

ORDINANCE NO. 26-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN AMENDING
SECTION 159.497 (HISTORICAL DESIGN REVIEW PERMIT) OF CHAPTER 159
(ZONING) OF THE AUBURN MUNICIPAL CODE REGARDING EXEMPTIONS TO
CERTAIN EXTERIOR PAINTING AND MINOR MAINTENANCE ACTIVITIES
FROM HISTORICAL DESIGN REVIEW

WHEREAS, the City of Auburn has designated certain areas as historic districts and applies design review standards intended to preserve historic character; and

WHEREAS, the City recognizes that routine maintenance, reinvestment, and adaptive reuse of existing buildings within historic districts are essential to economic vitality, property preservation, and prevention of vacancy and disinvestment; and

WHEREAS, the City Council recognizes that routine maintenance, including replacement of roofing materials and other minor repairs, is essential to the preservation of historic buildings, encourages timely reinvestment, prevents unnecessary deterioration and structural damage, and supports the economic vitality of the City's historic districts; and

WHEREAS, the City Council finds that timely replacement of building materials and use of materials necessary for fire safety is critical to preserving historic structures, protecting public safety, and reducing the risk of wildfire-related damage to buildings and the surrounding community; and

WHEREAS, the Council further finds that exempting routine maintenance and replacement of materials for fire safety encourages investment in historic buildings, prevents deterioration, and supports the long-term preservation of the City's historic districts; and

WHEREAS, Section 159.497 of the Auburn Municipal Code currently requires a Historical Design Review Permit or administrative approval for exterior painting and maintenance activities; and

WHEREAS, the City Council finds that requiring a Historical Design Review Permit for routine maintenance activities, including exterior painting, re-roofing, and replacement of deteriorated or damaged materials with newer, rot- and fire-resistant materials, can create unnecessary delays, costs, and regulatory burdens for property owners seeking to maintain buildings within Auburn's historic districts; and

WHEREAS, the City Council further finds that exterior painting utilizing historically appropriate color palettes, or similar historically appropriate colors approved by the Planning Director, will maintain the historic character of Auburn's historic districts while allowing property owners to maintain their buildings without unnecessary delay or permitting requirements; and

WHEREAS, the City Council desires to encourage timely maintenance, support small businesses and property owners, reduce regulatory burden, and promote reinvestment in the City's historic districts while continuing to protect character-defining architectural features.

THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS FOLLOWS:

Section One: Code Amendment. Section 159.497 of Chapter 159 of the Auburn Municipal Code is hereby amended in relevant part to read as follows with additions denoted in underline and deletions denoted in ~~strikethrough~~:

159.497 Historic Design Review Permit

A. Except as otherwise specified in this section, a Historic Design Review Permit shall be processed per the requirements of Chapter 157.

B. Application submittal. An application for a Historic Design Review Permit shall be made on a form provided by the Planning Department and shall be accompanied by the fees established by resolution of the City Council. The application shall include all information as prescribed on the form provided by the Department.

C. Historic design review. Projects located within the Historic Design Review District, or properties situated outside the district that have been designated a historic resource, shall be subject to historic design review as required by this subchapter.

1. Historic Design Review Permit (HDRP) required. A Historic Design Review Permit shall be required for the following types of projects:

- a. Construction of all new commercial, office, industrial, and multi-family residential buildings or structures.*
- b. Alterations, remodeling, or additions to existing structures.*
- c. Replacement of building materials with different materials. (including re-roofing of buildings).*
- d. Painting of buildings when if the color(s) used are not similar to the existing colors and do not qualify for the exemption set forth in Section 159.497(C)(3)(c).*

e. Sign permits.

f. Modifications to existing Historic Design Review Permits.

2. Administrative approval. The Director may approve, conditionally approve, or deny the following types of projects:

a. Minor modifications to existing site improvements (such as parking lot re-striping).

b. Exterior painting on buildings and/or structures if the color(s) are similar to the existing color(s).

c. Replacement of building materials with the same materials (including re-roofing of buildings).

d. Sidewalk replacement.

e. Landscaping.

f. Temporary signage for special events.

g. Projects as delegated by the Planning Commission.

h. Re-roofing of awnings with metal or masonry materials.

3. Exemptions. The following types of projects are exempt from the design review process:

a. Ordinary maintenance and repair.

b. Single-family residential buildings or structures.

c. Exterior painting of buildings if colors used are selected from a preapproved paint color collections adopted by resolution of the Historic Design Review Commission. This exemption does not apply to the painting of masonry, stone, brick, or any other exterior surfaces that were historically unpainted.

Section Two: California Environmental Quality Act. The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the meeting on the matter held by the City Council, and hereby determines that that the adoption of this Ordinance will not have a significant effect on the environment. This Ordinance is therefore exempt from California Environmental Quality Act (CEQA) review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations. If this Ordinance is found subject to CEQA, it is categorically exempt therefrom pursuant to Title 14, Section 15301 of the California Code of Regulations (Existing Facilities).

Section Three: 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 sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

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

Section Five: Provisions Not Affected. Any provision on this Ordinance currently existing in the code and unchanged by this Ordinance shall not be deemed readopted, amended, revised, or altered by this Ordinance.

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

INTRODUCED by the City Council on the 1st day of June 2026; and

PASSED AND ADOPTED at a regular meeting of the City Council on the 22nd day of June 2026, by the following vote:

AYES: AMARA, DOWDIN CALVILLO, RADELL-HARRIS, DAVIS

NOES:

ABSENT:HOLMES

ABSTAIN:

DATED: June, 22, 2026



Kelley Davis, Mayor

ATTEST:



Amy Lind, City Clerk