



CITY OF AUBURN

Planning & Development Department
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ADMINISTRATIVE USE PERMIT APPLICATION

ADMINISTRATIVE USE PERMIT APPLICATION - INTRODUCTION

(TYPE I, TYPE II, & TYPE III DECISIONS)

What is an Administrative Use Permit?

An administrative use permit is a land use decision most often made by the Department head to allow a certain land use that is not permitted outright within a City specified zoning district. Administrative uses typically require an expanded degree of control to make sure the uses are consistent with, and compatible to, other existing and permitted uses within a zone.

What does Type I, Type II, and Type III refer to?

Type I decisions are administrative decisions made by the City which are not subject to environmental review under the State Environmental Policy Act (SEPA) codified at Chapter 43.21C RCW.

Type II decisions are typically administrative decisions made by the City which include threshold determinations under SEPA. When SEPA is required, the City issues a notice of application which has a public comment period.

Type III decisions are quasi-judicial decisions made by the City of Auburn Hearing Examiner following recommendation by staff. In cases where the application information requires clarification, raises sensitive public policy issues, and/or the comment period demonstrates a substantial degree of public concern, the planning director will forward the application for a decision by the Hearing Examiner.

In each case, the written decision of the Planning Director can be appealed to the Hearing Examiner and the written decision of the Hearing Examiner appealed to the Superior Court of the county in which the property is located.

What is SEPA and when is it applicable?

Administrative use permits 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.

QUESTIONS? PHONE 253.931.3090 or E-MAIL permitcenter@auburnwa.gov

ADMINISTRATIVE USE PERMIT APPLICATION - INTRODUCTION [CONTINUED]

What is the role of the Hearing Examiner?

The Hearing Examiner is responsible by City Code to interpret, review, and implement land use regulations and other ordinances and regulations. He/she reviews recommendations from City Staff and conducts a public hearing where the public can make written and verbal comments on the application. Following the public hearing, the Hearing Examiner issues a written decision.

When will I know if my application has been forwarded to the Hearing Examiner for a decision?

A written notice will be sent to you within 10 days after the public comment period's close detailing the reason(s) why the permit application was sent to the Hearing Examiner. At this time, supplemental permit review fees will need to be paid in order for the application process to continue. **THE APPLICATION WILL BE DEEMED WITHDRAWN IF THE FEES ARE NOT PAID WITHIN 30 DAYS OF NOTIFICATION BY THE CITY.**

Do I need to be at the Public Hearing for an Administrative Use Permit?

Current City code specifies that the owner or the owner's authorized representative must attend the public hearing. If the owner or the owner's authorized representative is not present at the public hearing, current City code directs that the administrative use application be tabled or public hearing not held until a representative is in attendance.

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

At the time of filing an application, you must submit all of the written and plan information listed in this application under "Administrative Use Application Submittal Checklist": Within 28 calendar days of receiving your application, City staff will determine if the application is complete based on this 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.

How long before I know whether my Administrative Use Permit application is 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 the applicant and city mutually agree to extend the processing of his/her application longer than 120 days.

How long are Administrative Use Permits valid for?

Current city code specifies that an approved administrative use permit must be implemented within two (2) years. If a building permit or occupancy permit has not been issued within the two (2) year period, an approved administrative use permit will become void. A change in use or hours of operation (if specified) outside of that authorized by the implemented administrative use permit will also void the permit.

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.



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**ADMINISTRATIVE USE PERMIT APPLICATION
SUBMITTAL CHECKLIST**

DIGITAL COPIES OF WRITTEN MATERIALS AND PLANS & GRAPHICS.

- Provide electronic files of all submitted written materials and plans and graphics for use by the City of Auburn during the development review process. Staff will use this information in report preparation and public noticing so please be sure to provide current and accurate information. Documents totaling less than 20 MBs may be attached to the email submittal to applications@auburnwa.gov. If total file size is more than 20 MBs then email only the application form to applications@auburnwa.gov and you will be provided with a Dropbox link to upload all of the documents. Please allow until the end of the following business day for a Permit Technician to contact you with further instructions and to arrange payment and complete the intake process.

PDF REQUIREMENTS.

- All documents shall be submitted in *unsecured* and *flattened* PDF format. Each document shall be separate PDF documents and clearly named by document title (common acronyms are OK, 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 MATERIALS

- A. **APPLICATION FORM** Provide a completed Master Land Use Application Form
- B. **LETTER OF AUTHORIZATION** Provide **one original** letter of authorization to act contained with this application packet inclusive of all required signatures.
- C. **NOT USED**
- D. **WRITTEN STATEMENT OF CONFORMANCE WITH CRITERIA.** Provide a detailed description of the proposed project or proposal including, but not limited to: the changes to the site, structure, landscaping, parking and land use and addressing how proposal meets criteria of ACC 18.64.040 (Findings of Fact). These code criteria are listed at the end of this application packet.
- E. **SEPA CHECKLIST APPLICATION.** If the administrative use will result in a project that is not categorically exempt from SEPA under state and city rules or will impact lands designated as critical areas, the Planning Director will require a **completed** copy of an environmental checklist together with any supporting documentation or information to address potential or known environmental impacts resulting from the proposal.

- F. ADDITIONAL PUBLIC NOTICE REQUIREMENTS DOCUMENTATION** demonstrating completion of additional public noticing per ACC 18.64.020(1), if applicable.
- G. NEIGHBORHOOD REVIEW MEETING DOCUMENTATION.** Submit required documentation for neighborhood review meeting required by ACC 18.02.130, if applicable. Neighborhood review meetings are required by ACC 18.02.130.B for residential subdivision project comprising forty (40) or more lots or units; or multi-family residential project comprising forty (40) or more units; or mixed-use development project comprising forty (40) or more units.
- H. WRITTEN/PLAN/GRAPHIC EVIDENCE OF COMPLIANCE TO MULTI-FAMILY/MIXED USE DESIGN STANDARDS AND INFILL STANDARDS.** If applicable to the proposed project, submit required written and plan/graphic documentation demonstrating compliance to the applicable design standards for multi-family or mixed use development contained within the City of Auburn "Multi-Family/Mixed Use Developments Design Standards". If infill standards apply, submit required written and plan/graphic documentation demonstrating compliance with ACC18.25.

PLANS & GRAPHICS

- A. SCALE & LEGIBILITY** All plans, except architectural elevations, should be to scale (engineering scale) and should have a maximum sheet size of **24" x 36"**, at a scale not less than 1"=40'. Architectural elevations may be drawn to an architectural scale and should have a maximum sheet size of **24" x 36"**. All plans should be folded to fit a legal size file jacket.
- B. SITE PLAN:**
1. Vicinity Map;
 2. North arrow, graphic scale, and date plan was prepared;
 3. Boundaries and dimensions of the property;
 4. Adjacent public streets;
 5. Easements, existing and proposed;
 6. Location and size of all existing and proposed utilities;
 7. Location of all buildings, including setbacks;
 8. Location and layout of off-street parking;
 9. Location and height of fences;
 10. Location and size of signs;
 11. Conceptual landscape plan (refer to Item D below for more information);
 12. Height of structures;
 13. Building elevations (refer to Item C below for more information);
 14. Points of access, interior streets, driveways, and parking areas;
 15. Location of refuse storage locations, bicycle parking areas and pedestrian/bike paths;

- 16. Proposed right-of-way, dedications and improvements;
- 17. Location of storm water quality/detention facilities;
- 18. Boundaries of development phases, if applicable; and,
- 19. Flood hazards, geological hazards (seismic, steep slope, landslide, erosion), groundwater protection areas, streams, significant trees, wetlands, and wildlife habitat.

C. ARCHITECTURAL ELEVATIONS: If the administrative use involves constructing or modifying a building or other structure, provide architectural elevation views of the proposed construction or modification. These drawings should include dimensions of the building(s) or other structure(s) and the type and occupancy of the buildings or structures per the International Codes. Indicate the proposed exterior materials, colors, and textures.

D. CONCEPTUAL LANDSCAPING/PLAN prepared in accordance with ACC 18.50 (Landscaping and Screening) inclusive of:

- 1. North arrow, graphic scale, and date plan was prepared;
- 2. Boundaries and dimensions of the property;
- 3. Adjacent public and private streets;
- 4. Location of on-site buildings;
- 5. Location of on-site parking areas;
- 6. Location of outdoor storage areas;
- 7. Location and size of landscape areas;
- 8. Location of significant trees;
- 9. Location of water source(s);
- 10. Location and arrangement of proposed on-site and off-site plantings at maturity; location, description, and extent of proposed ground cover(s); and related natural and artificial features that are proposed or existing, such as retaining walls, curbing, fences, and fountains; and,
- 11. Proposed building and site lighting, especially if proposed to be softened or screened by landscaping/planting.

WRITTEN STATEMENT OF DECISION CRITERIA FOR ADMINISTRATIVE USE PERMITS

In a written statement please fully describe the proposal and its conformance with the following criteria as specified in ACC 18.64.040 (Findings of Fact).

- A. The use will have no more adverse effect on the health, safety or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. Among matters to be considered are traffic flow and control, access to and circulation within the property, off-street parking and loading, refuse and service area, utilities, screening and buffering, signs, yards and other open spaces, height, bulk, and location of structures, location of proposed open space uses, hours and manner of operation, and noise, lights, dust, odor, fumes and vibration;
- B. The proposal is in accordance with the goals, policies and objectives of the comprehensive plan;
- C. The proposal complies with all requirements of the zoning code;
- D. The proposal can be constructed and maintained so as to be harmonious and appropriate in design, character, and appearance with the existing or intended character of the general vicinity;
- E. The proposal will not adversely affect the public infrastructure; and,
- F. The proposal will be supported by adequate public facilities and services and will not adversely affect the public infrastructure;
- G. The proposal's impacts can be appropriately mitigated through the application of conditions of approval, as applicable.