



REZONE APPLICATION – INTRODUCTION

TYPE IV & LEGISLATIVE NON-PROJECT

What does Type IV and Legislative Non-project refer to?

Type IV decisions are quasi-judicial decisions made by the City Council following a recommendation by the Hearing Examiner. Site-specific rezones fall under this category.

Legislative non-project decisions are decisions made by City Council under its authority to establish policies and regulations. City-wide or area-wide rezones fall under this category.

What is a Rezone?

Rezoning changes the property’s zoning designation and thus, altering the legally allowable intensity and land uses to those defined in the new zone in which the property now resides in.

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

The zoning code/map serves as the primary implementation instrument of the land use designations outlined in the comprehensive plan map. The comprehensive plan map applies the goals, objectives, and policies used to guide future development to the various areas of the City.

For example, R-1, R-5, and R-7 zones are the appropriate implementation of the single family land use designation on the comprehensive plan map, which carries the goal of designating and protecting areas for predominantly single family dwellings.

A rezone, in itself, changes the property’s zoning designation. A comprehensive plan map amendment changes the property’s land use designation **and** its associated zoning designation.

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 allow for several appropriate zones of implementation. For example, R-1, R-5, and R-7 are all appropriate zones for the single family land use designation on the comprehensive plan map.

When the rezone changes the property’s zoning designation to a zone incompatible with a land use designation per comprehensive plan however, then a concurrent comprehensive plan map amendment application must be filed. For example, to change a property residing within the single family land use designation from a R-1 zone to a C-3 would require a comprehensive plan map amendment to be filed as well.

How do I file a Comprehensive Plan Map Amendment?

Please consult the Comprehensive Plan Map Amendment Application Packet and ACC 14.22 for more information.

Who may initiate a Rezone?

The property owner(s) of a parcel may submit an application to reclassify said parcel. City Council, City Council’s Planning and Development Committee, and the Planning Commission may motion to reclassify one or multiple parcels of land.

REZONE APPLICATION – INTRODUCTION [CONTINUED]

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; or other factors. WAC 197-11-800 provides the specific thresholds which determine whether SEPA is required. If subject to SEPA, an environmental checklist application must be submitted with the application. After the Notice of Application 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 ACC 16.06, 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 rezoning process?

For applications initiated by property owner(s):

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

Or,

2. Planning Director reviews application/**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 a Contract Rezone?

A contract rezoning outlines the conditions of approval and the obligations of the property owner in order to mitigate for any impacts that may result from the result. 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?

At the time you submit an application, you must submit all of the written and graphic information listed in this application under "Rezoning Application Submittal Checklist": 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 receive a letter from City staff detailing required information to make your application complete.

REZONE APPLICATION – INTRODUCTION [CONTINUED]

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 his/her application longer than 120 days.

If applicable to the rezone 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.



CITY OF AUBURN
 Planning & Development Department
 Auburn City Hall Annex, 2nd Floor
 1 East Main Street
 Auburn, Washington 98001-4998
 Tel: 253.931.3090
 Fax: 253.804.3114
permitcenter@auburnwa.gov
www.auburnwa.gov

OFFICE USE ONLY

FILE #: _____
FILE NAME: _____

TYPE: _____ **RECEIVED BY:** _____
FEES PAID: _____ **CHECK/CASH:** _____
SUBMITTAL DATE: _____
LAND USE DESIGNATION: _____

REZONE APPLICATION

APPLICANT: Use mailing address for meeting notification. Check box if Primary Contact

COMPANY: _____
ADDRESS: _____
 (CITY, STATE, ZIP) _____
PHONE: _____ **FAX:** _____ **E-MAIL:** _____

SIGNATURE: _____ **PRINTED NAME:** _____
 (Signature Required)

APPLICANT'S REPRESENTATIVE: Check box if Primary Contact

COMPANY: _____
ADDRESS: _____
 (CITY, STATE, ZIP) _____
PHONE: _____ **FAX:** _____ **E-MAIL:** _____

SIGNATURE: _____ **PRINTED NAME:** _____
 (Signature Required)

PROPERTY OWNER(S): Attach separate sheet if needed. Check box if Primary Contact

COMPANY: _____
ADDRESS: _____
 (CITY, STATE, ZIP) _____
PHONE: _____ **FAX:** _____ **E-MAIL:** _____

SIGNATURE: _____ **PRINTED NAME:** _____
 (Signature Required)

Note: Applicant or representative must have property owner's consent to file this application form in order for it to be accepted

PROPERTY INFORMATION (REQUIRED)

| | | | |
|--|-----------------|------------------------|------------------------------------|
| SITE ADDRESS: _____ | | | EXISTING USE OF SITE: _____ |
| ASSESSOR'S PARCEL ID# | LOT SIZE | ZONING DISTRICT | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | PROPOSED USE OF SITE: _____ |
| _____ | _____ | _____ | _____ |
| AREA TO DEVELOPED (s.f.): _____ | | | _____ |



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**REZONE
APPLICATION**

REZONE – LETTER OF AUTHORIZATION

(A copy of this letter must be submitted for each property owner involved)

I, _____ declare under penalty of perjury under the laws of the State of Washington as follows;

1. I am the owner of the property that is the subject of the application.
2. I [] have not appointed anyone, or [] have appointed _____ , to act as my agent regarding this application.
3. All statements, answers, and information submitted with this application are true and correct to the best of my knowledge and belief.
4. I agree to hold the City of Auburn harmless as to any claim (including costs, expenses and attorney’s fees incurred in the investigation of such claim) which may be made by any person, including the undersigned, and filed against the City of Auburn, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as part of this application.
5. I hereby grant permission for representatives of the City of Auburn and any other Federal, State, or local unit of government with regulatory authority over the project to enter onto my property to inspect the property, take photographs, and post public notices as required in connection with review of this application and for compliance with the terms and conditions of permits and approvals issued for the project.

Signature

Printed Name

Date

City and State where signed

Address



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REZONE APPLICATION

REZONE – CONCURRENT APPLICATIONS

Please indicate whether you are submitting one or more concurrent applications with this application by checking one or more of the boxes below:

Type I Applications

(administrative decisions made by the city which are not subject to environmental review under the State Environmental Policy Act [SEPA]):

- Administrative Use Permit
- Boundary Line Adjustment
- Boundary Line Elimination
- Building Permit
- Excavation Permit
- Floodplain Development Permit
- Grading Permit
- Home Occupation Permit
- Land Clearing Permit
- Mechanical Permit
- Plumbing Permit
- Public Facility Extension Agreement
- Right-of-way Use Permit
- Short Subdivision
- Special Permit
- Temporary Use Permit (administrative)

Utility Permit

Type II Applications (administrative decisions made by the city which include threshold determinations under SEPA):

- Administrative Use Permit
- Building Permit
- Floodplain Development Permit
- Grading Permit
- Land Clearing Permit
- Public Facility Extension Agreement
- Short Subdivision

Type III Applications (quasi-judicial final decisions made by the hearing examiner following a recommendation by staff):

- Conditional Use Permit
- Preliminary Plat
- Special Exceptions

Special Home Occupation Permit

Substantial Shoreline Development Permit

Surface Mining Permit

Temporary Use Permit

Variance

Type IV Applications (quasi-judicial decisions made by the city council following a recommendation by the hearing examiner):

Rezone (site-specific)

OTHERS - as may apply:

- SEPA _____
- SHORELINE EXEMPT _____
- _____
- _____



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REZONE – SUBMITTAL CHECKLIST

DIGITAL COPIES OF WRITTEN MATERIALS & GRAPHICS

Please provide a labeled readable compact disc(s) containing digital versions of all submitted written materials and plans and graphics for use by the City of Auburn during the rezone review process. Staff will use this information in report preparation and public noticing so please be sure to provide current and accurate information. Written materials should be submitted to be compatible with Microsoft Office desktop software products. Plans and graphics should be submitted in *pdf* or *tif* format.

APPLICATION FEES - Make checks payable to the City of Auburn

All application fees, including, but not limited to: Rezone, Environmental Review, and Public Notice Board Posting Fee. Some fees will not be invoiced until actual costs are known. Link to current fee schedule can be found @ <http://www.auburnwa.gov/community/about/forms.asp>.

WRITTEN MATERIALS – Total of ten (10) copies unless otherwise noted

A. **APPLICATION FORM** Provide a **completed** application form signed by the property owner(s) and/or applicant with the completed Application Submittal Checklist. (**One [1] original and 9 copies**)

B. **LETTER OF AUTHORIZATION** Provide a letter of authorization to act contained with this application packet inclusive of all required signatures.

C. **CONCURRENT APPLICATIONS FORM** Identify applications that are being submitted concurrent with the map amendment application. Make sure to mark off rezone and SEPA (if applicable).

D. **WRITTEN STATEMENT** about how the proposed rezone complies with following decision criteria:

1. The intent of the zoning code and the comprehensive plan of the City. Is the rezone consistent with the comprehensive plan?
2. The availability of municipal services such as water, sewer, roads, fire, and police protection which might be required by reason of the proposed rezone.

- E. **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.
- F. **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.
- G. **CRITICAL AREAS REPORT (6 copies)**, 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.

| Known or Suspected Critical Area | Class | Analysis Required | Analysis Prepared |
|---|-------|--------------------------|--------------------------|
| <input type="checkbox"/> Wetlands | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Stream | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Wildlife Habitat Area | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Geologic Hazard Area Seismic, steep slope, landslide, & erosion | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Groundwater Protection Area | _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| Other: | | | |
| <input type="checkbox"/> Flood Hazard - ACC 15.68 | _____ | <input type="checkbox"/> | <input type="checkbox"/> |

- H. **TRAFFIC IMPACT ANALYSIS (6 copies).** 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.
 - Traffic Analysis required and attached.
 - Traffic Analysis is not applicable as determined by the City Engineer
 - Don't know

PLANS & GRAPHICS - Total of ten (10) copies unless otherwise noted

- A. **SCALE & LEGIBILITY** All plans, except architectural elevations, should be to scale (engineering scale) and drawn on **24" x 36"** reproducible Mylar or similar paper at a scale no less than **1"=50'**. An index sheet, in above-specified size, is required for multi-sheet submittals. All plans should be folded to fit a legal size file jack.
- B. **VICINITY MAP** sufficient to define the parcel's location and boundaries including, but not limited to:
- 1. Parcel number of the property for proposed rezone;
 - 2. North arrow, graphic scale, and date plan was prepared;
 - 3. Location and boundaries of existing and proposed land use and zoning designations;
- C. **SITE PLAN:**
- 1. North arrow, graphic scale, and date plan was prepared;
 - 2. Boundaries and dimensions of the property;
 - 3. Acreage of the property;
 - 4. Adjacent public streets;
 - 5. Existing and proposed easements and such easements' purposes;
 - 6. Location and size of all existing and proposed utilities, including sewer, storm drainage, and water lines lying within or adjacent to the property
 - 7. If known, Location and height of buildings and structures, existing and proposed, with setbacks;
 - 8. If known, Location and layout of off-street parking, loading, and unloading areas;
 - 9. Location of walls and fences around the perimeter of the property, and an indication of their height and materials;
 - 10. If applicable, flood hazards, geological hazards (seismic, steep slope, landslide, erosion), groundwater protection areas, streams, significant trees, wetlands, and wildlife habitat.