                   | X              | X | X | X | X              | X | X |
| Mixed-use development <sup>3, 10</sup>                                                                                                                                           | X              | X | X | P | P              | P | P |
| Personal service shop                                                                                                                                                            | X              | X | A | P | P              | P | P |
| Nursing homes                                                                                                                                                                    | X              | X | X | X | C              | C | C |
| Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area                                                                       | X              | A | A | A | A              | P | P |
| Professional offices                                                                                                                                                             | X              | X | A | A | P <sup>9</sup> | P | P |
| Restaurant, café, or coffee shop                                                                                                                                                 | X              | X | A | A | P              | P | A |
| Neighborhood retail establishment                                                                                                                                                | X              | X | A | A | P              | P | P |
| C. Resource Uses.                                                                                                                                                                |                |   |   |   |                |   |   |
| Agricultural enterprise: <sup>7</sup>                                                                                                                                            |                |   |   |   |                |   |   |
| When 50 percent, or more, of the total site area is dedicated to active agricultural production during the growing season, and with 52 or less special events per calendar year  | A <sup>7</sup> | X | X | X | X              | X | X |
| When less than 50 percent of the total site area is dedicated to active agricultural production during the growing season, or with more than 52 special events per calendar year | C <sup>7</sup> | X | X | X | X              | X | X |
| Agricultural type uses are permitted provided they are incidental and secondary to the single-family use:                                                                        |                |   |   |   |                |   |   |
| Agricultural crops and open field growing (commercial)                                                                                                                           | P              | X | X | X | X              | X | X |
| Barns, silos and related structures                                                                                                                                              | P              | X | X | X | X              | X | X |
| Commercial greenhouses                                                                                                                                                           | P              | X | X | X | X              | X | X |
| Pasturing and grazing <sup>4</sup>                                                                                                                                               | P              | X | X | X | X              | X | X |
| Public and private stables <sup>4</sup>                                                                                                                                          | P              | X | X | X | X              | X | X |

|                                                                                                                                                                                   |                 |                 |                 |                 |                 |                 |                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Roadside stands, for the sale of agricultural products raised on the premises. The stand cannot exceed 300 square feet in area and must meet the applicable setback requirements. | P               | X               | X               | X               | X               | X               | X               |
| Fish hatcheries                                                                                                                                                                   | C               | X               | X               | X               | X               | X               | X               |
| D. Government, Institutional, and Utility Uses.                                                                                                                                   |                 |                 |                 |                 |                 |                 |                 |
| Civic, social and fraternal clubs                                                                                                                                                 | X               | X               | X               | X               | A               | A               | A               |
| Government facilities                                                                                                                                                             | A               | A               | A               | A               | A               | A               | A               |
| Hospitals (except animal hospitals)                                                                                                                                               | X               | X               | X               | X               | X               | C               | C               |
| Municipal parks and playgrounds                                                                                                                                                   | A               | P               | P               | P               | P               | P               | P               |
| Museums                                                                                                                                                                           | X               | X               | X               | X               | A               | A               | A               |
| Religious institutions, less than one acre lot size <sup>12</sup>                                                                                                                 | A               | A               | A               | A               | A               | A               | A               |
| Religious institutions, one acre or larger lot size <sup>12</sup>                                                                                                                 | C               | C               | C               | C               | C               | C               | C               |
| Transmitting towers                                                                                                                                                               | C               | C               | C               | C               | C               | C               | C               |
| Type 1-D wireless communications facility (see ACC <a href="#">18.04.912(W)</a> and <a href="#">18.31.100</a> )                                                                   | P               | P               | P               | P               | P               | P               | P               |
| Eligible facilities request (EFR) (wireless communications facility – See ACC <a href="#">18.04.912(H)</a> )                                                                      | P               | P               | P               | P               | P               | P               | P               |
| Utility facilities and substations                                                                                                                                                | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  | C <sup>5</sup>  |
| Battery Energy Storage Systems, Tier I                                                                                                                                            | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> | P <sup>14</sup> |
| Battery Energy Storage Systems, Tier II                                                                                                                                           | X               | X               | X               | C <sup>14</sup> | C <sup>14</sup> | C <sup>14</sup> | X               |
| Battery Energy Storage Systems, Tier III                                                                                                                                          | X               | X               | X               | X               | X               | X               | X               |
| Small wireless facilities (ACC <a href="#">18.04.912(Q)</a> )                                                                                                                     | P               | P               | P               | P               | P               | P               | P               |

<sup>1</sup> An accessory dwelling unit may be permitted with an existing single-unit residence pursuant to Chapter [18.32](#) ACC.

<sup>2</sup> Please see the supplemental development standards for animals in ACC [18.31.220](#).

<sup>3</sup> Individual uses that make up a mixed-use development must be permitted within the zone. If a use making up part of a mixed-use development requires an administrative or conditional use permit, the individual use must apply for and receive the administrative or conditional use approval, as applicable.

4 Proximity of pasture or livestock roaming area to wells, surface waters, and aquifer recharge zones is regulated by the King or Pierce County board of health, and property owners shall comply with the provisions of the board of health code.

5 Excludes all public and private utility facilities addressed under ACC [18.02.040\(E\)](#).

6 Administrative use permit is not required when approved as part of a subdivision or binding site plan.

7 Agricultural enterprise uses are subject to supplemental development standards under ACC [18.31.210](#), Agricultural enterprises development standards.

8 An owner occupant that rents to more than two persons but no more than four persons is required to obtain a city of Auburn rental housing business license and shall meet the standards of the International Property Maintenance Code.

9 As component of mixed-use developments and/or office ground floor uses permitted up to 5,000 square feet.

10 Commercial uses permitted outright, or allowed administratively or conditionally in this table may be allowed as part of mixed-use development.

11 Apartment buildings and mixed-use development consisting of no more than 20 units and three stories per lot is permitted.

12 Reference ACC [18.31.165](#) for standards related to homeless encampments hosted by a religious organization.

13 When provided in the R-NM [zone](#), a mixed-use component shall not be required as part of the project approval.

14 Reference ACC [18.31.240](#) for standards related to [battery energy storage systems](#) (BESS).

[15 Any standalone live/work units vested prior to the effective date of the ordinance codified in this chapter are outright permitted uses.](#)

(Ord. 6977 § 1 (Exh. A), 2025; Ord. 6959 § 1 (Exh. A), 2024; Ord. 6799 § 5 (Exh. E), 2020; Ord. 6642 § 4, 2017; Ord. 6600 § 9, 2016; Ord. 6565 § 2, 2015; Ord. 6560 § 9, 2015; Ord. 6477 § 8, 2013; Ord. 6369 § 2, 2011; Ord. 6363 § 3, 2011; Ord. 6269 § 3, 2009; Ord. 6245 § 5, 2009.)

## Chapter 18.23 COMMERCIAL AND INDUSTRIAL ZONES

### 18.23.030 Uses.

A. *General Permit Requirements.* Table 18.23.030 identifies the uses of land allowed in each commercial and industrial zone and the land use approval process required to establish each use.

B. *Requirements for Certain Specific Land Uses.* Where the last column (Standards for Specific Land Uses) in Table 18.23.030 includes a reference to a code section number, the referenced

section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

C. *Uses Affected by the Airport Overlay.* Refer to Chapter [18.38](#) ACC to determine whether uses are separately prohibited by that chapter or will be required to comply with additional regulations that are associated with the airport overlay.

**Table 18.23.030. Permitted, Administrative, Conditional and Prohibited Uses by Zone, Commercial and Industrial Zones**

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE |                    |     |      |     |     | P – Permitted<br><br>C – Conditional<br><br>A – Administrative<br><br>X – Prohibited |
|--------------------------------------------------------------------|--------------------|-----|------|-----|-----|--------------------------------------------------------------------------------------|
| LAND USE                                                           | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                     |
|                                                                    | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                      |
| INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING              |                    |     |      |     |     |                                                                                      |
| Building contractor, light                                         | X                  | P   | X    | P   | P   |                                                                                      |
| Building contractor, heavy                                         | X                  | X   | X    | A   | P   |                                                                                      |
| Manufacturing, assembling and packaging – Light intensity          | X                  | P   | X    | P   | P   | ACC <a href="#">18.31.180</a>                                                        |
| Manufacturing, assembling and packaging – Medium intensity         | X                  | A   | X    | P   | P   | ACC <a href="#">18.31.180</a>                                                        |
| Manufacturing, assembling and packaging – Heavy intensity          | X                  | X   | X    | X   | A   | ACC <a href="#">18.31.180</a>                                                        |
| Marijuana processor                                                | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                    |
| Marijuana producer                                                 | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                    |
| Marijuana researcher                                               | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                    |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                      |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|-----------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                         | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Marijuana retailer                                                                      | X                  | C   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                                    |
| Marijuana transporter business                                                          | X                  | X   | X    | C   | C   | Chapter <a href="#">18.59</a> ACC                                                                    |
| Outdoor storage, incidental to principal permitted use on property                      | X                  | P   | X    | P   | P   | ACC <a href="#">18.57.020(A)</a>                                                                     |
| Storage – Personal household storage facility (mini-storage)                            | P                  | P   | X    | P   | P   | ACC <a href="#">18.57.020(B)</a>                                                                     |
| Warehousing and distribution                                                            | X                  | X   | X    | P   | C   | ACC <a href="#">18.57.020(C)</a>                                                                     |
| Warehousing and distribution, bonded and located within a designated foreign trade zone | X                  | P   | X    | P   | P   |                                                                                                      |
| Wholesaling with on-site retail as an incidental use (e.g., coffee, bakery)             | X                  | P   | X    | P   | P   |                                                                                                      |
| <b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>                                   |                    |     |      |     |     |                                                                                                      |
| Commercial recreation facility, indoor                                                  | P                  | P   | P    | P   | A   |                                                                                                      |
| Commercial recreation facility, outdoor                                                 | X                  | A   | A    | P   | A   | ACC <a href="#">18.57.025(A)</a>                                                                     |
| Conference/convention facility                                                          | X                  | A   | X    | A   | X   |                                                                                                      |
| Library, museum                                                                         | A                  | A   | X    | A   | X   |                                                                                                      |
| Meeting facility, public or private                                                     | P                  | P   | X    | A   | A   |                                                                                                      |
| Movie theater, except drive-in                                                          | P                  | P   | P    | X   | X   |                                                                                                      |



| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE         |                    |              |              |              |              | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|----------------------------------------------------------------------------|--------------------|--------------|--------------|--------------|--------------|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                   | Zoning Designation |              |              |              |              | Standards for Specific Land Uses                                                                     |
|                                                                            | C-1                | C-2          | C-AG         | M-1          | M-2          |                                                                                                      |
| Private school – Specialized education/training (for profit)               | A                  | P            | P            | P            | P            |                                                                                                      |
| Religious institutions, lot size less than one acre                        | P                  | P            | A            | A            | A            | ACC <a href="#">18.31.165</a>                                                                        |
| Religious institutions, lot size more than one acre                        | P                  | P            | A            | A            | A            | ACC <a href="#">18.31.165</a>                                                                        |
| Sexually oriented businesses                                               | X                  | P            | X            | P            | P            | Chapter <a href="#">18.74</a> ACC                                                                    |
| Sports and entertainment assembly facility                                 | X                  | A            | X            | A            | A            |                                                                                                      |
| Studio – Art, dance, martial arts, music, etc.                             | P                  | P            | P            | P            | A            |                                                                                                      |
| <b>RESIDENTIAL</b>                                                         |                    |              |              |              |              |                                                                                                      |
| <del>Apartment units, as part of a mixed-use development<sup>2</sup></del> | <del>X</del>       | <del>P</del> | <del>P</del> | <del>P</del> | <del>X</del> | <del>ACC <a href="#">18.57.030</a></del>                                                             |
| Apartments, standalone                                                     | X                  | X            | X            | X            | X            |                                                                                                      |
| Caretaker apartment                                                        | P                  | P            | X            | P            | P            |                                                                                                      |
| Co-living housing <sup>4</sup>                                             | X                  | P            | P            | P            | X            |                                                                                                      |
| Indoor emergency housing or shelter                                        | P                  | P            | P            | A            | A            | ACC <a href="#">18.31.160</a>                                                                        |
| <del>Live/work unit, as part of a mixed-use development<sup>2</sup></del>  | <del>X</del>       | <del>P</del> | <del>P</del> | <del>P</del> | <del>X</del> |                                                                                                      |
| Live/work unit, standalone <sup>3</sup>                                    | <del>P</del>       | <del>P</del> | <del>P</del> | X            | X            | <a href="#">ACC 18.31.125</a>                                                                        |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|--------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                           | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                    | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Work/live unit, as part of a mixed-use development <sup>2</sup>    | X                  | P   | P    | P   | X   |                                                                                                      |
| Work/live unit, standalone <sup>3</sup>                            | X                  | X   | X    | X   | X   |                                                                                                      |
| Mixed-use development <sup>2</sup>                                 | X                  | P   | P    | X   | X   | ACC <a href="#">18.57.030</a>                                                                        |
| Marijuana cooperative                                              | X                  | X   | X    | X   | X   |                                                                                                      |
| Nursing home, assisted living facility                             | P                  | P   | C    | X   | X   |                                                                                                      |
| Senior housing <sup>2</sup>                                        | X                  | A   | X    | X   | X   |                                                                                                      |
| Supportive housing (permanent)                                     | P                  | P   | P    | A   | A   | ACC <a href="#">18.31.160</a>                                                                        |
| Transitional housing                                               | P                  | P   | P    | A   | A   | ACC <a href="#">18.31.160</a>                                                                        |
| <b>RETAIL</b>                                                      |                    |     |      |     |     |                                                                                                      |
| Building and landscape materials sales                             | X                  | P   | X    | P   | P   | ACC <a href="#">18.57.035(A)</a>                                                                     |
| Community retail establishment                                     | P                  | P   | P    | P   | P   |                                                                                                      |
| Construction and heavy equipment sales and rental                  | X                  | X   | X    | A   | P   |                                                                                                      |
| Convenience store                                                  | A                  | P   | X    | P   | P   |                                                                                                      |
| Drive-through espresso stands                                      | A                  | P   | A    | P   | A   |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                            |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|---------------------------------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                      | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                                               | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Drive-through facility, including banks and restaurants                                                       | A                  | P   | P    | P   | P   | ACC <a href="#">18.52.040</a>                                                                        |
| Entertainment, commercial                                                                                     | A                  | P   | X    | A   | A   |                                                                                                      |
| Groceries, specialty food stores                                                                              | P                  | P   | P    | P   | X   |                                                                                                      |
| Neighborhood retail establishment                                                                             | P                  | P   | P    | P   | P   |                                                                                                      |
| Nursery                                                                                                       | X                  | P   | A    | P   | P   | ACC <a href="#">18.57.035(C)</a>                                                                     |
| Outdoor displays and sales associated with a permitted use (auto/vehicle sales not included in this category) | P                  | P   | P    | P   | P   | ACC <a href="#">18.57.035(D)</a>                                                                     |
| Regional retail establishment                                                                                 | X                  | P   | P    | P   | A   |                                                                                                      |
| Restaurant, cafe, coffee shop                                                                                 | P                  | P   | P    | P   | P   |                                                                                                      |
| Tasting room                                                                                                  | P                  | P   | P    | P   | P   |                                                                                                      |
| Tavern                                                                                                        | P                  | P   | P    | P   | A   |                                                                                                      |
| Wine production facility, small craft distillery, small craft brewery                                         | P                  | P   | P    | P   | P   |                                                                                                      |
| <b>SERVICES</b>                                                                                               |                    |     |      |     |     |                                                                                                      |
| Animal daycare (excluding kennels and animal boarding)                                                        | A                  | P   | A    | P   | P   | ACC <a href="#">18.57.040(A)</a>                                                                     |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                              |                    |     |      |                |                | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|-------------------------------------------------------------------------------------------------|--------------------|-----|------|----------------|----------------|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                        | Zoning Designation |     |      |                |                | Standards for Specific Land Uses                                                                     |
|                                                                                                 | C-1                | C-2 | C-AG | M-1            | M-2            |                                                                                                      |
| Animal sales and services (excluding kennels and veterinary clinics)                            | P                  | P   | P    | P              | P              | ACC <a href="#">18.57.040(B)</a>                                                                     |
| Banking and related financial institutions, excluding drive-through facilities                  | P                  | P   | P    | P              | P              |                                                                                                      |
| Catering service                                                                                | P                  | P   | A    | P              | P              |                                                                                                      |
| Child care, including mini child care center, child care center, preschools, or nursery schools | P                  | P   | P    | C <sup>5</sup> | C <sup>5</sup> |                                                                                                      |
| Dry cleaning and laundry service (personal)                                                     | P                  | P   | P    | P              | P              |                                                                                                      |
| Equipment rental and leasing                                                                    | X                  | P   | X    | P              | P              |                                                                                                      |
| Kennel, animal boarding                                                                         | X                  | A   | X    | A              | A              | ACC <a href="#">18.57.040(C)</a>                                                                     |
| Government facilities; this excludes offices and related uses that are permitted outright       | A                  | A   | A    | A              | A              |                                                                                                      |
| Hospital                                                                                        | P                  | P   | X    | P              | P              |                                                                                                      |
| Lodging – Hotel or motel                                                                        | P                  | P   | P    | A              | A              |                                                                                                      |
| Medical – Dental clinic                                                                         | P                  | P   | P    | P              | X              |                                                                                                      |
| Mortuary, funeral home, crematorium                                                             | P                  | P   | X    | P              | X              |                                                                                                      |
| Personal service shops                                                                          | P                  | P   | P    | P              | X              |                                                                                                      |
| Pharmacies                                                                                      | P                  | P   | P    | X              | X              |                                                                                                      |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE     |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                               | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                        | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Print and copy shop                                                    | P                  | P   | P    | P   | X   |                                                                                                      |
| Printing and publishing (of books, newspaper and other printed matter) | A                  | P   | P    | P   | P   |                                                                                                      |
| Professional offices                                                   | P                  | P   | P    | P   | P   |                                                                                                      |
| Repair service – Equipment, appliances                                 | A                  | P   | P    | P   | P   | ACC <a href="#">18.57.040(D)</a>                                                                     |
| Veterinary clinic, animal hospital                                     | P                  | P   | P    | P   | X   |                                                                                                      |
| Youth community support facility                                       | P                  | X   | X    | X   | X   | ACC <a href="#">18.57.040(E)</a>                                                                     |
| <b>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</b>               |                    |     |      |     |     |                                                                                                      |
| Ambulance, taxi, and specialized transportation facility               | X                  | A   | X    | P   | P   |                                                                                                      |
| Broadcasting studio                                                    | P                  | P   | X    | P   | P   |                                                                                                      |
| Heliport                                                               | X                  | C   | X    | C   | C   |                                                                                                      |
| Motor freight terminal <sup>1</sup>                                    | X                  | X   | X    | X   | X   | See Footnote No. 1                                                                                   |
| Parking facility, public or commercial, surface                        | P                  | P   | P    | P   | X   |                                                                                                      |
| Parking facility, public or commercial, structured                     | P                  | P   | P    | P   | X   |                                                                                                      |
| Battery Energy Storage Systems, Tier I                                 | P                  | P   | P    | P   | P   | ACC 18.31.240                                                                                        |
| Battery Energy Storage Systems, Tier II                                | X                  | C   | X    | A   | C   | ACC 18.31.240                                                                                        |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                           |                    |     |      |     |     | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|--------------------------------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                     | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                                     |
|                                                                                                              | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                                      |
| Battery Energy Storage Systems, Tier III                                                                     | X                  | C   | X    | C   | C   | ACC 18.31.240                                                                                        |
| Towing storage yard                                                                                          | X                  | X   | X    | A   | P   | ACC <a href="#">18.57.045(A)</a>                                                                     |
| Utility transmission or distribution line or substation                                                      | A                  | A   | A    | A   | A   |                                                                                                      |
| Wireless communications facility (WCF) (See ACC <a href="#">18.04.912(W)</a> )                               | *                  | *   | *    | *   | *   | *See ACC <a href="#">18.31.100</a> for use regulations and zoning development standards.             |
| Eligible facilities request (EFR) (wireless communications facility) (See ACC <a href="#">18.04.912(H)</a> ) | P                  | P   | P    | P   | P   |                                                                                                      |
| Small wireless facilities (ACC <a href="#">18.04.912(Q)</a> )                                                | P                  | P   | P    | P   | P   |                                                                                                      |
| <b>VEHICLE SALES AND SERVICES</b>                                                                            |                    |     |      |     |     |                                                                                                      |
| Automobile washes (automatic, full or self-service)                                                          | A                  | P   | P    | P   | P   | ACC <a href="#">18.57.050(A)</a>                                                                     |
| Auto parts sales with installation services                                                                  | A                  | P   | P    | P   | P   |                                                                                                      |
| Auto/vehicle sales and rental                                                                                | A                  | P   | X    | P   | P   | ACC <a href="#">18.57.050(B)</a>                                                                     |
| Fueling station                                                                                              | A                  | P   | P    | P   | P   | ACC <a href="#">18.57.050(C)</a>                                                                     |
| Mobile home, boat, or RV sales                                                                               | X                  | P   | X    | P   | P   |                                                                                                      |
| Vehicle services – Repair/body work                                                                          | X                  | P   | X    | P   | P   | ACC <a href="#">18.57.050(D)</a>                                                                     |

| PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE                                                                                                                                                                                              |                    |     |      |     |     | P – Permitted<br><br>C – Conditional<br><br>A – Administrative<br><br>X – Prohibited |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----|------|-----|-----|--------------------------------------------------------------------------------------|
| LAND USE                                                                                                                                                                                                                                                        | Zoning Designation |     |      |     |     | Standards for Specific Land Uses                                                     |
|                                                                                                                                                                                                                                                                 | C-1                | C-2 | C-AG | M-1 | M-2 |                                                                                      |
| OTHER                                                                                                                                                                                                                                                           |                    |     |      |     |     |                                                                                      |
| Any commercial use abutting a residential zone which has hours of operation outside of the following: Sunday: 9:00 a.m. to 10:00 p.m. or Monday – Saturday: 7:00 a.m. to 10:00 p.m.                                                                             | A                  | A   | A    | A   | A   |                                                                                      |
| Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted. See ACC <a href="#">18.02.120(C)(6)</a> , Unclassified Uses. | P                  | P   | P    | P   | P   |                                                                                      |

**1** Any motor freight terminal, as defined by ACC [18.04.635](#), in existence as of the effective date of the ordinance codified in this section, is an outright permitted use in the M-1 and M-2 zones. Any maintenance, alterations and additions to an existing motor freight terminal which are consistent with ACC [18.23.040](#), Development standards, are allowed.

**2** Any mixed-use development or senior housing project vested prior to Resolution No. [5187](#) (December 7, 2015) is an outright permitted use in the C-1 zone. Subsequently, if a nonresidential use within a vested mixed-use development changes, then the nonresidential use shall maintain a minimum of 10 percent of the cumulative building ground floor square footage consisting of the uses permitted outright, administratively, or conditionally, listed under "Recreation, Education, and Public Assembly," "Retail," or "Services" of the C-1 zone.

**3** Any standalone live/work units ~~or standalone work/live units~~ vested prior to the effective date of the ordinance codified in this chapter are outright permitted uses.

**4** Co-living housing provided in this zone shall not be required to provide a mixed-use component.

**5** Child care facilities shall not be allowed adjacent to or within high hazard facilities.

(Ord. 6977 § 1 (Exh. A), 2025; Ord. 6959 § 1 (Exh. A), 2024; Ord. 6885 § 1 (Exh. A), 2022; Ord. 6838 § 1 (Exh. A), 2021; Ord. 6799 § 6 (Exh. F), 2020; Ord. 6728 § 3 (Exh. C), 2019; Ord. 6688 § 1 (Exh. 1), 2018; Ord. 6644 § 2, 2017; Ord. 6642 § 9, 2017; Ord. 6508 § 1, 2014; Ord. 6433 § 26, 2012.)

## Chapter 18.31

### SUPPLEMENTAL DEVELOPMENT STANDARDS

Sections:

[18.31.125 Live/work standards.](#)

#### [18.31.125 Supplemental standards for Live/work](#)

[A. Purpose.](#) Live/work units are an integrated housing unit and work space, occupied and utilized by the property owner, business owner, or business employee with a place to work and live in a single unit (ACC 18.04.527). A Live/work unit can be a new building (e.g. townhouse) or an existing unit (e.g. small commercial building with a dwelling space above or behind) and existing single-family residences allowed in the zone.

[B. Live/work units shall meet the following standards in addition to the current Washington State adopted International Building Code \(IBC\) code live/work sections.](#)

- [1. The ground floor frontage of the building shall be used for nonresidential purposes.](#)
- [2. Any 'work' use proposed for a Live/work unit in Residential zones are subject to ACC 18.07.020 "Permitted Use Table" and limited to the "Commercial Uses" category.](#)
- [3. Any 'work' use proposed for a Live/work unit in Commercial zones are subject to ACC 18.23.030 "Permitted Use Table" and limited to the "Retail" and "Services" categories.](#)
- [4. Any 'work' use proposed for a Live/work unit in Special Purpose Zones are subject to ACC 18.35.030 "Permitted Use Table" and limited to the "Retail", "Services" and "Recreation, Education, and Public Assembly" categories.](#)
- [5. For new development, the nonresidential frontage must meet the design standards of a storefront per Citywide Design Standards.](#)
- [6. For existing buildings, the ground floor frontage shall provide a public entrance and street level transparency meeting the design standards of a storefront per the Citywide Design Standards.](#)
- [7. The residential and work components shall be occupied as a single unit.](#)



8. [No portion of the Live/work unit may be rented, leased, or sold separately.](#)

9. [Off-street parking is not required for Live/work units.](#)

## Chapter 18.35 SPECIAL PURPOSE ZONES

### 18.35.030 Uses.

A. *General Permit Requirements.* Table 18.35.030 identifies the uses of land allowed in each special purpose zone and the planning permit required to establish each use.

B. *Requirements for Certain Specific Land Uses.* Where the last column (Standards for Specific Land Uses) in Table 18.35.030 includes a section number, the referenced section determines other requirements and standards applicable to the use regardless of whether it is permitted outright or requires an administrative or conditional use permit.

**Table 18.35.030. Permitted, Administrative, Conditional and Prohibited Uses by Zone**

| Permitted, Administrative, Conditional and Prohibited Uses by Zone |                     |          |    | P – Permitted<br>C – Conditional<br>A – Administrative<br>X – Prohibited |
|--------------------------------------------------------------------|---------------------|----------|----|--------------------------------------------------------------------------|
| LAND USE                                                           | Zoning Designations |          |    | Standards for<br>Specific Land Uses                                      |
|                                                                    | P-1                 | I        | OS |                                                                          |
| MARIJUANA-RELATED BUSINESSES                                       |                     |          |    |                                                                          |
| Marijuana processor                                                | X                   | X        | X  |                                                                          |
| Marijuana producer                                                 | X                   | X<br>18. | X  |                                                                          |
| Marijuana researcher                                               | X                   | X        | X  |                                                                          |
| Marijuana retailer                                                 | X                   | X        | X  |                                                                          |
| Marijuana transporter business                                     | X                   | X        | X  |                                                                          |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                        |                     |   |    | P – Permitted<br>C – Conditional<br>A – Administrative<br>X – Prohibited |
|-------------------------------------------------------------------------------------------|---------------------|---|----|--------------------------------------------------------------------------|
| LAND USE                                                                                  | Zoning Designations |   |    | Standards for Specific Land Uses                                         |
|                                                                                           | P-1                 | I | OS |                                                                          |
| PUBLIC                                                                                    |                     |   |    |                                                                          |
| Animal shelter, public                                                                    | P                   | X | X  |                                                                          |
| Government facilities; this excludes offices and related uses that are permitted outright | P                   | P | C  |                                                                          |
| Municipal parks and playgrounds                                                           | P                   | P | P  |                                                                          |
| RECREATION, EDUCATION AND PUBLIC ASSEMBLY                                                 |                     |   |    |                                                                          |
| Campgrounds                                                                               | X                   | P | P  |                                                                          |
| Recreational vehicle parks, private                                                       | X                   | P | X  |                                                                          |
| Cemetery, public                                                                          | P                   | A | X  |                                                                          |
| Cemetery, private                                                                         | X                   | A | X  |                                                                          |
| College, university, public                                                               | A                   | A | X  |                                                                          |
| Commercial recreation facility – Indoor                                                   | X                   | P | X  |                                                                          |
| Commercial recreation facility – Outdoor                                                  | X                   | A | C  | ACC <a href="#">18.57.025(A)</a>                                         |
| Conference/convention facility                                                            | X                   | A | X  |                                                                          |
| Library, museum                                                                           | P                   | P | A  |                                                                          |
| Meeting facility, public or private                                                       | P                   | P | A  |                                                                          |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                           |                     |                |                | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|----------------------------------------------------------------------------------------------|---------------------|----------------|----------------|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                     | Zoning Designations |                |                | Standards for Specific Land Uses                                                                     |
|                                                                                              | P-1                 | I              | OS             |                                                                                                      |
| Private school – specialized education/training (for profit)                                 | X                   | P              | X              |                                                                                                      |
| Public schools (K-12) and related facilities                                                 | P                   | X              | X              |                                                                                                      |
| Religious institutions, lot size less than one acre                                          | X                   | P              | X              |                                                                                                      |
| Religious institutions, lot size more than one acre                                          | X                   | P              | X              |                                                                                                      |
| Studio – Art, dance, martial arts, music, etc.                                               | X                   | X              | X              |                                                                                                      |
| <b>RESIDENTIAL</b>                                                                           |                     |                |                |                                                                                                      |
| Middle housing subject to the provisions in Chapter <a href="#">18.25</a> ACC (2 to 6 units) | X                   | A <sup>1</sup> | X              |                                                                                                      |
| Home occupation                                                                              | X                   | P              | P              | Chapter <a href="#">18.60</a> ACC                                                                    |
| Live/work <del>unit</del> , <del>work/live unit</del>                                        | X                   | A              | X              | <a href="#">ACC 18.31.125</a>                                                                        |
| Apartments (7 or more units)                                                                 | X                   | A <sup>2</sup> | X              |                                                                                                      |
| One single-unit detached dwelling                                                            | X                   | X              | P <sup>4</sup> |                                                                                                      |
| Nursing home, assisted living facility                                                       | X                   | P              | X              |                                                                                                      |
| Senior housing                                                                               | X                   | A              | X              |                                                                                                      |
| <b>RETAIL</b>                                                                                |                     |                |                |                                                                                                      |
| Marijuana cooperative                                                                        | X                   | X              | X              |                                                                                                      |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                          |                     |   |    | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|---------------------------------------------------------------------------------------------|---------------------|---|----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                    | Zoning Designations |   |    | Standards for Specific Land Uses                                                                     |
|                                                                                             | P-1                 | I | OS |                                                                                                      |
| Restaurant, cafe, coffee shop, excluding drive-through facilities                           | P                   | A | X  |                                                                                                      |
| <b>SERVICES</b>                                                                             |                     |   |    |                                                                                                      |
| Banking and related financial institutions, excluding drive-through facilities <sup>3</sup> | X                   | X | X  |                                                                                                      |
| Child care, including mini child care, child care center, preschools, or nursery schools    | P                   | P | P  |                                                                                                      |
| Home-based daycare                                                                          | X                   | P | P  |                                                                                                      |
| Medical services – Clinic or urgent care <sup>3</sup>                                       | X                   | X | X  |                                                                                                      |
| Mortuary, funeral home, crematorium                                                         | X                   | X | X  |                                                                                                      |
| Professional offices                                                                        | X                   | A | A  |                                                                                                      |
| Personal service shops                                                                      | X                   | X | X  |                                                                                                      |
| Pharmacies                                                                                  | X                   | X | X  |                                                                                                      |
| <b>TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE</b>                                    |                     |   |    |                                                                                                      |
| Battery Energy Storage Systems, Tier I                                                      | P                   | P | P  | See ACC 18.31.240                                                                                    |
| Battery Energy Storage Systems, Tier II                                                     | A                   | A | X  | See ACC 18.31.240                                                                                    |
| Battery Energy Storage Systems, Tier III                                                    | X                   | X | X  | See ACC 18.31.240                                                                                    |

| Permitted, Administrative, Conditional and Prohibited Uses by Zone                                                                                                                                |                     |   |    | <b>P – Permitted</b><br><b>C – Conditional</b><br><b>A – Administrative</b><br><b>X – Prohibited</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|---|----|------------------------------------------------------------------------------------------------------|
| LAND USE                                                                                                                                                                                          | Zoning Designations |   |    | Standards for Specific Land Uses                                                                     |
|                                                                                                                                                                                                   | P-1                 | I | OS |                                                                                                      |
| Utility facilities, substations, utility transmission or distribution line                                                                                                                        | X                   | X | A  | See ACC <a href="#">18.02.040(E)</a>                                                                 |
| Wireless communications facility (WCF) (See ACC <a href="#">18.04.912(W)</a> )                                                                                                                    | *                   | * | *  | *See ACC <a href="#">18.31.100</a> for use regulations and zoning development standards.             |
| Eligible facilities request (EFR) (Wireless communications facility) (See ACC <a href="#">18.04.912(H)</a> )                                                                                      | P                   | P | P  |                                                                                                      |
| Small wireless facilities (ACC <a href="#">18.04.912(Q)</a> )                                                                                                                                     | P                   | P | P  |                                                                                                      |
| Emergency wireless communications facility (EWCF)                                                                                                                                                 | X                   | P | X  | See ACC <a href="#">18.04.912</a> and <a href="#">18.31.100</a>                                      |
| <b>OTHER USES THAT ARE NOT LISTED</b>                                                                                                                                                             |                     |   |    |                                                                                                      |
| Other uses may be permitted by the planning director or designee if the use is determined to be consistent with the intent of the zone and is of the same general character of the uses permitted | P                   | P | P  |                                                                                                      |

**Notes:**

- 1 Minimum lot area not applicable; duplexes must meet other development standards of the I zone.
- 2 Minimum lot area not applicable; apartments must meet other development standards of the I zone, dwellings; provided, that 2,400 square feet of lot area is provided for each dwelling unit.
- 3 Permitted within a public college or university as an amenity or service provided to students: A stand-alone bank or medical services/clinic is not permitted.
- 4 One single-unit detached dwelling unit per existing legal lot. No residential subdivisions permitted in the open space zone.

(Ord. 6959 § 1 (Exh. A), 2024; Ord. 6894 § 1 (Exh. B), 2022; Ord. 6799 § 9 (Exh. I), 2020; Ord. 6716 § 1 (Exh. A), 2019; Ord. 6677 § 3, 2018; Ord. 6642 § 11, 2017; Ord. 6434 § 1, 2012.)

## 18.52.020 Number of off-street parking spaces required.

**Table 18.52.020. Off-Street Parking Requirements by Land Use**

| Land Use Type:                                                                                   | Unit of Measure:                                                                  | Required Parking Rate<br>(spaces per unit of<br>measure): <sup>6</sup> |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------|
| <b>Residential Categories</b>                                                                    |                                                                                   |                                                                        |
| Single-unit detached dwelling, adult family home,<br>home-based daycare                          | Dwelling unit                                                                     | 2.00 <sup>8</sup>                                                      |
| Middle housing (2 to 6 units)                                                                    | See Chapter <a href="#">18.25</a> ACC for middle housing parking<br>requirements. |                                                                        |
| Apartments (7 or more units)                                                                     | Dwelling unit                                                                     | 0.50                                                                   |
| Mobile home dwellings <sup>1</sup>                                                               | Dwelling unit                                                                     | 2.00                                                                   |
| Assisted living facilities and senior housing                                                    | Per unit                                                                          | 0.00                                                                   |
| Permanent supportive housing, transitional housing,<br>emergency housing, and emergency shelters | Per unit                                                                          | 0.00                                                                   |
| Group living (includes boardinghouse)                                                            | 4 bedrooms                                                                        | 1.00                                                                   |
| Co-living housing <sup>7</sup>                                                                   | 1 sleeping unit                                                                   | 0.25                                                                   |
| <b>Commercial Categories</b>                                                                     |                                                                                   |                                                                        |
| Auto sales and motorcycle, new                                                                   | 1,000 sf of floor area                                                            | 2.29                                                                   |
| Auto sales and motorcycle, used                                                                  | 1,000 sf of floor area                                                            | 3.08                                                                   |

| Land Use Type:                                                                                    | Unit of Measure:                | Required Parking Rate<br>(spaces per unit of<br>measure): <sup>6</sup> |
|---------------------------------------------------------------------------------------------------|---------------------------------|------------------------------------------------------------------------|
| Child care centers                                                                                | Each 10 children in care        | 2.00                                                                   |
| Eating and drinking establishments                                                                | 1,000 square feet of floor area | 8.00                                                                   |
| Food retail stores and markets                                                                    | 1,000 square feet of floor area | 5.00                                                                   |
| Health and fitness clubs                                                                          | 1,000 square feet of floor area | 5.00                                                                   |
| Hotel or motel                                                                                    | Guest room or rental unit       | 1.00                                                                   |
| <u>Live/work</u>                                                                                  | <u>Per unit</u>                 | <u>0.00</u>                                                            |
| Mini-marts and gas stations                                                                       | 1,000 square feet of floor area | 5.00                                                                   |
| Mortuaries or funeral homes                                                                       | 25 square feet of floor space   | 0.25                                                                   |
| Motor vehicle repair and services                                                                 | 1,000 square feet of floor area | 2.50                                                                   |
| Personal service shops                                                                            | 1,000 square feet of floor area | 2.50                                                                   |
| Retail commercial establishments, less than 15,000<br>square feet of floor area                   | 1,000 square feet of floor area | 2.50                                                                   |
| Retail commercial establishments, greater than<br>15,000 square feet of floor area                | 1,000 square feet of floor area | 4.00                                                                   |
| Shopping centers                                                                                  | 1,000 square feet of floor area | 4.00 <sup>4</sup>                                                      |
| <b>Office Categories</b>                                                                          |                                 |                                                                        |
| Business and professional offices                                                                 | 1,000 square feet of floor area | 2.00                                                                   |
| Medical-dental clinic; urgent care                                                                | 1,000 square feet of floor area | 3.00                                                                   |
| <b>Manufacturing Processing and Warehousing<br/>Categories</b><br><br>(See also ACC 18.52.020(D)) |                                 |                                                                        |

| <b>Land Use Type:</b>                                                        | <b>Unit of Measure:</b>                          | <b>Required Parking Rate<br/>(spaces per unit of<br/>measure):<sup>6</sup></b> |
|------------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------------------------------------|
| All manufacturing, industrial, and processing uses,<br>except the following: | 1,000 square feet of floor area                  | 1.00                                                                           |
| Warehousing                                                                  | 2,000 square feet of floor area                  | 1.00                                                                           |
| Storage – Personal storage/mini-storage facilities                           | 1,000 square feet of floor area <sup>2</sup>     | 0.10                                                                           |
| <b>Recreation, Education, Public Assembly<br/>Categories</b>                 |                                                  |                                                                                |
| Auditoriums, stadiums, and theaters                                          | 25 square feet of floor space                    | 0.25                                                                           |
| Commercial recreation facilities – Indoor, except for<br>the following:      | 1,000 square feet of floor area                  | 5.00                                                                           |
| Bowling alleys                                                               | Lanes                                            | 5.00                                                                           |
| Pool and billiard rooms                                                      | Table                                            | 2.00                                                                           |
| Skating rinks                                                                | 1,000 square feet of floor area                  | 5.00                                                                           |
| Commercial recreation facilities – Outdoor                                   | 1,000 square feet of usable<br>recreational area | 3.00                                                                           |
| Hospitals                                                                    | Bed                                              | 1.75                                                                           |
| Library, museum                                                              | 1,000 square feet of floor area                  | 2.50                                                                           |
| Meeting facility, public or private                                          | 25 square feet of floor space                    | 0.25                                                                           |
| Religious assembly                                                           | 25 square feet of floor space                    | 0.20                                                                           |
| Schools (public and private)                                                 |                                                  |                                                                                |
| Preschool schools                                                            | Employee <sup>3</sup>                            | 1.00                                                                           |
| Elementary/middle schools                                                    | Teaching station                                 | 1.20                                                                           |



| <b>Land Use Type:</b>                                        | <b>Unit of Measure:</b>                      | <b>Required Parking Rate<br/>(spaces per unit of<br/>measure):<sup>6</sup></b> |
|--------------------------------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------|
| Secondary (high) schools                                     | Student                                      | 0.40                                                                           |
| College or university (including trade and business schools) | Student                                      | 0.75                                                                           |
| Studios (dance, martial arts, etc.)                          | 1,000 square feet of floor area              | 5.00                                                                           |
| Tennis/racquetball/handball or other sport courts            | Court                                        | 2.00                                                                           |
|                                                              | Each 300 sf of floor area for accessory uses | 1.00                                                                           |
| Recreational uses not listed elsewhere                       | Same as retail, based on size                |                                                                                |

**Notes:**

**1** Within mobile home parks, parking space shall not be allowed within the required setbacks. Guest parking shall be provided within the development: five percent of total requirement.

**2** Includes total on-site building square feet.

**3** There shall be two visitor-parking stalls provided for each 10 required employee stalls.

**4** Compliance with these standards is not required for a change of use within an existing building.

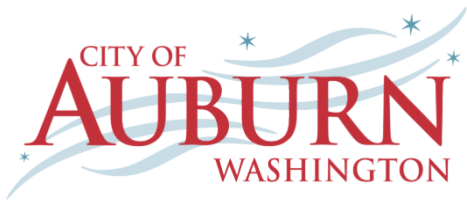
**5** Employee and customer parking only.

**6** If the rate ends in .5 and above the number of parking spaces is rounded up to the next full number to provide the total number of parking spaces required.

**7** Off-street parking shall not be required within one-half mile walking distance of a major transit stop as defined by RCW [36.70A.535\(11\)\(b\)](#).

**8** Is the total number of parking spaces required.

(Ord. 6998 § 1 (Exh. A), 2025; Ord. 6977 § 1, 2025; Ord. 6959 § 1 (Exh. A), 2024; Ord. 6419 § 5, 2012; Ord. 6388 § 1, 2011; Ord. 6167 § 4, 2008; Ord. 6140 § 2, 2007; Ord. 6071 § 3, 2007; Ord. 5777 § 1, 2003; Ord. 5556 § 1, 2001; Ord. 5170 § 1, 1998; Ord. 4949 § 1, 1997; Ord. 4304 § 1(40), (41), 1988; Ord. 4229 § 2, 1987.)



## AGENDA BILL APPROVAL FORM

---

**Agenda Subject:**

Resolution No. 5925 (Krueger/Byrne)

A Resolution authorizing the Mayor to execute an updated Interlocal Agreement Between the City of Auburn and King County for the purpose of accepting funds in the amount of \$200,000 for site stabilization costs on the Soos Creek Botanical Garden Property

**Meeting Date:**

September 8, 2026

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5925.)**

**Department:**

Parks, Arts & Recreation

**Attachments:**

Resolution No. 5925 ILA5,  
Exhibit A Auburn-Amendment 5

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

City Council to adopt Resolution No. 5925

**Background for Motion:**

Resolution No. 5925 would authorize the Mayor to execute an updated Interlocal Agreement with King County to accept funds in the amount of \$200,000 for Site Stabilization Costs on the Soos Creek Botanical Garden property.

**Background Summary:**

Resolution Numbers 5614, 5668, and 5897, adopted by the City Council, authorized the Mayor to sign updated agreements with King County to receive funds from the Conservation Futures Tax (CFT) Levy. This Resolution, No. 5925, authorizes the Mayor to sign and execute an updated CFT Interlocal Agreement with King County to accept funds in the amount of \$200,000 for Site Stabilization Costs on the Soos Creek Botanical Garden property; these funds would be used for demolition of an existing 1968 mobile home.

**Councilmember:** Tracy Taylor

**Staff:** Julie Krueger, Paul Byrne

## **RESOLUTION NO. 5925**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN UPDATED INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUBURN AND KING COUNTY FOR THE PURPOSE OF ACCEPTING FUNDS IN THE AMOUNT OF \$200,000 FOR SITE STABILIZATION COSTS ON THE SOOS CREEK BOTANICAL GARDEN PROPERTY

WHEREAS, on January 17, 2022, the City Council approved Resolution 5614, which authorized the Mayor to sign an updated agreement with King County to receive funds from the Conservation Futures Tax (CFT) Levy; and

WHEREAS, on June 6, 2022, the City Council approved Resolution 5668, to correct Resolution 5614, and authorizing the Mayor to sign the correct agreement with King County; the corrected agreement included both grant agreements (CFT and WRIA), where the original resolution incorrectly contained two identical versions (two WRIA contracts); and

WHEREAS, on May 18, 2026, the City Council approved Resolution 5897, authorizing the Mayor to sign an updated agreement with King County to receive funds from the Conservation Futures Tax (CFT) Levy to purchase the Soos Creek Botanical Gardens; and

WHEREAS, in the Fall of 2025, the King County Council was provided with a CFT progress report, which included recommendation for additional funding for Site Stabilization Costs (SSC) for demolition of an existing mobile home at the Soos Creek Botanical Gardens; and

WHEREAS, to receive the additional CFT grant funds for demolition of the mobile home, a budget amendment will be required by the City Council to appropriate the

associated revenues and expenditures within the City's budget, which will be accomplished during the next budget amendment process.

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

**Section 1.** The Mayor is authorized to execute an Updated Interlocal Agreement between the City and King County, which agreement will be in substantial conformity with the agreement attached hereto as Exhibit A.

**Section 2.** The Mayor is authorized to 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

\_\_\_\_\_  
Paul Byrne, Acting City Attorney

## **EXHIBIT A**

### **AMENDMENT TO THE CONSERVATION FUTURES INTERLOCAL COOPERATION AGREEMENT BETWEEN KING COUNTY AND THE CITY OF AUBURN FOR OPEN SPACE ACQUISITION PROJECTS**

The King County Council, through Ordinance 9128, has established a Conservation Futures Levy Fund and appropriated proceeds to King County and certain cities. This amendment is entered into to provide for the allocation of additional proceeds made available for open space acquisition.

THIS AMENDMENT is entered into between the CITY OF AUBURN and KING COUNTY, and amends and attaches to and is part thereof of the existing Interlocal Cooperation Agreement entered into between the parties on the 22nd day of August, 2022, as previously amended.

The parties agree to the following amendment:

The Interlocal Cooperation Agreement is hereby amended by adding Exhibit 1, attached hereto.

In all other respects, the terms, conditions, duties and obligations of both parties shall remain the same as agreed to in the Interlocal Cooperation Agreement as previously amended.

Once fully executed, this Amendment shall be incorporated into the existing Interlocal Cooperation Agreement as if fully set forth, and shall become Amendment 5.

IN WITNESS WHEREOF, authorized representatives of the parties hereto have signed their names in the spaces set forth below:

KING COUNTY

CITY OF AUBURN

\_\_\_\_\_  
Girmay Zahilay  
King County Executive

\_\_\_\_\_  
Nancy Backus  
Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

Approved as to form:

\_\_\_\_\_  
Leesa Manion  
King County Prosecuting Attorney

\_\_\_\_\_  
Paul Byrne  
Acting City Attorney

## EXHIBIT 1

### 2026 REALLOCATION CONSERVATION FUTURES LEVY PROCEEDS CITY OF AUBURN ALLOCATION

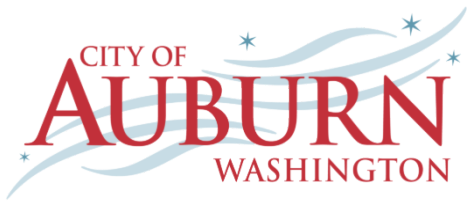
| Jurisdiction | Project Name                                         | Allocation |
|--------------|------------------------------------------------------|------------|
| Auburn       | Soos Creek Botanical Garden Preservation - SSC award | \$200,000  |
| TOTAL        |                                                      | \$200,000  |

#### Project Description:

##### **Project #1151304: Auburn - Soos Creek Botanical Garden Preservation - SSC award**

The City of Auburn seeks to purchase approximately 18 acres of the Soos Creek Botanical Garden, located in the Lea Hill portion of the city. The purchase of this property would provide protection for a fish-bearing stream, Soosette Creek, and the opportunity to redress historic disparities in access to open space. Preservation of the garden would keep this land protected in perpetuity as a community asset and as a botanical garden of regional significance in south King County. This project has a match waiver. This award of site stabilization cost (SSC) funding complements the earlier acquisition award to help secure the site and cover initial site stabilization costs. Project funding was authorized in King County Ordinance 20086.

**Is this a Bond-financed Project? No**



## AGENDA BILL APPROVAL FORM

---

**Agenda Subject:**

Resolution No. 5926 (Gaub)

A Resolution authorizing the Mayor to grant an Easement to Puget Sound Energy for the purpose of installing underground power facilities for the Auburn Avenue Theater and Downtown Park Project (CP2414/CP2507)

**Meeting Date:**

September 8, 2026

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5926.)**

**Department:**

Public Works

**Attachments:**

Resolution 5926 , PSE Easement

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

City Council to adopt Resolution No. 5926.

**Background for Motion:**

This Resolution will provide the authorization to grant the necessary easement to PSE and allow for the installation of a new power service for the Auburn Avenue Theater and Downtown Park facilities.

**Background Summary:**

The project will reconstruct the Auburn Avenue Theater and a park space adjacent to the theater. A new power service connection will be provided by Puget Sound Energy (PSE) and a previous Capital Project converted the existing overhead power to an underground system. For PSE to provide the underground power supply to the new theater and park, an underground connection is needed and an easement from the City required.

Resolution No. 5926 authorizes the Mayor to grant an easement to Puget Sound Energy, Inc. (PSE) for the purpose of installing underground power facilities on a City owned parcel for the Auburn Avenue Theater and Downtown Park project.

**Councilmember:** Tracy Taylor

**Staff:** Ingrid Gaub

## **RESOLUTION NO. 5926**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR TO GRANT AN EASEMENT TO PUGET SOUND ENERGY FOR THE PURPOSE OF INSTALLING UNDERGROUND POWER FACILITIES FOR THE AUBURN AVENUE THEATER AND DOWNTOWN PARK PROJECT (CP2414/CP2507)

WHEREAS, the City is committed to constructing project CP2414/CP2507 Auburn Avenue Theater and Downtown Park project; and

WHEREAS, a key component of CP2414/CP2507 includes rebuilding the Auburn Avenue Theater and an adjacent park; and

WHEREAS, a power service connect is needed for the new theater and park space; and

WHEREAS, the new power service connection will be provided by Puget Sound Energy, Inc. (PSE); and

WHEREAS, an access easement is necessary for PSE to construct and maintain underground power facilities needed to serve the Project; and

WHEREAS, establishing an easement would mutually benefit the City and PSE.

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

**Section 1.** The Mayor is authorized to grant to Puget Sound Energy, Inc. (PSE) and record with the offices of the King County Recorder the easement in substantially the same form as described in Attachment A, attached hereto and incorporated herein.

**Section 2.** The Mayor is authorized to 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

\_\_\_\_\_  
Paul Byrne, Acting City Attorney

**RETURN ADDRESS:**

**Puget Sound Energy, Inc.  
Attn: ROW Department / PT  
3130 S 38<sup>th</sup> St  
Tacoma, WA 98409**



## **EASEMENT**

**REFERENCE #:**

**GRANTOR (Owner):**

**CITY OF AUBURN**

**GRANTEE (PSE):**

**PUGET SOUND ENERGY, INC.**

**SHORT LEGAL:**

**Por. of NW18, T21N, R05E, W.M., in King County, Washington**

**ASSESSOR'S PROPERTY TAX PARCEL: 048900-0070**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF AUBURN, a Washington municipal corporation** ("Owner"), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE"), for the purposes hereafter set forth, a nonexclusive perpetual easement over, under, along, across and through the following described real property (the "Property" herein) in King County, State of Washington:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.**

Except as may be otherwise set forth herein PSE's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

**SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.**

**A DIAGRAM DEPICTING THE LOCATION OF THE EASEMENT AREA IS ATTACHED HERETO AS EXHIBIT "C".**

**1. Purpose.** PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of transmission, distribution and sale of electricity. Such systems may include, but are not limited to:

**Underground facilities.** Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems.

**2. Access.** PSE shall have a reasonable right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

**3. Easement Area Clearing and Maintenance.** PSE shall have the right to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

**4. Restoration.** Following the initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work. PSE shall use good faith efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of PSE's work.

**5. Owner's Use of Easement Area.** Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not perform the following activities without PSE's prior written consent: (1) excavate within or otherwise change the grade of the Easement Area; (2) construct or maintain any buildings, structures or other objects on the Easement Area; and/or (3) conduct any blasting within 300 feet of PSE's facilities.

**6. Indemnity.** PSE agrees to indemnify Owner from and against liability incurred by Owner as a result of PSE's negligence, or the negligence of PSE's employees, agents or contractors in the exercise of the rights herein granted to PSE, but nothing herein shall require PSE to indemnify Owner for that portion of any such liability attributable to the negligence of Owner, its employees, agents or contractors or the negligence of third parties.

**7. Attorneys' Fees.** The prevailing party in any lawsuit brought to enforce or interpret the terms of this Easement shall be entitled to recover its reasonable attorneys' fees and costs incurred in said suit, including on appeal.

**8. Successors and Assigns.** This Easement is binding upon and will inure to the benefit of the successors and permitted assigns. PSE may not assign or otherwise transfer any of its rights, obligations or interest under this Easement without the prior written consent of Owner, which consent may not be unreasonably withheld. Notwithstanding the foregoing, PSE may assign or apportion this Easement or rights hereunder to an affiliate or in connection with a merger, acquisition, corporate reorganization, pledge of assets as collateral, sale of assets or other change in control, joint venture, tenancy-in-common or sale of business lines.

**9. Complete Agreement; Amendment; Counterparts.** This Easement contains the entire agreement of the parties with respect to this subject matter and supersedes all prior writings or discussions relating to the Easement. This Easement may not be amended except by a written document executed by the authorized representatives of Owner and PSE. This Easement may be executed in counterparts, each of which shall be treated as an original for all purposes and all executed counterparts shall constitute one agreement.

**10. Warranty and Representation of Authority.** The parties each represent to the other that the person or persons executing this Easement have authority to do so and to bind the parties hereunder. All consents, permissions and approvals related to this Easement, and the obligations hereunder, have been obtained. Owner further warrants to PSE that it has the necessary right, title and interests in the Property to grant the easement rights set forth herein.

**11. Severability.** Invalidation of any of the provisions contained in this Easement, or of the application thereof to any person, by judgment or court order, shall in no way affect any of the other provisions thereof or the application thereof to any other person and the same shall remain in full force and effect. If a provision is found to be unenforceable or invalid, that provision shall be modified or partially enforced to the maximum extent permitted by law to effectuate the purpose of this agreement.

**12. Non-Waiver.** The failure of any party to insist upon strict performance of any of the terms, covenants or conditions hereof shall not be deemed a waiver of any rights or remedies which that party may have hereunder or at law or equity and shall not be deemed a waiver of any subsequent breach or default in any of such terms, covenants or conditions.



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**APN: 048900-0070**

LOTS 5, 6 AND 7, BLOCK 14, L.W. BALLARD'S 3<sup>RD</sup> ADDITION TO SLAUGHTER, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 8 OF PLATS, PAGE 47, IN KING COUNTY, WASHINGTON;

EXCEPT PORTION OF SAID LOTS 6 AND 7 CONDEMMED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 140546 FOR STREET PURPOSES, AS PROVIDED BY ORDINANCE NUMBER 356 OF THE CITY OF AUBURN.

**EXHIBIT B**  
**UTILITY EASEMENT**  
**LEGAL DESCRIPTION**

THAT PORTION OF LOT 5 AND LOT 6, BLOCK 14, L.W. BALLARD'S THIRD ADDITION TO SLAUGHTER, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 8 OF PLATS, PAGE 47, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF SAID LOT 5, BLOCK 14 OF SAID PLAT, THENCE ALONG THE EAST LINE OF SAID LOT 5 SOUTH 02° 28' 14" EAST, 10.50 FEET;

**THENCE** DEPARTING SAID EAST LINE SOUTH 87° 31' 46" WEST, 34.00 FEET

**THENCE** NORTH 02° 53' 11" WEST, 4.30 FEET;

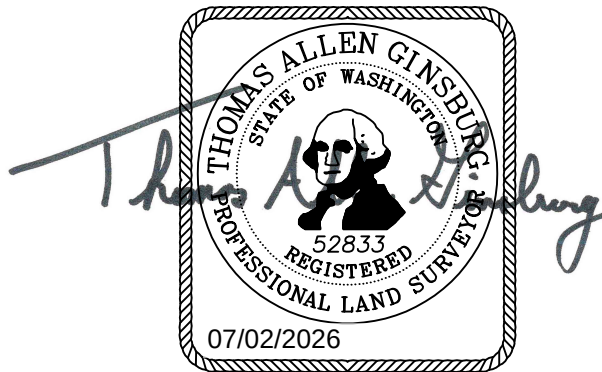
**THENCE** SOUTH 87° 35' 20" WEST, 33.00 FEET;

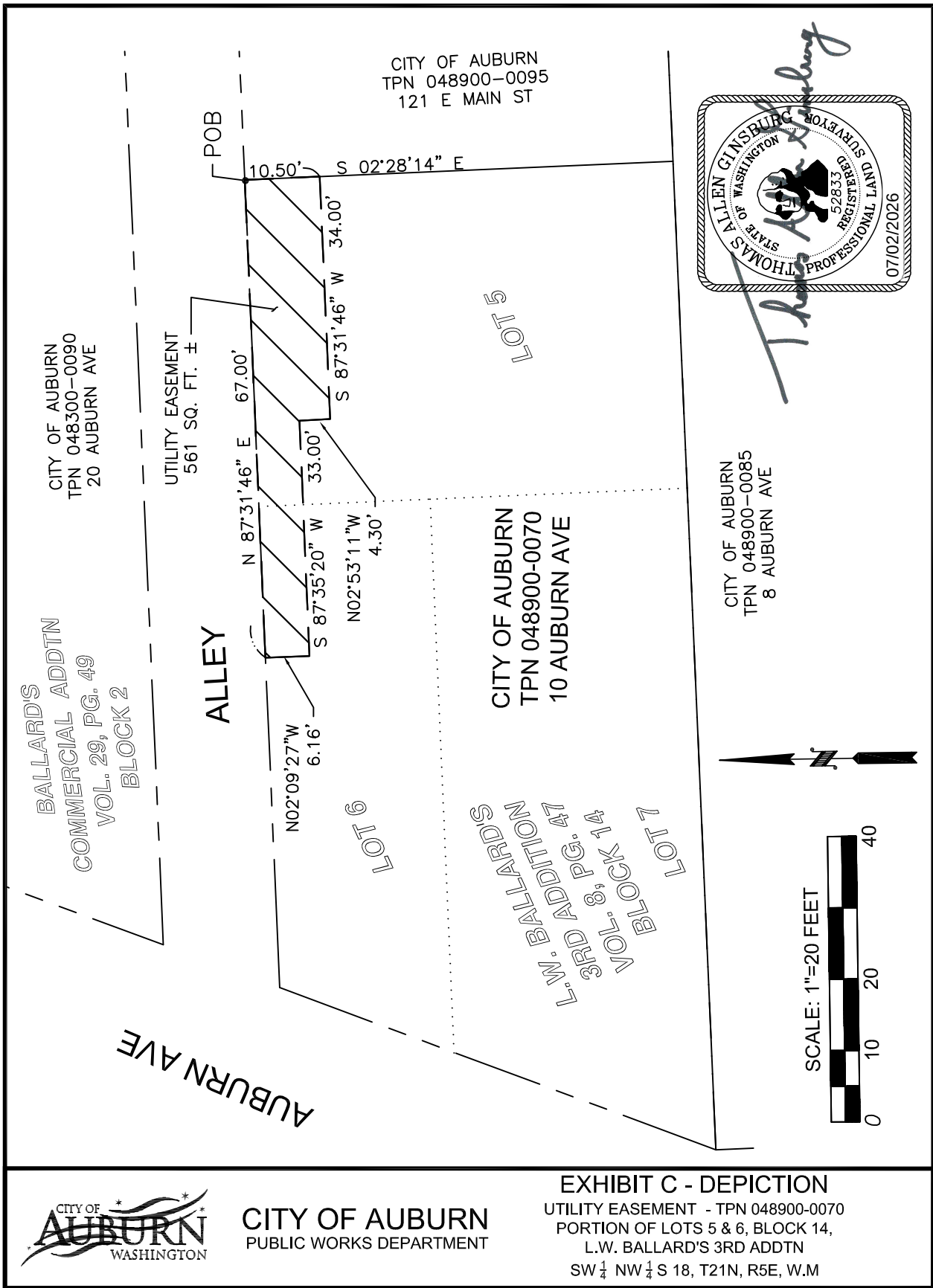
**THENCE** NORTH 02° 09' 27" WEST, 6.16 FEET TO NORTH LINE OF SAID LOT 6, BLOCK 14;

**THENCE** ALONG THE NORTH LINE OF SAID BLOCK 14, NORTH 87° 31' 46" EAST, 67.00 FEET TO **THE POINT OF BEGINNING.**

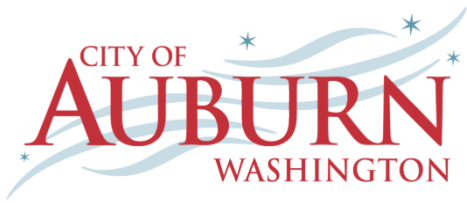
CONTAINING AN AREA OF 561 SQUARE FEET, MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 87° 31' 33" EAST BEING THE MONUMENTED CENTERLINE OF EAST MAIN STREET FROM CITY OF AUBURN (COA) MONUMENT 2870 AT THE INTERSECTION OF EAST MAIN STREET AND AUBURN AVENUE NE TO COA MONUMENT 2922 AT THE INTERSECTION OF EAST MAIN STREET AND D STREET NE.





**CITY OF AUBURN**  
PUBLIC WORKS DEPARTMENT



## AGENDA BILL APPROVAL FORM

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**Agenda Subject:**

Resolution No. 5927 (Caillier)

A Resolution declaring an Auburn Police Department Firearm as surplus property and approving its transfer to C.A.R. Arms, LLC

**Meeting Date:**

September 8, 2026

**(RECOMMENDED ACTION: Move to adopt Resolution No. 5927.)**

**Department:**

Police

**Attachments:**

Resolution No. 5926, Resolution  
No. 5926 Exhibit A, Agreement  
Exhibit A

**Budget Impact:**

No Budget Impact.

**Administrative Recommendation:**

City Council to adopt Resolution No. 5927.

**Background for Motion:**

The Auburn Police Department (APD) is requesting Council authorization to surplus a firearm previously assigned to a SWAT Sniper as it is no longer needed for operations. The firearm was removed from active service several years prior but has remained unused in the department armory since. The Resolution authorizes APD to transfer ownership to C.A.R. Arms, LLC, a licensed firearms dealer, for fair market value.

**Background Summary:**

The Auburn Police Department currently maintains an Accuracy International MKII Firearm (serial #13902), in the department armory. The firearm is no longer issued equipment and was previously removed from service. APD no longer needs the firearm for operations and received a fair market valuation of \$800 for the firearm. C.A.R. Arms, LLC, a licensed firearms dealer based in Kent, WA desires to receive the firearm and APD desired to transfer ownership for the agreed upon fair market value. C.A.R. Arms, LLC and respective employees and agents, are legally able to possess, transfer and/or receive firearms under Washington and Federal Law.

**Councilmember:** Lisa Stirgus

**Staff:** Mark Caillier



## **RESOLUTION NO. 5927**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DECLARING AN AUBURN POLICE DEPARTMENT FIREARM AS SURPLUS PROPERTY AND APPROVING ITS TRANSFER TO C.A.R. ARMS, LLC

WHEREAS, in the early 2000's, the Auburn Police Department (APD) purchased an Accuracy International MKII firearm (serial #13902, "Firearm") for use in its operations. This Firearm was assigned to designated personnel who attended Sniper training and were part of the Valley SWAT Team; and

WHEREAS, after being in use for many years, the Firearm experienced degradation in the barrel which negatively impacted the point of aim, point of impact when the Firearm was discharged. The Firearm was removed from service and stayed in the APD armory since that time; and

WHEREAS, APD no longer needs the Firearm for its operations, as APD has sufficient firearms to properly equip its officers and the department; and

WHEREAS, C.A.R. Arms, LLC (C.A.R.) is a licensed firearm dealer in Kent. C.A.R. desires to receive the Firearm from APD, and APD desires to transfer ownership of the firearm to C.A.R.; and

WHEREAS, APD and C.A.R. have agreed that C.A.R. will pay the City \$800 for the firearm transfer, which reflects the Firearm's fair market value based on its make, model, condition and depreciation; and

WHEREAS, APD, C.A.R. and their respective employees and agents are legally eligible to possess, transfer and/or receive firearms under Washington and Federal law.

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

**Section 1.** The APD Accuracy International MKII firearm serial #13902, “Firearm”, is declared surplus property to APD. APD is accordingly authorized to transfer ownership of the firearm to C.A.R. in exchange for its fair market value of \$800.

**Section 2.** The Mayor is authorized to 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

\_\_\_\_\_  
Paul Byrne, Acting City Attorney

## EXHIBIT A TO RESOLUTION

### **AGREEMENT FOR SALE OF DEPARTMENT FIREARM**

#### I. RECITALS

In the early 2000's, the City of Auburn ("City") purchased an Accuracy International MKII firearm (serial #13902, "Firearm") for use in its operations. This Firearm was assigned to designated personnel who attended Sniper training and were part of the Valley SWAT Team.

After being in use for many years, the Firearm experienced degradation in the barrel which negatively impacted the point of aim, point of impact when the Firearm was discharged. The Firearm was removed from service and stayed in the City armory since that time.

City no longer needs the Firearm in its operations since it cannot be placed in service due to the degradation of the barrel. City has sufficient firearms to support its officers and department, and the Firearm may be sold as surplus APD property pursuant to the Agreement attached as Exhibit A.

C.A.R. Firearms, LLC (C.A.R.) is a licensed firearm dealer in Kent, WA. C.A.R. desires to purchase the Firearm from City, and City desires to sell the Firearm to C.A.R.

#### II. AGREEMENT

Based on the above recitals, City and C.A.R. agree as follows:

1. Agreement to sell and to purchase. City agrees to sell its Accuracy International MKII Firearm (serial #13902) to C.A.R. In exchange, C.A.R. will pay City \$800 for the Firearm, which is the Firearm's fair market value based on its make, model, depreciation and condition.
2. No warranties. In purchasing the Firearm from City, C.A.R. has had adequate opportunity to examine and evaluate it and accepts the Firearm from City as is, with no warranties of any kind regarding the Firearm that might otherwise accompany a sale.
3. Hold Harmless. Except for City's obligation to fulfill its part of this Agreement by relinquishing ownership of the Firearm to C.A.R, C.A.R. further agrees to indemnify and to hold City and its agents and employees harmless from any and all claims, actions, suits, liability, loss, costs, expenses, and damages of any nature whatsoever, by any reason of or arising out of the Firearm or this purchase and sale of it under this Agreement. If a final judgment is rendered against City, its offices, agents, employees, and/or any of them, or jointly against City and C.A.R. and their respective officers, agents, and employees, or any of them, C.A.R. shall satisfy the same to the extent that such judgment was due to C.A.R.'s negligent acts or omissions. C.A.R. agrees that it shall bear full responsibility for the Firearm from the time of the purchase forward.

EXHIBIT A TO RESOLUTION

4. Ownership/ title transfer documents. C.A.R. agrees to be responsible for procuring and completing any necessary documentation regarding the Firearm ownership change contemplated in this Agreement. City agrees to assist C.A.R. with this responsibility by obtaining authorized signatures that may be needed to complete such documentation. To this end, City agrees to the “transaction process” and “payment” terms reflected in the attached July 21, 2026 e-mail, which is attached as Exhibit A to this agreement.
5. Authority to transfer, receive and possess firearms. C.A.R. represents and warrants that all persons associated with C.A.R. under the purchase and sale contemplated in this Agreement are authorized and legally able to receive and to possess firearms under the laws of the State of Washington and the United States.
6. Final Agreement, amendments. This agreement expresses the parties’ entire intent regarding its subject matter, and it may not be amended except in writing signed by both parties.
7. Authorized signatures, counterparts. The individuals signing below are authorized to bind their respective party to this agreement. This agreement may be signed in multiple counterparts and will become effective when signed by all parties.

**CITY OF AUBURN**

**C.A.R. Firearms, LLC**

\_\_\_\_\_  
Nancy Backus, Mayor

\_\_\_\_\_  
Signature

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

TITLE: \_\_\_\_\_

Approved as to form:

ID NUMBER: \_\_\_\_\_

\_\_\_\_\_  
Paul Byrne, Acting City Attorney

Subject: Fw: New website message from Commander Shaun Feero  
 Date: 7/22/2026 8:12 AM  
 From: "Shaun Feero" <sfeero@auburnwa.gov>  
 To: "Samuel Betz" <sbetz@auburnwa.gov>

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**Shaun W. Feero | Commander, Inspectional Services  
 Auburn Police Department**

340 East Main Street #201 | Auburn, WA 98002  
 253-288-3163 Office | 253-261-7994 Cell  
[sfeero@auburnwa.gov](mailto:sfeero@auburnwa.gov)




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**From:** C.a.R. Firearms <carfirearms@gmail.com>  
**Sent:** Tuesday, July 21, 2026 3:58 PM  
**To:** Shaun Feero <sfeero@auburnwa.gov>  
**Subject:** Re: New website message from Commander Shaun Feero

**CAUTION:** The following message originated from outside the City of Auburn. Be careful opening links and attachments

**This message needs your attention**

- This is their first email to you.

Mark Safe

Report

Powered by Mim

Hello Commander. I have checked Bluebook of guns value on this Rifle. In 60% condition it is worth \$1200.00. This rifle is not in 60% condition as it has been beat up through duty use and the barrel is completely shot out. Market value would be \$800.00 or less. Any further assistance needed please don't hesitate to contact me. Chris. CaR Firearms LLC

On Tue, Jul 21, 2026 at 3:23 PM C.A.R. Firearms Website Email <[jake@1stopleftink.com](mailto:jake@1stopleftink.com)> wrote:

**C.A.R. Firearms**

## You have a new message from "Commander Shaun Feero"

name Commander Shaun Feero

email [sfeero@auburnwa.gov](mailto:sfeero@auburnwa.gov)

phone 253-261-7994

message We have a Accuracy International MKII at your shop. I need to speak with someone about it. Please send me an e-mail for a contact to call tomorrow. Thanks!

POST URL: "contact form"  
[Click here](#) to reply to the customer.

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CaR Firearms  
253-642-7461  
[Carfirearms@gmail.com](mailto:Carfirearms@gmail.com)