

1 **WHEREAS**, the California Environmental Quality Act (CEQA), together with
2 State Guidelines and City Environmental Regulations require that certain
3 projects be reviewed for environmental impacts and that environmental
documents be prepared; and

4 **WHEREAS**, on September 22, 2021, the County Airport Land Use Commission
5 adopted Resolution 21-30 determining that the project would not have a
6 significant effect on the environment and filed a Notice of Determination; and

7 **WHEREAS**, on December 1, 2021, the Placer County Airport Land Use
8 Commission adopted Resolution 21-43 finding the proposed Zoning Ordinance
Amendments consistent with the policies and provisions of the ALUCP; and

9 **WHEREAS**, on April 18, 2023, the City of Auburn Planning Commission held a
10 duly noticed public hearing and adopted Resolution 23-8 recommending that the
11 City Council approve the proposed Zoning Ordinance amendments, which
12 resolution is incorporated herein by reference and available for review at City
Hall during normal business hours; and

13 **WHEREAS**, on May 22, 2023, the City Council held a properly noticed public
14 hearing on the proposed Zoning Ordinance amendments, at which time all
interested parties had the opportunity to be hearing; and

15 **WHEREAS**, on June 12, 2023, the City Council held a properly noticed public
16 hearing for the Second Reading of the proposed Zoning Ordinance amendments,
17 at which time all interested parties had the opportunity to be hearing; and

18 **WHEREAS**, the City Council considered all of the written and oral testimony
19 presented at the public hearing in making its decision.

20 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN DOES
ORDAIN AS FOLLOWS:**

21 **Section One: Recitals.** The Recitals above are true and correct and are
22 fully incorporated herein by reference.

23 **Section Two: Code Amendment.** Section 159.043 of Chapter 159 of
24 Title XV of the Auburn Municipal Code is hereby amended to read as follows:

25 A. The following uses shall be permitted in the Airport Industrial Design
26 Control (AI-DC) District, subject to compliance with the applicable standards
of the adopted Airport Land Use Compatibility Plan (ALUCP):

- 27 1. Airport facilities;
- 28 2. Aircraft-related enterprises;

- 1 3. Recreation-oriented facilities located within a building; and
- 2 4. Permitted light industrial uses as outlined in Section 159.045(B).
- 3 5. Recreation-oriented facilities located outside of a building.

4
5 **Section Three: Code Amendment.** Section 159.045 of Chapter 159 of
6 Title XV of the Auburn Municipal Code is hereby amended to read as follows:

- 7 A. To provide suitable areas in the city for a variety of low-intensity industrial
8 uses involving manufacturing, processing, assembly and distribution
9 activities. This district also provides for a limited range of professional,
10 business and administrative offices, commercial uses, and other activities
11 which are accessory to permitted industrial uses. This district is consistent
12 with the Industrial (I) general plan designation.
- 13 B. The following uses shall be permitted in the Light Manufacturing (M-L)
14 District, subject to applicable standards of the adopted Airport Land Use
15 Compatibility Plan (ALUCP):
 - 16 1. If conducted within an enclosed building:
 - 17 a. Animals hospitals and veterinary offices with overnight kenneling
18 limited to hospitalization purposes only;
 - 19 b. Building and related materials sales, which may include outdoor
20 customer sales yards or outdoor customer sales display if they
21 comply with the site development standards of division (D)(1)
22 below;
 - 23 c. Data processing or computer services, including repair of computer
24 equipment;
 - 25 d. Light manufacturing operations which may involve the manufacture,
26 assembly, processing, packaging or similar industrial operation
27 involving previously prepared materials and comply with the
28 performance standards of division (D)(4) below;
 - e. Machine, sheet metal, and woodworking shops or similar facilities
that involve the manufacturing or fabrication of finished products
from previously prepared or processed raw materials and resources
(excluding painting, staining or similar refinish work);
 - f. Manufacture of rugs, draperies, and other woven fabrics that do not
include processing of raw materials or any industrial cleaning and/or
dyeing processes and subject to the performance standards of
division (D)(4) below;
 - g. Printing, bookbinding, engraving, lithographing, blueprinting,
drafting, and publishing shops;
 - h. Professional, business research, or administrative offices;
 - i. Rental, minor repair and sales of light mechanical equipment and
supplies (excluding paint booths or painting activities);

- 1 j. Small recycling collection facilities that do involve any reprocessing
- 2 or alteration to the collected recyclable materials;
- 3 k. Research and development laboratories;
- 4 l. Trade schools;
- 5 m. Wholesale business and sales, warehouses, mini and other storage
- 6 buildings, and distribution facilities, except those storing or
- 7 distributing highly flammable or explosive materials;
- 8 2. Agricultural uses, except when located within the Airport Influence Area;
- 9 3. Caretakers or night watchperson's quarters accessory to an industrial
- 10 building or site;
- 11 4. Contractors yards including the outdoor storage of vehicles, equipment
- 12 and materials when accessory to a permitted use and meets the outdoor
- 13 screening standards of division (D)(1) below;
- 14 5. Electrical distribution facilities and substations;
- 15 6. General wholesale businesses, storage, distribution and warehousing
- 16 uses, including towing operations, which involve warehousing and
- 17 storage of materials, equipment and vehicles in an enclosed building as
- 18 well as exterior locations, if all exterior storage meets the outdoor
- 19 screening standards of division (D)(1) below (excludes those involving
- 20 highly flammable or toxic materials);
- 21 7. Uses accessory to a permitted industrial use and contained within the
- 22 same plant site, such as cafeteria, exercise facility and the like; (This
- 23 does not include uses open to the general public.)
- 24 8. Wholesale nurseries and greenhouses; and
- 25 9. Other light industrial uses as determined by the Planning Commission to
- 26 be of the same general character as other permitted uses in this district.
- 27 C. The following uses shall be permitted in the Light Manufacturing (M-L)
- 28 District subject to approval of a use permit and compliance with the
- adopted Airport Land Use Compatibility Plan (ALUCP) when located within
- the Airport Influence Area.
1. Building and related materials sales facilities which include large
- outdoor sales and storage yards which do not meet the screening
- standards of division (D)(1) of this section;
2. Large recycling collection facilities and recycling processing facilities,
- excluding wrecking yards, metal salvage or storage yards and wet paper
- recycling activities;
3. Machine, sheet metal, welding and woodworking shops or similar light
- industrial facilities that involve the manufacturing or fabrication of
- finished products that may include the preparation and/or processing of
- raw materials and resources;
4. Major repair of automobiles and trucks including heavy service work and
- auto body/painting work;

- 1 5. Minor repair of automobiles and light trucks including the sales and
2 installation of specialized automobile and truck parts such as tires,
3 mechanical components, batteries and accessories;
- 4 6. Outdoor storage of equipment, surplus materials and all types of
5 vehicles, wherein the outdoor storage does not meet the outdoor
6 screening standards of division (D)(1) below;
- 7 7. Public and quasi-public uses appropriate in the district;
- 8 8. Sales, repair and rental of heavy equipment, heavy machinery, truck
9 tractors, trailers, which include outdoor storage;
- 10 9. Tire recapping fabrication;
- 11 10. Wholesale business and sales, including warehouses, that include the on-
12 site storage and/or distribution of highly flammable or explosive
13 material;
- 14 11. Retail service or commercial establishments and businesses that are
15 appropriate to the light industrial district;
- 16 12. Other light industrial uses as determined by the Planning Commission to
17 be appropriate in this district subject to authorization of a conditional use
18 permit.
- 19 13. Agricultural uses within the Airport Influence Area.

20 *Note to publisher. Subsection D remains unchanged.*

21 **Section Four: Code Amendment.** Section 159.142 of Chapter 159 of
22 Title XV of the Auburn Municipal Code is hereby amended to add, in
23 alphabetical order, the following definition:

24 *AIRPORT INFLUENCE AREA/REFERAL AREA.* An area, as identified in the adopted
25 Airport Land Use Compatibility Plan, in which current or future airport-related
26 noise, overflight, safety, or airspace protection factors may significantly affect
27 land uses or necessitate restrictions on those uses. The Airport Influence Area
28 constitutes the Referral Area within which certain Airport Actions and Land Use
Actions are subject to Placer County Airport Land Use Commission review to
determine consistency with the policies herein.

Section Five: Code Amendment. Section 159.145 of Chapter 159 of
Title XV of the Auburn Municipal Code is hereby amended to read as follows:

Notwithstanding any other provision of this subchapter, no use may be made of
land or water within any zone established by this subchapter in a manner as to
create electrical interference with navigational signals or radio communications
between the airport and aircraft, make it difficult for pilots to distinguish between
airport lights and others, result in glare in the eyes of pilots using the airport,
impair visibility in the vicinity of the airport, create bird strike hazards or
otherwise in any way endanger or interfere with the landing, takeoff, or
maneuvering of aircraft intending to use the airport.

1 The criteria contained within the adopted Placer County Airport Land Use
2 Compatibility Plan shall be used to determine if a proposed use of land or water
3 is compatible with the airport operations.

4 **Section Six: Code Amendment.** Subsection (A) of Section 159.147 of
5 Chapter 159 of Title XV of the Auburn Municipal Code is hereby amended to read
6 as follows:

7 *Future uses.* Except as specifically provided in divisions (A)(1), (2) and (3)
8 below, no material change shall be made in the use of land, no structure shall
9 be erected or otherwise established, and no tree shall be planted in any zone
10 created by this subchapter unless a permit therefor shall have been applied for
11 and granted. Each application for a permit shall indicate the purpose for which
12 the permit is desired, with sufficient particularity to permit it to be determined
13 whether the resulting use, structure or tree would conform to the regulations
14 prescribed in this subchapter. Any application requiring a discretionary review
15 permit shall be reviewed for compliance with the Placer County Airport Land Use
16 Compatibility Plan. If the determination is in the affirmative, the permit shall be
17 granted. No permit for a use inconsistent with the provisions of this subchapter
18 shall be granted unless a variance has been approved in accordance with division
19 (D) below.

20 *Note to publisher. Subsections (A)(1), (2), and (3) remain unchanged.*

21 **Section Seven: California Environmental Quality Act.** The City
22 Council has considered all of the evidence in the record, including the staff
23 reports, and the testimony received during the meeting on the matter held by
24 the City Council, and hereby determines that the adoption of this Ordinance will
25 not have a significant effect on the environment as the General Plan and zoning
26 revisions do not produce effects on the environment that were not already
27 analyzed under the scope of the *CEQA Initial Study and Negative Declaration*
28 *Auburn Airport Land Use Compatibility Plan.* Additionally, the City Council
determines that the proposed amendments and map revisions are minor enough
that they do not trigger the need for preparing an Addendum under the
prescribed conditions of both CEQA Sections 15164 and 15162.

Section Eight: Severability. If any section, subsection, subdivision,
paragraph, sentence, clause, or phrase of this Ordinance is for any reason held
to be invalid or unenforceable, such invalidity or unenforceability shall not affect
the validity or enforceability of the remaining sections, subsections, subdivisions,
paragraphs, sentences, clauses or phrases of this Ordinance or the rules adopted
hereby. The City Council of the City of Auburn hereby declares that it would have
adopted each section, subsection, subdivision, paragraph, sentence, clause or
phrase hereof, irrespective of the fact that any one or more other remaining

1 sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases
2 hereof be declared invalid or unenforceable.

3 **Section Nine: Inconsistent Provisions.** Any provision of the Auburn
4 Municipal Code or appendices thereto inconsistent with the provisions of this
5 Ordinance, to the extent of such inconsistencies and no further, is hereby
6 repealed or modified to the extent necessary to implement the provisions of this
7 Ordinance.

8 **Section Ten: Publication and Effective Date.** This ordinance shall take
9 effect 30 days after final adoption. The City Clerk shall certify to the passage
10 and adoption of this Ordinance and shall give notice of its adoption as required
11 by law. Pursuant to Government Code section 36933, a summary of this
12 Ordinance may be published and posted in lieu of publication and posting of the
13 entire text.

14 DATED: June 12, 2023

15 
16 _____
17 Alice Dowdin Calvillo, Mayor

18 ATTEST:

19 
20 _____
21 Amy Lind, City Clerk

22 I, Amy Lind, City Clerk of the City of Auburn, hereby certify that the
23 foregoing ordinance was duly passed at a regular meeting of the City Council of
24 the City of Auburn held on the 12th day of June 2023 by the following vote on
25 roll call:

- 26 Ayes: Amara, Berlant, Holmes, Radell-Harris, Dowdin Calvillo
- 27 Noes:
- 28 Absent:
- Abstain:

29 
30 _____
31 Amy Lind, City Clerk

