

ORDINANCE NO. 6976

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
AUBURN, WASHINGTON, AMENDING THE
COMPREHENSIVE ZONING MAP**

WHEREAS, since 1986 the City of Auburn has maintained a Comprehensive Plan, periodically updated and reaffirmed by the City Council, that includes a Map establishing the location of the Comprehensive Plan Land Use Designations throughout the City;

WHEREAS, the City also maintains a "Zoning map," labeled the "Comprehensive Zoning Map of the City of Auburn, Washington," dated June 1, 1987, adopted by Ordinance No. 4230;

WHEREAS, the zoning map is adopted and made a part of the comprehensive zoning ordinance, with the most current amended copy serving as the official zoning map;

WHEREAS, the Comprehensive Plan Land Use Designations and Zoning Districts were updated under the periodic Comprehensive Plan Update completed under Ordinance No. 6960;

WHEREAS, as part of the periodic Comprehensive Plan Update, six parcels were (land use) designed as Mixed Use but erroneously identified as P-1, Public Use. The parcels were King County parcel numbers: 0004200010, 0004200020, 0004200027, 0004200011, 0004200028, and 0004200021;

WHEREAS, pursuant to the Land Use Element of the Comprehensive Plan, the P-1, Public Use zone implements the Public/Quasi-Public land use designation and R-NM Neighborhood Mixed-Use zone implements the Mixed-Use land use designation;

WHEREAS, it is the intent of the zoning districts to implement the Comprehensive Plan Land Use Designations and must be consistent with the future land use map;

WHEREAS, pursuant to ACC 18.68.030 an “Area-Wide Rezone” is a rezone initiated either by the city or by multiple property owners that applies to a significant number of properties, as determined by the director of community development and is processed as a legislative nonproject decision, consistent with ACC 14.03.060;

WHEREAS, pursuant to WAC 197-11-800(6)(c)(i)-(iii) a rezone is exempt if the project is in an urban growth area in a city or county planning under RCW 36.70A.040, the proposed rezone is consistent with and does not require an amendment to the comprehensive plan, and the applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption and the EIS adequately addressed the environmental impacts of the rezone;

WHEREAS, pursuant to Chapter 36.70A RCW, a Final Environmental Impact Statement (FEIS) completed for the periodic Comprehensive Plan Update, and the City did not act upon the FEIS until November 8, 2024;

WHEREAS, pursuant to Commerce guidance a 60-day notice is not required for on site-specific rezones that does not include an amendment to the comprehensive plan; they are considered a project permit application and not a development regulation amendment even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city;

WHEREAS, it is the intent of this Ordinance to correct the erroneous zoning of the six parcels; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Change the zoning district of King County parcel numbers: 0004200010, 0004200020, 0004200027, 0004200011, 0004200028, and 0004200021 from P-1, Public Use to R-NM Neighborhood Mixed-Use, as set forth 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. **Effective date.** This Ordinance will take effect and be in force five days from and after its passage, approval, and publication as provided by law.

INTRODUCED: _____

PASSED: _____

APPROVED: _____

NANCY BACKUS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Shawn Campbell, MMC, City Clerk

Jason Whalen, City Attorney

Published: _____