

COUNCILMEMBERS

Position No.

1. Tod Gunther
2. John Kelly
3. Michelle Gehring
4. Joachim Pestinger
5. Nicola McDonald
6. Greg Hogan
7. Scott Drennen



ORTING CITY COUNCIL

Study Session Agenda

Orting Multi-Purpose Center
202 Washington Ave. S, Orting, WA
October 16th, 2019, 6pm

**DEPUTY MAYOR GREG HOGAN
CHAIR**

1. CALL MEETING TO ORDER PLEDGE AND ROLL CALL

2. COMMITTEE REPORTS

Public Works

✚ *CM Drennen & CM Gunther*

Public Safety

✚ *CM Kelly & CM Pestinger*

Community and Government Affairs

✚ *CM McDonald & CM Gehring*

3. STAFF REPORTS

4. AGENDA ITEMS

A. AB19-67 – Ordinance No. 2019-1051, an Ordinance of the City Of Orting, Washington, Relating To Land Use and Zoning; Amending Orting Municipal Code Title 13 Pertaining To the Mixed Use Town Center North Zone.

✚ *Mark Bethune*

B. AB19-59- City Server Replacement.

✚ *CM McDonald/CM Gehring*

C. AB19-68- City Hall Overhead Cost Allocation Policy- Resolution No. 2019-28.

✚ *Scott Larson*

D. AB19-70-Fiber Optic Network-Request For Proposals.

✚ *CM McDonald/CM Gehring*

E. AB19-71 Recreational Vehicles, -Ordinance.

✚ *CM Kelly /CM Pestinger*

F. AB19-72-Budget Discussion.

✚ *Scott Larson*

G. AB19-73-2020 Property Taxes- Resolution No. 2019-27.

✚ *Scott Larson*

H. AB19-74-Utility Rates.

✚ *Scott Larson*

I. DM Disposal- AD HOC Committee.

✚ *DM Hogan/CM Kelly/CM Gehring*

5. ADJOURNMENT-Motion: To Adjourn.

Americans with Disabilities Act – reasonable accommodations provided upon request (360) 893-2219

Page 1 | 1

Upcoming Meetings: *Special Meeting October 18th, 2019, 3:30pm- Deputy Mayor Committee, (MPC), Special Budget Workshop Meeting, October 19th, 9:00am, (Rocky Road-Public Works Facility), Next Regular Meeting: October 30th, 2019, 7pm, (MPC)*



City of Orting Council Agenda Summary Sheet

Subject: Ordinance No. 2019-1051, Relating To Land Use And Zoning; Amending Orting Municipal Code Title 13 Pertaining To The Mixed Use Town Center North Zone		Committee	Study Session	Council	
	Agenda Item #:	N/A	AB19-67	AB19-67	
	For Agenda of:		7.17.19 10.16.19	9.25.19 10.9.19	
	Department:	Planning/Administration			
	Date Submitted:	07/02/2019 [Revisions submitted 9/6/19, 9/20/19, and 10/02/2019]			
Cost of Item:	N/A				
Amount Budgeted:	N/A				
Unexpended Balance:	N/A				
Bars #:	N/A				
Timeline:	N/A				
Submitted By:	Mark Bethune, City Administrator; Roger Wagoner, Interim City Planner; Charlotte A. Archer, City Attorney				
Fiscal Note:					
Attachments: Ord. No. 2019-1051 <ul style="list-style-type: none"> Attachment 1 - Exhibit A to Ord. 2019-1051 showing, in tracked changes, Staff's changes to Exhibit A in response to the City Council's comments at its meeting of 9/25/19 AND 10/11/19 Attachment 2 – SEPA/Commerce documentation. 					
<p>SUMMARY STATEMENT: Before the City Council for consideration and a public hearing are proposed amendments to the City's zoning code, OMC Title 13. The Planning Commission made recommendations for amendments to OMC 13-3-2 and 13-3-3, development regulations for the Mixed Use Town Center North Zone. The Council and staff have worked in open session to review and consider the Planning Commission's recommendations; the results of that work are attached as Exhibit A to Ordinance No. 2019-1051.</p> <p><u>As of October 2, 2019, the proposed amendments before the Council are summarized, in part, as follows:</u></p> <ul style="list-style-type: none"> Setting residential dwelling at 6 dwelling units/gross buildable acre (minimum) and 12 dwelling units/gross buildable acre (maximum). <ul style="list-style-type: none"> Current regulations provide for a max of 10 dwelling units per acre. Planning Commission recommended a max of 9 dwelling units per acre. Setting density for senior housing at 6 dwelling units/gross buildable acre (minimum) and 20 dwelling units/gross buildable acre (maximum). <ul style="list-style-type: none"> Current regulations provide a max of 10 dwelling units per acre. Planning Commission recommend no limit (unlimited dwelling units per acre). Setting a public open space requirement (park) of a minimum of 5 acres of open space dedicated to the City (or impact fees in lieu), plus an additional: (1) for residential, 2,000 square feet for every 50 dwelling units; and (2) for commercial, 1,000 square feet for every 10,000 square feet of building area. <ul style="list-style-type: none"> Current regulations require a minimum open space of 1,000 square feet for every 10,000 square feet of building area. Planning Commission recommended minimum 5 acres of open space (not dedicated to the City), plus an additional: (1) for residential, 2,000 square feet for every 50 dwelling units; and (2) for commercial, 1,000 square feet for every 10,000 square feet of building area. 					

- Height restricted to 35 ft for commercial/residential along SR 162 and Rocky Road; 45 ft elsewhere, with a maximum of three stories throughout.
 - *Current regulations contain no cap (additional requirements for buildings over 40' in height).*
 - *Planning Commission recommended 35 ft. along SR 162, no cap for remaining area in zone.*
- Sidewalks along SR 162/Washington Avenue North, one side of Daffodil Avenue NE, and one side of Rocky Road and in the non-residential area shall be 8 ft in width (minimum). All other sidewalks shall be 5 ft. in width (minimum).
 - *Current regulations require 8 ft. sidewalks in Sector 1 (closest to SR 162)*
 - *Planning Commission recommended sidewalks along SR 162/Washington Avenue North and in the non-residential area shall be 8 ft in width (minimum); all other sidewalks shall be 5 ft. in width (minimum).*

Background: In late 2018 and early 2019, the City received a request from DR Horton for amendments to the City's Comprehensive Plan provisions governing the Mixed Use Town Center North zone. Those requested amendments implicated the City's zoning code, codified at OMC 13-3-2 and 13-3-3. Staff initially combined the proposed amendments to the City's Comprehensive Plan with the proposed amendments to the Orting Municipal Code. Staff recommended bifurcating those amendments, per state law (one subject rule). This Ordinance contains the proposed zoning code amendments (to OMC Title 13) that have been discussed at the Planning Commission, Council and at multiple public hearings before both bodies.

An environmental review of the proposed amendments has been conducted in accordance with the requirements of the State Environmental Policy Act ("SEPA"), and a SEPA threshold determination of non-significance was issued on July 1, 2019 and re-issued on Oct. 7, 2019 for an additional 14-day comment period. In accordance with WAC 365-196-630, a notice of intent to adopt the proposed Comprehensive Plan amendments was sent to the State of Washington Department of Commerce and to other state agencies with acknowledgement by the Department on July 2, 2019, to allow for a 60-day review and comment period. The City has undertaken a public involvement process and provided for early and continuous public participation opportunities on the proposed amendments, including multiple Planning Commission workshops from December 2018 to July 2019 including public meetings on the amendments on December 3, 2018, January 7, 2019, January 22, 2019, February 14, 2019, March 4, 2019, March 21, 2019, April 1, 2019 and May 6, 2019, and June 3, 2019; July 1, 2019; a public open house on April 26, 2019; a joint meeting with the Orting City Council on April 20, 2019 and a public hearing on June 18, 2019 before the Planning Commission.

The City Council considered the Planning Commission's recommendations, and proposed modifications to the Planning Commission's recommendations from Staff, at its meetings on July 17, 2019, August 21, 2019, held public hearings on the proposed amendments at its regular meeting on Sept. 11, 2019, and considered the amendments further at meetings on Sept. 18, 2019, Sept. 25, 2019, October 11th, 2019, and at this meeting.

Staff Recommendations: Based on input from the Council at the previous regular meetings and study sessions where the proposed amendments have been discussed, Staff proposes modifications the Planning Commission's recommendations. Staff's recommendations are attached to Ordinance No. 2019-1051 as Exhibit A thereto.

RECOMMENDED ACTION: To move forward to the Council Meeting on October 30th, 2019.

FUTURE MOTION: FOR MEETING ON OCT. 30, 2019: To Adopt Ordinance 2019-1051, An Ordinance Of The City Of Orting, Washington, Amending Orting Municipal Code Title 13 Pertaining To The Mixed Use Town Center North Zone.

CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2019-1051

**AN ORDINANCE OF THE CITY OF ORTING,
WASHINGTON, RELATING TO LAND USE AND ZONING;
AMENDING ORTING MUNICIPAL CODE TITLE 13
PERTAINING TO THE MIXED USE TOWN CENTER
NORTH ZONE; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, as required by the Growth Management Act (Chapter 36.70A RCW), the City adopted a comprehensive plan for the community on November 29, 2004, (the “Comprehensive Plan”), which is updated frequently; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan shall be subject to continuing evaluation and review, and amendments to the Comprehensive Plan shall be considered no more frequently than once every year; and

WHEREAS, the City Council on December 13, 2017, adopted Ordinance No.2017-1019 including amendments to the Comprehensive Plan and development regulations pursuant to state of Washington periodic review requirements; and

WHEREAS, in December 2018, the City initiated a review of the Comprehensive Plan to address plan elements that require updating, and requested amendment proposals from citizens; and

WHEREAS, the docket for plan amendments for 2019 included a request to amend both the Comprehensive Plan at the Land Use Element, as well as amendments to Orting Municipal Code Title 13 (the “Orting Zoning Code”) for the Mixed Use Town Center North zone; and

WHEREAS, on July 1, 2019 the Planning Commission, after considering the public comments received and other information presented at the aforementioned public hearings and public meetings, voted to recommend the adoption of the proposed amendments to the Orting Zoning Code for the Mixed Use Town Center North zone; and

WHEREAS, prior to making said recommendations, the Orting Planning Commission, following notice thereof as required by RCW 35A.63.100, held multiple public hearings on the amendment proposals and considered the comments received at said hearings; and

WHEREAS, on July 1st, 2019, the City's SEPA Responsible Official complied with the State Environmental Policy Act (SEPA) by issuing a Determination of Nonsignificance (DNS), complying with SEPA's procedural requirements; and

WHEREAS, on June 18th, 2019, the proposed amendments contained herein were transmitted to the State Department of Commerce as required by law and on July 2nd, 2019, the Department of Commerce granted expedited review of the proposed code amendments; and

WHEREAS, the City Council received written recommendations from the Orting Planning Commission to amend certain sections of the text of the Orting Zoning Code pertaining to the Mixed Use Town Center North zone; and

WHEREAS, on September 11th, 2019 and October 9th, 2019, the City Council held additional public hearings to take public testimony regarding the proposed amendments to the Orting Zoning Code; and

WHEREAS, having considered, among other things, the public testimony, the minutes of the Planning Commission meetings, the preliminary and final staff reports, and the Planning Commission recommendations, the City Council finds that the proposed amendments to the Orting Zoning Code are consistent with and would serve to further implement the planning goals of the adopted Comprehensive Plan and the Growth Management Act, bear a substantial relation to the public health, safety or welfare, and promote the best long term interests of the Orting community;

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

Section 1. Incorporation of Recitals. The above stated recitals are incorporated as though fully set forth herein.

Section 2. Adoption of Amendments to the Orting Zoning Code (OMC 13-3-2 and OMC 13-3-3). The City Council adopts the proposed amendments to the Orting Zoning Code (OMC 13-3-2 and 13-3-3), attached hereto as "Exhibit A", which is incorporated by reference herein.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Corrections and Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
_____ DAY OF _____, 2019**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk

Approved as to form:

Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney

Filed with the City Clerk: 9.13.19
Passed by the City Council:
Ordinance No.2019-1051
Date of Publication:
Effective Date:

EXHIBIT A



City of Orting Council Agenda Summary Sheet

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ATTACHMENT 1

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

13-3-2: ZONE CLASSIFICATIONS:

E. MUTCN Mixed Use-Town Center North Zone:

1. Purpose And Intent: The intent of the MUTCN Zone is to benefit the citizens of Orting with the desirable opportunities presented to the City of the large lots and land area between Orting High School and Rocky Road for the development of new economic opportunities including a mix of residential, non-residential, open space and recreational uses that support a sustainable community by providing jobs and increasing the tax base. Pedestrian amenities, public transportation, and architectural design review will be considerations throughout master planning and development approvals for projects in this zone. (Ord. 2018-1026, 4-25-2018)

2. Master Development Plan Required: Development in the MUTCN (Mixed Use Town Center North) requires approval of a master development plan that shall include a planned unit development and an approved development agreement with site specific design guidelines, and a parcel map if future phases are anticipated. The development agreement shall set forth the conditions for development, public improvements, and phasing, if applicable. The master development plan approval process is a Type 4 permit per section 15-4-1 of this Code. All development and uses shall be in accordance with the adopted master development plan. Provisions for allowed and conditional uses, site specific locations of public streets, parks and open spaces, and design standards described in this section shall be interpreted and modified as appropriate during the master plan review and planned unit development approval process based on evidence provided by the applicant.

3. Master Plan Elements: The master development plan shall contain, at a minimum, the following:

a. A master site plan showing the location of:

- (1) Buildings;
- (2) Streets, alleys, and major driveways;
- (3) Off street parking areas;
- (4) Open spaces (plazas, squares, courtyards, and other spaces intended for public enjoyment) based on the proposed uses and whether they are intended to serve the public;
- (5) Critical areas and buffers;
- (6) Shorelines;
- (7) Floodplains;
- (8) Pedestrian walks and paths;
- (9) Landscaping;
- (10) Proposed Phases; and
- (11) Other site features;

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**EXHIBIT A
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- b. A unified parking management plan showing potential shared parking areas;
 - c. Subdivision or Binding Site Plan proposals per title 12 of this Code, if applicable; and
 - d. Other materials as required for planned development or binding site plan approval and architectural design review per this title.
4. Principal Uses: Section 13-3-3, Table 1, of this chapter, shows the allowed principal and conditional uses in the MUTCN Zone, ~~and summarizes those uses in the sectors within the zone.~~ The maximum number of residences allowed in MUTCN is based on a maximum gross density of ten (10) dwelling units per acre. Project proponents may be allowed to transfer residential development rights between these areas subject to master plan review. Uses not listed are prohibited. All development within the MUTCN is subject to Architectural Design Review.
5. Bulk and Dimensional Requirements: The following bulk and dimensional requirements apply to the MUTCN district:
- a. Non-Residential Space: A minimum of 15 acres of ~~dedicated~~ non-residential ~~uses~~ ~~space~~ (Commercial, Light Industrial and Light Manufacturing, ~~with associated streets, sidewalks, and parking,~~ and Cultural and/or Public Uses per OMC 13-3-3, Table 1) shall be located primarily along Washington Avenue N/SR 162 ~~but may also be located, and/or adjacent to Rocky Road, the Orting Wastewater Treatment Plant and/or the Orting School District property per the adopted site master plan.~~ Prior to certificates of occupancy for every 100 residential dwellings, a minimum of 3,500 square feet of retail and/or office space along SR162 and a minimum of 1,500 square feet of Light Industrial or Light Manufacturing commercial ~~space~~ ~~uses~~ ~~along Rocky Road~~ shall be developed for ~~constructed as~~ commercial ~~uses~~ ~~shells~~ ready for tenant improvement and occupancy. Retail development fronting on SR162 ~~shall~~ ~~should~~ ~~begin~~ ~~phased with initial development starting south of the~~ ~~at the~~ Whitehawk Blvd/SR162 intersection and then ~~move~~ ~~progress~~ north.
 - b. Public Open Space: In addition to the required commercial plazas and courtyards and the community open space required in this title, the district shall contain a minimum of 5 acres of useable open community park space that is not part of a critical areas buffer or shoreline buffer, required landscaping or perimeter buffering, part of a required easement, or part of a stormwater facility. These 5 acres of open community park space may not be subdivided into more than two smaller tracts and subject to the proportional size of the tax parcels. Public access to park space shall be compliant with the American Disabilities Act (ADA), 42 U.S.C. 12101, et seq., including wheel chair accessibility. Park equipment shall have ADA accessible features including wheel chair accessibility. An ADA accessible pathway shall be provided for access to the Carbon River levy. Development of this park space ~~with improvements~~ shall be dedicated to the City for public access and

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**EXHIBIT A
TO ORDINANCE 2019-1051**

use and may be provided by the applicant, or may be financed by park impact fees paid by the applicant. Exceptions to this provision may be granted when circumstances make compliance infeasible or when a park impact fee is proposed, pursuant to OMC 15-6-7(B).

- c. Residential Density: There shall be a maximum of 20 buildable acres allowed for residential construction including streets, sidewalks and parks. The minimum residential density is six (6) dwelling units per gross buildable acre. The maximum residential density for any residential development parcel is twelve (12) dwelling units per buildable acre. Buildable acreage does not include critical areas or flood plain acreage. It is preferable that There shall be an integrated housing mix of housing including detached, attached, and multi-family units within the residential acreage and avoidance of a segregation of housing types into specific areas.

Senior housing minimum density is six (6) dwelling units per gross buildable acre and a maximum of twenty (20) units per gross buildable acre. Residential uses over retail uses in the same structure have no maximum density restrictions and do not count toward the density total.

- d. Each of the above totals shall be proportionate in acreage to the parcel size for each lot of record existing as of the date of adoption of this code. This provision shall run with the land and be in effect whether the parcels remain in their existing configuration or are subsequently divided.
- e. Height is restricted to a maximum of 35-feet for commercial and residential construction fronting SR162 and Rocky Road. Height is restricted to a maximum of 45-feet east of commercial construction fronting SR 162 and south of construction fronting on Rocky Rd. No commercial or residential building may be more than 3 stories (3 occupied floors). Development shall not be permitted that raises the height of the ground above the site plan elevations as approved by the City.

6. Project Design: The design, layout and distribution of uses such as buildings, landscaping, parking areas, signs, open spaces, public areas, and streetscapes shall comply with the approved master development and guidelines. Proposed design features shall be reviewed by the Planning Commission in accordance with section 13-6-7 of this title and the MUTCN design guidelines. The following design features shall be addressed during the review of all project proposals:

- a. Architectural character illustrated by building elevations and renderings showing design features, building orientations, and relationships to parking, pedestrian areas, and open spaces;
- b. Public plazas and open spaces;

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- c. Relationships to adjacent properties, uses, and buildings;
- d. Pedestrian walkways and paths;
- e. Construction materials and colors;
- f. Coordinated signage and lighting;
- g. Streetscape design for improvements in public rights-of-way including sidewalk finishes, street trees, lighting, and street furniture;
- h. Landscaping of parking areas, open spaces, and project perimeters; and
- i. Use of low impact design techniques for stormwater management.

~~When the permitted use is light manufacturing, these features in subsections E5b, E5d, and E5g of this section are not required in sector 3, but are encouraged to benefit employees and visitors.~~

7. MUTCN Design Guidelines (~~Sector 1~~): The following guidelines are for development in ~~sector 1~~ and are supplementary to other adopted design standards and guidelines:

- a. Pedestrian Oriented Street Frontage: Buildings shall provide pedestrian entries along streets. Sidewalks along SR 162/Washington Avenue North, one side of Daffodil Avenue NE, and one side of Rocky Road and in the non-residential shall be a minimum of eight feet (8') in width with greater widths at entries. Sidewalks along all other roadways must be a minimum of five feet (5') in width. All streets shall have street trees spaced no more than thirty feet (30') apart. All streets shall be public streets built to the City of Orting Public Works standards. Buildings on public street frontages shall provide at least two (2) of the following pedestrian amenities:
 - (1) Window displays along at least seventy five percent (75%) of the frontage;
 - (2) Pedestrian weather protection;
 - (3) Street furniture such as benches, drinking fountains, trash receptacles, public art, or site maps;
 - (4) Open spaces including cafe seating, plazas, play structures, fountains, or gardens;
 - (5) Perimeter landscaping; and/or

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- (6) Sidewalk "bulb-outs" at street intersections may be allowed depending upon traffic study findings.
- b. Off Street Parking Access: Off street parking between streets and buildings shall be minimized. Curb cuts providing driveways to off street parking lots shall be minimized. The building street frontage facade shall not be broken by parking lots for more than sixty-five feet (65') at any location. No more than 50% of the total frontage along SR162 may be occupied by parking areas. Those parking lots may not be deeper than 75' including planter strips and must be screened with landscaping.
- c. Off Street Parking Management: Absolute compliance with parking requirements may be waived if a parking demand analysis demonstrates that shared parking can be accomplished through the following:
- (1) Parking lots/areas are connected by driveways and pedestrian walkways
 - (2) Multiple projects are treated collectively in the master development plan
 - (3) Daytime and nighttime parking demand can be balanced.
 - (4) Parking areas in adjacent or nearby projects (within 500 feet) are dedicated to serving demand.
 - (5) Employee parking demand is addressed through car pooling and/or remote parking areas.
- d. Service Areas: Loading areas, outdoor storage, waste facilities, and other services shall be located and screened from public views and adjacent properties with a combination of location, landscaping and solid fencing.
- e. Building Design: All buildings shall be designed in compliance with the architectural design review (ADR) standards set forth in section 13-6-7 of this title. ~~Further, all buildings more than three (3) stories in height or larger than ten thousand (10,000) square feet of footprint area shall provide at least two (2) of the following features to reduce their visual bulk as viewed from public streets:~~
- ~~(1) Upper story setbacks;~~
 - ~~(2) Horizontal modulation in the form of setbacks or projections. The maximum facade length without modulation shall be one hundred feet (100'). The minimum depth of setbacks or projections shall be six feet (6');~~

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TO ORDINANCE 2019-1051**

~~(3) Roofline modulations in the form of fascias, parapets, gables, hips, or shed forms with a minimum pitch of three to twelve (3:12); and/or~~

~~(4) Facade articulation in the form of windows, bays, porches, entries, material changes, lighting, trellises, landscaping and other features.~~

- f. Signage: The master development plan shall include a signage plan including a unifying theme, and details for all typical signs such as monument signs, major building signs, projecting signs, storefront signs, lighting, and directional signs.
- g. Plazas and Courtyards: Plazas and courtyards are required in all non-residential areas, except for light industrial use areas. Plazas are major open space features intended to provide significant opportunities for public use and enjoyment including special events. Courtyards are smaller open space features intended to provide quiet spaces for resting and relaxing. For each ten thousand (10,000) square feet of building area, a combination of plazas and/or courtyards totaling one thousand (1,000) square feet is required. The minimum area of a courtyard is two hundred fifty (250) square feet. The minimum area of plaza is one thousand (1,000) square feet. At least twenty five percent (25%) of all plazas and courtyards shall be landscaped with trees, shrubs, and ground cover at grade or in planters. At least twenty five percent (25%) shall be paved with decorative materials. Seating (1 linear foot of seating area for each 60 square feet of plaza or courtyard area), trash receptacles, public art, water features, and other furnishings shall be provided.
- h. Residential Open Space: Small scale, usable open space is required in all residential areas. All residential open space areas must be relatively level; located on useable space that is not part of a critical areas or shoreline buffer and must provide access and inclusive uses for all persons, including those with mobility issues and other disabilities. Areas required for perimeter buffering, landscaping, screening, utilities or storm water facilities may not be counted as residential open space. For every 50 dwelling units, a combination of open space areas including tot lots, pedestrian amenities, picnic areas, etc. totaling two thousand (2,000) square feet is required. The minimum area of an individual open space is one thousand (1,000) square feet. No side dimension of the open space may be less than 30 feet. At least 50% of all residential open space shall be landscaped with trees, shrubs, and ground cover at grade or in planters. At least twenty five percent (25%) shall be improved with play structures, unless the development is predominantly senior housing. Seating (1 linear foot of seating area for each 60 square feet of residential open space), trash receptacles, public art, water features, and other furnishings shall be provided.
- i. Low Impact Design: In conjunction with standard stormwater management practices, site design for stormwater conveyance, detention, and treatment shall include measures such as biofiltration, irrigation reuse, and other techniques integrated with the overall landscape

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

- design to minimize high volumes of discharge and pollution, where reasonably practicable.
- j. Mt. Rainier Site lines: It is preferable that the Master Development Plan proposal should protect ensure views of Mt. Rainier are protected along the SR162 corridor and from the internal community parks.
- k. Commercial setbacks fronting SR162: A minimum of 50% of retail development along SR162 shall have a minimum setback of 25' from the street curb with pedestrian entry in the front. See Sections 5 and 7 of this chapter.
8. ~~MUTCN Design Guidelines (Sectors 2 And 3): The following guidelines are for development in sectors 2 and 3 and are supplementary to other adopted design standards and guidelines:~~
- a. ~~Service Areas: Loading areas, outdoor storage, waste facilities, and other services shall be located and screened from public views and adjacent properties with appropriate design features, including, but not limited to, fencing or landscaping.~~
- b. ~~Building Design: All buildings shall be designed in compliance with the architectural design review (ADR) standards set forth in section 13.6.7 of this title. Further, all buildings more than three (3) stories or forty feet (40') in height or larger than ten thousand (10,000) square feet of footprint area shall provide at least two (2) of the following features to reduce their visual bulk as viewed from public streets:~~
- ~~(1) Upper story setbacks;~~
- ~~(2) Horizontal modulation in the form of setbacks or projections. The maximum facade length without modulation shall be one hundred feet (100'). The minimum depth of setbacks or projections shall be six feet (6');~~
- ~~(3) Roofline modulations in the form of fascias, parapets, gables, hips, or shed forms with a minimum pitch of three to twelve (3:12); and/or~~
- ~~(4) Facade articulation in the form of windows, bays, porches, entries, material changes, lighting, trellises, landscaping and other features.~~
- e. ~~Signage: The master development plan shall include a signage plan including a unifying theme, and details for all typical signs such as monument signs, major building signs, projecting signs, storefront signs, lighting, and directional signs.~~
- d. ~~Low Impact Design: Site design for stormwater conveyance, detention, and treatment shall include measures such as biofiltration, irrigation reuse, and other techniques~~

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

~~integrated with the overall landscape design to minimize high volumes of discharge and pollution.~~

- ~~e. LEED Certification: All new construction shall be certified as LEED certified or higher by the leadership in energy and environmental design (LEED) U.S. Green Building Council rating system. (Ord. 889, 9-8-2010; amd. Ord. 2018-1026, 4-25-2018)~~

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

13-3-3: USES:

TABLE 1 CITY OF ORTING LAND USE

RC: Residential-Conservation Zone	MUTC: Mixed Use-Town Center Zone	OS: Open Space and Recreation Zone
RU: Residential-Urban Zone	MUTCN: Mixed Use-Town Center North Zone	PF: Public Facilities Zone
RMF: Residential-Multi-Family Zone	LM: Light Manufacturing Zone	

	Zones							
	RC	RU	RMF	MUTC	MUTCN ²	LM	OS	PF
Residential uses ¹ :								
Cottage	P	P	P		<u>P</u>			
Cottage development		p ^{3,4}	p ^{3,4}		<u>P</u>			
Duplex		p ¹⁰	P	P	<u>p²⁵</u>			
Group residences:		C	C ³	C ³				C ²²
Adult family homes	P	P	P	P	<u>P</u>			
Attached ground related residences					<u>P</u>			

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

	Single-family occupancy sleeping units								C
	Other ⁶		C	P	C	<u>P</u>			
	Manufactured home park	C	C	C					
	Mobile/manufactured home	P ⁷	P ⁷	P ⁷					
	Multiple-family			P	P ³	<u>P</u>			
	Single-family detached	P	P	P		<u>p²⁵</u>			
	Temporary lodging:								
	Bed and breakfast	C	C	C	P ³				
	Hotel/motel				P ³	<u>P</u>			
	Rooming house			C	C ³				
	Townhouse		P ¹⁰	P	P ³	<u>p²³</u>			
	Commercial uses:								
	Adult businesses				C ³				
	Arcades				P ³				
	Clubs and lodges			C ³	P ³				

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

Communication facilities					<u>C</u>			
Communication services				P ³	<u>C</u>			
Daycare facilities:								
Centers - commercial		C	C	C	<u>P</u>			
Provider home facility	P	P	P	C ³				
Eating and drinking places			C ³	P ³	<u>P</u>		C ³	
Health services			P ³	P ³	<u>P</u>			
Home occupations ¹²	C ¹³	C	C	C ³	<u>P</u>			
Liquor stores				P ³	<u>P</u>			
Offices			C ³	P ³	<u>P</u>	C ³		
Personal services				P ³	<u>P</u>			
Retail fuel sales				C ³	<u>P</u>	P ³		
Retail sales			C ^{3,14}	P ³	<u>P</u>	C ³	C ³	
Theaters				P ³	<u>P</u>			
Veterinary clinics					<u>P</u>			
Veterinary facilities				P ³	<u>P</u>	P ³		

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

Industrial uses:									
	Manufacturing ¹⁸ :								
	Assembly/fabrication					<u>C²⁴</u>	P		
	Food processing					<u>C²⁴</u>	P		
	Light manufacturing					<u>C²⁴</u>	P		
	Petroleum products						P		
	Wineries and breweries				P	<u>P</u>	P		
	Wood products						P		
Storage and shipping:									
	Construction business					<u>C²⁴</u>	P		
	Equipment rental					<u>C²⁴</u>	P		
	Freight facilities warehousing						P		
	Outdoor storage					<u>C²⁴</u>	C		
	Self-service storage					<u>C²⁴</u>	P		

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

	Wholesale trade					<u>C²⁴</u>	P		
Cultural and recreational uses:									
Cultural:									
	Art galleries				p ³	<u>P</u>			
	Churches	C ³	C ³	C ³	p ³	<u>P</u>			
	Community centers				p ³	<u>C</u>			
	Community facilities					<u>C</u>			
	Libraries				p ³	<u>P</u>			
	Museums				p ³	<u>P</u>			
	Outdoor theaters				p ³	<u>C</u>			
Recreation:									
	Athletic fields	C ²⁰	C ²⁰	C ²⁰		<u>C</u>		P	P
	Campgrounds	C ²⁰	C ²⁰	C ²⁰				P	P
	Golf facilities	C ²⁰	C ²⁰	C ²⁰				P	P
	Parks	C ²⁰	C ²⁰	C ²⁰	C ²⁰	<u>P</u>	C ²⁰	P	P
	Parks, plazas, courts					<u>P</u>			
	RV parks	C ²⁰	C ²⁰	C ²⁰				C	C

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

	Resorts (including lodging)			C	C	<u>C</u>			
	Shooting ranges	C					C	C	C
	Spas and health clubs					<u>P</u>			
	Stables/riding clubs	C ²⁰						C	P
	Trails	C ²⁰	C ²⁰	C ²⁰	C ²⁰	<u>P</u>	C ²⁰	P	P
Public uses:									
	Animal shelters					<u>C²⁴</u>	P		P
	C olleged universities			C	C	<u>C</u>	C		P
	C orrectional facilities						C		C
	Emergency services		C	C	C	<u>C</u>	P		P
	Government offices			P	P	<u>P</u>	P		P
	Hazardous materials						C		C
	Hospitals	C ³	C ³	C ³	C	<u>C</u>	C		P
	Justice facilities								P
	K - 12 schools	C	C	C	P	<u>C</u>			P
	Landfills		C				C		C

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

Public safety facilities		C	C	C	<u>C</u>	P		P
School support facilities					<u>C</u>	P		P
Shared off street parking				C	<u>P</u>			
Solid waste facilities						C		P
Transit facilities	C	C	C	C	<u>C</u>	C	C	P
Utility facilities	C	C	C	C	<u>C</u>	P	C	P
Vocational schools			C	C	<u>C</u>	C		P
Wastewater treatment								P
Water supply facilities	C	C	C	C	<u>C</u>	C	C	P
Resource uses:								
Agricultural:								
Agricultural research, testing and training	C				<u>C</u>	P		C
Growing crops	P				<u>C</u>			
Livestock and small animals	p ²¹				<u>C</u>			

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
(SHOWN IN RED IN BLUE FROM 9.11.19 MEETING)**

**EXHIBIT A
TO ORDINANCE 2019-1051**

Fish and wildlife management:								
Aquaculture	C						C	C
Wildlife shelters	C						C	C
Forestry:							C	
Growing trees	P							
Mills						P		
Research and testing	C					P		C
Mineral:								
Batch plants						P		
Extraction and processing	C	C	C			P		C

Notes:

1. Residential planned unit developments (PUD) may allow increases in underlying density except in the MUTCN.
2. All development subject to Master Development Plan and MUTCN Bulk and Dimensional Requirements. See sections 13-3-2-E-2 and E-5 of this code.
3. Subject to architectural design review.
4. As a binding site plan.
5. Not located along retail street frontages.
6. Housing more than 12 unrelated individuals.
7. On a legal lot with permanent foundation.
8. On upper floors above ground floor commercial only.
9. On upper floors above ground floor commercial, or in freestanding residential buildings.
10. Duplexes and townhouses are not allowed on flag lots in the RU zone.
11. In planned retail centers when building area is less than 10,000 square feet.
12. See section 13-5-4 of this title.

**STAFF MODIFICATIONS FROM 9/25/19 COUNCIL MEETING
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**EXHIBIT A
TO ORDINANCE 2019-1051**

13. On site sales of agricultural products allowed.
14. Food stores only.
15. On upper floors above ground floor retail.
16. Including outdoor display or sales yards.
17. Not including overnight kennels or treatment facilities.
18. Machine shops, incinerators, wrecking yards, and feedlots may be permitted subject to appropriate mitigation of impacts on surrounding nonindustrial areas. Significant adverse noise, air quality, or other impacts caused by manufacturing processes shall be contained within buildings.
19. When entirely located in a building, not producing adverse noise or air quality impacts, and not located along retail street frontage. Ground floor area limited to 10,000 square feet maximum.
20. Private facilities.
21. Subject to all other City regulations regarding livestock.
22. Redevelopment of the Orting Soldiers' Home subject to site plan and architectural design review approval.
23. Three or more units per building.
24. May not have frontage along SR 162/Washington Avenue N. Must be screened from all adjacent residences with sight obscuring landscaping, 6-foot tall solid fencing.
25. For Senior Housing (aged 55+) only.

ATTACHMENT 2
SEPA CHECKLIST AND
OTHER RELATED
DOCUMENTS



Department of Commerce

Innovation is in our nature.

Notice of Intent to Adopt Amendment 60 Days Prior to Adoption

Indicate one (or both, if applicable):

- Comprehensive Plan Amendment
- Development Regulation Amendment

Pursuant to RCW 36.70A.106, the following jurisdiction provides notice of intent to adopt a proposed comprehensive plan amendment and/or development regulation amendment under the Growth Management Act.

Jurisdiction:	City of Orting
Mailing Address:	110 Train Street SE Orting, WA 98390
Date:	June 18, 2019

Contact Name:	Emily Terrell, AICP
Title/Position:	City Planner
Phone Number:	253.709.6044
E-mail Address:	Emily@soundmunicipal.com

<p>Brief Description of the Proposed/Draft Amendment: <i>If this draft amendment is provided to supplement an existing 60-day notice already submitted, then please provide the date the original notice was submitted and the Commerce Material ID number located in your Commerce acknowledgement letter.</i></p>	<p><i>The City of Orting is performing its annual Comprehensive Plan Amendments. Amendments include:</i></p> <ol style="list-style-type: none"> 1. <i>a new Zoning Map (to correct a scrivener's error);</i> 2. <i>adoption of an update to the Transportation Improvement Plan; and</i> 3. <i>text amendments to the Comprehensive Plan, specifically to:</i> <ol style="list-style-type: none"> a. <i>Section R1 of the Roadway Improvements section of the Transportation Element Appendix and</i> b. <i>to the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.</i> <p><i>The City is also adopting corresponding implementing legislation in sections 13-3-2-E</i></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<i>OMC Mixed Use Town Center North Zone and 13-3-3 OMC Uses.</i>
Is this action part of the scheduled review and update? <i>GMA requires review every 8 years under <u>RCW 36.70A.130(4)-(6)</u>.</i>	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Public Hearing Date:	Council: June 18, 2019
Proposed Adoption Date:	July 31, 2019

REQUIRED: Attach or include a copy of the proposed amendment text or document(s). We do not accept a website hyperlink requiring us to retrieve external documents. Jurisdictions must submit the actual document(s) to Commerce. If you experience difficulty, please contact reviewteam@commerce.wa.gov.

SEPA ENVIRONMENTAL CHECKLIST

Orting 2019 Comprehensive Plan Update

A. Background

1. Name of proposed project, if applicable:

Orting Comprehensive Plan Update

2. Name of applicant: Town of Orting

3. Address and phone number of applicant and contact person:

Emily Terrell, AICP
Orting City Hall
110 Train Street SE
Orting, WA 98360

4. Date checklist prepared: June 11, 2019

5. Agency requesting checklist: City of Orting

6. Proposed timing or schedule (including phasing, if applicable):

Not applicable.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not applicable.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Not applicable.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

There are no other approvals pending for specific land use actions.

10. List any government approvals or permits that will be needed for your proposal, if known.

None.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The City of Orting is performing its annual Comprehensive Plan Amendments. Amendments include:

1. a new Zoning Map (to correct a scrivener's error);
2. adoption of an update to the Transportation Improvement Plan; and
3. text amendments to the Comprehensive Plan, specifically to:
 - a. Section R1 of the Roadway Improvements section of the Transportation Element Appendix and
 - b. to the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.

The City is also adopting corresponding implementing legislation in sections 13-3-2-E OMC Mixed Use Town Center North Zone and 13-3-3 OMC Uses.

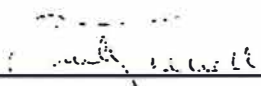
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal would amend the Comprehensive Plan and the municipal code for the City of Orting and its urban growth area (UGA). The City of Orting is located in Pierce County, on SR 162 between the City of Sumner and the Town of South Prairie.

Section B EXCLUDED, SEE ANSWERS in Section D below.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee Emilv Tertell

Position and Agency/Organization City Planner, City of Orting

Date Submitted: June 11, 2019

D. supplemental sheet for nonproject actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal will not increase discharge to water, emissions to air or affect toxic or hazardous substances or noise. Subsequent development and projects could affect these issues, but each will be addressed at the individual project approval stage.

Proposed measures to avoid or reduce such increases are:

Not applicable.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal in itself will not affect plants, animals, fish or marine life. Implementing projects may have an effect on each of these issues, but each implementing project will be reviewed at the project application and review stage.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

All applicable SMP, Critical Areas, Flood Hazard and development standards will be applied to any implementing project.

3. How would the proposal be likely to deplete energy or natural resources?

Not applicable.

Proposed measures to protect or conserve energy and natural resources are:

Not applicable.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

All applicable SMP, Critical Areas, Flood Hazard and development standards will be applied to any implementing project.

Proposed measures to protect such resources or to avoid or reduce impacts are:

Not applicable.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed new zoning will promote public access to the shoreline while protecting critical areas and their buffers. The proposed new zoning will reduce the impact on shoreline uses by requiring useable open space preservation and decreased intensity of uses near the shoreline.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Not applicable.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Implementing projects will have an effect on transportation services and utilities. However, all implementing projects will be required to pay transportation impact fees and general facility charges.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal will not conflict with local, state, or federal laws or requirements for the protection of the environment.



THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2019-S-382

Submittal Date Time: 07/02/2019

Submittal Information

Jurisdiction	City of Orting
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Development Regulation Amendment

Amendment Information

Brief Description

Proposed comprehensive plan amendments; a new zoning map; adoption of an update to the transportation improvement plan; text amendment to the comprehensive plan specifically Section R1 of the Roadway Improvements section of the Transportation Element Appendix and the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.

Yes, this is a part of the 8-year periodic update schedule, required under RCW 36.70A.130.

City Council Date 06/18/2019

Anticipated/Proposed Date of Adoption 07/31/2019

Attachments

Attachment Type	File Name	Upload Date
Correspondence	City of Orting Comprehensive Plan and Zoning Text Amendments.msg	07/02/2019 02:06 PM
Supporting Documentation or Analysis	Orting CP Amendment Transmittal to Commerce.docx	07/02/2019 02:07 PM
SEPA Materials	SEPA Checklist - Comprehensive Plan Amendments and Zoning Text Amendments.docx	07/02/2019 02:07 PM
SEPA Materials	Signed SEPA DNS City of Orting Comprehensive Plan and Zoning Text Amendments.pdf	07/02/2019 02:07 PM
Development Regulation Amendment - Draft	Exhibit A - July 1, 2019 PC Recommendation Zoning Text Amendments.docx	07/02/2019 02:07 PM
Development Regulation Amendment - Draft	Exhibit A - June 3, 2019 PC Recommendation Comprehensive Plan Text Amendments.docx	07/02/2019 02:07 PM
Development Regulation Amendment - Draft	Exhibit D - Adopting Ordinance.docx	07/02/2019 02:07 PM
Development Regulation Amendment - Draft	I - FinalOrtingTransPlan_20190312.pdf	07/02/2019 02:08 PM

Contact Information

Prefix	Ms.
First Name	Emily
Last Name	Terrell
Title	City Planner
Work	(360) 893-2219 Ext 142
Cell	
Email	ETerrell@cityoforting.org

Yes, I would like to be contacted for Technical Assistance.

Certification

Entered by Linda Weyl on 7/2/2019 2:02:29 PM

Intake Received Date	07/02/2019
Full Name	Emily Terrell
Email	ETerrell@cityoforting.org



STATE OF WASHINGTON
DEPARTMENT OF COMMERCE
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

07/02/2019

Ms. Emily Terrell
City Planner
City of Orting
110 Train Street SE
Orting, WA 98360

Sent Via Electronic Mail

Re: City of Orting--2019-S-382--60-day Notice of Intent to Adopt Amendment

Dear Ms. Terrell:

Thank you for sending the Washington State Department of Commerce (Commerce) the 60-day Notice of Intent to Adopt Amendment as required under RCW 36.70A.106. We received your submittal with the following description.

Proposed comprehensive plan amendments; a new zoning map; adoption of an update to the transportation improvement plan; text amendment to the comprehensive plan specifically Section R1 of the Roadway Improvements section of the Transportation Element Appendix and the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.

We received your submittal on 07/02/2019 and processed it with the Submittal ID 2019-S-382. Please keep this letter as documentation that you have met this procedural requirement. Your 60-day notice period ends on 08/31/2019.

We have forwarded a copy of this notice to other state agencies for comment.

Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Anne Fritz, (360) 725-3064.

Sincerely,

Review Team
Growth Management Services

City of Orting
Determination of Non-Significance

Name of Proposal: Orting 2019 Comprehensive Plan Amendments and Zoning Text Amendments

Proponent: City of Orting

Description: The City of Orting is performing its annual Comprehensive Plan Amendments. Amendments include:

1. a new Zoning Map (to correct a scrivener's error);
2. adoption of an update to the Transportation Improvement Plan; and
3. text amendments to the Comprehensive Plan, specifically to:
 - a. Section R1 of the Roadway Improvements section of the Transportation Element Appendix and
 - b. to the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.

The City is also adopting corresponding implementing legislation in sections 13-3-2-E OMC Mixed Use Town Center North Zone and 13-3-3 OMC Uses.

Location: The proposal would amend the Orting Comprehensive Plan and the municipal code for the City of Orting and its urban growth area (UGA). The City of Orting is located in Pierce County, on SR 162 between the City of Sumner and the Town of South Prairie.

Lead Agency: City of Orting .

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. The information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Responsible Official: Mark Bethune
City Administrator
110 Train Street SE
Orting, WA 98360

Signature: 
Mark Bethune, City Administrator

Date: 3/1/19



CITY OF ORTING

110 TRAIN ST SE, PO BOX 489, ORTING WA 98360

Phone: (360) 893-2219 FAX: (360) 893-6809

www.cityoforting.org

SEPA Determination of Non-Significance (DNS)

Name of Proposal: Orting 2019 Comprehensive Plan Amendments and Zoning Text Amendments

Proponent: City of Orting

Description: The City of Orting is performing its annual Comprehensive Plan Amendments. Amendments include:

- (1) a new Zoning Map (to correct a scrivener's error);
- (2) adoption of an update to the Transportation Improvement Plan; and
- (3) text amendments to the Comprehensive Plan, specifically to:
 - a. Section R1 of the Roadway Improvements section of the Transportation Element Appendix and
 - b. to the Mixed Use Town Center portion (Goal LU 8) of the Land Use Element.

The City is also adopting corresponding implementing legislation in sections 13-3-2-E OMC Mixed Use Town Center North Zone and 13-3-3 OMC Uses.

Location: The proposal would amend the Orting Comprehensive Plan and the municipal code for the City of Orting and its urban growth area (UGA). The City of Orting is located in Pierce County, on SR 162 between the City of Sumner and the Town of South Prairie.

Lead Agency: City of Orting.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. The information is available to the public on request.

This Mitigated Determination of Nonsignificance (MDNS) is issued under WAC 197-11-340(2). The Lead Agency will not act on this proposal for 14 days from the issue date (issue date: October 7, 2019. Comments must be submitted by 5:00 pm on October 21, 2019.)

Mark Bethune, City Administrator

10-4-2019

Date

"Small Town – Big View"



**City Of Orting
Council Agenda Summary Sheet**

Subject: City Server Replacement	Recommending Committee: CGA	AB#	Study Session	Regular Meeting
	10.10.19	AB19-59	10.16.19	10.30.19
	Department: Finance			
	Date Submitted: October 9, 2019			
Cost of Item:		<u>\$33,946.54</u>		
Amount Budgeted:		<u>\$21,700.00</u>		
Unexpended Balance:		<u>\$12,246.54</u>		
Bars #:		Various		
Timeline:		End of Month		
Submitted By:		Scott Larson		
<p>Fiscal Note: The item is over budget due to the fact that staff anticipated leasing the server over a five year period. Staff are now recommending that the City purchase the server outright. The increased cost will be offset due to lower than budgeted architecture expenses, and various projects that have not moved forward in the utility funds.</p>				
<p>Attachments: Popular Networks Server Quote</p>				
<p>SUMMARY STATEMENT:</p> <p>The City acquired its current server over six years ago and it is now at the end of its life due to increasing frequency of hardware failure, and lack of replacements for the hardware. The server also no longer meets the needs of the city as we have increased our reliance on technology to complete our daily tasks. The new server will be sufficient to meet the city’s needs when we are co-located with police and court in the New City Hall. This server will reduce our costs in the long run as we will be able to eliminate the current Public Safety Building server.</p> <p>The cost of the server will be charged to the following funds: General Fund 61%, Water Fund 13%, Sewer Fund 13% and Stormwater Fund 13%.</p>				
<p>RECOMMENDED ACTION: Move to Consent Agenda on October 30, 2019.</p> <p>Future Motion: To authorize the Mayor to sign a contract for the purchase of a new server with Dell for a price not to exceed \$33,946.54.</p>				



We have prepared a quote for you

City of Orting City Hall & PSB

Quote # 000076

Version 1

Prepared for:

City of Orting (City Hall)

Scott Larson

slarson@cityoforting.org

Products

Description	Price	Qty	Ext. Price	
Dell PE R740	\$14,382.61	1	\$14,382.61	
PowerEdge R740 Server R740/R740XD Motherboard Chassis with up to 16 x 2.5" SAS/SATA Hard Drives for 2CPU (2) Intel® Xeon® Gold 6126 2.6G, 12C/24T, 10.4GT/s, 19.25M Cache, Turbo, HT (4) 32GB RDIMM, 2666MT/s, Dual Rank RAID Configuration C7, Unconfigured RAID for HDDs or SSDs PERC H730P RAID Controller, 2GB NV Cache, Adapter, Low Profile (8) 800GB SSD SAS Mix Use 12Gbps 512e 2.5in Hot-plug AG Drive PCIe Riser Riser Config 3, 2 x8, 3 x16 slots 5101682 Broadcom 57414 Dual Port 10/25GbE SFP28, rNDC 5100012 IDSDM and VFlash Card Reader Internal SD Module (2) 32GB microSDHC/SDXC Card 5100616 (6) Performance Fans for R740/740XD Dual, Hot-plug, Redundant Power Supply (1+1), 750W 750R (2) NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, North America ReadyRails™ Sliding Rails With Cable Management Arm RRCMA Extended Service ProSupport and Next Business Day Onsite Service, (60) Months				
9EM-00652	Microsoft Windows Server 2019	\$1,431.85	3	\$4,295.55
R18-05768	Microsoft Windows Server 2019 - License - 1 User CAL - Volume - Microsoft Open License - Single Language - PC	\$39.86	35	\$1,395.10
381-04515	Microsoft Exchange Server 2019	\$721.39	1	\$721.39
PGI-00902	Microsoft Exchange Server 2019 CAL - License - 1	\$38.41	35	\$1,344.35
VMware vSphere Essentials	The vSphere Essentials Kit licenses are perpetual and does not expire. It includes 6 CPU licenses of vSphere Essentials	\$686.77	1	\$686.77
CyberPower PR3000LCDRT2U	Smart App Sinewave UPS System, 3000VA/2700W, 9 Outlets, AVR, 2U Rack/Tower	\$879.21	1	\$879.21
Sever Install	Configure and Deploy for City Hall	\$9,000.00	1	\$9,000.00
NMS Discount	Agreement Discount for NMS Client NMS Client Discount	(\$1,800.00)	1	(\$1,800.00)

Subtotal: **\$30,904.98**

1911 SW Campus Drive
Suite 192
Federal Way, WA 98023
www.popularnetworks.com
(877) 298-1888



City of Orting City Hall & PSB

Prepared by:

Popular Networks LLC

John Simpson
(253) 288-8020
john.simpson@popularnetworks.com

Prepared for:

City of Orting (City Hall)

110 Train Street SE
Orting, WA 98360
Scott Larson
(360) 893-2219
slarson@cityoforting.org

Quote Information:

Quote #: 000076

Version: 1
Delivery Date: 08/20/2019
Expiration Date: 08/16/2019

Quote Summary

Description	Amount
Products	\$30,904.98
	Subtotal: \$30,904.98
	Tax: \$3,041.56
	Total: \$33,946.54

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Popular Networks LLC

City of Orting (City Hall)

Signature: _____

Name: John Simpson

Title: _____

Date: 08/20/2019

Signature: _____

Name: Scott Larson

Date: _____



**City Of Orting
Council Agenda Summary Sheet**

Subject: City Hall Overhead Cost Allocation Policy- Resolution No. 2019-28.	Recommending Committee:	AB#-68	Study Session	Regular Meeting
	N/A		10.16.19	10.30.19
	Department:			
	Date Submitted:		Finance	
Cost of Item:		October 9, 2020		
Amount Budgeted:		N/A		
Unexpended Balance:		N/A		
Bars #:		N/A		
Timeline:		ASAP		
Submitted By:		Scott Larson		
Fiscal Note: N/A				
Attachments: Policy and Resolution				
SUMMARY STATEMENT:				
<p>In discussions with the State Auditor, we have been advised to formally document ownership of the New City Hall Facility to include what portion of the facility is owned by the General Fund and what portion is owned by Enterprise Funds. The document also outlines how operating expenses will be shared amongst the funds and how funds will get repaid of one of them were to abandon the building.</p> <p>The ownership percentage of the New City Hall is: 68% General Fund and 32% enterprise funds.</p>				
RECOMMENDED ACTION: Advance To Consent Agenda For The Council Meeting of October 30, 2019.				
FUTURE MOTION: To approve Resolution No. 2019-28, A Resolution of the City of Orting, Washington, Adopting The Facilities Cost Allocation Policy As Presented.				

**CITY OF ORTING
WASHINGTON**

RESOLUTION NO. 2019-28

**A RESOLUTION OF THE CITY OF ORTING,
WASHINGTON, ADOPTING A FACILITIES COST
ALLOCATION POLICY**

WHEREAS, the City of Orting is currently constructing a City Hall that will benefit the City's ability to render services more efficiently and effectively for Orting's residents; and

WHEREAS, the City Hall will house the City's administrative departments, including facilities utilized by and for the City's utilities; and

WHEREAS, in order to ensure compliance with RCW 43.09.210 and related budgeting regulations, the City audited the expected usage of the new City Hall to ensure the costs associated with the structure are proportionate to the benefits received by the utilities and other departments;

WHEREAS, the results of that audit are the Policy attached to this Resolution as Exhibit A, and incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORTING AS FOLLOWS:

Section 1. Adoption of Policy. The City Council hereby adopts the Facilities Cost Allocation Policy attached hereto as Exhibit A and incorporated herein by this reference.

Section 2. Severability. If any section, sentence, clause or phrase of this resolution shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase.

Section 3. Corrections. The City Clerk and the codifiers of this resolution are authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's errors, references, numbering, section/subsection numbers and any references thereto.

Section 4. Effective date. This Resolution shall become effective immediately upon adoption and signature as provided by law.

**RESOLVED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE ____ DAY OF ____ 2019.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney



City of Orting

Facilities Cost Allocation Policy for City Hall

Adopted by the City Council of Orting on _____

I. Purpose

The purpose of this Overhead Cost Allocation Policy is to ensure that City of Orting departments share overhead costs (including administrative costs, facilities and maintenance) on the basis of the relative benefits received by each department. According to the State Auditor, Overhead allocation plans that equitably share overhead costs facilitate compliance with RCW 43.09.210, which states that agencies may charge a portion of the costs for their central overhead services to restricted funds, like utility funds or special revenue funds, only to the extent that each fund benefits from those services. The City, in accordance with RCW 43.09.210, seeks to utilize this policy for the City's new City Hall project, to ensure allocation of overhead costs are fair, equitable and supported by relevant data.

II. Background

In late 2018 and 2019, the City of Orting began planning for a new City Hall building on property acquired by the City in late 2017 to the north of the Public Safety Building on Washington Avenue, with the intent that the new facility will house most of the City's primary functions including utilities administration and staff. Once constructed, staff will vacate the current City hall located on Train Street. Helix Design Group was commissioned with the design of the facility and Pease Construction will construct the facility with a goal of completion by the end of 2020. The City expects, in line with the engineer's estimate and contractor's bid, that the facility will cost \$5,443,750.00.

The structure will consist of 11,806 square feet, utilized by the City's administrative departments, court and police department. The City has three departments that employ more than one person: a Police Department and Municipal Court; a Public Works Department; and Finance Department. The City has a Parks and a Building Department with one employee each. The City contracts for Planning Services, Engineering Services, and Legal Services. The Mayor, City Administrator and City Clerk comprise the executive/administrative department. The Finance Director also serves as Deputy City Administrator and Human Resources Director.

The City's water, sewer and stormwater utilities are directly serviced by members of the Public Works Department, the Finance Department, and the Executive/Administrative Department. The City's contract Engineer and Legal Counsel also provide services for these utilities. The Finance Director also provides services for these utilities in his capacity as Human Resources Director.

III. Method of Allocation

In order to allocate facilities and overhead costs associated with the City Hall fairly and equitably to those funds that benefit from these facilities.

For the City Hall, the facilities expenses (including design, construction and maintenance) are allocated based upon usable square footage. Square footage for each department and administrative activity is considered in the analysis. General administrative facilities costs are further allocated to each department based on the amount of usage/services performed for that particular department.

A breakdown of 11,806 square feet of the City Hall building is as follows:

- Approximately 2,943 square feet are dedicated to shared conference, workroom, storage and break spaces, utilized equally by all administrative staff;
- Approximately 1,219 square feet is dedicated to private office space for administrative officials (Mayor, City Administrator, City Clerk, Finance Director, and Finance Department);
- Approximately 1,717 square feet is dedicated to private office space for the Parks, Building and Planning Departments, which can be utilized by other departments as needed;
- Approximately 3,222 square feet are exclusively dedicated to the City's Police Department and Municipal Court;
- The remaining approximately 2,705 square feet are building mechanics, shared hallways and shared public restrooms, shared equally among all occupants.

The total shared space utilized equally by all City departments (except for Police and the Municipal Court), as well as the office space for administrative staff performing services allocated among the City's administrative departments, equates to approximately 6,867 square feet, or 60% of the structure.

Accordingly, the City estimates that the City's utilities – water, sewer and stormwater – are allocated a portion of the usable square footage of 32% of the total structure. This calculation is reached based on the ratio of total square footage to the square footage utilized for utility purposes and used by personnel performing services for the utilities.

The City's utilities are allocated ownership of the City Hall structure based on this allocation, as well as future proportionate maintenance obligations for the City Hall structure.



**City Of Orting
Council Agenda Bill Summary Sheet**

	Agenda Bill #	Recommending Committee	Study Session Dates	Regular Meeting Dates
Subject: Fiber Optic Network – Request for Proposals	AB19-70	CGA		
		10.10.19	10.16.19	10.30.19
	Department:	Administration		
	Date Submitted:	10.10.19		

Cost of Item: \$ 73,600.00* See fiscal note

Amount Budgeted: \$ N/A

Unexpended Balance: \$ N/A

Bars #:

Timeline:

Submitted By: **Mark Bethune**

Fiscal Note: The City budgeted \$30,000 for the installation of Fiber Optics for 2019. The current recommendation is to pay \$10,000 down in 2019 then make monthly payments of \$1,060 for 60 months as part of 2020 Expenses. For 2020 will terminate existing internet services at old City hall and the PSB, when new facility is completed which is expected to be August 2020.

Attachments: RFP, Addendum, RFP grading sheet

SUMMARY STATEMENT:

The City went out for RFP for qualified firms pursuant to Section 39.04.270 RCW for competitive negotiation for performing fiber optic network infrastructure installation services on August 14th, 2019. The City would like the vendor to install a single fiber optic cable and connection terminating in the building equipment closet in the new City Hall Building located at 102 Bridge St. W.

Responses were evaluated and staff is recommending Century Link as the vendor to perform the required services.

RECOMMENDED ACTION: Move forward to the consent agenda for October 30th, 2019.

FUTURE MOTION: To Award Century Link As The Winner Of The RFP For Fiber Optic Network Infrastructure And Installation, And To Allow The Mayor To Enter Into A Contract With Century Link In The Amount Of \$ 73,600.00 Over 60 Months.



CITY OF ORTING, WASHINGTON
REQUEST FOR PROPOSALS
FIBER OPTIC NETWORK INFRASTRUCTURE INSTALLATION

I. PURPOSE OF REQUEST

The City of Orting ("City") is soliciting Proposals from qualified firms pursuant to Section 39.04.270 RCW for competitive negotiation for performing fiber optic network infrastructure installation services for the City as specified in Scope of Services below.

II. TIME SCHEDULE

The City will follow the following timetable:

Issue RFP: August 14th, 2019

Deadline for Submittal of Responses to RFP:

August 30th, 2019, 3:00 PM

Award of Contract: September, 2019

III. INSTRUCTIONS TO PROPOSERS

A. All responses shall be sent to:

City Administrator
CITY OF ORTING
PO Box 489
Orting, WA 98360

B. Place one (1) copy of your Proposal in a sealed envelope and clearly label in the lower left corner **"Proposal for Fiber Optic Network Infrastructure Installation Services."**

C. Proposals should detail qualifications and relevant experience to perform the required services.

D. An authorized representative of the firm must sign the Proposal.

E. Any questions concerning the City's specifications or RFP process shall be directed to Mark Bethune, at (360) 893-2219 Ext. 115.

F. The firm must include evidence that they maintain the following minimum insurance:

Scorer: City Administrator				
RFP: Fiber Optics Installation New City Hall	Comcast	CenturyLink	Wave	Optic
Evaluation Criteria				
1. Responsiveness to the RFP to purpose and scope of services.	10	9	8	9
2. Ability and history of successfully completing contracts of this type meeting deadlines, experience in similar work.	9	9	8	9
3. Performance data, references, key personnel.	9	9	7	9
4. Price	6	10	8	7
Total Points	34	37	31	34
Ranking Score	2	1	3	2

Scoring Point System

- 10 - Excellent, Ideal
- 9 - Very Good
- 8 - Good, above average
- 7 -Average, no distinction
- 6- Below Average
- 1-5 - Unacceptable

Pricing 60 months	Comcast		CenturyLink		Wave		Optic	
	Monthly	One Time	Monthly	One Time	Monthly	One Time	Monthly	One Time
100mb	\$1,123.00	\$500.00			\$1,110.00			
200mb			\$908.75	\$0.00	\$1,271.00	\$0.00	\$1,450.00	\$1,500.00
300mb	\$1,618.40	\$1,000.00	\$1,053.35	\$0.00	\$1,353.00	\$0.00	\$1,470.00	\$1,500.00
500mb	\$2,203.20	\$0.00	\$1,252.65	\$0.00	\$1,483.00	\$0.00	\$1,615.00	\$1,500.00
1GB					\$1,836.00	\$0.00		
500 mb total	\$132,192.00		\$75,159.00		\$88,980.00		\$96,900.00	
Ranking Score	4		1		2		3	

\$10,000 Cash Down, 60 months	Comcast		CenturyLink		Wave		Optic	
	Monthly	One Time	Monthly	One Time	Monthly	One Time	Monthly	One Time
100mb	\$898.00	\$10,000.00			\$1,110.00	\$0.00		
200mb			\$605.00	\$10,000.00	\$1,271.00	\$0.00	\$1,258.00	\$10,000.00
300mb	\$1,214.00	\$10,000.00	\$741.00	\$10,000.00	\$1,353.00	\$0.00	\$1,329.00	\$10,000.00
500mb	\$1,652.00	\$10,000.00	\$869.00	\$10,000.00	\$1,483.00	\$0.00	\$1,474.00	\$10,000.00
1GB	\$2,415.00	\$10,000.00	\$1,060.00	\$10,000.00	\$1,836.00	\$0.00		
500 mb total	\$109,120.00		\$62,140.00		\$88,980.00		\$98,440.00	
1GB	\$154,900.00		\$73,600.00		\$110,160.00		NA	
Ranking Score	4		1		2		3	
Total ranking score	6		2		5		5	

1. Workers' compensation and employer's liability in amounts required by law;
2. Commercial general liability with limits of liability not less than \$2,000,000;
3. Automobile liability insurance with limits of liability not less than \$2,000,000;
4. Professional Liability with limits of liability not less than \$2,000,000.

IV. SELECTION CRITERIA

Your Proposal will be evaluated on the following criteria:

1. Responsiveness of the request for qualifications and/or proposal to the purpose and scope of services.
2. Ability and history of successfully completing contracts of this type, meeting projected deadlines, experience in similar work.
3. Performance data, references, key personnel.
4. Price

V. TERMS AND CONDITIONS

- A. The City reserves the right to reject any and all responses, and to waive minor irregularities in any Proposals.
- B. The City reserves the right to request clarification of information submitted, and to request additional information from any contractor.
- C. The City reserves the right to award any contract to the next most qualified contractor, if the successful contractor does not execute a contract within thirty (30) days after the selection of the contractor.
- D. The contract resulting from acceptance of a proposal by the City shall be in a form supplied or approved by the City, and shall reflect the specifications in this RFP.
- E. The City shall not be responsible for any costs incurred by the firm in preparing, submitting or presenting its response to the RFP.
- F. The City encourages minority and women-owned firms to submit qualifications consistent with the City's policy to insure that minority and women-owned firms are afforded the maximum practicable opportunity to compete for and obtain public contracts for services.

VI. SCOPE OF SERVICES AND REQUIREMENTS.

1. Provide and install a single fiber optic cable and connection terminating in the building equipment closet in the new City Hall Building located at 102 Bridge St. W., Orting.

2. The cable shall provide up to 1 GB of synchronous circuit. Include pricing for 200mb, 300mb and 500mb.
3. Provide all necessary infrastructure to complete the install.
4. Provide and install a fiber termination panel equipped with 48 S/M SC couplers in an existing rack in the City Admin Building equipment closet. Include pricing for fiber termination panel equipped with 36 S/M SC couplers in an existing rack in the City Admin Building equipment closet.
5. Provide and terminate the above installed fiber cable with S/M SC connectors and terminate to the above installed fiber panel.
6. OTDR and power meter test and label the above installed fiber cable and connectors and provide a hard copy print out and electronic format of the test results.

VII. COMPENSATION

- A. The award shall be made to the qualified bidder whose proposal is most advantageous to the municipality with price and other factors considered. The municipality may reject any and all proposals for good cause and request new proposals.
- B. Payment by the City for the services will only be made after the services have been performed. Payment shall be made on a monthly basis, in accordance with the terms set forth in the contract.

CITY OF ORTING, WASHINGTON
ADDENDUM NO. 1
To
REQUEST OR PROPOSALS
FIBER OPTIC NETWORK INFRASTRUCTURE INSTALLATION

Addendum Date: October 9, 2019

Attention all proposers:

The request for proposal for this project, issued on August 14th, 2019, is amended as follows:

Section II. TIME SCHEDULE

Amended Deadline for Submittal of Responses to RFP: September 13th, 2019

Award of Contract: Expected Award by October 2019

Section VI. SCOPE OF SERVICES AND REQUIREMENTS.

1. Provide and install a single fiber optic cable and connection terminating in the building equipment closet in the new City Hall Building located at 102 Bridge Street S., Orting, WA ~~102 Bridge St. W., Orting.~~ The cable shall provide up to 1 GB of synchronous circuit.

5. Must be capable of interconnected VoIP service, as such term is interpreted by the Federal Communications Commission, or its substantial equivalent.



**City Of Orting
Council Agenda Summary Sheet**

Subject: Ordinance No. 2019-XXXX, Pertaining To Recreational Vehicles, Amending OMC Title 10, Chapter 14, Sections 1 Through 4; Title 13, Chapter 2, Sections 14 And 19; Title 13, Chapter 5, Section 6; Title 13, Chapter 6, Section 4; And Title 14, Chapter 1, Section 5	Recommending Committee:	AB#19-71	Study Session	Regular Meeting
	Public Safety		10.16.19	
	Department:	City Administration and Code Enforcement		
	Date Submitted:	10.8.19		
Cost of Item:	<u>\$</u>			
Amount Budgeted:	<u>\$</u>			
Unexpended Balance:	<u>\$</u>			
Bars #:				
Timeline:				
Submitted By:	Mark Bethune, Jim Scott, Charlotte Archer			
Fiscal Note:				
Attachments: Draft Ordinance No. 2019-XXXX				

SUMMARY STATEMENT:

The City currently regulates the use and occupation of mobile homes at OMC Title 10 (Building and Construction), Chapter 14 (Parking and Occupying Mobile Homes). This is an antiquated vehicle-type that has been phased out by the relevant industry, while the use of recreational vehicles for a similar purpose is on the rise. The City currently forbids the use of a recreational vehicle (RV) for permanent occupancy (as a dwelling unit) anywhere within the City. The City permits the unoccupied storage of recreational vehicles on private property for a period of seventy-two (72) hours or longer within the residential zones, subject to certain restrictions. In addition, an RV may be temporarily parked (but not occupied) in a driveway or within a parking area adjacent to the public right-of-way, for a period of up to seventy-two hours, subject to certain restrictions.

In addition, in 2009 the legislature adopted EHB 1227, prohibiting cities and counties from adopting regulations to prevent the use of a recreational vehicle as a primary residence within a permitted manufactured/mobile home community. This Ordinance would amend the OMC provisions pertaining to RVs and manufactured/mobile home communities to address EHB 1227, as codified at RCW 35.21.684(3), RCW 35A.21.312(3), and RCW 36.01.225(3). The City desires to update the aforementioned regulations to: (1) remove/update obsolete regulations pertaining to mobile homes; (2) address the requirements set out in EHB 1227; and (3) address the temporary use and occupation of recreational vehicles on private property within the City, by adopting standards for temporary occupation and a permitting process to address issues of public health or safety.

This Ordinance would allow the use and occupation of an RV: (1) as a permanent residence within a legally-established RV-park and/or a mobile home/manufactured home park; and/or (2) on the premises of any property with the permission of the property owner thereof for a period not to exceed 180 days within a twelve month period, provided: the occupant obtain a permit from the City and pay a fee; and the RV shall not be connected to permanent utilities such as sewer without inspection and approval of the City.

If adopted, this Ordinance would allow the Chief of Police or designee to extend the 180 day period for occupation on private property upon written request, but such extension shall not exceed an additional 180 days.

RECOMMENDED ACTION: MOVE FORWARD TO COUNCIL MEETING

FUTURE MOTION: To Adopt Ordinance No. 2019-XXXX, An Ordinance Of The City Of Orting, Washington, Relating To The Definition Of Recreational Vehicles, Adopting Regulations For The Parking And Temporary Occupation Of Recreational Vehicles Within The City Of Orting, And Establishing A Permit And Fee, Amending Orting Municipal Code Title 10, Chapter 14, Sections 1 Through 4; Title 13, Chapter 2, Sections 14 And 19; Title 13, Chapter 5, Section 6; Title 13, Chapter 6, Section 4; And Title 14, Chapter 1, Section 5.

**CITY OF ORTING
WASHINGTON
ORDINANCE NO. 2019-XXXX**

AN ORDINANCE OF THE CITY OF ORTING, WASHINGTON, RELATING TO THE DEFINITION OF RECREATIONAL VEHICLES, ADOPTING REGULATIONS FOR THE PARKING AND TEMPORARY OCCUPATION OF RECREATIONAL VEHICLES WITHIN THE CITY OF ORTING, AND ESTABLISHING A PERMIT AND FEE, AMENDING ORTING MUNICIPAL CODE TITLE 10, CHAPTER 14, SECTIONS 1 THROUGH 4; TITLE 13, CHAPTER 2, SECTIONS 14 AND 19; TITLE 13, CHAPTER 5, SECTION 6; TITLE 13, CHAPTER 6, SECTION 4; AND TITLE 14, CHAPTER 1, SECTION 5; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Orting is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington; and

WHEREAS, in 1973 the City of Orting adopted regulations prohibiting the parking and occupation of a mobile, or factory-built homes anywhere in the City outside of an approved mobile home park; and

WHEREAS, in 1976, the Federal Government's Housing and Urban Development group (HUD) established national industry-wide regulations that instituted safer construction and installation of factory-built homes, now known as "manufactured homes" and no longer referred to as "mobile homes"; and

WHEREAS, the City of Orting currently forbids the use of a recreational vehicle (RV) or mobile home as dwelling units anywhere within the City; and

WHEREAS, in 2009 the Washington legislature adopted RCW 35.21.684, which prohibits cities in Washington from adopting regulations that prevents the entry or requires the removal of a RV used as a primary residence in manufactured/mobile home parks, but allow cities to regulate the use of RVs in said parks, mandates RVs utilize utility hookups in said parks that meet state and federal building code standards, and require a RV in a park contain both an internal toilet and an internal shower; and

WHEREAS, the use of RVs outside of a secure manufactured/mobile home park without utility connections pose endangerments to the public health or safety as a result of unsanitary or unsafe conditions, and degradation of community standards; and

WHEREAS, the City of Orting desires to clarify its regulations pertaining the use and occupation of mobile homes and RVs, to remove antiquated provisions relating to mobile homes, and to allow the use of RVs as primary residences in manufactured/mobile home parks; and

WHEREAS, the City Council intends by this ordinance to protect the public health, safety, and welfare by clarifying the City’s existing regulations related to the parking of recreational vehicles actively used as sleeping accommodations within the City, and to update the City’s regulations to reflect current state law; and

WHEREAS, City Council has determined that the proposed regulations are in accord with the Comprehensive Plan, will not adversely affect the public health, safety, or general welfare, and are in the best interest of the citizens of the City;

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

Section 1. OMC Title 10, Chapter 14, Amended. Orting Municipal Code Title 10, Chapter 14, is hereby amended to read as follows:

Title 10 – BUILDING AND CONSTRUCTION
Chapter 14 - PARKING AND OCCUPYING MOBILE HOMES AND RECREATIONAL VEHICLES

- 10-14-1: UNLAWFUL PARKING OR OCCUPATION OF MOBILE HOME OR RECREATIONAL VEHICLES:
- 10-14-2: EMERGENCY OR TEMPORARY STOPPING OR PARKING:
- 10-14-3: PERMISSIBLE PARKING OF MOBILE HOMES AND RECREATIONAL VEHICLES:
- ~~10-14-4: FACTORY-BUILT HOUSING:~~
- ~~10-14-5: PERMIT TO PARK ON PRIVATE LAND; FEES:~~
- ~~10-14-64: VIOLATION; PENALTY:~~

10-14-1: UNLAWFUL PARKING OR OCCUPATION OF MOBILE HOME OR RECREATIONAL VEHICLE:

A. Prohibition: It is unlawful, within the City limits, for any person to park or occupy any mobile home or recreational vehicle on any street, alley, highway or other public place or any tract of land within the City except as provided in this Chapter.

B. Exception: This Section shall not apply to factory-built housing manufactured homes as defined in ~~Section 10-14-4~~ OMC 13-2-14.

10-14-2: EMERGENCY OR TEMPORARY STOPPING OR PARKING:

Emergency or temporary stopping or parking of a mobile home or recreational vehicle is permitted on any street, alley or highway for a period of no longer than 24 hours, and subject to any other regulation or ordinance prohibiting or restricting parking.

10-14-3: PERMISSIBLE PARKING OF MOBILE HOMES AND RECREATIONAL VEHICLES:

No person shall park or occupy a mobile home or recreational vehicle on any tract of ground within the City outside of an approved mobile home park, manufactured home park, or recreational vehicle park/campground, except:

A. Within A Building: That the parking of one unoccupied mobile home or recreational vehicle in a private garage building is permitted, provided no living quarters shall be maintained or any business practiced in said mobile home or recreational vehicle;

B. Selling Or Renting: That the parking of an unoccupied mobile home or recreational vehicle in a lot devoted for the purpose of selling, renting or otherwise disposing of mobile homes is permitted provided the mobile home is ten feet (10') or more from any other mobile home, building or structure;

C. Temporary Parking Permit for Mobile Home or Recreational Vehicle:

1. Mobile Homes. That a mobile home may be parked and occupied for a period not to exceed 180 days' time on private property, provided the person desiring to so park and occupy the same shall first apply and obtain from the Chief of Police, a permit to do so, which application shall state the location at which the mobile home is to be parked, the motor vehicle license number and a general description of the mobile home for which permission is requested, and shall pay a permit fee (\$50.00)? in an amount set by Resolution of the Council; provided, further, that such occupancy shall at all times comply with all regulations relating to health and sanitation, and shall also comply with electrical requirements of ordinances applicable. The permit to park and occupy the mobile home may be extended by the Chief of Police or designee upon written request setting forth the need of extending the time, but such extension shall not exceed 180 additional days. Parking and occupancy of recreational vehicles and motor/mobile homes shall continue to be subject to restrictions set forth in OMC 13-5-3(k)(1)(a).

2. Recreational Vehicles on public property: No recreational vehicle shall stand or be parked on any street, right-of-way, alley or public place in the City for a period exceeding 72 hours in a one week period, provided that the Recreational Vehicle is parked in compliance with all provisions of the OMC, including but not limited to Title 7, and state law, including but not limited to WAC 308-330 et seq. No recreational vehicle shall stand or be parked for any period of time between sunset and sunrise in any City park or upon any other City-owned property, excluding a street or right-of-way, unless that area is posted granting permission to so use or as specified in the OMC.

3. Recreational Vehicles on private property: A recreational vehicle may stand or be parked and used or occupied on the premises of any occupied dwelling with the permission of the lawful occupant thereof for a period not to exceed 180 days within a twelve-month period; provided, that:

a. the lawful occupant of the premises shall register with the police department obtain a permit from the City prior to occupying parking the recreational vehicle on the premises, and pay a permit fee in an amount set by Resolution of the Council; and

b. †The recreational vehicle shall be inspected by the City if connected to sewer or a Tacoma-Pierce County health department approved septic system.

_____ c. the recreational vehicle shall be located on the premises in accordance with the provisions of OMC Title 13, Chapter 5; and

_____ d. such use or occupancy shall not create a public health hazard or nuisance, as determined by the City.

_____ e. shall not be parked on or overhanging a public right of way (street or sidewalk).

Once a permit to park a recreational vehicle on private property for a period of 180 days has been issued by the City, the 180 day period may be extended by the Chief of Police upon written request setting forth the need of extending the time, but such extension shall not exceed 180 additional days.

D. Outdoor Storage of Recreational Vehicles: The outdoor storage of unoccupied recreational vehicles in the residential zones is permitted without a permit, pursuant to OMC 13-5-3.

~~10-14-4: FACTORY-BUILT HOUSING:~~

~~A. Definition: "Factory built housing" means any structure designed primarily for residential occupancy other than a mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.~~

~~B. Compliance With Standards: Factory built housing shall meet all U.S. Department of Housing and Urban Development (HUD) Standards and shall bear the seal or tag of the Washington State Department of Labor and Industries. Additionally, all requisite standards set forth in the Uniform Building Code must be met for installation, foundation and construction.~~

~~C. Permanent Installation: Factory built housing must be permanently installed and will be subject to all codes, laws and regulations applicable to single family dwellings in the City.~~

~~D. Remove Axles, Wheels: All axles, wheels, tongues or hitches shall be removed.~~

~~E. Roofs: Factory built housing must have a gable roof with eaves of not less than twelve inches (12"). Roof slope shall be not less than a three inch (3") rise for each twelve inches (12") and shall be constructed of composition shingle material, or better, and be equipped with gutters and downspouts.~~

~~10-14-5: PERMIT TO PARK ON PRIVATE LAND; FEES:~~

~~Permits for parking on private land shall cost such sum as provided by resolution of the Mayor and City Council for each trailer.~~

~~10-14-64: VIOLATION; PENALTY~~

A. Any person violating any of the provisions of this Chapter is guilty of a ~~misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-4-1 of this Code~~ civil infraction with penalties, plus statutory assessments, as follows:

1. The maximum penalty and the default amount for a first offense within a one year period, designated as a Class 4 civil infraction, shall be \$60.00, not including statutory assessments;

2. The maximum penalty and the default amount for a second offense within a one year period, designated as a Class 3 civil infraction, shall be \$120.00, not including statutory assessments;

3. The maximum penalty and the default amount for a third offense within a one year period, designated as a Class 2 civil infraction, shall be \$300.00, not including statutory assessments;

4. The maximum penalty and the default amount for a fourth offense and each additional offense within a one year period, designated as a Class 1 civil infraction, shall be \$600.00, not including statutory assessments.

B. Joint and Several Responsibility and Liability: Responsibility for violations subject to enforcement under this chapter is joint and several, and the city is not prohibited from taking action against a party where other persons may also be potentially responsible for a violation, nor is the city required to take action against all persons potentially responsible for compliance.

Section 2. OMC Chapter 13-2-14, Amended. Orting Municipal Code Title 13, Chapter 2, Section 14 is hereby amended to read as follows:

MANUFACTURED HOME PARK: A residential development in which the land is owned, operated, and maintained as a commercial business and the individual manufactured homes or recreational vehicles are either leased or are located on leased sites.

Section 3. OMC Chapter 13-2-19, Amended. Orting Municipal Code Title 13, Chapter 2, Section 19 is hereby amended to read as follows:

RECREATIONAL VEHICLE: ~~A wheeled vehicle designed for recreational, camping, or travel uses that either has its own motive power or is mounted on or drawn by another vehicle, including, but not limited to, camping trailers, truck campers, motor homes, and fifth wheels; not designed or used as a dwelling unit.~~ A recreational vehicle is a factory built vehicular structure designed only for recreational use and not as a primary residence or for permanent occupancy, built and certified in accordance with NFPA 1192-15 or ANSI A119.5-09 consensus standards for recreational vehicles and not certified as a manufactured home.

RECREATIONAL VEHICLE PARK/CAMPGROUND: A recreational vehicle park/campground refers to any tract of land divided into lots or spaces, under the ownership or management of one person, firm or corporation for the purpose of locating three or more recreational vehicles for nightly or short-term use. Said park/campground shall have an on-site caretaker.

Section 4. OMC Chapter 13-5-6(C)(3), Amended. Orting Municipal Code Title 13, Chapter 5, Section 6, Subpart (C)(3) is hereby amended to read as follows:

2. Type Of Unit:

- a. An ADU shall be permitted as a second dwelling unit attached to, or detached from the principal dwelling.
- b. A detached ADU may be any dwelling permitted in the applicable land use classification.
- c. A Recreational Vehicle or Mobile Home shall not be used as an ADU.

Section 5. OMC Chapter 13-6-4, Amended. Orting Municipal Code Title 13, Chapter 6, Section 4, Subsection N is hereby amended to read as follows:

13-6-4: PLANNED UNIT DEVELOPMENTS

N. Manufactured ~~Hh~~ome Parks: Manufactured home parks operated as commercial enterprises leasing sites and/or homes without platting shall be subject to the following:

1. Density shall not exceed the densities established in section 13-5-1 of this title.
2. Only one manufactured home or recreational vehicle shall occupy any space in the park, subject to the following:
 - a. A recreational vehicle may stand or be parked for an indefinite period in a manufactured home park, provided the recreational vehicle is connected to sewer or a Tacoma-Pierce County health department approved septic system, water, and electricity, and the recreational vehicle contains at least one internal toilet and at least one internal shower; provided, that if this requirement is not met, a manufactured home park must provide toilets and showers in lieu of having the facilities within the recreational vehicle.
3. Setbacks shall conform to the underlying zoning and building code.
4. Storage areas comprising not more than ten percent (10%) of the total manufactured home park site for recreational vehicles, boats, and trailers shall be provided. Such areas shall be paved or surfaced with crushed rock and enclosed by a sight obscuring fence, wall or landscape visual buffer.

Section 6. OMC Chapter 14-1-5, Amended. Orting Municipal Code Title 14, Chapter 1, Section 5 is hereby amended to read as follows:

RECREATIONAL VEHICLE: A vehicle which is defined at OMC 13-2-19.:

Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or

otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 8. Codification. The City Council authorizes the City Clerk to correct any non-substantive errors herein, codify the above, and publish the amended code.

Section 9. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
_____ DAY OF _____, 2019.**

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Charlotte A. Archer
Inslee, Best, Doezie & Ryder, P.S.
City Attorney

Filed with the City Clerk: 10.8.10

Passed by the City Council:

Date of Publication:

Effective Date:



**City Of Orting
Council Agenda Summary Sheet**

Subject: 2020 Budget	Recommending Committee:	AB#- 19-72	Study Session	Regular Meeting
	N/A		10.16.19	
	Department:	Finance		
	Date Submitted:	October 9, 2020		
Cost of Item:		<u>TBD</u>		
Amount Budgeted:		<u>NA</u>		
Unexpended Balance:		<u>N/A</u>		
Bars #:		TBD		
Timeline:		Complete in 2019		
Submitted By:		Scott Larson		
Fiscal Note: N/A				
Attachments: 2020 Draft Budget				
SUMMARY STATEMENT: This item will consist of a briefing by staff and general discussion on the 2020 Draft Budget.				
RECOMMENDED ACTION: We will be discussing the 2020 Draft Budget at a special meeting on Saturday October 19, 2019.				



**City Of Orting
Council Agenda Summary Sheet**

Subject: Hearing- 2020 Property Taxes- Resolution No. 2019-27- A Resolution Of The City Of Orting, Washington, Requesting The Highest Lawful Levy	Recommending Committee:	AB#-19-73	Study Session	Regular Meeting
	N/A		10.16.19	10.30.19
	Department: Finance			
	Date Submitted: October 9, 2019			
Cost of Item:		N/A		
Amount Budgeted:		N/A		
Unexpended Balance:		N/A		
Bars #:		N/A		
Timeline:		No later than November 30, 2019		
Submitted By:		Scott Larson		
Fiscal Note: See below.				
Attachments: Property Tax Resolution, Other Documents from County				
SUMMARY STATEMENT: This resolution will raise our property tax cap by \$46,911.11 to \$1,335,880.61, which is an increase of 3% over the prior years' levy which was \$1,291,337.79.				
<ul style="list-style-type: none"> • The increase in the total amount of property tax collections is driven by \$16.76 million in new construction, and an increase in assessed valuation of \$45.45 million or 5%. • Assessed valuation for 2019 and 2020 are \$806.72 million and \$868.93 million respectively. • The rate that would be paid by citizens would <u>decrease</u> to approximately \$1.53 per \$1,000 of assessed valuation. The rate in 2019 was \$1.60 per \$1,000 of assessed valuation. • As building slows and new construction makes up a smaller share of our increase in assessed valuation, our annual increases in property tax will trend toward a 1% per year where general inflation and wage inflation will likely be double that amount or more. This will start to put pressure on our budget and require adjustments to other revenues and expenses. • If the Council desired, there could be an initiative in 2020 to change the property tax rate back to \$1.60 per \$1,000 of assessed valuation. If we were able to tax at the full \$1.60 per \$1,000 in assessed valuation for 2020 the city would collect an additional \$54,401.85. 				
RECOMMENDED ACTION: Advance To The Agenda For The Council Meeting Of October 30, 2019, For Hearing And Council Vote.				
FUTURE MOTION: <i>To Approve Resolution No. 2019-27, A Resolution Of The City Of Orting, Washington, Requesting The Highest Lawful Levy.</i>				

**CITY OF ORTING
WASHINGTON
RESOLUTION NO. 2019-27**

**A RESOLUTION OF THE CITY OF
ORTING, WASHINGTON, REQUESTING
THE HIGHEST LAWFUL LEVY**

WHEREAS, the City Council of the City of Orting, Washington (hereinafter, the “District”) has met and considered its budget for the calendar year 2020; and

WHEREAS, the District’s actual levy amount from the previous year was \$1,291,337.79; and

WHEREAS, the population of this District is less than 10,000; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORTING, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Declaration of Highest Lawful Levy. Be it resolved by the governing body of the taxing District that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2020 tax year.

The dollar amount of the increase over the actual levy amount from the previous year shall be \$12,913.38 which is a percentage increase of one percent (1.000000%) from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in value of state assessed property, any annexation that have occurred and refunds made.

Section 2. Effective Date. This Resolution shall be effective immediately upon passage, and shall be implemented for the 2020 tax year, as stated above.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF OCTOBER, 2019.

CITY OF ORTING

Joshua Penner, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, City Clerk, CMC

Approved as to form:

Charlotte Archer, City Attorney
Inslee Best, PLLC



2401 South 35th Street, Room 142
Tacoma, Washington 98409-7498
(253) 798-6111 • FAX (253) 798-3142
ATLAS (253) 798-3333
www.piercecountywa.org/atr

MEMORANDUM

DATE: September 16, 2019
TO: Pierce County Taxing Districts
FROM: Mike Lonergan, Assessor-Treasurer
RE: Preliminary Certification of Assessed Values/Levy Limit Factor

Enclosed is the Preliminary Certification of Assessed Values for your taxing district. These values include last year's State Assessed Property Values.

For budget preparation assistance to applicable districts, Levy limit factor worksheets, court ordered refund information, and sample ordinance/resolutions are included. *The amount of the prior year's additional revenue from increase in state assessed property listed on the preliminary values memo may be added to the levy limit calculation for estimating budget purposes.*

Submit original ad valorem Budget / Levy Certifications & an approved Ordinance or Resolution no later than November 30th (due to the date falling on a weekend this year, documents will be accepted through December 2nd):

Pierce County Council
Attention: Clerk, Rm. 1046
County City Building
930 Tacoma Ave. S
Tacoma, WA 98402

And a copy to:
Pierce County Assessor-Treasurer
Attention: Levy Dept.
2401 S. 35th St. Rm. 142
Tacoma, WA 98409

(Failure to submit a budget request & the district's Resolution/Ordinance may adversely affect next year's Levy collection)

Preliminary Values Are Subject to Change.

Districts will receive **Final** values in late December.

Amended Levy Certifications may be submitted to the Pierce County Council & Pierce County Assessor-Treasurer after final values have been calculated.

The district's Ordinance/Resolution **must** identify these three components.

- The **dollar amount of the previous year's levy**. The actual levy received, including refunds.
- The **dollar amount of increase** reflects the difference between the previous year's actual levy and the 1% growth of the highest lawful levy, or a lesser amount if banking levy capacity.
- The **percent of increase** equals the change over the prior year's actual levy plus the dollar amount of increase equal to the district's highest lawful levy for this year, or a lesser amount if banking levy capacity.

The sample Ordinance/Resolution enclosed provides the amounts for districts wishing to request their highest lawful levy.

See reverse for answers to frequently asked questions.

Contact Kim Fleshman for questions (253) 798-7114, kim.fleshman@piercecountywa.gov

Levy FAQs

Q. How should the Ordinance/Resolution read if the district is limited at a lesser amount due to the statutory maximum rate limit?

A. Prepare the document as though there is no limit due to the statutory maximum rate. Add language to inform the district's taxpayers of the rate limit and the projected allowable levy to the Ordinance/Resolution.

The Ordinance/Resolution must contain three amounts; last year's actual levy, the dollar amount & percent of increase needed for the following year. The intent of the district must be clear in the Ordinance/Resolution.

Q. Why does the sample Ordinance/Resolution show more/less than 1%?

A. The 1% limit refers to the limitation of increase to a district's highest lawful levy known as the Levy Limit Factor. The percent of increase approved in a district's Ordinance/Resolution equals the change over the prior year's actual amount levied plus the dollar amount of increase for the next year's budget needs.

- The simple act of passing an Ordinance/Resolution allows a district to increase the Highest Lawful levy by the lesser of 1% or the IPD, depending on the size of the district.
- The increase authorized in the document identifies how much of that increase is required for the next year's budget needs.

Q. Why does the sample show \$0 increase and an increase of 0%?

A. The total amount levied in the prior year is more than this year's increase from the limit factor, the district should ask for a \$0 and 0% increase. This does not affect any increase allowed by the limit factor increase of the highest lawful levy. Once a district passes the Ordinance/Resolution the Highest Lawful levy is allowed to increase by the limit factor.

A district's Ordinance or Resolution controls two levy limitations;

- 1. The act of passing a resolution/ordinance allows the Limit Factor increase (lesser of 1% or the IPD) to the highest lawful levy.*
- 2. The authorized percent and dollar amount stated increase over the prior year's actual, Certified levy request.*

Q. What documents need to be submitted by November 30?

A. No later than November 30, provide a copy of the approved Ordinance/Resolution & the Levy Certification (Budget Request).

FAILURE TO PROVIDE THESE DOCUMENTS BY THE DUE DATE COULD ADVERSLEY AFFECT YOUR LEVY.



Pierce County

Mike Lonergan, Assessor-Treasurer

2401 South 35th Street
Tacoma, WA 98409-7498
(253) 798-6111 FAX (253) 798-3142
ATLAS (253) 798-3333
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September 16, 2019

OFFICIAL NOTIFICATION TO: **ORTING**

RE: 2019 PRELIMINARY ASSESSED VALUES

FOR REGULAR LEVY

Total Taxable Regular Value	868,926,540
Highest lawful regular levy amount since 1985	1,291,337.79
Last year's actual levy amount (including refunds)	1,291,337.79
Additional revenue from current year's NC&I	26,812.37
Additional revenue from annexations (RCW 84.55)	0.00
Additional revenue from administrative refunds (RCW 84.69)	4,817.08

No additional revenue from administrative refunds will be allowed if you are limited by your statutory rate limit.

Last year's additional revenue from increase in state-assessed property **383.26**

(this amount may be added to the preliminary levy limit as an estimate of the final levy limit)

FOR EXCESS LEVY

Taxable Value	853,156,717
Timber Assessed Value	-
Total Taxable Excess Value	853,156,717

2019 New Construction and Improvement Value 16,757,729

*If you need assistance or have any questions regarding this information, please contact Kim Fleshman
253.798.7114 kim.fleshman@piercecounywa.gov*



Pierce County

Mike Lonergan, Assessor-Treasurer

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PRELIMINARY HIGHEST LAWFUL LEVY LIMIT 2019 FOR 2020

**ORTING
< 10,000**

REGULAR TAX LEVY LIMIT:

2018

A. <u>Highest regular tax which could have been lawfully levied beginning with the 1985 levy</u> [refund levy not included] times limit factor (as defined in RCW 84.55.005).	1,291,337.79
	1.01
	1,304,251.17
B. Current year's assessed value of new construction, improvements and wind turbines in original districts before annexation occurred times last year's levy rate (if an error occurred or an error correction was made in the previous year, use the rate that would have been levied had no error occurred).	16,757,729
	1.600000000000
	26,812.37
C. Current year's state assessed property value in original district if annexed less last year's state assessed property value. The remainder to be multiplied by last year's regular levy rate (or the rate that should have been levied).	9,903,973
	9,903,973
	0.00
	1.600000000000
	0.00
D. REGULAR PROPERTY TAX LIMIT (A + B + C)	1,331,063.53

ADDITIONAL LEVY LIMIT DUE TO ANNEXATIONS:

E. To find rate to be used in F, take the levy limit as shown in Line D above and divide it by the current assessed value of the district, excluding the annexed area.	1,331,063.53
	868,926,540
	1.531848174761
F. Annexed area's current assessed value including new construction and improvements times rate found in E above.	0.00
	1.531848174761
	0.00
G. NEW LEVY LIMIT FOR ANNEXATION (D + F)	1,331,063.53

LEVY FOR REFUNDS:

H. RCW 84.55.070 provides that the levy limit will not apply to the levy for taxes refunded or to be refunded pursuant to Chapters 84.68 or 84.69 RCW. (D or G + refund if any)	1,331,063.53
	4,817.08
	1,335,880.61
I. TOTAL ALLOWABLE LEVY AS CONTROLLED BY THE LEVY LIMIT (D,G,or H)	1,335,880.61
J. Amount of levy under statutory rate limitation.	868,926.540
	1.600000000000
	1,390,282.46
K. LESSER OF I OR J	1,335,880.61



Levy Certification

Submit this document to the county legislative authority on or before November 30 of the year preceding the year in which the levy amounts are to be collected and forward a copy to the assessor.

In accordance with RCW 84.52.020, I, _____, (Name)

_____, for _____, do hereby certify to (Title) (District Name)

the _____ County legislative authority that the _____ (Name of County) (Commissioners, Council, Board, etc.)

of said district requests that the following levy amounts be collected in _____ as provided in the district's (Year of Collection)

budget, which was adopted following a public hearing held on _____; (Date of Public Hearing)

Regular Levy: _____ (State the total dollar amount to be levied)

Excess Levy: _____ (State the total dollar amount to be levied)

Refund Levy: _____ (State the total dollar amount to be levied)

Signature: _____

Date: _____

To ask about the availability of this publication in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users, please call (360) 705-6718. For tax assistance, call (360) 534-1400.



**City Of Orting
Council Agenda Summary Sheet**

Subject: Utility Rates	Recommending Committee:	AB#- 19-74	Study Session	Regular Meeting
			10.16.19	
	Department:	Finance		
	Date Submitted:	October 9, 2019		
Cost of Item:		<u>N/A</u>		
Amount Budgeted:		<u>N/A</u>		
Unexpended Balance:		<u>N/A</u>		
Bars #:		N/A		
Timeline:		N/A		
Submitted By:		Scott Larson		
Fiscal Note: N/A				
Attachments: Baker Tilly Memorandum dated October 9, 2019				
<p>SUMMARY STATEMENT: Baker Tilly was retained by the City to consult on the utility rates and advise on needed changes to our rate structure to be able to meet the needs and goals of the City. Today we will review and discuss the Baker Tilly memorandum regarding sewer rate structure and snowbird rates.</p>				
RECOMMENDED ACTION: Back to Committee				

Memo

To: Scott Larson, City of Orting
From: Patty Kettles, Director
Date: October 9, 2019
Subject: Tiered Sewer Rates & Snowbird Rates

The City currently utilizes the following water, sewer and stormwater rate structures:

	2019
<u>Water - Base Charge</u>	
0.75" Residential & Commercial	\$24.38
1-1.5" Residential & Commercial	\$39.81
2.0-4.0" Residential & Commercial	\$56.53
Qualified Low Income	\$18.29
<u>Water - Volume Charge</u>	
<u>Residential</u>	
0-600 CF	\$2.65
601-1700 CF	\$3.55
1701+ CF	\$5.34
<u>Qualified Low Income</u>	
0-600 CF	\$1.98
601-1700 CF	\$2.66
1701+ CF	\$4.01
Commercial - all use per ccf	\$3.68

	2019
<u>Sewer - Base Charge</u>	
Residential	\$49.49
Residential - Snowbird	\$35.99
Residential - Qualified Low Income	\$37.12
Commercial	\$49.49
<u>Sewer - Volume Charge</u>	
Commercial - Domestic 1 per ccf	\$5.10
Commercial - Domestic 2 per ccf	\$9.04
<u>High Cedars Sewer Service</u>	
Base Charge	\$62.8
Volume Charge - Business	\$6.49
Volume Charge - Restaurant	\$11.48

	2019
<u>Stormwater Flat Rate per ERU</u>	\$20.60

As part of this study, the City has requested that we provide options for implementing a tiered-rate structure for the Sewer Utility, similar to that of the Water Utility.

Current revenues from sewer charges are budgeted at approximately \$1.9 million in 2019.

Based on the average monthly consumption over the past two twelve-month periods, this revenue is estimated to be generated across the following user groups as follows:

Residential revenues - \$1,700,000

Non-residential - \$175,000

Qualified Low Income - \$30,000

Therefore, our goal was to generate the same amount of revenues by implementing a fixed charge and tiered volume charge for each user group. One such option is proposed:

Residential		Qualified Low Income	
Base Charge -	\$30.00	Base Charge -	\$20.00
0-600 CF	\$3.00	0-600 CF	\$3.00
600-1700 CF	\$3.75	600-1700 CF	\$3.75
>1700 CF	\$4.69	>1700 CF	\$4.69

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Non-Residential

Base Charge -	\$30.00
0-600 CF	\$4.50
600-1700 CF	\$5.63
>1700 CF	\$7.03

Based on the average monthly consumption over the past two twelve-month periods, the proposed sewer rates are estimated to generate the following revenues by user group:

Residential revenues - \$1,770,000
 Non-residential - \$175,000
 Qualified Low Income - \$24,000

However, more revenues would be generated from the volume charge vs. the base charge for each of these groups, making revenues more variable.

Sample bills for various customers in each group under the proposed rates and the current rates are shown in the tables below. It should be noted, all Non-residential volume charges are assumed at the "Commercial-Domestic" rate of \$5.10 per ccf.

Residential			
Average bill @ or under 600 cf			
		units	
\$30.00 Base Charge		1	\$30.00
\$3.00 Unit charge under 600cf		6	\$18.00
	proposed total		\$48.00
	<i>current</i>		<i>\$49.49</i>
Average bill between 600-1700cf			
		units	
\$30.00 Base Charge		1	\$30.00
\$3.00 Unit charge under 600cf		6	\$18.00
\$3.75 Unit charge 600-1700cf		6	\$22.50
	proposed total		\$70.50
	<i>current</i>		<i>\$49.49</i>
Average bill over 1700			
		units	
\$30.00 Base Charge		1	\$30.00
\$3.00 Unit charge under 600cf		6	\$18.00
\$3.75 Unit charge 600-1700cf		11	\$41.25
\$4.69 Unit charge over 1700cf		14	\$65.66
	proposed total		\$154.91
	<i>current</i>		<i>\$49.49</i>

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Non-Residential			
Average bill @ or under 600 cf			
		units	
\$30.00	Base Charge	1	\$30.00
\$4.50	Unit charge under 600cf	6	\$27.00
	proposed total		\$57.00
	<i>current</i>		<i>\$80.09</i>
Average bill between 600-1700cf			
		units	
\$30.00	Base Charge	1	\$30.00
\$4.50	Unit charge under 600cf	6	\$27.00
\$5.63	Unit charge 600-1700cf	7	\$39.41
	proposed total		\$96.41
	<i>current</i>		<i>\$115.79</i>
Average bill over 1700			
		units	
\$30.00	Base Charge	1	\$30.00
\$4.50	Unit charge under 600cf	6	\$27.00
\$5.63	Unit charge 600-1700cf	12	\$67.56
\$7.03	Unit charge over 1700cf	14	\$98.42
	proposed total		\$222.98
	<i>current</i>		<i>\$212.69</i>
Qualified Low Income			
Average bill under 600 cf			
		units	
\$20.00	Base Charge	1	\$20.00
\$3.00	Unit charge under 600cf	5	\$15.00
	proposed total		\$35.00
	<i>current</i>		<i>\$37.12</i>
Average bill between 600-1700cf			
		units	
\$20.00	Base Charge	1	\$20.00
\$3.00	Unit charge under 600cf	6	\$18.00
\$3.75	Unit charge 600-1700cf	6	\$22.50
	proposed total		\$60.50
	<i>current</i>		<i>\$37.12</i>
Average bill over 1700			
		units	
\$20.00	Base Charge	1	\$20.00
\$3.00	Unit charge under 600cf	6	\$18.00
\$3.75	Unit charge 600-1700cf	11	\$41.25
\$4.69	Unit charge over 1700cf	10	\$46.90
	proposed total		\$126.15
	<i>current</i>		<i>\$37.12</i>

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A second option is a fixed charge and a flat volume charge:

Residential		Qualified Low Income	
Base Charge -	\$30.00	Base Charge -	\$20.00
Volume Charge -	\$3.45	Volume Charge -	\$3.45
Non-Residential			
Base Charge -	\$30.00		
Volume Charge -	\$6.25		

Based on the average monthly consumption over the past two twelve-month periods, the proposed sewer rates are estimated to generate the following revenues by user group:

Residential revenues - \$1,778,000
Non-residential - \$174,000
Qualified Low Income - \$24,000

As with the tiered volume charges, more revenues would be generated from the volume charge vs. the base charge for each of these groups, making revenues more variable.

Sample bills for various customers in each group under the proposed rates and the current rates are shown in the tables below. It should be noted, all Non-residential volume charges are assumed at the "Commercial-Domestic" rate of \$5.10 per ccf.

Please note, these rates are projected to generate 2019 budgeted sewer revenues. Current projections indicate annual rate increases of 6.0% will be necessary to fund operations, maintenance, debt service and projected capital projects. The rate increases would need to be applied to the initial rate structure.

Residential		
Average bill @ or under 600 cf		
	units	
\$30.00 Base Charge	1	\$30.00
\$3.45 Unit charge	6	<u>\$20.70</u>
	proposed total	\$50.70
	<i>current</i>	\$49.49
Average bill between 600-1700cf		
	units	
\$30.00 Base Charge	1	\$30.00
\$3.45 Unit charge	12	<u>\$41.40</u>
	proposed total	\$71.40
	<i>current</i>	\$49.49
Average bill over 1700cf		
	units	
\$30.00 Base Charge	1	\$30.00
\$3.45 Unit charge	31	<u>\$106.95</u>
	proposed total	\$136.95
	<i>current</i>	\$49.49

Non-Residential		
Average bill @ or under 600 cf		
	units	
\$30.00 Base Charge	1	\$30.00
\$6.25 Unit charge	6	<u>\$37.50</u>
	proposed total	\$67.50
	<i>current</i>	\$80.09
Average bill between 600-1700cf		
	units	
\$30.00 Base Charge	1	\$30.00
\$6.25 Unit charge	13	<u>\$81.25</u>
	proposed total	\$111.25
	<i>current</i>	\$115.79
Average bill over 1700 cf		
	units	
\$30.00 Base Charge	1	\$30.00
\$6.25 Unit charge	32	<u>\$200.00</u>
	proposed total	\$230.00
	<i>current</i>	\$212.69

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Qualified Low Income			
Average bill under 600 cf			
		units	
\$20.00	Base Charge	1	\$20.00
\$3.45	Unit charge	5	<u>\$17.25</u>
	proposed total		\$37.25
	<i>current</i>		\$37.12
Average bill between 600-1700cf			
		units	
\$20.00	Base Charge	1	\$20.00
\$3.45	Unit charge	12	<u>\$41.40</u>
	proposed total		\$61.40
	<i>current</i>		\$37.12
Average bill over 1700cf			
		units	
\$20.00	Base Charge	1	\$20.00
\$3.45	Unit charge	27	<u>\$93.15</u>
	proposed total		\$113.15
	<i>current</i>		\$37.12

We reviewed the sewer rates of the following communities:

- Auburn
- Sumner
- Bonney Lake
- Buckley
- Gig Harbor
- Puyallup

The majority employ a base fee plus volume charge (flat rate). This is the most common type of sewer rate structure we've experienced in our work with a multitude of public entities. None of these communities utilize a tiered sewer rate structure.

Our experience has been that customers will push back on sewer volume charges based on water usage, as water used for irrigation, pool filling and car washing do not enter the sewer collection and treatment systems. Some communities address these concerns by using the average winter season water usage as the basis for sewer volume charges. Other communities have provisions for customers to install deduct meters that are connected to the outside spigots. A tiered sewer volume system will exacerbate this issue, as excess use for irrigation and other outdoor uses may drive usage into a higher priced tier.

Snowbird Rates

Typically, we see that snowbirds are charged the fixed fee during the months that they are gone and then the average residential bill for the non-winter months, since they aren't around to establish a winter average. Sometimes people capture fees through shut-off and turn-on fees, but not all snowbirds turn off their water when they leave.

As Mark discussed with you on the phone, the utility continues to incur the fixed costs of the system, regardless. Therefore, we would recommend that you continue to charge the snowbird base fee, setting it at a level that will cover all fixed costs of each utility and spread amongst all users equally. Such costs that vary with the amount of water consumed would be excluded from this calculation.

Staff assumes snowbird accounts may equate to 20-40 accounts per year. This is approximately 1% of all City accounts.

We surveyed several communities and found this is what they charge snowbirds:

- Liberty Lake Water & Sewer District – will turn off the water, but still charge the base charges for each utility each month
- Jefferson, OR – Only suspend the water portion of the bill, the sewer base will continue to be charged
- Cheney, WA – they charge \$50 to become a snowbird with no charge to turn it back on but customer must suspend ALL services, except electric (water, sewer, garbage)

**DM DISPOSAL
ADHOC COMMITTEE**

Table 1

	2019										
	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19		
Orting Recycle Account Counts	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05	This was based on the total recyclable volume we collected from the City to our 3rd party MRF, divided by the total recycle customer accounts from the City.
Total monthly Recycle Tons (Orting)	2,641	2,643	2,801	2,800	2,831	2,833	2,858	2,857	2,866	2,866	25,130
Commingle Market Price (cost)	\$ (87.29)	\$ (98.35)	\$ (100.64)	\$ (106.57)	\$ (108.97)	\$ (107.61)	\$ (105.67)	\$ (105.90)	\$ (109.95)	\$ (109.95)	
Commingle Disposal Cost	\$ (11,433.28)	\$ (12,892.55)	\$ (13,981.11)	\$ (14,799.36)	\$ (15,297.54)	\$ (15,118.01)	\$ (14,978.20)	\$ (15,005.41)	\$ (15,630.03)	\$ (15,630.03)	\$ (129,135.49)
											\$ 5.14 Proposed PI to only capture the cost without considering the proceeds we used to receive from our 3rd party MRF (100% PT)

Table 2

	2018					
	Feb-18	Mar-18	Apr-18	May-18	Jun-18	
Orting Recycle Account Counts	0.05	0.05	0.05	0.05	0.05	This was based on the total recyclable volume we collected from the City to our 3rd party MRF, divided by the total recycle customer accounts from the City.
Total monthly Recycle Tons (Orting)	2,494	2,528	2,525	2,582	2,584	12,713
Commingle Market Price (cost) - used to present to all the other Cities we have service contracts	\$ (78.55)	\$ (83.32)	\$ (95.71)	\$ (94.36)	\$ (84.01)	
Commingle Disposal Cost	\$ (9,716.66)	\$ (10,448.00)	\$ (11,986.86)	\$ (12,080.96)	\$ (10,764.64)	\$ (54,997.12)
						\$ 4.33 Proposed PI to only capture the cost without considering the proceeds we used to receive from our 3rd party MRF (100% PT)