

ORDINANCE NO. 25-004
AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES
PUD PLANNED UNIT DEVELOPMENT DISTRICT
SECTION 17.90.140

WHEREAS, the City has adopted a comprehensive Zoning Ordinance including Use Provisions for a number of zoning districts and classifications intended to create a beneficial mix of housing types and price points; and

WHEREAS, the City's elected officials, Planning Commission and staff have undertaken a comprehensive review of the exiting Planned Unit Development District provisions; and

WHEREAS, the Planning Commission and Mayor and Council have conducted public hearings to satisfy the requirements of State law for the advertising, comment, and adoption of this Ordinance amendment;

WHEREAS, the City's professional staff has recommended the approval of this Amendment; and

WHEREAS, the Mayor and City Council find and conclude that the revisions outlined in this Ordinance promote sound planning practices consistent with the policies and intent of the City's Comprehensive Plan and Zoning Ordinance;

WHEREAS, the Mayor and City Council find and conclude that it is in the best interest of the health, safety and welfare of the citizens of the City to adopt the following amendment to the Planned Unit Development district requirements; and

NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the City Code Section 17.90.140 be and is deleted, and the amended and restated Section 17.90.140 PUD Planned Unit Development District attached hereto as Exhibit "A" is approved and adopted.


The City Administrator and City Clerk are further authorized to correct typographical errors in the text of this Ordinance and the existing City Code and to produce and publish a final codified version of the City Code with the amendments and revisions outlined herein.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional, or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

This Ordinance shall be effective immediately upon its adoption.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SO ORDAINED this 13 day of March, 2025.


Richard E. Roquemore, Mayor


Robert L. Vogel, III, Council Member


Jamie L. Bradley, Council Member


Taylor J. Sisk, Council Member


Joshua Rowan, Council Member

ATTEST:


Brooke Haney, City Clerk

17.90.140 PUD planned unit development district.

- A. *Intent.* The intent of a planned unit development is to foster innovative developments that provide an innovative mix of residential land uses and development patterns which complement the existing fabric of Auburn, provide new development compatible with existing developments and patterns, and are supportive of the comprehensive plan.
- B. *Purpose.* This district encourages flexible placement, arrangement and orientation of residential structures, active open spaces, and resident-focused amenities. A planned unit development enables unique land development that may be constrained in other established zoning districts through careful site master planning.
- C. *Establishment of a PUD district.* An area may be considered for rezoning to PUD if any one of the following conditions exists:
 - 1. The characteristics of the specific concept plan and uses proposed for the subject property would only be compatible with the surrounding area if the development were limited to those plans and uses as submitted;
 - 2. Separate land uses, which would not otherwise be permitted to locate within the same zoning district, are proposed for development on one or more adjacent parcels under single ownership;
 - 3. Exceptions or variation from the size, setback, frontage, density, uses or other standards which are required in the conventional zoning districts are being proposed as a part of a planned development.
- D. *Minimum Standards and Requirements.* All proposed PUD planned unit development district applications shall conform to all of the following requirements:
 - 1. The maximum density shall not exceed three (3.0) dwelling units per gross acre.
 - 2. The site shall abut public streets for a distance of at least one hundred (100) linear feet.
 - 3. A registered engineer, architect, land surveyor or landscape architect shall prepare the plans required for inclusion in an application. The plans shall have their official registration seal.
 - 4. Sidewalks shall be required along both sides of all streets within a PUD. The construction standard of the required sidewalks are given in the city development regulations; however, the minimum width of all sidewalk along streets shall be five (5.0) feet.
 - 5. The site proposed for a PUD classification shall have a contiguous area of not less than ten (10) acres.
- E. *Permitted Uses.*
 - 1. Any use allowable inherently in a conventional zoning district in this title may be proposed for inclusion in a PUD planned unit development district. Each proposed use should be consistent in application with the intent and purpose of the conventional zoning districts in which it is allowed. Only the specific uses proposed in an application and approved shall be allowed in the district. Any addition of uses, change of plans, or increase in size or density shall require a separate amendment to the original approved PUD planned unit development district and shall follow the same administrative process as any other amendment. Initial approval of a PUD planned unit development district by the city does not mean that subsequent amendments to that planned unit development carry any requirement to be approved by the city council for revision to the plan. Unless otherwise stated in this section, the development standards and land uses which are presented with an application for amendment shall, if approved, become the standards for the subject property and as such shall become a part of these zoning regulations.
 - 2. A PUD shall provide primarily single-family residential land uses. Where appropriate, a mixture of single- and two- family residential land uses, as provided below, may be incorporated into a single PUD project.

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- a. Residential; single-family detached.
 - b. Residential; single-family attached (town houses).
 - c. Residential; two-family (duplexes),
- F. *Required Reports and Plans.* At the time a site is designated as a PUD district, the enumerated uses of the zoning district of origin shall be replaced by the contents of the approved PUD. Every application for PUD district zoning shall include all the elements as provided in this subsection. No application for rezoning to the PUD district shall be deemed complete or scheduled for hearing until all required elements are included.
1. Letter of Intent. A letter of intent also known as a narrative statement, shall be provided which conveys the following:
 - a. General description and location of the site;
 - b. The physical and socio-economic reasons as to why the uses proposed in the planned development would provide a better overall use of this property over the current zoning;
 - c. The proposed provision of utilities, including water, sewer, and drainage facilities;
 - d. The proposed methods for protection and buffering of abutting properties;
 - e. The proposed number of residential units and overall residential density (dwelling units per acre);
 - f. The area of land, expressed to the nearest square foot and as a percentage of the overall site, to be set aside as common open space or recreational areas. Areas of the site contained within overhead power easements or stormwater detention ponds shall not count towards these calculations, and cannot be considered as common open space or recreation areas;
 - g. The proposed maintenance and ownership agreements for any streets and common open spaces not proposed for dedication to the city;
 - h. The proposed restrictions on the use of the property and proposed restrictive covenants;
 - i. The proposed minimum building setbacks for front, side, and rear yards, and the proposed minimum lot size and lot width for each proposed land use, expressed to the nearest square foot;
 - j. The proposed minimum lot size and lot width for each proposed land use, expressed to the nearest square foot;
 - k. The names and mailing addresses of all adjoining property owners;
 - l. An architectural pattern guide demonstrating proposed building materials, features, exterior finishes, windows, doors, colors, and other items affecting exterior appearance, such as fencing. The guide shall include renderings, elevations, and floor plans of proposed buildings; and
 - m. Additional relevant data as may be required by the planning commission or the city council.
 2. Concept Plan. A detailed conceptual plan prepared by a registered engineer, architect, land surveyor or landscape architect shall be required for all applications to rezone to the PUD district. The required concept plan shall include the following information:
 - a. A survey of the entirety of the subject property, conducted no greater than twenty (20) years prior to the date of PUD district application completeness. The survey shall depict all property dimensions with metes and bounds, site acreage, a scale, north arrow and tie in point to a known location (road intersection/land lot corner, etc.). Additionally, the survey shall provide, for all adjoining properties, the property owner name(s), tax parcel number, and zoning designation;
 - b. Site topography with contour intervals no greater than two (2) feet;
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- c. Lakes, ponds, streams, creeks, floodplains, and other waterways. The source(s) of floodplain data shall also be provided;
 - d. The proposed subdivision of the site, with precise lot lines, building setbacks, and a lot data table which provides, at a minimum, the area (expressed to the nearest square foot), width and land use of each proposed lot.
 - e. The proposed internal access network, consisting of streets, alleyways, trails, sidewalks, and other mediums, how ingress and egress to the site will be provided, proposed emergency access points, off-street parking areas and quantities, and road names, and;
 - f. Stormwater management areas;
3. Administrative Review. of the above identified requirements of the written report and concept plan, as well as any other requirements of this title, shall be met before the planned development rezoning request is presented to the planning commission for its review and recommendation. Specific requirements of the administrative review process are as follows:
- a. The city planner or his designee shall be responsible for reviewing the written report and concept plan, and verifying the completeness of the application; prior to the application being placed upon the planning commission agenda;
 - b. The city planner shall periodically prepare, post and distribute a timetable for his review and verification of the required exhibits;
 - c. Neither the planning commission, city planner/engineer, nor any other appointed official shall possess the authority to waive any of the written report or concept plan requirements;
 - d. An applicant for a rezoning to PUD planned unit development district, may present a written request to the city council to waive individual requirements of the written report or concept plan; however, a separate request must be submitted for each requested waiver, and must include a specific and valid reason as to why the waiver is necessary; economic hardship shall not constitute or be considered as a valid reason for a waiver request.
- G. *Standards for single-family residences.* All attached and detached single-family residences constructed within a PUD shall be subject the standards contained herein. These standards serve to promote consistency and aesthetically pleasing residential development within the City.
- 1. Exterior finish materials.
 - a. No less than fifty percent (50%) of the front façade of each residence shall consist of masonry, brick, stone, wood, or cementitious fiberboard.
 - b. The façades of each individual residence, except for the front façade, shall be constructed with water tables of masonry, brick, or stone which extend no less than 24 inches vertically from the ground below. Each water table shall extend the entire width of the façade.
 - c. The use of vinyl, aluminum, plastic, and bare metal for exterior siding shall be prohibited.
 - 2. Architectural requirements.
 - a. All single-family residences shall be constructed with a porch, deck, or patio measuring no less than 36 square feet in area.
 - b. Architectural projections shall be incorporated to prevent monotonous appearances.
 - 3. Façade variations.
 - a. Changes in masonry color or other façade materials are required,
 - b. Changes in window placement and/or composition are required.
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4. Building dimensions.
 - a. The minimum heated floor area of a residence shall be consistent with the formally adopted standards of a given PUD. The minimum heated floor area shall at a minimum be 2,000 square feet for single-story dwellings and 2,400 square feet for two-story dwellings.
 - b. No residence shall exceed 35 feet in height. This is not inclusive of basements or subterranean construction.
 - c. Detached residential units shall measure no less than 32 feet in width.
 - d. Attached residential units (town houses) shall measure no less than 26 feet in width.
 - e. Buildings containing town houses shall contain a maximum of 6 residential units.
 5. Garages.
 - a. All detached and attached residential units shall be constructed with a garage with a footprint of no less than 200 square feet. The garage shall be contained within the residence it serves, or be connected to the subject residence by a covered breezeway no less than four (4) feet in width.
 - b. The total width of garage doors on the front façade of a detached residence shall not exceed forty-five percent (45%).
 - c. The total width of garage doors on the front façade of an attached residence shall not exceed fifty-five percent (55%).
 - d. The requirements herein shall not apply to residences with garage doors at the rear façade, also known as “rear-loaded” residences.
 6. Driveway design.
 - a. Driveways which are partially or wholly located in the front yard of the residence they serve shall measure no less than 22 feet in length, measured from the front property line to the front of the garage door, or where the driveway otherwise terminates.
 - b. No driveway shall have an overall slope greater than twelve percent (12%).
 - c. The requirements herein shall not apply to residences with garage doors at the rear façade, also known as “rear-loaded” residences.
 7. Lot area.
 - a. A lot which hosts a detached residence shall measure no less than 7,500 square feet in area.
 - b. A lot which hosts an attached residence that has a rear-loaded garage shall measure no less than 2,000 square feet in area.
 - c. A lot which hosts an attached residence without a rear-loaded garage shall measure no less than 3,000 square feet in area.
- H. *Resident Amenities.* PUD districts shall provide their residents with common amenities which are proportional to their sizes and densities. Residential amenities positively impact the people they serve and generally improve quality of life. Complete construction and installation of all approved resident amenities shall be completed before certificates of occupancy have been issued for fifty percent (50.0%) of the approved residential units.
1. Amenity types. Acceptable resident amenities are provided below; additionally, each amenity type is assigned a score.
 - a. Amphitheater, greater than 1,000 square feet (one point).
 - b. Amphitheater, greater than 2,500 square feet (two points).
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- c. Basketball courts, regulation size (two points).
 - d. Children’s active play area, greater than 1,000 square feet (one point).
 - e. Children’s active play area, greater than 5,000 square feet (two points).
 - f. Clubhouse, less than 3,000 square feet in heated floor area (two points).
 - g. Clubhouse, greater than or equal to 3,000 square feet in heated floor area (three points).
 - h. Community garden, less than 1,800 square feet (one point).
 - i. Community garden, greater than or equal to 1,800 square feet (one points).
 - j. Dog park, greater than or equal to 30,000 square feet (one point).
 - k. Gazebo, greater than 100 square feet (one point).
 - l. Pickleball courts, regulation size (two points).
 - m. Swimming pool, less than 1,800 square feet of submerged area (two points). Must be accompanied by the construction of a clubhouse.
 - n. Swimming pool, greater than or equal to 1,800 square feet of submerged area (three points). Must be accompanied by the construction of a clubhouse.
 - o. Tennis courts, regulation size (two points).
 - p. Wading/“kiddie” pool, greater than 500 square feet of submerged area (one point).
2. Repeated Amenities. No PUD development approved for fewer than 110 residences may earn points for installing more than one (1) of the same amenity as provided herein. PUD developments containing a minimum of 110 residences may install several instances of any given amenity to earn points, provided that the following conditions are met.
- a. No greater than two (2) instances of the same amenity type may be installed for the purpose of earning points if the development is approved for fewer than 170 residential units.
 - b. No greater than three (3) instances of the same amenity type may be installed for the purpose of earning points if the development is approved for a minimum of 170 residential units.
 - c. Amenities of the same type shall not be placed within 1,000 feet of each other, measured by the shortest linear distance separating them, for the purpose of earning points.
 - d. The amenity type is not a gazebo, dog park, nor a wading/“kiddie” pool.
3. Amenity Score. The amenity requirements for a PUD district are dictated by the dwelling county and overall residential density. The table below provides the minimum number of points (“score”) needed based on those factors.

a.

Overall Residential Density	Dwelling Count	Minimum Required Amenity Score (points)
Less than 2.00 dwelling units per acre.	Fewer than 20 units	1
	20 to 49 units	2
	50 to 109 units	3
	110 to 169 units	5
	170 to 249 units	8
	Greater than 249 units	11

Greater than or equal to 2.00 units per acre.	Fewer than 20 units	1
	20 to 49 units	2
	50 to 109 units	4
	110 to 169 units	7
	170 to 249 units	10
	Greater than 249 units	13

- I. *Landscaping and Buffer Requirements.* All PUD districts shall be appropriately buffered from adjacent properties and land uses as provided herein. The buffer shall remain natural and undisturbed, with no intrusions unless specifically authorized by conditions of zoning, special use, or variance approval. The buffer shall retain the existing trees and vegetation and may be supplemented with additional plantings to screen activities, structures, and uses on the property from view. No part of this subsection shall be construed as to provide an exemption from any ordinance or regulation which pertains to landscaping, buffering, screening, or trees.
1. If a PUD district abuts an R-100 district, and is approved for the development of duplexes, or single-family attached dwellings, a buffer no less than fifty (50) in depth shall be required. This buffer shall be installed directly onto the PUD property and extend the entire width of the abutting R-100 district boundaries in a parallel form.
 2. If a PUD district abuts a PSV, RM-D, or RM-8 district, and is approved for the development of duplexes, or single-family attached dwellings, a buffer no less than twenty-five (25) in depth shall be required. This buffer shall be installed directly onto the PUD property and extend the entire width of the abutting PSV, RM-D, or RM-8 district boundaries in a parallel form.
 3. Street trees shall be required at a rate of no less than one (1) tree per each residential unit in the development. All rights-of-way within the development shall be located within 500 feet of a street tree. Street trees shall measure of no less than ten (10) feet from each other measured at the time of planting. A variety of tree species shall be provided; no greater than thirty percent (30%) of street trees shall be of one single species. All street trees shall be of an acceptable species as established by City development regulations.
- J. *Conformity with Submitted Application Materials.* All development within a PUD district is concept plan specific and must be conducted in accordance with the approved concept plan. The passage of time shall have no bearing on the validity of a PUD district and the enforceability of the approved concept plan.
1. All further development on the property shall conform to the standards adopted for the district, regardless of any change in ownership.
 2. The violation of any provision of zoning conditions, as submitted and approved under the provisions in this title, shall constitute a violation of these regulations.
- K. *Amendments to Approved Planned Unit Developments.* Amendments to the concept plan, land use, layout, density, or other aspects of an approved PUD shall be proposed to the city planner/engineer prior to formal consideration. Minor amendments to an approved PUD are limited to increases in lot sizes, decreases in overall residential density, decrease in total residential lot count, and minor street layout modifications that would not affect adjacent properties. Any amendment to an approved PUD that is not considered minor, as provided herein, shall constitute a major amendment.
1. The city planner/engineer is authorized to approve minor amendments to a PUD, without the approval of the city council.
 2. Major amendments to an approved PUD shall be approved by the city council. Any applicant for major amendments to a PUD shall initiate a rezoning application for the subject property, so that it may be

rezoned from the current PUD to the proposed amended PUD. If the rezoning application is approved, the PUD zoning shall change to that which was approved.