

Title 17 Land Adjustments and Divisions

17.14.080 Underground utilities.

A. Consistent with ~~ACC~~ Titles 12 and 13 ~~ACC~~ and the city's ~~design and construction standards~~ Engineering Design and Construction Standards, all utility lines serving the subdivision, including but not limited to power, telephone and television cables, shall be installed underground. Adequate easements shall be provided for all such utility lines which will not be located within public ~~right-of~~-way. Television conduit and miscellaneous hardware shall be installed according to the requirements of Chapter ~~13.36~~ 20.06 ACC.

B. Whenever an intersection of an arterial and any other street is constructed or improved under the requirements of this title, and when the city engineer has determined that traffic signalization of such intersection will be needed in the future, the city engineer may require the installation, at the ~~subdivider's~~ applicant's expense, of underground conduit which will be necessary for and will facilitate such future signalization. (Ord. 6239 § 1, 2009; Ord. 5164 § 1, 1998; Ord. 4296 § 2, 1988. Formerly 17.12.240.)

Chapter 17.28
INFRASTRUCTURE CONDUIT

[\[Repealed\]](#)

Sections:

~~17.28.010 — Infrastructure conduit in streets.~~

~~17.28.010 — Infrastructure conduit in streets.~~

~~In addition to the other requirements set forth in this title, any time street improvements or right-of-way improvements are to be provided in connection with development activity governed hereby, the city review process shall determine in consultation with public works, police, parks, arts, and recreation, planning and development departments, information services, and with the local fire authority, whether conduit at least three inches in diameter should be included therein, in which cases, if so required, the applicant shall construct said improvement in conformance with the public facility extension requirements of Chapter 13.40 ACC. (Ord. 6414 § 3, 2012.)~~

Title 18 Zoning

18.02.040 Applicability.

A. The provisions of this title shall apply to both public and private use of land within the corporate limits of the city.

B. Hereafter, no use shall be conducted, and no building, structure and appurtenance shall be erected, relocated, remodeled, reconstructed, altered or enlarged unless in compliance with the provisions of this title, and then only after securing all permits and approvals required hereby. It shall be unlawful to build or use any building or structure or to use premises in the city for any purpose or use other than the uses listed as being permitted in the zone in which such building, land, or premises is located.

C. Any building, structure or use lawfully existing at the time of passage of this title, although not in compliance herewith, may continue as provided in Chapter 18.54 ACC.

D. No division of land shall occur unless in compliance with the provisions of this title and ~~ACC~~ Title 17 ACC, Land Adjustments and Divisions.

E. This title is not intended to regulate work of any kind conducted in or on the public ways as defined in ACC 20.02.020. ~~the erection, construction, or reconstruction of public streets, power poles, street lights, utility facilities, utility conveyance or storage systems, transmission lines, or other public uses necessary to support the general public welfare, carried on by the city, or agents of the city working under the appropriate contract or franchise.~~ (Ord. 6245 § 2, 2009; Ord. 5026 § 1, 1997; Ord. 4773 § 1, 1995; Ord. 4229 § 2, 1987. Formerly 18.02.030.)

18.04.912 Wireless communications - Definitions.

~~“Wireless communications” means the provision of any personal wireless service, as defined in the Telecommunications Act of 1996, and for the purposes of this title includes the following terms:~~

A. “Antenna” means any devise used to transmit and/or receive radio or electromagnetic waves such as, but not limited to panel antennas, reflecting discs, microwave dishes, whip antennas, directional and non-directional antennas consisting of one or more elements, multiple antenna configurations, or other similar devices and configurations, and exterior apparatus designed for telephone, radio, or television communications through the sending and/or receiving of wireless communications signals.~~a device used in wireless communications which transmits and/or receives radio signals. Antennas include the following types:~~

- ~~1.—Accessory: Antennas including, but not limited to, test mobile antennas and Global Positioning System (GPS) antennas which are less than 12 inches in height or width and do not directly provide personal wireless communication.~~
- ~~2.—Directional or panel: An antenna or array of antennas designed to transmit a radio signal in a particular direction typically encompassing an arc of 120 degrees. Panel antennas, also called directional antennas, are typically flat, rectangular devices approximately six square feet in size.~~
- ~~3.—Dish or parabolic: A bowl-shaped device for the reception and/or transmission of radio frequency communications signals in a specific directional pattern.~~
- ~~4.—Whip, rod or omni-directional antenna: An antenna, tubular in shape, that transmits and receives signals throughout a 360-degree range.~~
- ~~5.—Other: All other transmitting or receiving equipment not specifically described herein shall be regulated in conformity with the type of antenna defined herein which most closely resembles such equipment.~~

B. “Antenna array” means ~~one or more rods, panels, discs or similar devices attached to a support structure used for the transmission or reception of radio frequency signals.~~

GB. “Attached wireless communications facility-~~(WCF)~~” means a wireless communication facility that is affixed to an existing structure other than a Tower. Examples of attached wireless communication facilities include antennas affixed to or erected upon existing buildings, water tanks, or other existing structures. ~~an antenna array which is attached to an existing building or structure.~~

C. “Base station” means the structure or equipment at a fixed location that enables wireless communications, licensed or authorized by the FCC, between user equipment and a communications network. By way of example, a building, ballfield structure or a utility pole outside of the public way, becomes a base station once wireless facilities are permitted and attached. The term does not encompass a wireless communication tower as defined in this title or any equipment associated with a wireless communication tower.

D. “Camouflage”, “concealment”, or “camouflage design techniques” means that a wireless communication facility is camouflaged or utilizes camouflage design techniques when any measures are used in the design and siting of wireless communication facilities with the intent to minimize or eliminate the visual impact of such facilities to surrounding uses. A wireless communication facility site utilizes camouflage design techniques when it (1) is integrated in an outdoor fixture such as a flagpole, or (2) uses a design which mimics and is consistent with the nearby natural or architectural features (such as an artificial tree), or (3) is incorporated into (including, without limitation, being attached to the exterior of such facilities and painted to match it) (such as a belvedere or a dormer), or replaces existing permitted facilities (including without limitation, freestanding light standards) so that the presence of the wireless communication facility is minimized or not readily apparent. The terms do not include fencing and landscape screening that is used to enhance visual compatibility at ground level

ED. “Carrier” means a company providing wireless communication services, also referred to as a wireless service provider.

EE. “Co-location” means: (1) mounting or installing a WCF on a pre-existing structure, and/or (2) modifying a structure for the purpose of mounting or installing a WCF on that structure. Provided that, for purposes of Eligible Facilities Requests, “Co-location” means the mounting or installation of transmission equipment on an

Eligible Support Structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes. ~~the use of a common WCF or site by two or more wireless license holders, or by one wireless license holder for more than one type of communications technology.~~

G. “Eligible facilities request” (EFR) means any request for modification of an existing wireless communication tower or base station that was previously authorized by the local permitting jurisdiction and that does not substantially change, as defined in this Section, the physical dimensions of such wireless communication tower or base station from the original authorization involving: (1) co-location of new transmission equipment, (2) removal of transmission equipment, or (3) replacement of transmission equipment.

H. “Eligible Support Structure” means an existing wireless communication tower or base station as defined in this title and that has proposed alterations that meet the standards of an eligible facilities request

~~F~~I. “Equipment facility” means a structure used to contain ancillary equipment for a WCF which may include cabinets, shelters, an addition to an existing structure, pedestals and other similar structures.

J. “Emergency wireless communication facility (EWCF)” means any structure not entirely within an enclosed building or vehicle, including antennas, guy wires, microwave dishes or horns, structures or towers to support receiving and/or transmitting devices, accessory buildings, i.e., equipment storage buildings, energy power generating housing, and the leased or owned property surrounding the wireless communication tower and any access or utility easements, that is used for the transmission or reception of electromagnetic waves for emergency communication purposes, operated by a local public agency responsible for providing emergency services

K. “Existing” means a constructed tower or base station if it has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

GL. “Microcells” are typically located in and exclusively benefit residential neighborhoods. Microcells consist of an antenna that is either: (1) a dish or parabolic antenna that is no more than four feet in height and with an area of not more than 580 square inches; or (2) a tubular antenna that is no more than four inches in diameter and no more than six feet in height; or (3) one or more panel antennas that are no more than six feet in height, and their width or depth is no more than six inches and the aggregate area of such panel antenna(s) would not exceed 580 square inches that would be visible from any one viewpoint; or (4) similar antennas that are of comparable size and shape.

M. “Monopole” means a single, freestanding pole-type structure supporting one or more antennas.

HN. “Separation” means minimum distance required by city regulation between the base of Towers~~primary support structures~~.

O. “Site” for purposes of this chapter means for wireless communication towers other than wireless communication towers in the public way, the current boundaries of the leased or owned property surrounding the wireless communication tower and any access or utility easements currently related to the site, and, for eligible support structures, is further restricted to that area in proximity to the structure and to other transmission equipment already existing on the ground.

P. “Small wireless facilities” shall mean the definition contained in Chapter 20.14 ACC.

Q. “Substantial change” for purposes of this chapter means a modification that alters the physical dimensions of an eligible support structure if, after the modification, the structure meets any of the following criteria:

1. For towers other than towers in the public way, it increases the height of the tower by more than ten percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater;
2. For towers other than towers in the public way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the

tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater;

3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for base stations, it involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure;

4. It entails any excavation or deployment outside the current site as that term is defined in this section;

5. It would defeat the concealment elements of the eligible support structure; or

6. It does not comply with conditions associated with the original approval of the construction or modification of the eligible support structure or base station equipment, unless noncompliance is only in a manner that would exceed the thresholds identified in subsections (1) through (4) of this definition.

For purposes of determining whether a substantial change exists, changes in height are measured from the original support structure as it existed at the time the first Eligible Facilities Request was approved for that structure in cases where facilities are or will be separated horizontally, in other circumstances, changes in height are measured from the dimensions of the wireless communication tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to February 22, 2012.

†R. “Support structure” means a structure designed to support WCFs including, but not limited to, towers, alternative tower structures, replacement poles, and other freestanding self-supporting pole structures.~~the structure to which the antenna and other necessary associated hardware are attached. Support structures include but are not limited to the following:~~

~~1.—Lattice tower: A structure of varying height that consists of a network of crossed metal braces forming a tower which is usually triangular or square in cross section. To be considered a primary support structure.~~

~~2.—Monopole: A structure of varying height consisting of a single spire sunk into the ground and/or attached to a foundation. To be considered a primary support structure.~~

~~3.—Other structures: This may include existing buildings, water towers, athletic field light poles, or other similar structures. To be considered a secondary support structure.~~

S. “Toll” and “Tolling” means to delay, suspend or hold off on the imposition of a deadline, statute of limitations or time limit.

T. “Tower” means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

U. “Wireless communications” means the provision of any personal wireless service, as defined in the Telecommunications Act of 1996, as amended, or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services.

~~J~~V. “Wireless communications facility (WCF)” means a facility used to provide personal wireless services as defined at 47 U.S.C. Section 332 (c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services. A WCF does not include a facility entirely enclosed within a permitted building where the installation does not require a modification of the exterior of the building; nor does it include an accessory wireless communications antenna, used for serving that building only and that is otherwise

permitted under other provisions of the ACC. A WCF includes an antenna or antennas, including without limitation, direction, omni-directional and parabolic antennas, support equipment, alternative tower structures, and wireless communication towers. It does not include the support structure to which the WCF or its components are attached if the use of such structures for WCFs is not the primary use. The term does not include mobile transmitting devices used by wireless service subscribers, such as vehicle or hand-held radios or telephones and their associated transmitting antennas, nor does it include other facilities specifically exempted from the coverage of this title~~any nonstaffed facility for the transmission and/or reception of wireless telecommunications services, typically consisting of an antenna array, an equipment facility and/or a support structure.~~

~~K. “Emergency wireless communication facility (EWCF)” means a wireless communications facility for the purpose of an emergency communication system operated by a local public agency responsible for providing emergency services.~~

(Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 3, 2009; Ord. 5777 § 1, 2003; Ord. 5645 § 1, 2002; Ord. 5020 § 1, 1997.)

18.07 Residential Zones

18.07.020 Uses.

Table 18.07.020. Permitted Use Table – Residential ~~Zones~~[Zoning Designations](#)

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
A. Residential Uses.							
Accessory dwelling units	P	P	P	P	X ¹	X ¹	X ¹
Accessory use, residential	P	P	P	P	P	P	P
Adult family home	P	P	P	P	P	P	P
Bed and breakfast	P	P	P	P	P	P	P
Communal residence four or less individuals	P	P	P	P	P	P	P
Duplexes; provided, that minimum lot size of zoning designation is met and subject to compliance with Chapter 18.25 ACC (Infill Residential Development Standards)	X	X	A	P	P	P	X
Foster care homes	P	P	P	P	P	P	P
Group residence facilities (7 or more residents)	X	X	X	X	C	C	C
Group residence facilities (6 or fewer residents)	P	P	P	P	P	P	P
Keeping of animals ⁴	P ²	P ²	P ²	P ²	P ²	P ²	P ²
Multiple-family dwellings	X	X	X	X	A	P	P
Neighborhood recreational buildings and facilities owned and managed by	A ⁶	A ⁶	A ⁶	A ⁶	A ⁶	P	P

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
the neighborhood homeowners' association							
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 ⁸	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	X	X	A	P	P
Single-family detached dwellings, new	P	P	P	P	P	P	X
Supportive housing, subject to the provisions of ACC 18.31.160	X	X	X	X	X	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
B. Commercial Uses.							
Commercial horse riding and bridle trails	A	X	X	X	X	X	X
Commercial retail, included as part of mixed-use development and not a	X	X	X	X	A	A	A

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
home occupation in compliance with Chapter 18.60 ACC							
Daycare, limited to a mini daycare center. Daycare center, preschool or nursery school may also be permitted but must be located on an arterial	X	A	A	A	A	A	A
Home-based daycare as regulated by RCW 35.63.185 and through receipt of approved city business license	P	P	P	P	P	P	P
Home occupations subject to compliance with Chapter 18.60 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 ³	X	X	X	X	P	P	P
Nursing homes	X	X	X	X	C	C	C
Private country clubs and golf courses, excluding driving ranges	X	X	C	C	C	X	X
Privately owned and operated parks and playgrounds and not homeowners' association-owned recreational area	X	A	A	A	A	P	P

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Professional offices, included as part of mixed-use development and not a home occupation in compliance with Chapter 18.60 ACC	X	X	X	X	A	A	A
C. Resource Uses.							
Agricultural enterprise: ⁷							
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 ⁷	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 ⁷	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 ⁴	P	X	X	X	X	X	X
Public and private stables ⁴	P	X	X	X	X	X	X

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
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	A	A	A	A	A	A	A
Religious institutions, one acre or larger lot size	C	C	C	C	C	C	C
Transmitting towers	C	C	C	C	C	C	C
Type 1-D wireless communication facility (see ACC 18.04.912(VJ) and ACC 18.31.100)	P	P	P	P	P	P	P
Eligible facilities request (EFR) (Wireless communication facility – See ACC 18.04.912(G))	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Utility facilities and substations	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵

P = Permitted A = Administrative C = Conditional Use X = Not Permitted							
Land Uses	Zoning Designations						
	RC	R-1	R-5	R-7	R-10	R-16	R-20
Small wireless facilities (ACC 18.04.912(P))	P	P	P	P	P	P	P

1 An accessory dwelling unit may be permitted with an existing single-family residence pursuant to ACC 18.31.120.

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.

(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.)

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 in Table 18.23.030 (“Standards for Specific Land Uses”) 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.

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 C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
INDUSTRIAL, MANUFACTURING AND PROCESSING, WHOLESALING									
Building contractor, light	X	X	X	P	X	P	X	P	
Building contractor, heavy	X	X	X	X	X	A	X	P	
Manufacturing, assembling and packaging – Light intensity	X	X	X	P	X	P	P	P	ACC 18.31.180

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Manufacturing, assembling and packaging – Medium intensity	X	X	X	A	X	P	A	P	ACC 18.31.180
Manufacturing, assembling and packaging – Heavy intensity	X	X	X	X	X	X	X	A	ACC 18.31.180
Marijuana processor	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Marijuana producer	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Marijuana researcher	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Marijuana retailer	X	X	X	C	X	C	C	C	Chapter 18.59 ACC
Marijuana transporter business	X	X	X	X	X	C	C	C	Chapter 18.59 ACC
Outdoor storage, incidental to principal permitted use on property	X	X	X	P	X	P	P	P	ACC 18.57.020(A)
Storage – Personal household storage facility (mini-storage)	X	P	X	P	X	P	X	P	ACC 18.57.020(B)

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Warehousing and distribution	X	X	X	X	X	P	P	C	ACC 18.57.020(C)
Warehousing and distribution, bonded and located within a designated foreign trade zone	X	X	X	P	X	P	P	P	
Wholesaling with on-site retail as an incidental use (coffee, bakery, e.g.)	X	X	X	P	X	P	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES									
Commercial recreation facility, indoor	X	P	P	P	P	P	P	A	
Commercial recreation facility, outdoor	X	X	X	A	A	P	A	A	<u>ACC 18.57.025(A)</u>
Conference/convention facility	X	X	A	A	X	A	X	X	
Library, museum	X	A	A	A	X	A	P	X	
Meeting facility, public or private	A	P	P	P	X	A	P	A	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Movie theater, except drive-in	X	P	P	P	P	X	X	X	
Private school – Specialized education/training (for profit)	A	A	P	P	P	P	P	P	
Religious institutions, lot size less than one acre	A	P	P	P	A	A	A	A	
Religious institutions, lot size more than one acre	C	P	P	P	A	A	A	A	
Sexually oriented businesses	X	X	X	P	X	P	X	P	Chapter 18.74 ACC
Sports and entertainment assembly facility	X	X	A	A	X	A	X	A	
Studio – Art, dance, martial arts, music, etc.	P	P	P	P	P	P	A	A	
RESIDENTIAL									
Caretaker apartment	X	P	P	P	X	P	P	P	
Live/work unit	X	X	P	P	P	P	P	X	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Work/live unit	X	P	P	P	P	P	P	X	
Marijuana cooperative	X	X	X	X	X	X	X	X	
Multiple-family dwellings as part of a mixed-use development ²	X	X	P	P	P	P	P	X	ACC 18.57.030
Multiple-family dwellings, stand-alone	X	X	X	X	X	X	X	X	
Nursing home, assisted living facility	X	P	P	P	C	X	X	X	
Senior housing ²	X	X	A	A	X	X	X	X	
RETAIL									
Building and landscape materials sales	X	X	X	P	X	P	X	P	ACC 18.57.035(A)
Construction and heavy equipment sales and rental	X	X	X	X	X	A	X	P	
Convenience store	A	A	P	P	X	P	P	P	
Drive-through espresso stands	A	A	A	P	A	P	A	A	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Drive-through facility, including banks and restaurants	A	A	A	P	P	P	X	P	ACC 18.52.040
Entertainment, commercial	X	A	P	P	X	A	X	A	
Groceries, specialty food stores	P	P	P	P	P	P	P	X	ACC 18.57.035(B)
Nursery	X	X	X	P	A	P	X	P	ACC 18.57.035(C)
Outdoor displays and sales associated with a permitted use (auto/vehicle sales not included in this category)	P	P	P	P	P	P	P	P	ACC 18.57.035(D)
Restaurant, cafe, coffee shop	P	P	P	P	P	P	P	P	
Retail									
Community retail establishment	A	P	P	P	P	P	X	P	
Neighborhood retail establishment	P	P	P	P	P	P	X	P	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Regional retail establishment	X	X	X	P	P	P	X	A	
Tasting room	P	P	P	P	P	P	P	P	
Tavern	P	P	X	P	P	P	X	A	
Wine production facility, small craft distillery, small craft brewery	A	P	P	P	P	P	P	P	
SERVICES									
Animal daycare (excluding kennels and animal boarding)	A	A	A	P	A	P	X	P	ACC 18.57.040(A)
Animal sales and services (excluding kennels and veterinary clinics)	P	P	P	P	P	P	X	P	ACC 18.57.040(B)
Banking and related financial institutions, excluding drive-through facilities	P	P	P	P	P	P	P	P	
Catering service	P	P	P	P	A	P	A	P	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	P	P	P	P	P	X	
Dry cleaning and laundry service (personal)	P	P	P	P	P	P	P	P	
Equipment rental and leasing	X	X	X	P	X	P	X	P	
Kennel, animal boarding	X	X	X	A	X	A	X	A	ACC 18.57.040(C)
Government facilities; this excludes offices and related uses that are permitted outright	A	A	A	A	A	A	A	A	
Hospital	X	P	P	P	X	P	X	P	
Lodging – Hotel or motel	X	P	P	P	P	A	P	A	
Medical – Dental clinic	P	P	P	P	P	P	X	X	
Mortuary, funeral home, crematorium	A	P	X	P	X	P	X	X	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Personal service shops	P	P	P	P	P	P	X	X	
Pharmacies	P	P	P	P	P	X	X	X	
Print and copy shop	P	P	P	P	P	P	X	X	
Printing and publishing (of books, newspaper and other printed matter)	X	A	P	P	P	P	P	P	
Professional offices	P	P	P	P	P	P	P	P	
Repair service – Equipment, appliances	X	A	P	P	P	P	X	P	ACC 18.57.040(D)
Veterinary clinic, animal hospital	A	P	P	P	P	P	X	X	
Youth community support facility	X	P	X	X	X	X	X	X	ACC 18.57.040(E)
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE									
Ambulance, taxi, and specialized transportation facility	X	X	X	A	X	P	X	P	
Broadcasting studio	X	P	X	P	X	P	X	P	
Heliport	X	X	X	C	X	C	X	C	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Motor freight terminal ¹	X	X	X	X	X	X	X	X	See Footnote No. 1
Parking facility, public or commercial, surface	X	P	P	P	P	P	P	X	
Parking facility, public or commercial, structured	X	P	P	P	P	P	P	X	
Towing storage yard	X	X	X	X	X	A	X	P	ACC 18.57.045(A)
Utility transmission or distribution line or substation	A	A	A	A	A	A	A	A	
Wireless communication facility (WCF) (See ACC 18.04.912(V))	—*	—*	—*	—*	—*	—*	—*	—*	ACC 18.04.912, *See ACC 18.31.100 for use regulations and zoning development standards.
Eligible facilities request (EFR) (Wireless communication facility (See ACC 18.04.912(G)))	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
Small wireless facilities (ACC 18.04.912(P))	P	P	P	P	P	P	P	P	
VEHICLE SALES AND SERVICES									
Automobile washes (automatic, full or self-service)	X	A	X	P	P	P	X	P	ACC 18.57.050(A)
Auto parts sales with installation services	X	A	A	P	P	P	X	P	
Auto/vehicle sales and rental	X	A	X	P	X	P	X	P	ACC 18.57.050(B)
Fueling station	X	A	A	P	P	P	X	P	ACC 18.57.050(C)
Mobile home, boat, or RV sales	X	X	X	P	X	P	X	P	
Vehicle services – Repair/body work	X	X	A	P	X	P	X	P	ACC 18.57.050(D)
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.	A	A	A	A	A	A	A	A	

PERMITTED, ADMINISTRATIVE, CONDITIONAL AND PROHIBITED USES BY ZONE									P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designation								Standards for Specific Land Uses
	C-N	C-1	C-2	C-3	C-4	M-1	EP	M-2	
or Monday – Saturday: 7:00 a.m. to 10:00 p.m.									
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 18.02.120(C)(6), Unclassified Uses.	P	P	P	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.

(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.)

18.31 Supplemental Development Standards

18.31.100 Wireless communications facilities siting standards.

The following siting standards are intended to guide the location and development of wireless communications facilities (WCF as defined by ACC 18.04.912(V) but not including microcells) on properties regulated under this title. The siting of microcells shall be in accordance with siting of microcells found in ACC 18.31.110.

A. *Types of Wireless Communication Facilities (WCFs)*. For the purposes of determining in which zones wireless communications facilities are to be permitted, and which land use approval process applies, they will be classified pursuant to the following types. Refer to the table in subsection L of this section to determine which zones allow for the following types of facilities:

1. Type 1. Type 1 ~~are new antennas erected on existing buildings or nonresidential structures.~~ is a new wireless communication facility (WCF) that is affixed to an existing structure other than a “wireless communication support structure” (also known as, an “Attached wireless communication facility”). Examples of attached wireless communications facilities include antennas affixed to or erected upon existing buildings, water tanks, or other existing structures.

There are four separate Type 1 categories described as follows:

- a. 1-A. The combined height of the ~~antenna~~ WCF together with the height of the existing ~~building~~ structure cannot be 25 percent greater than the existing-~~building~~ structure or exceed the height limitation of the zone in which the-~~building~~ structure is located.
- b. 1-B. The combined height of the ~~antenna~~ WCF together with the height of the existing ~~building~~ structure cannot be 50 percent greater than the existing-~~building~~ structure or exceed the height limitation of the zone in which the-~~building~~ structure is located.
- c. 1-C. The combined height of the ~~antenna~~ WCF together with the height of the existing ~~building~~ structure is 50 percent greater than the existing ~~building~~ structure or exceeds the height limitation of the zone in which the ~~building~~ structure is located. The height limitation of the zone can only be exceeded by 25 percent.

d. 1-D. ~~Antenna~~ The WCF is located on existing non-habitable structure such as water towers, athletic field light poles, or similar public utility infrastructure not located within a public ~~street right-of-way~~. The height limitation of the WCF will be 10 percent of the existing structure height, but may be increased to a maximum of 20 percent with an administrative use permit and may be increased to a maximum of 30 percent with a conditional use permit. The height limitation of the zone may be exceeded relative to the above provisions allowed for a 1-D facility.

Any increases in height above the limits of the zoning district, as permitted for Type1 facilities must include concealment techniques approved by the city.

2. Type 2. Type 2 are new ~~antennas~~ equipment erected on existing ~~(primary) support structures~~towers that have previous ~~city~~ approvals. There are two separate Type 2 categories described as follows:

a. 2-A. Any request for modification of an existing wireless communication tower or base station that was previously authorized by the local permitting jurisdiction and that would exceed a "Substantial change", and the combined height of the WCF and structure cannot be 20 percent greater than the existing structure and ~~Must meet height requirements of previous approval and~~ is limited to 50 percent total (cumulative) expansion of equipment area.

b. 2-B. Any request for modification of an existing wireless communication tower or base station that was previously authorized by the local permitting jurisdiction and that that would exceed a "Substantial change", and the combined height of the WCF and structure cannot be 50 percent greater than the existing structure and allow for more than 50 percent (cumulative) expansion of equipment area. ~~Has greater height requirements than previous approval and allows for more than a 50 percent expansion of the equipment area.~~

Any increases in height above the limits of a particular zone, as permitted for Type 2 facilities must include concealment techniques approved by the city.

3. Type 3. Type 3 is the erection of a new ~~(primary) support structures~~ "Tower". There are three separate Type 3 categories described as follows:

- a. 3-A. ~~Monopoles~~ "Towers" that are 75 feet or less in height.
- b. 3-B. ~~Monopoles~~ "Towers" that are more than 75 feet in height or lattice towers of any height.
- c. 3-C. ~~Monopoles or lattice towers~~ "Towers" that meet the definition of an-
EWCF Emergency wireless communication facility (EWCF) and are 185 feet or less in ~~structure~~ height.

~~4. Type 4. Type 4 are new antennas erected on existing EWCF (primary) support structures that have previous city approvals. There is one Type 4 category, which is described as follows:~~

- ~~a. 4-A. Mounting of antennas cannot exceed the following thresholds:~~
 - ~~i. Increase the height of an existing primary support structure by 10 percent, or 20 feet (whichever is less).~~
 - ~~ii. Add an appurtenance to the body of the tower that would protrude from the outside edge of the tower more than 20 feet.~~
 - ~~iii. Install more than four ancillary equipment facilities.~~

1 This section is intended to be interpreted consistent with 47 CFR 1.40001, as amended.

B. Separation between Facilities.

1. New, Freestanding ~~Primary Support Structures~~ Towers.

- a. The minimum separation, i.e., distance, between a proposed ~~monopole_~~ tower (that is 75 feet or less in height) and any other existing ~~primary support structure~~ tower, of any height, shall be the height of the proposed-
~~monopole~~ tower, including antenna, multiplied by a factor of 10.
- b. The minimum separation, i.e., distance, between a proposed ~~monopole_~~ tower (that is more than 75 feet in height, or lattice towers of any height) and any other existing ~~primary support structure~~ tower, of any height, shall be the

height of the proposed ~~monopole~~tower, including antenna, multiplied by a factor of 20.

c. The Community Development director may exempt an applicant from these separation requirements if (1) the applicant demonstrates through technical network documentation that the minimum separation requirement cannot be satisfied for technical reasons, and failure to approve the exemption would be an effective prohibition of the applicant being able to provide wireless communications, or (2) the director determines, when considering the surrounding topography; the nature of adjacent uses and nearby properties; and, the height of existing structures in the vicinity, that placement of a WCF at a distance less than the minimum separation from another facility will reduce visibility and reduce visual clutter to a greater extent.

2. The distance between ~~primary support structures~~towers shall be measured by following a straight line, without regard to intervening buildings, from the base of one ~~support structure~~tower to the base of the other ~~support structure~~tower(s).

3. A ~~primary support structure~~tower would be considered “existing” if it was reviewed, approved, and lawfully constructed in accordance with all requirements of applicable law as of the time it was built. For example, a tower that exists as a legal, non-conforming use and was lawfully constructed is existing. It shall be the applicant’s responsibility to provide evidence of lawful construction. Subsequent city permitted modifications of a tower that qualify as an Eligible Facilities Request and do not amount to a “Substantial Change”, do not make an existing tower non-conforming.~~a conditional use permit or administrative use permit has been issued and is still valid for sites which have not been built upon.~~

C. Co-Location Requirements.

1. For ~~monopoles~~ towers that are more than 75 feet in height and lattice towers of any height ~~(Type 3-B facilities)~~, the owner of the ~~property~~ tower shall execute and provide evidence of a nonexclusive lease with the ~~carrier~~ underlying property owner, if the property owner is different, that allows for other carriers to place

antennas and equipment on the structure unless specific approval not to is provided in accordance with No. 3 below.

2. Any application for a Type 3-B or 3-C ~~facility~~ Towers that are more than 75 feet in height or lattice towers of any height or tower shall include technical justification that an existing ~~Type 3-B or 3-C facility~~ WCF with a nonexclusive lease could not be used instead of constructing a new tower.

3. WCFs shall be designed and constructed to allow the facility to accommodate WCFs from at least two (2) carriers on the same WCF. No property owner or carrier shall unreasonably exclude another carrier from using the same facility or location. Design and construction for co-location shall not be required when it would materially compromise the camouflage design intent of the WCF, or when, in the reasonable discretion of the Community Development director, such construction is not technically feasible based upon construction, engineering and design standards of the industry, or based upon evidence provided, a site designed for co-location will not be commercially viable. An applicant, owner, or operator seeking Community Development director approval to waive the co-location requirements described herein shall provide evidence explaining why co-location is not possible at a particular facility or site.

D. Height.

1. Unless otherwise provided for, the height of any ~~primary support structure and/or antenna~~ tower with appurtenances shall not exceed the height limitations of the zone.

2. The maximum height of any ~~primary support structure~~ tower shall not exceed 120 feet except as an eligible facility request.

3. There shall be no variances allowed to the height limitations.

4. The ~~carrier~~ applicant shall provide evidence that the Federal Aviation Administration (FAA) has approved the location ~~of a primary support structure and any future increases in height or other modifications that would otherwise be permissible as an eligible facilities request (EFR) for any tower~~ relative to the Auburn Municipal Airport.

5. Unless otherwise restricted by this section, building- or structure-mounted antennas may extend a maximum of 15 feet above the maximum height permitted for structures within the zone [except as an eligible facility request](#).

6. Antennas that are mounted on structures that do not otherwise have a height restriction may be allowed to increase the overall height of the structure by no more than 10 percent of the height of the structure unless additional approvals are obtained [except as an eligible facility request](#).

E. Setbacks.

1. All equipment shelters, cabinets, support structures or other above-ground facilities shall meet the setback requirements of the zone in which located except as follows. All equipment shelters, cabinets, or other above-ground facilities used to support ~~primary support structures~~[towers](#) shall be set back the same distance required of the ~~primary support structure~~[tower](#). All equipment shelters, cabinets, or other above-ground facilities within a nonresidential zone shall be set back a minimum of 50 feet from any adjacent ~~R~~ [residential](#) zone.

2. The minimum distance from any ~~primary support structure~~[tower](#), of any height, to any residentially zoned parcel of property, [including mixed use zones that include residential uses](#) shall be a distance equal to the overall height of the ~~primary support structure~~[tower](#) (including antennas) multiplied by a factor of two.

3. Where ~~possible~~[technically feasible](#), roof-mounted antennas and equipment shelters and/or cabinets are to be placed towards the center of the building, or away from public views. Equipment shelters and/or cabinets shall be screened by a parapet or similar architectural feature.

F. Fencing and Landscaping.

1. *Fencing.* Fencing is required to enclose all above-ground support equipment that is associated with ~~primary support structures~~[towers](#). Fencing will be 100 percent sight-obscuring, as defined in ACC 18.31.020(C)(2), if visible from a public ~~right-of-way~~ or [from a](#) less intense zone. Equipment shelters and/or cabinets shall be enclosed by fencing a minimum of six feet in height. Fencing

shall meet the sight distance requirements of the city ~~design and construction standards~~Engineering Design and Construction Standards.

2. Landscaping.

- a. Where above-ground support equipment is visible from a public ~~right-of-way~~, a minimum width of five feet of ~~Type II~~ landscaping ~~as defined in ACC 18.50.040~~ will be provided on the exterior of the enclosing fence in order to effectively screen the equipment from the public ~~right-of-way~~. The landscaping shall consist of evergreen and deciduous trees with no more than 50 percent being deciduous, and shrubs and groundcover shall be provided. Landscaping shall meet the sight distance requirements of the city ~~design and construction standards~~Engineering Design and Construction Standards.
- b. Where facilities are visible from adjacent residential ~~or mixed use zoning districts~~uses, a minimum width of five feet of ~~Type I~~ landscaping ~~as defined in ACC 18.50.040~~ will be provided on the exterior of the enclosing fence in order to effectively screen the equipment from the adjacent residential uses. The landscaping shall consist of evergreen trees or tall shrubs, a minimum of six feet in height at planting which will provide a 100 percent sight-obscuring screen within three years from the time of planting; or a combination of evergreen and deciduous trees with no more than 30% being deciduous, backed with a 100 percent sight-obscuring fence, as defined in ACC 18.31.020(C)(2), with shrubs and groundcover provided.
- c. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible. Existing on-site vegetation may be used to meet the landscape requirements if approved by the ~~planning~~ Community Development director.

G. *Aesthetics.*

1. Camouflage and Concealment, Design Techniques. All WCFs and any transmission equipment shall, to the extent technically feasible, use camouflage and concealment design techniques including, but not limited to the use of materials, colors, textures, screening, undergrounding, or other design options

that will blend the components of the WCF and the WCF to the surrounding natural setting and/or built environment. Design, materials, and colors of WCFs shall be compatible with the surrounding environment. Designs shall be compatible with structures and vegetation located on the site and parcel and on adjacent parcels.

a. At a minimum, all tower-mounted WCF equipment shall be colored to match the tower color.

b. Camouflage and concealment design may be of heightened importance where findings of particular sensitivity are made (e.g., proximity to historic or aesthetically significant structures and/or natural or community features). Should the Community Development director determine that WCFs are located in areas of high visibility, they shall (where possible) be designed (including but not limited to camouflaged, placed underground, depressed, or located behind earth berms) to minimize aesthetic impacts at the request of the Community Development director.

c. The camouflage and concealment design may include the use of alternative tower structures should the Community Development director determine that such design meets the intent of this section and the community is better served.

d. All WCFs, shall be constructed out of or finished with non-reflective materials (visible exterior surfaces only).

24. In order to minimize any potential negative aesthetic impacts from new-~~primary support structures~~towers including protecting views to and from residential neighborhoods, mitigation may be required to blend the facilities in with the adjacent ~~development or environs~~natural setting and/or built environment. Typical solutions for ~~the support structure~~camouflage and concealment design might include: an extension of the building, a component of a sign structure, disguising the facility as a tree, planting of tall trees, moving the location of the facility, painting or texturing the facility, etc.

WCFs shall be additionally sited in a manner that is sensitive to the proximity of the facility to residential structures. When placed near a residential or mixed use

zoned property, the WCF shall be placed adjacent to the common side yard property line between adjoining residential properties, such that the WCF minimizes visual impacts equitably among adjacent properties. In the case of a corner lot, the WCF may be placed adjacent to the common side yard property line between adjoining residential or mixed use zoned properties, or on the corner formed by two intersecting streets. If these requirements are not reasonably feasible from a construction, engineering, or design perspective, the applicant may submit a written statement to the Community Development director requesting the WCF be exempt from these requirements using the procedure for an administrative waiver elsewhere in this chapter.

32. Building- or roof-mounted antennas will be painted or textured to blend with the adjacent surfaces.

43. No lettering, symbols, images or trademarks large enough to be legible to occupants of vehicular traffic on any adjacent street shall be placed on or affixed to any part of the WCF, unless required by the FCC or FAA.

54. Except as specifically required by the FAA (but must be approved by the city), freestanding ~~primary support structures~~ towers shall be painted a color that best allows them to blend into the surroundings. The use of grays, blues and greens might be appropriate; however, each application shall be evaluated individually.

6. Camouflage and concealment Design Standards for Accessory Equipment and Transmission Equipment. Accessory equipment and transmission equipment for all WCFs shall meet the following requirements:

a. All transmission equipment and accessory equipment shall be grouped as closely together as technically possible.

b. Transmission equipment and accessory equipment shall be located out of sight whenever possible by locating within equipment enclosures. Where such alternate locations are not available, the transmission equipment and accessory equipment shall be camouflaged or concealed.

c. Transmission equipment and accessory equipment shall be of a neutral, non-reflective color that is identical to, or closely compatible with, the color of the supporting structure or uses other camouflage/concealment design techniques so as to make the equipment as visually unobtrusive as possible, including, for example, painting the equipment to match the structure.

7. Administrative Waiver.

a. An administrative waiver of any of the above camouflage and concealment design standards may be requested of the Community Development director by filing a written application form provided by the city and payment of an application fee. The application will be evaluated for, and must demonstrate conformance with the following waiver criteria, for approval:

i. The camouflage and concealment design standard prohibits or has the effect of prohibiting the provision of wireless communication service through the proposed WCF at the location because the standard will not allow the technology to function at that location; and

ii. There is no existing nearby alternate structure for collocation or attachment that will provide the technological functionality and which otherwise meets the design standard requested to be waived; and

iii. The proposal for varying from the design standard represents a reasonable and best approximation of achieving the same objective as the specific standard sought to be waived; and

iv. The proposed alternative does not and will not conflict with public health, safety, or welfare.

b. If any camouflage and concealment design standard is approved for waiver, the WCF proposed shall nevertheless meet all other applicable design standards not approved for waiver.

c. If a waiver request is denied for failure to meet any of the criteria specified above and there is no alternative for installation of the WCF at the particular

location in a manner that meets the applicable design standards, then such application for the WCF for such specific location shall be denied.

H. Lighting.

1. Freestanding support structures shall not be artificially lighted, unless required by the FAA or other applicable authority, or the WCF is mounted on a light pole or other similar structure primarily used for lighting purposes on property located outside of the public way. If lighting is required, the City may review lighting alternatives and approve the design that would cause the least illumination disturbance to the surrounding views. Any proposed lighting shall, at a minimum, comply with the standards of Chapter 18.55 ACC, (Outdoor Lighting) and shall be submitted at the time of the initial application. Any lighting must be reviewed and approved by the city.

2. Security lighting used to light the equipment facility shall be directed downward, shielded and kept within the boundaries of the site.

I. Abandoned Facilities.

1. Any WCF which is not utilized for a period of nine months or more will be considered abandoned.

2. Any WCF which falls into a state of disrepair as determined by the Community Development ~~planning~~ director will be considered abandoned.

3. Any WCF considered to be abandoned must be removed completely within 90 days from the date of notification by the city to the owner, owner's agent and/or the operator of the WCF, based upon the contact information that has previously been provided to the city's ~~code enforcement personnel~~. The ~~city code enforcement personnel~~ may extend the 90-day period should a valid application for use of the facility be submitted to the city. The owner of such WCF shall remove the same within ninety (90) days of receipt of written notice from the city. If such WCF is not removed within ninety (90) days, the city may remove it at the owner's expense and any approved permits for the WCF shall be deemed to have expired.

J. *Noise*. For the purposes of this section, WCF will be considered a Class B, commercial, noise source pursuant to WAC 173-60-040.

K. *Supplemental Information Required for Applications*. In addition to the information that is otherwise required for an application for a permit for a WCF, the following is also required:

1. For all new WCFs~~a new primary support structure and related equipment~~, the applicant shall provide the carrier's master network plan for the city showing the carrier's existing WCF locations and narrative explaining the potential WCF locations over the next year, if known. The applicant shall also provide technical justification supporting the need for the height of the WCF and for any new tower~~primary support structure~~ and why a shorter support structure could not be utilized. Any application for a ~~Type 3-B facility~~ new tower greater than 75 feet in height shall provide technical justification as to why a ~~Type 3-A facility~~ could not be utilized instead to adequately serve the Auburn community.

2. Narrative description of the facility including whether there is capacity on the proposed structure for more antennas,~~methods for minimizing visual impacts of the facilities, etc.~~ The applicant shall provide evidence of the ability to execute a non-exclusive lease between the carrier and the underlying property owner, if the property owner is different, that allows for other carriers to place antennas and equipment on the structure. This ability for co-location must be demonstrated, unless relief from this requirement is requested and ultimately approved in accordance with the administrative waiver provisions in this Chapter

3. A color ~~swatch~~ sample for the proposed ~~primary support structure~~tower.

4. narrative description of proposed camouflage and concealment design techniques to minimize visual impacts of the facilities. Photographs, photo simulations, or similar illustrations that show a reasonable likeness of the proposed facility including the antennas~~s~~ arrays and above-ground support equipment.

L. *Zones in Which WCF Are Permitted*. The following table illustrates which zones the types of facilities as defined by ACC 18.04.912(J) and (~~V~~K) and ACC 18.31.100(A) are allowed in and which land use approval process, if any is ~~permits~~

~~are~~ required. Microcells, as defined by ACC 18.04.912(~~GL~~) [\(not located in public ways\)](#), are allowed only in residential zones and shall be permitted outright pursuant to the provisions of ACC 18.04.912(~~GL~~).

Zone	Type of Permit Required		
	Permitted Outright	Administrative Use Permit	Conditional Use Permit
All Zones	1-D	1-D ¹	1-D ²
RO RO-H	1-A	1-B	1-C
C-N	1-A	1-B	1-C
C-1	1-A	1-B	1-C
C-2, DUC	1-A	1-B	1-C
C-3 C-4	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-1, EP	1-B, 2-A	1-C, 2-B, 3-A	3-B
M-2	1-B, 2-A	1-C, 2-B, 3-A	3-B
P-1	1-B, 2-A	1-C, 2-B	3-A ³
I	1-A	1-B	1-C
LF	1-A	1-B	1-C

1 Allowance for the WCF to extend to a height of 20 percent of the supporting structure.

2 Allowance for the WCF to extend to a height of 30 percent of the supporting structure.

3 The maximum height allowed, including antennas, is 45 feet.

M. Exemptions.

1. Unless otherwise provided for, the Mobile Testing Facilities/Equipment used to test network limitations~~following~~ are exempt from the provisions of this section.:

~~a. Microcells as defined by ACC 18.04.912(G).~~

~~b. Mobile Testing Facilities/Equipment Used to Test Network Limitations.~~

The facilities/equipment shall not be at any one location for more than 14 days and shall otherwise meet the requirements of any other ordinance, regulation or code provision.

2. EWCFs are exempt from the provisions of subsections B, Separation between Facilities; (C)(1), Co-Location Requirements; D, Height (except (D)(4)); and E, Setbacks, of this section. (Ord. 6716 § 1 (Exh. A), 2019; Ord. 6245 § 15, 2009.)

N. Eligible Facilities Requests (EFR)

1. Application and Review Requirement for Eligible Facilities Requests. Applicants seeking approval of eligible facility requests must complete an application form furnished by the city and comply with any requirements set forth in applicable city ordinances. The application form shall be limited to the information necessary for the city to consider whether an application is an eligible facilities request. The application may not require the applicant to demonstrate a need or business case for the proposed modification or co-location. Such information may include, without limitation, whether the project:

a. Would result in a substantial change, as defined in ACC 18.04.912(Q);

b. Violates a generally applicable law, regulations, or other rule codifying objective standards reasonably related to public health, safety, and welfare.

2. Review Procedures for Eligible Facilities Requests. This section applies to any eligible facilities requests for co-location on, or modification to an existing tower or base station that does not substantially change the physical dimensions of such tower or base station.

a. Review Required for Eligible Facilities. No co-location or modification to any existing tower or base station may occur except after a written request from an applicant is reviewed and approved by the director. Upon receipt of an application for an eligible facilities request pursuant to this section, the city shall review such application to determine whether the application so qualifies.

b. Review Criteria. Upon receipt of an application for an eligible facilities request pursuant to this section, the city shall administratively review such application to determine whether the application meets the following criteria for an eligible facilities request:

i. Does not result in a substantial change, as defined in ACC 18.04.912(Q);

ii. Does not violate a generally applicable law, regulation, or other rule reasonably related to public health, safety, and welfare and complies with generally applicable building, structural, electrical, and safety codes;

iii. Complies with the original application camouflage and concealment design techniques or conditions of approval, including but not limited to colors, textures, surfaces, scale, character, and siting, or any approved amendments thereto, subject to the thresholds established in the definition of substantial change; and

3. Timeframe for Reviewing and Deciding Eligible Facilities Requests. Subject to the tolling provisions below, within sixty (60) days of the date on which an applicant submits a complete application, as determined by the director, the city shall approve the application unless it determines that the application does not qualify as an “eligible facility request”, or does not comply with other applicable code requirements.

a. Tolling of the Timeframe for Review. The 60-day review period deadline begins to run when the application is filed and may be tolled (halted) only by mutual agreement of the city and the applicant, or in cases where the director determines that the application is “incomplete”.

- b. To toll the timeframe for incompleteness, the city must provide written notice to the applicant within thirty (30) days of receipt of the application, specifically delineating all missing documents or information required in the application;
 - c. The timeframe for review continues running again the following business day after the applicant makes a supplemental written submission in response to the city's notice of incompleteness; and
 - d. Following a supplemental submission, the city will notify the applicant within ten (10) days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified above in (a) and (b). In the case of a second or subsequent notice of incompleteness, the city may not specify missing information or documents that were not delineated in the original notice of incompleteness.
4. Interaction with Telecommunications Act Section 332(c)(7). If the city determines that the applicant's request is not an eligible facilities request as delineated in this section of the Code, the presumptively reasonable timeframe under Section 332(c)(7), as prescribed by the FCC's Shot Clock order in WT Docket No. 08-165 (Adopted November 18, 2009), will begin to run from the issuance of the city's decision that the application is not a covered request. To the extent such information is necessary, the city may request additional information from the applicant to evaluate the application under Section 332(c)(7) reviews.

18.31.110 Siting of microcells.

The following siting standards are intended to guide the location and development of microcells as defined by ACC 18.04.912(L) but not including [other](#) wireless communications facilities (WCF). The siting of [other](#) wireless communications facilities shall be in accordance with siting of wireless communication facilities found in ACC 18.31.100.

A. Siting Criteria for Microcells [\(not located in public ways\)](#).

1. Panel antennas shall be incorporated into the design of the existing structure using painting, flush mounting or other concealment methods.
2. The equipment cabinets and other ground support equipment shall be located in an area that is no larger than 16 square feet. The height of the equipment shall be no more than four feet. The equipment shall be designed to be compatible with the residential neighborhood the project shall provide a minimum width of five feet of ~~Type II~~ landscaping ~~as defined in ACC 18.50.040~~ or fencing or a combination of these or similar features. [The landscaping shall consist of evergreen and deciduous trees with no more than 50 percent being deciduous, and shrubs and groundcover shall be provided.](#)
3. There shall be a 300-foot separation between any microcells.
- ~~4. The antennas must be located on light poles, power poles or similar public utility poles that are either owned/operated by the city of Auburn or owned/operated by a utility provider operating with an appropriate franchise if approved by the city engineer. The equipment cabinets may be located on private property.~~
- ~~5~~[4](#). Anyone wishing to establish a microcell or associated components shall make application to the [community development](#)~~planning~~ director upon application forms provided by the ~~planning~~ director. The ~~planning~~ director shall review each application and may be empowered to approve, deny or modify the proposal. (Ord. 6245 § 15, 2009.)

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 in Table 18.35.030 (“Standards for Specific Land Uses”) 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 C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
MARIJUANA RELATED BUSINESSES						
Marijuana processor	X	X	X	X	X	
Marijuana producer	X	X	X	X	X	
Marijuana researcher	X	X	X	X	X	
Marijuana retailer	X	X	X	X	X	
Marijuana transporter business	X	X	X	X	X	
PUBLIC						
Animal shelter, public	X	X	P	X	X	
Government facilities, this excludes offices and related uses that are permitted outright	A	A	P	P	C	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
Municipal parks and playgrounds	P	P	P	P	P	
RECREATION, EDUCATION AND PUBLIC ASSEMBLY						
Campgrounds	X	X	X	P	P	
Recreational vehicle parks, private	X	X	X	P	X	
Cemetery, public	X	X	P	A	X	
Cemetery, private	X	X	X	A	X	
College, university, public	X	X	A	A	X	
Commercial recreation facility – Indoor	X	X	X	P	X	
Commercial recreation facility – Outdoor	X	X	X	A	C	ACC 18.57.025(A)
Conference/convention facility	X	X	X	A	X	
Library, museum	X	X	P	P	A	
Meeting facility, public or private	A	A	P	P	A	
Private school – specialized education/training (for profit)	P	P	X	P	X	
Public schools (K-12)	X	X	P	P	X	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
and related facilities						
Religious institutions, lot size less than one acre	A	P	X	P	X	
Religious institutions, lot size more than one acre	C	A	X	P	X	
Studio – Art, dance, martial arts, music, etc.	P	X	X	X	X	
RESIDENTIAL						
Duplex	P ¹	X	X	A	X	
Home occupation	P	P	X	P	P	Chapter 18.60 ACC
Live/work, work/live unit	A	P	X	A	X	
Marijuana cooperative	X	X	X	X	X	
Multiple-family dwellings, stand-alone	P ²	A ³	X	A	X	
One detached single-family dwelling	P	X	X	X	P ⁵	
Nursing home, assisted living facility	A	A	X	P	X	
Senior housing	A	A	X	A	X	
RETAIL						
Restaurant, cafe,	A	A	P	A	X	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
coffee shop, excluding drive-through facilities						

SERVICES

Banking and related financial institutions, excluding drive-through facilities ⁴	P	P	X	X	X	
Daycare, including mini daycare, daycare center, preschools or nursery schools	A	P	X	P	A	
Home-based daycare	P	P	X	P	P	
Medical services – Clinic or urgent care ⁴	P	P	X	X	X	
Mortuary, funeral home, crematorium	X	P	X	X	X	
Professional offices	P	P	X	A	A	
Personal service shops	P	P	X	X	X	
Pharmacies	X	P	X	X	X	

TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE

Utility facilities, substations, utility transmission or	X	X	X	X	A	See ACC 18.02.040(E)
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Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
distribution line						
Wireless communication facility (WCF) (See ACC 18.04.912(V))	* –	* –	* –	* –	* –	*See ACC 18.31.100 for use regulations and zoning development standards.
Eligible facilities request (EFR) (Wireless communication facility (See ACC 18.04.912(G)))	P	P	P	P	P	
Small wireless facilities (ACC 18.04.912(P))	P	P	P	P	P	
Emergency wireless communication facility (EWCF)	X	X	X	P	X	See ACC 18.04.912 and 18.31.100
OTHER USES THAT ARE NOT LISTED						
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	P	P	P	P	P	

Permitted, Administrative, Conditional and Prohibited Uses by Zone						P – Permitted C – Conditional A – Administrative X – Prohibited
LAND USE	Zoning Designations					Standards for Specific Land Uses
	RO	RO-H	P-1	I	OS	
character of the uses permitted						

Notes:

1 Duplexes, 3,600 square feet of lot area per dwelling unit is required.

2 Multifamily dwellings; provided, that 2,400 square feet of lot area is provided for each dwelling unit.

3 Multifamily dwellings; provided 1,200 square feet of lot area is provided for each dwelling unit.

4 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.

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