

<b>Physical Address:</b> Auburn City Hall Annex, 2 <sup>nd</sup> Floor 1 E Main St	<b>Mailing Address:</b> 25 W Main St Auburn, WA 98001	<b>Phone and Email:</b> 253-931-3090 <a href="mailto:permitcenter@auburnwa.gov">permitcenter@auburnwa.gov</a>	<b>Apply Online:</b> <a href="http://www.MyBuildingPermit.com">www.MyBuildingPermit.com</a> <b>Select:</b> Auburn   Land Use   New   None   Rezone
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## INFORMATION SHEET

### What is a Rezone?

Rezoning changes the property's zoning classifications and thus, alters the legally allowable intensity and land uses to those defined in the new zone. A Rezone is a Type IV or Legislative Non-Project decision.

### What are Type IV and Legislative Non-Project Decisions?

Type IV decisions are quasi-judicial decisions made by the City Council following a recommendation by the Hearing Examiner. Per Auburn City Code [ACC 14.03.040](#), site-specific rezones fall under this category.

Legislative Non-project decisions are decisions made by City Council following a recommendation by the Planning Commission. Per [ACC 14.03.060](#), City-wide or area-wide rezones fall under this category.

### What is the difference between a Rezone and a Comprehensive Plan Map Amendment?

The zoning code and zoning map implement the land use designations outlined in the [Comprehensive Plan](#) and the [Comprehensive Plan Land Use Map](#). The Comprehensive Map contains the goals, objectives, and policies used to guide future development to the various areas of the City. For example, the R-1, R-5, and R-7 zones implement the single-family land use designation of the Comprehensive Plan and are shown on the Comprehensive Plan Land Use Map.

### Do I have to file a Comprehensive Plan Map Amendment when I apply for a Rezone?

Not necessarily. Certain land use designations provided in the Comprehensive Plan are implemented by several zoning classifications. For example, R-1, R-5, and R-7 all implement the single-family land use designation. In this case, changing the zone classification of a property from R-5 to R-7 does not require a Comprehensive Plan Map Amendment.

When the rezone proposes to change the property's zoning classification to a zone that does not implement the existing land use designation (i.e. incompatible), then a concurrent comprehensive plan map amendment application must be filed. For example, to change a property designated single family land use, from a R-1 zone to a commercial zone (e.g. C-3, Heavy Commercial) requires a comprehensive plan map amendment as well.

### How do I file a Comprehensive Plan Map Amendment?

Please consult the City's [Comprehensive Plan webpage](#), [Chapter 14.22 ACC](#), or contact Planning Services at [planning@auburnwa.gov](mailto:planning@auburnwa.gov) for more information.

### Who may initiate a Rezone?

The property owner(s) of a parcel may submit an application to reclassify a property. City Council, City Council, and the Planning Commission may also initiate the reclassification of one or multiple parcels of land.

### **What is SEPA and how does it apply to rezones?**

Rezoning may be subject to compliance with the Washington State Environmental Policy Act (SEPA) based on the presence of environmentally critical areas; projects that exceed specific thresholds (e.g. grading, number of dwelling units, timber removal, size of building); projects that require licensing for air emissions or discharges to water; projects that require a Comprehensive Plan Map Amendment; or other factors. WAC 197-11-800 provides the specific thresholds which determine whether a Non-project Action SEPA is required. If subject to SEPA, a non-project action environmental checklist application must be submitted with the application. After the Notice of Application (NOA) comment period expires, the Planning Director – who is the City's SEPA Responsible Official - issues a SEPA threshold determination (TD), or other SEPA decision as provided in Chapter 16.06 ACC, RCW 43.21 and WAC 197-11. The SEPA decision is final unless the TD is appealed, or the City revises the TD based on further comments during the appeal period.

If the SEPA Responsible Official issues a Determination of Significance (DS) because of probable significant impacts by the proposal, an Environmental Impact Statement (EIS) will be required before the City makes any decision on this application.

### **What is the Rezone process?**

1. Planning Director or designee reviews application and determines consistency with comprehensive plan → Hearing Examiner holds public hearing/issues recommendation → City Council affirms, modifies, or disaffirms rezoning;

OR

2. Planning Director or designee reviews application and determines conflict with comprehensive plan or no applicable/complete policies regarding rezoning → Planning Commission holds public hearing/issues recommendation → City Council affirms, modifies, or disaffirms rezoning and comprehensive plan amendment.

### **What is the Contract Rezone process?**

A contract rezoning outlines the conditions of approval and the obligations of the property owner in order to mitigate any impacts that may result from the rezoning. The contract binds the property owner and his heirs, assigns, and successors and runs with the land.

### **How long before I am notified if my application is complete?**

Within 28 calendar days of receiving your application, City staff will determine if the application is complete based on the attached checklist. If your application is complete, you will be notified in writing by City staff. If your application is not complete, you will be notified in writing by City staff detailing the required information to make your application complete.

### **How long before I know the Comprehensive Plan Map Amendment has been approved or denied?**

Current City code requires that all land use decisions be made within 120 days from the date of a complete application submittal unless an applicant agrees to extend the processing of the application longer than 120 days.

If applicable to the rezoning application, concurrent comprehensive plan amendment applications received within the annual review cycle will be forwarded to the City of Auburn Planning Commission for public hearing in Fall. Following the Planning Commission public hearing and recommendation, the City Council will consider the amendments. Final action by the Auburn City Council typically occurs during the month of December.

*PLEASE NOTE: Applicants are responsible for complying with all City Codes and ordinances; and should review all City regulations that may be applicable to their proposed project. For assistance in determining which regulations are applicable, please contact the City of Auburn Permit Center.*

## **Rezone – Submittal Checklist**

**What is required to be uploaded to [www.MyBuildingPermit.com](http://www.MyBuildingPermit.com)?**

- ☐ **[Owner Authorization Form\(s\)](#)** for all owners involved.
- ☐ **Written Statement** including proposed rezone's consistency with the approval criteria listed under [Auburn City Code \(ACC\) 18.68.040](#).
- ☐ **Legal Description.** Provide on a separate sheet a legal description of the property(ies) upon which zoning will change. The legal description shall be prepared by a professional land surveyor registered in the State of Washington.
- ☐ **SEPA Checklist.** Submit a completed environmental checklist together with the Supplemental Sheet for Non-Project Actions and any supporting documentation, such as a critical areas report (see below), or information to address potential or known environmental impacts resulting from the proposal.
- ☐ **Critical Areas Report.** If applicable, addressing compliance ACC 16.10 (Critical Areas) prepared by a qualified consultant as defined by ACC 16.10.020 as a person who has attained a degree from an accredited college or university in the subject matter necessary to evaluate the critical area in question (e.g., biology, ecology, or horticulture/arboriculture for wetlands, streams, wildlife habitat, and geology and/or civil engineering for geologic hazards, and hydrogeologist for ground water protection areas), and/or who is professionally trained and/or certified or licensed by the State of Washington to practice in the scientific disciplines necessary to identify, evaluate, manage, and mitigate impacts to the critical area in question.
- ☐ **Traffic Impact Analysis.** If the rezone application is for a new use or an expanded use that will generate traffic, safety or other issues, the City Engineer may require submittal of a traffic analysis prepared by a professional engineer licensed in the State of Washington. The City Engineer may make this determination prior to application submittal as part of a [pre-application conference](#) meeting request or as part of coordination with the applicant prior to application submittal.
- ☐ **Site Plan - The following graphic features shall be shown on the drawing:**
  - Vicinity Map, sufficient to define the property location and boundaries
  - North arrow, numeric/graphic scale, and date plan was prepared;
  - Boundaries and dimensions of the property;
  - Adjacent public streets;
  - Easements, existing and proposed;
  - Location and size of all existing and proposed utilities;
  - Location of all other buildings, including setbacks;
  - Location and layout of off-street parking;
  - Location and height of fences;
  - Location and size of signs;
  - Height of structures;
  - Points of access, interior streets, driveways, and parking areas existing and proposed;
  - Location of refuse storage locations, bicycle parking areas, and pedestrian/bike paths;
  - Proposed right-of-way, dedications, and improvements;
  - Location of storm water quality/detention facilities;
  - Boundaries of development phases, if applicable; and
  - Flood hazards, geological hazards (seismic, steep slope, landslide, erosion), groundwater protection areas, streams, significant trees, wetlands, and wildlife habitat.

**PDF Requirements:** All documents shall be submitted in unsecured and flattened PDF format. Each document shall be uploaded as a separate PDF file and clearly named by document title; common acronyms are okay (e.g., SSP – Stormwater Site Plan/Report, Geotech – Geotechnical Report, TIA – Traffic Impact Analysis/Study/Memo, CAR – Critical Areas Report).

Example: Smith Building – Prelim SSP.pdf

## WRITTEN STATEMENT OF DECISION CRITERIA FOR REZONE

In a written statement please fully describe the proposal and its conformance with the following criteria as specified in [\(ACC\) 18.68.040](#) (provided below):

- A. The rezone implements the policies of the comprehensive plan; or
- B. The rezone is necessary due to a substantial change in circumstances since the current zoning; and
- C. The rezone bears a substantial relationship to the public health, safety, or welfare.